



# Camden Local Planning Panel

## Minutes

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13 December 2018

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



# CAMDEN LOCAL PLANNING PANEL

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## **PRESENT**

Michael Mantei (Chairperson), Grant Christmas (Expert Member), Michael File (Expert Member), Debby Dewbery (Community Member – South Ward), Steve Lyons (Alternate Community Member – North Ward).

## **ALSO IN ATTENDANCE**

Manager Statutory Planning, Team Leader Development Assessment West, Governance Officer – Panel and Committees, Governance Officer.

## **ACKNOWLEDGEMENT OF COUNTRY**

The Chair acknowledged the traditional Custodians of the Land:

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

## **RECORDING OF MEETING**

The Chair stated that the meeting is being audio recorded by Council staff for publication on Council's website and that no other recording by a video camera, still camera or any other electronic device capable of recording speech, moving images or still images is permitted without the prior approval of the panel.

## **APOLOGIES**

There were no leave of absence to be granted.

## **DECLARATION OF INTEREST**

Ms Dewbery declared a conflict in relation to CLPP03 – DA/2017/308/1 – Remediation of Contaminated Land, use of the Camden Town Farm for Community, Educational and Function Centre Purposes – 40 Exeter Street, Camden and advised that she would take no part in the Panel's deliberation or voting in relation to that matter.

The Chair accepted the declaration of Ms Dewbery.

## **PUBLIC ADDRESSES**

Mr Charles Cowell addressed the Panel in relation to CLPP01 - Demolition and Construction of a BP Service Station Comprising 4 Fuel Pumps With Canopy Over a 2 Storey Building, Signage and Landscaping Works - 12 Argyle Street, Camden.

Mr Robert Wheeler addressed the Panel in relation to CLPP01 - Demolition and Construction of a BP Service Station Comprising 4 Fuel Pumps With Canopy Over a 2 Storey Building, Signage and Landscaping Works - 12 Argyle Street, Camden.

Ms Glenda Davis addressed the Panel in relation to CLPP01 - Demolition and Construction of a BP Service Station Comprising 4 Fuel Pumps With Canopy Over, a 2 Storey Building, Signage and Landscaping Works - 12 Argyle Street, Camden.

Ms Lorraine Iddon addressed the Panel in relation to CLPP01 - Demolition and Construction of a BP Service Station Comprising 4 Fuel Pumps With Canopy Over, a 2 Storey Building, Signage and Landscaping Works - 12 Argyle Street, Camden.

Mr Adam Crampton and Mr Kamarn Shahrabi addressed the Panel in relation to CLPP01 - Demolition and Construction of a BP Service Station Comprising 4 Fuel Pumps With Canopy Over, a 2 Storey Building, Signage and Landscaping Works - 12 Argyle Street, Camden.

Mr Raad Richards addressed the Panel in relation to CLPP02 - Construction of Seniors Housing Including 25 Independent Living Units, Site Works, Drainage, Access Driveway, Infrastructure, and Landscaping - 90 Werombi Road, Grasmere.

*(Ms Dewbery left the chamber – the time being 2.59pm. In the absence of the Community Member, an alternate, Mr Lyons assumed the position of the Community Member on the Panel).*

Ms Glenda Davis addressed the Panel in relation to CLPP03 - Remediation of Contaminated Land, use of the Camden Town Farm for Community, Educational and Function Centre Purposes - 40 Exeter Street, Camden.

Ms Dianne Fernance addressed the Panel in relation to CLPP03 - Remediation of Contaminated Land, use of the Camden Town Farm for Community, Educational and Function Centre Purposes - 40 Exeter Street, Camden.

Mr David Buckley and Ms Kerrie Flynn addressed the Panel in relation to CLPP03 - Remediation of Contaminated Land, use of the Camden Town Farm for Community, Educational and Function Centre Purposes - 40 Exeter Street, Camden.

Mr David Funnell addressed the Panel in relation to CLPP03 - Remediation of Contaminated Land, use of the Camden Town Farm for Community, Educational and Function Centre Purposes - 40 Exeter Street, Camden.

*(Ms Dewbery returned to the chamber and resumed her position as Community Member on the Panel – the time being 3.39pm).*

### **CLOSURE OF THE MEETING**

After hearing all of the public submissions the Chair then declared the public meeting closed at 3.40pm. The Panel then went into private deliberation to consider the items and their determinations are listed below:

### **CLPP01 DA/2018/257/1 - DEMOLITION AND CONSTRUCTION OF A BP SERVICE STATION COMPRISING 4 FUEL PUMPS WITH CANOPY OVER, A 2 STOREY BUILDING, SIGNAGE AND LANDSCAPING WORKS - 12 ARGYLE STREET, CAMDEN**

#### **SUMMARY**

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

#### **DETERMINATION OF PANEL**

- i. The Panel is satisfied that the applicant's written request lodged pursuant to Clause 4.6 of Camden Local Environmental Plan 2010 to vary the maximum height of buildings development standard (Clause 4.3) addresses the matters specified in Clause 4.6(3) of Camden LEP 2010 and is otherwise satisfied that the development will be in the public interest as required by Clause 4.6 (4)a(ii), and
- ii. The Panel resolved to approve DA/2018/257/1 for demolition of existing slabs

and construction of a BP Service Station comprising four (4) fuel pumps with canopy over, a two (2) storey building, signage and landscaping works at 12 Argyle Street, Camden subject to the conditions attached to the officer's report and the following additional conditions being added in Part 1.0 – General Conditions of Consent:

(2a) **Amended Plans** - Before the issue of any construction certificate amended plans are to be submitted to the Certifying Authority's satisfaction indicating the following design changes:

- i. The BP ultimate signs be removed from the pylon and the north western elevation of the building; and
- ii. The canopy including supporting columns be finished in scheduled code P3 Dulux Tranquil Retreat.

