

Camden Residents' Action Group

Incorporated

Camden – Still a Country Town

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CRAG Submission June 2018

**Camden Town Centre (CTC)
Heritage Conservation Area (HCA)
Urban Design Framework (UDF)
Draft Report April 2018**



SUMMARY
Crag Submission on Draft Report
Camden Town Centre Urban Design Framework (UDF) Project

Key Points

- **The 2014 “Vision” is not reflective of community views, the significance of Camden in the story of NSW and Australia and should not be used as a basis for updating the Camden Local Environmental Plan (CLEP), Development control Plan (DCP) or Camden Town Centre (CTC) Strategy.**
- **The long-held wisdom of minimal development on the floodplain and in flood areas needs to be incorporated into the recommendations of the UDF.**
- **The CLEP needs to categorically state an acceptable height limit, agreed with the community, that conserves the village profile and human scale of the town and that CANNOT be exceeded including on flood prone land.**
- **It appears feasible to change the zonings within the HCA to be more protective of Camden’s heritage character and we believe the changes should be made as soon as possible.**
- **Development applications in the HCA should not be assessed using CLEP 4.6 to vary planning provisions by more than the accepted maximum of 10%.**
- **The Camden DCP is adequate as it stands as long as it is followed and not open to cherry picking, subjective interpretation and the use of precedents to override its objectives and controls.**
- **We strongly refute the illogical notion that economic success of the town is tied to “growth” in the sense of physical redevelopment. The level of Camden’s economic activity is dependent on its authentic heritage and being different. Encouraging the supply of additional commercial space through infill development and additional development or redevelopment of a site by increasing the height limit would clearly be counterproductive. A windfall for developers would mean cultural loss for current and future generations.**

The following presents a summary of these key points and other issues raised and detailed throughout our submission. After providing background from the community perspective on the UDF project, our submission follows the same order accorded in the UDF Draft Report to the six Place Vitality Criteria of Built Form, Culture, Public Domain, Economics, Access and Movement, and Natural Environment.

We have followed this format because we understand that an Action Plan will be prepared and based around these criteria. The cross references provided at the end of each section of the summary are live links to the relevant supporting argument within the body of the submission.

Our specific requests for changes, inclusions and actions in relation to the UDF are in bold. We understand that Planning is a technical area and that there will be matters we do not fully understand in relation to tightening and changing the planning instruments. We trust that you will take our suggestions on board as we intend, as matters that we have heard consistently and loudly in recent years that need expert, and by now urgent, attention and action.

At the outset we must be clear that we do not accept the 2014 “Vision” as a valid foundation for updating the Camden Local Environmental Plan (CLEP), Development Control Plan (DCP) and Camden Town Centre (CTC) Strategy. We are very familiar with the process behind it and consider it embraces false premises, that it not reflective of community views nor the significance of the Camden in the story of NSW and Australia and that it is constitutionally ambiguous. (See *Background*)

BUILT FORM

As it appears feasible to change the zonings within the HCA to be more protective of Camden’s heritage character, we believe potential changes should be subject to community input and investigation and be made as soon as possible. (See *BUILT FORM Zoning*)

The long-held wisdom of minimal development on the floodplain and in flood areas of the town and HCA needs to be incorporated into the recommendations of the UDF.

Our experience is that the CLEP needs to categorically state acceptable height limits, agreed with the community, that conserve the village profile and human scale of the town and that CANNOT be exceeded, including on flood prone land.

Use of CLEP 4.6 needs to be constrained to prevent variation of controls which exceed the accepted maximum of 10% in assessment of development applications.

(See *BUILT FORM Building Height Limit and Flooding*)

BUILT FORM cont.

A close reading of the CLEP and DCP shows that they do specifically address the heritage components and values of the town centre. The problems are that

- the CLEP and DCP in relation to heritage conservation are not necessarily consistent with zoning within the HCA and town centre;
- that the planning provisions can be reinterpreted, overridden or replaced through precedent.

We consider that the CLEP and DCP provisions, objectives and controls, including signage controls, as they currently stand are adequate but need to be:

- enforced
- categoric, with no room for interpretation or reliance on a precedent.

We request that an inventory and compliance audit of signage in the HCA be undertaken in relation to provisions of the planning instruments.

(See *BUILT FORM Other heritage protections*)

BUILT FORM: UPDATE LEP CONTROLS

We see an advantage in reviewing the B2 and B4 zonings of the town centre or applying different zonings to be more consistent with community expectations for the Conservation Area and to promote heritage conservation.

Changes need to be subject to further consultation and input but at a minimum if the B2 and B4 zones are to be retained we believe the following inclusions are appropriate and consistent with community expectations and the public interest.

B2 Local Centre and B4 Mixed Use

Objectives
ADD

To conserve and enhance the unique sense of place of precincts that are also Conservation Areas by ensuring that new development integrates with the distinct human scale, character, cultural heritage and landscape setting of those Conservation Areas and observes their building height limits and under LEP Clause 4.6 makes no variation to their planning provisions greater than 10% and does not allow development close to dwellings that intrudes on residents' quiet enjoyment of their properties.

Permitted with Consent

ADD

Dwellings

BUILT FORM: UPDATE LEP CONTROLS cont.

The St John's Church Precinct is currently awaiting Ministerial approval of the recommendation of the Heritage Council that it be State listed. Its B2 zoning does not recognise its heritage significance, partly vested in its surviving use as a Church and Rectory complex, which is not accommodated by the zone, except by default.

The Little /Barsden Streets area, near and in parts adjacent to the HCA, sits amidst and alongside zones of RU1 Primary Production and R2 Low Density Residential, but is incongruously zoned IN2 Light Industrial. The IN2 zone is not consistent with existing residential use of the area, or of nearby zones which leads to inappropriate outcomes despite the usual zoning objective of minimising conflict of land uses of adjoining zones. Arguably, at a minimum the building stock in this area should be researched for inclusion as potential heritage items in the DCP with a view to listing in the CLEP and possible expansion of the HCA area.

We request that further investigation and community consultation be undertaken into the above zoning issues.

We request that appropriate changes to zonings be made to align with the objective of heritage conservation and remove inconsistencies of permitted land uses.

We request at a minimum that the above suggested change to the wording of B2 and B4 zones be made.

We see no telling justification for increasing the height limit as it is necessary to conservation of the original and carefully designed form of the town. The LEP allows for exceedance to accommodate architectural features.

We do not agree that the height limit inhibits compliance with flood controls, which would mainly be applicable to new developments which the town centre cannot accommodate without compromising its heritage value.

A request has been made to strengthen CLEP 7.1 controls over development on flood prone land as covered under NATURAL ENVIRONMENT.

(See *NATURAL ENVIRONMENT*)

(See *UPDATE LEP CONTROLS*)

BUILT FORM: UPDATE DCP CONTROLS

A request has been made under NATURAL ENVIRONMENT for an amendment to DCP B3.1.2 (Control 11) regarding flood affected surrounds of the town.

We consider that the DCP is largely adequate as it stands as long as it is followed and not open to cherry picking, subjective interpretation and the use of precedents to override its objectives and controls. We strongly support the explicit inclusion and mandatory observance of the principles of the Burra Charter, bearing in mind that its principles are to be applied to the cultural significance of whole town, as well as individual items within it.

We request that the following clauses be included as overarching directives in the DCP:

- **Clause 4.6 of the LEP cannot be used to subvert the spirit and intentions or limit the effectiveness of DCP objectives and controls.**
- **Precedents cannot be used to override DCP objectives and controls.**
- **DCP objectives and controls are not open to subjective interpretation but are to be read and applied at their face value and according to their spirit and intentions.**

(See *NATURAL ENVIRONMENT*)

(See *UPDATE DCP CONTROLS*)

CULTURE

We agree that Camden with its wide streets and leafiness is well suited to provide a cultural hub, which would also reinforce its traditional function throughout its history. We ask that the following strategies be included in the UDF:

Open up of John Street to the Civic Centre by removing the Council-owned red brick bungalow at the corner of John and Mitchell Streets. Connectivity would be improved which would provide obvious wayfinding and walkability advantages and provide additional space for cultural events and/or at grade parking.

Purchase by council when available the old picture theatre at the entrance to Larkin Place. This could be used for many cultural activities and events and reinforce the function of the township as a cultural centre.

(See *CULTURE*)

PUBLIC DOMAIN

We agree that brick, sandstone, wood as well as roofing of corrugated iron (and sometimes slate) are the original and authentic building materials of the town and that the introduction of different elements (grey machine cut granite, machine cut sandstone, pressed multi-coloured bricks and aluminium) presents a challenge to the connectedness and coherence of the public domain. We are happy to contribute to any discussion on improving the design palette.

We agree that good quality bespoke signage is needed to underline the significance of the town, its built heritage and historic layout.

We agree with the UDF's initiatives and strategy to improve the public domain (as long as the result enhances the authenticity and history of the town and does not produce a contrived cafe-culture style urbanisation of the town.)

We request that the UDF recommend that:

Any original fabric that remains in Council's depot, such as hand-cut sandstone, be reinstated within the town, away from obviously machine cut sandstone.

The Victorian style cast iron benches that were removed during the Argyle Street works (not original, but good quality, faithful replicas) be reinstated in areas away from the new benches.

The bench plaque to Shirley Winn be reinstated.

(See *PUBLIC DOMAIN*)

PUBLIC DOMAIN: John Street Precinct

We are pleased that John Street is to remain as an iconic original design feature of the town. As pressed bricks are used at the corners of John Street, the transition to a more authentic and less machined paving treatment is problematic.

As Argyle Street is unlikely to be redone some trade-off will be needed between community expectations of a conservation area founded in 1840 and design principles such as element repetition of colour, texture and shape. We are happy to contribute to the discussion.

(See *PUBLIC DOMAIN JOHN STREET PRECINCT*)

PUBLIC DOMAIN: Larkin Place Precinct

We agree with the concept of Larkin Place doubling as a town square and consider it would be welcomed by the community. To an extent normal market forces have resulted in some businesses opting to undertake minor developments that face into the car park, which has started the process. We cannot imagine how the development suggested in the UDF could be accommodated within the space available, let alone allow light to the backs of new developments and Argyle Street properties and retain sufficient parking.

For these reasons

- ❖ **the heritage conservation outcomes already explained** (see *Background, BUILT FORM, UPDATE LEP CONTROLS, UPDATE DCP CONTROLS*)
- ❖ **the impact on parking especially for the adjacent school**
- ❖ **the incentive for building owners to demolish and rebuild**
- ❖ **the scope for subjective interpretation of appropriate building design**

we do not agree with

- **increasing the height limit;**
- **allowing three-storey developments;**
- **increasing density with infill development to accommodate commercial and residential uses;**
- **residential development facing Larkin Place.**

(See *PUBLIC DOMAIN LARKIN PLACE PRECINCT*)

PUBLIC DOMAIN: Murray Street Precinct

For the Murray Street Precinct, the idea of the CLEP accommodating a visual height of three storeys with a pitched roof (with top storey not to be visible from Murray Street) is fraught with opportunity for redevelopment that is:

- overscale, and not of the desired human scale that is intrinsic to Camden's historic character
- even less sensitive as an entrance in promoting the overall impression and desired character of the town.

A height limit is necessary and we see no reason to change the CLEP which already allows for redevelopment accommodating over-height architectural features.

As already argued, the means to ensure appropriate outcomes is through strict and objective adherence to provisions, objectives and controls of the CLEP and DCP.

(See *PUBLIC DOMAIN MURRAY STREET PRECINCT*)

PUBLIC DOMAIN: Nepean River Link Precinct

We completely agree with and applaud the framework presented for the Nepean River Link Precinct. We understand there is much background work required to bring it to fruition and encourage its speedy progress. Implementation of the River Link would be very much welcomed by the community.

(See *PUBLIC DOMAIN NEPEAN RIVER LINK PRECINCT*)

ECONOMICS

We strongly refute the notion that economic success of the town is tied to “growth” in the sense of physical redevelopment. This is a circular argument as the level of Camden’s economic activity relies on its authentic heritage and being different.

Encouraging the supply of additional commercial space through infill development and additional development or redevelopment of a site by increasing the height limit would clearly be counterproductive.

A windfall for developers would mean cultural loss for current and future generations.

(See *ECONOMICS*)

ACCESS and MOVEMENT

We agree with the UDF on its encouragement of walking, integration of cycleways and support of public transport and its suggestions of

- periphery parking;
- timed parking;
- noise mitigation strategies in response to growth in the night time economy;
- creating slower speed streets.

We request that the following be incorporated also into the UDF:

Early introduction of the new road rule announced by the NSW Government in June 2018 of a speed limit of 40 km/hr in areas of high pedestrian traffic.

Interventions to slow traffic such as cross road markings, more pedestrian crossings, raised pedestrian crossings, emphasising gateways and entry thresholds, through for instance, distinctive landmarks, bespoke signage and changes in road surface.

(See *ACCESS AND MOVEMENT*)

NATURAL ENVIRONMENT

We absolutely agree with the UDF's emphasis on

- providing an extensive Nepean River Link connecting the town to its river surrounds;
- strengthening the connections between the town, river and floodplain by providing more access to them, through a network of green open space, for recreation, bush tourism and education opportunities.

We applaud its listed initiatives of

- *A continuous shared path along the Nepean River and Matahil Creek;*
- *Connecting Macarthur Park and the town farm;*
- *Water Sensitive Urban Design in parking areas with increased permeability of surfaces;*
- *Ensuring trees are maintained throughout the Town Centre;*
- *Protecting and maintaining the existing open flood plain green belt surrounding Camden including views and vistas.*

We request the following inclusions be made to the UDF:

- **A recommendation for a watering system to be installed or a process put in place that ensures regular inspection and watering of the street trees and gardens, particularly in summer.**
- **A specific recommendation for integration of wayfinding of the Memorial Walk and Heritage Walk to be integrated into the walkability of the town in a celebrated and sensitive manner, and for the walks to be promoted on Council's website (a Council website search on 21 June 2018 returned no results for either walk).**
- **A specific recommendation to protect and maintain the existing open plain flood green belt surrounding the town, including views and vistas, through CLEP and the DCP.**

As in the case of the Milk Depot site, at present CLEP 4.6 would seem to allow over-height buildings even in the HCA, and we assume from advice received from the Department of Planning that Clause 4.6 applies to any proposed development in a flood area or on a flood plain (see *Appendix 3 BUILDING HEIGHT; FLOODING*).

NATURAL ENVIRONMENT cont.

We are not sure of the best way to effect protection but make the following suggestions.

DCP B3.1.2 states at control 11: *The development of the flood affected fringes of the town shall not compromise the prevailing character.*

We suggest the following addition to the sentence

...of the township and surrounds, nor compromise views and vistas within, to and from the township.

CLEP 7.1 refers to Flood Planning. We suggest additions to the objectives of CLEP 7.1 (1) as follows:

- (d) to avoid development of flood prone land surrounding the Camden township***
- (e) to retain the green belt within and surrounding the heritage conservation area of the Camden township***
- (f) disallow, under LEP Clause 4.6, any variation to planning provisions greater than 10%***

The following full submission expands on the above summary with case examples and references.

