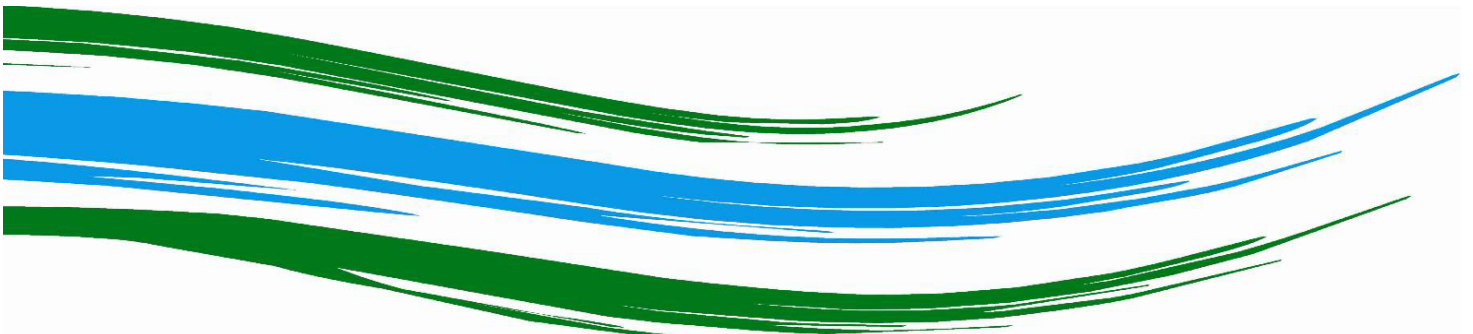




Camden Council

Business Paper

Ordinary Council Meeting



ORDINARY COUNCIL

SUBJECT: APOLOGIES

Leave of absence tendered on behalf of Councillors from this meeting.

RECOMMENDED

That leave of absence be granted.

RESOLUTION

There were no leave of absence to be granted.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD69/10

ORDINARY COUNCIL

SUBJECT: DECLARATION OF INTEREST

NSW legislation provides strict guidelines for the disclosure of pecuniary and non-pecuniary Conflicts of Interest and Political Donations.

Council's Code of Conduct also deals with pecuniary and non-pecuniary conflict of interest and Political Donations and how to manage these issues (Clauses 7.5 -7.27).

Councillors should be familiar with the disclosure provisions contained in the Local Government Act 1993, Environmental Planning and Assessment Act, 1979 and the Council's Code of Conduct.

This report provides an opportunity for Councillors to disclose any interest that they may have or Political Donation they may have received relating to a Report contained in the Council Business Paper and to declare the nature of that interest.

RECOMMENDED

That the declarations be noted.

RESOLUTION

There were no declarations to be noted.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD70/10

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 13 April 2010.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 13 April 2010, copies of which have been circulated, be confirmed and adopted.

RESOLUTION

Moved Councillor Funnell, Seconded Councillor Symkowiak that the Minutes of the Ordinary Council Meeting held 13 April 2010, copies of which have been circulated, be confirmed and adopted.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD71/10

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

The Public Address segment (incorporating Public Question Time) in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper agenda or on any matter within the Local Government area which falls within Council jurisdiction.

Speakers must book in with the Council office by 4.00pm on the day of the meeting and must advise the topic being raised. Only seven (7) speakers can be heard at any meeting. A limitation of one (1) speaker for and one (1) speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' and should only be considered where the total number of speakers does not exceed seven (7) at any given meeting.

Where a member of the public raises a question during the Public Address segment, a response will be provided where Councillors or staff have the necessary information at hand; if not a reply will be provided at a later time. There is a limit of one (1) question per speaker per meeting.

All speakers are limited to 4 minutes, with a 1 minute warning given to speakers prior to the 4 minute time period elapsing.

Public Addresses are tape recorded for administrative purposes. It should be noted that speakers at Council meetings do not enjoy any protection from parliamentary-style privilege. Therefore they are subject to the risk of defamation action if they make comments about individuals. In the event that a speaker makes potentially offensive or defamatory remarks about any person, the Mayor/Chairperson will ask them to refrain from such comments. A copy of the tape recording may be available to third parties (in certain circumstances).

The Mayor/Chairperson has the discretion to withdraw the privilege to speak where a speaker continues to make inappropriate or offensive comments about another person.

RECOMMENDED

That the public addresses be noted.

RESOLUTION

Mr Brett Lyons addressed the Council in relation to Item ORD01.

Mrs Carmen Clark addressed the Council highlighting traffic and carparking issues in relation to Wandarra Reserve.

Mr Joshua Brassington addressed the Council in relation to Item ORD01.

Mr Hugh Stone addressed the Council in relation to Item ORD02.

Moved Councillor Dewbery, Seconded Councillor Symkowiak that the public addresses be noted.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD72/10

ORDINARY COUNCIL

ORD01

MODIFICATION OF APPROVED CAR WASH TO INCLUDE A WASHING AND VACUUMING SERVICE, REVIEW OF THE TRIAL HOURS OF OPERATION, AMENDMENT OF THE TIMES FOR THE SITE TO BE STAFFED AND APPROVAL OF TWO ADDITIONAL SIGNS AT NO 2 (LOT 2 IN DP 1129436) RAINTREE WAY, MOUNT ANNAN

FROM:	Director Development and Health
FILE NO:	Binder: Development Applications 2008
DA NO:	562/2008.3
OWNER:	FKP Commercial Services
APPLICANT:	Milestone Australia Pty Ltd
ZONING:	3(g) District Business
APPLICABLE PLANNING INSTRUMENT:	Camden LEP 47

PURPOSE OF REPORT

The purpose of this report is to seek a determination from Council of a Section 96 application which seeks to modify operational aspects of the approved car wash at No 2 Raintree Way, Mount Annan. These aspects relate to car detailing, site supervision, hours of operation and signage. The application is referred to Council in accordance with its delegations as the application was originally determined by Councillors and submissions by way of objection have been received.

SUMMARY OF RECOMMENDATION

It is recommended that the Section 96 application which seeks to modify Development Application No 562/2008 for the approved car wash, be approved as follows:

- the cleaning and vacuuming service (nominated as car detailing by the applicant) to be approved;
- the site to remain manned between 7am and 10pm;
- the hours of operation are to retained as 7am to 10pm.

In addition, it is recommended that the additional signage be refused.

These aspects would be incorporated into the draft modified conditions provided at the end of this report.

BACKGROUND

An application for the construction of a car wash and associated signage was lodged

with Council on 1 July, 2008. That application was determined by Council at the meeting of 28 October, 2008, by way of a conditional approval.

Subsequently a Section 96 application to defer the 3m high acoustic wall along the Holdsworth Drive frontage was approved by Council at the meeting of 14 April, 2009. The car wash commenced business in May 2009.

On 5 March, 2010 an application to further modify the consent was received by Council.

Separately, a Notice of a Proposed Order was issued by Council for a number of unauthorised activities. These included the operation of a car detailing business which was not considered to be included as part of the development consent, unmanned operation of the site which is contrary to condition 6.17 of the original consent, and additional signage which was not included as part of the approval.

The applicant is seeking approval for these activities, as well as the removal of the trial hours condition as specified in condition 6.2 of the original consent.

The application has now been assessed by Council officers, and is able to be referred to Council for determination.

THE SITE

The site forms part of the Mount Annan central shopping centre development (DA1297/2006). That application was approved on 28 May, 2007. The site is located on the corner of Raintree Way and Holdsworth Drive, has a total area of 1,441m² and is irregular in shape.