(2b) **Structural Soundness** - The structural soundness certification required by the approved Flood Risk Management Report Revision 2 is to include the structural soundness of the existing concrete block retaining wall on the southern boundary.

#### REASONS FOR DETERMINATION

1. The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instruments, being State Environmental Planning Policy No 33 – Hazardous and Offensive Development, State Environmental Planning Policy No. 55 – Remediation of Land, State Environmental Planning Policy (Infrastructure) 2007, Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River and Camden Local Environmental Plan 2010.
2. The proposed development is, subject to the recommended conditions, consistent with the objectives of the applicable development control plan, being the Camden Development Control Plan 2011.
3. The proposed development is considered to be of an appropriate scale and form for the site and the character of the locality.
4. The proposed development, subject to the amended conditions, is unlikely to have any unreasonable adverse impacts upon the natural or built environments, including surrounding heritage items.
5. In consideration of the aforementioned reasons, the proposed development is a suitable and planned use of the site and its approval is in the public interest.

#### VOTING NUMBERS

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

**CLPP02 DA/2017/1790/1 - CONSTRUCTION OF SENIORS HOUSING INCLUDING 25 INDEPENDENT LIVING UNITS, SITE WORKS, DRAINAGE, ACCESS DRIVEWAY, INFRASTRUCTURE AND LANDSCAPING - 90 WEROMBI ROAD, GRASMERE**

#### SUMMARY

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

development.

### DETERMINATION OF PANEL

- i. The Panel is satisfied that the applicant's written request lodged pursuant to Clause 4.6 of Camden Local Environmental Plan 2010 to vary the maximum height of buildings development standard (Clause 4.3) address the matters specified in Clause 4.6(3) of Camden LEP 2010, and is otherwise satisfied that the development will be in the public interest as required by Clause 4.6 (4)a(ii), and
- ii. The Panel resolved to approve DA/2017/1790/1 for the construction of Seniors Housing including 25 independent living units, site works, drainage, access driveway, infrastructure and landscaping at 90 Werombi Road, Grasmere, and endorsed the conditions attached to the officer's report subject to condition 1 in Part 2 – Prior to Issue of a Construction Certificate being amended to read as follows:

- 2(1) **Detailed Landscape Plan** - A detailed landscape plan must be prepared in accordance with Council's Engineering Specifications. Details demonstrating compliance shall be provided to the Certifying Authority.

The detailed landscape plan must include:

- a) Landscaping to include cultural tree species planting consisting of 1 to 3 specimen plantings of *Araucaria cunninghamii*, *Araucaria bidwillii* or *Agathis robusta*.
- b) Additional landscaping west of the basement fire egress path along the northern boundary to form a 6m wide buffer in total from the northern boundary. The additional 3m landscape strip shall replicate the number and type of species shown on the approved landscape plan within the existing 3m wide landscape strip.

### REASONS FOR DETERMINATION

1. The proposed development will provide seniors living accommodation that will help meet the demands in the Camden LGA.
2. The proposed development, subject to the amended conditions, is consistent with the objectives of the applicable environmental planning instruments, being State Environmental Planning Policy (Housing for Seniors or People with a disability) 2004; State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development; State Environmental Planning Policy No 55 – Remediation of Land; State Environmental Planning Policy (Infrastructure) 2007; State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004; Sydney Regional Environmental Plan No 20 Nepean-Hawkesbury River; and Camden Local Environmental Plan 2010.
3. The proposed development is, subject to the amended conditions, consistent with the objectives of the applicable development control plan, being the Camden Development Control Plan 2011.
4. The proposed building height variation to Camden Local Environmental Plan 2010 is considered to be acceptable in the particular circumstances of this case as the variation is unlikely to have any unacceptable impacts upon residential amenity or

the surrounding environment.

5. Subject to the amended conditions the proposed development will be provided with adequate services.
6. The proposed development is considered to be of an appropriate scale and form for the site.
7. The proposed development, subject to the amended conditions, is unlikely to have any unreasonable adverse impacts upon the natural or built environments, including surrounding residential dwellings.
8. In consideration of the aforementioned reasons, the proposed development is a suitable and planned use of the site and its approval is within the public interest.

