

# Camden Residents' Action Group

*Incorporated*

*Camden – Still a Country Town*

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2 April 2026

Dear General Manager,

Re: Planning Proposal (PP 2020/1/1)  
5 Smalls Road, Grasmere (Lot 201 DP 734620)

This Planning Proposal (PP), first lodged in July 2020, required many modifications before its Gateway Determination on 18 November 2025. This submission builds on CRAG's previous objections<sup>1</sup> (dated 30 October 2024, 22 April 2022 and October 2020) and addresses the post-Gateway material.

The site is currently zoned Low Density Residential, Environmental Conservation, and Neighbourhood Centre. Located in a semi-rural area, mainly zoned low density residential, the PP seeks to enable a large mixed-use seniors' housing campus including 128 aged care beds, 154 standard ILU apartments, 87 premium ILU apartments, 75 villas, 75 assisted living apartments, a wellness centre, a "large" neighbourhood centre with health, retail and supermarket uses, and a childcare facility for about 90 children. Substantial amendments to ratified and adopted planning instruments, Camden LEP 2010 and the Camden DCP 2019, and exclusion of the site from the 2021 Housing SEPP 9.5 metre height rule for seniors housing, are sought to enable future DAs for the proposed intensive development to be approved.

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<sup>1</sup> Available at

<https://www.crag.org.au/wp-content/uploads/2025/03/30-October-2024-PP-Carrington-Smalls-Rd-Grasmere-lodged.pdf>

<https://www.crag.org.au/wp-content/uploads/2022/07/22-April-2022-Carrington-Smalls-Rd-Grasmere-CRAG-sub-as-lodged.pdf>

<https://www.crag.org.au/wp-content/uploads/2020/10/8-Oct-2020-Carrington-Smalls-Rd-Grasmere.pdf>

Our objections follow.

## **Deficiencies in the Case for Site-Specific Planning Changes**

The exhibited material does not establish a compelling or evidence-based justification for the proposed site-specific amendments to planning controls. The provision of seniors housing, services, employment, and ancillary uses—are not inherently dependent on the specific planning concessions sought. In particular, the PP fails to demonstrate that the extent of uplift sought—comprising increased height limits, departures from the Housing SEPP, and a bespoke LEP and DCP framework—is either necessary or proportionate in the overall planning context of the LGA.

A fundamental gap in the proposal is the absence of any comparative analysis. The applicant has not tested or presented a compliant or lower-scale development scenario that could proceed under existing planning controls. Without this, it is not possible to determine whether the proposed uplift is essential or simply preferred.

## **Height of buildings**

The PP seeks significant amendment to the Camden LEP 2010 height control and a site-specific exclusion from the NSW Housing SEPP 2021 for 5 Smalls Road, Grasmere site. These changes would enable much taller and more complex built form than currently permitted, tailored to the proponent's masterplan rather than strategic planning principles. Under the current Camden LEP 2010, the site (zoned Low Density Residential, Environmental Conservation, and Neighbourhood Centre) is subject to low-rise height limits appropriate for Grasmere's rural-edge character. The general LEP height limit in the Grasmere area is 9.5m and the height map indicates some proposed buildings up to almost twice that height.

The proposal seeks:

- Precinct- and building-specific height mapping across the site, including areas at 7m and 9.5m, with RL-based height datum (RLAHD) caps for the neighbourhood centre, childcare facility, independent living units (ILUs), assisted living, and residential aged care facility.
- 3–6 storey buildings in multiple locations, replacing the existing low-density residential height standard.
- Detailed building envelopes tied to particular design outcomes (e.g., nominated heights for specific structures).

This would create a highly bespoke framework rather than a strategic LEP control based on independent higher-level studies. The State Environmental Planning Policy (Housing) 2021 imposes a 9.5 metre maximum height standard for seniors housing in residential zones (section

84(2)(c)(i)). Allowing exclusion from the SEPP height limit would mean that future DAs are assessed against the proposed (various and higher) Camden LEP heights instead.

The Gateway Determination required that, prior to exhibition, the PP include an explanation of the rationale for excluding section 84(2)(c)(i) from applying to the site. The justification for departing from the Housing SEPP 9.5-metre height limits relies primarily on topography of the site, reduced earthworks, and design preference. These factors do not provide a sufficient or unique basis for exemption.

In effect, the PP reflects a preference for a particular master planned outcome rather than a necessity arising from site constraints. Sloping sites are common across Sydney and seniors housing is routinely developed within the Housing SEPP height framework. The proposal does not demonstrate why this site warrants different treatment from other comparable sites that remain subject to the same statewide controls. Nor does it establish that compliance with the height limit would result in unreasonable or unworkable outcomes.