Your sincerely



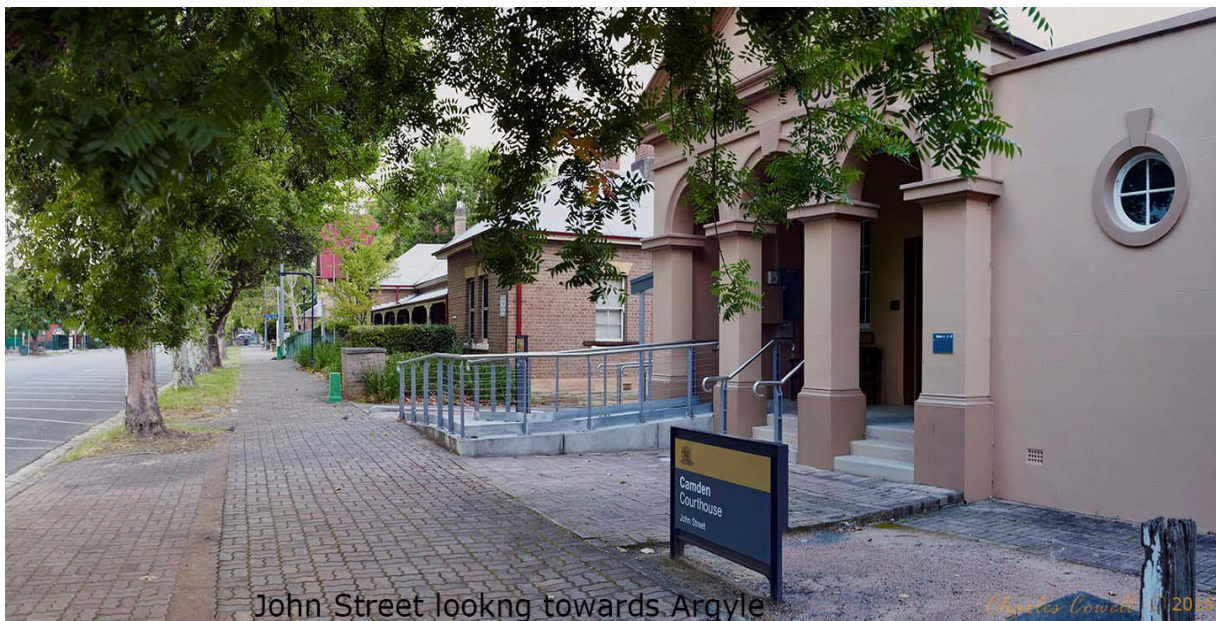
Glenda Davis

President

22 June 2018

Contents

Introduction including Study Area	13
Background.....	15
BUILT FORM.....	20
URBAN DESIGN CRITERIA	20
Zoning	20
Building Height Limit and Flooding	25
Other heritage protections	30
UPDATE LEP CONTROLS	33
Zoning	33
Height and Flood Controls	36
UPDATE DCP CONTROLS	37
CULTURE.....	38
PUBLIC DOMAIN.....	40
JOHN STREET PRECINCT.....	44
LARKIN PLACE PRECINCT.....	46
MURRAY STREET PRECINCT	49
NEPEAN RIVER LINK PRECINCT	50
ECONOMICS.....	51
ACCESS AND MOVEMENT	53
INTERVENTIONS	55
Speed Limit 40 km/hr:	55
Pedestrian Crossings:	55
Gateways and Entry Thresholds:	56
NATURAL ENVIRONMENT	57
Appendix 1 SCOPE of UDF	61
Appendix 2 ZONING.....	64
CLEP 2010 Zone B2 Local Centre and Standard LEP	64
CLEP 2010 Zone B4 Mixed Use and Standard LEP	65
Standard LEP Land Use Zones	66
DIRECTIONS on preparing Zones	67
Appendix 3 BUILDING HEIGHT; FLOODING	68

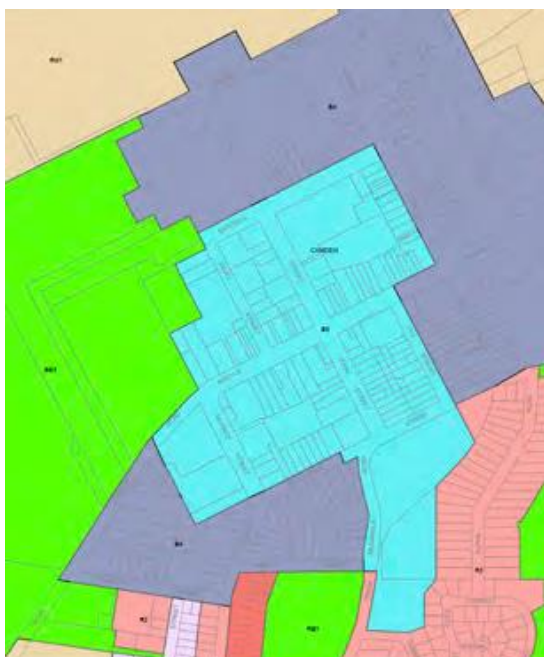


Introduction including Study Area

The UDF Brief includes a scope of works (Appendix 1) for the Camden Town Centre covering

a. Document Review; b. Preparation of a series of Urban Design Criteria for the Camden Town Centre; c. Updating of LEP Controls; d. Updating of DCP Controls; e. Preparation of a Public Domain and Streetscape Plan (incorporating adopted streetscape plan for Argyle Street); f. Updating of 2008 Camden Town Centre Strategy; g. Preparation of a community engagement process for: Urban Design Criteria, and Public Domain & Streetscape Plan

We understand that the Draft UDF Report, hereinafter referred to as the UDF, does not as yet cover the full scope of the Brief as 3D mapping of the town is needed prior to updating controls, strategy and establishing a domain and streetscape plan.



The study area of the UDF is defined by the Nepean River and adjacent flood plains to the North, East and West and a ridge line to the West (p. 9). The Camden Town Centre is referred to as being within a Heritage Conservation Area as shown in the map below and comprised of B2 Local Centre and B4 Mixed Use zones (p. 78). The adjacent diagram shows the B2 and B4 zones coloured blue and purple respectively. The conservation area includes some residential zones coloured pink in the adjacent map, which can be identified to include Alpha Road and Broughton Street in the following Camden HCA map.

We understand that an Action Plan will be prepared based around and informed by the six Place Vitality Criteria of Built Form, Culture, Public Domain, Economics, Access and Movement, and Natural Environment as identified in the UDF.

Thank you for your assurance that the Action Plan will take into account submissions received from the community, and that the Plan's proposed actions will be subject to ongoing community consultation.

Our submission follows the Vitality Criteria and refers where relevant to the Consultant's Scope of Works (Appendix 1), and appendices relating to: Zoning (Appendix 2) and Building Height (Appendix 3).

Background

It is pertinent at the outset of this submission to provide the following background, as part of the Brief is to incorporate the recently adopted streetscape plan for Argyle Street. As is well known the recent Argyle Street works and associated Oxley Street decked car park proposals were the subject of community groundswell outrage; the controversy was well covered at the time in mainstream and social media and is documented¹. The 2008 Camden Town Centre Strategy which informed the aesthetic treatments of Argyle Street preceded the town's HCA gazettal in 2010 and did not have community support at the time it was adopted.

Council documents show the works were precipitated by Council's plan to move to Oran Park, that they were being conceived internally from mid-2013, were finalised prior to June 2014² and taken to Council on 8 July 2014³. Arguably the signalled intentions concerning the Argyle Street works and decked car park were premature given that the NSW Environmental Planning and Assessment (EPA) Act 1979 (Div.2.3 (d)) requires that the community be given opportunities to participate in strategic planning as early as possible to enable community views to be genuinely considered. Community consultation process took place from July to November 2014.

As is documented, including through academic research⁴, community members who participated in the community consultation process insist that the resultant "Vision"⁵ dated December 2014 and made public in April 2015 does not incorporate their expressed views.

Rather the Vision incorporates the work of another firm of consultants, the brief for which is unavailable, who were commissioned to do a **Retail & Commercial Study for Camden Town Centre**⁶ which resulted in two reports:

Opportunities and Issues Paper (August 2014)

Economic Feasibility Report (November 2014)

¹ CRAG Inc *Chronicle of Council's faction 2012 to 2016* Available at <http://www.crag.org.au/wp-content/uploads/2016/07/Timeline-of-Community-Issues-with-Camden-Councils-Faction-Term-2012-to-2016-as-at-28-Sept-2016.pdf>

² Mayoral Letter 20 June 2014 TRIM Reference No: 14/90674

³ Camden Council (8 July 2014) Business Paper ORD06 Camden Town Centre Improvements (TRIM #:14/100528) https://www.camden.nsw.gov.au/assets/pdfs/Council/Business-Papers/2014/8_July_2014_-_Business_Paper.pdf

⁴ Willis Ian (Feb 2016) *Force or farce Community consultation in local government* https://www.academia.edu/26423228/Force_or_farce_Community_consultation_in_local_government

⁵ *Camden Town Centre Vision – JBAUrban* Available at <https://www.camden.nsw.gov.au/assets/pdfs/Major-Developments/Major-Council-Projects/Camden-Town-Centre-Streetscape-Improvements/WEB-15-73062-Camden-Town-Centre-Vision-Report-09-04-2015-.pdf>

⁶ AEC *Retail & Commercial Study for Camden Town Centre Camden City Council Opportunities and Issues Paper August 2014* <https://www.camden.nsw.gov.au/assets/pdfs/Major-Developments/Camden-Town-Centre-Urban-Design-Framework/Camden-Town-Centre-Opportunities-and-Issues-Paper-Final-April-2015.PDF>
AEC *Retail & Commercial Study for Camden Town Centre Camden Council Economic Feasibility Report November, 2014* <https://www.camden.nsw.gov.au/assets/pdfs/Major-Developments/Camden-Town-Centre-Urban-Design-Framework/Camden-Town-Centre-Economic-Feasibility-Report-November-2014.PDF>

The studies later became publicly available in 2016/2017 through the UDF project.

The purpose of both reports is stated as

to identify the current situation and activities undertaken in the Town Centre and provide an assessment of the strengths and weaknesses based on an analysis of the economic structure and property market characteristics of the centre.

The second report investigated potential development opportunities and made recommendations to accommodate growth and facilitate renewal, and stated (p. 17)

A planning framework that is conducive to development will attract future investment. There are a number of constraints (environmental and heritage) that impede the development potential of some properties in the Town Centre, however there are nevertheless opportunities for renewal where development can be intensified to accommodate a mix of new uses.

Considering the heritage and environmental constraints that implicate the potential for development in the Town Centre, it is recommended that an urban design and heritage study be undertaken to identify opportunities for development. Once identified, these opportunity sites can be examined to establish minimum density thresholds required to be an attractive proposition to stimulate private investment. (p. iii)

Land use and planning policy is one of the tools available to Council to facilitate private sector investment. Planning controls that support viable redevelopment can help facilitate development and renewal in parts of the Town Centre that are underperforming.

The introduction of more residential uses in the Town Centre would contribute to increasing the local patronage pool and the generation of local economic activity.

- *Generic feasibility testing suggests that for residential sites on the fringe of the Town Centre, densities of between FSR 2.0:1 and FSR 2.5:1 are required for feasible redevelopment of apartments and mixed uses respectively.*
- *In the case of commercial sites within the Town Centre, densities of between FSR 4.0:1 and FSR 5.5:1 are required for feasible development of apartments and mixed uses respectively.*

We totally reject the narrow perspective, premises and conclusions of these reports which consider heritage conservation as a constraint to be confronted and overturned. A Heritage Conservation Area by its very definition is not available for renewal and redevelopment of its built form and layout. There is every evidence that the community absolutely does NOT agree with these reports and the outrage referred to above would have reached new levels if these documents had been available.

Most relevant is that the UDF Brief was devised from the 2014 Vision.

The Vision (pp. 9;26;53), likewise incorporates reviewing the HCA protections in the LEP and DCP and revising the height limit and development controls to allow taller buildings and infill development. Rather than the floodplain, heritage and human-scale height of the old town being seen as intrinsic to its unique character which is its main competitive strength, they are seen as economic constraints to development. As the UDF Brief is derived from the Vision it also worryingly incorporates a review of the height limit and other LEP and DCP heritage controls.

The UDF consultants have undoubtedly found inconsistencies between their Brief and community views, and hence encountered a difficult path in seeking justification for revising heritage protections at the same time as faithfully incorporating consultation findings.

We believe this difficulty has resulted in a framework that embraces Camden's uniqueness but seeks possibilities for more to be packed into the town. This approach results in a framework that envisages Camden as more like some Sydney suburbs that have developed as densely packed streets of eateries, meeting places and urban living.

Unfortunately, this vision is not consistent with Camden's significant place in post-European settlement and agricultural history as is well documented and most recently researched and explored in CRAG's 2016 Heritage Study endorsed by leading academic historians⁷. CRAG has undertaken considerable research into the history of Camden with the view to its State listing.

At this stage the NSW Office for Environment and Heritage has recommended to the Heritage Division to consider Camden HCA in the context of future planning for the State Heritage Register and in relation to the State Listing of St John's Precinct, currently awaiting ministerial approval, it is considered a significant point in the landscape, as part of the triumvirate of St John's, Camden township and Camden Park House.

Camden has developed mainly organically over more than 170 years, retaining its original design and rural heritage and remains today as a potential major asset for future generations amidst rampant development. The cry that "Camden will die" unless it changes and grows has been heard many times over the years. Camden is still here, adapting to market forces as it has always done, this time by offering more customised services and experiences.

Our position is that it is not only wrong, but also short sighted to contrive an outcome for the town which is shaped by the 2014 Vision. The Vision concentrated on commercial growth and being based on the two studies referred to above was founded on the theoretically incorrect notion that Camden has to somehow "compete" with surrounding shopping centres such as Narellan.

Camden's competitive advantage is in its difference. Its beginnings as a private town on Camden Park Estate designed by the sons of John Macarthur, its agricultural history and intactness are the attributes that will maximise its differentiation from more modern and generic centres and increasingly be Camden's economic strengths in the medium to long term.

Moreover, it is a sustainable competitive advantage, one that will see a bright future for Camden township, as it cannot by its very nature be duplicated by other centres. Any detracting from its authenticity is economically counterproductive.

⁷ CRAG (2016) *HERITAGE STUDY CAMDEN NEW SOUTH WALES Documentary Evidence addressing criteria for statutory heritage listing*
<http://www.crag.org.au/camden-township-heritage-study/>
<http://www.crag.org.au/wp-content/uploads/2016/06/Camden-Heritage-Study-April-2016.pdf>

As follows, we must also challenge the validity of the “Vision” on the grounds that it may have no standing as it is a product of Local Government, which is overseen constitutionally by the State Government which provides its regulations and direction.

- Under the NSW EPA Act 1979⁸ Councils are subject to minimum community participation requirements. The consultation process undertaken in the second half of 2014 was not in our opinion consistent with the spirit and direction of this Act. Nor was the process in our opinion
 - consistent with the social justice principles of access, equity, participation and rights to be observed within a Council’s Community Engagement Strategy;
 - within the spectrum of the International Association for Public Participation referred to by the NSW Office of Local Government⁹.

The importance of community participation was reiterated through the NSW Legislative Council Environmental Planning and Assessment Amendment Bill 2017¹⁰ which received Governor’s assent on 23 November 2017, with most changes coming into effect from 1 March 2018.

The Second Reading (18 October) referred to the importance of liveability and character and the importance of improving community confidence and participation.

The Debate (15 November) called for more balanced and transparent decision making stating that communities have lost confidence; that LEPs are being overridden time and time again by planning proposals that rob communities of certainty about the instrument that is supposed to guide growth in their area. The Debate referred to promises made by the Government when in opposition under leader Barry O’Farrell and when last elected, to return planning powers to the people, but the opposite has happened.

