



Camden Council

Business Paper

Ordinary Council Meeting
14 August 2018

Camden Council
Administration Centre
70 Central Avenue
Oran Park



COMMON ABBREVIATIONS

AEP	Annual Exceedence Probability
AHD	Australian Height Datum
BCA	Building Code of Australia
CLEP	Camden Local Environmental Plan
CP	Contributions Plan
DA	Development Application
DCP	Development Control Plan
DDCP	Draft Development Control Plan
DoPE	Department of Planning & Environment
DoT	NSW Department of Transport
EIS	Environmental Impact Statement
EP&A Act	Environmental Planning & Assessment Act
EPA	Environmental Protection Authority
EPI	Environmental Planning Instrument
FPL	Flood Planning Level
GSC	Greater Sydney Commission
LAP	Local Approvals Policy
LEP	Local Environmental Plan
LGA	Local Government Area
MACROC	Macarthur Regional Organisation of Councils
NSWH	NSW Housing
OEH	Office of Environment & Heritage
OLG	Office of Local Government, Department of Premier & Cabinet
OSD	Onsite Detention
REP	Regional Environmental Plan
PoM	Plan of Management
RL	Reduced Levels
RMS	Roads & Maritime Services (incorporating previous Roads & Traffic Authority)
SECTION 149	
CERTIFICATE	Certificate as to zoning and planning restrictions on properties
SECTION 603	
CERTIFICATE	Certificate as to Rates and Charges outstanding on a property
SECTION 73	
CERTIFICATE	Certificate from Sydney Water regarding Subdivision
SEPP	State Environmental Planning Policy
SREP	Sydney Regional Environmental Plan
STP	Sewerage Treatment Plant
VMP	Vegetation Management Plan
WSROC	Western Sydney Regional Organisation of Councils

General Manager
Ron Moore Mayor
Lara Symkowiak

Director Customer and
Corporate Strategy
David Reynolds
Acting Director Sport
Community and Recreation
Casli Mehmed
Chief Financial Officer
Paul Rofe
Manager Governance and Risk
Charles Weber

Director Planning and Environment
Nicole Magurren

Acting Director Community Assets
Dick Webb

SEATING DIAGRAM

Camden Council Meeting

Councillor
Rob Mills

Councillor
Theresa Fedeli

Councillor
Peter Sidgreaves

Councillor
Michael Morrison

Councillor
Ashleigh Cagney

Councillor
Eva Campbell

Councillor
Paul Farrow

Councillor
Cindy Cagney

Public Address

Public Seating

Media





ORDINARY COUNCIL

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ORDINARY COUNCIL

SUBJECT: PRAYER

PRAYER

Almighty God, bless all who are engaged in the work of Local Government. Make us of one heart and mind, in thy service, and in the true welfare of the people we serve: We ask this through Christ our Lord.

Amen

Almighty God, give thy blessing to all our undertakings. Enlighten us to know what is right, and help us to do what is good: We ask this through Christ our Lord.

Amen

Almighty God, we pause to seek your help. Guide and direct our thinking. May your will be done in us, and through us, in the Local Government area we seek to serve: We ask this through Christ our Lord.

Amen

AFFIRMATION

We affirm our hope and dedication to the good Government of Camden and the well being of all Camden's residents, no matter their race, gender or creed.

We affirm our hope for the sound decision making by Council which can improve the quality of life in Camden.

Either – “So help me God” or “I so affirm” (at the option of councillors)

We pledge ourselves, as elected members of Camden Council, to work for the provision of the best possible services and facilities for the enjoyment and welfare of the people of Camden.

Either – “So help me God” or “I so affirm” (at the option of councillors)

ORDINARY COUNCIL

SUBJECT: ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the traditional custodians of this land on which we meet and pay our respect to elders both past and present.



ORDINARY COUNCIL

SUBJECT: RECORDING OF COUNCIL MEETINGS

In accordance with Camden Council's Code of Meeting Practice and as permitted under the *Local Government Act 1993*, this meeting is being audio recorded by Council staff for minute taking purposes.

