

**CUMBERLAND  
CITY COUNCIL**

## **Council Meeting**

*Wednesday, 4 March 2020 at 6:30pm*

Cumberland City Council Chambers

Merrylands Service Centre, 16 Memorial Avenue, Merrylands

## Councillor Contact Details

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Vacant	-	-

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## ORDER OF BUSINESS

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- 1 Opening Prayer / Acknowledgement of Country / National Anthem**
- 2 Notice of Live Streaming of Council meeting**
- 3 Apologies / Requests for Leave of Absence**
- 4 Declarations of Pecuniary & Non Pecuniary Conflicts of Interest**
- 5 Confirmation of Previous Minutes**  
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- 6 Mayoral Minutes**  
Nil
- 7 Public Forum / Presentation of Petitions**
- 8 Items Resolved by Exception**
- 9 Reports to Council**
  - General Manager**  
Nil
  - Director People & Performance**  
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	Nil	
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	Nil	
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	Nil	
<b>14</b>	<b>Closed Session Reports</b>	
C03/20-396	Budget Savings Initiatives	
	<i>Note: Included in Closed Council in accordance with Section 10A(2)(a) of the Local Government Act as the information involves personnel matters concerning particular individuals (other than Councillors).</i>	
<b>15</b>	<b>Other / General Matters</b>	
<b>16</b>	<b>Close</b>	

Item No: C03/20-383

## **PROPOSED LAND DEALING AT VICTOR BRAZIER PARK**

Responsible Division: Finance & Governance  
Officer: Director Finance & Governance  
File Number: 7863456  
Community Strategic Plan Goal: *A safe accessible community*

### **SUMMARY**

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This report has been prepared in response to the ongoing concerns by community park users and local residents about the illegal activities and anti-social behaviour caused by youth assembling at the Victor Brazier Park, in particular at the upper northwest portion of the park where it is relatively isolated with poor passive surveillance.

### **RECOMMENDATION**

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**That Council:**

- 1. Prepare a planning proposal to reclassify a small portion of land through the Local Environmental Plan process and submit the planning proposal to the Department of Planning, Industry and Environment for a Gateway Determination.**
- 2. A further report to be returned to Council regarding the preparation of the planning proposal.**

### **REPORT**

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Victor Brazier Park is located on Excelsior Street, Guildford and has an area of approximately 7,840sqm. The park is made up of two allotments, being Lot 21 DP27820 and Lot 32 DP241618, and zoned RE1 Public Recreation and W1 Natural Waterways.

The Granville South Creative and Performing Arts High School is located across the road from the park. It has been reported that anti-social behaviour and illegal activities are a common occurrence at the park and nearby pedestrian laneways off Nadia Place, Caroline Street and Excelsior Street. There have been previous requests by the school to limit parking during the day in front of the park so the school has better visibility of potential issues occurring across the road.

The upper northwest portion of the park is relatively hidden and isolated. It has poor passive surveillance which makes it susceptible for groups of youth to congregate, without being detected, to undertake illegal and/or inappropriate activities such as drug use and vandalism which is a regular concern to the adjoining property owners.

Victor Brazier Park site map:





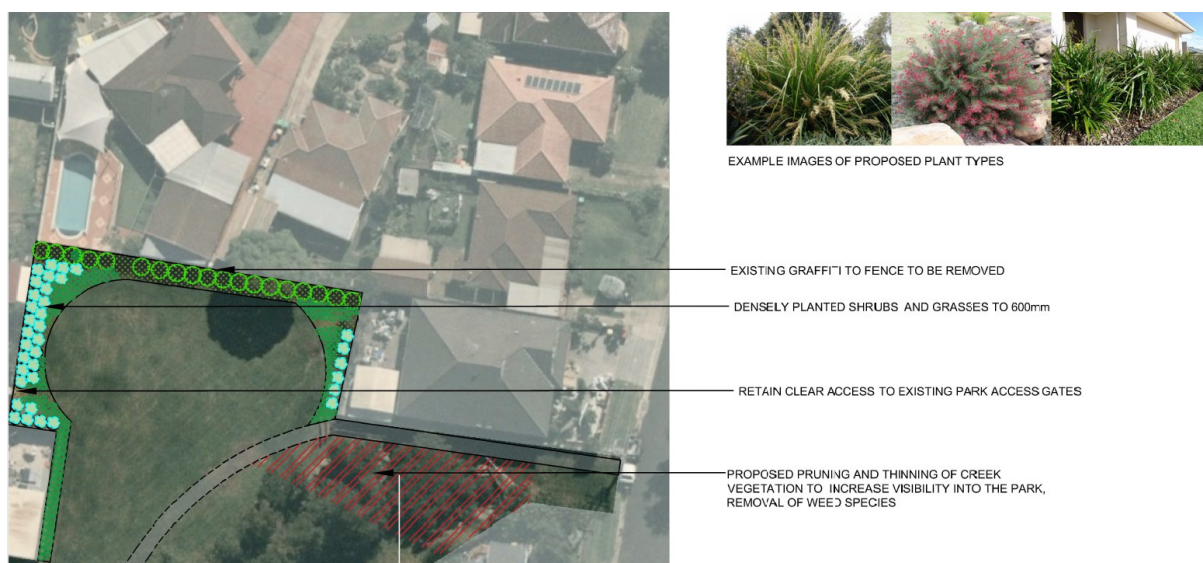
## Options for Consideration

### Option 1

Council's Parks and Recreation team was consulted on the ongoing issues occurring at the park and Council's Landscape Architect has prepared a high-level concept plan to address the isolation of the northern portion of the park based on the four principles of Crime Prevention through Environmental Design:

- **Surveillance** - Proposed pruning, removal of weed species and crown lifting of vegetation to increase natural surveillance into the park and the problem area from Brazier Street. Currently this sightline is obscured. There is an opportunity for formal organised surveillance of the park from the school in the form of checks during break times.
- **Access Control** - Planting is proposed to provide natural access control to the concealed area and to prevent individuals from leaning against the back fences. The use of tough native plants that are visually spiky and prickly will further provide access control. Temporary fencing during the plant establishment period would be recommended to enable the plants to establish.
- **Territorial Reinforcement** - Remove existing graffiti on the fences to reinforce Council's care and control of the park and remove the taggers' ownership and association with the park.
- **Space/Activity Management** - Aside from the existing graffiti, the space appears to be well maintained. The proposed pruning and planting works will further add to the positive image of the space being managed by Council.

