

Camden Residents' Action Group

Incorporated

Camden – Still a Country Town

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5 October 2023

Dear General Manager,

**Re: DA 2023/507/1
38 Pindari Ave Camden**

Construction of a new two storey dual occupancy with strata subdivision

The above DA and a similar DA (2023/506/1) for 29 Old Hume Highway were posted on the Camden Council Development Application Update on 25 September 2023¹.

It was only after looking at the documentation for both sites together that it became clear that these two DAs affect the length of Annabella Avenue between old Hume Highway and Pindari Avenue as shown below.



Source: Google maps

¹ The notifications are dated 15 September 2023 with a submission due date 5 October 2023.

The same Statement of Environmental Effects, referring to both sites, was submitted independently for each site which confused readers and obscured the full effect of the combined DAs.

We find that the complexities of strata division and how it can be accommodated within a low-density residential zone (R2) are complex. We asked a number of questions on the morning of 5 October about the proposal to try to understand. We would like to reserve the right to lodge another submission when we receive answers.

However, we do understand that as a Principal Development Standard under the LEP, a number of Councils do not permit strata subdivision of dual occupancies to be less than the minimum lot size for the zone². The LEP clause adopted by these councils closes what could otherwise open an inappropriate and contradictory loophole in the planning rules. This proposal seems to be pursuing this potential loophole.

At this point, we object to this proposal on the grounds of inappropriate density and being otherwise inconsistent with the intention of the R2 zone and the supporting provisions of the DCP.

For instance, the required lot dimensions within the R2 zone in this part of Camden are meant to protect its single dwelling character and landscape setting. DCP 4.4 *Dual Occupancies* mandate a minimum lot size of 600m² and 800 m² on corner sites. The objectives of DCP 3.2.2 *Lot Dimensions* include that sense of place is maintained by ensuring that density and scale is in harmony with the area's existing or planned character and that any subdivision reflects and reinforces the predominant subdivision pattern of the area. It sets out minimum lot width of 15m and depth of 25m.

The lot sizes proposed by this DA do not comply with the DCP. They are not consistent with the low-density zoning and the character and sense of place of the area would be compromised.

The plans are difficult to read but we request that all required setbacks be checked for compliance with the DCP. Given the constraints of the site and the small strata lot sizes we are not assured that all setbacks are compliant with DCP 4.2.4.

We see little merit in the proposal from the viewpoints of the area's sense of place as valued by the community and amenity of its current and future residents. We sincerely request that this proposal be refused.

Your sincerely,



Glenda Davis, President

² For instance, see:

Pittwater Council at <https://legislation.nsw.gov.au/view/html/inforce/current/epi-2014-0320#sec.4.2A>

Hills Council at <https://legislation.nsw.gov.au/view/html/inforce/current/epi-2019-0596#sec.4.1C>