No other recording by a video camera, still camera or any other electronic device capable of recording speech, moving images or still images is permitted without the prior approval of the Council. The Council has not authorised any other recording of this meeting. A person may, as provided by section 10(2)(a) or (b) of the *Local Government Act 1993*, be expelled from a meeting of a Council for using or having used a recorder in contravention of this clause.

ORDINARY COUNCIL

SUBJECT: APOLOGIES

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

RECOMMENDED

That leave of absence be granted.

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.

ORDINARY COUNCIL

SUBJECT: PUBLIC ADDRESSES

The Public Address session in the Council Meeting provides an opportunity for people to speak publicly on any item on Council's Business Paper.

The Public Address session will be conducted in accordance with the Public Address Guidelines. Speakers must submit an application form to Council's Governance team no later than 5.00pm on the working day prior to the day of the meeting.

Speakers are limited to one topic per Public Address session. Only seven speakers can be heard at any meeting. A limitation of one speaker for and one speaker against on each item is in place. Additional speakers, either for or against, will be identified as 'tentative speakers' or should only be considered where the total number of speakers does not exceed seven at any given meeting.

Where a member of the public raises a question during the Public Address session, 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 question per speaker per meeting.

Speakers should ensure that their statements, comments and questions comply with the Guidelines.

All speakers are limited to four minutes, with a one minute warning given to speakers prior to the four minute time period elapsing. The commencement and conclusion of time shall be advised by the Mayor/Chairperson.

Public Addresses are 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.

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, or make a point of order ruling if a speaker breaches the Guidelines.

RECOMMENDED

That the public addresses be noted.

ORDINARY COUNCIL

SUBJECT: CONFIRMATION OF MINUTES

Confirm and adopt Minutes of the Ordinary Council Meeting held 24 July 2018.

RECOMMENDED

That the Minutes of the Ordinary Council Meeting held 24 July 2018, copies of which have been circulated, be confirmed and adopted.

ORDINARY COUNCIL

Mayoral Minute

SUBJECT: MAYORAL MINUTE - SUPPORT FOR FARMERS

FROM: The Mayor

TRIM #: 18/254014

This year has seen our farmers face threats to their livelihood and wellbeing in the form of one of our state's worst droughts, with the devastation of the drought capturing the nation's attention and hearts.

With large areas of the state now experiencing dry or drought conditions, the dry seasons are causing severe financial hardship for farmers across NSW, with many farmers facing an ongoing battle of maintaining their farms, looking after their animals and providing for their families.

Last month, the NSW government announced a \$500 million drought relief package which included loans, rate subsidies, reduced Local Land Services fees, as well as funding for mental health support.

Additionally, a number of other fundraising efforts have been organised across the state and locally to assist our farmers, including the Dilly Drought Drive, Bunnings Narellan Sausage Sizzle, the Buy A Bale campaign and The Rotary Club of Narellan's farmer support drive just to name a few.

To show their support for our farmers in NSW, Council staff will also be hosting a special morning tea to raise funds, with the proceeds of the morning tea to be donated to The Rotary Club of Narellan for their farmer support drive.

With this in mind, I would like to propose that Camden Council also donates \$10,000 towards The Rotary Club of Narellan's farmer support drive to show our appreciation and support towards assisting farmers in getting them back on their feet.

With 99 per cent of the state now in drought, we must come together as a community to do whatever we can to show our support. I encourage the Camden community to dig deep, get behind our farmers and show their support for this worthy cause.

As the backbone of our agricultural and livestock industries, our farmers play a vital role in providing the basics for our food needs, so it is important we come together in times of crisis and support our fellow Aussies.

I hope you will all join me in supporting this worthy cause.

RECOMMENDED

That Council endorse a donation of \$10,000 towards the Rotary Club of Narellan's farmer support drive with funding to come from Councillor Ward Funds.



ORDINARY COUNCIL

ORD01

SUBJECT: POST EXHIBITION REPORT - CAMDEN TOWN CENTRE URBAN DESIGN FRAMEWORK

FROM: Director Planning and Environment

TRIM #: 17/278945

PURPOSE OF REPORT

The purpose of this report is for Council to consider the submissions received from the public exhibition of the draft Camden Town Centre Urban Design Framework (the Framework).

