

Camden Residents' Action Group

Incorporated

Camden – Still a Country Town

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General Manager
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Attention: Mrs L Poulton, Executive Planner/Assessment Officer (DA 2008/644/12)

27 February 2026

Dear General Manager,

RE: Section 4.56 Modification Application – DA 2008/644/12

Camden Grove Retirement Village – 2–14 John Street and 11 Elizabeth Street, Camden NSW 2570

Dear Mrs Poulton,

Please accept our apologies for the timing of this submission. We only became aware of the issue concerning the deletion of the archival record condition (formerly Condition 7.0(4)) recently and upon receiving confirmation correspondence from Mr R Pritchard on 6 February 2026. A cc of our response to this correspondence is attached. We are making this submission at our earliest practical opportunity, given the public-interest nature of the matter and its relevance to the assessment of DA 2008/644/12.

1. Purpose of this submission

We write as an addendum to our submission, lodged on 20 January 2026, regarding the s4.56 modification application (DA 2008/644/12) for Camden Grove Retirement Village. The application proposes changes to the approved configuration of Buildings 8–11 (now proposed to be reclassified as Buildings A, B and C), including an increase of four units, reconfiguration of all levels, minor changes to maximum RLs, gross floor area, landscaped area and communal open space, and changes to external colours and finishes.

This additional submission focuses on two public-interest matters that remain important for this site:

1. the need for a substitute heritage record and a permanent on-site acknowledgement of the place, following Council's confirmed, intentional deletion of the archival record condition; and
2. the need for a clear, consolidated explanation of how the development has changed over multiple modifications and how the current scheme differs from the original approval.

2. Council's advice regarding deletion of the archival record condition

We enquired about this deletion when it accidentally came to our attention. Council advised in writing that the archival record condition (formerly Condition 7.0(4)) was intentionally deleted in s4.55 Mod 2008/644/10 on the basis that compliance was said to be impossible because demolition of the relevant buildings had already occurred and Council had been advised that no archival recording had been undertaken.

We acknowledge Council's position as to why the condition was deleted. However, deletion does not address the underlying outcome the condition was intended to secure: an enduring and accessible record of what existed on the site and why it matters to Camden's history and community.

3. Why a substitute record is particularly important for this place

This site has layered historic associations that are widely understood in the Camden community, including:

- the social and cultural connections of Camden families and generations of community engagement with the high school;
- the site's former use as the town's gas works, and the later discovery of contamination requiring major investigation and remediation;
- the subsequent impacts on surrounding land use, including the relocation of the town's high school and community understanding of the place over time.

Redevelopment decisions for the site have been made in the context of managing contamination and remediation requirements and associated staging considerations.

These points are not raised to reopen settled matters, but to underline that the site's story is of genuine local significance and is likely to be evidenced through a mix of Council records and substantial community-held material.

4. Community-held material is likely to exist and should be formally gathered

Given the site's long public profile and its associations with the gas works history, contamination/remediation, and its major social infrastructure as the town's high school, it is highly likely that relevant documentary material exists outside Council files, held within the community (photographs, local press, newsletters, reunion collections, personal albums and similar).

It is therefore both practical and desirable that any replacement archival record condition include a structured community collection step — a time-limited call for material, documented enquiries, and incorporation of verified items — so the public record does not rely solely on what happens to be in historic Council files.

5. Multiple modifications: the need for a clear “changes narrative”

DA 2008/644 has been subject to numerous modifications over time (commonly understood to be around thirteen). For a s4.56 modification of this kind—affecting yield, built form, levels, and finishes—there is a clear public benefit in requiring the applicant to provide a consolidated explanation of:

- what has changed across the life of the consent; and
- how the current proposal differs from the original approval in terms of overall configuration, yield, bulk/scale, landscaped and communal open space outcomes, and the site’s interface with surrounding streets and public areas.

This is a straightforward transparency measure to assist Council, the community, and decision-makers to understand cumulative change.

6. Requested outcome

Accordingly, we request that Council, in assessing or determining DA 2008/644/12, recommend or impose the replacement heritage and transparency conditions set out in the appendix below.

7. Closing

Thank you for considering this additional submission. Please contact us if Council requires any clarification of the requested conditions or their proposed triggers.