The word “participation” is used sparingly in the Principles of the Policy Statement in the latest community engagement document found on Council’s website¹¹. The Principle that *Council will undertake to engage with the community at the earliest appropriate stage of the life of the project and consider timing of engagement activities to maximise participation wherever possible*, was seemingly not employed in, although it may post-date, the 2014 consultation.

⁸ NSW EPA ACT 1979 Div. 2.6: ss2.21, 2.22, 2.23; Schedule 1
<https://www.legislation.nsw.gov.au/#/view/act/1979/203/part2/div2.6>

⁹ NSW Office of Local Government <https://www.olg.nsw.gov.au/councils/integrated-planning-and-reporting/framework/community-engagement-strategy>

¹⁰ NSW Parliament (18 October 2017) *Environmental Planning and Assessment Amendment Bill 2017* Legislative Council Hansard

<https://www.parliament.nsw.gov.au/bill/files/3456/2R%20Environmental%20Planning.pdf>

¹¹ Camden Council (12 May 2015) COMMUNITY ENGAGEMENT POLICY P3.0128.1
<https://www.camden.nsw.gov.au/assets/pdfs/Council/Policies/Community-Engagement-Policy.pdf>

- the NSW Office of Environment and Heritage (OEH)¹² has incorporated the principles and logic of the Burra Charter¹³ into conservation planning documents for conserving and managing places of cultural significance and to set a professional standard of practice for decision-making about them.

Camden Council has adopted the Burra Charter into the DCP (B3.1.1 p. B50) as follows:

Protect and conserve heritage in accordance with the principles of the Burra Charter. This is a document prepared by the Australian National Committee of the International Charter for the Conservation and Restoration of Monuments and Sites (Australia ICOMOS). It provides guidance for the conservation and management of places of heritage significance.

The 2014 Vision and the two commercial studies and are not consistent with the spirit, intent or articles of Burra Charter, particularly the following:

Article 3.1 Conservation is based on a respect for the existing fabric, use, associations and meanings. It requires a cautious approach of changing as much as necessary but as little as possible.

Article 3.2 Changes to a place should not distort the physical or other evidence it provides, nor be based on conjecture.

Article 5.1 Conservation of a place should identify and take into consideration all aspects of cultural and natural significance without unwarranted emphasis on any one value at the expense of others.

Article 8. Setting: Conservation requires the retention of an appropriate setting. This includes retention of the visual and sensory setting, as well as the retention of spiritual and other cultural relationships that contribute to the cultural significance of the place.

New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate.

Article 12. Participation Conservation, interpretation and management of a place should provide for the participation of people for whom the place has significant associations and meanings, or who have social, spiritual or other cultural responsibilities for the place.

Article 15.1 Change may be necessary to retain cultural significance but is undesirable where it reduces cultural significance. The amount of change to a place and its use should be guided by the cultural significance of the place and its appropriate interpretation.

21.1 Adaptation is acceptable only where the adaptation has minimal impact on the cultural significance of the place.

21.2 Adaptation should involve minimal change to significant fabric, achieved only after considering alternatives.

¹² NSW Office of Environment and Heritage Conservation. <http://www.environment.nsw.gov.au/conservation/>

¹³ ICOMOS (2013) *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance* <https://australia.icomos.org/wp-content/uploads/The-Burra-Charter-2013-Adopted-31.10.2013.pdf>

We do not accept the 2014 “Vision” as a valid foundation for updating the CLEP, DCP and CTC Strategy. It embraces false premises, is not reflective of community views, the significance of the Camden in the story of NSW and Australia and is constitutionally ambiguous.

BUILT FORM

URBAN DESIGN CRITERIA

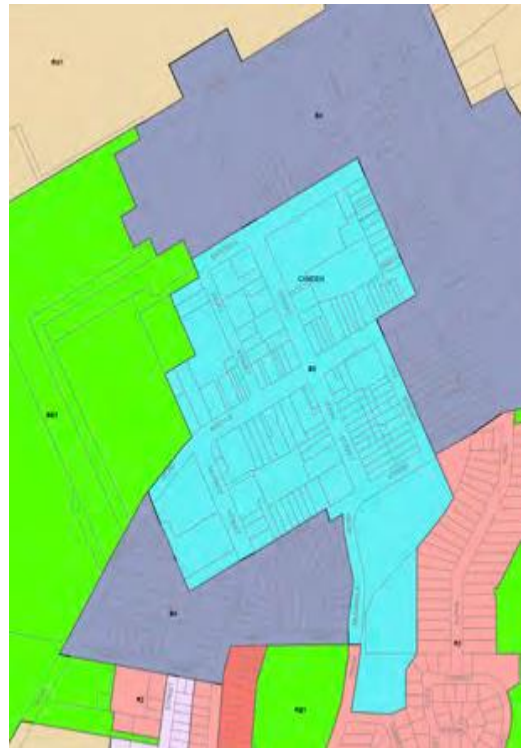
The UDF (p. 20) observes that the built form of a Town Centre is a product of its urban structure, quality of architecture and the nuances of building height, style, texture and colour, its presentation as a discrete and collective entity, and its sense of arrival and enclosure. Camden’s built form is inextricably linked to its beginnings as a private town, its deliberate romantic village design by James and William Macarthur and its history as a gateway to the interior and as a country town with an economy based on agriculture, remnants of which exist today as unique and viable features. In particular Camden has a distinct and aesthetically pleasing built form as a result of its careful design in 1836, the character elements of which are listed in the DCP (B3.1.2 Camden Heritage Conservation Area).

The Brief includes *b. Prepare a series of Urban Design Criteria for the Camden Town Centre* which includes a review of key controls for heritage conservation: zoning, building height limit and other LEP and DCP heritage policies and protections.

Zoning

The Brief requires a *review of current zoning*.

The Camden Town Centre (CTC) as defined in the UDF is comprised of two commercial zones, B2 Local Centre (blue) and B4 Mixed Use (purple), partially defined by the NSW Department of Planning.



Although the UDF emphasises Camden's heritage value it does not investigate incorporating heritage protection into the zonings. It limits its recommendations on zoning to inclusion of dwelling houses, stating

The Town Centre is a mix of B2 Local Centre and B4 Mixed Use zones. The B4 zone permits multi dwelling housing and shop top housing, with the B2 zone only permitting shop top housing. The B4 zone permits several light industrial uses including vehicle repair stations, vehicle body repair workshops and warehouse or distribution centres, which are prohibited within the B2 zone.

Camden is a place that people live and its residential streets are an important aspect of its history and its heritage value today, and we agree absolutely that dwelling houses should be a permitted use. However, the current zoning allows inappropriate development to be sited next to residential housing, including heritage listed dwelling houses¹⁴.

The legislated NSW standard LEP instrument¹⁵ covers heritage and zoning. The wording of heritage conservation objectives in the Camden LEP and standard LEP is similar.

- (a) to conserve the environmental heritage of Camden,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.

It appears that whether zoning overrides heritage or vice versa is open to a balanced interpretation. Both the actual wording of B2 and B4 zones in Camden LEP 2010 and the mandatory NSW standard wording are included in Appendix 2.

¹⁴ For an example, see

<http://www.crag.org.au/wp-content/uploads/2016/06/CRAG-Objection-7-Park-Street-21-Sept-2016.pdf>

¹⁵ Available at

<https://www.legislation.nsw.gov.au/#/view/EPI/2006/155/schnameoflo>

<https://www.legislation.nsw.gov.au/#/view/EPI/2006/155a/partlanduseta/include13>

Direction 1¹⁶ of the Land Use Table in the Standard LEP states

Additional objectives may be included in a zone at the end of the listed objectives to reflect particular local objectives of development, but only if they are consistent with the core objectives for development in the zone as set out in the Land Use Table.

Direction 2¹⁷ states

Specified uses may be added to (but not removed from) the list of development that is permitted or prohibited in a zone. Additional uses may be added to an item of a zone even if some uses are already specified in that item. Additional permitted uses for particular land (but not all land in a particular zone) may be set out in Schedule 1.

Direction 5¹⁸ states that *only specified types of development may be included in the Land Use Table*. The development types are listed in Appendix 2.

Whilst the standard objectives and “permitted with consent” and “prohibited” items of a specified zone must be included there may be scope to add to them. (Note: the consultants have recommended that dwelling houses be included in the HCA zones as permitted uses).

Whether the wording of the B2 and B4 zones can be changed to be more conducive to conservation of Camden’s heritage or whether other zoning may be substituted with additional objectives and specified uses added to tailor to Camden’s needs is worth investigating.

The CLEP zone objectives of B2 are

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- 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 enable other land uses that are complementary to and do not detract from the viability of retail, business, entertainment and community uses within the zone.

and of B4 are

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To minimise conflict between land uses within the zone and land uses within adjoining zones.
- To encourage development that supports or complements the primary office and retail functions of the local centre zone.

¹⁶ <https://www.legislation.nsw.gov.au/#/view/EPI/2006/155a/partlanduseta/note2>

¹⁷ <https://www.legislation.nsw.gov.au/#/view/EPI/2006/155a/partlanduseta/note3>

¹⁸ <https://www.legislation.nsw.gov.au/#/view/EPI/2006/155a/partlanduseta/note6>

These objectives are quite broad and open to interpretation in relation to “permitted with consent”.

CLEP 4.6 (ii) *Exceptions to development standards* states that a proposed development may be deemed to be in the public interest if it contravenes planning standards if it is consistent with the objectives for development within the zone in which the development is proposed to be carried out. Wingecarribee Council, for example, may have addressed the issue of conflict between zoning and LEP heritage objectives to an extent by including this objective in Zone B2¹⁹.

To generally conserve and enhance the unique sense of place of business centre precincts by ensuring that new development integrates with the distinct urban scale, character, cultural heritage and landscape setting of those places.

Its list of prohibited land uses is also different to that in Camden’s B2 zone.

A list of possible zones from the standard LEP ²⁰ is also set out in Appendix 2. A reading of each possible zone suggests that apart from B2 and B4, and Zone E3 Environmental Management which prohibits retail premises, the zones in the following list have some relevance to Camden’s HCA and may be able to be adjusted with additional objectives and land uses to reconcile them with the purpose of Camden’s HCA designation.

As it appears feasible to change the zonings within the HCA to be more protective of Camden’s heritage character, we believe it should subject to community input and investigation and be done as soon as possible.

¹⁹ <https://www.legislation.nsw.gov.au/#/view/EPI/2010/245/partlanduseta/include9>

²⁰ *Local Environmental Plans (LEPs) guide planning decisions for local government areas. They do this through zoning and development controls, which provide a framework for the way land can be used. LEPs are the main planning tool to shape the future of communities and also ensure local development is done appropriately.*
<http://www.planning.nsw.gov.au/Plans-for-Your-Area/Local-Planning-and-Zoning>

Zone RU5 Village

1 Objectives of zone

- To provide for a range of land uses, services and facilities that are associated with a rural village.

2 Permitted without consent

Home occupations

3 Permitted with consent

Centre-based child care facilities; Community facilities; Dwelling houses; Neighbourhood shops; Places of public worship; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Respite day care centres; Schools

4 Prohibited

Zone B1 Neighbourhood Centre

1 Objectives of zone

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.

2 Permitted without consent

3 Permitted with consent

Boarding houses; Business premises; Centre-based child care facilities; Community facilities; Medical centres; Neighbourhood shops; Respite day care centres; Shop top housing

4 Prohibited

Zone B3 Commercial Core

1 Objectives of zone

- To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.
- To encourage appropriate employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

3 Permitted with consent

Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises

4 Prohibited

Zone SP3 Tourist

1 Objectives of zone

- To provide for a variety of tourist-oriented development and related uses.

2 Permitted without consent

3 Permitted with consent

Food and drink premises; Tourist and visitor accommodation

4 Prohibited

Building Height Limit and Flooding

The UDF Brief includes the following related requirements in establishing the Urban Design Criteria.

Principles for appropriate commercial and/or recreational development for flood affected areas within the Camden Town centre.

Establish criteria to enable Council to vary the current 7metre height control.

We fully agree with the UDF (p.5) that the town's interface with the Nepean River is a great asset that is underutilised. Proximity to river water and accessibility to Camden Park, the fertile cow pastures and to the interior as NSW was opened up were of course factors in the choice of location for the private town. The Nepean River is inherently connected to Camden's heritage value.

In the past the river was used more extensively for picnics, swimming and general recreation. Greater access to it in these modern times would present exceptional opportunities to increase the vibrancy of the town, as evidenced by the popularity of the existing bike path.

As long as the River's ecological health, bank stability and riparian vegetation and wetlands were not compromised there is no question that recreational development in the form of walking trails, bike tracks, picnic spots, and access to views of the river are appropriate development of flood affected areas. Such development would increase visitation to the town and contribute to its economic base.

We do not accept the premise of the UDF (p.5) that the 7m height limit presents a problem in complying with flood controls. There is little room in the small delineated area of the township for additional buildings and increasing the height of existing buildings would destroy Camden's character. Flooding is a fact of life that Camden with its spaciousness and human-scale has withstood periodically for over 170 years. There are many existing and significant opportunities for commercial development within the municipality without making Camden non-descript and less unique.

The village profile and openness of the township are fundamental to Camden's heritage value. Camden retains its original village design because of the flood plain, historically used as farmland surrounding the town, which in later times has posed practical limitations for commercial development.

Within the Camden Town Centre a new building would usually need to exceed human scale if it were to accommodate freeboard above the flood level. Current planning instruments were developed with full knowledge of flooding and nevertheless address height restrictions as follows:

- LEP (4.3) and Building Height Map specify a height limit of 7 metres for the HCA.
- LEP (5.6) allows for roof forms to exceed the height limit throughout the municipality to accommodate architectural features as long as they are decorative and do not include floor space.
- DCP (B3.1.2 Control 9) specifies that a two-storey height limit shall prevail in the HCA except for significant architectural features incorporated in the design of buildings in significant locations.

Development of existing buildings should not compromise the character of the town and most definitely should adhere to LEP and DCP heritage protections. Particularly in the current developer friendly climate, developers cite flooding as a reason for exceeding the height limit, and this could only be exacerbated by increasing that limit. The reasoning of accommodation of development of flood prone land would know no limits and future generations wearing the consequences of the loss of heritage and liveability would ask- what were they thinking?

The recent Milk Depot approval of an additional overscale and 12.8 metre over-height building has set a new record for non-observance of the LEP and DCP. The approved building is within the HCA, will be glaringly apparent at the main gateway, is well within the flood area and research by CRAG members has shown that it is in a floodway. The approval accepts that the floodway begins discretely at the very edge of the new building which is most unlikely given the way flood waters behave.

Although the primary objective of the State government flood policy (Floodplain Development Manual and Floodplain Guidelines ²¹) is to reduce the impact of flooding, it also encourages development on floodplains (citing them as *valuable resources that should not be unnecessarily sterilised*). However, advice provided by the Department of Planning is that it is a responsibility of Council to determine flood affectation (see *Appendix 3 BUILDING HEIGHT; FLOODING*)

It would be disastrous to the town's heritage value and impacts on other properties if the Milk Depot site approval was to be accepted as any sort of precedent. Any change to the LEP and DCP should ensure that this type of over-height, overscale proposal cannot be approved.

