| **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:* To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.
* To encourage investment in local commercial development that generates employment opportunities and economic growth.
* To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council’s strategic planning for residential development in the area.
* To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
* 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 encourage a safe, attractive, accessible and efficient pedestrian environment.
* To ensure that development contributes to the hierarchy of centres under the Camden Development Control Plan 2019.
 | The site is zoned E1 Local Centre pursuant to the land use table of the Camden LEP.The development is characterised as alterations and additions to an existing ‘*community facility*’, being the Camden Civic Centre, pursuant to the dictionary to the LEP.All of the development is permitted with consent in the zone in which it is proposed pursuant to the land use table of the Camden LEP.The development achieves the relevant objectives of the zone as:* The development maintains a land use that serves the needs of people who live in, work in or visit the area.
* The development will encourage investment in the local area that will generate employment opportunities and economic growth.
* The development proposes alterations and additions to a community land use on the ground floor of an existing building.
* The development does not propose any works that are likely to create or cause conflict between land uses within the zone and adjoining zones.
* The development proposes alterations and additions to a community land use that will provide a safe, attractive, accessible and efficient pedestrian environment into, within and throughout the site and existing buildings.
* The development will contribute to the hierarchy of the local centre under the Camden Development Control Plan 2019.
 | 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). | The application seeks consent for demolition work. Standard conditions are included in the draft development consent relating to demolition works. | Yes |
| **4.3 Height of buildings**Maximum building heights must not exceed the maximum building height shown on the Height of Buildings Map.The maximum building height for this site is 7m. | The application does not propose any changes to the existing building height with all proposed works below 7m in height. | 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 significance of the item or heritage conservation area concerned. The submission of a heritage conservation management plan may also be required.Before granting consent to the carrying out of development on an archaeological site the consent authority must notify the Heritage Council of its intention to grant consent and take into consideration any response received within 28 days after the notice is sent.Before granting consent to the carrying out of development in an Aboriginal place of heritage significance the consent authority must:1. consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
2. notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

Before granting consent to the demolition of a State heritage item the consent authority must:1. notify the Heritage Council about the application, and
2. take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

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 subject site is not identified as a Heritage Item however is located within the Camden Town Centre Heritage Conservation Area and is within proximity to a number of heritage items including:* John Street, Camden Public School (I41A);
* 33 John Street, Camden Court House (I43);
* 35 John Street, Camden Police Station and Residence (I44);
* 37 John Street, Camden Macari (I45); and
* 39 John Street, Camden Cottage (I46).

The application was accompanied by a Heritage Impact Statement prepared by John Oultram Heritage & Design which has been independently peer reviewed by City Plan and considered acceptable. Suitable conditions have been recommended which have been incorporated into the draft development consent. | Yes |
| **5.21 Flood planning**Development consent must not be granted to development on land at or below the flood planning level unless the consent authority is satisfied the development:1. is compatible with the flood function and behaviour on the land, and
2. will not adversely affect flood behaviour in a way that results in detrimental increases in the potential flood affectation of other development or properties, and
3. will not adversely affect the safe occupation and efficient evacuation of people or exceed the capacity of existing evacuation routes for the surrounding area in the event of a flood, and
4. incorporates appropriate measures to manage risk to life in the event of a flood, and
5. will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses.

In deciding whether to grant development consent on land to which this clause applies, the consent authority must consider the following matters:1. the impact of the development on projected changes to flood behaviour as a result of climate change,
2. the intended design and scale of buildings resulting from the development,
3. whether the development incorporates measures to minimise the risk to life and ensure the safe evacuation of people in the event of a flood,
4. the potential to modify, relocate or remove buildings resulting from development if the surrounding area is impacted by flooding or coastal erosion.
 | The subject site is identified as being affected by flooding and the 5% AEP, 1% AEP, and PMF Levels are 69.4m, 71.0m, and 74.7m AHD respectively. The Lower Ground Floor Level is 69.05m which is below the 5% AEP flood level. However, the proposed development is an alteration of internal spaces and does not seek to increase the floor area with the floor level remaining unchanged from existing levels.The application was referred to Council’s Floodplain Management Team who requested additional information and upon receipt and review, raised no objection to the proposal and recommended conditions that are included in the draft development consent. | Yes |
| **7.4 Earthworks**Before granting development consent for earthworks the consent authority must consider the following matters:1. the likely disruption of, or any detrimental effect on, existing drainage patterns and soil stability in the locality,
2. the effect of the proposed development on the likely future use or redevelopment of the land,
3. the quality of the fill or the soil to be excavated, or both,
4. the effect of the proposed development on the existing and likely amenity of adjoining properties,
5. the source of any fill material and the destination of any excavated material,
6. the likelihood of disturbing relics,
7. the proximity to and potential for adverse impacts on any watercourse, drinking water catchment or environmentally sensitive area.
 | Under this Clause, development consent is required for earthworks unless:(a) the work is exempt development under this Plan or another applicable environmental planning instrument, or(b) the work is ancillary to other development for which development consent has been given.The application proposes site and landscaping work that is not technically defined as earthworks and that is proposed as ancillary work to other development for which development consent is sought. Therefore, separate development consent is not required for the proposed works.Notwithstanding the above, the application has been considered by Council’s Engineering Certification and Floodplain Management teams who raised no objections to the proposal and recommended conditions that are included in the draft development consent. | Yes |