

**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

### Granville Ward

Clr Steve Christou (Mayor)	0419 651 187	Steve.Christou@cumberland.nsw.gov.au
Clr Ola Hamed	0405 070 007	Ola.Hamed@cumberland.nsw.gov.au
Clr Joseph Rahme	0418 995 471	Joseph.Rahme@cumberland.nsw.gov.au

### Greystanes Ward

Clr Greg Cummings	0417 612 717	Greg.Cummings@cumberland.nsw.gov.au
Clr Eddy Sarkis (Deputy Mayor)	0418 306 918	Eddy.Sarkis@cumberland.nsw.gov.au
Vacant	-	-

### Regents Park Ward

Clr Ned Attie	0419 583 254	Ned.Attie@cumberland.nsw.gov.au
Clr George Campbell	0409 233 315	George.Campbell@cumberland.nsw.gov.au
Clr Kun Huang	0418 911 774	Kun.Huang@cumberland.nsw.gov.au

### South Granville Ward

Clr Glenn Elmore	0418 459 527	Glenn.Elmore@cumberland.nsw.gov.au
Clr Paul Garrard	0414 504 504	Paul.Garrard@cumberland.nsw.gov.au
Clr Tom Zreika	0400 805 303	Tom.Zreika@cumberland.nsw.gov.au

### Wentworthville Ward

Clr Lisa Lake	0418 669 681	Lisa.Lake@cumberland.nsw.gov.au
Clr Suman Saha	0419 546 950	Suman.Saha@cumberland.nsw.gov.au
Clr Michael Zaiter	0418 432 797	Michael.Zaiter@cumberland.nsw.gov.au

For information on Council services and facilities please visit [www.cumberland.nsw.gov.au](http://www.cumberland.nsw.gov.au)



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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**  
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- 7 Public Forum / Presentation of Petitions**
- 8 Items Resolved by Exception**
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	Nil	
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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: C03/20-381

## **MINUTES OF THE ORDINARY MEETING OF COUNCIL - 19 FEBRUARY 2020**

Responsible Division:

Finance & Governance

Officer:

Director Finance & Governance


## **RECOMMENDATION**

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**That Council confirm the minutes of the Ordinary Meeting of Council held on 19 February 2020.**

## **ATTACHMENTS**

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1. Draft Minutes - 19 February 2020 [↓](#) 



**DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-381**

**Attachment 1**

**Draft Minutes - 19 February 2020**



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## Minutes of the Council Meeting 19 February 2020

Meeting commenced at 6:30pm

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### Present:

Steve Christou (Mayor)	Councillor
Eddy Sarkis (Deputy Mayor)	Councillor
Ned Attie	Councillor (arrived 6:35pm)
Greg Cummings	Councillor
Glenn Elmore	Councillor
Paul Garrard	Councillor
Ola Hamed	Councillor
Kun Huang	Councillor
Lisa Lake	Councillor
Joseph Rahme	Councillor
Suman Saha	Councillor
Michael Zaiter	Councillor
Tom Zreika	Councillor
Hamish McNulty	General Manager
Melissa Attia	Director People & Performance
Daniel Cavallo	Director Environment & Planning
Peter Fitzgerald	Director Works & Infrastructure
Richard Sheridan	Director Finance & Governance

### Also Present:

Charlie Ayoub	Executive Manager Corporate Services
Colin McFadzean	General Counsel
Carol Karaki	Governance Coordinator
Olivia Shields	Senior Governance Officer

### Opening Prayer

The opening prayer was read by Reverend Raj Gupta from Toongabbie Anglican Church.

### Acknowledgement of Country

The Mayor, Councillor Christou opened the Meeting with the following Acknowledgement of Country:

*"I would like to acknowledge the traditional owners of this land – the Darug People, and pay my respects to their elders past, present and emerging."*

### National Anthem

At this point in the meeting the Mayor, Councillor Christou asked all of those in attendance to stand for the playing of the Australian National Anthem.

**Notice of Live Streaming of Council Meeting**

The Mayor, Councillor Christou advised that the Council meeting was being streamed live on Council's website and members of the public must ensure their speech to the Council is respectful and use appropriate language.

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**Min.908      Apologies/Leave of Absence****Resolved (Huang/Cummings)**

That Councillor Campbell be granted Leave of Absence for this Council Meeting.

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**Declarations of Pecuniary & Non Pecuniary Conflicts of Interest**

The Director Environment and Planning, Daniel Cavallo, declared a non-pecuniary, less than significant interest in items C02/20-378 and C02/20-380 as he was employed by the State Government and was involved in the planning work for these matters.

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**Confirmation of Minutes**

**Min.909      C02/20-360 Minutes of the Ordinary Meeting of Council - 05 February 2020**

**Resolved (Sarkis/Cummings)**

That Council confirm the minutes of the Ordinary Meeting of Council held on 5 February 2020.

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**Min.910      MM02/20-21 Mayoral Minute - Thank you to Staff for Lunar New Year****Resolved (Christou)**

That Council congratulate and thank all staff and volunteers that contributed to the planning and preparation of the Lunar New Year event.

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**Min.911      MM02/20-22 Mayoral Minute – Departure of Holden Brand****Resolved (Christou)**

That Council note General Motors' decision to retire the Holden brand and the impact it will have on workers employed by Holden.

Councillor Rahme left the Meeting at 6:48pm during the consideration of this item.



**Public Forum:**

**Speakers on Items on the Council Meeting Agenda**

Speaker	Item #	Suburb
Mr Roydon Ng	C02/20-378 Notice of Motion - Planning for Rail Services West of Bankstown 2024	Lidcombe

Councillor Rahme returned to the Meeting at 6:48pm during Public Forum.

**Min.912 Suspension of Standing Orders**

**Resolved (Attie/Sarkis)**

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council suspend standing orders to allow Item C02/20-378 to be brought forward for consideration at this time of the Meeting.

**Min.913 C02/20-378 Notice of Motion - Planning for Rail Services West of Bankstown 2024**

**Resolved (Huang/Elmore)**

That Council make a submission to Transport for NSW:

1. Endorsing Option 2 from the NSW Government Options Paper - "Planning for rails services west of Bankstown 2024- February 2020", the restoration of the city to Liverpool via Regents Park line as its preferred option;
2. Recommend that the express services are included in Option 2;
3. Request that Option 2 to be implemented as soon as possible; and
4. Ensure the submission is forwarded to the relevant Minister, Shadow Minister and WSROC.

**Min.914 Resumption of Standing Orders**

**Resolved (Attie/Sarkis)**

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council resume the normal order of business.

**Min.915 Items by Exception**

**Resolved (Sarkis/Saha)**

That Council adopt Items C02/20-361, C02/20-363, C02/20-364, C02/20-365, C02/20-366, C02/20-367, C02/20-368, C02/20-369 and C02/20-376 on the Council Agenda in bulk as per the recommendations in the reports.

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**Min.916 C02/20-361 Legal Report****Resolved (Sarkis/Saha)**

That Council receive this report.

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**Min.917 C02/20-363 Bi-Annual Report on Councillor Expenses and Facilities****Resolved (Sarkis/Saha)**

That Council:

1. Receive the information contained in this report; and
2. Place a copy of the Councillor Expenses and Facilities Expenditure included under Attachment 1 of this report on Council's website in accordance with clause 15.2 of the *Councillor Expenses and Facilities Policy*.

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**Min.918 C02/20-364 Australian Local Government Association (ALGA) - National General Assembly of Local Government****Resolved (Sarkis/Saha)**

That Council:

1. Give consideration to nominating the Mayor and/or Councillor(s) to attend the 2019 National General Assembly of Local Government to be held in Canberra from 14 – 17 June 2020; and
2. Give consideration to submitting motion(s) to the 2020 National General Assembly of Local Government.

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**Min.919 C02/20-365 Investment Report January 2020****Resolved (Sarkis/Saha)**

That Council receive the January 2020 Investment Report.

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**Min.920 C02/20-366 Monthly Budget Performance****Resolved (Sarkis/Saha)**

That Council receive the information contained in this report.

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**Min.921 C02/20-367 Report on Outstanding Council Resolutions****Resolved (Sarkis/Saha)**

That Council receive the report.

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**Min.922      C02/20-368 Quarterly Update on the Implementation of the Stronger Communities Fund**

**Resolved (Sarkis/Saha)**

That Council:

1. Note the progress on the implementation of the Stronger Communities Fund Major Projects Program.
2. Submit a copy of this report to the Office of Local Government in meeting the reporting requirements of the NSW Government's Stronger Communities Fund Guidelines.

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**Min.923      C02/20-369 Rising Star Sports Award**

**Resolved (Sarkis/Saha)**

That Council:

1. Endorse the application recommended for funding and allocate \$900.00 from the 2019/2020 Cumberland Rising Star Sports Award.
2. Advise the applicant of the funding allocation of the 2019/20 Cumberland Rising Star Sports Award.

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**Min.924      C02/20-376 Adoption of Cumberland Open Space and Recreation Strategy 2019-2029**

**Resolved (Sarkis/Saha)**

That Council adopt the Cumberland City Council Open Space and Recreation Strategy 2019-2029.

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**Min.925      C02/20-362 Quarter 2 Performance Report on the Operational Plan 2019-20 and Quarterly Budget Review Statement**

**Note:** The Director People and Performance and the Director Finance and Governance presented a summary of the Quarter 2 Performance to Council.

**Resolved (Attie/Sarkis)**

That Council receive and note the Quarter Two Performance Report on the Operational Plan 2019-2020.

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**C02/20-363 Bi-Annual Report on Councillor Expenses and Facilities**

This item was dealt with earlier in the meeting.

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**C02/20-364 Australian Local Government Association (ALGA) -  
National General Assembly of Local Government**

This item was dealt with earlier in the meeting.

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**C02/20-365 Investment Report January 2020**

This item was dealt with earlier in the meeting.

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**C02/20-366 Monthly Budget Performance**

This item was dealt with earlier in the meeting.

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**C02/20-367 Report on Outstanding Council Resolutions**

This item was dealt with earlier in the meeting.

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**C02/20-368 Quarterly Update on the Implementation of the Stronger  
Communities Fund**

This item was dealt with earlier in the meeting.

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**C02/20-369 Rising Star Sports Award**

This item was dealt with earlier in the meeting.

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**Min.926 C02/20-370 Draft Cumberland Local Housing Strategy**

**Resolved (Lake/Huang)**

That Council place the Draft Cumberland Local Housing Strategy on public exhibition for a period of 28 days, with a report to be provided back to Council following the conclusion of the exhibition subject to the following amendment:

- i. That on Page 36 of the Draft Document (page 220 of business paper), a black dot be placed in timeframe column 2020-2021 for Action 1.2.

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**Min.927 C02/20-371 New Cumberland Development Control Plan – Draft  
Chapter on Part E Other Land Use Based Development Controls**

**Resolved (Attie/Sarkis)**

That Council:

- 1. Endorse the draft chapter for Part E Other Land Use Based Development Controls, as provided in Attachment 1, for inclusion in the draft Cumberland Development Control Plan.

2. Delegate to the General Manager the authorisation to make minor revisions to the draft chapter, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.
3. Consult with the community on the draft chapter, following endorsement of all chapters of the draft Cumberland Development Control Plan by Council.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Motion: Attie, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Rahme, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

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**Min.928 C02/20-372 New Cumberland Development Control Plan - Definitions and Additions for Draft Chapter on Part F Precinct and Site Specific Development Controls**

**Resolved (Attie/Sarkis)**

That Council:

1. Endorse the draft chapter for Definitions, as provided in Attachment 1, for inclusion in the draft Cumberland Development Control Plan.
2. Endorse the additions to the draft chapter Part F Precinct and Site Specific Development Controls, as provided in Attachment 2, for inclusion in the draft Cumberland Development Control Plan.
3. Delegate to the General Manager the authorisation to make minor revisions to the draft chapters, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.
4. Consult with the community on the draft chapters, following endorsement of all chapters of the draft Cumberland Development Control Plan by Council.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Motion: Attie, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Rahme, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

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**Min.929      C02/20-373 New Cumberland Development Control Plan – Draft Chapter on Part G Miscellaneous Development Controls**

**Resolved (Attie/Sarkis)**

That Council:

1. Endorse the draft chapter for Part G Miscellaneous Development Controls, as provided in Attachment 1, for inclusion in the draft Cumberland Development Control Plan.
2. Delegate to the General Manager the authorisation to make minor revisions to the draft chapter, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.
3. Consult with the community on the draft chapter, following endorsement of all chapters of the draft Cumberland Development Control Plan by Council.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Motion:	Attie, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Rahme, Saha, Sarkis, Zaiter and Zreika.
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Councillor(s) Against the Motion:	Nil
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**Min.930      C02/20-374 615 Great Western Highway, Greystanes - Proposed Public Benefit Offer for Large Advertising Display Sign**

**Resolved (Sarkis/Zaiter)**

That:

1. Council not pursue the applicant's public benefit offer on the basis that Council does not expect to take up \$20,000 worth of advertising on an annual basis and that the remaining part of the offer does not provide for sufficient public benefit in connection with the display of the advertisement.
2. Council inform the applicant that should it be willing to offer to pay an annual fee of \$50,000, adjusted by the consumer price index, for duration of the period for which development consent is granted, with that offer then given effect by the imposition of a condition of development consent, the Council would be satisfied that arrangements that are consistent with the *Transport Corridor Outdoor Advertising and Signage Guidelines* had been entered into for the provision of public benefits in connection with the display of the advertisement as required by clause 13(3) of the *State Environmental Planning Policy No. 64 – Advertising and Signage*.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:



Councillor(s) For the Motion: Attie, Christou, Cummings, Elmore, Garrard, Hamed, Huang, Lake, Saha, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Nil

Councillor Saha left the Meeting at 7:40pm and returned to the Meeting at 7:42pm during the consideration of this item.

Councillor Rahme left the Meeting at 7:43pm during the consideration of this item.

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**Min.931 C02/20-375 Expressions of Interest Process - Lease over Hyland Rd Reserve**

**Resolved (Sarkis/Cummings)**

That Council:

1. In accordance with Section 47 of the *Local Government Act 1993*, seek Expressions of Interest for the lease of Hyland Rd Reserve for a period of 20 years (Part Lot 2 in DP 525167), in accordance with the adopted Plan of Management and Landscape Masterplan for the site.
2. Receive a report following the Expressions of Interest process outlining the results.

Councillor Rahme returned to the Meeting at 7:47pm during the consideration of this item.

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**C02/20-376 Adoption of Cumberland Open Space and Recreation Strategy 2019-2029**

This item was dealt with earlier in the meeting.

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**Min.932 C02/20-377 Notice of Motion - DCP Controls for Part F - Pemulwuy Residential**

**Motion (Saha/Huang)**

That Council:

1. Officers review and bring back a report, including recommendations, for the following amendment in DCP controls for Part F - Pemulwuy Residential:
  - a) Landscaping
    - 3.3.7 External Open Space – amend the relevant development control/s within this section to require appropriate spacing between mature trees within a site; and to apply the standard controls for the distance of a mature tree from a building, which are proposed within the new draft Cumberland DCP, to Pemulwuy, to ensure consistency and to minimise damage to buildings.

- b) Public Road Design  
3.6.4 Public Road Design and 3.6.7 Streets, Park Edges, Pedestrian Spines – Landscape Design – amend the relevant development control/s within this section to enable trees planted within the roadway to be supported by two poles rather than a four pole support structure, to enable more efficient on street parking, whilst still providing adequate support to street trees planted within the roadway.
2. Undertake a review of the existing tree supports in place to determine if they are still required, and action as appropriate.

**Amendment (Attie/Garrard)**

That Council defer this matter for further consideration following public consultation of the DCP.

The Amendment moved by Councillor Attie seconded by Councillor Garrard on being Put to the meeting was declared CARRIED.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Amendment: Attie, Christou, Garrard, Rahme, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Amendment: Cummings, Elmore, Hamed, Huang, Lake and Saha.

The Amendment moved by Councillor Attie seconded by Councillor Garrard then became the motion.

The motion moved by Councillor Attie seconded by Councillor Garrard on being Put was declared CARRIED to become the resolution of Council (as shown in the amendment).

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Motion: Attie, Christou, Garrard, Rahme, Sarkis, Zaiter and Zreika.

Councillor(s) Against the Motion: Cummings, Elmore, Hamed, Huang, Lake and Saha.

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**C02/20-378 Notice of Motion - Planning for Rail Services West of Bankstown 2024**

This item was dealt with earlier in the meeting.



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**C02/20-379 Notice of Motion - Cumberland Lunar New Year Festival**

This item was withdrawn by Councillor Huang.

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**Min.933 C02/20-380 Notice of Motion - 2021 Proposed Ferry Changes - F3 Parramatta River****Resolved (Lake/Elmore)**

That the Mayor writes to Transdev Australia and the Minister for Transport, Mr Andrew Constance supporting the submission lodged by City of Parramatta Council on the proposed 2021 F3 Parramatta River Ferry changes. In particular, that Council support the following key points in the submission:

1. That the change for the F3 eastern termination point for all Parramatta services from Circular Quay to Barangaroo is not supported; and
2. That the weekend express services between Parramatta and Circular Quay should be retained.

Councillor Zreika left the Meeting at 8:15pm during the consideration of this item and did not return.

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The Mayor, Councillor Christou closed the meeting at 8:25pm.

Chairperson \_\_\_\_\_ General Manager \_\_\_\_\_



Item No: C03/20-382

## FINANCIAL SUSTAINABILITY AND PLANNING POLICY

Responsible Division: Finance & Governance  
Officer: Director Finance & Governance  
File Number: 7862280  
Community Strategic Plan Goal: *Transparent and accountable leadership*

### SUMMARY

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This report seeks to readopt the *Financial Planning and Sustainability Policy*, first adopted in 2017.

### RECOMMENDATION

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**That Council readopt the *Financial Sustainability and Planning Policy*.**

### REPORT

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The *Financial Planning and Sustainability Policy* (Policy) was adopted in 2017. The Policy is based on sound financial planning principles, which need to be adhered to for Cumberland to remain financially sustainable.

Council has had several challenges post amalgamation; for example, in 2018-19 Council had a deficit of \$6.3m or (5.3) % operating performance ratio due to large increases in costs.

The budget setting within Cumberland City Council is very different to the former Councils; the approach of Cumberland City Council is more transparent than the previous practice. The former Councils had varying approaches in relation to how they presented their budget positions, as per the below:

- 1) Former Auburn – Used a management accounting standard that aligned to the Accounting Standards.
- 2) Former Parramatta – Used a management accounting standard that aligned to the Accounting Standards.
- 3) Former Holroyd – Used a hybrid of Parramatta and Auburn, plus funds transfer in and out of various funding sources to balance the overall position. This made the financial performance appear more like a cash flow statement in the sense that it resulted in a balanced financial position. Whilst on paper a balanced financial position was reported, it appears that the mechanism by which these results were arrived at and reported did not meet the Accounting Standards. This method would have been improved if the budget was able to identify net cash flow from operations, investments, and financing. This would

have allowed for a more thorough analysis of the challenges and would have been more transparent in relation to capital investments.

To align these approaches, Council has relied on the audited Financial Statements and Quarterly Financial Reviews to ensure they are compared in a consistent way.

### **Performance of the Former Entities**

Parramatta has not been included as there was little significance in such a comparison due to the fact that Cumberland only received a 15% share of Parramatta Council's budget as a result of the amalgamation.

The budgets for each year have been summarised as they are the most relevant numbers, as they closely align to the *Financial Planning and Sustainability Policy*.

Below are two of the principles covered in the Policy that can be further analysed and compared to the current financial position of Council.

The impact of an SRV is that it will improve financial performance but not increase cash at bank as the additional income received is then spent on the specific Capital Investments.

#### *1) Financial Performance*

The following displays the budget Surplus / (Deficit).

<b>Budget \$m</b>	<b>FY 13</b>	<b>FY 14</b>	<b>FY 15</b>	<b>FY 16</b>	
<b>Auburn</b>					
Operating income	56.4	59.4	66.5	64.9	
Operating Expense	61.2	63.4	65.0	64.9	Restructuring in FY 2015
<b>Surplus/ (deficit)</b>	<b>(4.8)</b>	<b>(4.4)</b>	<b>1.3</b>	<b>0.0</b>	
<b>Holroyd</b>					
Operating income	76.7	82.3	89.1	96.7	FY 14 Rates increased 8% totalling ~\$3m per annum accumulated.
Operating Expense	91.8	97.8	96.5	106	
<b>Surplus/ (deficit)</b>	<b>(15.1)</b>	<b>(15.5)</b>	<b>(7.4)</b>	<b>(9.6)</b>	

#### *2) Asset Renewal*

The renewal ratios have been extracted based on the budget papers and Quarterly Budget Review Statements. The financial sustainability model requires a surplus in terms of the funding for depreciation as this will allow for investment in infrastructure assets renewal of between 100 to 105% of depreciation.

Budget \$m	FY 13	FY 14	FY 15	FY16	
<b>Auburn</b>					
Renewal	22.2	22.3	21.5	9.6	
Depreciation	12.1	12.5	13.0	13.3	
<b>% Renewal</b>	<b>174.2</b>	<b>178.2</b>	<b>165.4</b>	<b>72.1</b>	
<b>Holroyd</b>					
Renewal	6.6	7.0	14.6**	14.8	Increase due to SRV, FY15-FY18
Depreciation	22.6	23.3	13.2*	13.6	Decrease in depreciation due to a change in policy
<b>% Renewal</b>	<b>29.0</b>	<b>29.8</b>	<b>110.0</b>	<b>108</b>	

\* In FY15, the former Holroyd Council reduced depreciation by 43%.

The reduction in depreciation was based on following accounting policy:

- 1) Unit rates – A reduction in unit rates will reduce the replacement costs of assets and then reduce the value of depreciation.
- 2) Useful life – An increase of the useful life has the impact to spread out depreciation over more years and reduce the costs charged to the profit and loss.

\*\* In FY14, the SRV commenced and then in FY15 the Renewals increased due to SRV income.

Due to this change, the former Council was able to improve the profitability and renewals ratios.

### ***At Amalgamation***

#### ***Depreciation***

In FY17, Cumberland Council had to increase depreciation by \$4.1m when the assets were realigned to a consistent policy measuring asset condition and depreciation rates. The increase in depreciation was not considered in the original amalgamation savings.

The following was presented to the Administrator on 1 March 2017, which summarises the opening profit position of the former Councils.

Budget 2016/17					
	Woodville	Auburn	Holroyd	Integration Carry forward	Total
<b>REVENUE FROM CONTINUING OPERATIONS</b>					
Ordinary Rates and annual fees	18.6	32.9	64.2		115.7
User charges and fees	3.8	5.9	14.4		24.2
Interest and investment revenue	0.0	2.1	2.3		4.4
Grants and contributions provided for operating purposes	2.6	7.4	13.0	10.0	33.0
Developer & Other Contributions	0.0	2.6	14.6	1.0	18.2
Other revenues	0.6	2.3	5.6		8.4
<b>TOTAL REVENUES FROM CONTINUING OPERATIONS</b>	<b>25.6</b>	<b>53.2</b>	<b>114.0</b>	<b>11.0</b>	<b>203.8</b>
<b>EXPENSES FROM CONTINUING OPERATIONS</b>					
Employee benefits and on-costs (Excl Senior Exec)	5.0	24.3	49.7	6.0	85.1
Materials and contracts	6.7	15.6	31.8	2.0	56.1
Borrowing costs	0.0	0.9	1.8		2.7
Other Expenses	2.4	5.7	10.4	2.0	20.5
Depreciation, amortisation and impairment	3.8	8.3	13.6		25.7
Corporate cost transfer	7.2	-7.2			0.0
<b>TOTAL EXPENSES FROM CONTINUING OPERATIONS</b>	<b>25.1</b>	<b>47.6</b>	<b>107.3</b>	<b>10.0</b>	<b>190.1</b>
<b>OPERATING RESULT FROM CONTINUING OPERATIONS</b>	<b>0.4</b>	<b>5.6</b>	<b>6.7</b>	<b>1.0</b>	<b>13.7</b>
<b>OPERATING RESULT EXCLUDING CAPITAL ITEMS</b>	<b>0.4</b>	<b>3.1</b>	<b>-7.9</b>	<b>0.0</b>	<b>-4.4</b>

### Current Financial Performance

For the past two years, Cumberland has anticipated a budget surplus in the budgeting process using the policy. Council has also projected asset renewals of 178% and 160% to ensure asset conditions can be improved.

Due to the large increase in investment and realignment of the policy, depreciation has increased from \$25.7m to \$33m in 4 years. This has also been a contributor to the current deficit position.

Council is now committed, in FY20/21, to bringing the budget back to surplus and returning the Investment on renewals back to a sustainable position. The *Financial Planning and Sustainability Policy* is key to ensuring Council achieves long-term financial sustainability.

### COMMUNITY ENGAGEMENT

There are no changes to the Policy which was adopted in 2017. Therefore the Policy is recommended for direct readoption.

### POLICY IMPLICATIONS

There are no changes to the Policy adopted in 2017.

### RISK IMPLICATIONS

The risk of under investment in asset renewal is a major risk to Council to keep the infrastructure in a condition better than 3 out of 5. If the condition declines beyond this point, the deterioration of the asset will accelerate and the costs of maintenance and renewal will substantially increase.

## FINANCIAL IMPLICATIONS

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Compliance with this Policy will ensure Council can achieve long-term financial sustainability.

## CONCLUSION

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Cumberland City Council has increased the transparency and accuracy of financial reporting in comparison to the past practices. It was a policy decision of Council to hold itself to a higher standard so that Council's true financial performance could be accurately reported. The *Financial Planning and Sustainability Policy* reinforces Council's strong commitment to financial sustainability and holding itself accountable for the adoption of difficult decisions when required to maintain the balance.

## ATTACHMENTS

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1. Financial Planning and Sustainability Policy [↓](#) 





DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-382

Attachment 1  
Financial Planning and  
Sustainability Policy



CUMBERLAND  
CITY COUNCIL

# Financial Planning and Sustainability Policy

## AUTHORISATION & VERSION CONTROL

<b>Policy Number</b>	POL-025
<b>Policy Owner</b>	Director Finance & Governance
<b>Date Adopted</b>	13 December 2017
<b>Version No</b>	1.2
<b>Document ID</b>	7862280
<b>Review Date</b>	December 2021

## BACKGROUND / INTRODUCTION

Financial sustainability recognises the importance of planning for the future and requires planned service, infrastructure and standards to be maintained without unplanned increases in rates & annual charges, fees & charges or where there is a need to cut services.

## PURPOSE

The purpose of this Policy is to establish the strategic approach to the financial sustainability of Cumberland City Council and, through principles and objectives, will guide the development of the Long Term Financial Plan and strategic decision-making.

## PRINCIPLES

The development of Council's financial sustainability will be based on the following principles:

- a. **Meet Sustainability Benchmarks** – Council will aim to exceed the financial sustainability indicators provided by the Office of Local Government.
- b. **Intergenerational Equity** – The financial effects of Council decisions should not be borne entirely by present-day ratepayers, but be contributed to by future ratepayers who will also benefit.
- c. **Investment** – Council will manage a conservative investment portfolio through robust analysis decision making, in line with the Investment policy.
- d. **Borrowings** – Are only utilised for assets that have an asset life exceeding 20 years or projects that can generate a payback to Council within 5 years.
- e. **Renewal** – Council renewal is based on Council's intervention point which is condition 3. Council renewal will be planned on the basis of overall condition, asset characteristics and service criticality.
- f. **Fully Funded Depreciation** – Council will include in its annual budget sufficient funds to cover the full costs of depreciation for all of its assets.
- g. **Fully Funded Operating Position** – Council must collect enough revenue to fund operational expenditure, the repayment of debt and depreciation.
- h. **Fully Funded Capital Works Program** – The source of capital works is identified and secured for both capital renewal and new capital works.
- i. **Cash Surplus** – Council aims to maintain a surplus every year.

## RELATED LEGISLATION

- Local Government Act 1993
- Local Government (General) Regulations 2005

## RELATED DOCUMENTS AND COUNCIL POLICY

- Division of Local Government Planning and Reporting Guidelines
- Division of Local Government Planning and Reporting Manual
- Division of Local Government Capital Expenditure Guidelines
- PricewaterhouseCoopers National Financial Sustainability Study of Local Government Commissioned by the Australian Local Government Association November 2006
- Local Government and Planning Ministers' Council – Local Government Financial Sustainability – Nationally Consistent Frameworks
- Independent Inquiry into the Financial Sustainability of NSW Local Government May 2006

**ADDENDUM TO POLICY**

To clarify, the definitions are based on industry accepted standards from International Infrastructure Management Manual for Infrastructure assets including Roads, Stormwater, Plant and Equipment etc.

<b>Rank</b>	<b>Description of Condition</b>
<b>1</b>	<b>Very Good Condition</b> Only normal maintenance required
<b>2</b>	<b>Minor Defects Only</b> Minor maintenance required (5%)
<b>3</b>	<b>Maintenance Required to Return to Accepted Level of Service</b> Significant maintenance required (10-20%)
<b>4</b>	<b>Requires Renewal</b> Significant renewal/upgrade required (20-40%)
<b>5</b>	<b>Asset Unserviceable</b> Over 50% of asset requires replacement



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:





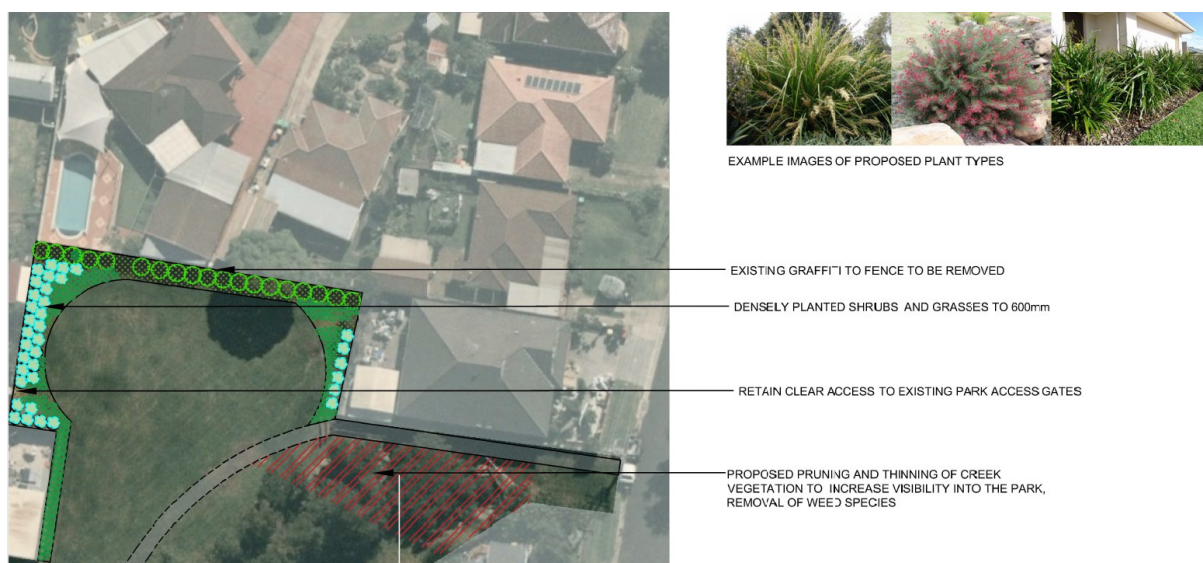
## Options for Consideration

### 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**

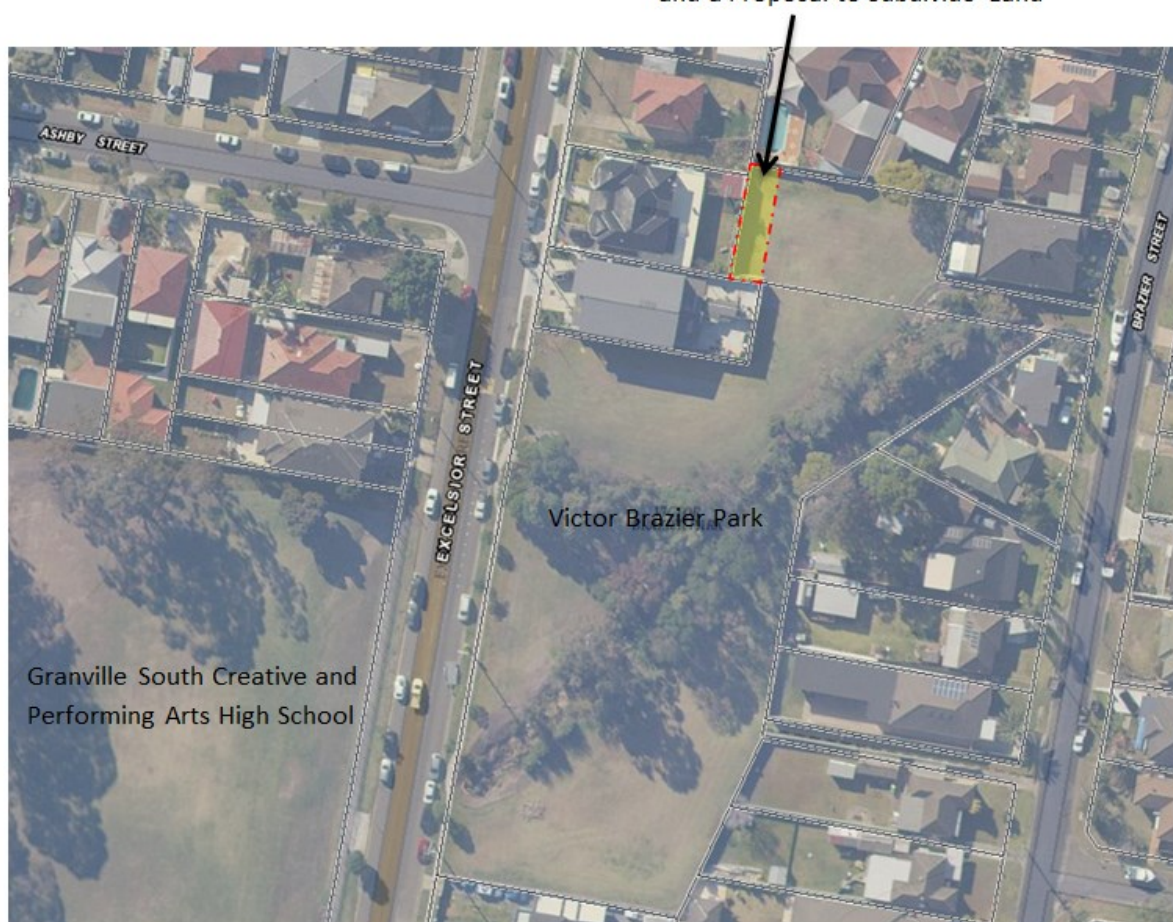


In addition, Council could look to purchase the two properties on Excelsior Street and/or a property on Brazier Street to expand and open up the park.

## 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



Item No: C03/20-384

## **HEALTH INFRASTRUCTURE PROPOSAL FOR A PARAMEDIC RESPONSE POINT AT 1-3 PEEL STREET, HOLROYD**

Responsible Division: Finance & Governance  
Officer: Director Finance & Governance  
File Number: 7861233  
Community Strategic Plan Goal: *A great place to live*

### **SUMMARY**

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This report has been prepared in response to Health Infrastructure's letter dated 7 February 2020, a copy of which is included in Attachment 1, wishing to progress the lease of part of Council-owned vacant land located at 1-3 Peel Street, Holroyd for the purposes of constructing a standby ambulance station known as a Paramedic Response Point (PRP).

### **RECOMMENDATION**

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**That Council:**

- 1. Endorse the proposal from Health Infrastructure for the construction of a Paramedic Response Point on part of Council owned land at 1-3 Peel Street, Holroyd.**
- 2. Authorise the General Manager to enter into a lease agreement with Health Administration Corporation (on behalf of NSW Ambulance) ABN 45 100 538 161 and execute all necessary documentation, in accordance with an independent market rental valuation and legal advice.**

### **REPORT**

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#### **Background**

In July 2019, Health Infrastructure approached Council to seek assistance in locating a suitable location for a PRP around the Guildford area. A number of Council-owned sites were identified and, after completing initial due diligence on the selected sites, Health Infrastructure confirmed that the site located at 1-3 Peel Street, Holroyd is worth pursuing further.

In October 2019, Council was briefed on Health Infrastructure's proposal and provided in-principle support for a PRP at 1-3 Peel Street, Holroyd.

## Paramedic Response Point

The Sydney Ambulance Metropolitan Infrastructure Strategy program aims to enhance NSW Ambulance infrastructure to better service the community and paramedics. The NSW Government is investing \$184m to build and upgrade NSW Ambulance superstations and PRPs across metropolitan Sydney. A typical superstation would include parking bays for ambulance vehicles, an office administration area and amenities, on-site staff parking, a logistics and storage area, and an external washing bay. A typical PRP would include a small office area and two parking bays.

Health Infrastructure is working in partnership with NSW Ambulance to build the new NSW Ambulance infrastructure. Health Infrastructure is the state government agency responsible for the planning, design and delivery of health infrastructure capital works throughout NSW.

The PRPs are pre-fabricated buildings which can be relocated in the future if service modelling demands change, therefore require minimal excavation with minimal impact on site.

### *Artist Impression of a Paramedic Response Point*

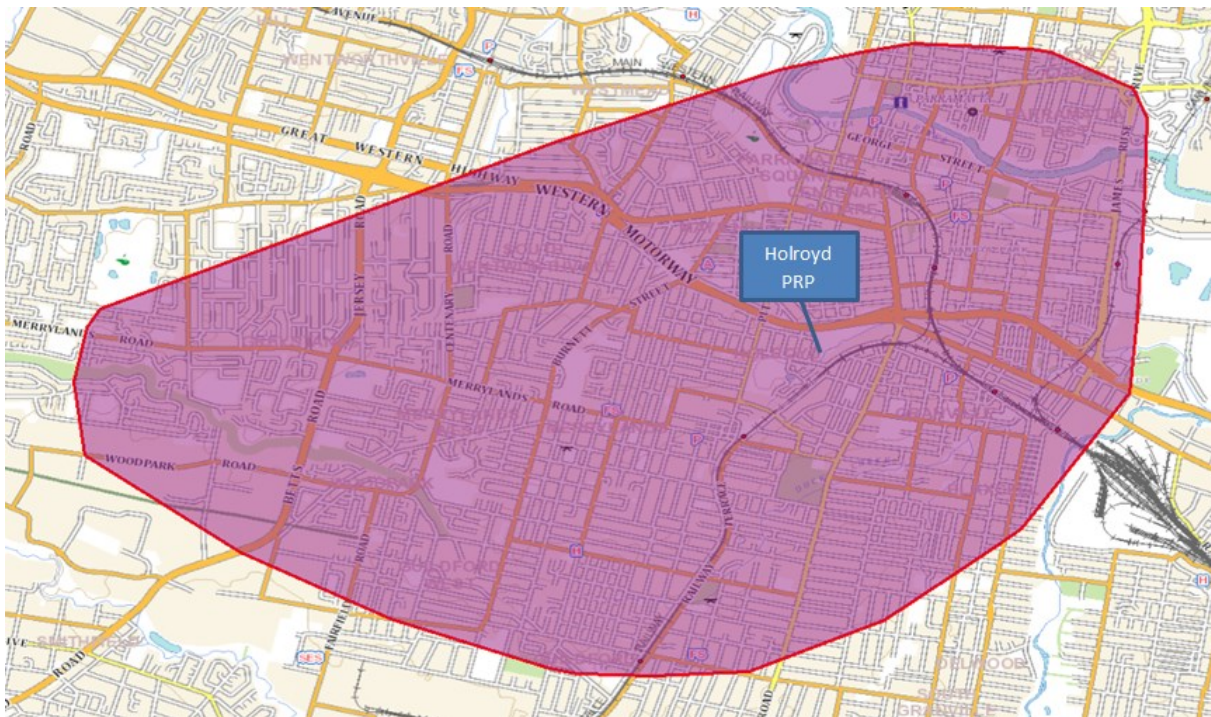


The location of 1-3 Peel Street, Holroyd has been identified by Health Infrastructure as the preferred location for a PRP. This PRP would form part of the Northmead Paramedic Response Network and be staffed by paramedics rostered within this response area.

The PRP would provide the closest response to residents that live within the response area, as identified in the map shown below. This is in addition to other responses from an ambulance that is already on the road or departing a hospital.



## Proposed Response Area



## Proposed Lease Terms

Health Infrastructure is proposing an initial 10-year lease term with two 5-year options to extend. Rent will be assessed at market value by an independent valuer based on rate per square metre of usable land area, approximately 650sqm of the site is required. Health Infrastructure will be responsible for obtaining all required authority approvals for the construction of the PRP. Upon termination of the lease agreement, Health Infrastructure will remove all structures and leave the site in a clean and tidy condition, with services capped off and terminated. The lease terms will form part of the commercial lease negotiations once Council has endorsed Health Infrastructure's proposal.

1-3 Peel Street, Holroyd is classified as operational land and has an area of approximately 4,400sqm. The site is located within the Holroyd industrial precinct, and is predominantly zoned IN2 Light Industrial and RE1 Public Recreation towards the eastern portion of A'Becketts Creek.

There is contamination on site primarily due to the historical use of the site as a night soil depot, machinery storage and maintenance depot, and suspected waste disposal in the northwest corner. Given the minor scale of the building works, Health Infrastructure has indicated that this will have minimal impact on their proposal and will remove any surface contamination from the proposed area to be leased prior to occupation.

## Planning Approval Process

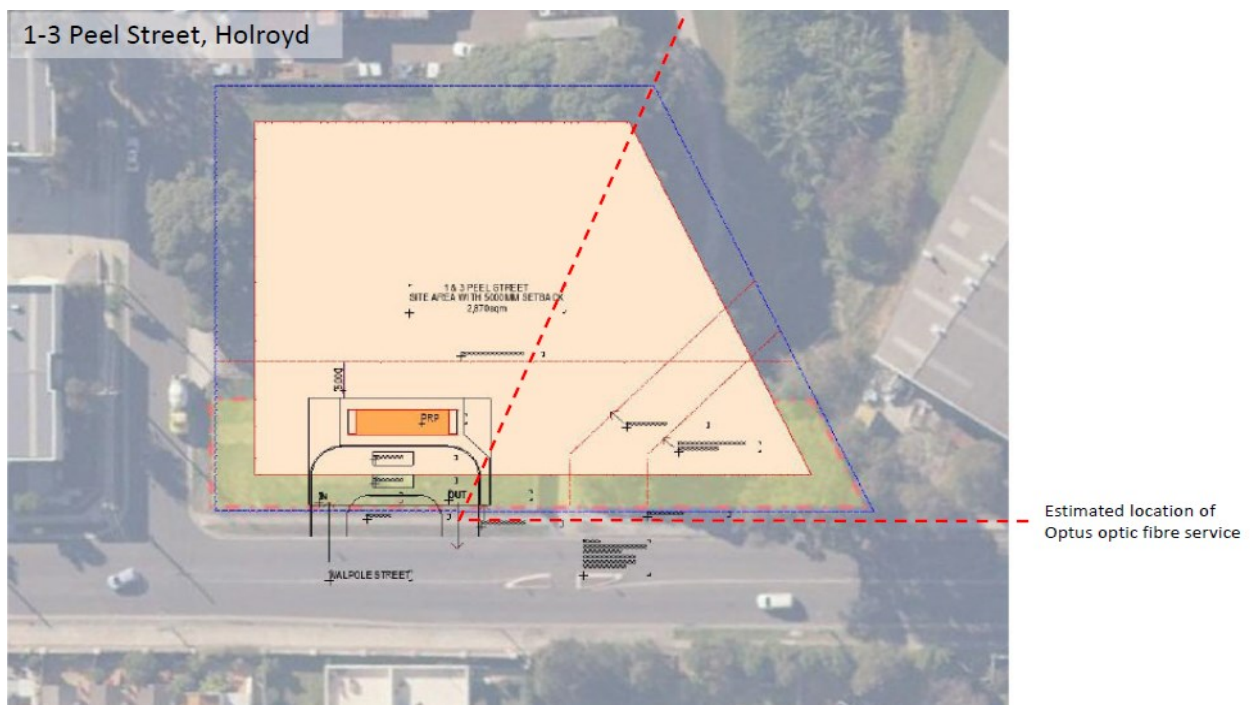
Health Infrastructure has indicated that they can approve their own ambulance station development under the Review of Environmental Factors (REF) and a

Development Application to Council for the PRP is not required under Part 3 of the *State Environmental Planning Policy (Infrastructure) (ISEPP) 2007*. Under Part 3, development for emergency services facilities in prescribed zones can be undertaken by a public authority as development without consent. The site is in a Light Industrial zone, which is a prescribed zone, therefore it meets this criteria.

The site is made up of four lots and the building structure will be constructed across the two lots closest to Walpole Street. Clause 48 of the *ISEPP 2007* does not permit the erection of any building that is closer than 5m to any property boundary. To comply with the 5m property boundary setback requirement, Health Infrastructure is proposing to remove the boundary and consolidate the two lots into one lot.

Following registration of the consolidated lots at the NSW Land Registry Service, Health Infrastructure would then be allowed to approve the REF for the ambulance station development as this would comply with the 5m property boundary setback condition. This would enable construction to commence, without being delayed awaiting a subdivision development approval.

### **Site Layout - Paramedic Response Point**



Health Infrastructure has been trying to gain access for paramedics to turn right onto Woodville Road from Crescent Street when responding to an emergency. There is currently a “No Right Turn” sign at Crescent Street onto Woodville Road. Health Infrastructure has approached Road and Maritime Services and they are not supportive of allowing NSW Ambulance to have a dedicated right turn at this intersection. The blind corner makes this intersection difficult to navigate when vehicles are queued on Crescent Street. As an alternative solution, Health Infrastructure is seeking Council Traffic Committee’s consent to adjust parking on Merrylands Road during morning and afternoon peak times to make access from this

road onto Woodville Road easier. At its meeting held on 6 February 2020, the Traffic Committee endorsed Health Infrastructure's traffic access proposal.

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## COMMUNITY ENGAGEMENT

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The REF is to be prepared by Health Infrastructure's planning consultant and submitted to Health Infrastructure for approval as the Determining Authority under Part 5 of the *Environmental Planning and Assessment Act 1979*. Feedback will be sought from the community and Council, and any feedback received will be considered in the final REF.

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## POLICY IMPLICATIONS

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There are no policy implications for Council associated with this report.

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## RISK IMPLICATIONS

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There are no risk implications for Council associated with this report.

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## FINANCIAL IMPLICATIONS

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There are no financial implications for Council as all costs associated with the planning approval, design and construction of the building will be funded by Health Infrastructure.

The proposed lease will provide Council with a steady income for the next 10 years. Market rent will be assessed by an independent valuer once Council has endorsed Health Infrastructure's proposal.

The land at 1-3 Peel Street has remained vacant for many years and has always been a difficult block of land due to historic uses. Following the completion of this lease Council will be able to assess the vacant portion of the operational land.

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## CONCLUSION

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This report recommends that Council endorse the lease proposal from Health Infrastructure, to enable their project team to commence works associated with the development of the detailed design and planning approval for a Paramedic Response Point on part of Council-owned land located at 1-3 Peel Street, Holroyd.

This proposal has many benefits to the residents, including increase response time could be critical in an emergency and also activates a block of land that has been vacant for many years.

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## ATTACHMENTS

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1. Health Infrastructure PRP Proposal Letter [↓](#) 



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-384

Attachment 1  
Health Infrastructure PRP  
Proposal Letter





Health  
Infrastructure

7 February 2020

Hamish McNulty  
General Manager  
Cumberland City Council  
PO Box 42  
Merrylands NSW 2160

Dear Mr McNulty

**RE: Lease of part of 1-3 Peel Street, Holroyd from Cumberland City Council for a NSW Ambulance Paramedic Response Point**

Health Infrastructure has been working with Cumberland City Council to progress the lease of part of Council-owned vacant land at 1-3 Peel Street, Holroyd for the purpose of a NSW Ambulance Paramedic Response Point (PRP). We understand that Council provided in-principle support in October 2019, and we hereby request formal endorsement from Council for our proposal (subject to lease negotiations).

The PRP at Holroyd will be delivered as part of the NSW Government's \$184M Sydney Ambulance Metropolitan Infrastructure Strategy (SAMIS) program. The SAMIS program is reshaping NSW Ambulance's operations in metropolitan Sydney, transforming the majority of the 43 ambulance stations in the area into a network of NSW Ambulance superstations, supported by smaller, standby stations called Paramedic Response Points.

The PRP at Holroyd will be a major investment in local paramedic services, supporting patients in the local community and surrounding areas. It will provide parking for two ambulance vehicles, acting as a location for them to respond to incidents within the area, as well as providing amenities for paramedics.

We are proposing that rental be at market value, as assessed by an independent valuer, to be fair to both parties. We are seeking a 10 year initial lease term, with two x five (5) year options to extend. The lease will be between Cumberland Council and Health Administration Corporation (on behalf of NSW Ambulance). The planning approval, design and construction of the facility will be led and funded by Health Infrastructure, and the facility will be operated and occupied by NSW Ambulance.

I now seek your support and formal endorsement of the proposal. Following Council's approval, we will work with Council's property team to develop the lease documentation that is satisfactory to both parties for execution. Your approval will also enable our project team to commence works associated with development of the detailed design and planning approval.

If you have any queries regarding this proposal please contact Michael Smytheman, Project Director on 9978 5907.

Yours sincerely



Bruno Zinghini  
Executive Director

CC:  
Michael Smytheman, Project Director, Health Infrastructure  
Tiffany Dang, Manager Property Development, Cumberland City Council

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Health Infrastructure ABN 89 600 377 397

Level 14, 77 Pacific Highway, North Sydney NSW 2060 | PO Box 1060, North Sydney NSW 2059  
Tel 02 9978 5402 | [www.hinfra.health.nsw.gov.au](http://www.hinfra.health.nsw.gov.au)





Item No: C03/20-385

## QUARTERLY CRIME PREVENTION REPORT

Responsible Division: Community Development  
Officer: Acting Director Community Development  
File Number: 7860492  
Community Strategic Plan Goal: *A safe accessible community*

### SUMMARY

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This report provides an update on community safety and crime prevention initiatives undertaken by Council during the period from November 2019 to January 2020.

### RECOMMENDATION

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**That the report be received.**

### REPORT

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The *Cumberland Community Safety and Crime Prevention Plan 2018 - 2022* (the Plan) was adopted in July 2018. The Plan identifies ten priority areas and 74 strategic actions to address priority crime-related issues and improve community safety in Cumberland. The Plan is a whole-of-Council document which is overseen by Council's Crime Prevention Officer.

The following provides a summary of some of the key community safety and crime prevention initiatives undertaken during the period from November 2019 to January 2020.

#### ***Safety Site Assessments Undertaken***

Ten safety site assessments were undertaken by Council and Police in response to community or safety concerns.

These assessments focus on CPTED (Crime Prevention through Environmental Design) to identify opportunities to improve safety outcomes in an area.

The following actions have been implemented and/or the following recommendations for improved infrastructure have been identified as a result of the audits:

- Monterey Street Park (Wentworthville) - Faulty lighting in the park has been reported to the energy provider and improved lighting on the footpath has been recommended. Graffiti and an abandoned car have been removed from the park, cleaning and maintenance of the area undertaken and gates to the creek secured. Additional patrols have also been requested by the Police. Opportunities

to improve activation of the Park and Scout Hall to improve incidental surveillance as well as consideration of changes to the walkway are also being explored.

- Wentworthville Community Garden - Opportunities to improve lighting in the garden are being explored.
- Auburn Park - Additional police patrols have been requested to monitor the area.
- Greystanes Library and Community Centre - Opportunities to improve lighting in the carpark are being explored.
- Fairfield Park, Yennora - The area is being monitored for any future issues.
- Remembrance Park (Lidcombe) - Opportunities to improve lighting in the park are being explored.
- Ted Burge Sportsground (Merrylands) - The area is being monitored for any future issues.
- Roberta Street (Greystanes) - Additional police patrols have been implemented to monitor the area and move people on which has improved the safety of the area.
- Guildford Car Park (Guildford) - The implementation of timed parking has been recommended to allow for more 'accidental surveillance' and more use of the area with a regular turnover of cars coming and going.
- Warnock Park (Guildford) - Additional police patrols have been implemented to monitor the area and move people on which has improved the safety of the area. Opportunities to improve lighting and maintenance are being explored.
- Benaud Street Laneway and adjacent park (Greystanes) - One graffiti tag has been removed, removal of dried ground foliage and pruning of vegetation and overhanging trees to improve sightlines, pathway lighting and visibility of signage has been completed. Lighting in the park was deemed adequate and operational. The need for additional CCTV was not identified as required. Residents have been encouraged to report any incidents using the Police Assistance Line or to Council.

### ***Lighting Audits***

Three lighting audits were undertaken at Greystanes Library and Community Centre, Benaud Street Laneway and Park and Remembrance Park.

Additional lighting requirements have been identified for the Greystanes Library Carpark. All lighting in the Benaud Street Laneway/Park and Remembrance Park was deemed adequate and operational.

### ***Homelessness***

Council has continued to respond to ongoing issues of rough sleeping, health and safety issues particularly in Merrylands, Granville and Lidcombe. Responses involve engaging local services, Council and Police to support referrals related to addressing complex issues such as health, anti-social behaviour and drug and alcohol issues.

Council staff undertook our first Homelessness Street Count in mid-February 2020 in partnership with the Department of Communities and Justice and local services. The count provided some insight into the number and key locations of people sleeping rough in the LGA, however this data needs to be considered in line with other relevant information sources, to provide a clearer picture about the quantum of this issue.

***CCTV in Public Places***

- CCTV camera relocations this quarter: 3
- CCTV footage extraction requests: 27

***Steal from Motor Vehicle Signage***

100 new Steal from Motor Vehicle signs have been installed in private and public car parks across the LGA in response to Police identified hotspots. The signs remind motorists to lock their car and check that they have removed valuables.

A communications campaign was rolled out concurrently with the installation of new signage as part of Council's Living Safely in Cumberland education campaign. The locations will be monitored by the police to identify any areas for relocation.

***Road and Pedestrian Safety at Schools***

Council Rangers regularly patrol all schools across the LGA to identify unsafe parking practices and parking offences. Council also promotes the delivery of road safety workshops to schools. Where issues continue to persist, the Highway Patrol will monitor those particular schools. During the period, highway patrol requests have been implemented at Cerdon College (February 2020).

***Domestic and Family Violence Prevention***

Council finalised the *Cumberland Domestic and Family Violence Sector Action Plan*, a sector-wide plan to address domestic and family violence challenges in Cumberland. The Plan was developed following consultation with 60 local services and government agencies and will be implemented collaboratively with 18 organisations to support community-led initiatives. This Plan focuses on three key areas:

- Enhancing the capacity of community groups and services to respond to domestic and family violence,
- Designing primary prevention programs that drive change of norms, practices and structures that lead to gender inequality, and
- Encouraging greater collaboration amongst community groups and service.

Other initiatives implemented included:

- Delivery of a community education campaign in partnership with the NSW Police to align with the 16 Days of Activism against Gender Based Violence and White Ribbon Day. The campaign involved communication and a media campaign with messaging around preventing domestic and family violence. The campaign included the installation of 200 signs at key locations across the LGA in areas of high visibility such as pedestrian areas, Police stations, near schools, shopping centres, sports grounds and train stations.
- Training 20 local youth workers and 3 Council staff to deliver the Lovebites Program as part of the Cumberland Respectful and Resilient School Students project.

- Delivery of an 8 week Rock and Water program to 24 students at Pendle Hill Public School and a one day program to 30 students at Holy Trinity Primary School. The program teaches young people about self-control, self-awareness, how to deal with anger, personal boundaries, empathy and self-confidence.

### ***Personal Safety Community Education Program***

Following the successful pilot of Council's 'Living Safely in Cumberland' personal safety education program, Council has continued to promote and roll out workshops across the LGA in partnership with Police from Cumberland and Auburn Police Area Commands.

The workshops educate community members on avoiding becoming victims of crime and encourage reporting to police tailored to the varying needs of the community. There are six workshop modules to choose from:

1. Protecting yourself against scams
2. Securing your home
3. Securing your vehicle
4. Safety out and about
5. Understanding Domestic and Family Violence
6. Reporting crime.

Seven workshops have been delivered to date with the remaining 36 to be delivered across the Cumberland LGA in 2020. The workshop can be delivered in English as well as 11 community languages.

### ***Police Liaison and Responding to Community Safety Issues and Concerns***

On average, Council's Crime Prevention Officer responds to approximately three community safety reports or concerns per week from residents. These include a range of issues such as anti-social behaviour, vandalism, graffiti, drug and alcohol issues, homelessness, illegal building works and illegal dumping. Many of these issues are referred to the Police for joint action and to ensure a coordinated and appropriate level of response.

Council also regularly liaises with both the Cumberland and Auburn Police Area Commands (PACs) in relation to a range of community, Police or Council identified crime prevention and safety issues. This includes facilitating site assessments, requesting high visibility Police patrols, investigating damage to Council property and other matters. Council also regularly attends Police Community Precinct Meetings held by both PACs.

In December, Council supported the Police with a 'Come and Play Touch Football' game between Greystanes High School and Cumberland Police Area Command held at Darling Street Park. 600 students attended and 60 police participated in the event which sought to break down barriers and improve relationships between police and young people.

## POLICY IMPLICATIONS

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Community safety is a key priority identified in the *Community Strategic Plan*, Goal 2: 'A safe and accessible community'. Council's Community Satisfaction Survey 2019 also identifies community safety/crime prevention as a key priority area for Council.

The initiatives outlined in this report align with the priorities and actions identified in the *Cumberland Community Safety and Crime Prevention Plan 2018 - 2022*.

## RISK IMPLICATIONS

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The key risks associated with responding to community safety concerns and crime prevention initiatives include:

- Council has a limited supply of relocatable CCTV cameras to install in locations in response to emerging community priorities as well as Police identified hotspots.
- The potential for time and resourcing involved in responding to emerging and individual community safety concerns to impact on the ability of Council to focus on other more strategic/LGA wide, evidence-based priorities.
- Council has limited capital budget allocation to immediately implement recommendations arising from Crime Prevention Through Environmental Design (CPTED) site assessments.

## FINANCIAL IMPLICATIONS

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Funding of \$26,000 has been allocated in the approved Operational Budget 2019/20 to implement the Year 2 actions identified in the *Community Safety and Crime Prevention Plan*. Council has also received grant funding to support the implementation of initiatives such as community safety education and lighting upgrades.

During the period there was a high volume of antisocial behaviour occurring in parks and open spaces across the LGA resulting in damage to public amenities and other assets. Council is working with the Police High Visibility Team and exploring opportunities to minimise and deter these incidents, including investment in relocatable CCTV cameras and reviewing opening times of amenities as a more cost effective way to prevent damage and deter crime.

Council proactively seeks funding to support the implementation of community safety initiatives and the delivery of actions outlined in the Plan, however, Council has been unsuccessful to date in a number of State and Federal grants submitted to support the provision and expansion CCTV infrastructure. Council is currently awaiting the outcome of a Federal Government grant through the Safer Communities Fund Round Five 2019.

There is limited capital funding available to address lighting and CCTV infrastructure needs across Cumberland, which are frequently identified.

## CONCLUSION

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It is recommended that the information on Council's recent community safety and crime prevention initiatives be received and noted. Council will continue to work with Police and the community to respond to priority and emerging community safety needs.

Council will also continue to identify suitable funding opportunities to support the implementation of local safety initiatives. There are also ongoing opportunities for Council to advocate to the NSW and Federal Government to support Council's work in this area.

## ATTACHMENTS

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Nil

Item No: C03/20-386

## **ROAD NAMING PROPOSAL - MARGARET STREET, MERRYLANDS**

Responsible Division: Environment & Planning  
Officer: Director Environment & Planning  
File Number: S-30-01/06  
Community Strategic Plan Goal: *A resilient built environment*

### **SUMMARY**

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This report seeks Council's endorsement to commence the road naming process to rename two sections of Margaret Street, Merrylands, located south of the M4 Motorway, to Bolger Close and Donaldson Close. The remaining section north of the M4 Motorway would continue to be named Margaret Street under the proposal.

### **RECOMMENDATION**

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**That Council:**

- 1. Endorse the proposed road names of Bolger Close and Donaldson Close for public exhibition; and**
- 2. Proceed with finalisation of these proposed road names with the NSW Geographical Names Board (GNB), following exhibition, subject to no objections being received. If objections are received, a further report will be provided to Council.**

### **REPORT**

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#### ***Background***

On 17 April 2019, Council supported a Notice of Motion to rename Margaret Street, Merrylands to Margaret Street North and Margaret Street South.

This notice of motion was moved as the arrival of an emergency service vehicle was delayed, due to an ambulance being directed to the wrong section of Margaret Street. Margaret Street comprises of three segments that are located both north and south of the M4 Motorway (refer to Figure 1).





**Figure 1: Margaret Street, Merrylands**

Council sought preliminary advice from the Geographical Names Board (GNB) on 27 May 2019, regarding the proposal to rename Margaret Street to Margaret Street South and Margaret Street North. On 5 June 2019, the GNB provided Council with written advice that the use of directional indicators, such as North and South, does not comply with Section 6.7.8 of the NSW Addressing User Manual. This section of the manual states that a directional or similar device shall not be used as a suffix to uniquely define road extremities. Margaret Street South and Margaret Street North are an example of this.

The GNB also recommended that Council should consider unique names for two segments of Margaret Street south of the M4 Motorway, as these two segments contain the least number of addresses.

Council considered this advice at the 21 August 2019 meeting, and resolved that Council:

- “1. No longer seek to rename Margaret Street, Mays Hill, to Margaret Street North and Margaret Street South.
2. Consider the application of unique road names for the two segments of Margaret Street located south of the M4 Motorway.”

### **Proposed Road Names**

Council officers have undertaken a review of history of this area to identify potential road names for the Margaret Street area. A range of road naming options have been identified and are outlined below:

- Bolger Close: John Bolger was the first land grantee of the area of land, who was granted 38.45ha on 1 January 1810.



- Donaldson Close: historical research indicates that Margaret Street was most probably named after Robert Shannon's eldest daughter Margaret Jane Donaldson (nee Shannon) (1883-1949). Margaret Street was part of Shannon's Parramatta Heights Estate at Mays Hill in 1936. Other street names in this estate have some connection to the Shannon family.
- Crowe Close: Benjamin Joshua Crowe owned the land prior to the Shannon family owning the land (c. 1914-1921). Mr Crowe was also an Alderman of Prospect and Sherwood Municipal Council (later Holroyd, now Cumberland), 1904-11 & 1914-17 and was also Mayor of that Council, 1908-09.
- Joshua Close: Benjamin Crowe's middle name.
- Archie Close: the Oakes family also owned this land (c. 1885-1905). There is already an Oakes Street in Westmead. However, Archie Irwin Oakes specifically owned the property in c. 1898-1905. Archie Oakes was another Alderman of Prospect and Sherwood Council, 1900-03.

Informal advice has been provided by the GNB on the suitability of these road names, and for the roads to be referred to as 'Close'. This will be formally confirmed should the proposed road naming proceed to consultation.

Street numbering at these locations would also need to be amended should the road naming process be completed, and this would impact two private properties. This change would also be identified during public exhibition of the road naming proposal.

### **Next Steps**

It is recommended that Council endorse the proposed road names of Bolger Close and Donaldson Close for the two segments of Margaret Street located south of the M4 Motorway (refer to Figure 2). The remaining section north of the M4 Motorway will continue to be named Margaret Street.

It is also recommended that Council proceed with finalisation of these proposed road names with the NSW Geographical Names Board (GNB), following exhibition, subject to no objections being received. If objections are received, a further report will be provided to Council.

Should Council not support any changes to the road names, no further action will be undertaken and the road continues to be referred to as Margaret Street.



**Figure 2: Proposed Road Names**

## COMMUNITY ENGAGEMENT

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Public and authorities consultation will be undertaken, should the proposed road names receive formal approval from the GNB.

As per the *NSW Roads Regulation 2008*, the Council is required to:

- Advertise the proposal in the local newspaper
- Notify in writing to the immediate residents who directly utilise an address which will be affected by a change to the road name
- Serve notice of its proposal to the prescribed authorities listed in Regulation 7.1.

A minimum period of 15 working days is to be provided to the public and authorities to submit feedback to Council.

## POLICY IMPLICATIONS

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There are no policy implications for Council associated with this report.

## RISK IMPLICATIONS

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There are no risk implications for Council associated with this report.

## **FINANCIAL IMPLICATIONS**

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There are no financial implications for Council associated with this report.

## **CONCLUSION**

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Following Council's resolutions on the naming of Margaret Street, Merrylands, it is recommended that Council commence the road naming process for two sections of this road, south of the M4 Motorway, to be renamed Bolger Close and Donaldson Close. The remaining section north of the M4 Motorway will continue to be named Margaret Street.

## **ATTACHMENTS**

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Nil



Item No: C03/20-387

## **PLANNING PROPOSAL, DEVELOPMENT CONTROL PLAN AND VOLUNTARY PLANNING AGREEMENT - 4-12 RAILWAY STREET, LIDCOMBE**

Responsible Division: Environment & Planning  
Officer: Director Environment & Planning  
File Number: PP-4/2017  
Community Strategic Plan Goal: *A resilient built environment*

### **SUMMARY**

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The planning proposal for 4-12 Railway Street, Lidcombe, was endorsed by Council in October 2018 for a Gateway Determination. The resolution also required the preparation of an acceptable Voluntary Planning Agreement and site-specific Development Control Plan to finalise the planning proposal.

The planning proposal, draft Voluntary Planning Agreement and draft site-specific Development Control Plan have been prepared and publicly exhibited for a period of 28 days. This report outlines the feedback received during exhibition.

It is recommended that the Voluntary Planning Agreement be executed and the Development Control Plan be adopted and Council finalise the planning proposal as delegated by the Minister.

### **RECOMMENDATION**

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**That Council:**

- 1. Adopt the recommended planning controls for 4-12 Railway Street, Lidcombe, as previously resolved by Council, being:**
  - a. the existing maximum Floor Space Ratio of 5:1 under Auburn Local Environmental Plan (LEP) 2010 being retained for the B4 zoned part of the subject site, with a minimum of 0.4:1 non-residential Floor Space Ratio to be provided;**
  - b. a provision for a bonus Floor Space Ratio of 0.3:1 for a minimum of 0.6:1 non-residential Floor Space Ratio, subject to the dedication of the RE1 zoned land to Council at no cost, and with an offset of section 7.11 contributions in lieu of this land dedication;**
  - c. a maximum building height of 45m apply to the site generally, with:**
    - i. a taller element up to a maximum of 55m for a limited portion in the north eastern corner of the site to be shown on the LEP**

**Height of Buildings Map; and**

- ii. a maximum building height of 48m for a limited portion of the south eastern corner of the site.
2. Finalise the planning proposal, as delegated by the Minister.
3. Note that this LEP amendment will be published in the Government Gazette upon finalisation.
4. Endorse and delegate authority to the Mayor and General Manager to execute the Voluntary Planning Agreement on behalf of Council for 4-12 Railway Street, Lidcombe, as provided in Attachment 3;
5. Adopt the revised site specific Development Control Plan as an amendment to the Auburn Development Control Plan, as provided in Attachment 2, with the Development Control Plan coming into effect on the date of notification (gazetted) of the LEP amendment;
6. Delegate to the General Manager the authority to make minor, non-policy corrections or formatting changes to the Development Control Plan controls, if required, prior to coming into effect; and
7. Endorse that the site specific Development Control Plan carry over to the new Cumberland Development Control Plan when this is in force.

**REPORT**

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**Background**

A planning proposal request (the original proposal) was lodged with Cumberland Council on 21 September 2017 for 4-12 Railway Street Lidcombe, which sought to increase the maximum height of buildings and floor space ratio (FSR) controls under the Auburn Local Environmental Plan (LEP) 2010.

The proposal was considered by the Cumberland Local Planning Panel in August 2018. The proposal recommended by the Panel would deliver approximately 320 apartments and 2,300m<sup>2</sup> of commercial floor space.

The proposal was reported to Council in October 2018, with Council endorsing that a planning proposal be prepared that seeks to increase the maximum height of buildings control:

- 55m for a limited portion in the north east corner of the site.
- 48m for a limited portion in the south east corner of the site.
- 45m for the remainder of the site.
- Apply a minimum non-residential FSR of 0.4:1 to the site.

- A bonus FSR of 0.3:1 to the site, if a minimum non-residential FSR of 0.6:1 is provided.

Council also resolved to develop site specific Development Control Plan controls for building massing, setback and solar access controls that aim to minimise the overshadowing of Friends Park, as well as the preparation of a Voluntary Planning Agreement.

### **Public exhibition of the planning proposal, draft Development Control Plan and draft Voluntary Planning Agreement**

The planning proposal, draft Development Control Plan and draft Voluntary Planning Agreement were placed on public exhibition from Wednesday 4 September 2019 to Tuesday 1 October 2019.

One public submission was received on the planning proposal, draft Development Control Plan and draft Voluntary Planning Agreement.

A requirement of the Gateway Determination was to notify the following public authorities: Heritage NSW; Roads and Maritime Services; and Transport for NSW. A late submission was received from Heritage NSW on the planning proposal. No submissions were received from the other authorities.

### **Planning Proposal**

A submission on the planning proposal was received from Heritage NSW. Their submission suggested formal consideration should be given to the visual impact a building of the proposed heights may have on the setting of the cemetery and Necropolis, and whether the proposed height increase will impact on significant views to and from the cemetery. Their submission suggested that a Heritage Impact Statement is critical and will assist Council to respond to any concerns raised regarding the proposal.

A Heritage Impact Statement was undertaken to address the issues raised by Heritage NSW. The Heritage Impact Statement determined that:

- While there will be some minor views to the subject site from locations that are in the south-eastern portion of the Old Catholic Section (on raised land), these views will be distant and not have an adverse heritage impact on the heritage item and significant elements within Rookwood.
- Views to the subject site from St Michael's Chapel are generally obscured by tall tree plantings and mature tree canopy.
- Views to the subject site from the original railway spur alignment entering Rookwood from the north, will be obscured by existing clumps of mature tree plantings that run parallel and west of the former railway alignment.



- Generally, views northwest to the subject site from within the Old Catholic Section of the Cemetery will be concealed by the proposed 10-storey development located at 1 East Street, Lidcombe.

The Heritage Impact Statement determines that the proposal will have some minor but acceptable visual impact on heritage significance of Rockwood Cemetery.

As the proposal will only have a minor visual impact on the heritage significance of Rockwood Cemetery, the issues raised by Heritage NSW in their submission should not be considered to be a reason for not proceeding with the planning proposal.

### **Development Control Plan**

Council also resolved to develop site specific Development Control Plan controls for building massing, setback and solar access controls that aim to minimise the overshadowing of Friends Park.

The site specific controls will be inserted into the Auburn Development Control Plan (2010) under Local Centres, 15.12 Site 7 Marsden Street.

One submission was received on the Development Control Plan on behalf of the proponent. The proponent sought changes to the proposed controls that specifically related to floor plates, setbacks and solar access, as these controls have the potential to limit and restrict the future development of the site.

The proponent's submission sought change to the following development controls:

- D10 – (i) in the south western corner, the floor plate of the building is not to exceed 550m<sup>2</sup>
- D10 – (ii) in the south eastern corner, the floor plate of the building above 8 storeys is not to exceed 750m<sup>2</sup>

The proponent also sought that the following controls be removed from the Development Control Plan:

- D11 – C - The building above the street wall is to maintain a uniform 3m setback along Railway Street.
- The proponent is seeking that this control be reworded to "The building above the street wall is to provide a minimum 2 metre setback along Railway Street".
- D13: To maintain a minimum 3 hours direct sunlight to a minimum 50% of Friends Park between 11.00am and 3.00pm on 21 June.
- The proponent is seeking to add an objective O1 Arrange building mass to maximise solar access to Friends Park during mid-winter. The proponent is also seeking to amend D13 to "Given the site's dense urban context, a minimum of 3 hours of direct sunlight to 20% of Friends Park between 12.15 pm and 3.15 pm on 21st June, is to be provided".



Council has reviewed the submission provided by the proponent. The issues raised by the proponent in their submission should be taken into consideration, as the public benefit offer has been determined based on an approximate yield of 320 apartments. This can be considered to be the proponent's viable development yield and a site specific Development Control Plan needs to provide enough flexibility to assist the proponent to achieve this yield, while maintaining provisions that seek the greatest level of solar access to Friends Park.

Following a review by Council officers, it is recommended that the Development Control Plan be amended to:

- Remove exhibited controls D10 (i) and D10 (ii).
- Reword exhibited control D11 – C (i). The new wording will state 'The building above the street wall is to provide minimum 2 metre setback along Railway Street.'
- Reword exhibited control D13. The new wording will state 'buildings are to be designed to minimise the loss of solar access to Friends Park', and will be renamed as control D12.
- Include additional objectives that:
  - Seek 3 hours solar access to 50% of Friends Park between 11.00am to 3.00pm on 21 June
  - Seek building mass to be arranged to maximise solar access to Friends Park during mid-winter.

The identified amendments in the revised Development Control Plan maintain provisions for solar access to 50% on 21 June, but better align to the time of the day where this can be feasibly achieved with the intended development on the site.

It is recommended that Council adopt the revised site specific Development Control Plan for the site as an amendment to the Auburn Development Control Plan, as provided in Attachment 2. It is also recommended that the Development Control Plan carry over to the new Cumberland Development Control Plan when in force.

### **Voluntary Planning Agreement**

Council's resolution also required that a draft Voluntary Planning Agreement be prepared and exhibited with the Planning Proposal. A Voluntary Planning Agreement was negotiated between Council and the applicant, consistent with the Cumberland Planning Agreements Policy.

Council obtained an independent valuation of the potential increase in residual land value arising from the planning proposal. In accordance with Council policy, the total value of development contributions to be made under a planning agreement will be equivalent to 50% of the increase in residual land value arising from the development

proposal. This has been achieved with the Voluntary Planning Agreement for the planning proposal.

The offer included in the Voluntary Planning Agreement requires the proponent to:

- Dedicate lots 7 and 8 in DP 397 free-of-cost to Council to allow for the expansion of Friends Park.
- Rehabilitate and embellish that land.
- Dedicate part of the land (defined as the 'Road Widening Land' in the Planning Agreement) for the purposes of widening Raphael Street free-of-cost to Council, including associated road widening, intersection upgrade works, and subsequent ongoing maintenance works in respect of that land by the Developer.

The offer formalises land for the purposes of open space and provides improvements to local roads in a manner that support the redevelopment of the Lidcombe Town Centre.

No changes have been made to the Voluntary Planning Agreement following notification during the public exhibition of the planning proposal.

It is recommended that Council endorse and, through the Mayor and General Manager, execute the Voluntary Planning Agreement, as provided in Attachment 3.

## **COMMUNITY ENGAGEMENT**

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The final outcome of this matter will be notified in the newspaper. The objectors will also be notified in writing of the outcome.

## **POLICY IMPLICATIONS**

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The proposal involves amendments to the Auburn Local Environmental Plan 2010 and Auburn Development Control Plan 2010. With endorsement of the revised Development Control Plan by Council, finalisation will be undertaken including newspaper notifications and the Development Control Plan will come into effect on the date the Local Environmental Plan amendment is made. The development of the Voluntary Planning Agreement is consistent with Council's Planning Agreements Policy.

## **RISK IMPLICATIONS**

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There are minimal risk implications for Council associated with this report. This report's recommendation stipulates that the Voluntary Planning Agreement must be executed by both parties and registered on title prior to the Local Environmental Plan amendment being finalised. The Development Control Plan will come into effect once the Local Environmental Plan has been made (gazetted). All statutory and Council policy requirements have been met.

## FINANCIAL IMPLICATIONS

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There are no financial implications for Council associated with this report.

## CONCLUSION









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As required by Council's resolution for the planning proposal in October 2018, the planning proposal, draft Voluntary Planning Agreement and a draft site specific Development Control Plan have been prepared and publicly exhibited for a period of 28 days. This report outlines the feedback received during exhibition.

It is recommended that the Voluntary Planning Agreement be executed and the Development Control Plan be adopted and Council finalise the planning proposal as delegated by the Minister.

## ATTACHMENTS

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1. Planning Proposal [↓](#) 
2. Revised Site Specific Development Control Plan [↓](#) 
3. Voluntary Planning Agreement [↓](#) 
4. Gateway Determination [↓](#) 
5. Submission from Proponent on Development Control Plan [↓](#) 
6. Submission from Heritage NSW on Planning Proposal [↓](#) 
7. Heritage Impact Statement [↓](#) 
8. Minutes from Council Meeting 17 October 2018 [↓](#) 
9. Valuation advice - 4-12 Railway Street, Lidcombe (confidential)



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-387

Attachment 1  
Planning Proposal





## PLANNING PROPOSAL



**4-12 Railway Street, Lidcombe**

**PP4-2017**

August 2019



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## 1 Introduction

### 1.1 Overview

The purpose of this Planning Proposal is to seek an amendment to the Auburn Local Environmental Plan 2010 (Auburn LEP 2010) for the property at 4-12 Railway Street Lidcombe (the site).

The Planning Proposal seeks to increase the maximum height of buildings control that applies to the site from the existing 32m to:

- 55m for a limited portion in the north east corner of the site.
- 48m for a limited portion in the south east corner of the site.
- 45m for the remainder of the site.

The Planning Proposal also seeks to add an additional provision to clause 4.4 of Auburn LEP 2010 to:

- apply a minimum non-residential FSR of 0.4:1 to the site.
- a bonus FSR of 0.3:1 to the site, if a minimum non-residential FSR of 0.6:1 is provided.

The amended planning controls seek to enable the future redevelopment of the site for a mixed use development comprising ground floor commercial and residential development above (approximately 320 units). No specific types of retail or commercial businesses have been nominated at this time.

### 1.2 Public Benefit Offer

A public benefit offer has been tabled with this Planning Proposal that proposes to dedicate the land within the site, that is currently zoned RE1 Public Recreation, to Council, to enable the future Friends Park extension. A Voluntary Planning Agreement (VPA) will be prepared concurrently with this Planning Proposal to facilitate the dedication of this land to Council.

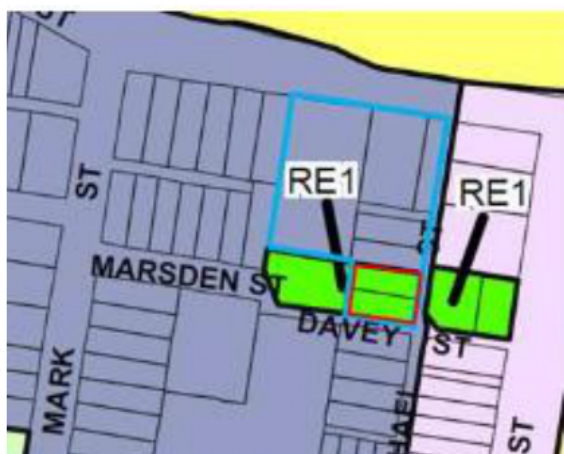


Figure 1: Land to be dedicated to Council via VPA (area bound in red).

Planning Proposal: 4-12 Railway Street Lidcombe

### 1.3 Background

The site is located at 4-12 Railway Street Lidcombe, having frontages to Railway, Raphael and (part) Davey Streets. It is located approximately 200m from the Lidcombe Railway Station. The site is currently zoned for B4 Mixed Use and RE1 Public Recreation. The current occupants of the site include a memorial / stone mason business (per the previous industrial zoning) and training/office buildings with associated carpark. The Rookwood Cemetery State Heritage item is located to the east.

A Planning Proposal Request (PPR) for the site was lodged by the landowner with Council in September 2017. This PPR was placed on preliminary public exhibition in October-November 2017. This PPR sought to increase the maximum building height from 32m to 62m and to increase the FSR from 5.0:1 to 5.65:1 over the majority of the site (being over the B4 Mixed Use zoned portion of the site).

### 1.4 Consideration by Cumberland Local Planning Panel

The PPR was initially considered by the Cumberland Local Planning Panel (Cumberland LPP) on 22 August 2018. The Cumberland LPP recommended that:

1. *A maximum FSR of 5.65:1 not be supported, and the existing maximum FSR of 5:1 under Auburn LEP 2010 be retained for the B4 zoned part of the subject site.*
2. *A maximum building height of 62m not be supported, and instead the following maximum building heights be proposed for the B4 zoned part of the subject site:*
  - i) *A maximum building height of 45m for the site generally;*
  - ii) *A taller element up to 55m for a limited (33m x 33m) portion in the north eastern corner of the site to be shown on the LEP Height of Buildings Map;*
  - iii) *The taller element be offset by a corresponding area in the south western part of the site having a lower maximum building height to minimise overshadowing of Friend Park and properties to the south, via a DCP control; and*
3. *More detailed modelling be undertaken prior to any submission for a Gateway Determination, to confirm the building heights approach outlined in 2 above and to determine the DCP controls to minimise overshadowing of Friend Park in mid-winter. The Panel recommends that a better mix of dwellings be incorporated into any future development modelling.*
4. *That the proposal include a minimum non-residential FSR component of 0.4:1, and this be considered in more detail with further modelling and testing and further work on the draft Strategy.*
5. *That Council continue negotiations with the landowner as to both the extent of public benefit, and the mechanism for any dedication of the RE1 zoned portion of the site to Council.*
6. *That Council give consideration to a lower FSR on sites on the periphery of the Lidcombe Town Centre as the maximum FSR of 5:1 is difficult to achieve having regard to appropriate built form outcomes. This would achieve a better transition from the commercial core to the periphery of the Lidcombe Town Centre.*

Planning Proposal: 4-12 Railway Street Lidcombe

Following the Cumberland LPP meeting the proponent accepted the LPP recommendations but also nominated the following additional controls for the B4 zoned portion, being:

- Building height of 48m on the south-east corner of the site
- FSR bonus of 0.3:1 if non-residential FSR of 0.6:1 is provided

### 1.5 Council Resolution for this Planning Proposal

The matter was subsequently reported to Council on 17 October 2018 (Item C10/18-204) addressing the controls as recommended by the LPP on 22 August 2018 as well as additional controls as nominated by the proponent following the Cumberland LPP meeting. Council resolved the following:

*That Council:*

1. *Proceed to Gateway submission and formal community consultation with a planning proposal and associated public benefit offer as per Option A, being:*
  - a. *the existing maximum FSR of 5:1 under Auburn LEP 2010 being retained for the B4 zoned part of the subject site, with a minimum of 0.4:1 non-residential FSR to be provided;*
  - b. *a provision for a bonus FSR of 0.3:1 for a minimum of 0.6:1 non-residential FSR, subject to the dedication of the RE1 zoned land to Council at no cost, and with an offset of section 7.11 contributions in lieu of this land dedication;*
  - c. *a maximum building height of 45m apply to the site generally, with:*
    - i) *a taller element up to a maximum of 55m for a limited portion in the north eastern corner of the site to be shown on the LEP Height of Buildings Map;*
    - and,
    - ii) *a maximum building height of 48m for a limited portion of the south eastern corner of the site.*
2. *Develop site specific DCP controls which include setback and sunlight access controls to ensure the taller element is offset by a corresponding area in the south western part of the site that has lower height, minimising overshadowing of Friends Park and properties to the south.*
3. *Require the proponent to submit updated Planning Proposal documentation including a revised concept and shadow diagrams, suitable for public exhibition.*
4. *Require that further detailed modelling be undertaken to help determine site specific DCP controls for building massing.*
5. *Request that the proponent provide a draft voluntary planning agreement consistent with the public benefit offer outlined in this report to be publicly exhibited with the planning proposal.*

Site specific development controls to form an amendment to the Auburn Development Control Plan (DCP) 2010, will be prepared in accordance with the Council resolution. These site specific controls will address as a minimum the building height for the south west element and the building form generally so as to minimise overshadowing to Friends Park (existing and future extension) in mid-winter. These site specific controls would be publicly exhibited concurrent with the Planning Proposal following the Gateway Determination.

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Planning Proposal: 4-12 Railway Street Lidcombe

## 1.6 Internal configuration of site

The proponent has provided plans to show the four (4) potential buildings on the site.

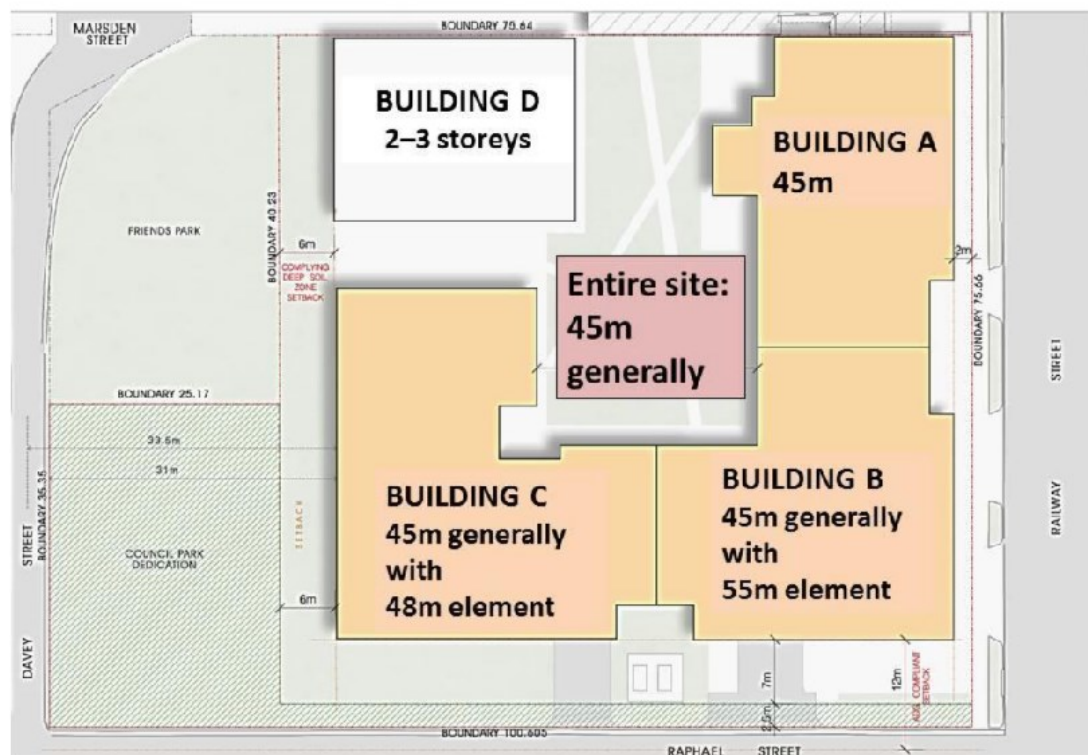


Figure 2: Concept building designations and proposed building height controls.

Planning Proposal: 4-12 Railway Street Lidcombe

### 1.7 Land to which this Planning Proposal applies

The site has the street address of 4-12 Railway Street Lidcombe. It is bound by Railway Street to the north, Raphael Street to the east, Davey Street and Friends Park open space to the south, and developed properties to the west.



Figure 3: Locality Map of subject site

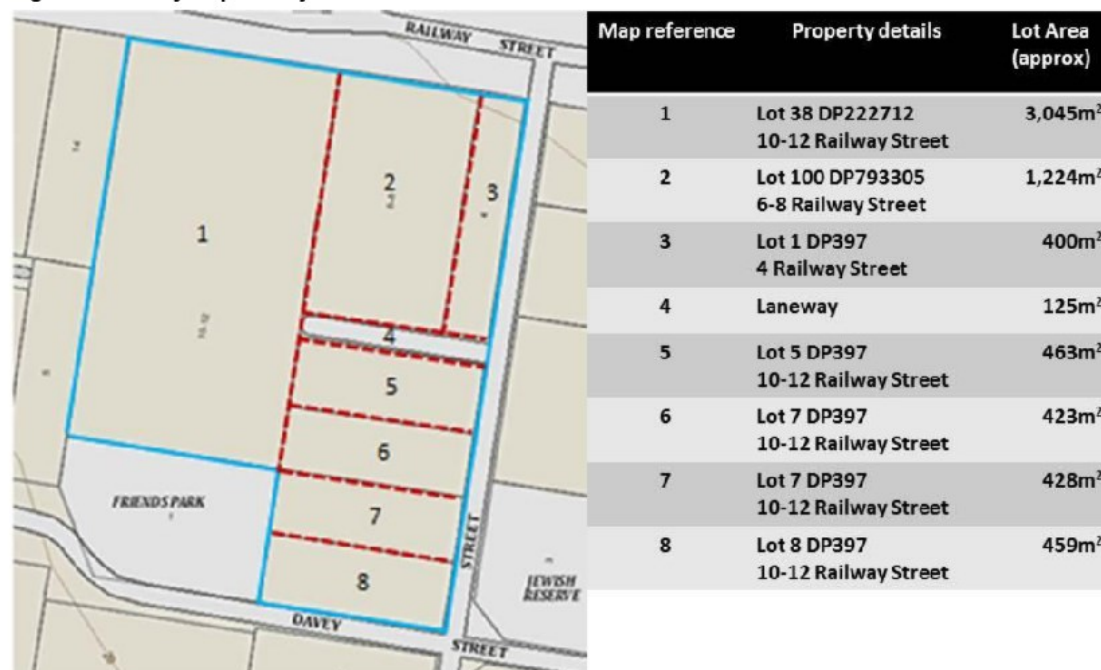


Figure 4: Lots comprising the subject site

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The site is currently occupied by a memorials / stone mason business, which has synergies with the nearby Rookwood Cemetery, a training centre, and the CFMEU offices. The floor space of these existing uses is given as about 5,760m<sup>2</sup> and provides about 128 jobs (full time equivalent) in the PPR.

The site is located about 200m to the south-east of the Lidcombe Railway Station. Bus stops are also located in the vicinity of the railway station.

Existing land uses of the immediate surrounding area are:

- North: Railway Street and the T1 Western Line and T2 Inner West and Leppington suburban railway line, and the Lidcombe Railway Station (about 280m to the north-east).
- East: Raphael Street, property of 2 Railway Street with East Street and Rookwood Cemetery beyond. Currently used for a manufacturing business with associated car parking and stone mason / memorial business.
- South: Friends Park public open space, which contains a children playground and covered seating area, Davey Street and residential units.
- South-west: Residential dwellings. This area consists of a mix of older low density and newer high density residential buildings.
- West: Light industrial and commercial uses. To note that this area was rezoned from IN2 Light Industrial to B4 Mixed Use in 2014 under the Marsden Street precinct Planning Proposal.

