

Camden Residents' Action Group

Incorporated

Camden – Still a Country Town

Website: <http://www.crag.org.au/>

Face Book:

<https://www.facebook.com/CRAgcamdenresidentsactiongroup/>

PO Box 188

Camden NSW 2570

Email: admin@crag.org.au

Ph: 0415 617 368

General Manager

Camden Council

70 Central Avenue

Oran Park 2570

Email: mail@camden.nsw.gov.au

20 January 2026

Dear General Manager,

Re: 2-4 John Street and 11 Elizabeth Street Camden

DA s4.56 Modification: 2008/644/12

Staged redevelopment of the former Camden High School site comprising demolition of disused school buildings, remediation of contaminated land, earthworks, construction of 193 self-contained seniors living dwellings, a 76-bed residential care facility, a 51-bed motel, a restaurant, cultural and community centre, medical centre, 1 shop, undercroft and basement car parking and landscaping works

This DA has seen many modifications to what was originally approved in 2009, and we have lodged objections¹ to most of them. Modification applications appear to be lodged at each stage of the development, so we expect even more.

At the outset we submit that the modification application lacks sufficient analyses of the “sameness” between what is proposed and what was originally approved in 2009. The EP&A Act (s4.55, s4.56) requires that each modification result in *the same or substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)*.

This twelfth modification application involves changes to the design of Stage 4 Buildings 8 to 11 on the southeast side of the site, including joining and division of building envelopes to form three buildings out of four as originally approved², increasing the number of dwellings by 4 with some loss of soft landscaped area.

¹ Available at <https://www.crag.org.au/submissions/>

² Buildings 8 & 9 are joined in parts to form the proposed Building A; Buildings 10 & 11 are joined in part to form the proposed Building B; Building 11 is divided into forming part of Building B and part of Building C.

Importantly, this development stage is in close proximity to small scale private properties in Mitchell and Elizabeth Streets, four of which are individually heritage listed as well as being within Camden's Heritage Conservation Area (HCA).

Our objections follow.

Lack of transparency and information in the public domain

As previously raised and explained, we reiterate that what is appearing on site is not what the community was led to expect under the original approval. Most people relied on the hard copy Assessment Report and its references to heritage conservation which provide a different and perhaps confusing description of the proposal. It was very difficult to find the time in council office hours during the exhibition period in 2009 and then to picture the development details looking at large sheets at the front desk.

Until April 2021 when we lodged a GIPA request for documents there was little information in the public domain about the original approval or indeed the first modification in 2012. We were unsuccessful in gaining usable access to a supplement to the Statement of Heritage Impact with an Addendum Planning Submission as referred to in the 2009 Assessment Report. Although they no longer seem to be available, some approved stamped plans (including some 2012 stamped documents) supporting the 2009 DA approval were made publicly accessible on 12 May 2021. There are no documents on the DA Tracker relating to the 2012 modification, although it is post 2010³.

We do have on hand the 2008 Statement of Heritage Impact⁴ which was made available on the DA Tracker in relation to the 2017 modification to demolish the donut building (cited as precedent for three-storey building on the site).

Objection: Not all necessary documentation is publicly available that would allow the community to participate and have a voice in the planning process. Particularly given the ongoing modifications and the significant community interest in this development, we request that all necessary DA documentation be provided from 2008 on.

³ NSW GIPA Regulation Schedule 1, Clause 3.

⁴ Rappoport Pty Ltd 8 July 2008 *Statement of Heritage Impact Former Camden High School Site*. Available at Camden Council DA Tracker under DA 2008/644/3 as "Original Heritage Report".

Insufficient analyses as required under ss.4.55, 4.56⁵

This development was originally approved by a majority of councillors in 2009 who were provided with a staff Assessment Report⁶ based on analyses of documentation provided by the applicant, including architectural plans and statement of heritage impact.

It must of course be assumed that what is included in the Assessment Report, including the importance of integrating the seniors' living development into the (then proposed) HCA and justification provided for breaching the 7m height and two-storey limits, is reflective of all and any supporting documentation regardless of whether they are publicly available or not.

The proposal as put to the community and councillors at the time was that the development would be compatible with the open and fine grain character of the heritage town. The heritage listing describes HCA fabric as small scale and articulated. Camden DCP refers to its unique roofscape of smaller roof forms, a two-storey height limit and avoiding large built forms in cottage dominated precincts (such as Mitchell Street) through the use of various roof forms and pitches, wall openings and recesses, materials, recessive colours and landscaping.

In particular, consolidation of buildings is not consistent with the original reasons for approval. The 2008 Statement of Heritage Impact emphasises that to more effectively blend into the old town, the bulk of the facility should be broken into smaller buildings, that street frontages should read as two-storey with varying setbacks and that the historic development pattern should be respected.

We particularly objected to the 5th modification, consolidation of Buildings 3 and 5 and the 9th modification, consolidation of Buildings 4 and 6 and refer to our submissions on them.

Very surprisingly, in assessing the heritage impact of this modification the 2025 Statement of Heritage Impact⁷ refers to the ninth modification involving consolidation of buildings rather than what was originally approved. It makes several references to modification 2008/644/9 such as: *The proposed works are largely in keeping with the approved building footprint, height and massing of the approved scheme, and are similar to the approved 4.56 works to Buildings 5 & 6 under 2008/644/9.*

This claim of similarity is not demonstrated and our understanding is that it is irrelevant under s4.55 and 4.56 of the EP&A Act.

