

# *Camden Residents' Action Group*

*Incorporated*

*Camden – Still a Country Town*

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13 May 2025

Dear General Manager,

Re: 2023/153/4

Carrington 90 Werombi Road Grasmere

*Section 4.55(2) modification involving increase in apartments from 36 to 46, external facade, internal layout and landscaping changes*

Please find below our submission objecting to the above modification to a seniors' living development, known as Woodland Assisted Living Apartments. DA 2023/153/1 described the new accommodation at Carrington to be serviced self-care housing over four storeys and to involve redesign of the Mary McKillop Facility carpark and tree removal.

## **Background to approval of DA 2023/153/1**

Objections to the development numbered 25, and this number may well have been much greater if the residents of Carrington had been notified. The Camden Local Planning Panel (LPP) in determining the DA considered that Council should review its procedures to ensure that residents of Carrington are made aware of proposed developments that affect their homes. We trust that residents were properly notified of this modification.

Issues covered in objections to the development included tree removal and lack of community participation, reduction in amenity of existing residents, impact on the heritage item, generation of excessive traffic and provision of insufficient car parking.

Before being put before the LPP, amendments were made to the proposal to reduce the number of units from 42 to 36, increase the north-eastern setback by more than 6m, improve the interface with detached homes (especially units 75 and 76) and to add 20 mature trees to improve the landscape buffer.

On 14 December 2023 the LPP determined to follow the recommendation of Council staff to approve DA 2023/153/1 including a 70.52% exceedance of the building height standard (9.5m). On 2 February 2024, DA 2023/153/2 to delete consent condition 2.0 (21) and exempt the development from s7.12 development contributions was refused. On 19 August 2024, DA 2023/153/3 to modify building facades, internal layouts, service areas and associated site works was approved.

This fourth modification application indicates a pattern of seeking even more out of a development that was contentious from the outset.

### **Modification DA 2023/153/4 Issues**

This latest modification proposal seeks to add more height and scale and obtain what was not acceptable according to Council assessment and LPP approval of DA 2023/153/1.

Whilst being aware of the subjective “balancing” and holistic approach adopted in judging whether a modification is “substantially the same” under the EP&A Act (ss 4.55(2), 4.56), we submit that this modification fundamentally alters key dispensations of the original consent and is not the same.

It is reasonably apparent that the modification in seeking to increase the building footprint, its height and number of apartments, is not only concerned with the suitability of the number of bedrooms per apartment as claimed, but also with a bigger sized development, potentially yielding a greater return.

It is telling that the DA as originally lodged was amended to reduce the number of apartments and bedrooms before it was put before the LPP. The proposed modified number of apartments at 46 (81 bedrooms) is greater than the 42 (75 bedrooms) that were first proposed before being required to amend the number to 36 (72 bedrooms). Other planned facilities for residents have also not necessarily been commensurately increased, so what would seem to be now proposed is a denser development and less amenity per new resident.

Cynically it could be argued that this s4.55(2) application is intended to recapture the scale of what was first proposed plus more. It is well understood in the community that DA modifications, because of their incremental nature, tend to bypass proper public scrutiny and in-depth assessment.

### **Height**

The modification would breach the 9.5m height limit by 6.212m or 71.56%. The height control exists to ensure new buildings are compatible with the surrounding built form, particularly in low-density, semi-rural zones like R5 *Large Lot Residential*. The standard of 9.5m is intended to prevent urban encroachment and retain the rural setting. The existing DA consent already provides for very significant height exceedance that undermines the intent and integrity of LEP 4.3 *Height of Buildings*.

The request for further height exceedance under LEP 4.6(3)(b) does not cite sufficient environmental planning grounds but instead relies on roof design and site topography as justification. There are no extraordinary and reasonable circumstances that justify contravening the objectives of the height standard in relation to height, scale, visual impact and the area's zoning and compatibility with existing and desired character, as further covered below.

### Scale

As well as ancillary kitchen, library, health consulting room and indoor and outdoor dining areas, the approved four-storey building was to accommodate 36 apartments (72 bedrooms):

- 10 x 1- bedroom units
- 11 x 2- bedroom units
- 5 x 2- bedroom units with study room
- 10 x 3- bedroom units

This modification seeks to delete the 3-bedroom units, increase the footprint, increase the height exceedance to 71.56% and accommodate 46 apartments (81 bedrooms):

- 11 x 1- bedroom units
- 35 x 2- bedroom units

This proposed modification to apartment configuration represents a 27.8% increase in the number of units (10) and a 12.5% increase in the number of bedrooms (9).

Given the argument for modification that 3-bedroom units are not in demand, it is not unreasonable to expect the number of bedrooms to reduce rather than increase.

### Landscape: trees

The approved development involved removal of 15 trees plus planting of an additional 20 advanced trees to improve the landscape buffer of the building. The modification requires that 29 trees be removed, an increase of 93.3% (14 trees) and undoes to a large extent what was intended in the initial approval. As well as damaging the environment, such loss of vegetation detracts from the rural surrounds and amenity to be enjoyed by all residents.

### Car spaces

The total car spaces proposed in the modification is 38 for 46 apartments. What is currently approved for 36 apartments is 31 car spaces, 21 undercroft and 10 external (on-street private). We question whether the proposed increase of 7 in the number of car spaces to 38, comprised of undercroft parking from 22 to 25 and external from 10 to 13, is commensurate with the increase in the number of apartments (10) and extra parking required for additional guests and staffing requirements associated with the increase in number of individual apartments.

### R5 zone objectives

This modification exacerbates the inconsistency of the development with the objectives of the R5 zone. The urban character, excessive height and scale of the development is an anomaly in the low-rise rural surrounds and sets a precedent for more intense development. This is not fair to residents living in the R5 zone who should be able to rightfully expect, according to the planning instruments, that the area is to remain low-rise and rural.

### Visual impacts

No independent assessment and representations of the visual impacts of the increased height and scale and loss of trees has been provided. The effects on sightlines and the rural amenity to be experienced by residents of Carrington and the surrounding area have not been analysed.

### Safety: flooding risks

Flooding events can cut off critical access routes for emergency services, sometimes for days. Carrington residents are often the more vulnerable in our community and this modification increases the number who may require assistance. This raises additional safety and ethical concerns.

### Infrastructure

It is apparent that Carrington, sitting at the rural/urban fringe of Sydney, intends to continue to pursue multi-story development. Urban expansion in this low-density zone puts unsustainable pressure on infrastructure and services which is inefficient and costly to alleviate in a rural area. As well as the loss of cultural landscapes, such intensification of living accommodation and requirement for supporting infrastructure further transfers the burdens of cost and disruption to the wider community.

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This modification request seeks approval to further breach the objectives of the R5 zone, and decrease the amenity residents in the low-rise area, including those living at Carrington. There are no discernible planning grounds for the additional height exceedance and increased scale and density sought. For all of the reasons outlined above in this submission we respectfully urge Council to refuse this modification.

Yours sincerely,



Glenda Davis  
President