It is also proposed that specific development controls, as an amendment to the Auburn Development Control Plan (DCP) 2010, will be prepared and implemented for the site. These development controls are primarily in regards to protecting solar access and sunlight to the existing and extension of Friends Park, and to manage the built form and massing configuration.

## **1.8 Current Planning Controls - Auburn Local Environmental Plan 2010**

### **1.8.1 Summary**

The current planning controls applicable the subject site are provided below.

**Table 1: Existing Planning Controls for 4-12 Railway Street Lidcombe**

Zoning	B4 Mixed Use RE1 Public Recreation
Maximum Building Height	32m
Floor Space Ratio (FSR)	5.0 :1



### 1.8.2 Zoning

Two (2) land use zones currently apply to the site as follows:

- B4 Mixed Use. This zoning applies to the majority of the site.
- RE1 Public Recreation. This zoning applies to the southern portion of the site within 10-12 Railway Street (fronting Davey and Raphael Streets). This land is zoned to provide for a future area of open space – as an extension of the existing adjacent park (Friends Park). This land is currently used for a carpark.

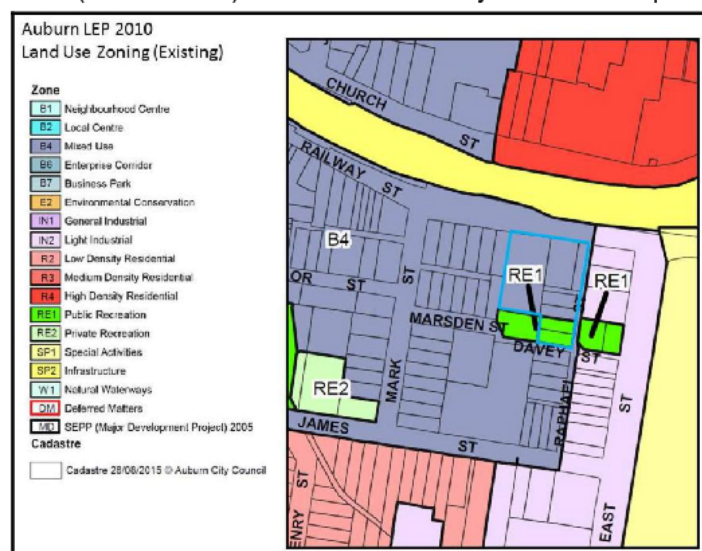


Figure 5: Existing land use zoning map showing subject site (bound in blue)

### 1.8.3 Height of Buildings

The site is affected by a maximum height of buildings of 32m, as are the properties to the west, south and south-west. No height control is imposed for the properties to the east, which have an industrial zoning.

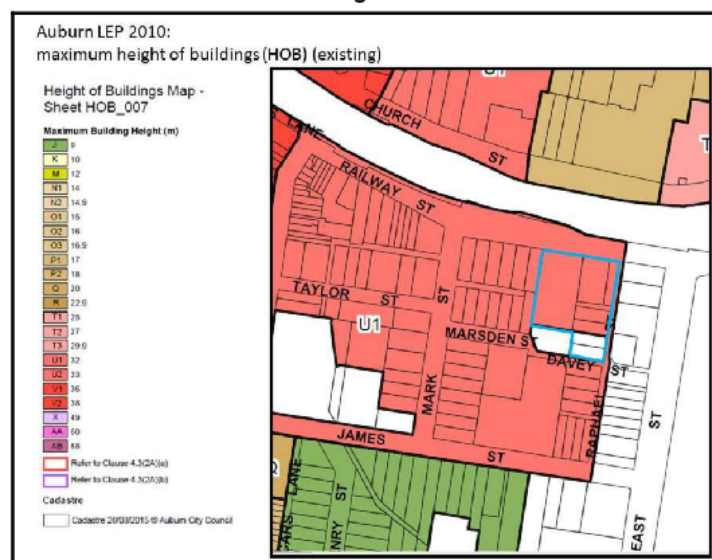
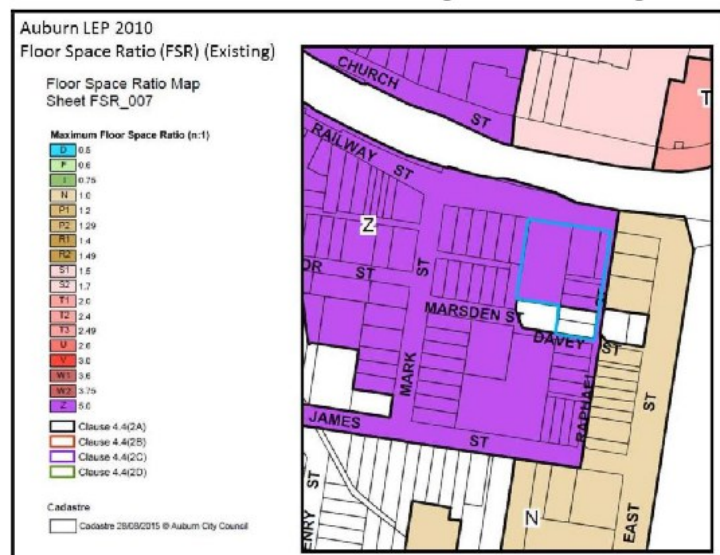


Figure 6: Existing maximum height of buildings map showing subject site (bound in blue)

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### 1.8.4 Floor Space Ratio

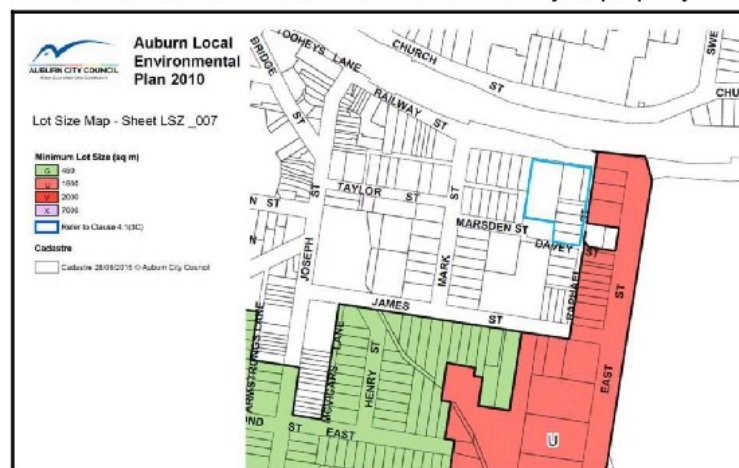
The current maximum permissible FSR for the subject site is 5.0:1. The FSR for the sites to the west, south-west and south, of the Lidcombe town centre is also 5.0:1, excluding the recreation zoned land which has no FSR value. The FSR for the adjacent property to the east is 1:1, associated with the existing industrial zoning.



**Figure 7: Existing FSR map showing subject site (bound in blue)**

### 1.8.5 Minimum Lot Size Provisions

There is no current minimum lot size for the subject property.



**Figure 8: Minimum lot size for subject site (bound in blue)**

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### 1.9 Land Reservation Acquisition

Two (2) lots on the site are zoned RE1 Public Recreation to allow for the extension of the Friends Park. These lots are identified on the Land Reservation Acquisition map of the Auburn LEP 2010 for acquisition by Council for the purpose of open space. These acquisitions may be achieved by direct acquisition or through a planning agreement.

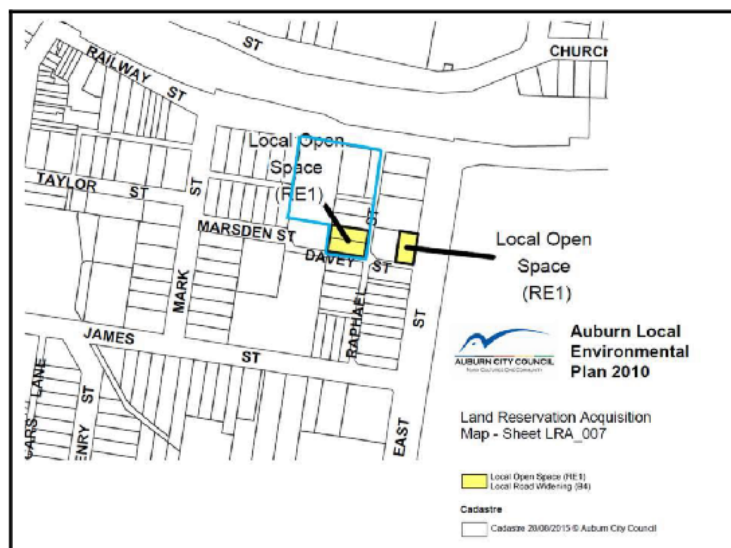


Figure 9: LRA map for subject site (bound in blue)

### 1.10 Heritage

The site does not contain an item of environmental heritage nor is it within a heritage conservation area.

However, the site is located approximately 60m west of Rookwood Cemetery. The part of Rookwood Cemetery that is closest to the site is a State listed heritage item. The remainder of Rookwood Cemetery is a local heritage item listed on the Auburn LEP 2010.

The site is also located in the vicinity of other items of environmental heritage as listed at Schedule 5 of the LEP. These items are noted in Table 1 below and as shown on Figure 10).

Table 1: Listed heritage items in vicinity of subject site

Item number	Item name	Item address	Distance to site (closest points)
A00718	Rookwood Cemetery or Necropolis No 1 Section buildings, relics and place.	Bound by East and Railway Streets	60m
A56	Lidcombe Signal Box	Railway Street, between Mark and East Streets (south side of railway).	20m

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		The signal box is located at the western end of the address.	
I28	Dwelling	24 James Street Lidcombe	150m
I38	Royal Oak Hotel	46-50 Railway Street	200m
I37	Lidcombe Railway Hotel	4 Joseph Street (corner with Railway Street) Lidcombe	250m
I34	Lidcombe Post Office	1A Taylor Street Lidcombe	330m
A58	Lidcombe War Memorial Statute	Wellington Park (corner of James and Joseph Streets) Lidcombe	400m
I30	Fenton House	35-47 Joseph Street Lidcombe	400m
I39	St Joachims Catholic Church, Parish Hall and School	These items are located north of the railway line. There is an elevation difference highest at the railway overpass (road) Street and hence physically and visually separated from the subject site.	
I32	Lidcombe Fire Station		
I31	Hotel Lidcombe		
I33	Lidcombe Police Station		

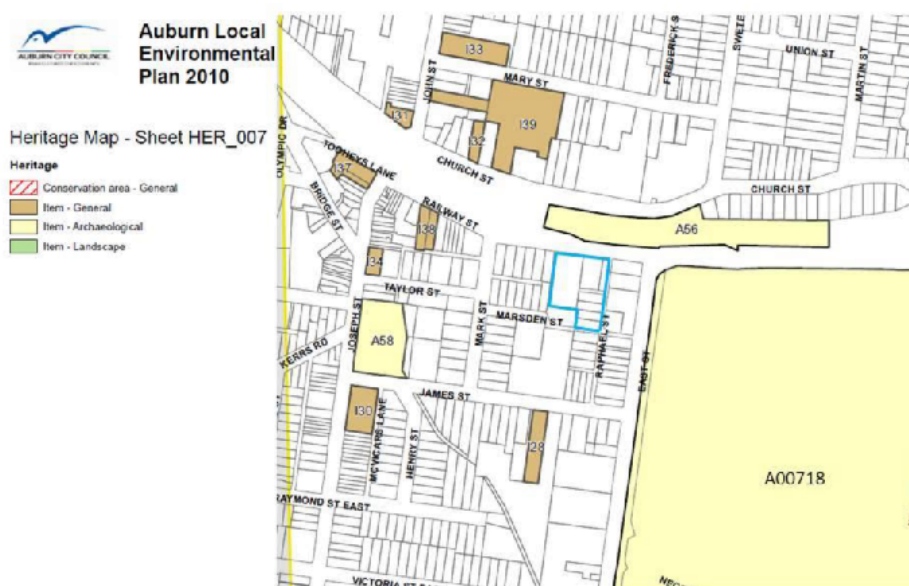


Figure 10: Heritage in vicinity of Subject Site (bound in blue)

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### **1.11 Review of planning controls – Lidcombe Town Centre**

The draft *Auburn and Lidcombe Town Centres Strategy* (Strategy) was prepared in 2016 as development was not achieving the desired aesthetic and built form outcomes. This was due to disconnection between the maximum building heights and FSR values. The Strategy identifies opportunities, through increasing the maximum building heights, to improve the built form and public domain outcomes in the town centre.

The exhibited draft Strategy proposed to apply a 45 metre height of building control, a minimum non-residential FSR of 0.5:1 and maintain the existing FSR of 5.0:1.

Following the public exhibition of the draft Strategy, and further modelling and testing by Council, a review of the draft Strategy is in progress and as a result some proposed controls may be adjusted. The revised Strategy is to be considered by Council in the near future.



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## 2 PLANNING PROPOSAL

### 2.1 Objectives or Intended Outcomes – LEP amendment

The objectives or intended outcomes of the proposed amendments to Auburn LEP 2010 are:

- To change the height and FSR planning controls for the site to enable the development of a mixed use building.
- Change the maximum building height planning control to:
  - Increase the maximum building height to 55m for a specified portion in the north-east corner of the site (within nominal Building B). This additional height recognises that a significantly lower building height will be achievable on the south-west corner associated with the overshadowing impacts to the park.
  - Increase the maximum building height to 48m for a specified portion of the south-east corner of the site (within nominal Building C). This modest increase in height recognises that a significantly lower building height will be achievable on the south-west corner of the site associated with overshadowing impacts to the park.
  - Apply a maximum building height of 45m to the remainder of the site.
- Implement a minimum non-residential floor space FSR control of 0.4:1 over the site.
- Provide for a bonus FSR of 0.3:1 to the overall development, if a non-residential floor space of 0.6:1 is achieved. This incentive is to encourage employment opportunities and ensure future development contributes to the retail / commercial needs of the local population. The bonus FSR may be used for the residential and/or non-residential components of the development.

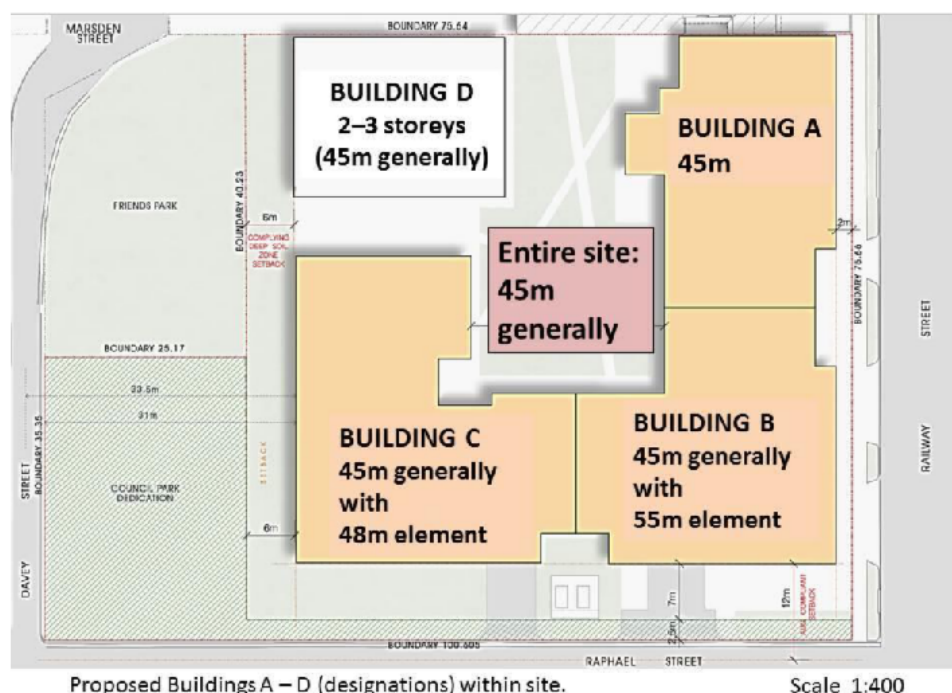


Figure 11: Designations of concept buildings and height controls under planning proposals

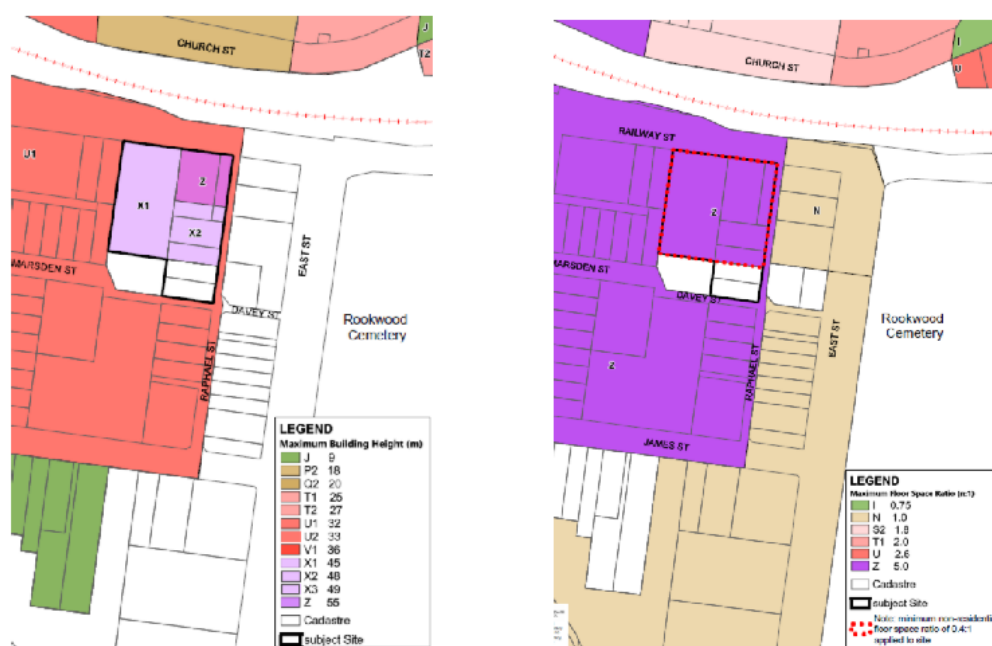
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## 2.2 Explanation of provisions

### 2.2.1 Proposed amendments to Auburn LEP 2010

- a. Amend the **Height of Building (HOB) Map** (Sheet HOB\_007) from 32m to:
  - i. 55m for a limited portion in the north-east corner of the site (portion dimensions nominated as approximately 33m by 20m).
  - ii. 48m for a limited portion in the south-east corner of the site (portion dimensions not yet nominated).
  - iii. 45m for the remaining part of the site.
- b. Amend Clause 4.4 Floor Space Ratio and the associated Floor Space Ratio (FSR) Map (Sheet FSR\_007). The clause and map is to identify the minimum non-residential FSR of 0.4:1 for the site. The clause is also to identify a potential bonus FSR of 0.3:1 should a non-residential FSR of 0.6:1 be provided. Refer to Figure 12.

Figures of the above proposed amendments in the context of the existing controls in the local area are provided below.





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## 2.3 Justification

### 2.3.1 Need for the Planning Proposal

#### **Q1: Is the Planning Proposal a result of any strategic study or report?**

No, this Planning Proposal is the result of a PPR made by the property owner as the proponent. The proponent has prepared the following reports, in support of the PPR:

- Massing Study (Concept designs / plans and urban design elements) prepared by Architecture & Building Works. Version dated 20 December 2018.
- Traffic impact assessment prepared by Traffix. Revision 05 dated 17 December 2018.

However, the Planning Proposal has been prepared as a result of the Cumberland LPP recommendation and of the Council resolution to proceed with the Planning Proposal.

#### **Q2: Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes. A Planning Proposal is the appropriate and most effective means of amending the Auburn LEP 2010. The amendments are in respect of the FSR and height of buildings controls of the Auburn LEP 2010.

The Planning Proposal is to facilitate the proposed change in the planning controls for building height and FSR (minimum non-residential FSR and bonus FSR provision) for the site. In particular the changes to the height of building control are to manage the location of taller elements, be appropriate to position within the site and its' relationship to the town centre, and to protect solar access, and so overshadowing of, parkland and properties to the south.

The minimum non-residential of FSR of 0.4:1 to be imposed is generally consistent with the intent of the draft Strategy (Lidcombe town centre component) which nominated a non-residential FSR of 0.5:1, but recognises the specific location of the site on the edge of the Lidcombe centre and therefore a lower minimum FSR may be appropriate. This control is the most effective means of ensuring commercial and retail activities are provided on the site and that the site provides employment opportunities for the local population and that the commercial floor space will contribute to create a vibrant town centre.

The bonus FSR of 0.3:1 is considered to be an effective incentive to provide additional commercial floor space that will contribute to the employment potential and investment in the economic activities of the town centre.

### 2.3.2 Relationship to strategic planning framework

#### **Q3: Is the Planning Proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy?**

The Greater Sydney Region Plan, titled *A Metropolis of Three Cities*, is NSW's principal strategic plan to guide the future growth and development of Greater Sydney to 2056. The three (3) cities of the Plan are the Eastern Harbour City focused on the traditional Sydney

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CBD and eastern suburbs; the Central River City focusses on Greater Parramatta and the surrounding areas including the Cumberland LGA; and the Western Parkland City focussed on the greater west and south-west areas including Penrith, Badgerys Creek aerotropolis, and Campbelltown-Macarthur.

Achieving the vision and intent of the Greater Sydney Region Plan focuses on the elements of infrastructure and collaboration, liveability, productivity and sustainability; and identifies ten (10) directions or outcomes, being:

Infrastructure	Liveability	Productivity	Sustainability
A city supported by infrastructure	A city for people	A well connected city	A city in its landscape
A collaborative city	Housing the city	Jobs and skills for the city	An efficient city
	A city of great places		A resilient city

The Planning Proposal is consistent with the aims and objectives of the Greater Sydney Region Plan by:

- Providing additional jobs and dwellings in a location that is accessible by train services to Merrylands, Parramatta CBD, Bankstown, Sydney Olympic Park precinct, and beyond including to the Sydney City CBD; and bus services to Parramatta CBD and Bankstown.
- Improving housing choice and affordability by providing a broad mix of dwelling sizes.
- The additional commercial floor space that would result from the changed controls under the Planning Proposal will contribute to the offerings of the Lidcombe Town Centre and support the increasing resident population of the area and so may encourage residents to utilise those local businesses. This additional commercial floor space will also provide increased employment opportunities.

### **Central City District Plan**

The Greater Sydney Region Plan is supported by the Central City District Plan, which is the District encompassing the Cumberland LGA. The Central City District Plan seeks to implement a strategic and integrated approach to managing Greater Sydney's growth by linking State and regional level aspirations with LEPs, aligning land use decisions and infrastructure planning, and monitoring and reporting on the Plan's implementation. At a more local level, a primary focus of the draft Plan is to promote significant infrastructure investment and growth with Parramatta identified as Sydney's second CBD. Under the District Plan, Lidcombe is identified as a Local Centre.

The Planning Proposal is consistent with the District Plan in the same ways in that it is consistent with the Greater Sydney Metropolitan Plan as noted above. In summary, the Planning Proposal would enable the redevelopment of the site for mixed residential and

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commercial uses providing housing and job opportunities and economic activity in a location in proximity to major public transport routes and an existing urban centre.

Specific key relevant planning priorities and actions of the District Plan, and a response to these, are provided below.

**Table 2: District Plan Priorities and Actions**

<b>Planning Priorities and Actions of the District Plan</b>	<b>Response</b>
<b>Planning Priority C4 Fostering healthy, creative, culturally rich and socially connected communities</b> Action 10. Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected	The development enabled by the Planning Proposal will provide commercial uses on the ground floor to support street activation and passive surveillance; be in proximity to the town centre and public transport to encourage walking and cycling to these places; and will enable the realisation of the extension to the adjacent Friends Park.
<b>Planning Priority C6 Creating and renewing great places and local centres, and respecting the District's heritage</b> Action 18. Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places	The development that would be enabled by the Planning Proposal will enable the reinvestment and redevelopment of the site; may (in conjunction with other local redevelopment) encourage other investment in the centre; provide commercial uses on the ground floor to support street activation and passive surveillance, be in proximity to the town centre and public transport to encourage walking and cycling to these destinations, will enable the realisation of the Friends Park extension space.
Action 20. Use place-based planning to support the role of centres as a focus for connected neighbourhoods.	The subject site is located on the fringe of the Lidcombe town centre. The redevelopment of this site, with a development of the scale enabled by the Planning Proposal, will support, reinforce and help reinvigorate, the existing Lidcombe centre.
<b>Planning Priority C6 Creating and renewing great places and local centres, and respecting the District's heritage</b>	Redevelopment of this site, with a mixed use building, will reinforce and invest in Lidcombe as a local centre.
<b>Planning Priority C9 Delivering integrated land use and transport planning and a 30-minute city</b> Action 32. Integrate land use and transport plans to deliver the 30-minute city.	The subject site is located about 300m from the Lidcombe railway station and bus stops, and the core of the Lidcombe centre. As such it supports the potential for a 30minute city for these residents and on-site workers.

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**Q4: Is the Planning Proposal consistent with a Council's local strategic or other local strategic plan?**

**Community Strategic Plan**

Council's Community Strategic Plan 2017-27 *Welcome, Belong, Succeed* provides a 10-year strategic vision and planning framework for balancing its commitment to social cohesion, the local economy, the natural and built environments and the wider community.

The key strategies relevant to the Planning Proposal are:

- Strategic Goal 1 – A great place to live
- Strategic Goal 2 – A safe accessible community
- Strategic Goal 3 – A clean and green community
- Strategic Goal 4 – A strong local community
- Strategic Goal 5 – A resilient built environment

The Planning Proposal is consistent with these strategies by:

- Supporting a future development that will provide housing and commercial floor space as an extension of the existing town centre.
- Is located in proximity to rail and bus (public transport) services that provide direct access to the Merrylands centre, Parramatta CBD, and the Sydney CBD.
- Will support the extension of the existing open space known as the Jewish Reserve and as part of the proposed future green link to Friends Park. Overshadowing of the park by the future development has been mitigated by the reduction of the FSR from that sought initially, in combination with the proposed building height.
- The commercial (minimum requirement) floor space nominated for the site will contribute to the economic activity of the overall town centre and would likely have minor competitiveness with the core of that centre. The increase in local resident population on the subject site, combined with the anticipated increase in population within and surrounding the town centre, will increase the customer base for commercial business on this site and the town centre.
- Will support the future expansion of the existing open space (Friends Park) as well as the future green linkage to the expanded park to the east (Jewish Reserve) and beyond to the Rookwood Cemetery open space area.
- The redevelopment of this site from an industrial use to a mixed use, and the associated change in built forms, will encourage pedestrian activity and perceptions of safety through greater human movement and passive surveillance within and accessing the site, and also for those pedestrians and cyclist moving between the town centre and Rookwood Cemetery area via Railway Street or Davey Street.
- The change in land use and building form from an industrial to mixed use typology, with associated landscaping of the property, would be expected to improve the street appearance and overall community perceptions of visual appeal and personal safety. The redevelopment of the site will align the new land uses on the site with the current land zoning and so intention for the future of this site and the locality.



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### **Auburn and Lidcombe Town Centre Strategy (Draft)**

As noted in Section 1.5, the subject site is on the eastern edge of the area of the Lidcombe Town Centre as considered under the draft *Auburn and Lidcombe Town Centre Strategy* (Strategy). The draft Strategy retains the existing land use zonings applicable to the site. The draft Strategy proposes to retain the existing FSR of 5:1 and a new maximum height control of 45m for the subject site. The draft Strategy also proposed a minimum non-residential FSR of 0.5:1 for a number of precincts within the centre, with the subject site located within one of those precincts identified for the 0.5:1 minimum non-residential FSR.

The Planning Proposal is broadly consistent with the draft Strategy in that:

- The PPR does not seek to increase the draft Strategies FSR of 5.0:1.
- Imposes a minimum non-residential FSR of 0.4:1. While this slightly below that nominated under the draft Strategy (at 0.5:1), the location of this site on the edge of the town centre was noted and therefore a slightly lower minimum FSR is considered appropriate. However, the proponent has suggested they may achieve 0.6:1 non-residential FSR on the site, and a bonus FSR (of 0.3:1) if the 0.6:1 non-residential FSR is achieved is nominated under this Planning Proposal. This bonus incentivises the provision of additional employment opportunities and services for the local community at this site.
- It proposed a height for the subject site generally of 45m, although two higher elements at 55m and 48m within the site are nominated. These are to offset the height that cannot be achieved on the south-western corner of the site, being the potential 2-3 storey building, due to overshadowing and solar access requirements to the park and other properties to the south.

### **Cumberland Planning Agreement Policy and Interim Affordable Housing Policy**

Council adopted an Interim Affordable Housing Policy on 5 July 2017, which applies to future development in its Local Government Area (LGA), to support the provision of affordable housing in the LGA. Under the policy a target of 15% of any additional residential floor space resulting from a Planning Proposal is to be provided as affordable housing.

Council adopted the Planning Agreements Policy on 6 September 2017. This policy applies to Planning Proposals for land within the LGA lodged after this policy was adopted. This policy is to capture benefits for the community as a result of value uplift of land that would be achieved.

As the PPR was lodged with Council in 20 September 2017, and so after the Planning Agreement Policy and the interim Affordable Housing Policy came into effect, these policies are applicable to this Planning Proposal. The application of these policies will be undertaken as part of the negotiations for the voluntary planning agreement separate to this Planning Proposal.

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It is noted that the Central City District Plan, which covers the Cumberland LGA, also recognises the need for affordable housing to be provided in the District and nominated a target for affordable rental housing.

### **Auburn Residential Development Strategy**

The Auburn Residential Development Strategy (ARDS) (March 2015) was prepared to guide the planning for the provision of housing within the (then) Auburn LGA over the next 20 years. Key recommendations of the ARDS, relevant to this Planning Proposal, are:

- To focus new housing within walking distance of an existing centre.
- To balance increased (residential) densities with employment uses to provide local services and local employment.
- Open space with active transport connections to be provided to support residential population growth.
- Development to be encouraged through incentives - which may include floorspace bonuses.
- Assess capacity of local infrastructure to support population growth.

The Planning Proposal, and the location of the subject site, addresses and positively responds to each of the above recommendations. The site is located on the edge of the Lidcombe Town Centre with its public transport connections, is adjacent to existing areas of local open space (Jewish Reserve and Friends Park), both of which are planned for extension. The Planning Proposal requires a minimum non-residential floorspace component on the site with a bonus FSR available if non-residential floorspace above the minimum is provided.

The Planning Proposal will, with a favourable Gateway Determination, will be made available to public authorities to consider the implications to the demand and capacity on their respective services and to take this into account in future planning.

### **Cumberland Employment and Innovation Lands Strategy**

The Cumberland Employment and Innovation Lands Strategy (EILS) presents a strategic and coordinated approach to support future economic opportunities for the LGA. The Strategy outlines the land use approach for employment and innovation land precincts across the LGA as well as other actions and services that complement land use development for these areas. The EILS identifies 10 Employment and Innovation Precincts within the LGA, with these areas to support targeted employment and innovation needs related to their strategic focus.

The subject site, the Lidcombe Town Centre, and the existing industrial zoned land to the immediate east and south-east, are not identified within the EILS as being one of these Precincts.

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The PPR advised that the existing land uses on this site provide approximately 128 jobs (full time equivalent). The majority of these jobs (122 jobs) are associated with the training and education related uses and the CFMEU office building.

The Planning Proposal retains the existing B4 Mixed Use zoning for the site. The Planning Proposal will facilitate other employment opportunities on the site though the commercial floorspace to be provided – through the proposed minimum non-residential FSR as well as the proposed incentive bonus FSR if above the minimum non-residential FSR is provided.

**Q5: Is the Planning Proposal consistent with applicable State Environmental Planning Policies?**

Table 3 addresses the State Environmental Planning Policies (SEPPs) relevant to this Planning Proposal.

**Table 3: Consistency of Planning Proposal with relevant SEPPs**

SEPP	Comment
SEPP No. 55 – Remediation of Land	<p>The Planning Proposal only seeks to amend the built form controls for the site.</p> <p>Given the sites previous industrial zoning and development, an assessment of potential contamination, as a Stage 1 Desktop Site Assessment, will need to be undertaken and any subsequent studies or remediation works undertaken to make the site suitable and appropriate for residential land uses. This can be done as part of a future development application process.</p>
SEPP No 65 - Design Quality of Residential Flat Development	The Planning Proposal is consistent with this SEPP.
SEPP (Building Sustainability Index: BASIX) 2004	This SEPP requires residential development to achieve mandated levels of energy and water efficiency. The requirements of this SEPP will be applied and considered more appropriately at any future Development Application (DA) stage when more detailed architectural plans and other documentation are prepared.
SEPP (Infrastructure) 2007	<p>The Planning Proposal is consistent with this Policy and should support the use of existing local public transport modes and of existing utilities that service the site and area.</p> <p>The Planning Proposal does not restrict the application of this SEPP on the site or local area.</p>
SEPP (Affordable Rental Housing) 2009	The SEPP facilitates the provision of affordable rental housing, the retention of existing affordable rentals and expands the role of housing providers.



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	<p>The Planning Proposal and associated request documents do not contain any provisions that will contradict the application of this SEPP. This SEPP will be considered further for any future Development Application (DA) if affordable rental housing is proposed or required.</p> <p>The subject site, being in close proximity to the Lidcombe Town Centre and public transport modes (including a railway station) is an appropriate location for affordable rental housing.</p>
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**Q6: Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 directions)?**

The Ministerial Local Planning Directions considered relevant to this Planning Proposal are identified and addressed in the Table below (taken from the full list of s117 Directions issued by the Minister). These s117 Directions are now known to as the s9.1 Directions in accordance with the amendment to the EPA Act that came into force in March 2018.

**Table 4: Response to relevant s9.1 Ministerial Directions**

<b>Section 9.1 Direction</b>	
<b>1. Employment and Industrial Zones</b>	<b>Comment</b>
<p><b>1.1 Business and Industrial Zones</b></p> <p>The objectives of this direction are to:</p> <p>encourage employment growth in suitable locations,</p> <p>protect employment land in business and industrial zones,</p> <p>and</p> <p>support the viability of identified strategic centres.</p>	<p>The Planning Proposal is consistent with this Direction as it contains provisions to encourage employment activities on the site through the inclusion of a minimum commercial floor space of 0.4:1 and incentive residential floor space ratio 0.3:1 if a minimum commercial floor space of 0.6:1 is achieved.</p>
<b>2. Environment and Heritage</b>	<b>Comment</b>
<p><b>2.3 Heritage Conservation</b></p> <p>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</p>	<p>The Planning Proposal is consistent with this Direction as the subject site does not contain a listed heritage item nor is it within a heritage conservation area.</p> <p>The subject site is in the vicinity of a number of heritage items, however an assessment of the impacts to heritage items from any future redevelopment of the subject site can be undertaken as part of the development application process when the design of the building is refined.</p>
<b>3. Housing Infrastructure and Urban Development</b>	<b>Comment</b>

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<p><b>3.1 Residential Zones</b></p> <p>The objectives of this direction are:</p> <ul style="list-style-type: none"> <li>a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</li> <li>b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and</li> <li>c) to minimise the impact of residential development on the environment and resource lands.</li> </ul>	<p>Whilst this Planning Proposal is not located on residential zoned land, the Planning Proposal would be consistent with this Direction as:</p> <ul style="list-style-type: none"> <li>• The PPR indicates that approximately 320 dwellings (apartments) could result from the proposed residential component of the redevelopment.</li> <li>• The site is in proximity (about 200m) to local bus services and the Lidcombe Railway Station and hence has potential for use of active and public transport modes by residents and commercial floorspace occupants (business owners / employees).</li> <li>• The property is in similar proximity to the Lidcombe town centre which has existing retail and commercial services and therefore the increase in local resident population may increase the utilisation of these businesses and services.</li> <li>• The site is also adjacent to existing and planned future areas of open space - being Friends Park and Jewish Reserve. Further areas of open space are in walking distance including within the Lidcombe Town Centre and Rookwood Cemetery.</li> </ul>
<p><b>3.4 Integrating Land Use and Transport</b></p> <p>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</p> <ul style="list-style-type: none"> <li>improving access to housing, jobs and services by walking, cycling and public transport,</li> <li>increasing the choice of available transport and reducing dependence on cars,</li> <li>reducing travel demand including the number of trips generated by development and the distances travelled, especially by car,</li> <li>supporting the efficient and viable operation of public transport services, and</li> <li>providing for the efficient movement of freight.</li> </ul>	<p>The Planning Proposal is consistent with this Direction as the change in controls for the site will provide increased housing (approx. 320 units) and employment opportunities (with approx. 4,500m<sup>2</sup> commercial floorspace – based on non-residential FSR of 0.6:1 achieved) in close proximity and walking distance to the Lidcombe train station and local bus services (bus stops).</p>
<p><b>Hazard and Risk</b></p>	<p><b>Comment</b></p>
<p><b>4.1 Acid Sulfate Soils</b></p> <p>The objective of this direction</p>	<p>This Planning Proposal is consistent with this Direction as it does not</p>

Planning Proposal: 4-12 Railway Street Lidcombe

is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils	<p>proposed a change to the land uses that a permit on the site.</p> <p>The subject site is identified as being affected by Acid Sulfate Soils Class 5. An Acid Sulfate Soils assessment will need to be undertaken to establish if an Acid Sulfate Soils Management Plan will be required. This can be done as part of any future Development Application documentation.</p>
<b>4.3 Flood Prone Land</b>	The Planning Proposal is consistent with this Direction as the subject site is not identified as being flood prone on Council's flood map.
<b>6 Local Plan Making</b>	<b>Comment</b>
<p><b>6.1 Approval and Referral Requirements</b></p> <p>The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</p>	Following Gateway Determination, public authorities will be consulted concurrent with the public exhibition of the Planning Proposal.
<p><b>6.2 Reserving Land for Public Purposes</b></p> <p>The objectives of this direction are:</p> <p>a) to facilitate the provision of public services and facilities by reserving land for public purposes, and</p> <p>b) to facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.</p>	This Planning Proposal is consistent with this Direction as the Planning Proposal provides an opportunity, through the voluntary planning agreement that is proposed, of land being dedicated to Council that was previously identified for acquisition. This will facilitate the provision of public services and facilities through the extension to Friends Park.
<b>6.3 Site Specific Provisions</b>	<p>Site specific provisions, as a future amendment to the Auburn DCP 2010, will need to be prepared per the Council resolution of 17 October 2018 and Cumberland LPP recommendations. These provisions are to address matters including but not limited to:</p> <ul style="list-style-type: none"> <li>• Solar access to and overshadowing of the current and future (extension) of Friends Park.</li> <li>• Confirm maximum building height for the south western portion of the site so as to minimise overshadowing of the park in mid-winter.</li> <li>• Inform and nominate the dimensions of the 55m and 48m elements in the north-east corner and south-east corner of the B4 zoned portion respectively, with consideration of the overshadowing implications and solar access to Friends Park (current and future extended areas).</li> </ul> <p>Therefore these provisions are directly related and guide the changes in planning controls and associated redevelopment of the site as would be</p>

Planning Proposal: 4-12 Railway Street Lidcombe

	enabled by this planning proposal and subsequent LEP amendment. The existing requirement for the laneway within the site, as stipulated in the Auburn DCP 2010, will be revoked as part of the site specific provisions for the subject site associated with this planning proposal.
<b>7 Metropolitan Planning</b>	<b>Comment</b>
<b>7.1 Implementation of A Metropolis of Three Cities – the Greater Sydney Region Plan</b>	The Planning Proposal is consistent with the directions and actions contained in A Metropolis of Three Cities as discussed in Section 2.3.2.
<b>7.3 Parramatta Road Corridor Urban Transformation Strategy</b>	The subject site is not located within the area of the Parramatta Road Corridor.  Therefore this Direction is not triggered by the Planning Proposal.
<b>7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan</b>	The subject site is not located within the area of the Greater Parramatta Priority Growth Area.  Therefore this Direction is not triggered by the Planning Proposal.

### 2.3.3 Environmental, social and economic impact

**Q7: Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No. The site does not contain any identified critical habitat or threatened species, populations or ecological communities.

The site is located in a highly modified urban environment supports light industrial and commercial uses with associated vehicle parking areas. The subject site contains some planted shrubs and trees particularly along property boundaries.

The Planning Proposal notes the potential dedication of land zoned RE1 within the subject site to Council. This area is currently used as a carpark which was associated with its previous industrial land use zoning. Future works to transition this site from a carpark to a park (community open space), with the realisation of the greenspace with vegetation plantings and grass, would also contribute to the setting of the existing Friends Park and a connection (green link) to the adjacent Jewish Reserve (existing and extended) and the Rookwood Cemetery open space.

**Q8: Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?**

Yes.

Planning Proposal: 4-12 Railway Street Lidcombe

Desktop investigations undertaken to date have not identified any major environmental constraints to the proposed changes in planning controls and the potential development on the site that would be enabled by those changes.

The environmental implications of the Planning Proposal on specific matters including heritage items, amenity and streetscape in the locality and traffic movements in the local area, have been considered in Section 3 below.

**Q9: Has the Planning Proposal adequately addressed any social and economic effects?**

Yes. The proposed development will provide employment opportunities, business activity, and additional housing supply in the Lidcombe Town Centre. The increase in local resident population will support and encourage investment in businesses in the Lidcombe Town Centre. Being located in proximity to public transport modes (bus and train) that provide connections to Parramatta centre and the Sydney CBD areas would encourage use of these transport modes.

The dedication of the RE1 Public Recreation land to Council would assist Council to realise the planned expansion of Friends Park over this land, for the benefit of the local community.

**2.3.4 State and Commonwealth interests**

**Q: Is there adequate public infrastructure for the Planning Proposal?**

Yes. The site has previously been developed for urban uses and therefore is serviced by public utilities infrastructure (water, electricity etc). Any requirements for upgrades to meet the expected increase in demand associated with the changed use for residential and commercial purposes would be expected to be assessed by relevant public agencies through the public exhibition and as expected in the Gateway Determination. It is considered the development that may result from the changes in planning controls, in terms of the number of new dwellings and non-residential floor space, is relatively modest and would contribute to overall increased demand associated with development occurring in the overall town centre.

The site is in proximity the Lidcombe train station which services lines connecting Western Sydney, Parramatta, Sydney CBD to the North Shore, as well as being the origin of services to Bankstown and the Sydney Olympic Park precinct. Sydney Trains would need to consider the capacity of this station and the services utilising it, to support the additional people under this Planning Proposal in conjunction with growth projections and of the potential increase in urban density in the Lidcombe Town Centre.

The site is also in proximity to local bus service, including a metro bus service between Bankstown and Parramatta via Parramatta Road. It is considered unlikely that a development resulting from this Planning Proposal alone would require upgrades to the local bus services but would contribute to the overall demand for these services.



Planning Proposal: 4-12 Railway Street Lidcombe

Being within an existing urban centre, the site has access to a range of education, health/medical and social services infrastructure. It is also serviced by public utilities. The capacity of those services and infrastructure to support the potential development on this site will need to be assessed by relevant agencies, in the context of other development currently and planned to occur in the Lidcombe centre and its surrounds. The public exhibition of this Planning Proposal (following Gateway Determination), and referral to public authorities, is a component of that assessment process.

**Q: What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway Determination?**

The Gateway Determination for this Planning Proposal has not yet been received. The Gateway Determination typically nominates public authorities that will need to be consulted. This will be undertaken concurrently with wider community consultation process following a Gateway Determination to proceed with the Planning Proposal and addressing any imposed conditions as required prior to that exhibition.

## **2.4 Mapping**

All relevant map amendments, being the amendments for FSR and building height, to the Auburn LEP 2010 are provided in Attachment A.

## **2.5 Community Consultation**

### **Preliminary Consultation**

Following its receipt by Council the Planning Proposal was placed on preliminary public exhibition from 10 October 2017 until 7 November 2017. The submissions received were addressed in the Cumberland Local Planning Panel report ELPP037/18 of 22 August 2018 and subsequently noted under Council report C10/18-204 of 17 October 2018 (Attachments C and D respectively to this Planning Proposal)

### **Post Gateway Consultation**

Public consultation would be undertaken in accordance with the requirements of the Gateway Determination (when received). As a minimum, all documentation will be publicly exhibited for a period of 28 days. The exhibition material will comprise a copy of the Planning Proposal, including all of its attachments, and the Gateway Determination.

The proposed consultation process includes, but is not limited to, the following activities, and in accordance with Council's adopted Planning Proposal Notification Policy:

- Provide access to the Planning Proposal documentation and the Gateway Determination to those State and Commonwealth public authorities as identified in the Gateway Determination.
- Giving notice of the public exhibition in the local newspapers circulating in the area and for the LGA, being the Auburn Review and the Parramatta Advertiser.
- Notifying the exhibition of the Planning Proposal on Council's website and including supporting documentation.

Planning Proposal: 4-12 Railway Street Lidcombe

- Exhibiting a copy of the Planning Proposal and supporting documentation at Council's Customer Service buildings in Auburn and Merrylands and in the Auburn Library.
- Notifying all adjoining and surrounding property owners, being those owners of properties within 200m of the subject site.

## 2.6 Project Timeline

It is estimated the respective Auburn LEP 2010 amendments will be finalised in early 2020.

Tasks	Time frame
Planning Proposal submitted to DP&E for Gateway Determination	February 2019
Receive Gateway Determination	May 2019
Public exhibition process and consultation (draft development controls (DCP amendment) for site proposed to be held concurrently)	July 2019 Dependant on addressing any conditions imposed with the Gateway Determination
Consideration of submissions	August - September 2019
Post exhibition report to Cumberland Local Planning Panel (if required)	October / November 2019
Post Exhibition report to Council	November / December 2019
Council forward final Planning Proposal and supporting documentation to DP&E for notification	January 2020
Notification of LEP amendment made	March 2020

## 3 Assessment of technical planning matters

### 3.1 Amenity, Urban Design and Built Form

The key interrelated amenity, urban design, and built form aspects of this Planning Proposal are identified below, with details of each following.

- Future extension to the existing Friends Park (RE1 zoned land) and connecting with Jewish Reserve to form a linear greenspace.
- Built forms on the B4 zoned land under the proposed height and the FSR controls, affecting the site and the locality.

Solar access to the existing and future extension of Friends Park has been considered. The location of the park on the southern boundary of the subject site means that some part of the park will not receive direct sunlight with almost any redevelopment of the site. However, the Planning Proposal and supporting request acknowledges the need to ensure an amount of direct sunlight for the park, as well as to the properties south of Davey Street, achieved in particular with the proposed 2-3 storey building in the south-west corner (nominal Building August 2019

Cumberland Council

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D), the height of which will be guided by the site specific development controls to be prepared with consideration of solar access provision.

The development concept plans and the associated solar access diagrams for mid-winter, show that the majority of the park (existing and extension) will receive at least 2 hours of direct sunlight. For the eastern (extension) portion this sunlight is either mid-morning or mid-afternoon. The location of the existing children's playground within the park, and the existing park (western portion) generally, will receive about 2.5 hours of direct sunlight in the early to mid-afternoon.

Further modelling and testing will be undertaken as part of the preparation of the site specific development controls to determine the maximum building height at the south-west corner of the site. This testing is also to define the dimensions of the 55m and 48m height portions with respect of ensuring an optimal level of direct sunlight (reduce potential overshadowing) into the park and properties to the south from future development on the site.

Overshadowing implications to the park from future developments to the east and west of the subject site will be considered as part of the assessment of development applications for those sites. Conceptual building mass models for these adjacent sites have been provided as part of the overshadowing diagrams associated with this Planning Proposal.

#### Built form of site and within locality

As noted previously the dimensions of the 55m and 48m portions will be defined in modelling and testing to be undertaken for the site specific development controls.

The Planning Proposal retains the existing FSR of 5:1 for the subject site. Allowing additional height for some portions within the site will enable for built forms that can allow light to reach land at the south as well as enable building designs of visual interest, variation in form and minimal appearance of bulk. This outcome in building design could contribute to the quality of the streetscape and overall regeneration appeal of the Lidcombe centre.

The current FSR of 5:1 for the subject site could result in about 28,450m<sup>2</sup> of floor space (total). This is based on the entire of the B4 zoned land area of 5,690m<sup>2</sup>. This land area includes the existing laneway within the site (laneway reference to be removed from the Auburn DCP 2010).

The proposed bonus FSR of 0.3:1 could result in up to an additional 1,700m<sup>2</sup> of floor space to be incorporated into the future development. This additional floor space is able to be accommodated within the building height controls nominated under this Planning Proposal without detrimentally affecting flexibility of built form outcomes and protecting sunlight access to the south. This is demonstrated in the building massing plans provided in the PPR.

The proposed building height of 45m (approximately 13 storeys) generally is consistent with Council's draft *Auburn and Lidcombe Town Centre Strategy* and the principle of transitioning

Planning Proposal: 4-12 Railway Street Lidcombe

heights from the core to the outer areas of a centre. In terms of the higher elements (portions) within the site, the 55m height portion, being about an additional 3 storeys, may create a point of interest along Railway Street on the edge of the centre. The 48m height portion, being about an additional 1-2 storeys; is located behind (south to ) the 55m building portion on Railway Street and so would be visually mitigated in some lines of sight.

The height of the lower element located in the south west corner of the site (nominally Building D) is to be tested and identified within the site specific development controls that are to be prepared. It has been foreshadowed that a building in this corner would have a height of around 2-3 storeys (ie 9 to 12m). Those development controls are to consider and manage building heights to protect light access into the park and properties to the south, and so to minimise the overshadowing impacts of a future development notably at mid-winter. Part of the rationale for the 55m and 48m portions within a 45m generally height control is to recognise the building height that cannot be achieved in this south-west corner.

### **3.2 Traffic Movements**

The following provides an assessment of the active travel, private vehicle and commercial vehicle movement requirements that could result through the changes in controls under the Planning Proposal and as indicated by the development concept of the PPR.

#### **3.2.1 Pedestrian movement, bicycle, public transport**

The subject site is from the Lidcombe Railway Station entry. Lidcombe Station is a major station between the Parramatta and Sydney city centres, as well connecting to Bankstown and Olympic Park. Stops for bus services connecting Lidcombe to Parramatta CBD via Parramatta Road, Bankstown, Olympic Park, and suburban Lidcombe are co-located with the railway station.

It is anticipated that there will be pedestrian and some bicycle movements between the subject site and key local places including Lidcombe Town Centre, the railway station and bus stops, and Rookwood Cemetery open space. There is also expected to be increased activity going past the subject site by people moving between the above local places and as well as to the extended parks adjacent the site.

#### **3.2.2 Vehicle Movements**

The Traffic Impact Assessment undertaken to support this Planning Proposal indicates that, under the proposed controls yielding 320 residential apartments, the development would result in a total of 61 morning peak and 48 afternoon peak resident' trips.

It is expected this generation will have a negligible impact on the operation of any one intersection on the surrounding network in the vicinity of site. Whilst a number of intersections in the Lidcombe area are currently operating at capacity, particularly on Olympic Drive. The large residential component of the proposal results in only minimal increase in delay with most intersections retaining the current level of service. The largest

Planning Proposal: 4-12 Railway Street Lidcombe

increase in delay was recorded at the intersection of Olympic Drive and Church Street in the AM Peak period with an average increase in delay of only 6 seconds.

Council and the RMS have identified the current capacity constraints of key intersections in the Lidcombe Town Centre and acknowledge these intersections will require upgrading to address growth in the Lidcombe Town Centre. Section 7.11 Contributions from this growth, will assist to finance key intersection upgrades.

### **3.2.3 Parking**

Parking for private vehicles for residents, their visitors, and associated with the commercial uses will need to be provided in the Auburn DCP 2010.

## **3.3 Roadways and access**

### **3.3.1 Raphael Street**

The Auburn DCP 2010 identifies that Raphael Street is to be widened by 2.5m with that land to be taken from the properties located on the western side of the street. As such Raphael Street would increase in width from about 4.5m (current) to about 7m (post widening). This widening is to support the additional traffic anticipated as to utilise this street due to growth within the Lidcombe Town Centre.

### **3.3.2 East Street and Railway Street Intersection**

Whilst this Planning Proposal does not create the immediate need, the need to upgrade the East and Railway Streets intersection to support projected traffic growth in the Lidcombe Town Centre has been recognised by Council. The preferred outcome for that upgrade is for a 2-lane roundabout. Council's traffic engineers have advised that a 2-lane roundabout would provide an improved traffic movement outcome that will better support future growth in traffic than a signalised (traffic light) option in terms of the level of service. Council is currently working with landowners in the Lidcombe Town Centre to facilitate the upgrade of this intersection.

## **3.4 Environmental Considerations**

### **3.4.1 Heritage**

As noted previously, the subject site is in proximity to the state listed heritage item of the Rookwood Cemetery / Necropolis as well as a number of other local heritage items in the Lidcombe centre

The relationship and potential impacts of the Planning Proposal on the State heritage item of Rookwood was considered by the Cumberland LPP and Council. It is noted that this site is physically separated, by roads and/or other buildings, from this heritage item. No concerns have been raised in respect of the proposed new planning controls and this heritage item.

Planning Proposal: 4-12 Railway Street Lidcombe

However these are physically and / or visually separated from the subject site, with other redevelopment proposed or occurring nearer those items. Therefore, it is considered there will be minimal impact on these heritage items as a result of this Planning Proposal.

### **3.5 Economic and Social Effects**

The key economic and social implications of the Planning Proposal, and resulting development of the subject site, are noted below. Noting that the Planning Proposal seeks to amend the maximum height of buildings and details of the FSR (the non-residential and bonus FSRs) applicable, and that the zoning will not change from the existing B4 Mixed Use.

- |                             |   |
|-----------------------------|---|
| Extension to Friends Park:  | The Planning Proposal will result in the dedication of the RE1 zoned land to Council to the negotiation of a VPA. This will then enable Council to extend Friends Park as an additional area of open space in the local area and as part of a linear green space connecting with the Jewish Reserve (and its future extension) to benefit the community and local amenity.  |
| Additional housing stock:   | The Planning Proposal will support the future redevelopment of the site which nominates a mixed use building on the site. As a result housing, as residential units, will be constructed contributing to market supply that typically has a lower median price point than houses, and so would be more affordable. This additional dwelling stock is located in proximity to public transport and existing town centre. |
| Non-residential floorspace: | The existing mixed use zoning of the site is to enable provision of commercial / retail land uses at this location as part of the growing Lidcombe Town Centre.   |
| Future employment:          | The development resulting from the Planning Proposal will provide ongoing employment opportunities associated with the commercial / retail land use component.  |

The minimum no-residential FSR and the bonus FSR proposed by this Planning Proposal aims to encourage additional employment opportunities in the Lidcombe Town Centre.

Planning Proposal: 4-12 Railway Street Lidcombe

## Attachments

The following documents are provided in support of the Planning Proposal:

- Attachment A:      Proposed LEP mapping excerpts for:
- Floor Space Ratio
  - Height of Buildings
- Attachment B      • Massing Study (concept designs / plans and urban design elements)  
                                 prepared by Architecture & Building Works (20 December 2018)
- Traffic impact assessment prepared by Traffix (17 December 2018)
- Attachment C:      Cumberland Local Planning Panel CLPP037/18 (22 August 2018)
- Attachment D:      Council Report C10/18-204 (17 October 2018)

DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-387

Attachment 2  
Revised Site Specific  
Development Control Plan







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**4-12 Railway Street Lidcombe**

**Site Specific Development Controls  
and  
minor figure amendment**

**to the  
Auburn Development Control Plan (DCP) 2010**

**For Finalisation  
March 2020**

March 2020

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4-12 Railway Street Lidcombe – Site Specific Development Controls

**Component 1: New provisions to be inserted into the  
Auburn Development Control Plan (DCP) 2010; Local Centres Part;  
under 15.12 Site 7 Marsden Street**

*Note – the site specific provisions listed on the following pages are in addition to those provisions as given at 15.12 site 7 Marsden Street that currently and will continue to apply to this Site.*

**Site 7A – 4-12 Railway Street Lidcombe**

**Note:** References to Friends Park / the Park means both the existing Friends Park (as at 2018) and the extension to the east.

**Objectives**

- f. To ensure adequate solar access to the Park for the amenity and enjoyment of this place by users throughout the year and for the health of the environment.
- g. To improve the amenity for users of the Park by minimising sun reflection, provide visual interest, and by softening the appearance, of the building walls that face the Park.
- h. To protect the amenity of the Park through provision of a landscaped (vegetated) transition that will provide privacy, a visual and noise interruption, and improve the interface and visual outcomes, between the Site (buildings) and the Park.
- i. To encourage the 'greening' of the site and improved amenity for Park users through vegetation planting of the buildings' external walls facing the Park and of the rooftop of the building/s in the southern portion of the Site.
- j. To enhance local biodiversity through the planting of diverse native plant species.
- ~~k. To ensure 3 hours of direct sunlight to a minimum of 50% of Friends Park between 11.00am and 3.00pm on 21<sup>st</sup> June~~
- ~~l. To ensure building mass is arranged to maximise solar access~~

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**Development Controls**

**D9.** The maximum height of the building in the south-western corner of the site is not to exceed 3 storeys.

~~**D10.** Building Floor Plates to address bulk and design:~~

- ~~i. In the south-western corner, the floor plate of the building is not to exceed 550m<sup>2</sup>~~
- ~~ii. In the south-eastern corner, the floor plate of the building above 8 storeys is not to exceed 750m<sup>2</sup>~~

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**D11.** Building setbacks, build to lines, and street wall heights

4-12 Railway Street Lidcombe – Site Specific Development Controls

A. Setbacks and Built-to Lines

Minimum setbacks and built-to lines must be provided as follows:

i. The building above the street wall is to provide a minimum 2m setback along Railway Street.

i-ii. Zero setbacks / built-to lines to Railway Street.

ii-iii. A 0m setback, for the full wall height, is to be provided for the building/s located on the western boundary of the site.

B. Street Wall Height

i. A maximum two storey street wall height is to be maintained along Railway Street and Raphael Street with upper level setbacks.

C. Upper Level Setbacks

i. The building above the street wall is to maintain a uniform 3m setback along Railway Street.

ii. The third storey of the building in the south-western corner of the site is to have a minimum 4m setback from the southern edge of the building below.

iii. The residential component along Railway Street, Raphael Street, southern and western boundaries must comply with the building separation recommendations in the NSW Government - Planning & Environment's Apartment Design Guidelines (ADG).

**D12.** Buildings are to be designed to minimised the loss of solar access to Friends Park.

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**D13.** To maintain a minimum 3 hours of direct sunlight to a minimum 50% of Friends Park between 11.00am and 3.00pm on 21st June.

**D14** To utilise roof space for developing roof gardens (green roof) for those building/s on the southern portion of the Site. Where possible incorporate exterior green walls into the building/s for those walls facing the Park.

**D15.** The land within the rear setback (ie the land between the building and the Park) is to include landscaping and deep soil planting. This landscaped rear setback is to have a minimum width of 6m measured from the rear property boundary. The rear setback area is to be landscaped using native species of trees (minimum pot size 200L) and/or large shrubs (minimum 2m height when mature) which are robust and drought tolerant.

**D16.** To use variation in appropriate materials and neutral/subdued colours for those building walls facing the Park.

4-12 Railway Street Lidcombe – Site Specific Development Controls

**Component 2: To amend Auburn Development Control Plan 2010;  
Local Centres Part; section 15.4 Laneways, Figure 9**

To remove the existing public laneway currently showing as traversing through part of the site.

The proposed new figure 9 is provided below.



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**KEY**  
 — Town Centre Boundary  
 - - - Proposed Laneway  
 = Existing Public Laneway  
 . . . Existing Private Laneway

March 2020

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DOCUMENTS  
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Attachment 3  
Voluntary Planning Agreement





## Planning Agreement

### 4 - 12 Railway Street, Lidcombe

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Cumberland Council (ABN 22 798 563 329) (**Council**)

Lidcombe Property (NSW) Pty Limited (ABN 44 618 446 389), Peter James Darroch and Susan Rae Darroch (**Developer**)

#### Marsdens Law Group

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## Planning Agreement

### 4 - 12 Railway Street, Lidcombe

#### Parties

<b>Council</b>	<b>Name</b>	Cumberland Council
	<b>Address</b>	16 Memorial Avenue Merrylands NSW 2160
	<b>ABN</b>	22 798 563 329
<b>Developer</b>	<b>Name</b>	Lidcombe Property (NSW) Pty Limited
	<b>Address</b>	C/- Maxim Chartered Accountants Level 2, 59 Wentworth Avenue Kingston ACT 2604
	<b>ABN</b>	44 618 446 389
	<b>Name</b>	Peter James Darroch and Susan Rae Darroch
	<b>Address</b>	22-24 Alexander Street Auburn NSW 2144 peter@globalmemorial.com

#### Background

- A** The Developer owns the Land.
- B** The Developer wishes to carry out the Development.
- C** The Developer has applied for the Instrument Change in order to carry out the Development.
- D** The Developer has agreed to make the Contributions on, and subject to, the terms of this document.

#### Operative Provisions

##### 1 Agreement

The agreement of the parties is set out in the Operative Provisions of this document, in consideration of, among other things, the mutual promises contained in this document.

##### 2 Definitions

###### 2.1 Defined Terms

In this document, words beginning with a capital letter that are defined in Part 1 of **Schedule 2** have the meaning ascribed to them in that schedule.

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## 2.2 Interpretation

The interpretational rules contained in Part 2 of **Schedule 2** apply in the interpretation of this document.

## 3 Application and operation of this document

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### 3.1 Planning Agreement

This document is a planning agreement:

- (1) within the meaning set out in s7.4 of the Act; and
- (2) governed by Subdivision 2 of Division 7 of the Act.

### 3.2 Application

This document applies to:

- (1) the Land;
- (2) the Instrument Change; and
- (3) the Development.

### 3.3 Operation

This document operates from the date it is executed by both parties.

## 4 Application of s7.11, s7.12 and s7.24 of the Act

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### 4.1 Application

- (1) This document excludes the application of section 7.11 and section 7.12 of the Act to the Development.
- (2) For the avoidance of doubt, if the Council imposes a condition of consent on a Development Consent for the Development under section 7.11 or 7.12 of the Act requiring payment of a contribution authorised by a contributions plan, any such condition is of no effect and the Developer is not required to make the contributions otherwise required to be paid under that condition.

### 4.2 Consideration of Benefits

Section 7.11(6) of the Act does not apply to the Contributions that are to be carried out or provided pursuant to this document.

### 4.3 Section 7.24

This document does not exclude the application of s7.24 to the Development.

## 5 Provision of Contributions

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### 5.1 Designated Land

- (1) The Developer must dedicate the Designated Land to Council free of any trusts, estates, interests, covenants and Encumbrances by the time specified in **Schedule 3**

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and, unless Council agrees otherwise, not prior to the Completion of the Works on the Designated Land.

- (2) The Developer must meet all reasonable costs associated with the dedication of the Designated Land in accordance with paragraph (1), including any costs incurred by Council in relation to that dedication.
- (3) For the purpose of this document, Designated Land is dedicated to Council:
  - (a) if the relevant land is dedicated in a plan registered at the Land Registry Services NSW, when that plan is so registered; or
  - (b) otherwise when the Developer delivers to Council:
    - (i) a transfer of the relevant land in registrable form;
    - (ii) the original Certificate of Title for the relevant land; and
    - (iii) any document in registrable form which, when registered, will remove any Encumbrances registered on the title of that land, excluding encumbrances that would not in the Council's opinion, acting reasonably, impede the intended use of all or any part of the Designated Land to be dedicated to the Council including but not limited to easements and covenants for services and drainage.

## 5.2 Works

The Developer, at its cost, must:

- (1) obtain Development Consent, and any other form of consent required by a relevant Authority, for the construction and use of the Works;
- (2) carry out and complete the stages and final Works to the satisfaction of the Council by the time specified in **Schedule 4**; and
- (3) carry out and complete the stages and final Works:
  - (a) in accordance with the specifications referred to in **Schedule 4** for the relevant item of Work;
  - (b) in accordance with any relevant Development Consent;
  - (c) in accordance with any designs, plans, reports and studies deemed certified or approved by an Authority
  - (d) in accordance with the requirements of, or consents issued by, any Authority;
  - (e) ensuring that:
    - (i) all necessary measures are taken to protect people, property, and the Environment;
    - (ii) unnecessary interference with the passage of people and vehicles is avoided;
    - (iii) nuisances and unreasonable noise and disturbances are prevented; and

- (iv) all relevant laws and regulations with respect to water, air, noise and land pollution (including 'pollution incidents') as defined under the *Protection of the Environment Operations Act 1997* (NSW);
- (f) in accordance with any Australian Standards applicable to works of the same nature as each aspect of the Works; and
- (g) in a proper and workmanlike manner complying with current industry practice and standards relating to each aspect of the Works.

### 5.3 Contribution Value

If the Developer's actual cost of carrying out the Works, including any costs incurred pursuant to this document, determined at the date on which the Works are Completed, differs from the Contribution Value, then subject to the Works having been completed in accordance with this document, neither party will be entitled to claim credit or reimbursement, as the case may be, for the difference.

### 5.4 Access to the Land and location of Works

- (1) The Developer is to permit the Council, its officers, employees, agents and contractors to enter the Land at any time, upon giving reasonable prior notice, in order to inspect, examine or test any of the Works.
- (2) The Developer must use reasonable endeavours to enable Council, its officers, employees, agents and contractors access to the location of the Works where this is not the Land, Council land or a public road.

### 5.5 Acceptance of Risk in Works

Once the Designated Land is dedicated or transferred to Council in accordance with this document, Council accepts ownership, risk, possession and control of both the Designated Land and any item of Work on that land that has been completed.

## 6 Completion of Works

### 6.1 Issue of Completion Notice

If the Developer considers that any particular item or stage of the Works is complete (section 5.2), then at least seven (7) days prior to completion of those Works, it must serve a notice on Director Works and Services and Director Environment and Planning (**Responsible Officer**) of Council which:

- (1) is in writing;
- (2) identifies the particular item of the Works to which it relates; and
- (3) specifies the date on which the Developer believes the relevant item of the Works was or is to be completed,
- (4) works exclude the submission of documentation, plans, studies or reports as part of the approval or completion notice

(**Completion Notice**).

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## 6.2 Inspection by Council

- (1) Council must carry out an inspection of the physical Works set out in a Completion Notice:
  - (a) within thirty (30) business days of the receipt of that notice, if the inspection includes the review of documents related to the inspection of the physical Works,
  - (b) within a timeframe as agreed between the parties, if the inspection includes testing related to the inspection of the physical Works; and
  - (c) within ten (10) business days of the receipt of that notice, if the inspection of the physical Works does not include the review of documents or the undertaking of testing related to the inspection of the physical Works as referred to in paragraphs (1)(a) and (1)(b).
- (2) If Council fails to carry out an inspection in accordance with paragraph (1) the Works referred to in the relevant Completion Notice will be deemed to be Complete.

## 6.3 Rectification Notice

- (1) Within twenty (20) business days of inspecting the Works set out in a Completion Notice Council must provide notice in writing (**Rectification Notice**) to the Developer that the Works set out in the Completion Notice:
  - (a) have been Completed; or
  - (b) have not been Completed, in which case the notice must also detail:
    - (i) those aspects of the Works which have not been Completed; and
    - (ii) the work Council requires the Developer to carry out in order to rectify the deficiencies in those Works.
- (2) If Council does not provide the Developer with a Rectification Notice in accordance with paragraph (1), and the development consent provide no alternate completion process then the Works set out in the Completion Notice will be deemed to have been Completed
- (3) The Rectification Works are not deemed Complete until the Works within the Rectification Notice are inspected and approved by Council and written notice is issued to that effect to the Developer.
- (4) Council may issue a further Rectification Notice on the Developer if the works are unsatisfactory. Where Council serves a Rectification Notice on the Developer, the Developer must:
  - (a) rectify the Works in accordance with that notice; or
  - (b) serve a notice on the Council that it disputes the matters set out in the notice.
- (5) Where the Developer:
  - (a) serves notice on Council in accordance with paragraph (4)(b), the dispute resolution provisions of this document apply; or

- (b) rectifies the Works in accordance with paragraph (4)(a), then within ten (10) business days of rectification, it must serve upon the Council a new Completion Notice for the Works it has rectified.

## 7 Defects Liability

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### 7.1 Defects Notice

- (1) Where any part of the Works has been Completed but those Works contain a material defect which:
  - (a) adversely affects the ordinary use and/or enjoyment of the relevant Works; or
  - (b) will require maintenance or rectification works to be performed on them at some time in the future as a result of the existence of the defect;

**(Defect)** Council may issue a defects notice (**Defects Notice**) concerning those Works but only within the Defects Liability Period.
- (2) A Defects Notice must contain the following information:
  - (a) the nature and extent of the Defect;
  - (b) the work Council requires the Developer to carry out in order to rectify the Defect; and
  - (c) the time within which the Defect must be rectified (which must be a reasonable time and not less than ten (10) business days).

### 7.2 Developer to Rectify Defects

- (1) The Developer must rectify the Defects contained within a Defects Notice as soon as practicable after receipt of the Defects Notice.
- (2) The Developer must follow the procedure set out in clause 6 in respect of the satisfaction of the Defects Notice.

### 7.3 Right of Council to Step-In

Council, at its absolute discretion may rectify a defect set out in the Defects Notice where the Developer has failed to comply with a Defects Notice but only after giving the Developer five (5) business days written notice to the Developer of its intention to do so.

### 7.4 Consequence of Step-In

If Council elects to exercise the step-in rights granted to it under clause 7.3 then:

- (1) Council may:
  - (a) only enter upon parts of the Land that it requires access to in order to satisfy the obligations of the Developer in accordance with the Defects Notice; and
  - (b) rectify the relevant Defects in accordance with the Defects Notice; and
- (2) the Developer must not impede or interfere with Council in undertaking that work.

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## 7.5 Costs of Council

Where Council exercises its step-in rights, the Developer must pay to Council all reasonable costs incurred by Council in rectifying the relevant Defects may call upon the Defects Security provided by the Developer pursuant to clause 10 and recover as a debt due in a court of competent jurisdiction any difference between the amount of the Defects Security and the costs incurred by the Council in rectifying the Defects:

## 8 Developer Warranties and Indemnities

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### 8.1 Warranties

The Developer warrants to Council that it is:

- (1) legally and beneficially entitled to the Land;
- (2) able to fully comply with its obligations under this document;
- (3) it has full capacity to enter into this document; and
- (4) there is no legal impediment to it entering into this document, or performing the obligations imposed under it.

### 8.2 Indemnity

The Developer indemnifies Council in respect of any Claim that may arise as a result of the conduct of the Works but only:

- (1) to the extent that any such Claim does not arise as a result of the negligent acts or omissions of Council; and
- (2) to the extent of the Contribution Value of the relevant Works.

## 9 Contamination

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### 9.1 Definitions

For the purpose of this clause 9:

**Contamination** means any material, gas, substance, liquid, chemical or biological mineral or other physical matter which would, if present on the Land:

- (1) result in an Authority issuing a notice, direction or order under an Environmental Law; or
- (2) which would constitute a violation of any Environmental Law.

**Contaminated** means subject to Contamination.

**Environmental Law** means all planning, environmental or pollution laws and any regulations, orders, directions, ordinances or requirements, permissions, permits, licences issued under those laws or instruments.

### 9.2 Obligations

- (1) The Developer acknowledges and agrees:

- (a) that it is responsible for the management and remediation of any contamination present upon or under the Designated Land;
  - (b) it will attend to any necessary remediation of the Designated Land at its own costs; and
  - (c) to the fullest extent permitted by Law indemnify and release the Council from any Claim which might arise from any contamination with respect to the Designated land on which the Works are to be carried out.
- (2) Prior to the dedication of any part of the Designated Land to Council, the Developer must provide to Council's reasonable satisfaction, certification by a qualified person, that the Designated Land is not contaminated and is suitable for the proposed use.

## 10 Security

### 10.1 Provision of Security

Prior to the issue of a Construction Certificate in respect of the Development, the Developer must deliver to Council a Bank Guarantee, bond or other form of security to the satisfaction of the Council for the amount equal to the Contribution Value of the Works to be carried out on the Designated Land in accordance with **Schedule 4** of this agreement (**Security**).

### 10.2 Replacement of Security

- (1) The Developer may replace any Security provided by it at any time, provided that the amount of that replacement is not less than that which is required to be provided under this document.
- (2) On receipt of a replacement Security, Council must immediately release the Security being replaced and return it to the Developer.

### 10.3 Council may call on Security

- (1) If the Developer commits an Event of Default Council, without limiting any other remedies available to it, may call on any Security provided by the Developer.
- (2) If Council calls on any Security, it may use the amount so paid to it in satisfaction of any costs incurred by it in remedying the relevant Event of Default.

### 10.4 Top up of Security

If Council calls on the Security, Council, by notice in writing to the Developer, may require the Developer to provide a further or replacement Security in an amount that, when added to any unused portion of any Security then held by Council, does not exceed the amount of the Security Council is entitled to hold at that time under this document.

### 10.5 Release of Security

Unless:

- (1) Council has made a demand against any Security provided by the Developer;
- (2) the Contributions on account of which that Security was provided have not been made; or
- (3) the Developer is in breach of this document at the relevant time,



Council, upon a written request being made by the Developer, must return the Primary Security within ten (10) business days of such a request being made.

#### **10.6 Indexation of value of Contribution Value**

- (1) The Contribution Values and the value of any Security will be indexed quarterly in accordance with the Index.
- (2) The Developer must ensure that the Security held by Council at all times equals the indexed amount notified to the Developer by Council.

#### **10.7 Compulsory acquisition of the Designated Land**

- (1) The Developer consents to the compulsory acquisition of the Designated Land:
  - (a) in accordance with the Acquisition Act; and
  - (b) on the terms set out in this clause 10.7.
- (2) Council may only acquire the Designated Land compulsorily in accordance with the Acquisition Act if the Developer has committed an Event of Default with respect the dedication of that land under this document.
- (3) If Council acquires the Designated Land compulsorily in accordance with the Acquisition Act:
  - (a) the Developer agrees that the compensation payable to it on account of that acquisition under the Acquisition Act is \$1.00; and
  - (b) Council must complete that acquisition within twelve (12) months of the relevant Event of Default.
- (4) The parties agree that the provisions of this clause 10.7 are an agreement with respect to the compulsory acquisition of the Designated Land for the purpose of s30 of the Acquisition Act.
- (5) If Council:
  - (a) acquires the Designated Land under paragraph (3); and
  - (b) is required to pay any compensation to a third party as a result of that acquisition,then the Developer must pay Council the amount of that compensation as a monetary contribution:
  - (c) within ten (10) business days of demand for payment being made by Council; and
  - (d) prior to the issue of the then next Occupation Certificate or Subdivision Certificate with respect to the Development.

#### **10.8 Developer must not deal with property**

- (1) The Developer, or land owner, must not during the term of this document sell, transfer, mortgage, charge or grant a lease or license or any other right of occupancy to any person over the Designated Land without first obtaining Council's consent in writing.

- 
- (2) Council may, may acting reasonably, refuse its consent or give consent with conditions.

#### **10.9 Council may withhold Subdivision Certificate**

- (1) The Developer may only make, or cause, suffer or permit the making of, an application for a Subdivision Certificate in respect of the Development if, at the date of the application, the Developer is not in breach of its obligation to make any Contribution under this document.
- (2) Council may withhold the issue of a Subdivision Certificate if, at the relevant time, the Developer is in breach of any obligation to make any Contribution under this document until such time as:
- (a) the breach is rectified; or
  - (b) Council calls upon the Security provided by the Developer in respect of the Contribution to which the breach relates.

#### **10.10 Developer must not apply for an Occupation Certificate**

The Developer must not apply or other request or procure that an Occupation Certificate be issued with respect to the Development if:

- (1) the Developer is required to make a Contribution under this document prior to the issue of that Occupation Certificate; and
- (2) the Developer has not made that Contribution at the relevant time.

### **11 Registration of this document**

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#### **11.1 Registration of this document**

The Developer acknowledges and agrees that:

- (1) this document must be registered on the title to the Land pursuant to section 7.6 of the Act; and
- (2) subject to clause 11.2, Council will undertake that registration and the Developer must pay Council's reasonable costs of procuring the registration.

#### **11.2 Obligations of Developer**

- (1) The Developer, at its own expense, will promptly after this document comes into operation, take all practical steps, and otherwise do anything that the Council reasonably requires, to procure:
  - (a) the consent of each person who:
    - (i) has an estate or interest in the Land; or
    - (ii) is seized or possessed of an estate or interest in the Land;
  - (b) the execution of any documents; and
  - (c) the production of the relevant duplicate certificates of title,

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to enable the registration of this document in accordance with clause 11.1.

- (2) The Developer, at its own expense, will take all practical steps, and otherwise do anything that the Council reasonably requires:
  - (a) to allow the lodgement of this document with the Registrar-General as soon as reasonably practicable after this document comes into operation but in any event, no later than sixty (60) business days after that date; and
  - (b) to allow the registration of this document by the Registrar-General in the relevant folios of the Register for the Land as soon as reasonably practicable after this document is lodged for registration.

### 11.3 Discharge from the Register

The Council will provide a release and discharge of this document so that it may be removed from the folios of the Register for the Land (or any part of it) when:

- (1) the obligations under this document have been satisfied; or
- (2) if this document is terminated or rescinded.

## 12 Assignment

### 12.1 Prohibition

Other than in accordance with this clause 12, the Developer may Assign its rights under this document without the prior written consent of the Council.

### 12.2 Restriction on Assignment

Other than in accordance with this clause 12 the Developer must not:

- (1) Assign any part of the Land; and/or
- (2) Assign their rights or obligations under this document.

### 12.3 Procedure for Assignment

- (1) If the Developer:
  - (a) wishes to Assign any part of the Land; and/or
  - (b) wishes to Assign its rights or obligations under this document,then the Developer must:
  - (c) provide a written request to Council for the consent of Council to the relevant Assignment;
  - (d) obtain written consent of Council to the relevant Assignment; and
  - (e) at no cost to Council, procure:
    - (i) the execution by the third party in whose favour the Assignment is to be made (**Assignee**) of an appropriate deed where the Assignee agrees to be bound by the terms of this document; and

- (ii) the provision of all Securities to Council by the Assignee that the Developer is required to provide under this document (and any additional securities if required by Council acting reasonably) at the same time as, or prior to, entering into that deed.
- (2) Council may only refuse its consent to any request made by the Developer under paragraph (1)(c) if, at the time the request is made, the Developer is in breach of this document.

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## 13 Dispute Resolution

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### 13.1 Notice of dispute

- (1) If a dispute or lack of certainty between the parties arises in connection with this document or its subject matter (**Dispute**), then either party (**First Party**) must give to the other (**Second Party**) a notice which:
  - (a) is in writing;
  - (b) adequately identifies and provides details of the Dispute;
  - (c) stipulates what the First Party believes will resolve the Dispute; and
  - (d) designates its representative (**Representative**) to negotiate the Dispute.
- (2) The Second Party must, within five (5) Business Days of service of the notice of dispute, provide a notice to the First Party designating as its representative a person to negotiate the Dispute (the representatives designated by the parties being together, the **Representatives**).

### 13.2 Conduct pending resolution

The parties must continue to perform their respective obligations under this document if there is a Dispute but will not be required to complete the matter the subject of the Dispute, unless the appropriate party indemnifies the other parties against costs, damages and all losses suffered in completing the disputed matter if the Dispute is not resolved in favour of the indemnifying party.

### 13.3 Further steps required before proceedings

Subject to clauses 13.14 and 13.15 and except as otherwise expressly provided in this document, any Dispute must, as a condition precedent to the commencement of litigation, mediation under clause 13.5 or determination by an expert under clause 13.6, first be referred to the Representatives. The Representatives must endeavour to resolve the dispute within five (5) Business Days of the date a notice under clause 13.1(2) is served.

### 13.4 Disputes for mediation or expert determination

If the Representatives have not been able to resolve the Dispute, then the parties must agree within five (5) Business Days to either refer the matter to mediation under clause 13.5 or expert resolution under clause 13.6.

### 13.5 Disputes for mediation

- (1) If the parties agree in accordance with clause 13.4 to refer the Dispute to mediation, the mediation must be conducted by a mediator agreed by the parties and, if the

parties cannot agree within five (5) Business Days, then by a mediator appointed by the President of the Law Society of New South Wales for the time being.

- (2) If the mediation referred to in paragraph (1) has not resulted in settlement of the Dispute and has been terminated, the parties may agree to have the matter determined by expert determination under clause 13.6.

### **13.6 Choice of expert**

- (1) If the Dispute is to be determined by expert determination, this clause 13.6 applies.
- (2) The Dispute must be determined by an independent expert in the relevant field:
  - (a) agreed between and appointed jointly by the parties; or
  - (b) in the absence of document within five (5) Business Days after the date that the matter is required to be determined by expert determination, appointed by the President of the Law Society of New South Wales for the time being.
- (3) If the parties fail to agree as to the relevant field within five (5) Business Days after the date that the matter is required to be determined by expert determination, either party may refer the matter to the President of the Law Society of New South Wales for the time being whose decision as to the relevant field is final and binding on the parties.
- (4) The expert appointed to determine a Dispute:
  - (a) must have a technical understanding of the issues in dispute;
  - (b) must not have a significantly greater understanding of one party's business, functions or operations which might allow the other side to construe this greater understanding as a bias; and
  - (c) must inform the parties before being appointed of the extent of the expert's understanding of each party's business or operations and, if that information indicates a possible bias, then that expert must not be appointed except with the written approval of the parties.
- (5) The parties must promptly enter into an document with the expert appointed under this clause 13.6 setting out the terms of the expert's determination and the fees payable to the expert.

### **13.7 Directions to expert**

- (1) In reaching a determination in respect of a dispute under clause 13.6, the independent expert must give effect to the intent of the parties entering into this document and the purposes of this document.
- (2) The expert must:
  - (a) act as an expert and not as an arbitrator;
  - (b) proceed in any manner as the expert thinks fit without being bound to observe the rules of natural justice or the rules of evidence;
  - (c) not accept verbal submissions unless both parties are present;
  - (d) on receipt of a written submission from one party, ensure that a copy of that submission is given promptly to the other party;

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- (e) take into consideration all documents, information and other material which the parties give the expert which the expert in its absolute discretion considers relevant to the determination of the Dispute;
  - (f) not be expected or required to obtain or refer to any other documents, information or material (but may do so if the expert so wishes);
  - (g) issue a draft certificate stating the expert's intended determination (together with written reasons), giving each party ten (10) Business Days to make further submissions;
  - (h) issue a final certificate stating the expert's determination (together with written reasons); and
  - (i) act with expedition with a view to issuing the final certificate as soon as practicable.
- (3) The parties must comply with all directions given by the expert in relation to the resolution of the Dispute and must within the time period specified by the expert, give the expert:
- (a) a short statement of facts;
  - (b) a description of the Dispute; and
  - (c) any other documents, records or information which the expert requests.

**13.8 Expert may commission reports**

- (1) Subject to paragraph (2):
- (a) the expert may commission the expert's own advisers or consultants (including lawyers, accountants, bankers, engineers, surveyors or other technical consultants) to provide information to assist the expert in making a determination; and
  - (b) the parties must indemnify the expert for the cost of those advisers or consultants in accordance with clause 13.6(5) of this deed.
- (2) The parties must approve the costs of those advisers or consultants in writing prior to the expert engaging those advisers or consultants.

**13.9 Expert may convene meetings**

- (1) The expert must hold a meeting with all of the parties present to discuss the Dispute. The meeting must be conducted in a manner which the expert considers appropriate. The meeting may be adjourned to, and resumed at, a later time in the expert's discretion.
- (2) The parties agree that a meeting under paragraph (1) is not a hearing and is not an arbitration.

**13.10 Other courses of action**

If:

- (1) the parties cannot agree in accordance with clause 13.4 to refer the matter to mediation or determination by an expert; or

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- (2) the mediation referred to in clause 13.5 has not resulted in settlement of the dispute, the mediation has been terminated and the parties have not agreed to refer the matter to expert determination within five (5) Business Days after termination of the mediation,

then either party may take whatever course of action it deems appropriate for the purpose of resolving the Dispute.

#### **13.11 Confidentiality of information provided in dispute resolution process**

- (1) The parties agree, and must procure that the mediator and the expert agree as a condition of his or her appointment:
- (a) subject to paragraph (2), to keep confidential all documents, information and other material disclosed to them during or in relation to the mediation or expert determination;
  - (b) not to disclose any confidential documents, information and other material except:
    - (i) to a party or adviser or consultant who has signed a confidentiality undertaking; or
    - (ii) if required by Law or any Authority to do so; and
  - (c) not to use confidential documents, information or other material disclosed to them during or in relation to the mediation or expert determination for a purpose other than the mediation or expert determination.
- (2) The parties must keep confidential and must not disclose or rely upon or make the subject of a subpoena to give evidence or produce documents in any arbitral, judicial or other proceedings:
- (a) views expressed or proposals or suggestions made by a party or the mediator or the expert during the expert determination or mediation relating to a possible settlement of the Dispute;
  - (b) admissions or concessions made by a party during the mediation or expert determination in relation to the Dispute; and
  - (c) information, documents or other material concerning the dispute which are disclosed by a party during the mediation or expert determination unless such information, documents or facts would be discoverable in judicial or arbitral proceedings.

#### **13.12 Final determination of expert**

The parties agree that the final determination by an expert will be final and binding upon them except in the case of fraud or misfeasance by the expert.

#### **13.13 Costs**

If any independent expert does not award costs, each party must contribute equally to the expert's costs in making the determination.

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**13.14 Remedies available under the Act**

This clause 13 does not operate to limit the availability of any remedies available to Council under the Act.

**13.15 Urgent relief**

This clause 13 does not prevent a party from seeking urgent injunctive or declaratory relief concerning any matter arising out of this document.

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**14 Force Majeure****14.1 Definition**

In this clause 14, force majeure (**Force Majeure**), means any physical or material restraint beyond the reasonable control of a party claiming the Force Majeure and includes, without limitation, fire, the discovery of threatened species on the Land or industrial disputes.

**14.2 Consequences of Force Majeure Event**

If a party is unable by reason of Force Majeure to carry out wholly or in part its obligations under this document, it must:

- (1) give to the other party prompt notice of the Force Majeure with reasonably full particulars; and
- (2) suggest an alternative method, if any, of satisfying its obligations under this document.
- (3) If a party is unable to satisfy its obligations under this document by an alternative method, the obligations of the parties so far as they are affected by the Force Majeure are then suspended during continuance of the Force Majeure and any further period as may be reasonable in the circumstances.

**14.3 Inability to complete Works**

- (1) The party giving such notice under this clause must use all reasonable effort and diligence to remove the Force Majeure or ameliorate its effects as quickly as practicable.
- (2) If the Developer is unable to Complete any part of the Works due to a Force Majeure event the Developer must pay to Council the Contribution Value of the relevant works and the amount payable to Council may be apportioned, if necessary, in such manner as may be fair and reasonable.
- (3) In reference to paragraph (2), Council, at its absolute discretion, may call on the Bank Guarantees (or any part of it) pursuant to clause 10.3.

**14.4 Exclusion of operation**

The parties agree that this Force Majeure provision does not apply to an obligation of a party to transfer land or to pay money.

**14.5 Dispute**

If the parties are unable to agree on the existence of an event of Force Majeure or the period during which the obligations of the parties are suspended during the continuance of the Force Majeure, that dispute must be referred for determination under clause 13.

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## 15 Breach of this document

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### 15.1 Breach Notice

If the Developer breaches this document, Council may serve a notice on the Developer (**Breach Notice**) specifying:

- (1) the nature and extent of the alleged breach;
- (2) if:
  - (a) the breach is capable of being rectified other than by the payment of compensation, what Council requires the Developer to do in order to rectify the breach; or
  - (b) the breach is not capable of being rectified other than by payment of compensation, the amount of compensation Council requires the Developer to pay in order to rectify the breach, and
- (3) the time within which Council requires the breach to be rectified, which must be a reasonable time of not less than forty (40) business days.

### 15.2 Events of Default

The Developer commits an **Event of Default** if it:

- (1) fails to comply with a Breach Notice; or
- (2) becomes subject to an Insolvency Event.

### 15.3 Consequences of Events of default

Where the Developer commits an Event of Default, Council may, in addition to any rights it has at Law:

- (1) exercise the Step in Rights so as to carry out any work specified in the relevant Breach Notice; or
- (2) call on the Security to the extent of any compensation claimed in a Breach Notice and not paid by the Developer.

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## 16 Termination, Rescission or Determination

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### 16.1 Termination

This document terminates in the following events:

- (1) The parties agree in writing to terminate the operation of this document at any time.
- (2) Council serves notice on the Developer terminating this document where the Developer has failed to comply with a notice issued in accordance with clause 15.1.
- (3) The Instrument Change is not made.

### 16.2 Consequence of termination

Upon termination of this document:

- (1) all future rights and obligations of the parties are discharged; and
- (2) all pre-existing rights and obligations of the parties continue to subsist.

### **16.3 Determination**

This document will determine upon the Developer satisfying all of the obligations imposed on it in full.

## **17 Position of Council**

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### **17.1 Consent authority**

The parties acknowledge that Council is a consent authority with statutory rights and obligations pursuant to the terms of the Planning Legislation.

### **17.2 Document does not fetter discretion**

This document is not intended to operate to fetter, in any unlawful manner:

- (1) the power of Council to make any Law; or
- (2) the exercise by Council of any statutory power or discretion,

(Discretion).

### **17.3 Severance of provisions**

- (1) No provision of this document is intended to, or does, constitute any unlawful fetter on any Discretion. If, contrary to the operation of this clause, any provision of this document is held by a court of competent jurisdiction to constitute an unlawful fetter on any Discretion, the parties agree:
  - (a) they will take all practical steps, including the execution of any further documents, to ensure the objective of this clause 17 is substantially satisfied; and
  - (b) in the event that paragraph (1)(a) cannot be achieved without giving rise to an unlawful fetter on a Discretion, the relevant provision is to be severed and the remainder of this document has full force and effect; and
  - (c) to endeavour to satisfy the common objectives of the parties on relation to the provision of this document which is held to be an unlawful fetter to the extent that it is possible having regard to the relevant court judgment.
- (2) Where the Law permits Council to contract out of a provision of that Law or gives Council power to exercise a Discretion, then if Council has in this document contracted out of a provision or exercised a Discretion under this document, then to the extent of this document is not to be taken to be inconsistent with the Law.

