

Camden Residents' Action Group

Camden – Still a Country Town

PO Box 188,
Camden 2570
11th June 2009

Mr Greg Wright
General Manager
Camden Council
PO Box 183
Camden NSW 2570

Dear Mr Wright,

Re: Submission to Object to DA 644/2008 as amended May 2009 and re-notified - Proposed Redevelopment of the Former Camden High School Site, John, Elizabeth & Exeter Streets, Camden

As previously indicated in our original objection dated 8th September 2008, CRAG welcomes the redevelopment of the above site, which has been a vacant area in Camden for far too long. The proposal will potentially provide additional mixed development to support the Town Centre with new residents, supporting commercial development, 'seniors living' and a retirement village, all of which will complement the town, both socially and economically.

The amended proposal as re-exhibited has not provided any acceptable development proposal for the above site. The proposal even as amended is unfortunately a **total overdevelopment of the site, an issue that was** addressed in CRAG's original objection **to the development**.

CRAG's view **in summary**, is that the proposal does not comply with a number of current Local Environmental Plans (LEPs) and Development Control Plans (DCPs), which aim to establish sympathetic and appropriate building heights and densities for the 'Camden Town Centre (heritage) Conservation Area'.

Specifically, the **amended** proposed development has **not complied with the site specific DCP, nor with LEP 45. CRAG supports the current development standards in LEP 45 (1989)**, i.e. a limit of two storeys (7m in height). The above proposal is to for residential flats up to approximately 15m in height.

Council adopted a site specific DCP for the former Camden High School Site in 2001, which is now included in DCP 2006 (part G, chapter 1). The objectives of this plan are quoted as follows.

- “(a) To promote the Camden Town Centre through encouragement of new residential, retail, educational, civic and commercial development which will reinforce the working country town image, *while retaining its unique and historic character*;

- (b) To maintain and enhance the features of the site that contribute to local character and sense of place within Camden through encouraging protection of significant vistas towards St Johns Church and the floodplain rural areas;
- (c) To encourage development for tourist-oriented purposes in the town centre while ensuring that tourist development is sensitive to the physical characteristics of the area that provide attractions to tourists;
- (d) To ***prescribe development guidelines relating to the shape and form of buildings and their relationship to the street, which will enhance the desired character of the precinct;***
- (e) To encourage a mix of development within the precinct and provision for a full range of commercial, residential, community, educational, ***tourist and open space land uses*** and facilities within the site;
- (f) To achieve development that occurs in an environmentally sensitive and energy efficient manner, is sustainable in terms of efficient use of land, resources and community facilities, maintenance of adequate services and facilities and development that reflects land capability and other constraints.
- (g) To define in the precinct the ***allocation of sites for particular uses*** which are compatible with the concept of Town Centre development. Such sites shall include commercial (shops) community and educational facilities, residential (medium density housing), carparking, ***open space and recreation areas.***”

The DCP’s specific objectives and controls for the ‘open space’ are summarised as follows:

- “(a) The open space would perform an ***important community/civic park function for the town centre*** and be functionally integrated with the surrounding movement network in a visual and structural sense.
- (b) **Provision** of quality open space ***which provides a more sympathetic setting to “Nant Gwylan”,*** and other heritage properties adjacent to the site.”

The DCP as adopted by Council reflects an appropriate development of this site as it is sympathetic to the scale and character of Camden. A conceptual plan of the site was submitted as an attachment to the report to Council in September 2000 and a copy was attached to CRAG’s previous submission. The DCP with a detailed plan layout was placed on public exhibition in early 2001.

The current LEP 45 prohibits the proposed development on two grounds, the height of the buildings and the type of development i.e. residential flat buildings.

The DA proposes to vary the LEP height standards with a ‘SEPP 1 objection’ to allow an increase from 7m to approximately 15m. **CRAG objects to this change being considered** by Council as the existing controls and standards have been publicly exhibited, accepted by the community and adopted by Council.

The clause from the LEP follows:

“Height of buildings

14. (1) A building shall not be erected on land within Zone No. 3(e) or 3(f) to a height greater than 2 floors or 7 metres above ground level (whichever is lower) unless the Council is satisfied that the building will not unnecessarily or unreasonably intrude upon -

- (a) an item of the environmental heritage;*
- (b) the existing character of buildings in the locality; or*
- (c) significant streetscapes or vistas.*

(2) A building must not exceed two storeys in height. A storey does not include a roof void if the pitch of the roof does not exceed 45 degrees.

(3) Basement car parking must not extend more than 1 metre above ground level.”

The developer has obtained legal advice that ‘multi unit development’ as defined by the LEP may mean ‘residential flat buildings’, which are prohibited by LEP 45.