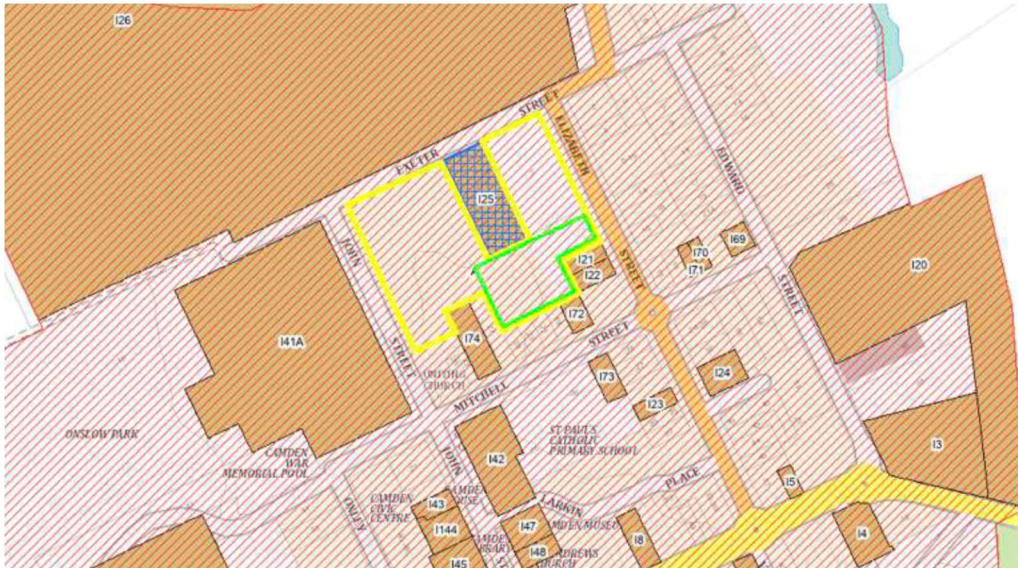
⁵ We are unclear why either s4.55 (Council consent) or s4.56 (Court consent) is referenced in different modifications

⁶ Camden Council 08 September 2009 *Ordinary Council Meeting Ord04* Available at <https://www.camden.nsw.gov.au/development/former-camden-high-school-site-redevelopment>

⁷ Weir Phillips Heritage and Planning 4 November 2025 *Statement of Heritage Impact Buildings 8-11, Camden Grove Complex*

In any case, this modification of these buildings is fundamentally more sensitive due to the close proximity to small scale private properties in Mitchell and Elizabeth Streets.

This heritage assessment does draw attention to the HCA and the many listed heritage items within close proximity of the development site.



Source: Weir Phillips 4 November 2025 *Statement of Heritage Impact Buildings 8-11, Camden Grove Complex Figure 10*

But surprisingly we find no reference to Camden DCP or Camden Town Centre Urban Design Framework which particularly refer to heritage items and buildings within heritage conservation areas. Relevant elements in relation to the requested consolidation such as height, scale, bulk, setbacks and mass configuration within a fine-grained heritage town are not compared to the original approval or addressed in any detail within the Camden's heritage planning framework.

Overall, we find the 2025 Statement of Heritage Impact offers a list of opinions, under Effect of Works on Camden HCA (9.1), State Listed Item (9.2) and Locally Listed Items (9.3), without substantive explanation or analysis.

Extraordinarily, the impact of the works on the non-listed single storey cottages of Mitchell Street which are family dwellings as well as part of a contributory streetscape in the HCA is not addressed. This is a major omission.

Given the attention paid to the heritage impacts of this development in 2009, we respectfully suggest that a rigorous Heritage Impact Statement be required before further processing this application.

We also find that the analysis in *Section 4.56 Modification Planning Statement*⁸ cannot be easily referred back to the original approval especially as there are confusing references to “storeys” and heights.

Limited building height and number of storeys as conservation measures under the planning instruments were of course major considerations in the original approval. We respectfully suggest that consistent analysis be required.

Objection: Documentation accompanying this modification application provides insufficient analyses to ascertain whether what is proposed is substantially the same as originally approved.

Height

The 2009 Assessment Report provides a section headed *Justification for height variation having regard for the heritage*.

The justification states (p. 11) that the proposed development would be low-rise in nature (being one to three storeys + loft) and be generally consistent with the scale of the surrounding area and moreover that the scale of the development would be reduced to reflect that of surrounding properties so the built form of the locality would not be dominated. This point was further emphasised by these statements:

The proposed development adjoining the heritage listed properties along Mitchell Street will be separated by an 11m landscaped buffer and will be one to two storeys + loft in height. Similar roof forms to those that characterise the existing buildings and roof forms that pitch away from the surrounding houses will also ensure that the setting of the dwellings along Mitchell Street is respected. The proposed development to the rear of the Mitchell Street properties will be similar in height to Taplin Cottage and will not dominate views to and from the heritage listed property. The proposed buildings will not unnecessarily or unreasonably intrude upon the existing character of buildings in the locality (p. 11).

The proposed buildings to the rear of the Mitchell Street properties have been reduced by one storey (so that they are similar in height to Taplin Cottage) and set further back from the property boundary to ensure that they do not dominate views to and from any of the surrounding heritage listed properties. The proposal will respect the historic setting of the Wesleyan Church House on Elizabeth Street and will maintain streetscape continuity as much as possible by separating the single storey cottage from the development with a landscaped buffer area and by reducing the scale of the façade of that part of Building No 11 that is closest to the common property boundary. (p. 13).

⁸ APP Group 5 November 2025 *Section 4.56 Modification Planning Statement*

Although not specifically relevant to this modification application but to the height and scale of the HCA as a whole, it was further indicated in the Assessment Report (p. 12) that the street façades of the proposed buildings were designed to read as two-storey, by setting the third storey back behind the building line and incorporating attics within the roof space, so that the streetscapes would be more compatible in form and height with the built form of the surrounding area.