The HCA protections must be strong enough to offset the incentive for developers to take advantage of cheap flood prone land. New commercial buildings that are above height should never be allowed on the surrounding flood plain or within the township.

The appropriate commercial and/or recreational new building development for flood areas is minimal. As a general principle it should be limited to agricultural and recreational pursuits with few single storey buildings only.

²¹ <http://www.environment.nsw.gov.au/research-and-publications/publications-search/floodplain-development-manual>
<http://www.environment.nsw.gov.au/topics/water/floodplains/floodplain-guidelines>

Increasing the height limit is a key recommendation in the contentious “Vision”, one that was never suggested or endorsed in any community consultation, and one that is based on faulty economic logic and the narrow perspective that all development is good development. The concept of “build it and they will come” certainly does not apply in Camden. People come because it is not built out, because it is different, because it is open, a bit ramshackle and organically evolved courtesy of its primary production history and flooding constraints.

Some development is bad and counter-productive. It would be disastrous to encourage it through relaxation of height and heritage protections.

Heritage characteristics of the town include its village profile, carefully designed by the Macarthur brothers²² which results from the human scale of buildings and the deliberately chosen topography of the town, and *a unique roofscape of smaller roof forms viewed throughout the town* (DCP B3.1.2).

Heritage listed buildings often exceed the 7-metre height limit, but never exceed two storeys. They are iconic signature buildings that provide much character to the town. It would be difficult to argue that newer unlisted buildings such as the Commonwealth Bank contribute anything aesthetically. Herein lies the danger. It is almost impossible to control interpretation of what is appropriate and contributory to aesthetics because it is subjective.

For instance, to allow a modern building of similar height and scale next door to Crookston’s House or Macaria because it is argued to be “appropriate” would be ridiculous. But it is very difficult to stop developers seeking a profit opportunity. They keep coming back, they have the means to find a heritage architect who will argue their case and if that fails to take the matter to the Land and Environment Court.

It is extremely important to heritage conservation that controls are specific and inarguable.

We do not agree with the UDF (p. 5) that there is an issue with limiting built form to a maximum of 2 storey or single story or that the height control can preclude the inclusion of an appropriate pitched roof to complement existing heritage items.

The real issue is that CLEP 4.6 delegates authority to Council to approve exceedance of the height limit by much more than the usual 10% without seeking approval from the Department of Planning. CRAG has sought advice from the Department²³ and found that jurisdiction has been vested in Council. The UDF (p. 77) states that exceptions to a development standard such as the maximum building height of 7 metres only permits variations in exceptional circumstances where it can be demonstrated that the objectives have been met. This has been proven to be incorrect and up until the institution of the Independent Hearing and Assessment

²² Note that the reference to John Oxley at 1.6 Local Context is incorrect. James and William Macarthur and Surveyor-General Sir Thomas Mitchell designed the town.

²³ See Appendix 3

Panels there was no authority beyond 4.6 of the CLEP, which can negate any planning standard, except perhaps a ruling of the Land and Environment Court.

Control over height of buildings is essential to maintaining human scale and the heritage value of the town. The recent approval of an additional building at the Milk Depot site saw the height limit exceeded by 83%. The planning controls designed to protect the HCA have not necessarily worked and endowing them with more flexibility may have damaging unintended consequences.

As came out during the consultation and reported in the UDF (p. 57) it is heritage considerations that are missing from the development approval process, although this is the very element that attracts people to Camden and provides an economic future for the town; what is needed is greater control over height.

The UDF (p. 79) states it is important to have a combination of height controls that restrict the number of storeys, and the provision of a maximum height control similar to what is currently in place in heritage conservation areas in the City of Sydney, particularly in Glebe, Surry Hills and Paddington. The approach to height control in their LEPs may be relevant, but more detail is needed as to how they may be applied. Questions must be asked about their applicability unless the heritage conservation areas are of similar topography creating vistas to them coming from all directions, have a similar agricultural and privately designed history and are subject to natural constraints such as flood affectation.

We agree in principle with the rationale for determining what the height limit is, and whether one or two storeys, and the appropriate roofline by reference to heritage context. However, the suggestion of a combination of site specific maximum height limit controls, perhaps ranging from 6m to 9m depending on the single or two-storey nature of the contextual built form is problematic within a small heterogenous area such as Camden's HCA, which has a such a mix of styles and heights often adjacent to each other. The UDF (p. 63) notes that the Town Centre is compact, with most of it contained within a 400m radius. The suburbs mentioned are bigger and more homogeneous.

Also, the combination of height controls could only apply to infill development in the form of new buildings or additions to existing buildings, unless existing buildings were to be demolished. Infill development is inappropriate to the open and airy feel of the town, and potentially its important village profile. New buildings compromise the town's very fabric of authentic built heritage.

We note that reasoning behind variation of the height is largely economic. The UDF (p.5) states the Town's unique positioning, rural setting and heritage character has been driving growth and a strong demand for retail services but that its economic potential is currently hindered by lack space.

Whilst we agree that a planning environment that facilitates each individual property to respond to market demand (UDF p.5) is generally desirable, there are obvious caveats. The problem is that market demand fluctuates and what is a good business case today does not work tomorrow. Our investigation on 5 May 2018 found two closed restaurants in Murray St and a cursory internet search showed at least six commercial premises for lease²⁴.

In heritage protected locations the vagaries of shifting tastes and market demand should not be allowed to impact on an essential factor of heritage significance, the built form. This is one very good reason why we have heritage protection. It is an obvious fact that small businesses, especially entrepreneurs, often get it wrong.

Whilst more small-scale niche retail and services and entrepreneurial opportunities would be welcomed in Camden we feel that the current building stock can adequately accommodate them.

We remain to be convinced that a combination of height controls, or any increase in the height limit, is desirable or required. We understand that the recommendation (p. 79) of storey controls up to a 3rd storey and a combination of height controls to ensure character-based outcomes will be considered in separate studies and/or Planning Proposals. We would like to be involved and to be consulted through the mapping process and have further opportunity to present the ideas to the wider community.

Feedback to us so far is that the 7m height should be maintained with slight variation to accommodate a pitched roof to ensure similarity with other heritage buildings facing Argyle Street and elsewhere. The CLEP and DCP already accommodate this view; but use of CLEP 4.6 needs to be constrained to prevent its use in obviating protective CLEP and DCP provisions.

The long-held wisdom of minimal development on the floodplain and in flood areas needs to be incorporated into the recommendations of the UDF.

Our experience is that the CLEP needs to categorically state acceptable height limits, agreed with the community, that conserve the village profile and human scale of the town and that CANNOT be exceeded including on flood prone land.

Use of CLEP 4.6 needs to be constrained to prevent variation of controls in assessment of development applications by more than the accepted maximum of 10%.

²⁴ 20-28 Argyle St, 5/81-95 Argyle St, 118 Argyle St, 9/166 Argyle St, 56-58 John St, 9/1-15 Murray St.

Other heritage protections

The Brief includes the following requirements in establishing the Urban Design Criteria:

Recognising and ensuring the heritage components and values of the Camden town centre are retained

Identification of principles with regard to a business advertising signage strategy for the Camden town centre.

Interpretation of planning instruments in relation to heritage in assessment of DAs tends to be skewed. There is a prevailing attitude that heritage conservation means that listed buildings are sacrosanct but that the domino effect of precedents is inevitable. A close reading of the Burra Charter and planning instruments indicates otherwise. A problem the community faces is that staff turnover at Council is very high. Whereas in the past Council staff tended to live in Camden and understand Camden they now often have no vested interest in and little knowledge of its history and little engagement with its community. Most personal contact with staff members is in pre-DA meetings with applicants and it is human nature to try to accommodate what they want.

We feel that the UDF does recognise the heritage value of Camden but that it is charged with a commercial premise and imperative from the Vision that presumes that infill and higher rise are necessary to stimulate Camden's economy. There is no evidence to support this premise. Marketing and economic theory and practice, and common sense would suggest the opposite given the ample business start-up and shopping opportunities close by in the municipality.

A close reading of the CLEP and DCP shows that they do specifically address the heritage components and values of the town centre. Any changes to them would be simply a tweaking of their aims and inherent and explicit objectives and controls. The problem is that the CLEP and DCP in relation to heritage conservation are often reinterpreted, overridden or replaced through precedent as the examples throughout this submission will attest.

For instance, although the DCP is explicit about business signage the controls are often overridden or ignored. Although an overarching aim of State Environmental Planning Policy (SEPP) 64 is to ensure that signage is compatible with the desired amenity and visual character of an area, including a conservation area, it is often used to argue for signage that contravenes the DCP. The provisions of the DCP, which on the face of it are perfectly adequate to deny inappropriate signage, are copied in below.

B4.2 Signs on Heritage Items or in Heritage Conservation Areas

Objectives

1. Encourage well designed signage which complements and enhances the character of heritage items and heritage conservation areas.
2. Encourage new signage that makes reference to traditional advertising methods such as painted signage, lettering style, location and style and spot lit illumination.

General Controls

1. New signage should have minimal impact on the character of the heritage item or conservation area. The number should be limited and design of signs should be subtle.
2. Signage should be appropriately designed and located, to allow the character of the building or conservation area to remain prominent.
3. The design and location of new signage should not dominate or obscure the architectural details of a heritage item. For example, signage should not break the parapet or roofline of a building or buildings, be placed on cast iron balustrades or in front of cast iron verandah frieze work or on top of awnings.

Location Controls

4. Signage should be located in areas of the building which have been traditionally used for signage. If such areas do not exist, signage may be considered inappropriate.
5. Opportunities for new signage located on the side of a building are limited and may only be considered where it is surface painted and of a complementary design.
6. Painted signs on windows should be discreet, and not clutter or dominate the shop window.

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.
10. Fixings for new signage should be designed to allow for easy installation and removal, causing minimal damage to building fabric.

Lighting Controls

11. External surface illumination should be discreet or concealed and is the preferred method for signage illumination.
12. External surface illumination fittings should have minimal impact on the external fabric and character of the building.
13. Internally illuminated signage is restricted to under awning signs only.
14. Neon, flashing, pulsing or moving signage are not permitted.

Other Controls:

15. Original and early signs should be conserved and not be covered or painted over by new signs.
 16. Building name signs on the pediments and parapets of the facades are to be encouraged where appropriate, and historically accurate.
 17. Temporary signage such as promotional or 'special offer' signage is to complement permanent commercial signage and the character of the heritage item and/or conservation area.
 18. Corporate and franchise signage is not appropriate unless it is in harmony with the character of the heritage item or conservation area. Standard corporate signage is usually not considered appropriate in the context of the character of heritage items and heritage conservation areas and may require some modifications to suit the location.
 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.
 20. Reference should be made to the heritage provisions of chapter B3.
-

A recent issue arose with a McDonald's DA which included additional 6m internally lit pylon signage and replacement corporate signage.

B 4.4 of Camden DCP states a maximum of one pole or pylon sign per street frontage, not exceeding 6m above natural ground level is permitted within Commercial and Mixed-Use Zones. (This is another example of inconsistency between zoning and HCA controls). B 4.2, copied in above, clearly states that internally illuminated signage is restricted to under awning signs only (13), and that corporate and franchise signage is not usually appropriate (18) and that reference should be made to the heritage provisions of B3 Environmental Heritage (20).

Signage was a major issue subject to conditions when McDonald's was approved in its signature gateway location back in 2008/2009. The response from council staff about appropriateness of the proposed signage in the HCA and its contraventions of the DCP provisions was that there was already an internally lit sign next door in Edward Street therefore there was a precedent to approve it. There was never an answer as to whether the much smaller sign next door was DA approved. SEPP 64 was relied upon, and the signage has been approved under delegated authority.

We consider this example of approval of new signage for McDonald's, especially under delegated authority, to be in contravention of the planning protections in place for the HCA.

The UDF does not address signage but there are more problems looming with signage of the Milk Depot and the potential 24-hour two storey BP Service Station opposite, which is pending assessment. Both HCA locations are highly visible signature sites within the town's main gateway. Community expectations of signage in any HCA are not what is/was proposed in the above-mentioned DAs. There should be no room for precedent or cherry-picking SEPP 64. Any update to the CLEP and DCP should address strengthening signage controls.

A close reading of the CLEP and DCP shows that they do specifically address the heritage components and values of the town centre. The problems are that

- **the CLEP and DCP in relation to heritage conservation are not necessarily consistent with zoning within the HCA and town centre;**
- **that the planning provisions can be reinterpreted, overridden or replaced through precedent.**

We consider that the CLEP and DCP provisions, objectives and controls, including signage controls, as they currently stand are adequate but need to be:

- **enforced**
- **categoric, with no room for interpretation or reliance on a precedent.**

We request that an inventory and compliance audit of signage in the HCA be undertaken in relation to provisions of the planning instruments.

UPDATE LEP CONTROLS

The Scope of the Brief includes

c. Review the existing Camden LEP 2010, relating to the Camden town centre, and make recommendations (including justification) for text and mapping changes, in particular relating to rezoning and height, as well as flood controls.

The CLEP²⁵ includes the aims (1.2) of ensuring that Camden retains its valued traditional qualities, character and scenic landscapes and conserving and enhancing the built and landscape heritage of Camden and the provision (5.10) of conserving the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views.

These principles are ubiquitous throughout Council's documentation library including reports and studies. As already covered (see *Background*) we do not accept that the community participated in a decision to investigate changes to the LEP that dilute these principles.

Zoning

HCA B2 and B4 zoning

As covered above (See *Built Form Zoning*) we see an advantage in reviewing the B2 and B4 zonings or applying different zonings to be more consistent with community expectations for the Conservation Area and to promote heritage conservation.

Changes need to be subject to further consultation and input. At a minimum if the B2 and B4 zones are to be retained we believe the following inclusions are appropriate and consistent with community expectations and the public interest.

B2 Local Centre and B4 Mixed Use

Objectives

ADD

To conserve and enhance the unique sense of place of precincts that are also Conservation Areas by ensuring that new development integrates with the distinct human scale, character, cultural heritage and landscape setting of those Conservation Areas and observes their building height limits and under LEP Clause 4.6 makes no variation to their planning provisions greater than 10% and does not allow development close to dwellings that intrudes on residents' quiet enjoyment of their properties.

Permitted with Consent

ADD

Dwellings

²⁵ http://www5.austlii.edu.au/au/legis/nsw/consol_reg/clep2010260/s1.2.html
http://www5.austlii.edu.au/au/legis/nsw/consol_reg/clep2010260/s5.10.html

HCA St John's Church Precinct

The Precinct is currently awaiting Ministerial approval of the recommendation of the Heritage Council that it be State listed. Its B2 zoning is inappropriate because its heritage significance is partly vested in its surviving use as a Church and Rectory complex.

From the list of possible Standard LEP Land Use Zones (see *Appendix 2 ZONING*) Environmental Conservation²⁶ would seem the most appropriate. However, the NSW Government²⁷ has foreshadowed that E zones will only be applied when the primary use of the land is environmental conservation or management. The other possibility is the SP1 Special Uses zone which the NSW Department of Planning's Practice note²⁸ indicates is suitable for cemeteries. However further investigation is required into its overall suitability for the complex.

Little /Barsden Streets area

The Little Street/Barsden area, near and in parts adjacent to the HCA, sits amidst and alongside zones of RU1 Primary Production and R2 Low Density Residential, but is incongruously zoned IN2 Light Industrial.

The IN2 zone is not consistent with the residential zones. Businesses have grown over the years but have remained in the area creating noise and truck movements that are unsafe in a largely residential neighbourhood.