### **17.4 No Obligations**

Nothing in this document will be deemed to impose any obligation on Council to exercise any of its functions under the Act in relation to the Instrument Change, the Land or the Development in a certain manner.

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## 18 Confidentiality

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### 18.1 Document not Confidential

The terms of this document are not confidential and this document may be treated as a public document and exhibited or reported without restriction by any party.

### 18.2 Other Confidential Information

- (1) The parties acknowledge that:
  - (a) Confidential Information may have been supplied to some or all of the parties in the negotiations leading up to the making of this document; and
  - (b) The parties may disclose to each other further Confidential Information in connection with the subject matter of this document.
  - (c) Subject to paragraphs (2) and (3), each party agrees:
    - (i) not to disclose any Confidential document received before or after the making of this document to any person without the prior written consent of the party who supplied the Confidential Information; or
    - (ii) to take all reasonable steps to ensure all Confidential Information received before or after the making of this document is kept confidential and protected against unauthorised use and access.
- (2) A party may disclose Confidential Information in the following circumstances:
  - (a) in order to comply with the Law, or the requirements of any Authority; or
  - (b) to any of their employees, consultants, advisers, financiers or contractors to whom it is considered necessary to disclose the information, if the employees, consultants, advisers, financiers or contractors undertake to keep the information confidential.
- (3) The obligations of confidentiality under this clause do not extend to information which is public knowledge other than as a result of a breach of this clause.

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## 19 GST

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### 19.1 Defined GST Terms

Defined terms used in this clause 19 have the meaning ascribed to them in the GST Law.

### 19.2 GST to be Added to Amounts Payable

- (1) If GST is payable on a Taxable Supply made under, by reference to or in connection with this document, the party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.
- (2) This clause does not apply to the extent that the Consideration for the Taxable Supply is expressly agreed to be GST inclusive.
- (3) Unless otherwise expressly stated, prices or other sums payable or Consideration to be provided under or in accordance with this document are exclusive of GST.

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**19.3 GST Obligations to Survive Termination**

This clause 19 will continue to apply after expiration of termination of this document.

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**20 Miscellaneous****20.1 Obligation to act in good faith**

The parties must at all times:

- (1) cooperate and use their best endeavours to profitably and professionally give effect to their rights and obligations set out in this document;
- (2) not unreasonably delay any action, approval, direction, determination or decision which is required of them;
- (3) make approvals or decisions that are required of them in good faith and in a manner consistent with the completion of the transactions set out in this document; and
- (4) be just and faithful in their activities and dealings with the other parties.

**20.2 Legal costs**

The Developer agrees to:

- (1) pay or reimburse the reasonable legal costs and disbursements of Council of the negotiation, preparation, execution, and stamping of this document;
- (2) pay the reasonable legal costs and disbursements referred to in paragraph (1) within ten (10) business days of receipt of a Tax Invoice from Council; and
- (3) pay or reimburse the reasonable legal costs and disbursements of Council arising from the ongoing administration and enforcement of this document including any breach or default by the Developer of its obligations under this document.

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**21 Administrative Provisions****21.1 Notices**

- (1) Any notice, consent or other communication under this document must be in writing and signed by or on behalf of the person giving it, addressed to the person to whom it is to be given and:
  - (a) delivered to that person's address;
  - (b) sent by pre-paid mail to that person's address; or
  - (c) transmitted by facsimile to that person's address.
- (2) A notice given to a person in accordance with this clause is treated as having been given and received:
  - (a) if delivered to a person's address, on the day of delivery if a Business Day, otherwise on the next Business Day;
  - (b) if sent by pre-paid mail, on the third Business Day after posting; and



- (c) if transmitted by facsimile to a person's address and a correct and complete transmission report is received, on the day of transmission if a Business Day, otherwise on the next Business Day.

- (3) For the purpose of this clause the address of a person is the address set out in this document or another address of which that person may from time to time give notice to each other person.

## **21.2 Entire Document**

This document is the entire agreement of the parties on the subject matter. All representations, communications and prior agreements in relation to the subject matter are merged in and superseded by this document.

## **21.3 Variation of agreement**

The parties may agree to vary the terms of this document. Any such variation shall be evidenced by a written variation and must comply with the provisions of section 7.5 of the Act.

## **21.4 Joint parties**

If two or more parties are included within the same defined term in this document:

- (1) a liability of those parties under this document is a joint liability of all of them and a several liability of each of them;
- (2) a right given to those parties under this document is a right given severally to each of them; and
- (3) a representation, warranty or undertaking made by those parties is made by each of them.

## **21.5 Waiver**

The non-exercise of or delay in exercising any power or right of a party does not operate as a waiver of that power or right, nor does any single exercise of a power or right preclude any other or further exercise of it or the exercise of any other power or right. A power or right may only be waived in writing, signed by the parties to be bound by the waiver.

## **21.6 Cooperation**

Each party must sign, execute and deliver all agreements, documents, instruments and act reasonably and effectively to carry out and give full effect to this document and the rights and obligations of the parties under it.

## **21.7 Counterparts**

This document may be executed in any number of counterparts and all of those counterparts taken together constitute one and the same instrument.

## **21.8 Amendment**

This document may only be amended or supplemented in writing signed by the parties.

## **21.9 Unenforceability**

Any provision of this document which is invalid or unenforceable in any jurisdiction is to be read down for the purposes of that jurisdiction, if possible, so as to be valid or enforceable, and is otherwise capable of being severed to the extent of the invalidity or unenforceability,

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without affecting the remaining provisions of this document or affecting the validity or enforceability of that provision in any other jurisdiction.

#### **21.10 Power of Attorney**

Each attorney who executes this document on behalf of a party declares that the attorney has no notice of:

- (1) the revocation or suspension of the power of attorney by the grantor; or
- (2) the death of the grantor.

#### **21.11 Governing law**

The law in force in the State of New South Wales governs this document. The parties:

- (1) submit to the exclusive jurisdiction of the courts of New South Wales and any courts that may hear appeal from those courts in respect of any proceedings in connection with this document; and
  - (2) may not seek to have any proceedings removed from the jurisdiction of New South Wales on the grounds of *forum non conveniens*.
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## Schedule 1– Requirements under s7.4 of the Act

REQUIREMENT UNDER THE ACT	THIS PLANNING AGREEMENT
<b>Planning instrument and/or development application – (Section 7.4(1))</b> The Developer has: <ul style="list-style-type: none"> <li>(a) sought a change to an environmental planning instrument;</li> <li>(b) made, or proposes to make, a Development Application; and/or</li> <li>(c) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Yes.</li> <li>(b) Yes.</li> <li>(c) Not applicable.</li> </ul>
<b>Description of land to which this agreement applies – (Section 7.4(3)(a))</b>	Refer to definition of 'Land' in Part 1 of <b>Schedule 2</b> .
<b>Description of change to the environmental planning instrument to which this agreement applies – (Section 7.4(3)(b))</b>	As set out in the Planning Proposal.
<b>Application of section 7.11 of the Act – (Section 7.4(3)(d))</b>	Applies except to the extent set out in clause 4.1.
<b>Applicability of section 7.12 of the Act – (Section 7.4(3)(d))</b>	Applies except to the extent set out in clause 4.1.
<b>Consideration of benefits under this agreement if section 7.11 applies – (Section 7.4(3)(e))</b>	Refer to clause 4.2 of the Planning Agreement.
<b>Mechanism for Dispute resolution – (Section 7.4(3)(f))</b>	See clause 13.
<b>Enforcement of this agreement (Section 7.4(3)(g))</b>	See clause 10.
<b>No obligation to grant consent or exercise functions – (Section 7.4(3)(9))</b>	See clause 16. See clause 9.

## Schedule 2 – Defined Terms and Interpretation

### Part 1 – Definitions

<b>Acquisition Act</b>	means the <i>Land Acquisition (Just Terms Compensation) Act 1991</i> (NSW).
<b>Act</b>	means the <i>Environmental Planning and Assessment Act 1979</i> (NSW).
<b>Assign</b>	as the context requires refers to any assignment, sale, transfer, disposition, declaration of trust over or other assignment of a legal and/or beneficial interest.
<b>Authority</b>	means (as appropriate) any: <ul style="list-style-type: none"> <li>(1) federal, state or local government;</li> <li>(2) department of any federal, state or local government;</li> <li>(3) any court or administrative tribunal; or</li> <li>(4) statutory corporation or regulatory body.</li> </ul>
<b>Bank Guarantee</b>	means an irrevocable and unconditional undertaking without any expiry or end date by one of the following trading banks: <ul style="list-style-type: none"> <li>(1) Australia and New Zealand Banking Group Limited.</li> <li>(2) Commonwealth Bank of Australia.</li> <li>(3) Macquarie Bank.</li> <li>(4) National Australia Bank Limited.</li> <li>(5) St George Bank Limited.</li> <li>(6) Westpac Banking Corporation.</li> <li>(7) Any other financial institution approved by the Council, in its absolute discretion, in response to a request from the Developer.</li> </ul>
<b>Claim</b>	against any person any allegation, action, demand, cause of action, suit, proceeding, judgement, debt, damage, loss, cost, expense or liability howsoever arising and whether present or future, fixed or unascertained, actual or contingent whether at law, in equity, under statute or otherwise.
<b>Completed</b>	means completed in accordance with the requirements of this document or condition or consent if not expressed within this document.
<b>Completion Notice</b>	has the meaning ascribed in clause 6.1.
<b>Confidential Information</b>	means any information and all other knowledge at any time disclosed (whether in writing and orally) by the parties to each other, or acquired by the parties in relation to the other's activities or services which is not already in the public domain and which:

	<p>(1) is by its nature confidential;</p> <p>(2) is designated, or marked, or stipulated by either party as confidential (whether in writing or otherwise);</p> <p>(3) any party knows or ought to know is confidential;</p> <p>(4) is information which may be reasonably considered to be of a confidential nature.</p>
<b>Contributions</b>	means the provision of the Works and the dedication of the Designated Land.
<b>Contribution Value</b>	means the amount specified in <b>Schedules 3 and 4</b> in the column headed "contribution value" for each item of the Contributions.
<b>Defect</b>	has the meaning ascribed to it in clause 7.1.
<b>Defects Notice</b>	has the meaning ascribed to it in clause 7.1.
<b>Defects Liability Period</b>	means twelve (12) months.
<b>Defects Security</b>	has the meaning ascribed to it in clause 10.
<b>Designated Land</b>	means that part of the Land set out in <b>Schedule 3</b> , and includes the Road Widening Land.
<b>Development Consent</b>	means a consent issued under the Act for the Development.
<b>Development</b>	the development of the Land in accordance with a Development Consent.
<b>Dispute</b>	has the meaning ascribed to it in clause 13.1.
<b>Encumbrance</b>	<p>means an interest or power:</p> <p>(1) reserved in or over an interest in any asset;</p> <p>(2) arising under, or with respect to, a Bio-Banking Agreement;</p> <p>(3) created or otherwise arising in or over any interest in any asset under any mortgage, charge (whether fixed or floating), pledge, lien, hypothecation, title retention, conditional sale agreement, hire or hire purchase agreement, option, restriction as to transfer, use or possession, easement, covenant, lease, subordination to any right of any other person and any other encumbrance or security interest, trust or bill of sale; or</p> <p>(4) by way of security for the payment of a debt or other monetary obligation or the performance of any obligation.</p> <p><b>Encumber</b> means to grant an Encumbrance.</p>
<b>Event of Default</b>	has the meaning ascribed to it in clause 15.2.
<b>Force Majeure</b>	has the meaning ascribed to it in clause 14.

<b>GST Law</b>	means <i>A New Tax System (Goods and Services Tax) Act 1999</i> (Cth) and any other Act or regulation relating to the imposition or administration of the GST.
<b>Index</b>	means the Consumer Price Index (All Groups - Sydney) as provided by the Australian Bureau of Statistics.
<b>Insolvency Event</b>	<p>means the happening of any of the following events:</p> <ol style="list-style-type: none"> <li>(1) Application which is not withdrawn or dismissed within fourteen (14) days is made to a court for an order or an order is made that a body corporate be wound up.</li> <li>(2) An application which is not withdrawn or dismissed within fourteen (14) days is made to a court for an order appointing a liquidator or provisional liquidator in respect of a body corporate or one of them is appointed, whether or not under an order.</li> <li>(3) Except to reconstruct or amalgamate while solvent, a body corporate enters into, or resolves to enter into, a scheme of arrangement, agreement of company arrangement or composition with, or assignment for the benefit of, all or any class of its creditors, or it proposes a reorganisation, moratorium or other administration involving any of them.</li> <li>(4) A body corporate resolves to wind itself up, or otherwise dissolve itself, or gives notice of intention to do so, except to reconstruct or amalgamate while solvent or is otherwise wound up or dissolved.</li> <li>(5) A body corporate is or states that it is insolvent.</li> <li>(6) As a result of the operation of section 459F(1) of the <i>Corporations Act 2001</i> (Cth) (<b>Corporations Act</b>), a body corporate is taken to have failed to comply with a statutory demand;</li> <li>(7) A body corporate is or makes a statement from which it may be reasonably deduced that the body corporate is, the subject of an event described in section 459C(2)(b) or section 585 of the <i>Corporations Act</i>.</li> <li>(8) A body corporate takes any step to obtain protection or is granted protection from its creditors, under any applicable legislation or an administrator is appointed to a body corporate.</li> <li>(9) A person becomes an insolvent under administration as defined in section 9 of the <i>Corporations Act</i> or action is taken which could result in that event.</li> <li>(10) A receiver, manager or receiver and manager is appointed to the Company.</li> <li>(11) A claim is filed in a court against a person that is not defended, released or otherwise settled within twenty eight (28) days of the date of its filing at the court.</li> <li>(12) Anything analogous or having a substantially similar effect to any of the events specified above happens under the law of any applicable jurisdiction.</li> </ol>



<b>Instrument Change</b>	means the amendment of the Auburn Local Environmental Plan 2010 in accordance with the Planning Proposal.
<b>Land</b>	means the land contained in the following folio identifiers: <ul style="list-style-type: none"> <li>(1) 38/222712.</li> <li>(2) 100/793305.</li> <li>(3) 1/397.</li> <li>(4) 6/397.</li> <li>(5) 7/397.</li> <li>(6) 8/397.</li> <li>(7) 101/1248142.</li> </ul>
<b>Law</b>	means all legislation, regulations, by-laws, common law and other binding order made by any Authority.
<b>LEP</b>	means Auburn Local Environmental Plan 2010.
<b>Location Plan</b>	means the plan that is attached as <b>Annexure 1</b> .
<b>Occupation Certificate</b>	has the same meaning as in section 6.4(c) of the Act.
<b>Planning Legislation</b>	means the Act, the <i>Local Government Act 1993</i> (NSW) and the <i>Roads Act 1993</i> (NSW).
<b>Planning Proposal</b>	means the planning proposal number PP_2019_CUMBE_001_00 to amend the LEP to allow on the parts of the Land zoned B4 under the LEP: <ul style="list-style-type: none"> <li>(1) a minimum non-residential floor space ratio of 0.4:1; and</li> <li>(2) a maximum building height of: <ul style="list-style-type: none"> <li>(a) 45 metres;</li> <li>(b) 48 metres in of the south-east corner of the Land; and</li> <li>(c) 55 metres in the north-east corner of the Land; and</li> </ul> </li> <li>(3) bonus floor space ratio of 0.3:1 if a minimum of 0.6:1 non-residential floor space ratio is provided.</li> </ul>
<b>Primary Security</b>	has the meaning ascribed to it in clause 10.
<b>Rectification Notice</b>	has the meaning ascribed to it in clause 6.3.
<b>Road Widening Land</b>	means the land upon which the Road Widening Works are to be undertaken as identified in the Location Plan.
<b>Road Widening Works</b>	means the road widening (2.5m in width, 25m in length) of "Raphael Street" and associated intersection upgrades as shown in the Location Plan, including land to be dedicated in <b>Schedule 3</b> .
<b>Security</b>	means collectively the Primary Security and the Defects Security.
<b>Subdivision Certificate</b>	has the same meaning as in section 6.4(d) of the Act.

**Works** means the works specified or described in **Schedule 4**.

## **Part 2 - Interpretational Rules**

<b>clauses, annexures and schedules</b>	a clause, annexure or schedule is a reference to a clause in or annexure or schedule to this document.
<b>reference to statutes</b>	a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them.
<b>singular includes plural</b>	the singular includes the plural and vice versa.
<b>person</b>	the word "person" includes an individual, a firm, a body corporate, a partnership, joint venture, an unincorporated body or association or any government agency.
<b>executors, administrators, successors</b>	a particular person includes a reference to the person's executors, administrators, successors, substitutes (including persons taking by novation) and assigns.
<b>dollars</b>	Australian dollars, dollars, \$ or A\$ is a reference to the lawful currency of Australia.
<b>calculation of time</b>	if a period of time dates from a given day or the day of an act or event, it is to be calculated exclusive of that day.
<b>reference to a day</b>	a day is to be interpreted as the period of time commencing at midnight and ending 24 hours later.
<b>accounting terms</b>	an accounting term is a reference to that term as it is used in accounting standards under the Corporations Act or, if not inconsistent with those standards, in accounting principles and practices generally accepted in Australia.
<b>reference to a group of persons</b>	a group of persons or things is a reference to any two or more of them jointly and to each of them individually.
<b>meaning not limited</b>	the words "include", "including", "for example" or "such as" are not used as, nor are they to be interpreted as, words of limitation, and, when introducing an example, do not limit the meaning of the words to which the example relates to that example or examples of a similar kind.
<b>next day</b>	if an act under this document to be done by a party on or by a given day is done after 4.30pm on that day, it is taken to be done on the next day.
<b>next Business Day</b>	if an event must occur on a stipulated day which is not a Business Day then the stipulated day will be taken to be the next Business Day.
<b>time of day</b>	time is a reference to Sydney time.
<b>headings</b>	headings (including those in brackets at the beginning of paragraphs) are for convenience only and do not affect the interpretation of this document.

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**agreement**

a reference to any agreement, document or instrument includes the same as varied, supplemented, novated or replaced from time to time.

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### Schedule 3 - Designated Land

Item	Time for Completion	Contribution Value
Lots 7 and 8 in DP 397.	Subject to clause 5.1(1), the earlier of: <ol style="list-style-type: none"> <li>1. the issue of the first Subdivision Certificate or Occupation Certificate issued in respect of the Development;</li> <li>2. two (2) months after Completion of the Road Widening Works; and</li> <li>3. 30 June 2021.</li> </ol>	\$5,753,800.00.
Dedication of Road Widening Land.	Subject to clause 5.1(1), the earlier of: <ol style="list-style-type: none"> <li>1. the issue of the first Subdivision Certificate or Occupation Certificate issued in respect of the Development;</li> <li>2. two (2) months after Completion of the Road Widening Works; and</li> <li>3. 30 June 2021.</li> </ol>	At no cost to Council.

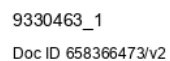
#### Schedule 4 - Works

Item of Works	Specification	Time for Completion	Contribution Value
Rehabilitation Works - Lots 7 and 8 in DP 397	Removal of all existing structures Importation of 80/20 soil mixture at a depth level of 300mm Land levelled to an acceptable standard Laying of turf	2 months prior to Lots 7 and 8 in DP 397 being dedicated to Council.	\$20,000
Road widening (2.5m in width, 25m in length) of "Raphael Street" and associated intersection upgrades as shown in the Location Plan, including land to be dedicated in <b>Schedule 3</b>	Including, but not limited, pathways, street trees, service augmentation and relocation, street lighting, road works, drainage, signage and intersection upgrades within the Designated Land, to a minimum public purpose standard or as detailed in development approval and plans.	Prior to the issue of a Subdivision Certificate or Occupation Certificate in respect of the Development.	At no cost to Council.
Maintenance Period for roads and streetscape	As conditioned in development consent	Minimum 12 months	At no cost to Council

## **Annexure 1 – Location Plan**

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## Execution page

---

### Executed as an agreement.

Dated:

**Executed by Cumberland Council** by its General Manager and Mayor by the affixing of the Common Seal of Council in accordance with resolution dated

---

General Manager (Signature)

---

Mayor (Signature)

---

Name of General Manager (Print Name)

---

Name of Mayor (Print Name)

**Executed by Lidcombe Property (NSW) Pty Limited** in accordance with section 127(1) of the *Corporations Act 2001* (Cth) by authority of its sole director and secretary

---

Director/Secretary (Signature)

*Simon Xistouris*

---

Name of Sole Director/ Secretary (Print Name)

Executed by **Peter James Darroch** and **Susan Rae Darroch** in the presence of:

---

Witness (Signature)

---

Peter James Darroch (Signature)

---

Name of Witness (Print Name)

---

Susan Rae Darroch (Signature)

DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-387

Attachment 4  
Gateway Determination





## Gateway Determination

**Planning proposal (Department Ref: PP\_2019\_CUMBE\_001\_00):** Amendment to Auburn Local Environmental Plan 2010

I, Director Sydney Region West, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Auburn Local Environmental Plan (LEP) 2010 to increase the height of building controls and to include a site-specific floor space ratio provision should proceed subject to the following conditions:

1. Prior to undertaking community consultation, Council is required to:
  - (a) amend height of building map to correct height labels;
  - (b) amend the objectives or intended outcomes of the planning proposal to clarify whether the bonus 0.3:1 FSR is for commercial or residential accommodation; and
  - (c) update the planning proposal to address Council's Cumberland Employment and Innovation Strategy and Land Use Planning Framework.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of 28 days; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment 2016).
3. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
  - Office of Environment and Heritage – Heritage Division;
  - Roads and Maritime Services; and
  - Transport for NSW.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from

any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

5. The planning proposal authority is authorised as the local plan-making authority to exercise the functions under section 3.36(2) of the Act subject to the following:
  - (a) the planning proposal authority has satisfied all the conditions of the Gateway determination;
  - (b) the planning proposal is consistent with section 9.1 Directions or the Secretary has agreed that any inconsistencies are justified; and
  - (c) there are no outstanding written objections from public authorities.
6. The time frame for completing the LEP is to be 12 months following the date of the Gateway determination.

Dated 23<sup>rd</sup> day of April 2019.



**Ann-Maree Carruthers**  
**Director, Sydney Region West**  
**Planning Services**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and**  
**Public Spaces**

PP\_2019\_CUMBE\_001\_00 (IRF19/1722)



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-387

Attachment 5

Submission from Proponent on  
Development Control Plan





City Plan Strategy & Development P/L  
ABN 58 133 501 774

30 September 2019

**Our Ref:** 19-251 AK

**Hamish McNulty, General Manager**

Cumberland Council  
PO Box 42  
MERRYLANDS, NSW, 2160

Attention: Karen Hughes, Strategic Planner

**RE: SITE SPECIFIC DEVELOPMENT CONTROL PLAN FOR 4-12 RAILWAY STREET, LIDCOMBE (PP-4/2017)**

City Plan Strategy and Development (City Plan) represents Pheonix Builders, the proponent of the Planning Proposal (PP) at 4-12 Railway Street, Lidcombe. The PP is currently on public exhibition with the site-specific Development Control Plan (DCP) and Voluntary Planning Agreement (VPA).

This submission has been prepared to highlight specific concerns relating to the DCP. Pursuant to Clause 3.42 of the Environmental Planning and Assessment Act 1979 (the Act), the purpose of a DCP is to give effect to the aims of any environmental planning instrument that applies to the development, whilst facilitating development permissible with consent.

The aim of the PP was to provide a suitable building height to ensure the existing FSR control was achievable, whilst promoting a high-quality urban design outcome. As outlined in the below sections of this submission, the proposed controls, specifically relating to floorplates, setbacks and solar access, have the potential to limit and restrict the future development of the site.

**D10. Building Floor Plates to address bulk and design:**

- i. In the south-western corner, the floor plate of the building is not to exceed 550m<sup>2</sup>*
- ii. In the south-eastern corner, the floor plate of the building above 8 storeys is not to exceed 750m<sup>2</sup>*

**Comment:**

The indicative concept design which accompanied the original PP was formulated to be consistent with Council's Urban Design Study for the Lidcombe Town Centre, whilst providing adequate solar access to surrounding buildings and public domain areas.

As outlined in Figure 1, buildings along the site's southern boundary have floorplates of between 525 and 970 sqm, which is generally consistent with the assumptions made in Council's Urban Design Study for Lidcombe, which was prepared by JBA. The study acknowledges that appropriate floorplate sizes, with suitable materials and articulation is required, to promote a good design outcome.

The proposed reduction of floorplates would make it difficult to achieve the site's FSR and height controls, which have been endorsed by Council. Additionally, the value of the proposed public benefits which have been offered as part of the VPA, also currently on exhibition, were based on a certain yield being generated

Suite 6.02, 120 Sussex St, Sydney NSW 2000  
P +61 2 8270 3500  
[CITYPLAN.COM.AU](http://CITYPLAN.COM.AU)  
M:\Projects\CP2019\19-251 4-12 Railway Street, Lidcombe\4. Draft\260919.docx



**City Plan Strategy & Development P/L**  
ABN 58 133 501 774

on the site and consistent with the JBA Urban Design Study. Any reduction in yield and Gross Floor Area (GFA), would require the VPA to be renegotiated with Council.

We therefore propose that this control be removed from the DCP. Any future development on the site must satisfy the Apartment Design Guide (ADG), which outlines objectives and design criteria such as solar access and natural ventilation, which will ensure the achievement of design quality.

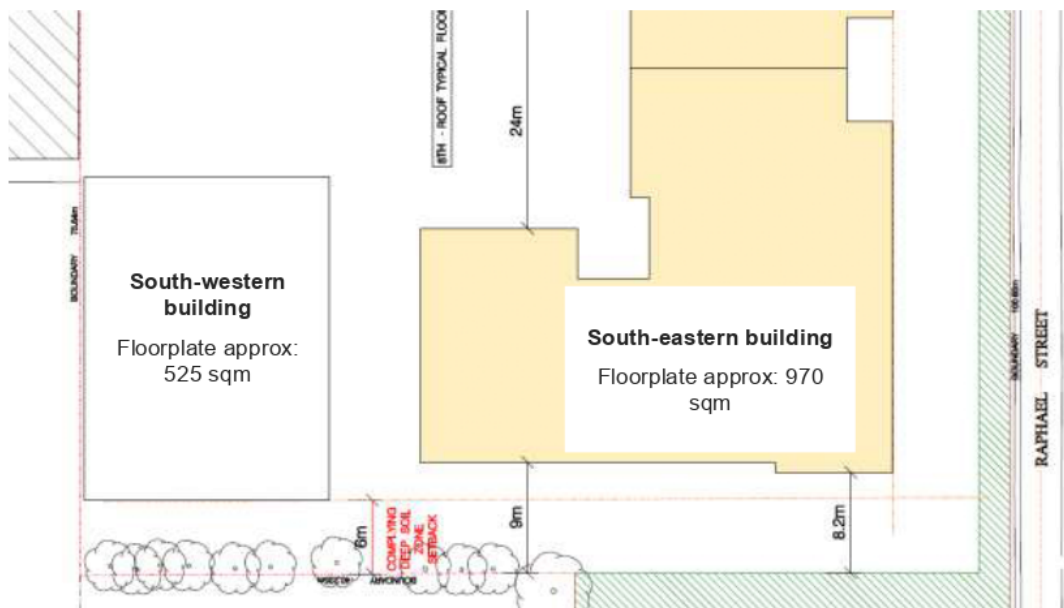


Figure 1: Floorplates

#### **D11. Building setbacks, build to lines, and street wall heights**

##### *C. Upper Level Setbacks.*

- i. The building above the street wall is to maintain a uniform 3m setback along Railway Street.*

##### **Comment:**

The indicative concept plan currently has a varied setback along Railway Parade, ranging from 2 metres to 4.5 metres (refer to Figure 2). This is consistent with other developments along Railway Street, including the new development under construction at 18-24 Railway Street, Lidcombe. If the built form is setback an additional 1 metre, this will generate additional shadowing impact to the adjacent Jewish Memorial Park.



City Plan Strategy & Development P/L  
ABN 58 133 501 774

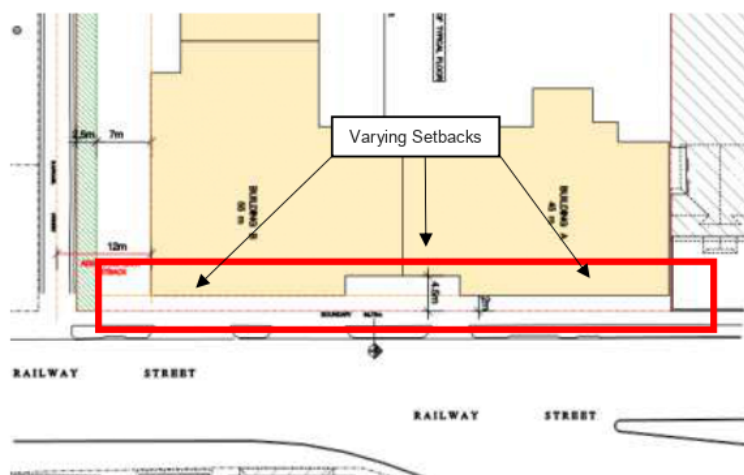


Figure 2: Setbacks along Railway Parade

We therefore propose that this control be amended to allow for a 2 metre setback (above the street wall height), which is sufficient to provide a legible street wall along Railway Street. Example wording has been provided below.

The building above the street wall is to provide a minimum 2 metre setback along Railway Street.

*D13. To maintain a minimum 3 hours of direct sunlight to a minimum 50% of Friends Park between 11.00am and 3.00pm on 21st June.*

**Comment:**

There is a significant amount of development occurring within the Lidcombe town centre. Given the site's dense urban context and the location of Friends Park, to the south of the site, achieving 3 hours of direct sunlight cannot be achieved.

The ADG, for communal open space, outlines that solar access provisions may not be achievable in dense urban areas or within town centre locations, such as the subject site.

It is acknowledged that this is only for communal open space, however the same principles apply. Given the site's urban environment and location of the park, 3 hours of sunlight to 20% of the park could be achieved without impacting the development capacity of the land (refer to Figure 3), whilst providing opportunities for the park users to find places to enjoy sunlight in mid-winter. This is a better outcome when compared to a complying building envelope which only provides approximately 3 hours of sunlight to 10% of the park (refer to Figure 4).



Figure 3: Proposed built form - shadow diagrams (Source: Architecture & Building Works)



Figure 4: Complying built form - shadow diagrams (Source: Architecture & Building Works)

We therefore propose the following amended wording to this control, to maintain an appropriate level of solar access, whilst not impact the feasibility of the development on the subject site. Example wording has been provided below.

Objectives:

O1 Arrange building mass to maximise solar access to Friends Park during mid-winter.

Control:

Given the site's dense urban context, a minimum of 3 hours of direct sunlight to a 20% of Friends Park between 12.15 pm and 3.15 pm on 21st June, is to be provided.



City Plan Strategy & Development P/L  
ABN 58 133 501 774

Should Council wish to discuss this submission further, please contact the undersigned on (02) 8270 3500.

Yours Sincerely,



Stephen Kerr  
Executive Director



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-387

Attachment 6  
Submission from Heritage NSW  
on Planning Proposal





Reference: DOC19/776514-1

Mr Hamish McNulty  
General Manager  
Cumberland Council  
PO Box 42  
Merrylands NSW 2160

Via Email: [council@cumberland.nsw.gov.au](mailto:council@cumberland.nsw.gov.au)

**Re Planning Proposal PP-4/2017 - 4-12 Railway Street, Lidcombe**

Dear Mr McNulty

Thank you for your correspondence of requesting comment on the planning proposal for 4-12 Railway Street, Lidcombe.

We note that the site is in close vicinity (60metres) to Rookwood Cemetery and Necropolis – listed on the State Heritage Register under the Heritage Act 1977 (SHR No 0718), as well as a number of local heritage items. Despite this, a heritage impact assessment has not been included with the planning proposal.

It is understood that the site and surrounds currently has the potential to accommodate development of up to the height of 32 metres. The current proposal seeks to increase the height to 45-55 metres.

Formal consideration should be given to the visual impact a building of the proposed heights may have on the setting of the cemetery and Necropolis, and whether the proposed height increase will impact on significant views to and from the cemetery. A better outcome is generally achieved where these matters are given consideration in the early planning stages and not at the time of the development proposal as suggested in section 2.3, (Table 4) of the subject Planning Proposal. The existing separation of the planning proposal site and the cemetery by streets and some buildings, does not necessarily mean that there is no heritage impact on the setting and view lines of the SHR site. Rookwood Cemetery is of potential national heritage significance and all development in and around it should be commensurate with its unique heritage values.

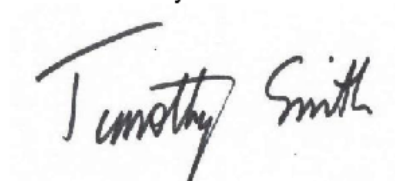
The potential for the proposal to act as a precedent for height of building increases should also be considered. The potential increase for building height requests across a range of sites in the future may incrementally impact on the setting and views.

Preparation of a heritage impact statement, in our view, is critical and will assist Council to answer any concerns raised about the proposal by the public. If issues of visual impact are considered early in the

planning process, this may assist future building design, bulk, setback and associated development proposals.

If you have any questions please contact Nicole Secomb Heritage, Programs Officer on 02 987 8532 (Tues, Thurs, Fri) or via email at [nicole.secomb@environment.nsw.gov.au](mailto:nicole.secomb@environment.nsw.gov.au).

Yours sincerely



**Tim Smith OAM**  
**Director, Heritage Operations**  
**Heritage NSW**

17 October 2019

DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-387

Attachment 7  
Heritage Impact Statement





# HERITAGE IMPACT STATEMENT

## 4-12 RAILWAY STREET, LIDCOMBE

5 DECEMBER 2019  
P17832  
FINAL  
PREPARED FOR PHEONIX BUILDERS PTY LTD

 URBIS

**URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:**

Director	Stephen Davies, B Arts Dip Ed, Dip T&CP, Dip Cons Studies, M.ICOMOS
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Heritage Assistant	Annabelle Cooper, B Arts (Art History)
Project Code	P17832
Report Number	01 – Draft HIS - Client Review – 27.11.2019 02 – HIS Final for Submission – 02.12.2019 03 – HIS Final for Submission – 05.12.2019

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# EXECUTIVE SUMMARY

## Introduction and Heritage Listing

The subject site at 4-12 Railway Street, Lidcombe, is not heritage listed

Urbis has been engaged by Urbis Pty Ltd to prepare the following Heritage Impact Statement (HIS). A Planning Proposal has been prepared for the site at 4-12 Railway Street, Lidcombe (known as the subject site). The subject site is not a heritage item and has been assessed to have little heritage significance. However, the subject site is in close proximity to Rookwood Cemetery, listed on the State Heritage Register (SHR) as follows:

- *Rookwood Cemetery and Necropolis, East Street, Lidcombe (Listing No. 00718).*

Rookwood Cemetery is located in the Auburn local government area (LGA), under which the *Auburn Local Environment Plan 2010*, applies and Schedule 5 Environmental Heritage, Part 3 Archaeological Sites lists it as follows:

- *Rookwood Cemetery or Necropolis, (Bounded by East and Railway Streets) Rookwood (Item No: A00718).*

Located within close proximity to the subject site, is a local item of significance listed under the Auburn LEP, 2010, Schedule 5 Environmental Heritage, Part 3 Archaeological Sites:

- *Lidcombe Signal Box, Railway Street, between Mark and East Streets (south side of railway lines), Lidcombe, (Item No: A56).*

The subject site is located within 60 metres of Rookwood Cemetery and Necropolis listed on the State Heritage Register under the Heritage Act 1977 (SHR No 0718), and other heritage items of local significance. This Heritage Impact Statement (HIS) will assist in understanding the visual impact the proposed Planning Proposal will have on the State listed heritage item of Rookwood Cemetery.

## Description of the Planning Proposal

The subject Planning Proposal, prepared by Architecture and Building Works, dated 20.12.2018 comprises a mixed-use development as follows:

- Demolish existing structures on the site;
- Amalgamate 3 x allotments;
- Excavate site for 4 x levels of Basement carparking across site;
- 2 x levels of Retail / commercial development to northern buildings to Railway Street (1 x 45m and 1 x 55m) – both with Residential development above;
- Residential development to southern portion of the site (1 x 48m and 1 x 2-3 storeys);
- Communal open space Landscaped Court;
- Retain Friends Park with Council park dedication to south-eastern portion of the site along Davey Street adjoining Friends Park.

A 10-storey Planning Proposal for the adjacent block to the east bounded by Railway Street to the north, East Street to the south, Davey Street to the south and Raphael Street to the west.

## Conclusions and Recommendations

The height, density and general form indicated in the Planning Proposal, prepared by Architecture and Building Works, dated 20.12.2018, proposes a height uplift on the site from 32m to 45m and some at 55m as described above, does not adversely and unacceptably impact upon the identified heritage significance of the nearby State Heritage Register listed item of Rookwood Cemetery. The reasons are described as follows:

- Views from Rookwood Cemetery to the subject site are across the Old Catholic Section, a place of exceptional significance. Views close to the north-western corner of the Section will not reveal the subject development. While there will be some minor views to the subject site from locations that are in the south-eastern portion of the Old Catholic Section (on raised land), these views will be distant and not have an adverse heritage impact on the heritage item and significant elements within Rookwood.
- Views to the subject site from St Michael's Chapel, a place of exceptional heritage significance, are generally obscured by tall tree plantings and mature tree canopy. This will have minimal negative impact

on its heritage significance. Views looking toward the subject site will be distant and have little detrimental impact, particularly given the existing commercial development within the local area.

- Views to the subject site from the original railway spur alignment entering Rookwood from the north, assessed in the Rookwood CMP 2016 as a cultural landscape feature of exceptional significance, will be obscured by existing clumps of mature tree plantings that run parallel and west of the former railway alignment.
- Generally, views northwest to the subject site from within the Old Catholic Section of the Cemetery will be concealed by the proposed 10-storey development located at 1 East Street, Lidcombe.
- A proposed height uplift on the site is from 32m to 45m and some at 55m. There will be some overshadowing to the southwest, south and southeast throughout the day between equinox and mid-winter. This will not impact on the heritage item of Lidcombe Signal Box, Railway Street. There may be some overshadowing of the most north-western corner of Rookwood Cemetery. This Old Catholic Section of Rookwood Cemetery does not contain buildings. This would mitigate any adverse heritage impact.
- Potentially adverse heritage impacts might arise from the scale shift of the proposed development and the nearby heritage items may be mitigated in the finer-grain design of the proposed built form. This could be done in the selection of materials and the articulation of building massing, form and facades.

There is the potential for the Planning Proposal to be realised in a way which accords with the management recommendations and conservation policies provided for nearby heritage places. We are of the opinion the proposed Planning Proposal is likely to have some minor and acceptable visual impacts upon the identified heritage significance of Rookwood Cemetery.

# 1. INTRODUCTION

## 1.1. BACKGROUND AND HERITAGE LISTINGS

Urbis has been engaged by Urbis Pty Ltd to prepare the following Heritage Impact Statement (HIS). A Planning Proposal has been prepared for the site at 4-12 Railway Street, Lidcombe (known as the subject site). See Figure 1 showing the location of the subject site. The subject site is not a heritage item. However, it is in close proximity to Rookwood Cemetery, listed on the State Heritage Register (SHR) as follows:

- *Rookwood Cemetery and Necropolis, East Street, Lidcombe (Listing No. 00718).*

See Figure 2 for the SHR Curtilage of the Rookwood Cemetery.

Rookwood Cemetery is located in the Auburn local government area (LGA), under which the *Auburn Local Environment Plan 2010*, applies and Schedule 5 Environmental Heritage, Part 3 Archaeological Sites lists it as follows:

- *Rookwood Cemetery or Necropolis, (Bounded by East and Railway Streets) Rookwood (Item No: A00718).*

In addition, located within close proximity to the subject site, is a local item of significance listed under the Auburn LEP, 2010, Schedule 5 Environmental Heritage, Part 3 Archaeological Sites:

- *Lidcombe Signal Box, Railway Street, between Mark and East Streets (south side of railway lines), Lidcombe, (Item No: A56).*

Figure 3 shows the location of Rookwood Cemetery, Lidcombe Signal Box and other heritage items.

This Heritage Impact Statement (HIS) will assist in understanding the visual impact the proposed Planning Proposal will have on the State listed heritage item of Rookwood Cemetery.

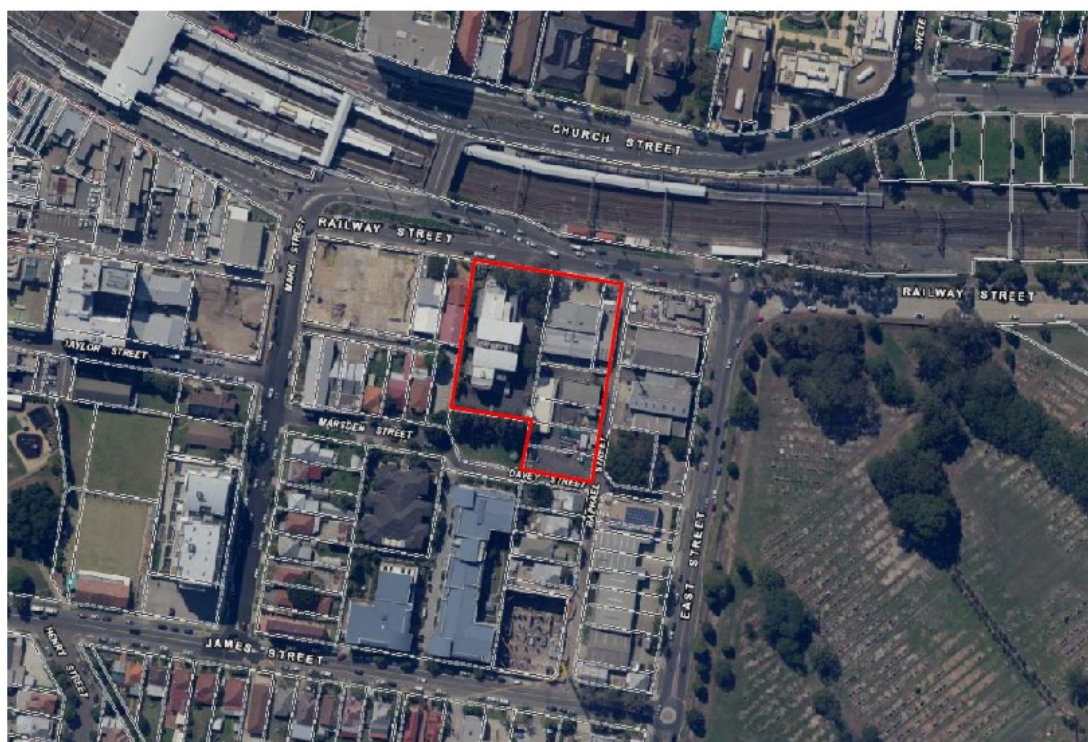


Figure 1 – Site location plan, boundaries of subject site indicated in red.

Source: Six Maps 2019



**Heritage Council of New South Wales**



**State Heritage Register - SHR: 00718, Plan:1770**

**Rookwood Cemetery and Necropolis**

Gazettal Date: 02 April 1999

0 150 300 450 600 Metres

Scale: 1:7,500

Datum/Projection: GCS GDA 1994



**Legend**

- SHR Curtilage
- Land Parcels
- Roads
- LGAs
- Suburbs

Figure 2 – SHR Curtilage of the Rookwood Cemetery with the subject site circled in blue.

Source: Heritage Council of NSW, State Heritage Register, - SHR: 00718, Plan: 1770.

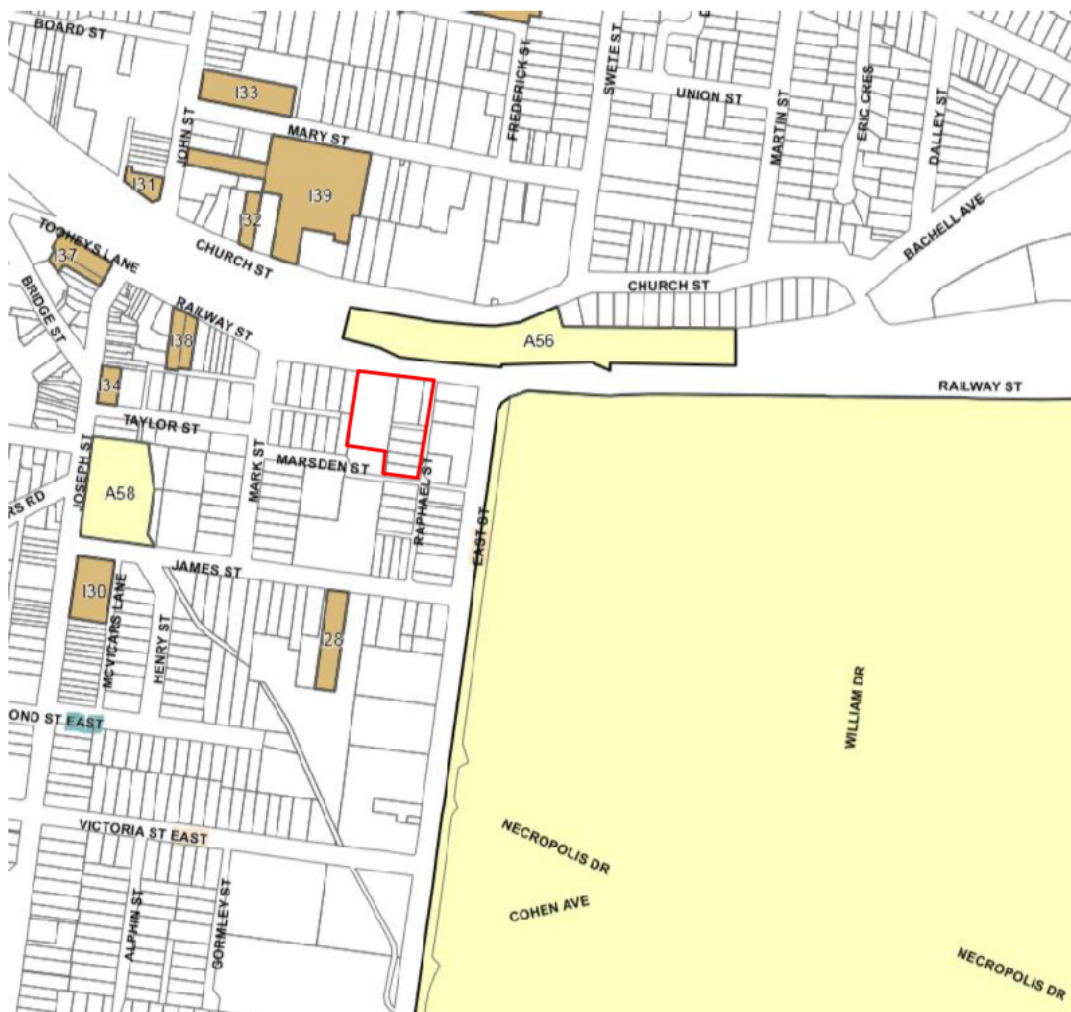


Figure 3 – Heritage Map showing the subject site outlined in red. Rookwood Cemetery, an Archaeological heritage item A00718, is the large area shown in yellow. Heritage items are shown coloured ochre with an identifying heritage number. To the north of the subject site is another archaeological site identified as, Lidcombe Signal Box (Item No: A56)

Source: Auburn LEP 2010, Heritage Map Sheet HER\_007

## 1.2. SITE LOCATION

The site is located at 4-12 Railway Street, Lidcombe (see Figure 1). It is located within a suburban block bounded by Railway Street to the north, Raphael Street to the east, Davey and Marsden Streets to the south, and Mark Street to the west. Located east and southeast of the subject site is Rookwood Cemetery, a major necropolis of Sydney. A railway line servicing T1 (North Shore and Western Line), T2 (Inner West and Leppington Line and T3 (Bankstown Line) is located to the north of the site.

## 1.3. METHODOLOGY

This Heritage Impact Statement has been prepared in accordance with the NSW Heritage Division guidelines 'Assessing Heritage Significance', and 'Statements of Heritage Impact'. The philosophy and process adopted is that guided by the *Australia ICOMOS Burra Charter* 1999 (revised 2013).

Site constraints and opportunities have been considered with reference to relevant controls and provisions contained within the *Auburn Local Environment Plan 2010* and the *Auburn Development Control Plan 2010*.

## 1.4. AUTHOR IDENTIFICATION

The following report has been prepared by Annabelle Cooper (Heritage Assistant) and Lynette Gurr (Associate Director, Heritage). Stephen Davies (Director, Heritage) was project director. Unless otherwise stated, all drawings, illustrations and photographs are the work of Urbis.

## 1.5. PLANNING PROPOSAL

Planning Proposal (Department Ref: PP\_2019\_CUMBE\_001\_00) Amendment to Auburn Local Environmental Plan 2010. Under the current zoning, the subject site and surrounds currently has a potential to accommodate development up to 32 metres in height.

Following an Extraordinary Cumberland Local Planning Panel Meeting, dated 22 August 2018, a revised Planning Proposal was recommended:

- A Planning Proposal has been submitted and seeks to increase the Maximum Building Height to 45m for the site generally;
- A taller element up to 55m for a limited (33m x 33m) portion in the north-eastern corner of the site to be shown on the LEP height of Building Map;
- A taller element be offset by a corresponding area to the south-western part of the site having as maximum building height to minimise overshadowing of Friends Park and Properties to the south, via a DCP control.

On 23 May 2019, the following Gateway Determination was sought:

To increase the height of building controls and to include a site-specific floor space ratio provision should proceed subject to the following conditions:

1. *Prior to undertaking community consultation, Council is required to:*
  - a) *amend height of building map to correct height labels;*
  - b) *amend the objectives or intended outcomes of the planning proposal to clarify whether the bonus 0.3:1 FSR is for commercial or residential accommodation; and*
  - c) *update the planning proposal to address Council's Cumberland Employment and Innovation Strategy and Land Use Planning Framework.*
3. *Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:*
  - *Office of Environment and Heritage – Heritage Division;*
  - *Road and Maritime Services; and*
  - *Transport for NSW.*

*Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.*

The subject site is located within 60 metres of Rookwood Cemetery and Necropolis listed on the State Heritage Register under the Heritage Act 1977 (SHR No 0718), and other heritage items of local significance.

- A heritage Impact Statement needs to be prepared and the visual impacts on Rookwood Cemetery need to be considered.



## Description of the Planning Proposal

The subject Planning Proposal, prepared by Architecture and Building Works, dated 20.12.2018 comprises a mixed-use development as follows:

- Demolish existing structures on the site;
- Amalgamate 3 x allotments;
- Excavate site for 4 x levels of Basement carparking across site;
- 2 x levels of Retail / commercial development to northern buildings to Railway Street (1 x 45m and 1 x 55m) – both with Residential development above;
- Residential development to southern portion of the site (1 x 48m and 1 x 2-3 storeys);
- Communal open space Landscaped Court;
- Retain Friends Park with Council park dedication to south-eastern portion of the site along Davey Street adjoining Friends Park.

The following figures are taken from documentation prepared by Architecture & Building Works, dated 20.12.2018, titled "4-12 Railway Street, Lidcombe – Massing Study for Planning Proposal" and describe the Planning Proposal.

A 10-storey Planning Proposal for the adjacent block to the east bounded by Railway Street to the north, East Street to the south, Davey Street to the south and Raphael Street to the west.

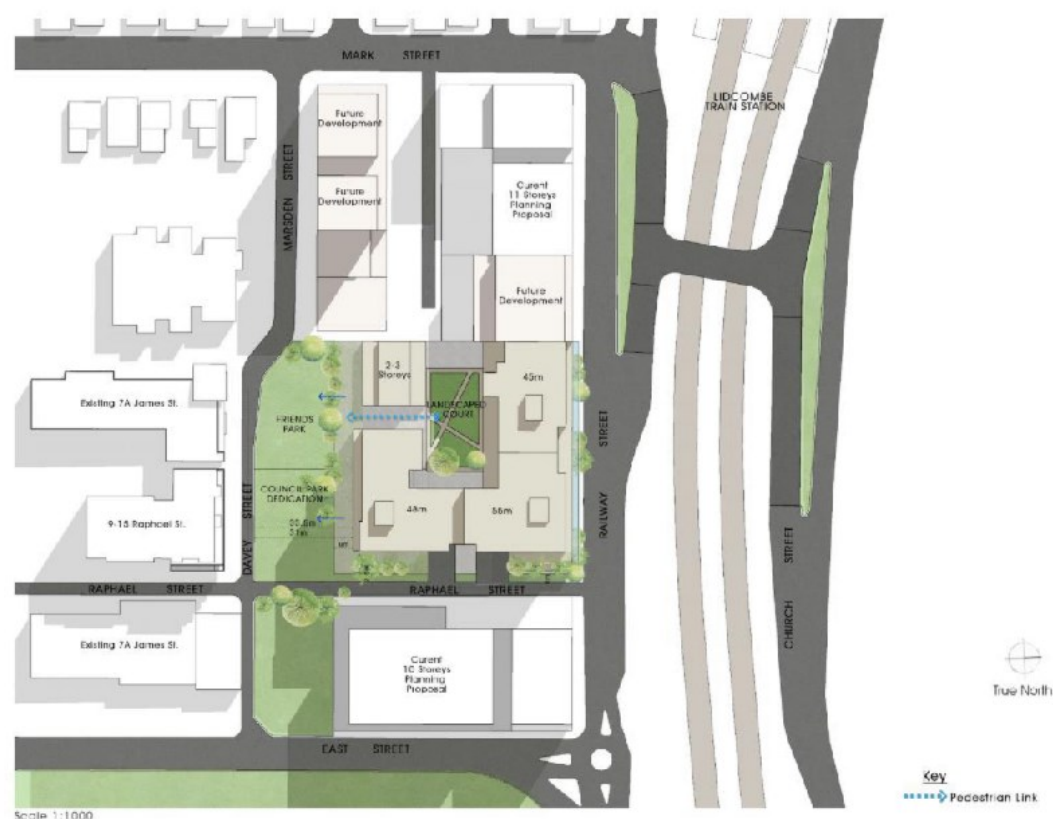


Figure 4 – Site Plan - 4-12 Railway Street, Lidcombe – Massing Study for Planning Proposal, prepared by Architecture and Building Works

Source: Architecture and Building Works, Planning Proposal, 20.12.2018



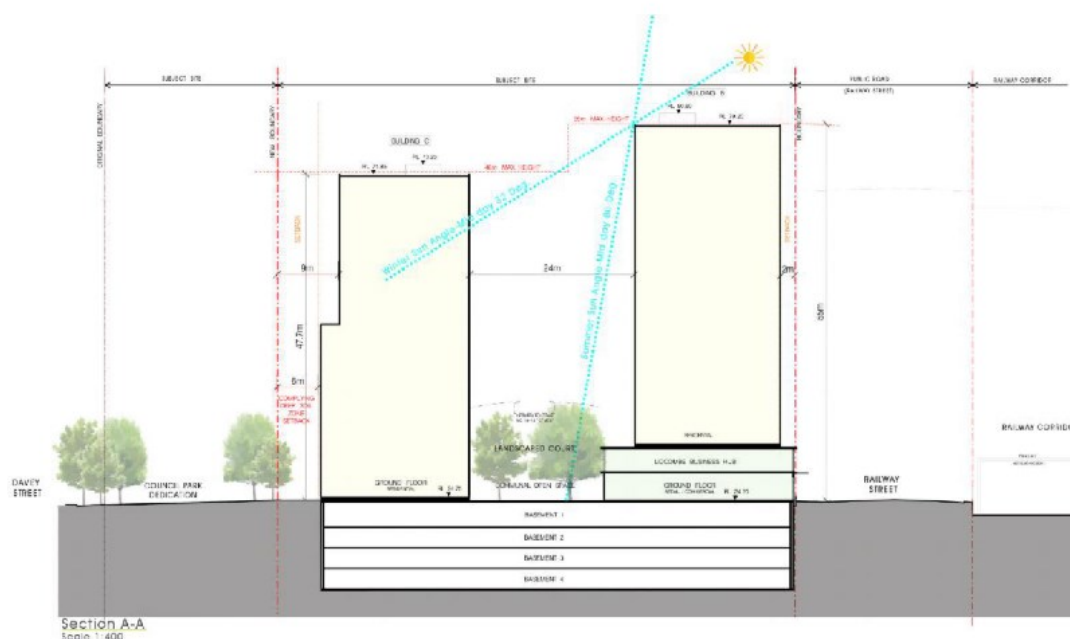


Figure 5 – Section AA - 4-12 Railway Street, Lidcombe – Massing Study for Planning Proposal, prepared by Architecture and Building Works

Source: Architecture and Building Works, Planning Proposal, 20.12.2018



Figure 6 – Height of Building Map showing the Maximum Building Height for the subject site is given as "U1" 32m

Source: Auburn LEP 2010, Height of Building Map – Sheet HOB\_007

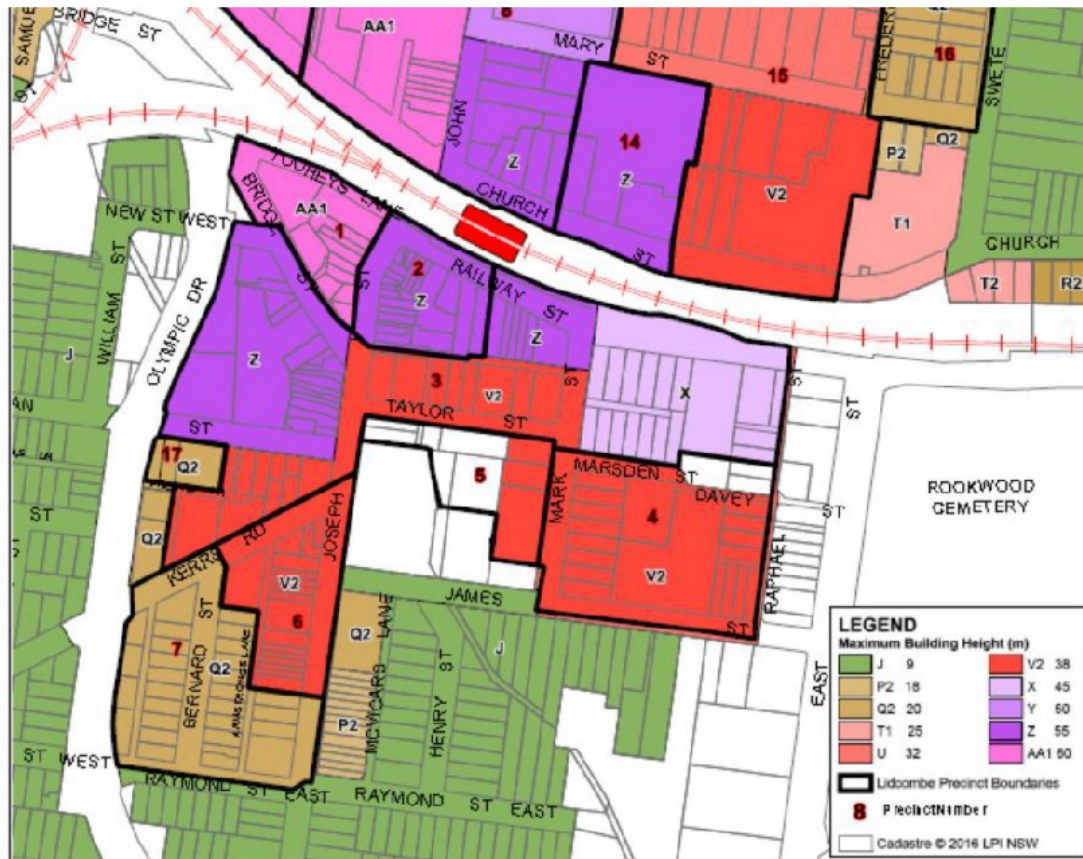


Figure 7 – The Proposed Height of Buildings – Lidcombe Town Centre (Draft Auburn & Lidcombe Town Centres Strategy) shows the subject site has a maximum height of building at 45m

Source: Cumberland Council, Draft Auburn and Lidcombe Town Centres Strategy, December 2016, p20

## 2. SITE DESCRIPTION

### 2.1. THE SETTING

The subject site is located at 4-12 Railway Street, on the corner of Raphael Street, Lidcombe. Directly north of the subject site is part of the Sydney rail network servicing T1 (North Shore and Western Line), T2 (Inner West and Leppington Line and T3 (Bankstown Line). North-west of the subject site is Lidcombe Station which is accessible via Church Street on the northern side of the tracks. North of the subject site, on the northern side of the tracks, fronting south onto Church Street is St Andrews Ukrainian Church and school. North of the subject site on the southern side of the tracks is an archaeological site, Lidcombe Signal Box (Item number A56). South-west of the subject site fronting north onto James Street is local heritage item, *Dwelling*, located at 24 James Street (Item number I28). See Figure 3 for location of heritage items.

The southern side of the rail network is largely mixed used, comprising various construction companies and associated facilities. The sites are accessed via the main arterial road, Railway Street, which runs parallel to the rail line. South-west of the site is dominated by medium density residential housing. On the northern side of the railway line, a small area remains mixed-use while surrounding areas comprise high and medium density housing. The block to the east of the subject site is zoned light industrial and is currently occupied by Larcombe Memorials Pty Ltd. Railway Street and East street culminate at a roundabout north east of the subject block.

### 2.2. ROOKWOOD CEMETERY

East of the subject site, on the eastern side of East Street, is state listed heritage item Rookwood Cemetery (Item number: 00718). Rookwood Cemetery spans over 283 hectares and is bound by Railway Street to the north and East Street to the west. South of Rookwood Cemetery are freight railway yards and to the east is Centenary Drive. Strathfield Golf Club adjoins the cemetery in the south eastern corner. Rookwood Cemetery is visible from the corner site at 2 Railway Street (Larcombe Memorials Pty Ltd), adjacent to the subject site. There is a pedestrian entrance to the cemetery located opposite the intersection of Davey Street and Railway Street (south-east of the subject site). Rookwood Cemetery is bordered by a black metal fence through which the Cemetery and historic tree plantings are visible.

Within Rookwood Cemetery are several significant landscape elements, tree plantings and memorial sites. Serpentine Canal, constructed between 1874 and 1882, is in the Church of England No.1 Cemetery. It extends from the north-western corner of the Cemetery in a south-westerly direction towards the Saint Michael the Archangel Chapel ending north-west of the Maher Family Vault, located in the Catholic section of the cemetery. Figure 31 provides the location of each element within Rookwood Cemetery.

The Serpentine Canal is an extensive system of serpentine drains and ponds. The open drain is approximately 1800mm deep, extensive shelters, urns, bridges, fountains and gardens ornament the serpentine drains. The bridges, ponds and underground conduits remain largely intact. The section of drain in the north-western corner of Rookwood Cemetery comprises finely detailed brick gutters lined with tree plantings either side. The shape of the canal is generally straight until it is interrupted by a small bridge at which the south-eastern section adopts a broad "S" form.

South-east of the southern end of the Serpentine Canal is the Maher Family Vault (see Figure 26 and Figure 27). The Maher Family Vault is "perhaps the most outstanding monument at Rookwood Cemetery"<sup>1</sup>. The memorial is defined by the large Celtic cross erected over the vault. The elaborate representation is said to be "the affirmation of a successful man"<sup>2</sup>. Timothy Maher was a merchant and furniture manufacturer who ran Moore's Labour Bazaar in Pitt Street Sydney during the 1850s and 60s. At the time, it was the largest furniture store in the Australian colony.

South-east of the Maher Family Vault, just north of the Saint Michael the Archangel Chapel, is the Toohey family vault (see Figure 25). The Toohey family was prominent in society during the 1880s, beginning an auctioneering agency and cordial manufacturing business in Sydney. The Toohey brothers later purchased a Brewery in Cockle Creek (now Darling Harbour) which quickly became popular and has since become a long-standing trademark of beer production in Australia.

<sup>1</sup> "The Sleeping City", The Maher Family Vault, Historic Walk, Catholic Cemeteries and Crematoria.

<sup>2</sup> *Ibid*.



Immediately south of the Toohey Family Vault is the Saint Michael the Archangel Chapel (see Figure 24). The Chapel of St Michael was designed in the mid-1880s and survives as a fine example of the Gothic Revival style. The Chapel features eleven stained-glass windows, depicting the four evangelists, Matthew, Mark, Luke and John as well as St Brigid, the Sacred Heart of Jesus, Our Lady of Sorrows, Jesus on the Cross, St Joseph, the Immaculate Conception and St Patrick. Two large angels of Hope and Charity stand on sandstone piers extending from the roof, above the main entrance doorway of the southern façade of the Chapel.

## 2.3. THE SITE AND BUILDINGS

The subject site is located at 4-12 Railway Street, Lidcombe, situated on an irregular shaped lot fronting north onto Railway Street. It is bound by Raphael Street to the east and Davey Street to the south. It comprises several mixed-use buildings including premises of the Construction, Forestry, Maritime, Mining and Energy Union (CFMEU), Hope College Sydney Construction Training and Skills Recognition Centre and Globe Memorial Company. The subject allotments contain off street parking areas which are accessed via Railway Street. The CFMEU building comprises three storeys with an adjoining carpark. Hope College comprises two storeys with off street parking fronting Railway Street and Globe Memorial company operates out of a single storey structure with a concreted display area fronting Railway Street. All existing structures on the site have pedestrian access via Railway Street. In the south-western corner of the subject block is a small park, known as Friends Park, located at 1 Davey Street. This park is shielded from the current occupants by mature trees along the northern boundary of the park. The site currently occupied by CFMEU contains mature trees in the parking areas and along the northern boundary fronting Railway Street.



Figure 8 – View to Monumental masons, Larcombe Memorials, located at 1 East Street, adjoins the subject site to the east

Source: Urbis, November 2019

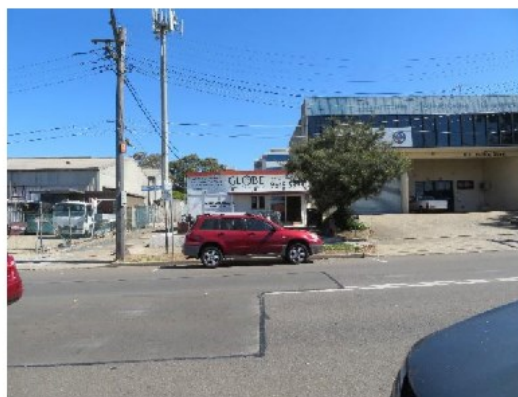


Figure 9 – View to Globe Memorial Company, located at 4 Railway Street, Lidcombe, form part of the subject site. Single storey building possibly dating to 1960s

Source: Urbis, November 2019



Figure 10 – View to the late-20th century building at Nos 6-8 Railways Street, occupied by Hope College

Source: Urbis, November 2019



Figure 11 – View to the late-20th century building at Nos 6-8 Railways Street

Source: Urbis, November 2019





Figure 12 – Rail network, north of subject site, St Andrews Ukrainian Church is visible in the background.

Source: Urbis, November 2019



Figure 13 – View of East Street facing south-east from Rookwood Cemetery East Street entrance.

Source: Urbis, November 2019



Figure 14 – View north from western side of East Street.

Source: Urbis, November 2019



Figure 15 – View of Railway Street facing south-west from northern side of Railway Street.

Source: Urbis, November 2019



Figure 16 – View of Rookwood Cemetery from northern side of Railway Street facing south-east.

Source: Urbis, November 2019



Figure 17 – View of East Street facing north-west from Rookwood Cemetery East Street Entrance.

Source: Urbis, November 2019





Figure 18 – View of Rookwood Cemetery from East Street facing south-east.

Source: Urbis, November 2019



Figure 19 – View north-west towards subject site from inside Rookwood Cemetery in front of the Maher Family Memorial.

Source: Urbis, November 2019



Figure 20 – View north-west towards subject site from inside Rookwood Cemetery from in front of the Toohey Family Memorial.

Source: Urbis, November 2019



Figure 21 – View north-west towards subject site from inside Rookwood Cemetery on front steps of Saint Michael the Archangel Chapel.

Source: Urbis, November 2019

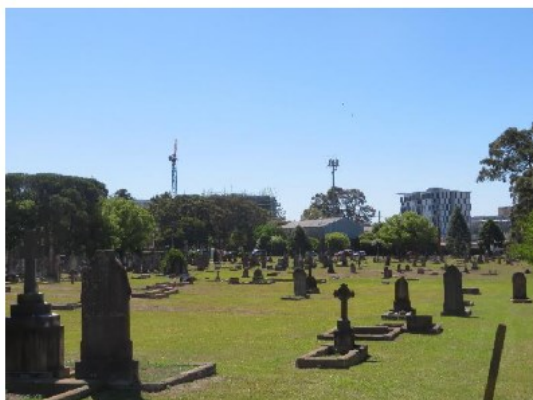


Figure 22 – View north-west towards subject site from southern end of Serpentine Canal.

Source: Urbis, November 2019

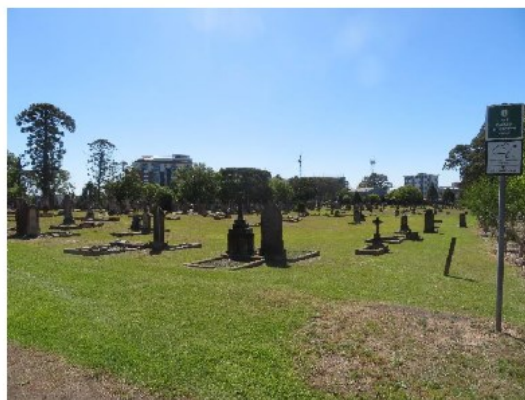


Figure 23 – View north-west towards subject site from southern end of Serpentine Canal.

Source: Urbis, November 2019



Figure 24 – View of Saint Michael the Archangel Chapel with the Toohey Family Vault in the foreground, at right

Source: Urbis, November 2019



Figure 25 – View of the Toohey Family Vault

Source: Urbis, November 2019



Figure 26 – View of the Maher Family Vault with the prominent Celtic cross

Source: Urbis, November 2019



Figure 27 – View of the Maher Family Vault with the prominent Celtic cross and decorative cast iron fencing

Source: Urbis, November 2019





Figure 28 – View looking north-west over the Catholic Cemetery at Rookwood, with the Serpentine Canal located at right

Source: Urbis, November 2019



Figure 29 – View looking south-east showing a bridge over the Serpentine Canal, at right

Source: Urbis, November 2019

## 2.4. VIEWS TO AND FROM ROOKWOOD CEMETERY TO THE SUBJECT SITE

A number of places of heritage significance are located within the north-western portion of Rookwood Cemetery. Urbis has undertaken a view analysis to determine the impact the proposed development will have on the heritage items in close proximity, but specifically on the State heritage listed site of Rookwood Cemetery. Urbis has reviewed the "Rookwood Conservation Management Plan", May 2016 (Rookwood CMP 2016), prepared by GML Heritage for Rookwood Necropolis Trust. Various elements of significance have been determined based on a review of the identified as follows:

The portion of Rookwood Cemetery close to the proposed development is identified in the Rookwood CMP as "Old Catholic No 1 (Unit 2)" which contains remnants of the gardenesque forms in the southern area adjacent to Necropolis Drive, but is prominently open in character and without much of the original grave kerbing and path elements that would have interpreted its parterre layout. This section contains significant items of note including:

- St Michael the Archangel's Chapel;
- Catholic Serpentine Canal;
- The original railway spur alignment entering Rookwood from the north; and
- The Catholic clergymen's section, containing large numbers of uniform graves which form the immediate landscape setting to the north of the chapel.

The elements of significance shown in Table 1 are located in the Old Catholic No 1 Section of Rookwood Cemetery. The table, taken from Rookwood CMP 2016, identify the heritage significance of each of the items. For the purpose of the Views Analysis, Urbis has examined the visual impact the proposed development will have on each of these.

Table 1 – Extracted from Rookwood CMP 2016, Significant Cultural landscapes, buildings and monuments

Description of Elements of Significance	ID No	Significance
Building and Monument – St Michael's Chapel	3	Exceptional
Cultural Landscape - Old Catholic Section No. 1	02	Exceptional
Cultural Landscape – Railway Loop / Corridor Alignment	29	Exceptional

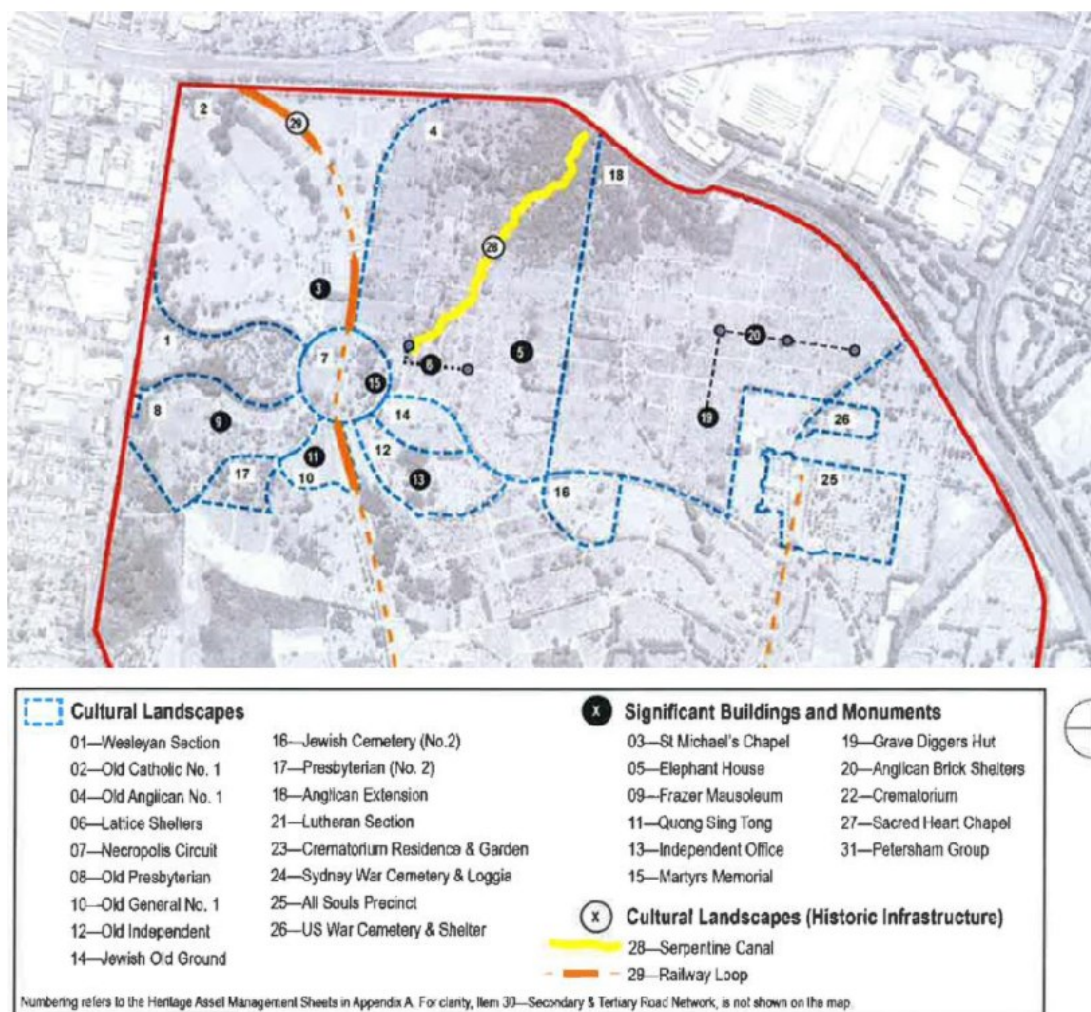


Figure 30 – Significant cultural landscapes, buildings and monuments

Source: Extract from Rookwood CMP 2016, Figure 4.1



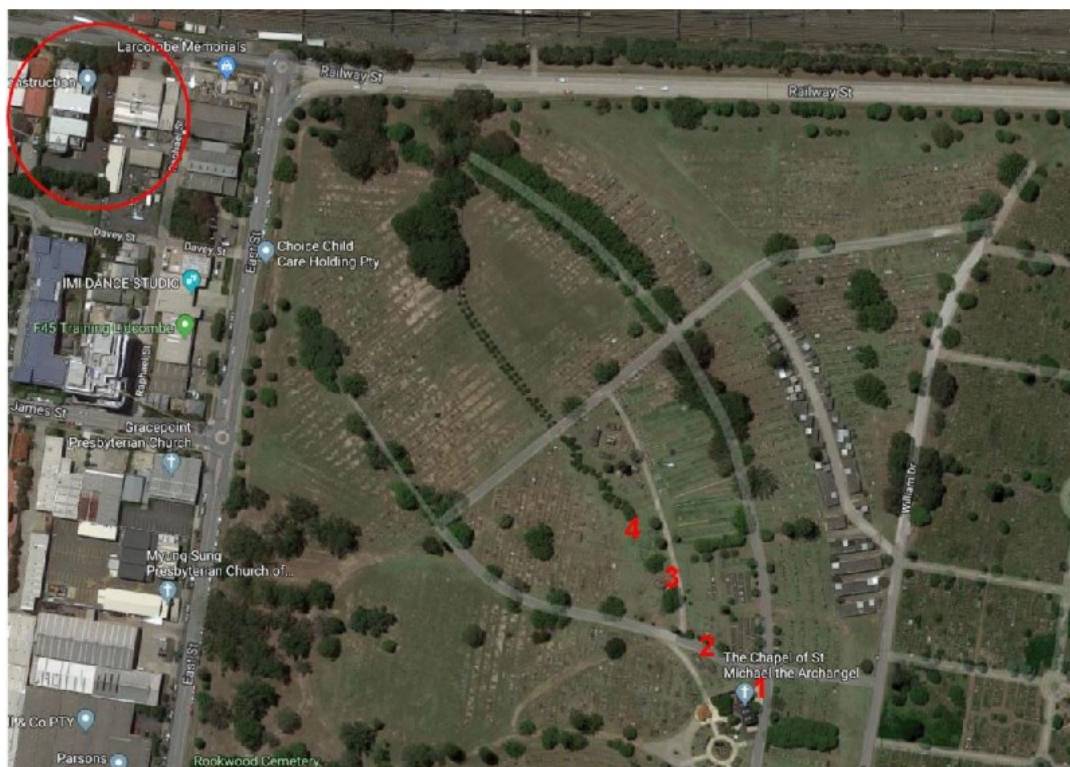


Figure 31 – Aerial of Rockwood Cemetery showing the subject site circled. The location of places identified as having high and exceptional heritage significance within the cemetery are identified: Chapel of St Michael the Archangel (1), Toohey Family Vault (2), Maher Family Vault (3), and The Serpentine Canal (4).

Source: Six Maps, 2019 with Urbis Overlay

Phoenix Builders has provided the following view photomontages looking towards the subject site from various heritage significant locations within the Old Catholic Section of Rookwood Cemetery towards the subject site. Each photomontage shows an outline of the proposed building envelope from one of the three locations within Rookwood Cemetery:

- Maher Family Vault (Figure 32);
- Toohey Family Vault (Figure 33); and
- St Michael's Chapel (Figure 34).

Each view looks in the direction of the proposed development. A Planning Proposal for a ten-storey development at 1 East Street, Lidcombe, is shown immediately east of the subject site. This Planning Proposal is for a 10-storey development on the site. The proposed 10-storey development at 1 East Street will obscure much of the subject development at 4-12 Railway Street, Lidcombe. It is noted on Height of Buildings Map, the site at 1 East Street has no maximum height identified (see Figure 6).

A Draft Strategy for the Lidcombe Town Centre shows proposed heights in the centre of Lidcombe, west of the subject site, as having a maximum height of to 60m (see Figure 7).



Figure 32 – Proposed view north-west towards subject site from Maher Family Vault.

Source: Phoenix Builders, November 2019

Views from Maher Family Vault to the subject site (see Figure 32) show the Planning Proposal for 1 East Street will obscure views to much of the proposed development. The proposed tower, with an area of 33m x 33m, and a maximum height of 55m, will be visible above the approved planning proposal envelope at 1 East Street. This projection above will have a minimal heritage impact on views from this location of high significance within Rookwood Cemetery. The subject Planning Proposal will be visible in the distance and will have a minor adverse heritage impact on the heritage significant monument of the Maher Family Vault. The visual impact will be minor and in keeping with existing commercial development surrounding Rookwood Cemetery. It is recommended the façade cladding used in any proposed design development be non-reflective and recessive in colour to minimise any adverse visual impact on the State listed heritage item of Rookwood Cemetery.

Similarly, views northwest from the Toohey Family Vault (see Figure 33) to the subject site will show the 55m height towers visible above the proposed 10-storey development at 1 East Street. The views will be distant and framed by the canopies of existing mature trees planted within Rookwood Cemetery. The proposed development will have minimal adverse heritage impact on the State heritage listed cemetery. The proposed development is consistent with the existing commercial development in the immediate area.

St Michael's, located within the Old Catholic Section of Rookwood Cemetery, is assessed in the Rookwood CMP 2016 as a building of exceptional heritage significance. Views from St Michael's to the subject site (see Figure 34), shows the subject building envelope as shown in the subject Planning Proposal, will mostly be concealed by the bunya pine specimen planting and canopy from mature tree plantings within Rookwood.

In addition, the proposed development will have minimal impact from views northwest along the historic rail corridor alignment within the cemetery. Generally, the existing clump of mature native trees located within the northern section of the Old Catholic Section of Rookwood Cemetery will obscure views looking from this alignment to the subject site.





Figure 33 – Proposed view north-west towards subject site from Toohey Family Vault.

Source: Phoenix Builders, November 2019



Figure 34 – Proposed view north-west towards subject site from St Michael's Chapel.

Source: *Phoenix Builders, November 2019.*



## 3. HISTORICAL OVERVIEW

### 3.1. AREA HISTORY

In February 1788, early explorers arrived at Homebush Bay, close to the area now known as Lidcombe. Main transport corridors and early street patterns were beginning to develop in the 1790s, including Parramatta Road in 1797. By 1928, the land that would become Lidcombe fell within the district of Parramatta. Small grants (30 to 100 acres) were awarded to government officials including Edward Gould, Henry Marr and John O'Donnell. Larger parcels of land were granted to prominent merchants and officials such as Joseph Hyde Potts. Some of the earliest residents within the area of Lidcombe were Ann Curtis with her daughter and servant and Samuel Haslem with his wife, son and two servants. The area came to be known as Haslams Creek. Early land grants in the area were awarded to Patrick Kirk (Parramatta) and George Sunderland (Lidcombe). These grants would later become the basis for the development of the town at Rookwood.

The Sydney to Parramatta railway opened in 1855 and was the colony's first major line connecting six stations including Sydney, Newtown, Ashfield, Burwood, Homebush and Parramatta Junction (now known as Granville). In 1859, a station opened at Haslams Creek. In August 1862, a road from Parramatta Road to the station was opened, later known as John Street, and also a road running south of Bankstown, which later became Joseph Street.

By 1859, the need for a post office was established. A post office was opened in 1868 at Haslams Creek before it was moved some years later to Joseph Street where it stands today. Major roads were formally gazetted throughout the late 1800s including Bachell Avenue, Kerrs Road and Water Street.

As the area developed, major industries started to emerge. In the mid-1860s, Rookwood Cemetery began to develop. By 1869, livestock companies arrived in the area with the establishment of the Sydney Meat Preserving Company. By the late 1880s, with railway access and new jobs at the cemetery and meat processing factories, Lidcombe was thriving.

Several sports have a long-standing affiliation with the area of Lidcombe dating back as early as the 1890s. These include the Central Cumberland Cricket Club, the oldest cricket club in New South Wales, the Carnarvon Golf Club and the Cumberland Baseball Association. In 1899, building company, Lewis & Sanders, completed works on fresh-water swimming baths on a one-acre site close to the station.

Tariff barriers of the 1920s manufacturing boom brought a variety of new industries to Lidcombe, including electrical manufacturing, motor car development, steel construction and woollen goods manufacturing. In 1924, the state government began awarding contracts for local manufacture of supplies for the electrification of the suburban rail systems. British owned company, Associated General Electric Industries Ltd, established a site at Lidcombe and in 1926 began manufacturing electric tram motors from Australian materials. The company soon became a world leader in railway manufacturing. In 1930, Metropolitan Vickers Australia, Associated General Electric Company and Ferguson Pailin merged on the Lidcombe site. This was soon followed by domestic appliance production in the 1930s. At the same time, Jantzen Australia Ltd, a subsidiary of US company, Jantzen, began producing swimwear out of a factory on Parramatta Road.

During World War II, Lidcombe's established industrial scene played an important role in producing military aircraft. Aluminium was produced at Alcan in Granville, fighter plane engines were produced in Lidcombe and were assembled at Chullora railway workshops, steel was manufactured by Australian Forge & Engineering Pty Ltd and Pratt & Whitney Wasp engines were produced by the Commonwealth Aircraft Corporation factory located Birnie Avenue, Lidcombe.

By the 1950s, a thriving social scene had developed in Lidcombe with several clubs offering sport and leisure activities for local residents. The Arcadia cinema, originally located on Joseph Street operated as a venue for film screening, dancing and boxing. The Black Cat Wintergarden, opposite the Arcadia centre operated as refreshment rooms. The Lidcombe Catholic Workmen's Club also served as a place of local recreation, established in 1946 after the 1954 Royal Commission on Liquor Laws.

Post-war years saw new areas zoned for industry in Sydney's western suburbs, including Lidcombe. Companies associated with farm machinery works moved to Lidcombe, including earth-moving distributor Industrial Sales & Service Pty Ltd, International Harvester Company of Australia Pty Ltd and Hasting Deering Pty Ltd. The factories were all located on Parramatta Road due to good transport services. After the war,

Sydney experienced urgent housing shortages, which saw the development of Housing Commission schemes established in Auburn, Lidcombe, South Granville, Villawood and the Dundas Valley.

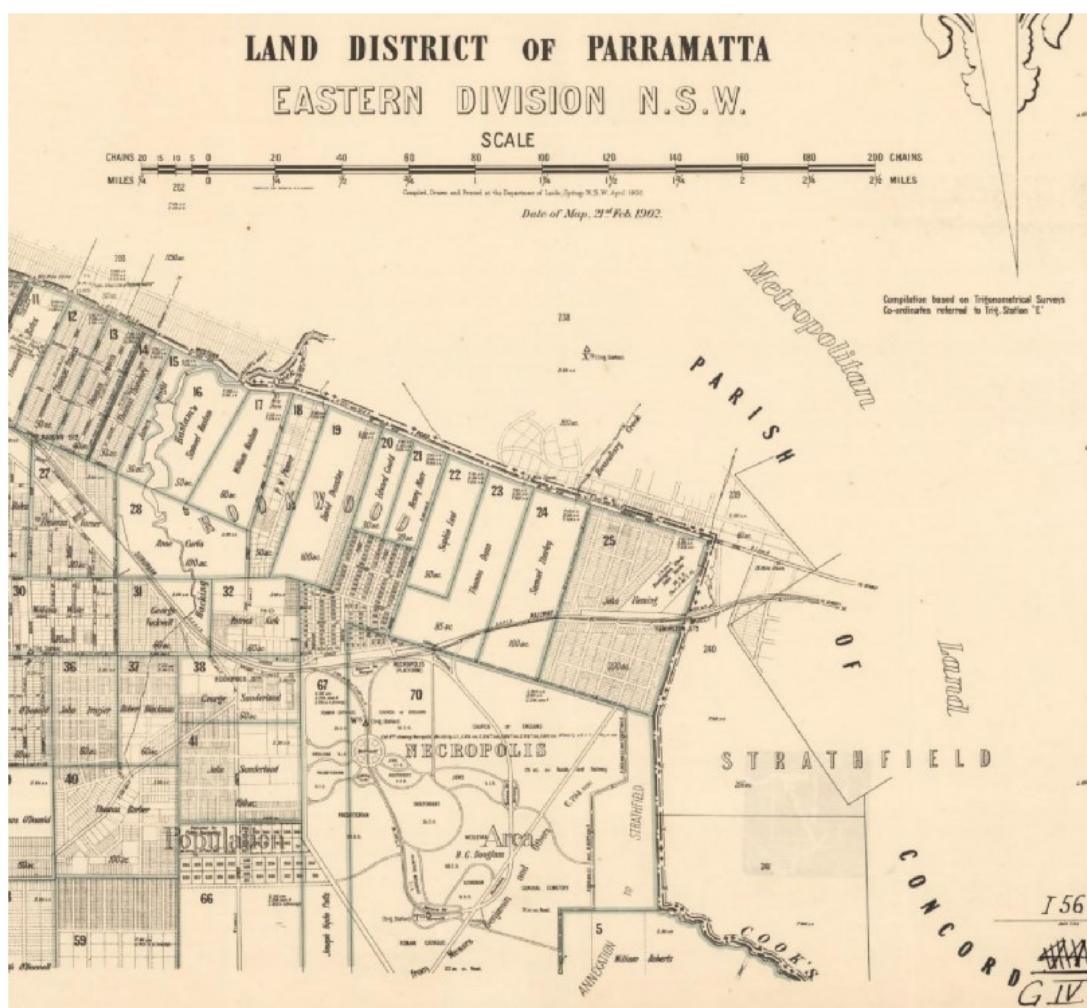


Figure 35 - Map of Parish of Liberty Plains, 1902 indicating subdivisions and street plans of Rookwood.

Source: National Library of Australia, nla.obj-233831064

### 3.1.1. Rookwood Cemetery

Sydney's first cemetery was known as Old Burial Ground and was located where Sydney Town Hall stands today. In 1820, the Devonshire Street Cemetery, located where Sydney's Central Station now stands, was opened. By the early-1840s, the Devonshire Street Cemetery was fast becoming overcrowded and it became apparent Sydney was in need of a new burial ground. The search began for a new site somewhere between Sydney and Parramatta. It was important that the site be accessible by rail, had good drainage, adequate soil for digging graves and be in a location that would not affect local residences. In August 1862, an offer of a 200-acre parcel of land and Rookwood was transferred from Cohen and Benjamin to the NSW government.