The 2008 Statement of Heritage Impact is largely consistent with the above statements from the Assessment Report.

It is clear that the Applicant was fully aware of the planning restrictions associated with conservation of the village form and sense of place of the 1840 Macarthur town and the need to present arguments to sway Council to waive them.

Confusingly given the justifications presented in the Assessment Report, it nevertheless stated (p. 9) that the development was to accommodate 15 buildings, 12 of would be three storeys and loft over basement. Buildings 9, 10 and the eastern part of building 11 would be two storeys and loft over basement in order to:

- Minimise their bulk and scale when viewed from surrounding properties;
- Minimise height variation between the proposed buildings and buildings on adjacent sites and thus better integrate the proposed development with the existing surrounding built form;
- Mitigate against the potential for the development to result in adverse massing, overshadowing and privacy impacts on the occupants of surrounding development.

The confusion about what was approved in 2009 is exacerbated by height and storey details in the *s4.56 Modification Planning Statement*. It states (p. 5) *Stage 4 Buildings 8 to 11 is the subject of this proposed modification and was approved in the original consent for development of 4 multi-storey buildings that are part 3 storeys and part 4-storeys in height above basement parking...* It sets out (p. 9) the proposed new configuration as below:

Table 3 – Approved and proposed building heights

Approved		Proposed Modification	
Building	Approved Height	Building	Proposed Height
Building 8	- 4 storeys - APPROX. AHD 86.62	Building A	- 4 storeys - AHD 86.27
Building 9	- 3 storeys - APPROX. AHD 82.82		- 3 storeys - AHD 82.81
Building 10	- 3 storeys - APPROX. AHD 82.82	Building B	- 3 storeys - AHD 82.81
Building 11	- 4 storeys - APPROX. AHD 81.21		- 4 storeys - AHD 86.27
	- 3 storeys - APPROX. AHD 78.82	Building C	- 2 storeys - AHD 80.92 - 3 storeys - AHD 79.04

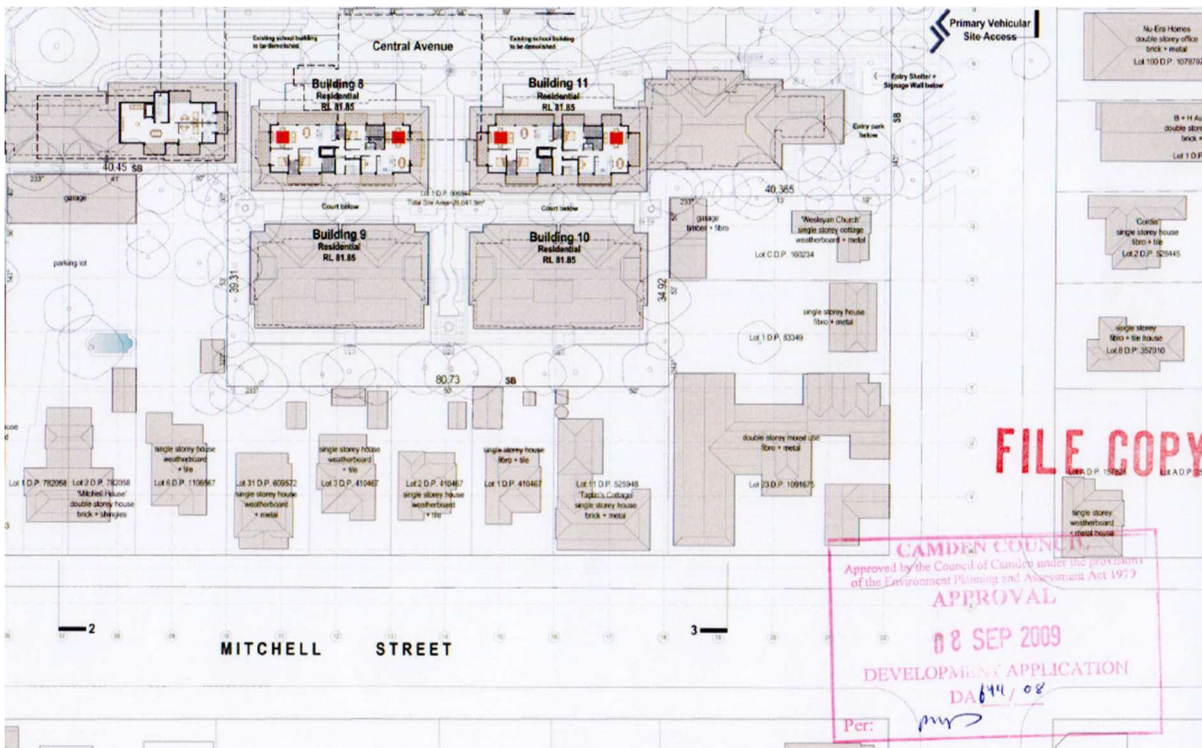
Source: APP Group 5 November 2025 *Section 4.56 Modification Planning Statement* (p.9)

The heights of the single-storey cottages in Mitchell and Elizabeth Streets are well below the HCA limit of 7m, intended to accommodate two-storey buildings.

From the plans made available in 2021, the ground level of proposed buildings adjacent to private properties in Mitchell and Elizabeth Streets would seem to be at RL 72.70. It is difficult to be sure, from the 2008 extract below, but the ridge heights of Building 9, 10 and 11 would seem to be at 81.85 which we think would be about 9.15m height. This would represent approximately a 30% height exceedance of the LEP standard, and up to double the height of some of the single storey cottages.

These numbers are not consistent with the “approved” heights included in the above table extracted from the Modification Planning Statement. Of course, any four -storey parts of the buildings that would be much higher again than indicated in our height estimate above.

