

# *Camden Residents' Action Group*

*Incorporated*

*Camden – Still a Country Town*

**Website:** <http://www.crag.org.au/>

**Face Book:**

<https://www.facebook.com/CRAGcamdenresidentsactiongroup/>

PO Box 188

Camden NSW 2570

Email: [admin@crag.org.au](mailto:admin@crag.org.au)

## **CAMDEN LOCAL PLANNING PANEL**

**16 JUNE 2020**

**CLPP01**

**DA/2019/225/1**

**Construction of a mixed-use development**

**Comprising two commercial tenancies and a dwelling -**

**11 Mitchell street, Camden**

I speak on behalf of Camden Residents' Action Group which lodged objections on this proposal. Our community Group, founded in 1973, is very familiar with the Camden Heritage Conservation Area, much of which is flood affected, its history of protective controls and both the letter and spirit of the planning instruments.

Therefore, we were very surprised by the Agenda Report and its recommendation of approval.

We realised that 4 minutes was completely insufficient to highlight our concerns with the Report, and are sorry, but we felt it necessary to table an unfortunately long document, which we are told you have received. So, we will use our time to emphasise the following salient issues.

No merit-based arguments are made or assessed about the wisdom of a development in the high-hazard flood area. LEP 7.1 Flood Planning is not referenced, although it requires the consent authority to consider the flood hazard.

Under Camden's Flood Risk Management Policy, any development consent is contingent upon habitable areas being above the FPL but categorically any development cannot

include bedrooms or studies that could later be used as bedrooms and so increase the number of people residing in a high hazard flood area.

Inexplicably, this proposal increases the number of bedrooms and residents. Also, the rear building, below the FPL, accommodates a residential garage, a laundry and bathroom as well as a very small area designated as business premises, which could potentially be used as a bedroom.

We also make the point that the commercial areas of both buildings are described as habitable but they are below the Flood Planning Level. What is proposed must be assessed under the planning rules. This does not preclude development but it does limit what is possible, which is why the site has remained vacant for many decades.

It appears that describing the rear building's residential component as "shop-top" housing has confused the flood planning issue. Of course, the man in the street would not consider the overhanging and angled second storey of the rear building to be "shop-top" housing given its lack of street frontage and the small fraction of the building being designated as business.

This proposal is generally viewed as an attempt to avoid the underlying principles of the planning documents.

We have addressed the Agenda Report's dismissal of heritage provisions including the impact of the height exceedance in our tabled document and our submissions also provide detailed analysis.

We reiterate these points.

- We strongly reject the simple dismissal (p. 33) of the Urban Design Framework as being not a statutory consideration for DAs. It is a consideration because it is a strategic document informing the future desired character of the town and includes a built place principle. It was adopted by Council well before this DA was lodged. It is referenced repeatedly in our Local Strategic Planning Statement. DCP 2019 (5.33, p. 213), which had passed the exhibition stage and was in force as the time of the amendments to and renotification of this DA, requires that development within the B4 zone must be consistent with it.
- We strongly reject the assertion that the locality and this section of Mitchell Street is in "transition" (pp. 13, 26) and that therefore proposals that are non-compliant are acceptable. We first heard this term in relation to a non-compliant DA for the adjoining site at 20 Elizabeth Street, which also was recommended for approval but the LPP twice refused.

- The desired future character of the conservation area, which is clearly expressed in statutory documents, Council policy and recognised in the GSC District Plan is that the rural and heritage characteristics of the 1840 Macarthur town are to be enhanced not transition to something that suits developers.
- Approval of this DA is not in the public interest because it degrades the heritage and cultural value of the conservation area and its economic potential as a tourism destination.

We sincerely ask that you refuse it.

654 words

# *Camden Residents' Action Group*

*Incorporated*  
*Camden – Still a Country Town*

**Website:** <http://www.crag.org.au/>

**Face Book:**

<https://www.facebook.com/CRAGcamdenresidentsactiongroup/>

PO Box 188

Camden NSW 2570

Email: [admin@crag.org.au](mailto:admin@crag.org.au)

## **CAMDEN LOCAL PLANNING PANEL**

**16 JUNE 2020**

**CLPP01**

Tabled Document in Response to Agenda Report

We have lodged two objections on this DA.

We consider that the Agenda Report which was made available to us on 9 June 2020

- does not address all of our objections and arguments or we believe those likely contained in many submissions;
- makes a number of statements and assertions which are not evidenced or justified.