The new cemetery provided jobs for gravediggers, stone masons and funeral businesses, which subsequently saw the development of a new town centre at Haslams Creek. The first burial reportedly occurred in 1867. The new grounds were described as "...being tastefully laid out with shrubs and parterres,



divided by neatly-kept paths. Chapels had been erected for each denomination...the style of architecture being generally modern Gothic." (*Sydney Morning Herald*, November 1875).

The township of Rookwood continued to develop around the cemetery. Some of the establishments at the time included Simeon Gazzard's Refreshment Rooms, Ann Godfrey's store and Bernard Gormley's and Henry Moore's pubs. In 1879, the first retail butcher, Onus, came to Rookwood followed by Cornwell who opened a second butcher later that year. The Railway Hotel was licensed officially in 1876 and the Royal Oak in 1878.



Figure 36 – Rookwood's original flower shop and café.

Source: *Rookwood General Cemetery, Photo Gallery*.

By the early 19<sup>th</sup> century, Rookwood residents were concerned about the suburb's affiliation with the cemetery and requested the suburb change its name. The suburb was subsequently named Lidcombe, a combination of the two former mayors of the suburb, Lidbury and Larcombe. Frederick Lidbury moved to Rookwood in 1893 and constructed a large two-storey Gothic stone home opposite the cemetery; he was an active member of local government and mayor of Rookwood on several occasions.

Rookwood cemetery developed a unique relationship with the Sydney rail network, with special funeral trains running from Regent Street in the city to the centre of Rookwood. The trains transported both passengers and corpses to the cemetery twice daily.

In 1925, Rookwood Crematorium opened and remains the oldest running crematorium in Australia. In 1945, The Australian War Graves were established, which houses those who served in the two world wars. This section of the cemetery contains more than 15,000 rose bushes. In 1948, after some 80 years in operation, the mortuary station closed as a result of the rise of the motor vehicle as the main mode of transport. The station was beyond repair when it was sold to Reverend Mr Buckle in 1951 for 100 pounds. It was dismantled block-by-block and relocated to Canberra in 83 semi-trailers where it was re-purposed as part of the All Saints Church of England in Ainslie, Canberra.



Figure 37 – Rookwood's Historic Mortuary Station.

Source: *Rookwood General Cemetery, History 1948 – 1980*.

## 3.2. SITE HISTORY

The subject land was originally part of George Sunderland's Grant bestowed in June 1823. The land remained largely undeveloped until it was purchased by Father John Joseph Therry during the early 1830s. Therry's vision of a religious centre in the township of St Ann, close to Cook's River, had resulted in the development of a Catholic settlement. Therry purchased most of Sunderland's original grant and the entirety of Patrick Kirk's grant as the foundations for the growing development. Therry died in May 1867 and the land was auctioned off by JV Gorman as the Town of St Joseph.

The subject land was under the ownership of Joseph George Raphael and Levis Wolfe Levy by 1867. In January 1879, Donald McNab, "a well-known business and friendly society man"<sup>3</sup> of Rookwood, purchased the 15¼ perches west of Rookwood Cemetery.

The largest lot on the subject land was a private cemetery for Quakers known as "the Quaker grounds"<sup>4</sup>. It was one of two private burial grounds in the area, the other being the "Jews Cemetery"<sup>5</sup>. Figure 38 shows the location of the Jewish and Quaker cemeteries. During the 1890s by-laws to oversee the control of burials in the area. While Rookwood was under Government control, the private Quakers and Jewish burial grounds were not.<sup>6</sup> It was reported in *The Cumberland Argus and Fruitgrowers Advocate* in 1898 under the listed council matters, that council "would be justified in charging a fee in every burial in those grounds...Petersham Council charged a fee for burials in the Petersham cemetery, and Rookwood council should act similarly"<sup>7</sup>. It was decided that a by-law would be introduced to govern the two private cemeteries, and that upon the closure of the cemeteries, those who persisted burying in the grounds would be fined.

<sup>3</sup> *The Cumberland Argus and Fruitgrowers' Advocate*, October 22, 1910.

<sup>4</sup> *The Cumberland Argus and Fruitgrowers' Advocate*, November 9, 1898.

<sup>5</sup> *The Cumberland Argus and Fruitgrowers' Advocate*, November 9, 1898.

<sup>6</sup> *The Cumberland Argus and Fruitgrowers' Advocate*, November 9, 1898.

<sup>7</sup> *The Cumberland Argus and Fruitgrowers' Advocate*, November 9, 1898.

During this time, the land was occupied by stone masons, operating out of the allotments adjoining the cemetery.

In July 1890, the bank exercised power of sale transferring the land to Peter Clark of La Perouse. In 1899, it was proposed that the other privately-owned cemetery in the borough, the Jews Cemetery, be closed as it was a private grant of a man who had since died and was in a prominent position fronting the main street. Additionally, it was discovered there was inadequate drainage in the soil. The private burial grounds around the subject land hence began to close. It is likely the Quakers Cemetery closed at some time around the turn of the century.

In September 1920, the land was acquired by Jane Anne Clark of La Perouse. Jane Ann Clark sold the land in 1943 to Blacksmith, Frank Reginald Lloyd of Lidcombe. The property was leased in September 1962 and transferred in January 1980 to Leslie Frederick Darroch of Lawson (1/4 share), his wife Stella Veronica Darroch (1/4 share), Peter James Darroch of Northmead (1/4 share) and his wife Susan Rae Darroch (1/4 share) as tenants in common.



Figure 38 – 1892 map, indicating private burial grounds, Quakers Cemetery and Jews Cemetery on subject the site.

Source: Municipality of Rookwood / compiled from the latest govt. official & other records; compiled by D. Clark, surveyor & draftsman, Joseph St. Rookwood. nla.obj-2005472402





Figure 39 – Early map showing township of St Joseph, west of Rookwood Cemetery, 1892. Approximate area of subject site indicated in red.

Source: Municipality of Rookwood / compiled from the latest govt. official & other records; compiled by D. Clark, surveyor & draftsman, Joseph St. Rookwood. nla.obj-2005472402

### 3.3. DATE OF CONSTRUCTION OF SUBJECT BUILDINGS

The existing buildings that occupy the subject site are likely to have been constructed during the late 20<sup>th</sup> century. After the closure of the private burial ground around the beginning of the 20<sup>th</sup> century, it is likely preliminary changes occurred at the site in preparation for a change in use. By 1943, various structures are located along the northern site boundary and in the eastern portion of the site fronting Raphael Street. The southern portion of the former Quakers cemetery remains an undeveloped open grassed area.

The Australian electoral rolls indicate that Frank Reginald Lloyd (owner at the time) was registered as living at a residence at 4 Railway Street, Lidcombe, South Blaxland NSW, in 1954, 1958 and 1963<sup>8</sup>. It is likely further construction occurred at the site between 1943 and 1954.

The site has undergone various redevelopment throughout the second half of the 20<sup>th</sup> century resulting in the existing commercial precinct. It is known that stone masons and other industries ancillary to the funeral business have occupied the area surrounding Rookwood cemetery. A stone mason yard operates from the north-eastern corner lot of the subject site, "Globe Memorial" located at 4 Railway Street, Lidcombe. The south-western corner of the subject block, part of the former Quakers Cemetery, remains a park, known as Friends Park, with tree plantings along the northern boundary.

<sup>8</sup> Australian Electoral Rolls, 1903-1980.





Figure 40 – 1943 aerial indicating early development of the subject site, boundaries outlined in red.

Source: Six Maps 2019

### 3.4. PROPERTY OWNERS

Table 2 – Property Owners of the subject site

Date	Owner	Title Reference
June 1823	Original Grant – George Sunderland	
1831	Father John Joseph Therry	Appn. No. 1678
Sept 1867	Joseph George Raphael and Levis Wolfe Levy	Appn. No 1678
1879	Donald McNab	Vol. 385 Fol. 248
July 1890	Peter Clark	Vol. 385 Fol. 248
Sept 1920	Jane Ann Clark	Vol. 385 Fol. 248
Oct 1943	Frank Reginald Lloyd	Vol. 385 Fol. 248
Jan 1980	Tenants in Common: Leslie Frederick Darroch, Stella Veronica Darroch, Peter James Darroch and Susan Rae Darroch	Vol. 385 Fol. 248

## 4. HERITAGE SIGNIFICANCE

### 4.1. WHAT IS HERITAGE SIGNIFICANCE?

Before making decisions to change a heritage item, an item within a heritage conservation area, or an item located in proximity to a heritage listed item, it is important to understand its values and the values of its context. This leads to decisions that will retain these values in the future. Statements of heritage significance summarise the heritage values of a place – why it is important and why a statutory listing was made to protect these values.

### 4.2. SIGNIFICANCE ASSESSMENT

The Heritage Council of NSW has developed a set of seven criteria for assessing heritage significance, which can be used to make decisions about the heritage value of a place or item. There are two levels of heritage significance used in NSW: state and local. The following assessment of heritage significance has been prepared in accordance with the 'Assessing Heritage Significance' guides.

Table 3 – Assessment of heritage significance

Criteria	Significance Assessment
<b>A – Historical Significance</b>  <i>An item is important in the course or pattern of the local area's cultural or natural history.</i>	<p>The subject site was formerly part of the Township of St Joseph and the location of private burial grounds known as the former Quaker Cemetery.</p> <p>The Quaker Cemetery was decommissioned in the late 19<sup>th</sup> century. Development occurred on the site by the mid-20<sup>th</sup> century, with the construction of commercial buildings. Portion of the site has been retained as a public recreation area known as Friends Park. This park adjoins the development site and will not be developed.</p> <p>The site has some historic associations. However, the site has been so altered that it can no longer provide evidence of that historic association.</p> <p>The subject site at 4-12 Railway Street, Lidcombe, does not meet the criterion for historic significance.</p>
<b>B – Associative Significance</b>  <i>An item has strong or special associations with the life or works of a person, or group of persons, of importance in the local area's cultural or natural history.</i>	<p>The historic overview of the site provides no association with any historically important person or event.</p> <p>The subject site at 4-12 Railway Street does not meet the criterion for associative significance.</p>
<b>C – Aesthetic Significance</b>  <i>An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in the local area.</i>	<p>The buildings constructed on the subject site date to the late 20<sup>th</sup> century and make little aesthetic contribution to the site or area.</p> <p>The subject site at 4-12 Railway Street does not meet the criterion for aesthetic significance.</p>

Criteria	Significance Assessment
<b>D – Social Significance</b>  <i>An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons.</i>	<p>The subject site has no significance to any known identifiable group. The subject site is not held in high regard by the local community.</p> <p>The subject site at 4-12 Railway Street does not meet the criterion for social significance.</p>
<b>E – Research Potential</b>  <i>An item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history.</i>	<p>Part of the subject site was a private burial ground known as Quakers Cemetery. This cemetery was decommissioned in the late 19<sup>th</sup> century. It is unknown whether all burial remains were removed from the site as part of the decommissioning process.</p> <p>Some remains may be present and there is the potential for sub-surface remains. An archaeological assessment may be required as part of any future works to the site. Excavation works are proposed for basement carparking.</p> <p>The subject site has some research or archaeological potential associated with possible sub-surface burial remains.</p>
<b>F – Rarity</b>  <i>An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history.</i>	<p>The subject site is not rare.</p>
<b>G – Representative</b>  <i>An item is important in demonstrating the principal characteristics of a class of NSWs (or the local area's):</i> <ul style="list-style-type: none"> <li>• cultural or natural places; or</li> <li>• cultural or natural environments.</li> </ul>	<p>The subject site has lost much of its potential to represent a former burial ground. It has lost most of its characteristics as a former burial ground.</p> <p>The subject site at 4-12 Railway Street, Lidcombe, does not meet the criterion for representativeness.</p>

### 4.3. STATEMENT OF SIGNIFICANCE – SUBJECT SITE

Part of the site at 4-12 Railway Street was a former private burial site known as Quakers Cemetery. This cemetery was decommissioned in the late 19<sup>th</sup> century. It is unknown whether all burial remains were removed from the site as part of the decommissioning process. Much of the evidence of this former use has been removed. The subject site may be some archaeological potential.

### 4.4. STATEMENT OF SIGNIFICANCE – ROOKWOOD - SHR INVENTORY

The following summary of significance has been sourced from the Rookwood Cemetery and Necropolis State Heritage Inventory form. The significance is ranked in order of priority:

- a) Rookwood Necropolis is one of the largest burial grounds in the world and contains the largest 19<sup>th</sup> century cemetery in Australia;

b) the scale of design, design features, use of plants, gardenesque layout, high quality and diversity of structures, monuments and details of Rookwood Necropolis represent a rare surviving example of mid-late 19th century ideals for a major public cemetery. The choices of plants in these sections also demonstrate 19th century funerary etiquette and fashion by way of plant symbolism;

c) the views and expertise of a number of prominent individuals are manifest in the historic fabric and design of Rookwood Necropolis;

d) the Necropolis memorials form a set of monumental masonry without parallel in Australia. They include examples that are unique in themselves or display a high degree of technical accomplishment, and others which represent changes in social burial customs since 1867;

e) as a social document and genealogical resource, Rookwood Necropolis is unique in its scale and comprehensiveness. The Necropolis is the burial place of a large number of noteworthy individuals;

f) Rookwood Necropolis is of significance in providing habitats for two rare and endangered plant species: downy wattle (*Acacia pubescens*) (Status: vulnerable) and the small leaved *Dillwynia* (*D. parvifolia*) (Status: vulnerable and uncommon). It also contains an unusual ecotone where a pocket of Sydney sandstone associated vegetation occurs in the midst of predominantly Wianamatta shale associated vegetation. (NSW DPWS, 1988), with additions on plant conservation status from Fairley, 2004)

## 4.5. REVISED SUMMARY OF SIGNIFICANCE – ROOKWOOD CMP 2016

The following description of significant components is taken from Section 4.7 of the Rookwood CMP (2016) and states the following:

*Rookwood Necropolis is one of the largest burial grounds in the world and contains the largest 19th century cemetery in Australia;*

*The scale of design, design features, use of plants, gardenesque layout, high quality and diversity of structures, monuments and details of Rookwood represent a rare surviving example of mid-late 19th century ideals for a major public cemetery. The choices of plants in these sections also demonstrate 19th century funerary etiquette and fashion by way of plant symbolism;*

*The imagination and expertise of a number of prominent individuals are manifest in the historic fabric and design of Rookwood ... This includes its original design and subsequent development over almost 150 years. The Necropolis was designed as a pleasant setting both for the dead and a comforting site for visiting mourners. The landscape was equipped with visitor amenities such as carriageways, paths, plantings, fences, signs, chapels and drainage.*

*Rookwood's memorials form a collection of architectural and monumental craftsmanship without parallel in Australia. They include examples that are unique in themselves or display a high degree of technical accomplishment, and others that represent changes in social burial customs since 1867; Rookwood contains a number of significant buildings, including the Frazer mausoleum, a rare example of mausoleum architecture in NSW.*

*As a social document and genealogical resource, Rookwood is unique in its scale and comprehensiveness. The Necropolis is the burial place of a large number of noteworthy individuals; the Necropolis contains a rare collection of memorials moved from the Devonshire Street burial ground in the city (1901), and the old Petersham cemetery in the (1926-7) [sic]. Headstones record members of the First Fleet, convicts, bushrangers, artists, scientists, businessmen and politicians alongside victims of accident, drowning, fire, epidemics and mass disasters. The cemetery has served a diverse range of faith communities throughout its history and is an important repository of the history of multicultural Sydney and resources for present day communities.*

*Rookwood is of significance in providing habitats for two threatened Ecological Communities (Cumberland Plain Woodlands and Cook's River Castlereagh Ironbark Forest) as well as threatened flora of Commonwealth and/or State significance. It also contains an unusual ecotone where a pocket of Sydney sandstone associated vegetation occurs in the midst of predominantly Wianamatta shale associated vegetation.*



The following elements of Rookwood Cemetery, located in close proximity to the subject site, the north-western corner of the necropolis, are assessed to have exceptional heritage significance:

Table 4 –Taken from Rookwood CMP 2016, Significant Cultural landscapes, buildings and monuments

<b>Description of Elements of Significance</b>	<b>ID No</b>	<b>Significance</b>
Building and Monument – St Michael's Chapel	3	Exceptional
Cultural Landscape - Old Catholic Section No. 1	02	Exceptional
Cultural Landscape – Railway Loop / Corridor Alignment	29	Exceptional

Monuments located within the Old Catholic Section of the Cemetery are held in high esteem by the Rookwood trustees and committees: Maher's Family Vault and Toohey's Family Vault.

## 5. IMPACT ASSESSMENT

### 5.1. STATUTORY CONTROLS

#### 5.1.1. Auburn Local Environmental Plan 2010

The proposed works are addressed in the table below in relation to the relevant clauses in the LEP.

Table 5 – Auburn Local Environmental Plan 2010

Clause	Discussion
<p><b>(1) Objectives</b></p> <p>The objectives of this clause are as follows:</p> <p>(a) to conserve the environmental heritage of the Auburn local government area,</p> <p>(b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,</p> <p>(c) to conserve archaeological sites,</p> <p>(d) to conserve Aboriginal objects and Aboriginal places of heritage significance.</p>	<p>The subject site is not a heritage item.</p> <p>The subject site is in close proximity to Rookwood Cemetery, listed on the State Heritage Register (SHR) as follows:</p> <ul style="list-style-type: none"> <li>Rookwood Cemetery and Necropolis, East Street, Lidcombe (Listing No: 00718).</li> </ul> <p>Rookwood Cemetery is in the Auburn local government area (LGA), under which the <i>Auburn Local Environment Plan 2010</i>, applies and Schedule 5 Environmental Heritage, Part 3 Archaeological Sites lists it as follows:</p> <ul style="list-style-type: none"> <li>Rookwood Cemetery or Necropolis, (Bounded by East and Railway Streets) Rookwood (Item No: A00718).</li> </ul> <p>Located within proximity to the subject site, is a local item of significance listed under the Auburn LEP, 2010, Schedule 5 Environmental Heritage, Part 3 Archaeological Sites:</p> <ul style="list-style-type: none"> <li>Lidcombe Signal Box, Railway Street, between Mark and East Streets (south side of railway lines), Lidcombe, (Item No: A56).</li> </ul>
<p><b>(2) Requirement for consent</b></p> <p>Development consent is required for any of the following:</p> <p>(a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):</p> <p>(i) a heritage item,</p> <p>(ii) an Aboriginal object,</p> <p>(iii) a building, work, relic or tree within a heritage conservation area,</p> <p>(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,</p>	<p>This Heritage Impact Statement (HIS) will assist in understanding the visual impact the proposed Planning Proposal will have on the State listed heritage item of Rookwood Cemetery.</p> <p>The subject site is not a heritage item, nor is it located within a conservation area.</p> <p>There is some potential for archaeological potential and sub-surface remains on the subject site, given part of the site was formerly a private burial ground known as the Quakers Cemetery.</p> <p>No Aboriginal heritage assessment has been undertaken for the site. Given the level of disturbance to the site, there is little potential for Aboriginal significance.</p>



Clause	Discussion
<p>(c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>(e) erecting a building on land:</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land:</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.</p>	
<p><b>(4) Effect of proposed development on heritage significance</b></p> <p>The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p>	<p>This Heritage Impact Statement (HIS) will assist in understanding the visual impact the proposed Planning Proposal will have on the State listed heritage item of Rookwood Cemetery. This heritage item lies within the vicinity of the subject site.</p> <p>Rookwood CMP 2016 was prepared previously for Rookwood Cemetery. This document was reviewed in the preparation of this HIS.</p> <p>The subject site is located within the visual catchment of the State heritage listed Rookwood Cemetery. However, the views are distant and have little adverse heritage impact on the heritage item. The proposed development is consistent with existing commercial development, other Planning Proposals in the immediate vicinity and consistent with the "Draft Auburn and Lidcombe Town Centres Strategy" prepared by Cumberland Council, December 2016.</p>
<p><b>(5) Heritage assessment</b></p> <p>The consent authority may, before granting consent to any development:</p> <p>(a) on land on which a heritage item is located, or</p> <p>(b) on land that is within a heritage conservation area, or</p> <p>(c) on land that is within the vicinity of land referred</p>	<p>This Heritage Impact Statement (HIS) will assist in understanding the visual impact the proposed Planning Proposal will have on the State listed heritage item of Rookwood Cemetery. This heritage item lies within the vicinity of the subject site.</p>

Clause	Discussion
to in paragraph (a) or (b),  require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.	
<b>(6) Heritage conservation management plans</b>  The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.	A conservation management plan is not required for the subject site.  The subject site located at 4-12 Railway Street, Lidcombe, does not reach the threshold for heritage listing.
<b>(7) Archaeological sites</b>  The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the Heritage Act 1977 applies):  (a) notify the Heritage Council of its intention to grant consent, and  (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.	Heritage Council is required to comment on the heritage impacts the Planning Proposal will have on Rookwood Cemetery, a place of State heritage significance.  Given the location of the former Quakers Cemetery on part of the subject site, there is potential for the discovery of archaeological or burial remains on the subject site.
<b>(9) Demolition of nominated State heritage items</b>  The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:  (a) notify the Heritage Council about the application, and  (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.	No demolition work is proposed to the State heritage listed Rookwood Cemetery.  A visual assessment needs to be undertaken to determine impacts on the setting and visual curtilage of Rookwood Cemetery.

### 5.1.2. Conservation Management Plan

The proposed works are addressed in the table below in relation to the relevant policies in the CMP.

Table 6 – Rookwood Conservation Management Plan 2016

Policy	Discussion
<b>Rookwood CMP 2016</b>	Rookwood CMP 2016 did not provide an outline of significant views and vistas within the site.

Policy	Discussion
<p><b>6.4.6 Cultural Landscape</b></p> <p>Rookwood should be managed and conserved as a multi-layered cultural landscape defined by diverse precincts that have been designed and maintained along sectarian lines. Significant configurations of landscape elements, including views and visual corridors, historical circulation routes, symbolic planting schemes, and commemorative arrangements should be retained and respected as Rookwood continues to evolve.</p> <ul style="list-style-type: none"> <li>Existing significant long-distance views, ridge-line views and sightlines within Rookwood should be retained and enhanced, or re-instated where this can be achieved without adverse impact on other heritage items or areas.</li> </ul>	<p>The CMP did assess the Railway Corridor alignment as being a Cultural Landscape feature of exceptional significance - the original railway spur alignment that entered Rookwood from the north. This feature is located to the east of the Old Catholic Cemetery section. The proposed development and Planning Proposal would not hamper or mar this view corridor and landscape feature. Views from the landscape feature to the subject site are mostly obscured by existing mature tree plantings within Rookwood Cemetery.</p> <p>Views within the Old Catholic Section of Rookwood Cemetery to the northwest are long-distance views. There will be some minor views to the subject site, however, these views will be distant and not have an adverse heritage impact on the heritage item and significant elements within Rookwood.</p> <p>In the design development of the site, care should be taken to ensure colour and material selection minimises any adverse heritage impact. This would include ensuring colours are recessive and material selection is non-reflective.</p>
<p><b>Rookwood CMP 2016</b></p> <p><b>6.4.9 Buildings</b></p> <p>Significant buildings in the cemetery should be conserved and where necessary adapted, providing this does not impact negatively on the heritage values of buildings and their landscape setting.</p>	<p>Heritage significant buildings within Rookwood Cemetery and in proximity to the subject site include St Michael's Chapel. Care should be taken to ensure the setting around this heritage item is protected, including the protection and conservation of views to and from the Chapel.</p> <p>Views from St Michael's Chapel to the subject site will have a minimal negative impact on its heritage significance. Views looking toward the subject site will be distant and have little detrimental impact, particularly given the existing commercial development within the local area.</p>

## 5.2. HERITAGE DIVISION GUIDELINES

### 5.2.1. Potential Impacts on Historic Views

Views from Rookwood Cemetery to the subject site are distant views across the Old Catholic Section. Views to the subject site from St Michael's Chapel, a place of exceptional heritage significance, are obscured by tall tree plantings and mature tree canopy. Views to the subject site from the original railway spur alignment entering Rookwood from the north, assessed in the Rookwood CMP 2016 as a cultural landscape feature of exceptional significance, will be obscured by existing clumps of mature tree plantings that run parallel and west of the former railway alignment.

Generally, views northwest to the subject site from within the Old Catholic Section of the Cemetery will be concealed by the proposed 10-storey development located at 1 East Street, Lidcombe.

### 5.2.2. Heritage Impacts in the Vicinity of the Site - SHR

The *Heritage Act 1977* provides for the management of places on the "State Heritage Register" (SHR) and for the excavation of relics and other archaeological remains and deposits generally. Places nearby that are entered on the SHR include the following archaeological sites:

- Rookwood Cemetery or Necropolis, (Bounded by East and Railway Streets) Rookwood (Item No: A00718); and
- Lidcombe Signal Box, Railway Street, between Mark and East Streets (south side of railway lines), Lidcombe, (Item No: A56).

Ravenswood Cemetery, located in proximity to the site, is listed on the State Heritage Register.

The Planning Proposal, prepared by Architecture and Building Works, dated 20.12.2018, recommends a substantial increase in the permissible height - a proposed height uplift on the site from 32m to 45m and some at 55m. Consequently, visual and overshadowing impacts of these sites must be considered. There will be some overshadowing to the southwest, south and southeast throughout the day between equinox and mid-winter. This will not impact on the heritage item of Lidcombe Signal Box, Railway Street. There may be some overshadowing of the most north-western corner of Rookwood Cemetery. This Old Catholic Section of Rookwood Cemetery does not contain buildings. This would mitigate any adverse heritage impact.

Potentially adverse heritage impacts might arise from the scale shift of the proposed development and the nearby heritage items may be mitigated in the finer-grain design of the proposed built form. This could be done in the selection of materials and the articulation of building massing, form and facades. Controls for building exteriors are set out in the Auburn Development Control Plan 2010 (ADCP2010) and these include requirements for mitigating impacts on heritage items.

## 6. CONCLUSION AND RECOMMENDATIONS

The height, density and general form indicated in the Planning Proposal, prepared by Architecture and Building Works, dated 20.12.2018, proposes a height uplift on the site from 32m to 45m and some at 55m as described above, does not adversely and unacceptably impact upon the identified heritage significance of the nearby State Heritage Register listed item of Rookwood Cemetery. The reasons are described as follows:

- Views from Rookwood Cemetery to the subject site are across the Old Catholic Section, a place of exceptional significance. Views close to the north-western corner of the Section will not reveal the subject development. While there will be some minor views to the subject site from locations that are in the south-eastern portion of the Old Catholic Section (on raised land), these views will be distant and not have an adverse heritage impact on the heritage item and significant elements within Rookwood.
- Views to the subject site from St Michael's Chapel, a place of exceptional heritage significance, are generally obscured by tall tree plantings and mature tree canopy. This will have minimal negative impact on its heritage significance. Views looking toward the subject site will be distant and have little detrimental impact, particularly given the existing commercial development within the local area.
- Views to the subject site from the original railway spur alignment entering Rookwood from the north, assessed in the Rookwood CMP 2016 as a cultural landscape feature of exceptional significance, will be obscured by existing clumps of mature tree plantings that run parallel and west of the former railway alignment.
- Generally, views northwest to the subject site from within the Old Catholic Section of the Cemetery will be concealed by the proposed 10-storey development located at 1 East Street, Lidcombe.
- A proposed height uplift on the site is from 32m to 45m and some at 55m. There will be some overshadowing to the southwest, south and southeast throughout the day between equinox and mid-winter. This will not impact on the heritage item of Lidcombe Signal Box, Railway Street. There may be some overshadowing of the most north-western corner of Rookwood Cemetery. This Old Catholic Section of Rookwood Cemetery does not contain buildings. This would mitigate any adverse heritage impact.
- Potentially adverse heritage impacts might arise from the scale shift of the proposed development and the nearby heritage items may be mitigated in the finer-grain design of the proposed built form. This could be done in the selection of materials and the articulation of building massing, form and facades.

There is the potential for the Planning Proposal to be realised in a way which accords with the management recommendations and conservation policies provided for nearby heritage places. We are of the opinion the proposed Planning Proposal is likely to have some minor and acceptable visual impacts upon the identified heritage significance of Rookwood Cemetery.

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*[Note: Some government departments have changed their names over time and the above publications state the name at the time of publication.]*



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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.





The logo for URBIS.COM.AU, featuring the text "URBIS.COM.AU" in a bold, sans-serif font. Above the text is a horizontal line with a color gradient from blue to green.



**DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-387**

**Attachment 8  
Minutes from Council Meeting 17  
October 2018**





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**Min.308      Matter of Urgency – Hard Waste Collection****Resolved (Grove/Rahme)**

That:

1. Council defer consideration of Item C10/18-208 and direct the General Manager to prepare an open Council report, to discuss the effectiveness and costs to the residents of various options for the delivery of hard waste collection;
2. One of the options include the feasibility of delivering a scheduled pickup service of either one or two pickups per year in house; and
3. The further report provided, explore all avenues for delivering the scheduled pickup service at a minimum cost.

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**Min.309      Suspension of Standing Orders****Resolved (Attie/Rahme)**

That in accordance with Clause 1.6 (2) of the Code of Meeting Practice, Council suspend standing orders to allow Item C10/18-204 to be considered at this stage of the meeting.

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**Min.310      C10/18-204 4-12 Railway Street, Lidcombe - Planning Proposal - Endorsement to proceed to Gateway and Community Consultation****Resolved (Attie/Zaiter)**

That Council:

1. Proceed to Gateway submission and formal community consultation with a planning proposal and associated public benefit offer as per Option A, being:
  - a. the existing maximum FSR of 5:1 under Auburn LEP 2010 being retained for the B4 zoned part of the subject site, with a minimum of 0.4:1 non-residential FSR to be provided;
  - b. a provision for a bonus FSR of 0.3:1 for a minimum of 0.6:1 non-residential FSR, subject to the dedication of the RE1 zoned land to Council at no cost, and with an offset of section 7.11 contributions in lieu of this land dedication;
  - c. a maximum building height of 45m apply to the site generally, with:
    - i) a taller element up to a maximum of 55m for a limited portion in the north eastern corner of the site to be shown on the LEP Height of Buildings Map; and
    - ii) a maximum building height of 48m for a limited portion of the south

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eastern corner of the site.

2. Develop site specific DCP controls which include setback and sunlight access controls to ensure the taller element is offset by a corresponding area in the south western part of the site that has lower height, minimising overshadowing of Friends Park and properties to the south.
3. Require the proponent to submit updated Planning Proposal documentation including a revised concept and shadow diagrams, suitable for public exhibition.
4. Require that further detailed modelling be undertaken to help determine site specific DCP controls for building massing.
5. Request that the proponent provide a draft voluntary planning agreement consistent with the public benefit offer outlined in this report to be publicly exhibited with the planning proposal.

The Motion moved by Councillor Attie seconded by Councillor Zaiter on being Put to the meeting was declared CARRIED.

A division was called, the result of the division required in accordance with Council's Code of Meeting Practice is as follows:

Councillor(s) For the Motion: Attie, Cummings, Elmore, Grove, Rahme, Sarkis, Zaiter and Zreika

Councillor(s) Against the Motion: Campbell, Christou, Garrard, Hamed, Huang, Lake and Saha.

Councillor Sarkis left the Meeting at 7:39pm and returned to the Meeting at 8:19pm during the consideration of this item.

Councillor Rahme left the Meeting at 8:08pm and returned to the Meeting at 8:12pm during the consideration of this item.

Councillor Grove left the Meeting at 8:14pm and returned to the Meeting at 8:18pm during the consideration of this item.

Councillor Saha left the Meeting at 8:20pm during the consideration of this item.

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**Min.311 C10/18-198 Progress Report on Town Centre Community Safety and Access Audits**

**Resolved (Rahme/Attie)**

That Council:

1. Receive the report and note the progress on the safety and access audits undertaken;
2. Receive the report on Granville Community Safety and Access Audit; and

Item No: C03/20-388

## **UPDATE ON PLANNING PROPOSAL FOR THE NEW CUMBERLAND LOCAL ENVIRONMENTAL PLAN**

Responsible Division: Environment & Planning  
Officer: Director Environment & Planning  
File Number: S-5750-01  
Community Strategic Plan Goal: *A resilient built environment*

### **SUMMARY**

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This report provides an update on the planning proposal for the new Cumberland Local Environmental Plan, including advice from the Cumberland Local Planning Panel and status of the Gateway Determination process.

### **RECOMMENDATION**

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**That Council:**

- 1. Note the advice of the Cumberland Local Planning Panel on the planning proposal for the new Cumberland Local Environmental Plan; and**
- 2. Note the status of the Gateway Determination process on the planning proposal for the new Cumberland Local Environmental Plan.**

### **REPORT**

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#### ***Background***

In September 2019, Council resolved to endorse the draft Cumberland Local Environmental Plan (LEP) and submit the LEP planning proposal to the Department of Planning, Industry and Environment for a Gateway Determination [Min 686, Item C09/19-219]. The LEP planning proposal seeks to harmonise the three existing LEPs currently in operation across Cumberland, with the aim of creating a consolidated and clear planning framework under a single Cumberland LEP.

#### ***Cumberland Local Planning Panel***

The planning proposal for the new Cumberland LEP was considered by the Cumberland Local Planning Panel on 20 February 2020. The Panel generally supported the proposal and its progression to a Gateway Determination.

The Panel noted that a number of requests for zoning and/or planning control changes, raised by speakers who addressed the Panel, would best be addressed as part of Council's future planning for its strategic corridors and centres.

The Panel also provided further advice on a range of matters for further consideration by Council. These matters are best placed to be considered following Gateway Determination, informed by feedback received during public exhibition.

Further information on the Panel meeting is provided in Attachments 1 and 2.

### ***Gateway Determination process***

Council officers continue to liaise with the Department of Planning, Industry and Environment during the Gateway Determination process. A range of clarifications have been provided to the Department on the contents of the planning proposal for the new Cumberland LEP. Advice from the Cumberland Local Planning Panel and Council's resolution on this paper will also be provided to the Department as part of the Gateway Determination process. It is anticipated that a Gateway Determination will be provided on the planning proposal in the near future.

## **COMMUNITY ENGAGEMENT**

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An extensive consultation program on the draft planning proposal for the new Cumberland LEP will be undertaken, subject to Gateway Determination by the Department of Planning, Industry and Environment. This consultation will be statutory consultation, and will be undertaken in accordance with the relevant conditions of the Gateway Determination.

## **POLICY IMPLICATIONS**

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The preparation of the Cumberland LEP is required under the *Environmental Planning and Assessment Act 1979*. The Cumberland LEP aligns with the strategic directions outlined in Council's Community Strategic Plan and Cumberland 2030: Our Local Strategic Planning Statement.

## **RISK IMPLICATIONS**

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Council is required to submit a planning proposal on the new Cumberland LEP to the Department of Planning, Industry and Environment for finalisation by 30 June 2020. The release of funds from the accelerated Local Environmental Plan funding grant provided by the NSW Government is also linked to this milestone. Support of the planning proposal by the Panel and noting of the advice by Council assists in meeting this milestone.

## **FINANCIAL IMPLICATIONS**

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Work undertaken on the Cumberland LEP, including strategic studies and planned community consultation activities, is funded by the accelerated Local Environmental Plan Funding Grant provided by the NSW Government. The planning proposal for the new Cumberland LEP is required to be submitted to the Department of Planning, Industry and Environment for finalisation by 30 June 2020, in accordance with funding and delivery commitments between Council and the Department.

## CONCLUSION

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This report provides an update on the planning proposal for the new Cumberland Local Environmental Plan, including status of the Gateway Determination process and advice from the Cumberland Local Planning Panel

## ATTACHMENTS

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1. Cumberland Local Planning Panel – Minutes – 20 February 2020 [↓](#) 
2. Cumberland Local Planning Panel - Proposed Approach on Panel Advice [↓](#) 





DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-388

Attachment 1

Cumberland Local Planning  
Panel – Minutes – 20 February  
2020



**Extraordinary Cumberland Local Planning Panel Meeting  
20 February 2020**

Minutes of the Extraordinary Cumberland Local Planning Panel Meeting held at Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Thursday 20 February 2020.

**PRESENT:**

The Hon. Paul Stein AM (Chairperson) QC, Larissa Ozog, Michael Ryan and Allan G Ezzy AM APM.

**IN ATTENDANCE:**

Karl Okorn, Monica Cologna, Esra Calim, Fiona McDermott, Olivia Shields and Paulette Maroon.

**NOTICE OF LIVE STREAMING OF CUMBERLAND LOCAL PLANNING PANEL MEETING**

The Chairperson advised that the Cumberland Local Planning meeting was being streamed live on Council's website and members of the public must ensure their speech to the Panel is respectful and use appropriate language.

The meeting here opened at 11:32a.m.

**DECLARATIONS OF INTEREST:**

There were no declarations of interest.

**ADDRESS BY INVITED SPEAKERS:**

The following persons had made application to address the Cumberland Local Planning Panel meeting:

<u>Speakers</u>	<u>Item No. Subject</u>
Ms Shellie Oats	Planning Proposal for the new Cumberland Local Environmental Plan
Mr Adan Davis	Planning Proposal for the new Cumberland Local Environmental Plan x2
Helen Wong	Planning Proposal for the new Cumberland Local Environmental Plan
Balwinder Singh	Planning Proposal for the new Cumberland Local Environmental Plan
Rohit Sandlesh	Planning Proposal for the new Cumberland Local Environmental Plan
Kim Riley	Planning Proposal for the new Cumberland Local Environmental Plan

**Extraordinary Cumberland Local Planning Panel Meeting  
20 February 2020**

The Chairperson enquired to those present in the Gallery as to whether there were any further persons who would like to address the Panel and the below individuals presented themselves.

<u>Speakers</u>	<u>Item No. Subject</u>
Yildiz Yigiter	Planning Proposal for the new Cumberland Local Environmental Plan
Lily Yin	Planning Proposal for the new Cumberland Local Environmental Plan

The open session of the meeting here closed at 12:15pm.

The closed session of the meeting here opened at 12:16pm

ITEM LPP007/20, LPP008/20, LPP009/20 –

PLANNING PROPOSAL FOR THE NEW CUMBERLAND LOCAL ENVIRONMENTAL PLAN,

APPROACH TO DRAFTING OF PLANNING CONTROLS FOR THE NEW CUMBERLAND LOCAL ENVIRONMENTAL PLAN

PROPOSED LAND USE TABLES AND PLANNING APPROACH FOR SELECTED LAND USES FOR THE NEW CUMBERLAND LOCAL ENVIRONMENTAL PLAN.

**PANEL RECOMMENDATION:**

That the Cumberland Local Planning Panel (CLPP) generally support the planning proposal for the new Cumberland Local Environmental Plan and progress the proposal to Gateway. The Panel also makes the following further recommendations and comments:

1. **Response to submissions at public meeting:**
  - a. **Submission of Shelley Oates and Malcolm Jacobson seeks residential and shop top housing in relation to 40-44, 46-48, 50-54 Parramatta Road and 75 and 76 Jellicoe Street, Lidcombe currently zoned B6 zone. This will be considered in the consideration of the Parramatta Road Corridor Strategy.**
  - b. **Submission of Adan Davis on behalf of property owners of 224-240 Pitt Street and 2-6 Gladstone Street, Merrylands within the Neil Street Precinct seeking an R4 zoning with additional uses on the ground floor. The Panel sees merit in a B4 zoning being appropriate to these properties. However it is open to the owners to make a submission at the public exhibition stage. The Panel acknowledges there is an anomaly in the application of the B6 zone as it applies to the Neil Street Precinct which needs to be corrected.**

- c. Submission of Adan Davis on behalf of property owners 246-260 Woodville Road and 2-4 & 8-16 Lansdowne Street, Merrylands (John Cootes site) seeking a change of the FSR from 2:1 to 2.2:1. The Panel endorses the recommended FSR of 2:1. The Panel acknowledges that there is mapping anomaly in the draft LEP in relation to height and floor space ratio that needs to be corrected to reflect the Council resolution Min. 424, Item C02/19-15 dated 20 February 2019.
- d. Submission of Helen Wong, representing the owners of 524 Woodville Road, Guildford seeking R4 zoning from a presently R2 zoning. This will be considered in the preparation of the Woodville Road Corridor Strategy. However, it is open to the owners to make a submission at the public exhibition stage.
- e. Submission of Balwinder Singh, the owner of 270 Great Western Highway, Wentworthville seeking rezoning from R2 to R4. It is appropriate that this be considered at a later stage. Nonetheless, it is open to the owner to make a submission at the public exhibition stage.
- f. Submission of Rohit Sandlesh, the owner of 268 Great Western Highway, Wentworthville seeking rezoning from R2 to R4. It is appropriate that this be considered at a later stage. Nonetheless, it is open to the owner to make a submission at the public exhibition stage.
- g. Submission of Kim Riley seeking that places of public worship be permitted in all zones throughout the Local Government Area. The Panel is of the opinion that it would be inappropriate to extend places of public worship in the R2 zones. However, it may be appropriate to consider places of public worship in the business zones.
- h. Submission of Yildiz Yigiter owner of 116 Elizabeth Street, Granville seeking R4 in lieu of R2. This will be considered in the preparation of the Woodville Road Corridor Strategy. However, it is open to the owners to make a submission at the public exhibition stage.
- i. Submission of Lily Yin owner of 61 the Trongate Street, Granville speaking on behalf of her daughter said to be owner of 81 Woodville Road, Granville seeking to run a business in an R2 zone. The Panel notes that the R2 zone restricts certain business activities to a home occupation, home industry and home business.

## **2. Sex Service Premises:**

The draft Cumberland LEP permits sex services with consent only in the IN1 zone. The Panel is of the opinion that sex services with consent should be considered within the B4 and B6 zones.

## **3. Places of Public Worship:**

The Panel is of the opinion that it may be appropriate to consider places of public worship in the business zones. The Panel is of the view that this use is

consistent with the diversity of uses within business zones. The Panel acknowledges existing use rights apply to many such uses within the Local Government Area. The Panel endorses the recommended minimum lot size of 2000sqm in R3 and R4 zones. The Panel notes that the issue of parking will be dealt with by Development Control Plan provisions.

#### **4. B6 Zones**

The Panel recommends that shop top housing be considered for inclusion in the B6 zones as part of the Council's future strategic corridor planning. The Panel is of the view that the non-residential component of the housing should be at least 30% of the gross floor area of the building.

#### **5. Waste Transfer Stations**

The Panel is of the opinion that all land uses encompassing the disposal and management of waste be confined to the industrial zonings. The Panel also requests further investigation of the applicability of waste land use definitions for the purpose of consistency between the industrial zones.

#### **6. Industrial Zone Uses**

The Panel recommends that an objective be added to all industrial zones to encourage and promote innovative and creative industries and for these uses to be permissible.

#### **7. Objectives of Height and FSR Development Standards**

The Panel recommends that in relation to both the height and FSR development standards the following objective should be included to read as follows:

"To minimise the visual impact of development and ensure sufficient solar access and privacy for neighbouring properties is achieved."

#### **8. Aims of Plan**

The Panel recommends that an additional aim of the plan be added as follows:

"6. To encourage and promote development that is environmentally sustainable".

#### **9. Architectural Roof Features**

The Panel recommends that the proposed objective "e" be deleted as it does not encourage innovation in roof design.

#### **10. Kiosks**

The Panel recommends that the proposed size of kiosks be a gross floor area maximum of 50sqm.

For: The Hon. Paul Stein AM (Chairperson) QC, Larissa Ozog, Michael Ryan and



Allan G Ezzy AM APM.

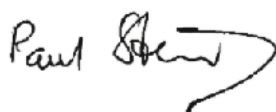
**Against:** Nil.

The closed session of the meeting here closed at 2:40pm

The open session of the meeting here opened at 2:42pm. The Chairperson delivered the Cumberland Local Planning Panel's resolutions to the Public Gallery.

The meeting terminated at 2:43pm.

Signed:



The Hon. Paul Stein AM  
Chairperson



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-388

Attachment 2

Cumberland Local Planning  
Panel - Proposed Approach on  
Panel Advice



**PLANNING PROPOSAL FOR NEW CUMBERLAND LOCAL ENVIRONMENTAL PLAN – PROPOSED APPROACH ON PANEL ADVICE**

Panel advice	Proposed approach on Panel advice			
	Minor correction/ typographical error to be amended prior to exhibition	Further consideration following Gateway Determination and public feedback	Consideration as part of Council's future strategic planning program	Noted
1a. permissibility of residential and shop top housing sought for 40-44, 46-48, 50-54 Parramatta Road and 75 and 76 Jellicoe Street, Lidcombe, currently zoned B6 zone. To be considered as part of the Parramatta Road Corridor Strategy			●	
1b. 224-240 Pitt Street and 2-6 Gladstone Street, Merrylands within the Neil Street Precinct seeking R4 zoning with additional uses on the ground floor. The Panel: <ul style="list-style-type: none"> <li>- acknowledges there is an anomaly in the application of the B6 zone as it applies to the Neil Street Precinct which needs to be</li> <li>- sees merit in a B4 zoning being appropriate to these properties. However it is open to the owners to make a submission at the public exhibition stage.</li> </ul>		●		
1c. 246-260 Woodville Road and 2-4 & 8-16 Lansdowne Street, Merrylands (John Cootes site) seeking a change of the FSR from 2:1 to 2.2:1. The Panel: <ul style="list-style-type: none"> <li>- endorses the recommended FSR of 2:1.</li> <li>- acknowledges that there is mapping anomaly in the draft LEP in relation to height and floor space ratio that needs to be corrected to reflect the Council resolution Min. 424, Item C02/19-15 dated 20 February 2019</li> </ul>	●			
524 Woodville Road, Guildford seeking rezoning from R2 to R4. Will be considered in the preparation of the Woodville Road Corridor Strategy. However, it is open to the owners to make a submission at the public exhibition stage		●	●	
1e. and f. 268 and 270 Great Western Highway, Wentworthville seeking rezoning from R2 to R4. It is appropriate that this be considered at a later stage. Nonetheless, it is open to the owner to make a submission at the public exhibition stage		●	●	

Panel advice	Proposed approach on Panel advice			
	Minor correction/ typographical error to be amended prior to exhibition	Further consideration following Gateway Determination and public feedback	Consideration as part of Council's future strategic planning program	Noted
1g. speaker seeking places of public worship be permitted in all zones throughout the LGA. The Panel is of the opinion that it would be inappropriate to extend places of public worship in the R2 zones. However, it may be appropriate to consider places of public worship in the business zones.		●		●
1h. owner of 116 Elizabeth Street, Granville seeking R4 in lieu of R2. Will be considered in the preparation of the Woodville Road Corridor Strategy. However, it is open to the owners to make a submission at the public exhibition stage		●	●	
1i. owner of 81 Woodville Road, Granville seeking to run a business in an R2 zone. The Panel notes that the R2 zone restricts certain business activities to a home occupation, home industry and home business.				●
2. Sex Service Premises: The draft Cumberland LEP permits sex services with consent only in the IN1 zone. The Panel is of the opinion that sex services with consent should be considered within the B4 and B6 zones.		●		●
3. Places of Public Worship. The Panel is of the view: - that it may be appropriate to consider places of public worship in the business zones. - that this use is consistent with the diversity of uses within business zones. - acknowledges existing use rights apply to many such uses within the LGA. - endorses the recommended minimum lot size of 2000sqm in R3 and R4 zones. - notes that the issue of parking will be dealt with by DCP provisions.				●
4. B6 Zones. The Panel: - recommends that shop top housing be considered for inclusion in the B6 zones as part of the Council's future strategic corridor planning. - is of the view that the non-residential component of the housing should be at least 30% of the gross floor area of the building.		●		●



Panel advice	Proposed approach on Panel advice			
	Minor correction/ typographical error to be amended prior to exhibition	Further consideration following Gateway Determination and public feedback	Consideration as part of Council's future strategic planning program	Noted
5. Waste Transfer Stations. The Panel: - is of the opinion that all land uses encompassing the disposal and management of waste be confined to the industrial zonings. - also requests further investigation of the applicability of waste land use definitions for the purpose of consistency between the industrial zones.		●		●
6. Industrial Zone Uses. The Panel recommends that an objective be added to all industrial zones to encourage and promote innovative and creative industries and for these uses to be permissible.		●		●
7. Objectives of Height and FSR Development Standards. The Panel recommends that in relation to both the height and FSR development standards the following objective should be included to read as follows: "To minimise the visual impact of development and ensure sufficient solar access and privacy for neighbouring properties is achieved."		●		●
8. Aims of Plan The Panel recommends that an additional aim of the plan be added as follows: "6. To encourage and promote development that is environmentally sustainable".		●		●
9. Architectural Roof Features The Panel recommends that the proposed objective "e" be deleted as it does not encourage innovation in roof design.		●		●
10. Kiosks The Panel recommends that the proposed size of kiosks be a gross floor area maximum of 50sqm		●		●



Item No: C03/20-389

## **RESPONSE TO NOTICE OF MOTION - RESPONSIBLE PET OWNERSHIP EDUCATION PROGRAM**

Responsible Division: Works & Infrastructure  
Officer: Director Works & Infrastructure  
File Number: SC483  
Community Strategic Plan Goal: *A safe accessible community*

### **SUMMARY**

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This report provides a response to the Notice of Motion (C09/19-223, Min.689) considered at Council's meeting of 18 September 2019, seeking a report into the development of a Responsible Pet Ownership Education Program.

### **RECOMMENDATION**

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**That Council receive the information contained within this report relating to an expanded Responsible Pet Ownership Education Program, for implementation across the Cumberland City Council area.**

### **REPORT**

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At Council's meeting of 18 September 2019, Item C09/19-223, Min 689 contained a Notice of Motion relating to the development of a Responsible Pet Ownership Education Program. In considering this item, Council resolved the following:

*"That Council:*

- 1. Prepare a report on the development and delivery of an ongoing pet education program for members of the community that explains the responsibilities, costs and benefits associated with responsible pet ownership;*
- 2. Investigate whether it is possible to provide an incentive to those that participate in Council's pet education program, such as free or subsidised microchipping and animal de-sexing, that would encourage the uptake of the pet education program;*
- 3. Investigate the issue of stray and feral cats in the local government area and devise a plan to efficiently and effectively control them in order to improve public health and safety; and*
- 4. Undertake consultation with the Companion Animals Advisory Committee in relation to the items above."*

In response to this Notice of Motion, staff have reviewed existing pet education initiatives which at present involve interacting with the community through stall attendance at events, providing written information relating to responsible pet ownership (via Council's website and dedicated pamphlets) and through general discussions with Council staff during the normal course of their duties when responding to companion animal matters. Additionally, community engagement is also undertaken through the operation of a Companion Animal Advisory Committee.

In order to further educate the community on the potential costs associated with pet ownership, it is important to recognise the host of changes proposed to be implemented by the NSW Government from 1 July 2020. In this regard, owners of cats that are not de-sexed by four months of age will be required to pay an \$80 annual permit in addition to the one-off lifetime pet registration fee. Exemptions will be in place for cats that are registered before 1 July 2020 and for cats kept for breeding purposes by members of recognised breeding bodies. Furthermore, from 1 July 2020 owners of dogs that are of a restricted breed or declared to be dangerous will be required to pay a \$195 annual permit in addition to their one-off lifetime pet registration fee. Information relating to these legislative changes are well covered on the Office of Local Government website and as part of a review of the content on Council's newly launched website. Staff will ensure that a link is provided to this information and other relevant factsheets developed by the Office of Local Government.

An allocation of funding will allow for enhanced initiatives such as the subsidised microchipping of cats and dogs, which will assist in the identification of animals that may be found roaming and will allow for contact to be made with the registered owner for the animal to be returned in a prompt manner.

Initial trialling of this initiative at the PetFest event resulted in Council being able to offer this service at \$30 per microchip through an agreed charge at a local veterinary facility. Although the cost of having an animal microchipped can vary from vet to vet, Council would look to partner with a local clinic in offering this service at a set rate (similar to previously achieved). In this regard and using \$30 as an indicative cost per microchip, it is proposed that Council initially allocate \$7,000 for this purpose meaning that approximately 230 microchipping vouchers could be offered to local residents.

Other costs associated with improving Council's pet identification initiative include the purchase of a specialised engraving machine and animal identification tags. With these initiatives, it is envisaged that the basic identification of animals will assist greatly with the rehoming rates across Council.

Council Officers have also considered incentives to encourage the de-sexing of a cat or dog which from surveying local veterinary clinics was found to be approximately \$140 on average. The costs associated with subsidising such a procedure are therefore considered to be outside of available budget at this time. It is therefore recommended that Council rely upon the host of legislative changes proposed to be implemented by the NSW Government from 1 July 2020 and that Council staff efforts

be placed in providing information to the Cumberland community on the financial implications should they choose not to de-sex a cat or dog.

A summary of the estimated costs associated with each of the initiatives discussed throughout this report is outlined in Table 1 below:

**Table 1**

<b>Item</b>	<b>Cost</b>
Responsible Pet Ownership leaflets	\$2,000
Subsidise microchipping	\$7,000
Engraving Machine	\$7,000
Animal Tags	\$4,000
<b>Total</b>	<b>\$20,000</b>

It is also acknowledged that a strategic approach to Council's management of companion animals should be considered and in this regard, a draft Companion Animals Policy has been prepared and will be presented to Council for consideration under a separate report. Public exhibition of the draft Policy would provide further opportunities for engagement with the local community on responsible pet ownership as areas such as community education, animal registration, de-sexing of companion animals, nuisance animals, the control of dogs, cats and feral cats are all considered within that document.

## **COMMUNITY ENGAGEMENT**

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The development of a Companion Animal Policy (as currently drafted) would be subject to Council's standard public exhibition process. Other initiatives proposed within this report would be subject to a localised promotion at the time of events, or as determined time appropriate, to work in with other responsible pet ownership initiatives throughout the calendar year.

## **POLICY IMPLICATIONS**

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As part of Council's overall response to responsible pet ownership, a draft Companion Animal Policy has been developed for the consideration of Council (presented in a separate report).

## **RISK IMPLICATIONS**

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There are no risk implications for Council associated with this report.

## **FINANCIAL IMPLICATIONS**

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There are no financial implications for Council associated with this report, as the budget required for implementation of the initiatives highlighted within this report can be funded through efficiency savings.

## CONCLUSION

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Council staff have undertaken a review of current pet education programs in response to the Notice of Motion and considered additional methods to increase the awareness of responsible pet ownership across the Cumberland City Council area. It is therefore recommended that the initiatives detailed within this report be supported.

## ATTACHMENTS

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Nil



Item No: C03/20-390

## **DRAFT COMPANION ANIMALS POLICY**

Responsible Division: Works & Infrastructure  
Officer: Director Works & Infrastructure  
File Number: SC120-02  
Community Strategic Plan Goal: *A safe accessible community*

## **SUMMARY**

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This report seeks approval from Council to Exhibit the Cumberland City Council Companion Animals Policy.

## **RECOMMENDATION**

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**That Council:**

- 1. Place the Draft Cumberland City Council Companion Animals Policy on public exhibition for a period of 28 days.**
- 2. Receive a further report on submissions received and any amendments proposed, prior to adoption of a Cumberland City Council Companion Animals Policy.**

## **REPORT**

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At Council's Meeting of 18 September 2019 (Min 689) the Notice of Motion – Responsible Pet Ownership Education Program was tabled for consideration. In formulating a response to this matter, it was identified that the Cumberland community would benefit from development of a strategic document that clearly outlines how Council manages companion animals across the Cumberland Local Government Area. The Draft Companion Animals Policy is considered that strategic document, which is now proposed to be placed on public exhibition for feedback to be received from the Cumberland Community.

Companion animals promote the health and happiness of their owners, and of those who come in contact with the animals. While most pet owners are responsible, certain owners do not behave responsibly or effectively control their animals. This can cause conflict in the community, particularly in open space areas where there are many competing uses.

The Companion Animals Policy recognises that effective management of domestic pets needs a balanced approach, due to the significant social and health benefits of pet ownership. The Companion Animals Policy intends to achieve this by:

- Implementing, wherever possible, a 'Low Kill' policy and working in conjunction with the 'veterinary practitioners and Animal Holding Facilities to achieve this.
- Promoting the importance of companion animals to the wellbeing of people living in an urban environment and encouraging responsible pet management.
- Promoting responsible pet ownership through education, information and encouraging pet owners to register, microchip and de-sex their cats and dogs.
- Reducing the number of lost and wandering cats and dogs by educating pet owners about the importance of identifying, registering and maintaining control of their animals
- Meeting the requirements of the Companion Animals Act 1998 (NSW) in relation to dogs which may be considered a nuisance, menacing, or dangerous, as well as restricted dogs.
- Identifying, promoting, and assessing the suitability and sufficiency of off-leash parks and open space areas for dog exercise relative to continuing changes in population demographics.
- Monitoring compliance with the Companion Animals Act 1998 (NSW) and Companion Animals Regulation 2018 (NSW), and using enforcement sanctions where appropriate.

## COMMUNITY ENGAGEMENT

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The views of the Companion Animal Advisory Committee were considered in drafting the Policy.

The *Draft Cumberland City Council Companion Animals Policy* will be placed on public exhibition for a period of 28 days, inviting submissions through advertisement in local newspapers and on Council's 'Have Your Say' community engagement website.

## POLICY IMPLICATIONS

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There are no policy implications for Council associated with this report.

## RISK IMPLICATIONS

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There are no risk implications for Council associated with this report.

## FINANCIAL IMPLICATIONS

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There are no financial implications for Council associated with this report.

## CONCLUSION

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This report recommends that Council place the Draft Policy on Public Exhibition for a period of 28 days.

## ATTACHMENTS

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1. Draft Companion Animals Policy [↓](#) 



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-390

Attachment 1  
Draft Companion Animals Policy





# COMPANION ANIMALS POLICY

## PURPOSE

Cumberland City Council values pet ownership and is committed to encouraging responsible pet ownership to benefit the entire community, including the welfare of the pets within. Council appreciates that companion animals can promote the health and happiness of owners and of those who come in contact with the animals. While most pet owners are responsible, certain owners do not behave responsibly including the effective control of their animals. This can cause conflict within the community, particularly in open space areas where there may be competing uses.

## SCOPE

This policy applies to dogs and cats only.

### The Companion Animals Act 1998

The *Companion Animals Act 1998* ('the Act') addresses the rights and responsibilities of companion animal owners. The aim of the Act is to protect the rights and responsibilities of animals and their owners, in balance with the rights and responsibilities of others within the community.

Under the Act, there is a requirement for permanent pet identification and lifetime registration, to ensure that a pet can be returned home in the event that is injured, lost or stolen. Other matters covered by the legislation include Council's regulatory powers in relation to the control of cats and dogs, off leash areas in public open space, dangerous dogs, restricted breeds, seized animals and assistance animals for people with a disability.

## DEFINITIONS

**Authorised Officer** - An employee of Cumberland City Council authorised to perform regulatory functions for the purposes of the *Companion Animals Act 1998 (NSW)*.

**Cat** – Means an animal of the species *Felis catus*

**Companion animal** – Means each of the following:

- a) A dog,
- b) A cat,
- c) Any other animal that is prescribed by the regulations as a companion animal

**Council pound** – Means each of the following:

- a) A public or private pound established by a Council under the *Impounding Act 1993*, or

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- b) Any other place approved by a Council as a place for the holding of animals for the purposed of this Act (*Companion Animals Act, 1998*)

**Dog** - Means an animal (of either sex, or desexed, and whether or not domesticated) of a species with the scientific name *Canis familiaris*, *Canis lupus familiaris*, *Canis lupus dingo*, *Canis familiaris dingo* or *Canis dingo*, or a synonym of any of those names, and including a hybrid of any of those species.

**Dangerous dog** - a dog for the time being the subject of a declaration by an Authorised Officer of a council or a court under the *Companion Animals Act 1998 (NSW)* that the dog is a dangerous dog.

**Dog attack** - the act of a dog rushing at, attacking, biting, harassing or chasing any person or animal (not vermin), whether or not any injury is caused to the person or animal.

**Menacing dog** - a dog for the time being the subject of a declaration by an Authorised Officer of a council under section 34 (1A) or a court under section 45 (1A) of the *Companion Animals Act 1998 (NSW)* that the dog is a menacing dog.

**Nuisance cat** - a cat is a nuisance if the cat:

- (a) makes a noise that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or
- (b) repeatedly damages anything outside the property on which it is ordinarily kept.

**Nuisance dog** - a dog is a nuisance if the dog:

- (a) is habitually at large, or
- (b) makes a noise, by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or
- (c) repeatedly defecates on property (other than a public place) outside the property on which it is ordinarily kept, or
- (d) repeatedly runs at or chases any person, animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock) or vehicle, or
- (e) endangers the health of any person or animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock), or
- (f) repeatedly causes substantial damage to anything outside the property on which it is ordinarily kept.

**Restricted dogs** - The following dogs are restricted dogs for the purposes of the *Companion Animals Act 1998 (NSW)*:

- (a) American pit bull terrier or pit bull terrier,
- (b) Japanese Tosa,
- (c) Dogo Argentino,
- (c1) Perro de Presa Canario or Presa Canario,
- (d) Fila Brasileiro,
- (d1) any other dog of a breed, kind or description whose importation into Australia is prohibited by or under the *Customs Act 1901 (Cth)*,

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- (e) any dog declared by an Authorised Officer of a Council under Division 6 of this Part to be a restricted dog,
- (f) any other dog of a breed, kind or description prescribed by the *Companion Animals Regulation 2018 (NSW)*.

**Off-Leash Area** - A public place that is declared to be an off-leash area by order of council.

**Veterinary practitioner** – has the same meaning as in the *Veterinary Practice Act 2003*.

## POLICY STATEMENT

Cumberland City Council recognises that effective management of domestic pets needs a balanced approach, due to the significant social and health benefits of pet ownership. The Cumberland City Council Companion Animals Policy intends to achieve this by:

- Implementing, wherever possible, a 'low kill' position and working in conjunction with the veterinary practitioners and animal holding facilities to achieve this.
- Promoting the importance of companion animals to the wellbeing of people living in an urban environment and encouraging responsible pet management.
- Promoting responsible pet ownership through education, information and encouraging pet owners to register, microchip and desex their cats and dogs.
- Reducing the number of lost and wandering cats and dogs by educating pet owners about the importance of identifying, registering and maintaining control of their animals
- Meeting the requirements of the *Companion Animals Act 1998 (NSW)* in relation to dogs which may be considered a nuisance, menacing, or dangerous, as well as restricted dogs.
- Identifying, promoting, and assessing the suitability and sufficiency of off-leash parks and open space areas for dog exercise relative to continuing changes in population demographics.
- Monitoring compliance with the *Companion Animals Act 1998 (NSW)* and *Companion Animals Regulation 2018 (NSW)*, and using enforcement sanctions where appropriate.

## PRINCIPLES

This policy has been developed with reference to the *Guideline on the Exercise of Functions under the Companion Animals Act* issued by the Department of Premier and Cabinet (NSW).

## REQUIREMENTS

### 1. COMMUNITY EDUCATION STRATEGY

Education and awareness of pet and non-pet owners is the key to achieving responsible pet ownership and community harmony. Council will implement ongoing, effective, and community sensitive education strategies to encourage and reinforce responsible pet ownership.

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Council Environmental Protection Officers are the 'front line' of this community education strategy. Council Environmental Protection Officers will raise awareness of the responsibilities of pet owners with regard to their pets, raise awareness of the importance and benefits of pet ownership, particularly to non-pet owners and inform non-pet owners (particularly children and their parents) about animal behaviour.

**Council Environmental Protection Officers will educate and inform the community about responsible pet ownership through:**

- Regularly monitoring parks and talking to pet owners, providing information about responsible pet ownership and their obligations under the Act;
- Effectively promoting park signage, particularly in off-leash areas;
- Providing information on Council's website and at community events;
- Providing information materials at Council's Customer Service Counter on responsible pet ownership.

## **2. REGISTRATION OF DOGS AND CATS - NSW COMPANION ANIMALS REGISTER**

Dogs must be registered by 6 months of age and cats must be registered by 4 months of age.

Cats and dogs must both be microchipped by 12 weeks of age.

Compliance with the above requirements assists Cumberland City Council (and other councils) in returning pets to their owners in the instance of a pet becoming lost, hurt or stolen. It is therefore imperative that animal owners also update the Companion Animal Register should any registration details change.

- For more information on pet registration, including registration fees, refer to the **Microchipping & Registration page of the Office of Local Government website**.
- Change of Owner/Details and Change of Address Forms can be obtained from **Council's website** and the **Office of Local Government website**.

## **3. LOST, SEIZED AND SURRENDERED PETS**

Council understands how distressing losing a pet can be and therefore attempts to locate owners for return of the animal as soon as possible. Under legislative obligations however, Council will provide owners 14 days to claim a registered pet, or 7 days to claim an unregistered pet before re-homing options are considered.

It is Council's preference to return all unaccompanied pets home safely to their owners rather than impound an animal, however this approach is only successful if the animal is micro-chipped and the registration details are up to date.

## **4. DE-SEXING**

Desexing helps to reduce aggressive behaviour in animals, thereby assisting owners with control requirements. It is therefore preferable that pets be desexed, unless they are intended for breeding.



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Desexing is also recognised to assist in reducing the number of abandoned companion animals and serves to prevent unnecessary suffering of unwanted animals.

## 5. NUISANCE ANIMALS

Residents may contact Council to report nuisance animal issues. Wherever possible, complaints will be followed up by Cumberland City Council Environmental Protection Officers within 24 hours.

Residents who lodge a nuisance animal complaint may also be asked to complete an Animal Nuisance Kit. This information assists Council in the collection of evidence, which may be required in the event that the owner of the nuisance animal fails to take steps to abate the nuisance (e.g. persistent noise from a barking dog).

Should a dog repeatedly make noise (e.g. barking), cause damage, or chase people/animals/vehicles, Council can issue a Nuisance Order. A nuisance Order remains in force for six (6) months. If during this time the owner then fails to stop the animal causing a nuisance, they are in breach of the order and may incur a penalty.

In responding to community concerns, it is acknowledged that persistent dog barking can be a neighbourhood nuisance caused by boredom, lack of exercise and stimulation, or confinement to an inappropriately small space. To address dog barking, Council will pursue positive and proactive approaches such as providing off-leash areas for dogs to socialise, community education and training for dog owners.

A cat may also be declared a nuisance if it persistently makes noise that unreasonably interferes with the wellbeing of neighbours or if it repeatedly damages the property of others.

## 6. CONTROL OF DOGS

### 6.1 Off-leash areas

Off-leash exercise helps to relieve boredom in animals by allowing an outlet for pent up energy, particularly where an animal may be confined to indoor or small spaces. Regular off-leash exercise may also reduce incidences of unacceptable nuisance behaviour, such as uncontrolled barking.

The use of public parks must however be managed in partnership with other park users, including cyclists, children at play, recreational walkers, and picnickers. To maximise opportunities for off-leash exercising and the socialising of dogs, Council has designated off-leash park and open space areas.

**Council's off-leash areas are:**

- Hampden Road Reserve- 8 Hampden Road, South Wentworthville
- Dirrabari Reserve Pemulwuy
- Gardenia Parade Park, Greystanes
- Coleman Park - Lidcombe Nottingham Road Berala
- Webbs Avenue Park - Auburn
- Wyatt Park Church Street, Lidcombe

## Council Policy Companion Animals

Even though dogs are permitted off leash in these areas, owners are required by the Act to have effective control of their animals at all times (e.g. by using voice commands). This ensures the safety of the animal, other dogs and people. Because of this requirement, Council does not provide fencing in all designated off-leash areas.

In wishing to facilitate a positive experience for Cumberland residents, Council will aim in the first instance to provide education and information to dog owners regarding on-leash/off-leash areas and prohibited public spaces. Fines will however be issued for non-compliance with any direction given.

In order to respond to the changing needs of the Cumberland community, Council will regularly review the provision of off-leash / on-leash areas. Any changes to off-leash areas will involve community consultation and on-site notices. A current list of approved off-leash areas will also be maintained on Council's website.

**The following criteria will be used as a guide for assessing potential off-leash areas:**

- Scope for building community wellbeing and interaction, in addition to providing social opportunities for residents.
- Size - sufficient to exercise dogs and provide a safe environment for dogs to run freely.
- Accessibility
- Proximity to other off-leash areas
- Mix of uses prevalent in the area
- Unsuitable proximity to public places (such as childcare centres, playgrounds or sports fields) and the nature of any dividing fence or barrier between those areas

Effective, welcoming and positive signage will be used to identify off-leash parks and open spaces. Dog tidy stations will also be installed and maintained at all off-leash parks.

### 6.2 Prohibited areas

**Under Section 14 of the Act, dogs are prohibited at all times in the following public places:**

- Children's playgrounds
- Recreation areas, such as sports fields, ovals, pitches and courts (subject to Council determination and signage)
- School grounds
- Childcare centres
- Shopping areas (subject to Council determination and signage)
- Wildlife protection areas.

### 6.3 Dogs in outdoor dining areas

Under the Act, café and restaurant operators are able to decide whether or not to allow dogs to enter their outdoor dining area. When allowed by café and restaurant owners, dogs are permitted in outdoor dining areas only, generally provided on public footways with temporary infrastructure to indicate the boundaries of the area.



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**Where café and restaurant operators decide to allow dogs in their outdoor dining area the following conditions must be complied with:**

**Council designated on-leash area:**

- The outdoor dining area must not be enclosed and must be able to be entered by the public without passing through an enclosed area
- Dogs must be on a leash at all times
- Dogs must be on the ground at all times
- Dogs can be provided with drink but not food
- Dangerous and restricted dogs are prohibited.

**Council designated off-leash area:**

- Dogs must be under effective control
- Dogs can be provided with food as long as the food is on the ground and not provided using an apparatus that is used for human food consumption
- Dogs can sit on a person's lap, but must not be allowed to sit on any table or chairs or make contact with other apparatus provided for the consumption of food by humans

**Dogs are not permitted in food preparation areas at any time.**

Owners are responsible for the dog's behaviour and for ensuring that it does not impact on the welfare of other people, dogs and animals in outdoor dining areas. Operators of outdoor dining areas are responsible for informing their patrons of the conditions for having dogs in food consumption areas and should monitor compliance with these requirements.

**6.4 Dog Faeces**

Owners have a legal and social responsibility to pick up after their dogs. Uncollected faeces pose potential health risks, especially in playgrounds, on sports fields, on neighbouring properties, and on public footpaths.

Council will provide dog tidy stations (including dog litter bags) at all off-leash parks and other suitable locations.

It is an offence not to put dog litter in the bin. Fines will be issued for non-compliance.

**6.5 Dog attacks**

Council strongly encourages dog attack victims to report the incident to Council and NSW Police as soon as possible. Environmental Protection Officers will follow up all complaints and reports within 24 hours.

A dog that has attacked may be declared to be a Dangerous Dog by Council.

**6.6 Restricted and Dangerous Dogs**

Some breeds of dog are "restricted". It is illegal to sell, give away, acquire or breed with a restricted dog. It is also prohibited to import a restricted breed into Australia. The following dogs are "restricted dogs" under the Act:

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- American pit bull terrier or pit bull terrier,
- Japanese Tosa,
- Dogo Argentino,
- Fila Brasileiro,
- Any other dog of a breed, kind or description whose importation into Australia is prohibited by or under the *Customs Act 1901 (Commonwealth)*
- Any dog declared to be a restricted dog by an authorised Council officer
- Any other dog of a breed, kind or description prescribed by the *Companion Animals Regulation 2018 (NSW)*.

A current list of restricted breed dogs can also be found in the definition section of the Act.

A Dangerous Dog is a dog that threatens or attacks members of the public or animals and has been declared as “dangerous” by a Council or a court under the Act.

Once a dog has been declared dangerous, owners must keep their dog in compliance with requirements outlined in the Act. Severe penalties may be imposed and/or the dog may be seized and destroyed if the requirements are not met.

**Additional information on the rules and regulations that relate to restricted and dangerous dogs can be found in the *Restricted and Dangerous Dogs in NSW* Brochure on the Companion Animals page of the Office of Local Government website.**

## 7. CAT MANAGEMENT

### 7.1 Registration / Identification

Cats must have identification (e.g. a collar, tag and microchip) that enables the Council to find the name of the cat and the address or telephone number of the owner.

For residents who became the owner of a cat before 1 July 1999, the cat must have a microchip or collar and ID tag. The cat does not have to be registered on the Companion Animals Register, unless there has been a breach of the Act (e.g. a nuisance order placed or it is taken to an animal pound).

Residents who become the owner of a cat after 1 July 1999, must ensure that the cat is microchipped by 12 weeks of age and lifetime registered on the Companion Animals Register by 6 months of age.

**For more information on the registration of cats, refer to the Companion Animals – Cats page on the NSW Office of Local Government website.**

### 7.2 Community Education

There are a number of simple steps that can be undertaken by the community to decrease the number of stray cats. These include:

- Not feeding a cat unless you are planning to adopt it. By “adoption”, Council requires the cat to be micro chipped, registered and provided with a collar with name tags. Desexing of the cat is strongly recommended.

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- Minimising places where cats can breed and where a mother cat can have her kittens. For example areas such as under the house should be kept closed off.

### 7.3 Use of Council's Cat Traps

Cumberland residents are able to borrow cat traps to humanely catch stray cats on private property. When using the traps, it is important to check that a domesticated cat is not caught by mistake, as even a domesticated cat may seem 'feral' when under the stress of being trapped in a cage. Any person who catches what they know to be a domesticated cat, must immediately release it so it can return home.

To assist the community with reducing the number of stray cats, Cumberland City Council owns cat traps which may be borrowed (subject to a returnable deposit) under the terms of Council's cat trap agreement and the following provisions:

- The cat trap can be borrowed for up to a maximum of 7 days, after which time it must be returned;
- Residents can arrange to borrow cat traps at Cumberland City Council Customer Service Centres located at 1 Susan Street, Auburn or 16 Memorial Avenue, Merrylands. An Environmental Protection Officer will deliver the cat trap to the nominated property and provide instructions on how to use it correctly so as to minimise any potential distress to a captured animal. Residents will be required to provide fresh food for the trap.

### 7.4 Cat Capture and Transportation to the Pound

Once a cat is captured the following provisions will be undertaken when transporting to an animal holding facility or a local veterinary clinic:

- When a cat is caught, the resident is to notify Council immediately. An Environmental Protection Officer will then pick up the cat from the resident and determine whether it should be taken to an animal holding facility or a local veterinary clinic.
- If a captured cat is clearly domesticated it must be released immediately. If the animal holding facility or a local veterinary clinic scans the cat and advises the borrower of the cat trap (i.e. resident), that the cat is micro chipped and lives in the general area it was trapped, the cat must be returned by the borrower and released in the same area.
- If the cat is deemed to be feral and undomesticated by the animal holding facility or a local veterinary clinic, Cumberland City Council will pay for the cost of euthanising the cat.
- If the resident has no means of transport and is unable to transport the cat *due to physical or financial constraints*, individual arrangements can be made with Council for the Environmental Protection Officer to transport the cat(s).
- Should this be the case, the resident (for legal purposes), will be required to sign a statutory declaration stating that they do not own the cat and to the best of their knowledge, their neighbours do not own a cat.

## Council Policy Companion Animals

### 7.5 General Requirements

Cats are prohibited from wildlife protection areas and food preparation areas. Cats can also be declared nuisance cats if they persistently make noise that unreasonably interferes with the wellbeing of neighbours or if they repeatedly damage the property of others.

Council recommends that cat owners take steps to ensure that their animals are confined indoors after dark to prevent injury to the animal, protect wildlife and to reduce instances of nuisance.

### RELATED LEGISLATION

*Companion Animal Regulation;*

*Local Government Act 1993 and associated Regulation;*

*Impounding Act 1993 and associated Regulation;*

### AUTHORISATION & VERSION CONTROL

<b>Policy Owner</b>	<i>Manager Health and Environmental Protection</i>
<b>Date Adopted</b>	
<b>Version No</b>	<i>Revision No. 1</i>
<b>TRIM Number</b>	
<b>Review Date</b>	

Item No: C03/20-391

## **RESPONSE TO NOTICE OF MOTION - DOG PARKS GRANVILLE AREA**

Responsible Division: Works & Infrastructure  
Officer: Director Works & Infrastructure  
File Number: C09/19-208  
Community Strategic Plan Goal: *A great place to live*

### **SUMMARY**

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This report provides a response to the Notice of Motion - Dog Parks Granville Area resolved at the Ordinary Meeting of Council on 18 September 2019 (Min.690 C09/19-208).

### **RECOMMENDATION**

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**That Council:**

- 1. Approve the construction of dog off-leash parks at the following locations:**
  - 1. Kurung Reserve, Holroyd**
  - 2. Elizabeth Street Park, Guildford**
  - 3. Granville Park, Granville**
  - 4. Lawson Square, Merrylands**
- 2. The works be incorporated into Council's 2020/2021 Capital Works Program.**

### **REPORT**

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#### ***Background***

At Council's meeting of 18 September 2019, Item C09/19-208, Min. 690, Council considered a Notice of Motion relating to Dog Parks in the Granville area. Council resolved the following:

*"That Council:*

- 1. Provide a report identifying potential locations of installing and constructing new dog parks within the current open space areas of Granville Ward.*



2. *That the report provide detailed costings of constructing the dog parks in the selected locations.*

### **Desktop Study**

Following receipt of Council's resolution, Council staff undertook an initial desktop study which reviewed existing open space areas to determine the initial feasibility of establishing additional Dog Off-Leash Areas in the Granville ward.

Active sportsgrounds, small parks and reserves with playgrounds have been eliminated from consideration due to potential conflicts with existing user groups and legislation that requires dogs to be a minimum of 10 metres away from play spaces. The distribution of the proposed areas within the Granville Ward were also considered against the location and the current distribution of existing Dog Off-Leash Areas.

Remaining sites were reviewed against a set of criteria to determine the overall suitability. This criteria included the size of the open space, accessibility, car parking availability, shelter and shade, infrastructure, services and the proximity of residential properties. Attachment 1 provides, in greater detail, the assessment undertaken by Council staff.

### **Site Assessment**

Following the conclusion of the desktop study, site visits were performed to review the site conditions and the overall practicality of the sites.

Stormwater, flooding and service information was additionally sought for the shortlisted sites.

Several of the sites were eliminated due to poor natural surveillance which could result in anti-social behaviour and two further sites were considered too small. These sites are located in the Duck Creek Canal open space area in Guildford.

Proximity to residents was also a key consideration, with some of the areas bounded by many residents, which increases the opportunity for conflict and noise complaints.

Following the conclusion of the onsite assessments and subsequent review of the open space, four sites were identified as the preferred areas for a Dog Off-Leash Park. These are:

1. Kurung Reserve, Holroyd
2. Elizabeth Street Park, Guildford
3. Granville Park, Granville
4. Lawson Square, Merrylands

### **COMMUNITY ENGAGEMENT**

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Community consultation will be undertaken to determine the final locations of the off leash dog areas within the identified parks, and will also identify any specific needs or requests from the community.



## **POLICY IMPLICATIONS**

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There are no policy implications for Council associated with this report.

## **RISK IMPLICATIONS**

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There are no risk implications for Council associated with this report.

## **FINANCIAL IMPLICATIONS**

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Initial cost estimates for proposed sites vary between \$32,000 and \$75,000, however it is proposed that the majority of the construction works would be undertaken utilising existing in house resources which will significantly reduce the proposed capital expenditure.

## **CONCLUSION**

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Following Council's review of the overall feasibility of implementing off leash dog areas within the Granville area, four sites have been identified that would be considered feasible to proceed with.

It is recommended that Council approve the construction of the off leash areas at the preferred locations and the works be carried out as part of Council's 2020/2021 capital works program.

## **ATTACHMENTS**

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1. Assessment of Potential Dog Park Areas within the Granville Ward [↓](#) 



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-391

Attachment 1

Assessment of Potential Dog  
Park Areas within the Granville  
Ward



**Assessment of Potential Dog Park Areas within the Granville Ward**



November 2019

Prepared by: Linda Wright and Richard Loudon

Cumberland Council

## Methodology

An initial desktop study was performed reviewing open space and reserves within the Granville Ward. Sportsgrounds and small parks with playgrounds were eliminated due to conflict with existing user groups and legislation that states dogs must be 10m away from play spaces. Holroyd Gardens was excluded from the investigation, as a dog off-leash area had already been considered and not supported as part of the recent Plan of Management. Granville Memorial Park was also excluded from the study due to the construction and importance as a new civic and community centre.

The remaining 10 sites were then reviewed against a set of criteria that would determine the suitability and success of a Dog off-leash Park within that location. The following criteria were used:

- Appropriate size
- Accessibility
- Footpath connections
- Adequate car parking
- Distance from residential areas
- Natural surveillance
- Associated infrastructure

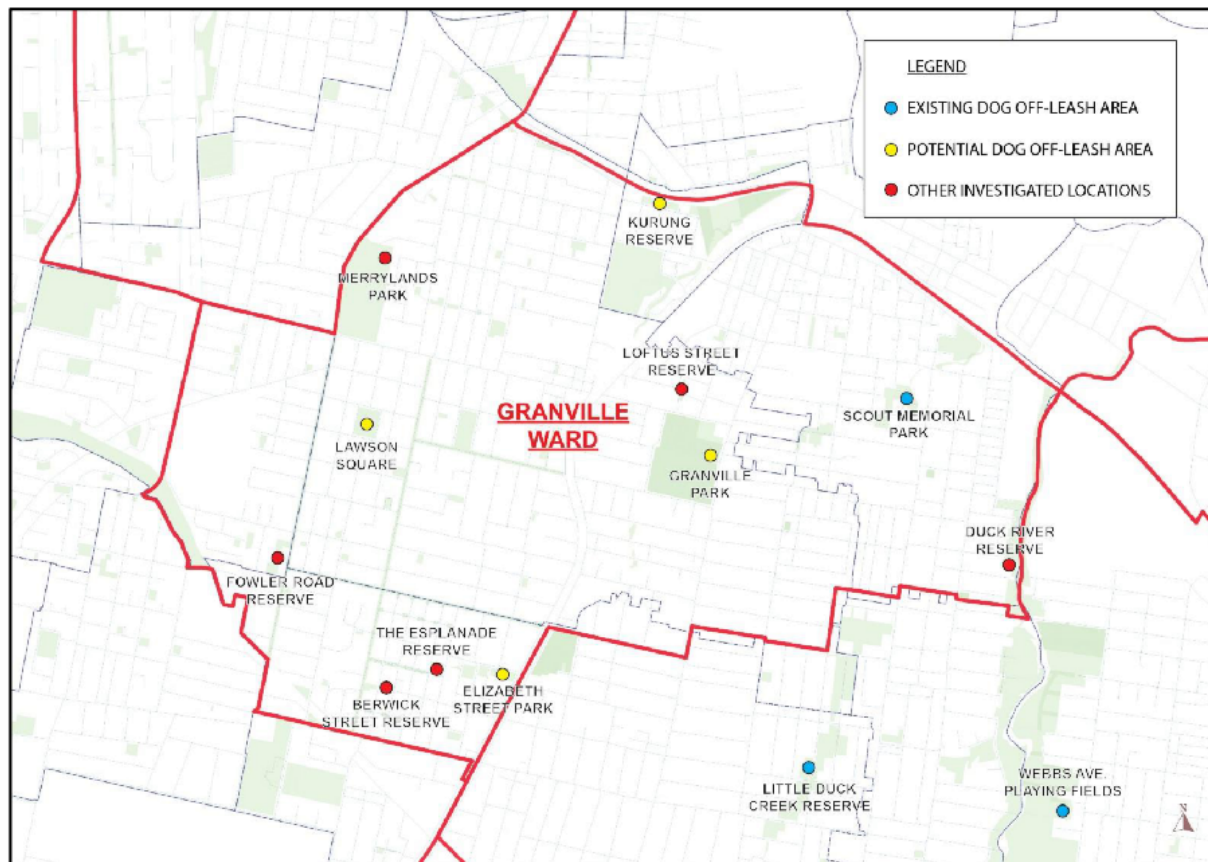
Site visits were then performed to review the latent site conditions. Stormwater, flooding and service information was also sought for the shortlisted sites and advice sort of council's stormwater engineers

The distribution of the proposed dog parks within the Granville ward and LGA area were also considered.