The sweeping bend of Holdsworth Drive creates the majority of its frontage to the street. **A location plan is provided at the end of the report.**

THE PROPOSAL

The changes from the original approval sought relate to the following.

- **Approval of the development description to include car detailing:**

This service is currently available to the public from 7:00am to 7:00pm, however was not included as part of the development consent that was issued in October 2008.

The extent of the car detailing service sought by the applicant involves the vehicle being driven to one of the eight (8) vacuum bays, where it is vacuumed and also cleaned internally and externally by car wash staff.

It is considered the nomination of this as car detailing is an incorrect use of the definition, as the definition relates more to repairing of vehicles. For the purposes of the report, the car detailing will be defined as a cleaning and vacuuming service, which describes the activities that are occurring and for which consent is sought. Car detailing can include other more intense activities such as buffing, minor panel beating and spray painting and other vehicle repairs. As this is not proposed as part of the

application, it is important to distinguish the use. Signage on the site states that this service involves an exterior car wash (in the automatic car wash bay), and also use of a hand chamois, interior windows being polished, a full interior vacuum, door shuts wiped, dashboard and plastics inside cleaned, tyres shined, windscreen washer fluid topped up and air freshener added.

- **Having the site unmanned after 7pm each evening:**

The car wash is currently unmanned from 7:00pm each evening, which is contrary to condition 6.17 in the consent, which states that the site is to be manned at all times that it is open. The applicant argues that the manual wash bays and vacuum bays can operate without staff assistance, and this practice is undertaken with their other premises across Australia.

Separately, as a result of the non-compliance with the current development consent, Council has issued an order in respect of this practice at this site.

- **Removal of trial hours of 7:00am to 10:00pm and making permanent trading hours of 7:00am to 10:00pm:**

This condition was imposed as a 12 month trial under condition 6.2 of the consent, with the applicant to provide cause as to why those hours should be retained if they wish to do so, otherwise it would revert back to 7:00am to 7:00pm on a daily basis.

- **Approval of extra signage:**

Two additional signs that were not included as part of the approval are proposed. These are an A-Frame sign plus a sign erected on the Holdsworth Drive frontage.

NOTIFICATION

The application was placed on exhibition between 15 and 29 March, 2010. A total of two (2) submissions were received, both objecting to the proposal. These will be discussed later in this report. These objections directly oppose the application and therefore are unable to be resolved through mediation or by way of development consent conditions. **Copies of the submissions are provided with the Business Paper supporting documents.**

PLANNING CONTROLS

The following plans and policies have been considered in the assessment of this application:

- Camden LEP 46
- Draft Camden LEP 2010
- Camden DCP 2006.

ASSESSMENT

The application has been assessed in accordance with Section 79C of the EP&A Act 1979. The following comments are made with respect to the critical aspects of the

application.

(a) (i) the provisions of any environmental planning instrument

Camden LEP 46

The land is zoned 3(g) District Business. The proposal complies with the relevant objectives of the zone providing the district centre with commercial facilities which are fully serviced, drained and landscaped.

The proposal complies with the relevant sections of the LEP, in particular with promoting development suitable to particular localities.

(a) (ii) any draft environmental planning instrument

Draft Camden LEP 2010

The Draft Camden LEP 2009 was endorsed by Council at the meeting of 24 November, 2009, however it is yet to be gazetted.

In that draft the land is zoned B2 Local Centre. The proposed development complies with the objectives as it is defined as business premises, which is permissible in the zone.

(a) (iii) any development control plan

Camden DCP 2006 – Part D, Chapter 4: Outdoor Advertising

A Frame sign: The sign is intended to be located wholly within the property. As the sign is not within the road reserve, it is able to be recommended for approval.

Sign on Holdsworth Drive: The sign measures 10m by 1m, and is a pylon sign that is integrated within the boundary fencing. The signage is considered to be unsuitable as it is too large, does not identify the business name, overhangs the public road reserve, and also does not comply with the objective under Section 6.2 as it does not reduce the visual complexity of a streetscape by providing fewer, more effective signs. Therefore this sign is also not able to be recommended for approval.

It is considered that there may be more appropriate signage that could be developed which meet the needs of the applicant and also comply with Council's DCP. In this regard, the applicant is encouraged to pursue a separate application that could address the criteria.

Camden DCP 2006 – Part D, Chapter 1: Car Parking

The proposed amendments will not generate any additional car parking requirements.

(a) (iv) any planning agreements

There are no planning agreements relating to this proposal.

(b) the likely impacts of the development

Cleaning and vacuuming service

This aspect of the business is considered to be suitable as it involves the use of existing equipment on the site (e.g. the vacuum bays), and does not involve any intensification of the use of the site with the introduction of any new equipment. It is a service made available to customers who wish to have their vehicles cleaned in either a more detailed manner or by staff of the facility. A condition would be placed on any consent that is issued, restricting the operation to the elements outlined earlier in the report.

Unmanned operation of the site

Council has received complaints of anti-social behaviour, relating primarily to customer behaviour impacting on the amenity of neighbouring residential properties. As a result Council officers do not support the request for condition 6.17 of the consent to be amended to have the site staffed only between 7am and 7pm. By having it manned after 7pm until closing time at 10pm, it would ensure that any anti-social behaviour is minimised.

Additionally, to minimise the occurrences of anti-social behaviour after hours, an additional condition would be imposed to ensure that the site is secured and closed off to the public to prevent access whilst the car wash is not in operation.

Removal of trial hours

Council officers are able to support the removal of trial hours as specified in condition 6.2 of the consent, and the continuation of the site operating between 7am to 10pm.

The condition would be replaced with a reviewable condition as per Section 80A of the Environmental Planning and Assessment Act 1979. This allows the consent authority (i.e. Council) to review that condition at any time or at intervals specified by the consent. The reviewable condition may be changed on any such review. This is pertinent given the anti-social behaviour that has been reported to Council.

(c) the suitability of the site for the development

Whilst the car wash itself is deemed to be a suitable use of the site, the retention of condition 6.2 relating to manned operation of the site, as well as the amendment of condition 6.17 into a reviewable condition, would ensure that the amenity of the neighbouring land owners is not disrupted in an unacceptable manner.

(d) any submissions made

Two (2) submissions were made to Council, and the issues raised are addressed below:

The lights are still on after 10pm on numerous occasions

Officer comment: Council contacted the operators of the car wash about this matter

and was informed that the electronic timers for the lights will be fixed to ensure that they are turned off at 10pm. It is understood that the lights are now compliant with the condition.

Customers have been playing loud music from cars between 7pm and 10pm

Officer comment: This contravenes condition 6.19 of the consent relating to offensive noise. The retention of the condition to have the site manned at all times will assist in minimising this type of behaviour.

The hours of operation for the car wash should be limited to 7pm

Officer comment: Two of the manual bays as well as the vacuum bays would still be permitted to open until 10pm, with the tunnel wash closing at 7pm as per the current requirements. However it is recommended this be subject to a reviewable condition as specified earlier in this report.

The site should be manned after 7pm due to ongoing issues mentioned above

Officer comment: Council has recommended that the site is to remain manned until 10pm.

No car detailing is to occur outside of 9am to 5pm

Officer comment: Council supports the use of the cleaning and vacuuming service provided by the operators to be available between 7am and 7pm, as it is consistent with the opening hours of the automatic tunnel wash. It would be conditioned that the service is to not be available outside of these hours.