It is very unclear why four storeys for Building 8 would be shown as 86.62 but 81.21 for Building 11. We could not find any additional information on hand about Building 8 and 11 being originally approved as four- storeys. We could be wrong, but we estimate a ridge height of 86.62 to be a tall four-storey at approximately 14m, a 100% height exceedance of the LEP standard. We find it difficult to believe that if councillors at the time had understood this that the DA would have been approved.



Statements in the Assessment Report were accepted as official documentation to be relied upon by the community and Councillors tasked with making a decision about the DA. References to “storey” were in relation to the limits as understood in the planning instruments of 2008 which were the same as in today’s 2010LEP and 2019DCP.

We do question how the description in the 2009 Assessment Report building descriptions of two or three storeys and loft otherwise also described as incorporating attics within the roof spaces (p. 12) can result in equivalent heights of three and four storeys respectively.

It would seem that the “loft” morphed into a storey with the roofline often extending well above the window level, instead of what was subsequently promoted by the site owners as three-storey plus loft as shown here.



On balance the height of the buildings would seem to be increased over the original approval. Not having all documentation, or a clear copy publicly available makes it difficult to comment with any exactness.

Certainly, the community, and possibly at least some councillors at the time of making the approval decision were not aware of these very significant height exceedances. The wording of the 2009 Assessment Report would not lead one to suspect them.

It is a source of significant consternation in the community that what is appearing on site is not was understood or expected. To our knowledge there was never any indication that the height of buildings could be as much as double the height standard in the HCA.

Objection: the community is incredulous about the heights of buildings appearing on the site and the lack of definitive and consistent documentation to hand exacerbates the confusion about what was originally approved. We believe that the modification documentation is deficient as it lacks clear and evidenced analysis of height approved in 2009 compared to what is now proposed, including justification of any height increase (which we believe would require a LEP4.6 variation request).

Affected home owners

The documentation presented with this modification application is particularly relevant in relation to impacts on individual dwellings and their occupants in Mitchell and Elizabeth Streets.

Heritage-listed Mitchell House is the only two-storey building in the section of Mitchell Street immediately adjacent to the development site. Although just outside the building footprint of this development stage, it is in close proximity.



Heritage-listed Taplin Cottage is an historic low-scale building, possibly the oldest in Camden. Although specifically referred to in the justification as requiring sensitive treatment, the proposed buildings would be extremely dominant and by no stretch of the imagination be of similar height and scale.

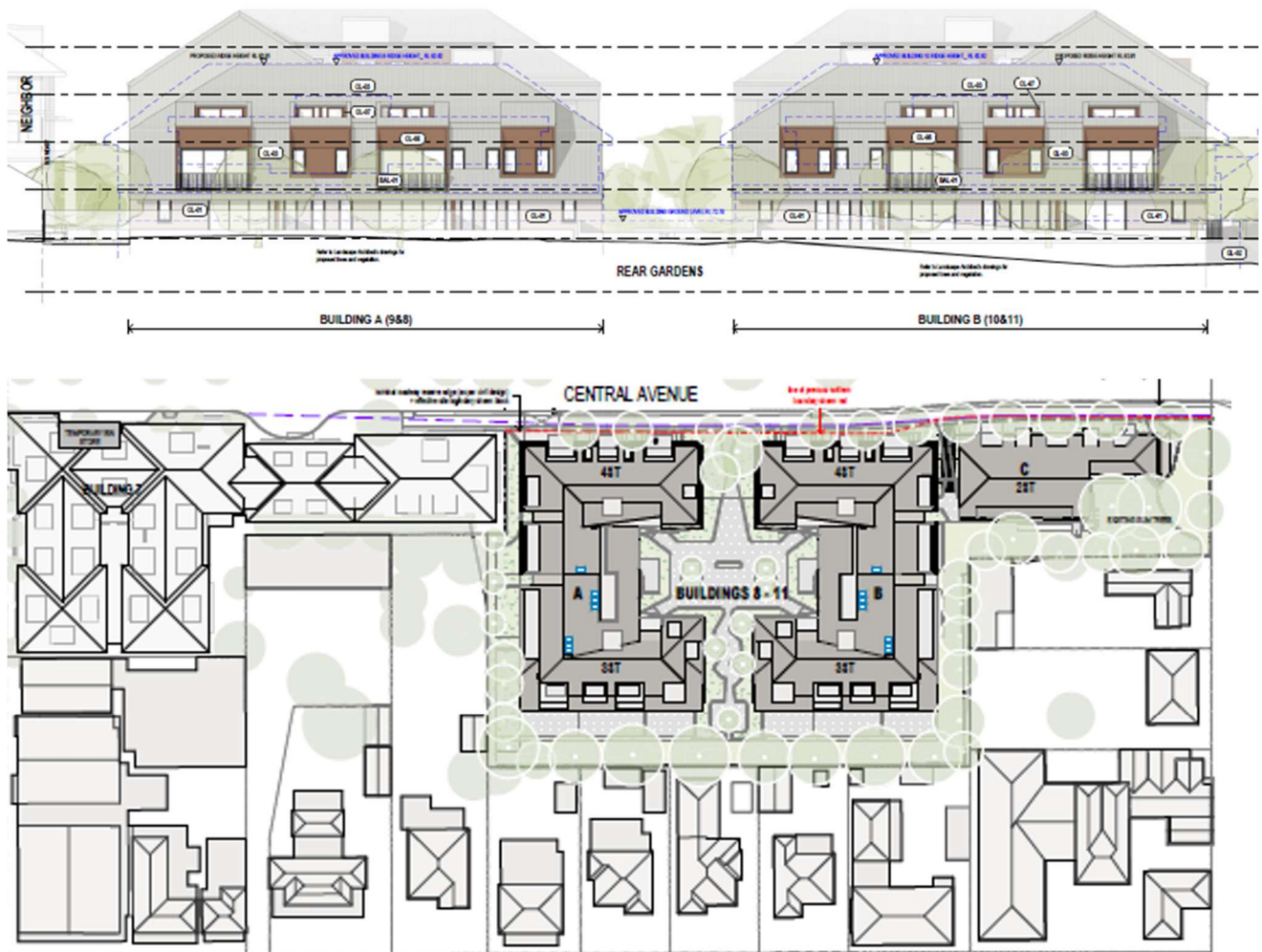


Similarly, the low-scale and heritage-listed cottages in Elizabeth Street would be completely dominated by the height and scale of the proposed buildings.

