

Camden Residents' Action Group

Incorporated
Camden – Still a Country Town

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Local Planning Panel

21 May 2019

20 Elizabeth St Camden

We have lodged two comprehensive objections on this DA, dated 30 July and 13 December 2018. Since submissions on the second notification closed (on 13 December 2018) changes have been made to the DA and amendments made to documents lodged with Council which affect the Report before us, including a change in description of the building from three storey to two-storey but with no reduction in its height. The changes only became apparent in the Report made available from 14 May. For this reason, we contend that if this DA is not refused outright it should be deferred as the community and affected parties have not been given the opportunity to respond to new information.

We do strongly urge that this DA be refused today as it remains grossly non-compliant with the LEP2010, DCP2011 and council policy which is to conserve what is a legislated Heritage Conservation Area with many individually listed items. Council has adopted the Burra Charter's standard of practice. The proposal and its assessment are not consistent with its principles of conservation and management of significant places and are contrary to many of its Articles¹. Simple observation shows that businesses, as consistent with Article 21, are adaptively re-using cottages.

We find reference to other buildings that may exceed the 7m height limit to be irrelevant for an old town that predates planning law and, in any case, present as one or two-storey. Most examples provided predate legislation of the HCA.

¹ Including Article 8 on conservation of an appropriate setting, and Article 22 that new work is not to distort or obscure or detract from interpretation and appreciation of cultural significance

We strongly disagree with many of LEP and DCP assessments in the Compliance Tables. As presentations are time limited, on behalf of the community we must ask to table our objections.

In a particular we dispute the DCP assessment (B3.7.4 (5) p. 54) that the proposal does not contravene the overarching desired future character of the HCA which is repeatedly expressed in Council policy documents.

Council policy was reconfirmed in the town's Urban Design Framework which was unanimously adopted by Council on 14 August 2018. The outcome of the Framework project, which is referenced in the Report, would have been known at the time this DA was lodged and throughout its assessment.

The earlier 2008 Strategy as referenced in the LEP 4.6 Request (p. 17) describes the Precinct of 20 Elizabeth Street as a cultural and residential area with complementary activities to the adjoining town farm and adaptation of existing houses for arts and private studios. Any reference to possible moderate increases in height were about subsequent review, as has occurred in the 2018 Framework.

The Framework does not recommend an overall increase in the height limit and describes the town as being of *relatively low scale and density; a rural township with a modest and varied collection of architecture, much of which is listed as having heritage significance* and uses the term *fine grain* to refer to the town's human scale, spatial experience and urban components. It expresses a built form place principle for the future as: *Protect and enhance the unique character of Camden's heritage, it's human scale and network of urban fabric ensuring all built form contributes to Camden's identity as a rural town.*

This proposal is not fine grained and exceeds the height limit by a massive 44%. It cannot be argued to contribute to historic Camden's identity as a rural and historic town and therefore should not be allowed to proceed.

The 4.6 argument of the site being flood prone, which was known and factored into its purchase price, is not a valid a reason for exceeding the LEP height limit. Much of the HCA is flood prone and obviously the LEP and DCP controls have accounted for that well-known fact. It is very evident that it is possible to comply with the height limit and the two-storey restriction, perhaps with minor additional height to accommodate a pitched roof and architectural roof features to reflect and complement the roofscape of the HCA.

The approval of this proposal would be seen as an invitation for a developer bonanza of over-height buildings. We sincerely request that this proposal be refused.

706 words

Notes on Urban Design Framework

On 14 August 2018 Camden Council⁷ adopted the Urban Design Framework for the town, the Council Report and attachments for which make the following statements. The Framework:

- ❖ recognises that the town centre has a unique and distinct heritage character that is highly valued by the community and should be retained.
- ❖ recognises the importance of heritage in the town centre and **the need to preserve and enhance it**; does not propose radical change, but rather it considers opportunities for minimal change to the built form and uses within the town centre, with a **focus on enhancing the attributes that make Camden unique**.
- ❖ **does not propose to amend the height control of 7m over the Camden Town Centre.**

Criteria for consideration of **minor** height amendments will be further investigated as part of a future planning proposal to provide clarity and consistency when considering variation requests. Any change in height requirements will be the subject of further investigation and a future planning proposal and community engagement.

- **does not propose major changes to increase commercial floor space** or incentivise growth.
- **does not specify or promote development in the floodplain.**
- **identifies that residential use adds to the vibrancy and viability of a town centre** and recommends re-introducing the ability to have a dwelling house under the existing zoning.
- **is designed to strengthen the heritage planning controls contained in the DCP in the future.**

Note on HIS

The HIS is not prepared according to guidelines supported by the NSW Heritage Council including analysis of the impact on the conservation area and adjacent heritage items