

# CUMBERLAND CITY COUNCIL

# **Council Meeting**

Wednesday, 5 August 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	0418 306 918	Eddy.Sarkis@cumberland.nsw.gov.au
(Deputy Mayor)		
Vacant	-	<del>-</del>
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 <a href="www.cumberland.nsw.gov.au">www.cumberland.nsw.gov.au</a>



## **ORDER OF BUSINESS**

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Nil

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C08/20-512 Request from Fire & Rescue NSW for a Fire Safety Audit on Identified Building

Note: Included in Closed Council in accordance with Section 10A(2)(d)(i) of the Local Government Act as the information involves commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.

C08/20-513 Renewal of Computers

Note: Included in Closed Council in accordance with Section 10A(2)(c) of the Local Government Act as the information involves information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

#### 15 Other / General Matters

#### 16 Close



Item No: C08/20-503

#### MINUTES OF THE ORDINARY MEETING OF COUNCIL - 15 JULY 2020

Responsible Division: Finance & Governance

Officer: Director Finance & Governance

#### **RECOMMENDATION**

That Council confirm the minutes of the Ordinary Meeting of Council held on 15 July 2020.

#### **ATTACHMENTS**

1. Draft Minutes - 15 July 2020 J

# DOCUMENTS ASSOCIATED WITH REPORT C08/20-503

Attachment 1
Draft Minutes - 15 July 2020





#### Minutes of the Council Meeting 15 July 2020

#### Meeting commenced at 6:30pm

#### Present:

Steve Christou (Mayor) Councillor Eddy Sarkis (Deputy Mayor) Councillor Ned Attie Councillor

George Campbell Councillor (via web conferencing)

**Greg Cummings** Councillor Glenn Elmore Councillor Paul Garrard Councillor Ola Hamed Councillor Kun Huang Councillor Councillor Lisa Lake Joseph Rahme Councillor Suman Saha Councillor Michael Zaiter Councillor Tom Zreika Councillor

Hamish McNulty General Manager

Melissa Attia Director Community and Organisation

Development

Daniel Cavallo Director Environment & Planning
Richard Sheridan Director Finance & Governance
Stewart Rodham Acting Director Works & Infrastructure

#### Also Present:

Charlie Ayoub Executive Manager Corporate Services

Colin McFadzean General Counsel

Carol Karaki Governance Coordinator Laith Jammal Governance Officer

#### Opening Prayer

The opening prayer was read by Reverend Brian Rensford from Holroyd New Life 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.

#### Apologies/Leave of Absence

Nil

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

Councillor Zreika declared a pecuniary interest in item C07/20-501 as he is related to and acts for clients who may benefit from the result of this item. As such, Councillor Zreika exited the Chamber during the consideration of this item.

Councillor Sarkis declared a pecuniary interest in item C07/20-501 Cumberland Local Environmental Plan - Post Exhibition Report on new Planning Controls for Cumberland City as he and his family own property in the LGA other than their primary places of residence. As such, Councillor Sarkis exited the Chamber during the consideration of this item.

Councillor Christou declared a non-pecuniary, less than significant interest in item C07/20-501 as the item being deliberated is a broad planning instrument and to the best of his knowledge, he or any related persons are not subject to gain or loss as a result of this item.

Councillor Saha declared a non-pecuniary, less than significant interest in item C07/20-501 as the item being deliberated is a broad planning instrument and to the best of his knowledge, he or any related persons are not subject to gain or loss as a result of this item.

Councillor Garrard declared a non-pecuniary, less than significant interest in item C07/20-501 as the item being deliberated is a broad planning instrument and to the best of his knowledge, he or any related persons are not subject to gain or loss as a result of this item.

Councillor Hamed declared a non-pecuniary, less than significant interest in item C07/20-501 as the item being deliberated is a broad planning instrument and to the best of his knowledge, he or any related persons are not subject to gain or loss as a result of this item.

Councillor Attie declared a non-pecuniary, less than significant interest in item C07/20-501 as the item being deliberated is a broad planning instrument and to the best of his knowledge, he or any related persons are not subject to gain or loss as a result of this item.





Councillor Zaiter declared a non-pecuniary, less than significant interest in item C07/20-501 as the item being deliberated is a broad planning instrument and to the best of his knowledge, he or any related persons are not subject to gain or loss as a result of this item.

Councillor Huang declared a non-pecuniary, less than significant interest in item C07/20-501 as the item being deliberated is a broad planning instrument and to the best of his knowledge, he or any related persons are not subject to gain or loss as a result of this item.

Councillor Rahme declared a non-pecuniary, less than significant interest in item C07/20-501 as the item being deliberated is a broad planning instrument and to the best of his knowledge, he or any related persons are not subject to gain or loss as a result of this item.

Councillor Rahme left the Meeting at 6:35pm and returned to the Meeting at 6:37pm.

#### **Confirmation of Minutes**

#### Min.754 C07/20-494 Minutes of the Ordinary Meeting of Council - 1 July 2020

#### Resolved (Sarkis/Cummings)

That Council confirm the minutes of the Ordinary Meeting of Council held on 1 July 2020 subject to the inclusion of the motion of dissent moved by Councillor Lake in the minutes.

#### **Public Forum:**

#### Speakers on Items on the Council Meeting Agenda

Speaker	Item #	Suburb
Reverend Peter	C07/20-501 Cumberland Local Environmental	Guildford
Blayney	Plan - Post Exhibition Report on new Planning	
	Controls for Cumberland City	
Mr Michael Rowe	C07/20-501 Cumberland Local Environmental	Sydney
	Plan - Post Exhibition Report on new Planning	
	Controls for Cumberland City	
Mr Mohammed Al	C07/20-501 Cumberland Local Environmental	Auburn
Zoubi	Plan - Post Exhibition Report on new Planning	
	Controls for Cumberland City	
Carly and Gordon	C07/20-501 Cumberland Local Environmental	Merrylands
Lewis	Plan - Post Exhibition Report on new Planning	
	Controls for Cumberland City	
Mr Leon Savage	C07/20-501 Cumberland Local Environmental	Lidcombe
	Plan - Post Exhibition Report on new Planning	
	Controls for Cumberland City	
Mr Matt Fisher	C07/20-501 Cumberland Local Environmental	Auburn
	Plan - Post Exhibition Report on new Planning	
	Controls for Cumberland City	





#### Speakers on General Items

Speaker	Subject	Suburb
Mr Rodyon Ng	Planning for Rail Services	Lidcombe
	West of Bankstown Station	
	in 2024	

The Mayor, Councillor Christou advised that 2 public forum written submissions were received in relation to Rates Harmonisation and in relation to Item C07/20-501 Cumberland Local Environmental Plan - Post Exhibition Report on new Planning Controls for Cumberland City. A copy was sent to all Councillors by the officers prior to the meeting. The Mayor, Councillor Christou proceeded to read out the submissions as follows:

#### Ms Sharlyn Teo - Community Member - Pemulwuy

To whom it may concern,

Rates harmonisation is an issue that will affect all rate payers in our community. As of this moment, the only reason I know about the rates harmonisation is because I saw the information on Facebook. How are all rate payers being notified? There will be a great number of our community members who do not have social media, or do not speak English as a first language. We are a multicultural and multilingual community. It concerns me that information about an issue which affects every member of the community is not being disseminated to all those affected. Could I suggest that the submission period be extended, and a notice be sent out with the next rates notice?

Thank you for your time and consideration.

#### Ms Yildiz Yigiter- Community Member - Granville

My name is Yildiz Yigiter, and I am the owner of 116 Elizabeth street Granville. I am addressing council concerning the proposed rezoning of 112, 114 & 116 Elizabeth street from R3 to R4. My property is directly behind the 131, 133, 135, 137, 139 & 141 Woodville road properties. I have been contacting council via email since 2016 in regards to this matter. I believe that my property and the properties of 114 & 112 Elizabeth street should be approved for an R4 rezoning. This is not only for the fact that our properties are within walking distance to Granville train station, but for multiple other reasons such as: our properties are behind the Tafe and are a couple minutes' walk away. There is a bus stop just off Elizabeth street, where multiple buses go to Bankstown and directly to Parramatta, along with a bus stop on the Avenue which goes to a variety of locations. Merrylands station is within walking distance.

In addition, there are multiple properties that are not situated along Woodville road, yet they have been included as part of the Woodville road project. These properties are on William, John, Meadows, Claremont and Lumeah Streets, and Patten avenue and Merrylands road. I hope this information above, alongside the recommendation by the Cumberland Local Planning Panel will allow you to approve my property within the Woodville Road Corridor.

Thank you for your considerations.





#### Min.755 Suspension of Standing Orders

#### Resolved (Attie/Hamed)

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council suspend standing orders to allow Item C07/20-501 to be brought forward for consideration at this time of the Meeting.

## Min.756 C07/20-501 Cumberland Local Environmental Plan - Post Exhibition Report on new Planning Controls for Cumberland City

<u>Note:</u> Councillors Sarkis and Zreika exited the Chamber at 7:12pm and returned to the Chamber at 8:30pm following the consideration of this item as they had declared a pecuniary interest in this item.

#### Motion (Attie/Garrard)

#### That Council:

- 1. Note the submissions received prior to, during and immediately following the public exhibition period for the new Cumberland Local Environmental Plan.
- 2. Note the advice from the Cumberland Local Planning Panel on the planning proposal for the new Cumberland Local Environmental Plan
- 3. Endorse the planning controls for Cumberland City, as provided at Attachment 1, which were included in the draft planning proposal for the Cumberland Local Environmental Plan including the following additions;
  - a. Include the land use "home businesses" as permitted with consent in the RE1 Public Recreation and RE2 Private Recreation zones.
  - b. Include the land use "residential flat buildings" as permitted with consent in the B2 Local Centre & B4 Mixed Use zones.
  - c. Amend the minimum lot size for attached dual occupancies from current controls in the R2 Low Density Residential zone to 550 square metres & R3 Medium Density Residential zone to 530 square metres and allow Torrens Title Subdivision for dual attached occupancies.
  - d. Include a minimum lot size for detached dual occupancies in the R2 Low Density Residential & R3 Medium Density Residential zones to reflect 600 square metres and allow Torrens Title Subdivision for detached dual occupancies.
  - e. Include the ALEP 2010 Floor Space Ratio controls for the R2 Low Density Residential zone.
  - f. Allow an increase to the existing HOB controls in the R4 High Density Residential, B2 Local Centre & B4 Mixed Use zones of an additional 7 metres (2 additional levels) for all proposed developments whereby the





Affordable Housing component (in accordance with State Environmental Planning Policy (Affordable Rental Housing) 2009) is 50% or more and an increase of 3.5 metres (1 additional level) where the Affordable Housing component is less than 50%. (Development must be for a land use of Shop Top Housing, Residential Flat Buildings or Boarding Houses only where permissible.

- g. Allow an increase to the existing HOB controls in the B1 Neighbourhood Centre and R3 Medium Density Residential zones of approx. 3.5 metres (1 additional Level) for all proposed developments containing an Affordable Housing component in accordance with the State Environmental Planning Policy (Affordable Rental Housing) 2009. (Development must be for a land use of Boarding Houses or Shop top Housing only where permissible).
- 4. Endorse the planning controls for places of public worship, as provided at Attachment 5, which were included in the draft planning proposal for the Cumberland Local Environmental Plan.
- 5. Endorse the planning controls for Cumberland City, as provided at Attachment 7, which reflect proposed general amendments following public exhibition.
- Endorse the planning controls for Cumberland City, as provided in Attachment 8, which reflect proposed site specific amendments following public exhibition including the following;
  - a. 2 Ruth Street and 6 Burnett Street Merrylands to be zoned B1 Neighbourhood Centre with existing HLEP FSR and Height controls to adjoining B1 Zoned properties.
- Note all other site specific requests received as part of the process for the new Cumberland Local Environmental Plan.
- 8. Endorse the strategic planning work program for 2020/21 and 2021/22 on Cumberland City's key centres and strategic corridors, as provided in Attachment 12.
- 9. Prepare a planning proposal for each of the key centres and strategic corridors identified in the strategic planning work program as provided in Attachment 12, with the following activities to be undertaken prior to further reports being considered by Council:
  - a. Completion of background analysis
  - b. Early community consultation on the planning proposal
  - c. Preparation of draft planning proposal
  - d. Preparation of draft planning controls associated with the planning proposal
  - e. Consideration of draft planning proposal by the Cumberland Local Planning Panel





- f. Councillor briefings prior to early community consultation and prior to consideration by the Cumberland Local Planning Panel
- 10. Endorse the updated planning proposal for the new Cumberland Local Environmental Plan, as provided at Attachment 13.
- 11. Delegate to the General Manager the authorisation to make minor revisions to the planning proposal and supporting documentation, as necessary, following Council's deliberations, to ensure the desired objectives and intended outcomes can be achieved.
- Forward the planning proposal for the new Cumberland Local Environmental Plan to the Department of Planning, Industry and Environment for finalisation, in line with agreed State Government milestones.
- 13. Note the Cumberland Local Environmental Plan will be published in the Government Gazette upon finalisation.

#### ADJOURNMENT

- **7:18pm** The Mayor, Councillor Christou adjourned the Meeting during the consideration of this item.
- **7:35pm** The Mayor, Councillor Christou resumed the Meeting and consideration of this item continued accordingly.

#### Amendment (Lake/Hamed)

Omit paragraphs 3 and 6 and instead insert paragraph 3 and 6 of the officer's recommendations subject to the following changes to paragraph 3:

1. Recommendation 3

Add words

"with the exception of

- a) The land use tables for R2, B1, B2, B4, B5 and B6, (which should include Places of public worship as permitted with consent), and
- b) Clause 6.15 relating to minimum lot size for development of a place of public worship in Zones R3 and R4, (which should be omitted)

Also,

2. Recommendation 4

Omit and insert

"Permit places of public worship with consent in the land use tables for R2, R3, R4, IN1, IN2, B1, B2, B4, B5 and B6"

3. Recommendation 10

Add words

"With the exception of the paragraph headed "Places of Public Worship" on page 14 (BP Page 416), the paragraph headed "Places of public worship in Zones R3 and R4" on page 23 (BP page 425) and the final paragraph on page 44 (BP 446) (which should be omitted.)

4. And any other consequential amendments required to give effect to the above.

The Amendment moved by Councillor Lake seconded by Councillor Hamed on being Put to the meeting was declared LOST.





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: Elmore, Hamed, Huang, Lake and Saha.

Councillor(s) Against the Amendment: Attie, Campbell, Christou, Cummings, Garrard,

Rahme and Zaiter.

The Motion moved by Councillor Attie seconded by Councillor Garrard on being Put was declared CARRIED on the casting vote of the Mayor.

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, Garrard, Rahme

and Zaiter.

Councillor(s) Against the Motion: Campbell, Elmore, Hamed, Huang, Lake and

Saha.

#### Min.757 Motion of Expulsion

<u>Note:</u> Councillor Campbell referred to the Mayor, Councillor Christou as "Madame Mayor" on multiple occasions at this point of the meeting. The Mayor, Councillor Christou and the Deputy Mayor, Councillor Sarkis requested that Councillor Campbell apologise for the remarks made as the remarks were deemed insulting. Councillor Campbell advised that the remarks made were in accordance with Clause 7.1 of the Code of Meeting Practice and refused to apologise.

#### Resolved (Attie/Sarkis)

That Councillor Campbell be expelled from the meeting in accordance with Clause 15.16 of the Code of Meeting Practice.

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 and

Zaiter.

Councillor(s) Against the Motion: Campbell, Cummings, Elmore, Hamed,

Huang, Lake and Saha.

Councillor Huang requested that this vote be clarified and that Councillor Campbell be returned to the Meeting via audio-visual link whilst it was being clarified.

Councillor Zreika left the Meeting at 8:34pm and returned to the Meeting at 8:43pm during the consideration of this item.





#### **ADJOURNMENT**

8:39pm The Mayor, Councillor Christou adjourned the Meeting to enable

Councillor Campbell to return to the Meeting via audio-visual link.

8:45pm The Mayor, Councillor Christou resumed the Meeting.

#### Min.758 Motion to Recommit

<u>Note:</u> Councillors Sarkis noted that the Motion of Expulsion should be recommitted to clarify the votes. Accordingly, the Mayor, Councillor Christou allowed for the Motion to be recommitted.

#### Motion (Sarkis/Rahme)

That Councillor Campbell be expelled from the meeting in accordance with Clause 15.16 of the Code of Meeting Practice.

The Motion moved by Councillor Sarkis seconded by Councillor Rahme on being Put was declared LOST.

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 and

Zaiter.

Councillor(s) Against the Motion: Campbell, Elmore, Hamed, Huang, Lake,

Saha and Zreika.

Councillor Cummings left the Meeting at 8:45pm during the consideration of this item.

#### Min.759 Items by Exception

#### Resolved (Sarkis/Attie)

That Council adopt items C07/20-495, C07/20-496 and C07/20-498 on the Council Agenda in bulk as per the recommendations in the reports.

Councillor Cummings returned to the Meeting at 8:48pm during the consideration of this item.

#### Min.760 C07/20-495 Legal Report

#### Resolved (Sarkis/Attie)

That the report be received.





#### Min.761 C07/20-496 Emergency Relief Fund Applications

#### Resolved (Sarkis/Attie)

That Council endorse the four applications recommended for funding as outlined under Attachment 1 of this report and allocate \$21,590 from the 2020/21 Emergency Relief Fund to support vulnerable community members affected by the COVID-19 pandemic.

#### Min.762 C07/20-498 Bi-Annual Report on Councillor Expenses and Facilities

#### Resolved (Sarkis/Attie)

That Council:

- 1. Receive the information contained in this report; and
- 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.

## Min.763 C07/20-497 Quarterly Update on the Implementation of the Stronger Communities Fund

#### Resolved (Cummings/Saha)

That Council:

- Note the progress on the implementation of the Stronger Communities Fund Major Projects Program.
- 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.
- 3. Write to the NSW Premier and any other appropriate ministers seeking further funding.

#### Carried Unanimously

Councillor Rahme left the Meeting at 8:56pm and returned to the Meeting at 8:59pm during the consideration of this item.

#### C07/20-498 Bi-Annual Report on Councillor Expenses and Facilities

This item was dealt with earlier in the meeting.





#### Min.764 C07/20-499 Response to Notice of Motion Council Overheads

#### Resolved (Attie/Sarkis)

That Council:

- 1. Receive and note this report.
- 2. Be provided with a further report on the following:
  - (a) The reason the sum of \$40,805,447 is presented as the total cost pool;
  - (b) The items included for property development and buildings at \$9,769,441; and
  - (c) The cost driver data for the table on page 49.

#### **Carried Unanimously**

## Min.765 C07/20-500 Update on Sale and Remediation of 615A Great Western Highway, Greystanes

#### Resolved (Sarkis/Cummings)

That Council:

- Endorse the approval of a total maximum project variation of \$1,100,089 ex GST, to finalise the remediation of the site to enable the sale to proceed according to the contractual agreement with the purchaser.
- 2. Delegate authority to the General Manager to finalise the documentation.

#### Carried Unanimously

Councillor Zaiter left the Meeting at 9:11pm and returned to the Meeting at 9:12pm during the consideration of this item.

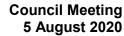
#### Min.766 Closed Session

#### Resolved (Attie/Cummings)

At this stage of the meeting being 9:12pm, the Mayor advised that in accordance with Section 10a of the Local Government Act 1993 the meeting would move into Closed Session, with the members of the press and public excluded from the closed session and access to the correspondence and reports relating to the items considered during the course of the closed session being withheld. This action was taken as the items listed were within the following provisions under Section 10a of the *Local Government Act:*-

- (2) The matters and information are the following:
- (a) personnel matters concerning particular individuals (other than councillors).

The Motion moved by Councillor Attie seconded by Councillor Cummings on being Put was declared CARRIED on the casting vote of the Mayor.







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: Campbell, Cummings, Elmore, Hamed,

Huang, Lake and Saha.

Min.767 Open Session

#### Resolved (Attie/Sarkis)

Council returned to Open Session at 10:07pm to resolve the below Confidential Item: C07/20-502 Budget Savings Initiatives Post COVID-19

Min.768 C07/20-502 Budget Savings Initiatives Post COVID-19

#### Resolved (Attie/Zreika)

That Council delegate authority to the General Manager to implement the savings and business improvement initiatives outlined in the attached report.

The Motion moved by Councillor Attie seconded by Councillor Zreika on being Put was declared CARRIED on the casting vote of the Mayor.

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: Campbell, Cummings, Elmore, Hamed,

Huang, Lake and Saha.

The Mayor, Councillor Christou closed the meeting at 10:07pm.

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



Item No: C08/20-504

## DELEGATIONS TO DETERMINE APPLICATIONS TO MODIFY DEVELOPMENT CONSENTS

Responsible Division: General Manager Officer: General Counsel

File Number: 2041456

Community Strategic Plan Goal: Transparent and accountable leadership

#### **SUMMARY**

On 30 June 2020, the Minister for Planning and Public Places issued a new direction under s.9.1 of the *Environmental Planning and Assessment Act 1979* (the Act). The direction prescribes certain applications for modifications of a development consent under s.4.55(2) of the Act which must be determined by local planning panels and notes that Council should make arrangements for whether the Panel or Council staff are to determine all other types of modification applications.

This report recommends that Council delegate power to the General Manager to determine all applications under section 4.55(1) and s.4.55(1A) of the Act, and all s.4.55(2) applications not covered by the Ministerial direction. For s.4.56 applications, it is recommended that the Minister's criteria for s.4.55(2) applications be adopted to determine who the consent authority is.

#### RECOMMENDATION

That pursuant to s.377 of the Local Government Act 1993, Council:

- 1. Delegate power to the General Manager to determine all applications to modify a development consent under s.4.55(1) and s.4.55(1A) of the *Environmental Planning and Assessment Act 1979*.
- 2. Note s.4.55(2) applications which must be determined by the Cumberland Local Planning Panel pursuant to the direction issued under s.9.1 of the *Environmental Planning and Assessment Act 1979* by the Minister for Planning and Public Spaces on 30 June 2020.
- 3. Delegate power to the General Manager to determine all applications to modify a development consent under s.4.55(2) of the *Environmental Planning and Assessment Act 1979* other than those applications which must be determined by the Cumberland Local Planning Panel pursuant to the s.9.1 direction.
- 4. Delegate power to the General Manager to determine all applications to modify a development consent under s.4.56 of the *Environmental Planning and Assessment Act 1979* other than those applications which would be determined by the Panel if the application was treated as a



s.4.55(2) application, in which case the Panel is to be the consent authority.

#### **REPORT**

Council has consent authority functions under part 4 of the Act to determine development applications (DA) and applications to modify development consents (Modifications).

Section 4.8(2) of the Act provides that Council's consent authority functions are not exercisable by the councillors, but rather are exercisable by:

- (a) the local planning panel, or
- (b) an officer or employee of the council to whom the council delegates those functions.

Section 4.8(3) enables the Minister for Planning and Public Places power to give directions to councils under s.9.1 on the types of DAs and Modifications that are to be determined on behalf of the council by a local planning panel.

The Minister gave a s.9.1 direction on 23 February 2018. For the most part, that direction was consistent with Council procedures for when a DA would be determined by the Cumberland Local Planning Panel (the Panel) and when it would be determined by staff. Complete uniformity in respect of DAs was achieved following a resolution at Council's meeting on 20 November 2019 that Council rescind the *Cumberland Local Planning Panel Policy* and *Cumberland Local Planning Panel Procedure*, and continue to rely on the current provisions of the relevant Ministerial Directions for the operation of Local Planning Panels, as applicable to Cumberland.

A new s.9.1 direction was issued 30 June 2020, a copy of which is at Attachment 1.

The types of DAs to be determined by the Panel remain unchanged. The only way in which the new direction differs from the old direction is the addition of a paragraph to explain what a unique submission is in the context of contentious development whereby the receipt of 10 or more unique submissions triggers consent authority functions for the Panel.

In respect of Modifications, the new direction provides as follows:

Local planning panels are to determine applications under s.4.55(2) of the Act for the modification of development consents granted by the panel that:

- propose amendments to a condition of development consent recommended in the council assessment report but which was amended by the panel, or
- propose amendments to a condition of development consent that was not included in the council assessment report but which was added by the panel, or
- meet the criteria for development applications set out in the Schedules to the direction relating to conflict of interest, contentious development or departure from development standards.



Note: Councils ... are generally precluded from exercising consent authority functions by operations of section 4.8(2) of the Act. This means councils should make arrangements for the determination of all other modification applications under section 4.55(2), as well as sections 4.55(1) and (1A) of the Act, by council staff. Councils should also make arrangements for the determination of modification applications under section 4.56 of the Act by either the local planning panel or council staff.

The direction differs from Council's 5 September 2018 resolution on delegations for determining Modifications whereby Council resolved to delegate to the General Manager the authority to determine all s4.55(1A) applications and all s4.55(1A), s.4.55(2) and s4.56 applications, except where the modification involves (i) a variation to a development standard, or (ii) a substantial departure from the SEPP 65 Apartment Design Guide, or (iii) a condition of consent that was specifically imposed by the Cumberland Local Planning Panel. There is a degree of subjectivity and uncertainty with Council's resolution in terms of what comprises a substantial departure. Also, the reference to development standards is somewhat confusing given that there is no need to rely on a clause 4.6 submission to vary a development standards for Modifications.

The four types of modification applications are as follows:

- s.4.55(1) To correct a minor error, misdescription or miscalculation.
- s.4.55(1A) Modifications involving minimal environmental impacts.
- s.4.55(2) All other modifications, not captured by s.4.55(1), s.4.55(1A) or s.4.56.
- s.4.56 Modifications of consents granted by the Court.

#### The direction and its note:

- specifies certain s.4.55(2) applications which must be determined by the Panel;
- says that Council's should make arrangements for the determination of all other s.4.55(2) applications and all s.4.55(1) and s.4.55(1A) applications by council staff (i.e. not the Panel); and
- leaves it open to Council to make arrangements for whether the Panel or council staff should determine s.4.56 applications.

Consistent with the note and in recognition of their limited town planning importance, it is recommended that Council delegate to the General Manager the power to determine all s.4.55(1) and s.4.55(1A) applications, in addition to those s.4.55(2) applications beyond those which the direction nominates the Panel as the consent authority. NB – The General Manager will not himself take on a determining role and any powers delegated to him for the determination of Modifications will be subdelegated to appropriate town planning staff under s.378 of the *Local Government Act* 1993.

The complexity of s.4.56 applications can vary from simple to complex. Options for delegating power to determine s.4.56 applications include, without limitation, the following:

1. Delegate all power to the General Manager, meaning that no s.4.56 application may be determined by the Panel.



- 2. Delegate all power to the General Manager, other than for Modifications where the staff elect not to apply their delegation, in which case the Panel will be the consent authority.
- 3. Delegate power to the General Manager to determine Modifications other than where the Panel would be the consent authority if the application was treated as being a s.4.55(2) application (thereby incorporating the same triggers for changing Panel conditions, for conflicts of interest, for contentious development and for departure from development standards).
- 4. Delegate power to the Panel to determine all s.4.56 applications.

Option 4 is not recommended as in some cases the application will be relatively straightforward and the additional time and cost of needing to refer the application to the Panel is unwarranted.

Option 1 is not recommended as it is inflexible in not allowing the staff under any circumstance to refer an application to the Panel when in some cases, there may be benefit in relying on the Panel's expertise and overview.

Options 2 and 3 are both viable options. Option 2 is grants power for Council staff to determine s.4.56 Modifications but allows some discretion if they wish not to exercise their delegation and to instead rely on the Panel. For transparency and consistency of approach, option 3 sets certain parameters and on balance, is suggested as the preferred course of action.

#### **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**

The Ministerial Direction commenced on 1 August 2020. It is important that clarity is provided on delegations in a timely manner to ensure continuity in arrangements for the determination of modification applications by the Panel or Council staff. Settling and applying clear terms for delegations will eliminate risks of third parties bringing Court proceedings challenging consents on the basis that the consent authority was not empowered to make a determination.

#### FINANCIAL IMPLICATIONS

Financial implications arise in terms of payments that are made to panel members for attendance at panel meetings. The determination of delegations should primarily be based on sound town planning and probity reasons with financial implications given lesser weight.



#### **CONCLUSION**

It is recommended that Council delegate power to determine Modifications in line with the new Ministerial direction and generally maximising delegations for Council staff with regard to s.4.55(1), s.4.55(1A) and s.4.55(2) applications. For s.4.56 applications, it is recommended that Council staff treat them in the same fashion as a s.4.55(2) application in determining whether it is the Panel or Council staff that have delegation to determine the application.

#### **ATTACHMENTS**

1. August 2020 Local Planning Panels Direction <a href="#">J</a>

# DOCUMENTS ASSOCIATED WITH REPORT C08/20-504

# Attachment 1 August 2020 Local Planning Panels Direction



## LOCAL PLANNING PANELS DIRECTION – DEVELOPMENT APPLICATIONS AND APPLICATIONS TO MODIFY DEVELOPMENT CONSENTS

I, the Minister for Planning and Public Spaces, give the following direction under section 9.1 of the Environmental Planning and Assessment Act 1979.

Minister for Planning and Public Spaces

Dated: 30 - 06 - 2020.

#### Objective

The objective of this direction is to identify the development applications and applications to modify development consents that are to be determined by local planning panels on behalf of councils.

#### Application

This direction applies to councils in the Greater Sydney Region, Wollongong and Central Coast. It also applies to any other council that constitutes a local planning panel under the *Environmental Planning and Assessment Act 1979* (Act).