### VOTING NUMBERS

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

*(Ms Dewbery left the private deliberation, and Mr Lyons assumed the position of the Community Member for this item).*

### **CLPP03 DA/2017/308/1 - REMEDIATION OF CONTAMINATED LAND, USE OF THE CAMDEN TOWN FARM FOR COMMUNITY, EDUCATIONAL AND FUNCTION CENTRE PURPOSES - 40 EXETER STREET, CAMDEN**

#### SUMMARY

The Panel has considered the planning consultants report and inspected the site of the proposed development.

#### DETERMINATION OF PANEL

The Panel resolved to approve DA/2017/308/1 for the remediation of contaminated land, use of the Camden Town Farm for community, educational and function centre purposes at 40 Exeter Street, Camden and endorsed the conditions attached to the report subject to the following changes:

- i. Delete condition 3 in part 1.0 – General Conditions of Consent.
- ii. Modify condition 2 in part 3.0 – Ongoing Use to read as follows:
  - (2) **Approved Uses and Hours of Operation** - The property is only to be open for business and used for the following purposes approved within the following hours (consistent with the Noise Impact Assessment prepared by Benbow Environmental):

Large Community Events / Festivals (including music / agricultural festivals, food markets, Camden Show, film festivals, and Christmas events).

- Up to a maximum of 6 events in total per calendar year with no more than 1 event occurring at any one time.
- Up to a maximum of 1000 people.

Smaller Community Events (use of education and exhibition space / outdoor cinemas / markets and the like) and Private functions (weddings / parties / Christenings and the like):

- Up to 4 events per week with no more than 1 event occurring at any one time.
- Up to 150 people maximum.
- No fireworks / helicopters / use of loud vehicles or general excessive noises are permitted.

Passive recreational activities onsite (fishing, picnicking and barbecues).

- These activities are permitted during other events on site.

Day	Hours of Operation
Monday	7:00am to 6:00pm
Tuesday	7:00am to 6:00pm
Wednesday	7:00am to 6:00pm
Thursday	7:00am to 6:00pm
Friday	7:00am to 6:00pm (extended hours 6.00pm – 11.00pm)
Saturday	7:00am to 6:00pm (extended hours 6.00pm – 11.00pm)
Sunday and Public Holidays	7:00am to 6:00pm

Note: Music and amplification is to cease at 10:00 pm on Fridays and Saturdays.

iii. and add the following additional condition:

- (2(a)) **Extended Hours** - To ensure there are no unreasonable impacts on the amenity of the surrounding area, the extended hours in condition 3.0(2) are reviewable in accordance with section 4.17(10B) of the *Environmental Planning and Assessment Act 1979* at the discretion of Council every 12 months after the date of determination of this application.

#### REASONS FOR DETERMINATION

1. The proposed development will provide the Camden Town Farm with the ability to undertake the activities and functions outlined in the Camden Town Farm Master and Management Plan 2015 which underpin the financial sustainability of the Farm, while continuing to conserve its heritage significance and its buildings.
2. The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instruments, being State Environmental Planning Policy (Infrastructure) 2007, State Environmental Planning Policy No 55 - Remediation of Land, Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River and Camden Local Environmental Plan 2010.
3. The proposed development is, subject to the recommended conditions, consistent with the objectives of the applicable development control plan, being the Camden Development Control Plan 2011.
4. The proposed development, subject to the recommended conditions, is considered to be appropriate to the site and locality and meets the Camden Town Farm Master and Management Plan 2015 and Camden Town Centre Urban Design Framework 2018.
5. The proposed development, subject to the recommended conditions, is unlikely to



have any unreasonable adverse impacts upon the natural or built environments. The reviewable condition 3.0(2a) will enable any impacts to be monitored and reviewed for any future operations.

6. In consideration of the aforementioned reasons, the proposed development is a suitable and planned use of the site and its approval is in the public interest.

### VOTING NUMBERS

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

*(After consideration and voting on this item, Ms Dewbery returned to the private deliberation and resumed the position of the Community Member).*

### **CLPP04 DA/2018/1104/1 - CONSTRUCTION OF A COMMUNITY CENTRE, 26 SPACE CAR PARK, LANDSCAPING, SIGNAGE AND ASSOCIATED SITE WORKS - 241 AND 239 RICHARDSON ROAD, SPRING FARM**

### SUMMARY

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

### DETERMINATION OF PANEL

That the Panel resolved to approve DA/2018/1104/1 for the construction of a community centre, 26 space car park, landscaping, signage and associated site works at 241 and 239 Richardson Road, Spring Farm subject to the conditions attached to the officer's report.

### REASONS FOR DETERMINATION

1. The proposed development, subject to the recommended conditions, is consistent with the objectives of the applicable environmental planning instruments, being the Camden Local Environmental Plan 2010, State Environmental Planning Policy No. 55 – Remediation of Land, State Environmental Planning Policy (Infrastructure) 2007, Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River and State Environmental Planning Policy No 64 – Advertising and Signage.
2. The proposed development is considered to be of an appropriate scale and form for the site and the character of the locality.
3. The proposed development, subject to the recommended conditions, is unlikely to have any unreasonable adverse impacts upon the natural or built environments.
4. In consideration of the aforementioned reasons, the proposed development is a suitable and planned use of the site and its approval is within the public interest.

### VOTING NUMBERS

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