

Camden Residents' Action Group

Incorporated

Camden – Still a Country Town

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9 September 2026

Dear General Manager,

Re: LEP Housekeeping Review — Planning Proposal PP/2023/4/1

Submission on Camden LEP Heritage Protections

Purpose and summary of request

Planning Proposal PP/2023/4/1 makes 78 housekeeping amendments to Camden Local Environmental Plan 2010. This submission asks Council to include five specific amendments into the present proposal, so that the historic centre, the State Heritage Register-listed St John's Anglican Church precinct, and the streets between Camden and Narellan are not left exposed to inappropriate development proposals.

The case for acting now rests on three things set out below: zoning issues; a recent history of Panel refusals and Court proceedings that shows what happens when controls are unclear; and a new State housing policy that has sharpened the urgency of settling Camden's local rules before more development pressure arrives.

1. Zoning issues

This Housekeeping Review is the first practical opportunity to address these recognised issues.

The Urban Design Framework (UDF) (2018, p. 79) for the Camden Town Centre recommends that dwelling houses be included as permissible uses within its land use zones. This is consistent with the Burra Charter's approach to respecting cultural significance in relation to use and associations (see Article 3, Article 15, particularly 15.2).

St John's Precinct has come under development pressure. In 2018 Moran obtained an option over part of the St John's precinct for a seniors-housing proposal; the option lapsed in 2021, but it demonstrated that a State Heritage Register listing alone does not remove development interest in the site. Clearer local zoning, of the kind proposed below, is what would give that protection practical effect.

2. What happens when the rules stay unclear: three Camden cases

Camden has already lived through the cost of ambiguous controls, in a repeating sequence: a proposal exceeds a control, the Local Planning Panel refuses it, a Division 8.2 review or a Land and Environment Court appeal follows, and in a Class 1 appeal the Court decides the development application again on its merits, standing in the place of the original decision-maker. The three examples below all sit within Camden's Heritage Conservation Area (HCA), and each shows the same pattern playing out in practice.

20 Elizabeth Street

The site carries a 7-metre height limit. The Camden Local Planning Panel refused the original application, and then refused it again on review, against a proposed ridge height of 11.2 metres — a breach of 4.2 metres, or about 60 per cent. In 2021 the Land and Environment Court upheld the applicant's appeal by consent orders (*Graham & Sanders Pty Ltd v Camden Council* [2021] NSWLEC 1433; Camden Local Planning Panel meeting history). The same site returned to the Court in 2022 on a modification application restoring a removed gable and adding 31.62 square metres of lettable attic area; Council opposed it, 22 public submissions were made, and the Court approved the modification (*Graham & Sanders Pty Ltd v Camden Council* [2022] NSWLEC 1278). Despite two Court outcomes, the approved development has still not been built. The existing cottage and yard are instead being marketed for lease on flexible MU1 Mixed Use terms, rather than the approved development having proceeded (Inglis Commercial listing, 20 Elizabeth Street, Camden).

19 Edward Street

In March 2021 the Panel unanimously refused an application here, citing the height breach, an inadequate clause 4.6 request, excessive bulk and conflict with the HCA (CLPP minutes, 16 March 2021). A year later, the review application was approved with a 24.5 per cent height variation on a tied 2–2 vote, decided by the Chair's casting vote (CLPP minutes, 15 March 2022; Camden clause 4.6 register). Tellingly, every Panel member — those who voted to approve and those who did not — agreed that the controls failed to give a clear vision for this part of Camden, and recommended precinct-specific design controls. That is Council's own independent Panel identifying exactly the issue this submission asks Council to close.

3 Exeter Street

The Panel unanimously refused a proposal here in August 2024, again citing a height breach, a failed clause 4.6 request, excessive height and bulk, demolition of the existing dwelling and harm to the HCA (CLPP minutes, 20 August 2024); the review application was refused 4–0 in December 2024 (CLPP minutes, 13 December 2024). The applicant commenced Land and Environment Court proceedings (case

2025/00028864), still listed as at December 2025 (Land and Environment Court daily list, 8 December 2025); this submission draws no conclusion from any unreported outcome. The property is now being marketed for sale, together with or separately from the adjoining Edward Street land, and we understand the owner has been discouraged by the process.