#### Interpretation

A word or expression used in this direction has the same meaning as it has in the standard local environmental plan prescribed by the *Standard Instrument (Local Environmental Plans)* Order 2006 made under the Act, unless it is otherwise defined in this direction.

#### Direction

 Local planning panels of councils in the areas identified in the Table below are to determine development applications for development of a kind specified in the corresponding Schedule to this direction.

#### Table

Council	Development
Bayside, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Georges River, Hawkesbury, Hornsby, Hunters Hill, Ku-ring-gai, Lane Cove, Mosman, North Sydney, Randwick, Ryde, Strathfield, Waverley, Willoughby, Wollondilly, Woollahra, and any other council that constitutes a local planning panel under the EP&A Act	Schedule 1
Blacktown, Canterbury-Bankstown, Central Coast, Cumberland, Fairfield, Inner West, Liverpool, Northern Beaches, Parramatta, Penrith, Sutherland, The Hills, Wollongong	Schedule 2
City of Sydney	Schedule 3



- 2. Local planning panels are to determine applications under section 4.55(2) of the Act for the modification of development consents granted by the panel that:
  - propose amendments to a condition of development consent recommended in the council assessment report but which was amended by the panel, or
  - propose amendments to a condition of development consent that was not included in the council assessment report but which was added by the panel, or
  - meet the criteria for development applications set out in the Schedules to this
    direction relating to conflict of interest, contentious development or departure
    from development standards.

Note: Councils in the areas identified in the Table to this direction are generally precluded from exercising consent authority functions by operation of section 4.8(2) of the Act. This means councils should make arrangements for the determination of all other modification applications under section 4.55(2), as well as sections 4.55(1) and (1A) of the Act, by council staff. Councils should also make arrangements for the determination of modification applications under section 4.56 of the Act by either the local planning panel or council staff.

This direction takes effect on 1 August 2020 and applies to development applications and applications to modify development consents made but not determined before 1 August 2020.

#### **SCHEDULE 1**

#### 1. Conflict of interest

Development for which the applicant or land owner is:

- (a) the council,
- (b) a councillor,
- (c) a member of council staff who is principally involved in the exercise of council's functions under the Environmental Planning and Assessment Act 1979,
- (d) a member of Parliament (either the Parliament of New South Wales or Parliament of the Commonwealth), or
- (e) a relative (within the meaning of the *Local Government Act 1993*) of a person referred to in (b) to (d).

but not development for the following purposes:

- (a) internal alterations and additions to any building that is not a heritage item,
- (b) advertising signage,
- (c) maintenance and restoration of a heritage item, or
- (d) minor building structures projecting from the building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes and services, and sun shading devices).

#### 2. Contentious development

Development that:



- in the case of a council having an approved submissions policy is the subject
  of the number of submissions set by that policy, or
- (b) in any other case is the subject of 10 or more unique submissions by way of objection.

An **approved submissions policy** is a policy prepared by the council and approved by the Secretary of the Department of Planning, Industry and Environment which details the circumstances in which a local planning panel or council staff should exercise the consent authority functions of the council, based on the number and nature of submissions received about development.

A *unique submission* means a submission which is in substance unique, distinctive or unlike any other submission. It does not mean a petition or any submission that contains the same or substantially the same text. Separate unique submissions may be made in relation to the same issue. One individual, or one household, could potentially submit multiple unique submissions.

#### 3. Departure from development standards

Development that contravenes a development standard imposed by an environmental planning instrument by more than 10% or non-numerical development standards.

Note: If the Secretary allows concurrence to be assumed by council staff for contravening development standards, the panel can delegate these applications to council staff to determine.

#### 4. Sensitive development

- (a) Designated development.
- (b) Development to which State Environmental Planning Policy No 65 Design Quality of Residential Apartment Development applies.
- (c) Development involving the demolition of a heritage item.
- (d) Development for the purposes of new licensed premises, that will require one of the following liquor licences:
  - (i) a club licence under the Registered Clubs Act 1976.
  - (ii) a hotel (general bar) licence under the Liquor Act 2007, or
  - (iii) an on-premises licence for public entertainment venues under the Liquor Act 2007.
- (e) Development for the purpose of sex services premises and restricted premises.
- (f) Development applications for which the developer has offered to enter into a planning agreement.



#### SCHEDULE 2

#### 1. Conflict of interest

Development for which the applicant or land owner is:

- (a) the council,
- (b) a councillor,
- (c) a member of council staff who is principally involved in the exercise of council's functions under the *Environmental Planning and Assessment Act 1979*,
- (d) a member of Parliament (either the Parliament of New South Wales or Parliament of the Commonwealth), or
- (e) a relative (within the meaning of the Local Government Act 1993) of a person referred to in (b) to (d).

but not development for the following purposes which requires:

- (a) internal alterations and additions to any building that is not a heritage item,
- (b) advertising signage,
- (c) maintenance and restoration of a heritage item, or
- (d) minor building structures projecting from the building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes and services, and sun shading devices).

#### 2. Contentious development

Development that:

- (a) in the case of a council having an approved submissions policy is the subject of the number of submissions set by that policy, or
- (b) in any other case is the subject of 10 or more unique submissions by way of objection.

An **approved submissions policy** is a policy prepared by the council and approved by the Secretary of the Department of Planning, Industry and Environment which details the circumstances in which a local planning panel or council staff should exercise the consent authority functions of the council, based on the number or nature of submissions received about development.

A *unique submission* means a submission which is in substance unique, distinctive or unlike any other submission. It does not mean a petition or any submission that contains the same or substantially the same text. Separate unique submissions may be made in relation to the same issue. One individual, or one household, could potentially submit multiple unique submissions.

#### 3. Departure from development standards

Development that contravenes a development standard imposed by an environmental planning instrument by more than 10% or non-numerical development standards.

Note: If the Secretary allows concurrence to be assumed by council staff for contravening development standards, the panel can delegate these applications to council staff to determine.



#### 4. Sensitive development

- (a) Designated development.
- (b) Development to which State Environmental Planning Policy No 65 Design Quality of Residential Apartment Development applies and is 4 or more storeys in height.
- (c) Development involving the demolition of a heritage item.
- (d) Development for the purposes of new licensed premises, that will require one of the following liquor licences:
  - (i) a club licence under the Registered Clubs Act 1976,
  - (ii) a hotel (general bar) licence under the Liquor Act 2007, or
  - (iii) an on-premises licence for public entertainment venues under the Liquor Act 2007.
- (e) Development for the purpose of sex services premises and restricted premises.
- (f) Development applications for which the developer has offered to enter into a planning agreement.



#### SCHEDULE 3

#### 1. Conflict of interest

Development for which the applicant or land owner is:

- (a) the council,
- (b) a councillor,
- (c) a member of council staff who is principally involved in the exercise of council's functions under the *Environmental Planning and Assessment Act 1979*,
- (d) a member of Parliament (either the Parliament of New South Wales or Parliament of the Commonwealth), or
- (e) a relative (within the meaning of the *Local Government Act 1993*) of a person referred to in (b) to (d).

but not development for the following purposes which requires:

- (a) internal alterations and additions to any building that is not a heritage item,
- (b) advertising signage,
- (c) maintenance and restoration of a heritage item,
- (d) development for the purpose of end of journey facilities, or
- (e) minor building structures projecting from the building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes and services, and sun shading devices).

#### 2. Contentious development

Development that:

- in the case of a council having an approved submissions policy is the subject
  of the number of submissions set by that policy, or
- (b) in any other case is the subject of 25 or more unique submissions by way of objection.

An *approved submissions policy* is a policy prepared by the council and approved by the Secretary of the Department of Planning, Industry and Environment which details the circumstances in which a local planning panel or council staff should exercise the consent authority functions of the council, based on the number or nature of submissions received about development.

A *unique submission* means a submission which is in substance unique, distinctive or unlike any other submission. It does not mean a petition or any submission that contains the same or substantially the same text. Separate unique submissions may be made in relation to the same issue. One individual, or one household, could potentially submit multiple unique submissions.

#### 3. Departure from development standards

For development for the purpose of dwelling houses, dual occupancies and attached dwellings, development that contravenes a development standard imposed by an environmental planning instrument by more than 25% or non-numerical development standard.



For all other development, development that contravenes a development standard imposed by an environmental planning instrument by 10% or non-numerical development standards.

Note: If the Secretary allows concurrence to be assumed by council staff for contravening development standards, the panel can delegate these applications to council staff to determine.

#### 4. Sensitive development

- (a) Designated development.
- (b) Development to which State Environmental Planning Policy No 65 Design Quality of Residential Apartment Development applies and is 4 or more storeys in height.
- (c) Development involving the demolition of a heritage item.
- (d) Development for the purposes of new licensed premises, that will require one of the following liquor licences;
  - (i) a club licence under the Registered Clubs Act 1976,
  - (ii) a hotel (general bar) licence under the Liquor Act 2007, or
  - (iii) an on-premises licence for public entertainment venues under the Liquor Act 2007.
- (e) Development for the purpose of sex services premises and restricted premises.
- (f) Development applications for which the developer has offered to enter into a planning agreement.



Item No: C08/20-505

#### **INVESTMENT REPORT - JUNE 2020**

Responsible Division: Finance & Governance

Officer: Director Finance & Governance

File Number: A-05-01/05

Community Strategic Plan Goal: Transparent and accountable leadership

#### **SUMMARY**

This is a report from the Director Finance & Governance providing an update on the performance of Council's investment portfolio to 30 June 2020.

#### RECOMMENDATION

#### That Council receive the report.

#### **REPORT**

Included in this report are the following items that highlight Council's investment portfolio performance for the month, year-to-date to 30 June 2020, and an update on the investment environment.

#### Council Investments as at 30 June 2020

Council's investment portfolio has a current market value of \$136,746,373. This represents a premium of \$1,141,567 above the face value of the portfolio being \$135,604,806 and generates a 1.84% average purchase yield. The following table reflects Council's holding in various investment categories.

Categories	Face Value (\$)	Current Value (\$)	Current Yield (%)
Bonds	4,750,000	5,180,273	3.0474
Cash	7,735,946	7,735,946	0.5090
Floating Rate Note	35,750,000	35,877,905	1.1168
Managed Funds	16,368,860	16,368,860	3.0441
Term Deposit	71,000,000	71,583,389	1.9830
	135,604,806	136,746,373	1.8359



#### Investment Portfolio Performance

The investment returns for the month year-to-date of 30 June 2020 outperformed the current month benchmark and exceeded the Year to date benchmark.

#### Performance – Current Month 30 June 2020

For the month of June, Council's portfolio generated interest earnings of \$210,564. This is \$5,085 lower than the budget of \$215,649 and outperformed the AusBond Bank Bill Index by 0.20%, as detailed below:-

Monthly Results	Income	Income Budget		Portfolio Performance	AusBond BB Index	Outperformance
Total Portfolio	210,564	215,649	- 5,085	0.21%	0.01%	0.20%

#### Performance – Year-to-date 30 June 2020

For the year-to-date, Council's portfolio generated interest earnings of \$2,858,876. This is \$271,085 higher than the budget of \$2,587,791 and outperformed the AusBond Bank Bill Index by 1.07%, as per below:-

FYTD Results	s Income Bud		Variance	Portfolio Performance	AusBond BB Index	Outperformance
Total Portfolio	2,858,876	2,587,791	271,085	1.92%	0.85%	1.07%

#### Note

Council owns fixed rate bonds and notes and, due to the declining interest market over the last twelve months, these investments will need to be revalued for 30 June 2020. In Council's annual financial statements for period ending 30 June 2020, the interest income will reflect a further gain of \$400,000. This is a non-cash transaction and is required due to Australian Accounting Standards.

#### **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**

To manage risk, key criteria are incorporated into Cumberland City Council's investment making decisions, as detailed below:-

#### Preservation of Capital

The requirement for preventing losses in an investment portfolio's total value (considering the time value of money).



#### **Diversification**

Setting limits to the amounts invested with a particular financial institution or government authority to reduce credit risk.

#### Credit Risk

The risk that an investment of Council fails to pay the interest and/or repay the principal of an investment.

#### Maturity Risk

The longer the term of the investment, the greater the exposure to potential changes in interest rates, market volatility and credit quality of an issuer.

#### **FINANCIAL IMPLICATIONS**

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

#### CONCLUSION

Council hereby certifies that the investments listed above have been made in accordance with Section 625 of the *Local Government Act 1993*, Clause 212 of the *Local Government (General) Regulation 2005* and Council's *Investment Policy* 

#### **ATTACHMENTS**

- 1. Investment Summary Report June 2020 <a href="#">June 2020</a>
- 2. Economic and Investment Portfolio Commentary June 2020 J.

## DOCUMENTS ASSOCIATED WITH REPORT C08/20-505

## Attachment 1 Investment Summary Report June 2020



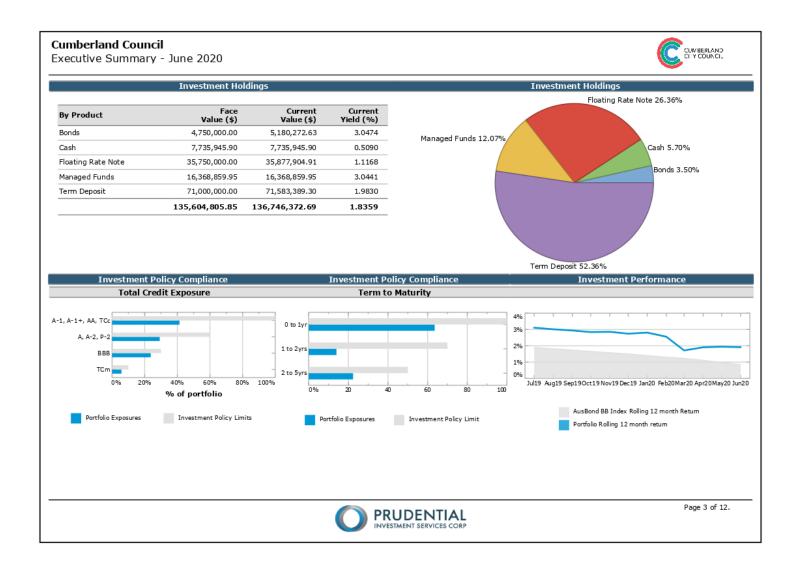




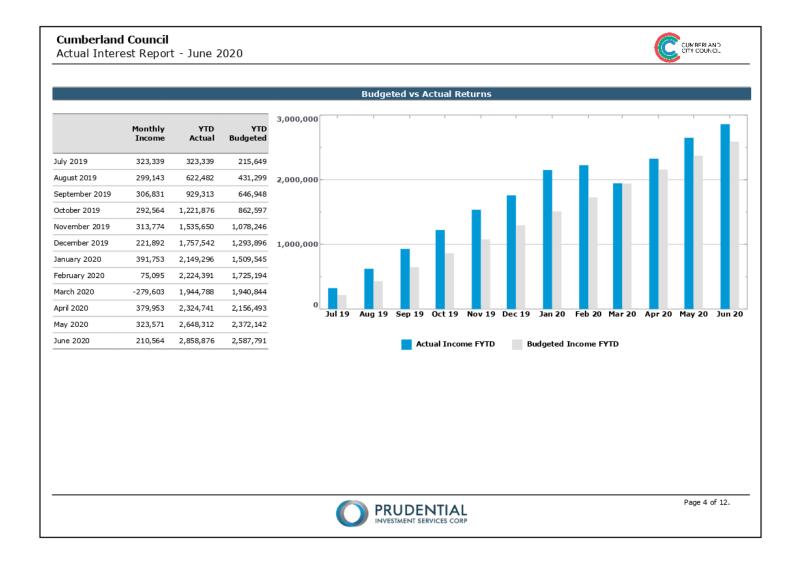
#### **Cumberland Council** Investment Summary Report - June 2020 Contents **Executive Summary** Page 3 Actual Interest Report Page 4 Investment Cashflows Page 5 Investment Policy Compliance Report Page 6 Investment Performance Report Page 7 Individual Institutional Exposures Report Page 8 Investment Holdings Report Page 9 Page 2 of 12. PRUDENTIAL INVESTMENT SERVICES CORP

C08/20-505 – Attachment 1

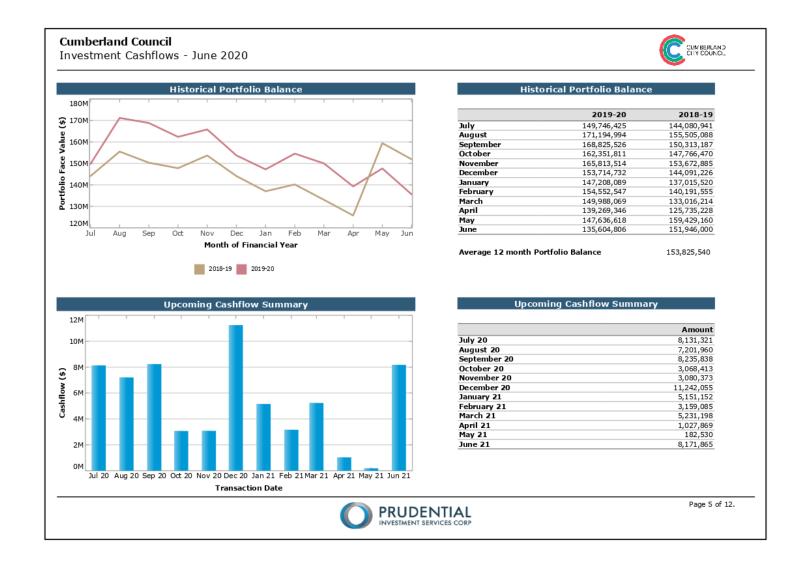




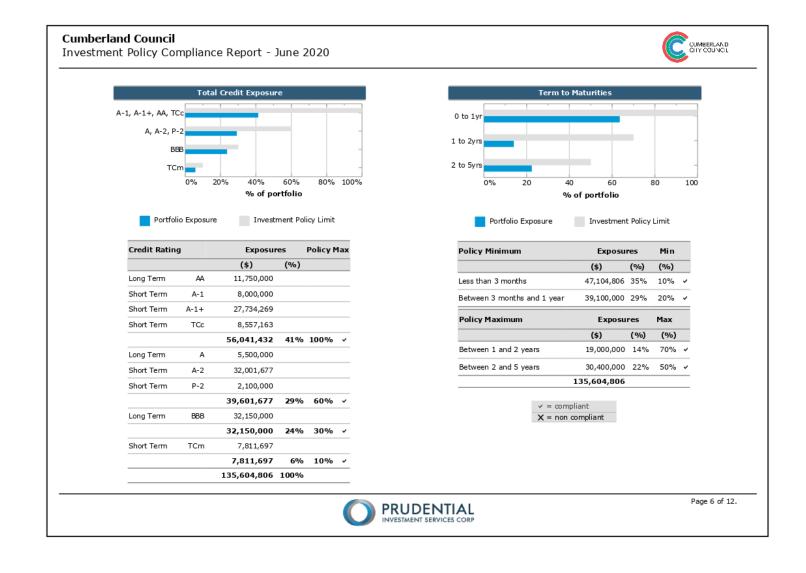




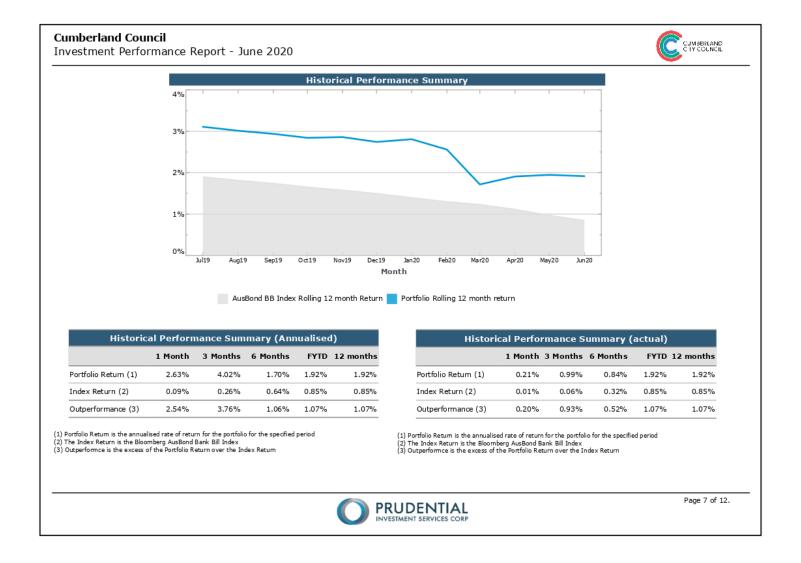




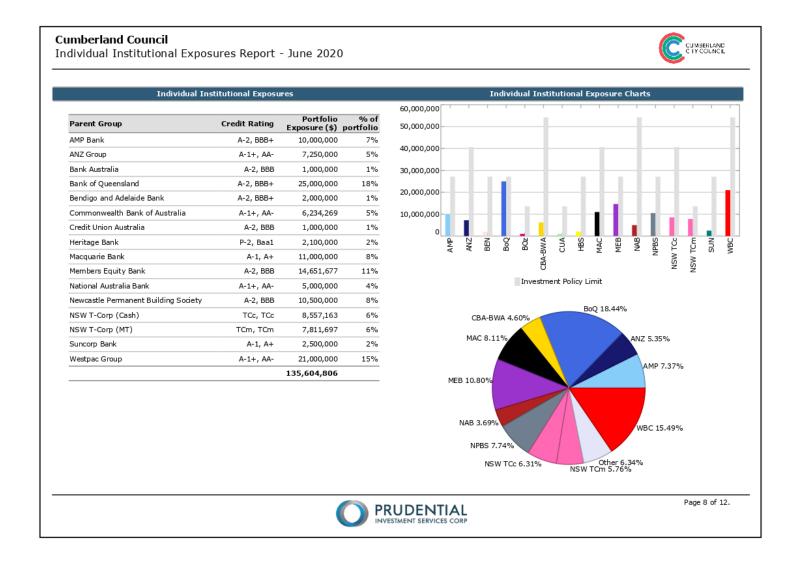














#### **Cumberland Council**

Investment Summary Report - June 2020



	Cash Accounts						
	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
l	4,001,676.76	0.8500%	ME Bank	A-2	4,001,676.76	539882	3040620
l	1,590,605.26	0.0000%	Commonwealth Bank of Australia	A-1+	1,590,605.26	250385	3010516
l	2,143,663.88	0.2500%	Commonwealth Bank of Australia	A-1+	2,143,663.88	533672	3010516
l	7,735,945.90	0.5090%			7,735,945.90		

	Managed Funds							
l	Face Value (\$)	Monthly Return	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.	Reference
l	5,434,704.60	0.0595%	NSW T-Corp (Cash	) TCc	Cash Fund	5,434,704.60	204877	3120516
l	3,122,458.75	0.2129%	NSW T-Corp (Cash	) TCc	Short Term Income Fund	3,122,458.75	204878	3120516
l	7,811,696.60	0.3881%	NSW T-Corp (MT	) TCm	Medium Term Growth Fund	7,811,696.60	538647	3021019
ı	16,368,859.95					16,368,859.95		

Term Dep	osits										
Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
5-Jul-20	3,000,000.00	1.9500%	National Australia Bank	A-1+	3,000,000.00	27-Jun-19	3,000,320.55	538085	320.55	Annually	3270619
13-Jul-20	4,000,000.00	1.8200%	Westpac Group	A-1+	4,000,000.00	5-Sep-19	4,059,835.62	538499	59,835.62	At Maturity	3050919
10-Aug-20	4,000,000.00	1.8200%	Westpac Group	A-1+	4,000,000.00	5-Sep-19	4,059,835.62	538500	59,835.62	At Maturity	3050919
24-Aug-20	2,000,000.00	3.0000%	Bank of Queensland	A-2	2,000,000.00	24-Aug-18	2,050,958.90	537008	50,958.90	Annually	3240818
14-Sep-20	4,000,000.00	1.8100%	Westpac Group	A-1+	4,000,000.00	10-Sep-19	4,058,515.07	538512	58,515.07	At Maturity	3100919
21-Sep-20	4,000,000.00	1.1500%	ME Bank	A-2	4,000,000.00	2-Jun-20	4,003,654.79	539864	3,654.79	At Maturity	3020620
19-Oct-20	3,000,000.00	1.6100%	Westpac Group	A-1+	3,000,000.00	19-Dec-19	3,025,804.11	538985	25,804.11	At Maturity	3191219
16-Nov-20	3,000,000.00	1.6100%	Westpac Group	A-1+	3,000,000.00	19-Dec-19	3,025,804.11	538986	25,804.11	At Maturity	3191219
8-Dec-20	3,000,000.00	3.0000%	Bank of Queensland	A-2	3,000,000.00	5-Dec-17	3,051,534.25	536048	51,534.25	Annually	3051217
14-Dec-20	4,000,000.00	1.7000%	Macquarie Bank	A-1	4,000,000.00	10-Mar-20	4,021,052.05	539559	21,052.05	At Maturity	3100320



Page 9 of 12.



#### **Cumberland Council**

Investment Summary Report - June 2020



Term Dep	osits										
Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
21-Dec-20	4,000,000.00	1.7000%	Macquarie Bank	A-1	4,000,000.00	10-Mar-20	4,021,052.05	539560	21,052.05	At Maturity	3100320
18-Jan-21	2,500,000.00	1.7000%	AMP Bank	A-2	2,500,000.00	20-Jan-20	2,518,979.45	539174	18,979.45	At Maturity	3200120
25-Jan-21	2,500,000.00	1.7000%	AMP Bank	A-2	2,500,000.00	20-Jan-20	2,518,979.45	539175	18,979.45	At Maturity	3200120
22-Feb-21	3,000,000.00	2.9500%	Newcastle Permanent Building Society	A-2	3,000,000.00	22-Feb-19	3,031,035.62	537561	31,035.62	Annually	3220219
8-Mar-21	3,000,000.00	2.8500%	Newcastle Permanent Building Society	A-2	3,000,000.00	6-Mar-19	3,027,406.85	537619	27,406.85	Annually	3060319
7-Jun-21	4,000,000.00	1.1500%	ME Bank	A-2	4,000,000.00	2-Jun-20	4,003,654.79	539865	3,654.79	At Maturity	3020620
8-Jun-21	2,000,000.00	3.1400%	Westpac Group	A-1+	2,000,000.00	8-Jun-18	2,003,785.21	536727	3,785.21	Quarterly	3080618
28-Jun-21	2,000,000.00	2.0500%	Bank of Queensland	A-2	2,000,000.00	27-Jun-19	2,000,224.66	538086	224.66	Annually	3270619
4-Oct-21	3,000,000.00	1.7000%	Bank of Queensland	BBB+	3,000,000.00	4-Sep-19	3,042,057.53	538486	42,057.53	Annually	3040919
11-Oct-21	3,000,000.00	1.7000%	Bank of Queensland	BBB+	3,000,000.00	4-Sep-19	3,042,057.53	538488	42,057.53	Annually	3040919
23-May-22	2,000,000.00	2.4000%	Bank of Queensland	BBB+	2,000,000.00	24-May-19	2,004,865.75	537973	4,865.75	Annually	3240519
30-May-22	2,000,000.00	2.4000%	Bank of Queensland	BBB+	2,000,000.00	30-May-19	2,004,339.73	537991	4,339.73	Annually	3300519
14-Jun-22	2,000,000.00	2.2500%	Bank of Queensland	BBB+	2,000,000.00	11-Jun-19	2,002,465.75	538030	2,465.75	Annually	3110619
22-May-23	2,000,000.00	2.5500%	Bank of Queensland	BBB+	2,000,000.00	24-May-19	2,005,169.86	537974	5,169.86	Annually	3240519
	71,000,000.00	1.9830%			71,000,000.00		71,583,389.30		583,389.30		

Floating Rate Notes											
Maturity Date	Face Value (\$)	Rate (%pa)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon I Date	Reference
28-Jul-20	1,000,000.00	1.0094%	WBC Snr FRN (Jul20) BBSW+0.90%	A-1+	1,000,000.00	28-Jul-15	1,002,292.70	507261	1,769.91	28-Jul-20	3280715
18-Aug-20	1,000,000.00	1.1978%	BEN Snr FRN (Aug20) BBSW+1.10%	A-2	1,000,000.00	18-Aug-15	1,002,335.93	533677	1,443.92	18-Aug-20	2180815
29-Mar-21	2,100,000.00	1.3300%	HBS Snr FRN (Mar21) BBSW+1.23%	P-2	2,100,000.00	29-Mar-18	2,108,028.04	536457	153.04	29-Sep-20	3290318