The existing Dog Off-Leash Park at Scout memorial park was also included for costing for potential embellishments



Map showing distribution of considered sites across the Granville Ward



## Duck Creek Reserve

### Between Mimosa and Neilson Street.

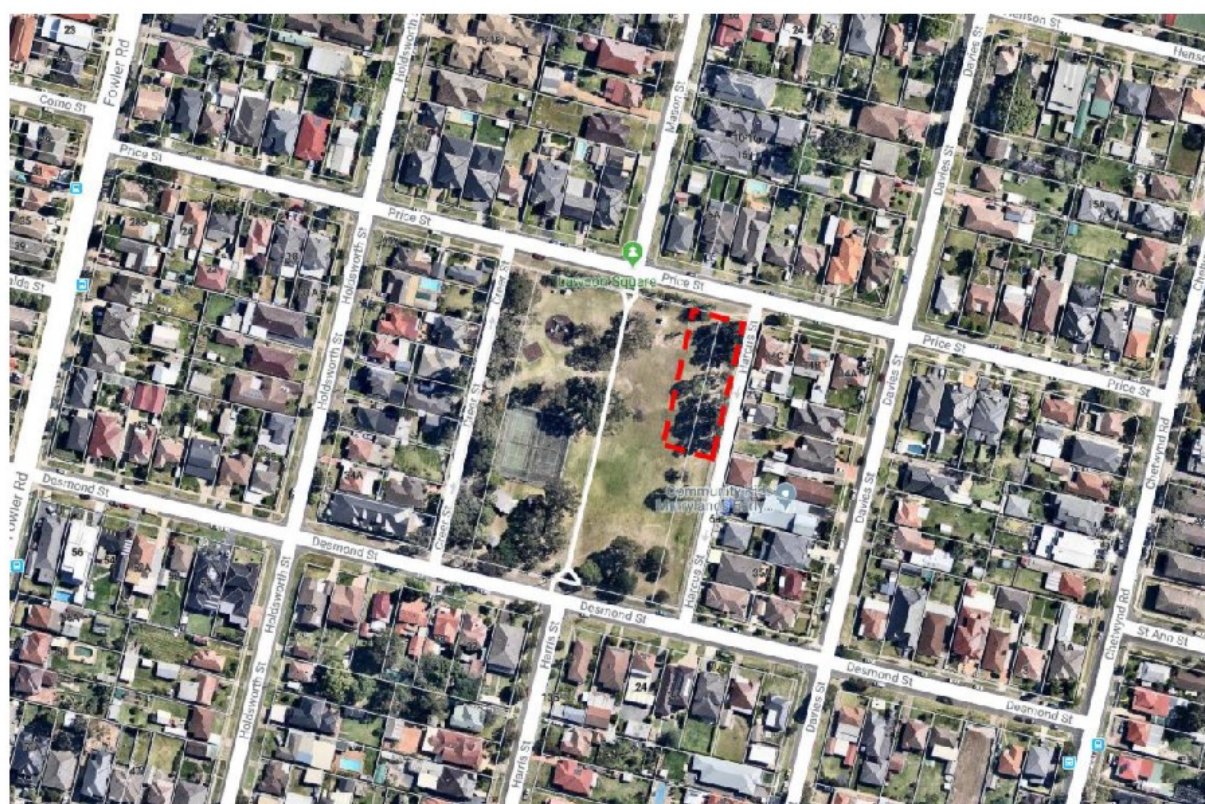
Site Suitability Criteria	Y/N	Comments
Appropriate size per Best Practice Standards	N	Limited Size, narrow corridor, biodiversity value
Accessibility/entry to Site	Y	Limited access to site
Pedestrian/footpath connections	Y	Poor pedestrian access from road, good connection to Duck River Corridor
Adequate car parking	N	Lack of Parking availability
Shelter/Shade	Y	Surrounding trees, thick vegetation along creek line
Seating and viewing areas	N	
Toilets	N	
Rubbish bin(s)	N	
Drinking fountain(s)	N	
Good natural surveillance	N	Poor surveillance opportunities, behind housing/trees
Proximity to housing/residential	Y	Close to nearby residents, borders housing





### Lawson Square, Merrylands

Site Suitability Criteria	Y/N	Comments
Appropriate size per Best Practice Standards	Y	(2300sqm)
Accessibility/entry to Site	Y	
Pedestrian/footpath connections	Y	
Adequate car parking	Y	Good street parking availability
Shelter/Shade	Y	
Seating and viewing areas	Y	
Toilets	Y	Existing amenities
Rubbish bin(s)	Y	
Drinking fountain(s)	Y	Water connection availability for dog fountain
Good natural surveillance	Y	
Proximity to housing/residential	N	No direct contact with residential properties





## Kurung Reserve, Holroyd

Site Suitability Criteria	Y/N	Comments
Appropriate size per Best Practice Standards	Y	Good sized area (6300sqm)
Accessibility/entry to Site	N	
Pedestrian/footpath connections	Y	Access to existing cycle/pedestrian path
Adequate car parking	Y	Street and Sportsground parking
Shelter/Shade	Y	Good tree cover
Seating and viewing areas	N	
Toilets	N	
Rubbish bin(s)	N	
Drinking fountain(s)	N	
Good natural surveillance	Y	Trees may need thinning, secluded area
Proximity to housing/residential	Y	Close but do not directly border
<b>Additional Comments:</b>		
Steep Terrain		





## Elizabeth Street Park, Guildford

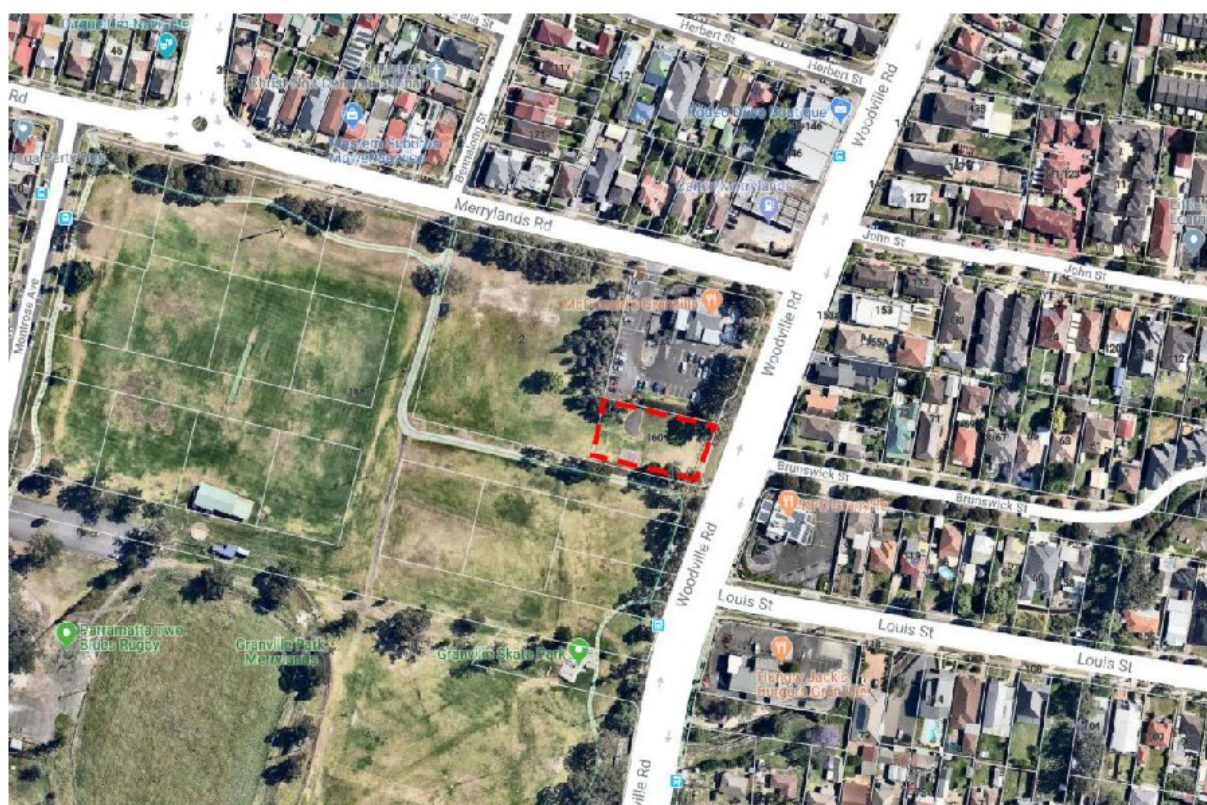
Site Suitability Criteria	Y/N	Comments
Appropriate size per Best Practice Standards	Y	Good size, open area (3600sqm)
Accessibility/entry to Site	Y	Corridor, connections
Pedestrian/footpath connections	N	
Adequate car parking	Y	Street Parking
Shelter/Shade	Y	Good shade
Seating and viewing areas	N	
Toilets	N	
Rubbish bin(s)	N	
Drinking fountain(s)	N	
Good natural surveillance	Y	
Proximity to housing/residential	Y	Close to some residents





## Granville Park, Granville

Site Suitability Criteria	Y/N	Comments
Appropriate size per Best Practice Standards	Y	Selected area good size (1900sqm)
Accessibility/entry to Site	Y	Good access, barrier at main road
Pedestrian/footpath connections	Y	Perimeter pathway
Adequate car parking	Y	Parking available, however, only private parking near to selected site
Shelter/Shade	N	Limited
Seating and viewing areas	N	
Toilets	N	
Rubbish bin(s)	N	
Drinking fountain(s)	N	
Good natural surveillance	Y	Good surveillance, on main road
Proximity to housing/residential	N	Separation via Woodville Road





## Esplanade Reserve, Guildford

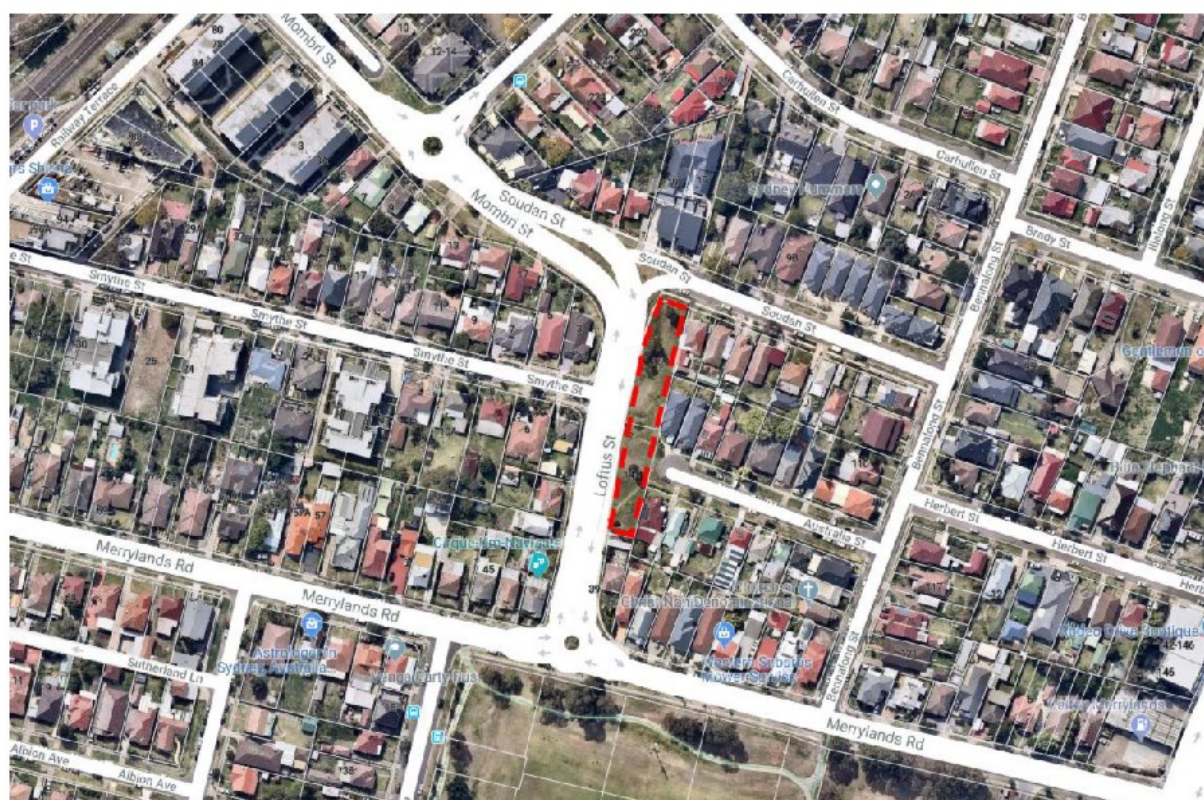
Site Suitability Criteria	Y/N	Comments
Appropriate size per Best Practice Standards	N	Small area (1000sqm)
Accessibility/entry to Site	Y	Good access
Pedestrian/footpath connections	Y	
Adequate car parking	Y	Street parking
Shelter/Shade	Y	
Seating and viewing areas	N	
Toilets	N	
Rubbish bin(s)	N	
Drinking fountain(s)	N	
Good natural surveillance	Y	Surrounding streets
Proximity to housing/residential		
Suitable for a small dog only dog park		





### Loftus Reserve, Merrylands

Site Suitability Criteria	Y/N	Comments
Appropriate size per Best Practice Standards	N	Narrow, linear space
Accessibility/entry to Site	Y	Good access from surround streets
Pedestrian/footpath connections	Y	
Adequate car parking	Y	Street parking available
Shelter/Shade	N	Limited
Seating and viewing areas	N	
Toilets	N	
Rubbish bin(s)	N	
Drinking fountain(s)	N	
Good natural surveillance	Y	Good surveillance, on main road
Proximity to housing/residential	Y	Close and bordering area





## **Fowler Road Reserve, Merrylands**

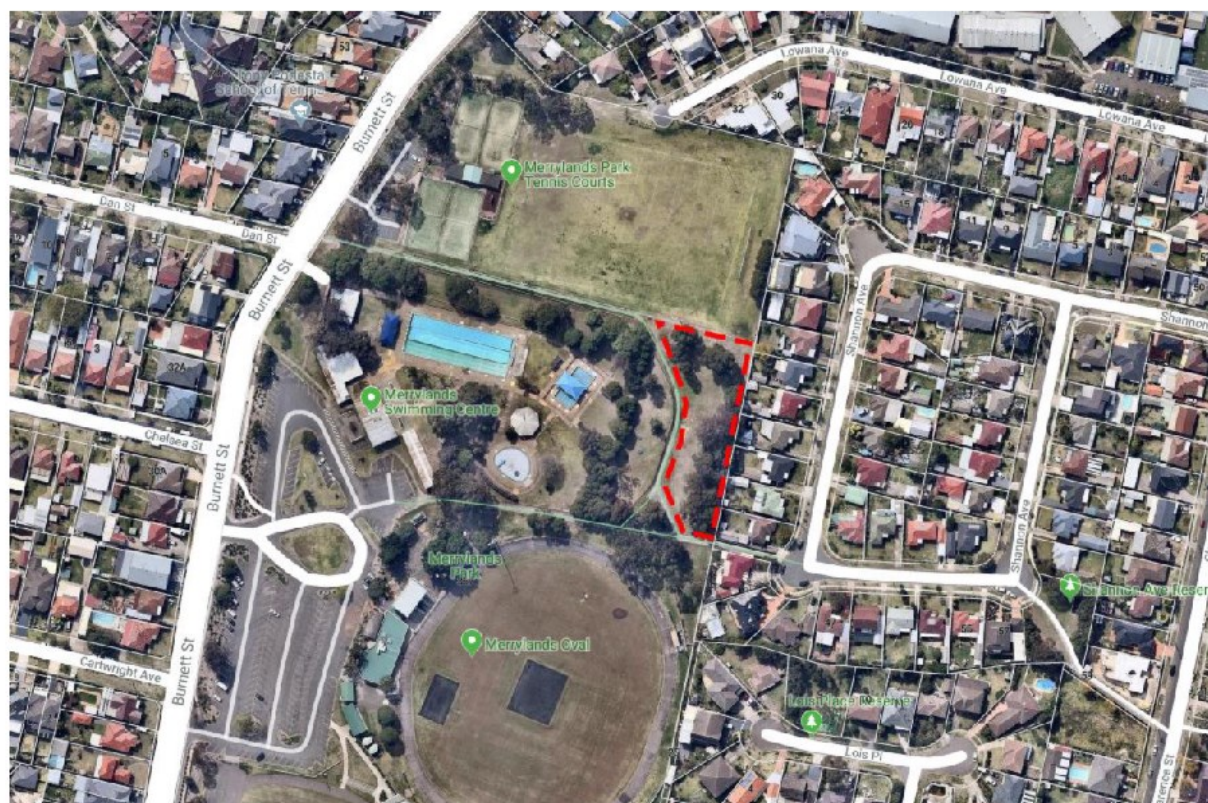
Site Suitability Criteria	Y/N	Comments
Appropriate size per Best Practice Standards	Y	
Accessibility/entry to Site	N	Limited access point
Pedestrian/footpath connections	N	
Adequate car parking	Y	Parking available on street access only
Shelter/Shade	Y	Some shade
Seating and viewing areas	N	
Toilets	N	
Rubbish bin(s)	N	
Drinking fountain(s)	N	
Good natural surveillance	N	Poor surveillance to the park
Proximity to housing/residential	Y	Housing directly borders site





## Merrylands Park, Merrylands

Site Suitability Criteria	Y/N	Comments
Appropriate size per Best Practice Standards	Y	Selected area (1700sqm)
Accessibility/entry to Site	Y	Rear to pool
Pedestrian/footpath connections	Y	Connections to other facilities, neighbourhood
Adequate car parking	Y	Parking available
Shelter/Shade	Y	Some shade
Seating and viewing areas	N	
Toilets	N	
Rubbish bin(s)	N	
Drinking fountain(s)	N	
Good natural surveillance	N	Poor surveillance to the area
Proximity to housing/residential	Y	Housing directly borders site





## Berwick Street Park, Guildford

Site Suitability Criteria	Y/N	Comments
Appropriate size per Best Practice Standards	N	Small size 560m <sup>2</sup>
Accessibility/entry to Site	Y	Existing entry points from Beaufort Street
Pedestrian/footpath connections	N	No footpaths on the street frontages
Adequate car parking	Y	Street parking available
Shelter/Shade	Y	Some shade
Seating and viewing areas	N	
Toilets	N	
Rubbish bin(s)	N	
Drinking fountain(s)	N	
Good natural surveillance	Y	
Proximity to housing/residential	Y	Directly bordering 2 properties





## Scout Memorial Park, Granville (Existing Dog Park)

Site Suitability Criteria	Y/N	Comments
Appropriate size per Best Practice Standards	Y	Open areas, good size
Accessibility/entry to Site	Y	Multiple access points from neighbourhoods
Pedestrian/footpath connections	Y	
Adequate car parking	Y	Limited Street parking available
Shelter/Shade	Y	Good shade
Seating and viewing areas	Y	
Toilets	N	
Rubbish bin(s)	N	
Drinking fountain(s)	N	
Good natural surveillance	Y	
Proximity to housing/residential	Y	Directly bordering in some areas





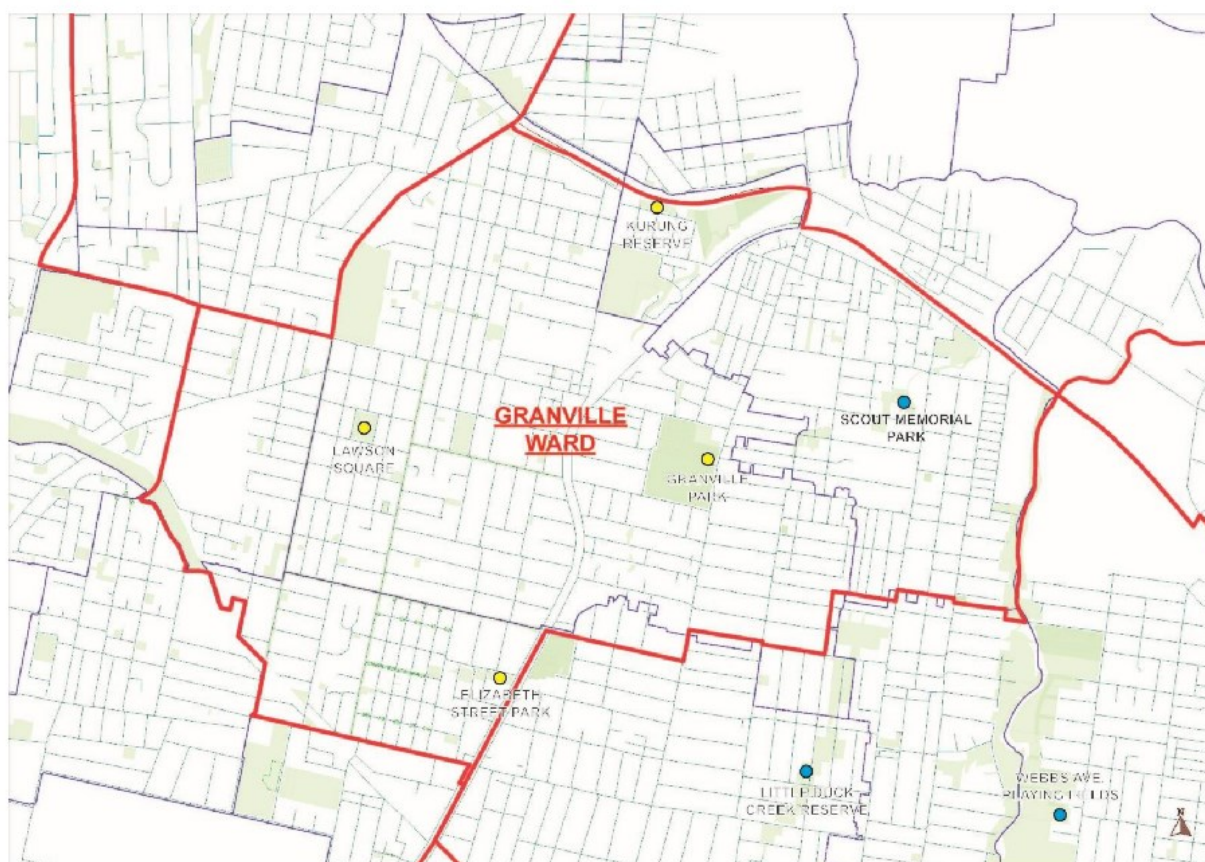
## **Summary of Site Assessment**

Following the review of sites within the Granville ward the following locations have been identified with the most potential

1. Kurung Reserve, Holroyd
2. Elizabeth Street Park, Guildford
3. Granville Park, Granville
4. Lawson Square, Merrylands

These locations offer the required space and minimise the potential negative impacts on surrounding residents and other park users. The proposed locations also consider the distribution of Dog Parks within the Granville Ward.

Map showing the distribution of preferred sites for Dog Parks within the Granville Ward.



### **Community Consultation.**

Community consultation on the proposed site would be recommend following a council resolution to assess the demand and community support for these facilities within the proposed locations. It would also give further insight into the demand for additional equipment such as dog agility items being included in the park.

### Cost estimates for proposed sites.

The associated costs to implement a dog park at the following locations is listed below.

Reserve/Park	Proposed area	Proposal	Cost Breakdown	Estimated Costs
Kurung Reserve, Holroyd	6,2000m <sup>2</sup>	Fencing of park, pruning of some trees to increase visibility into the park.	<ul style="list-style-type: none"> <li>475lm of Fencing @ \$100/lm= \$47,500</li> <li>1 x Access gate= \$1,500</li> <li>Concrete Entrance Slab=\$2500</li> <li>1 x Waste bin and bag dispenser=\$2,500</li> <li>1 x regulatory sign=\$300</li> <li>Site Establishment and preliminaries = \$5,000</li> <li>Tree pruning = \$5,000</li> <li>Demolition and dispose of old fence=\$5,000</li> </ul>	\$69,300
Elizabeth Street Reserve, Guildford	3,645m <sup>2</sup>	Fencing of park, pruning of some trees to increase visibility into the park.	<ul style="list-style-type: none"> <li>57lm of Fencing @ \$100/lm = \$5,700</li> <li>2 x Access gate= \$3,000</li> <li>Concrete Entrance Slabs=\$7000</li> <li>2 x Waste bin and bag dispensers = \$5,000</li> <li>2 x regulatory signs=\$600</li> <li>Site establishment and preliminaries = \$5000</li> <li>Tree pruning =\$5,000</li> </ul>	\$31,300
Granville Park, Granville	1,750m <sup>2</sup>	Fencing of an underutilised portion of the park near Woodville Road.	<ul style="list-style-type: none"> <li>180 lm of fencing @ \$100/lm = \$18,000</li> <li>1 x Access gate= \$1,500</li> <li>1 x Waste bin and bag dispenser=\$2,500</li> <li>Concrete entrance slab=\$5000</li> <li>1 x regulatory sign=\$300</li> <li>1 x drinking fountain with dog bubbler=\$3500</li> <li>Site establishment and preliminaries = \$7,500</li> <li>Plumbing and landscape costs =\$5000</li> </ul>	\$41,950
Lawson Square, Merrylands	2,350m <sup>2</sup>	Proposal to make a dog park in the shaded eastern side of park	<ul style="list-style-type: none"> <li>1 x Waste bin and bag dispenser=\$2,500</li> <li>1 x drinking fountain with dog bubbler= \$3,500</li> <li>Plumbing cost \$2000</li> <li>Concrete entrance slab=\$5000</li> <li>2 x regulatory signs=\$600</li> <li>180 lm of fencing @ \$100/lm = \$18,000</li> <li>Site establishment and preliminaries =\$7500</li> <li>Demolition and removal of existing fence= \$5000</li> </ul>	\$44,100
Scout Memorial Park, Granville (Existing area For embellishment)	7,520m <sup>2</sup>	Upgrade by providing waste bins, drinking fountain, and dog agility equipment.	<ul style="list-style-type: none"> <li>2 x Waste bin and bag dispensers =\$5,000</li> <li>1 x drinking fountain with dog bubbler=\$3500</li> <li>Plumbing and installation -= \$5000</li> <li>Dog agility equipment=\$5,000</li> <li>Shade tree planting=\$2,000</li> <li>Site Establishment and preliminaries = \$5,000</li> </ul>	\$25,500

Item No: C03/20-392

## **ADOPTION OF ENVIRONMENTAL HEALTH STRATEGY**

Responsible Division: Works & Infrastructure  
Officer: Director Works & Infrastructure  
File Number: HC-11-01-4/09  
Community Strategic Plan Goal: *A safe accessible community*

### **SUMMARY**

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This report recommends adoption of the *Draft Environmental Health Strategy* following a period of public exhibition.

### **RECOMMENDATION**

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**That Council adopt the Environmental Health Strategy as attached.**

### **REPORT**

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At the Ordinary Meeting of 4 December 2019, Council resolved the following (C12/19-307 Min.822):

*“That Council place the Draft Environmental Health Strategy on public exhibition for a period of 28 days, with a report to be provided back following the consultation of the public exhibition period.”*

#### **Consultation Outcome**

The *Draft Environmental Health Strategy* was placed on public exhibition from 17 December 2019 to 4 February 2020, with the exhibition period extended to greater than 28 days as a result of the intervening Christmas / New Year period. This included placing the Draft Strategy on Council’s “Have Your Say” website and in local newspaper publications.

During this period, Council recorded 39 visits to the “Have Your Say” website, with 30 people downloading the *Draft Environmental Health Strategy* for perusal.

No submissions were received and on that basis, the Draft document is now put forward for formal adoption.

## COMMUNITY ENGAGEMENT

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Council placed the *Draft Environmental Health Strategy* on public exhibition for an extended period as detailed in the body of this report, with no submissions being received.

## POLICY IMPLICATIONS

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There are no policy implications for Council associated with this report.

## RISK IMPLICATIONS

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There are inherent risk implications for Council and the Cumberland Community by not undertaking a strategic approach to the management of environmental health issues across the Cumberland area. The adoption of an appropriate Strategy is therefore beneficial and will place Cumberland City Council at the forefront of Local Government in the sphere of environmental health practice.

## FINANCIAL IMPLICATIONS

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There are no financial implications for Council associated with this report. The programs contained within the draft *Strategy* are currently undertaken by Council's Environmental Health Team in accordance with operational plan commitments.


## CONCLUSION

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Council has publicly exhibited the *Draft Environmental Health Strategy*, with no public submissions received. The Strategy is now recommended for adoption.

## ATTACHMENTS

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1. Environmental Health Strategy [↓](#) 

DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-392

Attachment 1  
Environmental Health Strategy







# Cumberland Environmental Health Strategy 2020–2024

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# Overview

## GENERAL MANAGER'S FOREWORD

“Cumberland City Council has made a commitment to ensure a range of Environmental Health services are made available to both residents and retail businesses within the Council area. Such commitment has been adopted through Council’s Customer Service Standards and Council’s 2017-2027 Community Strategic Plan which have been developed in consultation with the Community.



This Environmental Health Strategy document has been developed to ensure a proactive, strategic approach to managing identified public and environmental health issues is adopted across the Cumberland City Council area and to provide clear direction on the management of the associated risks.”

Hamish McNulty

Cumberland City Council has statutory responsibilities under State and Federal legislation for ensuring and promoting acceptable public and environmental health standards within the local government area. This not only occurs through the administration of legislative requirements by Council’s Environmental Health Unit but also through the provision of education material by the Unit’s Environmental Health Officers directly to businesses along with mandatory reporting on the status of health service activities to Federal, State and Local Government Departments.

This Environmental Health Strategy (Strategy) aims to adopt a proactive, strategic approach to

managing identified public and environmental health issues within the Cumberland City Council area and to provide clear direction through setting goals and objectives in relation to Council’s intended outcomes over a five-year period. The Strategy will then be reviewed in recognition of any newly identified trends or arising issues that impact the environmental health field.

The Strategy builds on targets set in Council’s Customer Service Standards and Council’s 2017-2027 Community Strategic Plan to ensure adequate resources are allocated to the task of meeting community needs and expectations.

# Introduction

## STRATEGY BENEFITS

- Better community health outcomes
- Integrated approach to environmental health
- Improved management of environmental health issues
- Community access to safer food options
- Increased ability to recognise and address new and emerging health issues
- More effective use of coordinated resources
- Effective advocacy and raised profile of Environmental Health protection in local government
- Local government contribution to State Health benchmarking targets, which include reducing food illness outbreaks and improving food safety cultures
- Identifying and achieving realistic goals for the environmental health unit considering the allocated resources, budget and equipment available.

'Environmental Health' considers the interrelationships between people's health and their environment (the place in which they live). This includes the way in which people access safe food options, safe environments and protection of their health against known risk factors. The World Health Organisation provides the following definition (*World Health Organisation (WHO) 2017*):

*"Environmental health addresses all the physical, chemical, and biological factors external to a person, and all the related factors impacting behaviours. It encompasses the assessment and control of those environmental factors that can potentially affect health. It is targeted towards preventing disease and creating health-supportive environments. This definition excludes behaviour not related to environment, as well as behaviour related to the social and cultural environment, and genetics."*<sup>1</sup>

'Environmental Management' is an integrated approach to achieve a sustainable future. When applied to activities or development, Environmental Management involves the application of the principles of ecology, pollution control and environmental planning, and the methodology of monitoring the impact of proposed developments.

'Environmental Health' is concerned with all aspects of the natural and built environments that can affect human health. It considers the interrelationships between people's health and their environment (the place in which they live) and addresses all the physical, chemical, and biological factors external to a person, and all the related factors impacting behaviours. (*WHO 2017*)



# Stakeholders

There are five main stakeholders concerned with environmental health in NSW: the NSW Food Authority, NSW Health, the NSW Environment Protection Authority, Local Government NSW and Environmental Health Australia (NSW Branch).

1	<p>The <b>NSW Food Authority</b> oversees food safety programs in NSW with a Paddock to Plate approach, with support for Councils at a local government level provided through the Food Regulation Partnership. The Regulation Partnership aims to: “clarify the responsibilities of local government in relation to food regulation; improve food safety coordination between councils and the Food Authority in several areas, including food inspections; enable quicker responses to food emergencies and food recalls; enable all councils to recover the costs of food regulation enforcement; and provide a food regulation forum for consultation with councils and the retail food sector” (New South Wales Food Authority 2017<sup>2</sup>).</p> <p>Cumberland City Council is classified Category B under the Food Regulation Partnership. Councils with this classification are directed to “exercise functions with respect to retail food businesses, which are food businesses whose principal food-related activity at a particular premises concerns the sale of food directly to consumers at those premises” (New South Wales Food Authority 2017<sup>2</sup>). Category B Councils must also investigate complaints where public health and safety are at risk.</p>		
2	<p><b>NSW Health</b> oversees public health activities across the State. The <i>Public Health Act 2010</i> delegates a number of functions to local government, principally, the inspection of cooling towers and warm water systems (legionella control), swimming pools, and skin penetration premises (infection control).</p>		
3	<p><b>NSW Environment Protection Authority (NSW EPA)</b> is the primary environmental regulator in NSW. The <i>Protection of the Environment Operations Act 1997</i> delegates Councils to undertake a number of environmental investigations, both proactively (e.g. environmental audits) and reactively (e.g. noise and odour complaints).</p>		
4	<p><b>Local Government NSW</b> oversees the <i>Local Government Act 1993</i> and supports Councils in promoting the local community’s health and wellbeing.</p>		
5	<p><b>Environmental Health Australia (EHA)</b> is a professional body for Environmental Health Officers (EHOs) across Australia, with branches in each state. It is a member-based organisation that supports local government and EHOs by conducting training and advocacy for the profession.</p>		
+	<p>Additional stakeholders with an interest in the Environmental Health Strategy include:</p> <table> <tr> <td> <p><b>Internal:</b></p> <ul style="list-style-type: none"> <li>• General Manager</li> <li>• Mayor and Councillors</li> <li>• Department Managers and staff</li> <li>• Development Compliance Officers and Planning Officers</li> <li>• Manager Health &amp; Environmental Protection</li> <li>• Team Leaders – Environmental Health</li> <li>• Senior Environmental Health Officers</li> <li>• Environmental Health Officers</li> <li>• Trainee Environmental Health Officers</li> <li>• Environmental Health contract staff, as required.</li> </ul> </td><td> <p><b>External:</b></p> <ul style="list-style-type: none"> <li>• Residents, ratepayers and visitors</li> <li>• Commercial businesses, establishments and industry</li> <li>• State Government agencies including Western Sydney Local Health District (WSLHD), SafeWork NSW, Sydney Water and Family and Community Services (FACS), Fire and Rescue NSW and NSW Police</li> <li>• enHealth</li> </ul> </td></tr> </table>	<p><b>Internal:</b></p> <ul style="list-style-type: none"> <li>• General Manager</li> <li>• Mayor and Councillors</li> <li>• Department Managers and staff</li> <li>• Development Compliance Officers and Planning Officers</li> <li>• Manager Health &amp; Environmental Protection</li> <li>• Team Leaders – Environmental Health</li> <li>• Senior Environmental Health Officers</li> <li>• Environmental Health Officers</li> <li>• Trainee Environmental Health Officers</li> <li>• Environmental Health contract staff, as required.</li> </ul>	<p><b>External:</b></p> <ul style="list-style-type: none"> <li>• Residents, ratepayers and visitors</li> <li>• Commercial businesses, establishments and industry</li> <li>• State Government agencies including Western Sydney Local Health District (WSLHD), SafeWork NSW, Sydney Water and Family and Community Services (FACS), Fire and Rescue NSW and NSW Police</li> <li>• enHealth</li> </ul>
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# Trends, Opportunities & Challenges

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## DEMOGRAPHIC AND GEOGRAPHIC PROFILE

The Cumberland City Council Local Government Area covers 72 square kilometres and is located within the Sydney metropolitan area. It shares borders with Fairfield and Canterbury-Bankstown Councils to the south, Strathfield Council to the east, the City of Parramatta Council to the north, and Blacktown Council to the west. The population for Cumberland City Council is 222,578<sup>3</sup> residents.

## CHALLENGES AND RISK PRIORITISATION

The Environmental Health staff handle a broad range of challenging and complex environmental health matters. Some of the broad core functions include:

- Food safety regulation;
- Public health regulation, including Legionella control in cooling towers and warm water systems, infection control at skin penetration premises such as beauty salons and tattoo parlours and public swimming pools; and
- Environmental Protection/Management.

Other aspects to consider are the inherent risks of the activity and the community/legislative expectations. Some environmental health functions both pose a risk to a person's physical health and also have a community/legislative expectation to ensure certain standards are met. These functions demand a higher priority when considering the entire role of the Environmental Health team. Where the public health risk is low and there is no legislative requirement and/or limited community expectation, these functions should be given a lower priority.

The NSW Food Authority and NSW Health have recently introduced risk rating approaches to compliance-related inspections. The NSW Food Authority's risk rating guidelines commenced on 1 July 2018 and the NSW Health risk management guidelines for cooling towers are in progress with full implementation expected by mid-2019. Both risk priority systems identify high, medium and lower risk premises and allow inspection frequency to be altered according to the premises' priority ratings.

This Strategy incorporates the new state government guidelines and rates programs according to recent legislative requirements while recognising the local community needs/expectations that are often aligned with the legislation. An environmental health function in this Strategy will carry a higher priority if it is a legislative requirement and has high community expectation/risk to human health. Alternatively, if a function is not a legislative requirement and carries low community expectation, it will have a lower priority in this Strategy and may only be responded to in the event of an incident and/or where resources permit.

This Strategy is intended for Council and its officers and describes the functions the Environmental Health Team will undertake to meet their legislative responsibilities and community expectations. Other Council departments can use the Strategy to determine which work tasks are to be referred to the Environmental Health Team.

While conducting the research for this Strategy, a review of functions was undertaken to determine what tasks Council's Environmental Health Officers should or must be undertaking. Each function was then analysed against legislative requirements as well as community expectation, as shown in **Appendix 1** located at the end of this document.

## REVIEW

The Strategy will be reviewed within the first 12 months of a newly elected Council if necessary in light of changing community needs and again formally every five years to assess and recognise trends in new technologies, legislative changes and strategic directions of federal, state and local stakeholders enabling a progressive approach to environmental health needs.

# Program Areas

## CORE FOCUS PROGRAM 1: FOOD SAFETY

Safe food production  
Food regulation



## CORE FOCUS PROGRAM 2: PUBLIC HEALTH – LEGIONELLA CONTROL

Cooling tower  
Warm water systems



## CORE FOCUS PROGRAM 3: PUBLIC HEALTH – INFECTION CONTROL

Skin penetration premises



## CORE FOCUS PROGRAM 4: ENVIRONMENTAL MANAGEMENT AND RESPONSE

Environmental protection (spill response)  
Pollution control (sewer leaks, noise/odour concerns)



## OTHER PROGRAM AREAS

Public swimming pool and spa pool monitoring  
Environmental auditing, water monitoring, regulated premises



## CORE FOCUS PROGRAM 1: FOOD SAFETY

Safe food production

Food regulation



### BACKGROUND

In Australia, foodborne illnesses affect an estimated 4 million people each year, causing around 100 deaths annually.<sup>2</sup> The routine inspection of food premises is, therefore, critical to public health and safety. As the population of Cumberland ages as projected, the number of 'at risk' people will increase. It is, therefore, imperative that retail food premises provide safe food. Council and the NSW Food Authority recognise the need for a holistic approach to food safety. Consequently, a proactive educational program, together with an effective regulatory program, must be employed to gain compliance to food safety standards.

There are 948 registered food premises within the Cumberland City Council area. Council is classified Category B under the Food Regulation Partnership, requiring Council to undertake routine inspections of retail food premises, investigate complaints and carry out investigations of single-case foodborne illness notifications.

The *Food Act 2003* regulates the provision of food that is both safe and suitable for human consumption. Cumberland City Council is an 'Enforcement Agency' under the *Food Act 2003* and is, therefore, responsible for enforcing the Act's requirements across all retail food businesses in the Council area.





## CORE FOCUS PROGRAM 1: FOOD SAFETY

<b>APPROACH</b>	<p>This Strategy aims to ensure that the retail sector meets food safety standards, through both proactive educational and regulatory compliance approaches. This is in accordance with Council's Compliance &amp; Enforcement Policy and associated Guidelines, which are implemented through Council's Environmental Health Team. Council's actions will aim to have a risk prioritisation process to ensure that higher-risk, poor-performing businesses are checked more frequently.</p>
<b>PRIORITY HIGH</b>	<p><b>'A safe accessible community – Council operations support a healthy community.'</b> <i>Cumberland City Council's 2017–2027 Community Strategic Plan<sup>4</sup></i></p>
<b>GOALS</b>	<ul style="list-style-type: none"> <li>• Review the NSW Food Authority's Risk Rating scheme against Council's current inspection program to ensure consistency.</li> <li>• Inspect 100% of high- and medium-risk premises per financial year.</li> <li>• Ensure inspections aim to achieve continual improvement in the standard and food safety culture of food businesses in the Cumberland LGA, advocating for improvements in state policy/legislative provisions where new needs are identified.</li> <li>• Reduce the number of food-related complaints and foodborne illness notifications in the Cumberland LGA.</li> <li>• Ensure that regulatory inspections undertaken by officers are of a suitable quality, with consistent application of the state's food safety inspection requirements.</li> <li>• Offer regular food hygiene training to all retail food businesses in the LGA.</li> <li>• Inspect all high- and medium-risk temporary food stalls at Council-run community events.</li> </ul>
<b>RELEVANT LEGAL AND POLICY CONSIDERATIONS</b>	<ul style="list-style-type: none"> <li>• <i>Food Act 2003 and Food Regulation 2015</i></li> <li>• National Food Standards Code</li> <li>• Australian Standard AS 4674-2004 – Design, Construction and Fitout of Food Premises</li> <li>• Cumberland City Council Compliance and Enforcement Policy &amp; Guideline</li> <li>• Cumberland City Council Food Safety Enforcement Operational Guideline</li> <li>• NSW Food Authority – Enforcement Agencies Roles and Responsibilities</li> <li>• NSW Food Authority – Food Regulation Partnership Advisory Guidelines</li> <li>• NSW Government Food Safety Strategy 2015–2021</li> </ul>
<b>CURRENT ACTIVITIES</b>	<ul style="list-style-type: none"> <li>• Council's Administration team registers all new retail food businesses, mobile food vendors and temporary food premises.</li> <li>• Council's EHOs undertake routine inspection of each registered retail food premises as assigned. The frequency of inspections depends on the food business's risk priority and history, which are determined during the registration process and reviewed during the inspection.</li> </ul>



## CORE FOCUS PROGRAM 1: FOOD SAFETY

<p><b>CURRENT ACTIVITIES</b> <i>continued</i></p>	<ul style="list-style-type: none"> <li>• EHOs undertake regular inspections of temporary food stalls at Council-run events, providing feedback for improvements where necessary.</li> <li>• Inspection details are recorded by EHOs in the required Council property management and records management systems.</li> <li>• EHOs take any required regulatory action, including issuing improvement notices, penalty infringement notices and other regulatory documents where necessary.</li> <li>• EHOs assess Section 68 applications for temporary food businesses on Council land, and issue conditions for related Section 68 approvals.</li> <li>• Administration teams to invoice premises for inspections and Finance follow up on overdue payments.</li> <li>• Team members participate in the NSW Food Authority's targeted Food Sampling Programs as requested.</li> <li>• The EHO team offers regular free food handler training to retail food businesses.</li> <li>• The EHO team offers in-house food safety training (in accordance with Council's Fees and Charges) to retail food businesses.</li> <li>• The EHO team offers interpreted food safety training.</li> <li>• The EHO team prepares and distributes a 'food newsletter' to all food businesses within the LGA as necessary.</li> <li>• Promotion of food safety through Council's website, and the EHA's 'I'm Alert' interactive food safety training tool.</li> <li>• The Environmental Health (EH) Team Leaders complete the required annual activity report to the NSW Food Authority.</li> </ul>
<p><b>FUTURE INITIATIVES</b></p>	<ul style="list-style-type: none"> <li>• Consider the implementation of a formal program for response to client's requests to conduct a pre-purchase food premises inspection and report on the premises' compliance with the Food Standards Code and AS4674-2004.</li> <li>• Consider the implementation of a formal risk prioritisation policy and procedure specifically for high-, medium- and low-risk food premises that encourage and rewards good food safety behaviours. The policy will concentrate on higher-risk premises that have a poor performance history over 24 months.</li> <li>• Become involved in targeted programs such as the Campylobacter and Salmonella reduction campaigns offered by the NSW Food Authority through their Food Safety Strategy 2015–2021.</li> </ul>
<p><b>PERFORMANCE INDICATORS</b></p>	<ul style="list-style-type: none"> <li>• 100% of required food premises inspections due in a financial year are completed.</li> <li>• The inherent risk priority of the business is recorded after each routine inspection.</li> <li>• All inspection details are entered into Council's property and record management systems in a timely manner.</li> <li>• Relevant compliance action is taken in a timely manner according to risk and no later than 48 work hours of an inspection.</li> <li>• 'Scores on Doors' certificates are issued to eligible businesses.</li> <li>• EHOs attend and complete in-house consistency training as required (at least twice per year).</li> <li>• The EH Team Leaders undertake consistency reviews of each staff member as required, achieved either via desktop work review and/or by accompanying staff on inspections.</li> </ul>

## CORE FOCUS PROGRAM 1: FOOD SAFETY

### PERFORMANCE INDICATORS *continued*

- Professional development is provided, and at least two EHO team members must attend the NSW Food Authority's Regional Food Group Meetings and provide suitable feedback to the team as soon as possible (no later than the next team meeting); also attendance at seminars and targeted training sessions is required as appropriate.
- Food newsletters are distributed to all food businesses as issues arise (a minimum of twice per year).
- Food safety and hygiene training is offered regularly, with a minimum of four sessions provided per year.
- Annual activity report is completed and submitted to the NSW Food Authority by the required due date.

### FUNDING

- Budget allocation.
- Annual retail food premises, inspection and administration fees.
- Temporary and mobile food vehicle inspection and administration fees.
- Administration fees from regulatory actions including Improvement Notices.
- Issuing of required penalty notices/prosecution action.



## CORE FOCUS PROGRAM 2: PUBLIC HEALTH – LEGIONELLA CONTROL

Cooling tower

Warm water systems



<b>BACKGROUND</b>	<p>Numerous instances of <i>Legionella</i> infections spread via cooling towers have been reported around Australia since 1985. In response to reports of a number of serious Legionnaires' outbreaks which occurred across Sydney in 2016, NSW Health instituted a public health investigation finding significant deficiencies in the management practices of many cooling towers. NSW Health has since implemented a number of changes to the <i>Public Health Regulation 2012</i> as well as supporting documentation.</p> <p>Consequently, NSW Health is moving towards a risk-based system for the maintenance and inspection of cooling towers to include:</p> <ul style="list-style-type: none"> <li>• A Risk Management Plan (RMP) will be prepared by a 'competent' person and then submitted to Council.</li> <li>• An annual independent audit of the RMP is to be conducted by a certified third party to ensure that recommendations are implemented, with a copy of the Audit Certificate to be provided to Council.</li> <li>• Mandatory monthly sampling of cooling tower systems for <i>Legionella</i> and heterotrophic bacteria.</li> <li>• Mandatory formal reporting to Council is required if the <i>Legionella</i> count is <math>\geq 1000</math> cfu/ml and heterotrophic colony count (HCC) is <math>\geq 5,000,000</math> cfu/ml.</li> <li>• Issue of a Unique Identification Number for all cooling tower systems.</li> </ul>
<b>APPROACH</b>	<p>In accordance with the <i>Public Health Act 2010</i> regulated systems (i.e. cooling towers and warm water systems) are also required to be registered with Council. There are currently 120 registered cooling towers and 60 premises with warm water systems in the Cumberland LGA. This Strategy will aim to continue Council's proactive approach to inspecting cooling tower systems and advocating for continued improvements to NSW legislation.</p>
<b>PRIORITY HIGH</b>	<p><b>'A safe accessible community – Council operations support a healthy community.'</b></p> <p><i>Cumberland City Council's 2017–2027 Community Strategic Plan<sup>4</sup></i></p>
<b>GOALS</b>	<ul style="list-style-type: none"> <li>• Inspect 100% of registered premises that have cooling tower systems per financial year.</li> <li>• Ensure inspections aim to achieve continual improvement in the standard of cooling tower systems within the Cumberland LGA, advocating for improvements in state policy/legislative provisions where needs are identified.</li> <li>• Minimise Legionnaires outbreak illness notifications in the Cumberland LGA where possible.</li> <li>• Ensure that regulatory inspections undertaken by officers are of a suitable quality, with consistent application of the required state public health safety requirements.</li> <li>• Ensure that premises with regulated systems located within the Council area are registered with Council and aware of their basic responsibilities under the <i>Public Health Act 2010</i> and <i>Public Health Regulation 2012</i> and relevant standard for the operation and maintenance of the system.</li> </ul>



## CORE FOCUS PROGRAM 2: PUBLIC HEALTH – LEGIONELLA CONTROL

<b>RELEVANT LEGAL AND POLICY CONSIDERATIONS</b>	<ul style="list-style-type: none"> <li>• <i>Public Health Act 2010</i> and <i>Public Health Regulation 2012</i>.</li> <li>• Australian Standards (AS/NZS 3666.1:2011 Air-handling and water systems of buildings—Microbial control—Design, installation and commissioning; AS/NZS 3666.2:2011 Air-handling and water systems of buildings—Microbial control—Operation and maintenance; AS/NZS 3666.3:2011 Air-handling and water systems of buildings—Microbial control—Performance-based maintenance of cooling water systems; AS/NZS 3666.4:2011 Air-handling and water systems of buildings—Microbial control—Performance-based maintenance of air-handling systems (ducts and components).</li> <li>• NSW Guidelines – <i>Legionella Control in Cooling Water Systems</i> released by NSW Health in 2018.</li> <li>• Cumberland City Council Compliance and Enforcement Policy.</li> <li>• Cumberland City Council Compliance and Enforcement Guideline.</li> </ul>
<b>CURRENT ACTIVITIES</b>	<ul style="list-style-type: none"> <li>• Maintain a register of all notified regulated systems with Council's administration teams to register all new premises.</li> <li>• EHOs undertake an annual inspection of all registered premises with a cooling tower as allocated.</li> <li>• Inspection details are recorded by EHOs in the required Council property management and records management systems.</li> </ul>



## CORE FOCUS PROGRAM 2: PUBLIC HEALTH – LEGIONELLA CONTROL

<b>CURRENT ACTIVITIES</b> <i>continued</i>	<ul style="list-style-type: none"> <li>• Maintain a register of all notified regulated systems with Council's administration teams to register all new premises.</li> <li>• EHOs undertake an annual inspection of all registered premises with a cooling tower as allocated.</li> <li>• Inspection details are recorded by EHOs in the required Council property management and records management systems.</li> </ul>
<b>PERFORMANCE INDICATORS</b>	<ul style="list-style-type: none"> <li>• All cooling towers are registered upon notification and inspected according to the requirements of the <i>Public Health Act 2010</i> and <i>Public Health Regulation 2012</i>.</li> <li>• 100% of required premises inspections due in a financial year are completed.</li> <li>• The inherent risk priority of the premises/tower is recorded after each routine inspection.</li> <li>• All inspection details are entered into Council's property and record management systems in a timely manner.</li> <li>• Relevant compliance action is taken in a timely manner according to risk, and no later than within 48 work hours of an inspection.</li> <li>• Annual activity report is completed and submitted to NSW Health by 31 July each year.</li> <li>• Provision of a copy of Council's cooling tower register to NSW Health through the Western Sydney Local Health District (WSLHD) as requested to assist mapping in the event of an illness outbreak investigation.</li> <li>• Provision of support to the WSLHD during investigation of an illness outbreak notification as required.</li> <li>• EHOs attend and complete professional development training as required.</li> </ul>
<b>FUNDING</b>	<ul style="list-style-type: none"> <li>• Annual regulated system inspection fees.</li> <li>• Administration fees from regulatory action, including Improvement Notices.</li> <li>• Penalty Notices where applicable.</li> <li>• Budget allocation.</li> </ul>
<b>FURTHER PROFESSIONAL DEVELOPMENT REQUIREMENTS</b>	<ul style="list-style-type: none"> <li>• EHOs are to attend required training on the new Regulation requirements.</li> <li>• At least one EHO is to attend Public Health Unit regional meetings as well as required debrief meetings each time they are held, reporting back to the team at the next team meeting.</li> <li>• Working from heights training for all EHOs.</li> </ul>



## CORE FOCUS PROGRAM 3: PUBLIC HEALTH – INFECTION CONTROL

### Skin penetration premises



<b>BACKGROUND</b>	<p>The <i>Public Health Act 2010</i> requires that any premises carrying out skin penetration procedures must be registered with the local authority; this includes businesses operating from home. The <i>Public Health Act 2010</i> further requires local government authorities to appropriate measures to ensure compliance with the requirements of this Act in relation to private water suppliers, water carters, public swimming pools and spa pools, regulated systems and premises on which skin penetration procedures are carried out.</p> <p><i>“Skin penetration procedure means any procedure (whether medical or not) that involves skin penetration (such as acupuncture, tattooing, ear piercing or hair removal or the penetration of a mucous membrane), and includes any procedure declared by the regulations to be a skin penetration procedure” (Public Health Act 2010).</i></p> <p>Skin penetration procedures for this purpose do not include activities undertaken by a registered health practitioner or a person conducting a procedure under a health practitioner’s instruction.</p> <p>If skin penetration procedures are performed in an unhygienic manner, there is a risk of serious infectious diseases, such as hepatitis and HIV, being transmitted from client to client. Further, the transmission of fungal infections in nail salons in particular is of concern. As media attention around the skin penetration industry has grown, clients are becoming more aware of the standards.</p>
<b>APPROACH</b>	<p>There are currently 110 skin penetration premises in the Cumberland LGA. This Strategy aims to continue Council’s proactive approach towards inspection of all premises undertaking skin penetration procedures, with appropriate proactive education provided through this process.</p>
<b>PRIORITY</b> <b>HIGH / MEDIUM</b>	<p><b>‘A safe accessible community – Council operations support a healthy community.’</b></p> <p><i>Cumberland City Council’s 2017–2027 Community Strategic Plan<sup>4</sup></i></p>
<b>GOALS</b>	<ul style="list-style-type: none"> <li>• Inspect 100% of registered premises that undertake skin penetration activities each financial year.</li> <li>• Ensure that public health premises (including skin penetration premises) are registered in the Council area when identified/notified and are aware of their responsibilities under the <i>Public Health Act 2010</i> and <i>Public Health Regulation 2012</i>.</li> <li>• Ensure inspections aim to achieve continual improvement in the public health standards at skin penetration premises within the Cumberland LGA, with a culture towards provision of safe health services at local businesses, advocating for improvements in state policy/ legislative provisions where needs are identified.</li> <li>• Ensure that regulatory inspections undertaken by officers are of a suitable quality and consistent application of the required public health safety requirements is achieved.</li> <li>• Ensure that each public health premises comply with any Council direction.</li> <li>• Reduce complaints regarding infection control notifications within the Cumberland LGA.</li> <li>• Provide the required annual activity report to NSW Health and provide support to the WSLHD in the event of a complaint notification.</li> </ul>

## CORE FOCUS PROGRAM 3: PUBLIC HEALTH – INFECTION CONTROL

<b>RELEVANT LEGAL AND POLICY CONSIDERATIONS</b>	<ul style="list-style-type: none"> <li>• <i>Public Health Act 2010</i> and <i>Public Health Regulation 2012</i>.</li> <li>• Cumberland City Council Compliance and Enforcement Policy.</li> <li>• Cumberland City Council Compliance and Enforcement Guideline.</li> <li>• Public Health Operational Enforcement Guideline.</li> </ul>
<b>CURRENT ACTIVITIES</b>	<ul style="list-style-type: none"> <li>• EHOs undertake an annual inspection of all registered skin penetration premises as allocated according to the risk priority.</li> <li>• Inspection details are recorded by EHOs in the required Council property management and records management systems.</li> <li>• EHOs take any required regulatory action including issuing improvement notices, penalty infringement notices and other regulatory documents where necessary.</li> <li>• Administration teams issue invoicing for inspections and Finance sections then follow the payments.</li> <li>• EHOs maintain a register of all notified skin penetration premises, and Council's Administration teams register all new premises.</li> <li>• EHOs ensure that a public register of all skin penetration premises is regularly updated and available in the Council system.</li> <li>• EHOs assist NSW Health in the event of a notification on infection control issues with skin penetration premises as required.</li> <li>• The EH Team Leader completes and submits the required annual activity report to NSW Health.</li> <li>• Team members participate in the NSW Health debriefs and targeted training programs for infection control/skin penetration procedures as appropriate.</li> </ul>
<b>POSSIBLE FUTURE INITIATIVES</b>	<ul style="list-style-type: none"> <li>• Undertake a risk analysis of each registered premises to determine the frequency of future inspections required.</li> <li>• Consider development of a recognition initiative for good operators of skin penetration premises that incorporate a safe business culture.</li> <li>• Develop and implement additional skin penetration training for employees in the LGA.</li> <li>• Participate in new initiatives with NSW Health for newly emerging skin penetration procedures.</li> </ul>
<b>PERFORMANCE INDICATORS</b>	<ul style="list-style-type: none"> <li>• 100% of required skin penetration premises inspections, due in a financial year, are completed.</li> <li>• The inherent risk priority of the business is assessed by the EHO after each routine inspection.</li> <li>• All inspection details are entered into Council's property and record management systems in a timely manner.</li> <li>• Relevant compliance action is taken in a timely manner according to risk and by no later than 48 work hours of an inspection.</li> <li>• EHOs complete in-house consistency and professional development training as required.</li> <li>• The Senior/Team Leader undertakes consistency reviews of each staff member as required (achieved either via desktop work review or by accompanying staff on inspections).</li> <li>• At least one EHO attends the NSW Health's Public Health Unit meeting and debriefs each time they are held, reporting back to the next team meeting. Provision of support to the WSLHD on complaint investigation as required.</li> <li>• Skin penetration training is offered to employees in the LGA at least twice per year.</li> <li>• All skin penetration premises are registered upon notification and inspected according to the requirements of the <i>Public Health Act 2010</i> and <i>Public Health Regulation 2012</i>.</li> <li>• Annual activity report completed and submitted to NSW Health by 31 July each year.</li> </ul>

## CORE FOCUS PROGRAM 3: PUBLIC HEALTH – INFECTION CONTROL

### FUNDING

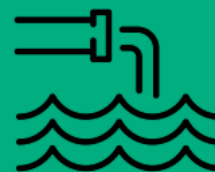
- Annual regulated system inspection fees.
- Administration fees from regulatory action, including Improvement Notices.
- Penalty Notices where applicable.
- Budget allocation.



## CORE FOCUS PROGRAM 4: ENVIRONMENTAL MANAGEMENT AND RESPONSE

Environmental protection (spill response)

Pollution control (sewer leaks, noise/odour concerns)



### BACKGROUND

#### **Sewer overflows**

An increasing number of sewage overflows are being reported to Council, primarily due to the ageing sewerage network servicing the Cumberland LGA. These overflows would pose a risk to human health in the event that contaminated water entered public areas or into private property. The excess sewage can also enter stormwater systems which may, in turn, discharge into the Parramatta River and Georges River Catchments, causing increased nutrient loads and reducing water quality.

It is imperative that Council's EHOs undertake investigations promptly, and that suitable enforcement action is promptly taken.

#### **Spill Response/Pollution notification**

Council is regularly contacted regarding pollution incidents or spills from a number of sources including local community members, the NSW EPA, and/or the NSW Fire Brigade attending an emergency situation. These incidents can occur via accidental means (e.g. car accidents, fires or mechanical failures at commercial premises) or through deliberate actions (e.g. deliberate disposal of waste water or paint into the stormwater system or creeks).

#### **Illegal Asbestos dumping**

Asbestos is a naturally occurring fibrous mineral occurring in rock formations, which becomes a risk when asbestos fibres become suspended in air and are breathed into the lungs. Mesothelioma is a cancer of the lining of the lung and stomach walls caused by exposure to asbestos, and has no cure. There are no safe exposure levels to asbestos and Australia has the second highest mesothelioma death rate in the world.<sup>6</sup>

Between 1945 and 1954, over 700,000 houses were built in NSW using asbestos cement. Asbestos was used in building material until the 1980s; however, it was not outlawed until 2003. It is expected that, if a house was built prior to 1990, there are some asbestos-containing materials in the home.<sup>7</sup> Cumberland City Council has a number of houses built in the 'at risk' years. In recent years Local Government NSW has focused on the issue of asbestos and has produced a number of resources, all of which can be utilised by EHOs.

Asbestos dumping complaints in the Cumberland LGA are currently dealt with reactively, meaning that EHOs/NSW EPA Officers are involved when a complaint is received.

#### **Noise/Odour complaints**

Noise and odour issues are generally referred to Council via complaints from affected residents. Council has powers under the *Protection of the Environment Operations Act 1997* to investigate such complaints. Noise can be either offensive or intrusive. Odour can be described as 'offensive'.

#### **'Offensive noise' (NSW Government, 2017<sup>8</sup>) is noise:**

'(a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances: (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or (b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.'



## CORE FOCUS PROGRAM 4: ENVIRONMENTAL MANAGEMENT AND RESPONSE

<p><b>BACKGROUND</b> <i>continued</i></p>	<p><b>'Intrusive Noise' is identified as 'intrusive' if it:</b> 'is noticeably louder than the background noise and considered likely to disturb or interfere with those who can hear it' (EPA 2013).</p> <p><b>'Offensive odour' is defined as an odour:</b></p> <p>'(a) that, by reason of its strength, nature, duration, character or quality, or the time at which it is emitted, or any other circumstances: (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or (b) that is of a strength, nature, duration, character or quality prescribed by the regulations or that is emitted at a time, or in other circumstances, prescribed by the regulations.'</p>
<p><b>APPROACH</b></p>	<p>This Strategy aims to continue Council's approach toward active inspection of all environmental incidents in a timely manner.</p>
<p><b>PRIORITY</b> <b>HIGH / MEDIUM</b></p>	<div style="background-color: #1a3a5a; color: white; padding: 10px;"> <ol style="list-style-type: none"> <li>1. 'A safe accessible community – Council operations support a healthy community.'</li> <li>2. 'A clean and green community – We value the environment and have measures in place to protect it.'</li> <li>3. 'A resilient built environment – Our planning decisions and controls ensure the community benefits from development.'</li> </ol> <p><i>Cumberland City Council's 2017–2027 Community Strategic Plan<sup>4</sup></i></p> </div>





## CORE FOCUS PROGRAM 4: ENVIRONMENTAL MANAGEMENT AND RESPONSE

PRIORITY	<p><b>HIGH</b> – sewer/pollution response.</p> <p><b>MEDIUM</b> – noise/odour concerns.</p>
GOALS	<ul style="list-style-type: none"> <li>Attend to 100% of environmental complaints, prioritising higher risk concerns such as sewer leaks and pollution incidents, in a prompt and timely manner, with all actions taken according to the inherent public health/environmental risk.</li> <li>Ensure that regulatory inspections undertaken by officers are of a suitable quality, and consistent application of the required public and environmental health safety requirements is achieved.</li> <li>Ensure that each retail and commercial premises found to be creating environmental impacts complies with any Council direction to address these concerns.</li> <li>Ensure that regulatory inspections undertaken by officers are of a suitable quality, and consistent application of the required environmental management is achieved with the aim of providing better environmental practice.</li> <li>Develop a written response policy and procedure documents for this function within 24 months of the adoption of this Strategic Plan. This includes development of a formal spill response procedure.</li> <li>A specific WHS Plan to be developed and implemented for environmental response matters within 12 months of the adoption of this policy.</li> <li>Review Cumberland City Council's spill response kits in work cars as well as spill response trailers held at the depot, which are used when Council staff are the first responders or when the spill is not of sufficient size to require the assistance of the Emergency Services.</li> </ul>
RELEVANT LEGAL AND POLICY CONSIDERATIONS	<ul style="list-style-type: none"> <li><i>Protection of the Environment Operations Act 1997.</i></li> <li><i>Protection of the Environment Operations (General) Regulation 2009.</i></li> <li><i>Local Government Act 1997.</i></li> <li>Cumberland City Council Compliance and Enforcement Policy.</li> </ul>
CURRENT ACTIVITIES	<ul style="list-style-type: none"> <li>All complaints are entered into Council's Customer Request system by Customer Service, Environmental Health Administration Officers or EHOs.</li> <li>Inspection details are recorded on the Council's customer request and property management systems and any photos/evidence collected are added to the Council's records management system.</li> <li>EHOs take any required regulatory action, including issuing improvement notices, penalty infringement notices and other regulatory documents where necessary, in a timely manner.</li> <li>Administration teams issue invoicing for enforcement actions where a fee is generated and Finance sections then follow the payments of regulatory actions taken.</li> <li>EHOs comment on development applications for protection of environmental and public health issues such as noise control, odour control, contamination issues and environmental management of known risk activities at commercial premises.</li> <li>A public register of all POEO notices issued is maintained by Council.</li> <li>EHOs assist NSW EPA/Fire Brigade in the event of a pollution incident where support is required.</li> <li>Team members participate in the NSW EPA/Health targeted training programs for spill response and sewer overflow procedures as appropriate.</li> <li>EHO trainees participate in the background noise monitoring program.</li> </ul>

## CORE FOCUS PROGRAM 4: ENVIRONMENTAL MANAGEMENT AND RESPONSE

<b>FUTURE INITIATIVES</b>	<ul style="list-style-type: none"> <li>• Develop a written response policy and procedure documents for this function within 24 months of the adoption of this Strategic Plan. This includes development of a formal spill response procedure.</li> <li>• Develop and implement a specific WHS Plan for environmental response procedures.</li> <li>• Conduct a review of the current background noise monitoring program within 24 months, determining appropriate sites across the LGA appropriate for continued noise monitoring.</li> </ul>
<b>PERFORMANCE INDICATORS</b>	<ul style="list-style-type: none"> <li>• 100% of environmental complaints are responded to, prioritising higher risk concerns such as sewer leaks and pollution incidents, with all actions taken according to the inherent public health/environmental risk. Sewer leaks and pollution incidents are responded to within 24 work hours of receipt. Noise/Odour complaints are responded to within 72 work hours of receipt.</li> <li>• Relevant compliance action is taken in a timely manner according to risk and no later than within 48 work hours of an inspection.</li> <li>• Formal Notices/Directions and Emergency Orders are acted upon within 24 work hours of expiry.</li> <li>• Development consent referrals on environmental management issues are responded to within the DA timeframes allocated to Environmental Health response rates, currently within 10 business days of referral to the Environmental Health Team.</li> <li>• EHOs complete in-house and external consistency and professional development training as required.</li> <li>• All inspection details are accurately entered into Council's property and record management systems in a timely manner.</li> <li>• Council Officers meet with NSW EPA Officers as required.</li> </ul>
<b>FUNDING</b>	<ul style="list-style-type: none"> <li>• Regulatory notices including Prevention, Clean-up and Cost compliance notices where appropriate.</li> <li>• Budget Allocation.</li> </ul>



## OTHER PROGRAM AREAS

Public swimming pool and spa pool monitoring

Environmental auditing, water monitoring, regulated premises



<b>DA REFERRALS</b>	<p>Development Applications received by Council are referred to its Planning Department for assessment. Council's Planners then refer these applications to the relevant teams for their review and provision of comments, together with recommended conditions for inclusion in any development consent or reasons for refusal. Through the inclusion of suitable conditions on the development consent, the Environmental Health Team aims to take a proactive approach to eliminating any potential nuisances (such as noise or odours) rather than reactively via complaints.</p> <p>Contaminated lands, which are identified through the development application process, are an ever-increasing problem in NSW. The EPA regulates significant contaminated land sites while local councils regulate all other areas in relation to this function, generally by Environmental Health Officers at Development Application stage. Due to the complexity of contaminated lands, the Senior Environmental Health Officers are responsible for assessing DA referrals for these sites. This Strategy will not alter current arrangements at this time.</p>
<b>PRIORITY</b>	<p><b>MEDIUM</b></p> <p><b>‘A resilient built environment – Our planning decisions and controls ensure the community benefits from development.’</b></p>
<b>CURRENT ACTIVITIES</b>	<ul style="list-style-type: none"> <li>• The Environmental Health Team comments on development applications for protection of environmental and public health issues such as noise control, odour control, contaminated land issues, and environmental management of known risk activities at commercial premises. Development consent referrals on environmental management issues are responded to within the DA timeframes allocated to Environmental Health response rates, currently within 10 business days of referral to the Environmental Health Team.</li> </ul>
<b>FUTURE INITIATIVES</b>	<ul style="list-style-type: none"> <li>• Review and amend standard conditions for development consent to have one unified set of Environmental Health conditions.</li> <li>• Prepare a work procedure for assessing contaminated lands that includes additional staff training.</li> </ul>
<b>LEGISLATION</b>	<ul style="list-style-type: none"> <li>• <i>Environmental Planning and Assessment Act 1979.</i></li> <li>• National Environment Protection (Assessment of Site Contamination) Measure (2013 Amendment).</li> <li>• State Environmental Planning Policy – SEPP 55 Remediation of Lands.</li> </ul>

## OTHER PROGRAM AREAS

<b>PUBLIC SWIMMING POOL, SPLASH PARK AND SPA POOL INSPECTIONS</b>	Council currently monitors the water quality of public swimming pools, spa pools and splash parks under the <i>Public Health Act 2010</i> , with the aim of minimising conditions that could result in an illness outbreak through harmful bacteria such as <i>Cryptosporidium</i> . There are currently 23 public swimming pools registered and operating in the Cumberland LGA; Council's Trainee EHOs especially aim to inspect these premises through the peak summer swimming seasons. This Strategy will not alter current arrangements at this time.
<b>PRIORITY</b>	<b>LOW</b>
<b>CURRENT ACTIVITIES</b>	<ul style="list-style-type: none"> <li>• Trainee EHOs maintain a register of public swimming pools, with any new public swimming pools included in the inspection program.</li> <li>• Trainee EHOs undertake proactive regulatory inspections between November and March each financial year.</li> <li>• EHO and Trainee EHOs investigate complaints and coordinate joint inspections with the WSLHD where requested, providing support should there be an outbreak investigation.</li> <li>• Trainee enters the inspection details into Council's register and records management systems.</li> <li>• Administration to issue any required invoices for inspections.</li> </ul>
<b>RELEVANT LEGISLATION AND/OR POLICY LINKS</b>	<ul style="list-style-type: none"> <li>• <i>Public Health Act 2010</i></li> <li>• <i>Public Health Regulation 2012</i></li> <li>• <i>Public Health Amendment (Review) Act 2017</i></li> </ul>
<b>FUTURE INITIATIVES</b>	<ul style="list-style-type: none"> <li>• Conduct an audit to accurately determine the number of public swimming pools within the Cumberland LGA.</li> <li>• Identify public swimming pools that regularly fail inspections with a view to conducting an educational/training program for swimming pool operators.</li> </ul>





## OTHER PROGRAM AREAS

<b>ENVIRONMENTAL /INDUSTRIAL AUDITS</b>	<ul style="list-style-type: none"> <li>Environmental/industrial audits are conducted by local government as a proactive approach to prevent environmental damage. The NSW Environment Protection Authority (EPA) has assisted in the past by providing support with training and programs. A number of Councils take a targeted approach to their environmental/industrial audit programs; for example, they may conduct audits on mechanical workshops in one year and spray painters the next.</li> <li>Environmental/industrial audits have not been undertaken by Cumberland City Council routinely for a number of years and inspections of industrial premises are currently reactive. This Strategy will not alter current arrangements at this time.</li> </ul>
<b>PRIORITY</b>	<b>LOW</b>
<b>FUTURE INITIATIVES</b>	<ul style="list-style-type: none"> <li>Develop an environmental/industrial audit program that identifies problem premises with a view to improving environmental standards at these businesses.</li> <li>Develop a register of all industrial premises within the LGA that could impact upon the environment.</li> <li>Train EHOs to conduct environmental/industrial audits. This training can be either formal (if available) or informal, e.g. by accompanying EHOs from other Councils or observing the work of an independent auditor engaged by Council.</li> <li>Specific WHS Plans for Environmental Auditing to be developed and implemented prior to the implementation of audit programs.</li> </ul>
<b>UNSAFE/ UNHEALTHY PREMISES – HOARDING/ SQUALOR</b>	<p>Unsafe/unhealthy premises notified to Council by members of the public can involve hoarding and squalor. Hoarding is a higher priority and can occur in any suburb and within any demographic. Hoarding and Squalor problems are generally complex matters that require input from many specialists, including community care organisations, the police, psychologists and Council. Councils are often the first point of contact for complainants and, as such, good relationships with care organisations that can assist in addressing the cause of the hoarding/squalor concern are necessary. This Strategy will not alter current arrangements at this time.</p>
<b>RELEVANT LEGISLATION AND/OR POLICY LINKS</b>	<ul style="list-style-type: none"> <li><i>Local Government Act 1993.</i></li> <li><i>Local Government (General) Regulation 2005.</i></li> </ul>
<b>PRIORITY</b>	<b>LOW</b>
<b>CURRENT ACTIVITIES</b>	<ul style="list-style-type: none"> <li>EHOs respond to all complaints regarding Hoarding and Squalor within the Council area, risk prioritising the matters that may impact on public health and/or the health of the occupant.</li> <li>All complaints are entered into the Customer Request system by either Customer Service, Environmental Health administration or EHOs.</li> <li>EHOs currently record results of the inspections on Council's customer and property management systems and any photos/evidence collected are added to Council's records management system.</li> <li>Notices and Orders are issued by EHOs as required and recorded onto Council's register and records management systems.</li> </ul>



## OTHER PROGRAM AREAS

<b>FUTURE INITIATIVES</b>	<ul style="list-style-type: none"> <li>• Seek and forge stronger links with local support organisations to more effectively approach complaints regarding Hoarding and Squalor.</li> <li>• Council EHOs are to undertake appropriate training on Hoarding and Squalor to enable them to identify both the underlying issues, and avenues for assistance and resolution.</li> </ul>
<b>PLACES OF SHARED ACCOMMODATION (BOARDING HOUSES), SEX ON PREMISES VENUES</b>	<p>Places of shared accommodation take two forms, i.e. boarding houses and backpackers' hostels (backpackers). Boarding houses generally accommodate a number of unrelated people in one dwelling and provide either short-term (under 28 days) or long-term (over 28 days) lodgings. Backpackers provide short-term lodgings for a number of people (generally international visitors), usually in rooms with multiple tenants.</p> <p>The <i>Public Health Act 2010</i> and <i>Local Government Act 1993</i> allow EHOs to undertake inspections of places of shared accommodation to ensure that they are maintained in a clean and hygienic manner. There currently is a small number of registered places of shared accommodation within the Cumberland LGA. However, as there are a number of unauthorised establishments operating, it is difficult to cite an accurate number. Complaints regarding boarding houses and backpackers are investigated as advised.</p> <p>A small number of legal 'sex on premises' venues (also known as brothels) are permitted within the Cumberland LGA, with five currently registered.</p> <p>The <i>Public Health Act 2010</i> and <i>Local Government Act 1993</i> allow EHOs to undertake inspections of sex on premises venues to ensure that they are maintained in a clean and hygienic manner and that clients are protected from communicable diseases. Furthermore, EHOs can make links with support services to ensure that the workers are also protected from communicable diseases.</p> <p>Council EHOs currently monitor the legal premises and take action based on complaints. This Strategy will not alter current arrangements at this time.</p>
<b>PRIORITY</b>	<b>LOW</b>
<b>FUTURE INITIATIVES</b>	<ul style="list-style-type: none"> <li>• Review and implement a register of premises; aim to undertake proactive inspections of these premises.</li> <li>• Develop a program to seek links with external agencies to provide workers and clients with safe sex information</li> </ul>
<b>RELEVANT LEGISLATION AND/OR POLICY LINKS</b>	<ul style="list-style-type: none"> <li>• <i>Public Health Act 2010</i></li> <li>• <i>Public Health Regulation 2012</i></li> <li>• <i>Local Government Act 1993</i></li> <li>• <i>Local Government (General) Regulation 2005</i></li> </ul>

## OTHER PROGRAM AREAS

### CLANDESTINE DRUG LABS

Clandestine Drug Labs (or 'clan labs') are generally reported to Council by NSW Police during the site investigation period following a police raid.

The production of illicit drugs utilises many noxious chemicals; the resulting chemical reactions also release toxic substances. These substances can leach into the dwelling's fixtures, fittings and equipment, such as gyprock, carpet, timber, paints, etc. There are cases emerging of people becoming very unwell, as they are living in premises that were previously used as clan labs but had not been appropriately cleaned.

EHOs assist in the clean-up of the site by issuing Notices and Orders under the *Local Government Act 1993*. There have been no reports of clan labs to Cumberland City Council's EHOs in recent times. This Strategy will not alter current arrangements at this time.

### CURRENT ACTIVITIES

- EHOs respond to requests from NSW Police within 24 work hours of receipt.
- EHOs issue enforcement action, where necessary, within 48 work hours of site inspection.
- All reports from NSW Police are entered into the Council Customer Request system either by Customer Service, Environmental Health administration or the EHOs.
- Results of the inspections are to be recorded on the customer request and property management system and any photos/evidence collected are to be added to the Council's records management system.
- The Manager, Health and Environmental Protection will consider meeting with the Local Area Commander to forge better links between NSW Police and Council's EHOs, particularly in the area of clan labs.





## OTHER PROGRAM AREAS

<b>UNDERGROUND PETROLEUM STORAGE SYSTEMS (UPSS)</b>	The Underground Petroleum Storage Systems (UPSS) Regulation was revised in 2014 to clarify the management and operation of UPSS infrastructure across the state. The NSW Environment Protection Authority (EPA) was formally the Appropriate Regulatory Authority (ARA) for these sites until 2019. At that time the ARA responsibilities will be passed to local councils. This Strategy will be reviewed once arrangements are finalised between the EPA and Council.
<b>PRIORITY</b>	<b>MEDIUM</b>
<b>FUTURE INITIATIVES</b>	<ul style="list-style-type: none"> <li>• Develop a register of all service stations within the Cumberland LGA.</li> <li>• Investigate whether there are any other facilities that operate UPSS within the LGA.</li> <li>• EHOs are to be trained to enable them to conduct UPSS audits. This training can either be formal (if available) or informal, e.g. by accompanying EHOs from other Councils or by observing the work of an independent auditor engaged by Council.</li> </ul>
<b>MORTUARIES</b>	<p>Rookwood Cemetery, located within the Cumberland City Council LGA, is state heritage listed. It has operated continuously since 1867 and is still currently accepting interments.</p> <p>The <i>Public Health Act 2010</i> and its associated regulation prescribe how the disposal of bodies and exhumations should occur, primarily to maintain infection control. Different religious groups have specific requirements for the disposal of human remains and these are taken into account within various NSW Health guidelines.</p> <p>Council EHOs do not inspect mortuaries; however, they may be required to support the WSLHD on occasion. This Strategy will not alter current arrangements at this time.</p>



# Resources and Staffing

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**The Environmental Health service is one of the functions performed by Councils Regulatory and Technical Business Group. The following Officers have responsibilities within the Environmental Health Unit:**

- Manager Health & Environmental Protection
- Team Leader – Environmental Health (2 Positions)
- Senior Environmental Health Officers (4 Positions)
- Environmental Health Officers (6 positions)
- Trainee Environmental Health Officers (2 Positions)

If the budget allows, an environmental health consultant may be engaged when required to cover leave. The activities and responsibilities within the environmental health program are divided between the Team Leaders Environmental Health, Senior EHOs, EHOs and Trainee EHOs.

## **AUTHORISED OFFICERS**

These Officers must be suitably authorised under the relevant legislation with functions delegated to them by Council's General Manager, which must be in the form prescribed by the relevant legislation. Authorised Officers are given Powers of Authority to exercise the following functions prescribed by legislation:

- Powers of Entry
- Powers to require information
- Powers to issue Notices and Orders
- Powers to issue Penalty Infringement Notices .

Authorised Environmental Health Officers exercise functions from the following legislations and associated regulations in the performance of their duties:

- *Food Act 2003 (NSW)*
- *Public Health Act 2010*
- *Protection of the Environment Operations Act 1997*
- *Local Government Act 1993*
- *Environmental Planning and Assessment Act 1979*
- *Biosecurity Act 2015*

## **REQUIRED EQUIPMENT**

Specialist equipment available for the EH unit includes:

- Leaseback vehicles for Team Leaders Environmental Health, Senior EHOs and EHOs
- Testo digital thermometers
- Testo data loggers
- Noise meters
- Laboratory equipment for water analysis
- Palintest pool testing equipment
- Smart phones
- Digital cameras
- In-car spill kits
- Spill response trailer
- Usual office furnishings, computer-related equipment
- and personal protective equipment

# Reporting

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## Annual

- Council is legally required to provide an Activity Report to the NSW Food Authority. This document must be submitted in July each year, covering food-related activities in the previous financial year period.
- Council is legally required to provide an Activity Report to the NSW Health Department via the Western Sydney Local Health District (LHD). This document must be submitted in July each year, covering public health-related activities in the previous financial year period.
- Cumberland City Council's internal annual report requirements.

## Quarterly

- Cumberland City Council's Community Strategic Plan, Operational Plan and Delivery Plan.

## Monthly

- Monthly Key Performance Indices (KPIs) are provided to the Manager, Health & Environmental Protection.

# References

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# APPENDIX

## ANALYSIS OF REGULATORY FUNCTIONS

Function	Priority				Explanation
	Must Do	Should Do	Could Do	Won't Do	
Air quality/odour complaints					Legislative requirement.
Asbestos on private property (no DA)					Legislative requirement.
Asbestos on private property (with DA)					To be referred to SafeWork.
Asbestos on public land					Initial investigations by Rangers. Refer to public place cleansing or EHO as required.
Barking dogs					To be undertaken by Rangers.
Clandestine drug labs					Should investigate but depends on referrals from the Police & staff training.
Contaminated lands					Legislative requirement.
Cooling tower inspections					Legislative requirement.
DA referrals					Should be addressed proactively at assessment stage.
Environmental/industrial audits					Could be done as part of the environmental protection program.
Food inspections					Legislative requirement.
Hairdresser inspections					Not defined as skin penetration. Inspect on complaint only.
Health education					Should be done to increase compliance and because food inspections attract an administration fee.
Hoarding and Squalor					Legislative requirement.
Mobile food vending inspections					Legislative requirement.
Mortuaries					Legislative requirement.
Mosquito monitoring					Not at this stage as no Ross River Fever cases reported in LGA.
Noise complaints					Legislative requirement.
Noxious weeds					Function better exercised by Environmental Protection Officers.
On-site waste water					Not at this stage. Can reassess if notifications received.
Overgrown premises					Only if there is harbourage of vermin.
Places of shared accommodation inspections					Should inspect to ensure that vulnerable populations are accommodated in safe & hygienic premises.
Policy/procedure development					Essential to maintain team consistency.

## ANALYSIS OF REGULATORY FUNCTIONS

Function	Priority				Explanation
	Must Do	Should Do	Could Do	Won't Do	
Private water supply inspections					Not at this stage. Can reassess if notifications received.
Section 68 approvals					Legislative requirement.
Sewer overflows					Legislative requirement.
Sex premises inspections					Should inspect to ensure clients & workers are protected from communicable diseases.
Skin penetration inspections					Legislative requirement.
Spill response					Protection of the environment.
Stormwater complaints					Should be undertaken by Building Compliance Team.
Temporary food inspections					Legislative requirement.
Underground Petroleum Storage System (UPSS)					Legislative requirement.
Waste on public land					To be referred to Council's Waste Team.
Water quality monitoring					Could do to protect local environments.

CUMBERLAND  
CITY COUNCIL**Cumberland City Council**

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Item No: C03/20-393

## **RESPONSE TO MATTER OF URGENCY – DISTRIBUTION OF CLEAN-UP OF DUCK RIVER POLITICAL MATERIAL**

Responsible Division: Works & Infrastructure  
Officer: Director Works & Infrastructure  
File Number: HC-11-20-2  
Community Strategic Plan Goal: *A safe accessible community*

### **SUMMARY**

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This report provides a response to the Matter of Urgency – Distribution of Clean up Duck River Political Material resolved at the Ordinary Meeting of Council on 18 December 2019 (Min.845).

### **RECOMMENDATION**

---

**That Council receive and note the report.**

### **REPORT**

---

Council at its ordinary meeting held on 18 December 2019 considered a matter of urgency which concerned matters relating to the distribution of documents relating to the maintenance of the Duck River corridor.

During the consideration of this matter copies of two electronic newsletters with the subject heading(s) *The Duck River needs your help* (Attachment 1) and *Duck River Cleaned Up* (Attachment 2) were tabled.

Following the consideration of this matter of urgency, Council resolved the following;

“That Council:

1. *Council as a matter of urgency investigate allegations made by members of the Auburn-Lidcombe branch of the Labor party including councillors affiliated with this organisation as to the nature of public documents in the form of emails and a press conference purporting to be lobbying Council to undertake a clean-up of the Duck River.*
2. *The investigation is to look at (however not limited to) the following;*
  - a) *The alleged petition and motion that were stated to have been provided to Council.*

- b) The depiction of before and after photographs that are not of the same area potentially misleading the public.*
- c) The possible unauthorised use of Council property for the purposes of an organised public gathering in the form of a press conference.*
- d) The details of the supposed grants that are being made available to Council as stated by the Federal Member for Blaxland Mr. Jason Clare.*
- e) The nature of the meeting between Council officers and representatives of the Auburn-Lidcombe branch and outcomes.*
- f) When and how many jet skis were removed from the Duck River as alleged occurred in response to the supposed campaign.*
- g) Clarification of how many thousand bottles and shopping trolleys were also removed from the Duck River during this lobbied clean up schedule.”*

Subsequent to this resolution, Council staff undertook a review of internal records to inform the investigation. The outcome of the investigation is provided below.

#### Alleged Petition and Motion Provided to Council

A review of Council's records indicate that Council has not received a petition regarding the maintenance of the Duck River. In addition other documents relating to the maintenance of the Duck River have also been reviewed and a letter dated 10 July 2019 from the Labor Auburn Lidcombe United Branch was identified (Attachment 3). This letter sought information on Council's management plans for the Duck River, raised concerns about the amount of rubbish which had accumulated on the banks of the River and sought an update on the progress of the proposed Duck River Playground.

The correspondence received from the Auburn Lidcombe United Branch was responded to by Council Officers on the 25 July 2019 (Attachment 4).

#### Before and After Photographs

Council staff have reviewed the photographs in the documents tabled at the Council Meeting on 18 December 2019 (Attachments 1 and 2), and have determined it is difficult to pinpoint the precise locations where the photos were taken. As such Council is unable to determine whether or not photos are of a misleading nature.

#### Unauthorised Use of Council Property for Public Gathering or Press Conference

The resolution of Council refers to the possible unauthorised use of Council property for the purpose of a press conference.

Council staff have undertaken a review of the bookings system to determine if any bookings have been made which are consistent with press conference referred to in the document *Duck River Cleaned Up* (Attachment 2). No bookings have been



identified within Council's records system and no evidence exists within Council's records that the press conference was undertaken on Council property.

#### Grants Made Available to Council

In January this year, Council was notified that it had been successful in obtaining grants under the Communities Environment Program (CEP). The table below provides a summary of successful grants identified by Electorate:

Program name	Electorate	Grant Funding	Description
Duck River Track Restoration	Blaxland	\$20,000	Track Restoration near Ray Marshall Reserve
Duck River GPT and Weed Removal	Blaxland	\$20,000	GPT Efficiency or Clean up Activity
Bat Colony Weed Removal and Revegetation	Parramatta	\$18,000	Weed Removal and Revegetate Colony's Habitat
Campbell Hill Pioneer Reserve Community Planting Day	Blaxland	\$17,000	Community Planting Day at Pioneer Hill Reserve

The table highlights four (4) successful grant applications at the time of writing this report, three (3) of which could be determined to relate directly or indirectly to the maintenance or improvement of the Duck River corridor.

#### Meeting with Council Officers and the Auburn – Lidcombe Branch

On Friday, 18 October 2019, Council Officers met with some Councillors, members of the Labor Auburn Lidcombe United Branch and other community members to discuss concerns regarding the cleaning and general maintenance of the Duck River.

Prior to the meeting, electronic correspondence was sent to some Councillors and Council staff in September 2019 which provided a summary and outcomes of Councils current maintenance and cleaning program. This correspondence highlights Councils maintenance program for the period of July – September 2018.

Beyond the initial discussion concerning works undertaken by Council officers in the preceding year, enquiries were made as to whether Council could proactively increase its maintenance and cleaning program within the Duck River. It was noted by Council Officers that Council is not in a position to financially prioritise works of this nature. As an outcome of the meeting, it was agreed that Council staff would be deployed to the banks of the Duck River behind the Auburn Botanical Gardens to conduct routine maintenance and cleaning.

#### Jet Skis Removed from the Duck River

Council records indicate that a jet ski was removed from the Duck River in the period between July – September 2018.

### Bottles and Shopping Trolleys Removed from the Duck River

Following on from the meeting held with Council Officers, members of the Labor Auburn Lidcombe United Branch and other community members, Council staff were deployed to undertake additional cleaning and general maintenance duties along the Duck River.

During these works, approx. 20 shopping trolleys, 1 motor bike, 1 small boat, 1 small dead tree and general rubbish were removed from the banks of the river. Additionally Council officers removed piles of weeds on behalf of local volunteer groups working within the Duck River corridor.

Following the completion of the work undertaken by Council Officers in October 2019, correspondence was received in November 2019 complimenting Council's efforts in regards to the maintenance works which were undertaken.

### **COMMUNITY ENGAGEMENT**

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There are no consultation processes for Council associated with this report.

### **POLICY IMPLICATIONS**

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There are no policy implications for Council associated with this report.

### **RISK IMPLICATIONS**

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There are no risk implications for Council associated with this report.

### **FINANCIAL IMPLICATIONS**

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The expenditure of funds associated with the works highlighted within this report are drawn from Council's budget.





### **CONCLUSION**

---

Following the Council resolution on this matter on 18 December 2019, Council staff undertook a review of internal records to inform the investigation. The outcome of the investigation is provided in this report.

### **ATTACHMENTS**

---

1. Electronic Newsletter The Duck River Needs Your Help [↓](#) 
2. Electronic Newsletter Duck River Cleaned Up [↓](#) 
3. Letter from Auburn Lidcombe United Branch, 10 July 2019 [↓](#) 
4. Letter Cumberland Council, 25 July 2019 [↓](#) 

DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-393

Attachment 1

Electronic Newsletter The Duck  
River Needs Your Help





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## Fwd: Auburn Labor - The Duck River needs your help

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----- Forwarded message -----

From: **Auburn-Lidcombe United Branch** <[auburn.labor@gmail.com](mailto:auburn.labor@gmail.com)>

Date: Wed, 18 Sep 2019 at 9:01 pm

Subject: Auburn Labor - The Duck River needs your help

To:

## The Duck River needs your help





Have you been to the Duck River lately? Members of the Auburn-Lidcombe United Branch recently visited the river and were deeply disappointed to find it is still full of rubbish and refuse; bottles and boats, trolleys and even a jetski.

To help try and fix this situation, the branch is running a campaign asking Cumberland Council to do more to clean up and help protect the Duck River.

You can help by going to our [petition page](#) and filling it out. Doing so should take less than two minutes, but will help us tell council that people want a cleaner and healthier Duck River.

You can also forward this email on to any family, friends and colleagues who you think would want to help protect this important resource (especially those who live in the Cumberland Council area). The more support we can get the better.

If you have any questions about our campaign or would like to speak to us, you can send an email to [auburn.labor@gmail.com](mailto:auburn.labor@gmail.com) or connect with us via our [Facebook page](#) (including posting any pictures you take of the river).

In solidarity,  
Auburn-Lidcombe United Branch





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Auburn, **NSW** 2144  
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DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-393

Attachment 2  
Electronic Newsletter Duck River  
Cleaned Up





[View this email in your browser](#)

## Duck River Cleaned Up

We have some wonderful news to share about the Duck River. The Auburn Branch's campaign has resulted in Cumberland Council acting - and they have undertaken a dramatic cleaning of the Duck River.

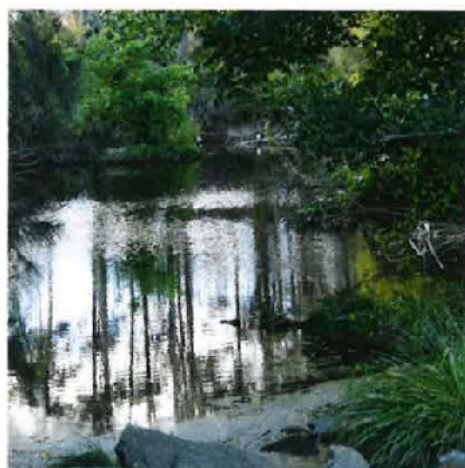
Thank you to everyone who signed the petition, shared the link with family and friends and voted in support of our motion to get the Duck River cleaned up.

Gone are the shopping trolleys, jet skis, dinghy and thousands of bottles and other pieces of rubbish. The banks are now free of detritus and the water visibly cleaner. See for yourself:

Before



### After



A special thank you to Auburn Branch member and Cumberland Councillor George Campbell (Regents Park Ward). George helped organise a meeting between relevant council officers and representatives from the branch who have led this campaign. The meeting allowed us to present our motion and the petition we had been collecting; helping lead to the clean up.

Jason Clare, the Federal Member for Blaxland, will be giving a press conference at the Duck River this Sunday to discuss the importance of efforts like this to protect the local environment and will also be announcing some new grants he is distributing to help improve the local area.

Date: Sunday the 1st of December

Time: Midday 12 o'clock

Location: Duck River at the Moira Street Bridge,



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Auburn Labor  
[1 Susan St](#)  
Auburn, [NSW](#) 2144  
Australia

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DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-393

Attachment 3

Letter from Auburn Lidcombe  
United Branch, 10 July 2019





**Auburn Lidcombe United Branch**

PO Box 3168 Regents Park NSW 2143

10 July 2019

Hamish McNulty  
General Manager  
Cumberland Council  
PO Box 42  
Merrylands NSW 2160  
[council@cumberland.nsw.gov.au](mailto:council@cumberland.nsw.gov.au)

Dear Mr McNulty

I am writing on behalf of the members of Auburn Lidcombe Branch of the Labor Party to seek information from Council on current and proposed management plans for the Duck River corridor. Of particular concern to our members is the amount of rubbish that is allowed to accumulate along the river and its banks.

The Duck River area has been an important resource and meeting place for millennia and is believed to form the border between the Burramattagal country and their neighbours the Wategora clan. The area continues to be an important meeting and recreation amenity for the many different cultural communities that call the local government area home.

In January 2019 Council announced proposed new accessible play equipment for the Duck River Playground at an approximate cost of \$700,000. What are the Council's plans and/or budget with regard to maintenance and preservation of the natural environment of the Duck River Corridor so that this important resource for the community of the area is not degraded beyond redemption?

Thank you for your attention. I look forward to your response.

Yours sincerely



**Barbara Dundas**  
**Secretary**  
**Auburn Lidcombe Branch**



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-393

Attachment 4  
Letter Cumberland Council, 25  
July 2019







25 July 2019

Ms Barbara Dundas  
Secretary  
Auburn Lidcombe United Branch  
PO Box 3168  
REGENTS PARK NSW 2143

Our Reference D-10-08  
Contact Brendan Govers  
Telephone 02 8757 9482

Dear Ms Dundas

**DUCK RIVER CORRIDOR UPDATE**

Thank you for your letter received on 10 July 2019 seeking an update on the Duck River Corridor plans.

I can advise that a draft Duck River Strategy will be completed by December 2019 and subsequently presented to Council by early 2020 for adoption. In relation to the playground project, these works are scheduled for commencement prior to Christmas this year.

Council trusts that this information is of assistance. If you require any further information in relation to this matter, please contact Council's Executive Manager City Services, Brendan Govers, on 8757 9482.

Yours faithfully



Hamish McNulty  
GENERAL MANAGER

16 Memorial Avenue, PO Box 42, Merrylands NSW 2160  
T 02 8757 9000 F 02 9840 9734 E [council@cumberland.nsw.gov.au](mailto:council@cumberland.nsw.gov.au) W [cumberland.nsw.gov.au](http://cumberland.nsw.gov.au)  
ABN 22 798 563 329

Welcome *Belong* Succeed



Item No: C03/20-394

## **CUMBERLAND TRAFFIC COMMITTEE - MINUTES OF MEETING HELD ON 5 FEBRUARY 2020**

Responsible Division: Works & Infrastructure  
Officer: Director Works & Infrastructure  
File Number: T-28-02/08  
Community Strategic Plan Goal: *A safe accessible community*

### **SUMMARY**

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This report presents the minutes of the Cumberland Traffic Committee meeting held on 5 February 2020.

