

# 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)

Ph: 0415 617 368

General Manager

Camden Council

70 Central Avenue

Oran Park 2570

Email: [mail@camden.nsw.gov.au](mailto:mail@camden.nsw.gov.au)

26 October 2021

Dear General Manager,

**RE: DA 2021/1561/1**

**60 John Street, Camden**

***Alterations to ground floor building and second storey  
addition for commercial office space***

The proposed development for 60 John Street is within the heart of Camden's Heritage Conservation Area (HCA). It is within close vicinity and view lines of many heritage items in John Street listed in the LEP<sup>1</sup> as well as state listed St John's Church Precinct<sup>2</sup> and those in the (now archived) Australian Heritage Database<sup>3</sup> including St Johns Hill and John Street Conservation Area and the John Street Group.

This is a sensitive location.

What is currently on the site detracts from the HCA, and its redevelopment presents an opportunity to enhance Camden's special country town character. As stated in the 4.6 Request to vary the height standard (p. 32) the building is incompatible with the streetscape, has minimal heritage significance and is unattractive to potential tenants.

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<sup>1</sup> Numbers 26-36, 33, 35, 37, 39, 40-42, 44, 62, 64, 66, 68, 70, 72, 74, 75, 76, 78, 80 John Street

<sup>2</sup> NSW Heritage *St John's Anglican Church Precinct, Camden: State Heritage Inventory*<sup>2</sup> (Item ID 5053423; SHR 02006) Available at <https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5053423>

<sup>3</sup> Australian Government Department of Agriculture, Water and Environment, *Australian Heritage Database* available at <http://www.environment.gov.au/cgi-bin/ahdb/search.pl>

However, it seems that the design of the proposal is dictated not by the DCP provisions protecting the aesthetics and heritage of the town, but by the DCP provision about historic parking credits<sup>4</sup>.

The Statement of Environmental Effects (SEE) (p 35) states

*Strict compliance with the height standard would establish that a first-floor addition to this building would not be feasible without a total demolition, redesign and rebuild. This would effectively render the entire development as being unviable as the car parking credits available to a proposal for 'additions and alterations' would be lost.*

A start again approach would arguably produce a more sympathetic and superior outcome that would enhance the HCA. Instead, the footprint is retained which excludes any onsite parking; retention of the current roof as the floor of a second storey ensures the height limit is exceeded.

This partial approach of an “addition” to the existing building creates an unfortunate and inappropriate design outcome of excessive height and scale and inadequate parking to meet the needs of the increased number of tenancies.

### **Historic context**

This re-development is an opportunity to embrace the DCP and its adopted Camden Town Centre Urban Design Framework (UDF). As required under DCP 5.3.1, development within the B2 Local Centre zone must be consistent with the UDF and enhance its historic character. The UDF is also incorporated into the Local Strategic Planning Statement (LSPS) which repeatedly refers to the UDF and its continued implementation. For instance

*The Framework recognises that the town centre is unique and highly valued by the community, and the provisions within the Framework reflect this value by focusing on enhancing the attributes that make Camden unique. (p. 48)*

Importantly the Built Form Principle of the UDF to be observed is:

*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 (p. 33).*

Similarly, the DCP (2.16.3) requires new work to be sympathetic and compatible and make a positive contribution to the street and conservation area as a whole. The UDF (p. 15) describes the town centre as rural, of modest and low scale and density and fine grained.

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<sup>4</sup> Camden DCP 2.18.2 *Off Street Car parking rates/requirements* Available at <https://dcp.camden.nsw.gov.au/general-land-use-controls/traffic-management-and-off-street-parking/off-street-car-parking-ratesrequirements/>

Camden's DCP (2.16.2) also adopts the Burra Charter and refers to the widely accepted *Design in Context*<sup>5</sup> published by the NSW Heritage Council and RAlA.

*Design in Context* (p. 4) states that the NSW Heritage Council, under the legislative framework, has endorsed design criteria for new development in HCAs, and that local Councils should use them in assessing DAs. These guidelines are analytical and require a rigorous evidence-based approach to infill development in historic contexts. They specifically list design criteria, as also covered in Camden's DCP, to be considered: Character, Scale, Form, Siting, Materials and Colour and Detailing (p. 6). The guidelines state that infill design requires careful analysis and evaluation of the historic context to identify the important contributing factors such as:

- date and style of built form;
- scale and form of buildings;
- building and wall heights;
- solid to void relationships;
- massing;
- density — pattern of arrangement of buildings and size of buildings;
- proportions;
- rhythm of buildings and landscape;
- predominant setbacks — front, side and rear;
- predominant materials, textures and colour palette;
- distinctive details of neighbouring existing buildings.