The relevant clauses follow:

“Development principles - Zones Nos 3(e) and 3(f)

13. The Council shall not grant consent to development on land within Zone No. 3(e) or 3(f) unless it is satisfied that -

- (a) the development will not cause significant overshadowing or overlooking of public places, relative to the patterns of usage of those places;*
- (b) the development will not detract from significant existing views and vistas;*
- (c) the development is of a type, scale, design and character that complements the established character of the centre, having regard to the particular character of the particular part of the town centre in which the development is proposed to be carried out;*
- (d) the development incorporates appropriate measures for convenient, sheltered access for pedestrians, including access to other land;”*

1. Objectives of zone

The objectives of this zone are-

- (a) to encourage development that supports or complements the primary office and retail functions of the Town Centre Zone;*
- (b) to encourage development that will expand the range of services provided by the centre;*
- (c) to encourage development providing services to the rural community;*
- (d) to encourage development that assists the conservation of historic buildings and streetscape; and*
- (e) to permit development which adds to the vitality and diversity of the commercial centre while not prejudicing its principal function.*

2. Without development consent

Nil.

3. Only with Development Consent

Automotive uses; bed and breakfast establishments; bus stations; car parking stations; child care centres; clubs; commercial premises; community centres; dwelling-houses used in conjunction with purposes permitted in this zone; home businesses; hospitals; hotels; light industries; motels; multi-unit housing development; places of assembly; places of public worship; public buildings; recreation facilities; refreshment rooms; renovation; retail plant nurseries; shops ancillary to a purpose permitted in this zone or which are primarily intended to serve persons occupied or employed in development within this zone; showrooms; tourist facilities; utility installations (other than gas holders or generating works); warehouses; wholesale markets.”

It would be appreciated if Council could also obtain legal advice as to the appropriateness of the developer's advice that residential flat buildings, a prohibited use in LEP 45 is covered in the following definition:

“multi-unit housing development" means residential development (not being two-dwelling development) resulting in two or more dwellings on one lot, whether the dwellings are attached or detached, and includes town-houses and the like”

Council's DCP 2006, indicates that ‘multi-unit housing is permitted for this site, however ‘residential flat buildings (dwellings)’ are not permitted.

The definition of a residential flat dwelling in the DCP is as follows:

“Residential flat dwelling” means a dwelling in a building containing three or more dwellings. Each dwelling only has access to communal open space, generally a common entrance and may be strata titled.”

Once Council has obtained its legal advice it would also be appreciated if this could be made available to all those who made submissions.

CRAG is particularly concerned with the inherent **overshadowing** within the proposed development, due to the excessive height of the buildings and the lack of any perceived public open space. This development has not complied with the LEP's ‘development principles’ as quoted and highlighted above.

Additional Issues:

1. it appears from the drawings that the architecture is definitely not sympathetic to that of the heritage conservation area;
2. the mass of the roof area is completely unsympathetic to the heritage conservation area and is **likely to detract from the village profile of Camden**. The concept of using the loft area in a roof space has generally been considered as a bedroom or the like, but not a complete apartment. The proposed loft concept by the developers would create a building form incongruous with the heritage conservation area, because of its mass/bulk;
3. changing the current height standard for this development (through the SEPP 1 objection) **would create a dangerous precedent** for the Camden heritage conservation area;
4. as in the original proposal the total mass of the proposal and the dwarfing of Nant Gwylan, a listed heritage item, is absolutely inappropriate for historic Camden;
5. loss of country town ambience and over-urbanisation with loss to tourism potential. Also, overdevelopment of the site detracts from the ‘town farm’ potential. The development needs open space that will complement the rural idea;
6. lack of community involvement and therefore no mandate for such a significant contradiction of the current LEP, DCP's and other relevant commissioned reports for Camden;

7. As mentioned above there is the need for open space. The adopted DCP made provision for a park on site. The development is providing **57** residential units plus **108** senior living dwellings and **76** bed residential care facility; all these people will need easy access to a public park. The previous school provided its own open space and this development proposal provides none for the potential new residents of Camden. It should be noted that the 'green' area on the plan **is not open space but a private curtilage** for the heritage property 'Nant Gwylan'.

CRAG would like redevelopment to proceed on this site; however, the current proposal is a **significant over-development and does not comply with Council's DCP and LEP** that provide the appropriate directions, controls and guidelines for development in the 'heritage conservation area' within the historic Camden town centre.

The request by the developer by the means of the SEPP 1 objection to increase the height of his buildings cannot be justified in a heritage 'conservation area' as the final outcome would be a disastrous precedent for the rest of the township of Camden. Camden's unique character would be lost as the town would become like a suburb in Sydney with flats e.g. Randwick, Bankstown or areas of the North Shore.

Yours sincerely,

Robert Wheeler
President

CC:
Councillors
Heritage Branch
National Trust