The car detailing component should be subject to a separate DA

Officer comment: It was determined by Council that this could be included as part of the Section 96 application. The level of assessment by Council officers in both cases is identical. Whether staff or the vehicle owner wash or vacuum the vehicle does not in any way affect the use of the land or that land use authorised under the consent.

The site is zoned to operate one business only

Officer comment: Any one site could support more than one business or use provided that it is permissible for the zone to which the land applies and also complies with the objectives. It is however considered that only one use is being made of the land and that is a car wash facility.

Concerns on where the vehicles will be left during detailing

Officer comment: Vehicles will be required to be cleaned and vacuumed in the vacuum bays. This is the same as if the vehicle was being cleaned/vacuumed by its owner.

No waiting area for customers while car is being detailed

Officer comment: This is noted, however it is likely that the customers will venture off site whilst the car is being cleaned, or will stand adjacent to the tunnel wash at this time. Any additional structures or facilities to house waiting customers is not deemed to be necessary.

The detailing could lead to lack of supervision of tunnel wash

Officer comment: The cleaning and vacuuming service will be carried out by the staff member on site who will be able to see all activities and continue to supervise the site whilst working.

No extra signage if it results in extra lighting of the site

Officer comment: None of the signage is proposed to be backlit in any way.

The car detailing is unauthorised development

Officer comment: Had the extent of car detailing involved buffing, painting or panel beating of vehicles, this would be the case and this is the reason that the Notice of Order had been issued. The applicant has since clarified the extent of service to be offered and for the reasons outlined above, it is considered that it would be part of the operation of the facility and not a separate use.

Customers have been using the facilities after 10pm

Officer comment: This is determined as unauthorised use of the site as the hours of operation are 7am to 10pm, and this would be enforced by adding an extra condition on any consent that is issued relating to the site being secured whilst the car wash is closed.

Concern that the operators cannot be trusted with hours of operation (in relation to the unmanned component), with nothing done about it up until now

Officer comment: A Notice of Order has been issued in respect of hours of operation. It is intended the modified development consent would add some certainty and further structure around the requirement for a manned operation. Further orders are able to be issued if further non-compliances are noted. Alternatively, Penalty Infringement Notices (PINs) can be issued if conditions of consent are breached.

Site is unmanned after 7pm, and sometimes earlier on some days (e.g. in wet weather and when customer levels are low)

Officer comment: This is an unauthorised use of the site as it contravenes condition 6.17 of the consent. The requirement for a fully manned operation is recommended to be retained. The proposed new condition requiring the securing of the site when not manned will address this concern.

The statement about no complaints received is disputed

Officer comment: This is related to the applicant's statement that no complaints have been received. Council has records of complaints received in relation to this

development.

The site has been vandalised (graffiti) and not removed straight away

Officer comment: This is noted, and an additional condition would be placed on any consent that is issued in relation to graffiti removal.

Repeated non-compliances with nothing done about it

Officer comment: As stated previously, the Notice of Proposed Order was sent to the operators of the car wash. Further orders are able to be issued if further non-compliances are noted. Other options of PINs and legal action remain available if Council resolves to pursue breach of consent.

Approval will condone non-compliances

Officer comment: Unauthorised uses were brought to the attention of the operators of the car wash by Council by way of a Notice of Order. Immediate action was taken in relation to the lighting. It is not considered that any approval would condone non-compliances, rather it would set additional structure and limits that are expected to assist both Council and the operators to ensure the amenity of the public is not unacceptably affected.

(e) the public interest

The public interest will not be served if the request for the site to be unmanned after 7:00pm is supported. However it is deemed to be served positively by the cleaning and vacuuming service as well as the imposition of a reviewable condition relating to the hours of operation, as the development will add to the range of services available to the public in an area which provides for a range of retail and service opportunities, whilst providing Council with the opportunity to review the hours of use at any time in the event that the operators show they are not prepared to address the concerns of their neighbours. This form of condition has been recently introduced to allow councils some flexibility in terms of hours of operation.

CONCLUSION

Council has received an application to modify an existing development consent for a car wash at No 2 (Lot 2 in DP 1129436) Raintree Way, Mount Annan. The proposed modification relates to car detailing, manning of the site, hours of operation and signage.

Two submissions have been received during the notification period. These objections do not support any of the proposals made by the applicant.

Aspects of the proposal including additional signage which does not comply with Council's DCP requirements, and allowing the operation of the site to occur at times without being supervised by staff, are not able to be supported based on the current site history.

The development has been assessed on its merits in accordance with the Environmental Planning and Assessment Act 1979 and is now able to be recommended to Council to modify the consent subject to conditions shown below.

DRAFT MODIFIED CONDITIONS OF CONSENT

PROPOSED DEVELOPMENT is to be modified and now read:

Car wash, cleaning and vacuuming service, and signage.

6.0 OPERATIONAL CONDITIONS

Condition 1 to be amended and now read:

Hours of Operation - The hours of operation for the approved land-use are:

- ***For all uses other than the tunnel carwash:*** between 7:00am and 10:00pm seven days a week;
- ***For the tunnel carwash and the cleaning and vacuuming service:*** between 7:00am and 7:00pm seven days a week.

All vehicle movements, deliveries and any other operations associated with the use of the premises must be restricted to approved hours of operation. Any alteration to these hours will require the prior approval of the Consent Authority.

Note: pursuant to Section 80(10B) this condition is a reviewable condition and the hours may be reviewed by Council at any time and changed on any such review.

Condition 2 to be deleted.

Condition 25 to be added and read:

Site security: The site is to be secured whilst it is closed by way of a chain or similar to prevent vehicular access into the site.

Condition 26 to be added and read:

Graffiti removal: Upon receipt of advice from the police that they have completed all investigations in relation to graffiti damage to the property, graffiti is to be removed within 7 days of that advice.

Condition 27 to be added and read:

Amenity: The business shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, adjoining occupations and residential premises.

Condition 28 to be added and read:

Internal signage: Signage is to be placed on the acoustic wall adjacent to the vacuum bays and at the entrance to the manual wash bays notifying customers of the need to minimise noise whilst using the equipment. Signage shall require customers to turn off their radios/stereo systems whilst on site.

Condition 29 to be added and read:

A-Frame Sign: The A-Frame sign is to remain wholly within the property boundaries at all times and away from vehicle and pedestrian travel paths.

ATTACHMENT A - ADVICE

Advice 7 to be added and read:

Plan of Management: To the extent of any inconsistency between the Plan of Management dated April 2010 prepared by Milestone and the consent conditions contained within this Development Consent, the consent conditions shall prevail.

This includes, but is not limited to, the number of staff to be on-site during hours of operation.

All other conditions of Development Consent 562/2008 issued on 28 October, 2008 and modified 14 April, 2009 are to remain valid.

END OF CONDITIONS

RECOMMENDED

That Development Application No 562/2008.3 which approved the car wash at No 2 (Lot 2 in DP 1129436) Raintree Way, Mount Annan be modified subject to the conditions of development consent provided above. That part of the application that seeks to approve additional signage and remove the requirement for manned operation of the facility at all times be refused as the proposal is not considered to be in the public interest; has impacted on the amenity of the nearby residential area; and is inconsistent with the provisions of Camden DCP 2006.