The report recommends Council adopt the Framework subject to minor post-exhibition amendments. A copy of the Framework, as amended, is included as an **attachment** to this report.

BACKGROUND

The Camden Town Centre Strategy was adopted by Council in 2008. The aim of the Strategy was to *'manage and maintain the character of the town centre while making provision for modern planning and development requirements'*.

With the Camden LGA experiencing rapid urban growth since 2008, the role and context of the town centre has changed with developing urban centres at Narellan and throughout the Growth Centre.

In 2013, Council undertook a series of studies and community engagement to inform a revised vision for the town centre. The Camden Town Centre Vision (the Vision) was endorsed by Council at its meeting of 14 April 2015.

The intent of the Vision is to protect and strengthen the town centre's valued and distinct character whilst at the same time facilitating appropriate change and growth. The Vision contains a series of initiatives, several of which have been combined into the Framework, including:

- Prepare an urban design framework to establish objectives for the town centre and to identify development opportunities and associated controls for selected catalyst sites;
- Preparation of a public domain and streetscape plan;
- Preparation of a place focused, performance based DCP;
- Investigate current planning controls;
- Undertake master planning for the John Street Precinct;
- Preparation of a wayfinding and signage strategy; and
- Commencement of detailed investigation for a new public square.

In June 2016, Council engaged McGregor Coxall, urban designers to undertake the project along with a team of specialists including heritage experts and engagement specialists. Figure 1 below shows the study area of the Framework.



The draft Framework was publicly exhibited from 24 April to 6 July 2018. During the exhibition Council officers offered and met with key stakeholder groups including the Camden Historical Society and the Camden Resident Action Group.

Councillors have been briefed on the progress of the Framework with the latest briefing on 10 July 2018.

MAIN REPORT

Structure of the Framework

The Framework is structured around six key principles or 'place vitality criteria'. These include;

- Natural Environment
- Economics
- Access and Movement
- Public Domain
- Built form; and
- Culture.

Central to the key principles has been engagement with the community of Camden.

Informed by the community engagement and investigation of key principles, a series of initiatives were developed under each of the key principles. If adopted, these initiatives will inform an implementation plan to deliver the outcomes of the Framework.

In addition to the initiatives, the Framework considered four catalyst precincts within the town centre including Larkin Place, John Street, Murray Street and the Nepean River Link.

Key Findings and Initiatives

The Framework recognises that the town centre has a unique and distinct heritage character that is highly valued by the community and should be retained. The Framework does not propose radical change, but rather it considers opportunities for minimal change to the built form and uses within the town centre, with a focus on enhancing the attributes that make Camden unique.

Zoning

The Framework reviewed the current B2 Local Centre and B4 Mixed Use zonings within the town centre and recommends that the current zoning be retained. However, the Framework does recommend a review of the permissible uses within these zones and consideration of reinstating "dwelling houses" as a permissible use.

Built Form – Height

The Framework reviewed the current height restrictions within the town centre, as well as considering the height of existing buildings and preferred architectural style. The

Framework does not recommend amending the current 7m height limit throughout the town centre. Rather, the Framework identifies opportunities for further investigation of specific sites and recommends reviewing controls to provide greater consistency in the consideration of development applications.

The Framework identifies that, in some circumstances, the height restriction reduces the ability to achieve pitched roofs which complement the existing heritage buildings. The Framework found there is an opportunity to investigate controls that restrict the number of storeys combined with height restrictions to achieve the desired urban design outcomes.

The Framework also recommends further investigation be undertaken regarding height, including developing criteria for when variations may be considered. The Framework identifies some opportunities for minor height increases where improved architectural and urban design outcomes can be achieved, and where it is clearly demonstrated that there is no impact on key view corridors to and from the town centre.

The Framework recommends a further study be undertaken to establish criteria where variations could occur. Matters that need further investigation include building design, built form, topography, view corridors and impact on the human scale of Camden.

Public Domain – Signage & Materials

The Framework includes a Public Domain Manual that establishes a street hierarchy and provides a standard palette of materials to guide future public domain works.

The manual also considers wayfinding and signage within the town centre as integral elements to the success of the public domain and recommends that Council undertake further work to develop a suite of heritage signs and a wayfinding strategy that minimises ad hoc signage in the town centre.