A recent industrial development was approved for 18a Little Street, adjacent to Broughton Street, which is within the HCA and zoned R2 Low Density Residential.

This is an example of zoning leading to inappropriate outcomes despite the usual zoning objective of minimising conflict of land uses of adjoining zones and the flexibility provided by CLEP 5.3 to investigate the compatibility of planning objectives and land uses within a distance of 50 metres of zone boundaries.

²⁶ **Zone E2 Environmental Conservation**

Direction. The following must be included as either "Permitted without consent" or "Permitted with consent" for this zone: Environmental protection works

1 Objectives of zone

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.

2 Permitted without consent

3 Permitted with consent

4 Prohibited

Business premises; Hotel or motel accommodation; Industries; Multi dwelling housing; Recreation facilities (major); Residential flat buildings; Restricted premises; Retail premises; Seniors housing; Service stations; Warehouse or distribution centres; Any other development not specified in item 2 or 3

²⁷ NSW Dept of Planning and Environment (October 2015) *Northern Councils E Zone Review Final Recommendations Report* <http://www.planning.nsw.gov.au/~media/Files/DPE/Reports/northern-councils-e-zone-review-final-recommendations-report-2015-10-20.ashx?la=en>

²⁸ NSW Dept of Planning and Environment (14 December 2010) *Zoning for Infrastructure in LEPs* <http://www.planning.nsw.gov.au/~media/Files/DPE/Practice-notes/zoning-for-infrastructure-in-LEPs-2010-12-14.ashx>

The bungalow at 10 Barsden Street is heritage listed and although the Little Street/ Barsden Street area contributes to Camden's historical narrative it is not included in the HCA.

Arguably, at a minimum the building stock in this area should be researched for inclusion as potential heritage items in the DCP with a view to listing in the CLEP and possible expansion of the HCA area.

Zoning change is the solution that would see inappropriate industrial uses gradually disappear from amongst residential areas.

At a minimum the consent conditions of existing industrial DAs need to be looked at to ensure that they are still complied with and compatible with the roads used.

The St John's Church Precinct is currently awaiting Ministerial approval of the recommendation of the Heritage Council that it be State listed. Its B2 zoning does not recognise its heritage significance because it is partly vested in its surviving use as a Church and Rectory complex which is not accommodated except by default.

The Little /Barsden Streets area, near and in parts adjacent to the HCA, sits amidst and alongside zones of RU1 Primary Production and R2 Low Density Residential, but is incongruously zoned IN2 Light Industrial. The IN2 zone is not consistent with the residential zones which leads to inappropriate outcomes despite the usual zoning objective of minimising conflict of land uses of adjoining zones. Arguably, at a minimum the building stock in this area should be researched for inclusion as potential heritage items in the DCP with a view to listing in the CLEP and possible expansion of the HCA area.

We request that further investigation and community consultation be undertaken into the above issues.

We request that appropriate changes to zonings be made to align with the objective of heritage conservation and remove inconsistencies of permitted land uses.

We request at a minimum that the above suggested changes to the wording of B2 and B4 zones be made.

Height and Flood Controls

As covered above (see *Built Form Building Height Limit and Flooding*) we see no telling justification for changing the height limit under LEP 4.3 as it is intended to conserve Camden's human scale. Architectural features can be accommodated under LEP 5.6 which allows for roof forms to exceed the height limit to accommodate architectural features as long as they are decorative and do not include floor space.

We do not agree that the height limit inhibits compliance with flood controls, which would mainly be applicable to new developments which the town centre cannot accommodate without compromising its heritage value. There are few if any vacant building lots in the HCA. The existing building stock is grandfathered. It can be restored and the floor area added to minimally. Flooding is a fact of life in Camden which must be accommodated whether a building is 7 metres or 20 metres high. Flooding is not a reason to compromise the heritage value of the town, especially as it is intrinsic to its narrative in colonial history. There are many opportunities for new development outside the flood areas in the Municipality.

We see no telling justification for increasing the height limit as it is necessary to conservation of the original and carefully designed form of the town. The CLEP allows for exceedance to accommodate architectural features.

We do not agree that the height limit inhibits compliance with flood controls, which would mainly be applicable to new developments which the town centre cannot accommodate without compromising its heritage value.

A request has been made to strengthen CLEP 7.1 controls over development on flood prone land as covered under NATURAL ENVIRONMENT.

UPDATE DCP CONTROLS

The Scope of the Brief includes the following:

- ❖ *Translate the key directions of the Vision into the DCP. In this regard the update is likely to include the insertion of a new vision and principles part (which may be removed/reordered from the Heritage Conservation Chapter).*
- ❖ *Translate existing content into a new structure and update where necessary to ensure it reflects the key directions of the vision without resulting in substantial planning policy change, except where justified by a supporting study and agreed to in advance by Council*

Comment:

As covered under *Background* we reject the 2014 Vision as narrowly commercially based without community input. It should not be translated into the DCP.

- ❖ *Incorporation of the Heritage Inventory Sheet of the Camden Town Centre Heritage Conservation Area together with the Burra Charter principles into the DCP*

Comment:

As covered under *Background* we strongly support the inclusion of the Burra Charter.

- ❖ *Maximise the appropriate use of flood affected areas*

Comment:

As covered under *Building Height and Flooding* the only appropriate use of flood affected areas surrounding the town is agricultural and recreational. This does not mean that the flood affected areas of the town cannot be enhanced through restoration and minimal additions.

A request has been made under NATURAL ENVIRONMENT for an amendment to DCP B3.1.2 (Control 11) regarding flood affected surrounds of the town.

We consider that the DCP is largely adequate as it stands as long as it is followed and not open to cherry picking, subjective interpretation and the use of precedents to override its objectives and controls. We strongly support the explicit inclusion and mandatory observance of the principles of the Burra Charter, bearing in mind that its principles are to be applied to the cultural significance of whole town, as well as individual items within it.

We request that the following clauses be included as overarching directives in the DCP:

- **Clause 4.6 of the LEP cannot be used to subvert the spirit and intentions or limit the effectiveness of DCP objectives and controls.**
- **Precedents cannot be used to override DCP objectives and controls.**
- **DCP objectives and controls are not open to subjective interpretation but are to be read and applied at their face value and according to their spirit and intentions.**

CULTURE

Camden historically was the social, civic and service hub for the surrounding rural communities and has remained as the cultural centre of the Municipality amidst the encroachment of Sydney's urbanisation because of its openness, rural aspect, wide streets, human scale, historic character and surrounding floodplain.

The UDF (p. 43) states that Camden has a responsibility with its ample built form and open space to promote and facilitate events and cultural activities; seeing John Street as well positioned to function as a regional cultural hub and arts precinct by adaptive reuse of its underutilised open and heritage spaces. Our comments follow on the initiatives proposed below to promote Camden's cultural contribution.

- 01. A concerted effort to focus community events around John Street 'heart' to lift its profile as a cultural hub;*
- 02. Adaptively reuse Carparks for events and markets that connect to the main street, arcades and laneways i.e. Larkin Place, Council owned carparks;*
- 03. Utilise the memorial park adjacent to the former SES and link into John Streets' public domain network;*
- 04. Engage with community groups such as youth services and creative organisations to create a cultural program for Camden;*
- 05. Investigate initiatives to enhance Camden Civic Centre. This can be achieved through the preparation of a communication and marketing plan and looking to increase the usage of the performance and gallery spaces. For the longer- term the undertaking of a comprehensive analysis of the Civic Centre to accommodate the future growth of the area should be undertaken.*

Comment: John Street is spacious and well positioned in relation to Larkin Place and therefore Elizabeth Street, the Memorial Park and the Town Farm. It was previously also well positioned in relation to Oxley Street with an inviting connection to its at-grade leafy car park and Civic Centre. Unfortunately, this obvious wayfinding and connection has been all but lost with the decision to position a decked car park next to the Civic Centre²⁹.

There is still a connection to the Civic Centre through the Memorial Garden. This area of connection could be improved by demolishing the Council-owned red brick bungalow at the corner of John and Mitchell Streets. This opening up of John Street to the Civic Centre would provide obvious wayfinding and walkability advantages and provide additional space for cultural events and/or at grade parking.

²⁹ Our position is that the public funds expended would have been better employed providing underground parking and leaving the Oxley Street area available for cultural activities. Alternatively, public funds also could have been better employed elsewhere and heritage value improved by providing at grade parking on the corner of John and Mitchell Streets where the Council-owned 1960's red brick bungalow sits.

If the old picture theatre in Elizabeth Street at the entrance to Larkin Place, currently used as tyre service, were to become available for purchase, a significant opportunity would present to improve the cultural fabric of the town.



We consider the UDF should recognise this potential and include within its strategies that it be purchased by Council when possible and restored for the benefit of the people of the Municipality. It could be used for any number of cultural activities such as live theatre,

concerts and exhibitions and is ideally placed in its connection to Larkin Place through to John Street.

We agree that Camden with its wide streets and leafiness is well suited to provide a cultural hub, which would also reinforce its traditional function throughout its history. We ask that the following strategies be included in the UDF:

Open up of John Street to the Civic Centre by removing the Council-owned red brick bungalow at the corner of John and Mitchell Streets. Connectivity would be improved which would provide obvious wayfinding and walkability advantages and provide additional space for cultural events and/or at grade parking.

Purchase by council when available the old picture theatre at the entrance to Larkin Place. This could be used for many cultural activities and events and reinforce the function of the township as a cultural centre.

PUBLIC DOMAIN

Four precincts have been identified for future upgrade work or improved event and recreational use:

- ❖ John St
- ❖ Larkin Place
- ❖ Murray St
- ❖ Nepean River Link³⁰

We agree with the Place Principle (p.49) for the Public Domain

Establish a coherent and convenient network of spaces and links that build on the diverse pedestrian experience of historic Camden.

We agree with and comment on these observations (p. 47) about Camden's Public Domain

01. From the earliest convict constructed colonial buildings through to modern additions, there has been a material consistency in the use of brick that has enabled Camden to keep its unique character. Sandstone is used selectively both as an engineering solution as well as to embellish and highlight important elements. The use of sandstone and brick is a significant feature throughout the Town Centre, from the remnant sandstone kerbs and gutters, to the occasional use as a building/streetscape detail.

Comment: As an early planned town dating from 1836, building materials were sourced locally. Bricks (386,000) were made within the town on the south-west corner of Argyle and Oxley Streets to construct St John's Church from 1840. Sandstone of course is a ubiquitous and signature stone of the Sydney area. It is present in the remaining hand-cut kerbstones of Camden and Camden's early buildings are made of brick with hand-cut sandstone architectural features.

It is unfortunate that so much original sandstone has been removed. It is believed that some may remain in Council's depot, particularly from the recent Argyle Street works ongoing since 2015. If so it should be reinstated.



³⁰ Mayor of Camden Facebook (6 June 2018) <https://www.facebook.com/mayorofcamden/>

02. *The extensive use of corrugated iron as a roofing material, timber balconies and the retention of significant vegetation enhances the character of Camden as a rural and historic town.*

Comment: Agreed.

However, an example of how certain elements of what is appropriate in a heritage context can be misinterpreted and assessed as complying with the CLEP and DCP is a flat roofed building completely made of corrugated metal, recently erected behind the listed building at 62 John Street. It has no timber or vegetation to soften its impact and has no aesthetic connection to any other building in the town. It is clearly visible from the Whiteman's car park with St John's spire in the background. At the time of writing it has also been untenanted since its completion in September 2017.³¹



03. *Currently streetscape materials throughout the Town Centre are patchy and don't appear to be coordinated with street hierarchy*

Comment: Agreed. Some of the streetscape materials recently installed are not appropriate. Grey granite from South Australia, founded after NSW at around the same time that Camden was established has no connection to the local materials historically available in NSW.

Machine cut sandstone sits uncomfortably beside old hand cut sandstone.



The number of different treatments within the town means the result can have little aesthetic harmony or cohesiveness.

04. *Signage and wayfinding throughout the Town Centre is not consistent and detracts from the heritage fabric*
05. *The current proposed signs in the Camden style guide have the potential to significantly detract from the character of the Camden Town Centre. There is the opportunity to design a suite of signs that fit with the overall material and furniture palette.*

Comment: Agreed. It is very important to respect our heritage and wayfinding through the conservation area with good quality bespoke signage.

³¹ <https://www.realcommercial.com.au/property-offices-nsw-camden-502560282>

06. *Camden has many special places that punctuate the Town Centre and the streetscape, these spaces have been created by the configuration of buildings, setbacks and street edges. In Camden there is a unique opportunity to draw inspiration for these spaces from the history of the town as well as the historic elements still present in the town.*

Comment: Agreed. This is one reason why infill development proposed in the Vision is so problematic.

07. *The existing character is becoming increasingly important given the rapid changes occurring elsewhere in the LGA. Camden needs to retain a distinctness that relates to its history, both social and material. New additions to the street and town need to be responsive to this character.*



Comment: Agreed but consider that new additions are not necessarily needed and are certainly not necessarily conducive to retaining Camden's character judging by past mistakes.

We also agree that a Public Domain Manual needs to ensure that the historic and rural character of the Camden Town Centre is maintained (p. 51). Following Argyle Street, only John Street, Murray Street and Larkin Place have been earmarked for upgrades.

A problem that presents is how to incorporate authenticity, celebrate heritage and ensure design principles of unity and balance throughout the wider HCA given that the newly introduced elements of grey granite, various coloured bricks and machine cut sandstone are likely to remain for some decades in Camden's main street adding to the many other original and non-original elements.

The UDF (p. 51) presents the following initiatives to improve the Public Domain

01. *A revised Public Domain Plan and Manual will aid in enhancing the character of the historic Town Centre and in creating an identifiable network of streets;*
02. *Create a street hierarchy for any future upgrades that is informed by the existing street typologies. This will ensure that any upgrades celebrate the existing character and conform to a chosen palette or suite;*
03. *Create an identifiable and unified paving palette that is well scaled, simple, durable, robust, easily maintainable, while at the same time providing a canvas for the character of the surrounding built form to be celebrated;*
04. *Create a timeless, simplified suite of Town Centre street furniture that responds to the existing character of Camden as a historic rural town;*

Comment: We agree with the above to the extent that the result does not look trendy urban and contrived and atypical of a colonial town that has evolved over a long period with an agricultural heritage, some of which is still viable and evident. However, it seems that the material and colour palette and street furniture suite has been pre-empted by the Argyle Street works. We are happy to contribute to any discussion as to how the Public Domain Manual can be revised to authentically capture and enhance the heritage character of the town.

06. Create a sympathetic signage suite that contributes to the character and amenity of the public domain, which provides a clear and informative system that reflects the process of access, and the hierarchy of streets, facilities and the environment in which it is located;

Comment: We agree that bespoke high-quality signage would emphasise the town's character and heritage significance. Different types of signs would be required including streets and wayfinding, building identification, walks etc. The blue and white street signs currently in place are non-descript, and from memory replaced green and cream ones. Heritage paint colours may be a good place for inspiration as to what would reflect the natural materials available to the original town such as lime white, ochre, green, burgundy. We are happy to contribute to any discussion on the choice of designs.

07. Consider the Town Centre heritage walk as an integral asset to Camden's historic identity and tourism sector, ensuring this is well sign posted and celebrated throughout Camden.