With only 4 minutes to address the Panel we feel it necessary to table this document to detail our issues with the Agenda Report.

The main points concern lack of evidence, analysis, merit-based arguments and justification of compliance with

- Camden Flood Risk Management Policy and LEP7.1 Flood Planning
- Heritage conservation policies and controls including within the LEP 4.6 Variation Request on Height assessment, Signage assessment and DCP Assessment Table

We expand on these points under the headings of matters to be taken into consideration by a consent authority under Section 4.15 *Evaluation* of Environmental Planning and Assessment Act 1979 No 203 and by referring to the relevant page numbers of the assessment in the Agenda Report.

#### ***4.15 Evaluation 1(a)(i): Environmental Planning Instruments***

##### **CAMDEN LEP 2010**

##### **LEP 7.1 Flood Planning**

**There is no reference to this provision in documents submitted with the DA or the Agenda Report.**

LEP 7.1 (3) outlines the matters the consent authority must be satisfied of when considering the development of land at or below the flood planning level (FPL) including that the development is compatible with the flood hazard of the land.

Camden Flood Risk Management Policy, general principles of which are to not allow habitable rooms below the FPL or to increase the number of people at risk residing in high hazard areas, is not addressed in relation to LEP 7.1.

The definition the Policy provides of a “habitable room” is

- in a *residential situation*: a living or working area, such as a lounge room, dining room, rumpus room, kitchen, bedroom or workroom.

- in an *industrial or commercial situation*: an area used for offices or to store valuable possessions susceptible to flood damage in the event of a flood.

The Proponent indicates in the Flood Risk Management Plan (Greenview Consulting, 19 March 2019) that both the residential component and the ground floor commercial premises are “habitable” as defined in the Camden Flood Risk Management Policy.

##### **As noted in the Statement of Environmental Effects (20 March 2019, p. 7):**

**Flood:** A flood report is required demonstrating that the requirements of Council’s Flood Risk Management Policy have been achieved.

Merit-based arguments are required and need to be assessed in relation to both the front and rear buildings being below the FPL and for increasing the number of bedrooms and people residing in the high hazard flood area.

Little in the way of argument is presented by the Proponent and no assessment is provided in the Agenda Report. The Agenda Report does not address LEP 7.1 Flood Planning for the proposal in a high hazard flood area and makes no reference to the Camden Flood Risk Management Policy.

The lack of merit-based analysis would suggest under LEP 7.1 (3) that the consent authority cannot be satisfied about the potential social and economic costs to the community or that the development is compatible with the flood hazard of the land.

### **LEP 4.3 Height**

We note the Key Planning Control Variations (p. 12) is limited to LEP 4.3 Height and that the assessment (pp 17-24) goes beyond the arguments that the Proponent submitted.

The following arguments for the contravention are refuted:

Although there may be examples of buildings that exceed 7m in height within the HCA, they are irrelevant because:

- They may have been built prior to the 7m height limit
- They are not built
- They may not be located within a cottage dominated area or adjacent to and nearby to listed heritage items
- Precedents are not arguments for contravening planning rules, as each proposal must be assessed on its own merits and in relation to the desired future character as described and reflected in the planning instruments and strategies.
- Reference to the Camden High School site is irrelevant anyway. It was a special case requiring Council, State government or somebody else to take responsibility for serious decontamination of the site and the development approval comes under SEPP Seniors Housing.

The impact of the development has not been demonstrated to be minimised as

- the front building is dissimilar in architecture and materials to the adjacent items and the built fabric of the HCA generally
- the rear building is prominently visible from Mitchell Street, a cottage dominated streetscape which is a historically significant and contributory to the HCA and to be retained (DCP2011 B3.1.2 Camden HCA Control 8)
- the rear building is approximately 3m taller than most surrounding cottages and is not subservient as expected in its cottage dominated locality
- the wall height of the rear building is 6.95m which is around 2m higher than the rooftops of most surrounding cottages, including the adjacent pair of heritage listed items

We refer to our submission in which we detail how the 4.6 Variation Request is inadequate including because the cited reasons of constraints to do with flood affectation and heritage conservation are not special to the circumstances of the case.

## **LEP Zone B4 Mixed Use**

### **Classification as “shop-top” housing**

Feedback to us is that this is generally regarded as a manipulation of the meaning of “shop-top” housing to enable a new residential dwelling which is otherwise prohibited and somehow do what cannot be done for existing dwellings – i.e. increase the number of bedrooms and people residing in a high hazard flood area.

