

Camden Residents' Action Group

Incorporated

Camden – Still a Country Town

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9 April 2021

Dear General Manager,

Re: 2-4 John Street, Camden

DA s4.56 Modification: 2008/644/5¹

Consolidation of buildings 3 and 5 into one building, conversion of 26 multiple-unit dwellings into 26 self-contained seniors living dwellings, conversion of 2 shops into 2 self-contained seniors living dwellings, internal layout reconfiguration to provide 2 additional self-contained seniors living dwellings, reconfiguration of the lower ground floor car park underneath buildings 3, 4, 5 and 6 and replacement of a turning circle with a pedestrian path

We make some preliminary comments on the above s4.56 modification request for the High School site DA, but as per our email request for an extension we need more time and more information to enable us to comment in detail. We also ask to reserve the right to make a further submission, given that at this point we have not had an answer to our request for further information, which could take some time.

Further, in fairness to the community, we request that this modification request be re-exhibited with all relevant documentation made easily accessible for two reasons.

¹ To approved development: *Staged redevelopment of the Former Camden High School Site comprising: demolition of disused school buildings, remediation of contaminated land, earthworks, staged subdivision, the erection of 26 multiple-unit dwellings, 162 self-contained seniors living dwellings, 76 bed residential care facility, 51 bed motel, restaurant, cultural & community centre, medical centre, ancillary shops, under croft car parking and landscaping works*

Firstly, the two-week exhibition period includes the Easter period and the due date for submissions is Easter Monday. This makes it difficult for the community to digest the information, find time to contact Council for clarification, obtain additional information and write a submission.

Secondly, as this is a development of particular public interest all relevant documentation, including the original plans and supporting documentation of the changes to the original plans since the DA was lodged in 2008 should be easily publicly accessible in one place and easy to follow. We have found that attempting to access documentation to form a clear picture of the progress of this DA has been a confusing and somewhat fruitless exercise.

For instance, none of the original plans and supporting documentation, except the original 2008 Heritage Impact Statement (HIS) referred to below, are available.

The highly relevant 2009 Council report² was found. This is the first time we have had access to this report and we find it confusing and internally contradictory. It makes reference to documents but does not include or link to them. It is not clear why the Report cites reasons for approval that refer to fifteen buildings of one to three storeys and mainly two storeys plus loft, when what was up for determination included twelve buildings of three storeys plus loft³.

As noted in our email requesting an extension, at a minimum we need the following information:

- Stamped approved plans September 2009.
- Addendum Planning Submission dated 15 May, 2009 that also includes the supplement to the Statement of Heritage Impact prepared by Rappoport Pty Ltd Conservation Architects.
- Any other heritage report lodged in relation to DA modifications since 2009– we have found the original HIS dated 8 July 2008, and of course have the one prepared by Extent dated March 2021 (no others were found on the DA Tracker).
- Documentation showing sight lines, especially to St John’s Church including the (original Macarthur/Mitchell planned) sight line from lower John Street to the church.
- Measures of the planned street façade setbacks.

We understand that the original DA determined on 8 September 2009 may have preceded institution of the DA Tracker, explaining why all relevant information is not easily accessible. However, we also bring to Council’s attention that documentation accompanying the 2012 modification (DA 2008/644/2) is not available as expected on the DA Tracker, and trust that this will be rectified.

² Camden Council 8 September 2009 *Ordinary council meeting report and resolution ORD04* Available under *Former Camden High School Site Redevelopment* at <https://www.camden.nsw.gov.au/development/former-camden-high-school-site-redevelopment/>

³ Ibid p. 9 *The mixed-use development is proposed to be accommodated in 15 buildings, 12 of which take the form of three storeys and loft over the basement. The remaining buildings (buildings 9, 10 and the eastern part of building 11) have been reduced to two storeys and loft over basement / lower ground level.*

The lack of public access to the original plans and explanation of differences with them and what is now planned for the site make any meaningful comment difficult. The following comments are purely preliminary. Given that we cannot access all relevant documents, we are happy to be corrected on any factual errors within them.

Comments:

The original HIS⁴ dated 8 July 2008 was found incidentally in the DA Tracker under the modification⁵ to allow the demolition of the concrete frame of a school building that was originally approved to be retained (2008/644/3). As this modification was lodged on 1 September 2017 and approved on 30 October 2017 (seemingly under delegated authority rather than by Council) and no other HIS was found in documentation available on the DA Tracker, we can only go by the original 2008 HIS and the 2021 HIS accompanying this latest modification request as the only two written on the project. However, there is reference in the 2009 Report to an Addendum Planning Submission dated 15 May, 2009 which includes a supplement to the 2008 HIS.

