

**Camden Residents' Action Group Inc Public Address
Council Meeting 23 May 2017 ORD04**

CRAG wishes to be clear that we do not oppose the development of Whiteman's deck. We believe most people will welcome the additional outdoor venue and additional employment.

For us the devil is in the detail of the DA assessment and recommendations on noise control and exemption from making s94 parking contributions.

Noise:

Unfortunately, the DA assessment has not convinced us that noise will not be an issue because:

- any noise from the deck will be additional to noise from Barenz and Whiteman's front balcony, about which we understand complaints are already lodged with Council;
- it will likely prove impractical to move late night patrons from the deck with an 11pm curfew to the quieter restaurant with a 12.30am curfew.

Council staff are usually not available at night to measure and control noise levels and it is unfair to burden residents and a stretched police force with noise issues.

Therefore the DA assessment should address the practicalities of how Council itself will react to and immediately solve any noise problem.

Waiver of s94 parking contributions:

We understand exemptions from s94 parking contributions are not usual or common. Obviously businesses expect and are entitled to a level playing field.

The community, particularly the business community has a right to full transparency about the reasons for parking exemptions. Waivers not only set precedents that impact on the public purse, but also impact on perceptions of fairness. Reasons need to be in the public arena and stated very precisely as of course they can be cited as arguments in other DAs. There is no opportunity for interested parties to understand the reasons, especially with no live streaming of Council meetings, except through rigorous and transparent reporting in the business papers.

The reason given for an exemption in this DA is that sufficient parking is available during the proposed operating hours. However Council has committed to the construction of an above-ground decked car park in Camden's heritage conservation area despite community opposition and contrary findings of independent research. It is interesting that this DA corroborates that there is already sufficient parking available even from 9am to 11pm on Saturday. Very significant public funds and s94 contributions from Narellan businesses, which presumably Camden businesses need to repay, have been committed to its construction.

The Contributions Plan (p.71) states "Upon contributions being collected for 119 additional spaces, Council will cease collecting contributions for additional spaces in the decked carpark."

Furthermore, regardless of this clause about the decked car park, the Contribution Plan does not state or imply that availability of parking at particular times is grounds for a waiver.

One purpose of the Contributions Plan is to ensure that the existing community is not unreasonably burdened by the provision of public infrastructure and another purpose is the equitable determination of contributions.

Therefore the DA assessment should not only address how a waiver is consistent with Council's contentious decision on the decked car park, but also address HOW exemption of s94 contributions in this case complies with the Contribution Plan and is fair to other businesses.

CRAG requests that Councillors postpone tabling of this DA until the DA assessment is reviewed to fully consider how noise controls will be implemented and to fully explain why a s94 waiver is equitable and logical.

Words 556

	Approved hours existing restaurant	Current actual (April 2017) hours of existing restaurant	Proposed hours deck
Mon to Tues	7am to midnight		5.30pm to 10pm
Wed	7am to midnight	5pm to late	5.30pm to 10pm
Thurs	7am to 12.30am	5pm to late	5.30pm to 11pm
Fri	7am to 12.30am	11am to late	5.30pm to 11pm
Sat, public holidays	7am to 12.30am	9am to late	9am to 11pm
Sunday	7am to 10pm	9am to 10pm	7am to 9.30pm