Access and Parking

The Framework identifies that while the town centre is dependent on vehicular traffic, it is a highly pedestrianised centre with most of the town centre contained within a 400m walkable radius.

The Framework includes initiatives that emphasise the pedestrian nature of the town centre and provide opportunity to increase cycle access into the town centre.

The Framework also recommends investigation into parking restrictions within the town centre that will create a greater turnover of parking and encourage long stay parking to the outer edges.

Key Precincts

The Framework identified and investigated four key precincts within the town centre to test the proposed strategies.

Larkin Place

Larkin Place is well positioned to connect to the John Street Precinct and other civic uses, such as the Camden Library and Museum.



The Framework identifies Larkin Place as having the potential to provide a flexible (temporary) town square and civic space for events, whilst still functioning as a public carpark.

The Framework also identifies opportunities to improve the interface with the rear of buildings facing onto the Larkin Place carpark, providing opportunities for infill development for small commercial or retail use.

In doing this, the Framework reviewed the Camden Town Centre Strategy (2008) which recommended a formal Town Square in John Street. The Framework concludes that Larkin Place has the potential to become a flexible town square, providing opportunities for more commercial and social activity and recommends that the proposed John Street Town Square not proceed.

John Street

The Framework identifies John Street as the cultural hub of the town centre. Given its existing strong heritage character and existing civic uses such as the Camden Library, Museum and the Alan Baker Art Gallery this precinct could further be developed as a cultural and community precinct. The Framework recommends investigating public domain works including signage and lighting, and other small-scale facilities to support public performance and enhance the civic amenity.

Murray Street

Murray Street plays an important role as a gateway entry point into the town centre. The Framework identifies the Murray Street precinct as an opportunity for re-imagining as an eat-street with a program of public domain improvements to increase pedestrian amenity and traffic calming.

The Framework also identifies Murray Street as being potentially viable for a minor increase in height, subject to demonstrating design excellence and undertaking further analysis with regards to key view corridors.

Nepean River Link

The Nepean River Link provides an opportunity to better connect the river and rural floodplain with the town centre. The establishment of a river pathway could provide linkages with existing pathways and the Camden Town Farm.

Public Exhibition Process

The draft Framework was placed on public exhibition from 24 April to 6 July 2018. Copies of the document were placed in Council's administration centre and in the Camden and Narellan libraries.

During the exhibition period Council staff conducted information kiosks at:

- Camden Library – 6.00 to 8.00pm, Tuesday 1 May 2018.
- National Australia Bank corner Camden – 10.00am to 12.00 noon, Friday 4 May 2018 and Saturday 5 May 2018.

A total of 15 submissions were received. Copies of submissions are provided as a **supporting document**. A summary table outlining the issues raised in submissions and Council officer response is provided as an **attachment** to this report.

Summary of key issues raised and responses

A list of key issues and officer responses is provided below.

1. Building Height

Several submissions raised concerns regarding the potential to increase the height limit of 7m within the town centre. Submissions also called for Council not to consider variations to this control. Concerns were also raised regarding the review of heights in the Murray Street Precinct.

Officer Response

The Framework does not recommend changing the existing 7m height limit throughout the town centre. Rather, the Framework identifies that the height control combined with a storey control could be used to achieve better urban design outcomes, including the ability to have pitched roofs.

The Framework recognises that many existing buildings within the town centre do not meet the 7m height limit and recommends that clear criteria be prepared for how and when variations to the height control will be considered.

The Framework also identifies Murray Street for possible further consideration in relation to height. The Framework recognises that the typography and location of the Murray Street Precinct may facilitate a minor height increase subject to detailed design and analysis with regards to key view corridors.

Any change to height in the town centre would be subject to a separate planning proposal to amend the Camden LEP 2010 and this would require further investigation and community engagement.

2. Signage and Wayfinding

Concerns were raised regarding the general suite of signage within the town centre, and that it detracts from the heritage of the town centre.

Officer Response

The Framework recommends the preparation of a heritage suite of signage for the town centre. This will be undertaken in conjunction with a wider wayfinding strategy for the town centre.

