

Minutes

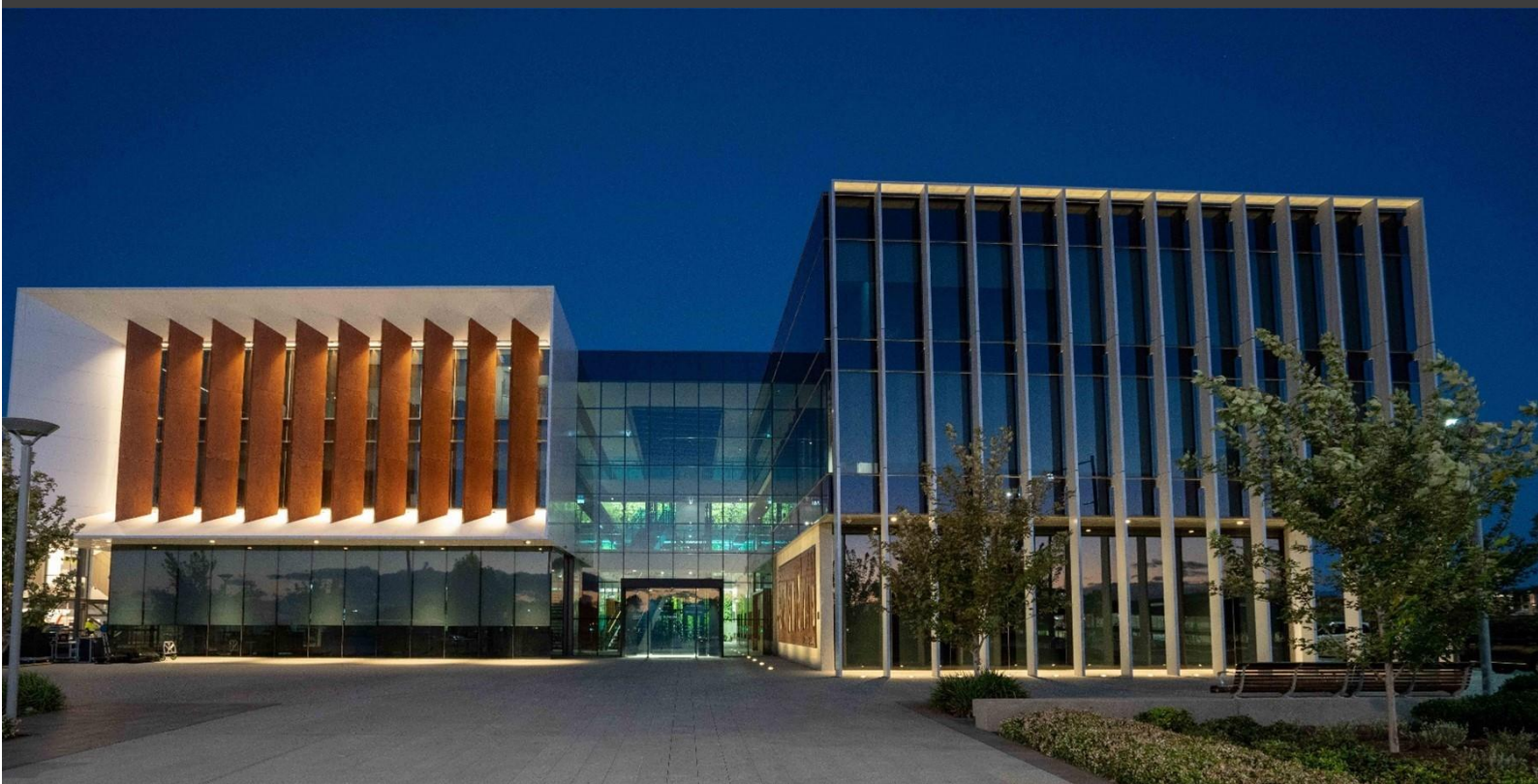
Camden Local Planning Panel

Camden Council

Administration Centre

70 Central Avenue, Oran Park

18 April 2023



camden
council

Site Inspections Commenced:

10:30am

Meeting Opened:

2:02pm

Attendees: Michael Mantei (Chairperson), Mary-Lynne Taylor (Expert Member), Michael File (Expert Member) and Steve Lyons (Community Representative).