ATTACHMENTS

1. Location plan
2. Submissions (sup doc)



Location Plan - 2 Raintree Way Mount Annan.pdf Submissions - s96 for DA562-2008-3.pdf

RESOLUTION

MOTION

Moved Councillor Funnell, Seconded Councillor Symkowiak that

That Development application No 562/2008.3 which approved the car wash at No 2 (Lot 2 in DP 1129436) Raintree Way Mount Annan be modified subject to the conditions of development consent provided below. That part of the application that seeks to approve additional signage and remove the requirement for manned operation of the facility at all times be refused as the proposal is not considered to be in the public interest; has impacted on the amenity of the nearby residential area and is inconsistent with the provisions of the Camden DCP 2006.

DRAFT MODIFIED CONDITIONS OF CONSENT

PROPOSED DEVELOPMENT is to be modified and now read:

Car wash, cleaning and vacuuming service, and signage.

6.0 OPERATIONAL CONDITIONS

Condition 1 to be amended and now read:

Hours of Operation - The hours of operation for the approved land-use are:

between 7:00am and 8:00pm seven days a week;

All vehicle movements, deliveries and any other operations associated with the use of the premises must be restricted to approved hours of operation. Any alteration to these hours will require the prior approval of the Consent Authority.

Note: pursuant to Section 80(10B) this condition is a reviewable condition and the hours may be reviewed by Council at any time and changed on any such review.

Condition 2 to be deleted.

Condition 16 to be deleted.

Condition 25 to be added and read:

Site security: The site is to be secured while it is closed by way of a permanent man proof gate to prevent all access into the site outside operating hours. Such gate to be erected within 2 months (60 days).

Condition 26 to be added and read:

Graffiti removal: Upon receipt of advice from the police that they have completed all investigations in relation to graffiti damage to the property, graffiti is to be removed within 7 days of that advice.

Condition 27 to be added and read:

Amenity: The business shall be conducted and patrons controlled at all times so that no interference occurs to the amenity of the area, adjoining occupations and residential premises.

Condition 28 to be added and read:

Internal signage: Signage is to be placed on the acoustic wall adjacent to the vacuum bays and at the entrance to the manual wash bays notifying customers of the need to minimise noise whilst using the equipment. Signage shall require customers to turn off their radios/stereo systems whilst on site.

Condition 29 to be added and read:

A-Frame Sign: The A-Frame sign is to remain wholly within the property boundaries at all times and away from vehicle and pedestrian travel paths.

ATTACHMENT A - ADVICE

Advice 7 to be added and read:

Plan of Management: To the extent of any inconsistency between the Plan of Management dated April 2010 prepared by Milestone and the consent conditions contained within this Development Consent, the consent conditions shall prevail.

This includes, but is not limited to, the number of staff to be on-site during hours of operation.

All other conditions of Development Consent 562/2008 issued on 28 October, 2008 and modified 14 April, 2009 are to remain valid.

THE MOTION ON BEING PUT WAS **CARRIED**.

(Councillors Anderson, Cagney, Cottrell, Dewbery, Funnell, Patterson, Symkowiak, Warren voted in favour of the Motion.

Councillor Campbell voted against the Motion).

ORD73/10

ORDINARY COUNCIL

ORD02

SUBJECT: TRANSMISSION LINE UPGRADE LODGES ROAD TO ORAN
PARK SUBSTATION
FROM: Director Works and Services
FILE NO:

PURPOSE OF REPORT

To inform Council of the outcome and resulting submission of the review of the Integral Energy proposal for the upgrading of the transmission lines between Lodges Road, Elderslie and the new Oran Park substation, Oran Park.

BACKGROUND

Council received correspondence from Integral Energy on 18 March 2010 advising of its proposal to install a 132kV electricity transmission line, extending from Lodges Road Elderslie through to the new Oran Park Zone Substation, Oran Park. A plan of the proposed route is **attached at the end of this report**.

Integral Energy also advised it had notified the following agencies and organisations:

- Local member of Parliament;
- Local Mayor, Councillors and Camden Council General Manager;
- RTA;
- Sydney Water;
- DECCW;
- Department of Planning;
- Landcom;
- Growth Centres Commission;
- NSW Heritage Office;
- relevant community organisations; and
- local media.

Integral Energy also advised affected and adjoining land owners, residents and stakeholders along the proposed route.

Following a mail out by Integral Energy, the project received media coverage and Council has received correspondence from concerned residents. Council received seven letters or emails and a petition addressed to Integral Energy containing 31 signatures, copies of which are contained **in the supporting documents**.

Integral Energy only provided a short response time for submissions and there was insufficient time to assess the proposal and provide a report to Council with a draft submission for endorsement prior to the closing date.

MAIN REPORT

Integral Energy is proposing to construct a 132kV electricity transmission line from Lodges Road, Elderslie to the new Oran Park Zone substation. Integral has stated that the construction of the line is a crucial part of its long term network strategy to provide electricity for the 100,000 residential lots planned for the South West Growth Centre, and this section is of particular importance to the development of Oran Park.

Integral Energy proposes the following route upgrade and installation options;

Lodges Road to Camden Valley Way

Replace existing overhead 33kV transmission line with underground 132kV.

Camden Valley Way to Narellan Creek

Replace existing overhead 33kV transmission line with new overhead 132kV line. The existing line is a 33kV line with wooden poles. The new 132kV line will be installed on concrete poles with a finished height of 18.7metres. A plan of this type of poles is provided **as an attachment to this report**. Note: Integral Energy did not provided details on the existing height of the wooden poles in the Narellan Creek floodplain.

New Link, Parallel to Narellan Creek to The Northern Road

The new 132kV line will be installed on concrete poles with a finished height of 18.7metres. An easement would be required for this new link. Much of this new link will be contained in land that is proposed to be dedicated to Council as reserve.

The Northern Road between Narellan Creek and Oran Park Substation

The existing 11kV transmission line on the western side of The Northern Road will be upgraded to a joint 132kV and 11kV configuration on 18.7m concrete poles. Some new easements would be required.

In reviewing Integral Energy's proposal, it was considered that insufficient consideration has been given by Integral Energy to the visual impact and amenity of residents close to the proposed transmission lines. In particular, there has been no allowance for the proximity of a number of heritage properties and the efforts to retain scenic vistas and view corridors associated with these properties. Accordingly, there have been no appropriate adjustments made due to the impact of the proposed transmission lines on these views.

In the submission sent by Council, Council requests that the entire length of the new or upgraded transmission lines be placed underground. Council considers that the adverse impact which overhead power, particularly of this scale and magnitude will have on the landscape, amenity and community is unacceptable. The implementation of infrastructure to support new and developing communities must not adversely impact on existing communities or the environment.

However, it is acknowledged that Integral Energy's proposal does include the undergrounding of the transmission line from Lodges Road to Camden Valley Way.

Council believes that the first priority for the undergrounding of the transmission line is the section between Camden Valley Way and The Northern Road, where the proposed

route runs across the Narellan Creek floodplain. Council is concerned that the proposed overhead transmission lines through this area will have detrimental impacts on the rural vistas and amenity of this area. A number of significant heritage properties are located above and overlook the Narellan Creek floodplain and major transmission lines, such as those proposed, would have negative impacts on the heritage value of these properties, including Camelot, Kirkham Stables and Orielson. The scenic vistas of the Narellan Creek floodplain are also important in terms of the heritage corridor of Camden Valley Way on the approaches to the Camden and Narellan townships.

In addition, there is no assessment of the impact of flooding on the proposed infrastructure in the floodplain or in flood prone areas.

