

Camden Residents' Action Group

Incorporated
Camden – Still a Country Town

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LEC Conciliation Conference 23 November 2020 20 Elizabeth St Camden

I speak as President of Camden Residents' Action Group which has served the community since 1973 in protecting our heritage and environment.

The DA for 20 Elizabeth Street has antagonised the community which finds it extraordinary given the protections and significance of the heritage conservation area. It has been through 4 iterations of design, none of them remotely compliant with the LEP, DCP and Council policy plus two refusals by the Local Planning Panel.

Our Group lodged a joinder motion to the initial and withdrawn court case on the first LPP refusal.

Many objections have been lodged. We have lodged three evidence-based ones and also submitted further supporting documentation to the LPP. An unprecedented number of people have spoken against the DA at the LPP hearings and expert heritage and legal opinions have been tabled. This DA has been subject to media articles and astonished commentary and has patently failed the pub test.

We emphasise the following points:

- Camden township is unique in Australia and of exceptional significance to the Macarthur region. It was privately designed and founded by the Macarthur's and retains a close connection to the original colonial estate, Camden Park, still home to the descendants of John and Elizabeth Macarthur
- The town's human scale, iconic village profile, historic street grid and spacious country town fabric remain intact.
- Its sense of place is distinct and highly valued.

- It is regarded as the jewel in the crown of the municipality and is the hub of community events.
- The Greater Sydney Commission acknowledges it as a significant heritage town to be conserved. The NSW Heritage Office has recommended future consideration for the State Heritage Register and Council is looking into its state and national listing.
- Its economic future depends on retaining its uniqueness. It is an extremely valuable tourism asset being within close proximity of Sydney and Badgerys Creek airport
- This DA attempts to rewrite Camden's existing and desired future character, which is clearly articulated in the LEP and DCP, which adopts the Burra Charter, and in all of Council's policies and strategies.
- Desired future character is reaffirmed in 2018 Urban Design Framework which was in the public domain at the time the DA was lodged.
- Camden's Local Strategic Planning Statement for the next 20 years affirms adherence to this framework and that heritage values are to be preserved and reinforced.
- The Framework emphasises retaining the fabric and the fine-grained character of the town. It sets out a built form principle which includes *ensuring that all built form contributes to Camden's identity as a rural town. (p33)*
- The built form of this proposal does the opposite.
- No reasonable argument has been put forward for demolition of the contributory cottage. Under the Burra Charter and DCP it should be retained and adaptively re-used.
- Indeed, the cottage has been renovated and advertised as 3 Offices plus reception with excellent natural light, storage spaces and excellent parking. This belies the DA claim that it is not suitable for retention. It appears to be leased.
- The current iteration is also for three tenancies plus a café.
- But, what is proposed is destructive to Camden's existing and desired character, and would pave the way for further degradation.
- The proposed building dwarfs the scale and bulk of buildings in the cottage dominated block bounded by Elizabeth, Mitchell, Exeter and Edward Streets,
- It disrespects three adjacent heritage items.
- It also mocks many other nearby agricultural and heritage items and makes no attempt to reference them.
- It does not even attempt to address universal design principles such as
 - contributing to its context
 - being of appropriate scale in terms of the street and surrounding buildings.
 - being consistent with existing density

- The Heritage Impact Statement is seriously and unacceptably deficient.
- No attempt is made to follow the guidelines of the NSW Heritage Office for development in conservation areas and adjacent to listed heritage items.
- The proposal repeatedly asserts that the site, which adjoins Mitchell and Edward Streets, is in an area of transition, but does not delineate the area. This claim is self-serving. It contradicts the planning instruments and attempts to rewrite them by insisting that this so-called transition area seeks the introduction of such over-scaled new development. This is nonsense, and seems to rely on the irrelevancy of seniors housing on the large vacated high school site which was approved under the SEPP subject to its decontamination and prior to legislation of the HCA.
- In any case the 4.6 height variation request fails
- In relation to the height standard objectives:
- It is incompatible with existing and desired future character, it has a devastating visual and heritage impact, and results in unacceptable loss of privacy and solar access to its neighbours.
- In relation to its zoning, it does not integrate with other land uses of town farm, sale yards, residences and businesses in adaptively re-used cottages. It is not consistent with heritage tourism.
- The 4.6 request fails to provide any planning grounds or justify why compliance is unreasonable or unnecessary in the circumstances of this case.
- Flooding and heritage constraints are well-known and factored into market price of property.
- There are no special circumstances.
- This case is no different to any other attempt to maximise investment return by gaming the planning system.
- It is in the public interest of course that faith in the planning system be upheld.
- We fully agree with Council's Statement of Facts and Contentions. Regretfully, we must however take this opportunity to draw attention to the fact and our concern that the contents are quite contrary to the council staff assessment reports which led us to seek joinder to the case.
- This DA, based on false premises, is not salvageable.
- We sincerely trust that this DA will be refused with instructions to respectfully observe legislation and council policy.

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