A general comment is also that it is not reasonable that the rear building can be described as accommodating the permissible land use of shop-top housing when its ground level commercial area does not address the street, is only the size of a small bedroom and is a small fraction of the floor area.

### **Land use conflict**

A B4 zone objective is to minimise land use conflict. The land use is historically one of low density residential with adaptation of cottages for commercial use, which is compliant with heritage conservation principles expressed in the LEP, DCP and Burra Charter.

What is proposed as infill development is not consistent with the pattern of development in this cottage dominated area or its desired future character as an important contributor to the HCA.

### **Transition Area**

We note the Agenda Report claims that the site is within a transition area (p. 13; p. 26).

This is not a term used in any of the planning documents or guidance for the HCA. It is a term that was used by Proponents of the adjacent site proposal at 20 Elizabeth Street, which is also referenced twice in the Agenda Report, that the CLPP refused twice, and is now in the Land and Environment Court.

We refute the logic of labelling any part of a Heritage Conservation Area as being in “transition”. Its character by definition is to be conserved- its desired future character is not one of transition, and this is amply demonstrated by the planning instruments and Council policies. We refute the assertion and illogicality (p. 26) that somehow the most recent B4 zoning means that it is in “transition” from its historic character within the Conservation area.

*The street block historically consisted of dwelling houses but is now zoned B4 Mixed use pursuant to CLEP 2010. Dwelling houses are a prohibited form of development under the zoning provisions, while commercial premises and shop top housing development are permissible with consent. Accordingly, this locality is in midst of transition and is suitable for infill development of the nature proposed.*

The area has always been part of the town and its previous zoning was similar- Town Centre Support.

## **LEP 1.2 Aims and Objectives**

These include

- **Ensure traditional qualities and character of Camden are maintained**
- **Minimise impact of flooding**
- **Conserve the built and landscape heritage of Camden**

Our submission and likely many others show that the community believes these aims are not achieved by this proposal. What is provided by the Proponent and Agenda Report are opinions and assertions not supported by analysis and evidence.

## **STATE ENVIRONMENTAL PLANNING POLICY 64 – ADVERTISING & SIGNAGE** (pp. 16-17)

It is unclear why only SEPP 64 is referred to in relation to signage compatibility, as the DCP sets out definitive controls for the HCA and this is to be considered below under 4.15 (a) (iii) *Development Control Plans*.

### ***4.15 Evaluation 1(a)(iii) Development Control Plans***

We trust that any point raised in a submission that refers to DCP 2019, rather than DCP 2011 should not be dismissed because:

- DCP 2011 was not publicly available at the time of the amended DA and its re-exhibition;
- DCP 2019 was on exhibition at the time the DA was lodged and in force at the time of renotification of the DA;
- There is little difference between the two DCPs relevant to this DA and the points would be equally relevant.



## DCP 2011

**The Agenda Report refers to a DCP Assessment Table (Attachment 7).**

**A close examination of this Table reveals assertions and references to opinions of compliance with the DCP provisions, but few if any explanations, analysis or evidence.**

For example, this Table at B3.1.1.1 (5) (p. 107) simply states that the proposal reflects the general form, bulk, scale, height, architectural elements and other significant elements of existing commercial buildings in the heritage conservation area. No evidence is provided, although the proposal is within a cottage dominated area and adjacent and nearby to a number of heritage-listed properties. The rear building, as well as being over the height limit, will be much taller than surrounding cottages and be constructed of a mixture of modern materials and odd architectural features that are not reflective of the area nor found anywhere in the conservation area. At B 3.1.1.1 (14) of the DCP Assessment Table the Agenda Report claims that the secondary roof form is subservient which it clearly is not.

At B3.1.2 (8) the DCP Assessment Table of the Agenda Report claims that this section of Mitchell Street is undergoing transition although 3 out of 4 of its current buildings are heritage listed. This reference to its “transition” is obviously not true and no evidence has been provided for this statement. Far from being considered a transition area, the more recent DCP 2019 at **2.16.4 Control 8 states that *Existing cottage dominated streetscapes must be retained, new development such as extensions/additions should be compatible with the existing streetscape.***

This proposed development is not compatible with the existing streetscape.

**We submit that our and we predict many other submissions will detail how and why the proposed development is not compliant with the DCP.**

## **B4.2 SIGNS ON HERITAGE ITEMS OR IN HERITAGE CONSERVATION AREAS**

**The following controls from DCP 2011 are not addressed by the Proponent or by the Agenda Report.**

### **Design Controls**

7. The design of new signs should complement the heritage item or conservation area.
8. The design should incorporate traditional materials, colour, fonts and size.
9. Materials for new signage should be sympathetic to the character of the heritage item or conservation area, and preferably be of a painted surface finish.