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#### **Cumberland Council**

Investment Summary Report - June 2020



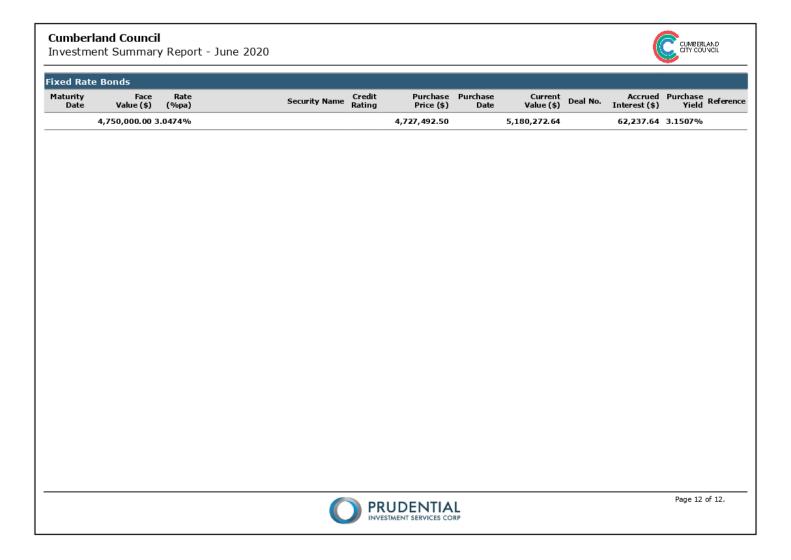
Floating R	oating Rate Notes											
Maturity Date	Face Value (\$)	Rate (%pa)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon I Date	Reference	
16-Apr-21	1,000,000.00	1.4100%	ME Bank Snr FRN (Apr21) BBSW+1.27%	A-2	1,000,000.00	17-Apr-18	1,006,645.89	536509	2,935.89	16-Jul-20	3170418	
30-Aug-21	1,000,000.00	1.3950%	BOz 'SRI' Snr FRN (Aug21) BBSW+1.30%	BBB	1,000,000.00	30-Aug-18	1,006,441.23	536987	1,261.23	31-Aug-20	3300818	
6-Sep-21	1,000,000.00	1.3506%	CUA Snr FRN (Sep21) BBSW+1.25%	BBB	1,000,000.00	6-Sep-18	1,007,034.06	537050	814.06	7-Sep-20	3060918	
10-Sep-21	2,000,000.00	1.1800%	AMP Snr FRN (Sep21) BBSW+1.08%	BBB+	2,000,000.00	10-Sep-18	2,001,597.81	537065	1,357.81	10-Sep-20	3100918	
10-Sep-21	3,000,000.00	1.1800%	AMP Snr FRN (Sep21) BBSW+1.08%	BBB+	3,021,240.00	31-May-19	3,002,396.71	537992	2,036.71	10-Sep-20	3310519	
18-Jul-22	1,650,000.00	1.1050%	ME Bank Snr FRN (Jul22) BBSW+0.98%	BBB	1,650,000.00	18-Jul-19	1,656,286.05	538175	3,596.55	20-Jul-20	3180719	
25-Jan-23	1,000,000.00	1.1631%	BEN Snr FRN (Jan23) BBSW+1.05%	BBB+	1,000,000.00	25-Jan-18	1,006,381.27	536142	2,071.27	27-Jul-20	3250118	
6-Feb-23	500,000.00	1.5054%	NPBS Snr FRN (Feb23) BBSW+1.40%	BBB	501,370.00	21-Mar-18	504,859.83	536444	1,154.83	6-Aug-20	3210318	
9-May-23	3,000,000.00	0.9962%	ANZ Snr FRN (May23) BBSW+0.90%	AA-	3,000,000.00	9-May-18	3,040,625.85	536582	4,175.85	10-Aug-20	3090518	
19-Jun-24	2,000,000.00	1.0250%	NAB Snr FRN (Jun24) BBSW+0.92%	AA-	2,000,000.00	19-Jun-19	2,024,913.97	538035	673.97	21-Sep-20	3190619	
11-Jul-24	4,000,000.00	1.1550%	BoQ Snr FRN (Jul24) BBSW+1.03%	BBB+	4,021,640.00	29-Aug-19	4,009,153.42	538417	9,113.42	20-Jul-20	3290819	
30-Jul-24	2,500,000.00	0.8783%	SUN Snr FRN (Jul24) BBSW+0.78%	A+	2,495,800.00	12-Aug-19	2,499,704.77	538383	3,729.77	30-Jul-20	3120819	
7-Aug-24	3,000,000.00	0.8950%	MAC Snr FRN (Aug24) BBSW+0.80%	A+	3,000,000.00	7-Aug-19	3,007,656.42	538349	4,045.89	7-Aug-20	3070819	
29-Aug-24	2,000,000.00	0.8650%	ANZ Snr FRN (Aug24) BBSW+0.77%	AA-	2,000,000.00	29-Aug-19	2,015,466.31	538412	1,564.11	31-Aug-20	3290819	
4-Feb-25	4,000,000.00	1.2153%	NPBS Snr FRN (Feb25) BBSW+1.12%	BBB	4,000,000.00	4-Feb-20	3,976,084.65	539180	7,724.65	4-Aug-20	3040220	
3	35,750,000.00	1.1168%			35,790,050.00		35,877,904.91		49,622.88			

Fixed Rate Bonds												
	Maturity Date	Face Value (\$)	Rate (%pa)	Security Name	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Purchase Yield	Reference
l	11-Jan-24	2,500,000.00	3.0000%	CBA Snr Bond (Jan24) 3.00%	AA-	2,478,775.00	11-Jan-19	2,723,377.47	537455	35,027.47	3.1850%	3110119
l	8-Feb-24	2,250,000.00	3.1000%	ANZ Snr Bond (Feb24) 3.10%	AA-	2,248,717.50	8-Feb-19	2,456,895.16	537488	27,210.16	3.1125%	3080219



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## DOCUMENTS ASSOCIATED WITH REPORT C08/20-505

### Attachment 2

Economic and Investment Portfolio Commentary June 2020





## Cumberland Council Economic and Investment Portfolio Commentary June 2020

#### Global issues:

- Worldwide covid-19 cases continued to increase through June in both emerging and developed nations. New US cases surged higher during the month as many states loosened restrictions and taking protective measures has become politicised.
- In China, industrial production and exports have rebounded to pre-virus levels spurred on by backlogged orders. However, the nation's consumer spending and other domestic indicators are still showing weakness.
- Prices of energy related commodities, including oil, liquefied natural gas and thermal coal, remain low due to the global slowdown. However, iron ore prices have improved on expectations of increased infrastructure spending in China and supply constraints in Brazil, one of Australia's major competitors in the iron ore market.
- The International Monetary Fund is now predicting global GDP to contract -4.90% in 2020 and rebound by +5.4% in 2021.

#### Domestic issues:

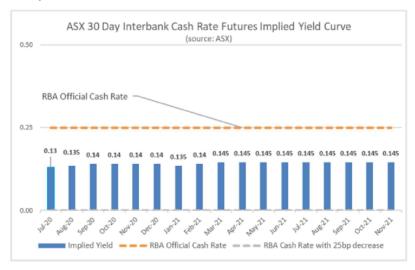
- In Australia, states and territories have started loosening virus related restrictions.
   However, a flare up of new cases in Victoria has given pause to some of the optimism that the virus is in retreat.
- With the gradual reopening of the economy, latest retail sales results showed a surge in growth, up over 16% in May, and the 3 month average is matching previrus levels.
- Large scale layoffs announced by Qantas have highlighted concerns of what may
  be a regular occurrence when the government wraps up the JobKeeper program in
  September. Unless further stimulation plans are enacted, the unemployment rate
  is expected to balloon to 11% from 7%.
- The Australian share market recorded another gain in June, albeit down from midmonth highs. The ASX 200 index, above 7000 pre-covid and below 5000 in late March, is now sitting just short of the 6000 mark. A possible second wave of covid and with it a possible reinstatement of some restrictions has investors cautious.
- The AUD/USD closed out the month at 69c after having reached above 70c earlier in the month, sharply higher than its 19 year low in mid-March of 55c.



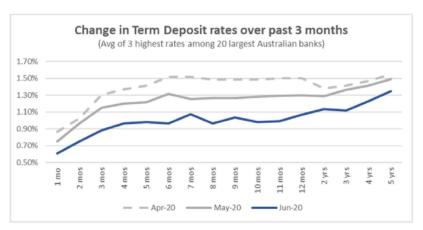


#### Interest rates

• The RBA kept the official cash rate at 0.25%pa at its June meeting, noting that that the Australian economy was experiencing the biggest economic contraction since the 1930s. Internal policy measures by the central bank are keeping market rates lower than the official 0.25%pa, but there is no expectation of another interest rate cut any time soon:



Average term deposit rates dropped sharply again in June as some of the banks
offering above average 'specials' started to cut their rates. The average of the best
term deposit rates among large banks were 15-35 basis points lower across the 1mo
to 5 year range versus May month end and sharply lower than just 2 months ago.



 The RBA's policy measures to provide more and cheaper funding to the Australian banking system, along with a general slowdown in banks' funding needs, continue to contribute to the fall in term deposit rates over the past several months.





#### Investment Portfolio Commentary

Council's investment portfolio posted a return of 2.63%pa for the month of June versus the bank bill index benchmark return of 0.09%pa. For the 2019-20 financial year, the investment portfolio returned 1.92%pa, exceeding the bank bill index benchmark's 0.85%pa by 1.07%pa.

Without marked-to-market influences, Council's investment portfolio yielded 1.63%pa for the month. This is based on the actual interest rates being received on existing investments and excludes the underlying changes to the market value of the securities/ deposits.

During June, Council had \$6m in two 12 month TDs mature with a weighted average rate of 1.99%pa. Council invested \$8m in 3 and 12 month deposits at an average rate of 1.15%pa, which is reflective of the sharp drop in interest rates over the past several months.

The TCorpIM MT Growth fund rose 0.4% in June. The Australian share market was up 2.3% during the month with retail (Consumer Discretionary +5.1%, Consumer Staples +4.8%) the best performing sectors due to optimism on sales and re-opening of stores. Energy (-2.1%) was the worst performing sector. Overseas markets were mostly stronger with the US S&P 500 (+2.0%), European S&P350 (+3.4%), Japanese S&P 500 (+0.1%) and Chinese S&P 300 (+7.9%) all gaining.

Council has a well-diversified portfolio invested among a range of term deposits and floating rate notes from highly rated Australian ADIs. 76% of the portfolio is spread among the top three credit rating categories (A long term/A2 short term and higher) and NSW TCorpIM managed funds. It is expected that Council can continue to achieve above benchmark returns with prudent investment selection for its short and long term holdings.

Disclaimer: The statements and opinions contained in this report are based on currently prevailing conditions in financial markets and are so contained in good faith and in the belief that such statements and opinion are not false or misleading. In preparing this report, Prudential Investment Services Corp has relied upon information which it believes to be reliable and accurate. Prudential Investment Services Corp believes that this report and the opinions expressed in this report are accurate, but no warranty of accuracy or reliability is given. Prudential Investment Services Corp does not warrant that its investigation has revealed all of the matters which a more extensive examination might disclose. This report may not be reproduced, transmitted, or made available either in part or in whole to any third party without the prior written consent of Prudential Investment Services Corp. AFS Licence No. 468145.



Item No: C08/20-506

#### UPDATE ON APPROVED MAYORAL COMMUNITY FUND APPLICATIONS

Responsible Division: Finance & Governance

Officer: Director Finance & Governance

File Number: 8281543

Community Strategic Plan Goal: Transparent and accountable leadership

#### **SUMMARY**

This report provides an update on Mayoral Community Fund applications approved since 3 June 2020.

#### RECOMMENDATION

That Council receive the report.

#### **REPORT**

The report outlines the details of Mayoral Community Fund applications approved since 3 June 2020, in accordance with the Council resolution made at the Ordinary Council meeting held on 3 June 2020, Min. 720:

"That Council re-adopt the Mayoral Community Fund Guidelines and that all grants be reported to Council at the next Ordinary Council Meeting."

Details of each approved application can be reviewed in the attachment provided.

#### **COMMUNITY ENGAGEMENT**

There are no consultation processes for Council associated with this report.

#### **POLICY IMPLICATIONS**

The approved applications are in accordance with the Council endorsed *Mayoral Community Fund Guidelines*.

#### **RISK IMPLICATIONS**

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

#### FINANCIAL IMPLICATIONS

The Mayoral Community Fund is budgeted at \$30,000 per annum. These approved applications are budgeted from this annual budget.



#### **CONCLUSION**

Mayoral Community Funding was granted to two applicants since 3 June 2020.

#### **ATTACHMENTS**

1. Mayoral Community Fund Report <a href="#">J</a>

## DOCUMENTS ASSOCIATED WITH REPORT C08/20-506

## Attachment 1 Mayoral Community Fund Report



	MAYORAL COMMUNITY FUND APPLICATIONS APPROVED FROM 3 JUNE 2020						
Date of Request	Name of Applicant	Name of Organisation (if applicable)	Amount Sought (\$)	Nature of Request	Summary of Panel Recommendation to the Mayor	Mayoral Determinat ion (\$ value)	Date Mayor Approved
25/06/2020	Michelle Burns	Holroyd Christian Ministers' Fellowship		Annual Community Prayer Dinner to	provide a roster of Ministers for	up to \$200 printing waiver	1/07/2020
30/06/2020	lJane Powles	Science Teachers Association NSW	\$5,000	NSW inspires Science Teachers and the learning of science in NSW, providing leadership and promoting excellence in science education. Having identified a lack of teacher development, funding is requested to establish a Professional	Application is eligible and will indirectly benefit school children in Cumberland however noted that this program is largely developing teachers, and education is a State government responsibility. Given a reduction in community grants program and more applications being considered under the Mayoral fund, only minor support recommended, \$500.		8/07/2020



Item No: C08/20-507

#### REVIEW OF CUMBERLAND DESIGN EXCELLENCE PANEL

Responsible Division: Environment & Planning

Officer: Director Environment & Planning

File Number: SC629

Community Strategic Plan Goal: A resilient built environment

#### **SUMMARY**

The purpose of this report is to provide an update of a review on the operation of the Cumberland Design Excellence Panel, in accordance with Council's resolution on the matter.

Based on the outcomes of the review, it is recommended that Council re-adopt the Design Excellence Panel Policy and note the refinements to the Design Excellence Panel Procedures to balance urban design outcomes with the timely consideration of development applications.

#### RECOMMENDATION

#### **That Council:**

- 1. Re-adopt the Design Excellence Panel Policy.
- 2. Note the refinements to the Design Excellence Panel Procedures.

#### **REPORT**

#### Review of Design Excellence Panel

On 5 December 2018, Council resolved to establish a Design Excellence Panel to advise on all applications involving buildings above 25m height, including those to which design excellence provisions apply, and engage qualified experts for panel membership for a period of two years. Council also resolved to review the operation of the Panel 12 months after the formal commencement.

The purpose of the Design Excellence Panel is to act as an advisory panel to provide expert design feedback and promote improved design quality and aims to achieve a better built form. The panel consists of external experts in the fields of architecture and urban design and the objective is to assist in improving the design quality of buildings leading to a better built form within Cumberland City.

In accordance with Council's resolution, a review has been undertaken by Council officers of the operation of the Panel 12 months after the formal commencement, which is based on the adoption of the Policy in August 2019.



A total of six panel meetings has taken place to date, with 10 applications reported to the Design Excellence Panel. In relation to the status of the 10 applications, one application has been finalised to approval stage, with the remainder at pre development application stage (four applications) or the development application stage (five applications). Of the 10 applications reported, eight of these applications have been re-referred to the Panel with amendments as required by the Panel.

A review of the operation of the Panel and its meetings has identified some positive features, including:

- Design outcomes are being raised in the preliminary stages of the development;
- The Panel is assisting with the delivery of high quality built form in Cumberland City's centres; and
- The Panel is assisting in shaping Cumberland City into vibrant, attractive and liveable spaces.

However, the review has also identified the following concerns:

- The Panel is providing advice on planning issues which is not the intent of a design panel;
- The assessment timeframes of an application is being extended due to the deferrals, impacting on applicants gaining a determination on a proposal; and
- With the Panel deferring a number of applications, this has a financial impact on Council.

Based on the outcomes of the review, improvements have been identified in the operation of the Design Excellence Panel to balance urban design outcomes with the timely consideration of applications. These improvements are proposed to be included through refinements to the Design Excellence Panel Procedures and will be implemented by Council officers in the future operation of the Panel.

#### Design Excellence Panel Policy

On 3 April 2019, Council resolved to adopt an Interim Design Excellence Panel Policy to enable the establishment of the Panel. Following a period of public exhibition, Council adopted the Design Excellence Panel Policy on 7 August 2019.

The adopted Policy has a review period of 12 months. As the improvements identified for the Design Excellence Panel do not relate to the scope of the Policy and no further amendments are proposed for the Policy, it is recommended that Council re-adopt the Design Excellence Panel Policy. Should the policy be readopted, the refinements to the Design Excellence Panel Procedures identified in this report will be submitted for approval by the General Manager.

#### **COMMUNITY ENGAGEMENT**

There are no consultation processes for Council associated with this report.



#### **POLICY IMPLICATIONS**

Policy implications are outlined in the main body of the report.

#### **RISK IMPLICATIONS**

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

#### FINANCIAL IMPLICATIONS

The operation of the Design Excellence Panel is covered within Council's budget, with some income received through fees to be paid with the lodgement of an application to the Panel. The refinements to the Design Excellence Panel Procedures will enable Council officers to ensure that value for money is provided with the operation of the Panel.

#### CONCLUSION

The Cumberland Design Excellence Panel has been in operation to support higher levels of architecture and urban design quality for the built form in the area. Based on the outcomes of the review on the Panel, it is recommended that Council re-adopt the Design Excellence Panel Policy and note the refinements to the Design Excellence Panel Procedures to balance urban design outcomes with the timely consideration of development applications

#### **ATTACHMENTS**

- 1. Cumberland Design Excellence Panel Policy J.
- 2. Cumberland Design Excellence Panel Procedures J.

## DOCUMENTS ASSOCIATED WITH REPORT C08/20-507

# Attachment 1 Cumberland Design Excellence Panel Policy





#### DESIGN EXCELLENCE PANEL POLICY

#### POLICY STATEMENT

Cumberland Council is committed to ensuring the highest standard of architectural and urban design is achieved for Cumberland's built environment.

#### **PRINCIPLES**

This policy aims to:

- a) Support Council's Community Strategic Plan goals for a resilient built environment
- b) Facilitate design excellence in development for Cumberland
- c) Assist in shaping Cumberland's centres into vibrant, attractive and liveable spaces
- d) Promote innovative design solutions that achieve high quality buildings and spaces for key sites
- e) Encourage diverse and innovative design that is both contextually appropriate and makes a positive contribution to the architectural quality of the locality

#### **PURPOSE**

The Design Excellence Panel is established to:

- a) Act as an advisory panel where applicants for significant development proposals can receive expert design feedback. This includes critical consideration of design elements and, where required, alternative design suggestions and solutions to achieve design excellence
- b) Support the statutory Design Excellence provisions within Council's Local Environmental Plan
- Provide incentive for the higher standards of architectural excellence and best practice urban design outcomes through building floor space ratio and building height bonuses, where appropriate

#### SCOPE

The Design Excellence Panel will consider and advise on pre-lodgement applications and development applications for the following development types within Cumberland:

- a) any development proposal subject to the design excellence provisions of a Local Environmental Plan
- b) any development proposal incorporating buildings with a height greater than 25m\*
- any development proposal voluntarily referred to the Design Excellence Panel by an applicant for development of any kind

Page 1



#### Design Excellence Panel Policy

Alterations and additions to approved buildings that do not significantly alter the design of a building do not need to be referred to the Design Excellence Panel.

#### CONSIDERATIONS FOR DESIGN EXCELLENCE

In considering whether the development exhibits design excellence, the panel should have regard to the following matters:

- i. Whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved.
- ii. Whether the form and external appearance of the development will improve the quality and amenity of the public domain.
- iii. Whether the development detrimentally impacts on view corridors.
- iv. How the development addresses the following matters:
  - a. The suitability of the land for development;
  - b. Existing and proposed uses and use mix;
  - c. Heritage issues and streetscape constraints;
  - d. The location of any tower proposed, having regard to the need to achieve an acceptable relationship with other towers (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form;
  - e. Bulk, massing and modulation of buildings;
  - f. Street frontage heights;
  - g. Environmental impacts such as sustainable design, overshadowing, wind and reflectivity;
  - h. The achievement of the principles of ecologically sustainable development;
  - Pedestrian, cycle, vehicular and service access and circulation requirements; and
  - j. The impact on, and any proposed improvements to, the public domain.

#### **REQUIREMENTS**

The Design Excellence Panel Procedures document will stipulate the operational procedures and requirements of the Design Excellence Panel. The General Manager will have delegated authority to approve, review and update the Design Excellence Panel Procedures document, as may be required from time to time, to accommodate any legislative changes and facilitate process improvements.

#### SAVINGS PROVISIONS

This policy applies to applications submitted after the date of the adoption of this policy.

#### RELATED LEGISLATION

Environmental Planning and Assessment Act 1979 Environmental Planning and Assessment Regulation 2000

Page 2



#### Design Excellence Panel Policy

State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development
Auburn Local Environmental Plan 2010
Holroyd Local Environmental Plan 2013
Parramatta Local Environmental Plan 2011

#### RELATED DOCUMENTS AND COUNCIL POLICY

Design Excellence Panel Procedures

#### **AUTHORISATION & VERSION CONTROL**

Policy Number	[Policy number]
Policy Owner	Executive Manager Development and Building
Date Adopted	5 August 2020
Version No	3
TRIM Number	SC629
Review Date	5 August 2022

## DOCUMENTS ASSOCIATED WITH REPORT C08/20-507

# Attachment 2 Cumberland Design Excellence Panel Procedures





August 2020

## CUMBERLAND DESIGN EXCELLENCE PANEL PROCEDURES



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#### 1 INTRODUCTION

Cumberland Council is committed to ensuring the highest standard of architectural and urban design is achieved for the built environment.

The purpose of the Cumberland Design Excellence Procedure is to articulate Council's criteria for the assessment of new prominent buildings within the Cumberland local government area (LGA) as well as any land identified in the Local Environmental Plan (LEP) Design Excellence provisions.

The Cumberland Design Excellence Panel (CDEP or the Panel) comprises professionals in architecture and urban design who will assess and contribute to design outcomes for a range of prominent and significant development proposals. The panel will also certify buildings which exhibit design excellence through the LEP statutory provisions.

#### 2 AIMS OF THE PANEL

This Design Excellence Panel aims to:

- a) Support Council's Community Strategic Plan goals for a resilient built environment
- b) Facilitate design excellence in development for Cumberland
- Assist in shaping Cumberland's centres into vibrant, attractive and liveable spaces
- d) Promote innovative design solutions that achieve high quality buildings and spaces for key sites
- e) Encourage diverse and innovative design that is both contextually appropriate and makes a
  positive contribution to the architectural quality of the locality

The Design Excellence Panel is established to:

- a) Act as an advisory panel where applicants for significant development proposals can receive expert design feedback. This includes critical consideration of design elements and, where required, alternative design suggestions and solutions to achieve design excellence. The Panel must not provide advice on planning matters.
- b) Support the statutory Design Excellence provisions within Council's Local Environmental Plan
- c) Provide incentive for the higher standards of architectural excellence and best practice urban design outcomes through building floor space ratio and building height bonuses, where appropriate

#### 3 APPLICATIONS TO BE REFERRED TO THE CDEP

The Panel will assess pre-lodgement applications and/or development applications for the following development types within the Cumberland:

- a) any development subject to the design excellence provision of the LEP;
- b) any buildings with a height greater than 25m; or
- c) any development voluntarily referred to the CDEP.

Modification applications and applications for review of determination may be referred to the CDEP at the discretion of Council officers. For example, where the modifications result in significant changes to the design, Council will refer the application to the CDEP.

If an application has been referred to the CDEP at the pre-lodgement stage, a further referral to the Design Excellence Panel will generally not be required at the development application stage. An exception to this would be in circumstances where the CDEP has rejected a particular proposal and



requires a complete redesign to be undertaken, or if very substantial changes have been made between the pre-lodgement stage and development application stage, other than changes requested by the CDEP.

Where there have been minor changes from the pre-lodgement stage, especially where it pertains to a development where a Design Excellence Certificate is sought, Council officers will have discretion to undertake a referral to the original panel members to seek their comments on the amendments

Due to the scale and complexity of assessing major developments and to assist in streamlining the approval process, it is imperative that the principles of design excellence are incorporated at an early stage in the development process, particularly in regards to other relevant technical and merit-based issues that require consideration.

Alterations and additions to approved buildings that do not significantly alter the design of a building do not need to be referred to the Design Excellence Panel.

#### LEP Design Excellence

Where applicants are seeking variations to the LEP development standards under the LEP Design Excellence provisions for site(s) identified in the LEP Design Excellence maps, a referral to the CDEP <u>must</u> be undertaken through the pre-lodgement application process, prior to lodgement of any formal development application.

#### 4 OPERATIONS

#### 4.1 Documentation Requirements

Submission requirements for all development requiring referral to the CDEP will be reflected in Council's Development Application forms and checklists. Where applications require referral to the CDEP, additional required documentation and any associated fees will be required upon lodgement.

#### 4.2 Application Fees

An application fee will be required to be paid on lodgement of an application requiring referral to the CDEP in accordance with Council's fees and charges and the Environmental Planning & Assessment Regulation.

This fee is in addition to any other fees and charges associated with the development application or pre-lodgement application fee.

#### 4.3 Meeting frequency and capacity

Meetings will be undertaken on an 'as needed' basis following receipt of an application, but will generally not exceed more than one meeting per calendar month (unless there are exceptional circumstances).

Where Council receives an application requiring CDEP advice, the application will be forwarded to the relevant panel members as part of the preliminary assessment process. A Panel meeting will be scheduled as soon as practicable thereafter and Council's Administration officers will advise of the meeting date providing at least seven (7) days notice for the meeting.



Each meeting will have a minimum of one (1) development proposal and a maximum of three (3) development proposals presented for consideration.

All CDEP meetings will be held in Cumberland Council offices or through electronic methods.

#### 4.4 Quorum

For design advice, a quorum of three (3) panel members is required.

For LEP Design Excellence advice and where a design excellence certificate is sought for exceedance of development standards, a quorum of four (4) panel members is required, one of whom is to be a representative from the NSW Government Architects office (or their nominee).

#### 4.5 Meeting Procedures

#### 4.5.1 Prior to meeting

Council Administration Officers will provide digital copies of the relevant information to panel members prior to the meeting and as soon as practicable following receipt of an application requiring CDEP advice.

#### 4.5.2 Responsibilities of Panel members

Prior to the meeting occurring, each Panel member is required to have:

- a) Received copies of the development proposal;
- b) Declared any conflict of interest\*:
- c) Become familiar with the proposal;
- d) Inspected the site the subject of the proposal.

#### 4.5.3 Meeting

- a) CDEP meetings will not be open to the public. However, proponents for the development (maximum 3 people) will be invited to attend the meeting and present their proposal.
- b) Council officers responsible for the processing and handling of the relevant application will be required to attend the meeting.
- c) Applicants are not permitted to directly contact panel members at any time in relation to an application the subject of a Panel meeting. Panel members are also not permitted to directly contact applicants at any time in relation to an application the subject of a Panel meeting.
- d) The Panel will be chaired by one of its members who has been elected on the day of the meeting by the sitting panellists. The chair cannot be from the NSW Government Architects office or their nominee.
- e) The Panel may invite the applicant to present their proposal to the Panel. Presentations should be no longer than 15 minutes in length (exclusive of question time).
- f) The Panel will deliberate on the design aspects of the development and may choose to ask questions and seek clarification on aspects of the proposal from those present at the meeting.
- g) The Panel may choose to dismiss any external applicants and convene in a closed session to discuss the matter.
- h) Each member is entitled to one vote, and where there are an even numbers of panellists, the chairperson will have the casting vote.

<sup>\*</sup>A panel member who has a conflict of interest in a matter being presented before the CDEP must not be present at the Panel meeting during the deliberation of that matter.



i) Each application will be allocated a maximum of 1 hour.

#### 4.5.4 Post meeting

The CDEP chair will be responsible for the preparation of the briefing notes which includes recommendations and where relevant, issuing any Design Excellence Certificates. The briefing notes and certificates (where relevant) are to be endorsed by all panel members in attendance and forwarded to Council's Planning Panels Coordinator within ten (10) calendar days of the meeting date

If a development was referred to the DEP at the pre-lodgement stage and minor design changes were undertaken to the design for development application submission, Council officers may rerefer the application to the panellist for review to clarify if there are any changes to their initial position/comments on the development. For cases where a Design Excellence Certificate was issued for a development at the pre-lodgement stage and where minor design changes were undertaken to the design for the development application submission, Council officers may re refer the application to the panellist for review to clarify if there are any changes to their initial position/comments on the development. In these circumstances, the chairperson of the original panel will be required to confer with the other panel members and provide comments to Council within five (5) calendar days of the referral.

All communication involving the administration of the CDEP is to be directed to Council's Senior Administration Officer or Planning Panels Coordinator.

#### 4.6 CDEP considerations and recommendations

In the Panel's consideration of a proposal, the following design provisions must be taken into account where applicable:

- a) Council's Local Environmental Plans;
- b) Council's Development Control Plans;
- c) State Environmental Planning Policy No 65—Design Quality of Residential Apartment Development;
- d) Apartment Design Guide.

In assessing whether a development achieves design excellence the CDEP may elect to:

- a) Support the design scheme as originally submitted; or
- Support the design scheme with amendments, in which case, specific recommendations relating to requested design changes to address any concerns raised must be clearly detailed
- c) Not support the design scheme, in which case, the Panel may request a full re-design and that the new scheme be referred back to the Panel for further consideration.

The Panel in their minutes must not request that an application be re-referred to the Panel unless a full rejection of the application is recommended on design grounds. The Panel must instead include specific recommendations relating to the changes requested to the design to address any concerns raised. The following criteria need to be met for any deferral or refusal of applications.



#### Criteria for deferral:

Deferral of applications are discouraged. Where a deferral of an application is recommended, the following criteria need to be followed:

- A deferral can only be made for design reasons and not for planning reasons,
- An application can only be deferred if design changes cannot be accommodated through recommended conditions/advice.
- An application cannot be deferred without the confirmation of a Senior Council Planning Officer.