Although not addressed in the 2024 Statement of Heritage Impact, there are other non-listed single-storey homes in this section of Mitchell Street adjacent to the development site.

The following commentary is explained through diagrams extracted from the Architectural Plans unless otherwise noted.

As explained above and shown below, the proposed buildings at the back of the Mitchell Street cottages are equivalent to three-storey in height, likely around 5m taller than small scale one-storey domestic dwellings, with four-storey behind.

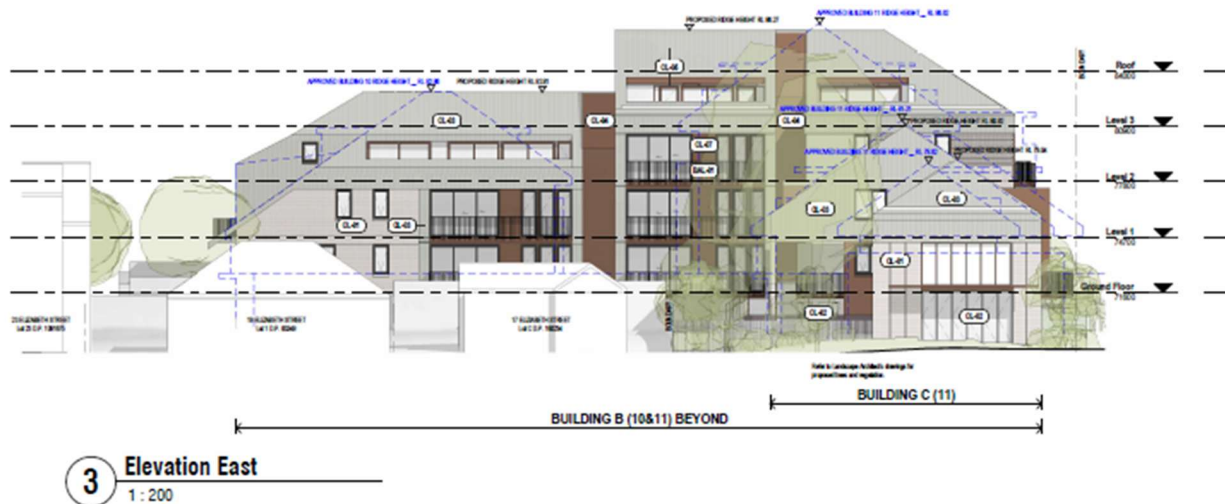


We do not agree with many statements made in the *Modification Planning Statement*⁹. They are largely unevidenced. In particular these statements about the proposed modification are unlikely to be accepted by owners and residents of the affected properties:

- It has minimal to negligible impact on surrounding properties in terms of building scale, solar access, outlook and views, and visual and acoustic privacy,
- It presents a suitably modulated and articulated architectural design and residential character,
- It provides reasonable visual privacy being compliant with minimum building setback / separation distances for habitable spaces consistent with the approved plans.

The elevation and visual impressions below tell a different story about the impact on Mitchell and Elizabeth Street cottages.

The Architectural Plans do not provide a southern elevation that shows the scale of the houses with the proposed buildings behind them, but the eastern elevation clearly shows the difference in height and scale with the heritage-listed cottages in Elizabeth Street.



The looming large edifices do not suggest privacy, visual amenity or reflect residential character as claimed.

Whilst accepting that the parts of the buildings closest to the cottages do present as two-storey with loft, they are much higher than the 7m height limit standard intended to accommodate two-storeys. They are also not fine-grained as required in the HCA under the planning instruments.

⁹ APP Group 5 November 2025 *Section 4.56 Modification Planning Statement* (p.31)

In addressing the impact of this proposed twelfth modification, the 2025 Statement of Heritage Impact offers a number of opinions such as:

*The proposed works will have no physical impact on any contributory fabric within the HCA, and will not impact the historic and aesthetic significance of the HCA.
All proposed works are well removed from the buildings outside of the Camden Grove complex.
The works will be minimally visible within the HCA.*

These statements are subjective unless evidence and explanation is forthcoming. The Camden Urban Design Framework and DCP make clear that the character of the HCA is one of small scale, fine grain rural character.

It is fairly certain that the owners and residents of many properties in the HCA would not agree that the works are “minimally visible” and “well removed” from them.

As shown in the artists impressions below, there would also seem to be potentially major overlooking issues with windows and balconies facing the private back yards of the cottages.



View from Adjoining Mitchell Street Properties towards Buildings A (9 & 8) on the Left and Building B (10 & 11) on the Right
Eye-Level Elevation approximately 5 m above Natural Ground Line
Indicative Trees Shown



View from Adjoining Mitchell Street Properties towards Buildings A (9 & 8) on the Left and Building B (10 & 11) on the Right
Eye-Level Elevation approximately 5 m above Natural Ground Line
Indicative Trees Shown



View from Adjoining Mitchell Street Properties towards Buildings A (9 & 8)
Eye-Level Elevation approximately 1.7 m above Natural Ground Line
Indicative Trees Shown

As shown below, much of the 10.975m¹⁰ ground floor setback from the properties in Mitchell Street is paved private terrace extending the living area of the buildings, leaving less for deep soil and potential vegetation screening, which would in any case take many years to reach a level that would afford much privacy or visual and acoustic amenity. Similarly, the upper floor balconies extend living space into the setback and provide what would seem to be excellent views into Mitchell Street properties. Extending living areas into the setback reduces privacy and acoustic amenity for affected residents of Mitchell and Elizabeth Streets.