### **RECOMMENDATION**

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**That the minutes of the Cumberland Traffic Committee meeting held on 5 February 2020 be received and the recommendations contained therein be approved.**

### **REPORT**

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A meeting of the Cumberland Traffic Committee was held on 5 February 2020. The minutes are presented for Council's approval.

### **COMMUNITY ENGAGEMENT**

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Community consultation will occur in accordance with the recommendations of each report.

### **POLICY IMPLICATIONS**

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There are no policy implications for Council associated with this report.

### **RISK IMPLICATIONS**

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There are no risk implications for Council associated with this report.



### **FINANCIAL IMPLICATIONS**

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The expenditure of funds associated with implementing the recommendations of each report will be allocated from Council's current traffic facility construction budget.

## ATTACHMENTS

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1. Minutes of the Cumberland Traffic Committee meeting of 5 February 2020 [↓](#) 
2. Agenda of the Cumberland Traffic Committee meeting of 5 February 2020 [↓](#) 
3. Late Agenda of the Cumberland Traffic Committee meeting of 5 February 2020 [↓](#) 

DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-394

Attachment 1

Minutes of the Cumberland Traffic  
Committee meeting of 5 February  
2020





Minutes of the Traffic Committee meeting held at Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Wednesday 05 February 2020.

**PRESENT:**

Cumberland City Council - Cllr Paul Garrard

Cllr Eddy Sarkis

Mr Stewart Rodham

Mr Siva Sivakumar

Mr Soma Somaskanthan

Mr Ashur Toma

Roads & Maritime Services (RMS) - Ms Nazli Tzannes

Mr Ram Sritharan

Local Member for Auburn - Cllr George Campbell

Local Member for Granville - Mr Chris Worthington obo Julia Finn MP

Local Member for Prospect – Nil.

Transit Systems - Mr Asith Nagodavithane

CD Bus - Mr Jonathan Nicholson

**APOLOGIES:**

Local Member for Prospect – Cllr Saha

Local Member for Fairfield

Auburn Police Area Command – Email communication received concurring with the recommendations.

Cumberland Police Area Command

**DECLARATIONS OF INTEREST**

Nil.

**CONFIRMATION OF MINUTES**

The minutes of the Traffic Committee held on 6 November 2019 were confirmed.

## Summary of Reports

Item #	Title	Electorate				Police Area Command (PAC)	
		Fairfield	Granville	Prospect	Auburn	Cumberland	Auburn
CTC-20-001	Moree Avenue, Westmead - Application for "Works Zone" signage		x			x	
CTC-20-002	Excelsior Street, Guildford – Request for 'Mail zone' signage				x		x
CTC-20-003	Kibo Road, Regents Park – Road Safety Concerns				x		x
CTC-20-004	Guildford Road, Guildford – Request for 'Keep Clear' marking				x	x	
CTC-20-005	Braeside Road, Greystanes - request for Parking Restrictions		x			x	
CTC-20-006	Willoughby Street, Guildford - Road Safety Concerns				x	x	
CTC-20-007	Percival Road, Smithfield – Request for "No Stopping" signs			x		x	
CTC-20-008	Cumberland Road and Whalans Road, Greystanes - Proposed "No Stopping" restrictions			x		x	
CTC-20-009	Dunmore Street, Wentworthville - Request For Parking Restrictions			x		x	
CTC-20-010	Hawkesview Street, Merrylands - Proposed Parking Restrictions		x			x	
CTC-20-011	Newman street, Merrylands - Request for the installation of "No Parking" signs		x			x	
CTC-20-012	Stubbs Street, Auburn – Proposed "No Parking" restrictions				x		x
CTC-20-013	Hudson Street, South Granville - Road Safety Concerns				x	x	
CTC-20-014	Merrylands Road, Merrylands – Request for "No Stopping" signs		x			x	
CTC-20-015	Dennistoun Avenue, Guildford West - Consultation result - Proposed Speed Humps	x				x	
CTC-20-016	Dell Street, Woodpark – Request for accessible parking spaces	x				x	
CTC-20-017	Rhodes Avenue, Guildford – RMS Request to install "2P" signage near woodville Road		x			x	
CTC-20-018	Watkin Tench Parade, Pemulwuy - Road Safety Concerns			x		x	
CTC-20-019	Pine Road, Yennora - Proposed "No Stopping" Restrictions Associated With A Development Application	x				x	
CTC-20-020	Sturt Street, Guildford West - Proposed Relocation Of 'Bus Zone' Sign Associated With A Development Application	x				x	
CTC-20-021	The Trongate between Archibald Street & Redfern Street, South Granville - Proposed Raised Thresholds - Consultation result.		x			x	
CTC-20-022	Fowler Road And Dennistoun Avenue, Guildford West - Proposed 'No Stopping' Signs	x				x	
CTC-20-023	Fowler Road And Faulds Road, Guildford West - Proposed 'No Stopping' Signs	x				x	
CTC-20-024	Fowler Road, Guildford West - Proposed Line Marking	x				x	

CTC-20-025	Yarram Street, Lidcombe - Proposed Raised Thresholds - Consultation result.				x		x
CTC-20-026	Eglington Street, Lidcombe - Road Safety Concerns				x		x
CTC-20-027	King Street, Guildford West - Road Safety Concerns	x				x	
CTC-20-028	Osgood Street, Guildford - Road safety Concerns		x			x	
CTC-20-029	Parkes Street, Guildford West - Road safety Concerns	x				x	
CTC-20-030	Smythe street, Merrylands - Road Safety Concerns		x			x	
CTC-20-031	14 Hilltop Road, Merrylands - Propsoed median island associated with a development application.		x			x	
CTC-20-032	Alderney Road, Merrylands - Proposed "No stopping" restrictions		x			x	
CTC-20-033	Fowler Road, Lucas Street and Wisdom Street, Guildford – Proposed intersection and pedestrian crossing improvements	x				x	
CTC-20-034	Blaxcell Street, Granville – Proposed relocation of the raised pedestrian crossing		x			x	
CTC-20-035	Blaxcell Street, Granville - Proposed relocation of "Bus Zone" and "No Stopping" signs		x			x	
CTC-20-036	Virginia street, Guildford West - Proposed "No Parking" signs in the cul-de-sac	x				x	
CTC-20-037	Merrylands Road, Greystanes - Application for "Works Zone"			x		x	
CTC-20-038	LOUIS STREET, GRANVILLE – PROPOSED RELOCATION OF EXISTING PEDESTRIAN CROSSING AND TREATMENT AT WOOLWORTHS car park DRIVEWAY		x			x	
CTC-20-039	MILITARY ROAD, GUILDFORD – PROPOSED CHANGES TO PARKING RESTRICTIONS OUTSIDE GUILDFORD STATION		x			x	
CTC-20-040	NOTTINGHILL ROAD, GEORGES AVENUE, AND LONDON ROAD, Berala - PROPOSED "NO STOPPING" SIGNS				x		x
CTC-20-041	Blaxcell street, South Granville - Dellwood Street carpark exit		x			x	



**REPORTS**

ITEM CTC-20-001 - MOREE AVENUE, WESTMEAD - APPLICATION FOR "WORKS ZONE" SIGNAGE

**RECOMMENDATION**

---

That the Traffic Committee recommends that:

1. The 10m long 'Works Zone, 7:00am-6:00pm, Monday-Friday, 8:00am-4:00pm, Saturday' restrictions be installed on Moree Avenue, Westmead fronting the development site subject to Council's standard conditions for the period of 13 weeks and subsequent extension if required; and
2. The applicant be advised to pay the 'Works Zone' fees to Council as per the adopted Fees and Charges.

**Discussion:**

No discussion on this item.

ITEM CTC-20-002 - EXCELSIOR STREET, GUILDFORD – REQUEST FOR 'MAIL ZONE' SIGNAGE

**RECOMMENDATION**

---

That the Traffic Committee recommends that:

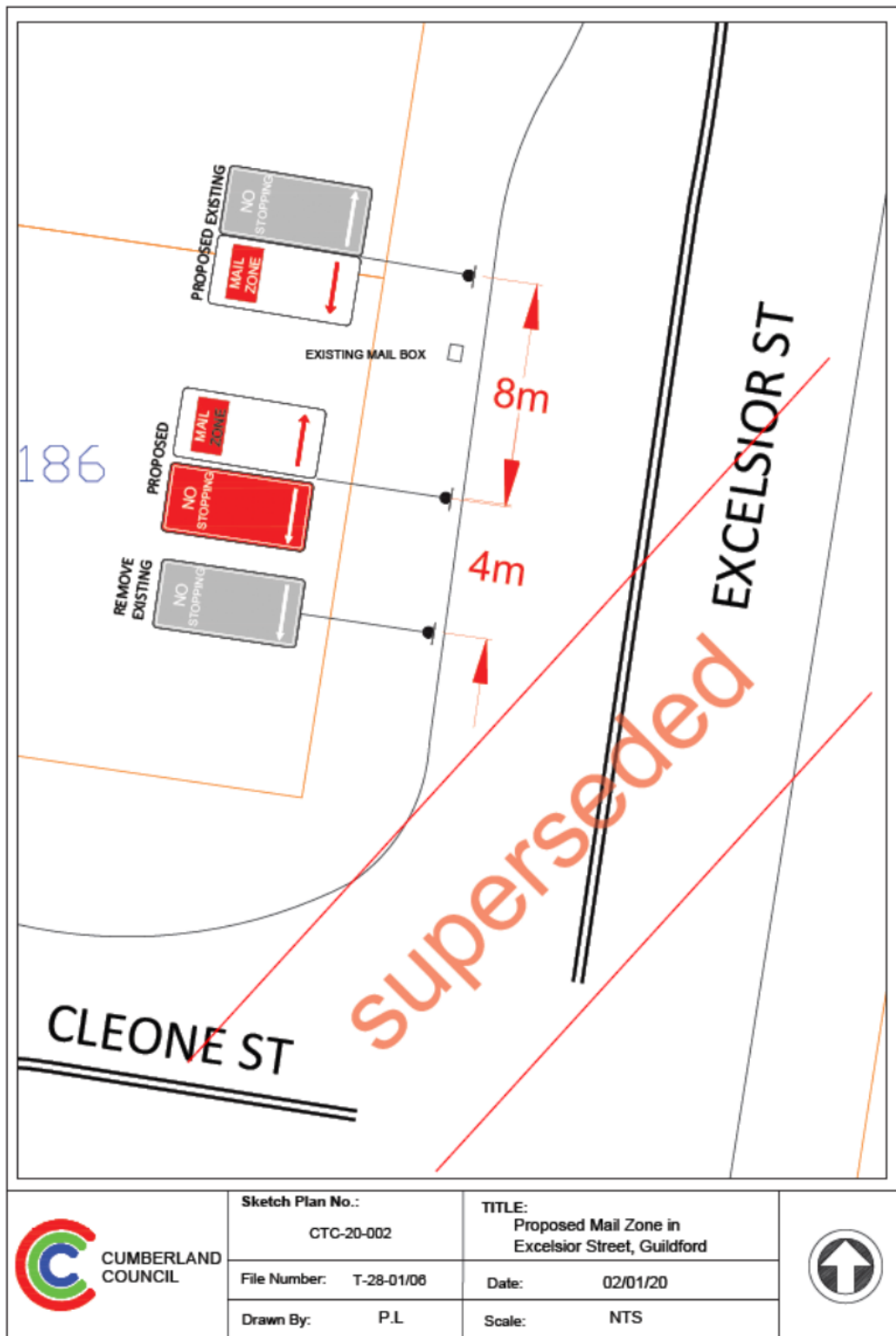
1. The installation of "No Parking" signs on Excelsior Street, north of Cleone Street, Guildford and extended no stopping zone in accordance with the attached amended plan be approved; and
2. Council notify adjacent properties of the resolution.

**Discussion:**

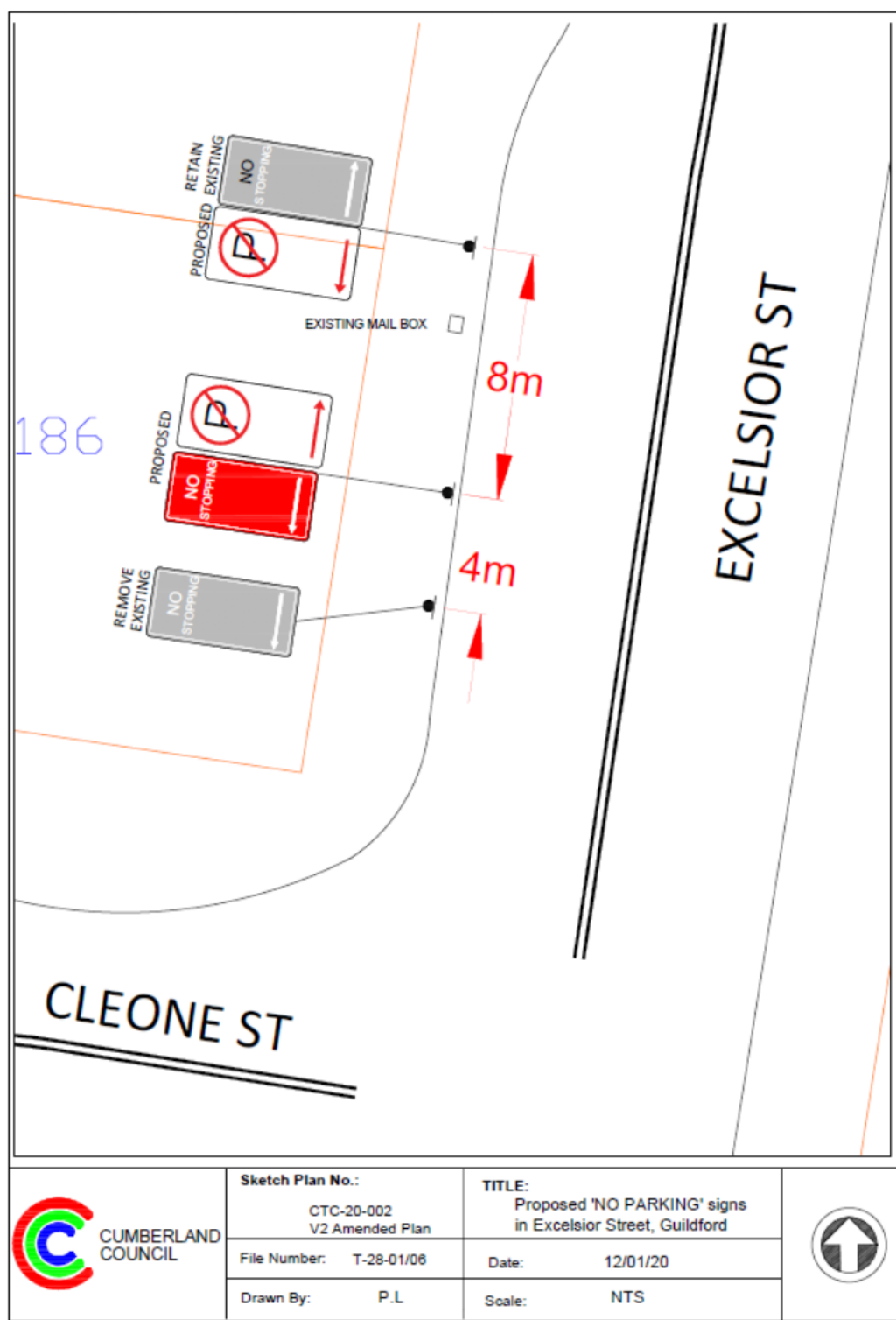
Council officers tabled an amended plan to provide extended "No Stopping" area adjacent to the intersection in addition to a "Mail Zone". Local member's representative advised that a "No Parking" zone instead of the proposed "Mail Zone" would assist people to drop letters without parking in a "No Stopping" / "Mail Zone" as there are "No Stopping" restrictions on either side of the proposed "Mail Zone" area.

All members agreed with the proposed change.

**Amended Plan submitted at the CTC meeting**



**CTC Recommended Plan**



## ITEM CTC-20-003 - KIBO ROAD, REGENTS PARK – ROAD SAFETY CONCERNS

**RECOMMENDATION**

---

That the Traffic Committee recommends that:

1. The proposed line marking treatment of Kibo Road, Regents Park between Fourth Avenue and Sixth Avenue be approved.
2. The installation of Children crossing warning signs (W6-3) be installed on Kibo Road between Chadwick Avenue Fourth Avenue in accordance with the attached plan be approved and.
3. Council review traffic conditions in Kibo Road, Regents Park in August 2021 and report back to Cumberland Traffic Committee.

**Discussion:**

No discussion on this item.

## ITEM CTC-20-004 - GUILDFORD ROAD, GUILDFORD – REQUEST FOR 'KEEP CLEAR' MARKING

**RECOMMENDATION**

---

That the Traffic Committee recommends that the installation of “Do Not Queue Across Intersection” signs and transverse line marking in accordance with the amended plan at the intersection of Lough Avenue and Guildford Road, Guildford be approved.

**Discussion:**

RMS representative objected to the proposed “Keep Clear” marking as it is usually provided at emergency vehicle (Fire station and Ambulance station) driveways only. After discussions, RMS representative concurred with a changed recommendation to install “Do Not Queue Across Intersection” signs and transverse line marking.

Members agreed with the amended recommendation.

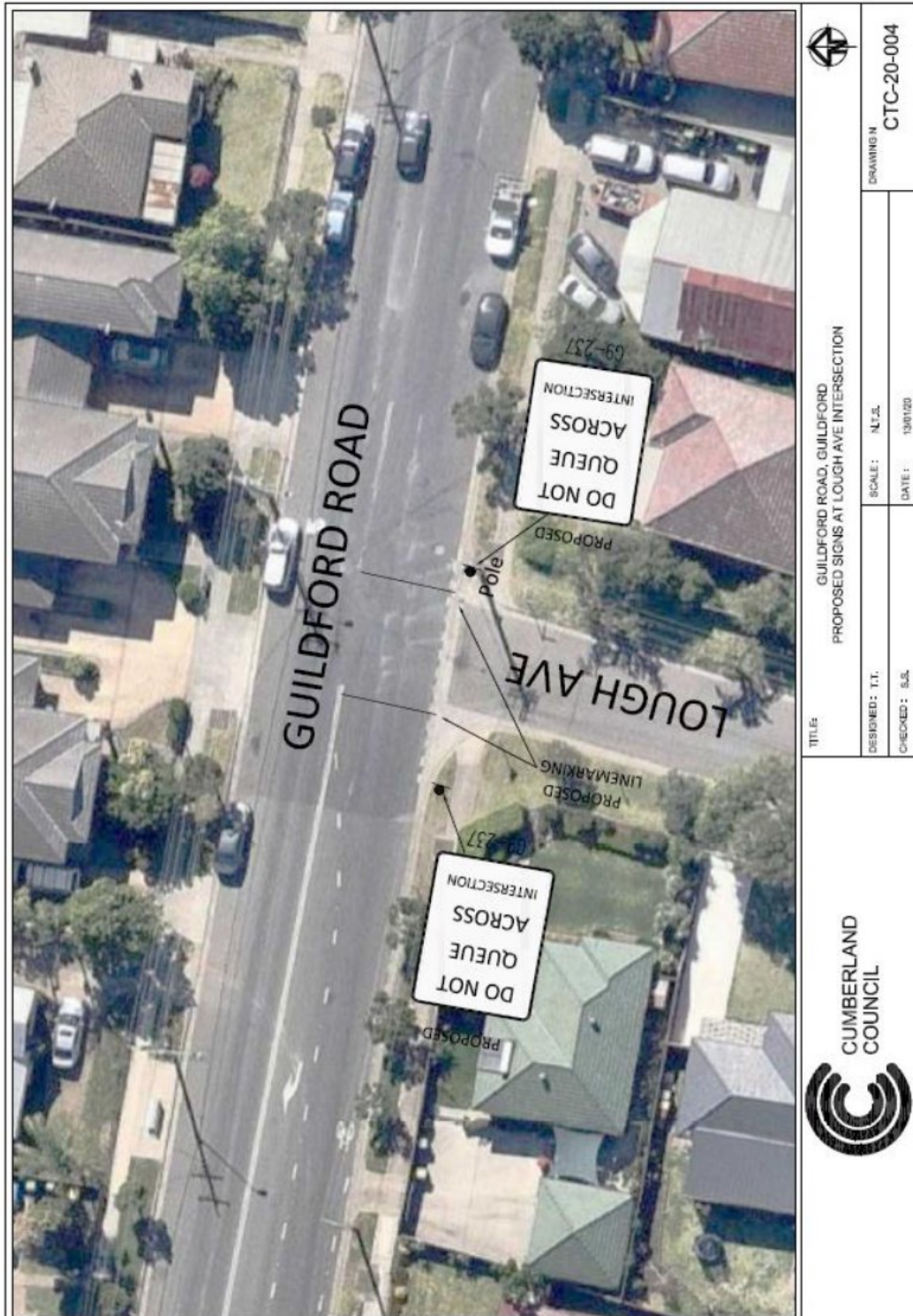
The plan is amended as per the amended recommendation.







Recommended Plan – CTC-20-004



ITEM CTC-20-005 - BRAESIDE ROAD, GREYSTANES - REQUEST FOR PARKING RESTRICTIONS

**RECOMMENDATION**

---

**That the Traffic Committee recommends:**

1. The installation of "No Parking" signs in front of 10 Braeside Road, Greystanes in accordance with the plan CTC-20-005 be approved; and
2. The adjacent property be notified of Council's resolution.

**Discussion:**

No discussion on this item.

ITEM CTC-20-006 - WILLOUGHBY STREET, GUILDFORD - ROAD SAFETY CONCERNS

**RECOMMENDATION**

---

**That the Traffic Committee recommends that that**

1. The report be received and no further action be taken at this stage in regards to speed humps.
2. Council request Cumberland Police Area Command to undertake speed surveillance in Willoughby Street, Guildford.

**Discussion:**

Due to the speeding occurring in the street, a member advised to notify Cumberland Police Area Command for speed surveillance.

All members agreed with the additional recommendation and it has been incorporated in the recommendation.

ITEM CTC-20-007 - PERCIVAL ROAD, SMITHFIELD – REQUEST FOR "NO STOPPING" SIGNS

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The proposed 'No Stopping' restrictions on Percival Road, Smithfield in accordance with the attached plan be approved ; and
2. The concerned business owner / applicant be notified of the outcome generally.

**Discussion:**

No discussion on this item.

ITEM CTC-20-008 - CUMBERLAND ROAD AND WHALANS ROAD, GREYSTANES -  
PROPOSED "NO STOPPING" RESTRICTIONS

**RECOMMENDATION**

---

**That the Traffic Committee recommends:**

1. The installation of "No Stopping" signs at the intersection of Cumberland Road and Whalans Road, Greystanes in accordance with the plan CTC-20-008 be approved; and
2. The affected residents be notified of the outcome generally.

**Discussion:**

No discussion on this item.

ITEM CTC-20-009 - DUNMORE STREET, WENTWORTHVILLE - REQUEST FOR  
PARKING RESTRICTIONS

**RECOMMENDATION**

---

**That the Traffic Committee Recommends that:**

1. The proposed installation of 'No Stopping' signs at 67 Dunmore Street, Wentworthville driveway in accordance with the plan CTC-20-009 be approved.

**Discussion:**

No discussion on this item.

ITEM CTC-20-010 - HAWKESVIEW STREET, MERRYLANDS - PROPOSED  
PARKING RESTRICTIONS

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The installation of 'No Parking' signs Hawksview Street, Merrylands in accordance with the plan CTC-20-010 be approved; and
2. The affected residents be consulted and the results reported back to Traffic Committee if any objection is received.

**Discussion:**

One member advised that the signs are to be installed if no objection is received.

ITEM CTC-20-011 - NEWMAN STREET, MERRYLANDS - REQUEST FOR THE INSTALLATION OF "NO PARKING" SIGNS

**RECOMMENDATION**

---

**That the Traffic Committee recommends that the proposed installation of "No Parking" signs on Newman Street, Merrylands in accordance with the plan CTC-20-011 be approved.**

**Discussion:**

No discussion on this item.

ITEM CTC-20-012 - STUBBS STREET, AUBURN – PROPOSED "NO PARKING" RESTRICTIONS

**RECOMMENDATION**

---

**That the Traffic Committee recommends that the installation of "No Parking" restrictions across the substation and Fire Station car park driveways in accordance with the plan CTC-20-012 be approved.**

**Discussion:**

No discussion on this item.

ITEM CTC-20-013 - HUDSON STREET, SOUTH GRANVILLE - ROAD SAFETY CONCERNS

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. Council note the information contained in this report; and**
- 2. Council review traffic conditions in Hudson Street in April 2021 and report back to Cumberland Traffic Committee if significant changes are recorded.**

**Discussion:**

No discussion on this item.



ITEM CTC-20-014 - MERRYLANDS ROAD, MERRYLANDS – REQUEST FOR "NO STOPPING" SIGNS

**RECOMMENDATION**

---

That the Traffic Committee recommends that:

1. The proposed "No Stopping" and "No Stopping, 6:30am – 9:30am, 3:30pm – 6:30pm, Mon – Fri" restrictions on Merrylands Road, Merrylands in accordance with the attached plan be approved.
2. The implementation of the proposed parking restrictions is subject to the approval of the Paramedic Response Point of NSW Ambulance at 1-3 Peel Street, Holroyd.
3. The applicant undertake consultation with McDonald's at the corner of Merrylands Road and Woodville Road to ban right turn movements in and out of their driveway on Merrylands Road and report back to Council ; and
4. The associated cost of the proposed parking restrictions shall be borne by the applicant at no cost to Council.

**Discussion:**

After discussions, an additional recommendation was proposed and the members agreed with the amendment. The additional recommendation has been incorporated as above.

ITEM CTC-20-015 - DENNISTOUN AVENUE, GUILDFORD WEST - CONSULTATION RESULT - PROPOSED SPEED HUMPS

**RECOMMENDATION**

---

That the Traffic Committee recommends that:

1. Council design speed humps in Dennistoun Avenue, Guildford West in accordance with relevant standards and undertake consultation with properties adjacent to the proposed speed humps; and
2. Council report back to Cumberland Traffic Committee for final approval following consultation.

**Discussion:**

After a brief discussion on the two options provided, members agreed with Option - 2.

ITEM CTC-20-016 - DELL STREET, WOODPARK – REQUEST FOR ACCESSIBLE PARKING SPACES

**RECOMMENDATION**

---

That the Traffic Committee recommends that:



1. **The proposed accessible parking spaces at the existing angle parking on Dell Street, Woodpark in accordance with the attached plan be approved; and**
2. **The business owners be notified of the outcome generally.**

**Discussion:**

No discussion on this item.

ITEM CTC-20-017 - RHODES AVENUE, GUILDFORD – RMS REQUEST TO INSTALL “2P” SIGNAGE NEAR WOODVILLE ROAD

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. **The installation of “2P; 10am-3:00pm; Mon-Fri; 9:00am-6:00pm; Sat, Sun & Pub Hols” in Rhodes Avenue, Guildford in accordance with the attached plan be approved; and**
2. **Council notify adjacent properties of the resolution.**

**Discussion:**

No discussion on this item.

ITEM CTC-20-018 - WATKIN TENCH PARADE, PEMULWUY - ROAD SAFETY CONCERNS

**RECOMMENDATION**

---

**The Cumberland Traffic Committee recommends that the report be received and no further action be taken at this stage.**

**Discussion:**

No discussion on this item.

ITEM CTC-20-019 - PINE ROAD, YENNORA - PROPOSED “NO STOPPING” RESTRICTIONS ASSOCIATED WITH A DEVELOPMENT APPLICATION

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. **The proposed “No Stopping” signs on Pine Road, Yennora in accordance with the attached plan be approved; and**

2. **The costs associated with the installation of the “No Stopping” signs shall be borne by the developer at no cost to Council.**

**Discussion:**

No discussion on this item.

ITEM CTC-20-020 - STURT STREET, GUILDFORD WEST - PROPOSED RELOCATION OF 'BUS ZONE' SIGN ASSOCIATED WITH A DEVELOPMENT APPLICATION

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. **The proposed relocation of 'Bus Zone' signs on the eastern side of Sturt Street, Guildford West in accordance with the attached plan be approved; and**
2. **The costs associated with the relocation of the 'Bus Zone' signs shall be borne by the developer at no cost to Council.**

**Discussion:**

No discussion on this item.

ITEM CTC-20-021 - THE TRONGATE BETWEEN ARCHIBALD STREET & REDFERN STREET, SOUTH GRANVILLE - PROPOSED RAISED THRESHOLDS - CONSULTATION RESULT.

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. **Raised concrete thresholds be installed in The Trongate section between Redfern Street and Archibald Street as per the attached plan;**
2. **Council forward final design plans to RMS; and**
3. **Council program works in the 2021/22 Financial Year.**

**Discussion:**

RMS representative requested that the final design plans be forwarded to them.

ITEM CTC-20-022 - FOWLER ROAD AND DENNISTOUN AVENUE, GUILDFORD WEST - PROPOSED 'NO STOPPING' SIGNS

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. The installation of 'No Stopping' signs on Fowler Road and Dennistoun Avenue, Guildford West in accordance with the attached plan be approved; and**
- 2. Council notify adjacent properties of the resolution.**

**Discussion:**

No discussion on this item.

ITEM CTC-20-023 - FOWLER ROAD AND FAULDS ROAD, GUILDFORD WEST - PROPOSED 'NO STOPPING' SIGNS

**RECOMMENDATION**

---

**The Traffic Committee recommends that:**

- 1. The installation of 'No Stopping' signs on Fowler Road and Faulds Road, Guildford West in accordance with the attached plan be approved; and**
- 2. Council notify adjacent properties of the resolution.**

**Discussion:**

No discussion on this item.

ITEM CTC-20-024 - FOWLER ROAD, GUILDFORD WEST - PROPOSED LINE MARKING

**RECOMMENDATION**

---

**That the Traffic Committee:**

- 1. The Cumberland Traffic Committee recommends that the installation of centre and edge line markings on Fowler Road, Guildford West between McCredie Road and Dennistoun Avenue in accordance with the attached plan be approved.**

**Discussion:**

No discussion on this item.

ITEM CTC-20-025 - YARRAM STREET, LIDCOMBE - PROPOSED RAISED THRESHOLDS - CONSULTATION RESULT.

### **RECOMMENDATION**

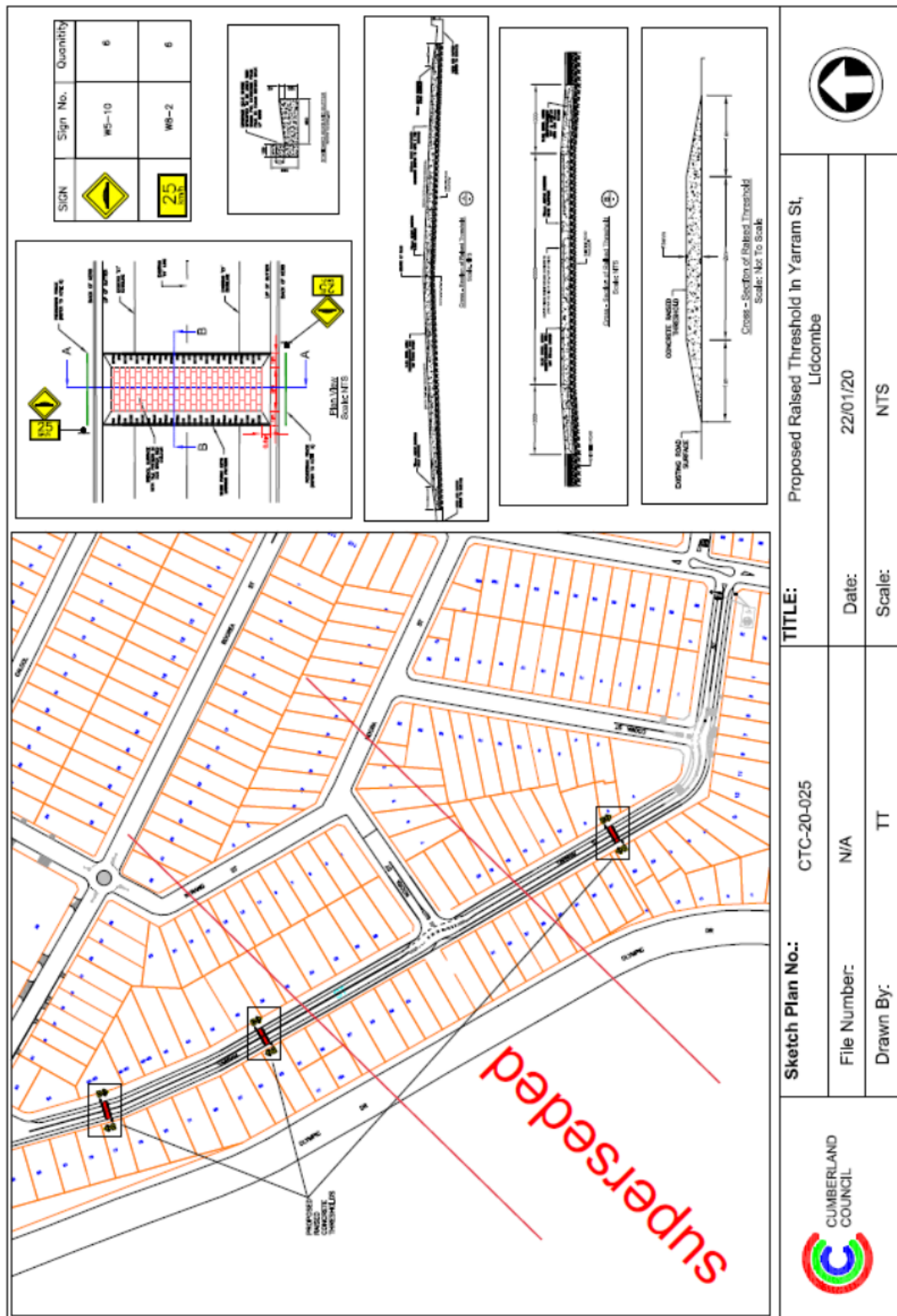
---

**That the Traffic Committee recommends that:**

- 1. Raised concrete thresholds be installed in Yarram Street, Lidcombe as per the attached amended plan.**
- 2. Council undertake consultation with properties adjacent to the proposed thresholds; and**
- 3. Council report back to traffic committee if objections are received during consultation.**

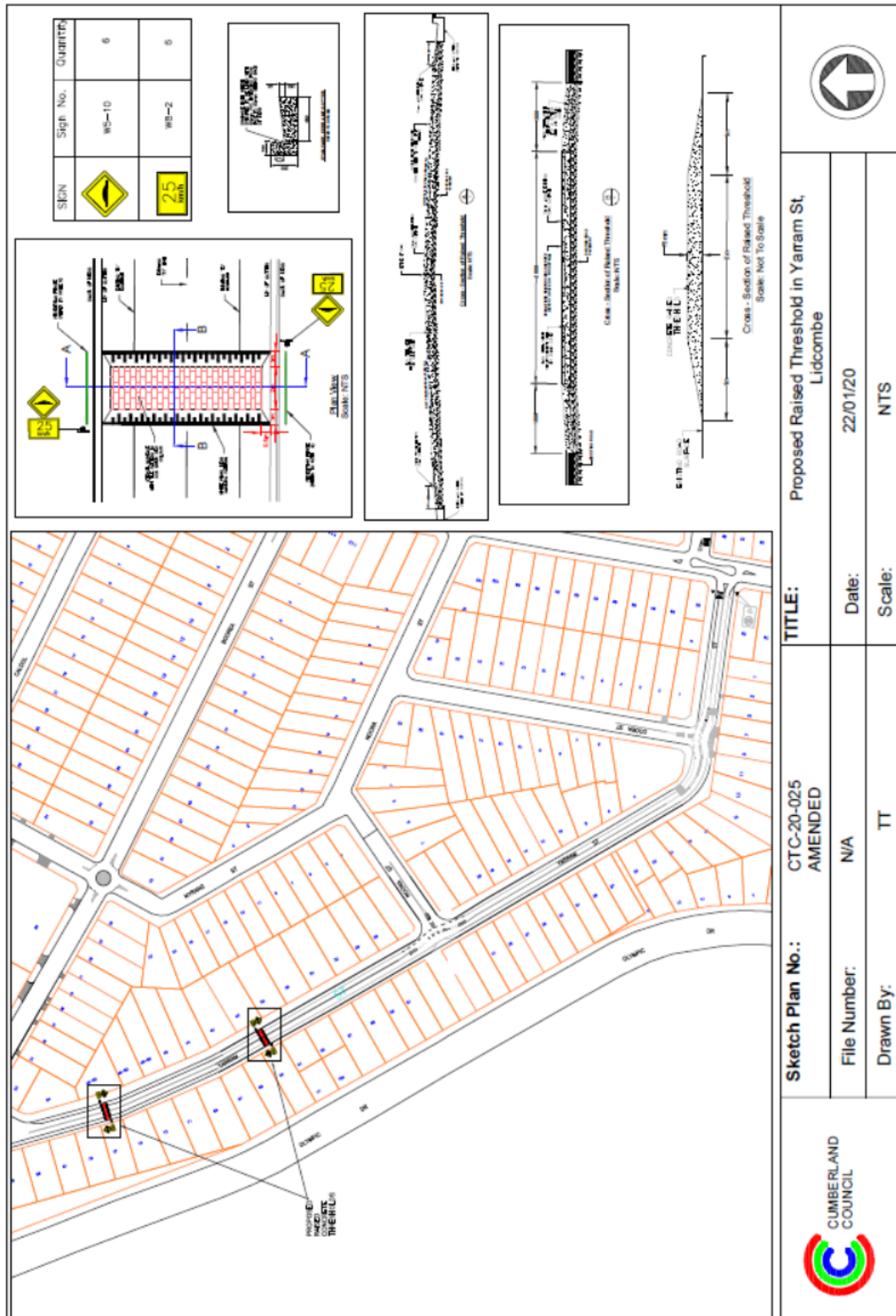
### **Discussion:**

A member noted that the device between Noora and Cooba Streets is not required as it is too close to the already provided treatments. After discussion, members agreed with the proposed amendment for consultation.





# CTC RECOMMENDED PLAN



## ITEM CTC-20-026 - EGLINGTON STREET, LIDCOMBE - ROAD SAFETY CONCERNS

**RECOMMENDATION**

---

**That the Traffic Committee recommends that Council undertake consultation with the residents of Eglington Street, Lidcombe to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee.**

**Discussion:**

After a brief discussion on the two options given, members agreed with Option 2.

## ITEM CTC-20-027 - KING STREET, GUILDFORD WEST - ROAD SAFETY CONCERNS

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. Provision of “BB” center line and Edge lines in King Street between Fairfield Road and Palmer Street, Guildford West be approved; and**
- 2. Council review conditions in King Street, Guildford West in April 2021.**

**Discussion:**

No discussion on this item.

## ITEM CTC-20-028 - OSGOOD STREET, GUILDFORD - ROAD SAFETY CONCERNS

**RECOMMENDATION**

---

**That the Traffic Committee recommends that;**

- 1. Additional traffic calming devices not be provided in Osgood Street, Guildford.**
- 2. Council request Highway Patrol to undertake regular patrols in Osgood Street, Guildford.**

**Discussion:**

One Member advised that Highway Patrol be requested to undertake regular patrols in Osgood street. Members agreed with the modified recommendations incorporating monitoring by Highway Patrol.

ITEM CTC-20-029 - PARKES STREET, GUILDFORD WEST - ROAD SAFETY CONCERNS

**RECOMMENDATION**

---

That the Traffic Committee recommends that:

1. Traffic calming devices not be provided in Parkes Street, Guildford West; and
2. Council review conditions in Parkes Street, Guildford West in April 2021.

**Discussion:**

No discussion on this item.

ITEM CTC-20-030 - SMYTHE STREET, MERRYLANDS - ROAD SAFETY CONCERNS

**RECOMMENDATION**

---

That the Traffic Committee recommends that the removal of the existing concrete median island associated with the 'slow point' in front of 14-16 Smythe Street, Merrylands together with the extension of the existing BB line marking in accordance with the attached plan be approved.

**Discussion:**

Members discussed the need to remove the previously constructed device and its impact after the removal. After discussion members agreed with the recommendation.

ITEM CTC-20-031 - 14 HILLTOP ROAD, MERRYLANDS - PROPOSED MEDIAN ISLAND ASSOCIATED WITH A DEVELOPMENT APPLICATION.

**RECOMMENDATION**

---

That the Traffic Committee recommends that:

1. The proposed median island and associated signs and line marking on Hilltop Road, Merrylands in accordance with the attached plan be approved.
2. The costs associated with the installation of median island, signs and line marking shall be borne by the developer at no cost to Council; and
3. The affected residents be notified of the outcome by the applicant prior to the construction of the median island.

**Discussion:**

No discussion on this item.

ITEM CTC-20-032 - ALDERNEY ROAD, MERRYLANDS - PROPOSED "NO STOPPING" RESTRICTIONS

### **RECOMMENDATION**

---

That the Traffic Committee recommends that:

1. The installation of "No Stopping" signs and BB line marking on Alderney Road at Centenary Road, Merrylands in accordance with the attached plan be approved ; and
2. The adjacent residents be notified of the outcome generally.

### **Discussion:**

No discussion on this item.

ITEM CTC-20-033 - FOWLER ROAD, LUCAS STREET AND WISDOM STREET, GUILDFORD – PROPOSED INTERSECTION AND PEDESTRIAN CROSSING IMPROVEMENTS

### **RECOMMENDATION**

---

That the Traffic Committee:

1. The proposed relocation of the existing raised pedestrian crossing on Fowler Road near Wisdom Street and associated intersection treatment in accordance with the attached plan be approved.
2. The cost associated with this works be funded from Traffic Facility Budget from 2020/2021 financial year; and
3. The adjacent business owners and residents be notified of the outcome generally.

### **Discussion:**

No discussion on this item.

ITEM CTC-20-034 - BLAXCELL STREET, GRANVILLE – PROPOSED RELOCATION OF THE RAISED PEDESTRIAN CROSSING

### **RECOMMENDATION**

---

That the Traffic Committee recommends that:

1. The proposed relocation of the existing raised pedestrian crossing on Blaxcell Street at the Thomas Street intersection to a location south of Celia Street be approved in principle.

2. **The proposed construction of the median island to ban right turn movements into the service station at the corner of Blaxcell Street and Celia Street be approved.**
3. **Council forward final design to voting members of the traffic committee for their concurrence.**
4. **The cost associated with this works be funded from Traffic Facility Budget from 2020/2021 financial year; and**
5. **The affected business owners and residents be notified of the outcome generally.**

**Discussion:**

After discussions of the location and its importance, it has been proposed to relocate the raised pedestrian crossing to a location south of Celia Street instead of the original proposal.

All members agreed with the amended recommendations and requested final design plans be forwarded to the voting members of the traffic committee for their concurrence.





RELOCATE RAISED  
PEDESTRIAN CROSSING AND  
INSTALL 15M CONCRETE  
MEDIAN ISLAND



**TITLE:** PROPOSED RELOCATION OF RAISED PEDESTRIAN CROSSING IN  
BLAXCELL ST, GRANVILLE

**DESIGNED:** T.T.      **SCALE:** N.T.S.      **DRAWING N°:** CTC-20-034

**CHECKED:** S.S.      **DATE:** 24/01/2020



CUMBERLAND  
COUNCIL

**CTC RECOMMENDED PLAN**



ITEM CTC-20-035 - BLAXCELL STREET, GRANVILLE - PROPOSED RELOCATION  
OF "BUS ZONE" AND "NO STOPPING" SIGNS**RECOMMENDATION**

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**That the Traffic Committee recommends that:**

- 1. The proposed relocation of the "Bus Zone" on the eastern side of Blaxcell Street north of the Service Station driveway to a location south of Celia Street be approved;**
- 2. Council consult the Transport Operator for the proposed relocation of the bus stop;**
- 3. Council forward final design to voting members of the traffic committee for their concurrence; and**
- 3. The affected properties be notified of the outcome generally.**

**Discussion:**

After discussions of the location and consideration of the previous recommendation to relocate the raised pedestrian crossing to a location south of Celia Street, it has been proposed to relocate the "Bus Zone" to a location south of Celia Street instead of the original proposal.

All members agreed with the amended recommendations and requested final design plans be forwarded to the voting members of the traffic committee for their concurrence.



	<p style="color: red; font-size: 2em; transform: rotate(-45deg); opacity: 0.5;">Superseded</p>	<p>TITLE: PROPOSED RELOCATION OF 'BUS ZONE' IN BLAXCELL ST., GRANVILLE</p>	<p>DRAWING: CTC-20-035</p>
			<p>SCALE: N.T.S. DATE: 24/01/2020</p>
		<p>DESIGNED: T.T. CHECKED: S.S.</p>	<p>CUMBERLAND COUNCIL</p> 

**CTC RECOMMENDED PLAN**





ITEM CTC-20-036 - VIRGINIA STREET, GUILDFORD WEST - PROPOSED "NO PARKING" SIGNS IN THE CUL-DE-SAC

#### **RECOMMENDATION**

---

**That the Traffic Committee recommends that consideration of the proposed "No Parking" restrictions on Virginia Street be deferred.**

#### **Discussion:**

Members discussed whether the fulltime parking restrictions are appropriate. After discussion, this item was deferred for further investigation.

ITEM CTC-20-037 - MERRYLANDS ROAD, GREYSTANES - APPLICATION FOR "WORKS ZONE"

#### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. The 24m long "Works Zone, 7:00am-6:00pm, Monday-Friday, 8:00am-4:00pm, Saturday" be installed on Merrylands Road, Greystanes fronting the development site subject to Council's standard conditions for a period of 6 months and subsequent extension if required; and**
- 2. The applicant be advised to pay the "Works Zone" fees to Council as per the adopted Fees and Charges.**

#### **Discussion:**

No discussion on this item.

ITEM CTC-20-038 - LOUIS STREET, GRANVILLE – PROPOSED RELOCATION OF EXISTING PEDESTRIAN CROSSING AND TREATMENT AT WOOLWORTHS CAR PARK DRIVEWAY

#### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. The proposed seagull treatment and the relocation of the pedestrian crossing on Louis Street be approved in principle.**
- 2. The affected properties be consulted regarding the parking restrictions.**
- 3. Council prepare final design plan including signs and line marking and report back to Cumberland Traffic Committee with consultation result; and**
- 4. Council undertake construction of the proposal in 2020/21 Financial Year.**

**Discussion:**

No discussion on this item.

ITEM CTC-20-039 - MILITARY ROAD, GUILDFORD – PROPOSED CHANGES TO PARKING RESTRICTIONS OUTSIDE GUILDFORD STATION

**RECOMMENDATION**

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That the Traffic Committee recommends that the proposed changes to the existing parking arrangement incorporating “No Parking, 6am – 10:00am and 3:00pm – 7:00pm, Mon – Fri” and “1P, 10:00am – 3:00pm, Mon – Fri and 8:30am – 12:30pm, Sat” on Military Road, Guildford in accordance with the attached plan be approved.

**Discussion:**

No discussion on this item.

ITEM CTC-20-040 - NOTTINGHILL ROAD, GEORGES AVENUE, AND LONDON ROAD, BERALA - PROPOSED “NO STOPPING” SIGNS

**RECOMMENDATION**

---

That the Traffic Committee recommends that:

1. The proposed “No Stopping” restrictions at the intersection of Nottingham Road, Georges Avenue and London Road, Berala in accordance with the Plan No. CTC-20-040 be approved; and
2. Council notify affected residents of the resolution.

**Discussion:**

No discussion on this item.

ITEM CTC-20-041 - BLAXCELL STREET, SOUTH GRANVILLE - DELLWOOD STREET CARPARK EXIT

**RECOMMENDATION**

---

That the Traffic Committee recommends that the extension of existing “No Stopping” zone outside Dellwood Street carpark Exit driveway in accordance with the plan CTC-20-041 be approved.

**Discussion:**

No discussion on this item.

**GENERAL BUSINESS**

The following general business was raised:

The following item was tabled by Council Officers and discussed at the meeting.

ITEM CTC-20-042 - GIRRAWEE ROAD, GIRRAWEE – REQUEST FOR PEDESTRIAN CROSSING

**RECOMMENDATION**

---

That the Traffic Committee recommends that:

1. The proposed pedestrian crossing on Girrawee Road, Girrawee be approved in principle; and
2. The detailed design be prepared and reported to the Traffic Committee meeting for final approval.

**GIRRAWEE ROAD, GIRRAWEE – REQUEST FOR PEDESTRIAN CROSSING**

State Electorate: Prospect

PAC: Cumberland

**Summary:**

Council has received a request from St Anthony's Primary School for the installation of a pedestrian crossing on Girrawee Road, Girrawee.

This report outlines the outcome of the investigation into this matter.

**Report:**

Council has received a request from St Anthony's Primary School for the installation of a pedestrian crossing on Girrawee Road, Girrawee.

In accordance with Roads and Maritime Services' guidelines, a pedestrian crossing may be provided if one of the following warrants is satisfied:

**Normal Warrant:**

*A pedestrian (Zebra) Crossing is warranted where:-  
In each of three separate one hour periods in a typical day*

- (a) the pedestrian flow per hour (P) crossing the road is  $\geq 30$  AND*
- (b) the vehicular flow per hour (V) through the site is  $\geq 500$  AND*
- (c) the product PV is  $\geq 60,000$*

**Reduced Warrant for sites used predominantly by children and by aged or impaired pedestrians:**

*If the crossing is used predominantly by school children, is not suitable site for a Children's Crossing and in two counts of one hour duration immediately before and after school hours:-*

(a)  $P \geq 30$  AND

(b)  $V \geq 200$

a pedestrian (Zebra) Crossing may be installed.

Council's Officers have undertaken pedestrian and vehicle counts on Girraween Road for AM and PM periods as per location marked up on the below map. The counts were taken on Monday 3 February 2020.



The results of the traffic counts are summarised in table below:

Period	Vehicle	Pedestrian	
		Child	Adult
AM Period			
8:05 - 8:20	77	8	7
8:20 - 8:35	83	15	19
8:35 - 8:50	148	27	24
8:50 - 9:05	103	15	23
		65	73
Total	411	138	
PM Period			
2:45 - 3:00	91	0	27
3:00 - 3:15	89	21	37
3:15 - 3:30	136	47	34
3:30 - 3:45	48	8	8
		76	106
Total	364	182	

Based on the above results, a pedestrian crossing can be installed on Girraween Road. In this regard, it is requested for an in principle approval for the proposed pedestrian crossing. The detailed design shall be prepared and the matter be reported back to the Traffic Committee meeting for final approval.

**NEXT MEETING**

Next Meeting 1 April 2020 at 9:30am

**MEETING CLOSE**

The meeting terminated at 10:45am.

Signed:

Clr Paul Garrard  
Chairperson



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-394

Attachment 2

Agenda of the Cumberland Traffic  
Committee meeting of 5 February  
2020



A meeting of the Traffic Committee will be held at 9:30am in Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Wednesday, 5 February 2020.

## ORDER OF BUSINESS

- 1. Apologies**
- 2. Declarations of Interest**
- 3. Confirmation of Previous Minutes**
- 4. Summary of Reports..... 4**
- 5. Reports**
  - CTC-20-001 Moree Avenue, Westmead - Application for "Works Zone" signage ..... 7
  - CTC-20-002 Excelsior Street, Guildford – Request for 'Mail zone' signage ..... 13
  - CTC-20-003 Kibo Road, Regents Park – Road Safety Concerns..... 19
  - CTC-20-004 Guildford Road, Guildford – Request for 'Keep Clear' marking ..... 27
  - CTC-20-005 Braeside Road, Greystanes - request for Parking Restrictions ..... 35
  - CTC-20-006 Willoughby Street, Guildford - Road Safety Concerns ..... 41
  - CTC-20-007 Percival Road, Smithfield – Request for "No Stopping" signs..... 43
  - CTC-20-008 Cumberland Road and Whalans Road, Greystanes - Proposed "No Stopping" restrictions ..... 49
  - CTC-20-009 Dunmore Street, Wentworthville - Request For Parking Restrictions ..... 55
  - CTC-20-010 Hawkesview Street, Merrylands - Proposed Parking Restrictions ..... 61
  - CTC-20-011 Newman street, Merrylands - Request for the installation of "No Parking" signs ..... 67
  - CTC-20-012 Stubbs Street, Auburn – Proposed "No Parking" restrictions..... 73
  - CTC-20-013 Hudson Street, South Granville - Road Safety Concerns.... 79
  - CTC-20-014 Merrylands Road, Merrylands – Request for "No Stopping" signs..... 87
  - CTC-20-015 Dennistoun Avenue, Guildford West - Consultation result - Proposed Speed Humps ..... 97

CTC-20-016	Dell Street, Woodpark – Request for accessible parking spaces.....	105
CTC-20-017	Rhodes Avenue, Guildford – RMS Request to install “2P” signage near woodville Road .....	111
CTC-20-018	Watkin Tench Parade, Pemulwuy - Road Safety Concerns.....	121
CTC-20-019	Pine Road, Yennora - Proposed "No Stopping" Restrictions Associated With A Development Application .....	125
CTC-20-020	Sturt Street, Guildford West - Proposed Relocation Of 'Bus Zone' Sign Associated With A Development Application ..	131
CTC-20-021	The Trongate between Archibald Street & Redfern Street, South Granville - Proposed Raised Thresholds - Consultation result. ....	137
CTC-20-022	Fowler Road And Dennistoun Avenue, Guildford West - Proposed 'No Stopping' Signs.....	143
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CTC-20-024	Fowler Road, Guildford West - Proposed Line Marking ....	155
CTC-20-025	Yarram Street, Lidcombe - Proposed Raised Thresholds - Consultation result. ....	161
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CTC-20-027	King Street, Guildford West - Road Safety Concerns .....	171
CTC-20-028	Osgood Street, Guildford - Road safety Concerns .....	175
CTC-20-029	Parkes Street, Guildford West - Road safety Concerns ....	179
CTC-20-030	Smythe street, Merrylands - Road Safety Concerns .....	183
CTC-20-031	14 Hilltop Road, Merrylands - Propsoed median island associated with a development application. ....	197
CTC-20-032	Alderney Road, Merrylands - Proposed "No stopping" restrictions.....	209
CTC-20-033	Fowler Road, Lucas Street and Wisdom Street, Guildford – Proposed intersection and pedestrian crossing improvements .....	215
CTC-20-034	Blaxcell Street, Granville – Proposed relocation of the raised pedestrian crossing .....	221
CTC-20-035	Blaxcell Street, Granville - Proposed relocation of "Bus Zone" and "No Stopping" signs .....	227
CTC-20-036	Virginia street, Guildford West - Proposed "No Parking" signs in the cul-de-sac.....	235

## 6. Other Business

**7. Next Meeting**

**The next meeting of the Traffic Committee is to be held on Wednesday, 1 April 2020.**



## Summary of Reports

Item #	Title	Electorate				Police Area Command (PAC)	
		Fairfield	Granville	Prospect	Auburn	Cumberland	Auburn
CTC-20-001	Moree Avenue, Westmead - Application for "Works Zone" signage		x			x	
CTC-20-002	Excelsior Street, Guildford – Request for 'Mail zone' signage				x		x
CTC-20-003	Kibo Road, Regents Park – Road Safety Concerns				x		x
CTC-20-004	Guildford Road, Guildford – Request for 'Keep Clear' marking				x	x	
CTC-20-005	Braeside Road, Greystanes - request for Parking Restrictions		x			x	
CTC-20-006	Willoughby Street, Guildford - Road Safety Concerns				x	x	
CTC-20-007	Percival Road, Smithfield – Request for "No Stopping" signs			x		x	
CTC-20-008	Cumberland Road and Whalans Road, Greystanes - Proposed "No Stopping" restrictions			x		x	
CTC-20-009	Dunmore Street, Wentworthville - Request For Parking Restrictions			x		x	
CTC-20-010	Hawkesview Street, Merrylands - Proposed Parking Restrictions		x			x	
CTC-20-011	Newman street, Merrylands - Request for the installation of "No Parking" signs		x			x	
CTC-20-012	Stubbs Street, Auburn – Proposed "No Parking" restrictions				x		x
CTC-20-013	Hudson Street, South Granville - Road Safety Concerns				x	x	
CTC-20-014	Merrylands Road, Merrylands – Request for "No Stopping" signs		x			x	
CTC-20-015	Dennistoun Avenue, Guildford West - Consultation result - Proposed Speed Humps	x				x	
CTC-20-016	Dell Street, Woodpark – Request for accessible parking spaces	x				x	
CTC-20-017	Rhodes Avenue, Guildford – RMS Request to install "2P" signage near woodville Road		x			x	
CTC-20-018	Watkin Tench Parade, Pemulwuy - Road Safety Concerns			x		x	
CTC-20-019	Pine Road, Yennora - Proposed "No Stopping" Restrictions Associated With A Development Application	x				x	
CTC-20-020	Sturt Street, Guildford West - Proposed Relocation Of 'Bus Zone' Sign Associated With A Development Application	x				x	
CTC-20-021	The Trongate between Archibald Street & Redfern Street, South Granville - Proposed Raised Thresholds - Consultation result.		x			x	
CTC-20-022	Fowler Road And Dennistoun Avenue, Guildford West - Proposed 'No Stopping' Signs	x				x	
CTC-20-023	Fowler Road And Faulds Road, Guildford West - Proposed 'No Stopping' Signs	x				x	
CTC-20-024	Fowler Road, Guildford West - Proposed Line Marking	x				x	

**Traffic Committee  
5 February 2020**

CTC-20-025	Yarram Street, Lidcombe - Proposed Raised Thresholds - Consultation result.				x		x
CTC-20-026	Eglington Street, Lidcombe - Road Safety Concerns				x		x
CTC-20-027	King Street, Guildford West - Road Safety Concerns	x				x	
CTC-20-028	Osgood Street, Guildford - Road safety Concerns		x			x	
CTC-20-029	Parkes Street, Guildford West - Road safety Concerns	x				x	
CTC-20-030	Smythe street, Merrylands - Road Safety Concerns		x			x	
CTC-20-031	14 Hilltop Road, Merrylands - Propsoed median island associated with a development application.		x			x	
CTC-20-032	Alderney Road, Merrylands - Proposed "No stopping" restrictions		x			x	
CTC-20-033	Fowler Road, Lucas Street and Wisdom Street, Guildford – Proposed intersection and pedestrian crossing improvements	x				x	
CTC-20-034	Blaxcell Street, Granville – Proposed relocation of the raised pedestrian crossing		x			x	
CTC-20-035	Blaxcell Street, Granville - Proposed relocation of "Bus Zone" and "No Stopping" signs		x			x	
CTC-20-036	Virginia street, Guildford West - Proposed "No Parking" signs in the cul-de-sac	x				x	



Item No: CTC-20-001

## **MOREE AVENUE, WESTMEAD - APPLICATION FOR "WORKS ZONE" SIGNAGE**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: GS-576-TP  
Electorate: Granville  
Police Area Command (PAC): Cumberland

### **SUMMARY**

---

Council has received an application for 'Works Zone' on Moree Avenue, Westmead associated with the development at 1A Moree Avenue, Westmead.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The 10m long 'Works Zone, 7:00am-6:00pm, Monday-Friday, 8:00am-4:00pm, Saturday' restrictions be installed on Moree Avenue, Westmead fronting the development site subject to Council's standard conditions for the period of 13 weeks and subsequent extension if required; and
2. The applicant be advised to pay the 'Works Zone' fees to Council as per the adopted Fees and Charges.

### **REPORT**

---

Council has received an application for "Works Zone" on Moree Avenue associated with the development at 1A Moree Ave, Westmead. The proposed development involves construction of a dwelling. Due to the area being signposted "1/2 P; 8:00Am-4:00PM; School Days", it is be difficult to park construction vehicles at the frontage of the development.

The temporary "Works Zone" is approximately 10m in length and proposed to commence in early February 2020 for 13 weeks. The proposed time is between 7:00am to 6:00pm Monday to Friday and 8:00am to 4:00pm on Saturdays.

There will be a loss of 2 on-street parking spaces on the western side of Moree Avenue, Westmead during the operation of the "Works Zone".

## **COMMENTS**

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"[Insert comments here]"

## **ATTACHMENTS**

---

1. Plan - Moree Avenue, Westmead - Proposed "Works Zone" signage

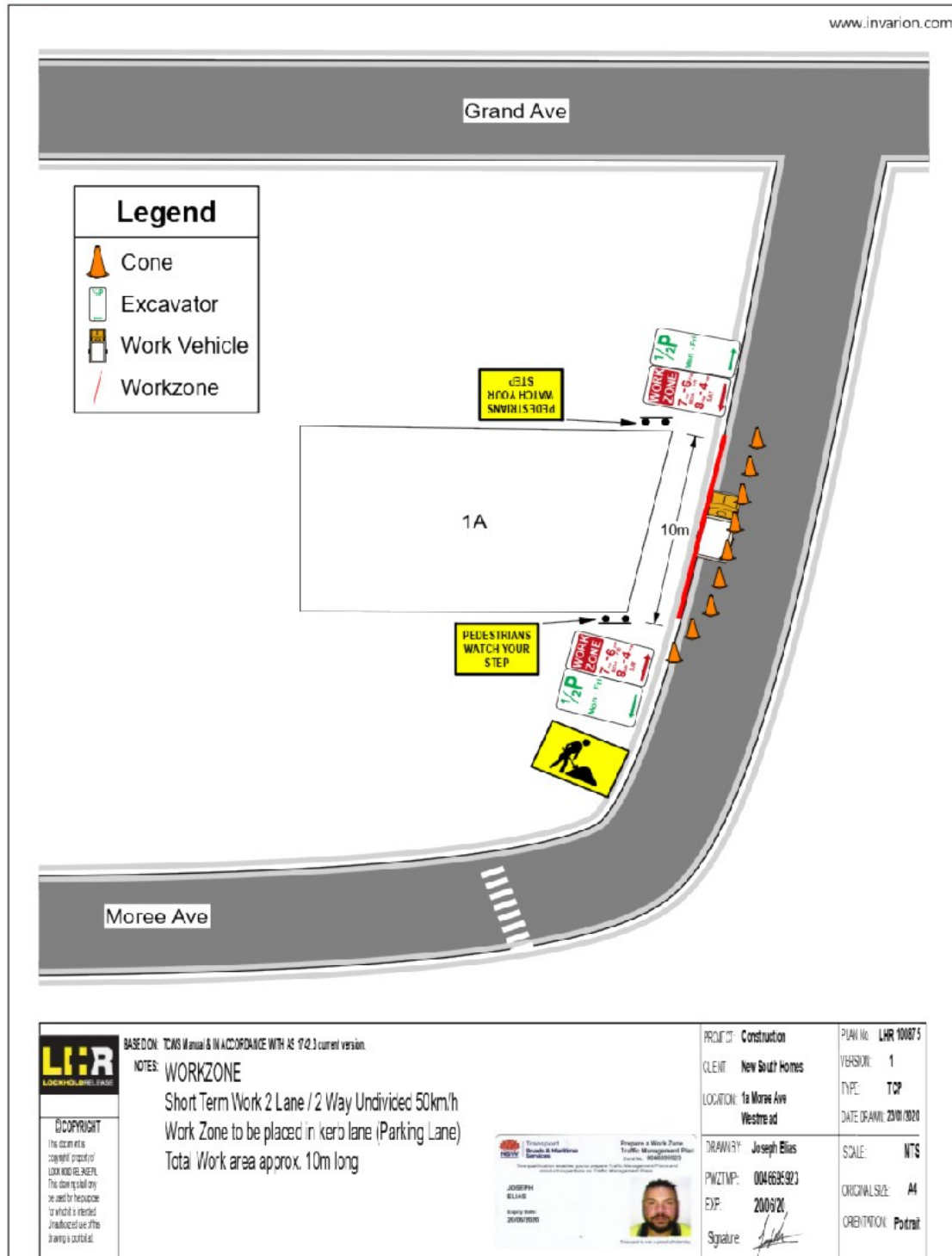


# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-001

## Attachment 1

Plan - Moree Avenue, Westmead  
- Proposed "Works Zone" signage







Item No: CTC-20-002

## **EXCELSIOR STREET, GUILDFORD – REQUEST FOR ‘MAIL ZONE’ SIGNAGE**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: *Auburn*  
Police Area Command (PAC): *Auburn*

### **UMMARY**

It has been brought to Council's attention that cars are parking outside the Post Box in Excelsior Street north of Cleone Street, Guildford.

This report outlines the investigation of the request.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends:**

- 1. The installation of “Mail Zone” signs on Excelsior Street, north of Cleone Street, Guildford be approved in accordance with the attached plan.; and**
- 2. Council notify adjacent properties of the resolution..**

### **REPORT**

---

It has been brought to Council's attention that cars are parking outside the Post Box in Excelsior Street north of Cleone Street, Guildford.

Excelsior Street runs in a north-south direction from Rawson Road to Louis Street.

There are several traffic calming measures in the street

In accordance with Road Rule 199, a driver must not stop on a road within 3m of a post-box unless the driver is dropping off / picking up passengers or mail.

Cars often park at the kerbside of the post-box.

It is proposed to signpost a 6m Mail Zone adjacent to the post-box. It should be noted that in accordance with Road Rule 186, a driver must not stop in a mail zone. There will be 6m length for parking between the “No Stopping” sign from the corner and the proposed “Mail Zone”.



## **COMMENTS**

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"[Insert comments here]"

## **ATTACHMENTS**

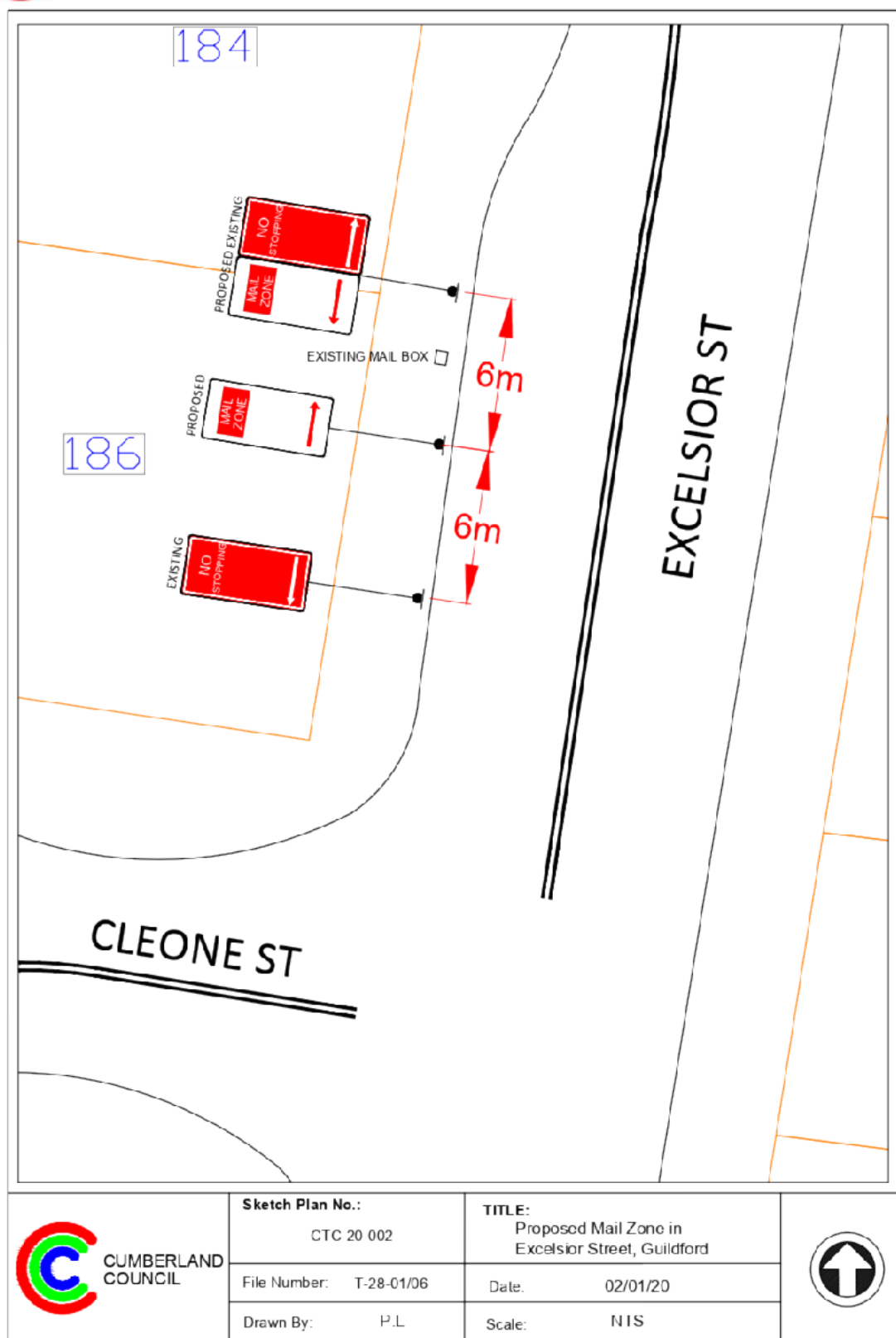
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1. Excelsior Street, Guildford - Proposed "Mail Zone"

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-002

## Attachment 1 Excelsior Street, Guildford - Proposed "Mail Zone"









Item No: CTC-20-003

## **KIBO ROAD, REGENTS PARK – ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: *Auburn*  
Police Area Command (PAC): *Auburn*

### **SUMMARY**

---

Council has investigated road safety concerns in Kibo Road, Regents Park which was raised by a resident following a fatal accident.

This report deals with a review of conditions in Kibo Road, Berala.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The proposed line marking treatment of Kibo Road, Regents Park between Fourth Avenue and Sixth Avenue be approved.
2. The installation of Children crossing warning signs (W6-3) be installed on Kibo Road between Chadwick Avenue Fourth Avenue in accordance with the attached plan be approved and.
3. Council review traffic conditions in Kibo Road, Regents Park in August 2021 and report back to Cumberland Traffic Committee.

### **REPORT**

---

Council received safety concerns from a resident following a fatal accident involving a child in Kibo Road, Regents Park within the Kibo Park frontage.

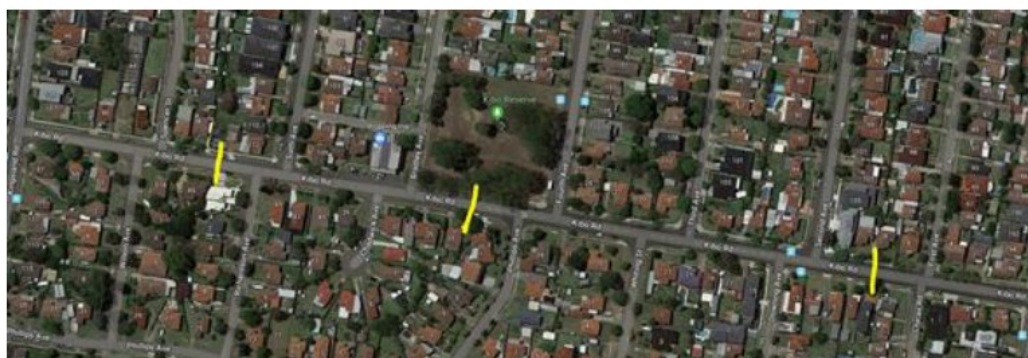
Kibo Road runs in an east – west direction between Nottinghill Road and Kingsland Road and functions as a collector road forming over 13 intersections with cross roads. It is approximately 700m long and 12.4m wide between the kerbs.

Kibo Road has “BB” centre line marking and median island at the Kingsland Road intersection. “BB” centre lines are provided from Phillips Avenue intersection to Second Avenue intersection.

New traffic counts were undertaken on Kibo Road at 3 locations in September 2019. These locations are;

1. Between Sixth Avenue and Spencer Street
2. Outside Kibo Park.
3. Between Second avenue and First Avenue

as shown in the map below.



The traffic count data is given in the table below:

		Location 1 (Between Sixth Av & Spencer St)	Location 2 (outside Kibo Reserve)	Location 1 (Between Sixth Av & Spencer St)
Ave. Daily Traffic (ADT) (Veh/day)		2129	2005	2030
Ave. Peak Hour Traffic (Veh/hr)	AM	193	185	167
	PM	226	215	206
85 <sup>th</sup> percentile speed (km/hr)		54.72	57.78	57.77
Median Speed (km/hr)		46.44	49.86	48.6

The traffic count data indicates that the recorded speeds in the street is high compared to the speed limit of 50km/hr.

There were two (2) reported accidents in Kibo Road in the 5 year period between 2014 & 2018. One of these is the fatality near Kibo Park. This accident is indicated as an injury accident in the RMS database. The other accident was a loss of control accident near Third Avenue.

An investigation was conducted to assess the feasibility of the installation of traffic calming devices on Kibo Road in accordance with the criteria set out in Council's Local Area Traffic Management (LATM) Policy.

The assessments are summarised in the tables below:

Table 1 – Kibo Road – LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	25
Crash warrant in the last 5 years	15	5
Road Characteristics	35	14
Community Support & other factors	5	3
Total	100	<b>47</b>

The following table indicates the action to be taken according to the assessment points:

Table 2 –Action

Criteria	Action
>75	Report to HTC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
<b>41-60</b>	<b>Council to review traffic data in 6 months</b>
25-40	Monitor street and review traffic data after 12 months
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above results, it is advised that traffic calming devices are not warranted in accordance with Council's LATM Policy.

The recorded 85th percentile speeds are high compared to the speed limit and Council proposes to undertake centre line and edge line marking in the vicinity of Kibo Park.

Council has also assessed the location for the provision of a pedestrian crossing as requested by the resident, however, the average peak hour traffic between 167 – 226 Veh/hour does not satisfy the numerical warrants for a pedestrian crossing. However, Council proposes to erect "W6-3" warning signs indicating children crossing in the area to access the Park.

## COMMENTS

"[Insert comments here]"

## ATTACHMENTS

1. Proposed Linemarking In Kibo Road between Richardson avenue and Fourth avenue, Berala



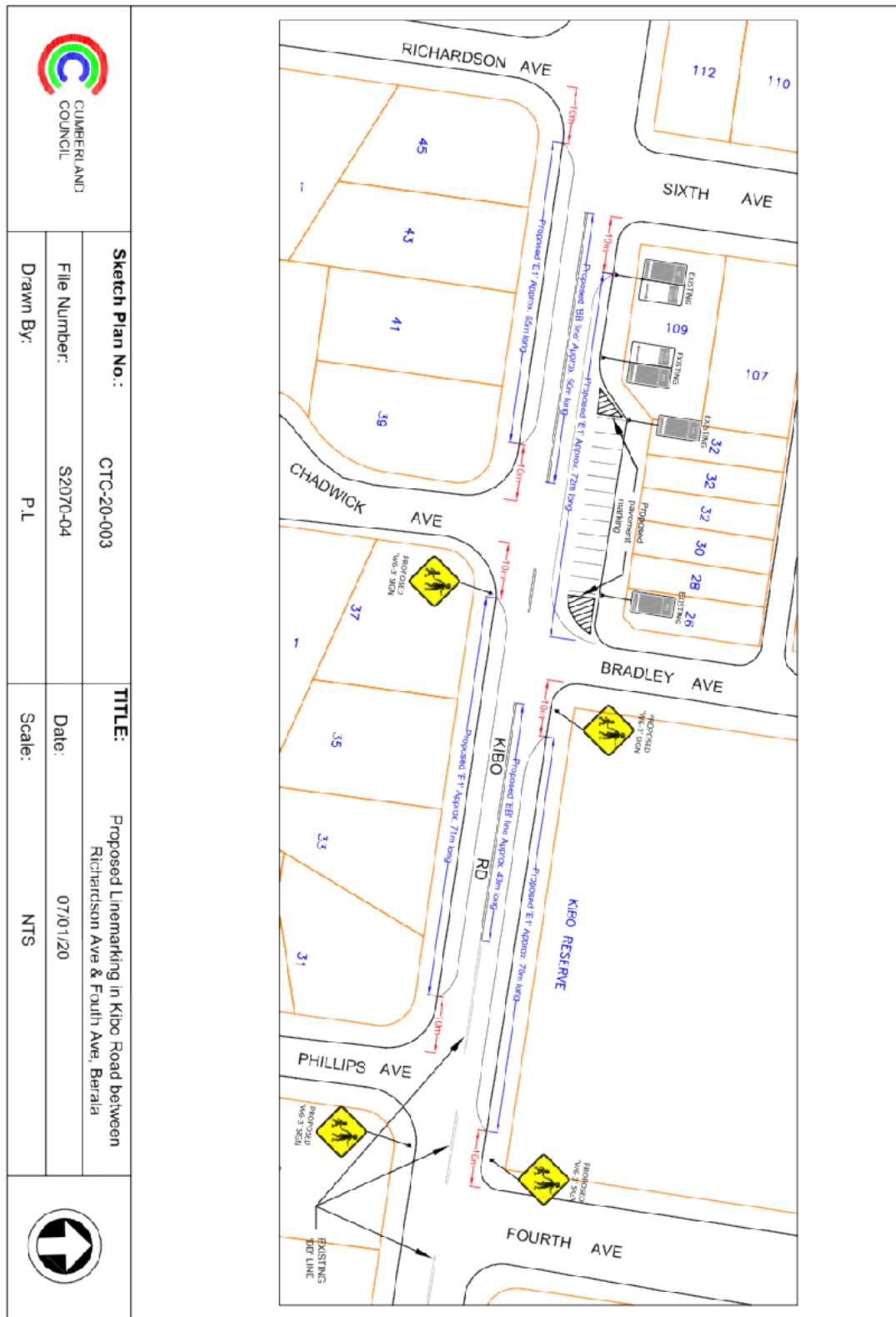
# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-003

## Attachment 1

Proposed Linemarking In Kibo  
Road between Richardson  
avenue and Fourth avenue,  
Berala









Item No: CTC-20-004

## **GUILDFORD ROAD, GUILDFORD – REQUEST FOR ‘KEEP CLEAR’ MARKING**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: *Auburn*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received request from a resident for the installation of ‘Keep Clear’ pavement markings on Guildford Road at the intersection with Lough Avenue, Guildford.

This report outlines the investigation of the request.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that the installation of “Keep Clear” pavement marking be approved for the installation at the intersection of Lough Avenue and Guildford Road, Guildford in accordance with the attached plan.**

### **REPORT**

---

Council has received request from a resident for the installation of ‘Keep Clear’ pavement markings on Guildford Road at the intersection with Lough Avenue, Guildford.

Council has received request from a resident for the installation of ‘Keep Clear’ pavement markings on Guildford Road at the intersection with Lough Avenue, Guildford.

The map below shows the location of Lough Avenue and Guildford Road.



Guildford Road is a collector road and forms a signalised intersection with state Road, Woodville Road. Lough Avenue is a local road at approximately 100m from the signalised intersection. The right turn bay on Guildford Road for westbound traffic extends upto approximately 95m near the Lough Avenue intersection. The queue lengths on the approaches to the traffic signals are significantly long.

Traffic modelling undertaken by Council in 2019 has indicated that the westbound approach has 95th percentile queue length of 250m in the morning peak and 140m in the evening peak.

Council has received a request from a resident to paint 'Keep Clear' on the pavement to prevent cars queuing across the intersection.

It is illegal to queue across an intersection in accordance with the blocked intersection rule of Road Rules 2014.

'Keep Clear' pavement markings are generally used outside Ambulance and Fire Brigade driveways and critical intersections close to signalised intersections where vehicles queuing to right turn into side roads might result in interfering with the performance of the signalised intersection.

Due to the extended queue lengths in Guildford Road, there is minimum opportunity (gap) available to turn right into Lough Avenue. During this 'gap', it will be difficult to vehicles turning right from Lough Avenue which will also conflict with the other right turning movement.

Therefore, it is recommended that "Keep Clear" marking is provided at this intersection.

## COMMENTS

"[Insert comments here]"

## **ATTACHMENTS**

---

1. Plan - Guildford Road, Guildford – Proposed ‘Keep Clear’ marking at Lough Avenue





# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-004

## Attachment 1

Plan - Guildford Road, Guildford –  
Proposed ‘Keep Clear’ marking  
at Lough Avenue







Item No: CTC-20-005

## **BRAESIDE ROAD, GREYSTANES - REQUEST FOR PARKING RESTRICTIONS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: GS-104-TP  
Electorate: *Granville*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received a request from property owner for additional parking restriction in front of 10 Braeside Road, Greystanes.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends:**

1. The installation of “No Parking” signs in front of 10 Braeside Road, Greystanes in accordance with the plan CTC-20-005 be approved; and
2. The adjacent property be notified of Council’s resolution.

### **REPORT**

---

Council has received a request from the property owner at 10 Braeside Road, Greystanes for the additional parking restriction in front of the property. The resident raised safety concerns with the regards to vehicles being parked too close to the driveway and blocking sight distance and driveway access.

Council Officers have investigated the request and found that the existing “No Stopping” signage was erected for the existing pedestrian crossing outside the Our Lady Queen of Peace school. In addition, the existing driveway is on a downgrade and sight distance is restricted when vehicles are parked in front of the property (particularly to the left). Therefore, the installation of “No Parking” restriction would improve sight distance and road safety and provide drop off/pick up facility for the road users. It is noted that the subject property is a single dwelling.



## **COMMENTS**

---

"[Insert comments here]"

## **ATTACHMENTS**

---

1. Braeside Road, Greystanes - Request to extend existing "No Parking" restrictions

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-005

## Attachment 1

Braeside Road, Greystanes -  
Request to extend existing "No  
Parking" restrictions







Item No: CTC-20-006

**WILLOUGHBY STREET, GUILDFORD - ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: *Auburn*  
Police Area Command (PAC): *Cumberland*

**SUMMARY**

---

Council at its meeting on 5 December 2018 considered a report (vid CTC-18-170) regarding road safety concerns on Willoughby Street, Guildford. Council resolved that a review be undertaken and report back to the Traffic Committee.

This report outlines the outcome of the investigation into this matter.

**RECOMMENDATION**

---

**That the Traffic Committee recommends that the report be received and no further action be taken at this stage..**

**REPORT**

---

Council's Officers undertook a review regarding road safety concerns on Willoughby Street in accordance with Council's resolution. A new traffic count was conducted in December 2019. The result of the traffic count indicated an AADT volume of 439 vehicles/day, an 85th percentile speed of 57.2 km/h and the mean (average) vehicle speed of 46.3 km/h on Willoughby Street.

The table below gives a comparison of the two traffic count data in Willoughby Street:

	2018	2019
Average Daily Traffic (ADT)	464	439
85 <sup>th</sup> %tile speed (km/hr)	60.5	57.2
Median speed (km/hr)	48.4	46.3



The result of the traffic count, recorded crashes etc. were assessed to determine the feasibility of the installation of traffic calming devices on Willoughby Street in accordance with Council Local Area Traffic Management policy. The assessments (latest in 2019 and previous in 2018) are summarised in the table below:

Table 1 - Willoughby Street – LATM Assessment Points

Criteria	Maximum Score	Score Achieved 2018	Score Achieved 2019
Traffic Study Data	45	15	10
Crash warrant in the last 5 years	15	0	0
Road Characteristics	35	13	13
Community Support & other factors	5	5	5
Total	100	33	28

The following table indicates the action to be taken according to the assessment points:

Table 2 –Action

Criteria	Action
>75	Report to HTC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
25-40	<b>Monitor street and review traffic data after 12 months</b>
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above results, the traffic calming devices on Willoughby Street are not warranted.

## COMMENTS

"[Insert comments here]"

## ATTACHMENTS

Nil

Item No: CTC-20-007

## **PERCIVAL ROAD, SMITHFIELD – REQUEST FOR "NO STOPPING" SIGNS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: GS-664-TP  
Electorate: *Prospect*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received a request for the installation of 'No Stopping' signs across a property driveway at 28 – 54 Percival Road, Smithfield.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The proposed 'No Stopping' restrictions on Percival Road, Smithfield in accordance with the attached plan be approved ; and
2. The concerned business owner / applicant be notified of the outcome generally.

### **REPORT**

---

Percival Road is a local industrial road that runs in a north-south direction. It has a width of approximately 12.0 m. Land use on this street is generally industrial.

Council has received a request for the installation of 'No Stopping' signs across a property driveway at 28 – 54 Percival Road, Smithfield. The property is industrial housing several industries and a car park with more than 80 parking spaces with several loading docks for heavy vehicles.

Council's Officers have investigated the matter and the investigation revealed that vehicles are parking too close to the existing driveway which restrict sight distance for light vehicles (particularly for egress vehicles) and restrict heavy vehicle's movements (i.e. entering and exiting the site). In this regard, the installation of 'No Stopping' signs would improve sight lines and road safety for all road users.

## **COMMENTS**

---

"[Insert comments here]"

## **ATTACHMENTS**

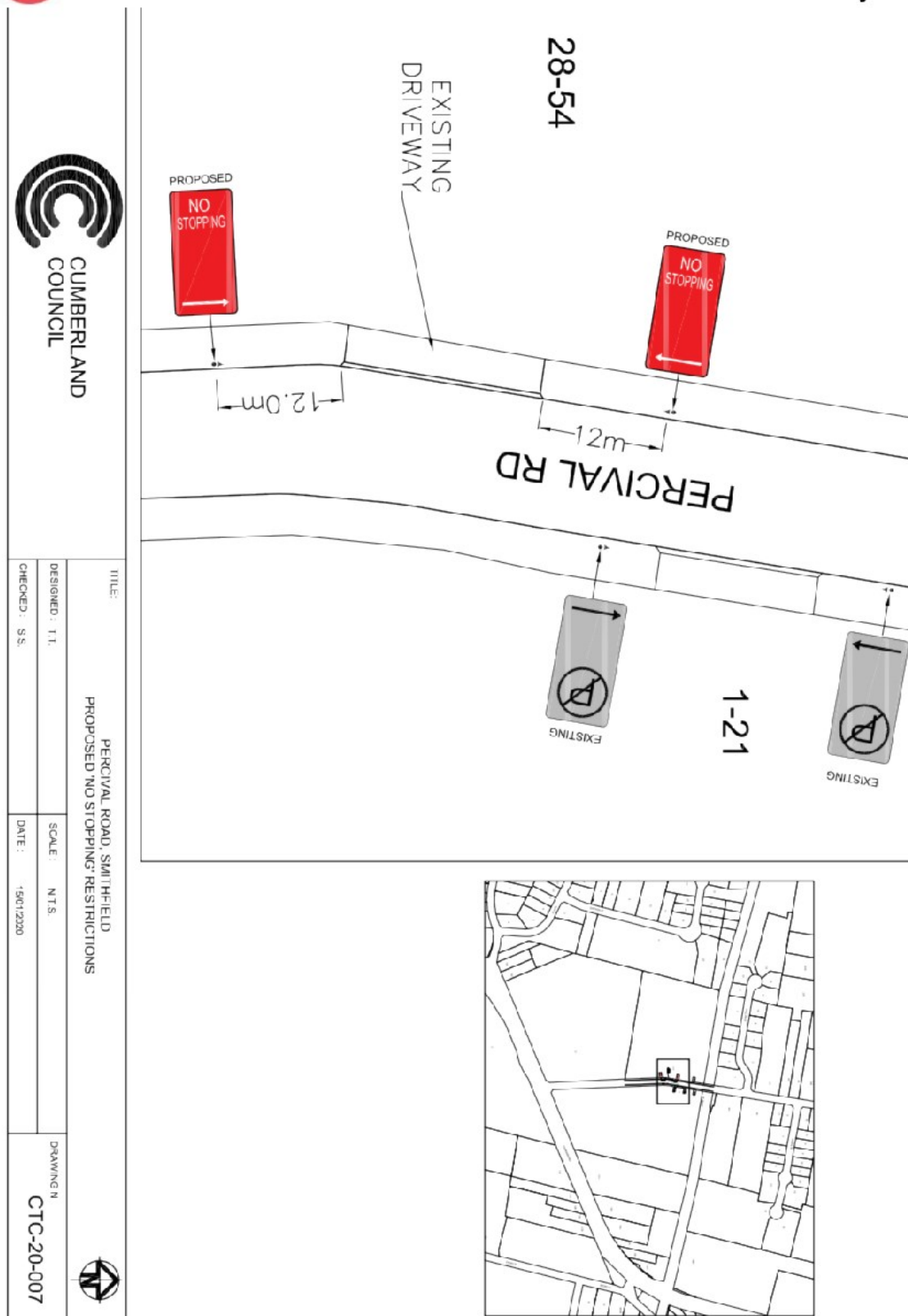
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1. Percival Road, Smithfield - Proposed "No Stopping" restrictions

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-007

## Attachment 1 Percival Road, Smithfield - Proposed "No Stopping" restrictions









Item No: CTC-20-008

## **CUMBERLAND ROAD AND WHALANS ROAD, GREYSTANES - PROPOSED "NO STOPPING" RESTRICTIONS**

Responsible Division:	Works & Infrastructure
Officer:	Team Leader Transportation
File Number:	GS-198-TP/02
Electorate:	<i>Prospect</i>
Police Area Command (PAC):	<i>Cumberland</i>

### **SUMMARY**

---

Council has received a request from a local resident for the installation of parking restrictions at the intersection of Cumberland Road and Whalans Road, Greystanes.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends:**

1. The installation of "No Stopping" signs at the intersection of Cumberland Road and Whalans Road, Greystanes in accordance with the plan CTC-20-008 be approved; and
2. The affected residents be notified of the outcome generally.

### **REPORT**

---

Council has received a request from a local resident for the installation of parking restrictions at the intersection of Cumberland Road and Whalans Road, Greystanes.

The intersection has centre lines and edge lines marked on both roads.

Site inspections indicated that when vehicles are parking too close to the intersection, the sight distance is restricted. Therefore, the proposed 'No Stopping' signs at this intersection would improve sight distance and road safety for all road users.