It is also considered that the proposed work does not sufficiently consider the possible future land uses and layout associated with the proposed growth in the area. While early provision of infrastructure is important, there needs to be consideration given to other future changes which are known to be required or highly likely to occur, and consideration given to the impact of this work on those changes, and vice versa. Included in this is the fact that the proposed route traverses existing and future Council land which is expected to be an active reserve. Consideration needs to be given to possible future uses of this land so as not to restrict options for the future. These considerations are not apparent in Integral Energy's proposal.

The establishment of significant infrastructure, such as that proposed, without consideration to the imminent future development, may lead to undesirable and costly works to retrofit and may also impact on the viability of associated infrastructure upgrades, in particular the significant upgrade of The Northern Road by the RTA.

Accordingly, with regard to the proposed corridor along The Northern Road, Council believes it would be prudent for Integral Energy to consider a temporary solution for power transmission, given the plans for upgrading of The Northern Road and detailed plans for urban development in the Oran Park Precinct adjacent to the road have not yet been finalised.

A submission on behalf of Council which includes the Council's areas of concern, some additional comments and also includes references to residents' concerns (a **copy of which is attached to this report**) was submitted prior to the closing date for submissions. Since that time, Council has received further community comment which is generally consistent with the Council submission.

CONCLUSION

While Integral Energy should be commended for proposing to construct the 132kV transmission line underground between Lodges Road and Camden Valley Way, its proposal does not make any allowance for the impact of the scenic and heritage view corridors around Camden and Narellan approaches and historic properties or potential flood impacts. Council therefore requests that the other sections are also installed underground, with particular priority to the section between Camden Valley Way and the Northern Road.

The proposal also does not sufficiently consider the impact of or constraints imposed by this infrastructure work on future land uses and other infrastructure work required to

deliver additional release areas as the South West Growth area expands.

Local residents have expressed concerns, and both Council's and residents' concerns have been put to Integral Energy via Council's submission.

RECOMMENDED

That Council:

- i. endorse the contents of the submission to Integral Energy dated 16 April 2010; and**
- ii. write to submitters who provided information to Council and the lead petitioner thanking them for their contribution, advising them of Council's action and providing a copy of Council's submission.**

ATTACHMENTS



Transmission Line Plan.doc.pdf Power Pole.pdf Electricity Transmission Line Submission 20100416.pdf

SUPPORTING DOCUMENTS



Integral Petition [Sup Doc].pdf

RESOLUTION

Moved Councillor Funnell, Seconded Councillor Symkowiak that Council:

- i. endorse the contents of the submission to Integral Energy dated 16 April 2010; and
- ii. write to submitters who provided information to Council and the lead petitioner thanking them for their contribution, advising them of Council's action and providing a copy of Council's submission.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD74/10

ORDINARY COUNCIL

ORD03

SUBJECT: LOCAL GOVERNMENT BOUNDARY ADJUSTMENT - LIVERPOOL COUNCIL
FROM: Director Governance
FILE NO: Cnl Properties/Council Boundary Adjustment

PURPOSE OF REPORT

To obtain Council resolution in support of a proposal from five (5) residents to adjust part of the western Local Government boundary along Bringelly Creek with Liverpool City Council.

BACKGROUND

Council was originally approached by a resident of Orient Road, Greendale, being the owner of land adjoining the boundary of Camden and Liverpool City Councils, with a request that Council consider transferring the portion of their land to Liverpool City Council in order to eliminate the anomaly of having land split between two Councils.

Upon investigation, there are several additional properties (8 in all) also falling into this situation. The subject properties are located along Bringelly Creek which is the boundary line between Liverpool City and Camden Council Local Government Areas, with portions of each property overlapping into Camden Council area. **A Plan showing the location and the properties concerned is attached to this report.**

REPORT

Following these investigations, Council wrote to all affected landowners outlining the situation and sought a response to the request. Council also contacted Liverpool City Council seeking its views on the proposal. A community meeting was also held in Bringelly Community Hall in late 2009 which was attended by staff from Camden Council and Liverpool City Council together with 5 of the 7 landowners (note: 7 landowners own 8 properties in total). At the meeting, all aspects of the adjustment were fully discussed with the owners present and 3 of the owners agreed in writing to the proposal. Since the meeting, a further 2 landowners have now also agreed to the boundary adjustment.

A report was submitted to Liverpool City Council outlining the proposal and Liverpool City Council has supported the boundary adjustment.

The details of the five (5) properties to be transferred to Liverpool City Council are shown on the table below:

Address details	Property details	Approx Area in	Rates Payable to
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		Camden LGA (hectares)	Camden Council
889D Cut Hill Road, Cobbitty	Part Lot 4 DP 776502	0.51	\$654.03
889C Cut Hill Road, Cobbitty	Part Lot 5 DP 776502	1.98	\$705.54
899 Cut Hill Road, Cobbitty	Part Lot 6 DP 1056890	6.2	\$918.38
850A Cut Hill Road, Cobbitty	Part Lot 7 DP1056890	2.9	\$761.62
905 Cut Hill Road, Cobbitty	Lot 2 DP 582023	8.1	\$671.62

The total loss of rate income to Camden Council is \$3,711.19.

Following the community meeting, Liverpool City Council has undertaken to complete all the necessary administrative tasks associated with the proposal and has held discussions with the Geographical Names Board (GNB) concerning the changes. The GNB has given in principle approval to the proposal and is likely to approve such an application if both Councils agree to the boundary adjustment. The GNB has also reinforced a preference for all portions of a lot to be within one Local Government Area and Local Government Area boundaries to be based on a rational divide.

Liverpool City Council has now contacted Camden Council and is seeking support to proceed to the next stage of the boundary adjustment and lodge an application with the GNB and the DLG.

Notwithstanding the mixed response of landowners in the area, it is proposed to proceed with the boundary adjustment for the 5 lots where the approval of landowners has been obtained to adjust these lots entirely to within the Liverpool Local Government area. This would represent the first step towards having all the lots within the location moved to one Council area and be in concurrence with the GNB's preference. It is not considered practical to delay the application and attempt to obtain the agreement of the remaining landowners at this time. It is unlikely that any application would be supported by the GNB if all landowners did not agree to the proposal.

CONCLUSION

The owners of the land in the location have long been frustrated in dealing with two Councils and indeed, paying rates to two Councils and have approached both Councils on several occasions in the past in an endeavour to resolve the dilemma.

This is seen as the initial step in adjusting the Local Government boundary to rationalise all properties to within one Local Government area. The loss of property or rate income to Camden Council is not considered a significant factor and the adjustment of the boundary is both logical and in the public interest.

RECOMMENDED

That Council:

- i. support the Local Government boundary adjustment between Camden and Liverpool City Councils for the 5 lots described in the report and the lodgement of an application to the Geographical Names Board and the Division of Local Government; and**
- ii. advise Liverpool City Council of Council's support for the proposal.**

ATTACHMENTS



Location Plan LGA Boundary Adjustment March .pdf

RESOLUTION

Moved Councillor Campbell, Seconded Councillor Anderson that Council:

- i. support the Local Government boundary adjustment between Camden and Liverpool City Councils for the 5 lots described in the report and the lodgement of an application to the Geographical Names Board and the Division of Local Government;and
- ii. advise Liverpool City Council of Council's support for the proposal.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD75/10

ORDINARY COUNCIL

ORD04

SUBJECT: INVESTMENT MONIES
FROM: Director Governance
FILE NO: Investment Business Papers

Purpose of Report

In accordance with Part 9, Division 5, Section 212 of the Local Government (General) Regulation 2005, a list of investments held by Council as at 31 March 2010 is provided.