Yours sincerely,



Glenda Davis
President

APPENDIX: Requested conditions (suggested wording)

A. Heritage Archival Record (Alternative Means and Community Collection)

1. **Timing / precondition:** Prior to the issue of any Construction Certificate for works approved by this modification (or, where no Construction Certificate is required, prior to commencement of any works approved by this modification), the applicant must prepare and submit to Council a **Heritage Archival Record** for the former place and its setting at **2–14 John Street / 11 Elizabeth Street, Camden**, including the site's historic associations (including former gas works use, contamination/remediation history, and subsequent community impacts).
2. **Alternative means:** As relevant structures have already been removed, the archival record must be prepared by alternative means, drawing on all reasonably obtainable sources, including (as available):
 - (a) historical photographs (including community collections);
 - (b) the Heritage Impact Statement and any previously approved plans, elevations and photographs held by Council;
 - (c) aerial imagery and publicly available mapping/imagery sources; and
 - (d) any developer/builder/real estate imagery or documentation.
3. **Formal community collection requirement (reasonable enquiries):** The applicant must undertake and document reasonable enquiries to gather historic material held in the community, which must include, at a minimum:
 - (a) a public call for material published for not less than **28 days** on a publicly accessible page and notified to Council's nominated local studies/library service;
 - (b) a written request to **Camden Historical Society Inc.** seeking relevant holdings and community leads;
 - (c) written enquiries to Council's local studies/library service (or other Council-nominated repository) seeking any relevant holdings; and
 - (d) an enquiries log recording who was contacted, dates, responses and what material (if any) was obtained.

Material obtained through this process must be assessed for authenticity/provenance to a reasonable standard and, where suitable, incorporated into the archival record with appropriate attribution and permissions.
4. **Minimum content:** The archival record must include, at a minimum:
 - (i) a concise site history and timeline addressing the gas works history, contamination/remediation and subsequent land-use change;
 - (ii) description of the former structures/place and their setting;
 - (iii) curated and captioned image set (with source attribution and permissions status) and relevant plan extracts where available;
 - (iv) identification of former footprint(s) relative to the current approved development;
 - (v) the enquiries log and a summary of the community collection process undertaken; and
 - (vi) a bibliography/source list.
5. **Standard and archival format:** The Heritage Archival Record must be prepared **in accordance with Heritage NSW archival recording guidance (current at the time of preparation) or an equivalent standard accepted by Council**, and must be submitted in **PDF/A (archival PDF) format** suitable for long-term preservation.

6. **Distribution:** Within 14 days of Council's written acceptance of the Heritage Archival Record, the applicant must provide, at no cost:
 - (a) an electronic copy to **Camden Council**;
 - (b) an identical electronic copy to **Camden Historical Society Inc.**; and
 - (c) an electronic copy to any local studies/heritage repository nominated by Council.
7. **Council acceptance:** The Heritage Archival Record must be prepared by a suitably qualified heritage professional (or other suitably qualified person accepted by Council) and must be submitted to Council for written acceptance prior to the issue of any Construction Certificate (or commencement, if no CC is required).

B. Permanent on-site heritage acknowledgement (interpretation/testimony)

1. **Timing / precondition:** Prior to the issue of any Occupation Certificate for development approved by this modification, the applicant must design, fabricate, install and maintain a **permanent on-site interpretive element** that records the history and significance of the place at **2–14 John Street / 11 Elizabeth Street, Camden**, including (as appropriate) the site's former gas works history, contamination/remediation story, and subsequent community impacts (including the relocation of the town's high school).
2. **Location and visibility:** The interpretive element must be installed in a publicly visible location within the site, such as at or near the primary pedestrian entry or principal public forecourt, or another location approved by Council to ensure genuine public visibility.
3. **Durability:** The interpretive element must be of durable, vandal-resistant, weather-resistant materials suitable for long-term outdoor display and must remain legible and in good condition for the life of the development.
4. **Minimum content:** The interpretive element must include:
 - (a) concise interpretive text;
 - (b) at least one historical image or plan extract (where copyright permits) with acknowledgements;
 - (c) a brief source note and/or QR code link to the Heritage Archival Record (or a Council-hosted landing page); and
 - (d) acknowledgement of community sources (where permission is granted).
5. **Approval pathway (no late deferral):**
 - (a) The draft interpretive concept (text, images, design, materials, dimensions and precise location) must be submitted to and approved by Council as part of the **Landscape Plan / Public Domain Works / signage package**, and in any event prior to issue of a Construction Certificate for the relevant stage.
 - (b) The final installed interpretive element must be consistent with the approved concept unless otherwise approved by Council in writing.
6. **Final record and distribution:** Within 14 days of installation, the applicant must provide to Council a photographic record of the installed interpretive element and its location and the final approved text and images (PDF), and must provide identical copies to **Camden Historical Society Inc.**
7. **Maintenance:** The interpretive element must be maintained in good condition. If damaged, removed or illegible, it must be repaired or replaced to Council's satisfaction within a reasonable period after notice.