### **COMMENTS**

---

"[Insert comments here]"

## **ATTACHMENTS**

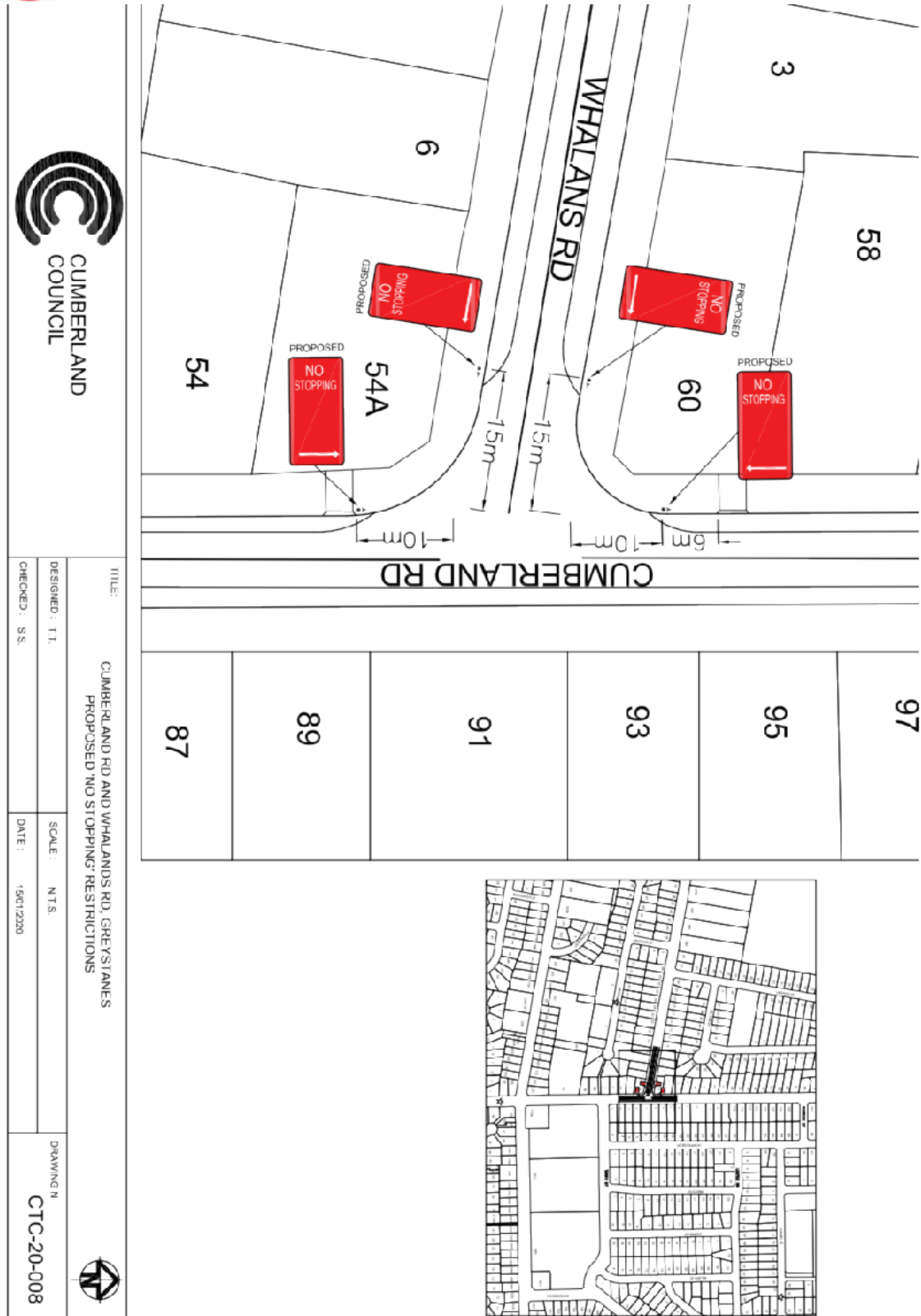
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1. Plan - Cumberland Rd & Whalans Rd - Proposed "No stopping" restrictions

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-008

## Attachment 1 Plan - Cumberland Rd & Whalans Rd - Proposed "No stopping" restrictions









Item No: CTC-20-009

## **DUNMORE STREET, WENTWORTHVILLE - REQUEST FOR PARKING RESTRICTIONS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: GS-244-TP/02  
Electorate: Prospect  
Police Area Command (PAC): Cumberland

### **SUMMARY**

---

Council has received a request from a local business owner for the installation of 'No Stopping' signs across driveway at 67 Dunmore Street, Wentworthville.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee Recommends that:**

1. **The proposed installation of 'No Stopping' signs at 67 Dunmore Street, Wentworthville driveway in accordance with the plan CTC-20-009 be approved.**

### **REPORT**

---

Council has received a request from a local business owner for the installation of 'No Stopping' signs across driveway at 67 Dunmore Street, Wentworthville due to vehicles parking continuously too close to the driveway and in most instances blocking the driveway completely.

Council's Officers have investigated the matter and a site inspection indicated that there is painted line marking either sides of the driveway to stop vehicles from parking too close / blocking the driveway. In accordance with NSW Road Rules 2008, Regulation 198 a driver must not stop on a road in a position that obstructs access by vehicles / pedestrians or across a driveway or other way of access for vehicles travelling to or from adjacent land, however, the business owner has continuously experienced vehicles parking within access driveway as parking demand in this area is high.

Based on the above, it is proposed to install "No Stopping" signs across the driveway to stop vehicles from blocking access driveway.

## **COMMENTS**

---

"[Insert comments here]"

## **ATTACHMENTS**

---

1. Plan - Dunmore Street, Wentworthville - Proposed 'No Stopping' Restrictions

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-009

## Attachment 1

Plan - Dunmore Street,  
Wentworthville - Proposed 'No  
Stopping' Restrictions









Item No: CTC-20-010

## **HAWKESVIEW STREET, MERRYLANDS - PROPOSED PARKING RESTRICTIONS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: GS-365-TP  
Electorate: *Granville*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received a request from a local resident for the installation of parking restrictions on Hawksview Street, Guildford.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The installation of 'No Parking' signs Hawksview Street, Merrylands in accordance with the plan CTC-20-010 be approved; and
2. The affected residents be consulted and the results reported back to Traffic Committee if any objection is received.

### **REPORT**

---

Hawksview Street is a regional road that runs in an east-west direction, it has a width of approximately 12.8m with a 50km/hr speed limit. Parking restrictions apply on both sides of the road.

Council has received a request from a local resident for the installation of parking restrictions on Hawksview Street, Guildford in front of properties 51 - 57. The resident has alleged that the sight distance for vehicles exiting the driveway is reduced particularly when vehicles are parked too close to the driveway and on the crest section of the road which results in road safety concerns.

The property is at the Hawksview Street intersection with The Esplanade and there are right turn bans for vehicles entering or exiting The Esplanade. This ban is also implemented by installing a median island on Hawksview Street across the side road.

A site inspection indicated that the sight distance would be restricted for the properties 51 – 57 Hawksview Street due to existing crest and vehicles being parked too close to

the driveway. It is recommended that the installation of "No Parking" signs would improve road safety for all road users.

**COMMENTS**

---

"[Insert comments here]"

**ATTACHMENTS**

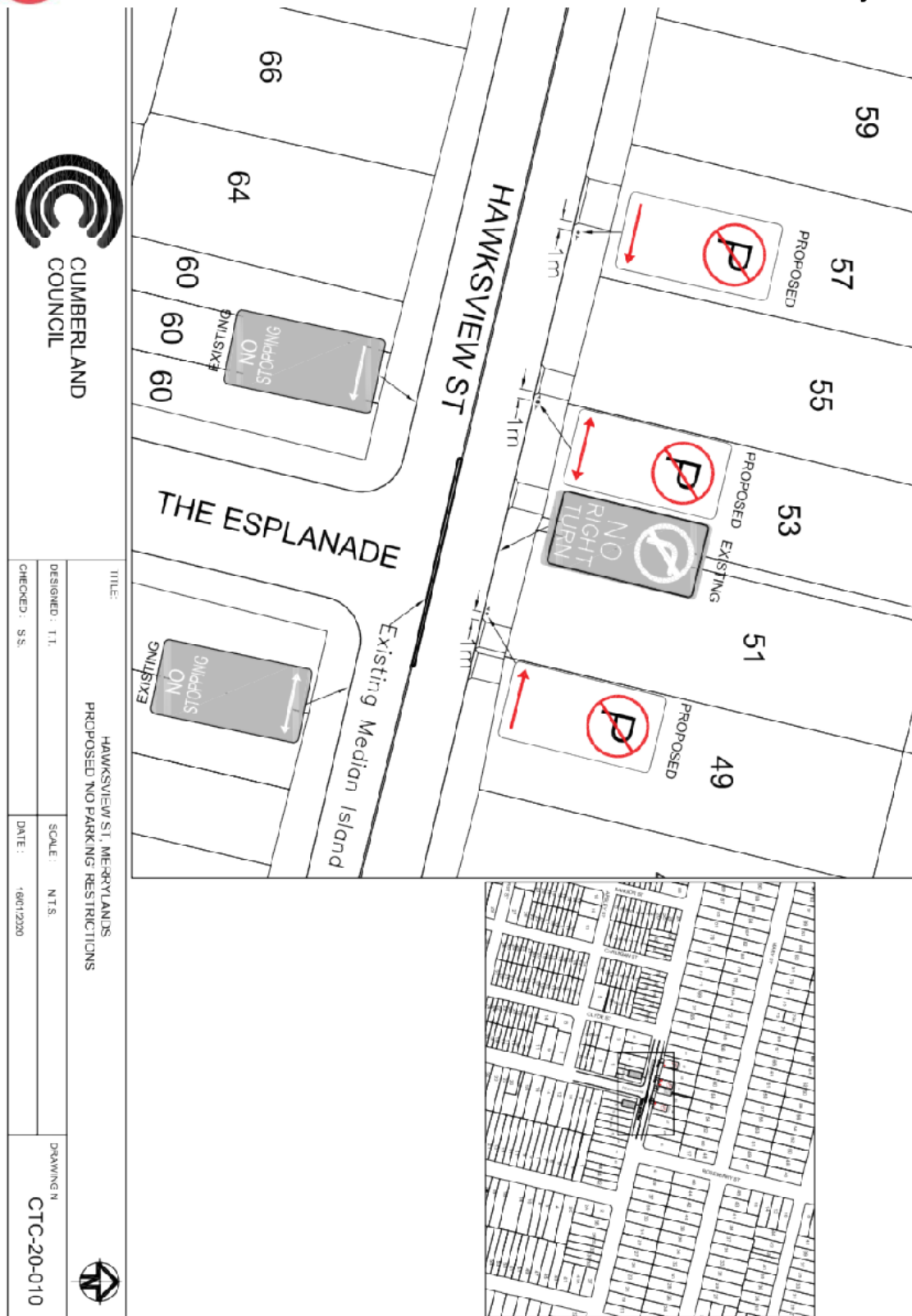
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1. Plan- Hawksview Street, Merrylands – Proposed parking restrictions.

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-010

## Attachment 1 Plan- Hawkview Street, Merrylands – Proposed parking restrictions.









Item No: CTC-20-011

## **NEWMAN STREET, MERRYLANDS - REQUEST FOR THE INSTALLATION OF "NO PARKING" SIGNS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: GS-601-TP  
Electorate: Granville  
Police Area Command (PAC): Cumberland

### **SUMMARY**

---

Council's Parks and Recreation Department has requested the installation of "No Parking" signs across Charles Mance Reserve driveway located on Newman Street, Merrylands.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that the proposed installation of "No Parking" signs on Newman Street, Merrylands in accordance with the plan CTC-20-011 be approved.**

### **REPORT**

---

Due to continuous blocking of the Charles Mance Reserve driveway by parked vehicles and restricting access for Council's maintenance vehicles, Council's Parks and Recreation Department has requested the installation of "No Parking" restrictions on Newman Street, Merrylands.

Council Officers have investigated the matter and found that the installation of "No Parking" restrictions would improve access to Charles Mance Reserve for Council's maintenance vehicles.

It is noted that the proposed parking restrictions are in front of Council's property (i.e. Charles Mance Reserve), therefore, notification / consultation is not required.

### **COMMENTS**

---

"[Insert comments here]"

## **ATTACHMENTS**

---

1. Newman Street, Merrylands - Proposed "No Stopping" restrictions

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-011

## Attachment 1 Newman Street, Merrylands - Proposed "No Stopping" restrictions









Item No: CTC-20-012

## **STUBBS STREET, AUBURN – PROPOSED “NO PARKING” RESTRICTIONS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: *Auburn*  
Police Area Command (PAC): *Auburn*

### **SUMMARY**

---

Council has received a request from the Silverwater Fire Station to consider parking restrictions across their driveway.

This report outlines the investigation of the request.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that the installation of “No Parking” restrictions across the substation and Fire Station car park driveways in accordance with the plan CTC-20-012 be approved.**

### **REPORT**

---

Council has received a request from the Silverwater Fire Station to consider parking restrictions across their driveway.

Silverwater Fire Station is located at the corner of Stubbs Street and Adderley Street W. Fire engines access via the Adderley Street driveway. The station has a small car park behind and accessed through the driveway on Stubbs Street, Auburn. There is an Electricity Sub Station next to the Fire Station on Stubbs Street. Both driveways are separated by a short length. The images below show the location:



It is illegal to park blocking access to driveways, however, it has been observed that vehicles park in the small space between the driveways.

It is alleged that when vehicles are parked in the small space between the driveways, it is difficult to exit the Fire Station car park. Also, vehicles including trucks park across the Substation driveway at times. It is believed that this may cause serious issues if the substation requires emergency access.

This is an industrial area and trucks tend to park causing difficulties for vehicles exiting the car park driveway.

It is proposed to install "No Parking" restrictions across the two driveways.

## COMMENTS

---

"[Insert comments here]"

## ATTACHMENTS

---

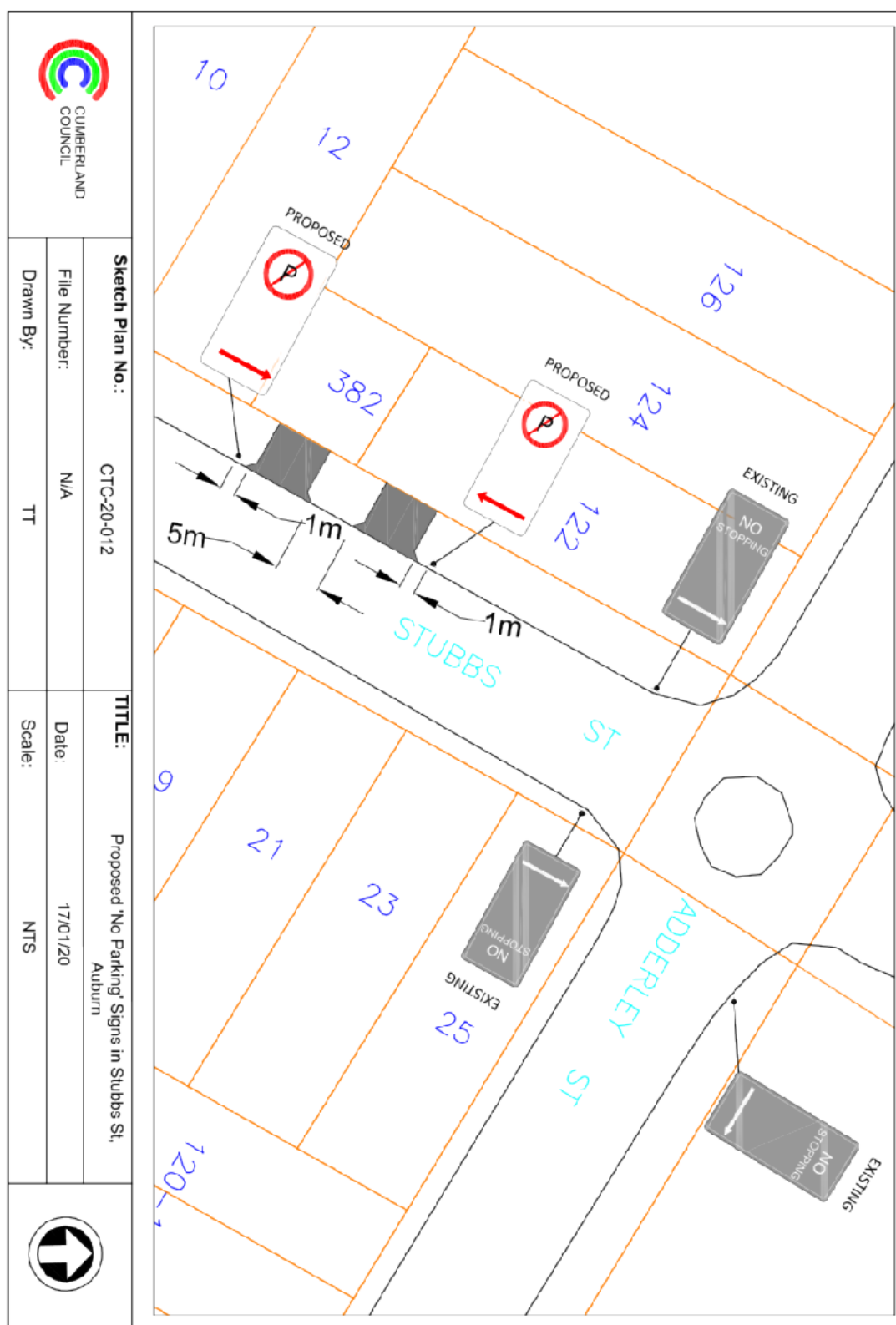
1. Plan - Stubbs Street, Auburn - Proposed "No Parking" restriction

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-012

## Attachment 1

Plan - Stubbs Street, Auburn -  
Proposed "No Parking" restriction









Item No: CTC-20-013

## **HUDSON STREET, SOUTH GRANVILLE - ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: *Auburn*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council investigated road safety concerns in Hudson Street, South Granville which was raised by a resident and reported to Cumberland Traffic Committee and Council in late 2018.

This report deals with a review of conditions in Hudson Street, South Granville.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. Council note the information contained in this report; and**
- 2. Council review traffic conditions in Hudson Street in April 2021 and report back to Cumberland Traffic Committee if significant changes are recorded.**

### **REPORT**

---

Hudson Street is local road running in an east-west direction connecting Clyde Street and Blaxcell Street. It is approximately 9.5m wide. Hudson Street is also used as a link between Auburn and South Granville.

Cumberland Traffic Committee considered a report on the road safety concerns in Hudson Street at its meeting held in November 2018 (CTC-18-196) and recommended that Council review traffic conditions in Hudson Street and report back to Cumberland Traffic Committee in February 2020.

New traffic counts were undertaken on Hudson Street in September 2019 at the same two locations previously considered. These locations are shown in the map below.



The traffic count data is given in the table below:

	Location 1 (Between The Trongate & Blaxcell St)		Location-2 (Between The Trongate & Clyde St)	
	August 2018		November 2019	
Average Daily Traffic (ADT) – Veh//day	963	941	900	922
85 <sup>th</sup> percentile speed (km/hr)	46.4	46.3	41.4	41.0
Median Speed (km/hr)	38.5	38.0	31.4	30.8

Comparison of the traffic count data from the two years, it can be seen that the traffic data shows a small reduction in daily traffic and speed values.

There were two reported accidents at the intersection of Hudson Street and Blaxcell Street in the 5 year period between 2014 & 2018. There was no accident in the mid-block sections of Hudson Street during the same 5 year period. Last accident at the Blaxcell street intersection was in June 2016.

An investigation was conducted to assess the feasibility of the installation of traffic calming devices on Hudson Street in accordance with the criteria set out in Council's Local Area Traffic Management (LATM) Policy.

The assessments are summarised in the tables below:

Table 1 – Hudson Street – LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	5
Crash warrant in the last 5 years	15	5
Road Characteristics	35	12
Community Support & other factors	5	5
Total	100	<b>27</b>

The following table indicates the action to be taken according to the assessment points:

Table 2 –Action

Criteria	Action
<b>&gt;75</b>	Report to HTC with a recommendation of providing traffic calming devices
<b>61-75</b>	Report to TC and discuss possibility of providing traffic calming devices
<b>41-60</b>	Council to review traffic data in 6 months
<b>25-40</b>	<b>Monitor street and review traffic data after 12 months</b>
<b>&lt;25</b>	Do Nothing
<b>Speed</b>	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above results, it is advised that traffic calming devices are not warranted in accordance with Council's LATM Policy. The recorded 85th percentile speeds are also below the speed limit and no further action required in this regards.

## COMMENTS

"[Insert comments here]"

## ATTACHMENTS

1. Previous report - CTC-18-196



# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-013

## Attachment 1 Previous report - CTC-18-196





**CTC-18-196 HUDSON STREET, SOUTH GRANVILLE – ROAD SAFETY CONCERNS**

State Electorate: Granville  
(File No. T-28-01/06)

PAC: Cumberland

Summary:

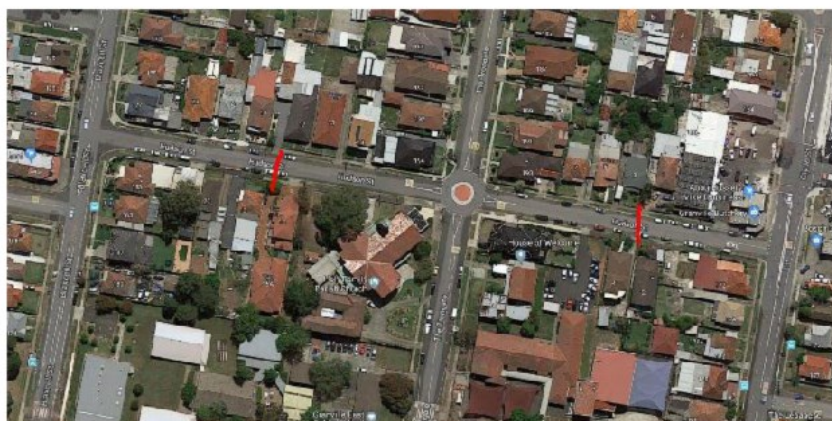
Council has received a request from a local resident through the local member that vehicles are speeding in Hudson Street, South Granville.

This report outlines the outcome of the investigation into this matter.

Report:

Hudson Street is local road running parallel to Clyde Street connecting Clyde Street and Blaxcell Street. It is approximately 9.5m wide. Hudson Street is also used as a link between Auburn and Granville.

Traffic counts were undertaken on Hudson Street in August 2018 at two locations. These locations are shown in the map below.



The traffic count data is given in the table below:

	Location 1 (Between The Trongate & Blaxcell St)	Location 2 (Between The Trongate & Clyde St)
Average Daily Traffic	963 Veh./day	900 Veh./day
85 <sup>th</sup> percentile speed	46.4 km/hr	41.4 km/hr
Median Speed	38.5 km/hr	31.4 km/hr

There were two reported accidents at the intersection of Hudson Street and Blaxcell Street in the 5 year period between July 2012 to June 2017. There was no accident in the mid-block sections of Hudson Street during the same 5 year period.

An investigation was conducted to assess the feasibility of the installation of traffic calming devices on Gerald Street in accordance with the criteria set out in Council's **Local Area Traffic Management (LATM) Policy**.

The assessments are summarised in the tables below.

Table 1 – Hudson Street – LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	5
Crash warrant in the last 5 years	15	5
Road Characteristics	35	10
Community Support & other factors	5	5
Total	100	25

The following table indicates the action to be taken according to the assessment points:

Table 2 – Action

Criteria	Action
>75	Report to HTC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
25-40	<b>Monitor street and review traffic data after 12 months</b>
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above results, it is advised that traffic calming devices are not warranted in accordance with Council's LATM Policy.

**Comments:**

Traffic committee members agreed with the recommendations.

**Recommendation:**

The Cumberland Traffic Committee recommends that:

- i) Council note the information contained in this report.
- ii) Council review traffic conditions in Hudson Street in November 2019 and report back to Cumberland Traffic Committee in February 2020.

Item No: CTC-20-014

**MERRYLANDS ROAD, MERRYLANDS – REQUEST FOR "NO STOPPING" SIGNS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: GS-558-TP/04  
Electorate: Granville  
Police Area Command (PAC): Cumberland

**SUMMARY**

---

Council has received a request from NSW Ambulance, Heath Infrastructure for the installation of 'No Stopping' signs on Merrylands Road, Merrylands.

This report outlines the outcome of the investigation into this matter.

**RECOMMENDATION**

---

That the Traffic Committee recommends that:

1. The proposed "No Stopping" and "No Stopping, 6:30am – 9:30am, 3:30pm – 6:30pm, Mon – Fri" restrictions on Merrylands Road, Merrylands in accordance with the attached plan be approved.
2. The implementation of the proposed parking restrictions is subject to the approval of the Paramedic Response Point of NSW Ambulance at 1-3 Peel Street, Holroyd; and
3. The associated cost of the proposed parking restrictions shall be borne by the applicant at no cost to Council.

**REPORT**

---

NSW Ambulance, Heath Infrastructure is investigating providing a Paramedic Response Point at 1-3 Peel Street, Holroyd as part of Sydney Ambulance Metropolitan Infrastructure Strategy.

Council has received a request from NSW Heath Infrastructure for the installation of full and part time 'No Stopping' signs on the southern side of Merrylands Road, Merrylands between Bennelong Street and Loftus Street. The proposed parking restrictions would minimise delays for ambulance on approach to Woodville Road under emergency scenarios. It is noted that ambulance would ideally use the eastbound traffic lane, however, general traffic flow will not be always able to pull into the eastbound kerbside lane due to parked vehicles particularly in peak period.

Therefore, the proposed removal of the kerbside parking spaces on the southern side of Merrylands Road would allow westbound traffic flow to pull into the kerbside and allow eastbound ambulance to use the westbound traffic lane. The requested restrictions are at the frontage of Granville Park and will not impact on the residents / businesses on the northern side of Merrylands Road.

The proposal will improve ambulance response times during peak periods.

The proposed full and part time 'No Stopping' signs can be implemented once the Paramedic Response Point of NSW Ambulance is approved at 1-3 Peel Street, Holroyd.

It is noted that since the proposed parking restrictions are located outside the Council Park, notification / consultation is not required.

The attached letter / report from the Health Infrastructure outlines the proposal with a route map.

### COMMENTS

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"[Insert comments here]"

### ATTACHMENTS

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1. Merrylands Road, Merrylands - NSW Ambulance request for "No Stopping" restrictions

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-014

## Attachment 1

Merrylands Road, Merrylands -  
NSW Ambulance request for "No  
Stopping" restrictions







Health  
Infrastructure

REF: N179820

DATE: 8 January 2020

Cumberland Council  
15 Memorial Avenue  
PO Box 42  
MERRYLANDS NSW 2160

Attention: Team Leader Transportation & Traffic

RE: PROPOSED CHANGES TO KERBSIDE RESTRICTIONS ON MERRYLANDS ROAD, WEST OF WOODVILLE ROAD

## Background

On behalf of NSW Ambulance, Health Infrastructure is investigating providing a Paramedic Response Point (PRP) at 1-3 Peel Street, Holroyd as part of the Sydney Ambulance Metropolitan Infrastructure Strategy (SAMIS). Emergency response times are critical as part of the delivery of all PRP's, with peak period traffic congestion in the local area expected to significantly impact these response times for ambulances needing to access Woodville Road east of the site.

The most direct departure route from the site for ambulances under emergency scenarios would be via Crescent Street to access Woodville Road, the key north-south collector road through the area and between the Hume Highway and M4 Western Motorway. Queuing on Crescent Street on approach to this intersection is common during peak periods with ambulance delays under emergency scenarios expected to be largely unavoidable. The existing right turn ban onto Woodville Road from Crescent Street and road safety risks associated with blind corners close to Woodville Road combine to make this travel path impractical. An alternative departure route for ambulances is critical during peak periods.

The alternative route is shown in Figure 1 and proposes use of Pitt Street, Neil Street, Mombri Street, Loftus Street and Merrylands Road to access Woodville Road. This route would best serve catchments south and east of the PRP and critical during peak periods. The travel path is shown in Figure 1.

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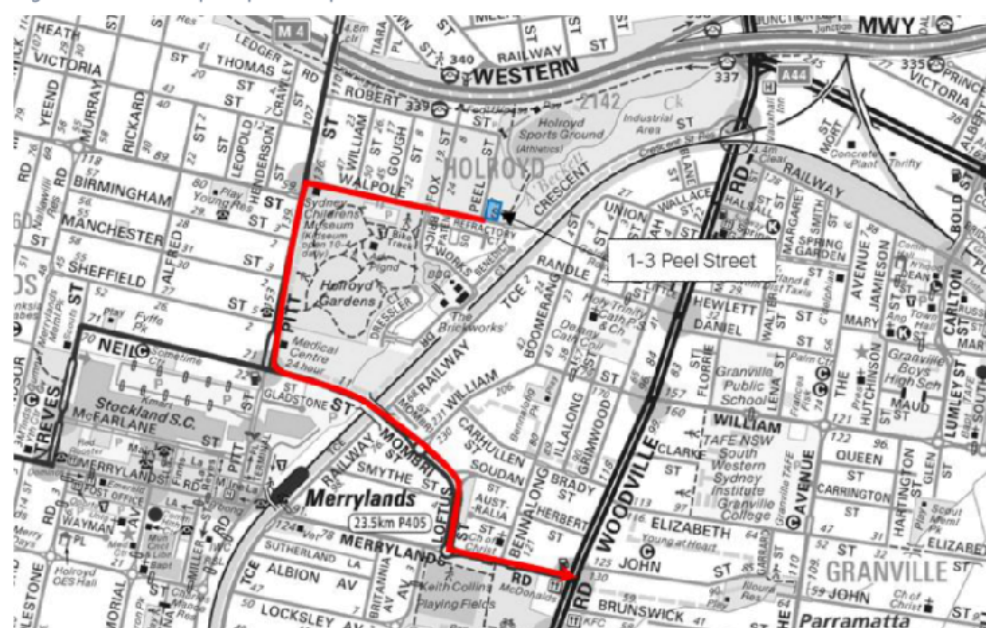
Health Infrastructure ARN 89 600 377 397

Level 14, 77 Pacific Highway, North Sydney NSW 2050 | PO Box 1060, North Sydney NSW 2059

Tel 02 9978 5402 | [www.hinfra.health.nsw.gov.au](http://www.hinfra.health.nsw.gov.au)

## PROPOSED CHANGES TO KERBSIDE RESTRICTIONS ON MERRYLANDS ROAD, WEST OF WOODVILLE ROAD

Figure 1: Alternative peak period departure route



Base image source: Sygway

With peak period congestion also common for eastbound traffic on Merrylands Road on approach to Woodville Road, and with parking currently permitted on both sides of the road, there is a need to restrict this to one side only to better facilitate emergency services during peak periods. Restricting parking during peak times will provide a wider travel lane for ambulance vehicles to safely pass queued traffic under lights and/ or sirens. The southern side fronts Granville Park and the northern side mostly detached residential dwellings.

It is understood that any modifications to on-street parking on Merrylands Road will need to be referred to Cumberland Council and presented to the Traffic Committee for approval. As such, this letter has been prepared to outline the necessary modifications and reasons why they are required.

## Proposal

The southern side of Merrylands Road allows for unrestricted parking between Bennelong Street and Loftus Street, with no stopping restrictions east of Bennelong Street. The northern side includes a mix of no stopping and 1P parking between Bennelong Street and Loftus Street, with no parking during peak periods east of Bennelong Street (6:30am to 9:30am and 3:30pm to 6:30pm Monday to Friday).

It is proposed to modify parking arrangements on the southern side of Merrylands Road between Bannelong Street and Loftus Street. This includes implementing a no stopping zone 6:30am to 9:30am and 3:30pm to 6:30pm Monday to Friday. This would result in the loss of around seven parking spaces during peak periods in an area that typically experiences moderate to low demand for parking. No modifications to the existing Merrylands Road pedestrian refuges are proposed.

These basic measures will minimise delay for ambulances on approach to Woodville Road under emergency scenarios. Ambulances would ideally use the eastbound traffic lane; however general traffic will not always be able to pull into the eastbound kerbside lane given the presence of parked vehicles. The peak period removal of parking on the southern side of Merrylands Road would allow westbound traffic on Merrylands Road to pull into the vacant kerbside lane and allow eastbound ambulances to use the westbound carriageway through this straight section of road.



**PROPOSED CHANGES TO KERBSIDE RESTRICTIONS ON MERRYLANDS ROAD, WEST OF  
WOODVILLE ROAD**

To ensure equitable outcomes, a range of options have been investigated to facilitate more reliable emergency response times for the Peel Street PRP. Ultimately, the loss of parking on the southern side of Merrylands Road would present less of an impact than the loss of parking on the northern side. This is particularly the case for residents. Granville Park visitors would be able to park on Montrose Avenue to the west. The proposed modifications are shown in Figure 2.

Figure 2: Proposed parking modifications



Base image source: Neamap

A summary of the potential general traffic flow patterns and ambulances under the proposal is shown in Figure 3.

Figure 3: Traffic movements under the proposal



Base image source: Neamap

**PROPOSED CHANGES TO KERBSIDE RESTRICTIONS ON MERRYLANDS ROAD, WEST OF  
WOODVILLE ROAD**

---

A summary of the key points and benefits of the proposal are as follows:

- A no stopping zone on the southern side of Merrylands Road would be limited to road network peak periods (6:30am to 9:30am and 3:30pm to 6:30pm Monday to Friday) and be consistent with the existing no parking restrictions on the northern side. Unrestricted parking to be retained outside these periods.
- The proposed parking modifications on the southern side of Merrylands Road front Granville Park rather residential dwellings on the northern side. This would represent less of an impact to residents.
- The PRP ambulance response times would be more consistent during peak periods under the proposal given their ability to use westbound traffic under emergency scenarios.
- Granville Park visitors displaced by the proposal would be able to park on Montrose Avenue to the west.

Yours sincerely

Michael Smytheman



Project Director  
Health Infrastructure









Item No: CTC-20-015

## **DENNISTOUN AVENUE, GUILDFORD WEST - CONSULTATION RESULT - PROPOSED SPEED HUMPS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: GS-232-TP  
Electorate: *Fairfield*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council at its meeting on 4 September 2019 considered a report (vide CTC-19-171) regarding proposed speed humps on Dennistoun Avenue, Guildford West between Fairfield Road and Byron Road.

Council resolved "that Council undertake consultation with the residents of Dennistoun Avenue, Guildford West between Fairfield Road and Byron Road to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee."

This report details the result of the consultation undertaken in accordance with Council's resolution.

### **RECOMMENDATION**

---

#### **Option -1**

**That the Traffic Committee recommends that the proposed speed humps in Dennistoun not be approved.**

#### **Option -2**

**That the Traffic Committee recommends that:**

- 1. Council design speed humps in Dennistoun Avenue, Guildford West in accordance with relevant standards and undertake consultation with properties adjacent to the proposed speed humps; and**
- 2. Council report back to Cumberland Traffic Committee for final approval following consultation.**

## REPORT

Council at its meeting on 4 September 2019 considered a report (vide CTC-19-171) regarding proposed speed humps on Dennistoun Avenue, Guildford West between Fairfield Road and Byron Road. Council resolved to undertake consultation with the affected residents to determine the support or otherwise for the speed humps and report back to the traffic committee.

Following Council's resolution, consultation was carried out with the directly affected residents on this matter. There were approximately 128 letters with an attached survey form distributed to residents and owners. The survey form had three options for residents to respond as follows:

Option 1 – I raise No Objection to install a speed hump outside my property.

Option 2 – I object to install a speed hump outside my property.

Option 3 – No Speed hump required on Dennistoun Avenue.

Twenty three (23) responses were received with 10 (43.5%) supporting the proposed speed hump outside their properties, 10 (43.5%) objected to installing speed humps outside their properties and 3 (13%) objected to the proposed speed humps.

The above is tabulated below:

Options	Descriptions	No.	% of total submission	% of total letters
Option 1	Agree for speed humps outside property	10	43.4%	7.8%
Option 2	Agree for speed humps BUT not outside property	10	43.4%	7.8%
Option 3	No Speed hump required	3	13.0%	2.3%
Total		23		17.9%

Some residents that supported and objected to the proposal provided the following comments in the table below:

#	Resident Comments	Council's Comments
<b>Support (Option 1)</b>		
1	We would like speed humps in our street, hoping it would stop people from speeding, as they use it as a raceway, otherwise it could cause a fatality.	Noted.
2	Bring back police control, big trucks with shipping containers.	Noted. Enforcement issue which is a matter for NSW Police and

		Council's Environmental Protection Officers.
3	Dennistoun Ave defiantly needs traffic calming in particular for speedy cars between Fairfield Rd and Lomond St due to the long open road which encourages people to speed. The street has been known to many accident and known to police.	Noted.
	<b>Objection (Option 2 and 3)</b>	
1	close Dennistoun Ave at Fairfield Rd would be better	The closure will impact adversely on the other local roads.
2	Speed humps are extremely noise, speed cameras are a better alternative, as they would also deter the large volume of oversized / weighted vehicles breaking the signed 3 tonne limit. Another option would be to close one lane from the roundabout at Lomond St westbound to Fairfield Rd, making it 'one-way' eastbound only with the exception of council, emergency vehicles and issue permits to the local residents of that section.	Speed camera is under the care and control of the RMS.  Close one lane and issue permit to local residents would have enforcement issue and can not be supported.
3	I don't object to speed humps, but not outside our property. Something should be done to stop the speeding of vehicles.	Noted.
4	There is already traffic calming devices in Dennistoun Ave and it does not calm traffic down. We cannot sleep as it, from the noise at the distribution centre, so I object to having speed humps installed as it will only cause more noise when drivers race over the top of them or slow down to drive over them. My property is already devalued enough from the area surrounding. also the amount of parked cars at night on Dennistoun Ave will be impacted as well. I do not want anything installed in front of my property	Noted.
5	Speeding is not a major concern, what is the problem is large trucks and B double using the street incorrectly. The bollards at Fairfield Rd should be upgraded to a more substantial design.	Enforcement issue.

Based on the above result, 86.8% of the submissions received support the speed humps with half of them no supporting a speed hump outside their property.

Two options are considered in this regard:

## Option – 1

The Cumberland Traffic Committee recommends that the proposed speed humps not be approved.

## Option - 2

The Cumberland Traffic Committee recommends that;

1. Council design speed humps in Dennistoun Avenue, Guildford West in accordance with relevant standards and undertake consultation with properties adjacent to the proposed speed humps.
2. Council report back to Cumberland Traffic Committee for final approval following consultation.

**COMMENTS**

---

"[Insert comments here]"

**ATTACHMENTS**

---

1. Previous report

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-015

## Attachment 1 Previous report





**CTC-19-171 DENNISTOUN AVENUE, GUILDFORD WEST – PROPOSED SPEED HUMPS**

State Electorate: Fairfield  
(File No. GS-232TP)

PAC: Cumberland

**Summary:**

Council has received a request from local residents for the installation of traffic calming devices on Dennistoun Avenue, Guildford West between Fairfield Road and Lomond Street.

This report outlines the outcome of the investigation into this matter.

**Report:**

Council has received a request from local residents for the installation of traffic calming devices on Dennistoun Avenue, Guildford West between Fairfield Road and Lomond Street.

Council's Officers have investigated the request in accordance with Council's Local Area Traffic Management Policy and the study area was between Fairfield Road and Byron Road. The investigation revealed that there are 9 crashes recorded at this section of road, 7 of the crashes were related to off path on straight and off path, on curved or turning type of crashes (off carriageway / RUM code 71 and 81).

Traffic count was also conducted on Dennistoun Avenue in June 2019. The results indicated an AADT volume of 2804 vehicles/day, an 85th percentile speed of 62 km/h and the mean (average) vehicle speed of 54.6 km/h.

The results of the traffic count, recorded crashes etc. were assessed to determine the feasibility of the installation of traffic calming devices on Dennistoun Avenue in accordance with the criteria set out in Council's LATM Policy. The assessments are summarised in the tables below:

Table 1 – Dennistoun Avenue – LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	30
Crash warrant in the last 5 years	15	15
Road Characteristics	35	15
Community Support & other factors	5	3
Total	100	63

The following table indicates the action to be taken according to the assessment points:

Table 2 –Dennistoun Avenue – Action

Criteria	Action
>75	Report to TC with a recommendation of providing traffic calming devices
61-75	<b>Report to TC and discuss possibility of providing traffic calming devices</b>
41-60	Council to review traffic data in 6 months
25-40	Monitor street and review traffic data after 12 months

<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the LAIM results in the tables above which indicates that the installation of traffic calming devices can be considered on Dennistoun Avenue. In this regard, it is recommended to undertake a public consultation with the affected residents regarding proposed speed humps.

**Comments:**

Members agreed with the proposal.

**Recommendation:**

The Cumberland Traffic Committee recommended that Council undertake consultation with the residents of Dennistoun Avenue, Guildford West between Fairfield Road and Byron Road to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee.

**Attachments:**

Nil

Item No: CTC-20-016

## **DELL STREET, WOODPARK – REQUEST FOR ACCESSIBLE PARKING SPACES**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: GS-228-TP  
Electorate: *Fairfield*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received a request from a local shop owner for the installation of accessible parking spaces outside the Woodpark Shopping Centre on Dell Street, Woodpark.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. **The proposed accessible parking spaces at the existing angle parking on Dell Street, Woodpark in accordance with the attached plan be approved; and**
2. **The business owners be notified of the outcome generally.**

### **REPORT**

---

Council has received a request from a local shop owner for the installation of accessible parking spaces outside Woodpark Shopping Centre on Dell Street, Woodpark.

Council's Officers have investigated the matter and the investigation revealed that the existing angle parking in front of Woodpark Shopping Centre does not have any accessible parking space. In this regard, the proposed accessible parking spaces would improve parking opportunity for people with disability and access arrangement to the shops and / or to Woodpark Reserve which is located on the opposite side of the shops.

Council officer has selected the location based on the existing levels of the parking bays and footpath to ensure the compliance of AS 2890.6. Also, this location minimises the drainage issues.

## **COMMENTS**

---

"[Insert comments here]"

## **ATTACHMENTS**

---

1. Plan - Dell St, Woodpark - Proposed disabled parking spaces

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-016

## Attachment 1 Plan - Dell St, Woodpark - Proposed disabled parking spaces







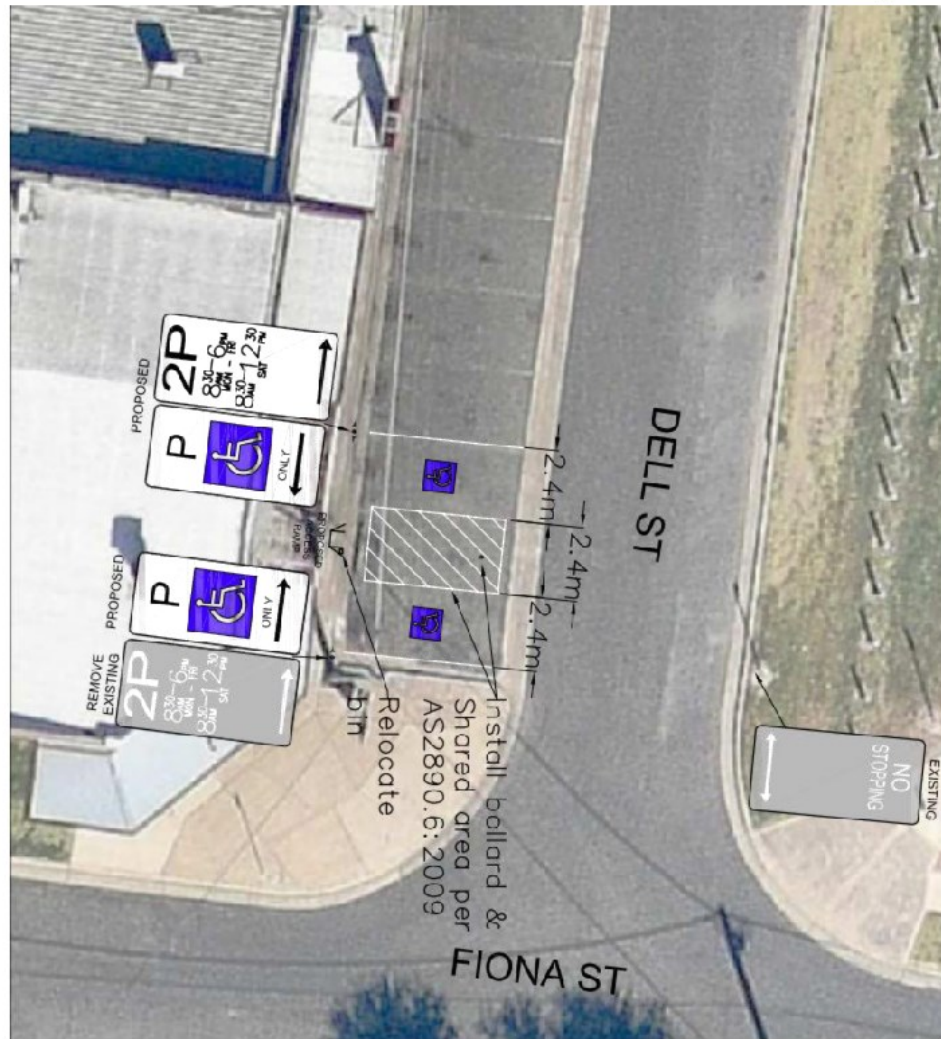
CUMBERLAND  
COUNCIL

TITLE: DELLS ST. WOODPARK  
PROPOSED DISABLED PARKING SPACES

DESIGNED: T.T.  
CHECKED: S.S.

SCALE: N.T.S.  
DATE: 22/01/2020

DRAWING N  
CTC-20-016





Item No: CTC-20-017

## **RHODES AVENUE, GUILDFORD – RMS REQUEST TO INSTALL “2P” SIGNAGE NEAR WOODVILLE ROAD**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: *Granville*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

RMS has requested the installation of three “2P” parking spaces in Rhodes Avenue near Woodville Road, Guildford.

This report outlines the investigation of the request.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. The installation of “2P; 10am-3:00pm; Mon-Fri; 9:00am-6:00pm; Sat, Sun & Pub Hols” in Rhodes Avenue, Guildford in accordance with the attached plan be approved; and**
- 2. Council notify adjacent properties of the resolution.**

### **REPORT**

---

Roads and Maritime Services has introduced new weekend and extended weekday clearways on Woodville Road between Parramatta Road, Granville and Hume Highway, Villawood. Woodville Road is a State Road managed by the RMS.

The Clearways is effective from:

- 6:00am to 7:00pm on weekdays
- 9:00am to 6:00pm on weekends and public holidays.

The available on-street parking along Woodville Road in the vicinity has been removed as part of this proposal. Therefore, RMS requested Council to approve the installation of three “2P” parking spaces in Rhodes Avenue near Woodville Road, Guildford. This period parking will provide frequent turn over parking in the area for the people who have used the parking in Woodville Road for short term parking needs.

RMS has indicated that they have consulted the businesses and have not received any objections. All these businesses also have off-street parking behind the building.

### COMMENTS

---

"[Insert comments here]"

### ATTACHMENTS

---

1. RMS Brochure regarding Clearways
2. Rhodes Avenue, Guildford - RMS report and Plan

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-017

## Attachment 1 RMS Brochure regarding Clearways





October 2019

## New clearways on Woodville Road, Granville to Villawood

The NSW Government is funding this project as part of its \$121 million Clearways Program, which aims to reduce congestion and delays on Sydney's roads.

In August 2019 the NSW Government informed the community, businesses and key stakeholders about introducing new weekend and extended weekday clearways on Woodville Road between Parramatta Road, Granville and the Hume Highway, Villawood.

From 6am Monday 28 October 2019 the new and extended clearways will operate in both directions on Woodville Road from:

- 6am to 7pm on weekdays
- 9am to 6pm on weekends and public holidays.

Outside the clearway hours, existing parking restrictions will remain unchanged.

### New alternative business customer parking

The NSW Government will continue to work with Cumberland Council to implement three new 2P parking spaces on Rhodes Avenue during the new and extended clearway hours to cater for short term business customer parking, details are shown on the map.

### What happens next?

New clearway signs and posts will be installed between **Saturday 12 October and Sunday 27 October 2019**, weather permitting. Our working hours will be between 8pm and 5am from Monday to Sunday. Some work during day time hours may occur.

If you have any questions about the installation work, please contact our delivery partner, **Ventia Boral Amey Joint Venture (VBAJV)** on 1800 677 700.

[rms.nsw.gov.au](https://rms.nsw.gov.au)



## How will the work affect you?

There will be some noise associated with this work but we will do everything we can to minimise the impact, including completing noisier tasks by midnight.

During the installation work, there will be some temporary traffic changes to ensure the work zone is safe. Lane closures will be in place and may affect travel times. Please keep to speed limits and follow signs and traffic controllers' directions.

For the latest traffic updates, you can contact 132 701, visit [livetraffic.com](http://livetraffic.com) or download the Live Traffic NSW App.

## Background

The NSW Government announced the Sydney Clearways Strategy as one of its key initiatives to reduce congestion on Sydney's major roads. \$121 million was committed to implementing the strategy and installing new clearways on Sydney's road network.

Since 2013, we have installed over 640 kilometres of new and extended clearways across some of Sydney's busiest road corridors. We are continuing to investigate where new and extended clearways would help ease congestion and provide more reliable travel times for road users across the network.

## What is a clearway?

A clearway is a section of road where stopping and parking is not allowed during the times shown on the clearway sign. Clearways are put on state roads where traffic is often heavy and congested. They help keep vehicles moving by making all lanes available to motorists.

The only exception is the stopping of buses and taxis dropping off or picking up passengers as well as emergency vehicles and postal vehicles accessing a public post box.

To report a vehicle parked in a clearway or if your vehicle has been towed from a clearway, please contact the Transport Management Centre on 131 700.

## Contact us

If you have any questions or would like further information, please contact the Clearways project team:



1300 706 232 for project information



[clearways@rms.nsw.gov.au](mailto:clearways@rms.nsw.gov.au)



<http://www.rms.nsw.gov.au/clearways>



Follow us on [facebook.com/NSWRoads](https://www.facebook.com/NSWRoads)



## Translating and Interpreting Service

If you need an interpreter, please call the Translating and Interpreting Service (TIS National) on **131 450** and ask them to telephone Roads and Maritime Services on 1300 706 232.

### Arabic

إذا كنتم بحاجة إلى مترجم، الرجاء الاتصال بخدمة الترجمة الخطية والشفوية (TIS National) على الرقم **131 450**. والطلب منهم الاتصال بوكالتكم على الرقم 1300 706 232.

### Cantonese

若你需要口譯員，請致電 **131 450** 聯絡翻譯和口譯服務署 (TIS National)，要求他們致電 1300 706 232 聯絡 Roads and Maritime Services。

### Mandarin

如果你需要口译员，请致电 **131 450** 联系翻译和口译服务署 (TIS National)，要求他们致电 1300 706 232 联系 Roads and Maritime Services。

### Greek

Αν χρειάζεστε διερμηνέα, παρακαλείσθε να τηλεφωνήσετε στην Υπηρεσία Μετάφρασης και Διερμηνείας (Εθνική Υπηρεσία TIS) στο **131 450** και ζητήστε να τηλεφωνήσουν Roads and Maritime Services στο 1300 706 232.

### Italian

Se desiderate l'assistenza di un interprete, prego telefonare al Servizio Interpreti e Traduttori (TIS National) al **131 450** chiedendo di contattare Roads and Maritime Services al 1300 706 232.

### Korean

통역사? 필요하시면 번역통역서비스 (TIS National)에 **131 450**으로 연락하여 이들에게 1300 706 232 번호로 Roads and Maritime Services 에 전화하도록 요청하십시오.

### Vietnamese

Nếu cần thông ngôn viên, xin quý vị gọi cho Dịch Vụ Thông Phiên Dịch (TIS Toàn Quốc) qua số **131 450** và nhờ họ gọi cho Roads and Maritime Services qua số 1300 706 232.

[rms.nsw.gov.au](http://rms.nsw.gov.au)

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-017

## Attachment 2 Rhodes Avenue, Guildford - RMS report and Plan



**RHODES AVENUE BETWEEN WOODVILLE ROAD, GUILDFORD AND CHAMBERLAIN RD, GUILDFORD  
– PROPOSED ‘TIMED PARKING’ ZONES**

**Summary:**

This is a request for the installation of 3x‘2P parking’ zones on Rhodes Avenue between Woodville Road, Guildford and Chamberlain Road, Guildford which will be active during the newly introduced clearway hours.

**Report:**

Request for the installation of 3x time restricted ‘2P parking’ zones on Rhodes Avenue between Woodville Road, Guildford and Chamberlain Road, Guildford to offset parking demand on Woodville Road where RMS is proceeding to install clearways which will be operational 6am-7pm weekdays and 9am-6pm weekends.

The 2 hour duration of these parking spots were determined based on parking demand surveys which indicated most vehicles park here for between 1-2 hours. This will ensure higher turnover of customer parking and reduce the impact of clearway restrictions.

RMS has started distributing proposal notifications regarding these changes on 19 August and has received no feedback from the community. They have doorknocked the five businesses next to Rhodes Avenue to notify them individually. There are also two customer carparks behind these businesses.

**Recommendation**

RMS requests that:

1. The installation of 2x‘2P 10AM-3PM MON-FRI AND 9AM-6PM SAT, SUN & PUB HOLS’ signs on the northern side of Rhodes Avenue, near Woodville Road, be approved.



2. The affected residents be notified of the outcome generally.

**Attachments:**

Plan – Rhodes Avenue, Guildford – Proposed 3x‘2P 10AM-3PM MON-FRI AND 6AM-7PM SAT, SUN & PUB HOLS’ restrictions





Item No: CTC-20-018

## **WATKIN TENCH PARADE, PEMULWUY - ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: GS-919-TP/02  
Electorate: *Prospect*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received a request from a local resident for the installation of traffic calming devices on Watkin Tench Parade, Pemulwuy west of Naying Drive.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**The Cumberland Traffic Committee recommend that the report be received and no further action be taken at this stage.**

### **REPORT**

---

Council has received a request from a local resident for the installation of traffic calming devices on Watkin Tench Parade, Pemulwuy west of Naying Drive.

Council's Officers have investigated the request in accordance with Council's Local Area Traffic Management Policy and the study area was between Naying Drive and Daruga Avenue. The investigation revealed that there was 1 crash recorded for the last five years and the crash was recorded 100m away from Naying Drive.

The concerned person alleges that there is a childcare centre in the Business area (Nelsons Ridge Plaza) and vehicles travel 'too fast' in the street which causes high safety concern for residents and kids in the area.

Two traffic counts were also undertaken on Watkin Tench Parade in early December 2019. Two counters were installed due to existing wide median strip on Watkin Tench Parade. For the eastbound traffic flow, the results indicated an Average Daily Traffic (ADT) volume of 804 vehicles/day, an 85th percentile speed of 37.6 km/h and the mean (average) vehicle speed of 25.4 km/h. For the westbound traffic flow, the results indicated an ADT volume of 614 vehicles/day, an 85th percentile speed of 40.9 km/h and the mean (average) vehicle speed of 32.9 km/h.

The traffic count data is tabulated below:

	Eastbound	Westbound
Average Daily Traffic (ADT)	804	614
85th %tile speed (km/hr)	37.6	40.9
Median speed (km/hr)	25.4	32.9

The results of the traffic count, recorded crashes etc. were used in the assessment to determine the feasibility of the installation of traffic calming devices on Watkin Trench Parade in accordance with the criteria set out in Council's LATM Policy.

The LATM assessments are summarised in the tables below:

**Table 1 – Watkin Trench Parade (eastbound) – LATM Assessment Points**

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	5
Crash warrant in the last 5 years	15	5
Road Characteristics	35	17
Community Support & other factors	5	5
<b>Total</b>	<b>100</b>	<b>32</b>

The following table indicates the action to be taken according to the assessment points:

**Table 2 – Watkin Trench Parade (westbound) – LATM Assessment Points**

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	5
Crash warrant in the last 5 years	15	0
Road Characteristics	35	17
Community Support & other factors	5	5
<b>Total</b>	<b>100</b>	<b>27</b>

The following table indicates the action to be taken according to the assessment points:

Table 3 –Watkin Tench Parade (both directions) – Action

Criteria	Action
>75	Report to TC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
25-40	Monitor street and review traffic data after 12 months
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above results, the traffic calming devices are not warranted on Watkin Tench Parade, therefore, the request for the installation of speed humps can not be approved at this stage. In addition, the recorded 85th percentile speeds are significantly low compared to the 50 km/hr speed limit of the street.

#### **COMMENTS**

---

"[Insert comments here]"

#### **ATTACHMENTS**

---

Nil



Item No: CTC-20-019

## **PINE ROAD, YENNORA - PROPOSED "NO STOPPING" RESTRICTIONS ASSOCIATED WITH A DEVELOPMENT APPLICATION**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: DA2019/25/1  
Electorate: *Fairfield*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received a plan detailing the proposed "No Stopping" signs associated with the approved development application at 38 Pine Road, Yennora.

This report details the submitted plan showing the signage in accordance with the approved development application.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The proposed "No Stopping" signs on Pine Road, Yennora in accordance with the attached plan be approved; and
2. The costs associated with the installation of the "No Stopping" signs shall be borne by the developer at no cost to Council.

### **REPORT**

---

Council has granted approval for the proposed warehouse development at 38 Pine Road in June 2019 subject to a condition that "No Stopping" signs be installed across the driveways and gap between the two driveways.

Council has received the location of the proposed "No Stopping" signs on Pine Road for Traffic Committee consideration.

The proposed "No Stopping" signs would result in removal of one on-street parking, however, the installation of parking restrictions would improve sight distance and stop vehicles from parking too close to the driveways.

### **COMMENTS**

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"[Insert comments here]"



**ATTACHMENTS**

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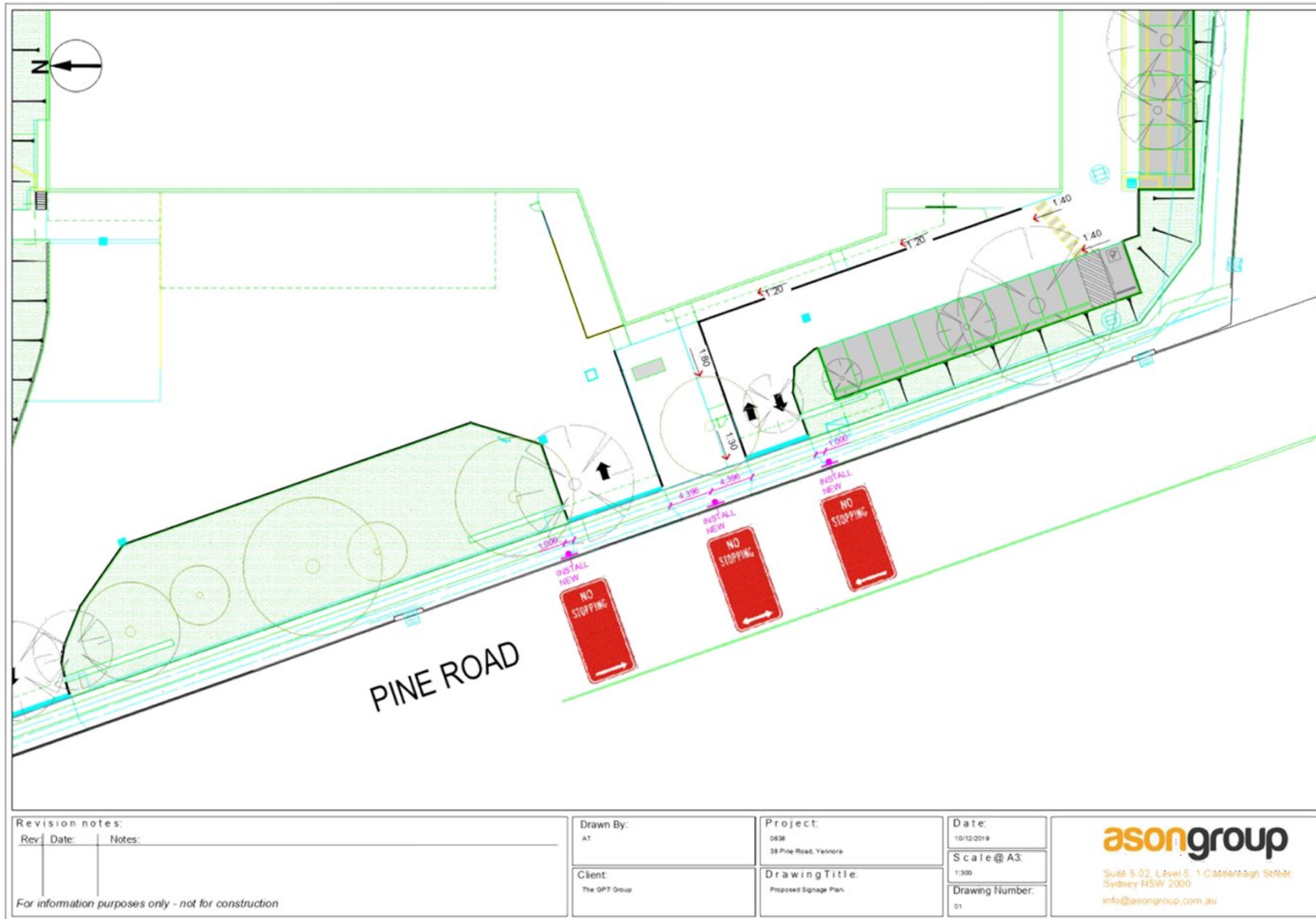
1. Plan - Pine Road, Yennora - Proposed 'No Stopping' signs

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-019

## Attachment 1

Plan - Pine Road, Yennora -  
Proposed 'No Stopping' signs







Item No: CTC-20-020

## **STURT STREET, GUILDFORD WEST - PROPOSED RELOCATION OF 'BUS ZONE' SIGN ASSOCIATED WITH A DEVELOPMENT APPLICATION**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: DA2018/347/1  
Electorate: *Fairfield*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received detailed plan for the proposed relocation of the existing 'Bus Zone' signs associated with the approved development application at 149 McCredie Road, Guildford West.

The report details a review of the submitted plan and feasibility of the proposal in accordance with the approved development application.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. The proposed relocation of 'Bus Zone' signs on the eastern side of Sturt Street, Guildford West in accordance with the attached plan be approved; and**
- 2. The costs associated with the relocation of the 'Bus Zone' signs shall be borne by the developer at no cost to Council.**

### **REPORT**

---

Council has granted approval for the proposed warehouse development at 149 McCredie Road, Guildford West on October 2019 subject to a condition that existing 'Bus Zone' signs located in front of the proposed driveway on Sturt Street be relocated.

Council has received the detailed design of the proposed relocation of the 'Bus Zone' signs on Sturt Street for Traffic Committee consideration.

It is noted that the applicant has consulted with the bus operator (Transit Systems) and the bus operator raised no objection to the proposed 'Bus Zone' sign relocation.



## **COMMENTS**

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"[Insert comments here]"

## **ATTACHMENTS**

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1. Plan – Sturt Street, Guildford West – Proposed relocation of 'Bus Zone' signs

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-020

## Attachment 1

Plan – Sturt Street, Guildford  
West – Proposed relocation of  
‘Bus Zone’ signs





Site Plan  
1:750



Item	Description	Size
1	EXISTING TREES TO BE RETAINED	1000
2	EXISTING TREES TO BE REMOVED	1000
3	LANDSCAPED AREA	1000

NOTE: THIS DOCUMENT IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION. IT IS SUBJECT TO APPROVAL BY THE CUMBERLAND CITY COUNCIL AND THE TRAFFIC COMMITTEE. ANY CHANGES TO THE DESIGN SHALL BE APPROVED BY THE CUMBERLAND CITY COUNCIL AND THE TRAFFIC COMMITTEE.

**LEGEND:**  
 (CIRCLE WITH DASH) EXISTING TREES TO BE RETAINED  
 (CIRCLE WITH X) EXISTING TREES TO BE REMOVED  
 (GREEN SHADE) LANDSCAPED AREA

**Project Name**  
Smithfield Distribution Centre  
**Project Address**  
149 McCredie Road, Smithfield



**Site Plan - Bus Zone Relocated**  
 MK DC A1  
 1:750





Item No: CTC-20-021

**THE TRONGATE BETWEEN ARCHIBALD STREET & REDFERN STREET, SOUTH GRANVILLE - PROPOSED RAISED THRESHOLDS - CONSULTATION RESULT.**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: Granville  
Police Area Command (PAC): Cumberland

**SUMMARY**

---

Council has finalised designs of speed humps in The Trongate between Redfern Street and Archibald Street, Granville. As per Council resolution, Council undertook consultation with properties adjacent to the proposed speed humps.

This report details the consultation results.

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. **Raised concrete thresholds be installed in The Trongate section between Redfern Street and Archibald Street as per the attached plan; and**
2. **Council program works in the 2021/22 Financial Year.**

**REPORT**

---

Council previously approved and installed speed humps in The Trongate between William Street and Archibald Street, Granville in June 2018.

Following concerns from the residents of The Trongate section between Redfern Street and Archibald Street, Granville; Council undertook consultation with the residents.

Following concerns raised by some residents to extend this scheme further south up to Redfern Street, Council undertook consultation with residents on this section of The Trongate.

Cumberland Traffic Committee at its meeting held in November 2018 recommended that the provision of a traffic calming scheme in The Trongate between Archibald Street and Redfern Street not be supported due to lack of support from the community vide CTC-18-164. However, Council resolved that Council proceed with the installation of



traffic calming devices in The Trongate section between Redfern Street and Archibald Street, Granville.

Following Council resolution, Council officers prepared final designs for the locations of the proposed speed humps. Three raised thresholds (speed humps) were designed on The Trongate, section between Redfern Street and Fifth Street. It should be noted that The Trongate

Council officers undertook consultation with the properties adjacent to the proposed speed humps locations.

As part of the consultation, letters were sent to owners and occupiers of all dwellings adjacent to the proposed speed humps. A total of 21 letters were posted. Council received one submission supporting the proposal. There were no other submissions received from other residents.

### COMMENTS

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"[Insert comments here]"

### ATTACHMENTS

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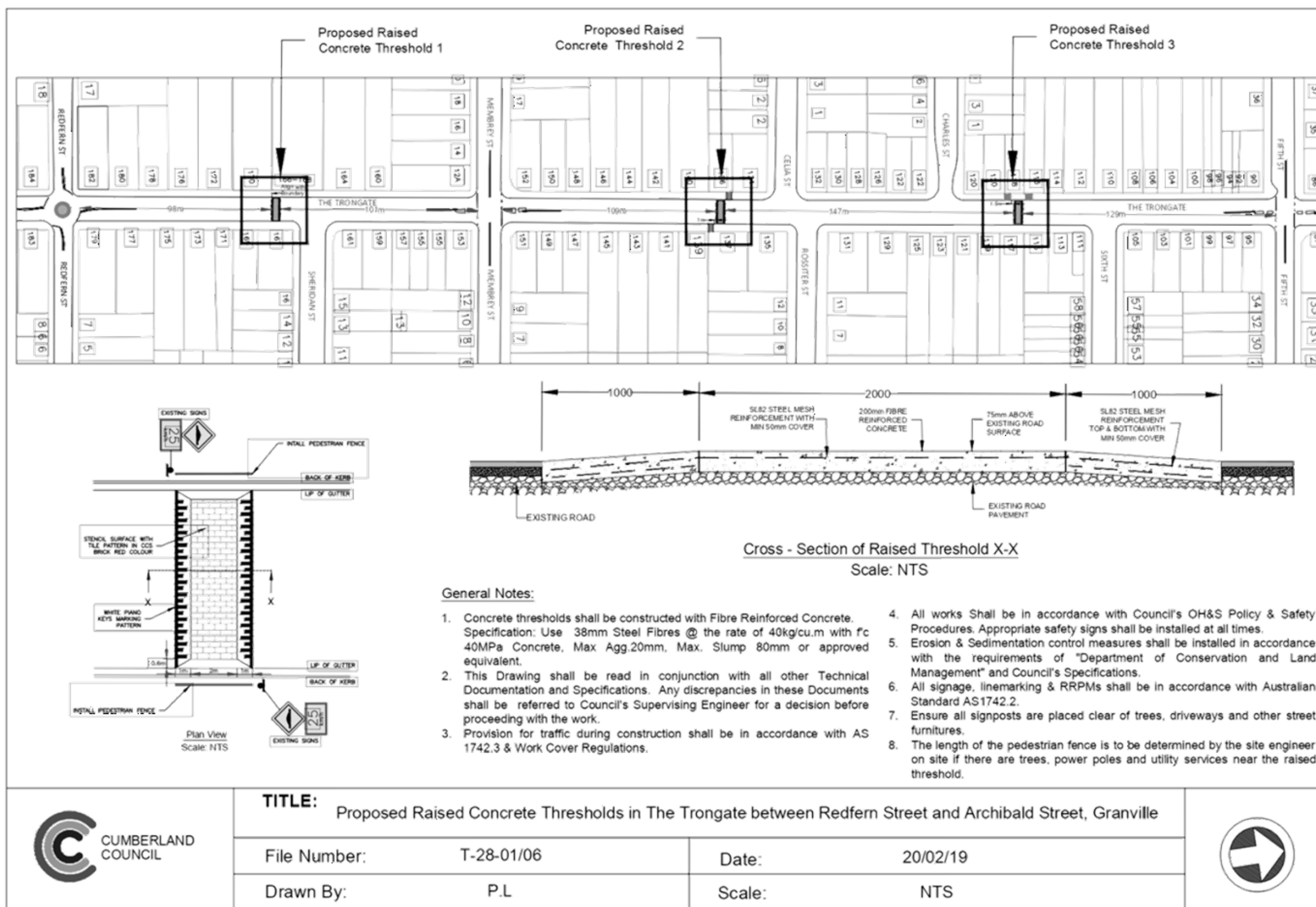
1. Plan - The Trongate between Redfern Street & Archibald Street

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-021

## Attachment 1

Plan - The Trongate between  
Redfern Street & Archibald Street







Item No: CTC-20-022

**FOWLER ROAD AND DENNISTOUN AVENUE, GUILDFORD WEST - PROPOSED  
'NO STOPPING' SIGNS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: GS-294-TP/03  
Electorate: *Fairfield*  
Police Area Command (PAC): *Cumberland*

**SUMMARY**

---

Council has received a request from a local resident requesting Council for the installation of 'No Stopping' signs at the intersection of Fowler Road and Dennistoun Avenue, Guildford West.

This report outlines the outcome of the investigation into this matter.

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The installation of 'No Stopping' signs on Fowler Road and Dennistoun Avenue, Guildford West in accordance with the attached plan be approved; and
2. Council notify adjacent properties of the resolution.

**REPORT**

---

Council has received a request from a local resident requesting Council for the installation of 'No Stopping' signs at the intersection of Fowler Road and Dennistoun Avenue, Guildford West due to vehicles parking too close to the corners. In addition, the parking situation worsens when there is an event at the McCredie Park.

Council's Officers have investigated the request and found that there are no 'No Stopping' signs at this intersection. The installation of 'No Stopping' signs at intersection of Fowler Road and Dennistoun Avenue would improve sight distance and road safety for all road users.

**COMMENTS**

---

"[Insert comments here]"



## **ATTACHMENTS**

---

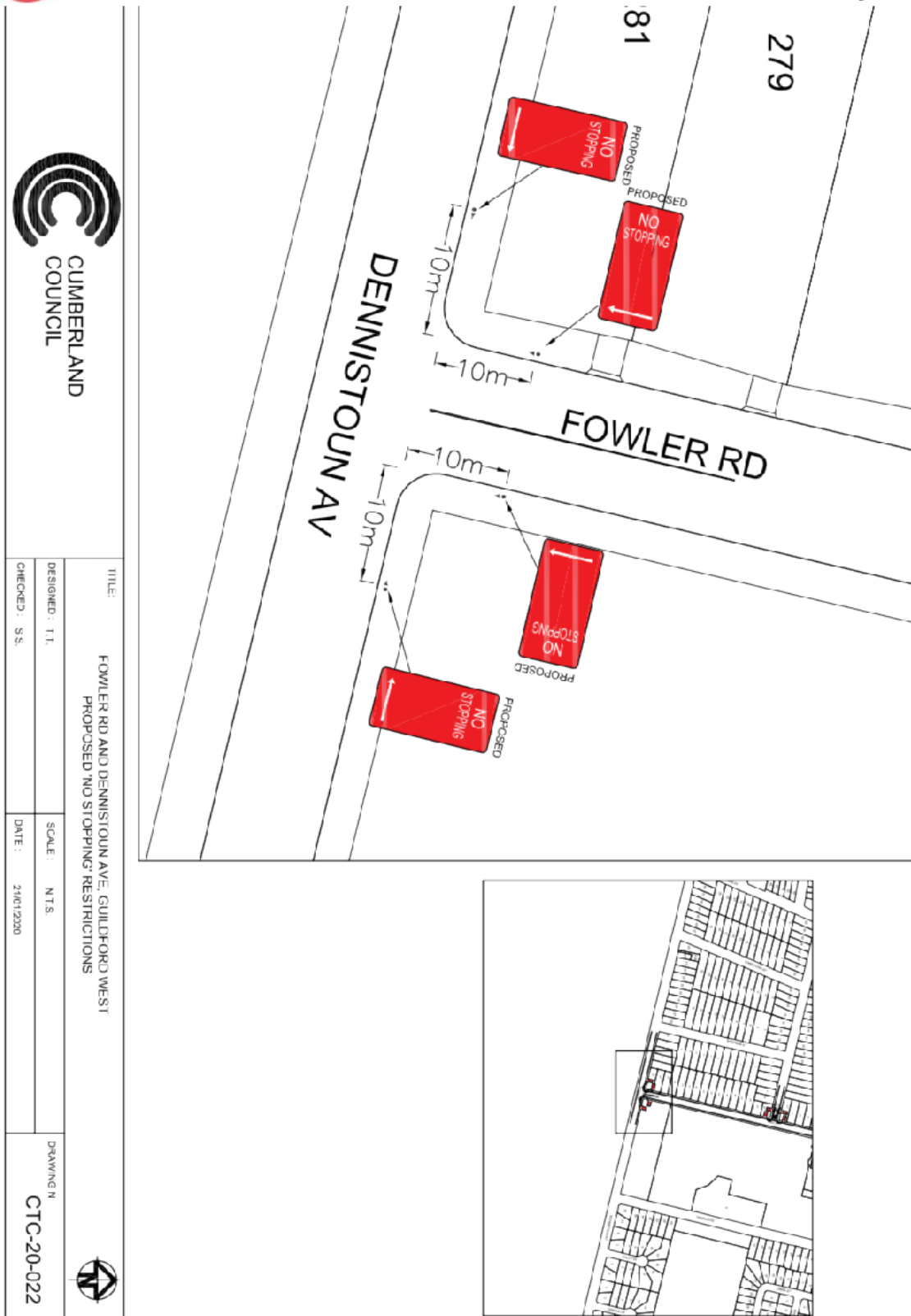
1. Plan - Fowler Road and Dennistoun Avenue, Guildford West - Proposed 'No Stopping' signs

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-022

## Attachment 1

Plan - Fowler Road and  
Dennistoun Avenue, Guildford  
West - Proposed 'No Stopping'  
signs







Item No: CTC-20-023

## **FOWLER ROAD AND FAULDS ROAD, GUILDFORD WEST - PROPOSED 'NO STOPPING' SIGNS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: GS-294-TP/03  
Electorate: *Fairfield*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received a request from a local resident requesting Council for the installation of 'No Stopping' signs at the intersection of Fowler Road and Faulds Road, Guildford West.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

the Traffic Committee recommends that:

1. The installation of 'No Stopping' signs on Fowler Road and Faulds Road, Guildford West in accordance with the attached plan be approved; and
2. Council notify adjacent properties of the resolution.

### **REPORT**

---

Council has received a request from a local resident requesting Council for the installation of 'No Stopping' signs at the intersection of Fowler Road and Faulds Road, Guildford West due to vehicles parking too close to the corners. In addition, the parking situation worsens when there is an event at the McCredie Park.

Council's Officers have investigated the request and found that there are no 'No Stopping' signs at this intersection. The installation of 'No Stopping' signs at intersection of Fowler Road and Faulds Road would improve sight distance and road safety for all road users. The additional distance provided for the no stopping zone in Faulds Road is due to the narrow road width.

### **COMMENTS**

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"[Insert comments here]"



## **ATTACHMENTS**

---

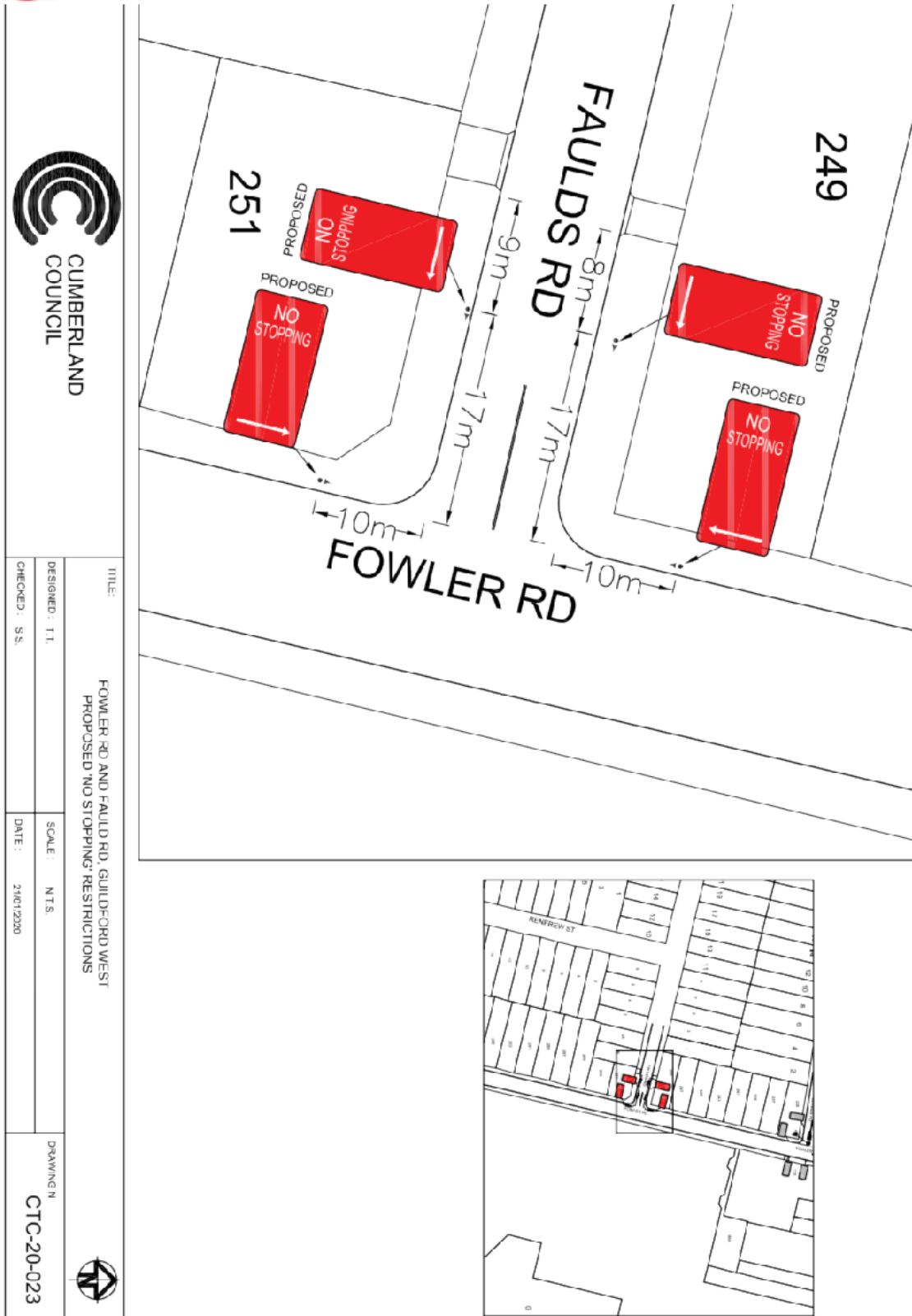
1. Plan - Fowler Road and Faulds Road, Guildford West - Proposed 'No Stopping' signs

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-023

## Attachment 1

Plan - Fowler Road and Faulds  
Road, Guildford West - Proposed  
'No Stopping' signs







Item No: CTC-20-024

## **FOWLER ROAD, GUILDFORD WEST - PROPOSED LINE MARKING**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: GS-294-TP/003  
Electorate: *Fairfield*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received a request from a local resident requesting Council for the installation of line marking on Fowler Road, Guildford West.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee:**

1. **The Cumberland Traffic Committee recommends that the installation of centre and edge line markings on Fowler Road, Guildford West between McCredie Road and Dennistoun Avenue in accordance with the attached plan be approved.**

### **REPORT**

---

Council has received a request from a local resident requesting Council for the installation of line marking on Fowler Road, Guildford West.

Fowler Road south of McCredie Road is a local road that runs in a north-south direction, it has a width of approximately 11.5m with 50km/h speed limit. Parking is permitted on both sides of the road.

The latest Roads and Maritime Services (RMS) crash data indicates that there were seven (7) crashes reported on Fowler Road between McCredie Road and Dennistoun Avenue (including intersections crashes) within the last 5 years (Road User Movement - RUM codes for the crashes are 10, 21, 71 & 81).

The resident suggested that the installation of line marking would improve safety during sport events at the McCredie Park.

Council's Officers have investigated the request and found that the installation of centre and edge line markings would improve road safety for all road users as the line marking would improve traffic behaviour.



## **COMMENTS**

---

"[Insert comments here]"

## **ATTACHMENTS**

---

1. Plan - Fowler Road, Guildford West – Proposed central / edge line marking

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-024

## Attachment 1

Plan - Fowler Road, Guildford  
West – Proposed central / edge  
line marking







Item No: CTC-20-025

## **YARRAM STREET, LIDCOMBE - PROPOSED RAISED THRESHOLDS - CONSULTATION RESULT.**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: S4090-04  
Electorate: *Auburn*  
Police Area Command (PAC): *Auburn*

### **SUMMARY**

---

Council undertook consultation with the residents of Yarram Street, Lidcombe for the proposed traffic calming treatment in the street.

This report details the consultation results.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. Raised concrete thresholds be installed in Yarram Street, Lidcombe as per the attached plan.**
- 2. Council undertake consultation with properties adjacent to the proposed thresholds; and**
- 3. Council report back to traffic committee if objections are received during consultation.**

### **REPORT**

---

Following concerns from the residents of Yarram Street, Lidcombe; Council resolved at its meeting held on 4 September 2019 that Council undertake consultation with the residents of Yarram Street, Lidcombe to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee.

Following Council resolution, Council officers undertook consultation with the residents of Yarram Street, Lidcombe in September 2019.

As part of the consultation, letters were sent to owners and occupiers of all properties in Yarram Street. A total of 96 letters were posted. Council received 29 submissions.



The following table shows the details of submissions received:

Options	Descriptions	No.	% of total submissions	% of total letters
Option 1	Agree for speed humps outside property	16	55.2%	16.7%
Option 2	Agree for speed humps BUT not outside property	9	31%	9.4%
Option 3	No Speed hump required	3	10.3%	3.1%
	Other issues	1	3.4%	1.0%
Total		29		30.2%

The consultation responses show that only 30.2% of owners and tenants showing interest in the consultation process.

Out of the 29 submissions received, 16 (55.2%) support the proposal irrespective of the speed hump locations. 41.3% either object to speed humps outside their property or in the street.

## COMMENTS

---

"[Insert comments here]"

## ATTACHMENTS

---

1. Plan - Yarram Street, Lidcombe - Propsoed raised thresholds

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-025

## Attachment 1 Plan - Yarram Street, Lidcombe - Proposed raised thresholds







Item No: CTC-20-026

## **EGLINGTON STREET, LIDCOMBE - ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: *Auburn*  
Police Area Command (PAC): *Auburn*

### **SUMMARY**

---

Council has received speeding concerns in Eglington Street, Lidcombe.

This report deals with the investigation undertaken by Council.

### **RECOMMENDATION**

---

#### **Two Options:**

##### **Option 1:**

**That the Traffic Committee recommends that:**

- 1. Traffic calming devices not be provided in Eglington Street, Lidcombe.**
- 2. The Auburn Police Area Command be requested to provide random speed surveillance in Eglington Street, Lidcombe; and**
- 3. Council review conditions in Eglington Street, Lidcombe in April 2021.**

##### **Option 2:**

**That the Traffic Committee recommends that Council undertake consultation with the residents of Eglington Street, Lidcombe to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee.**

### **REPORT**

---

Council has received speeding concerns in Eglington Street, Lidcombe.

Eglington Street runs in east-west direction and links East Street with State Road, Joseph Street. Eglington Street is approximately 380m long and 12m wide.

The map below shows the location of Eglington Street.





Council undertook new traffic counts in December 2019.

Traffic Count Data – Eglington Street, Lidcombe	
Average Daily Traffic (ADT)-Vehicles/day	445
85 <sup>th</sup> %tile speed (km/Hour)	60.1
Median Speed (km/hour)	48.0

According to the Accident Database available, there were no midblock accidents reported in Eglington Street during the five year period ending December 2018. There was one accident each reported at the intersections at both ends of Eglington Street during the same 5 year period.

As part of the review, an investigation was conducted to assess the feasibility of the installation of traffic calming devices on Eglington Street in accordance with the criteria set out in Council's Local Area Traffic Management (LATM) Policy.

The assessments are summarised in the tables below:

Table 1 – Eglington Street – LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	15
Crash warrant in the last 5 years	15	0
Road Characteristics	35	9
Community Support & other factors	5	5
Total	100	29

The following table indicates the action to be taken according to the assessment points:

**Table 2: Action**

Criteria	Action
>75	Report to HTC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
<b>25-40</b>	<b>Monitor street and review traffic data after 12 months</b>
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above results, it is advised that traffic calming devices are not warranted in Eglington Street, Lidcombe in accordance with Council's approved LATM Policy.

The recorded 85th %tile speed of 60.1 km/hr. is significantly high compared to the speed limit of 50 km/hr.

Two options are to be considered by the Traffic Committee:

Option 1:

The Cumberland Traffic Committee recommends that:

1. Traffic calming devices not be provided in Eglington Street, Lidcombe.
2. The Cumberland Police Area Command be requested to provide random speed surveillance in Eglington Street, Lidcombe.
3. Council review conditions in Eglington Street, Lidcombe in April 2021.

Option 2:

The Cumberland Traffic Committee recommends that Council undertake consultation with the residents of Eglington Street, Lidcombe to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee.

**COMMENTS**

"[Insert comments here]"

**ATTACHMENTS**

Nil



Item No: CTC-20-027

## **KING STREET, GUILDFORD WEST - ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: *Fairfield*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received speeding concerns in King Street, Guildford West.

This report deals with the investigation undertaken by Council.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. **Provision of “BB” center line and Edge lines in King Street between Fairfield Road and Palmer Street, Guildford West be approved; and**
2. **Council review conditions in King Street, Guildford West in April 2021.**

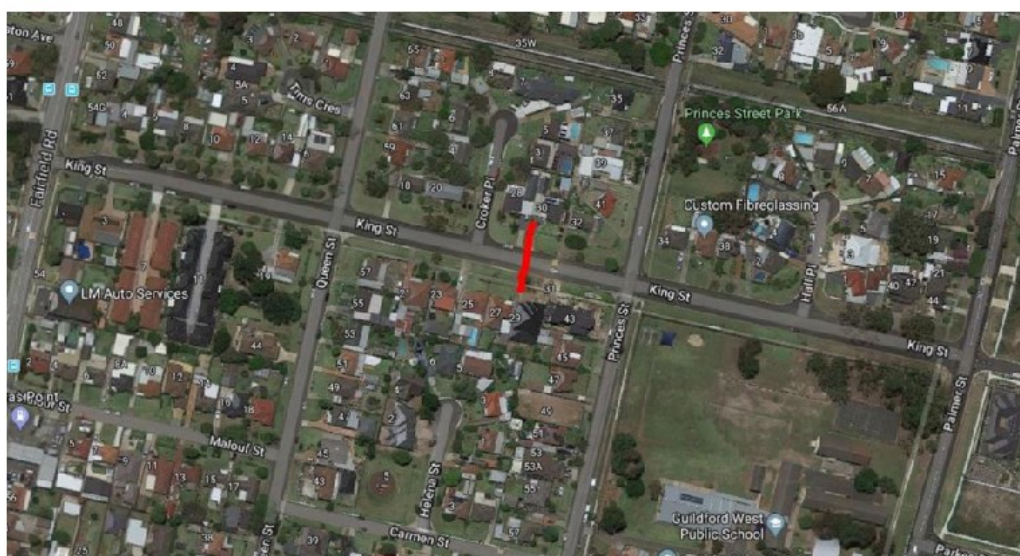
### **REPORT**

---

Council has received speeding concerns in King Street, Guildford West.

King Street runs in east-west direction and links Palmer Street and Fairfield Road and approximately 495m long and is over 13m wide.

The map below shows the location of King Street and location where traffic counter was installed.



Council undertook new traffic counts in 2019.

i)

Traffic Count Data – King Street, Guildford West	
Average Daily Traffic (ADT)- Vehicles/day	1279
85 <sup>th</sup> %tile speed (km/Hour)	60.7
Median Speed (km/hour)	49.9

ii)

According to the Accident Database available, there was no accident reported in King Street during the five year period ending December 2018.

As part of the review, an investigation was conducted to assess the feasibility of the installation of traffic calming devices on King Street in accordance with the criteria set out in Council's Local Area Traffic Management (LATM) Policy.

The LATM assessments are summarised in the tables below:

Table 1 – King Street – LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	25
Crash warrant in the last 5 years	15	0
Road Characteristics	35	9
Community Support & other factors	5	5
Total	100	39



The following table indicates the action to be taken according to the assessment points:

x) Table 2 –Action

Criteria	Action
>75	Report to HTC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
<b>25-40</b>	<b>Monitor street and review traffic data after 12 months</b>
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

xi)

Based on the above results, it is advised that traffic calming devices are not warranted in King Street, Guildford West in accordance with Council's approved LATM Policy.

The recorded 85th %tile speed of 60.7 km/hr. is significantly high compared to the speed limit.

The road width is over 13m and there are no Centre line or edge lines marked. It is considered pavement marking of "E1" edge lines and "BB" Centre line will streamline traffic movement in the street thus improving safer traffic conditions.