It is surprising that there are only two publicly available heritage assessments of this major proposal and its subsequent modifications. We therefore point out that the community has not seen any heritage analysis and assessment of the impact of three storeys plus loft, essentially four-storey buildings in John Street (or Elizabeth Street).

According to the 2008 HIS (p.19), these buildings should be two-storey plus loft.

The street façades of the proposed buildings are designed to read as two storey edifices consistent with the surrounding heritage stock generally. This is achieved by setting the third storeys back behind the façades and also through the use of attics within roof forms. This allows the streetscapes to be compatible in form and height to the surrounding area;

We find it difficult to understand how this assessment contained in the 2008 HIS could be so overturned as to accommodate three-storeys.

We have not found any other heritage assessment of the change to the original vision and statement in the 2008 HIS, quoted above, that justifies that the street facades do not need to be read as two-storey.

⁴ Rappoport Pty Ltd Mascot 8 July 2008 *Statement of Heritage Impact Former Camden High School Site*

⁵ Camden Council *DA Tracker S96/2008/644/3* Available at <https://planning.camden.nsw.gov.au/Application/ApplicationDetails/010.2008.00000644.003/>

It is particularly disturbing that the (seemingly unjustified) amended proposal/approval in 2009 of three-storeys plus loft for 12 of the buildings is confused and contradicted by the commentary included in the Council Report. Statements (pp. 10-12) were provided and included in the Report to satisfy Council that the proposed development would not unnecessarily or unreasonably intrude upon any items of environmental heritage.

For instance:

- *The roof form and vertical and horizontal articulation of the design of the proposed buildings will be consistent with the variety of building styles found in John, Elizabeth, Exeter and Mitchell Streets where development ranges from the mid nineteenth century to the late twentieth century. **The street façades of the proposed buildings have been designed to read as two-storey so that the streetscapes are compatible in form and height with the built form of the surrounding area.** This is achieved by setting the third storey back behind the building line and also by incorporating attics within the roof space. The inclusion of lofts in the design of the proposed buildings also enables maximum use of the proposed building envelopes while minimising the scale of the proposed development. (p. 12)*

Clearly the proposed street façade of John Street does not read as two-storeys, and the proposed building(s) are not compatible in form and height with the surrounding built form of the conservation area. They are not fine-grained and human scale as required by the DCP and Urban Design Framework. The design of the building(s) cannot be judged to be consistent with any building style in John, Elizabeth, Exeter and Mitchell Streets. The top storey(s) is (are) not set back. The building set back from John Street is not able to be determined but appears minimal. The contextual and comparative scale is massive and not minimised.



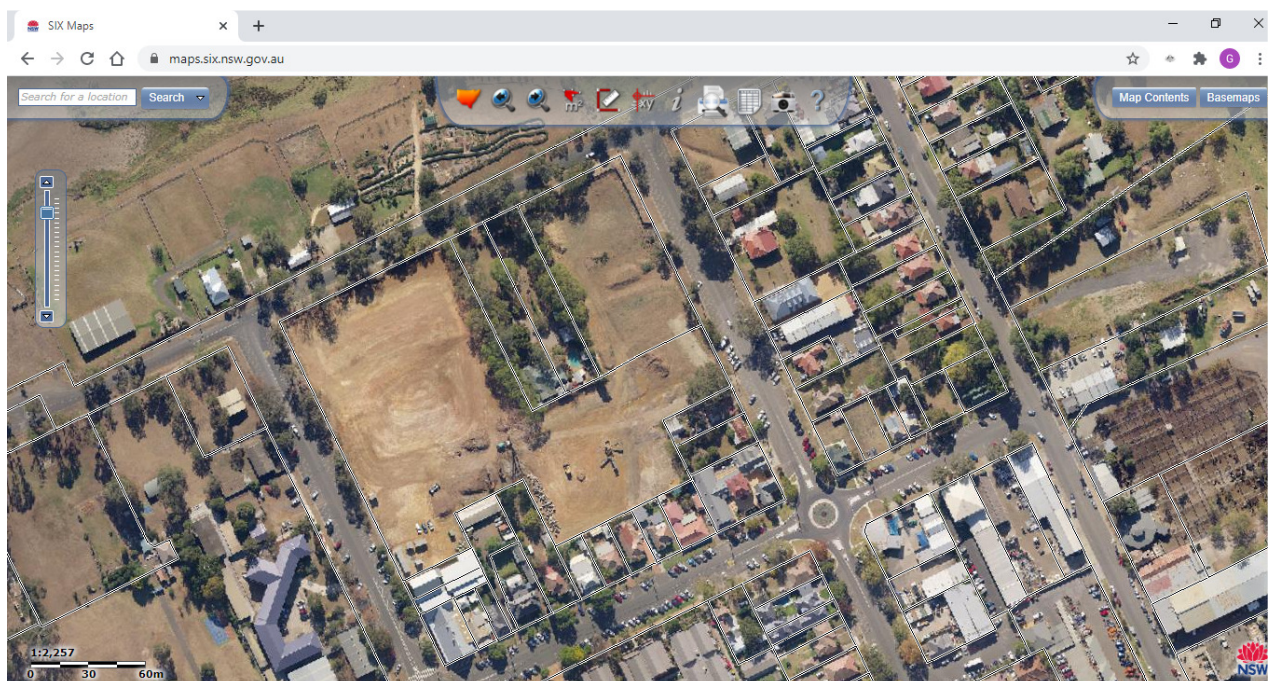
**Source: Extent Heritage Sydney
March 2021 Statement of
Heritage Impact Building 3+5, 2-
14 John St, Camden (p. 29)**