C. Consolidated modifications and change summary (cumulative transparency)

1. **Timing:** Prior to the issue of any Construction Certificate for works approved by this modification (or, where no Construction Certificate is required, prior to commencement of any works approved by this modification), the applicant must submit to Council a **Consolidated Modifications and Change Summary** for DA 2008/644.
2. **Required content:** The summary must:
 - (a) list each modification application number (including DA 2008/644/1 through to the current modification), with date lodged/determined and a short description of approved changes;
 - (b) provide a table comparing the original approval and the current approved scheme (as modified), including at minimum: dwelling/unit yield, building footprints, maximum heights/RLs, gross floor area, landscaped area, communal open space area, and key external materials/finishes;
 - (c) identify any changes affecting public interface outcomes (street edges, pedestrian access, landscape/public domain); and
 - (d) provide a plain-English narrative explaining how the development has evolved and how DA 2008/644/12 fits within that evolution.

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Attention: Mr R Pritchard, Coordinator Statutory Planning Services

cc: Mrs L Poulton, Assessment Officer (DA 2008/644/12)

27 February 2026

Dear General Manager,

Re: 2-4 John Street and 11 Elizabeth Street, Camden
(sometimes described on earlier documents as 2-4 John Street)
LOTS: 1 and 2, DP: 1246185
Former Camden High School site redevelopment
DA Modification: 2008/644/10¹ (Mod 10)
Deletion of Condition 7.0(4) – Archival Record (photographic)

Thank you for Council's response on 6 February 2026 to our letter of 2 February. This response raises some additional issues and concerns that Council's help in clarifying and resolving is appreciated.

We write to seek further clarity on the decision record for Mod 10 (2008/644/10) and to understand the basis on which Condition 7.0(4) was deleted. Crag has also provided an additional submission to the assessing officer for DA 2008/644/12 (Mrs L Poulton) regarding the DAs confusing long history and changes to the original approval.

We again stress that deletion of the condition requiring a photographic archival record is a particularly important community issue given that the site is located within a Heritage Conservation Area, the high school structures were identified as socially significant and the archival record condition formed part of the legal development consent that the community relied upon.

¹ Section 4.56 Modification - Continued use of a cafe in Building 1 and amendments to various conditions of consent

1. Background (including Mod 6 history)

CRAG (and we understand a number of others) objected to Mod 6, which proposed to delete the archival record condition. On 1 December 2021, Council advised that Mod 6 had been withdrawn prior to determination and was taken never to have been made.

CRAG notes that Mod 10 was lodged on 30 January 2024 and proposed to relocate the archival record condition from 7.0 – Prior to Issue of Occupation Certificate to 5.0 – Prior to Works Commencing. Mod 10 was determined on 27 November 2024, and the Notice of Determination records Condition 7.0(4) as “Deleted”.

CRAG further notes that Modification 11 was lodged on 16 April 2024 and determined on 15 July 2024 (before Mod 10). Its Notice of Determination includes the archival condition in its original position under Prior to Issue of Occupation Certificate at 7.0(4).

2. Decision-maker for the original consent (request for reconciliation)

Council’s 6 February 2026 letter states that the archival record condition was imposed on a consent granted by Council at its Ordinary Meeting of 8 September 2009, which we understand to be correct. We also understand that the DA Tracker was instituted in 2010.

However, the Council DA Tracker entry for DA 2008/644/1, referring to the original application lodged on 22/07/2008, records the determination as “Approved – Land & Environment Court” with a date of 8 October 2010.

To avoid ongoing confusion in the public record, could Council please confirm the consent instrument that first imposed Condition 7.0(4), and provide a copy of:

- (a) the original consent instrument (including any Land and Environment Court orders/judgment and final condition set), and
- (b) any Council determination/conditions schedule Council relies upon in referring to an Ordinary Meeting decision in 2009.

3. Matters arising from Mod 10

CRAG notes the wording of the archival record condition is clear as to timing. It required:

“The buildings and their setting be recorded through photographic archival recording in accordance with the most recently published guidelines set by the Heritage Branch, Department of Planning prior to their demolition.”

CRAG’s concern is not that this pre-demolition timing requirement can still be met (it plainly cannot if demolition occurred years earlier). Rather, CRAG’s concern is the process by which the condition was deleted and the absence of any replacement heritage documentation outcome.