3. Heritage and its role in the Framework

Concerns were raised that the heritage significance of the town centre was not prominent enough within the Framework, and that heritage should be strengthened in terms of the overall document and, more specifically, within the economic principles, as heritage has a key role in the economic viability of the town.

Officer Response

The draft Framework recognises the importance of heritage in the town centre and the need to preserve and enhance heritage in the future. There is no objection to amending the Framework to further recognise and support this.



4. Zoning

Concerns were raised regarding the zoning of the town centre and the St Johns Church Precinct.

Officer Response

The Framework does not recommend changing the current zoning within the town centre, however it does recommend a review of the current permissible uses within the B2 Local Centre and B4 Mixed Use zones as they currently prohibit dwelling houses.

With regards to the St Johns Church precinct, this was not included within the scope of the Framework, however zoning will be considered as part of the broader review of the Camden LEP 2010.

5. Arrival experience

Concerns were raised regarding the need to improve the entry points into the town centre.

Officer Response

The Framework identifies potential initiatives to improve the arrival experience into the town centre. These include investigating the opportunity to underground power infrastructure (where possible) and reinforcing tree lined avenues on the approaches to the town centre.

6. Public Art

The need for a public art strategy was raised, including the opportunity for public art to emphasise the history and significance of the town centre.

Officer Response

The Framework identifies an initiative to develop a public art strategy for the town centre.

7. Traffic and Parking

Concerns were raised with the speed of traffic in the town centre and a need to reduce the speed limit. Concerns were also raised regarding the availability of parking close to the town centre.

Officer Response

The Framework doesn't review traffic or parking, however, it includes initiatives to further improve access and movement within the town centre, including initiatives to improve walkability and cycle access into the town centre.

In relation to parking, the Framework recommends Council undertake monitoring and investigate parking restrictions within the centre and promote long stay parking on the outer edges of the town centre.

8. Development in the Floodplain

Concern was raised with potential future development within the floodplain surrounding the town centre and the need to preserve the floodplain.

Officer Response

The Framework doesn't consider or promote development within the floodplain surrounding the town centre. Any future proposals within the floodplain would need to take into consideration all relevant planning controls.

Proposed Changes to the Framework

Minor post-exhibition changes are recommended to the draft Framework resulting from the submissions. These are listed in the table below.

Reference	Proposed Amendment
Page 15	Add the following sentence to the last paragraph: <i>'In addition, the entire Camden Town Centre is within a heritage conservation area.'</i>
Economics Place Principle - Page 57	Replace the existing place principle with the following: <i>'Maintain and evolve the local retail, commercial and residential economy by creating a range of opportunities that complement the heritage fabric of the Town Centre.'</i>
Outcome 04 Page 87	Replace with the following wording: <i>'Allow small scale (2 storey with pitched roof) residential development facing Larkin Place.'</i>
Outcome 03 - Page 95	Replace with the following wording: <i>'Any built form, or modification to existing facades on Murray Street is to engage with the streetscape and provide enclosed outdoor space.'</i>

Where to From Here?

Subject to Council adopting the Framework, an implementation plan will be prepared. A summary of some of the key initiatives and broad delivery timeframes are provided below:

Short Term

- Further investigation into the LEP and DCP provisions.
- Prepare a signage and wayfinding strategy.
- Review and monitor Camden Town Centre parking restrictions.
- Prepare a public art strategy.
- Explore use of Larkin Place for future events.

Medium Term

- Public domain works, including pedestrian crossings on John Street and Murray Street.
- Investigate opportunities to enhance cycling experience.
- Investigate planning for a cycleway along the Nepean River.
- Investigate Water Sensitive Urban Design in parking areas with increased permeability of surfaces.



Long Term

- Physical works in Larkin Place car park to improve its usability for events.
- Investigate underground power (where possible) to strengthen entry experience to the town centre.

FINANCIAL IMPLICATIONS

There are no direct financial implications for Council from this report.

There is funding currently available for the preparation of strategic studies, including studies as part of the LEP/DCP review. Specific initiatives will be subject to consideration in the preparation of future budgets.