### **Other Controls**

19. The development application will be required to **demonstrate** that the proposed signage will complement the historic character of the building or conservation area in terms of colour, material, proportion, positioning and font. Pole and pylon signs, if appropriate, shall not exceed the predominant roof height of the conservation area or item.

No analysis or comparison is provided to detail how the signage is compatible with the streetscape, adjacent heritage items and HCA. What is proposed is of non-traditional materials and urban style and modern construction, and cannot be demonstrated to be traditional or sympathetic.

The proposed Detached Powder-coated Steel Pylon Sign with allocated space for Business Identification of both Unit 1 and Unit 2 and address and Building name location with raised lettering laser cut steel is particularly inappropriate in a cottage dominated area adjacent to heritage listed items.

**How the proposed signage is compliant with DCP 2011 (or SEPP 64 Schedule 1 Assessment Criteria) is not demonstrated.**

## DCP 2011 B3.1.1 GENERAL HERITAGE PROVISIONS

**It is noted that Council’s Heritage Consultant (James Stephany) drew attention to many issues between October 2019 and January 2020 that we and no doubt others have raised in relation to the anomalous nature of this proposal within the streetscape and the HCA. What we have available on this discourse is attached.**

**It would appear that the iteration that we are faced with has not addressed a number of the issues raised, and it would seem possible that references to Council’s Heritage Adviser in the Agenda Report are to a different person.**

**For instance:**

*Front Business Premise Unit 1*

*Further to the heritage comments above, it is considered the unit 1 verandah is not considered to reflect the open nature of verandahs in the Camden Heritage Conservation Area in terms of the side blade wall extensions. These walls are to be deleted.*

*The sill height for the window is to be raised to a minimum of 1500mm which will provide further material diversity and reduce the impact of glazing on the street frontage. By addressing the above, the former width of the window may be reinstated.*



**The blade walls are not deleted. The sill height is not raised.**

Our submission and likely many others address in more detail how the proposal is not compliant with the DCP and explain how it will make a negative contribution to the area including the streetscape, heritage items and the HCA generally. Some examples of how the Agenda Report does not reference and address these concerns are provided below.

### **DCP 2011 B3.1.1 Compatibility of new work:**

*11. Ensure that any development within a heritage conservation area is compatible with and sympathetic to the significant characteristics of the conservation area as a whole and make a positive contribution to the area.*

**The Agenda Report and the Proponent's documentation provide no analysis or evidence about how the development is compatible. Repeatedly asserting compatibility without justification is not acceptable and rings alarm bells in the community which needs to have faith in the planning system.**

### **DCP 2011 B3.1.1 Control-Design:**

*5. New development must be designed reflecting the general form, bulk, scale, height, architectural elements and other significant elements of the surrounding heritage items and heritage conservation areas.*

*6. Where an addition is not visible from a street or public place, greater flexibility in design may be considered.*

**The Agenda report does not address how the design reflects elements of adjacent and nearby heritage items and the HCA. As is apparent in the attached document relating to issues raised by Council's Heritage Consultant, the initial design was extremely incompatible. As is often the case passive resistance and begrudging changes eventually result in the exhibition of what is better but still inappropriate and incompatible with the surrounds and desired future character. The rear building is visible from the street and its cantilevered and oddly angled design is anomalous and cannot be referenced in the streetscape or HCA.**

**Other specific issues include:**

#### **Front building:**

- The large street facing gable is uncharacteristic of the streetscape;
- The front fence is not consistent with the streetscape. Its height and material bear no resemblance to wooden picket fences of its immediate neighbours, and it would be a struggle to find anything similar within the HCA. The fence would appear as an aberration in the streetscape.
- The front aluminium windows are overly commercially-sized and glazed. Their shape detracts from the cottage character of the area and the streetscape which is historically domestic. The window frames should be wooden and the size and shape compatible with the vertical rectangle style which is characteristic of Mitchell Street, adjacent cottages and the B4 zone within the HCA.

## **Rear building**

- It is oversized and over-height, being more than two metres higher than the adjacent listed cottages;
- It is not subservient, being significantly bulkier and visually dominating the front building and streetscape. This is uncharacteristic of its cottage dominated area.
- It crowds the site which is within a leafy and spacious cottage and garden dominated area;
- Does not provided setbacks consistent with the area;
- The cantilevered section of the rear building extends to the side of the front building which is uncharacteristic and highly visible from the street.
- The balcony of the rear building is residential which is not consistent with subservient buildings in the HCA and therefore does not respond to the character and setting of its location.