Read together, these three sites tell one story rather than three separate ones. In each case an uncertain height or FSR control produced a refusal, then a second contest on review, and in two of the three, Land and Environment Court proceedings. At 20 Elizabeth Street, the approved and modified development still has not been built, and the site is now being marketed for lease in its existing state instead. At 3 Exeter Street, the property is being marketed for sale rather than the matter having reached a settled outcome. Owners have spent years and significant money; Council and the Panel have assessed the same questions more than once; the community has made submissions more than once — and in the decisions so far, the outcomes were reached by a casting vote and consent orders rather than a clear application of settled rules. This is the practical cost of leaving height, FSR and clause 4.6 unclear in a heritage area, and it is precisely what amendments 3, 4 and 5 below are designed to prevent.

3. Why the State housing policy adds urgency

The NSW Low and Mid-Rise Housing (LMR) Policy took effect on 28 February 2025 and names Camden town centre. The residential zones of the HCA and adjacent low-rise housing are subject to its non-discretionary standards that can override stricter local controls designed to retain heritage value, character and amenity. The current 72 and 82–86 Menangle Road (former Nurses' Quarters) proposal — about 95 social and affordable homes across three buildings of four to six storeys, pursued through a concurrent rezoning and State Significant Development application — demonstrates the kind of pressure arriving on the edge of the historic centre right now.

The LMR policy excludes E1 land and land containing a listed heritage item, but that exclusion does not protect everything that matters. Land just outside the listed item or the precinct can still change LEP height and scale under the policy, and a lost view or an unclear E1 boundary can still erode St John's setting even where the policy itself does not directly touch the precinct. On 9 June 2026, Council resolved to again ask the State Government to remove Camden town centre from the policy. That request would carry more weight — and would matter on the ground even if the State does not grant it — if it were backed by Camden's own zoning, height, FSR and clause 4.6 controls clearly setting out what the heritage area and its setting is meant to look like. The five amendments below are how that backing could be delivered.

The five amendments requested

Each amendment responds to matters identified above, but they are not uniform in scope. Amendments 1, 2 and the zoning and clause 4.6(8) wording changes in Amendment 5 are narrow: they amend zoning, the land-use table and a single clause, and do not themselves require new heritage or urban-design studies. Amendments 3 and 4 are different in kind — mapping a numerical FSR across every lot in the HCA, and a height limit across all currently unmapped land between Camden and Narellan, genuinely requires block-by-block technical work and public exhibition across a substantial area, and it would not

be wise to promise that within the timeframe of the present Housekeeping Review. For those two amendments, the right mechanism is the staged, published timetable already sought in resolution 2 below, not a claim that the underlying study can be compressed into the current process. The one piece of mapping that is already substantially prepared is the St John's view-corridor work proposed as the narrower alternative under Amendment 5: Council already holds the 2004 Conservation Management Plan for the precinct, updated by a 2010 Addendum, which documents sixteen significant public views to and from St John's and defines the precinct's visual catchment (Conservation Management Plan, section 3.7 and section 7.2). That existing survey substantially reduces the fresh mapping task for the narrower alternative, though it does not extend to the FSR or height work needed for Amendments 3 and 4.

Amendment 1 — Rezone E1 land inside the St John's State Heritage Register boundary to C2

All land that is both E1 Local Centre and within the State Heritage Register boundary for the St John's Anglican Church Precinct should be rezoned to C2 Environmental Conservation, with any savings provisions needed for church and community activities written into the LEP. E1 is a centre and employment zone; it does not express the heritage and landscape purpose that actually governs this land. The National Trust has identified the tower and spire as dominant landmarks requiring protected long views and strict height controls (National Trust St John's Camden Position Paper), and the Moran option (Section 2, above) shows why the zone itself — not just the heritage listing — needs to say plainly what the land is for.

Amendment 2 — Allow residential reuse of historic dwellings in E1 and MU1 parts of the Camden Heritage Conservation Area

Council should amend the land-use table or Schedule 1 so an existing historic dwelling within the MU1 & E1 parts of the Camden HCA can lawfully continue to be used as a home, with development consent.

This is reuse of the existing building, not a right to demolish or to build new flats. It would directly address the recommendation in the UDF and be consistent with best practice heritage conservation.

Amendment 3 — Apply a numerical floor space ratio to every lot in the Camden Heritage Conservation Area

Every lot in the HCA would carry a mapped FSR, arrived at through a block-by-block heritage and urban-design study and public exhibition. Unmapped land offers flexibility, but it also shifts the real decision onto negotiation and individual DAs, where a DCP objective carries less legal weight than a numerical LEP standard. A clear FSR tells an owner, a neighbour, the Panel and the Court what scale has actually been planned — which is exactly what was missing at 20 Elizabeth Street, 19 Edward Street and 3 Exeter Street.