Whilst the Guidelines (p. 14) accept there is always some subjective element in the design process, they also emphasise that the design objectives in an established and valued historic context should be carefully defined.

An individual architect may subjectively see what is proposed as an enhancement, but there is no explanatory detail or evidence in the Heritage Impact Statement (HIS) or elsewhere that it is designed for its context, that the contributing factors to the historic context have been identified or that it enhances the unique characteristics of the HCA.

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<sup>5</sup> NSW Heritage Office (June 2005) *Design in Context Guidelines for Infill Development in the Historic Environment* Available at: <https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Heritage/design-in-context-guidelines-for-infill-development-historic-environment.pdf>

We consider the design aesthetic employed to be largely unreferenced in John Street and the HCA.

We do accept that the design is perhaps reflecting the bank building on the John St corner in Argyle Street. The difference is that what is proposed is bigger, not on a main corner and is not consistently scaled with most of John Street.



What is proposed is not sufficiently compatible with the historic context of this renowned town.

### **Height and bulk**

The height and bulk of what is proposed is not consistent with the fine-grained HCA.

According to the 4.6 Request<sup>6</sup> the height exceedance is a

- maximum of 1.575m at the John St elevation, a 20.2% height standard variation
- minimum 1.285m, a 16.8% variation.

On these figures the maximum variation would  $1.575\text{m}/7.00\text{m} = 22.5\%$ , not 20.2%.

Taking the FFL (p. 3) and RL (p. 13) measure of 87.015 the maximum height exceedance is 24.3% ( $1.7015\text{m}/7.00\text{m}$ ).

However, the Architectural Plans (p. 18) show that the 1.575 exceedance is calculated from the ground floor level, not the ground level. As shown in the Plans (p. 21) the actual maximum building height from ground level is 9.015m.

This is a height exceedance of 28.79% ( $2.015\text{m}/7.00\text{m}$ ).

The height exceedance is greater than indicated, which helps to explain its imposing presence.

According to the HIS (p. 31) 3D context remodelling and streetscape analysis shows that it will be 1.325m higher than 114 Argyle Street. It is uncharacteristic that it will be so much higher than an original signature corner building on the most historic and significant axis of the original 1836 and extant town plan.

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<sup>6</sup> Statement of Environmental Effects (SEE), Appendix 2, p. 31



Source: *Distinctive Living Design Architectural Plans* p. 24

The proposed building, at a maximum of 4.605m higher than the existing building, is taller than a typical two storey commercial building and so appears bulkier and generally inconsistent with Argyle Street buildings, especially with its atypical flat roof and parapet.

We do not agree that what is proposed presents as an appropriate *legible 'edge' to the Argyle Street precinct, as separate to the heritage-listed cottages immediately upslope of the site* (HIS p.64). As shown in the above architectural impression, which is as usual softened, its height and bulk is imposing. Being of a much greater scale it does not transition well to the John Street cottages.

The following claim in the HIS (p. 42) is not substantiated: *The scale of development proposed is appropriate to the locale. The rural character of Camden is maintained.*

The proposed scale maximises built form on the site, with no curtilage and no softening landscaping. It is urban in character, not rural.

We do not accept the statement in the HIS (p. 43):

*....and it is acknowledged that the decorative parapet exceeds the height limit, but this variation is seen to be allowable as the parapet is an important architectural feature which will form an integral part of the building in its significant location* (p. 43).

We submit that the height exceedance is the result of retaining the existing roof as the floor level of the second storey, maximising the footprint and so needing to use a parapet roofscape to screen services, including their visibility from St John's Hill.

## **View Analysis**

The HIS includes a view analysis and assessment. Surprisingly this does not include an assessment of the iconic street view along John Street to St John's Church and its setting which is historically important<sup>7</sup>.

We disagree with the following statements in the HIS (8.3 (1), p 49).