- *The proposed development is low-rise in nature (**being one to three storeys + loft**) and is generally consistent with the scale of development in the surrounding area (including the St Pauls and Uniting Churches, Nepean House, Macaria and the Library / Museum buildings on John Street) as well as the existing development on the site. In addition, where scale to surrounding properties is currently reduced, so too is the scale of the proposed development to ensure that the local built form context is respected and reflected. Accordingly, the proposed mixed-use development is not expected to dominate the built form of the locality. (p.11)*

No building is now planned to be one storey and it is not possible for the development on completion, including what is proposed for the consolidation of buildings 3 and 5, to be described as low-rise, especially within the contextual human-scale of the conservation area and compared to nearby heritage listed buildings, including the adjoining property of Nant Gwylan. As a two-storey limit prevails in the conservation area and the site adjoins heritage listed one- and two-storey buildings this is an important point in the approval that needs clarification supported by documented heritage assessment.

- *The retention of mature vegetation, the additional proposed landscaping and the inclusion of open courtyard spaces will ensure that the regional character of the area is integrated into the proposed development. (p. 10)*

As shown in an earlier satellite photo of the site below, before building began, it is not clear whether any mature vegetation has been retained on site.



Source: Google and NSW SIX maps

The satellite image also shows that what is proposed bears no relationship to the existing traditional development pattern of this very significant historic country town and the low-scale surrounds of the site. The over-large and over-height buildings, which would be at home in densely settled suburbia, bear no similarity to the rural and historic character of the Heritage Conservation Area, the built form principle and desired future character expressed in the town's Urban Design Framework and do not comply with its heritage protections in the LEP and DCP.

As noted in the 2009 Report (p. 7) the development is not to detract from significant existing views and vistas and the following justification of the proposal is provided:

The proposed buildings will not unnecessarily or unreasonably intrude upon significant streetscapes or vistas. The proposed buildings have been designed to be compatible in scale with the surrounding built form and their layout on the site has been carefully planned having regard for the surrounding natural and built environment so that significant streetscapes and vistas are not compromised. Furthermore, the retention of mature trees and the provision of additional landscaping will ensure that significant view corridors are enhanced by the proposed development. (p.12)

What is evident in the documentation provided with this latest modification request is that the scale of the proposed buildings is not compatible with the built form of the conservation area.

John Street provides iconic vistas (planned by James and William Macarthur and SG Sir Thomas Mitchell in 1836). As referenced in the State heritage listing of St John's Precinct.⁶

The most important of these many vistas are the two deliberately planned by the Macarthur family with the assistance of Sir Thomas Mitchell:

....

The vista of St John's looking south and upwards along John's Street in Camden. This vista was deliberately planned by Sir Thomas Mitchell in his design for the township to demonstrate the moral authority and commanding presence of God, and the Anglican Church, over the hearts and souls of the community.

The significance of this vista and others related to the planned focal point of the Church and the historic grid layout of the town are more comprehensively explained in the Conservation Management Plan (CMP)⁷, referenced in the State Heritage Listing.