Amendment 4 — Apply a numerical height limit to unmapped land between Camden and Narellan

Council should map a maximum height for every currently unmapped lot between Camden and Narellan, including the transition land around Menangle Road and the town's E1 and MU1 zone edges, using reduced levels where slope or view lines make a simple metre limit unreliable. The Nurses' Quarters proposal at 72 and 82–86 Menangle Road (Section 4, above)¹ shows live development pressure immediately beside the historic centre. Settling height expectations now, through strategic planning, is preferable to negotiating them for the first time in the middle of a major proposal.

A second, more immediate example sits on the same corridor. On 11 February 2025, Council staff approved a two-storey indoor recreational facility — a gym with basketball and pickleball courts — at 23 Harrington Street, Elderslie, on Camden Valley Way between Camden and Narellan (DA 2024/48/1). The land has no mapped height limit. The completed building now towers above surrounding land that is either vacant or occupied by single-storey buildings, and its scale has attracted local comment on Facebook. The approval was made under delegated staff authority, not by the Panel, and carried extensive flood-related conditions reflecting the site's location within the flood planning area (Flood Planning Level 71.75m AHD). Whatever the merits of that particular building, it shows what can happen when a large development is assessed without a settled height framework. A mapped height control would give applicants, neighbours and Council staff a clear public benchmark, rather than leaving the appropriate height to be decided one site at a time.

Amendment 5 — Limit clause 4.6 variations to height and FSR within the Heritage Conservation Area

Council should seek the required State approval to amend clause 4.6(8) so that, within the Camden HCA, only the height and FSR standards cannot be varied; other standards would remain open to clause 4.6 as usual. This is a targeted protection, not a general ban on flexibility, and the standard LEP template already allows some standards to be excluded from clause 4.6 subject to the State process (NSW Department of Planning clause 4.6 guidance). The 60 per cent height variation ultimately accepted at 20 Elizabeth Street (Section 3, above) is the clearest illustration of why the present clause 4.6 pathway does not deliver the certainty a heritage area needs.

If a Conservation Area-wide exclusion is not supported, Council could pursue a narrower alternative instead: map the visual catchment and view corridors towards St John's and the important outward views from St John's, prepared with heritage advice and public consultation and included in the LEP itself rather than only a DCP, and exclude height and FSR variations only on the land within those mapped corridors. This would build on, rather than duplicate, the existing 2004 Conservation Management Plan and 2010 Addendum for the St John's precinct, which Council has held since it was lodged as supporting documentation for a 2012 development application, and which already documents sixteen significant public views to and from the church.

¹ Not currently zoned to fall under the LMR Policy and adjacent to but not itself within the HCA

Requested Council resolution

We ask Council to resolve that it will:

1. Amend PP/2023/4/1 before it is finalised to include the five amendments in this submission.
 2. If the Gateway determination prevents that course, prepare a concurrent planning proposal covering the same five amendments and publish, within 60 days, proposed dates for studies, exhibition and reporting.
- Consult Heritage NSW and the Department of Planning, Housing and Infrastructure about the C2 rezoning and the clause 4.6(8) exclusions, and publish a timetable for that consultation.
 - Publicly exhibit the proposed height, FSR and St John's view-corridor maps before making a final decision.
 - Report the histories of 20 Elizabeth Street, 19 Edward Street and 3 Exeter Street as evidence of why clearer LEP rules are needed.

Conclusion

Camden should not have to reconsider the same heritage questions site by site, review by review and Court case by Court case. Clear rules are fairer to owners, easier for Council to administer, and more likely to produce consistent decisions — and they let an owner or developer understand what is achievable before substantial money is spent preparing a proposal, rather than after.

None of this is anti-housing. Camden is one of the fastest-growing areas in New South Wales, with substantial land already planned for new homes elsewhere in the LGA. Protecting a small historic core, its landmark church and its established residential streets will not slow that growth; it will make the growth better planned. The UDF, the Moran episode, three Panel-and-Court histories, and a new State housing policy that has already prompted Council to seek an exemption all point the same way: this Housekeeping Review is the right moment to put those protections in place.

Yours sincerely,



Glenda Davis

President

cc CRAG Committee

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