### **DCP 2011 B3.1.1 Control- Siting:**

*8. Alterations and additions to existing development will be sited and designed to retain the intactness and consistency of the streetscape and retain elements that contribute to the significance of the conservation area; and the relationship of that building to the other buildings of the group.*

The Agenda Report not only does not explain why it considers the design of the front building to be consistent and sympathetic with its streetscape, but does not address the fact that the rear building would also be highly visible particularly as it extends beyond the front building. Also, the issue that there is no obvious relationship between the front and rear buildings, an issue was also raised by the Heritage Consultant, is not considered in the Agenda Report.

### **DCP 2011 B3.1.1 Control- Materials and Finishes:**

*23. Materials, finishes, and textures must be appropriate to the historic context of the original significant buildings within the streetscape.*

*24. Contemporary materials are permitted where their proportions, detailing and quantities are in keeping with the character of the area. Large expanses of glass and reflective wall and roof cladding are not appropriate.*

**The Agenda Report does not address that the choice of materials, finishes and textures are not present in the streetscape, nor are they evident in the HCA. They will sit in stark contrast to the traditional finishes in the HCA and those of the adjacent weather board clad cottages. Therefore, they present as an anomaly and the Agenda Report does not explain how they can be described as sympathetic.**

**It is quite possible to use contemporary materials that are sympathetic. Most of those chosen are not compatible including aluminium, machine cut bricks, honed concrete with brick inserts for the driveway, large expanses of glass planned for the rear building and**

**façade of the front building. Aluminium frames in particular are out of character and unsympathetic with traditional wood finishes.**

**No explanation is provided as to how the colours chosen are reflected in and sympathetic with the surrounds, except to claim that the dark grey of the oversized rear building helps to make it appear recessive.**

#### **DCP 2011 B3.1.1 Control- Vehicle Access:**

*41. Driveways should be constructed of gravel, crushed sandstone, bricks or plain concrete or be designed as separated wheel strips. Stenciled concrete is generally not appropriate.*

*42. Hard stand areas should be kept to a minimum.*

**The Agenda Report does not address the proposed vehicle access which is fully concreted with attention seeking brick inlay and little softening. It will present as a significant landmark and bears no resemblance to the understated driveways of the street, cottage dominated area or HCA.**

#### ***4.15 Evaluation 1(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality***

The HCA is highly valued by the community as a cultural and social hub with a unique sense of place. Proposals such as this degrade this value. Economically businesses in the HCA often rely on its special attributes to leverage visitor potential and what competitive advantage they can in comparison to modern centres at Narellan and Campbelltown.

#### ***4.15 Evaluation 1(c) the suitability of the site for the development***

As covered elsewhere, what is proposed for the site is incompatible with the pattern of development in the cottage dominated area and its heritage character. The site would be suitable for a sympathetically designed cottage to be used for commercial purposes appropriate with its flood hazard. The site is not suitable for the residential purpose proposed as it increases the number of bedrooms and people residing in a high hazard flood area.

#### ***4.15 Evaluation (d) any submissions made in accordance with this Act or the regulations***

We contend, for the reasons already covered above, that our and most likely other objections to this development have not been fully addressed in the Agenda Report but dismissed without proper explanation. The Agenda Report generalises and summarily dismisses the issues raised in submissions including under the headings provided in the Agenda Report as follows:

*(i) The proposal is an overdevelopment of the site and out of character with the area. (p. 32)*

**No evidence is provided as to how the proposal is consistent.**

*(ii) The proposal exceeds the Camden LEP 2010 height control of 7m and the submitted Clause 4.6 contravention request is not adequate. (p.33)*

**Our arguments as to why the 4.6 Variation Request is inadequate were not addressed. We have members with legal backgrounds who advise that justification for exceedance must be special to the circumstances of the case. The reasons of *the site's constraints of flood affection and its location in a heritage conservation area* are not special as they are potentially applicable to many similar sites.**

*(iii) The proposal is inconsistent with the Camden Heritage Conservation Area. (p. 33)*

**No evidence is provided as to how the proposal is consistent.**

*(iv) Concern is raised the proposed built form is inconsistent with the desired outcome of the Camden Urban Development Framework.... The Camden Urban Development Framework is not a statutory consideration for development applications, it is document that seeks to inform strategic land planning decisions relating to future zoning and development standards and controls. (p.33)*