Arguments against such proposed height variations to established current standards include:

**1. Precinct-specific heights are inappropriately detailed for the LEP**

LEP height controls should be broad, strategic, and durable. Mapping 7m/9.5m zones, RL caps, and building-specific outcomes is design-prescriptive. It locks Council into a masterplan that remains illustrative and risks later variation via clause 4.6 exceptions.

**2. Unjustified departure from statewide standards**

The 9.5m Housing SEPP cap exists to ensure seniors housing remains compatible with surrounding residential areas and avoids overdevelopment. Sloping topography (the proponent's main argument) is common across Sydney and does not justify disapplying a protective statewide standard.

**3. Creates risky planning precedent**

Approving a site-specific SEPP exclusion plus custom LEP heights for one rural-edge site sets a dangerous precedent. It undermines the Housing SEPP's purpose and invites similar "spot uplift" requests that are not supported by independent strategic studies.

**4. Visual and character incompatibility**

Even with the proponent's RL-based claims, 3–6 storey buildings in Grasmere would dominate the low-rise, semi-rural landscape. The draft DCP admits that taller structures depend on future vegetation screening for acceptability, confirming inherent bulk incompatibility.

## **5. Clause 4.6 vulnerability undermines certainty**

If approved, these "precise" heights remain subject to clause 4.6 variation at DA stage unless expressly excluded. Council would effectively grant SEPP relief and LEP uplift based on controls that may not ultimately apply.

## **6. Inconsistency with NSW Ministerial Direction 1.4<sup>2</sup> Site Specific Provisions**

Direction 1.4 is designed to prevent planning provisions that benefit a single landowner that are not available to other landowners. The PP is inconsistent with this Ministerial Direction, which requires that PPs avoid amendments to LEPs (unless shown to be of minor significance), that seek to allow a particular development on a specific site and specific entries pertaining to a single site into Schedule 1 of the LEP. The Gateway Determination would suggest that the PP's site-specific changes have been put forward as being of minor significance. Certainly, community opposition and the significant number of objections to the PP suggest that the changes are of major significance to the community. In this case, the other landowners not only do not benefit from similar height exemptions but are strongly opposed to the loss of rural amenity that the low-density zoning and 9.5m height limit, applying to all other properties in the area, presumably guarantees.

Furthermore, although the proposed changes to height limit would set an extraordinary precedent of intensification, the PP does not address their justification in terms of strategic planning in the LGA and public benefit.

## **Large Neighbourhood Centre**

Camden Centres and Employment Land Strategy and the Camden Development Control Plan (DCP) 2019, classifies retail and commercial hubs based on their scale, function, and catchment area. The proposal attempts to retrofit a large new centre into the hierarchy through a site-specific PP, bypassing the strategic process that normally tests and locates new centres. The site is not identified as a potential centre in:

- Camden LSPS
- Camden LHS
- Western City District Plan

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<sup>2</sup> NSW Government 13 December 2022 *Local Planning Directions 1.4 Site Specific Provisions*  
<https://www.planning.nsw.gov.au/sites/default/files/2023-03/local-planning-directions.pdf>

We argue that the proposed neighbourhood centre at 5 Smalls Road, Grasmere is unnecessary and certainly should not be misclassified as a “Large” Neighbourhood Centre. It would undermine the integrity of Camden’s carefully structured centres hierarchy and set a precedent for further ad-hoc commercial expansion in rural-edge areas.

Grasmere is defined by large lots, open landscapes, a rural-residential character and a visual buffer framing the Camden township. A large neighbourhood centre introduces urban scale built-form, hardstand parking, commercial signage and lighting and a suburban activity pattern incompatible with the locality.

Smalls Road is a rural-edge collector road with limited width, no pedestrian network and no public transport access. It is not designed for the traffic volumes, including delivery vehicles and service trucks, associated with a large neighbourhood centre.

Large centres are anchored by a supermarket beyond basic convenience retail outlets. They are found in much more densely populated areas such as Harrington Park and Spring Farm where the local population do their everyday shopping in their own suburbs, and only occasionally shop elsewhere.

A small integrated centre would meet the genuine needs of on-site residents and working parents if the seniors’ housing was to be approved. Medical consulting rooms can be provided as ancillary uses within the seniors housing and Camden already has a strong network of medical services within 5–10 minutes’ drive. Also, a large neighbourhood centre is not a prerequisite to providing a childcare centre on site.