Ground Floor Landscaped Area Proposed

What is proposed contrasts starkly with what is shown as approved¹¹:



Ground Floor Landscaped Area approved

The plans state that the deep soil area (shaded green) has been reduced from the approved 1154.1m² to 409.8m², although the proposed development is denser than that approved. This is not acceptable. The deep soil area, unbuilt-upon natural ground, is more important the denser the development. It allows for the planting of large trees and the infiltration of rainwater, urban cooling, and maintaining local amenity, all considered very significant for environmental sustainability.

¹⁰ We understand it is approved as 11m.

¹¹ We have no way of verifying what was approved in 2009.

Objection: The modification application does not appear to compare the proposed revised height and scale of the buildings, with the letter and spirit of what was presented to council and understood by homeowners in Mitchell and Elizabeth Streets.

Objection: The proposed buildings unreasonably intrude upon the character of Mitchell and Elizabeth Streets and are incompatible with the fine grain and sense of place of the HCA as a whole.

Objection: The impact of the proposed modified buildings on affected home owners' rights to privacy and quiet enjoyment of their properties has not been addressed. The impact is likely to unfairly and significantly disadvantage residents if the modification proposal is not amended to protect their rights.

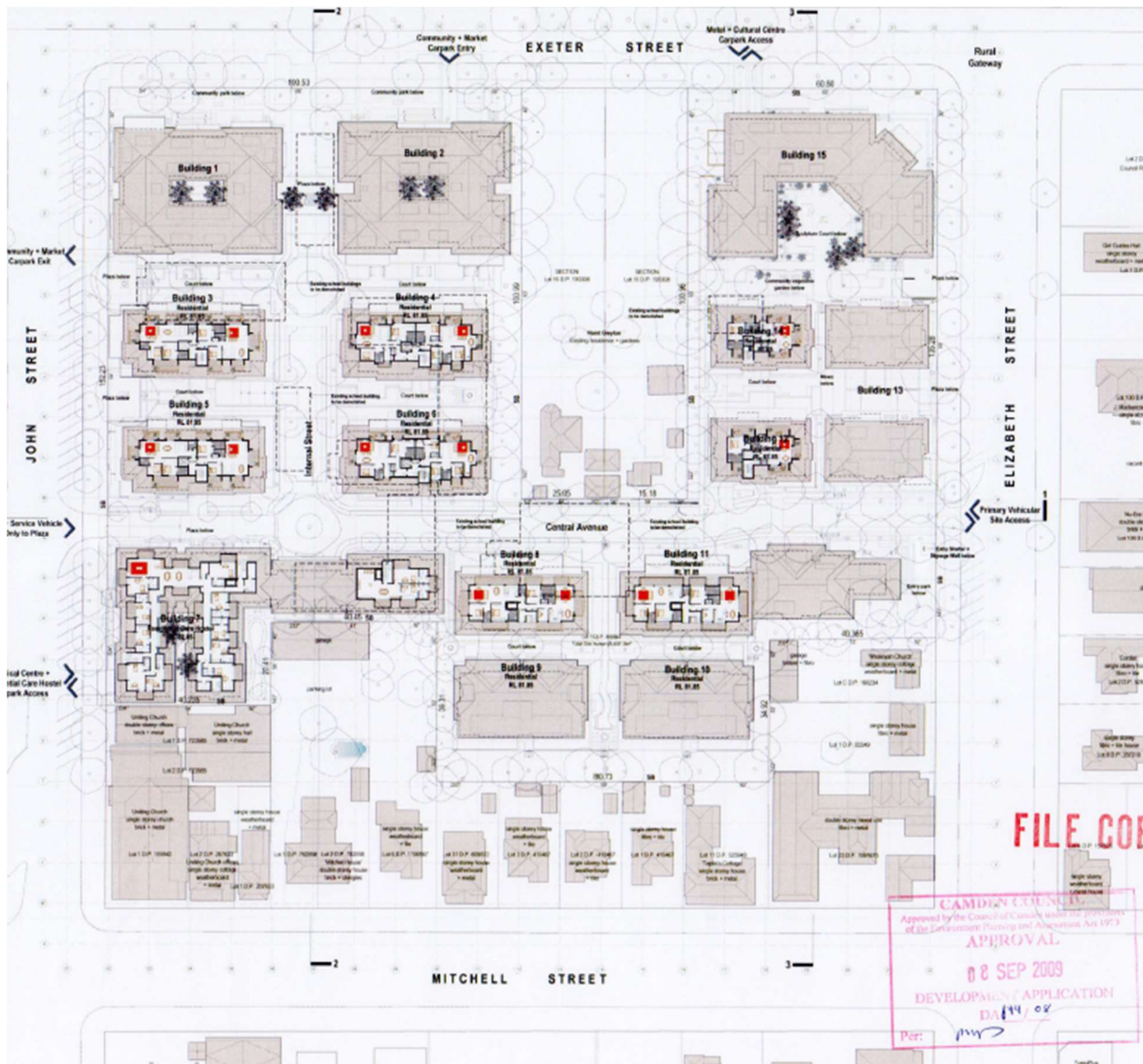
Objection: the loss of deep soil area:

- **is not acceptable environmentally;**
- **reduces potential mitigation of undesirable outcomes for residents of Mitchell and Elizabeth Streets.**

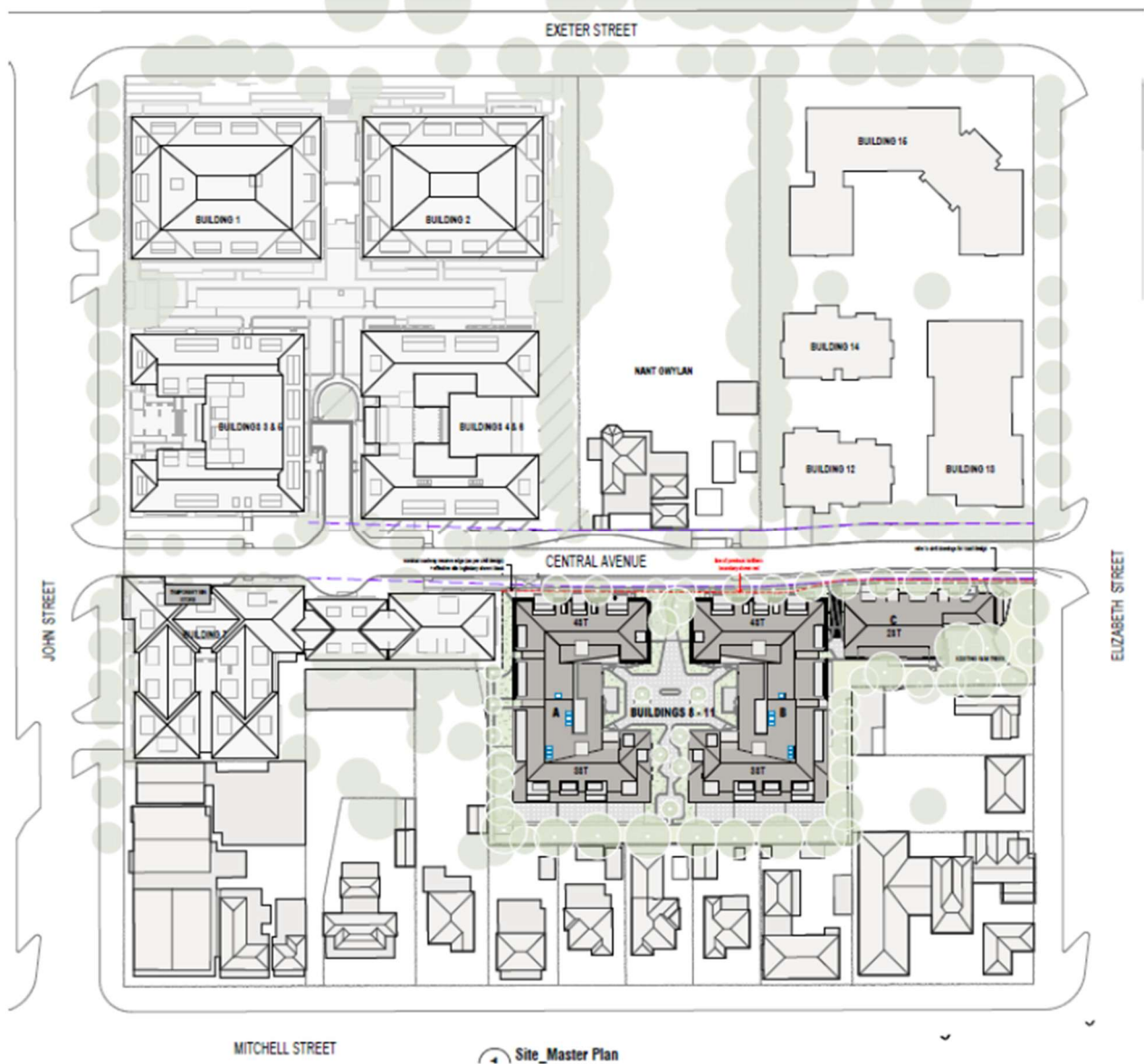
Mass, Density and Intensity of Land Use

The 2009 Assessment Report and original Heritage Impact Statement, perhaps wrongly, allayed community concerns about the appropriateness of building mass and density of the development within the 1840 Macarthur town.

Since 2009 there have been a number of modifications. The site diagram extracted from the original approval and the site diagram accompanying this modification are shown below.



Source: Camden Council 8 September 2009 DA 2008/644/1 approval



Source: Includesign 29 August 2025 *Architectural Plans*

The original site plan shows smaller building footprints and more openness than the 2025 site plan which includes the 5th modification to consolidate Buildings 3 and 5, the 9th modification to consolidate Buildings 4 and 6 as well as this 12th modification proposal involving reconfiguration and consolidation of four buildings into three.

The comparison between what was approved and what is now on the table shows a marked increase in building density on site making the development configuration more urban and not at all reflective of the town’s original and unique country character as promised in the original Assessment Report. With so many modifications, the original concept has been lost and modification would seem to no longer even pay lip service to compatibility with the human scale fabric of the town. This represents a breach of faith with the community which trusted the planning process.

The original consent included retention of the donut building, 57 Multiple-Unit Dwellings and 108 Self-Contained Seniors Living Dwellings. The first modification in (DA2008/644/2) reduced the number of approved multiple-unit dwellings from 57 to 26, increased the number of approved self-contained seniors living dwellings from 108 to 162, replaced 5 shops on the ground floor of Buildings 1 and 2 with residents' facilities and also made other various layout and design changes. In 2018 the donut building was approved for demolition and so on.