Also in Attendance: Manager Statutory Planning, Coordinator Statutory Planning Services, Executive Planner and Governance Officer – Panel & Committees.

Acknowledgement of Country:

Michael Mantei (Chairperson) gave the Acknowledgement of Country.

Apologies:

There was no apologies to be noted.

Public Address:

The following submissions were made in relation to CLPP02:

Name
Jo O'Brien
David Nethercote (on behalf of Camden Residents Action Group)
David Cadden
John Kinnear

The following submissions were made in relation to CLPP04:

Name
Sally Quinnell MP (a written submission was received which was read out by the Chairperson)
Fletcher Joss
Jill Leeman
Jo O'Brien (on behalf of Camden Historical Society)
Jo O'Brien
Sue Cross
Jane Stanham
David Nethercote
Councillor Eva Campbell
Glenda Davis (on behalf of Camden Residents Action Group)
Ross Newport
Ranga Fonseka
Julia Moiso
Michael Row
The Honourable John Ryan AM JP

CLPP01 DA/2022/842/1 - Installation of A Telecommunications Facility, Consisting of A 25 Metre Monopole, Antennas, Outdoor Equipment Cabinets and Ancillary Equipment - 300 Macquarie Grove Road, Kirkham

DETERMINATION

The Panel refuses DA/2022/842/1 for installation of a telecommunications facility, consisting of a 25 metre monopole, antennas, outdoor equipment cabinets and ancillary equipment at John Oxley Reserve (300 Macquarie Grove Road, Kirkham) for the following reasons:

1. The CASA has advised Council that the proposed development will penetrate the Obstacle Limitation Surface as shown on the Obstacle Limitation Surface map and that CASA objects to the proposed development.
2. Clause 7.2(5) of Camden LEP 2010 requires the Panel to refuse the application on the basis of the CASA objection.
3. The proposed development is inconsistent with the Department of Planning and Environment's publication, NSW Telecommunications Facilities Guideline, including Broadband, *Principle 4: Minimise disturbance and risk, and maximise compliance* (a), as the proposed telecommunications facility is located within the Obstacle Limitation Surface.
4. The proposed development penetrates the Obstacle Limitation Surface and will impact on the approach surface for runway 24 and the take-off surface for runway 06 of Camden Airport. As such, the proposal would have an unacceptable impact on the safety of existing and future air transport operations at Camden Airport.
5. Based on the information submitted with the application, the site is considered unsuitable for the proposed development.
6. Given the potential safety impacts on the operation of Camden Airport, approval of the application would not be in the public interest.

VOTING NUMBERS

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

CLPP02 DA/2022/959/1 - Construction of A Two Storey Office Premises - 1-3 View Street, Camden**DETERMINATION**

That the Panel:

- i. supports the applicant's written request lodged pursuant to Section 4.6(3) of the Camden Local Environmental Plan 2010 to the contravention of the height of buildings development standard in Section 4.3 of the Camden Local Environmental Plan 2010, and
- ii. approves DA/2022/959/1 for the construction of a two storey office premises at 1-3 View Street, Camden subject to the conditions attached to this report for the following reasons:
 1. The Panel has considered the written request to contravene the Camden Local Environmental Plan 2010 in relation to the height of buildings development standard. The Panel considers that the written request from the applicant adequately demonstrates that compliance with the development standard in Section 4.3 of the Camden Local Environmental Plan 2010 is unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. The Panel is also satisfied that the development will be in the public interest because it is consistent with the objectives of the development standard in Section 4.3 of the Camden Local Environmental Plan 2010 and the objectives for development within the B4 Mixed Use zone.
 2. The development is consistent with the objectives and controls of the applicable environmental planning instruments, being the Camden Local Environmental Plan 2010, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Industry and Employment) 2021 and State Environmental Planning Policy (Biodiversity and Conservation) 2021.
 3. The development is consistent with the objectives of the Camden Development Control Plan 2019.
 4. The development is considered to be of an appropriate scale and form for the site, the character of the locality and the site's heritage context.
 5. The Panel agrees with the applicant's request to approve operating hours of 7am-7pm Monday to Friday, 7am-1pm on Saturday and no work Sunday or Public Holidays.
 6. The Panel does not agree with the applicant's request to delete the condition proposed by Council Officers requiring consolidation of 1-3 View Street, Camden and 52 Argyle Street, Camden. This draft condition is an important element in the concession allowed to the number of car parking spaces on site.
 7. Subject to the recommended conditions and additional condition listed at 5 above, the development is unlikely to have any unreasonable adverse

impacts on the natural or built environment.