It is certified that all investments have been made in accordance with Section 625 of the Local Government Act 1993, the relevant regulations and Council's Investment Policy.

The weighted average return on all investments was 5.40% p.a. for the month of March 2010.

RECOMMENDED

That:

- i. Council note that the Principal Accounting Officer has certified that all investments held by Council have been made in accordance with the Local Government Act, Regulations, and Council's Investment Policy.**
- ii. the list of investments for March 2010 be noted.**
- iii. the weighted average interest rate return of 5.40% p.a. for the month of March 2010 be noted.**

ATTACHMENTS



Investment Report Mar 2010.xls

RESOLUTION

Moved Councillor Funnell, Seconded Councillor Symkowiak that:

- i. Council note that the Principal Accounting Officer has certified that all investments

held by Council have been made in accordance with the Local Government Act, Regulations, and Council's Investment Policy.

- ii. the list of investments for March 2010 be noted.
- iii. the weighted average interest rate return of 5.40% p.a. for the month of March 2010 be noted.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD76/10

ORDINARY COUNCIL

ORD05

SUBJECT: SUBMISSIONS TO NSW GOVERNMENT ON
METROPOLITAN TRANSPORT PLAN AND
METROPOLITAN STRATEGY REVIEW

FROM: Director Governance

FILE NO: Binder: Transport Strategies

PURPOSE OF REPORT

To consider submissions to the NSW Government on the Metropolitan Transport Plan for Sydney and the review of the Metropolitan Strategy for Sydney.

BACKGROUND

In 2005, the NSW Government released a Metropolitan Strategy for Sydney, called *City of Cities: A Plan for Sydney's Future*. This strategy contained a range of strategies for housing, employment, centres, open space and transport. Council considered the Metropolitan Strategy at its Development Committee Meeting held on 23 January 2006 and endorsed a submission to the NSW Government on the Strategy. The main purpose of the Strategy was to inform the future development of more detailed subregional strategies including a Subregional Strategy for South West Sydney.

Since that time, a Draft Subregional Strategy for South West Sydney was developed, but has yet to be finalised. Council has had minimal involvement in the drafting or review of the Draft Subregional Strategy. In addition, a number of transport measures have been proposed by the NSW Government, some of which were not included in the Metropolitan Strategy.

In 2009, the Federal Government advised State Governments that funding under the *Nation Building Program* for metropolitan transport projects would not be available if a comprehensive land use and transport plan was not in place. Also in 2009, the Sydney Morning Herald sponsored an Independent Public Inquiry to develop a long term public transport plan for Sydney. Council approved a submission to the Inquiry at its meeting of 22 September 2009. A Preliminary Report was released by the Inquiry in February 2010 which includes an evaluation of spatial planning models for Sydney's growth, investigations into effective governance systems and potential mechanisms for long-term funding, in addition to specific transport infrastructure proposals.

On 21 February 2010, the NSW Government released the *Metropolitan Transport Plan: Connecting the City of Cities* for public comment. Submissions close on 30 April 2010. **A copy of the Metropolitan Transport Plan is included in the Supporting Documents.**

A Discussion Paper on the review of the Metropolitan Strategy, which will include the final Transport Plan was then released by the NSW Government on 17 March 2010. **A**

copy of the discussion paper, Sydney towards 2036, is also included in the Supporting Documents.

Two submissions have been prepared for consideration by Council. This report provides a summary of the issues and the proposed submissions. **Copies of the draft submissions are included as Attachments 1 and 2 to this report.**

MAIN REPORT

Metropolitan Transport Plan: Connecting the City of Cities

The *Metropolitan Transport Plan: Connecting the City of Cities* provides a snapshot of the major transport initiatives for Sydney proposed by the NSW Government over the next couple of decades. In conjunction with the Metropolitan Strategy, a review of which is currently underway, the planning horizon for the NSW Government is 2036. The Transport Plan however only provides some level of detail for transport projects over the next ten years and offers a "10 year funding guarantee" for these projects.

The major principles of the current Metropolitan Strategy relating to transport remain fundamentally the same in the new Transport Plan, identified as:

- Commuting to work easily and quickly;
- Transport and services accessible to all members of our community;
- An efficient, integrated and customer focused public transport system; and
- Revitalised neighbourhoods with improved transport hubs.

Further, in line with the current Metropolitan Strategy, the Metropolitan Transport Plan supports growth and development of the regional cities of Penrith, Parramatta and Liverpool, rather than directing transport investment predominantly towards the Sydney CBD. As such, the Plan states that "*land use projections and decisions will help get the best value from investment in transport infrastructure*". This approach is broadly supported by the Independent Public Inquiry with regards to public transport investment.

The major elements of the Metropolitan Transport Plan are:

- The South West Rail Link;
- The North West Rail Link;
- New Western Express Services (from Penrith/Parramatta to Sydney) with a new underground city relief line;
- Extension of Light Rail from Lilyfield to Dulwich Hill and from Haymarket to Circular Quay (via Barangaroo);
- M5 widening (from Camden Valley Way to the M5 East);
- Completion of 43 Strategic Bus Corridors;
- Identification of a number of Planned Strategic Bus Corridors through the South West Growth Centre (though these do not resemble previous plans and do not connect with the new Oran Park Town);
- Southern Sydney and Northern Sydney Freight Lines and Cooks River to Botany Freight Line Duplication;
- Upgrades to the National Highway Network (though no specific details are provided);
- Planning and corridor preservation for a new Outer Sydney Orbital, a new rail crossing of Sydney Harbour and a future Sydney Metro Network;

- Establishment of a new Metropolitan Development Authority;
- The re-ordering of bus services into three categories - Principal, Link and Local (though no specific details are provided); and
- Completion of missing links in the Sydney Metropolitan Strategic Cycle Network (though no specific details are provided).

Other projects mentioned in the Plan, without any specific details, include *"identify new [bus] corridors for fast, frequent services across the city", "continue to support active transport", "introduce an electronic ticketing system for Sydney" and "continuing the Commuter Car Parking Interchange Programs"*.

Importantly, the Transport Plan identifies other projects that are not included in the 10 year funding guarantee but that could be brought forward if additional funding becomes available, including:

- M5 duplication;
- M4 east extension;
- Parramatta to Epping Rail Link;
- F3 to M2 link;
- further freight network enhancement; and
- commencement of Sydney's Metro network.

Comments on the Metropolitan Transport Plan

For Camden and South West Sydney, the Metropolitan Transport Plan represents mostly a return to the 2005 Metropolitan Strategy with the recommitment to the South West Rail Link and the continuation of projects already commenced, such as the Strategic Bus Corridors and Southern Sydney Freight Line. Unfortunately, however, there continues to be very little else in the Transport Plan for the South West of Sydney.

The Plan does not include:

- Planning and corridor preservation for an extension to the South West Rail Link;
- Funding for the Spring Farm Arterial Road;
- Funding for road network improvements specifically targeted to the Liverpool or Campbelltown centres;
- Ongoing investment in the Rail Clearways Program;
- A previously planned extension of the Liverpool to Parramatta Transit way through Edmondson Park to Ingleburn Station;
- Funding options to deliver projects in greenfield areas (the new Metropolitan Development Authority appears to be specifically focused on urban renewal);
- Funding details for any specific projects (the Plan only identifies funding for categories of projects);
- Funding for road safety engineering measures; or
- Funding for pedestrian improvement measures.