A maximum of one deferral is permitted for each application.

#### Criteria for refusal:

Where a recommendation for refusal is made, the following criteria need to be followed:

- The proposed design requires a full redesign as it does not comply with the design provisions in the
  applicable planning controls, In this regard, detailed reasons need to be stated as to why the
  proposed design does not comply with the applicable planning controls and advice needs to be
  provided on how the proposal can comply in any future submission,
- The proposed design does not integrate with the streetscape and the existing and proposed design
  future character of the area. In this regard, detailed reasons need to be stated as to why the
  proposed design does not integrate with the locality and advice needs to be provided on how the
  proposal can comply in any future submission.
- An application cannot be refused without the confirmation of a Senior Council Planning Officer.

A maximum of one refusal is permitted for each application.

In addition to the above, for sites identified in the LEP Design Excellence maps and where applicants are seeking variations under the associated LEP clause, the panel must be satisfied that the proposal exhibits design excellence as required by the LEP clause. In situations where the CDEP is satisfied that a development proposal exhibits design excellence, the panel will be responsible for issuing a Design Excellence Certificate (Refer to Appendix A) to the applicant with or without recommended amendments. The certificate must then be submitted with the lodgement of a development application to Council.

#### 5 PANEL ADMINISTRATION

#### 5.1 Panel Membership and Terms

The Panel shall comprise of industry experts having demonstrated qualifications and experience in the fields of architecture and/or urban design. A pool of expert members shall be established and each Panel meeting shall comprise of three (3) members or four (4) members in cases involving a LEP design excellence certificate) drawn from the established pool of experts.

Where sites are seeking a Design Excellence Certificate under the LEP provisions, the Panel shall also include a representative from the NSW Government Architect's office or their nominee.

A panel member cannot be an employee or elected representative (Councillor) of Cumberland Council.

A Panel member cannot be a real estate agent or a developer.



Any member of the CDEP who is also a member of the Cumberland Local Planning Panel (CLPP), must ensure that they do not participate in the determination of any application, as a CLPP member, for which they have already provided design advice as a CDEP member.

Panel members will be appointed by the General Manager in consultation with the Director - Environment and Planning for a two-year term via expressions of interest process administered by the Planning Panels Coordinator.

In the event that a Panel member vacates their membership prior to serving the full term of their membership, an alternate member may be appointed by the *General Manager* where deemed necessary.

#### 5.2 Panel Administrator

Council Administration Officers will be responsible for:

- a) liaising with Panel members in regards to availability and organising Panel meetings;
- b) checking submitted information for referral to relevant Panel members:
- c) setting the meeting date:
- d) liaising with applicants and their architects to arrange and confirm their attendance;
- e) coordinating the circulation of the agenda to Panel members;
- f) arranging distribution of final briefing notes / minutes to Council officers.

#### 5.3 Panel Chairperson

The Chairperson will be nominated by the sitting panel members prior to the meeting. The Chairperson cannot be the NSW Government Architect's office representative or their nominee.

The Chairperson will ensure that the meeting agenda is followed and that allocated timeframes are adhered to. The Chairperson will also ensure that the panel discussion remains focussed on the matter under consideration. The Chairperson will be responsible for preparation of the briefing notes which includes recommendations and issuing any Design Excellence Certificates.

#### 5.4 Meeting Remuneration

Panellist will be remunerated for meeting attendance and associated work. A flat rate (excluding GST) will be set per meeting as agreed upon engagement. The panel chairperson will be paid an additional fee up to a maximum of \$500 in addition to being a panel member. The NSW Government Architect's office or their nominee will be remunerated as per the agreed rate set by the NSW Government Architect's office.

The specified rate is inclusive of all the work a panel member does for a meeting including (but not limited to) preparation, site visits, meeting attendance, deliberation, voting, correspondence and preparation or reviewing of briefing notes.

An agreed set hourly rate will be prescribed for any additional work needed to be undertaken not in relation to meetings as described above.

#### 5.5 Conflict of Interest

Panel members are to ensure the highest ethical standards are maintained in the exercise of their professional duties to ensure the integrity and fairness of the decision making process is maintained.



Panel members must not unlawfully disclose or misuse any information provided to, or discussed at, the Panel meeting.

A panel member who may have a potential conflict of interest must advise the panel administrator as soon as practicable.

#### 5.6 Code of Conduct

- a) All panel members are required to understand, acknowledge and sign Council's Code of Conduct prior to being appointed.
- b) Panel members must adhere to the Code of Conduct for Local Planning Panel Members and Work Health and Safety requirements, insofar as those provisions are relevantly applicable to the members of the Panel in regards to the performance of their respective duties.
- c) Panel members must act lawfully and with integrity and professionalism.
- d) Panel members must comply with all requirements imposed by the Local Government Act 1993 on persons providing advice to a Council.
- e) Any declarations for a conflict of interest must be disclosed prior to acceptance of meeting attendance.
- All matters brought before the Panel are strictly confidential.
- g) No panel member is authorised to make any comment to the media, through social media or to the general public in relation to any matter before the Panel or any decision of the Panel.



APPENDIX A: DESIGN EXCELLENCE CERTIFICATE





### DESIGN EXCELLENCE CERTIFICATE

Certificate No. xxx/ 2019
Date:
PROPERTY DETAILS
Street Address:
Lot No:
PROPOSED DEVELOPMENT
Description of Proposed Design Scheme:
Decument Identification Details:
Document Identification Details:
CERTIFICATION
This certificate hereby certifies that the abovementioned development has satisfied the design
excellence assessment criteria detailed in Holroyd Local Environmental Plan 2013 and is worthy
of:
1: An increase of metres in building height up to a maximum of metres (storeys)
2: An increase of  % in floor space ratio up to a maximum of :1
Approval:
Chairperson
Cumberland Design Excellence Panel Date:



APPENDIX B: DESIGN EXCELLENCE FLOWCHARTS



#### **Design Excellence Panel Process Flowchart**

Pre-lodgement application made

Panel meeting date set and agenda circulated

Panel members to attend site and review material prior to meeting

Design Excellence Panel meeting held

Design Excellence Panel meeting minutes (and certificate where applicable) sent to Council within 10 calendar days

Pre-lodgement meeting held

Final minutes sent to applicants including Pre-lodgement and Design Excellence advice / Certificate

Development application lodged with Council (including Certificate where applicable)

No significant changes to initial design and / or design advice has been followed

Referral to Panel to confirm endorsement

Assessment

Where <u>no Pre-lodgement undertaken</u>
Or
Design <u>not supported by Panel</u>
Or
Significant changes to the design

Panel meeting date set and agenda circulated

Panel members to attend site and review material prior to meeting

Design Excellence Panel meeting held

Design Excellence Panel meeting minutes sent to Council within 10 calendar days

Assessment



Item No: C08/20-508

#### **URBAN TREE STRATEGY - POST EXHIBITION REPORT**

Responsible Division: Environment & Planning

Officer: Director Environment & Planning

File Number: SC475

Community Strategic Plan Goal: A clean and green community

#### **SUMMARY**

This report recommends the adoption of the *Urban Tree Strategy* following a period of public exhibition.

#### RECOMMENDATION

That Council adopt the *Urban Tree Strategy* as outlined in Attachment 1 of this report.

#### **REPORT**

At the 20 May 2020 Ordinary Council meeting, Council resolved to place the *Draft Urban Tree Strategy* on public exhibition for community feedback (Min.689).

Subsequently, Council received 5 submissions for the *Draft Urban Tree Strategy* during the 36 day exhibition period. A summary of all submissions received and Council's response is outlined in Attachment 2.

In accordance with the above, Council has now addressed all public feedback with minor changes to the document. It is recommended that the *Urban Tree Strategy* be adopted by Council as outlined in Attachment 1 of this report.

#### **COMMUNITY ENGAGEMENT**

Council publicly exhibited the *Draft Urban Tree Strategy* for a period of 36 days from 1 June to 6 July 2020 both on Council's website, in local newspaper publications and at its customer service centres.

The *Draft Urban Tree Strategy* had 77 visits to the 'Have Your Say' community engagement website during the public exhibition period, with 40 people downloading the *Draft Urban Tree Strategy*. Submissions were received from 5 respondents.

Council has formally responded to all respondents who made a submission and notified them of the consideration of this item at this Council meeting.



#### **POLICY IMPLICATIONS**

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

#### **RISK IMPLICATIONS**

The Strategy provides guidance to minimise risks associated with tree management, and will inform operational procedures by Council.

#### FINANCIAL IMPLICATIONS

Actions arising from the Strategy can be funded within the existing budget. Grant funding will also be sought on relevant actions where applicable.

#### CONCLUSION

Council has publicly exhibited the *Draft Urban Tree Strategy* and formally responded to all who made a submission. The Strategy is now recommended for adoption.

#### **ATTACHMENTS**

- 1. Urban Tree Strategy 2020 <u>J.</u>
- 2. Draft Urban Tree Strategy Public Submissions J.

## DOCUMENTS ASSOCIATED WITH REPORT C08/20-508

## Attachment 1 Urban Tree Strategy 2020





## Urban Tree Strategy 2020



#### Acknowledgement of Country

Cumberland City Council acknowledges the Darug Nation and People as Traditional Custodians of the land on which Cumberland City is situated and pays respect to Aboriginal Elders both past, present and future.

We acknowledge Aboriginal and Torres Strait Islander Peoples as the First Peoples of Australia.

Cumberland City Council acknowledges other Aboriginal and Torres Strait Islander Peoples living in the Cumberland Local Government Area and reaffirms that we will work closely with all Aboriginal and Torres Strait Islander communities to advance reconciliation within the area.



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## PART A: SETTING THE SCENE



### Introduction

The Urban Tree Strategy will help Cumberland City Council manage its collective tree and canopy asset. It provides a strategic and coordinated approach to managing Council's tree population over 10 years and is supported by a short term action plan.

#### **OBJECTIVES**

The objectives of the Urban Tree Strategy are to:

- increase community knowledge and appreciation of trees
- maintain and protect existing trees
- align with regional strategies to strengthen green corridor connections.

This will be achieved through taking a holistic approach to managing tree assets to ensure that all aspects of tree management respond to our community and environmental needs.

### POLICY CONTEXT AND PLANNING FRAMEWORK

This Strategy provides a framework and direction for managing our tree asset. It supports delivery of Council's Community Strategic Plan and supports regional plans to improve green corridor connections and address localised environmental issues.

#### **Central City District Plan**

The Central City District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision of Greater Sydney. The District Plan assists councils to plan for and support growth and change, and align their local planning strategies to place-based outcomes. The Urban Tree Strategy will help Council meet its regional commitments by addressing Planning Priority C16: Increasing urban tree canopy cover and delivering Green Grid connections.

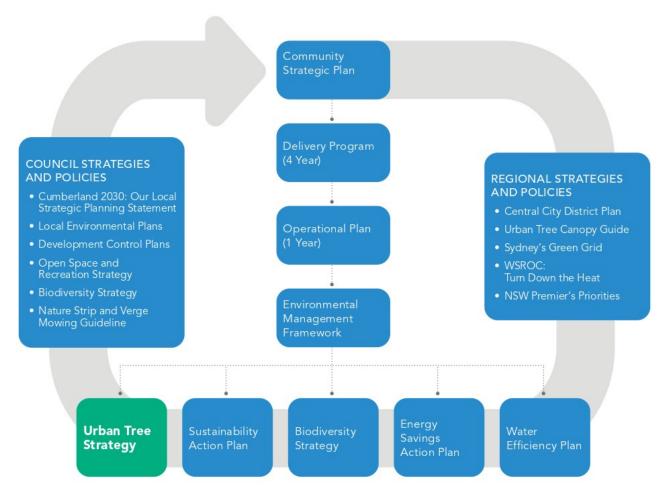


#### Cumberland 2030: Our Local Strategic Planning Statement

Cumberland 2030: Our Local Strategic Planning Statement plans for the Cumberland area's economic, social and environmental land use needs over the next 10 years. The Urban Tree Strategy will help deliver three of the planning priorities from the Statement, including:

- Planning Priority 13: Protecting, enhancing and increasing natural spaces
- Planning Priority 15: Planning for a resilient city that can adapt to natural hazards and climate change
- Planning Priority 16: Supporting urban cooling to minimise heat island effects





Policy context and planning framework



The Urban Tree Strategy provides strategic direction and support to local and regional priorities



#### **Community Strategic Plan**

Cumberland's first Community Strategic Plan 2017-27 sets out our community's vision for the future and the strategies in place to achieve this vision. The Urban Tree Strategy helps to deliver Strategic Goal 3 for 'A clean and green community'. This Strategy will help realise our community's vision for a high quality and abundant green spaces, help mitigate heat island effects and protect our natural environment.

#### Open Space and Recreation Strategy

The purpose of the Open Space and Recreation Strategy is to provide Council direction for open space, sport and recreation services and facilities. The Urban Tree Strategy supports the Open Space and Recreation Strategy by directing tree plantings in public spaces to help link parks and natural areas. Increasing trees and tree canopy also encourages our community to participate in outdoor activities such as leisurely walks and picnics in our parks.

#### **Biodiversity Strategy**

This Biodiversity Strategy presents a strategic and coordinated approach that has been developed by Council in consultation with the community to attract and effectively manage resources for biodiversity protection and enhancement in the Cumberland area The Biodiversity Strategy aims to realise the community's vision for 'A clean and green environment for current and future generations to enjoy by protecting and enhancing Cumberland's natural areas and green infrastructure'. The Urban Tree Strategy helps to deliver Key Focus Area 2 'Habitat connectivity and condition'.

#### Sydney's Green Grid

The NSW Government has identified a network of high-quality green space that connects town centres, public transport hubs and major residential areas. This is known as Sydney's Green Grid. This plan highlights the importance of the interconnecting network of green space, riparian corridor and canopy cover. The Urban Tree Strategy supports corridor connections and ecological enhancement for the Duck River and Prospect Creek Corridors within the Cumberland area.

#### **Urban Tree Canopy Guide**

The Greener Places - Urban Tree Canopy Guide has been developed by the Government Architect NSW to help local councils design, plan and deliver green infrastructure across NSW. This Guide provides information on the importance of urban tree canopy and its capacity to improve urban climate, ecosystem and human health, and enhance health and wellbeing for communities across NSW. The Guide informs the scope of the Urban Tree Strategy.

#### **WSROC: Turn Down The Heat**

This Strategy by the Western Sydney Regional Organisation of Councils (WSROC) provides strategic direction and actions to increase awareness and mitigate the impact of urban heat in Western Sydney. The Urban Tree Strategy supports Action 8: Urban Forest Strategy to help keep trees healthy and increase green canopy to provide cooling on extreme heat days.

#### Verge Mowing Policy

Council's Verge Mowing Policy acknowledges the important role the community plays in maintaining nature strips adjoining their property. Council maintains the street trees but relies on residents to maintain the grass. The Urban Tree Strategy works alongside the Verge Moving Policy by encouraging residents to modify their section of nature strip by planting low growing, soft foliage plants. Any resident wishing to carry out modifications to the nature strip needs to apply in writing to council for approval prior to any works being carried out.

#### **NSW Premier's Priorities**

The Premier's Priorities are a commitment to enhance the quality of life of people in NSW. The Urban Tree Strategy will create greener public spaces by enhancing green canopy in parks and streets to reduce the urban heat island effect, increase biodiversity and improve air quality.



#### **COMMUNITY ENGAGEMENT**

The success of the Urban Tree Strategy relies on the support and involvement of our community. Our community can help to increase green canopy cover by planting trees on private property, identify planting locations, help water newly planted trees and participate in community planting days. As part of the development of the Strategy, Council delivered a range of engagement activities, including a focus group, online survey, social media awareness and community out reach days.

#### **Resident Focus Group**

Council invited 12 residents to attend a focus group to learn about the challenges and opportunities with planting trees on private property. Some findings from the focus group included:

- Reasons for planting trees
  - Increasing privacy
  - o Providing shade on hot days
  - Improving the appearance of the surrounding area and their property
- Reasons against planting trees
  - · Age and ability to maintain trees
  - Desire for tidy gardens
  - · Availability of on-street parking
- Barriers
  - Lack of accountability amongst private certifiers and developers
  - Increased high density development, reducing deep soil area
  - High number of renters, with restrictions for tenants to plant
- Opportunities
  - Providing more information about what trees to plant
  - Run tree planting days and offer pop-up tree giveaways
  - Tree planting workshops

#### Survey

An online survey was available from December 2019 to February 2020. A total of 204 responses was received. When participants were shown pictures of their ideal tree canopy cover, 94% of responses selected medium to high tree coverage on both sides of the street. This represents a desire to have over 55% tree canopy cover along streets.



'Our parks MUST be cool places and our streets cool zones if we are to continue to engage with temperatures approaching 50 degrees in Sydney's west.'

'It is always a great idea to plant more tree as there are so many benefits. Even more important though is to protect existing established trees.'

'I would like to see streets, watercourses, town centres, industrial areas all treed. My hope is we can look at all areas in Council domain to be increased in trees.'

'Private properties are too small for a lot of trees. Many street trees are planted too close to intersections – they block visibility'

'It would be terrific if members of the public could contribute to public tree plantings.'

'Please stop cutting them the trees.'

'A great idea, but I think the maintenance is what most people worry about.'

'This council allows too many properties to cut down trees, especially where a house has been demolished and large duplexes are the replacement.'

'Try to plant and educate about endemic species that will attract native fauna and also provide for local native bee populations.'



In terms of planting trees on private property, 76% of participants indicated they were able to plant trees on their property. 24% indicated they were not able to plant trees on their property which could be due to a lack of available space, potential damage to property, knowledge of what to plant and the cost involved. Of the type of trees residents were interested in planting, residents showed the most interest in planting natives, fruit trees and flowering trees between 3m-6m and under 3m in height.

In regard to how Council can help residents plant more trees, residents showed strong interest in receiving more information about good trees to plant, followed by incentives (rebates and discounts) and more tree giveaways.

Residents also showed a strong interest in wanting to see more trees planted along residential streets, followed by parks and then town centres.

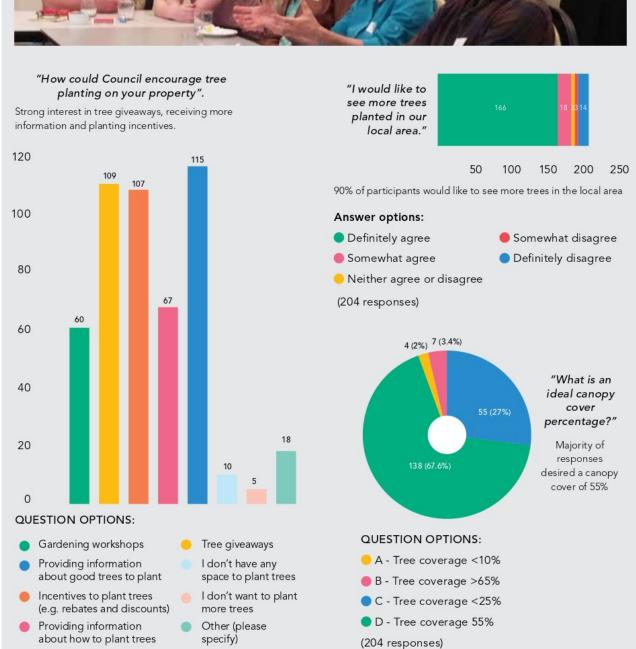
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## Snapshot of response from community engagement





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(155 responses)



### Context

#### WHAT IS AN URBAN TREE CANOPY?

An urban tree canopy is the total tree canopy area found in our public spaces and on private property. It is a network of all our trees and forms a key component of our green infrastructure.

Our tree canopy includes all varieties of our tree stock, including native and exotic species, deciduous and evergreens. Our tree canopy spreads out from our busy town centres to our commercial and residential streets, along our railway corridors, rivers and creeks to our green parks. Together, our network of trees play a critical role in our community and environment.

Trees help to create healthy cities by providing shade, habitat, cooling our surrounds, contributing to health and wellbeing and creating a sense of place and local identity.

Trees contribute to a healthy understorey and helps to support horticultural plantings. A healthy and well managed urban tree canopy and understorey forms an important part of our green infrastructure.

#### WHY DO WE NEED AN URBAN TREE CANOPY?

Our urban tree canopy plays an important role in our community and environment. It is managed by multiple groups who include individuals, private organisations, council and state government. The urban tree canopy does not stop within our local government area. It spans and connects beyond our area into our neighbouring councils and its management requires collaboration with other non-council organisations who include utilities, state government agencies, developers, individuals and organisations. This strategy provides a path to manage this important green infrastructure so that it continues to provide benefits for current and future generations.

#### WHAT IS THE ROLE OF LOCAL GOVERNMENT IN MANAGING **URBAN TREES?**

Local government is the closest tier of government to the local community. It is responsible for good governance and care of local communities and their environment. The Local Government Act 1993 states that Councils have a legal and moral obligation to manage its assets (including trees on private and public properties) to a standard that will not cause injury to the public.

Local Councils, in consultation with their communities, prepare Local Environmental Plans (LEPs) to control the form and location of new development, along with protecting open space and environmentally sensitive areas through zoning and development controls.

Development Control Plans (DCP) prepared by local councils can promote development that conserve and enhances bushland, waterways, biodiversity and tree canopy.

As such, the protection of trees at a local level is achieved through provisions in the DCP which identify when a permit is required to clear a tree or other vegetation under the State Environmental Planning Policy (Vegetation in Non-Rural Areas 2017).

Council also has a range of operational procedures for the management of trees on its assets, such as parks and local streets.





#### **BENEFITS OF URBAN TREES**

#### **Habitat for Wildlife**

Trees provide habitat and food for our native wildlife. Birds, mammals, insects, bugs and bees rely on trees for shelter, food and safe passage to move across our landscape. Increasing the number and species of trees helps to make our biodiversity and environment resilient.

#### Cleaner Air

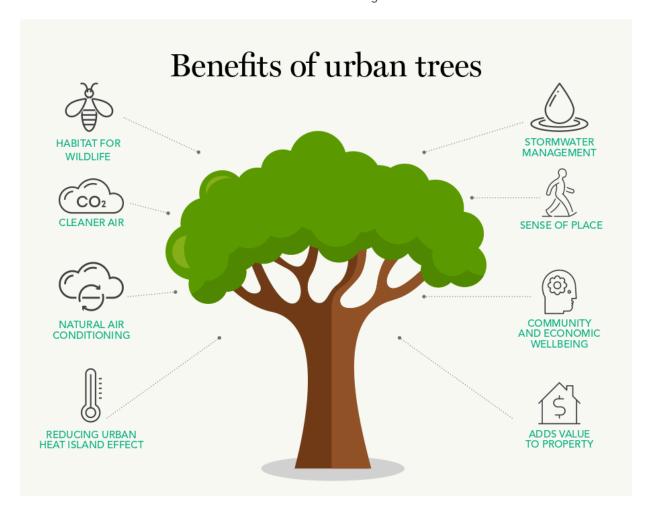
Trees help to improve air quality by absorbing air pollutants through their pores and filtering these chemicals and releasing oxygen back out into the environment. Through this same process, trees help to address climate change by absorbing carbon dioxide and storing the carbon in the tree, leaves and soil.

#### **Natural Air Conditioning**

Planting the right tree in the right location around the home helps to naturally cool and shade the house. Selecting the right tree will provide shade during summer, whilst dropping leaves in winter to let in the warm sun. This can help reduce electricity bills and lower environmental emissions.

#### Reducing Urban Heat Island Effect

The Urban Heat Island Effect is a localised weather event where an area is warmer than its surrounds due to hard surfaces like roads, roofs, pavements that absorb, hold and radiate heat for longer. This issue is made worse as our cities grow and replace natural green spaces with hard surfaces. As a result, more rain water is directed into the stormwater and away from green surfaces. This limits the role of water has on cooling our environment.





This effect is magnified on extreme heat days, where certain areas can experience hotter temperatures. A 2019 study by Cumberland City Council and Western Sydney University found that on extreme heat days, temperature differences in the area could vary up to 10oC. The research suggests that trees play a role in cooling our environment. Specifically tall trees, above 15m with dense canopies, provide the most cooling benefits for the community.

Urban heat creates additional health impacts to residents in Western Sydney. Periods of extreme hot weather affects the health and wellbeing of the very young, senior citizens and outdoor workers in our community. During heatwaves, instances of heat related injuries such as dehydration, respiratory and heart disease increase.

#### **Stormwater Management**

Trees help to manage stormwater flows during heavy rain. Trees help to keep soils healthy and reduce the rate and volume of surface water runoff, helping to delay peak flows into the stormwater channels. At the same time, tree roots, trunks, leaves, canopy and its soil absorb and filter pollutants and nutrients before flowing into the stormwater, creeks and rivers helping to keep our stormwater clean. Opportunities exist to incorporate water sensitive design with tree management, such as raingarden tree pits and tree inlet systems.

#### Streetscape Benefits

Trees help to create a 'sense of place' and contributes to the identity and character of an area. Welldesigned tree lined streets have the ability to define our precincts and to soften our built environment by adding colour and screening undesirable sights. Trees support positive mental health by reminding us of seasonal changes as the foliage changes throughout the year. A healthy tree population can help create a sense of pride in the community.

#### **Community Benefits**

Trees play a pivotal role in improving community health and wellbeing. Trees encourage our community outdoors which helps to address obesity, mental wellbeing and create social cohesion. Well planned street trees play an important role in connecting our streets to our parks and green spaces. This encourages children and adults to reconnect with nature which has shown to positively influence our mental wellbeing, reduce stress and build social cohesion.

#### **Economic Benefits**

Trees work 24 hours a day throughout the year to our benefit. Trees are natural air filters that constantly work to clean our air, filter our storm water, produce oxygen for us to breathe and provide shade and cooling effects in our community. An abundant urban canopy allows for homeowners, businesses and commercial to save on energy cost by lowering air conditioning use. Tree lined streets improve the local economy by making our town centres attractive for people to visit and stay longer.

#### Add Value to Property

Leafy suburbs and streets have the potential to add value to property prices. Research shows that planting the right tree in the right location beautifies the property, cools the home, adds privacy and creates a sense of place. Planting two trees, or providing 20% of space for trees, has also been identified to increase property value.



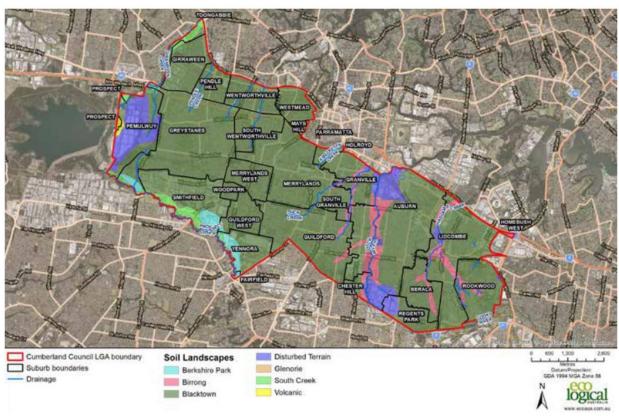
#### THE CUMBERLAND LANDSCAPE

The Cumberland Local Government Area is situated 20 km west of Sydney CBD and covers 72 square kilometres. The Council stretches 16 kilometres from the Rookwood Necropolis to Reconciliation Road in Pemulwuy.

This area lies within the Cumberland Plain Woodlands, a distinct group comprised of Grey Box Eucalyptus, Forest Red Gums, Narrow-leaved Ironbarks and Spotted Gum. The woodlands once cover 30% of the Sydney basin but now is listed as a threatened community, reduced to less than 9% and fragmented across a highly urban landscape.

The landscape has gently undulating terrain with some flood-prone lands. The Blacktown soil landscape dominates the Cumberland area. It is characterised by gently undulating rises on Wianamatta Group shales with local relief 10-30m and slopes generally

<5% but up to 10%. These soils are typically sodic, highly erodible and have poor fertility and drainage (Cumberland Biodiversity Strategy 2019). This clay soil supports dry sclerophyll woodland which is characterised by Grey Box, Forest Red Gum, Narrow-leaved Ironbarks and open woodlands with an understory of tufted native grasses. Examples of these original woodland can be found Central Gardens, Holroyd. Soil landscapes present along some of the main waterways include Birrong, Berkshire Park, South Creek, Volcanic and Disturbed Terrain.



Soil profile of Cumberland









Dreamtime Stories Time with Aunty Cleonie Quayle at NAIDOC Week Tent Program at the Fun 4 Kids Event held on 13 July

#### HISTORICAL PERSPECTIVES

#### **Aboriginal History**

For tens of thousands of years before European settlement, what would become the Cumberland was home to several clans of the Darug (also spelt Dharug, Daruk or Dharik) people.

Like all Aboriginal people, the Darug people did not own the land but belonged to the land. They respected it and referred to it as their mother and had excellent land management skills which meant they did not have to artificially cultivate crops to survive. Being primarily hunters and gatherers of their food, the Darug displayed seasonal and ecologically friendly practices within their environment. They only harvested food as was needed, before moving on to other sources, ensuring that plants and animals would be available the following year.

Darug culture had (and still has) a strong spiritual connection with the place an individual was born or conceived, which demanded a responsibility by each person to look after the land, as well as plant and animal life.



#### **European Settlement**

On 5 February 1788, soon after the landing of Captain Phillip at Sydney Cove, Captain John Hunter and Lieutenant William Bradley sailed up what is now known as the Parramatta River, to the area now known as Homebush Bay.