07. Investigate alternative road pavement treatments, including thresholds;

08. New pedestrian crossing on John Street and upgrade existing pedestrian crossing on Murray Street;

09. Private laneways and arcade owners should be incentivised to upgrade pavement to match pallet to ensure a consistent language and overarching approach;

10. Public Art Strategy for Camden Town Centre to recognise local creative community and contribute to the creative culture of Camden.

Comment: Agreed. We have addressed road treatments (07), (see ACCESS and MOVEMENT INTERVENTIONS)

We agree that brick, sandstone, wood as well as roofing of corrugated iron (and sometimes slate) are the original and authentic building materials of the town and that the introduction of different elements (grey machine cut granite, machine cut sandstone, pressed multi-coloured bricks and aluminium) presents a challenge to the connectedness and coherence of the public domain. We are happy to contribute to any discussion on improving the design palette.

We agree that good quality bespoke signage is needed to underline the significance of the town, its built heritage and historic layout.

We agree with the UDF's initiatives and strategy to improve the public domain (as long as the result enhances the authenticity and history of the town and does not produce a contrived cafe-culture style urbanisation of the town.)

We request that the UDF recommend that

- ❖ **any original fabric that remains in Council's depot, such as hand-cut sandstone, be reinstated within the town, away from obviously machine cut sandstone.**
- ❖ **The Victorian style cast iron benches that were removed during the Argyle Street works (not original, but good quality, faithful replicas) be reinstated in areas away from the new benches.**
- ❖ **The bench plaque to Shirley Winn be reinstated.**

JOHN STREET PRECINCT



John Street is a particularly important design element of the town, contains many of the early civic buildings and was intended to present symbolic views to St John's church.

We are pleased that the idea of transforming this iconic street partially into a town square is not recommended in the UDF.



The UDF (p.ix) recommends pressed common bricks for John Street, which are assumed to be similar to those employed in Argyle Street. The Argyle Street bricks are in various colours, from mission brown to mauve, and have an angular flat quality that would not have been available throughout most of Camden's existence.



It is noted that sandstone paving has been installed outside Macaria which brings another design element to John Street.



Feedback is that a warm colour palette that still makes a connection with the colour palette of Argyle Street and the sandstone of the street and town is preferable.



Feedback is also that a more hand finished look than that of pressed bricks is preferable, which could potentially be achieved either through sandstock bricks, tumbled bricks or natural split sandstone pavers.



However, as pressed bricks are used at the corners of John Street, the transition to a less machined treatment is problematic. As Argyle Street is unlikely to be redone some trade-off

will be needed between community expectations of a conservation area founded in 1840 and design principles such as element repetition of colour, texture and shape.

We are pleased that John Street is to remain as an iconic original design feature of the town. As pressed bricks are used at the corners of John Street, the transition to a more authentic and less machined paving treatment is problematic. As Argyle Street is unlikely to be redone some trade-off will be needed between community expectations of a conservation area founded in 1840 and design principles such as element repetition of colour, texture and shape. We are happy to contribute to the discussion.

LARKIN PLACE PRECINCT

The UDF (p. 85) sees Larkin Place as evolving to become Camden's town square through encouraging variety and diversity in commercial and residential offerings, allowing for adaptive reuse of back of house spaces for boutique retail and cafe or dining experiences and improvements including; civic infrastructure, public amenities, street furniture, footpath enhancements, trees and shade, lighting, internal pedestrian connections (school) and localised Wi-fi.

We agree that this is an excellent use of Larkin Place and would be welcomed as is the newly established Jalley's café facing the square.

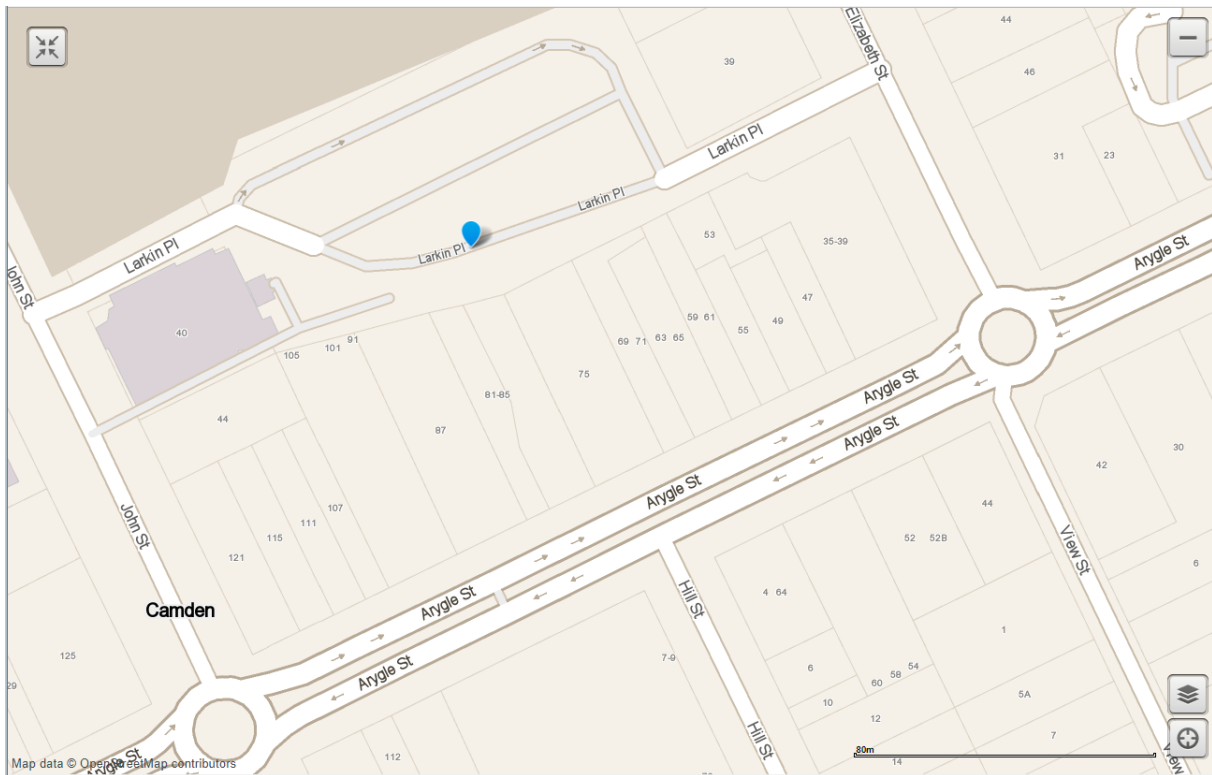
However, the desired outcomes (p.87) for Larkin Place are stated to include:

- Increasing the height limit to three-storey (with two-storey to be maintained in Argyle Street) and density to allow shop top housing above Argyle Street properties, which is not to be visible from Argyle street pedestrian sight lines
- Increase building height, two- storey with pitched roof, to allow small scale residential development facing Larkin Place
- Back of house storage for ground floor enterprises, with potential for extra residential amenity outcome above.
- New developments to deliver associated public domain improvements and contribute to carparking improvements such as permeable green surface
- Infill development to accommodate fine-grain commercial and residential uses orientated towards and contributing to activity in Larkin Place

Feedback from the community is that these are not desired outcomes and that anyway it cannot be imagined how new residential development will be accommodated within the space available, let alone allow light to the backs of new developments and Argyle Street properties and retain sufficient parking.

Many have indicated that the Larkin Place concept of 2-3 storey buildings (incorporating food outlets at ground level, office space & residential on next two levels) all facing into the car park will create parking problems for residents and staff, including staff of St Paul's School which has no in grounds parking. Research is needed into the use of the Larkin Place car park at all times of day and night.

Most of the properties in Argyle Street aligning with Larkin Place are old including the listed Plough and Harrow Inn (c 1850) at 75-79 Argyle Street. It is unclear how their heritage value would be affected by additional buildings on their lots.



It is unclear how the usage and amenity of the Argyle Street properties would be affected by additional development.

We are also concerned about the practicality of what is needed to bring the vision to fruition and make it happen (p. 87) and make the following comments.

Buildings must feature high quality architectural design, promote a 'sense of place', respond to the character of Camden and foster a balance between historic character and sensitive contemporary development.

Comment:

Unfortunately, what is "sensitive" contemporary development is subjective and often does not meet community expectations e.g. recent tin box style development clearly visible from the

back of Whiteman's. Someone thought this was appropriate and sensitive but the general opinion is that it is an eyesore and unsympathetic.

The design of roofs may adopt traditional forms found in the immediate locality.

Comment:

Should be stated as just "traditional forms" otherwise history tells us that we can expect the domino effect of precedents.

A two-storey height limit [with a pitched roof] shall prevail except for significant architectural features incorporated in the design of buildings in significant locations and where built form utilises the topography, does not impede views to St Johns or negatively impact on the human scale of Camden.

Comment:

This statement should include: AND village profile visible from all directions towards Camden – as carefully designed by James and William Macarthur and intrinsic to its heritage value

Establish a design excellence review process and criteria.

Comment:

The criteria would need to be very specific and refer directly to the architectural forms within the place, otherwise "excellence" is open to subjective interpretation.

We agree with the concept of Larkin Place doubling as a town square and consider it would be welcomed by the community. To an extent normal market forces have resulted in some businesses opting to undertake minor developments and face into the car park, which has started the process. We cannot imagine how the suggested development could be accommodated within the space available, let alone allow light to the backs of new developments and Argyle Street properties and retain sufficient parking.

For these reasons

- ❖ **the heritage conservation outcomes already explained (see *Background, BUILT FORM, UPDATE LEP CONTROLS, UPDATE DCP CONTROLS*)**
- ❖ **the impact on parking especially for the adjacent school**
- ❖ **the incentive for building owners to demolish and rebuild**
- ❖ **the scope for subjective interpretation of appropriate building design**

we do not agree with

- **increasing the height limit;**
- **allowing three-storey developments;**
- **increasing density with infill development to accommodate commercial and residential uses;**
- **residential development facing Larkin Place.**

MURRAY STREET PRECINCT

We agree with the UDF (p. 83) that Murray Street has poor built form that makes for a poor entrance into the town. It is highly relevant to point out that much of the Precinct's building stock is comparatively new and the result of poor design decisions that somehow found their way through the planning process. This precinct emphasises how poor outcomes can result from a mixture of subjective interpretation of design principles and planning controls and developer pressure to maximise return on investment.

We agree with the UDF (p. 95) that building development in the Precinct must feature high quality architectural design, promote a 'sense of place', respond to the character of Camden and foster a balance between historic character and sensitive contemporary development.

The CLEP and DCP currently espouse this. The key issue is HOW it can be ensured.

Feedback received on the diagram in the UDF (p. 94) is that it does not promote Camden's sense of place; that it is overscale, over-height and generically urban. There is agreement with many of the opportunities (p. 95) as they are written but not how they are illustrated, which once again emphasises the hazard of subjective interpretation and the importance of objectively adhering to the CLEP and DCP.

Whilst agreeing with the economic objective (p 93) of adaptive reuse of existing spaces, we can see no economic reason to increase the height limit under CLEP to provide for more building space than it currently allows. An abundance of opportunity exists within the current built size of the town, and also nearby in the Municipality. We agree that enhancing Murray Street's public domain and pedestrian amenity is highly desirable. An enhancement may assist in its becoming the envisaged Eat Street, but also remembering of course that there are many economic influences over time that will shape its retail offerings.

For the Murray Street Precinct, the idea of the CLEP accommodating a visual height of three storeys with a pitched roof (with top storey not to be visible from Murray Street) is fraught with opportunity for redevelopment that is:

- **overscale, and not of the desired human scale that is intrinsic to Camden's historic character**
- **even less sensitive as an entrance in promoting the overall impression and desired character of the town.**

A height limit is necessary and we see no reason to change the CLEP which already allows for redevelopment accommodating over-height architectural features.

As already argued, the means to ensure appropriate outcomes is through strict and objective adherence to provisions, objectives and controls of the CLEP and DCP.

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NEPEAN RIVER LINK PRECINCT

The objectives and desired outcomes for the Nepean River Link Precinct as expressed in the UDF (pp97-99) are comprehensive and address a major opportunity for the town to increase its vibrancy and amenity. The Nepean River is an iconic contributory element of Camden's heritage significance, and a major underutilised asset.

We completely agree with and applaud the framework presented for the Nepean River Link Precinct. We understand there is much background work required to bring it to fruition and encourage its speedy progress. Implementation of the River Link would be very much welcomed by the community.

ECONOMICS

For the following reasons we do not accept the economic analysis or the observation in UDF (p. 55) that:

The existing planning controls do not necessarily facilitate suitable redevelopment and do not recognise new and emerging opportunities for the Town Centre's economic growth.

- There is not a particularly high density of use of space in the town centre, and there is currently available space, and much more to come with the Milk Depot development. Our cursory internet search on one day, reported under “Built Form”, found a minimum of six commercial premises for lease. No evidence was provided in the economic analysis to indicate otherwise.
- If there are falling vacancy rates and rising rents it is not an indicator that Camden needs to be redeveloped. Rather it is an outcome of people choosing a different retail or service experience, such as those so abundantly offered in the nearby large modern facilities. It would be counterproductive to allow developments that changed the human scale, ambiance and spaciousness of the old town.
- Improvement in market conditions is not a reason to allow redevelopment in the town. Protection from such market conditions is a very strong reason for designating conservation areas as already addressed (see
- *BUILT FORM*).
- The existing planning controls reflect the town's heritage conservation status and are there to stop redevelopment into something that is not authentic and of high heritage value.

The economic downturn of the 1990s (UDF p. 5) was Australia-wide, and not special to Camden³². We do agree that Camden's unique positioning, rural setting and heritage character provide the foundation for its economy (p. 55). The best way to support local businesses and organisations and keep them in Camden is to keep these attributes. If their market and profitability analyses indicate relocating to bigger population centres or larger premises a different planning framework is very unlikely to influence, let alone change, their decision.

We do not agree that there is a critical role for the planning environment to play in *fostering positive change that facilitates individual properties to respond* (p. 59). This statement begs the question as to what is “positive change”. What is positive change to a developer is not necessarily positive change for heritage conservation. It is subjective and given the developer friendly climate and very wide interpretation potential under CLEP 4.6 such an approach could be the end of the Camden's uniqueness.

³² The Reserve Bank of Australia (October 2000) *The Australian Economy in the 1990s*
<https://www.rba.gov.au/publications/bulletin/2000/oct/pdf/bu-1000-1.pdf>

Similarly, we cannot fully see the relevance of the economic Place Principle (p.57):

Maintain and evolve the local retail, commercial and residential economy by creating a range of boutique opportunities.

Given the profit motive, changing the planning instruments is not directly related to creating boutique opportunities. Developers maximise return on investment; they often have no cultural connection to the town and no necessary interest in heritage conservation. This is clearly evidenced in some of the unlisted buildings in the town. Encouraging redevelopment through planning instruments, which are argued and interpreted to accommodate developer interests anyway, could simply be disastrous.

It seems to us that the idea of changing the planning instruments comes from the “Vision” which we do not accept as valid, as covered above under “Background”.

Boutique opportunities already exist behind both sides of Argyle Street facing the car parks and will evolve as has already begun, according to market demand and entrepreneurial vision.

Opportunity already exists in the town to adapt or make minor extensions to current building stock. Further, the following economic initiatives (p. 59) of the UDF do not require any change to the CLEP or DCP:

01. Adaptive reuse of back of house spaces for boutique retail and cafe or dining experiences;
02. Enhanced public domain and pedestrian amenity on Murray Street and through site links;
03. Utilise and adapt existing assets such as the Town Farm or Larkin Place car park for more small events;
04. Utilise heritage buildings for local creative business.