Council's 2006 submission on the Metropolitan Strategy called for a greater focus on job growth and job diversity in the South West subregion of Sydney. The Metropolitan Transport Plan identifies the importance of bringing jobs closer to where people live and increases the target of new jobs to be located in Western Sydney from 47% (in 2031) in the Metropolitan Strategy to 54% (in 2036). However, it is likely to continue that the majority of jobs in the white collar sectors, particularly in technology and

finance will be directed to the "global arc" stretching from South Sydney to Macquarie Park. Direct public transport to the global arc from all parts of Sydney is essential to ensuring equitable access to jobs in Sydney. For this reason, the Epping to Parramatta Rail Link (with direct connections from the South West) is considered a vital missing link in the rail network and should be brought forward into the list of projects supported by the 10 year funding guarantee.

Further discussion on the issue of employment is contained in the summary on the Metropolitan Strategy review below.

The targets in the Metropolitan Transport Plan for the shift in travel mode from the car to alternative forms of transport include the following:

- A 6 percentage point increase in the proportion of journey to work trips made by public transport by 2016 (from 22% in 2006 to 28% in 2016).
- A 22.4% increase in total train trips and an 11.1% increase in total bus trips by 2020, outgrowing the increase in car trips (combining driver trips and passenger trips) at 20.7%.
- A 7.2% increase in total bicycle trips by 2020; and
- A 7.4% increase in total walk only trips by 2020.

These targets are considered quite modest and while it would be unrealistic to expect significant changes to the travel mode split, more ambitious targets for walking, cycling and public transport, backed up with well funded and targeted programs, would be preferred. The targets however are unlikely to be achieved in the South West given the need for people to travel to work outside of the region without the necessary access to public transport being available.

Metropolitan Strategy Review: Sydney Towards 2036

The Metropolitan Strategy review Discussion Paper "Sydney Towards 2036" seeks community input into the future directions for the Sydney Metropolitan Area. The Discussion Paper identifies 10 directions and poses a number of questions in relation to each direction. The ten directions, and a summary of the proposed submission in relation to each follows:

Direction 1: Implement sustainable planning for a growing population.

The Discussion Paper asks whether Sydney should continue to accommodate the majority of population growth in NSW. This should not be considered a question of whether Sydney continues to grow or whether the growth is directed to some other regional centre. Rather the question should relate to the capacity of Sydney and other regional centres to grow. All towns and cities in NSW have both capacity to grow and constraints that limit growth. Many regional centres are in desperate need for more employment and support services such as higher order educational facilities in order to provide jobs for existing communities and prevent population decline. If greater resources are provided to regional centres to encourage business and employment growth, in a sustainable way for those centres, then the need for Sydney to accommodate the majority of population growth is mitigated to some extent. Therefore, the direction of implementing sustainable planning for a growing population should not only apply to Sydney, but to the entirety of NSW and Australia.

The South West of Sydney is identified as accommodating the highest level of growth in Sydney (113.1% increase in population from 2008 to 2036 – the next highest growth area will be Sydney City with 59.9% growth in population). Given this, the South West subregion of Sydney should have priority in infrastructure delivery and job growth as well.

Direction 2: Address the vulnerability of Sydney to a changing climate and a carbon constrained future.

The Discussion Paper asks how planning can address the consequences of climate change and improve efficiencies in the use of resources. It also asks how we can bring more green and open space into our communities. In relation to climate change, to date the focus has been on sea level rise in coastal communities, however more needs to be done to address the impacts in Western Sydney from potential river and flood level increases and temperature extremes. There are numerous ways in which planning can have an impact on resource efficiency, from encouraging or mandating use of renewable energy and recycled water, encouraging co-location of facilities and services, implementing healthy cities principles and education campaigns.

The question about increasing open space in communities, if the desire is for more public open space, is more a funding issue than a planning issue. As public open space is obtained through the implementation of Developer Contributions Plans, the recent decisions by the NSW Government to restrict the use of Developer Contributions Plans will not assist in increasing public open space. Furthermore, as the cost of acquiring land is the major portion of funds levied, the ability to fit within the Developer Contribution caps imposed by the Department of Planning is severely limited and accordingly, without government assistance to acquire the land, Councils will be unable to deliver any additional areas. If more open space in private ownership is the goal, the recent development trend of larger houses on smaller lots does not allow room for any significant tree planting. Smaller lots are one way to achieve densities that support viable public transport, however the larger homes with room for two or three cars on these smaller lots is defeating the purpose. Programs aimed at encouraging smaller houses on smaller lots, with greater proportions of private open space could be developed to address this issue.

Direction 3: Get best value from investment in transport infrastructure with integrated land use planning.

The principle of more activity in centres and public transport nodes, particularly with higher density housing, is appropriate, but only in the right locations. Not all centres or public transport nodes can or should support higher intensity development. Environmental and heritage constraints should be considered when determining the capacity of a centre to accommodate growth. However all centres can be improved to encourage greater pedestrian, cyclist and public transport use. Funding to improve local paths, cycleways, facilities for bike storage and shelter for public transport users are just a few of the measures that can make our city less car dependant.

Direction 4: Boost job growth by providing a good supply of land for employment.

The Metropolitan Transport Plan identifies the following projections for new dwellings and jobs in South West Sydney:

New Dwellings (2010-2020):	50,580
New Jobs (2010 – 2020):	35,080

If it was assumed, to be conservative, that each new dwelling contained only one person in the labour market, these projections identify a shortfall of 15,500 jobs for South West Sydney. These projections equate to a ratio of 0.69 jobs per dwelling. This compares to the North West Region of Sydney which is projected to receive 56,640 new dwellings and 61,180 new jobs, or 1.08 jobs per dwelling.

However, it is more likely that many of the new dwellings will contain at least two persons in the labour market, exacerbating the shortfall of local jobs in the South West. If jobs closer to home is one of the aims of the Metropolitan Strategy, these projections will not deliver this for South West Sydney.

Too often, employment land is used to describe industrial land. It is important that the term employment land be used to describe a wide range of employment opportunities, not just industrial. Broadening the land use permissibilities on industrial zoned land, in appropriate locations, can encourage a greater density and diversity of jobs in existing areas. A wide range of commercial (non-retail) businesses could be located in industrial areas without negatively impacting on commercial centres or displacing industrial activities. In this way, some industrial areas could be turned into business parks, where a mix of industrial and commercial development takes place.

The Discussion Paper asks how we can ensure sufficient retail and commercial space to support growth. This is a controversial issue related to the Government's Draft Centres Policy which is yet to be finalised. Council's previous submission on the Draft Centres Policy called for a balance between increasing the supply of land for growth in commercial and retail development and the impact of such increased supply on the viability of existing centres.

Direction 5: Increase diversity of employment to strengthen local economies and provide a wider range of jobs closer to home.

As mentioned above, a greater level of mixed uses in employment areas, as well as in commercial and retail centres, will encourage a greater diversity of jobs. The Discussion Paper specifically asks how this can be achieved in Western Sydney. Improving public transport to and throughout Western Sydney and facilitating the development of business parks are the two most important actions needed. Along with these, the exploration of development opportunities on surplus public or quasi-public land (such as vacant land on hospital or university sites) through partnerships and links with the hospitals and universities themselves, should be considered.

Direction 6: Improve the capacity of Sydney to accommodate the majority of its housing growth within existing urban areas.

The Discussion Paper asks how the planning system can support investment and jobs in new and existing centres. It also asks what are the features of a vibrant centre and how can we ensure these features are incorporated into our planning. The most important way to support investment in centres is to provide the right level of certainty and flexibility in terms of planning decisions for centres. A planning system that is

under constant change and an infrastructure program that is uncertain does not encourage private sector investment. On the other hand, a rigid and inflexible system can discourage innovation and the taking of managed risks.