*The view from the St John's Anglican Church Precinct toward the site is not considered to be significant. Views between the site and surrounding heritage items will not be substantially affected as they do not contain icons or water.*

*As stated in the UDF (p. 15) One of the most important aspects of Camden is the significant axial vistas along its major streets. The axial view along John Street to the church of St John and its spire is of exceptional significance. The location of the church above the floodplain was central to the town plan of Camden and is prominently located as a focus of this axis.*

The height, bulk and scale of what is proposed changes the historic axial view of the planned town and does not provide a smooth transition to the cottage streetscape. The Commonwealth Bank building opposite in John Street is very unfortunately oversized and detracts from the axial view (and the HCA). This is not a precedent but a salient reason why such outcomes are to be vigorously avoided.

## **Laneway footpath and side access**

The footpath to the Council carpark, although it may have been widened slightly, remains extremely narrow. Two people cannot pass or walk together. A parent with a pram and/or small children is forced to walk on the laneway. Similarly, the footpath does not accommodate a wheelchair.

Only tenancies 1 and 2 are proposed to use the John Street entrance, and the other five tenancies are to use the laneway entrance. The narrowness of the footpath does not provide a practical or welcoming access point for the majority of tenants and their clients.

The redevelopment as proposed exacerbates the impracticality of the historical accident of the narrow footpath and should be reconsidered.

The redevelopment at a minimum should correct the unsafe situation of pedestrians being forced to walk in the laneway.

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<sup>7</sup> Clive Lucas, Stapleton and Partners 2004 *St. John's Anglican Church Precinct Menangle Road, Camden CONSERVATION MANAGEMENT PLAN* Available at [https://www.stjohnscamden.org.au/media/audio/St.%20Johns%20Camden%20CMP%20Final%20\(Heritage\).pdf](https://www.stjohnscamden.org.au/media/audio/St.%20Johns%20Camden%20CMP%20Final%20(Heritage).pdf)

## Parking

The proposal is to change the use from one retail lighting shop to multiple tenancies. This creates a need for significantly more long-term parking.

It is not clear to us why it is so important, in the overall scheme of the development, to gain credit for contributions for two parking spaces paid long ago by a previous owner. No parking was ever provided on site and this is not an appropriate situation today. The opportunity exists to redress the imbalance and produce a superior and more practical development.

We also question the logic of the credit argument as the DCP (2.18.2) states under *Parking Credits for Existing Development* that:

- credits will not be allowed when there is a significant differing pattern of parking demand between the existing and proposed use.

Clearly there is a much-changed parking demand by multiple tenancies;

- credits may not be allowed if the building has been vacant for any substantial length of time as it can no longer be justified that the parking demand is currently being catered for on-street.

The site has been vacant for a considerable time.

We argue that the historical parking credits are not necessarily available without a concession, and that this may have already been discussed in a pre-DA meeting.

The DCP (2.18.2) states

*In circumstances where it is considered that credits may not be strictly appropriate, the logistics and significance of the building or site may be taken into account and a concession for reduced parking granted. In these circumstances, the applicant will need to demonstrate that there is insufficient room in the building to accommodate parking on-site without compromising its heritage or architectural worth, or that the streetscape and overall amenity will be unreasonably damaged.*

**As the historical parking credits are the cause of retaining part of the existing building rather seeking a full redevelopment, we suggest a better and more compliant design outcome may potentially be negotiated through a concession for reduced parking. We suspect that a full demolition and new build would not be more costly than taking a retrofitting and makeshift approach.**

**We would hope that such a concession for this significant site could result in a proposal of architectural worth that satisfies the height standard, and is fine-grained and reflective of and enhances the streetscape and HCA.**

In conclusion, we believe that this proposal is ill-conceived. Buildings are permanent statements and need to be considered over the long term, not just in terms of short-term viability calculations that are perhaps based on shaky assumptions. Capitalisation of the building will be greater in the longer term if it contributes to and enhances its context.

We believe a better approach would be to forget trying to maximise every angle and come up with a design that truly improves the sense of place of the town and is attractive in its own right, one that reflects the town's fine-grain quality, the spaciousness of the Macarthur town plan and one that allows for some on-site parking, softening landscaping and a wider and welcoming footpath.

We respectfully request that the DA in its current form be refused. A new plan is required. The site does need redevelopment but the opportunity should be used to enhance the uniqueness of the HCA. This would be of longer-term advantage to the owner and to the community.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Glenda Davis".

Glenda Davis

President