Our understanding is that:

- the Mod 10 application did not include a request to delete the condition (it proposed relocation within the condition sequencing);
- Council officers may only exercise delegated authority to determine the application as made (and any properly notified amendments); and
- the EP&A framework requires a valid request/application by the person entitled to seek the modification.

As already noted, the Mod 10 documentation publicly available indicates the condition was to be **relocated (to section 5.0)**, not deleted, yet the Mod 10 Notice of Determination records **7.0(4) as “Deleted”**.

Council’s response of 6 February 2026 states that the condition was discussed with the current owner and advice was received that demolition occurred without archival recording, and consequently removal was considered reasonable. CRAG notes that this wording appears consistent with deletion arising during assessment (for example, by recommendation) rather than as an outcome sought in the lodged/notified application.

On the material currently available on the public register, CRAG cannot locate any document showing the applicant requested deletion of Condition 7.0(4). Further, the notification material made publicly available for Mod 10 does not alert the community to a proposal to delete the condition.

Given the level of community interest and the previous Mod 6 history, CRAG, on behalf of the community, respectfully seeks clarity as to the process followed.

4. Request for information (documents and register links)

To clarify the record, could Council please provide (or provide direct DA Register links to) the following:

1. The Mod 10 application as lodged (including the applicant's written request/justification and SEE/addenda).
2. Copies of any amendments, revised conditions schedules, or amended requests lodged during assessment, including the date each was received.
3. The assessment report / delegated determination report for Mod 10, including any internal or external heritage advice and the reasons recorded for deleting Condition 7.0(4).
4. Any conditions comparison schedule (before/after), or other "tracked" conditions markup, showing precisely how the condition set changed.
5. The notification/exhibition steps undertaken for Mod 10 (method, dates, what documents were exhibited/notified, and where this is recorded on the DA Register).
6. The material Council relied upon for the factual premises that:
 - (a) demolition occurred in 2017–2018, and
 - (b) no archival record existed at the time of assessment (e.g., correspondence, file notes, inspections, photos, compliance records).
7. Direct links to the 2008 Statement of Heritage Impact and the approved plans referred to in Council's letter (or advice on the simplest method of access if not publicly available).
8. The earliest DA Register/DA Tracker entry (title/date/document reference) in which the deletion of Condition 7.0(4) is first recorded, and the documents that record that change.

If deletion was introduced after lodgement/exhibition, could Council please identify:

- (a) when the proposal changed from relocation to deletion,
- (b) the record of that change (e.g., amended application, amended conditions schedule, addendum report), and
- (c) how that change was notified or otherwise disclosed to affected parties and submitters.

CRAG would appreciate Council directing us to published URLs on the DA Register where available. If any material is not publicly available, please advise whether it can be provided informally (with any necessary redactions) prior to any formal GIPA request.

5. Related concerns

(a) Alternatives to deletion (substitute heritage outcome)

We understand Council's position that the condition's timing requirement ("prior to demolition") can no longer be satisfied if demolition has already occurred. However, that does not mean the underlying heritage purpose is impossible to achieve—particularly given Council's acknowledgement that relevant photographic/historical material exists and that extensive community records exist.

There are clear alternatives capable of delivering comparable public heritage benefits (for example, a retrospective archival record package compiled from existing sources, with defined deliverables and deposit in accessible public repositories). Deletion removes an obligation from the developer without any replacement requirement, to the detriment of the community's heritage record.

Could Council please advise what alternatives were considered and why they were not adopted.

(b) Compliance history and whether deletion functioned to regularise non-compliance

Council's letter indicates the buildings were demolished in **2017–2018** without archival recording while the condition was in force. That raises separate questions as to compliance checking and enforcement history.

Could Council please advise:

- when Council first became aware the archival record had not been completed;
- what compliance checking or follow-up occurred prior to or at the time of demolition;
- whether any compliance action was taken (inspections, notices, orders, or other steps), and if not, why not; and
- whether deletion of the condition in Mod 10 was intended (in whole or in part) to regularise or close out the earlier non-compliance.

We stress that demolition does not prevent the production of an archival record from existing documentation. On behalf of the community, CRAG rejects any suggestion that the heritage purpose of the condition is "impossible to achieve", and maintains it is in the public interest that an archival record be produced and made publicly available (even if the original pre-demolition timing cannot now be met).

Thank you for your assistance in making this happen. We do hope that the condition will be reinstated under Mod 12 currently under assessment, as per our addendum submission. We would appreciate an acknowledgement of this correspondence and advice as to the next step.

Yours sincerely,



Glenda Davis, President