Today this proposed modification (DA 2008/644/12) describes the development as including 193 self-contained seniors living dwellings and one shop (and no multiple-unit dwellings). This represents an increase of 28 dwellings (17%) over what was originally approved, with this modification accounting for 4 of them and a reduction in open space.

All modifications to date claim that the development is substantially the same as originally approved. In this case the urbanisation of the site within a rural town, the number of dwellings, overall bulk of buildings and their footprints have increased through many and various modifications over a long period. If they had been presented as one modification, would they have been approved? The question arises as to when the development stops being substantially the same.

We submit that the increased mass, density and intensity of this modification is beyond the point of saying enough is enough, a new DA is required.

Objection: The modification application does not address the context of the development site within a unique heritage town acknowledged to be of state significance. The mass and density of building appearing on site is detrimental to its historical value. Any modification application, including this one, should address the rural character of the town and how its uniqueness and heritage is to be conserved. A rigorous and independent Statement of Heritage Impact is required (as previously explained the one accompanying this modification is insufficient and deficient).

Objection: This modification has stretched the reasonableness of modifications under ss4.55, 4.56 to a 2008 DA more than too far. A new DA is required.

View-lines:

The 2009 Assessment Report (p.7) states under *Assessment*:

The development footprint has been amended to limit any impact on significant views, particularly with the urban/rural interface of Exeter Street.

The development obstructs the view from St Johns to the rural interface with the town and dominates the view to the town from the Town Farm. An element of Camden's renowned heritage significance and its design is the central focus of St John's on the hill and the town's village profile (all designed in 1836 by the Macarthur brothers and Sir Thomas Mitchell). The development is thereby degrading what is historically important.

Objection: To date, the modification applications to our knowledge do not address the wider cumulative implications of their impact on view-lines including the unique profile of the town. We ask that Council require the developer to report with evidence on these key elements of Camden's heritage, and that the information be critically assessed in the approval process.

Public access and amenity:

A key part of the 2009 Assessment Report was incorporating the development into the life of the town, for instance it states:

*It is recommended that a condition be placed on the consent requiring these Premises recreational facilities) including the function room and community centre to be used as a public place of entertainment (p. 5). **Condition 7. Place of Public Entertainment** – A separate development application is required for the use of the premises as a place of public entertainment (p. 45).*

It is not clear what access the public will have to recreational and entertainment amenities.

Pedestrian through-site links have been incorporated into the design to provide a level of public access to the site not available since prior to its use as gasworks. These links are defined as avenues and landscaped streets with important corner elements and public spaces defined for orientation and recognition. A network of street based public plazas have also been incorporated into the design to provide a high level of public amenity, opportunities for generous landscaping and to ensure that the development reflects the scale and urban diversity evident elsewhere in the Camden Town Centre. (Justification, p.12).

It is not clear that public access is to be integrated into the development as described above. It seems that the development is becoming so dense that even residents will have little through access and open congregation areas within the complex.

These matters, as understood at the time of the approval, and one reason why the community and councillors were supportive of the proposal, are important to the well-being of the Camden population.

Objection: To date, the modification applications to our knowledge do not address their community impact and how the development socially and practically is to become part of the town as intended. We ask that Council require this to be tested and openly advise on how these public access and amenity outcomes are being delivered.

We also take this opportunity to ask:

- Whether a row of Jacaranda trees adjoining the eastern boundary to Nant Gwylan that were to be retained, which according to the 2025 Statement of Heritage Impact were recorded as extant in 2022, remain healthy?
- Whether other large trees on site that we remember being flagged for retention, have been retained? As stated in the 2009 Assessment Report (p. 12): *Furthermore, the retention of mature trees and the provision of additional landscaping will ensure that significant view corridors are enhanced by the proposed development.* However, it seems the site has been largely razed.
- When the Archival Record of the High School is to be published? The High School buildings have long been demolished. It is a condition of development consent (5.4) that *the buildings and setting be recorded through a photographic archival recording in accordance with the most recently published guidelines set by the Heritage Branch, Department of Planning prior to their demolition.* As noted in Council's Report and Resolution of 8 September 2009, the High School site had been identified as a potential heritage item of social and historical significance, one that required an archival record incorporating some interpretative feature or landscaping to record its history. We understand this record is long overdue.

Conclusion

This is the twelfth modification over a period of almost 17 years. As covered above, we have many objections to this modification and conclude that it should not proceed because it fails both the statutory “sameness” tests and the community expectations created in 2009.

The cumulative effect of successive consolidations and dwelling increases has shifted the project from the fine-grained, village-scale concept that underpinned community and councillor support in 2009 to a much denser, more urban complex that undermines Camden’s recognised heritage character and landscape setting. The opinion commonly expressed is that the development is degrading the heritage town.

Certainly, rigorous, like-for-like analyses of height, scale, density, deep-soil areas, heritage impact, view-lines and public access outcomes between the original approval and the modification, as would reasonably be expected, have not been provided in the documentation. Such analyses would show good faith with the community, which was trusting and generous in supporting the original development plans.

Key assessment material is incomplete in the documentation and largely publicly inaccessible, the current heritage and planning statements rely on unevidenced opinions and comparisons to prior modifications rather than to the original consent, and they do not clearly address and comment on potential height exceedances, increased bulk, reduced landscaping, privacy impacts, further view-line loss or the erosion of promised public access and amenity.

In short, the modification documentation does not adequately demonstrate that the proposal is “the same or substantially the same” development as that approved in 2009, particularly in relation to height, massing, density, deep-soil provision and the resulting impacts on the Camden Heritage Conservation Area and adjoining dwellings in Mitchell and Elizabeth Streets.

On this basis, we contend that the threshold for permissible modification under ss4.55–4.56 has been exceeded.

We ask that the lodgement of a new development application be required.

Yours sincerely,



Glenda Davis
President