CONCLUSION

The Framework builds on the initiatives from the Camden Town Centre Vision. Consistent with the Vision, the Framework recognises the unique and distinct heritage character of the town centre and provides a series of initiatives which aim to protect and strength the future of the town centre.

The community has been engaged throughout the process and have assisted in the preparation of the Framework. Having considered the submissions received, it is recommended that Council adopt the Framework.

RECOMMENDED

That Council:

- adopt the Camden Town Centre Urban Design Framework (as amended);**
- publicly notify the adoption of the Camden Town Centre Urban Design Framework; and**
- advise submitters of the outcome of this report.**

ATTACHMENTS

1. Camden Town Centre Urban Design Framework
2. Table of Submission responses - Camden Town Centre
3. Submissions - *Supporting Document*

ORDINARY COUNCIL

ORD02

SUBJECT: RMS ACQUISITION OF COUNCIL OWNED LAND
FROM: Director Customer & Corporate Strategy
TRIM #: 18/204915

PURPOSE OF REPORT

The purpose of this report is to seek Council's approval for Roads and Maritime Services (RMS) to acquire Council owned land to facilitate the construction of noise walls as part of the upgrade of The Northern Road, Narellan.

BACKGROUND

RMS is in the process of finalising the upgrade of The Northern Road at Harrington Park. Part of the project requires noise walls to be constructed on Council owned land, as shown on the **attachment** to this report.

RMS has asked Council to consent to the proposed compulsory acquisition of part of five parcels of Council owned land and easement under the provisions of the *Land Acquisition (Just Terms Compensation) Act 1991*. The land is to be acquired to allow for the construction of the noise wall.

An easement is required for the maintenance of the noise wall. This easement is in addition to the land area to be acquired and will give RMS the right to access the land to maintain the noise wall.

Property Address	Area to be Acquired	Easement to be acquired
Part of Lot 1730 DP 1032925 18A Hillside Drive Harrington Park	320m ²	420m ²
Part of Lot 1701 DP 1034645 24 Charker Drive Harrington Park	270m ²	410m ²
Part of Lot 233 DP 843696 7 Murdoch Court Harrington Park	625m ²	1,650m ²
Part of Lot 240 DP 852594 The Northern Road Harrington Park	270m ²	400m ²
Part of Lot 5740 DP 873263 24A Boyd Court Harrington Park	250m ²	390m ²
Total	1,735m²	3,270m²

The Northern Road upgrade Stage 1 project is a development without consent under Infrastructure SEPP.

MAIN REPORT

Acquisition Process

In accordance with section 177 of the *Roads Act 1993*, RMS may acquire land for the purpose of opening, widening or constructing a road or road work.



Under the *Land Acquisition (Just Terms Compensation) Act 1991*, the land may be acquired either by mutual agreement or compulsory acquisition. The RMS, being a State Government Department, is unable to negotiate the acquisition of land by mutual agreement and by virtue of their own internal policy is required to go through the compulsory acquisition process. The compulsory acquisition process can be conducted either with or without Council's agreement.

RMS has requested that Council consent to the following:

- RMS acquiring the land by compulsory process with Council's agreement; and
- A reduction in the Proposed Acquisition Notice (PAN) period to seven days.

The PAN period is normally 90 days, which provides time for two parties to negotiate an acceptable acquisition price. The RMS cannot negotiate an acquisition price under its own internal policy. This means a PAN period is not required, although the RMS has historically requested seven days.

It is noted that, even if Council agrees to a reduction in the PAN period, Council still has 28 days to lodge a submission with the Valuer General with respect to the amount of compensation in the preliminary determination if it is considered to be inappropriate. The Valuer General will value the land based upon market value, taking into account recent sales evidence, land area and type, zoning and improvements.

Access to Land (early entry)

Under section 175(1) of the *Roads Act 1993*, the authority (RMS) has the power to use and occupy, for as long as may reasonably be necessary in the circumstances, any land along or near the line of a road for the purpose of carrying out road work on a road or a proposed road.

In order to commence construction of the noise walls, RMS required early entry to the land by 6 April 2018. Therefore, on 29 March 2018, RMS issued a notice pursuant to section 175(1) of the *Roads Act 1993* to Council, which enabled the RMS to access the land before the acquisition process had occurred.