We strongly refute the notion that economic success of the town is tied to “growth” in the sense of physical redevelopment. This a circular argument as the level of Camden’s economic activity relies on its authentic heritage and being different. Encouraging the supply of additional commercial space through infill development and additional development or redevelopment of a site by increasing the height limit would clearly be counterproductive. A windfall for developers would mean cultural loss for current and future generations.

ACCESS AND MOVEMENT

The UDF (p. 67) sets out initiatives to improve access and movement.

01. *Support walking into the centre of town and relocate all day car parking to town edges or at larger sites on the edge of the Town Centre;*

Comment: Agree this is a good idea and one that was brought up when the decked car park was proposal was made public.

02. *Implement a time structure for Town centre car parking that supports car parking on the outer edges over inside the centre, revisiting the costs over the next 5-20 years;*

03. *Reinforce parking restrictions to ensure fair turnover and equal opportunity to access convenient short-term parking;*

Comment: Agree, periphery parking and timed parking were brought up when the decked car park proposal was made public, and were also a recommendation of Brown (2013, p. 111)³³ which stated *Given current conditions and a reasonable shift of existing long-stay parkers to more peripheral locations, through enhanced enforcement, additional off-street car parking capacity is not likely to be required in the short to medium term.*

We also consider that the council owned building on the corner of Mitchell and John Streets could be demolished for additional at grade parking. This area would accommodate the same order of magnitude of additional parking as the decked car park (150 less original parking 98 = 52) but at minimal cost and would have the further advantage of improving heritage value, rather than detracting from it.

04. *Continue to strengthen traffic management plans for events and consider further opportunities for overflow parking;*

05. *Incorporate noise mitigation strategies into the Traffic Management Plan in response to the growth and expansion of the night time economy in the Town Centre;*

Comment: Agree, but how these initiatives are to be achieved is unclear. Noise could become a major issue. For instance, the Town Farm is to be used for concerts and private parties until late evening which could, unless managed well, be a problem for residents, particularly those at the old high school site when the development is completed.

05. *Improve the interchange for public buses, direct buses to train stations and bicycle parking collocated on John Street;*

07. *Create a wider variety of bus services, that utilise feeder loops to shorten trips.*

Comment: We are not clear how these initiatives are to be achieved.

³³ Brown (September 2013) *Camden Town Centre Traffic & Transport Study*

07. *Integrate cycle ways with existing cycle routes for locals and tourists.*

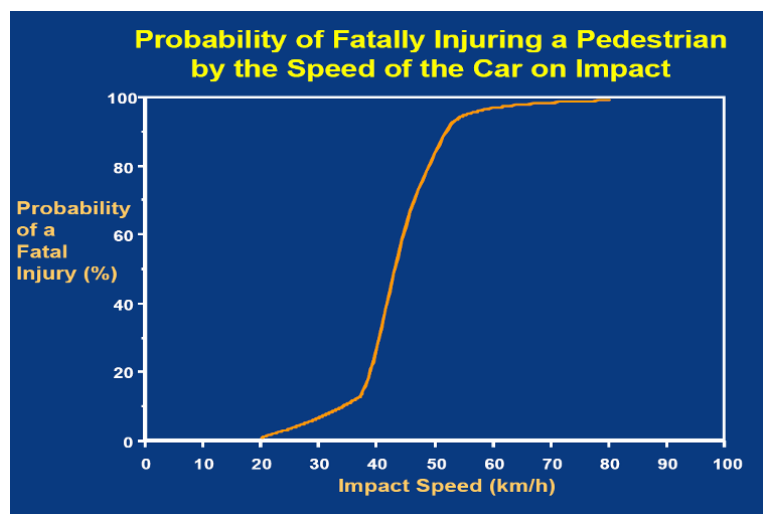
Comment: Agree, this would be hugely welcomed by the community, attract visitors and add vibrancy to the town and contribute to its economy.

- 09. *Explore opportunities to create slow speed streets to improve pedestrian safety;*
- 10. *Ensure pedestrian crossings are direct and aligned with the existing footpaths;*
- 11. *Ensure that seating in the public domain does not inhibit the movement through the street;*
- 12. *Retain/improve arrival experience at Cawdor Road, Camden Valley Way, Menangle Road and Macquarie Grove Road.*
- 13. *All streets shall be cyclable, not dedicated facility but a cycle friendly street environment*
- 14. *Strengthen entry experience to town, seek to underground power where possible. Retain, strengthen and reinforce existing tree avenues on the approaches to the town.*

Comment: The Brief under public Domain and Streetscape Plan also includes finding opportunities to encourage slower speed environments through appropriate design interventions.

The NSW Government announced in June 2018 that it would consult with Councils, about introducing a new road rule of 40 km/hr speed limit in areas of high pedestrian traffic³⁴.

Currently the signalised crossings in Argyle Street encourage drivers to speed up to beat the lights. As shown in the diagram, vehicle speed is a critical factor in pedestrian safety at crossings and correctly selecting safe gaps in a traffic stream.



Source: Waltz et al (1983) cited in RTA (2011)³⁵

³⁴AAP (11 June, 2018) *New push to decrease NSW road deaths will slow down Sydney drivers*
<https://www.news.com.au/national/nsw-act/news/new-push-to-decrease-nsw-road-deaths-will-slow-down-sydney-drivers/news-story/b6d76bd8b3b599874f635d625eeb319b>

³⁵ RTA (July 2011) *Speeding - Did you know? FACT SHEET 4 of 6*
http://www.rms.nsw.gov.au/saferroadsnsw/speeding_and_crashes.pdf

INTERVENTIONS

Speed Limit 40 km/hr:

The HCA, particularly Argyle Street would benefit from this recently announced rule that should force drivers to slow down.

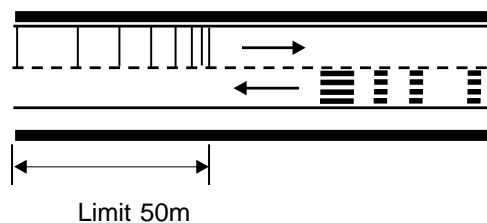
We encourage Council to adopt 40 km/hr throughout the HCA.

The following design interventions that would potentially be appropriate for the HCA are sourced from RMS (2000)³⁶:

Cross Road Markings:

These can be used to indicate transition to a slower speed.

Parallel strips across the traffic lane(s) at diminishing intervals; either painted or preferably made of cobblestones.



Pedestrian Crossings:

More pedestrian crossings are required in Argyle Street

- To improve pedestrian safety
- To control speed of through traffic
- To promote business activity on both sides of Argyle Street.

The two existing crossings are far apart which encourages people to cross the road at other points, and with drivers increasing speed and being distracted by watching the signal lights, it is only a matter of time before a fatality occurs.

The current pedestrian crossing between John and Hill Streets is dangerous with little time for those with young children, the disabled or the elderly to cross from one side to the other. The central island is confusing, particularly as the lights on each side are commonly not synchronised. People do not know whether to wait (sometimes in the rain or with boisterous children) or whether they should try to reach the footpath. Given that drivers are hoping to avoid a red light and drive straight through is positively dangerous, with many near misses anecdotally reported. We consider that this situation needs to be investigated and not dismissed as exaggeration by those who may be offended by the introduction of modern urban signalisation into the heritage town.

³⁶ RMS (February 2000) *A Practitioners' guide to managing the road environment and traffic routes through commercial centres Appendix A Measures*
<http://roadsafety.transport.nsw.gov.au/downloads/sharingappendixa.pdf>

Safer pedestrian crossings are required. It needs to be made clear that pedestrians have priority.

The pedestrian crossing, or a longer section of the roadway, may be raised to the level of the footpath or if possible, the road may be narrowed to reduce crossing distance.



Raised areas reduce vehicular speed and create distinctiveness and potentially improve appearance.

We are pleased to see this treatment included in the streetscape principles of the Public Domain Manual (p.v).

Gateways and Entry Thresholds:

Signalling Camden town's uniqueness can also provide measures that encourage drivers to slow down, discourage through traffic and reduce entry speed.

The driver needs to be made aware of the change in road environment through

- Marking the entrances to the town
- Reinforcing and improving the town's image
- Creating or restoring distinctive landmark(s).



Appropriate design treatments could make Argyle Street less a through road with strip shopping and more a distinctive place.

We agree with the UDF on encouraging walking, integration of cycleways and support of public transport and its suggestions of

- **periphery parking**
- **timed parking**
- **noise mitigation strategies in response to growth in the night time economy**
- **creating slow speed streets**

We request that the following be incorporated also into the UDF

Early introduction of the new road rule announced by the NSW Government in June 2018 of a speed limit of 40 km/hr in areas of high pedestrian traffic.

Interventions to slow traffic such as cross road markings, more pedestrian crossings, raised pedestrian crossings, emphasising gateways and entry thresholds, through for instance, distinctive landmarks, bespoke signage and changes in road surface.

NATURAL ENVIRONMENT

The UDF (p. 75) emphasises strengthening the connections between the town, river and floodplain by providing more access to them for recreation, bush tourism and education opportunities, through a green open space network. The map (p.74) shows a green axis, connecting the town farm and Macarthur Park, intersecting at Argyle and John Streets and an extensive Nepean River Link connecting the town to its river surrounds.

We absolutely agree with the concept and make these comments on the proposed initiatives (p. 75) to bring it to fruition:

01. A continuous shared path along the Nepean River and Matahil Creek;

Comment: Negotiations with private land owners to make the path fully continuous may slow the process considerably so we would like to see the parts of the path under Council control completed and opened for use as soon as possible.

02. Connecting Macarthur Park and the town farm into the green streets network;

Comment: Agree in principle but we are not clear as to what a “green streets network” is or how the connectivity through the Argyle and John Streets intersection will work in practice.

03. Water Sensitive Urban Design in parking areas with increased permeability of surfaces;

Comment: Agree. The water sensitive approach should also result in a softer and greener area that reinforces the overall natural environment of the town.

04. Ensure trees are maintained throughout the Town Centre;

Comment: We would like to see a watering system installed or a process in place that ensured regular inspection and watering of the street trees and gardens, particularly in summer.

05. *The Camden Town Farm pathway is due for completion [end of 2018] which will link visitors through the site to the Memorial Walk.*

Comment: The RSL Memorial Walkway meanders through historic, cultural and commercial precincts of Camden for 8 kms or 5 miles, the distance from the beach to the escarpment at Gallipoli. It is a tribute to the bravery of Australian service people in all conflicts and was designed to mirror “Camden's well recognised community commitment to developing and maintaining its historic "working country town" character”.³⁷



We would like to see wayfinding of the Memorial Walk improved with better signposting and integrated into the walkability of the town in a respectful manner. We also consider that the Heritage Walk³⁸ could be integrated similarly.



Both walks if treated more prominently would enhance walkability and appreciation of the town's close integration with and connection to rural life and the natural environment of water courses and floodplain.

06. *Protect and maintain the existing open flood plain green belt surrounding Camden including views and vistas*

Comment: Agree absolutely. However, the CLEP and DCP need to be categorically strengthened to ensure that developers do not see the green belt an investment opportunity affording cheap land to exploit through interpretation of the planning instruments, especially through CLEP 4.6.

³⁷ Register of War Memorials in NSW <https://www.warmemorialsregister.nsw.gov.au/content/camden-rsl-community-memorial-walkway>

³⁸ Explore it All Macarthur (2012) *Camden Heritage Walking Tour*
<http://www.macarthur.com.au/uploads/987/camden-heritage-walking-tour-2015finalwebspread2.pdf>

We absolutely agree with the UDF's emphasis on

- **providing an extensive Nepean River Link connecting the town to its river surrounds**
- **strengthening the connections between the town, river and floodplain by providing more access to them, through a network of green open space, for recreation, bush tourism and education opportunities.**

and applaud its listed initiatives of

- *A continuous shared path along the Nepean River and Matahil Creek;*
- *Connecting Macarthur Park and the town farm;*
- *Water Sensitive Urban Design in parking areas with increased permeability of surfaces;*
- *Ensuring trees are maintained throughout the Town Centre.*
- *Protecting and maintaining the existing open flood plain green belt surrounding Camden including views and vistas*

We request the following inclusions be made to the UDF:

- **A recommendation for a watering system to be installed or a process put in place that ensures regular inspection and watering of the street trees and gardens, particularly in summer.**
- **A specific recommendation for integration of wayfinding of the Memorial Walk and Heritage Walk to be integrated into the walkability of the town in a celebrated and sensitive manner, and for the walks to be promoted on Council's website (a Council website search on 21 June 2018 returned no results for either walk).**
- **A specific recommendation to protect and maintain the existing open plain flood green belt surrounding the town including views and vistas through CLEP and the DCP.**

At present CLEP 4.6, as in the case of the Milk Depot, would seem to allow over-height buildings even in the HCA, and we assume clause 4.6 applies to any proposed development in a flood area or on a flood plain (see *Appendix 3 BUILDING HEIGHT, FLOODING*).

We are not sure of the best way to effect protection but make the following suggestions.

DCP B3.1.2 states at control 11. *The development of the flood affected fringes of the town shall not compromise the prevailing character.*

We suggest the following addition to the sentence

...of the township and surrounds, nor compromise views and vistas within, to and from the township.

CLEP 7.1 refers to Flood Planning. We suggest additions to the objectives of CLEP 7.1 (1) as follows:

- (d) to avoid development of flood prone land surrounding the Camden township*
- (e) to retain the green belt within and surrounding the heritage conservation area of the Camden township*
- (f) disallow, under LEP Clause 4.6, any variation to planning provisions greater than 10%*

-End-

Appendix 1 SCOPE of UDF

a. Document Review:

- ☐ Review existing background studies, including those relating to flooding, traffic, public domain planning and design as well as past heritage studies (refer to documents included in Part 6. Attached Information).
- ☐ Identify implications and improvements for the LEP & DCP

b. Prepare a series of Urban Design Criteria for the Camden Town Centre

This task comprises the following components:

1. Establishment of a set of objectives for the Camden Town Centre

Consideration of key opportunities and constraints being:

- ☐ Review of current zoning to ensure they are appropriate to the future development of the town centre
- ☐ Principles for appropriate commercial and/or recreational development for flood affected areas within the Camden Town centre.
- ☐ Traffic & access incorporating the recommendations of the Camden Town Centre Traffic & Transport Study – September 2013
- ☐ Recognising and ensuring the heritage components and values of the Camden town centre are retained
- ☐ Identify significant vantage points and view corridors affecting the Camden town centre and establish criteria to enable Council to vary the current 7metre height control. This could include incentives that promote heritage conservation and good infill development.
- ☐ Activated street frontages, surveillance and safety. Building materials, articulation, fences, entries and how these influence public domain.

2. Identification of development opportunities and associated controls for selected catalyst sites identified in the Camden Town Centre Vision Report, namely

Former Dairy Farmers Co-op (11 Argyle Street) and
Former Clinton's Garage (16 Argyle Street), and
sites abutting the 4 Council car parks within the town centre.

In addition, specific attention should also be given to the development opportunities for the former Camden Police Station located in John Street.