8. For the above reasons, the development is a suitable use of the site and its approval is in the public interest.

VOTING NUMBERS

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

CLPP03 DA/2022/925/1 - Construction of A Single Storey Secondary Dwelling Above Existing Detached Garage - 216 Mount Annan Drive, Mount Annan

DETERMINATION

That the Panel:

- i. supports the applicant's written request lodged pursuant to Clause 4.6 of Camden Local Environment Plan 2010 to the contravention of the minimum lot size for secondary dwellings development standard in Section 7.5 of Camden Local Environmental Plan 2010, and
- ii. approves DA/2022/925/1 for a secondary dwelling at 216 Mount Annan Drive, Mount Annan subject to the conditions attached to this report for the following reasons:
 1. The Panel has considered the written request to contravene Camden Local Environmental Plan 2010 in relation to the minimum lot size for secondary dwellings development standard. The Panel considers that the written request from the applicant adequately demonstrates that compliance with the development standard in Section 7.5 of the Camden Local Environmental Plan 2010 is unreasonable and unnecessary in the circumstances of the case, and that there are sufficient environmental planning grounds to justify contravening the development standard. The Panel is also satisfied that the development will be in the public interest because it is consistent with the objective of the development standard in Section 7.5 of Camden Local Environmental Plan 2010 and the objectives for development within the R3 Medium Density Residential zone.
 2. 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 (Housing) 2021, State Environmental Planning Policy (Building Sustainability Index – BASIX) 2004, State Environmental Planning Policy (Resilience and Hazards) 2021 and State Environmental Planning Policy (Biodiversity and Conservation) 2021.
 3. The development is consistent with the objectives of the Camden Development Control Plan 2019.
 4. The development is considered to be a rational infill development in the streetscape and an appropriate scale and form for the site and the character of the locality.

5. Subject to the recommended conditions, the development is unlikely to have any unreasonable adverse impacts on the natural or built environment.
6. For the above reasons, the development is a suitable use of the site, and its approval is in the public interest.

VOTING NUMBERS

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

CLPP04 DA/2012/195/2 - Modification of Approved Church Hall Alterations and Extensions - 6 Menangle Road, Camden

DETERMINATION

The Panel approves modification 2012/195/2 for the modification of approved church hall alterations and extensions at 6 Menangle Road, Camden subject to the modified conditions attached to the report for the following reasons:

1. The Panel is satisfied, based on the Council's and applicant's legal advice, that the development consent DA/2012/195/1 has not lapsed pursuant to Section 4.53(4) of the *Environmental Planning and Assessment Act 1979*.
2. The Panel is satisfied, based on the Council Officers' assessment of the application that the development as modified is substantially the same development as the development for which the consent was originally granted.
3. The modification is consistent with the objectives and controls of the applicable environmental planning instruments, being State Environmental Planning Policy (Biodiversity and Conservation) 2021, State Environmental Planning Policy (Resilience and Hazards) 2021, State Environmental Planning Policy (Industry and Employment) 2021 and Camden Local Environmental Plan 2010.
4. The modification is consistent with the objectives of Camden Development Control Plan 2019.
5. The Panel notes that the Heritage Council of NSW, having previously found the Church site to be of State Heritage Significance, has issued General Terms of Approval to the proposed application.
6. A Representative of the Church community addressed the Panel and confirmed that the original church will continue to be used for religious purposes and ceremonies such as marriages, baptisms, funerals and a formal 8am service on Sundays, together with the Church functions planned for a bigger congregation in the new Church hall.
7. The development as modified is considered to be of an appropriate scale and form for the site, the character of the locality and the site's heritage context. The development as modified is considered superior to the development as originally approved.
8. Subject to the modified conditions, the modification is unlikely to have any

unreasonable adverse impacts on the natural or built environment.

9. For the above reasons, approval of the modification is in the public interest.

VOTING NUMBERS

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

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