Around this time, the area was dry and open with small creeks cutting through the landscape with abundant vegetation. The landscape was dry sclerophyll woodland dominated by grey box, forest red gum, blackbutt, box and stringybark and apple-gums. A thick understorey of native grasses like kangaroo grass and blackthorn shrubs spread across the landscape.

Towards the western edge of the area the more hilly terrain supported similar woodland trees but with the addition of narrow-leafed ironbark, Australian indigo, green wattle and buttercups. In the low lying areas around Yennora, the clay soils supported an abundant population of paperbark scrubs, she-oaks and casuarinas along Prospect Creek.

This diverse natural vegetation provided habitat for native animals. The landscape support large populations of kangaroos and wallabies. Ducks and fowl were plentiful, so much so that the Duck Creek and Duck River was named for this reason.

Given the location and natural resources of Cumberland, early Europeans harvested the highly sought after timber needed to expand Sydney colony. The timber industry established quickly and large amounts of trees were harvested and hauled to the Duck River and ferried to Sydney.

In the decades that followed, the land was quickly cleared making way for farmland. In the early 1820s, large parcels of land were granted to farmers and graziers and fruit orchards flourished around Westmead, Toongabbie and Guildford. By the mid-1850s, the area began to change again as the construction of the railway enabled the townships to grow. This brought in new families and development of new industries and factories such as flour mills, brick works, slaughter yards and tanners. By the 1960s, the uninhabitable swampy low-lying lands around Yennora and Smithfield were rezoned to industrial estates.



View towards Prospect Hill, 1927 (Photo: Boral)



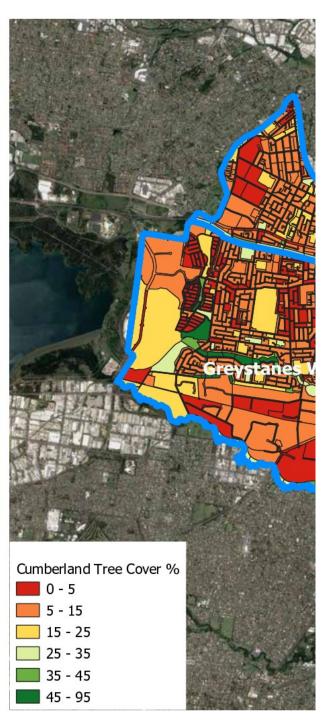
#### **CURRENT STATE OF URBAN TREES**

Canopy cover varies across the Sydney landscape. This is because of influencing factors such as historical evolution of town centres, planning decisions, land use priorities, soil types and tree management budgets.

According to research by University of Technology Sydney, Cumberland's tree canopy coverage is approximately 15%, shrubland covers approximately 5%, 50% is hard surface and 30% of area potentially plantable areas consisting of grass or bare ground.

Tree cover percentage is consistent across all five Council wards. The areas to the eastern and western boundary show a higher percentage of canopy up to 25% because of the large green spaces of Grey Box and Lower Prospect Canal Reserves to the west and Rookwood Cemetery to the east. The highest percentage of canopy cover is found in our most ecologically diverse wildlife corridors along Prospect Creek and Duck River where green cover is above 45%.

There are 13 threatened flora species, 14 threatened fauna species and ten threatened ecological communities that have been recorded in the Cumberland area. These include Castlereagh Ironbark Forest, River Flat Forest and Shale Plains Woodland. Vulnerable tree species include Narrow-leaved Black Peppermint, Wallangarra White Gum and Magenta Lilly Pilly.



Cumberland tree canopy cover







#### TREE SURVEY OF TOWN CENTRES

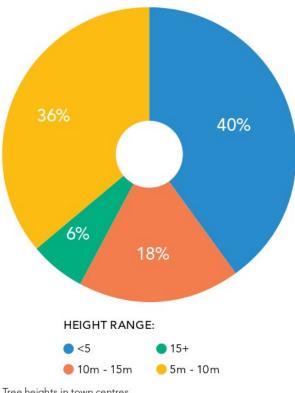
In September 2019, Council undertook a tree survey of 14 town centres. The purpose of the tree survey was to begin the process of building a database of Council's tree assets to find out how many trees are in public spaces, tree species diversity, tree size, GPS locations of trees and potential planting opportunities. Approximately 20% of Cumberland was surveyed, with a total of 14km² inspected, 340km of streets surveyed and 6,980 trees counted and 2,184 planting sites identified.

The study was undertaken at the following town centres:

- Auburn
- Berala
- Granville
- Greystanes
- Guildford
- Lidcombe
- Merrylands
- Merrylands West
- Pemulwuy
- Pendle Hill
- Regents Park
- Toongabbie
- Wentworthville
- Westmead South (Hawkesbury Road)

The key findings of the survey were:

- A healthy spread of tree genus diversity was found, with individual tree species being less than 20% of the total tree population
- Around two thirds of trees are less than 10m, which means that the number of larger trees may increase overtime
- 95% of trees in town centres have reached maturity, which will need to be monitored as these trees begin to grow old
- Around one third of trees are under powerlines, which will need to be monitored to ensure that the best type of trees are planted in these locations
- Opportunities are available to increase the number of trees in town centres



Tree heights in town centres





### CURRENT TREE MANAGEMENT PRACTICES

#### **Tree Planting**

Cumberland has an active tree planting program involving staff and community. Council staff investigate feasible planting locations throughout the area for suitable planting locations, such as on nature strips, reserves, riparian corridors and in parks. Over 4,000 trees are planted in support of National Tree Day, Schools Tree Day and as part of our Free Plants Giveaway program. When Council determines a tree removal is appropriate, Council works with residents to select and replant the tree with a suitable species appropriate for the site. Currently, Council staff select species from the Cumberland Plain Woodland group or a species that minimise conflict with overhead powerlines or nearby infrastructure. Council's main planting period occurs mainly in late Winter and early

Spring period. This is in line with industry best practice guidelines to minimise the stress on new plants, allowing them to establish successfully.

#### Tree Maintenance

Council's highly qualified team of horticulturist manages and maintains Council's tree stock in line with Council's operational procedures. Trees in parks are maintained through an annual inspection program and regular pruning in the winter season. Trees are assessed based on health, form and vigour through a ground based Visual Tree Assessment (VTA) before a decision to retain or remove is made. Newly planted trees are monitored and cared for up to a minimum period of six weeks. Currently, the tree maintenance regime is predominately reactive. Council is in the process of developing a more proactive approach to tree maintenance.



URBAN TREE STRATEGY 2020 | CUMBERLAND CITY COUNCIL 21



#### **CHALLENGES**

Managing and maintaining a healthy tree stock and canopy cover involves addressing complex and dynamic challenges. These challenges if left unaddressed, will negatively impact our tree population and exacerbate environmental issues like urban heat and loss of biodiversity. By addressing these challenges, we will identify opportunities to minimise and avoid harm to our environment, maintain and improve our tree canopy.

#### **Urban Heat and Climate Change**

Climate change is a change in the weather patterns of an area over a longer period of time and on a wider scale. Climate change effects are already evident in Cumberland. Western Sydney experiences hotter and drier conditions with longer extreme heatwaves. This impacts human health effecting our seniors, the very young and those with respiratory problems.

Climate change can increase the severity of storms, influence rainfall patterns and the bushfire season. This can increase property damage costs from storms and puts stress on our flora and fauna populations. As weather events intensify, rain, hail and flooding may potentially harm trees by uprooting trees, breaking branches and washing away soil. Less rainfall and longer drought periods will also increase cost of maintaining new trees and potentially increase frequency of tree death. Certain species of trees may be at the upper limit of their comfort zone and may struggle as temperatures continue to rise. Other species may thrive and establish quicker, frost sensitive species may grow more easily.

Increasing tree plantings and species diversity are ways we can address climate change and urban heat effects. Trees provide shade from the sun and release water vapour through transpiration to cool their local surroundings whilst diversity spreads the risk of tree loss from climate change.

#### Infrastructure Damage

Trees provide a range of positive benefits to our community. However, because of our built environment, some trees may create issues to our infrastructure and lifestyle, therefore it is important to select the right tree for the right location.

Even with proper planning and care, trees are living

organisms and will grow in a variety of shapes and forms. As a result, some trees may cause damage because of their size and root system which uplift footpaths, crack pipes and interfere with powerlines. Often tree root damage is a result of limited available space for root growth. These issues are manageable by selecting the right tree for the right location and through applying tree maintenance techniques such as installing root barriers and pruning.



Tree root uplifting driveway

#### **Population Growth and Competition for Space**

Trees can only be planted where there is available space, and the willingness of people to plant and maintain a tree. Land use decisions and available resource further impact canopy cover as local and state government, town planners, engineers and community groups grapple with balancing the needs of the environment with the infrastructure required to support our growing area.

Like many urban Councils, Cumberland is going through transformation and there is increasing pressure on available public space. Our population is expected to increase and as Cumberland continues to develop with new housing and commercial areas being built, demand for quality green space increases. Available space on private property, in parks and along streets is shrinking, as a result, finding space to plant trees becomes increasing challenging. Trees need space above and below to fully mature to enjoy the benefits they provide. However, Council has to balance competing land use priorities of the community,



environment, residents and business, industry and public infrastructure. Council recognises these challenges and accepts that in some areas, achieving the maximum canopy possible may not be achievable, in areas like this, Council will prioritise planting trees when the opportunity arise.

#### Pest and Disease

A low species diversity mix increases the vulnerability of our tree population to pest and disease attacks. As our climate changes and average temperatures increase, the warmer environment favours the spread of pest and diseases as warmer temperatures encourage breeding.

There's also the potential of new pests and diseases traditionally outside of our bioregion attacking our tree stock as the warming climate increases their range. Outbreaks have the potential to destroy tree populations and reduce canopy cover, weakening structural integrity of trees and loss of habitat.

Restoring the tree stock back to a healthy state takes years and costs Council time and resources. Diseases that have the potential to harm Cumberland's tree stock include Myrtle Rust which has caused extensive damage to lilly pillies, paperbarks and box brush. In addition, Cumberland has a high number of Eucalyptus making these species vulnerable to Psyllids (plant lice) feeding from leaves and shoots and discolouring leaves increasing the risk of die-back.

#### **Planting Under Powerlines**

Selecting the right tree for the right location is important because it allows the tree to fully mature

in a healthy state as well as minimising costs of management.

The majority of the Cumberland area has overhead power lines on one side of the road and this has a major impact on the performance of the trees. Some trees are physically constrained by overhead wiring and as a result needs pruning to avoid damage to powerlines.

Local service providers, Endeavour Energy and Ausgrid, undertakes a program of pruning trees away from the power lines. Legislation stipulates that energy suppliers are required to maintain set clearances for vegetation around the services. New trees under power lines need to be selected so that their mature height is less than the height of the powerlines and that the form of the tree is suitable for pruning if it does encroach into the clear zone.



Pruning trees under powerlines



Competition for space is making it harder to find planting sites



#### **OPPORTUNITIES**

#### **Planting Green Corridors**

Green corridors are an important green infrastructure asset. Green corridors are areas of connected habitat that provide important linkages throughout our landscape. These corridors provide important ecosystem services as they provide habitat for native flora and fauna, food, water and shelter and enable safe movement across the landscape. Cumberland's Biodiversity Strategy 2019 highlights two important green corridors within Cumberland, these are the Prospect Creek and Duck River corridors. Maintaining and increasing street tree plantings along our streets helps to create planted tree corridors to connect

our green spaces and improves walkability in our streetscape. Increasing our planted tree corridors will also support Sydney's Green Grid by supporting connections to and from the Duck River Corridor as well as increasing the overall green canopy in Sydney.

#### **Community Involvement**

Our local community is highly diverse and each individual's behaviour and attitudes towards trees vary. Encouraging community participation in tree planting events and through education will help to strengthen the view that trees are an important asset for the community.

Research from our engagement survey shows that there is a lack of knowledge regarding the benefit of



Community planting event on National Tree Day



trees and that more information and activities to raise awareness of the benefits can encourage plantings of trees on private property.

The lack of understanding of trees in urban settings has created a perceived fear of trees from tree damage to property and personnel injury. This Strategy recognises that in order to increases green canopy, Council requires the support of residents and businesses to plant and maintain trees in private spaces.

Opportunities to increase community involvement include community planting days to foster a sense of ownership, supporting local bushcare groups, asking the community to nominate areas where planting can take place and what to plant, seeking support from community to look after newly planted trees.

#### Streets, Parks and Public Utility Land

The Cumberland area has approximately 24% made up of green space. These spaces include parks, reserves, green corridors and riparian zones where opportunities to plant trees exist. In addition, planting along streets create planted tree corridors which increases walkability, reduces urban heat and strengthen links to parks, reserves and green corridors.

Opportunities also exist by planting trees on noncouncil land. Council will advocate and support land managers to increase tree plantings along road reserves and on school grounds, utility and rail corridors when the opportunity arises. Where appropriate, Council will pursue natural regeneration or re-wilding restoration methods. These methods have been applied in the past through the 'Rewilding of Prospect Creek - Homes for Habitat' project.

#### Strategic Land Use Decisions

Cumberland's future tree canopy is influenced by the strategic land use decisions made today. Council has instruments, policies, controls and strategies that work together to form a foundation to maintain and increase the tree canopy cover. This Strategy complements Council's Local Strategic Planning Statement, Development Control Plan, Local Environmental Plan and strategic documents. Furthermore, this Strategy aims to support regional efforts to increase tree canopy such as Sydney's Green Grid and Central City District Plan.

Council will leverage its unique role in the community to manage and plan for optimal canopy cover regardless of whether the land is private or on public space.

#### Water Sensitive Urban Design

Cumberland is operating in a highly variable environment. With the impacts of climate change being felt, managing our natural resource is more important than ever. Water sensitive urban design (WSUD) aims to improve capture, treatment, storage and re-use of stormwater before it has a chance to pollute our waterways. WSUD principles can be incorporated into urban planning and tree management to manage, protect and conserve water in the urban environment. This can be achieved through a range of examples including:

- · Raingarden tree pits
- Constructed wetlands
- · Bio-retention and swale systems
- · Stormwater harvesting systems



Constructed wetland at Pemulwuy provides habitat and improves water quality





## PART B:

# STRATEGIC FRAMEWORK FOR URBAN TREES



## Urban tree management principles

In order to increase tree planting and green canopy cover in Cumberland, Council will follow and apply a range of principles to help our decision making process.

#### RIGHT TREE IN THE RIGHT LOCATION

Selecting the right tree in the right location is an important step in helping to increase our tree canopy cover. This means selecting the right tree that will reach maturity without negatively impacting its surrounding.

Tree selection will consider the historical performance of the species in the area and consideration should be given to:

- Potential to damage property
- Cracking pavement such as footpaths and driveways
- Overhead space and infrastructure, such as powerlines
- Below ground infrastructure, such as sewers and telecom infrastructure
- · Impact on traffic and signage

Species that have a proven history of performing well in the area should be chosen over those that are known to be problematic. In the long term, this will ensure trees reach full maturity whilst minimising maintenance time, cost and risk to property and people.

Council has developed a tree species list as part of the Urban Tree Strategy that are suitable to be planted in our local area.

### APPLY THE BIODIVERSITY MITIGATION HIERARCHY

Trees are living organisms which grow, age, get damaged and eventually die. To maintain our tree stock and canopy, Council will apply the biodiversity mitigation hierarchy to firstly avoid, minimise, rehabilitate and as a last resort, offset tree loss to protect our tree canopy cover. Whilst tree removal is a last resort, Council on occasions will have to remove trees for public safety reasons. In these situations, Council will replace the tree with a suitable species to maintain our tree stock. Council will review and assess all tree removal applications and will enforce replacement tree plantings.

The following principles are not considered sufficient reasons to remove a tree:

- Leaf, twig, flower & fruit drop or deadwood drop
- · Bird dropping/insects/animal nuisance
- To increase sunlight or views or reduce shade
- Tree doesn't suit the landscape
- · Unsubstantiated fear of tree failure
- The height/ size of the tree/s
- · Minor damage to paths or paving
- To increase sunlight to solar or pool panels

The biodiversity mitigation hierarchy prioritises planning activity in the following order of importance:

- Avoid activities that lead to loss and damage of trees
- Minimise actions and risks that harm trees to the lowest possible level
- 3. Rehabilitate and take restorative actions to bring the ecosystem back to its original state
- Offset to compensate for tree loss either by planting more trees in the same location or within the same area to ensure no net loss of trees.



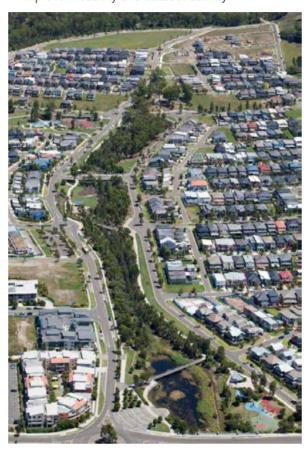
Biodiversity mitigation hierarchy



#### SUPPORT GREEN INFRASTRUCTURE

Green infrastructure is a network of green spaces, wildlife corridors, water sensitive urban design, stormwater harvesting systems, parks, rivers both planned and natural in our environment that provide a range of ecosystem services. Our tree canopy forms part of our green infrastructure network and is an important asset in our built environment. Council decisions should involve Strategic Planners, Tree Management Officers, Landscape Architect, Environmental Management and Operations Officers to integrate trees into our green infrastructure network. Trees are an important green asset that deliver cumulative benefits alongside other natural infrastructure to:

- Reduce the urban heat island effect
- · Improve air, water and soil quality
- · Enhance biodiversity and resilience
- · Improve liveability and outdoor activity



Green infrastructure at Pemulwuy helps to mitigate urban heat, improve air and water quality

#### LARGE TREES PROVIDE THE MOST BENEFIT

Council's 'Benchmarking Urban Heat Study 2019' found that large trees provide the most environmental benefits. The study found that large trees over 15m provide the most shade, deliver the most evaporative cooling effect and biodiversity gains. Not only does a larger tree provide a larger canopy, they also contribute to the aesthetics of the street, clean more air and stormwater and provide more habitat for wildlife.

Subject to verge width and constraints such as overhead power lines and building setbacks, larger growing trees should be selected wherever possible. Too often small trees are planted on both sides of a street, when a larger growing tree could have been planted on the non-wire side of the street.

When planting in large open spaces such as in parks, reserves and riparian corridors, preference should be given to endemic Cumberland Plains Woodland species followed by native species. This will allow these species to freely mature as they thrive best in large open areas.



Larger trees provide exponential benefits as they grow



#### CONSIDER CHARACTER OF THE STREET

The visual character of each street is important to creating identity and a sense of place. When selecting what to plant, Council will consider the existing visual character of the place to determine whether the new tree should maintain uniformity and consistency or select new species to add character to the place. An advantage of maintaining uniform plantings is that maintenance is more efficient when managing single species however planting different native and exotic species may be more appropriate for the location and increase species diversity. Additionally, having a variety of trees enhances local biodiversity and strengthens ecosystem resilience.

### ALIGN WITH STRATEGIC LAND USE PLANNING

The application of the Urban Tree Strategy will align with the strategic land use planning framework for Cumberland. This includes:

- Application of strategies and plans, such as the Central City District Plan, Cumberland 2030: Our Local Strategic Planning Statement, and the Cumberland Community Strategic Plan
- Implementation through planning controls, such as the Local Environmental Plan and Development Control Plan
- Alignment with strategic documents, such as the Green Grid, tree canopy guide and urban heat masterplan



Planted street tree corridors adds visual character and improves walkability



## Planting design and guidelines

The planting design and guidelines outline a range of considerations, including planting scenarios, overhead powerlines, interface with infrastructure, tree species, placement of trees, planting in town centres and paved areas, soil volume and drainage.

#### PLANTING SCENARIOS

A variety of planting scenarios exist in Cumberland. Each scenario has unique constraints that influence the type of tree that can be planted. These scenarios are summarised below and a list of suitable trees for each scenario is included in the Urban Tree Strategy. The tables cover planting scenarios for both public and private land.

Planting Scenario	Constraints	Tree Size
Parks, Reserves, Playgrounds, Prospect Creek and Duck River Corridors	No major constraints	Small Medium Large *Native species only
Narrow verge (<2.5m)	<ul><li>Verge width</li><li>Above and below utility</li><li>Nearby infrastructure</li></ul>	Small
Wide verge (>2.5m)	<ul><li>Verge width</li><li>Above and below utility</li><li>Nearby infrastructure</li><li>Pavement</li></ul>	Medium Large
Streets: Under powerlines	<ul><li>Above and below utility</li><li>Nearby infrastructure</li><li>Pavement</li></ul>	Small (<3m)
Streets: No powerlines	<ul><li>Above and below utility</li><li>Nearby infrastructure</li><li>Pavement</li></ul>	Medium Large
Town centres	<ul><li>Pavement</li><li>Shop awnings</li><li>Street characteristics</li></ul>	Small Medium Large
In-road Mid-road islands Median strips	<ul><li>Traffic sight lines</li><li>Parking and traffic analysis</li><li>Draining</li><li>Soil depth and volume</li></ul>	Medium Large
Public spaces	<ul><li>Above and below utility</li><li>Nearby infrastructure</li><li>Pavement</li><li>Street characteristics</li></ul>	Small Medium Large

Planting scenario framework for public land



Planting Scenario	Constraints	Tree Size
Front and Backyards	<ul><li>Above and below utility</li><li>Nearby property and infrastructure</li><li>Pavement</li><li>Solar access</li></ul>	Small Medium
Medium/High density Apartments	<ul> <li>Above and below utility</li> <li>Nearby property and infrastructure</li> <li>Pavement</li> <li>Solar access</li> </ul>	Small Medium
Town Houses	<ul> <li>Above and below utility</li> <li>Nearby property and infrastructure</li> <li>Pavement</li> <li>Solar access</li> </ul>	Small
Balconies	<ul><li>Ceiling height</li><li>Planting Pot size</li><li>Solar access</li></ul>	Small (with pruning)
Commercial/Industrial	<ul> <li>Above and below utility</li> <li>Nearby property and infrastructure</li> <li>Pavement</li> <li>Solar access</li> </ul>	Small Medium Large

Planting scenario framework for private land

#### OVERHEAD POWER LINES

The majority of the Cumberland area has overhead power lines on one side of the road and this has a major impact on the performance of the trees.

#### **Endeavour Energy**

Endeavour Energy is responsible for maintaining the electricity supply for the majority of Cumberland. Endeavour Energy undertakes a vegetation maintenance program, to maintain the safety and reliability of our network for local families, households and businesses

Endeavour Energy undertakes a program of pruning trees away from the power lines on a cycle of 1 to 3 years, depending on rate of growth. The Electricity Supply (Safety and Network Management) Regulation 2014 stipulates that Endeavour Energy are required to remove and trim trees so as to minimise damage to or destruction of trees growing under or near power lines.

Endeavour Energy's Tree Management Plan 2017 lists the below tree management actions:

 Pruning: Trees are generally pruned on a cycle of one to three years, depending on the rate of regrowth, bushfire risk and local conditions and characteristics.
 Pruning standards and associated contracts require pruning of any branch within a 3m radius of the power lines and in accordance with Australian Standard AS 4373 Pruning of Amenity Trees. New trees under power lines need to be selected so that their mature height is less than the height of the lines and that the form of the tree is suitable for pruning if it does encroach into the clear zone required by Endeavour Energy.

- Tree Removal: The removal of trees growing in proximity to power lines will only be considered where alternative methods, as defined in this section of the plan, are not feasible or a tree has been assessed as a Fall-in Vegetation Hazard/Hazard Tree. In these cases, tree removal works are subject to the environmental assessment process (with the exception of emergency works and hazardous trees) and will only be undertaken following appropriate stakeholder consultation.
- Aerial Bundled Cable (ABC): These consist of a number of insulated wires bundled into a single cable which reduces the overhead space required for wires. ABC allows for reduced tree trimming safety clearances where ABC cables are used allowing for trees to grow around the cable.

It should be noted that the Plan may be updated during the life of the Urban Tree Strategy.

#### Ausgrid

Ausgrid manages a small portion of the electricity supply to the east of the Cumberland area. Ausgrid and their contractors employ horticulturist and arborist to make sure the trimming is done to Australian Standard for amenity pruning AS4373 so that trees remain healthy.



Ausgrid manages trees under powerlines in the following ways:

- Trimming: Generally, in residential areas the clearance around bare low voltage powerlines is 1 metre. Once crews have cleared to the minimum clearance distance they provide an allowance for regrowth so the branches do not enter the clearance distances before the next annual visit.
- Aerial Bundled Cable: In some areas, Aerial Bundled Cable (ABC) has been installed. ABC wraps the low voltage wires into one insulated cable. This insulation reduces the likelihood of a power interruption, caused by branches coming into contact with the lines and creating a short circuit. Replacing bare low voltage powerlines with ABC reduces the clearances for trimming, but it is likely that some sort of trimming will still be required.
- Underground: Powerlines or cables are also placed underground in some areas like all new urban residential developments and some commercial areas. While this removes the need to trim any tree branches, underground cables can still be affected by roots. Undergrounding electricity cables is the most expensive option. Costs vary depending on a range of technical and environment factors and we consider all requests for undergrounding on a case by case basis.

It should be noted that the management of trees by Ausgrid may be updated during the life of the Urban Tree Strategy.

#### UNDERGROUND SERVICES

There are many utilities and infrastructure assets that run underground. These include gas mains, electricity cables and water pipes which sometimes inhibit the growth of trees and damage to these services. Each planting site will be assessed on its merits to determine the feasibility plant trees near these underground services and structures.

#### **GENERAL SOLAR ACCESS**

Street tree species should be selected, that will provide an appropriate level of solar access to dwellings. This consideration applies more in streets with low density housing. This becomes less of a consideration where lots are larger and houses are set well back from the street. In these instances, the street trees typically impact less on solar access and the residents have an opportunity to manage and consider their sunshine and shade requirements within their own gardens and open areas. Unreasonable requests for tree removal or excessive pruning for solar access will typically be rejected by Council.

#### **SOLAR PANEL ACCESS**

Council supports the uptake of renewable energy. Council shall consider this factor when planning any new tree planting. If a resident already has legally installed solar panel collectors and their performance is significantly diminished by a street tree, the pre-existing arrangement should stand. That is, was the tree there first or was the receiver/panel prior to any street tree planting.

Even if the tree was small when the panels or receiver were installed, if it was reasonable for the mature size of the tree to be estimated and considered, then Council shall not be expected to prune the tree to maintain it at a smaller size.

If a resident currently relies on solar access for the operation of such a device, Council will typically avoid planting a new tree that will unreasonably shadow the device.

#### **BUS STOPS**

Clearances and setbacks for trees near bus stops are to be determined typically on a case by case basis.

When a bus stop is proposed by other authorities to be installed in a street that currently has not had a bus stop or a bus stop is proposed to be relocated within a street, the existing street trees should be considered as a material constraint.

Existing street trees should not be unreasonably removed to facilitate a new bus stop unless all other possible alternatives have been explored. Where a bus stop is positioned adjacent to an existing street tree, the impacts to the trees roots and canopy shall be minimised to maintain the trees health and vitality.

#### TREE SPACING

Spacing between trees is influenced by a variety of factors. These include species type, growth rate, soil conditions and level of care and maintenance. Often tree roots spread wide and beyond the reach of the tree canopy. To gauge how close trees should be, a soil volume calculator should be used to determine the minimum and maximum soil volume required for each species. A soil volume guide is provided in the Urban Tree Strategy. A general guide for the spacing of street trees is as follows:

- Small trees 5 metre spacing
- Medium trees 7 to 10 metre spacing
- Large trees 10 to 15 metre spacing

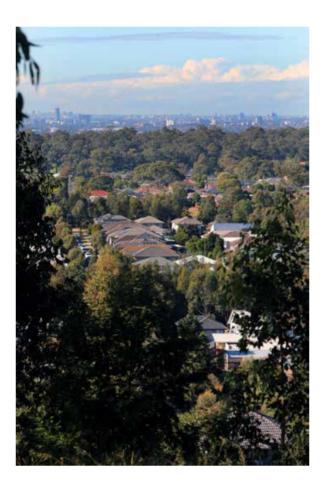


#### **PLACEMENT OF TREES**

Council considers it essential that sufficient sight distance be provided to enable motorists to safely negotiate an intersection or driveway and that restrictions be placed on the type of tree to be planted under electrical wires.

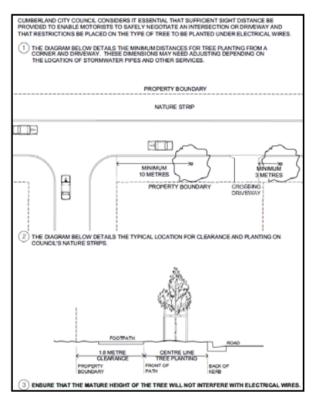
A table has also been included in the Strategy that details the minimum distances for new tree planting from a corner, driveway and nature strip and roadway. These dimensions may need adjusting depending on the location of stormwater pipes and other services. Tree selection should ensure that the mature height of the tree will not interfere with electrical wires.

It should be noted that general site specific planning controls may apply on the placement of trees. These controls supercede guidance outlined as part of the Urban Tree Strategy.