**The UDF is relevant and reference to it as “not a statutory consideration” is to denigrate its importance to the community which participated strongly in its development. Retention of Camden’s historic and agricultural significance and what makes Camden unique as a town privately founded by the Macarthur family, is a reiterated finding and intrinsic principle of the UDF. This principle is and was already embedded in all the planning documents and what has informed the development standards of the LEP and DCP, both 2011 and 2019.**

**The UDF was adopted by Council on 14 August 2018, prior to lodgement of this DA on 25 March 2019. The subsequent DCP 2019 (5.3.3) specifically states that development within the B4 zone MUST be consistent with it.**

**The UDF provides a structure for the future direction of Camden Town Centre and defines its Built Principle as *Protect and enhance the unique character of Camden’s heritage, its human scale and network of urban fabric ensuring all built form contributes to Camden’s identity as a rural town.* (UDF, p. 33)**

**Strategically the heritage and agricultural significance of the town is to be retained.**

**Strategically Camden has been identified as a heritage town by the Greater Sydney Commission and for tourism as promoted by Camden Regional Economic Taskforce.**

**The question is whether this DA is consistent with this strategy.**

**We contend that the number of and detail within objections, which we understand is supported by an independent submission from a well-renowned heritage expert show that this proposal is not consistent with the strategy for the town’s heritage conservation area and would be detrimental to the town’s agricultural and heritage significance.**

*(v) The justification given for the contravention of the height limit is not valid. (p. 34)*

**We contend as noted above, and as we understand also confirmed by a submission from an independent legal expert, that the 4.6 Variation Request is not legally adequate and therefore must be rejected.**

*(vi) The proposal will have adverse impacts during flood events. (p.34)*

**The Agenda Report does not reference or address the Camden Flood Risk Management Policy. This Policy indicates that without strong merit-based arguments this development within the high hazard flood area should not be permitted. Therefore, the impacts of a flood event are judged to be adverse. It is very unlikely that there are merit-based arguments to be found for increasing the number of residents in the high hazard flood area.**

*(vii) The proposal does not satisfy the objectives and controls of Camden LEP 2010 (p. 34)*

**We contend as covered above and in our submissions that the proposal does not satisfy the objectives of the LEP 1.2 Aims, 4.3 Height, 5.10 Heritage Conservation and 7.1 Flood Planning.**

**We contend, as covered in our submissions that the 4.6 Variation Request on 4.3 Height is not valid.**



*(viii) Concern is raised the proposal is inconsistent with Camden DCP 2011 and Camden DCP 2019 controls (p. 34)*

**We contend as covered above and in our submissions that the proposal is inconsistent with DCP 2011, and also DCP 2019.**

**We contend that we have provided evidence, which has not been addressed, as to how and why the proposal is inconsistent, detracts from the significance of the HCA and does not contribute to its established desired future character which is repetitively evident in the LEP, DCP 2011, UDF 2018, DCP2019 and many studies commissioned by Council.**

**The Agenda Report provides no evidence as to how this is not an overdevelopment of the site or how it is complementary or how it can be considered reasonable with regards to the objectives and controls of the LEP. We strongly reject the claim (p. 35) that the *development complies with the objectives and controls contained in Camden DCP 2011.***

**The Agenda Report does not acknowledge or address our detailed analysis of non-compatibility, including with LEP 5.10 Heritage Conservation and LEP 7.1 Flood Planning and our control by control analysis of both DCP 2011 in our submission of 23 April 2019 and DCP 2019 in our submission of 12 March 2020. These controls reflect the desired future character of the cottage-dominated locality. Note that DCP 2011 was no longer publicly available at the time of the second exhibition and writing of our second objection, but the difference between the objectives and controls of the two documents is not material.**

#### ***4.15 Evaluation (e) the public interest***

The Agenda Report does not explain how the proposed development would be in the public interest. It is not for many reasons, including that the community has spoken, through Council Policies and Strategies and the GSC District Plan that it highly values the town's heritage and country town features. These documents require that Camden's heritage, its agricultural character and long history in the story of NSW and Australia is not to be degraded and that in fact any new development must contribute to its heritage value. This proposal has not demonstrated how it contributes or indeed would not devalue the heritage significance of town.

The economic potential of tourism of the town is significant and in the public interest. This type of non-compatible development does not contribute to that potential.

**---end---**