⁶ NSW Office of Environment and Heritage *St John's Anglican Church Precinct* Available at <https://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5053423>

⁷ Clive Lucas, Stapleton and Partners 2004 *St. John's Anglican Church Precinct Menangle Road, Camden Conservation Management Plan* Available at <http://www.crag.org.au/wp-content/uploads/2016/12/CMP-and-Addendum.pdf>

The CMP (p. 63) identifies other particularly relevant vistas as follows:

- *view of St John's Church from Macquarie Grove Road*
- *strong axial relationship of the free-standing historic buildings and tree planting of John Street*
- *rural vista from town centre down John Street.*

No explanation or analysis has been found in the documentation as to the impact of the imposing mass and scale of this development, including the impact of the consolidation of buildings 3 and 5, on these important vistas that are so much part of the history and significance of the Heritage Conservation Area. The streetscape of John Street, as well as Elizabeth Street (named after John and Elizabeth Macarthur) which have uniquely stood the test to time in their reflection of the vision of the Macarthur town and deliberate town plan of 1836 are being compromised without explanation and justification. From what we now finally see in the scale and mass of this latest modification is that the development will likely compete with St John's Precinct as a focus and be visible and block views to and from it and the rural surrounds.

The community were led to believe that the development was mainly two-storey (with recessive set-back loft) and was to read in the streetscapes as two-storey. We now find this is not the case, and it is not apparent to the community even when researching the available documentation. This is an immense loss that as far as we can see has not been subject to professional and rigorous independent heritage analysis.

The exception in the proposed street façades, noted in the 2008 HIS (p. 18), is the building on the corner of Exeter and John Streets.

It is described as being four-storey, constructed to present as three-storey but also to be sufficiently set back so as to not dominate the landscaped character of the place. We understand the reason for the different assessment was an extant three storey high school building that was to be retained. According to the 2008 HIS, the impact on Nant Gwylan was to be mitigated through appropriate setbacks, scaling of the four storeys to appear as three, retention of mature planting along the boundary and additional planting in Exeter Street.

We take this opportunity to also point out that we are not satisfied that the setting and significance of state listed Nant Gwylan is necessarily being protected.

The 2008 HIS made all the right statements.

For instance:

- *Views to and from the State heritage listed item (Nant Gwylan) including those from the Town Farm towards the house and garden and vice versa will not be adversely impacted by the proposed development. Indeed both the setting of Nant Gwylan and the views and outlook available from within the property will be enhanced by the development which will involve ...the provision of increased landscaped setbacks between the proposed buildings and Nant Gwylan's boundaries, the creation of more open space around Nant Gwylan, the creation of new view corridors between the proposed buildings and additional landscaping opportunities, particularly along the southern side of Exeter Street (on either side of Nant Gwylan). (p. 12)*

The additional open space is not evident in the photo below and there seems to be little setback from the Nant Gywlan boundary.



Nant Gwylan from Exeter Street, with the current Camden Grove redevelopment located on the corner of John and Exeter Street adjacent to the left.

Source: Extent Heritage Sydney March 2021 *Statement of Heritage Impact Building 3+5, 2-14 John St, Camden* (Figure 17, p. 15)

- *A landscaped buffer will also be provided along the Exeter Street frontage to provide a transition zone between the proposed buildings and the open space of the Town Farm. The provision of this transitional landscaped zone will also complement the existing open space to the east of Nant Gwylan. (p. 10)*

Similarly, as indicated by the above photo, this landscaped buffer is not currently evident, nor is it obvious how it is to be provided. Currently the new building is covered in scaffolding and is imposing in the landscape. It is highly visible from many directions and does not appear as if it will sit comfortably next to the historic Nant Gwylan gardens or integrate with the Town Farm.

A transitional landscape zone is not currently evident. It is also not clear whether consent condition 2 (a) is met: *Building 2 shall have the same setback from the boundary of 33a Exeter Street (Nant Gwylan and Gardens) as Buildings 4 and 6. We understand this condition reflects the Officer's comment that: it is considered that the setback of 4m of Building 2 to the Nant Gwylan property is insufficient and should be amended to reflect the **8m setbacks** proposed for Buildings 4 and 6, in order to improve breathing space between properties, increase privacy for Nant Gwylan and improve the visual links between the Nant Gwylan gardens and the Town Farm. This is recommended as a condition of consent (p. 14).*

- *The proposed buildings adjacent to Nant Gwylan have been sympathetically sited and designed so as not to dominate the landscaped character of the place when viewed from Exeter Street. Measures incorporated into the design include maximising setbacks between the proposed buildings and the heritage listed house and garden, setting upper levels of the buildings back beyond the façade of the lower levels and utilising pitched roof forms which reduce the scale of the proposed buildings so that they appear similar in scale to the existing building on the corner of John and Exeter Streets⁸. (p. 10)*

As also shown in the above photo, it does not appear that this building has been sympathetically sited, or that setbacks have been maximised and it would appear to dominate the character of the place and detract from the Town Farm.