Approving a “large neighbourhood centre” creates commercial land value with ongoing rental income streams. It is a proponent led outcome that is not a result of research into community needs and strategic studies. A single organisation is creating value for itself through a process that tests Council’s flexibility and willingness to depart from its own hierarchy.

There is no evidence that the community want or need a large neighbourhood centre. Instead, objections to date would indicate that the community sees it as a negative. Further, feedback to CRAG, regardless of any study purporting otherwise, indicates that the community does not accept that a large neighbourhood centre at Smalls Road would not detrimentally affect economic viability of retail businesses in nearby Camden Town Centre.

## Affordable Housing

Although the NSW Housing SEPP does not mandate affordable housing within seniors housing developments, the PP for 5 Smalls Road, Grasmere seeks significant planning concessions—including height variations, a “large” neighbourhood centre, and commercial uplift within a low-density, semi-rural setting. These concessions would create substantial land value uplift which indicates private organisational gain without public return.

Given the scale of the planning variations sought, it is reasonable and appropriate that the proposal, if approved, should deliver a meaningful public benefit. Affordable housing is a direct and socially valuable mechanism to achieve this.

Camden Council has formally endorsed an Affordable Rental Housing Contribution Scheme, scheduled to commence in 2028. The evidence of the need for affordable housing and developer contributions to support long-term housing affordability includes:

- A significant and growing shortfall in affordable rental housing across the LGA.
- Increasing housing stress among low- and moderate-income households.
- The rapid growth of Camden’s older population, many of whom are on fixed incomes.
- Older people—especially older women—are one of the fastest-growing cohorts in housing stress.
- Many older residents do not qualify for aged care but cannot afford private rental.
- Camden’s ageing population is increasing faster than the metropolitan average.
- Affordable seniors housing options in the LGA are extremely limited.

The 5 Smalls Road proposal is a seniors housing development that, if approved, could be uniquely positioned to respond to this need. The PP has generated much community concern regarding overdevelopment, traffic and access impacts, urbanisation and commercialisation of the rural-edge area and lack of strategic justification. Providing affordable seniors housing dwellings within the development would go some way to strengthening the proposal’s social licence by demonstrating genuine public benefit and contributing to Camden’s broader housing needs.

For instance, to align with Camden’s policy direction and deliver public benefit proportionate to the planning uplift sought, the proponent could offer or Council could consider requiring:

- A proportion of Independent Living Units (ILUs) dedicated as affordable rental housing targeted to older people on low to moderate incomes and managed by a registered Community Housing Provider.
- A monetary contribution consistent with the principles of Camden’s Affordable Rental Housing Contribution Scheme, paid at the time of development consent or occupation certificate.
- A combination of on-site affordable seniors housing and a monetary contribution.

## **Flooding and emergency access**

The suitability of the site hinges on reliable road network connectivity and there are critical access and evacuation issues during flood events. Flood-induced road closures could hinder evacuation, staffing, and servicing well before extreme flooding conditions. Ambulance demand is common with any aged care facility, making emergency access a core planning issue rather than a minor detail.

Camden's Nepean River Floodplain Risk Management Study and Plan (FRSMP, 2022) details access loss when depths exceed 0.2m, with many roads overtopped by 0.1m to 2.8m even in 20% AEP events; only Camden Bypass remains viable up to the Probable Maximum Flood.

Burraborang Road is cut in a 5% Annual Exceedance Probability (AEP) event between Cawdor Road and Remembrance Drive, potentially isolating the site via its single external corridor of Smalls Road, Werombi Road/Sheathers Lane, The Old Oaks Road, Burraborang Road, and Remembrance Drive.

The existing infrastructure supporting the proposed facility cannot be assumed to cope with the flooding, access and isolation risks.

This PP not only exacerbates risks by concentrating vulnerable populations and increasing evacuation stress and emergency demands contrary to flood controls and policy for new development, but fails to stress test flooding scenarios in terms of available infrastructure and services. It does not adequately address the fact that the facility cannot be left without reliable evacuation, staff and servicing access, and, critically, emergency services access.

This PP presents a consequential and serious risk assessment and planning problem that needs to be resolved if the site is to be considered suitable for the development.

## **Workforce constraints**

The proposed facility would be highly dependent on a consistent and substantial workforce across aged care, assisted living, childcare, retail, cleaning, maintenance, administration, nursing and allied support roles.

However, the site's semi-rural context, limited public transport, and constrained access network raise serious questions about its suitability for a large, service-intensive seniors housing development.