## COMMENTS

"[Insert comments here]"

## ATTACHMENTS

Nil





Item No: CTC-20-028

## **OSGOOD STREET, GUILDFORD - ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: *Granville*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received speeding concerns in Osgood Street, Guildford.

This report deals with the investigation undertaken by Council.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that additional traffic calming devices not be provided in Osgood Street, Guildford.**

### **REPORT**

---

Council has received speeding concerns in Osgood Street, Guildford.

Osgood Street runs in east-west direction and links Excelsior Street with State Road, Woodville Road and approximately 390m long. Osgood Street is approximately 10.5m wide.

The map below shows the location of Osgood Street.



Council undertook new traffic counts in December 2019.

Traffic Count Data – Osgood Street, Guildford	
Average Daily Traffic (ADT)-Vehicles/day	2613
85 <sup>th</sup> %tile speed (km/Hour)	45.0
Median Speed (km/hour)	39.1

According to the Accident Database available, there were two midblock accidents reported in Osgood Street during the five year period ending December 2018.

City of Parramatta constructed speed humps in Osgood Street in late 2015 before the Council amalgamations.

As part of the review, an investigation was conducted to assess the feasibility of the installation of traffic calming devices on Osgood Street in accordance with the criteria set out in Council's Local Area Traffic Management (LATM) Policy.

The LATM assessments are summarised in the tables below:

Table 1 – Osgood Street – LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	15
Crash warrant in the last 5 years	15	5
Road Characteristics	35	07
Community Support & other factors	5	5
Total	100	32

The following table indicates the action to be taken according to the assessment points:

Table 2 –Action

Criteria	Action
>75	Report to HTC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
<b>25-40</b>	<b>Monitor street and review traffic data after 12 months</b>
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above results, it is advised that traffic calming devices are not warranted in Osgood Street, Guildford in accordance with Council's approved LATM Policy.

The recorded 85th %tile speed of 45 km/hr. is well below the speed limit of 50km/hr.

#### **COMMENTS**

"[Insert comments here]"

#### **ATTACHMENTS**

Nil



Item No: CTC-20-029

## **PARKES STREET, GUILDFORD WEST - ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: *Fairfield*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received speeding concerns in Parkes Street, Guildford West.

This report deals with the investigation undertaken by Council.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. Traffic calming devices not be provided in Parkes Street, Guildford West; and**
- 2. Council review conditions in Parkes Street, Guildford West in April 2021.**

### **REPORT**

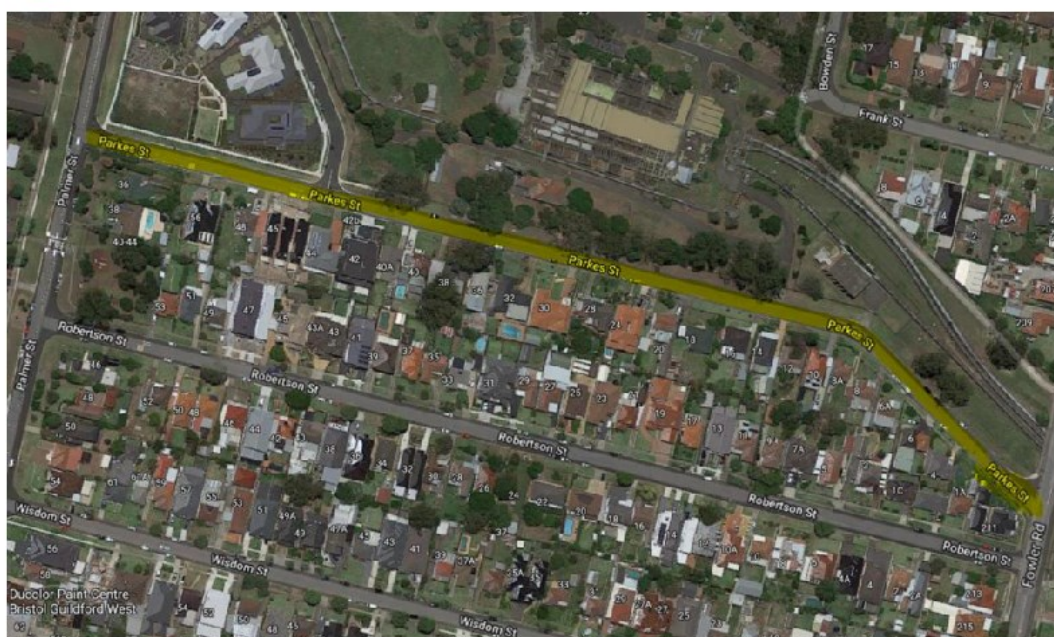
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Council has received speeding concerns in Parkes Street, Guildford West.

Parkes Street runs in east-west direction and links Fowler Road and Palmer Street and approximately 530m long. Parkes Street is approximately 9.2m wide.

The map below shows the location of Parkes Street.





Council undertook new traffic counts in 2019 and the data is tabulated below:

Traffic Count Data – Parkes Street, Guildford West	
Average Daily Traffic (ADT)-Vehicles/day	399
85 <sup>th</sup> %tile speed (km/Hour)	52.6
Median Speed (km/hour)	44.6

According to the Accident Database available, there was one accident reported in Parkes Street during the five year period ending December 2018.

As part of the review, an investigation was conducted to assess the feasibility of the installation of traffic calming devices on Parkes Street in accordance with the criteria set out in Council's Local Area Traffic Management (LATM) Policy.

The LATM assessments are summarised in the tables below:

Table 1 – Parkes Street – LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	0
Crash warrant in the last 5 years	15	5
Road Characteristics	35	16
Community Support & other factors	5	5
Total	100	26

The following table indicates the action to be taken according to the assessment points:

**Table 2 –Action**

Criteria	Action
>75	Report to HTC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
<b>25-40</b>	<b>Monitor street and review traffic data after 12 months</b>
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile Speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above results, it is advised that traffic calming devices are not warranted in Parkes Street, Guildford West in accordance with Council's approved LATM Policy.

The recorded 85th %tile speed of 52.6 km/hr. is within acceptable range.

## **COMMENTS**

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"[Insert comments here]"

## **ATTACHMENTS**

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Nil



Item No: CTC-20-030

**SMYTHE STREET, MERRYLANDS - ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: HC-24-05-25  
Electorate: *Granville*  
Police Area Command (PAC): *Cumberland*

**SUMMARY**

---

Council has received a complaint from a local resident regarding road safety concerns on Smythe Street, Merrylands.

This report outlines the outcome of the investigation into this matter.

**RECOMMENDATION**

---

**That the Traffic Committee recommends that the removal of the existing concrete median island associated with the 'slow point' in front of 14-16 Smythe Street, Merrylands together with the extension of the existing BB line marking in accordance with the attached plan be approved.**

**REPORT**

---

Council considered a report at its meeting on 6 March 2019 (vid CTC-19-035) regarding road safety concerns on Smythe Street, Merrylands at the 'slow point' (median island and road narrowing). Council resolved that the installation of "BB" "central" line marking on Smythe Street on both approaches to the median island be approved. It is noted that Council has installed the BB line marking in 2019.

Council has received further concerns from a local resident regarding road safety on Smythe Street, Merrylands near the existing 'slow point' facility. The resident advised Council that vehicles are travelling over the existing median island due to insufficient travel lane width. It should be noted that Smythe Street is approximately 9.5 m between the kerbs at the normal section and the road narrowing associated with the 'slow point' reduces the available width. The narrow and short median island is not noticeable during night travel

Council's Officers have investigated this matter further and found that the existing travel lanes between median island and kerb faces is less than 3m. In this regards, it is recommended to remove the concrete median island and extend existing BB line marking as per attached plan.

## **COMMENTS**

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"[Insert comments here]"

## **ATTACHMENTS**

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1. Plan - Smythe Street, Merrylands - Proposed line marking treatment
2. Smythe Street, Merrylands - Previous report - CTC-19-035
3. Smythe Street, Merrylands - Previous approved plan CTC-19-035

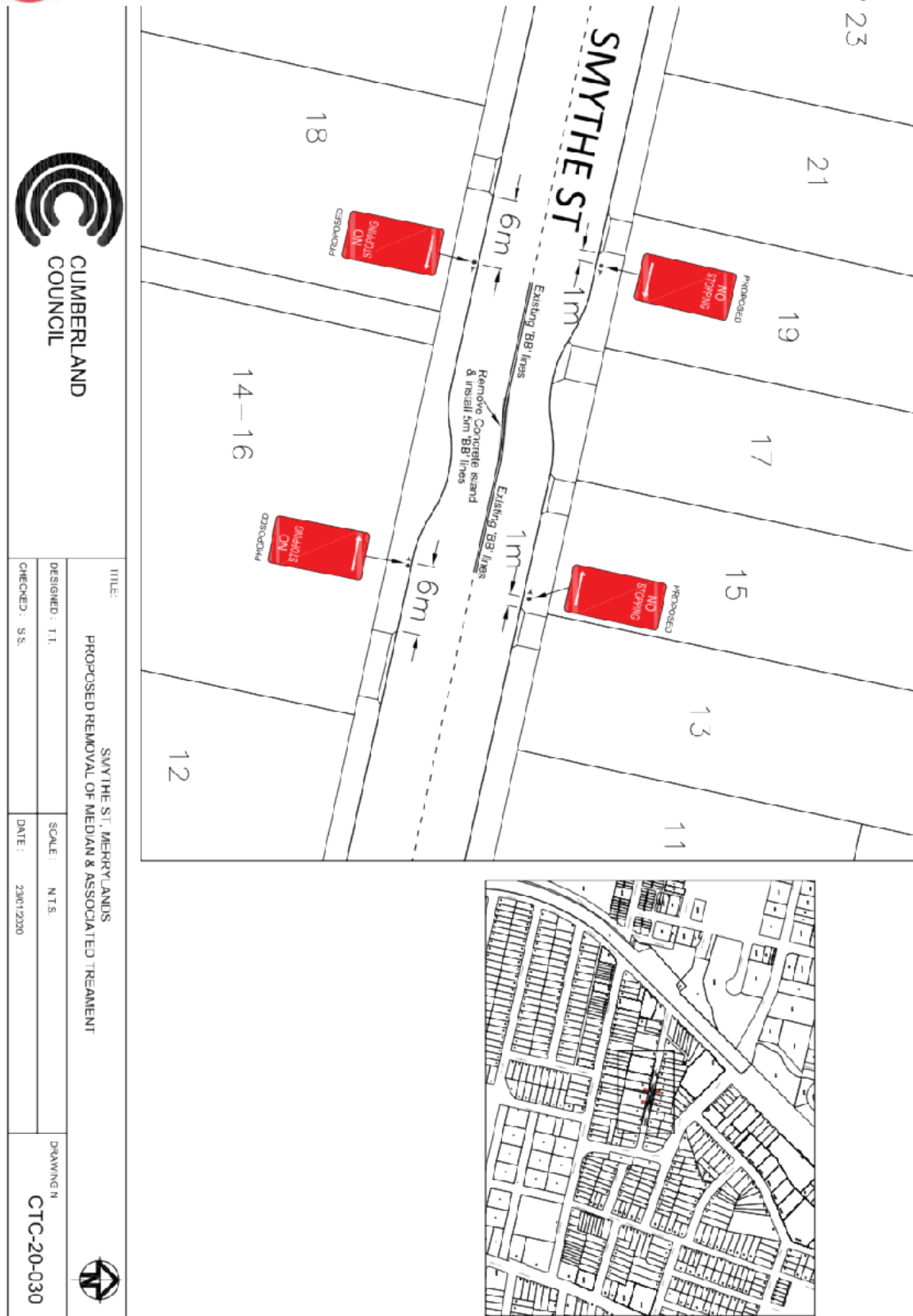
# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-030

## Attachment 1

Plan - Smythe Street, Merrylands  
- Proposed line marking treatment









# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-030

## Attachment 2 Smythe Street, Merrylands - Previous report - CTC-19-035



**CTC-19-035 SMYTHE STREET, MERRYLANDS - ROAD SAFETY CONCERNS**

State Electorate: Auburn  
(File No. T-28-01/06)

PAC: Cumberland

**Summary:**

Council has received road safety concerns from a local resident and motorist regarding driving along Smythe Street.

This report outlines the outcome of the investigation into this matter.

**Report:**

Council has received road safety concerns from a local resident and motorist regarding driving along Smythe Street. There is a median island as part of angle slow point treatment in the middle of Smythe Street, however, there is no line marking leading to the island on both approaches. This causes vehicles to drive over the small median island.

The map below shows the location:



It is proposed to provide 10m long "BB" lines on the approaches to the island and 20m long separator lines (S1) to define centre line of Smythe Street.

**Comments:**

The members agreed with the proposal

**Recommendation:**

The Cumberland Traffic Committee recommended that the proposed treatment at the median island on Smythe Street, Merrylands as per the attached plan be approved.

**Attachment:** Improvements to the Angle slow point in Smythe Street, Merrylands

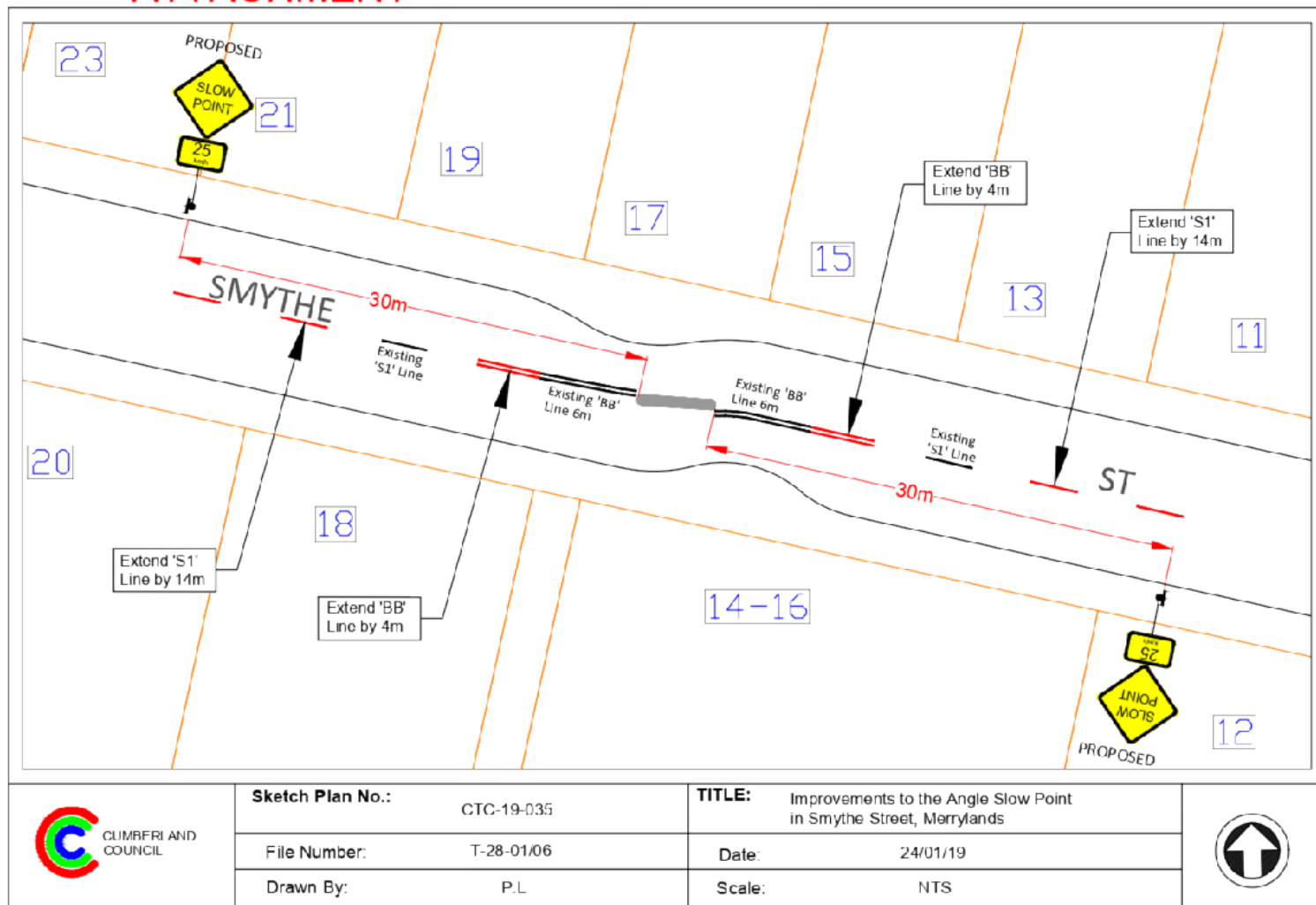




# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-030

## Attachment 3 Smythe Street, Merrylands - Previous approved plan CTC-19- 035







Item No: CTC-20-031

**14 HILLTOP ROAD, MERRYLANDS - PROPOSED MEDIAN ISLAND ASSOCIATED WITH A DEVELOPMENT APPLICATION.**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: DA2018/416/1  
Electorate: Granville  
Police Area Command (PAC): Cumberland

**SUMMARY**

---

Council has received detailed design of the proposed median island associated with approved development application at 14 Hilltop Road, Merrylands.

The report details a review of the submitted design plan and feasibility of the proposal in accordance with approved development application.

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. The proposed median island and associated signs and line marking on Hilltop Road, Merrylands in accordance with the attached plan be approved.**
- 2. The costs associated with the installation of median island, signs and line marking shall be borne by the developer at no cost to Council; and**
- 3. The affected residents be notified of the outcome by the applicant prior to the construction of the median island.**

**REPORT**

---

Council has granted approval for the proposed mixed use development at 14 Hilltop Road, Merrylands in June 2019 subject to a condition that a median island be installed on Hilltop Road to restrict access to right turn movements (i.e. left in and left out only) subject to Traffic Committee and Council's approval.

The proposed development comprising of 50 place child care centre on the ground floor, 1 commercial tenancy and 14 residential units above 2 level of basement parking accommodating 41 car parking spaces.



Council has received the detailed design of the proposed median island on Hilltop Road for Traffic Committee consideration. In addition, the applicant has undertaken a consultation with the affected residents (5 properties) and all consulted residents objected to the proposal. However, it is advised that the proposed median island will not affect any adjoining / opposite side access driveways and will restrict the access to the proposed development at 14 Hilltop Road only. Therefore, the installation of median island would improve road safety at this location.

## COMMENTS

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"[Insert comments here]"

## ATTACHMENTS

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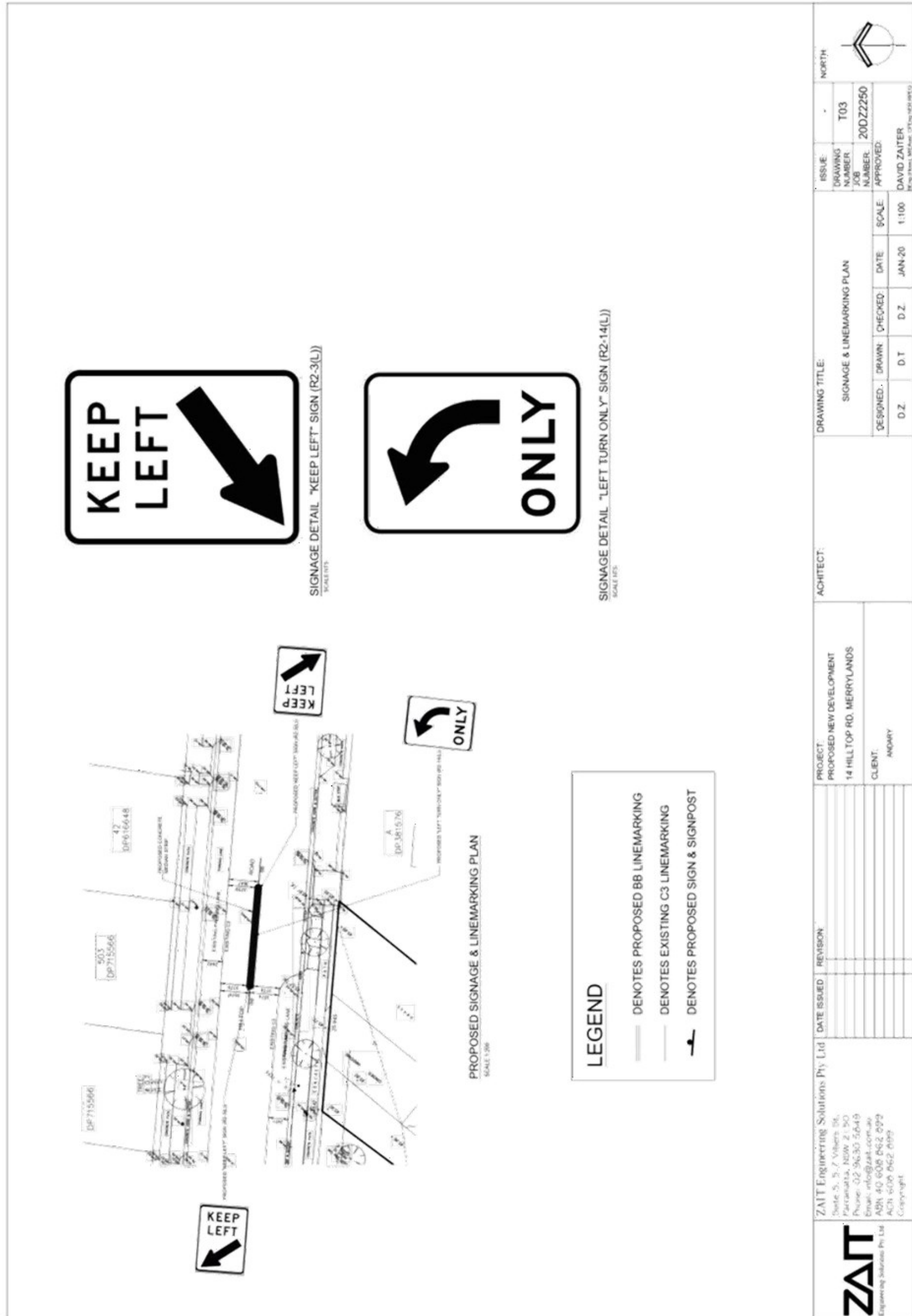
1. Plan - 14 Hilltop Road, Merrylands - Proposed median island associated with a development application.
2. Plan - 14 Hilltop Road, Merrylands - Proposed median island - Cross section details

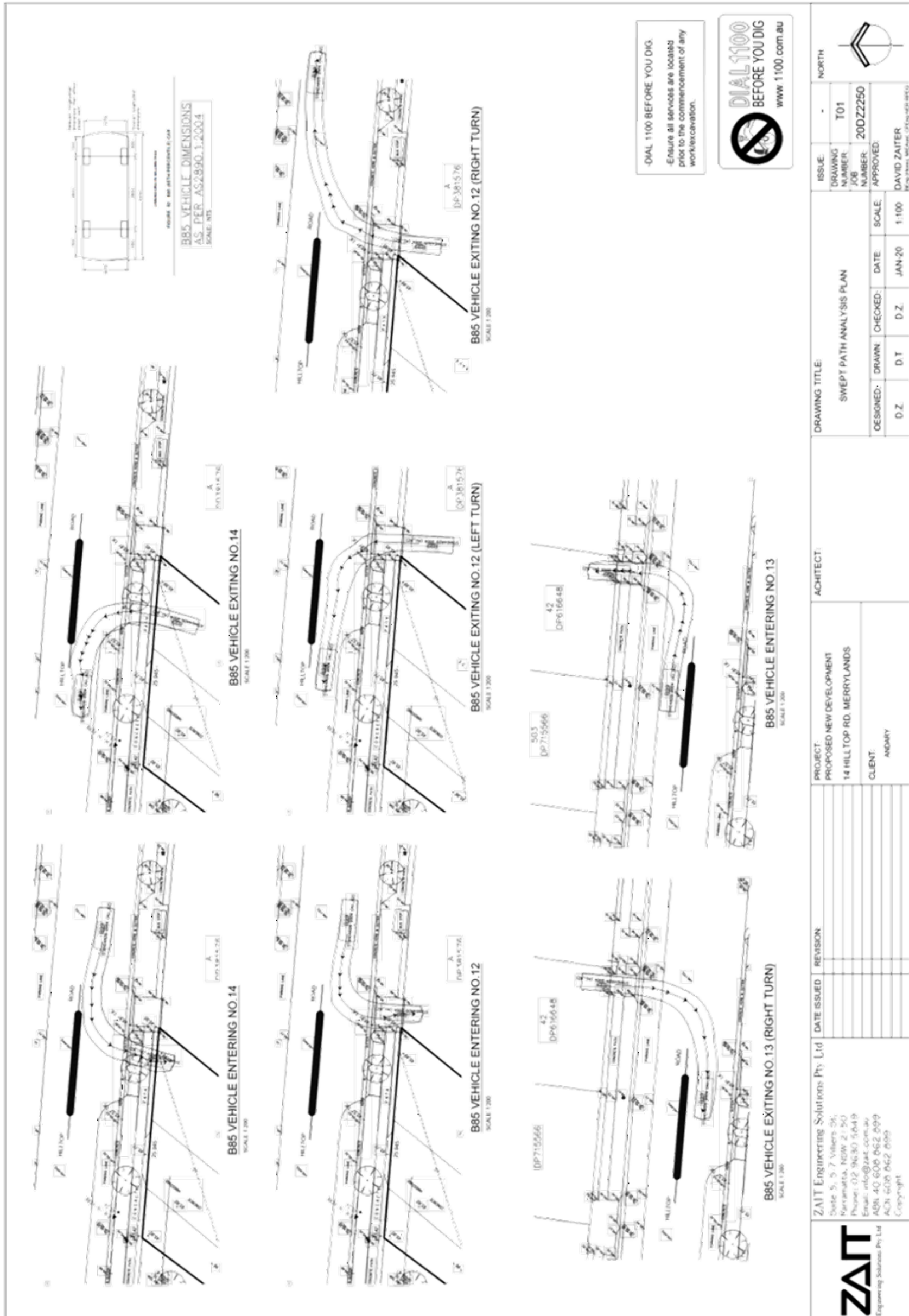
# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-031

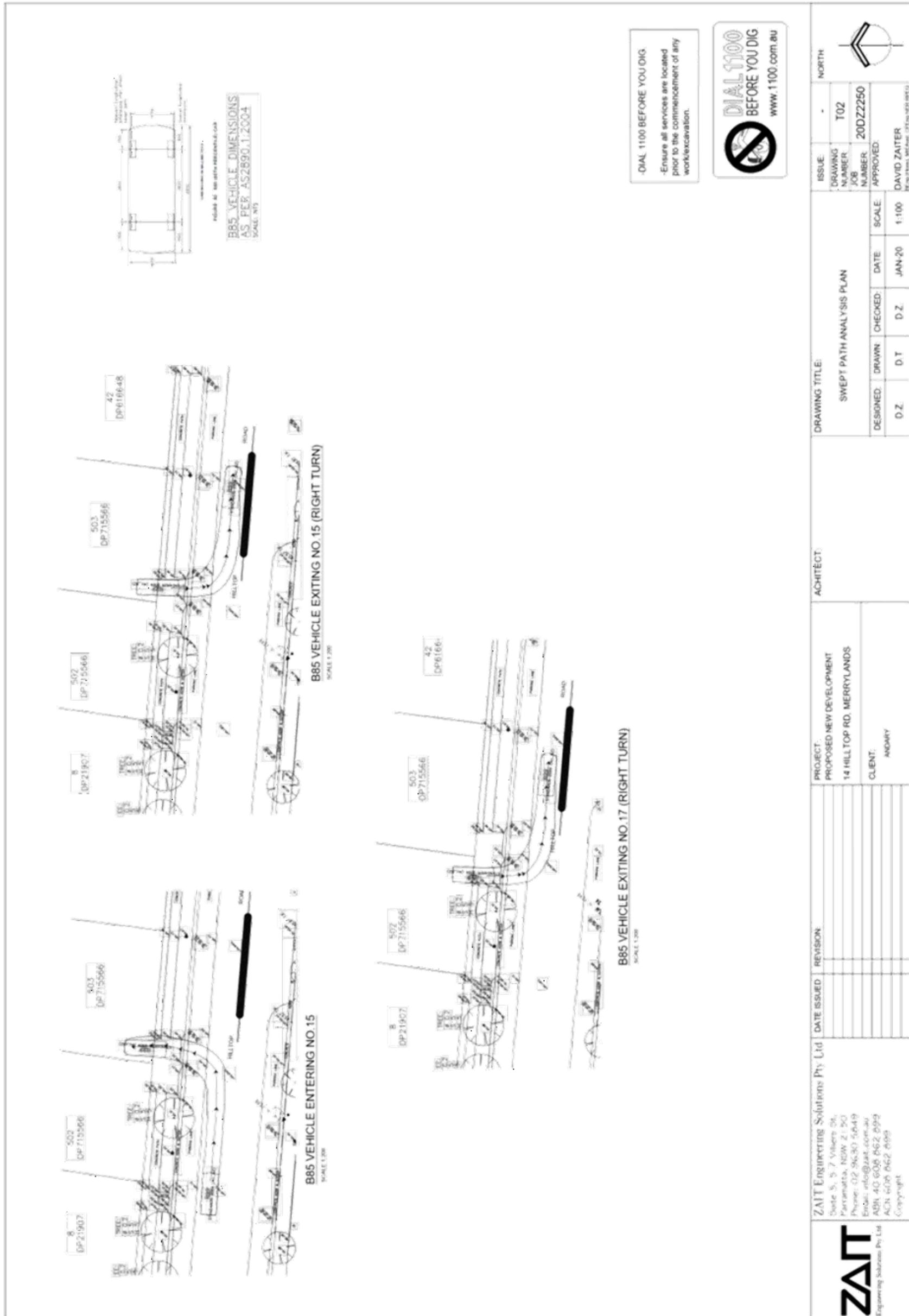
## Attachment 1

Plan - 14 Hilltop Road,  
Merrylands - Proposed median  
island associated with a  
development application.











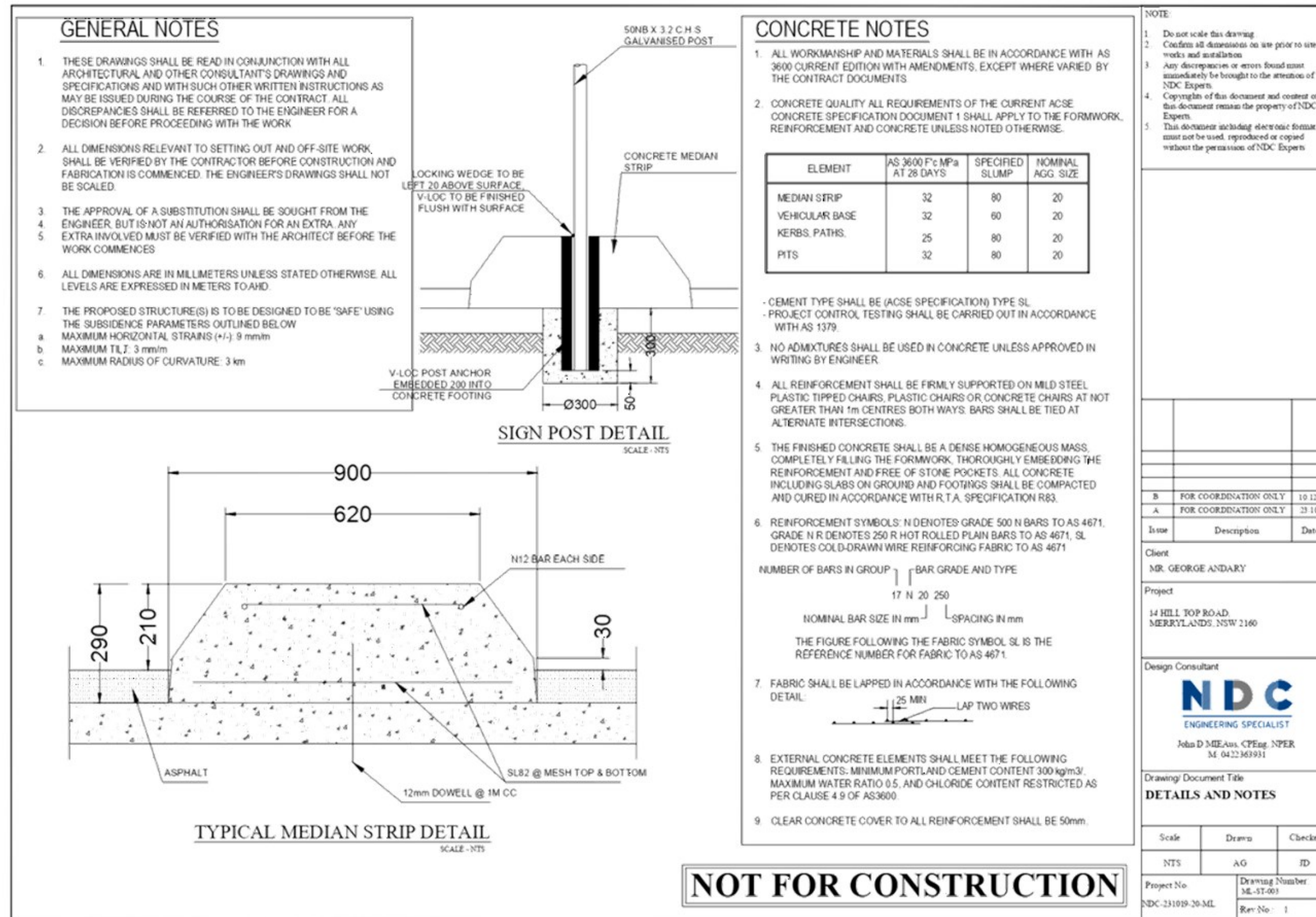


# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-031

## Attachment 2

Plan - 14 Hilltop Road,  
Merrylands - Proposed median  
island - Cross section details







Item No: CTC-20-032

## **ALDERNEY ROAD, MERRYLANDS - PROPOSED "NO STOPPING" RESTRICTIONS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: HC-24-05-25  
Electorate: *Granville*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received a request from a local resident for the installation of parking restrictions on Alderney Road, Merrylands at the intersection with Centenary Road.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The installation of "No Stopping" signs and BB line marking on Alderney Road at Centenary Road, Merrylands in accordance with the attached plan be approved ; and
2. The adjacent residents be notified of the outcome generally.

### **REPORT**

---

Council has received a request from a local resident for the installation of parking restrictions on Alderney Road, Merrylands at the intersection with Centenary Road.

A site inspection indicated that there are no "No Stopping" signs on Alderney Road and when vehicles are parking too close to the intersection, vehicles are having difficulty in entering / exiting the intersection. Therefore, the proposed 'No Stopping' signs and BB line marking at this intersection would improve traffic flow and road safety for all road users.

It should be noted that the no stopping signs are not provided in Centenary Road at this intersection since the kerb side lane in Centenary Road is a signposted 24 hour Bus Lane.



## **COMMENTS**

---

"[Insert comments here]"

## **ATTACHMENTS**

---

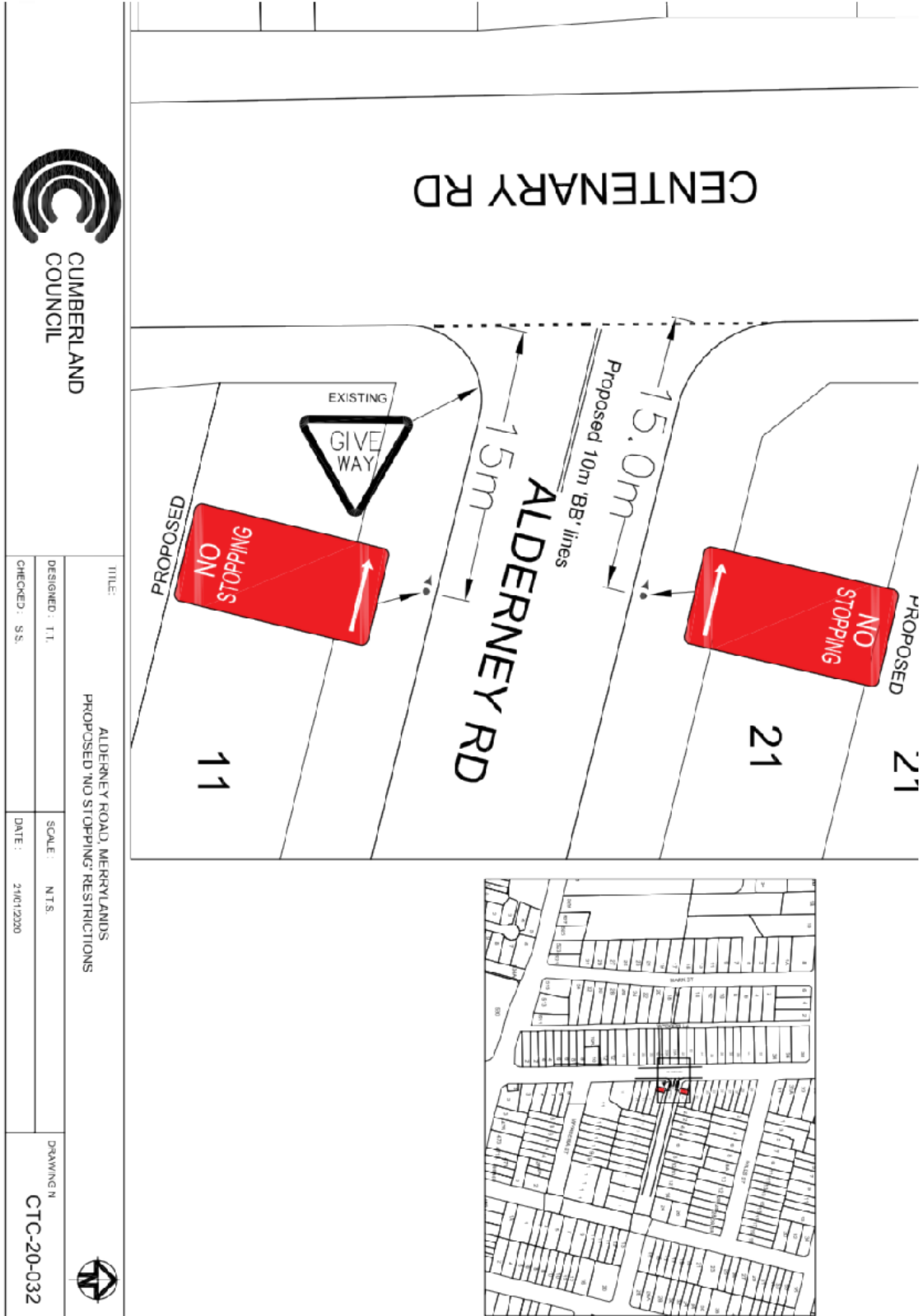
1. Plan - Alderney Road, Merrylands - Proposed "No Stopping" signs

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-032

## Attachment 1

Plan - Alderney Road, Merrylands  
- Proposed "No Stopping" signs







Item No: CTC-20-033

## **FOWLER ROAD, LUCAS STREET AND WISDOM STREET, GUILDFORD – PROPOSED INTERSECTION AND PEDESTRIAN CROSSING IMPROVEMENTS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: GS-294-TP/03  
Electorate: *Fairfield*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received concerns from a local resident regarding road safety issues at the existing pedestrian crossing on Fowler Road, Guildford near intersection of Lucas Street and Wisdom Street.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee [Insert report recommendation].**

**That the Traffic Committee:**

- 1. The proposed relocation of the existing raised pedestrian crossing on Fowler Road near Wisdom Street and associated intersection treatment in accordance with the attached plan be approved.**
- 2. The cost associated with this works be funded from Traffic Facility Budget from 2020/2021 financial year; and**
- 3. The adjacent business owners and residents be notified of the outcome generally.**

### **REPORT**

---

Fowler Road is a regional road that runs in a north-south direction, it has a width of approximately 12.5m with a 50 km/hr speed limit. Parking restrictions apply on both sides of the road at this section of the road.



Lucas Street is a local road that runs in an east-west direction, it has a width of approximately of 12.5m with a 50 km/h speed limit signpost. Parking permitted on both sides of the road.

Wisdom Street is a local road that runs in an east-west direction, it has a width of approximately of 10m with a 50 km/h speed limit signpost. Parking permitted on both sides of the road.

Fowler Road, Wisdom Street and Lucas Street form an offset cross intersection with priority control on Fowler Road and 'Stop' signs on Wisdom Street and Lucas Street.

Council has received concerns from local residents regarding road safety issues at the existing pedestrian crossing on Fowler Road, Guildford near the intersection of Lucas Street and Wisdom Street. Residents raised concerns regarding the location of the pedestrian crossing, sight distance and parking issues. The pedestrian crossing encroaches into the cross road alignment and when vehicles turning right from Wisdom Street use the full crossing area and cause safety concerns for pedestrians using the crossing. Also, exiting vehicles on Lucas Street approach closer to the crossing while waiting for a gap in vehicular traffic which affects the pedestrian movements.

Council's Officers have investigated the matter and the investigation revealed that the layout of the existing pedestrian crossing, can be improved on Fowler Road by relocating existing raised pedestrian crossing 4m to the south. In addition, it is proposed to install kerb extensions, new pram ramps, new line marking and relocate existing parking restrictions on Fowler Road, Wisdom Street and Lucas Street as per the attached plan. The proposed changes would improve road safety for all road users.

#### COMMENTS

---

"[Insert comments here]"

#### ATTACHMENTS

---

1. Plan - Fowler Road, Lucas Street and Wisdom Street, Guildford – Proposed intersection and pedestrian crossing improvements

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-033

## Attachment 1

Plan - Fowler Road, Lucas Street  
and Wisdom Street, Guildford –  
Proposed intersection and  
pedestrian crossing  
improvements







Item No: CTC-20-034

## **BLAXCELL STREET, GRANVILLE – PROPOSED RELOCATION OF THE RAISED PEDESTRIAN CROSSING**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: *Granville*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received concerns from local residents and motorists regarding road safety issues at the existing pedestrian crossing on Blaxcell Street, Granville at Thomas Street.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. The proposed relocation of the existing raised pedestrian crossing on Blaxcell Street at the Thomas Street intersection in accordance with the attached plan be approved.**
- 2. The proposed construction of the median island to ban right turn movements into the service station at the corner of Blaxcell Street and Celia Street be approved.**
- 3. The cost associated with this works be funded from Traffic Facility Budget from 2020/2021 financial year; and**
- 4. The affected business owners and residents be notified of the outcome generally.**

### **REPORT**

---

Blaxcell Street is a local collector road that runs in a north-south direction, it has a width of approximately 12m with a 50 km/h speed limit. Parking restrictions apply on both sides at this section of the road. Land use is generally mixed use (residential dwelling, shops and service station).



Council has received concerns from local residents and motorists regarding road safety issues at the existing pedestrian crossing on Blaxcell Street, Granville at Thomas Street.

Council's Officers have investigated this matter and the investigation revealed that due to existing service station driveways on Blaxcell Street and a high number of vehicles accessing the site resulting in vehicles queuing across the existing raised pedestrian crossing and blocking pedestrians' path and also queuing across the intersection with Thomas Street and blocking traffic flow. Both these activities are illegal. The queuing raises road safety concerns and to resolve these issues, it is proposed to relocate the existing raised pedestrian crossing to the north near the roundabout at Louis Street. It is also proposed to install a median island to prevent right turns into the service station which will help eliminate the queuing across Thomas Street.

It should be noted that a separate report is included for the relocation of the "Bus Zone" on the eastern side of Blaxcell Street south of Charles Street and replacing the bus zone with "No stopping" signage to allow for southbound vehicles queuing to turn left into the service station.

#### COMMENTS

---

"[Insert comments here]"

#### ATTACHMENTS

---

1. Plan - Blaxcell Street, Granville - Proposed relocation of the existing Pedestrian Crossing

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-034

## Attachment 1

Plan - Blaxcell Street, Granville -  
Proposed relocation of the  
existing Pedestrian Crossing





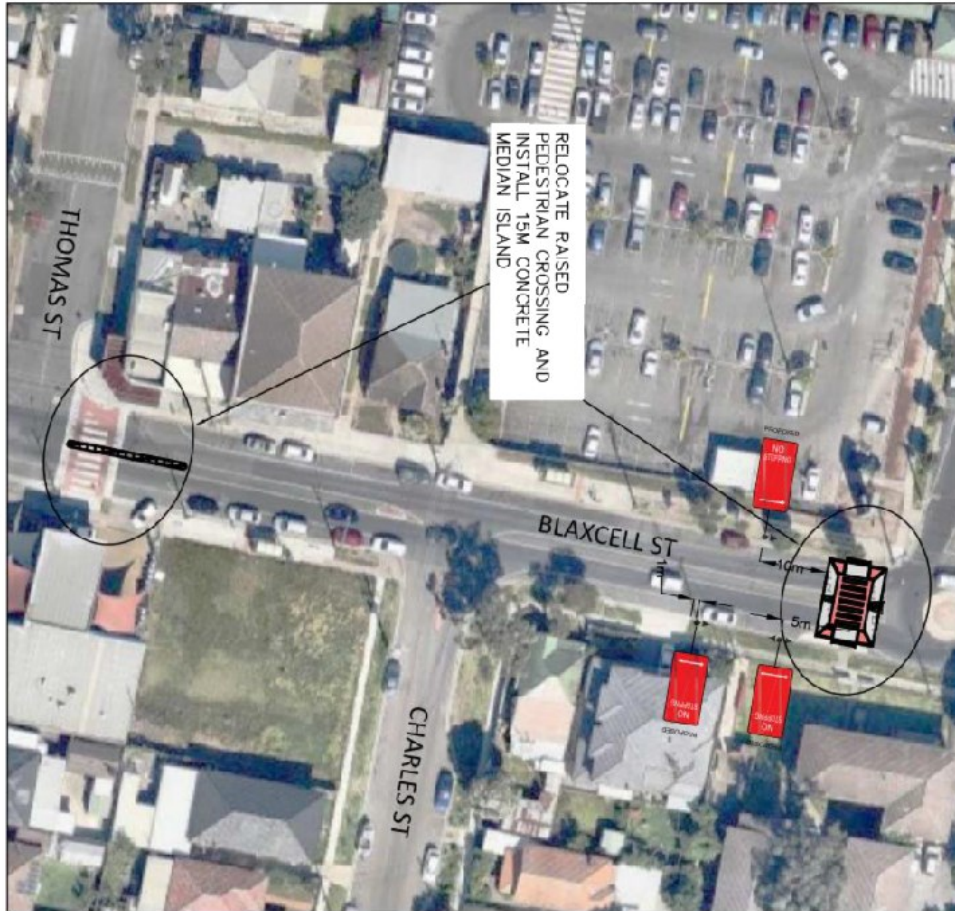
CUMBERLAND  
COUNCIL

TITLE: PROPOSED RELOCATION OF RAISED PEDESTRIAN CROSSING IN  
BLAXCELL ST, GRANVILLE

DESIGNED: T.T.  
CHECKED: S.S.

SCALE: N.T.S.  
DATE: 24/01/2020

DRAWING N  
CTC-20-034





Item No: CTC-20-035

## **BLAXCELL STREET, GRANVILLE - PROPOSED RELOCATION OF "BUS ZONE" AND "NO STOPPING" SIGNS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: Granville  
Police Area Command (PAC): Cumberland

### **SUMMARY**

---

Council has received concerns from local residents and motorists regarding road safety issues on Blaxcell Street at Thomas Street.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The proposed relocation of the "Bus Zone" on the eastern side of Blaxcell Street north of the Service Station driveway to a location north of Charles Street and installation of "No Stopping" signs in accordance with the attached plan be approved.
2. Council consult the Transport Operator for the proposed relocation of the bus stop; and
3. The affected properties be notified of the outcome generally.

### **REPORT**

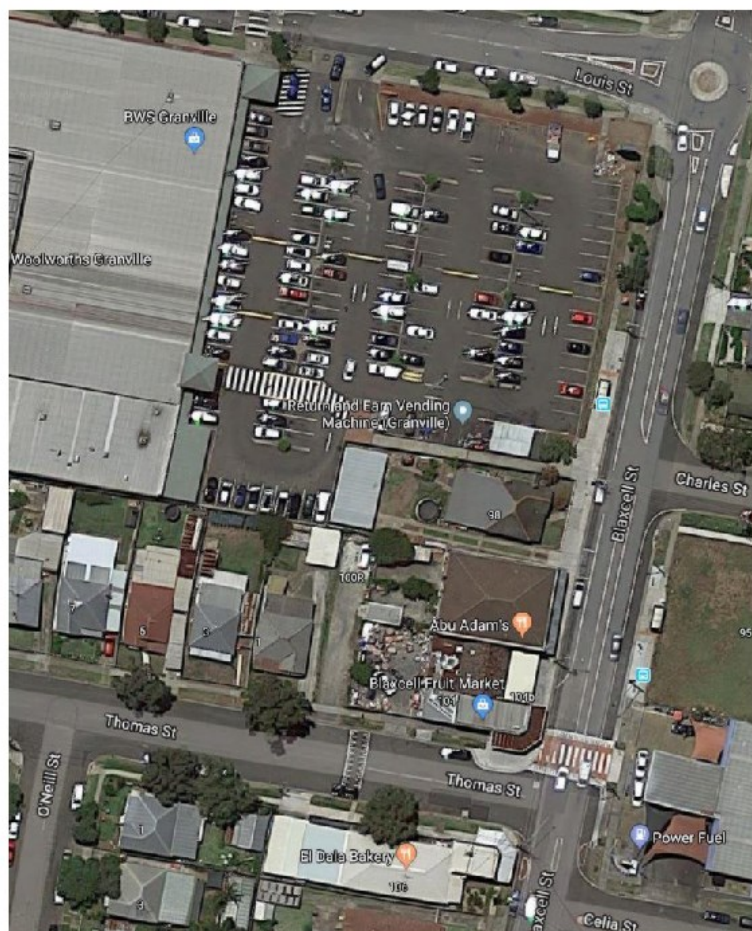
---

Blaxcell Street is a local collector road that runs in a north-south direction, it has a width of approximately 12m with a 50 km/h speed limit. Land use is generally mixed use (residential dwelling, shops and service station).

Council has received concerns from local residents and motorists regarding road safety issues at the intersection of Blaxcell Street, Thomas Street and Celia Street and the intersection of Blaxcell Street and Charles Street.

The map below shows the location of the above streets.





There is a separate report included in this agenda to the proposed relocation of the raised pedestrian crossing on Blaxcell Street outside the Service Station north towards the roundabout at the intersection of Louis Street and Blaxcell Street.

It is alleged that vehicles queue in the section between Charles Street and the Service Station to turn left in to the Service Station driveway in the bus zone causing concerns for bus operations. It was indicated that passengers have to be dropped off on travel lanes.

To improve the conditions in this section of Blaxcell Street, it is proposed to relocate the bus stop and the "Bus Zone" north of Charles Street. In addition, the existing "Bus Zone" just north of the Service Station driveway will be replaced with "No Stopping" signs to provide for queuing of vehicles accessing the Service Station.

## COMMENTS

"[Insert comments here]"

## **ATTACHMENTS**

---

1. Plan - Blaxcell street, Granville - Relocation of "Bus Zone" and 'No stopping" signs



# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-035

## Attachment 1

Plan - Blaxcell street, Granville -  
Relocation of "Bus Zone" and 'No  
stopping" signs





CUMBERLAND  
COUNCIL

TITLE: PROPOSED RELOCATION OF 'BUS ZONE' IN BLAXCELL ST,  
GRANVILLE

DESIGNED: T.T.

CHECKED: S.S.

SCALE: N.T.S.

DATE: 24/01/2020

DRAWING N  
CTC-20-035







Item No: CTC-20-036

## **VIRGINIA STREET, GUILDFORD WEST - PROPOSED "NO PARKING" SIGNS IN THE CUL-DE-SAC**

Responsible Division:	Works & Infrastructure
Officer:	Team Leader Transportation
File Number:	GS-857-TP
Electorate:	<i>Fairfield</i>
Police Area Command (PAC):	<i>Cumberland</i>

### **SUMMARY**

---

Council has received a request for the installation of parking restrictions in the cul-de-sac end of Virginia Street, Guildford West.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. The proposed 'No Parking' restrictions on Virginia Street in accordance with the attached plan be approved; and**
- 2. Council notify adjacent properties of the Council resolution.**

### **REPORT**

---

Council has received a request for the installation of parking restrictions in the cul-de-sac end of Virginia Street, Guildford West.

Council's Officers have investigated the matter and the investigation revealed that vehicles are parking in the cul-de-sac end of the road causing problems to the waste collection vehicles to turn around. The cul-de-sac bulb is approximately 4.8m radius and it is difficult to manoeuvre cars and large vehicles around when cars are parked in the area.

It is proposed to install "No Parking" restrictions in the cul-de-sac end of the street as per the attached plan.

**COMMENTS**

---

"[Insert comments here]"

**ATTACHMENTS**

---

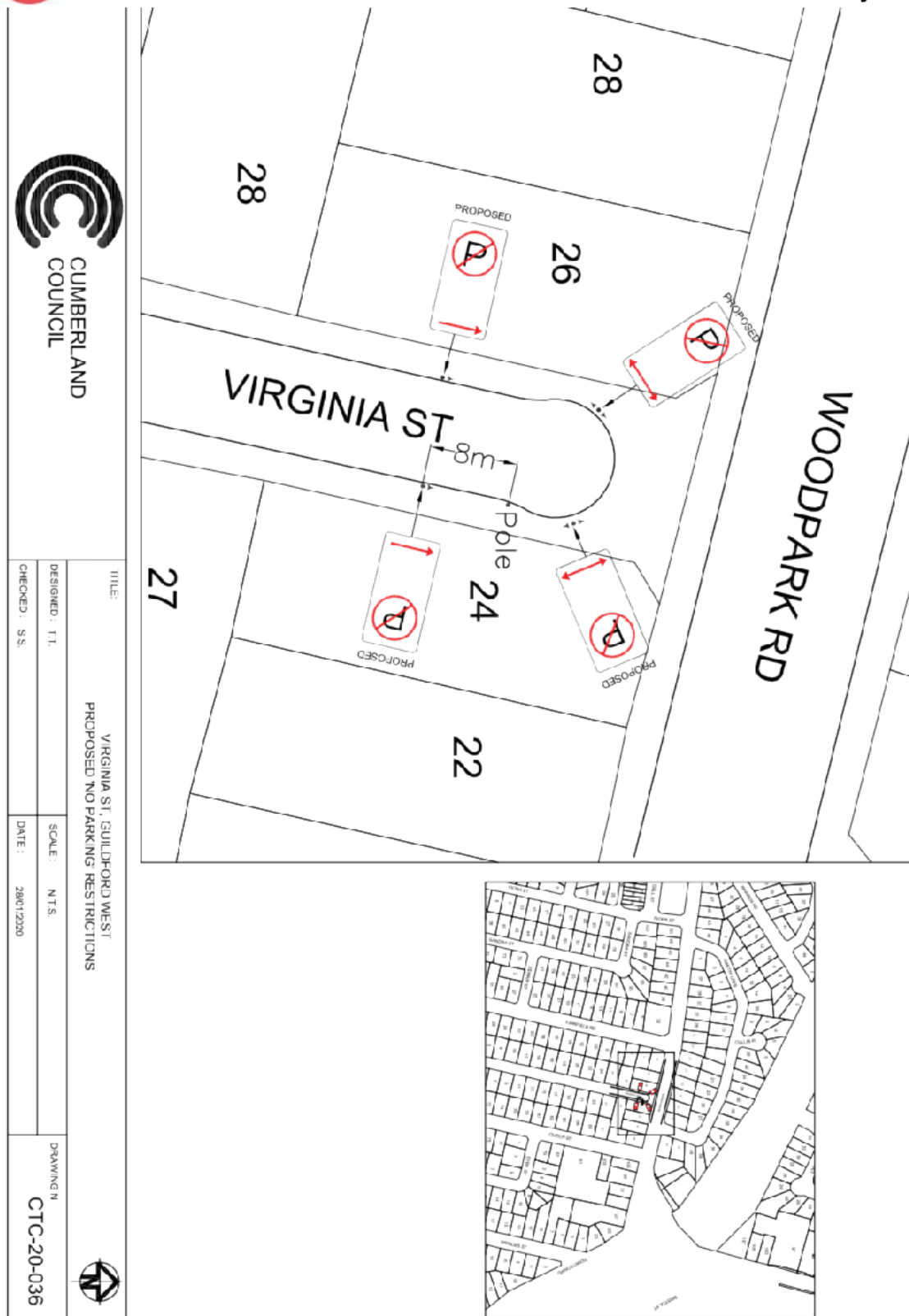
1. Plan - Virginia Street, Guildford West - Proposed "No Parking" restrictions

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-036

## Attachment 1

Plan - Virginia Street, Guildford  
West - Proposed "No Parking"  
restrictions









DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-394

Attachment 3

Late Agenda of the Cumberland  
Traffic Committee meeting of 5  
February 2020



A meeting of the Traffic Committee will be held at 9:30am at the Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Wednesday, 5 February 2020.

## ORDER OF BUSINESS

### 1. Traffic Matters

CTC-20-037 Merrylands Road, Greystanes - Application for "Works Zone" .....	3
CTC-20-038 LOUIS STREET, GRANVILLE – PROPOSED RELOCATION OF EXISTING PEDESTRIAN CROSSING AND TREATMENT AT WOOLWORTHS car park DRIVEWAY .....	9
CTC-20-039 MILITARY ROAD, GUILDFORD – PROPOSED CHANGES TO PARKING RESTRICTIONS OUTSIDE GUILDFORD STATION .....	15
CTC-20-040 NOTTINGHILL ROAD, GEORGES AVENUE, AND LONDON ROAD, Berala - PROPOSED "NO STOPPING" SIGNS.....	21
CTC-20-041 Blaxcell street, South Granville - Dellwood Street carpark exit .....	27

### 2. Other Business

### 3. Next Meeting

Wednesday, 1 April 2020



Item No: CTC-20-037

## **MERRYLANDS ROAD, GREYSTANES - APPLICATION FOR "WORKS ZONE"**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: GS-558/04-TP  
Electorate: Prospect  
Police Area Command (PAC): Cumberland

### **SUMMARY**

---

Council has received an application for "Works Zone" on Merrylands Road, Greystanes associated with the development at 787 Merrylands Road, Greystanes.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

That the Traffic Committee recommends that:

1. The 24m long "Works Zone, 7:00am-6:00pm, Monday-Friday, 8:00am-4:00pm, Saturday" be installed on Merrylands Road, Greystanes fronting the development site subject to Council's standard conditions for a period of 6 months and subsequent extension if required; and
2. The applicant be advised to pay the "Works Zone" fees to Council as per the adopted Fees and Charges.

### **REPORT**

---

Council has received an application for "Works Zone" on Merrylands Road, Greystanes associated with the development at 787 Merrylands Road, Greystanes.

The temporary "Works Zone" is approximately 24m in length and proposed to commence in mid-February 2020 for 6 months. The proposed time is between 7:00am to 6:00pm Monday to Friday and 8:00am to 4:00pm on Saturdays.

There will be a loss of 4 on-street parking spaces on the northern side of Merrylands Road, Greystanes during the operation of the "Works Zone".

### **COMMENTS**

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"[Insert comments here]"

### **ATTACHMENTS**

---

1. Plan - Merrylands Road, Greystanes - Proposed "Works Zone"

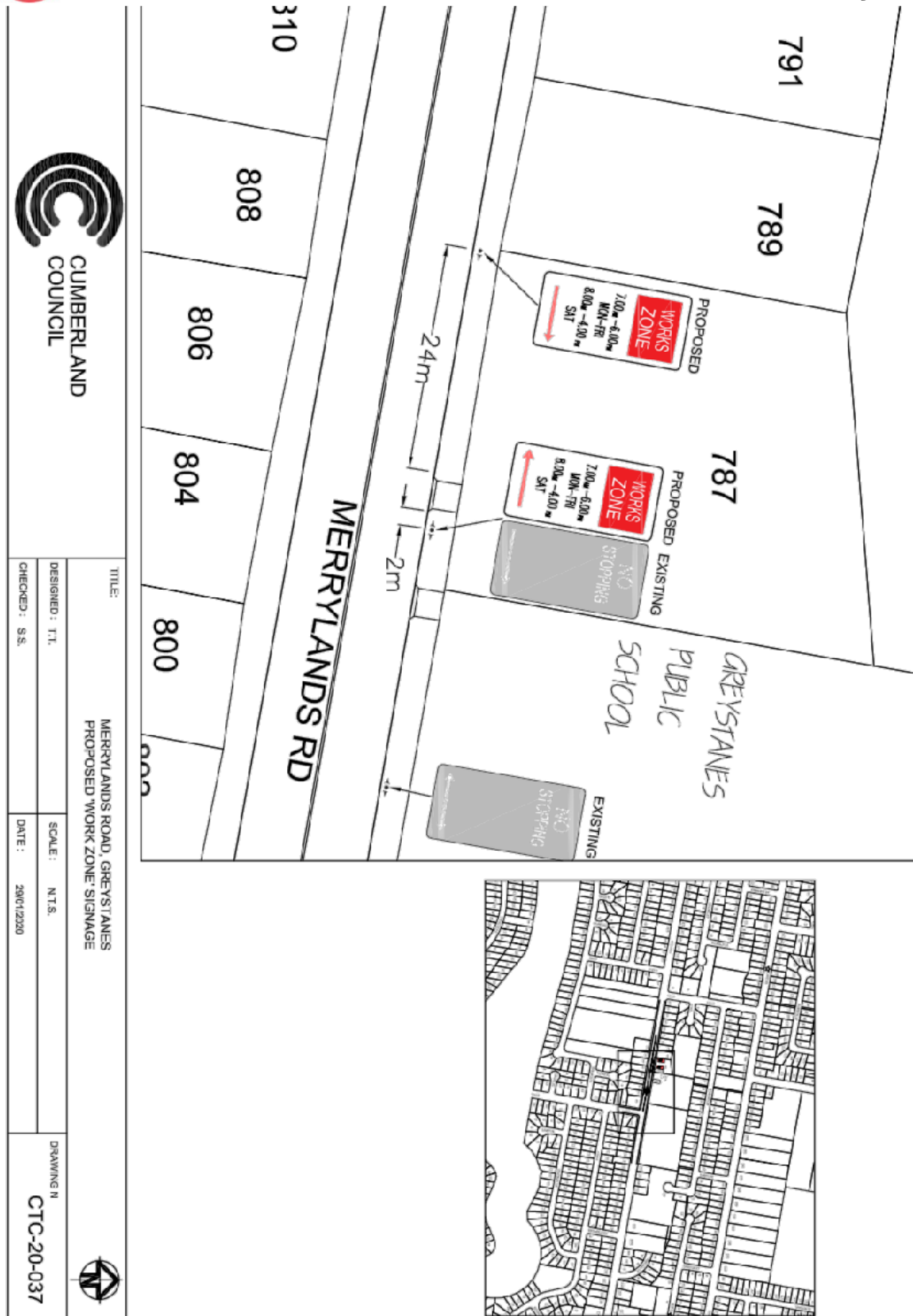




# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-037

## Attachment 1 Plan - Merrylands Road, Greystanes - Proposed "Works Zone"







Item No: CTC-20-038

**LOUIS STREET, GRANVILLE – PROPOSED RELOCATION OF EXISTING PEDESTRIAN CROSSING AND TREATMENT AT WOOLWORTHS CAR PARK DRIVEWAY**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: Granville  
Police Area Command (PAC): Cumberland

**SUMMARY**

---

Council has received concerns from motorists and pedestrians regarding road safety issues at the existing pedestrian crossing on Louis Street, Granville adjacent to the driveway of Woolworths car park.

This report outlines the outcome of the investigation into this matter.

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. The proposed seagull treatment and the relocation of the pedestrian crossing on Louis Street be approved in principle.**
- 2. The affected properties be consulted regarding the parking restrictions.**
- 3. Council prepare final design plan including signs and line marking and report back to Cumberland Traffic Committee with consultation result; and**
- 4. Council undertake construction of the proposal in 2020/21 Financial Year**

**REPORT**

---

Louis Street is a local collector road that runs in an east-west direction between Woodville Road and Blaxcell Street, Granville. It has a width of approximately 12.5m with a 50 km/h speed limit.

Council has received concerns from motorists and pedestrians regarding road safety issues at the existing pedestrian crossing on Louis Street adjacent to the driveway of Woolworths car park.

Council's Officers have investigated this matter and the investigation revealed that due to the Woolworths car park driveway on Louis Street and a high number of vehicles accessing the car park from west resulting in vehicles queuing across the existing



raised pedestrian crossing and blocking pedestrians' path and also creating conflicts with exiting vehicles from the driveway. While waiting on the crossing is illegal, due to the large number of vehicles accessing the car park at evening peak hours, it is difficult to control this behaviour.

The map below shows the existing features on Louis Street in the vicinity of the car park driveway.



## COMMENTS

"[Insert comments here]"

## ATTACHMENTS

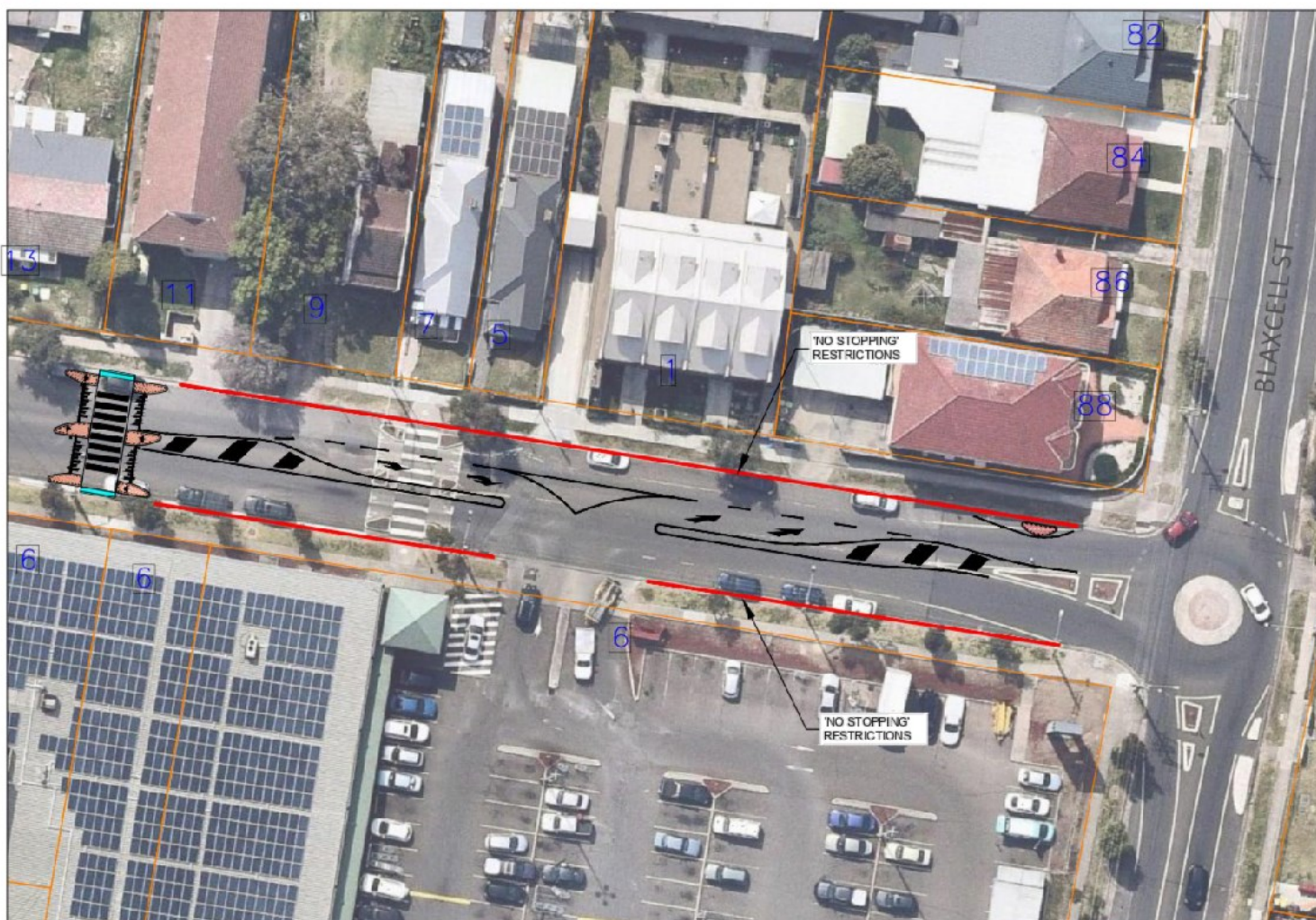
1. Concept Plan - Louis street, Granville - Proposed relocation of existing pedestrian crossing & treatment at Woolworths Car park Driveway

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-038

## Attachment 1

Concept Plan - Louis street,  
Granville - Proposed relocation of  
existing pedestrian crossing &  
treatment at Woolworths Car park  
Driveway









Item No: CTC-20-039

**MILITARY ROAD, GUILDFORD – PROPOSED CHANGES TO PARKING RESTRICTIONS OUTSIDE GUILDFORD STATION**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: GS-564-TP/03  
Electorate: Granville  
Police Area Command (PAC): Cumberland

**SUMMARY**

---

Council has received a request from a local resident for the installation of drop off / pick up zone on Military Road, Guildford near Guildford Railway Station.

This report outlines the outcome of the investigation into this matter.

**RECOMMENDATION**

---

**That the Traffic Committee recommends that the proposed changes to the existing parking arrangement incorporating “No Parking, 6am – 10:00am and 3:00pm – 7:00pm, Mon – Fri” and “1P, 10:00am – 3:00pm, Mon – Fri and 8:30am – 12:30pm, Sat” on Military Road, Guildford in accordance with the attached plan be approved.**

**REPORT**

---

Council has received a request from a local resident for the installation of drop off / pick up zone on Military Road, Guildford near Guildford Railway Station.

Council's Officers have investigated the request and the investigation revealed that there are existing AM and PM peak period “No Parking” restrictions on Military Road on the Guildford Railway Station side. However, due to high demand for drop off / pick up during peak hours, the existing parking restrictions are heavily utilised. In this regard, it is recommended to convert the existing 1 hour parking to “No Parking, 6am – 10:00am and 3:00pm – 7:00pm, Mon – Fri” and “1P, 10:00am – 3:00pm, Mon – Fri and 8:30am – 12:30pm, Sat”.

The proposed modification to existing parking restrictions would result in conversion of 2 parking spaces to a part time “No Parking” restrictions, however, the proposal would increase drop off / pick opportunity during peak hours in the area.

**COMMENTS**

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## **ATTACHMENTS**

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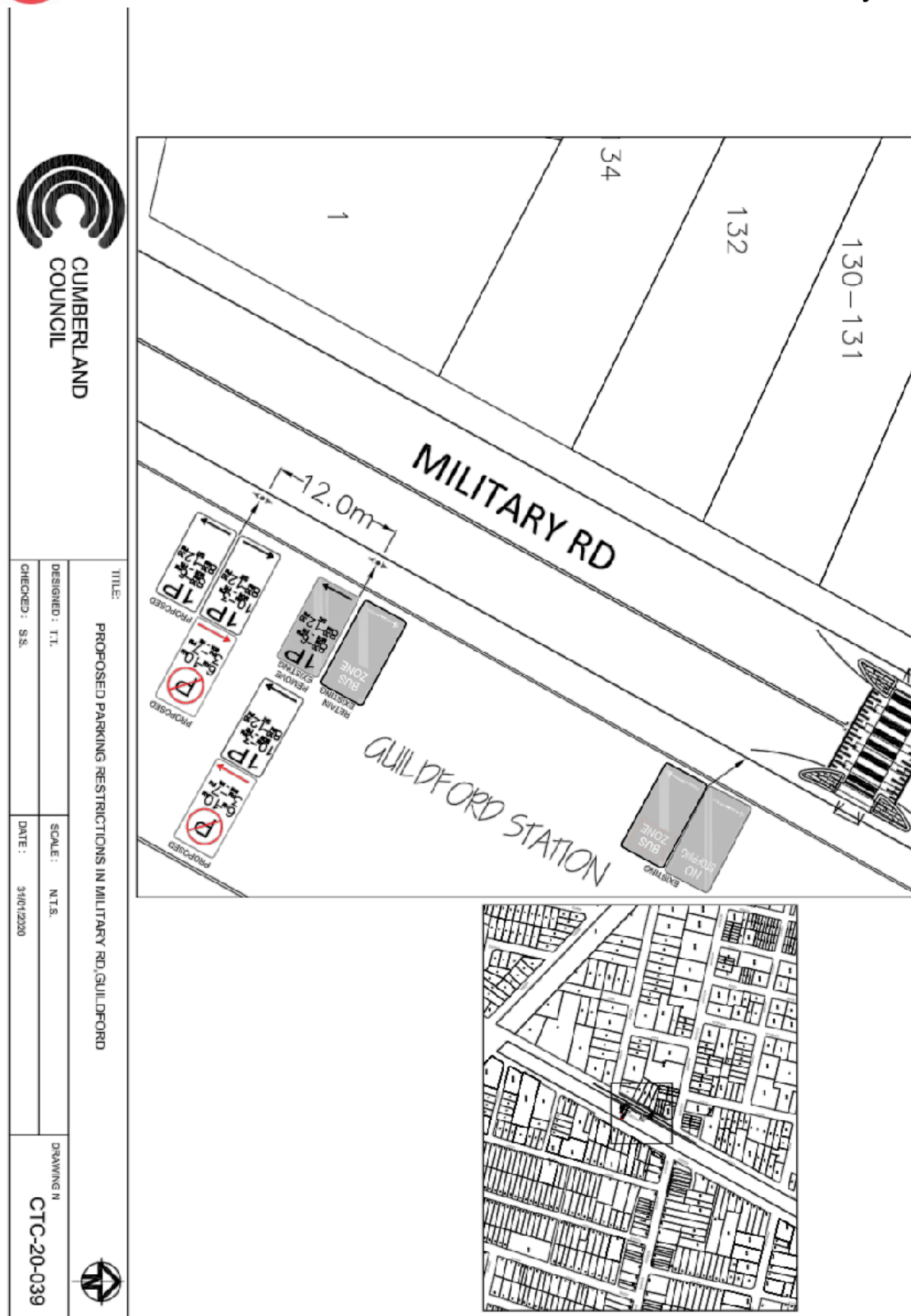
1. Plan - Military Road, Guildford - Proposed changes to parking restrictions outside Guildford Station

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-039

## Attachment 1

Plan - Military Road, Guildford -  
Proposed changes to parking  
restrictions outside Guildford  
Station







Item No: CTC-20-040

## **NOTTINGHILL ROAD, GEORGES AVENUE, AND LONDON ROAD, BERALA - PROPOSED “NO STOPPING” SIGNS**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: *Auburn*  
Police Area Command (PAC): *Auburn*

### **UMMARY**

---

Council has received concerns from motorists regarding road safety issues at the intersection of Nottingham Road, Georges Avenue and London Road, Berala.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The proposed “No Stopping” restrictions at the intersection of Nottingham Road, Georges Avenue and London Road, Berala in accordance with the Plan No. CTC-20-040 be approved; and
2. Council notify affected residents of the resolution.

### **REPORT**

---

Council has received concerns from motorists regarding road safety issues at the intersection of Nottingham Road, Georges Avenue and London Road, Berala.

Nottingham Road, London Road and Georges Avenue are Council roads and form a staggered intersection.

Georges Avenue provides a link between the State road; Joseph Street, Lidcombe to Berala. Nottingham Road functions as a collector road providing a north-south link between Kerrs Road and Amy Street, Berala.

Due to the staggered nature of the intersection, 10m statutory “No Stopping” restrictions are not adequate at this intersection particularly for right turning vehicles from Georges Avenue and London Road. Large vehicles are unable to make the right turns.



The map below shows the location:



## COMMENTS

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"[Insert comments here]"

## ATTACHMENTS

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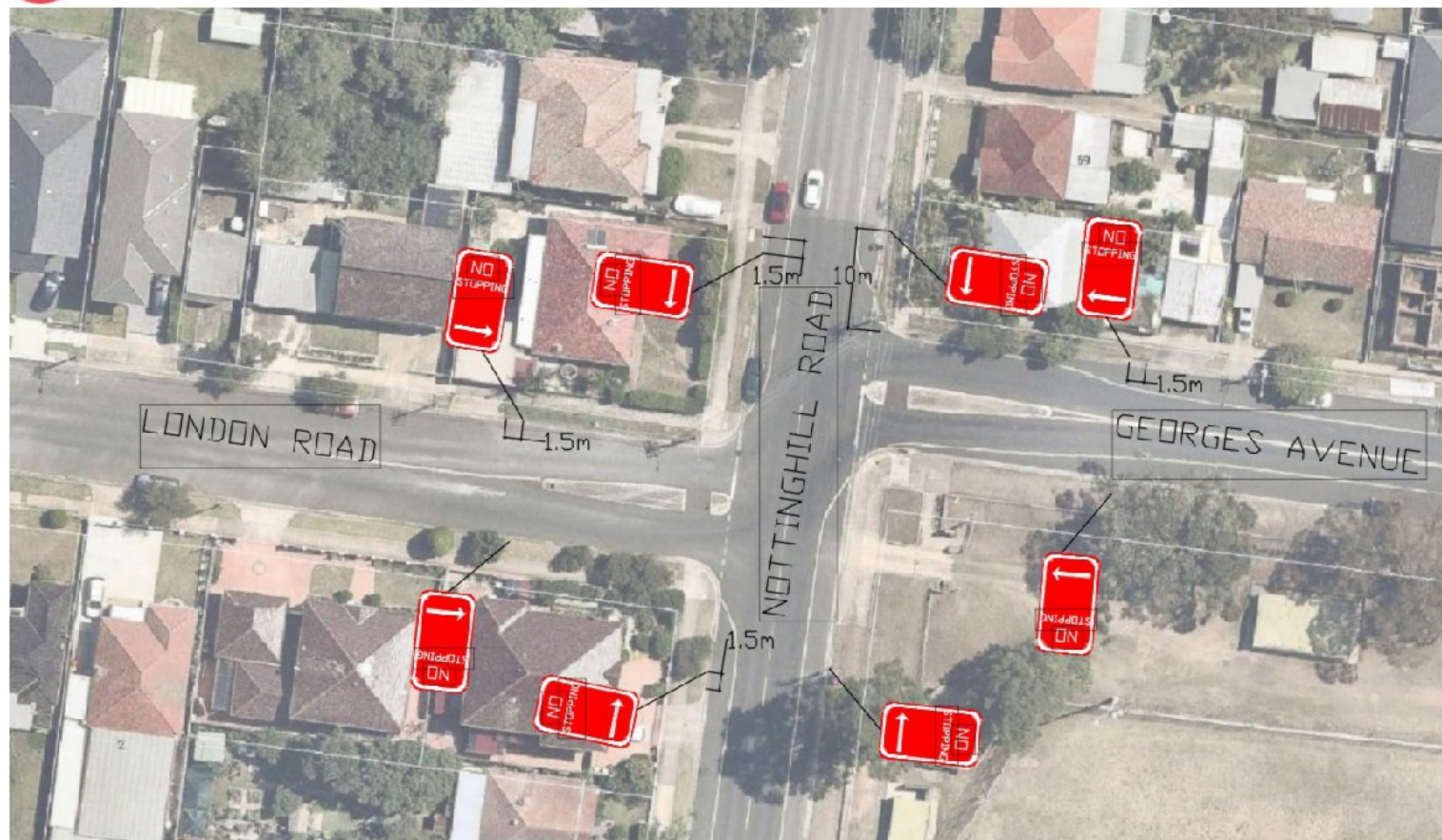
1. Plan - Intersection of Nottinghill Road, Georges Avenue & London Road, Berala  
- Proposed "No Stopping" signs

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-040

## Attachment 1

Plan - INtersection of Nottingham  
Road, Georges Avenue & London  
Road, Berala - Proposed "No  
Stopping" signs





Sketch Plan No.: CTC-20-040	TITLE: Intersection of Nottinghill Road, Georges Avenue & London Road, BERALA, Proposed 'No Stopping' Signs
File Number: T-28-01/06	Date: 03/02/20
Drawn By: S.K	Scale: NTS







Item No: CTC-20-041

## **BLAXCELL STREET, SOUTH GRANVILLE - DELLWOOD STREET CARPARK EXIT**

Responsible Division: Works & Infrastructure  
Officer: Team Leader Transportation  
File Number: T-28-01/06  
Electorate: *Granville*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

---

Council has received concerns from motorists that it is difficult to exit to Blaxcell Street from the Dellwood Street carpark due to sight distance issues.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that the extension of existing “No Stopping” zone outside Dellwood Street carpark Exit driveway in accordance with the plan CTC-20-041 be approved.**

### **REPORT**

---

Council has received concerns from motorists that it is difficult to exit to Blaxcell Street from the Dellwood Street carpark due to sight distance issues.

Blaxcell Street is a collector road and carries large volumes of traffic.

Dellwood Street runs in an east-west direction and the carpark is at the corner of Dellwood Street and Blaxcell Street. Dellwood shops are on the opposite side in Dellwood Street.

The carpark entry is in Dellwood Street and the exit is on Blaxcell Street.

Council Officers have investigated the conditions at the carpark entry and exit and found that the reversal of the entry and exit driveways of the carpark is not feasible due to the existing median on Dellwood Street. The median opening opposite the carpark entry driveway allows turning into the carpark while it is difficult to exit out of this driveway and turn right into Dellwood Street.



In view of the above, it is proposed to extend the existing "No Stopping" restrictions at the carpark exit driveway to improve sight distance to cars and to identify available gaps in Blaxcell Street traffic.

The map below shows the location of the carpark and relevant streets.



## COMMENTS

"[Insert comments here]"

## ATTACHMENTS

1. Plan - Blaxcell Street, South Granville - Dellwood Street carpark exit

# DOCUMENTS ASSOCIATED WITH REPORT CTC-20-041

## Attachment 1 Plan - Blaxcell Street, South Granville - Dellwood Street carpark exit





CUMBERLAND  
COUNCIL

TITLE: PROPOSED TWO STOPPING RESTRICTIONS IN BLAXCELL ST,  
GRANVILLE

DESIGNED: T.T.  
CHECKED: S.S.

SCALE: N.T.S.  
DATE: 31/01/2020

DRAWING N  
CTC-20-041





Item No: C03/20-395

## **AUDIT, RISK AND IMPROVEMENT COMMITTEE - DRAFT MINUTES OF MEETING HELD ON 10 FEBRUARY 2020**

Responsible Division: Finance & Governance  
Officer: Director Finance & Governance  
File Number: HC-06-03-28  
Community Strategic Plan Goal: *Transparent and accountable leadership*

### **SUMMARY**

---

This report presents the Minutes of the Audit, Risk and Improvement Committee meeting held on 10<sup>th</sup> February 2020 for Council's information.

### **RECOMMENDATION**

---

**That Council receive the Draft Minutes of the Audit, Risk and Improvement Committee meetings held on 10 February 2020.**

### **REPORT**

---

Council's Audit, Risk and Improvement Committee recently held a meeting on 10 February 2020.

The minutes of this meeting will be formally adopted at the next Committee meeting being held in May 2020.

Minutes of these meetings are attached for Council's information.

### **COMMUNITY ENGAGEMENT**

---

There are no consultation processes for Council associated with this report.

### **POLICY IMPLICATIONS**

---

There are no policy implications for Council associated with this report.

### **RISK IMPLICATIONS**

---

There are no direct risks associated with this report. However, the presentation of the meeting minutes to Council provides transparent oversight of Council activities.



## FINANCIAL IMPLICATIONS

---

The operations of the Audit, Risk and Improvement Committee are coordinated by the Corporate Services division of Council utilising existing allocated resources. There are no additional financial implications for Council associated with this report.

## CONCLUSION

---

The minutes of the Audit, Risk and Improvement Committee meeting are provided to Council for information purposes and to ensure that the review mechanisms of Council operate in an open and transparent manner. It is recommended that Council receive this information.

## ATTACHMENTS

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1. Minutes - Audit, Risk and Improvement Committee Meeting 10 February 2020



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/20-395

Attachment 1

Minutes - Audit, Risk and  
Improvement Committee Meeting  
10 February 2020



Minutes of the Audit, Risk and Improvement Committee (ARIC) meeting held at Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Monday 10 February 2020.

**PRESENT**

Mr. Stephen Home (Chairperson), Mr. John Barbeler, Dr. Jim Taggart and Cr. Michael Zaiter.

**ADVISORY MEMBERS IN ATTENDANCE**

Hamish McNulty – General Manager, Daniel Cavallo – Director Environment and Planning, Richard Sheridan – Director Finance and Governance, Steve Kent – BDO Australia, Milton Kingsley – BDO Australia, Kenneth Leung – NSW Audit Office, Shirley Huang – Grant Thornton and James Winter – Grant Thornton.

**INVITEES IN ATTENDANCE**

Suellen Bullock – Internal Ombudsman, Elizabeth Renneberg - Assistant Internal Ombudsman, Charlie Ayoub – Executive Manager Corporate Services, Belinda Doig – Risk Management Coordinator, Mohamed Gourani – Internal Audit Assistant and Carol Karaki – Governance Coordinator (Minute Taker).

**IN CAMERA ITEMS**

The Independent External Committee Members, Councillors, General Manager, Internal Auditors, and Internal Ombudsman met to discuss any in-camera matters prior to the commencement of the meeting.

The formal ARIC meeting here opened at 1:35pm.

**ACKNOWLEDGEMENT OF COUNTRY**

The Chairperson opened the meeting with an Acknowledgement of Country.

**SAFETY BRIEFING**

The Chairperson outlined the emergency evacuation arrangements for the meeting location.

**APOLOGIES**

Melissa Attia – Director People and Performance  
Joseph Rahme – Councillor

**DECLARATIONS OF INTEREST**

Nil

---

**Min.074 ITEMS BY EXCEPTION****RESOLVED**

That item numbers ARIC006/20, ARIC010/20, ARIC012/20, ARIC013/20 and ARIC015/20 be moved in bulk with no further discussion.

---

**Min.075      ITEM ARIC006/20 - SALE OF COUNCIL OWNED LAND AT 13 JOHN STREET, LIDCOMBE**

**RESOLVED**

That the Audit, Risk and Improvement Committee receive and note this report.

---

**Min.076      ITEM ARIC010/20 - BUSINESS IMPROVEMENT & INTEGRATION TEAM REPORT**

**RESOLVED**

That the Audit, Risk and Improvement Committee receive the information contained in the report.

---

**Min.077      ITEM ARIC012/20 - GOVERNANCE, RISK & PROCUREMENT UPDATE**

**RESOLVED**

That the Audit, Risk and Improvement Committee receive the report.

---

**Min.078      ITEM ARIC013/20 - QUARTERLY PROCUREMENT COMPLIANCE REPORT**

**RESOLVED**

That the Audit, Risk and Improvement Committee receive the Quarterly Procurement Audit Report and provide feedback.

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**Min.079      ITEM ARIC015/20 - ADOPTION OF ARIC CHAIRPERSONS ANNUAL REPORT, UPDATED CHARTER AND EXTENSION OF INDEPENDENT MEMBER APPOINTMENTS**

**RESOLVED**

That the Audit, Risk and Improvement Committee receive the report, noting:

1. The ARIC Chairpersons Annual report 2018/19, as adopted by Council.
2. The ARIC Terms of Reference, as adopted by Council.
3. The re-appointment of the three Independent Members for a further 2 year term in accordance with the charter being: Stephen Horne, John Barbeler and Jim Taggart.

The Chairperson noted that Item ARIC 009/20 will be brought forward for consideration at this time of the meeting.

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**Min.080      ITEM ARIC009/20 - OVERVIEW OF ENVIRONMENT AND PLANNING  
DIRECTORATE****RESOLVED**

That the Audit, Risk and Improvement Committee receive the Director Environment and Planning update.

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**Min.081      ITEM ARIC001/20 - CONFIRMATION OF AUDIT, RISK AND  
IMPROVEMENT COMMITTEE - MINUTES OF MEETING HELD ON  
11TH NOVEMBER 2019****RESOLVED**

That the minutes of the Audit, Risk and Improvement Committee meeting held on 11 November 2019 be received and the recommendations contained therein, be adopted.

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**Min.082      ITEM ARIC002/20 - OUTSTANDING ARIC ACTIONS, EXTERNAL  
AUDIT, INTERNAL AUDIT AND CRIP AUDIT RECOMMENDATIONS****RESOLVED**

That the Audit, Risk and Improvement Committee receive and consider the information contained in the report.

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**Min.083      ITEM ARIC003/20 - INTERNAL AUDIT FINAL REPORTS -  
ENTERPRISE RISK MANAGEMENT & RMS DRIVES AUDIT****RESOLVED**

That the Audit, Risk and Improvement Committee:

1. Receive the information contained in the report, including the risk levels identified;
2. Note that adequate responses by management have been provided.

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**Min.084      ITEM ARIC004/20 - GENERAL MANAGER'S UPDATE****RESOLVED**

That the Audit, Risk and Improvement Committee receive the General Manager's update.

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**Min.085      ITEM ARIC005/20 - LEGAL REPORT****RESOLVED**

That the Audit, Risk and Improvement Committee receive and note this report.



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**Min.086      ITEM ARIC007/20 - FINANCE REPORT**

**RESOLVED**

That the Audit, Risk and Improvement Committee note and receive this report.

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**Min.087      ITEM ARIC008/20 - TECHNOLOGY ONE UPDATE**

**RESOLVED**

That the Audit, Risk and Improvement Committee receive the information.

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**Min.088      ITEM ARIC011/20 - WH&S AND WORKERS COMPENSATION  
UPDATE**

**RESOLVED**

That the Audit, Risk and Improvement Committee receive and note the information contained in this report.

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**Min.089      ITEM ARIC014/20 - DRAFT CONTRACT MANAGEMENT  
FRAMEWORK OVERVIEW**

**RESOLVED**

That the Audit, Risk and Improvement Committee note the report and provide any feedback on the attached document.

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**Min.090      ITEM ARIC016/20 - INTERNAL OMBUDSMAN SHARED SERVICE  
REPORT FOR CUMBERLAND COUNCIL**

**RESOLVED**

That the Audit, Risk and Improvement Committee receive the information.

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**NEXT MEETING**

Next Meeting 18 May 2020 at 1:30pm

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**MEETING CLOSE**

The meeting terminated at 3:52pm.

Signed:

Mr. Stephen Horne  
Chairperson