### High-level Concept Plan – Stage 1 Works



The following outlines the estimated costs involved in the proposed Stage 1 works:

Task	Estimated Cost
1. Services location and site establishment including temporary fencing	\$2,000
2. Graffiti removal	\$800
3. Tree pruning and disposal by a suitably qualified arborist	\$2,800
4. Garden bed preparation including cultivation, fertiliser and mulching	\$7,200
5. Native shrub and grass planting	\$3,800
6. Site restoration including installation of Kikuyu turf rolls on 50mm depth turf underlay as required	\$1,600
7. Establishment period and contingency	\$1,200
<b>Total Project Estimate</b>	<b>\$19,400</b>

Further activation of the space is proposed at the Stage 2 works with a pedestrian path to formalise the route through the park. A play space or outdoor gym is also proposed to bring more people to the park.

### **High-level Concept Plan – Stage 2 Works**



In addition, Council could look to purchase the two properties on Excelsior Street and/or a property on Brazier Street to expand and open up the park.



## Option 2

An alternative option for Council to consider is to provide “in principle” agreement to reclassify the area of land on the upper northwest portion of the park for the eventual disposal on the open market. This would allow the new property owner to realign the property boundary in line with its neighbouring property and this may resolve the issues with youth congregating behind this hidden pocket of the park. Should Council proceed to reclassify the land, the standard practice of Council submitting a planning proposal to the Department of Planning, Industry and Environment (DPIE) for Gateway Determination would be required. Upon receipt of the Gateway Determination Council would conduct a public hearing in accordance with the *Environmental Planning and Assessment Act 1979*, consider submissions made to it and refer the proposal back to the DPIE for final determination.

Planning Proposal to Reclassify Land  
and a Proposal to Subdivide Land



The reclassification of public land through the Local Environmental Plan process would involve:

- Council preparing and submitting a Planning Proposal Request (PPR). As Council is the owner of the land, it is recommended that Council engage an external planning consultant to prepare and submit the PPR on behalf of Council;
- The PPR undergoes preliminary consultation;

- The PPR is reported to Cumberland Local Planning Panel and Council seeking endorsement to seek Gateway Determination;
- Gateway Determination is requested from DPIE;
- Should Gateway Determination be issued, statutory public exhibition of the planning proposal is held;
- Public Hearing on the reclassification of public land to be held;
- Report to Council post exhibition.

The rezoning and reclassification of land typically takes a minimum of 18-24 months to complete. A subdivision of the land is also required in order to obtain title to the land.

Should this be the preferred option then it is proposed that after completion of the rezoning and reclassification, Council undertake an Expression of Interest process for the disposal of the land and that all costs associated with the disposal such as survey, legal and valuation be borne by the successful purchaser as a condition of sale. The net proceeds from the sale of the land can be placed in property reserve and potentially used for further open space upgrades in the area.

## COMMUNITY ENGAGEMENT

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Should Council endorse the landscaping option, there is an opportunity to get school students involved with the planting process as well as consultation with home owners, community and the school to further develop the concept plan.

Should Council endorse the proposed reclassification of public land then the community will be consulted in accordance with the relevant statutory requirements and Council policy.

## POLICY IMPLICATIONS

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Council's draft *Open Space and Recreation Strategy* outlines the requirements for open space per person within the Cumberland Local Government Area (LGA) and the strategy has identified a lack of open space in this area of the LGA. Given the small size of the land and the anti-social activities associated with it, the proposal is not inconsistent with the strategy.

## RISK IMPLICATIONS

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With increasing high density living and a growing population, it is important to have access to open space as this will contribute to the community health and wellbeing. The draft Open Space and Recreation Strategy has benchmarks for access to open space per person and it states that some parts of the LGA currently have overall poor access to parks over 0.5ha in size including Guildford. In these areas, priorities should include expanding the size of existing open space, improving pedestrian

access to existing open space and creating a network of smaller spaces that provide a range of recreation functions with active street connection between.

The portion of land that is proposed here does not add much value to potential open space as there is an uneven boundary line along the fence and it is creating problems for the residents in this area.

## **FINANCIAL IMPLICATIONS**

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Should Council endorse the landscaping option, it is estimated that an initial budget of \$19,400 is required from the General budget to proceed with the proposed Stage 1 works which will form part of the Parks Renewal Program.

Should Council endorse the proposed reclassification of public land, it is expected that all costs associated with the reclassification and disposal of the land will be borne by the successful purchaser as a condition of sale including legal, survey and valuation cost.

## **CONCLUSION**

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This report is seeking Council's direction and "in-principle" support to option 2 the reclassification of public land option for eventual disposal on the open market, to address the ongoing anti-social behaviour and illegal activities caused by youth assembling at the upper northwest portion of Victor Brazier Park.

## **ATTACHMENTS**

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Nil