Local housing is poorly matched to the needed workforce and public transport is limited with the nearest railway station at least 18 kms away.

If staff are required to travel long distances by private vehicle, this introduces risks relating to:

- Workforce reliability and continuity of care;
- Increased traffic burden on local roads;
- Reduced resilience in emergency or flood conditions.

These factors compound existing concerns regarding flood isolation and emergency access, further undermining the appropriateness of the site for the proposed intensity of use.

## **Facility infrastructure costs**

The PP acknowledges that core infrastructure must be delivered upfront, such as

- Lead-in works and potential extension of trunk sewer infrastructure;
- Unresolved Section 73 servicing approvals and unallocated water capacity;
- Major electricity upgrades, including undergrounding, substations, and a new feeder extending several kilometres.

We submit that, particularly given the substantial site-specific planning benefits sought, that it is appropriate that a commensurate and transparent infrastructure funding framework be set that ensures that costs are fully borne by the development.

Without a defined plan such as a planning agreement or contributions plan, there is a risk that costs could be transferred, at least in part, to the broader community.

## **Biodiversity**

The proposal would result in the removal of 4.89 ha of Cumberland Plain Woodland which is legislated<sup>3</sup> for protection as a Critically Endangered Ecological Community. The proponent has declined to demonstrate that this impact is being appropriately considered in the PP through a referral to the Commonwealth Government under the EPBC Act. Instead, it is argued that a referral can only be made through a subsequent DA process. This is illogically counterproductive to assessing the PP and makes it difficult for the community to meaningfully comment on the environmental impact.

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<sup>3</sup> Biodiversity Conservation Act 2016 (NSW) and the Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth)

## **Heritage**

Heritage NSW has agreed that the 2021 Aboriginal Archaeological Survey Report, based on a 2020 survey of the site, can be updated via a site inspection by a qualified archaeologist, without the need for Aboriginal representatives to be present. This site inspection planned for Wednesday 4 March 2026 would have determined whether anything had changed or further archaeological fieldwork would be needed. The exhibited documentation does not appear to include a definitive up to date report on the site’s Aboriginal heritage. Again, this makes it difficult for the community to comment appropriately.

## **Conclusion**

The Planning Proposal for 5 Smalls Road, Grasmere seeks an unprecedented suite of site-specific planning concessions—height increases, SEPP exemptions, bespoke LEP and DCP controls, and the introduction of a seemingly misclassified “large” neighbourhood centre—without demonstrating that such variations are either necessary, strategically justified, or in the public interest.

The exhibited material confirms that the proposal remains fundamentally inconsistent with Camden’s adopted strategic planning framework, the Housing SEPP, Ministerial Direction 1.4, and the established centres hierarchy that protects the rural-edge character of Grasmere and the setting of Camden township.

The Planning Proposal fails to provide a credible evidence base for the scale of uplift sought, does not test compliant or lower-scale alternatives, and relies heavily on design preference rather than genuine site constraints. Critical issues—including flood isolation, emergency access, infrastructure capacity, biodiversity impacts, Aboriginal cultural heritage, and workforce feasibility—remain unresolved, despite the vulnerability of the future population and the intensity of the proposed land use. These are not matters that can be deferred to later stages; they go to the core question of whether the site is suitable for the development at all.

The proposal also generates significant private land value uplift without offering any commensurate public benefit. If Council were to contemplate such extensive planning concessions, meaningful affordable seniors housing contributions would be the minimum expectation to address Camden’s well-documented housing stress and to restore some measure of social licence.

For these reasons, CRAG submits that the Planning Proposal should not proceed in its current form. At the very least, it should not advance unless and until:

- the exemption from the Housing SEPP 9.5-metre height limit is convincingly justified,
- the site-specific height regime is abandoned or fully insulated from clause 4.6 variation,
- the proponent demonstrates that the planning uplift is genuinely necessary and not simply desirable,
- flood, hazard, access and emergency-service constraints are resolved with certainty,
- infrastructure delivery and funding responsibilities are transparently secured,
- biodiversity and Aboriginal heritage impacts are properly assessed and addressed, and
- a realistic workforce access model is established.

Absent these fundamental resolutions, the Planning Proposal represents an unjustified departure from sound strategic planning, exposes the community to avoidable risks, and undermines the integrity of Camden's planning framework.

CRAG therefore respectfully requests that Camden Council refuse the Planning Proposal.

Yours sincerely,

A handwritten signature in cursive script, appearing to read "Glenda Davis".

Glenda Davis

President