3. Specific consideration is to be given to priority matters identified in the Vision such as:

- ☐ Walkability
- ☐ Identify and develop strategies for the reinvigoration of forgotten spaces both within the public and private domain
- ☐ Identification of principles with regard to a business advertising signage strategy for the Camden town centre.

c. Update LEP Controls:

- ☐ Review the existing Camden LEP 2010, relating to the Camden town centre, and make recommendations (including justification) for text and mapping changes, in particular relating to rezoning and height, as well as flood controls.

d. Update DCP Controls:

- ☐ Translate the key directions of the Vision into the DCP. In this regard the update is likely to include the insertion of a new vision and principles part (which may be removed/reordered from the Heritage Conservation Chapter).

Appendix 1 SCOPE of UDF cont.

- ☐ Incorporation of the Heritage Inventory Sheet of the Camden Town Centre Heritage Conservation Area together with the Burra Charter principles into the DCP
- ☐ Translate existing content into a new structure and update where necessary to ensure it reflects the key directions of the vision without resulting in substantial planning policy change, except where justified by a supporting study and agreed to in advance by Council
- ☐ Ensure a high level of integration between the vision, principles, performance criteria and the acceptable solutions
- ☐ Reword to improve clarity and align terms with Standard Instrument definitions
- ☐ Remove unnecessary repetition
- ☐ Resolve conflicting provisions
- ☐ Remove unnecessary background information that does not assist in the development application and assessment process
- ☐ Replace existing maps in the DCP with new higher quality maps prepared in Adobe InDesign.
- ☐ Maximise the appropriate use of flood affected areas

e. Public Domain and Streetscape Plan

Building upon the work undertaken as part of the upgrade to Argyle Street Camden, as well as work undertaken to develop the Urban Design Criteria for the Camden Town Centre, prepare a public domain and streetscape plan for the Camden Town Centre.

- ☐ Review the foundation documents, the precinct, the site and all other relevant background information and investigations carried out thus far and provide an assessment of issues
- ☐ Prepare a street typology diagram that clearly provides definition between civic and residential areas that will allow council to implement consistent streetscape upgrades. Street typology should be determined through an analysis of:
 - i. Street hierarchy - determined by the importance of the street in the vehicular and pedestrian network and the desired design intent of individual streets within the study area
 - ii. Existing street tree plantings
 - iii. The character of activity in the street determined by the ground floor use of the built edge
 - iv. Connections to public open spaces, and civic/public buildings
- ☐ The street typology diagram should also define the material character of individual streets and areas within the study area, including ground level treatments, lighting, street trees etc.
- ☐ Pedestrian analysis of movement within the Town Centre, reviewing existing pedestrian facilities and identifying locations to be upgraded
- ☐ Opportunities to encourage slower speed environments through appropriate design interventions
- ☐ Public open spaces – opportunities to connect existing areas of open space and identify any opportunities for new open space provision within the Town Centre
- ☐ Prepare a conceptual public signage and wayfinding strategy for the Town Centre

Appendix 1 SCOPE of UDF cont.

- ☐ Significant view and vistas to be retained and strategies for the public domain to enhance and protect these
- ☐ Intersections, entries and gateways: visual identification in the public domain of major entries to the Town Centre including Cawdor Road, Camden Valley Way, Menangle Road and Macquarie Grove Road
- ☐ Assess viability and develop options for a town square in the Town Centre to improve social interaction, sense of place and community focus.
- ☐ Preliminary investigations and development of a master plan for the John Street Precinct
- ☐ Opportunities for public art and heritage interpretation throughout the Town Centre to recognise to continue to develop Camden's story and to recognise Camden's uniqueness, its important historical figures, buildings and events.
- ☐ Opportunities within landscape treatment for sustainable use of water throughout the Town Centre.
- ☐ Identification, protection, integration and promotion of, the significant landscape and cultural landmarks including The Nepean River, Camden Park, Belgenny Farm, Macarthur Park, Regional recreation facilities including the Bicentennial Equestrian Park, Kirkham Park, The Camden bike track, the Camden Town Farm and The Camden airport.

As a Sub section of the Public Domain Strategy prepare a Manual that will build upon the work undertaken as part of the upgrade to Argyle Street Camden to provide a coordinated approach to design, construction and maintenance for the public domain within the Camden Township. The Manual is to consider materials, street/footpath widths, kerbs, interfaces with other materials, safety, intersections, pram ramps, footpath extensions and street furniture relating to the developed street hierarchy.

f. Update 2008 Camden Town Centre Strategy:

- ☐ Update the Camden Town Centre Strategy to reflect the Vision, the outcomes of this study including LEP and DCP controls, Council's current public domain improvement program and Proposed Public Domain Plan and the findings of existing technical studies such as those related to transport and traffic, economics, flooding and heritage.
- ☐ This will only update material where it is outdated, unnecessary or is not aligned with the Vision.
- ☐ New figures to be produced to replace the existing figures with new high-quality versions prepared in Adobe InDesign.

g. Community Engagement The consultant is to provide a community engagement program in compliance with Council's Community Engagement Policy for each of the following stages: Urban design criteria, and Public Domain & Streetscape Plan.

Community engagement is a vital component of this project. As such and given the amount of community involvement during the preparation of the Camden Town Centre Vision in 2014, Council intends to work very closely with the consultants in developing an engagement strategy. The final community engagement program may not be determined until after the project methodology has been agreed upon.

Accordingly, Council requests that conceptual program, based on the understanding of the project, be submitted at this stage to provide an overall costing.

Appendix 2 ZONING

CLEP 2010 Zone B2 Local Centre and Standard LEP

CLEP 2010 Zone B2 Local Centre

1 Objectives of zone

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *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 enable other land uses that are complementary to and do not detract from the viability of retail, business, entertainment and community uses within the zone.*

2 Permitted without consent Nil

3 Permitted with consent: Boarding houses; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Roads; Service stations; Shop top housing; Tourist and visitor accommodation; Any other development not specified in item 2 or 4

4 Prohibited: Agriculture; Air transport facilities; Boat repair facilities; Boat sheds; Bulky goods premises; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Electricity generating works; Exhibition homes; Extractive industries; Forestry; Freight transport facilities; Home occupations (sex services); Industries; Landscape and garden supplies; Mortuaries; Recreation areas; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Rural industries; Sewerage systems; Sex services premises; Storage premises; Timber and building supplies; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Waste or resource management facilities; Water recreation structures; Wholesale supplies

Standard LEP Zone B2 Local Centre

Direction. The following must be included as either “Permitted without consent” or “Permitted with consent” for this zone: Roads

1 Objectives of zone

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Service stations; Shop top housing; Tourist and visitor accommodation

4 Prohibited

Appendix 2 ZONING cont.

CLEP 2010 Zone B4 Mixed Use and Standard LEP

CLEP 2010 Zone B4 Mixed Use

1 Objectives of zone

- *To provide a mixture of compatible land uses.*
- *To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.*
- *To minimise conflict between land uses within the zone and land uses within adjoining zones.*
- *To encourage development that supports or complements the primary office and retail functions of the local centre zone.*

2 Permitted without consent Nil

3 Permitted with consent: Backpackers' accommodation; Boarding houses; Business premises; Child care centres; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; Information and education facilities; Light industries; Multi dwelling housing; Office premises; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Retail premises; Roads; Seniors housing; Serviced apartments; Shop top housing; Stock and sale yards; Any other development not specified in item 2 or 4

4 Prohibited: Agriculture; Air transport facilities; Boat repair facilities; Boat sheds; Bulky goods premises; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Electricity generating works; Exhibition homes; Extractive industries; Forestry; Freight transport facilities; Home occupations (sex services); Industries; Mortuaries; Recreation areas; Recreation facilities (major); Research stations; Residential accommodation; Rural industries; Sewerage systems; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Waste or resource management facilities; Water recreation structures; Wholesale supplies

Standard LEP Zone B4 Mixed Use

Direction. The following must be included as either "Permitted without consent" or "Permitted with consent" for this zone: Roads

1 Objectives of zone

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

2 Permitted without consent

3 Permitted with consent

Boarding houses; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Seniors housing; Shop top housing

4 Prohibited

Appendix 2 ZONING cont.

Standard LEP Land Use Zones

2.1 Land use zones [compulsory]

The land use zones under this Plan are as follows:

Rural Zones

- RU1 Primary Production
- RU2 Rural Landscape
- RU3 Forestry
- RU4 Primary Production Small Lots
- RU5 Village
- RU6 Transition

Residential Zones

- R1 General Residential
- R2 Low Density Residential
- R3 Medium Density Residential
- R4 High Density Residential
- R5 Large Lot Residential

Business Zones

- B1 Neighbourhood Centre
- B2 Local Centre
- B3 Commercial Core
- B4 Mixed Use
- B5 Business Development
- B6 Enterprise Corridor
- B7 Business Park
- B8 Metropolitan Centre

Industrial Zones

- IN1 General Industrial
- IN2 Light Industrial
- IN3 Heavy Industrial
- IN4 Working Waterfront

Special Purpose Zones

- SP1 Special Activities
- SP2 Infrastructure
- SP3 Tourist

Recreation Zones

- RE1 Public Recreation
- RE2 Private Recreation

Environment Protection Zones

- E1 National Parks and Nature Reserves
- E2 Environmental Conservation
- E3 Environmental Management
- E4 Environmental Living

Waterway Zones

- W1 Natural Waterways
- W2 Recreational Waterways
- W3 Working Waterways

DIRECTIONS on preparing Zones

Direction 1.

Additional zones or subzones are not to be prescribed.

Direction 2.

If the land to which the Plan applies does not include any of the above zones, the reference to the zone in this clause and the provisions relating to it in the Land Use Table in clause 2.3 may, but need not, be included.

Direction 5.

Only the following types of development may be included in the Land Use Table:

Advertising structures; Agricultural produce industries; Agriculture; Air transport facilities; Airports; Airstrips; Amusement centres; Animal boarding or training establishments; Aquaculture; Attached dwellings

Backpackers' accommodation; Bed and breakfast accommodation; Bee keeping; Biosolids treatment facilities; Boarding houses; Boat building and repair facilities; Boat launching ramps; Boat sheds; Building identification signs; Bulky goods premises; Business identification signs; Business premises

Camping grounds; Car parks; Caravan parks; Cellar door premises; Cemeteries; Centre-based child care facilities; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Crematoria

Dairies (pasture-based); Dairies (restricted); Depots; Dual occupancies; Dual occupancies (attached); Dual occupancies (detached); Dwelling houses

Early education and care facilities; Eco-tourist facilities; Educational establishments; Electricity generating works; Emergency services facilities; Entertainment facilities; Environmental facilities; Environmental protection works; Exhibition homes; Exhibition villages; Extensive agriculture; Extractive industries

Farm buildings; Farm stay accommodation; Feedlots; Flood mitigation works; Food and drink premises; Forestry; Freight transport facilities; Function centres; Funeral homes

Garden centres; General industries; Group homes; Group homes (permanent) or permanent group homes; Group homes (transitional) or transitional group homes

Hardware and building supplies; Hazardous industries; Hazardous storage establishments; Health consulting rooms; Health services facilities; Heavy industrial storage establishments; Heavy industries; Helipads; Heliports; High technology industries; Highway service centres; Home-based child care; Home businesses; Home industries; Home occupations; Home occupations (sex services); Horticulture; Hospitals; Hostels; Hotel or motel accommodation

Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Intensive livestock agriculture; Intensive plant agriculture

Jetties

Kiosks

Landscaping material supplies; Light industries; Liquid fuel depots; Livestock processing industries

Marinas; Markets; Medical centres; Mooring pens; Moorings; Mortuaries; Multi dwelling housing

Neighbourhood shops

Offensive industries; Offensive storage establishments; Office premises; Open cut mining

Passenger transport facilities; Places of public worship; Plant nurseries; Port facilities; Public administration buildings; Pubs

Recreation areas; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor);

Registered clubs; Research stations; Residential accommodation; Residential care facilities; Residential flat

buildings; Resource recovery facilities; Respite day care centres; Restaurants or cafes; Restricted premises;

Retail premises; Roads; Roadside stalls; Rural industries; Rural supplies; Rural workers' dwellings

Sawmill or log processing works; School-based child care; Schools; Secondary dwellings; Self-storage units;

Semi-detached dwellings; Seniors housing; Service stations; Serviced apartments; Sewage reticulation systems;

Sewage

Appendix 3 BUILDING HEIGHT; FLOODING

The CLEP states

7.1 Flood planning

(1) The objectives of this clause are as follows:

- (a) to minimise the flood risk to life and property associated with the use of land,
- (b) to allow development on land that is compatible with the land's flood hazard, taking into account projected changes as a result of climate change,
- (c) to avoid significant adverse impacts on flood behaviour and the environment.

(2) This clause applies to land at or below the flood planning level.

(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that the development:

- (a) is compatible with the flood hazard of the land, and
- (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and
- (c) incorporates appropriate measures to manage risk to life from flood, and
- (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses, and
- (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.

(4) A word or expression used in this clause has the same meaning as it has in the NSW Government's *Floodplain Development Manual* published in 2005, unless it is otherwise defined in this clause.

(5) In this clause:

"flood planning level" means the level of a 1:100 ARI (average recurrent interval) flood event plus 0.6 metre freeboard.

DCP B3.1.2 states at control **11. The development of the flood affected fringes of the town shall not compromise the prevailing character.**

Appendix 3 BUILDING HEIGHT; FLOODING cont.

Correspondence (redacted) with Department of Planning on Milk Depot development approval

Sent: Wednesday, 13 December 2017 9:31 AM

Subject: Urgent Attention area planner Camden

Following receipt of your email of 6/12, council officers were contacted and council's report of 28 November 2017 was reviewed.

It is noted that the proposed development is permissible with Council's consent. Responsibilities are assigned under the Environmental Planning and Assessment Act, and as Camden Council is the consent authority, the Department does not hold a role in the determination of the development application. Council is responsible for consideration and determination of the application on its planning merits, including – in this case flood affectation, and in view of the separation of responsibilities, the Department is unable to offer comments on the manner in which council has fulfilled its role in this regard.

I am pleased, however, to be able to clarify the position concerning need for the Secretary's concurrence to the variation of development standards, including the proposed height of the building. While the local environmental plan requires the Secretary's concurrence, in May 2008, delegation was issued for all councils to assume the Secretary's concurrence under a local environmental plan where clause 4.6 is included in that plan. This is the case with Camden Council and it has exercised the delegation in determining this development application, without the need to obtain concurrence.

While I am not able to be of further assistance, I trust my advice has clarified the situation.

Team Leader, Sydney Region West
Department of Planning & Environment
Level 1 | 10 Valentine Avenue Parramatta | GPO Box 39 SYDNEY NSW 2001

Sent: Wednesday, 6 December 2017 11:01 AM

To: DPE CSE Information Planning Mailbox <information@planning.nsw.gov.au>

Subject: Urgent Attention area planner Camden

Details: Site: 11 Argyle St Camden DA ref: 169/2016 Camden Vale Milk Depot

The DA was referred to Council for determination with remaining unresolved issues raised in 32 submissions from 21 property owners and approved on 28 November 2017. The development is within the heritage conservation area which in itself raises many issues of consistency with the Burra Charter and the DCP. However, we write about major compliance issues which are:

Height variation: variation to allow a building which exceeds the height limit specified in the Camden LEP 2010 by 83%. Concurrence of the Minister for Planning in approving the variation was assumed.

Building in a floodway: strong evidence is on hand that the building is to be located in a floodway. The diagram relied upon in the business paper is highly questionable and known to be incorrect. The rights of other property owners are at risk, the interests of future tenants are compromised and safety is an issue.

Camden Residents' Action Group Inc

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