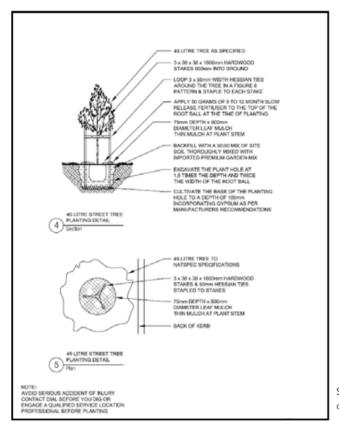
Item	Distance Required
Street intersection	10m from intersection kerb line
Power pole and street lights	5m from the pole
Stormwater inlet	1m from edge of inlet
Major underground service junction	2m from edge of junction box
Bus stops	No trees planted along the length of bus zone
Traffic lights	15m from traffic signal pole
Pedestrian crossing	15m from the approach side of the crossing
Driveways	3m from the edge of the driveway
Major traffic sign	10m from the front face of the sign

Guidance on minimum clearances for new trees



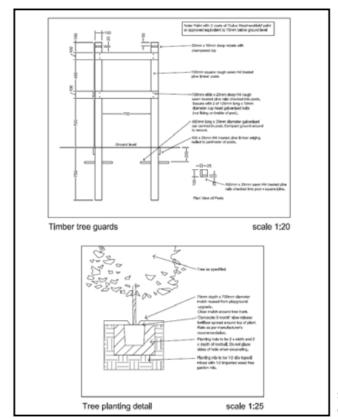
Guidance on clearances and planting on Council land





NOTE: Avoid Serious Accident Of Injury Contact Dial Before You Dig Or Engage A Qualified Service Location Professional Before Planting

Standard 45 Litre street tree planting detail



Standard timber tree guard installation



### PLANTING IN TOWN CENTRES AND PAVED AREAS

Planting trees in hard surfaces require careful planning and consideration of soil mix, volume and access to nutrients. What is provided to trees below ground will dictate how the tree will grow above and below the ground. Planting trees with consideration of these important factors help to ensure trees remain healthy and reach full maturity and help minimise chance of root damage and uplift of pavements.

#### **Tree Sizes for Town Centres**

All trees within the hard paved areas of Town Centres to be ideally minimum 400L pot size. Council will consider the option for 200L pot sizes for locations with planting limitations. For new developments, Council requires developers to cover the cost of planting 400L trees.

#### Soil Consideration

All soils, potting mixes and composts used for landscaping and gardens will meet the following Australian Standards:

- Site and imported topsoil: AS 4419.
- · Potting mixes: AS 3743
- · Composts, soil conditioners and mulches: AS 4454

Suitable soil for tree planting can be classified into Type A and Type B. Type A soil includes clay, silty clay, sandy clay and clay loam. It is suitable as an all-rounder for landscape garden beds, grasses and flowering plants requiring. This soil should not be used for areas that will experience high pedestrian due to its poor compressive strength. Type B soil is more suitable for larger trees over 45L where deeper rooting is required, as Type B soil has lower organic matter composition and reduces the risk of waterlogging.

#### Structured Support Soils

Structured support soils are designed to support heavy surface loads such as roads and pavements whilst providing rooting volume for trees. These support systems create space within the structure, helping to reduce soil compaction which allows roots to grow and air and water movement.

#### Strata Cells

Strata cells help maximise the soil volumes for new tree planting in areas with hard pavements by providing support to heavy vertical loads. Strata cells provide a large module for space where root growth can occur maximising the opportunity for trees to grow into large canopies. This allows for gap spaces in the soil mixture to allow roots to grow through the soil, air and water to flow whilst providing a strong base to support heavy loads. Council has successfully used strata cells in Berala Town Centre to help trees reach maturity.



Trees in Auburn town centre add character and sense of place



#### **SOIL VOLUME**

One of the key factors that affect the growth size of the tree is the amount of soil available. Trees will only grow to match the soil volume provided to it. Minimum soil volume requirements for small, medium and large trees within town centres are provided in the table below:

#### TREE PIT DRAINAGE

Tree pit designs should incorporate draining pipes within tree pits in paved areas to allow for excess water to escape. A water logged tree pit can become anaerobic and lead to root rot. One example of incorporate water sensitive urban design is the

'raingarden tree pit'. This tree pit system removes pollution from stormwater before entering waterways, reduces the amount of water required to support the tree in a compact small design suitable for urban areas.

Tree inlets are an intelligent water sensitive urban design feature that takes advantage of kerbside stormwater run-off. The inclusion of stormwater inlets in kerbside next to tree pits allows for capture, storage and remediation of stormwater runoff to passively water street trees. The tree inlet system involves inserting a slitted faceplate into the kerb which allows for stormwater to flow through an anchor block directing stormwater into the tree pit.

Tree size	Height	Canopy development	Minimum soil volume m²	Minimum soil volume m³
Small	5-10m	5m	19.5	9.3
Medium	10-15m	8m	50	23.8
Large	15-20m	16m	200	95.3

Guidance on soil volumes



Example of using strata cells around hard surfaces (Photo courtesy of greenblue.com)



Tree inlets passively water trees by directing stormwater into the tree pit (Photo courtesy of spacedownunder.com.au)



### Tree maintenance

Maintaining trees ensure they continue to provide environmental, economic and social benefits. This section discusses the ways in which Council maintains its tree stock.

#### TREE ESTABLISHMENT

Correctly planting a tree is a very simple process but an important one. Correctly handling the tree when planting, preparing the planting hole and caring for a tree after it has been planted will ensure the survival and optimal growth of the tree. Trees take up water through their roots. In general, trees require more water when they actively start to grow in spring and during hot summer months. Planting in autumn gives the tree more time to grow new roots and for roots to start growing into the surrounding soil before the increased demand for water starts. However, container grown trees can be planted at any time of the year if they are properly cared for after planting. Care during

this period will lead to healthy and vigorously growing trees. The following maintenance practices should be regularly carried out during the establishment period:

- Watering: Water both the rootball and the surrounding soil thoroughly
- Weeding: Remove weeds close to the tree (weeds compete with the tree for water and nutrients)
- Fertilising: To maintain healthy growth in accordance with the fertiliser manufacturer's application instructions
- Pest and disease control: inspect to monitor and protect the tree from pests and diseases
- Mulching: Replenish water to keep the mulch depth to approximately 50mm deep.



Newly planted trees require regular maintenence to help them establish.



Root management ensures the tree grows healthy and reduces risk to the community and infrastructure.



#### **PRUNING**

Council will undertake tree pruning to improve tree health, structure and ensure safe clearances for walkways, buildings, powerlines and roads. Council maintains trees on its managed land in order to fulfil its legislative and management obligations to the community and the environment.

Where pruning is required under powerlines, Council will work with energy suppliers to ensure pruning work is completed to provide necessary clearance as well as protecting the health of the tree. Tree pruning will not be done to improve views, reduce leaf drop or reduce the impact from animals such as birds and bats. All pruning work should be in accordance with the Australian Standard for Pruning of Amenity Trees AS4373

#### TREE PROTECTION ZONE

The tree protection zone is an area set aside for the protection of a tree's crown and roots. It is an estimate of the area required to protect a tree from adverse construction impacts. No construction activity or changes to soil levels should occur within this area. Tree protection zones are required before soils levels are altered by excavation or fill close to a tree, if works are within the tree protection zone, a Tree Permit must be obtained for the works before they commence. Council may specify tree protection requirements in a Tree Permit or Development Application. All tree protection requirements must comply with AS 4970 'Protection of trees on development sites' and be installed before any works commence and before any machinery or material taken on to the site.

#### TREE ROOT MANAGEMENT

Certain tree root treatment work, including selective root pruning and root barrier/deflector installation, may occasionally be performed. This work is required for risk management, to maintain public safety and contain tree root growth to avoid damage to infrastructure. Where necessary, root pruning is also required to undertake repairs or prevent damage to property, roads and pavements.

Root pruning may increase fine root growth within the root ball. Shaving or trimming off the very outermost edge (up to 20mm) of the rootball of a container grown tree will stimulate root division and growth. An increased root system will allow the tree to absorb more water and nutrients, and consequently the tree may establish more quickly.

#### REPLANTING OPPORTUNITIES

Council aims to continue existing street characters and tree planting wherever possible. Council will investigate opportunities to increase the urban canopy, which may include:

- Town centre renewals
- Parks and reserves
- · Grant funded initiatives
- New developments
- Commemorative tree programs
- · Community tree planting events
- Free Plant Giveaway
- · National Tree Day
- · Schools Tree Day



Free plant giveaway by Council at Auburn Botanic Gardens



## Tree species selection

Trees are an important long term green infrastructure assets that may live for 50 years and beyond. It is therefore important that the right species is selected for the right location. When selecting the tree to be planted, consideration should be given to the criteria outlined in this section no matter the trees origin or type. The species with a strong proven performance in Cumberland, with respect to environmental and functional requirements will be the main primary selection criteria.

#### TREE SIZE

The tree with the largest size and canopy suitable for the location should be planted. Research has consistently shown that medium to large trees with dense canopies provide the greatest ecological and community benefits in comparison with small trees. This is particularly evident during extreme heat days. Cumberland City Council's 'Benchmarking Urban Heat 2019' study found that under tall trees greater than 15m with dense canopies can be 5-6oC cooler underneath compared to trees less than 10m. In addition, large trees create more canopy spread and shading benefits, absorption of more gaseous pollutants, and achieve higher canopy clearances over buildings and utilities. Medium and larger growing trees typically have longer life spans and provide exponential benefits as they get larger.

## SPECIES DIVERSITY – NATIVE AND EXOTIC

As part of the tree survey across the town centres, Council identified that there are parts of the Council with high concentrations of a single species. With little species diversity there is an increased risk of the urban canopy being decimated by insects and disease.

Both native and exotic species provide unique benefits and disadvantages. Whilst native indigenous species thrived prior to European settlement, our landscape has fundamentally changed due to urban development resulting in hard infrastructure, underground and overhead utility, compacted soils and disturbed drainage patterns.

Common species of the Cumberland Plains thrive in wide open spaces with excellent drainage and freely maturing without constraints. These optimal growing considerations are rare in our highly urbanised landscape and may only be suitable in limited planting scenarios. When planting in large open spaces such as in parks, reserves and riparian corridors, preference should be given to endemic Cumberland Plains Woodland species followed by native species.

Exotic trees do provide an important advantage in the urban context in that they include many species of deciduous trees, which provide greater solar access to the streets through the winter months. Compared to native trees, there are only a limited number of native species that are deciduous and most of these lose their leaves in spring or early summer.

Exotic species also benefit from selective breeding making them more pollution tolerant, resilient to root area compaction and greater resilience during construction and repair works around the tree. Importantly, the canopy shape and growth of the tree responds well to pruning and shaping required in an urban environment with public infrastructure, pavements and overhead wires.

Council's Urban Tree Strategy aims to use both native and exotic trees to increase species diversity and resilience. In order to do this, Council will apply the principle of selecting 'the right tree in the right location' regardless of whether they are native or exotic.



#### CLIMATE CHANGE AND DROUGHT

It is understood that climate change is happening and the effects are wide and varied. These include prolonged periods of drought, longer extreme heat waves, stronger storms and extended bushfire season. For urban trees in our area, the impact includes:

- · Decreased tree planting due to the potential affects of water restrictions and drought
- Increased impact of disease and pests on tree health as warmer weather can increase reproductive potential and increase the geographic range of pest
- Premature death of some tree species due to intolerance to heat, including young and vulnerable trees
- · Increased branch and whole tree failure of otherwise healthy trees due to high winds and heavy rains
- Increased risk of damage caused by tree failure, increasing potential claims and litigation. The increased risk raises community concern and results in tree removal, and is likely to perpetuate climate change impacts

· Healthy, diverse and structurally sound urban trees are far more likely to adapt to the challenges of climate change

Species selection should consider the resilience of trees in a warmer and drier environments. For example, broad-leaved, deciduous species, commonly planted as street trees in south-eastern Australia, may be at the upper edge of their temperature range and are likely to perform poorer in conditions of increased temperatures.

For many species, higher temperatures will allow more rapid establishment and growth if water is available. Rapid tree establishment is an advantage in many areas. Frost sensitive species may be grown more widely and easily. During extended drought periods, mulching tree root zones reduces water loss due to evaporation. Retaining water runoff through implementing water sensitive urban design can help tree survivability rates during dry periods.



The right tree in the right location, regardless whether it is native or exotic species



#### PEST AND DISEASE TOLERANCE

A widespread infestation of harmful pests and disease has the potential to harm Council's tree stock. There are a variety of pests and diseases which have been identified in the Sydney area including (but not limited to) Psyllids, Sycamore Lace Bug, Myrtle Rust, Fusarium Wilt, Armillaria, and Phytophthora. Consideration should be given to a tree's resistance level to known pests and diseases. Monitoring tree health and increasing tree diversity has the potential to minimise the impact of specific disease and pest attack.

#### LOW MAINTENANCE

Species should be selected and planted to minimise maintenance costs, both during establishment and over the life of the tree. Key maintenance considerations include:

- Watering, pruning and other establishment costs
- Pruning away from pedestrian and vehicle paths, overhead power and telecommunications cables, signage, traffic signals and other infrastructure.
- · Cleaning of leaf, fruit and branch drop
- Repair of damage to infrastructure (footpaths, kerbs and underground services).
- · Pest and disease control

#### **LEAF FALL AND ALLERGIES**

Trees are living organisms and dropping leaves are part of their natural process. Trees that produce large seed pods or are continuously dropping leaves or fleshy fruit should be avoided to reduce maintenance for Council and residents. Excessive leaf fall has the potential to increase street cleaning requirements to clear stormwater drains.

Although trees produce a limited quantity of pollen compared to grasses, consideration should be given to the potential impact of allergic reactions that can occur in some people. Most problems, such as hay fever, eye allergies and respiratory problems, occur due to the presence of pollen between September and January.

#### **TOLERANCE OF COMPACTED SOILS**

Trees should be selected that are tolerant of compacted soil with low oxygen levels, as this is a common situation in the urban streetscape. This occurs when the soil has been compacted so much so that there is minimal pore space reducing oxygen in the soil and decreasing soil drainage ability. Much of Cumberland's soil profile has been disturbed with the original soil removed and replaced by construction material, hard surfaces and landfill. Trees that are able to adapt to a wide range of soil types and conditions are preferred and should be selected in these areas.

#### **DECIDUOUS AND EVERGREEN TREES**

Deciduous trees lose their leaves in the winter, providing sun in winter and shade in summer. They give a sense of the seasons and can produce spectacular seasonal displays. Evergreen trees maintain their foliage throughout the year, providing all year round screening, greenery and shelter. An advantage of deciduous trees is that they renew their leaves annually, allowing them to shed foliage that has become affected by disease and pollution. Consideration should be given to whether the location requires privacy screening year round, protection from wind or foliage year round for aesthetic and habitat reasons.



Jacaranda trees provide spectacular blooms in spring and drop leaves in winter



## Tree species list

The following list recommends species to be grown in Cumberland City. These categories are further broken down into small, medium and large trees. It is important to note that some species may have very wide applications, while others will only be used in very limited or specific locations. Tree sizes listed below are guidelines only and are dependent on local conditions. Planning controls or development approvals may provide specific guidance on tree species or planting arrangements that need to be considered in these circumstances.

#### Small Size Trees

Small Size Trees		
Botanical name	Ceratopetalum gummiferum	
Common name	NSW Christmas Bush	
Foliage	Evergreen, mound-shaped	
Mature size (H x W)	3m x 2m	
Flowers	White, red	
Fruit	-	
Flowering season	December	The state of the s
Growth rate	Slow	
Origin	South East Australia	
		District Annual Control of the Contr
Botanical name	Backhousia citriodora	ALCOHOL: N
Common name	Lemon Myrtle	
Foliage	Evergreen, glossy green dense foliage	
Mature size (H x W)	5m x 2m	
Flowers	White, cream	
Fruit	-	
Flowering season	Summer, Autumn	
Growth rate	Fast	
Origin	Northern NSW, Southern Queensland	The same of the sa
		300001-000000
Botanical name	Corymbia ficifolia	
Common name	Red flowering gum	
Foliage	Evergreen, Spreading	
Mature size (H x W)	5m x 3m	
Flowers	Red, pink through to orange and white	
Fruit	Gum nuts	
Flowering season	All year	
Growth rate	Moderate-Fast	

Native south-west of Western Australia

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Origin



Botanical name	Tristaniopsis laurina	and the
Common name	Water Gum	A STATE OF THE STA
Foliage	Evergreen, spreading crown	40
Mature size (H x W)	5m x 3m	
Flowers	Yellow	
Fruit	-	
Flowering season	Spring, Summer	
Growth rate	Slow	
Origin	Eastern coast of Australia	Whi die
Botanical name	Leptospermum petersonii	100
Common name	Lemon-scented teatree	
Foliage	Evergreen, Spreading	
Mature size (H x W)	2m x 1.5m	
Flowers	White	



#### **Medium Size Trees**

Flowering season

Growth rate

Fruit

Origin

Botanical name	Calodendron capense	
Common name	Cape Chestnut	¢
Foliage	Semi deciduous, spreading tree, greyish green leaves	1
Mature size (H x W)	10m x 6m	Ì
Flowers	Pink orchard-like flowers	
Fruit	~	
Flowering season	Summer	
Growth rate	Slow	
Origin	Exotic - South Africa	Sec. 1
Botanical name	Buckinghamia celsissima	
Common name	Ivory Curl	3

East coast of Australia

Spring

Fast



Botanical name	Buckinghamia celsissima
Common name	Ivory Curl
Foliage	Evergreen, dense glossy green foliage
Mature size (H x W)	8m x2m
Flowers	Creamy white
Fruit	-
Flowering season	Summer, Autumn
Growth rate	Slow
Origin	Rainforest Northern Queensland
Growth rate	Slow



<sup>44</sup> URBAN TREE STRATEGY 2020 | CUMBERLAND CITY COUNCIL





Botanical name	Elaeocarpus reticulatas	
Common name	Blueberry Ash	A STATE OF THE STATE OF
Foliage	Evergreen, green foliage	
Mature size (H x W)	10m x 3m	
Flowers	White, soft pink	
Fruit	Dark blue berries	
Flowering season	Spring	
Growth rate	Fast	
Origin	Eastern Australia	
Botanical name	Cupaniopsis anacardioides	
Common name	Tuckeroo	
Foliage	Evergreen,	
Mature size (H x W)	8m x 7m	
Flowers	Cream, bright orange	
Fruit	Orange to yellow capsules	
Flowering season	Autumn, Spring	
Growth rate	Fast	
Origin	Eastern and Northern Australia	A STATE OF THE STA
Botanical name	Waterhousia floribunda	
Common name	Weeping Lilly Pilly	
Foliage	Evergren, weeping	
Mature size (H x W)	10m x 5m	
Flowers	White fluffy flowers	
Fruit	Pink to pale green fruit	The second second
Flowering season	Summer	
Growth rate	Medium-Fast  Eastern Australia	
Origin	Eastern Australia	
Botanical name	Syzygium smithii	100
Common name	Lilly Pilly	Section 1
Foliage	Evergreen, smooth waxy green leaves	
Mature size (H x W)	7m x 3m	The state of the state of
Flowers	Clusters of green and yellow	The second second
Fruit	Pink, white, purple fruits	
Flowering season	Summer	A STATE OF THE STA
Growth rate	Fast	_ 4440 MAN

Northeast Queensland to Southeast NSW

URBAN TREE STRATEGY 2020 | CUMBERLAND CITY COUNCIL 45

Origin



Botanical name	Lagerstroemia indica
Common name	Crepe Myrtle
Foliage	Deciduous, vase-shaped tree
Mature size (H x W)	8m x 4m
Flowers	white, pink, mauve or purple bloom
Fruit	-
Flowering season	Summer
Growth rate	Moderate-Fast
Origin	Exotic – Indian subcontinent, Asia



#### **Large Size Trees**

Botanical name	Angophora costata
Common name	Sydney Red Gum
Foliage	Evergreen, spreading canopy
Mature size (H x W)	25m x 10m
Flowers	White
Fruit	-
Flowering season	Summer
Growth rate	Average
Origin	Eastern Australia



Eucalyptus microcorys
Tallow Wood
Evergreen, glossy green
20m+
White to lemon flowering buds
ч
Summer
Slow
Eastern Australia



Botanical name	Lophostemon confertus
Common name	Brush Box
Foliage	Evergreen, dense green foliage
Mature size (H x W)	10m x 5m
Flowers	White fluffy flowers
Fruit	in the second se
Flowering season	Spring, Summer
Growth rate	Fast
Origin	Eastern Australia



<sup>46</sup> URBAN TREE STRATEGY 2020 | CUMBERLAND CITY COUNCIL





Botanical name	Koelreuteria bipinnata
Common name	Chinese flame tree
Foliage	Deciduous tree, spreading broadly conical crown
Mature size (H x W)	15m x 8m
Flowers	Small yellow flowers
Fruit	-
Flowering season	Summer
Growth rate	Fast
Origin	Exotic – Southern China



Botanical name	Eucalyptus amplifolia
Common name	Cabbage Gum
Foliage	Evergreen, shiny dark green foliage
Mature size (H x W)	25m+
Flowers	White
Fruit	-
Flowering season	Summer, Autumn
Growth rate	Fast
Origin	Eastern Australia







# PART C: IMPLEMENTATION



## Implementation approach

The Urban Tree Strategy demonstrates Cumberland City Council's commitment to increase tree planting, canopy cover and mitigate urban heat island effect in Cumberland. This Strategy recognises that support and involvement from our community is vital to ensure that the Strategy is successful. In addition, this Strategy highlights the important role Council has in both the short and long term strategic planning to manage urban development, urban heat and climate change.

#### VISION AND KEY FOCUS AREAS

The Urban Tree Strategy 2020 provides a strategic and coordinated approach to managing Council's tree population over a 10 year period. As part of this Strategy, a vision and Key Focus Areas have been developed.

#### **FUNDING**

Funding for the delivery of the Urban Tree Strategy will be covered by a range of sources. This includes recurrent budgets within Council, capital works, developer funded and grant opportunities from the NSW and Australian Government. Council will continue to explore future funding opportunities to deliver on the Urban Tree Strategy.

### Vision

'A CLEAN and GREEN environment for current and future generations to enjoy by PROTECTING and ENHANCING Cumberland City Council's natural areas and green infrastructure.'

Key Focus Area 1: Community Education and Engagement	Key Focus Area 2: Maintain, Protect and Increase Existing Tree Canopy	Key Focus Area 3: Strategic Planning and Innovation
KFA 1.1 Encourage community involvement at location based events such as tree planting days	KFA 2.1 Identify and progress planting opportunities to increase tree canopy	KFA 3.1 Embed tree management protection into strategic plans and development controls
KFA 1.2 Raise awareness and educate the community and businesses on the benefits of trees and tree planting best practices	KFA 2.2 Continue to maintain, monitor and protect publicly owned trees	KFA 3.2 Investigate opportunities to incorporate green and blue infrastructure into strategic plans and development controls
<b>KFA 1.3</b> Develop initiatives to encourage tree plantings on private land	KFA 2.3 Increase species diversity to ensure urban canopy is resilient	KFA 3.3 Review Council's operational procedures for tree management
	KFA 2.4 Collaborate with external agencies to protect and enhance tree canopy	KFA 3.4 Investigate opportunities to develop tree canopy cover baseline and tree asset database

Vision and Key Focus Areas

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#### MONITORING

Actions will be monitored to determine if they are meeting the objectives of the key focus areas. A review and re-prioritisation of remaining actions will be undertaken at each review, to account for relevant funding opportunities, changing legislation or a change in regional strategic direction. The Action Plan will remain flexible to meet the changing needs of the Council over the life of the Strategy. The Strategy will be subject to a full review after a five year period.

As part of Council's continuous improvement philosophy, the Strategy actions will be reviewed annually and adapted where:

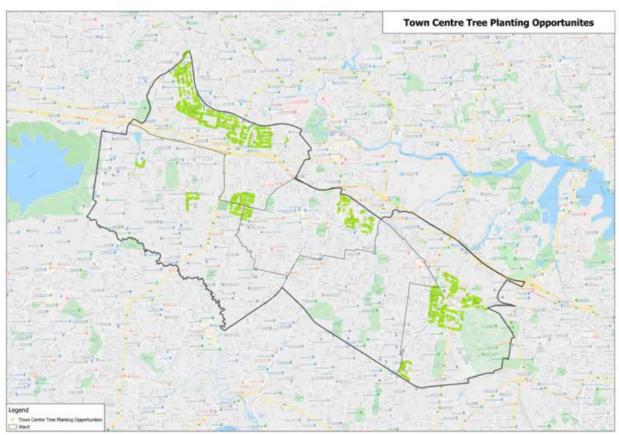
- · Monitoring results indicate a change is necessary
- · New technology or best practices improve tree management practices
- · New opportunities arise to increase greenery.

#### TREE PLANTING PROGRAM FOR COUNCIL

As part of the Urban Tree Strategy. Council has identified a strategic program to focus efforts on tree planting for Council assets and public areas. The program will focus on the following areas:

- · Tree planting in town centres
- · Tree planting along road verges, nature strips and open spaces
- Tree planting to support biodiversity corridors in Cumberland

Further detailed work will be undertaken by Council to progress the development and implementation of this strategic program, aligned with available resources.



Council has identified tree planting opportunities in town centres

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## **Key Focus Areas**

#### Key Focus Area 1: Community education and engagement Increase knowledge and appreciation of the value and benefits of trees **Objectives** Create opportunities to increase tree plantings on public and private land Number of education and engagement initiatives delivered annually and attendees at events Measures Community satisfaction survey response for 'Environmental education programs' **Timeframe** Actions Yr 1 Yr 2 | Yr 3 | Yr 4 | Yr 5 Encourage community involvement at location based events such **KFA 1.1** as tree planting days Raise awareness and educate the community and businesses on **KFA 1.2** the benefits of trees and tree planting best practices KFA 1.3 Develop initiatives to encourage tree plantings on private land



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## Key Focus Area 2:

#### Maintain, protect and increase existing tree canopy



	Maintain, protect and increase tree canopy cover
Objectives	Increase the diversity of tree species
	Improve connectivity of green corridors in the area and in line with regional strategic plans
Measures	Number of new trees planted in public places
	Number of trees given to Cumberland residents at tree giveaway events
Wicasarcs	Record numbers of approved tree removals/loss vs numbers of trees planted in public and private spaces
	Timeframe

Actions		Timeframe				
Actions		Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
KFA 2.1	Identify and progress planting opportunities to increase tree canopy					
KFA 2.2	Continue to maintain, monitor and protect publicly owned trees					
KFA 2.3	Increase species diversity to increase tree population resilience					
KFA 2.4	Collaborate with external agencies to protect and enhance tree canopy					



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## Key Focus Area 3:

#### Strategic planning and innovation



Objectives	Incorporate tree management principles into Local Strategic Planning Statement, Development Control Plans and Local Environmental Plans and strategies
	Support regional efforts to increase tree canopy in Sydney, such as Central City District Plan and Sydney's Green Grid
	Establishment of processes and compliance tools to protect tree canopy
Measures	% of canopy cover change or number of trees planted in the local government area (subject to baseline being developed)

Actions		Time	Timeframe			
Actions		Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
KFA 3.1	Embed tree management protection into strategic plans and development controls					
KFA 3.2	Investigate opportunities to incorporate green and blue infrastructure into strategic plans and development controls					
KFA 3.3	Review Council's operational procedures for tree management					
KFA 3.4	Investigate opportunities to develop tree canopy cover baseline and tree asset database					





C08/20-508 – Attachment 1





#### **Cumberland City Council**

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f Cumberland City Council Sydney

## DOCUMENTS ASSOCIATED WITH REPORT C08/20-508

# Attachment 2 Draft Urban Tree Strategy Public Submissions



#### **Urban Tree Strategy - Summary of Submissions**

In total, 5 submissions were received during the public exhibition period. Each of the 5 individual submissions contained numerous comments and suggestions. The following table summarises all comments and suggestions received.

Comments / Suggestions	Council response	Changes to Strategy	Page reference
Submission 1			
Thank you for taking on this important initiative. We absolutely need more trees in the Cumberland LGA for all of the benefits you have stated in the strategy. Our streets desperately need shade from large trees to help mitigate the effects of climate change. And the birds and wildlife need more trees for food and shelter. My family and I would love to be involved in any tree planting days or other initiatives the Council develops.  Submission 2  Replace dead trees, taken out / vandalized trees along	Noted and acknowledged. A key objective of Key Focus Area 1 will be creating opportunities to increase tree plantings on public and private land.  Noted and acknowledged. As part of Key Focus Area 3, Council will	No change required.  No change required.	
the pathways and sidewalks.	undertake the process of reviewing its operational procedures for tree management.		
Submission 3			
Hi, Just wanted to let You know that I think this is an excellent idea. More trees definitely need to be planted in and around as we know of all the benefits they bring. Also, because three are some really old trees that are falling apart and may not last much longer, new trees are needed you be planted to make up for these future possibilities. I've seen saplings vandalised for some disturbing reason, maybe there's a better way to protect them from that threat.	Noted and acknowledged. As part of Key Focus Area 3, Council will undertake the process of reviewing its operational procedures for tree management. Council will also create opportunities to increase tree plantings on both public and private land. On page 35, Council provides information about tree guards to protect newly planted trees from vandalism.	No change required.	
Submission 4			
-Increasing tree populations to support urban cooling to minimize urban heat island effect is crucial and engagement to raise awareness is important -We welcome initiatives to raise awareness and education of our natural environment, native flora and fauna. Particularly in schools and amongst diverse community and support more volunteer engagement	Council agrees with this comment and anticipates that Key Focus Areas 1, 2 and 3 will help mitigate the urban heat island effect, raise awareness and education about the value of the natural environment as well as increase tree plantings on public and private land.	No change required.	