⁸ This would seem to refer to the three-storey “donut” High School building that was originally approved to be retained.

Officer comments made to assist Councillors responsible for making any decision about approval of the DA, include:

It is consequently considered that the applicant's request is well founded and based on the above assessment the development standard of 2 floors or 7m (whichever is the lesser) is unnecessary or unreasonable in this case, and that Council may assume the concurrence of the Department of Planning for this variation to LEP 45. (p. 13)

That the style and size of the development, including openings, will positively contribute to the streetscapes of John and Elizabeth Street and the increased setback to Exeter Street has been proposed to provide a rural/urban transition and allow for more sympathetic urban design outcome. (p. 14)

Part D, Chapter 5: Heritage Conservation.

The chapter of the DCP aims conserve the heritage of the Camden area. Consideration and assessment of heritage values are discussed earlier in this report. It is considered that these matters have been addressed and satisfied under the Heritage provision under Camden LEP 45, thereby satisfying this chapter of the DCP. (p. 27)

Based on the above assessment, it is considered that the proposed development is consistent with the aim and controls of Camden DCP 2006. (p. 27)

The Officer's assessments on height and heritage impacts were based on the justifications provided in the 2009 Report (pp. 9-13), a sample of which are quoted and commented upon above. No justification was provided or is found to be available for the height, number of storeys, potential impacts on street facades and vistas that are evident in this latest modification request. As quoted and questioned above we cannot reconcile the justifications presented in the 2009 Council report for this development with what is now being constructed and planned. It is not clear whether Councillors understood the ramifications of what was actually being recommended for approval as the discussion presented related to a previous iteration.

The community needs information and clarification on this transformative development. **It is difficult to understand how this proposal has come to this. Previously available documentation shed no light and the 2009 Council Report that has now been placed in the public domain, without other documentation, adds to the confusion. The community has been left unaware of the extent of incompatibility of what is proposed and being built within Camden's significant heritage area.**

We request an analysis of how statements made to Council in the 2009 Report as justification for recommending approval of this development are being achieved. We consider that supporting heritage assessments, independently and professionally prepared under best practice and NSW guidelines for the proposal in the form that it now exists in 2021, should be commissioned and made publicly available.

Specifically, in relation to this modification request, buildings three and five which are proposed to be consolidated are in the street façade of John Street, were understood by the community to read as two-storey. As noted above the original HIS states that they are to be read as two storeys, and this is repeated in the 2009 Council report. We have not seen any heritage assessment of the impact of a height of four storeys in this important street façade and their impact on views and vistas, including the iconic vistas to and from St John's Church Precinct.

The artist impressions of what is proposed for John Street provided in the 2021 HIS show large imposing structures that bear very little relationship to the renowned fine-grained, human scale character of the Heritage Conservation Area. The consolidated building footprint is larger. The new middle connecting section is bulky. The building does not present as three storeys, it is of 4-storey magnitude. That the building is four storeys in height is recognised in Appendix 13 of the DA, the *Apartment Design Guide Compliance Table* (p. 2).

The consolidation further increases density and it would appear from the plans that a similar fate is intended for buildings 4 and 6, and perhaps others. This development is moving further and further away from what was presented to the community in 2008 and what was presented for approval in 2009.

The 2008 HIS statement that the street facades will present as two-storey is obviously not achieved in this latest modification request. This is not compatible with the Heritage Conservation Area or the rural surrounds including the Town Farm.

As stated at the outset we consider that the modification needs to be re-exhibited and that all the relevant information needs to be provided so as to be easily accessible in one place. The community needs to be given ample opportunity to comment on this proposed modification and be assured that the justifications for the DA approval in 2009 are upheld and not being lost in time.

Our preliminary conclusion is that what is proposed in this modification should not go ahead. It must be redesigned to complement and enhance the conservation area, not degrade it and change it beyond recognition. This is simply not acceptable to the community and contrary to Council policy.

Yours sincerely,



Glenda Davis
President