Noise Walls

RMS carried out noise assessments in June 2016 which identified that the eastern side of The Northern Road between The Old Northern Road and Peter Brock Drive would benefit from the installation of noise walls to mitigate noise levels once the upgrade was completed.

The RMS is required to install noise walls in order to meet its requirements under the NSW Road Noise Policy 2011.

Community Consultation

As the noise walls were part of an RMS project, community consultation was led by the RMS to avoid any confusion for residents.

RMS invited feedback in June and July 2017 on the proposal to install noise walls along the eastern side of The Northern Road to mitigate noise levels once the upgrade was completed.

RMS has advised that consultation was carried out via a doorknock and letterbox drop to all adjacent homes on Wednesday, 31 May 2017. A total of 51 homes were doorknocked. Residents were encouraged to provide their feedback/comments or to make formal submissions.

The consultation was open for two weeks up until 16 June 2017. Comments were received via multiple channels including during the doorknock, via email and phone.

A second doorknock was carried out on Wednesday, 12 July 2017 to gather feedback from residents that had not yet provided any information.

On Thursday 15 February 2018, RMS undertook a further consultation update with adjacent residents advising of the process, the height of the wall and the distance from their property. This was done by letter and doorknocking.

In summary, 51 properties are impacted by the noise wall and were therefore consulted. The results of the consultation are as follows:

- Thirty-four people supported the installation of the noise walls;
- Four people opposed the proposal – due to concerns about overshadowing, location and visual amenity; and
- Thirteen people did not provide a response on the proposal.

Following the community consultation process, RMS determined to proceed with the construction of the proposed noise walls.

Construction, Maintenance & Landscaping

Height – The noise walls adjacent to the boundaries will have a total height of four metres, whilst the noise walls within the road reserves will have a total height of five metres.

Material – The noise walls are made up of precast concrete panels, except for the top one metre which is transparent.

Location – The noise walls will be located 0.5 metres from the adjoining boundaries. RMS will be responsible for the maintenance of and graffiti removal from the noise walls. The noise walls will be maintained to RMS standards, as outlined in the RMS routine services specification.

Landscaping – RMS will landscape the area in front of the noise walls, which includes the planting of trees.

FINANCIAL IMPLICATIONS

Council will receive compensation in the amount as determined by the Valuer General for the land and easement to be acquired. The timing of payment of compensation is currently unknown as it is dependent upon the Valuer General carrying out a valuation and the Minister approving the acquisition (post Council approving the acquisition and reduction in the PAN period).

CONCLUSION

The RMS has already commenced works on the construction of the noise walls, including removal of trees along the boundaries.



The RMS has the power to acquire land associated with road works. RMS has requested that Council consent to the proposed acquisition and agree to the reduction of the PAN period. If Council does not consent to the acquisition, the land will be acquired by RMS compulsorily in accordance with the *Land Acquisition (Just Terms Compensation) Act 1991*, which is a much longer process.

RECOMMENDED

That Council:

- i. agree to the compulsory acquisition of land and easement – part of Lot 1730 DP 1032925, part of Lot 1701 DP 1034645, part of Lot 233 DP 843696, part of Lot 240 DP 852594 and part of Lot 5740 DP 873263, being the areas highlighted in pink and brown on the attached plan;**
- ii. agree to a reduction in the Proposed Acquisition Notice (PAN) period to seven days, with Council reserving the right of appeal should Council not agree with the Valuer General's determination;**
- iii. note that a further report will be brought back to Council if the Valuer General's determination is to be appealed; and**
- iv. make the appropriate budget adjustments for the provision of compensation, as determined by the Valuer General, for the acquisition and note that all necessary documentation, including acceptance of the Valuer General's determination, will be executed under delegated authority by the General Manager or his nominee.**

ATTACHMENTS

- 1. Acquisition and Easement Plans**

ORDINARY COUNCIL

ORD03

SUBJECT: ACCEPTANCE OF GRANT FUNDING - ROADS AND MARITIME SERVICES LOCAL GOVERNMENT ROAD SAFETY PROGRAM

FROM: Acting Director Community Assets

TRIM #: 18/196121

PURPOSE OF REPORT

To seek Council acceptance of grant funding from Roads and Maritime Services towards road safety programs.