Comments / Suggestions	Council response	Changes to Strategy	Page reference
- The Benefits of Urban Trees (pp.12-13): We support planting and protection of native trees and hope the community see this as adding value to property, removal of exotic weed and support volunteer programs.  - Current State of Urban Trees (pp.18-19): The lack of canopy needs urgent remediation, and this is starkly illustrated in the Cumberland Tree Cover map.  - It is heartening to note that the current tree management practices will be improved and that 'Council is in the process of developing a more proactive approach to tree maintenance' (p. 20). A proactive approach is needed to assist residents to maintain trees, rebates for preservation of trees, consultation with residents before tree removals and tree vandalism deterrence.  - the commitment to 'advocate and support land managers to increase tree plantings along road reserves and on school grounds, utility and rail corridors when the opportunity arises.' (p. 20).  - We thoroughly welcome the value Council is placing on Green Corridors (p. 24). The unfortunate imbalance of street trees pruned and disfigured to fit under powerlines could be addressed by underground powerlines where possible. Corridors might include less metal fencing to help wildlife move through residential areas. Households should be encouraged to plant medium sized trees.  - Regarding the principle of selecting 'the right tree in the right location' we are pleased to see the emphasise on this, and trust Council will avoid exotic species for streets and properties near the main corridors of Duck River and Prospect Creek.  - Council must support its Natural Area and Tree Preservation Officers to be proactive in their duties, and to assist in preserving and identifying our mature trees for Local Heritage listing.	As part of the Strategy, Council will undertake a process to review its tree management practices as well as review its tree giveaway and engagement program to proactively support residents to maintain and protect trees. Council acknowledges that tree management is complex and challenging and requires collaboration with a range of land owners to improve the urban tree canopy. Key Focus Area 1 and 2 will see that Council works both with residents and external agencies to protect and enhance the tree canopy.  Council is committed to protecting and enhancing green corridor connections. Both Cumberland City's Urban Tree Strategy and Biodiversity Strategy reinforces our commitment to Sydney's green grid.		reference



Comments / Suggestions	Council response	Changes to Strategy	Page reference
Submission 5			
	Noted and acknowledged. This is a high level document providing strategic direction for tree management. The aim of this document is to communicate tree management issues in a clear and concise manner to our community. This Strategy is supported by background analysis as well as a recent tree survey audit.  Council has structured the Strategy to be concise to enable the community to read it in a timely manner. Council feels that the current structure provides sufficient background information, tree management principles, relevant discussion on challenges and opportunities as well as succinct implementation plan to guide future direction. As a newly formed Council, Cumberland City's first Draft Urban Tree Strategy will help to drive a cultural change both within Council and in the community.  Council acknowledges that weed species are a threatening process to the local environment. As demonstrated in the Policy Framework diagram (pg 7), the Urban Tree Strategy works alongside Cumberland's Biodiversity Strategy 2019 and is guided by further operational input. In addition, the recommended species list is limited so that the Strategy is short and concise. Further suggested planting species are listed on Councils Tree Management website.  https://www.cumberland.nsw.gov.au/tree-management  Council agrees that having a diverse vegetation structure is important. However, this strategy is limited to trees and canopy cover and horticulturalist and understorey planting is suitable in a Vegetation Management Plan, which is beyond the scope of this strategy.  As part of the implementation of the Strategy, Council will reassess its tree giveaway program. As the Strategy is a high level document that sets direction for tree management, Council will base tree selection size, whether its advanced or superadvanced stock under the principle of 'right tree in the right location' to maximise its survivability, aesthetics and	No change required.	-
-The community consultation of this strategy has been poor.	project requirements.		
F	Council notes your comment regarding governance, responsibility and measurability. As presented in the planning framework (pg 7), the Urban		



Comments / Suggestions	Council response	Changes to Strategy	Page reference
	Tree Strategy, once adopted will be actioned and reported as part of Councils Operational Plan.		
	Council acknowledges your comment with regards to community consultation. As part of the planning process, Council undertook a focus group session with key local environmental groups as well as local residents to help define and provide focus on the strategy. A more indepth face to face survey was undertaken at community centres to attain a diverse range of responses, wider input was then sought from social media and Council's 'Have Your Say' website as well as during public exhibition.		
Specific comments Introduction, page 6 The MDRRC strongly disagrees that this should only be a tree strategy. It should be an urban vegetation strategy which covers all aspects of horticulture and landscaping in the urban footprint. The objectives are inadequate, no aim of increasing tree cover, no environmental objectives, no linkages to internal council governance processes like planning, recreation transport. The strategy is not well integrated, nor does it have responsibilities or actions for all parts of council that impact or can influence tree management. The section on the policy context and planning framework is inadequate. Landuse planning results in fewer trees as compliance is rarely carried out and current LEP reduces tree cover.	Noted and acknowledged. Council agrees that having a diverse vegetation structure is important. However, this strategy is limited to trees and canopy cover. Aspects of horticulture and landscaping in the urban environment is beyond the scope of this Strategy. Council will explore Vegetation Management Plan should there be budget and resources available.  Council acknowledges your comment and feels that the objectives across the three focus areas (KFA) addresses key issues that will help increase tree plantings and canopy cover. KFA 1 address education and engagement with our community to increase plantings on private property whilst KFA 2 aims to increase and enhance canopy cover on public space. KFA 3 explores internal processes that protect and increase plantings across Cumberland.  It should be noted that as part of the Strategy development, Council has undertaken the process of a tree survey to build a baseline of its tree assets. In order to have tree cover targets, Council needs to understand the current baseline it is working from in order to make quantifiable targets.	No change required.	
Recommendations  1. That the draft strategy be reworked to include all horticultural plantings in the LGA, not just trees  2. That the Objectives are reworked to include environmental and tree cover objectives and are made quantifiable.			



Comments / Suggestions	Council response	Changes to Strategy	Page reference
<ol> <li>That a specific Objective is included to drive improvements in council's governance, including through landuse planning.</li> </ol>			
Community Engagement, page 9 Community engagement was not sufficient. A focus group is good, as long as it is possible to demonstrate representativeness. Voluntary surveys are relatively meaningless, as they tend to attract the very low and high opinion percentiles and not majority or balanced views. Why did council not actively consult with known interest groups? Why was there no systematic evaluation of previous tree strategies from Auburn, Holroyd and Parramatta and the findings from this put to the community as part of the consultation?  Recommendations  1. That council undertake additional consultation with relevant stakeholders and incorporate this in to the final strategy.  2. That council commission an independent evaluation of past tree strategies and management and provide the findings as part of the consultation.	Council acknowledges your feedback. As part of the Strategy development, Council undertook the following consultation actions to guide development of the Strategy and survey:  -a three hour focus group workshop was delivered with support of Council's Engagement Team. Known interest groups were invited and attended, these representatives included Auburn De-Vine Bushcare group, Conservation Volunteers Australia, Prospect Creek Canal Reserve Action Group and several interested residents from our local community.  -The focus group helped to clarify challenges and opportunities, a series of face to face surveys were undertaken across all five wards at community centres to receive responses from across the government area.  -Feedback was then sought from the wider community through Council's 'Have Your Say' page and promoted across social media platforms.  In-depth review of previous tree management strategies were undertaken and helped to guide both the strategy and focus groups and surveys. These included a review of:  -Draft Auburn Street Tree Master Plan October 2013 (unadopted)  -Cumberland Council Native Species Tree List  -Cumberland Council Street Tree Planting Guide  -Cumberland Tree Management Controls  -Sydney's Green Grid  -Endeavour Energy Tree Management Plan  -City of Parramatta Newington Street Plan  -Government Architect's Greener Places  -OEH Urban Green Cover Technical Guidelines and more	No change required.	
Snapshot of responses, page 10 There is no information on the survey format. Was detailed information given to allow for opinions to be formed or was the survey just questions? If the latter, then this can result in fairly meaningless data. For example, few lay people would have any idea of the	As part of the development of the Strategy, Council engaged expert and experienced staff from Council's Place and Engagement Team to help deliver focus group and survey engagement. Council recognises that using technical jargon and providing detailed information could lead to misunderstanding and limit engagement outcomes. The survey was intended to gauge the community's perspective and desires, and was	No change required.	



Comments / Suggestions	Council response	Changes to Strategy	Page reference
concepts involved, limitations, and repercussions in relation to the issue of percentage tree cover.  Recommendation  1. That the survey methodology and data be made available in an appendix to the strategy	complemented by focus group discussions. As part of Council's survey methodology, questions were written in a non-bias and non-leading format. This information included photos, multiple choices and graphics, to frame the questions without creating unnecessary bias. Council feels that the information attained from the focus group and surveys were highly valuable and used, in connection with other sources of data to direct actions in the three key focus areas.		
Context, page 11 In the section "What is Urban Tree Canopy", there should also be discussion about the values of all horticultural plantings, not just trees. In the section on the role of local government, it is stated that the DCP achieves positive outcomes or trees, yet this is not supported by any data.  Recommendation  1. That the above be addressed.	Noted and acknowledged. Council has amended the sentence on page 11 to 'Trees contribute to a healthy understorey and helps to support horticultural plantings. A healthy and well managed urban tree canopy and understorey forms an important part of our green infrastructure.'  Cumberland has recently drafted its new develop control plan (DCP) to provide updated information and greater clarity on tree management arrangements. More information can be found here: <a href="https://www.cumberland.nsw.gov.au/sites/default/files/inline-files/Tree-Preservation.pdf">https://www.cumberland.nsw.gov.au/sites/default/files/inline-files/Tree-Preservation.pdf</a>	Amended sentences.	11
Benefits of Urban Trees, page12  Mammals should be included in the list of beneficiaries of habitat provided by trees.  The example used in the section "Urban Heat Island" of Hard surfaces directs rainfall into the stormwater channel away from the ground, leaving little moisture which lowers the opportunity for evapotranspiration cooling to occur is obscure, poorly worded and is would be better used in the section above.  Recommendation	Amended sentence to read 'Birds, mammals, insects, bugs and bees rely on trees for shelter, food and safe passage to move across our landscape.  Amended sentence to 'As a result, more rain water is directed into the stormwater and away from green surfaces. This limits the role of water has on cooling our environment.'		
That the above be addressed.			
Stormwater Management, page 13	Council acknowledges the important role of water sensitive urban design (WSUD) and the role that trees have in contributing to healthy soils, reducing the rate and volume of surface runoff and helping to filter water.	No change required.	



Comments / Suggestions	Council response	Changes to Strategy	Page reference
Cumberland Council has a poor history of management of its WSUD landscaping. An evaluation would have identified specific areas for improvement.	Council will continue to explore funding opportunities to implement the Urban Tree Strategy in line with strategic direction and available resources, however, auditing and evaluating success of WSUD is beyond the scope of the Urban Tree Strategy.		
Tree Survey of Town Centres, page 20 The key findings are poorly worded, lack meaningful information and are not supported.	This section provides a high level overview of Council's town centre tree survey which was completed in early 2020 to support internal work to be undertaken by Council officers.	No change required.	
Current Tree Management Practices, page 21 This section states that over 4000 trees are planted as part of National Tree Day and as tree give aways. Does council know what percentage of these survive? Experience has shown that NTD plantings are often not maintained in Cumberland and previous studies have shown that tree give aways are not effective.  Recommendation  1. That an action is included in the strategy that all community planting events will be monitored to gauge efficacy 2. That tree give aways are not included in the strategy 3. That council's existing horticultural programs (including tree planting) are independently evaluated.	Council has reviewed ways to monitor the success of its tree giveaways.  Council acknowledges that tracking successful plantings from its tree giveaway program is difficult. Council is currently reviewing its tree giveaway program to improve its effectiveness. As part of the review, Council will investigate better ways to track plantings from its tree giveaway program.  Council believes that tree giveaways play an important role in engaging with the community. In addition, recent tree survey results found that residents rated highly that tree giveaways helped residents to plant trees.  Given the financial impact that Covid-19 has had on Council's income, it is highly unlikely that Council will undertake an independent evaluation of its horticultural programs in the short term.	Amended KFA 2.2 to include monitoring: 'Continue to maintain, monitor and protect publicly owned trees'	53
Urban Heat and Climate Change, page 22 The statements Climate change can also increase the intensity and severity of storms, less annual rainfall and prolonged bushfire season and More frequency of intense weather events are poorly worded.  Recommendation	Noted and acknowledged.	Amended these sentences to:  'Climate change can increase the severity of storms, influence rainfall patterns and the bushfire season.'	22



Comments / Suggestions	Council response	Changes to Strategy	Page reference
That the language and grammar in these sentences is corrected.		'As weather events intensify, rain, hail and flooding may potentially harm trees by uprooting trees, breaking branches and washing away soil.'	
Pests and Diseases, page 23 It is not understood why the Psyllid induced dieback of Eucalyptus molluccna was not listed as this is perhaps the greatest current threat to Cumberland Plain ecosystems.	Noted and acknowledged.	Sentence amended to add additional sentence 'In addition, Cumberland has a high number of Eucalyptus making these	23
Recommendation  1. That the above be addressed.		species vulnerable to Psyllids (plant lice) feeding from leaves and shoots and discolouring leaves increasing the risk of die- back.'	
Planting Green Corridors, page 24 It is an inadequacy of the Biodiversity Strategy, reinforced here that green corridors are only prioritised along the two major open space corridors.  Recommendation	Council agrees that green corridors play an important role in providing ecosystem services, connectivity and habitat. Although the Prospect Creek and Duck River corridors are significant corridors as they provide connection to Parramatta River to the north and to Western Sydney Parklands to the west, they are not alone. As per Council's Biodiversity Strategy, Council has identified additional urban corridors highlighted as	No change required.	24
<ol> <li>That the strategy be amended to identify all potential corridors, including stepping stones and urban corridors.</li> <li>That the strategy be amended to include a discussion on the genetics of local species that</li> </ol>	'Local Priorities' and 'Regional Links' (pg 20/21). Within the Urban Tree Strategy, Council acknowledges that an opportunity exists to increase connectivity through 'planted corridors' along streets to connect green spaces and improve walkability (pg 24).  On page 40 of the Strategy, under the 'Species Diversity - Native and		
are used in plantings and an action to ensure that council enhances the genetic integrity of local plant populations through its horticultural plantings.	Exotic', Council discusses the importance of having diverse native and exotic species spread to ensure a healthy tree stock. This will increase tree population resilience against disease and climate. Furthermore, species should be selected with consideration to drought, urban environment resilience and location, ultimately, Council believes that choosing the right tree in the right location, regardless if they are native or exotic will help to improve the tree population and tree canopy. Furthermore, a short list of		



Comments / Suggestions	Council response	Changes to Strategy	Page reference
	species are provided on page 43 with additional species suggested on Council's website: <a href="https://www.cumberland.nsw.gov.au/tree-management">https://www.cumberland.nsw.gov.au/tree-management</a>		
Community Involvement, page 24 Has any review been done of how successful the last couple of decades of community tree planting events have been?  Recommendation	The Urban Tree Strategy is a future focused forward looking Strategy. As part of the development of the Strategy and reviewing the tree giveaway program, Council will apply its continuous improvement process to continually review how its tree giveaway program can be improved. This is embedded in the Monitoring discussion (pg 51) and reaffirmed as measures in KFA 2.2 'Continue to maintain, monitor and protect public owned trees'.	No change required.	24
<ol> <li>That a review be conducted of all known community plantings to gauge success</li> <li>That all future community plantings have a robust, long term monitoring program incorporated in to their planning.</li> </ol>	As part of KFA 3.3 'Review Council's operational procedures for tree management', Council will review all known community plantings to gauge success, should it be aligned with Councils strategic direction and available resources permitting.		
Streets Parks and Utility Lands, page 24 As riparian and semi natural areas are being mentioned here, these should be some discussion of assisted natural regeneration.	Noted and acknowledged.	Added additional sentence in the 'Streets, Parks and Public utility Land' section 'Where appropriate, Council will pursue natural	25
Recommendation  1. That assisted natural regeneration is discussed in the strategy.		regeneration or re-wilding restoration methods. These methods have been applied in the past through the 'Rewilding of Prospect Creek – Homes for Habitat' project.'	
Water Sensitive Urban Design, page 24 Cumberland Council has a poor history of maintaining its WDUD landscaping. There should be some audit and evaluation conducted and the findings included in this section.  Recommendation	Council acknowledges the important role of water sensitive urban design (WSUD) and the role that trees have in contributing to healthy soils, reducing the rate and volume of surface runoff and helping to filter water. Council will continue to explore funding opportunities to implement the Urban Tree Strategy in line with strategic direction and available resources, however, auditing and evaluating success of WSUD is beyond the scope of the Urban Tree Strategy	No change required.	
That an action for an independent audit and review of council WSUD projects is put in to the			



Comments / Suggestions	Council response	Changes to Strategy	Page reference
strategy with a commitment to act on the findings.			
Right Tree in the Right Location, page 28  This section states Tree selection should be based on the historical performance of the species in the area This contradicts a previous section where it is stated that urban heat island and climate change will necessitate other species being used.  Recommendation  1. This section needs to be amended to have more discussion on the logic of species selection, the desired outcomes from using specific plants, targets for diversity of species and discussion of weed species, including those likely to become weeds in a changing climate.	Noted and acknowledge.  As a high level strategic document, one of intentions of the Urban Tree Strategy is to provide guidance about what to plant and where. Council provides a high level discussion on the species selection in 'Planting design and guidelines' (pg 31) where consideration of plant selection should include location constraints, overhead wires and below infrastructure as well as tree spacing. Within this section, Council discusses what to plant in various scenarios and expands on this discussion later on under the 'Tree Species Selection' section which includes a discussion on both native and exotic species, pointing out that both have benefits and disadvantages in the urban environment.  As an Urban Tree Strategy, the focus is mainly on trees and tree canopy. Council points out at this Strategy works alongside Council's Biodiversity Strategy where KFA 2.1 includes action on weed control and discussions. Overall, Council reiterates that planting the right tree in the right location, regardless of whether it is native or exotic, is an important principle to ensure a resilient tree population.	The sentence has been amended to 'Tree selection will consider the historical performance of the species in the area'	28
Large Trees Provide the Most Benefit, page 29 The statement Common species of the Cumberland Plains thrive in wide open spaces with excellent drainage and freely maturing without constraints is poorly worded and confusing. It is also not meaningful (what is a "wide open space") and is factually incorrect.  Recommendation  1. That the above be addressed.	Noted and acknowledge.	Amended paragraph and rephrased sentence to 'This will allow these species to freely mature as they thrive best in large open areas.'	29
Photograph, page 29	Council notes your comment however believes that trees, alongside green and blue infrastructure plays an important role in mitigating the urban heat	No change required.	



Comments / Suggestions	Council response	Changes to Strategy	Page reference
The pictured area of Pemulwuy is posited as being a good example of how trees can mitigate urban heat island effect and improve air and water quality. This claim is not supported. This is a good example of the failure of the planning system.	island effect. Council acknowledges that addressing the heat island effect is challenging and a range of measures should be implemented to further mitigate urban heat. As part of Cumberland's new DCP, Council has proposed a range of new measures such as green roofs, building materials, colour and other design measures to mitigate urban heat. More information can be found here: <a href="https://haveyoursay.cumberland.nsw.gov.au/54677/widgets/284233/documents/163174">https://haveyoursay.cumberland.nsw.gov.au/54677/widgets/284233/documents/163174</a>		
Consider Character of the Street, page 30 This section highlights a limitation of current streetscape horticulture. Even-aged stands of the same species (or two species if a smaller tree is used under the wired side of the street), have virtually no habitat value.  Recommendation  1. That this section be rewritten, with consideration of the specific objectives desired in the character of street plantings, not just the aesthetic, but the ecological and hydrological character that plantings can give. It is suggested that here, and in a number of other sections, that a set of Principles is proposed that direct the decision making and management of venetation	Council has taken a holistic approach in preparing the Urban Tree Strategy. The Strategy outlines a series of 'Tree Management Principles' such as planting the right tree in the right location, avoiding biodiversity loss wherever possible, committing to supporting green infrastructure as well as considering the street character as part of species selection. These principles will guide our decision making process holistically across Cumberland. Council feels that this high level set of principles provides a strong foundation in managing its tree population and will help to protect, and improve its tree stock. Council acknowledges that in planning and design, it is a challenge to balance both environmental and aesthetic outcomes, however, as stated on page 30, a new species may be selected to break uniformity should the location require it.	Added additional sentence 'diversity. Additionally, having a variety of trees enhances local biodiversity and strengthens ecosystem resilience.'	30
Maign with Strategic Land Use Planning Page 30 This is supported, with caveats. Aligning tree policies with land use planning is business as usual. However it cannot be demonstrated that this has previously resulted in any great positive outcomes for trees in the LGA. The planning system also misses out on opportunities, such as ensuring that all above and below ground utilities are co-located on one side of the street and that the other side's footpath is wider to allow for large trees to be installed.  Recommendation	Council acknowledges that Council verges are contested spaces and managing its use is complex. Council works with a range of stakeholders including telecommunications, gas, Roads and Maritime Services as well as powerline owners Endeavour Energy and Ausgrid. Council discusses these challenges under the section 'Overhead Power Lines' (pg 32), however, these assets are owned and maintained by these energy providers and current legislation requires them to maintain their asset.  Council agrees that too often, small trees are planted on both sides of a street, when a larger growing tree could be planted on the non-wired side of the street. Wherever possible, Council will use its statutory authority to	No change required.	



Comments / Suggestions	Council response	Changes to Strategy	Page reference
<ol> <li>That an action be incorporated in to the strategy that an independent evaluation is undertaken of how effective council's planning system is in relation to working towards the objectives for vegetation and that council implements any recommendations.</li> </ol>	advocate for relocating utilities above and below ground to one side of the street to accommodate larger trees.  As part of KFA 3.3 'Review of operational procedures for tree management', Council will continue to explore funding opportunities to review the effectiveness of Council's planning system towards objectives for vegetation should there be available resources.		
Planting Scenarios, page 31 The planting scenarios should also state the desired outcomes, not just constraints.  Recommendation	The 'Planting Scenarios' section has been prepared to be succinct and easy to read. Council feels that adding an 'outcomes' column is unnecessary as outcomes are sufficiently discussed in the 'Context' and 'Benefits of Trees' section.	No change required.	
1. That the above be addressed.			
Parks, Reserves, Playgrounds, Prospect Creek and Duck River Corridors, page 31 It is not appropriate that only tall, native trees are planted. Local species of trees of all sizes should be planted to maximise diversity and habitat values.  Recommendation  1. In all relevant areas, a mix of strata and size-atmaturity trees should be planted to maximise biodiversity and habitat values. Local species should be used wherever possible and in all circumstances in the creek corridors.	Noted and acknowledged.	Amended tree size to include small, medium and large sizes.	31
Overhead Power Lines, page 32  Recommendation  1. Council should encourage the DNSPs to install ABC whenever lines are being renewed, and also encourage the removal of inappropriate trees under wires and their replacement with species that will not need pruning.	Noted and acknowledged.  As powerlines are owned and managed by energy providers, Council will use its role as a statutory authority to advocate for installation and replacement of aerial bundled cables (ABC) wherever possible. Within the 'Planting Scenario' recommendation, Council recommends planting small trees with mature heights of less than 3m to avoid conflict with overhead wires.	No change required.	



Comments / Suggestions	Council response	Changes to Strategy	Page reference
Underground Services, page 33  Recommendation	Council agrees that co-locating services to one side of a street will allow for larger trees to be planted on one side. However, these utilities are owned and managed by external stakeholders, in addition, site conditions	No change required.	
<ol> <li>The Strategy should have as an aim that in all new developments, the underground and overhead utilities are co-located on the same side of the street and that at time of infrastructure replacement, the co-location is mandated wherever possible.</li> </ol>	influence the installation of services. These are development control conditions and are beyond the scope of the Urban Tree Strategy.		
Tree Sizes for Town Centres, page 36 The rule to only use 200 and 400 litre containers is not supported. Having a blanket rule for the use of such large trees means that costs are greatly increased. Smaller trees usually "catch up" with superadvanced trees in a matter of a few years, and often have better root development.	Noted and acknowledged. As part of the development of the Strategy, Council sought the advice of Council's experienced and qualified Landscape Architect. This recommendation will increase the success of tree establishment.  Council is reviewing its tree giveaway program and looking at options of where and what to plant. Council is consider tree size as part of this review and will move forward with the most viable option in terms of cost and	No change required.	
<u>Recommendation</u>	establishment.		
<ol> <li>That council explore and trial using smaller potted trees to determine relative success rates, survivability, costs, levels of vandalism and tree death, community acceptance and species availability, and if successful, savings from using smaller stock be reinvested into expanding the number of trees installed.</li> </ol>			
Replanting Opportunities, page 39  Tree Give aways are not supported, as it has been shown previously that they do not work. A better way to get biodiversity and tree cover improvements in street and private properties is to have a program where residents can ask for a tree to be planted in their street or residence by a council worker, and an appropriate	Council is undertaking a review of its tree giveaway program. Council is actively exploring your suggestion as an option. Council feels that tree giveaways play an important role in community engagement. Furthermore, as part of the urban tree survey question 5 asked 'What could Council do to encourage or help you plant more trees on your property' and 109 out of 204 respondents selected tree giveaways'. As part of the tree giveaway	No change required.	



Comments / Suggestions	Council response	Changes to Strategy	Page reference
species in a 2 litre pot is planted, subsequently maintained by the resident.	program review, Council will investigate ways to better monitor future plantings.		
Recommendations			
<ol> <li>That tree give aways are not undertaken</li> <li>That council trial other direct programs to plant trees and shrubs at the request of the community on private land and streets</li> <li>That a review and audit of past community plantings is undertaken to assess success, and that monitoring of all future community plantings is undertaken to inform maintenance.</li> </ol>			
Tree Species Selection, page 40 It is utterly unsatisfactory that this strategy does not mention weed species once! Cumberland Council still plants known weed species in their horticultural programs.	As an Urban Tree Strategy, the focus is mainly on trees and tree canopy.  Council points out at this Strategy works alongside Council's Biodiversity  Strategy where KFA 2.1 includes an action on weed control.  Council reiterates that planting the right tree in the right location, regardless of whether it is native or exotic, is an important principle to	No change required.	
Recommendation	ensure a resilient tree population.		
<ol> <li>That a section on weeds is incorporated in to the strategy, both in respect to avoidance of planting weeds, and active management and removal of weed tree species on public and private land.</li> </ol>			
Species Diversity – Native and Exotic, page 40	The Urban Tree Strategy was prepared to be a high level and structure document guiding tree management in Cumberland. The objective of this	No change required.	
This is a poorly written section and contains obvious	section is to discuss the planting of native and exotic species and the		
omissions and some misinformation. The strategy	benefits and disadvantages of each. Council discusses the biodiversity		
purports to have as a focus the improvement of	benefits of trees under the 'Benefits of Urban Tree' section and under		
biodiversity values and habitat, yet there is no discussion in this section of these issues.	'Habitat for Wildlife', 'Reducing Urban Heat Island Effect' and 'Stormwater		
in this section of these issues.	Management'. Other biodiversity improvements are mentioned throughout the document, such as on page 40 'With little species diversity there is an		
Recommendation	increased risk of the urban canopy being decimated by insects and disease'		



Comments / Suggestions	Council response	Changes to Strategy	Page reference
<ol> <li>That the above be addressed.</li> <li>That a prescribed and proscribed species list is developed, along with a decision tool to amend those lists.</li> </ol>	Council has provided a short species list on page 43 and further species are provided on Councils website: <a href="https://www.cumberland.nsw.gov.au/tree-management">https://www.cumberland.nsw.gov.au/tree-management</a>		
Climate Change and drought, page 41 The premise that fewer trees can be planted due to potential water restrictions is not supported. Cumberland has excellent access to large amounts of recycled water.  Recommendation  1. That the above be addressed.	Council acknowledges your comment. However, over recent years, challenging drought conditions and severe hot temperatures has affected the successful establishment of some plantings. Although Council has access to recycled water at limited sites, extreme hot weather temperatures and water restrictions was influenced Councils planting regime.	No change required.	
Pest and Disease Tolerance, page 42  Recommendations  1. Eucalyptus moluccana dieback should be included	Noted and acknowledged.	Amended sentence to include Psyllids 'here are a variety of pests and diseases which have been identified in the Sydney area including (but not limited to) Psyllids, Sycamore Lace Bug, Myrtle Rust, Fusarium	42
		Wilt, Armillaria, and Phytophthora.'	
<b>Deciduous and Evergreen Trees, page 42</b> Deciduous trees have advantages in relation to solar access management but also create many problems. Leaf fall can block stormwater systems, resulting in local flooding.	Council has raised leaf fall as a maintenance issue in the previous paragraph under the heading 'Leaf Fall and Allergies.	Amended sentence to include stormwater 'Excessive leaf fall has the potential to increase street cleaning requirements to clear	42
<u>Recommendation</u>		stormwater drains.'	
That the above issues be incorporated in to this section.			



