

# *Camden Residents' Action Group*

*Incorporated*  
*Camden – Still a Country Town*

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## **Camden Local Planning Panel**

**16 March 2021**

**DA 2020/741/1**

**19 Edward Street Camden**

*Demolition of existing structures and construction of a two-storey mixed use building with rooftop terrace comprising of 3 commercial premises tenancies and 1 cafe tenancy as well as associated at grade car parking, landscaping and civil works*

I speak on behalf of Camden Residents' Action Group. We support and applaud the recommendation to refuse this DA.

All Council's studies and strategies as well as the LEP and DCP which adopts the Burra Charter and the town's Urban Design Framework are unequivocal about protecting Camden's heritage and that any development in its Heritage Conservation Area should enhance it.

Unfortunately, the community has become cynical as so many developers seemingly do not read these documents. They put forward non-compliant applications that disrespect the fabric and degrade Camden's unique sense of place. The supporting DA documentation often cannot address compliance with the protective controls and so are full of leafy artist's impressions, assertions and opinion with little if any evidence-based analysis.

This case is no exception.

In particular the Heritage Impact Statement is inadequate. It does not address the DCP control<sup>1</sup> that existing cottage dominated streetscapes MUST be retained and the Land and Environment Court Planning Principle that the contributory value of the cottage is derived from the significance of the conservation area itself, and is not dependent on whether it is individually listed<sup>2</sup>.

No justification is made for demolition of the extant cottage which is clearly contributory to the fabric and history of the town. Its adaptive re-use has not been considered. We argue that demolition has not and cannot be justified, and this is an additional reason why the DA should be refused.

Otherwise, we completely agree with the Agenda Report. The proposal does not properly address the flood affectation and an overland flood flow path at the rear of the site. The height exceedance and visual bulk, scale and form are not justified. The privacy and heritage impacts are unacceptable.

The inclusion of a rooftop terrace and elevated walkway is unreferenced and anomalous in the HCA. The coverage of most of the site with buildings and hardstand is not contributory to Camden's identity as a rural town as required by the UDF. We take issue with attempts to use artist's impressions of unlikely and currently non-existent landscaping and trees to visually link the development with adjacent cottages and hide the impact of the mass, roofline and overt glazing.

We do understand why some developers try their luck with non-compliant DAs. Sites in the heritage conservation area are relatively cheap due to heritage and flooding constraints. However, our Group is often asked by the community, but cannot answer, why non-compliant and clearly inappropriate DAs are exhibited given their waste of everyone's time.

Although the community resents having to fight these DAs, sometimes over years, their Proponents should note that the community will always do battle. The town's unique character is highly valued and the future of an irreplaceable window into Australia's European history is at stake.

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<sup>1</sup> Camden Council 16 September 2019 (2.16.4 Control 8) *Camden Development Control Plan 2019* Available at <https://www.camden.nsw.gov.au/planning/planning-controls/>

<sup>2</sup> *Helou v Strathfield Municipal Council* [2006] NSWLEC 66 at 43-46 Available at [Helou v Strathfield Municipal Council - NSW Caselaw](#)

Confidence in the planning system is also at stake. Most people take note of the planning instruments and make investment and life decisions accordingly. They never consider trying to out-manoeuvre the rules, which are there to promote order and certainty for all. Breaking them without transparent justification due to specific circumstances is seen by the community as unfair and not in the public interest.

There are no specific circumstances and the impact of this proposal cannot be justified.

This DA has the potential to set a dangerous precedent which would likely cause a developer frenzy of demolition of cottages that would destroy the town's historic development pattern and fabric which are intrinsic to its heritage significance. This cumulative effect must be considered and the right message sent, that this is a heritage conservation area to be protected, not an opportunity to be exploited.

We totally support and trust that the recommendation of refusal will be upheld.

650 words