BACKGROUND

Roads and Maritime Services (RMS) seeks applications from Councils each year for projects under Local Government Road Safety Program.

MAIN REPORT

Council has been successful in receiving grant funding to the value of \$13,500 (excluding GST) under the 2018/2019 Local Government Road Safety Program.

The grant funding will enable improved road safety outcomes for the community. The initiatives that will be funded during 2018/2019 are speed management, child restraints, log book run, community education, senior safety morning tea and drink drive prevention. As these projects are undertaken, a status report is provided to the Local Traffic Committee outlining their progress. The status is then reported to Council through the Local Traffic Committee minutes.

FINANCIAL IMPLICATIONS

It is recommended that Council accept grant funding to the value of \$13,500 (excluding GST) under the 2018/2019 Local Government Road Safety Program. No additional matching funds are required from Council.

CONCLUSION

Council has been successful in securing grant funding under the 2018/19 Local Government Road Safety Program in the sum of \$13,500 (excluding GST). The grant funding will enable improved road safety outcomes for the Community. It is recommended that the grant funds be accepted.

RECOMMENDED

That Council:

- i. accept RMS funding of \$13,500 (excluding GST) for projects under the Local Government Road Safety Program; and**
- ii. write to The Hon Melinda Pavey MP, Minister for Roads, Maritime and Freight, and Mr Chris Patterson MP, State Member for Camden, thanking them for their support.**



ORDINARY COUNCIL

ORD04**SUBJECT: ACCEPTANCE OF FUNDING - METROPOLITAN GREENSPACE PROGRAM****FROM:** Acting Director Community Assets**TRIM #:** 18/226639

PURPOSE OF REPORT

To seek Council acceptance of grant funding under the Metropolitan Greenspace Program (MGP) to contribute to the proposed Ferguson's Land project.

BACKGROUND

Council has made an application for \$200,000 (GST exclusive) to the NSW Government's MGP. The submission was for funding to integrate Ferguson's Land with surrounding facilities and pedestrian networks that contribute to the delivery of the Green Grid, as outlined in the Greater Sydney District Plan.

The MGP, led by the Greater Sydney Commission, provides seed funding to assist councils in the Greater Sydney and the Central Coast region to deliver projects that improve regional open space. It was established to invest in links between Sydney's bushland, parks, centres and waterways, and promote public use and enjoyment of these spaces.

MAIN REPORT

Ferguson's Land sits adjacent to the Nepean River and is a key link in the Green Grid within the Camden Local Government Area.

The grant funding will expand the scope of the existing master planning and design of Ferguson's Land for cricket facilities to ensure the project integrates with surrounding facilities and pedestrian networks, and contributes to the delivery of the Green Grid.

The Greater Sydney Commission has advised Council that The Hon. Anthony Roberts MP, Minister for Planning, has approved grant funding of \$200,000 (GST exclusive), on a dollar-for-dollar basis.

FINANCIAL IMPLICATIONS

Council has been successful in its application for funding of \$200,000 (GST exclusive), under the MGP.

The required matching funds are available within the overall allocation for the adopted Ferguson's Land budget.

CONCLUSION

The Greater Sydney Commission, on behalf of The Hon. Anthony Roberts MP, Minister for Planning, has awarded a grant of \$200,000 (GST exclusive) to Council through the MGP. Sufficient funds are available within Council's existing adopted budget to allow

matching funds to be provided by Council. The grant funding will allow an expansion of the project to ensure that it integrates with the wider recreational Green Grid framework. It is recommended that Council accept the grant.

RECOMMENDED

That Council:

- i. accept the grant of \$200,000 (GST exclusive) from the Metropolitan Greenspace Program and provide matching funding from the existing Ferguson's Land project budget; and**
- ii. write to the Minister for Planning, The Hon. Anthony Roberts MP, State Member for Camden, Mr Chris Patterson MP, the Greater Sydney Commission's Chief Commissioner, Lucy Hughes Turnbull AO, and the Greater Sydney Commission's Environment Commissioner, Rod Simpson, thanking them for their support.**