A vibrant centre is one that is more than a retail centre, with a wide range of land uses and activity day and night. A vibrant centre is walkable and connected, with community space and identity. The planning system can encourage vibrant centres in a number of ways, by making a mix of land uses permissible, by offering planning incentives to appropriate developments and through the adoption of flexible planning controls that encourage good development. It can also be achieved through the enforcement of vision and character statements, usually contained within development control plans. This will require more weight to be given to development control plans in the planning system.

Direction 7: Ensure a wider mix of housing types and costs across Sydney in response to an ageing population and changing household preferences.

As mentioned above, encouraging smaller homes on smaller lots, in appropriate locations, is one way to provide an alternate and affordable housing product and allow for more private open space. Smaller housing product is more commonly contained within residential flat buildings, yet many people would prefer when downsizing to maintain some sense of independence and this can be achieved through land ownership rather than through ownership or rental of an apartment. Having said this, residential flat buildings, townhouses, villa housing and the like will be the preference for some and this form of housing should be permissible in appropriate locations throughout Sydney to enable people to make this choice in their own neighbourhoods. It will be important to ensure all forms of housing, but particularly higher density housing, meet high quality design and environmental standards.

Direction 8: Plan for new housing in greenfield areas, while protecting land for primary production, open space and conservation needs.

The Discussion Paper asks whether greenfield development should continue to be concentrated in the Growth Centres. The alternative to this is a return to the haphazard and sprawling nature of greenfield development and it is therefore considered that continued concentration within the Growth Centres is preferred. The Discussion Paper also asks whether more should be done to encourage food production in the Sydney Basin. Facilitating local food production is clearly a more sustainable outcome than requiring more food to be transported to Sydney from other regions. However, the main question should be "what can be done to encourage food production in the Sydney Basin?" Council's previous submission on the Metropolitan Strategy for Sydney called for an urban limit to be established so that farmers and market gardeners can have more certainty about the future of agricultural land. In addition to this, programs to assist the establishment and operation of community gardens within urban areas can, at the very local level, support sustainable food production and minimise the extent of fresh food importation.

Direction 9: Build communities through redevelopment.

The Discussion Paper asks which parts of Sydney could benefit from a new centre. In Camden, new centres will be established throughout the South West Growth Centre

and in other new release areas in Spring Farm and Elderslie. In the Growth Centre, a new town centre has been planned in Oran Park along with additional neighbourhood centres in Gregory Hills (in the Turner Road Precinct) and also in Oran Park (west of The Northern Road). Also planned for Gregory Hills is a new employment area. As mentioned above, consideration should be given to expanding the land uses within some employment areas to create new business parks, where a diversity of jobs would be available. The employment land in Gregory Hills is considered an appropriate area to allow business park type activities.

Direction 10: Implement a revised Metropolitan Strategy.

In terms of implementation, the Discussion Paper asks what should be the key characteristics of an urban renewal authority and what legislative and planning tools should be available to such an authority. The former Growth Centres Commission (now a part of the Department of Planning) is considered an appropriate model for the new Sydney Metropolitan Development Authority to be based on. The Authority should be given the role and power to coordinate State Agency input into the planning process, with the authority to override individual agencies in the interests of achieving balanced planning outcomes. The Authority should be responsible directly to the Premier, rather than through a specific Minister or Ministers. The Authority should be responsible for a substantial budget to achieve its goals, bringing funding certainty to encourage private investment. Careful consideration should be given to whether the Authority is given power to acquire land or force property amalgamations, and if such power is given, it should only be given under the Just Terms Compensation legislation. The Authority should not be given powers to avoid community consultations or environmental assessments, nor to fast track developments that are not in the public interest or do not have community support. The Authority should be required to undertake public consultations and take into consideration the views of the local community and other interests.

Summary of Comments on the Metropolitan Strategy Review

Specific comments on each proposed direction for the new Metropolitan Strategy are addressed above. However, the Discussion Paper asks two final broader questions:

What top three issues or geographical areas should the next Metropolitan Strategy focus on and why?

In terms of issues (which are applicable in all geographical areas), there are five that should be the focus of the next Metropolitan Strategy:

- Employment diversity, with a particular focus on Western Sydney;
- Transport, specifically the provision of missing rail links such as the Parramatta to Epping Link;
- Affordable housing (in all areas of Sydney);
- Environment, in particularly improvements to air and water quality; and
- Culture, with a focus on harmony, community interaction and local identity.

These five issues are the most affected by a growing population and should therefore have priority.

Do you think the ten proposed directions are the right way ahead for Sydney?

Subject to the comments above, the directions proposed in the Discussion Paper are considered a step in the right direction for Sydney. The actions are intended to achieve the directions however will need careful consideration. The Discussion Paper contains very little detail on the proposed actions to achieve the ten directions, therefore it is considered appropriate that further community consultation be undertaken on either a Draft Metropolitan Strategy that outlines proposed actions or an Action Plan that will support the Metropolitan Strategy. The ten directions do not address two of the five priority issues identified above, being environmental issues (aside from climate change issues) and cultural issues. Further directions in relation to these issues should be included in the Metropolitan Strategy.

CONCLUSION

The preparation of Metropolitan Transport Strategy and its inclusion into the review of the Metropolitan Strategy is a welcome initiative of the NSW Government. Providing opportunities for community input into the plans is also welcome. Both documents released for public comment contain elements and directions that are worthy of broad support. However they also are lacking in detail, particularly in relation to funding and specific actions that will be undertaken to achieve the stated outcomes. Two draft submissions have been prepared on the Metropolitan Transport Plan and the Metropolitan Strategy Review for consideration and endorsement by Council. It is fundamentally important that both submissions be forwarded to the NSW Government as a package as the integration of transport with the broader metropolitan planning activities is essential to resolving the growth issues that are currently being and will continue to be faced by Sydney.

RECOMMENDED

That Council:

- i. endorse the submissions on the Metropolitan Transport Plan and Metropolitan Strategy Review;**
- ii. forward both submissions to the relevant sections of the Department of Planning undertaking the reviews; and**
- iii. forward copies of Council's submissions to the State Member for Camden, the Minister for Planning and the Minister for Transport and Roads.**

ATTACHMENTS

Attachment 1 (at end of report) - Draft submission Metro Strategy Review

Attachment 2 (at end of report) - Draft submission Metro Transport Plan

Supporting Document 1 - Metro Transport Plan

Supporting Document 2 - Metro Strategy Review Discussion Paper



Draft Submission Metro Transport Plan (2).doc



Draft Submission Metro Strategy Review.doc



Metropolitan-Transport-Plan.pdf



Metro Strategy Review Discussion Paper.pdf

RESOLUTION

Moved Councillor Anderson, Seconded Councillor Warren that Council:

- i. endorse the submissions on the Metropolitan Transport Plan and Metropolitan Strategy Review;
- ii. forward both submissions to the relevant sections of the Department of Planning undertaking the reviews; and
- iii. forward copies of Council's submissions to the State Member for Camden, the Minister for Planning and the Minister for Transport and Roads.

THE MOTION ON BEING PUT WAS **CARRIED**.

ORD77/10

**THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 APRIL
2010 WERE ADOPTED AT AN ORDINARY COUNCIL MEETING HELD 11
MAY 2010. MIN. NO. ORD 81/10**

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized, cursive name.

CHAIRPERSON