Comments / Suggestions	Council response	Changes to Strategy	Page reference
Tree Species List, page 43 This is an utterly inadequate species list. There are too few species on it, putting a lie to previous sections in the strategy about biodiversity, and almost no local species. A reasonable list would have over 100 species on it, with at least 50 species local to the area.  Recommendation	The Urban Tree Strategy was prepared to be succinct provide high level direction and guidance. Council has limited the tree species list to keep the Strategy accessible to the community. Additional trees can be found on Council's tree management website here: <a href="https://www.cumberland.nsw.gov.au/tree-management">https://www.cumberland.nsw.gov.au/tree-management</a>	No change required.	
<ol> <li>That a comprehensive list of prescribed and proscribed species is developed, along with the circumstances under which they would be used.</li> </ol>			
Blueberry Ash, page 45 There are indications that this species will become a weed species under climate change, as it is now currently in Brisbane. It is likely that it will respond in much the same way as Pittosporum undulatum and naturalise into drier sclerophyll areas.	The tree species list has been recommended by Council's qualified Arboriculturalist who completed the street tree town survey and has firsthand knowledge of our landscape. In addition, the list has been reviewed by Council's Landscape Architect's and Tree Management Officer's for their suitability in Cumberland.	No change required.	
Recommendation  1. That Blueberry Ash not be used or recommended.  Angophora costata, page 46 This species does not perform well on the heavy clays of the Cumberland Plain as it naturally grows on skeletal	As stated previously, a key principle of the Urban Tree Strategy is selecting the right tree in the right location, regardless if it is an exotic or native species. Council acknowledges that climate change is going to affect tree species differently, some may prosper whilst others struggle. It is therefore important that Council chooses the right tree that will deliver the environmental outcomes and as well as supporting to increase the urban canopy.		
sandstone derived soils.  Recommendation  1. That Angophora costata not be used or			
recommended.			





Comments / Suggestions	Council response	Changes to Strategy	Page reference
Implementation Approach, page 50 and 51 The MDRRC maintains that this draft strategy is not actually strategic or coordinated,. There are no measurable objectives or outputs and no performance indicators; there are no allocated responsibilities or timeframes. The proposed monitoring is against actions, yet the actions stated are broad and unfocused and have no measures, performance indicators, details or responsibilities. There is no evaluation framework for the strategy itself.	Council acknowledges your comment. On page 6, Council details how the Strategy aligns with regional planning framework and within Council's Community Strategic Plan.  The objectives are designed to be holistic to guide tree management in Cumberland. Detailed outputs, performance indicators and responsibilities are found in Council's quarterly performance reports on Council's website: <a href="https://www.cumberland.nsw.gov.au/quarterly-performance-report">https://www.cumberland.nsw.gov.au/quarterly-performance-report</a> Council has provided timeframes for each key focus area.	No change required.	
Recommendation  1. That the Implementation approach be totally rewritten, and include a set of Principles, measurable objectives and outputs, performance indicators, responsible parties and an evaluation framework.	As noted on page 51, the Action Plan is designed to be flexible to meet the changing needs of Council over a 10 year period. Council believes that the objectives will deliver positive outcomes in Cumberland's tree population and are specific to the needs of our community and environment.		
Key Focus Areas, page 52 This section is disappointing. The Objectives, Measures and Actions are all very general, the measures do not link directly to the objectives and there are no targets for change (a good strategy should document current state, what the new desired state is, and how the organisation will get there, and how success will be measured). A number of the measures are meaningless.			
Recommendation  1. That the Key Focus Areas be totally rewritten to be logical, using SMART actions and be related to an outcomes hierarchy.			



Item No: C08/20-509

#### SUSTAINABILITY ACTION PLAN - POST EXHIBITION REPORT

Responsible Division: Environment & Planning

Officer: Director Environment & Planning

File Number: SC475

Community Strategic Plan Goal: A clean and green community

#### **SUMMARY**

This report recommends the adoption of the Sustainability Action Plan following a period of public exhibition.

#### RECOMMENDATION

That Council adopt the Sustainability Action Plan as outlined in Attachment 1 of this report.

#### **REPORT**

At the 20 May 2020 Ordinary Council meeting, Council resolved to place the *Draft Sustainability Action Plan* on public exhibition for community feedback (Min.678).

Subsequently, Council received 2 submissions for the *Draft Sustainability Action Plan* during the 36 day exhibition period. A summary of all submissions received and Council's response is outlined in Attachment 2.

In accordance with the above, Council has now addressed all public feedback and recommends the *Draft Sustainability Action Plan* be adopted by Council as outlined in Attachment 1 of this report.

#### COMMUNITY ENGAGEMENT

Council publicly exhibited the *Draft Sustainability Action Plan* for a period of 36 days from 1 June 2020 to 6 July 2020 both on Council's website, in local newspaper publications and at its customer service centres.

The *Draft Sustainability Action Plan* had 46 visits to the 'Have Your Say' community engagement website during the public exhibition period, with 22 people downloading the *Draft Sustainability Action Plan*. Submissions were received from 2 respondents.

Council has formally responded to all respondents who made a submission and notified them of the consideration of this item at this Council meeting.



#### **POLICY IMPLICATIONS**

Policy implications for Council are outlined in this report.

#### **RISK IMPLICATIONS**

The Action Plan provides guidance to minimise risks for Council in this area.

#### FINANCIAL IMPLICATIONS

Actions arising from the Action Plan can be funded within the existing budget. Grant funding will also be sought on relevant actions where applicable.

#### CONCLUSION

Council has publicly exhibited the *Draft Sustainability Action Plan*, and formally responded to all who made a submission. The Action Plan is now recommended for adoption.

#### **ATTACHMENTS**

- 1. Sustainability Action Plan 2020 J.
- 2. Sustainability Action Plan Public Exhibition Submissions J.

## DOCUMENTS ASSOCIATED WITH REPORT C08/20-509

## Attachment 1 Sustainability Action Plan 2020





## Sustainability Action Plan 2020



#### Acknowledgement of Country

Cumberland City Council acknowledges the Darug Nation and People as Traditional Custodians of the land on which Cumberland City is situated and pays respect to Aboriginal Elders both past, present and future.

We acknowledge Aboriginal and Torres Strait Islander Peoples as the First Peoples of Australia.

Cumberland City Council acknowledges other Aboriginal and Torres Strait Islander Peoples living in the Cumberland Local Government Area and reaffirms that we will work closely with all Aboriginal and Torres Strait Islander communities to advance reconciliation within the area.



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## Summary

The Sustainability Action Plan aims to enhance the quality of life in Cumberland through the key focus areas identified in Council's Environmental Management Framework. This plan identifies actions that are drawn from existing Council documents and reinforce the role of Council as a leader in sustainability through three main focus areas with key goals and actions.

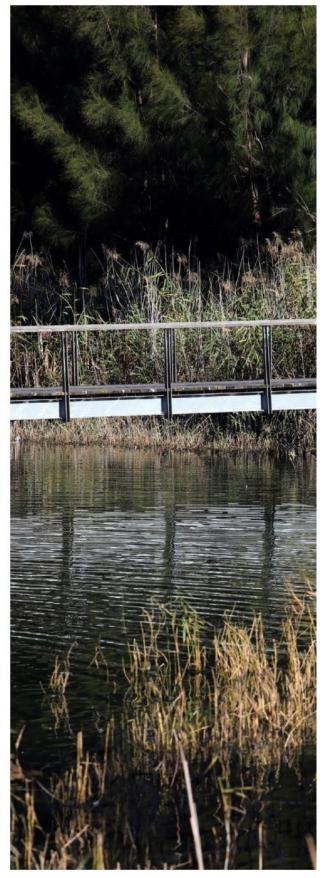
The Sustainability Action Plan is about integrating sustainability into our decision making and balancing short term priorities with longer term need. This plan will capture the benefits of environmental actions and builds on a strong history of action by Council in the area of sustainability, providing a solid foundation for continuous improvement into the future and outlines key actions for implementation.

These actions contribute to a common environmental vision:

Cumberland City Council will lead by example to deliver a clean, green and sustainable environment for current and future generations.

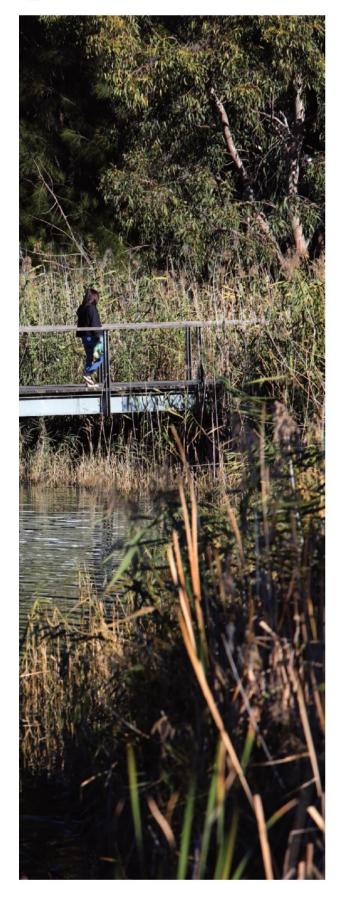
#### **Cumberland City is:**





4 SUSTAINABILITY ACTION PLAN 2020 | CUMBERLAND CITY COUNCIL





### Background

A Sustainability Action Plan is a planned approach for Council to promote and enhance environmental sustainability. A Sustainability Action Plan will place significant value on the operational and action level rather than focusing on the 'bigger picture' strategic directions.

Actions in the Sustainability Action Plan reflect the themes identified in Council's Environmental Management Framework. These themes are:

- Biodiversity
- Waste & Litter
- · Energy & Water Efficiency
- · Water & Air Quality
- · Corporate Sustainability

The Environmental Management Framework has been developed through a rigorous research and engagement process and provides the background for the actions in this plan.

The Sustainability Action Plan forms an extension of this work and is designed for:

- ensuring that Council meets the needs of the community as outlined in the Community Strategic Plan
- · developing and reporting on outcomes
- environmental planning and strategy
- implementing environmental projects and initiatives





# What does sustainability mean to us?

Sustainability is about protecting and enhancing what we have so that future generations can maintain their quality of life and delivering services to increase our resilience now and into the future. Sustainability is a holistic approach to managing the environment and aims to balance between environmental protection, economic practices and social responsibility.

There is no universally accepted definition of sustainability but was introduced as a concept in the Brundtland Report, also called Our Common Future. This report was released in 1987 by the World Commission on Environment and Development (WCED) and first introduced the concept of sustainable development as "development which meets the needs of current generations without compromising the ability of future generations to meet their own needs" and described how it could be achieved.

Since then, the definition of sustainability has evolved to include environmental, economic, social and governance. These are known as the four pillars of sustainability, as all four need to be applied to decisions and actions to achieve sustainability. A big part of this means using our resources wisely, such as

our natural environment, water and fossil fuels, and modifying the way we do things every day so that we can enjoy our City as it changes and grows.

We do this by considering and balancing the environmental, economic, social and governance impacts of our decisions. The focus areas of a clean and green city, a resilient city and a responsible city follow the below principles:

- Lead by example in identifying opportunities to support sustainability
- Recognise that current actions and policies have an environmental impact for future generations
- Protect the natural environment and value the importance of a diverse and healthy ecosystem
- Involve Traditional Custodians and the community in decisions and actions that affect them





## A clean and green city

Improving the natural environment as well as maintaining the local amenity is important for community wellbeing in terms of aesthetics, recreation, health and spirit.

Cumberland City Council lies within the Cumberland Plain Woodland. The natural vegetation of this landscape is Grey Box and Grey Box-Ironbark Woodlands. Today the woodland exists only in fragments and is easily threatened by weed invasion, mowing, soil compaction and litter. Litter includes items like cigarette butts, food scraps, bottles and packaging. But littering isn't just ugly – it is an environmental problem. Littering pollutes our waterways, streets and parks and causes environmental damage. We are all responsible for the cleanliness of the places we visit and we must put our rubbish in the bin or take it with us.

Cigarette butts are the most littered item in NSW. They are a huge threat to the cleanliness of our streets, to waterways and to aquatic life. When cigarette butts are left on the ground to decompose, they release toxic substances into the soil and water. Even after the paper and tobacco breaks down, the filter can remain for up to 12 years.

A clean city is welcoming and promotes pride in place and a green city connects us to nature and community through play, sport and social interaction.

#### Key initiatives by Council

- installation of enviropoles to capture and recycle cigarette butts
- street art and street theatre to engage community and raise awareness about litter
- installation of nesting boxes to provide habitat for birds in the absence of tree hollows
- distribution of native beehives that help promote biodiversity, pollination and green corridors
- participation and promotion of annual national events, such as Clean Up Australia Day and National Tree Day
- implementing the community plant giveaway program to promote planting and benefits of trees
- hosting Return and Earn facilities on selected Council sites

Local resident participating in Council's native bee hive program





### A resilient city

Resilience means striving to maintain liveability of the community and being able to cope with stresses and shocks placed on a city, such as extreme heat and weather events, transport congestion and housing affordability.

An emerging issue is a changing climate. We need to consider this, as much of what we do and how we live depends on the climate. A changing climate may also impact on our natural environment.

How we respond to a changing climate is important because of the risks that comes with it. Depending on where we live in the world, the effects can vary. For example, if you live in bushland, the risk may be bushfires. If you live near the beach, it may be flooding. This may mean loss of homes and businesses, loss of life, pressure on our infrastructure, loss of income and increasing insurance costs. It also affects government, businesses and the community, internationally and locally, as decisions need to be made about how to respond.

A resilient city is one that recognises risks and plans for the future in an appropriate way.

#### **Key initiatives by Council**

- completion of a research project with Western Sydney University to benchmark micro climates across Cumberland City
- commencement of the 'UV-Smart and Cool Playgrounds' project for the first playground in NSW
- review of planning controls to support a more resilient City
- commencement of the 'Heat Smart' project with Western Sydney Region of Councils
- investigation of the feasibility of electric vehicles for Council's fleet
- hosting a community citizen science project to inform work on a resilient city





## A responsible city

Sustainability is ongoing and can only continue to progress if the community, businesses and government lead by example. For local government, this means prioritising environmental issues and implementing actions where it can create positive outcomes for the community within the resources available. It also means educating the community to promote behaviour change and create a sense of responsibility.

A responsible city is one that looks at internal operations and identifies opportunities to improve efficiencies and reduce emissions, while also reducing pressure on Council resources and infrastructure used by the community.

#### Key initiatives by Council

- replacement of car park lighting with over 500 LED lights with motion sensors, resulting in a reduction in energy usage of 60%
- installation of 21 energy efficient hot water systems (solar and heat pump) across 12 park amenities blocks, youth centres, community centres, function centres and administration building
- installation of 100kW of solar panel systems on youth centres, libraries, function centres, children's centres and community centres
- replacement of 940 old mercury vapour streetlights with energy efficient LEDs
- installation of SmartMeter data loggers to track water consumption on Council assets
- installation of stormwater harvesting systems at two major sporting fields
- investigation and feasibility of purchasing green energy
- hosting a community energy forum for residents
- development and implementation of energy savings and water efficiency initiatives on Council assets
- energy and water monitoring software to monitor and measure consumption across Council assets



LED street lights in Woodpark (Photo: Serge Golikov)



### Implementation and tracking success

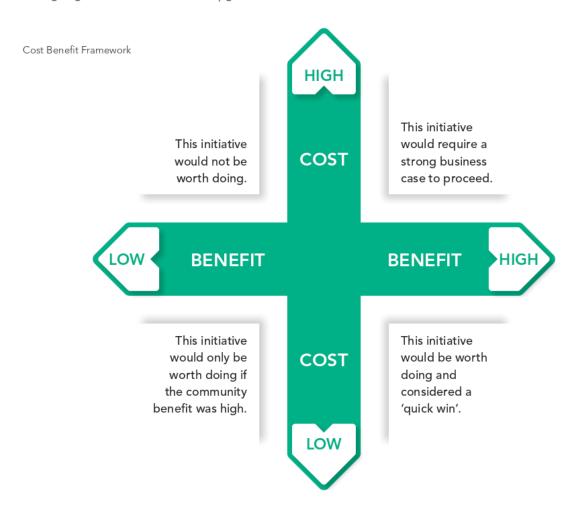
Decisions about prioritising environmental sustainability actions are made with considerations to risk, meeting Council's policy, strategic and legislative commitments and whether actions represent value for money to Council and the community.

The table opposite summarises how Cumberland City Council will work towards sustainability.

The key initiatives identified in the Action Plan are by no means exhaustive but a sample of some of the dynamic projects and programs that have been commenced or implemented. These are in addition to ongoing maintenance works and upgrades to our City, which are reported as part of Council's processes. At the time of this plan, many initiatives were being investigated or are underway as part of Council's ongoing commitment to reduce its environmental footprint.

This Action Plan will be reviewed annually and existing reporting processes will be utilised for reporting on actions.

For all organisations, sustainability is a work in progress. As demands on our City grow, so does the need to strive even further for sustainability.





Key Focus Areas	Actio	ons	Indicators
A CLEAN AND GREEN CITY	1.1	Implement strategies and initiatives that enhance the natural environment and improve amenity	Priority actions from the Cumberland Biodiversity Strategy 2019, Cumberland Waste and Resource Recovery Strategy 2018-2023 and the Cumberland Environmental Health Strategy 2020-2024
	1.2	Support education and programs that promote biodiversity and reduce our environmental footprint	Priority actions from the Cumberland Biodiversity Strategy 2019 and Cumberland Waste and Resource Recovery Strategy 2018-2023 Community and Council participation
A RESILIENT CITY	2.1	Reduce urban heat impacts through regional projects	Priority Actions from Western Sydney Region of Councils (WSROC) 'Turn Down the Heat' Strategy Recommendations from the 'Benchmarking Heat Across Cumberland Council' research report
	2.2	Review planning instruments and controls to support a resilient city	Local Strategic Planning Statement  Local Environmental Plan  Development Control Plan
	2.3	Identify climate risks and implement adaptation initiatives	Climate change risk assessment
A RESPONSIBLE CITY	3.1	Identify water and energy efficiency opportunities and implement projects to reduce consumption	Benchmarking data from AZility monitoring software State and Federal emissions targets Cities Power Partnership (CPP) pledges Western Sydney Region of Councils (WSROC) Western Sydney Energy Program recommendations Actions from Council's strategies, programs and plans
	3.2	Investigate opportunities to embed sustainability values into operations, improve capacity and provide internal education	Priority actions from the Cumberland Biodiversity Strategy 2019 and Cumberland Waste and Resource Recovery Strategy 2018-2023 Internal training opportunities Corporate sustainability opportunities





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# DOCUMENTS ASSOCIATED WITH REPORT C08/20-509

# Attachment 2 Sustainability Action Plan Public Exhibition Submissions



#### Sustainability Action Plan (SAP) - Summary of Submissions

In total, 2 submissions were received during the public exhibition period. One of the 2 submissions contained numerous comments and suggestions. The following table summarises all comments and suggestions received.

Comments / Suggestions	Council response	Changes to Plan
Submission 1		
A true SAP would look at all aspects of Council's operations and influence, set benchmarks and targets and allocate budget and responsibilities to a comprehensive list of actions. The SAP has no gap analysis, no analysis of Council capacity or evaluation of Council's current sustainability, no targets or benchmarks, timeframes and success indicators.	Noted and acknowledged. The SAP is a summary of key actions aimed at communicating sustainability to the community in a meaningful and relatable way. Council's operational plans that incorporate sustainability, include benchmarks, targets, budget considerations and responsible departments (for example the Water Efficiency Plan and the Energy Savings Action Plan). These plans are detailed in the Environmental Management Framework, which is referenced in the SAP on page 5 and forms part of the SAP. These plans are also summarised in the table on page 11 of the SAP. Sustainability goals and actions are embedded within Council's Delivery Program and Operational Plan and progress is reported through the quarterly and annual review of those plans.	No changes. Detailed plans already exist and are reported on. The purpose of this document is to summarise those key actions and communicate the work around sustainability to the community. Evaluation occurs quarterly and annually via the Integrated Reporting Framework.
This plan cannot be evaluated.	Noted and Acknowledged. Sustainability goals and actions are embedded within Council's Delivery Program and Operational Plan and progress is reported through the quarterly and annual review of those plans.	No change. Evaluation occurs quarterly and annually via the Integrated Reporting Framework.
There has been no evaluation of the existing sustainability plans of Auburn and Parramatta Councils, which would have identified a broader range of sustainability priorities.	Noted and acknowledged. At the time of Council mergers, all pre-existing policies were reviewed as part of the merger process. As newly formed Councils, new strategies and plans are developed which undertake extensive consultation and take into consideration the new boundaries and priorities for those areas.	No change. The consultation process incorporates reviews of related plans and strategies and identifies priorities for the new LGAs.
There are huge gaps in the areas of activity where Council could improve its sustainability performance, including community	Noted and Acknowledged. The table on page 11 of the SAP references where the indicators for sustainable	No changes. Detailed plans which include actions as those mentioned in the

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Comments / Suggestions	Council response	Changes to Plan
engagement, transport, procurement, governance, planning (beyond the "resilience" action), energy efficiency and water efficiency.	activity can be found. These plans and strategies include detail on types of actions which include those listed in the submission comments. These plans are also detailed in the Environmental Management Framework, which is referenced in the SAP on page 5 and forms part of the SAP. Sustainability goals and actions are also embedded within Council's Delivery Program and Operational Plan and progress is reported through the quarterly and annual review of those plans.	submission, already exist and are referenced in the SAP.
Submission 2		
We congratulate and commend Cumberland Council for its	Noted.	No Change.
initiatives in ensuring it 'will lead by example to deliver a clean,		
green and sustainable environment for current and future		
generations'		

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Item No: C08/20-510

#### RESPONSE TO MATTER OF URGENCY - DUMPING OF TROLLEYS

Responsible Division: Works & Infrastructure

Officer: Director Works & Infrastructure

File Number: SC79

Community Strategic Plan Goal: A clean and green community

#### **SUMMARY**

This report provides a response to the Matter of Urgency - Dumping of Trolleys (Min.788), raised at Council's Meeting of 20 November 2019.

#### RECOMMENDATION

#### That Council:

- 1. Receive the information contained within this report.
- 2. Continue to liaise with local shopping centre management and major retailers, in relation to their obligations to prevent abandoned shopping trolleys being discarded throughout the community.
- 3. Write to the Office of Local Government and the Minister for Local Government, requesting change to the *Impounding Act 1993* to place greater responsibility on commercial retailers in preventing the abandonment of shopping trolleys on public land.

#### **REPORT**

#### **Background**

At Council's meeting of 20 November 2019, a Matter of Urgency (Min.788) was raised regarding the dumping of trolleys. In considering this item, Council resolved the following:

#### "That Council:

- 1. Investigate options with respect to the removal and enforcement of abandoned/dumped shopping trolleys.
- Consider options including the requirement for coin-operated or wheel-locking shopping trolleys as part of all development applications for new or upgraded shopping centres.



3. Receive a report detailing options to ensure shopping centres are held accountable for the control of abandoned shopping trolleys across the LGA."

In response to this Matter of Urgency, Council Officers have considered the legal framework surrounding abandoned shopping trolleys and alternative approaches, in addition to future proactive measures such as the application of conditions of development consent.

#### **Legislative Context**

When considering the impounding of abandoned articles from a public place, Section 15 of the *Impounding Act 1993* states:

"An impounding officer may impound an article found in the officer's area of operations if the officer believes on reasonable grounds that the article has been abandoned or left unattended."

Council's Officers are therefore able to impound an abandoned or unattended shopping trolley and take the article to a Council depot for storage. The legislation then requires Council to undertake a process in relation to making all reasonable enquiries to find out particulars relating to the owner of the article and give them notice of the item impounded. This process can be resource intensive considering the number of trolleys that may be observed on any given day and so alternative means of controlling (identifying and removing) trolleys is recommended.

In addition to the impounding of an abandoned or unattended shopping trolley, a penalty notice of \$220 may be issued to an individual for the offence - *Abandon an article (not motor vehicle or shared device) in a public place*. An important aspect to note however, is that the offence is committed by the person leaving the trolley, not the owner / retailer.

Although the Office of Local Government have recently completed a review of the *Impounding Act 1993*, it is recommended that Council write to that agency and the Minister for Local Government (being the Minister responsible for the gazettal of the *Impounding Act 1993*), requesting that greater consideration be given to the responsibilities of commercial retailers to prevent the abandonment of shopping trolleys on public land.

#### **Alternative Approaches**

In considering an alternative means to patrolling the Local Government Area and undertaking the resource intensive practice of Council Officers impounding abandoned trolleys, Council has been liaising with local shopping centres and major retailers to identify constructive solutions. One such means is by way of major retailers engaging a third party (eg. Trolley Tracker<sup>TM</sup>) to monitor local areas and pick up observed or reported abandoned trolleys. Commitment to a service such as this can be beneficial to all stakeholders, which is the key to any successful community based program. The role of Council is therefore to liaise with shopping centres and individual retailers, to ensure that a regular monitoring and collection arrangement is in place and that the service is widely promoted.



In an attempt to keep trolleys within the confines of a shopping centre however, some retailers have trialled or use trolleys where wheel-locking systems activate once the trolley leaves a certain area. These devices are considered somewhat effective, however some members of the public still try to drag the trolley in a sideways or backward motion, to keep the trolley moving. Coin or token released shopping trolleys are therefore considered a preferred option as the coin or token is of value, creating an incentive for a shopping trolley to be returned. It should however be noted that the implementation of either of these solutions is at the shopping centre / retailer's discretion, unless required by way of a condition of development consent or similar. Council Officers are therefore considering this approach for new shopping centres or for those premises being upgraded, which may provide somewhat of a solution in the future.

It is recognised that Council Officers will always need the option of pursuing enforcement action as mentioned earlier in this report, which includes the recent decision to treat trolleys unable to be identified (to an owner) as dumped rubbish and have them crushed. This swift action has had a positive result in retailer responsiveness, with abandoned trolleys now being collected within 2 hours of them being reported.

In revisiting the impounding process however, where an owner of a trolley is identified, it has been recognised that a greater incentive needs to be created for the owners of abandoned shopping trolleys to recover their article. In this regard and understanding that the major retailers now have access to a new shopping trolley for approximately \$80 - \$100, consideration has been given to reducing the impounding fee of \$229 per item, previously listed in Council's Pricing Policy, Fees & Charges (2019/2020). Preliminary investigations have suggested that a fee of \$50 per item would create a greater incentive for trolleys to be reclaimed by their owner and have an inherent reduction in the number of trolleys stored at Council depots or disposed of to waste. This change has therefore been incorporated into Council's Pricing Policy, Fees & Charges for 2020/2021.

#### **COMMUNITY ENGAGEMENT**

Council is continuing to engage with local shopping centre management in addition to major retailers in discussing long term solutions. In the interim, a collaborative approach is also being taken to education and the promotion of reporting abandoned shopping trolleys throughout the community.

Council are also utilising social media platforms to communicate with the community on this issue, which is having a positive impact in relation to residents voicing their expectations on retailer responsibility.

#### **POLICY IMPLICATIONS**

The impounding fee contained in Council's Pricing Policy, Fees & Charges has been amended for the 2020/2021 period.

#### **RISK IMPLICATIONS**

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



#### FINANCIAL IMPLICATIONS

Whilst a reduction in the impounding fee for an item has been implemented, it is envisaged that the revised fee would attract an incentive for retailers to reclaim abandoned trolleys which is currently not occurring. It is therefore anticipated that any impact to Council's budget would be favourable.

#### **CONCLUSION**

Council Officers have considered the legal framework surrounding abandoned shopping trolleys, alternative approaches in addition to proactive measures such as the application of conditions of development consent to reduce the dumping of trolleys throughout the Cumberland LGA. A combined approach incorporating elements of each of these options is considered the most appropriate, to achieve the best outcome for the Cumberland Community.

#### **ATTACHMENTS**

Nil



Item No: C08/20-511

#### DRAFT WYATT PARK PLAN OF MANAGEMENT

Responsible Division: Works & Infrastructure

Officer: Director Works & Infrastructure

File Number: PK000421

Community Strategic Plan Goal: A great place to live

#### **SUMMARY**

Cumberland City Council has prepared a Draft Plan of Management and Landscape Masterplan for Wyatt Park, in accordance with the legislative requirements of the *Local Government Act 1993* (the Act).

As required by the *Local Government Act 1993*, a draft Plan of Management must be placed on public exhibition for a period of no less than twenty-eight (28) days, with the public provided a period of no less than forty-two (42) days for submissions to be made. Council is also required to hold a public hearing with regard to the draft Plan of Management, as altering of the categorisation of community land has occurred under Section 36(4).

This report summarises the preparation process and objectives relating to the draft Plan of Management and Landscape Masterplan and recommends that the Draft Wyatt Park Plan of Management be submitted for the required Ministerial consent and then placed on public exhibition.

#### **RECOMMENDATION**

#### **That Council:**

- 1. Refer the Draft Wyatt Park Plan of Management to the NSW Department of Planning, Industry and Environment for Ministerial consent.
- 2. Upon receipt of Ministerial consent, place the Draft Wyatt Park Plan of Management on public exhibition for a period of 42 days, inviting submissions throughout that time in accordance with Section 38 of the Local Government Act 1993.
- 3. Provide a further report to Council detailing the outcome of the public exhibition period.

#### **REPORT**

The Local Government Act 1993 requires the preparation of Plans of Management for all areas of Council community land, to guide the future management and development of these areas. Community land is defined by the Act to include a natural area



(including subcategories), a sportsground, a park, an area of Cultural Significance and general community use. This land may be developed on a generic, site specific or geographical basis.

The Crown Lands Management Act 2016 (CLMA), together with the Crown Land Legislation Amendment Act 2017, implements reforms identified through the comprehensive review of Crown land management. The CLMA allows Councils to manage Crown land under the provisions of the Local Government Act 1993 in respect to public land. Crown reserves managed by councils will generally be classified as community land and categorised under the Local Government Act 1993 with endorsement from the Minister for Planning, Industry and Environment.

Wyatt Park is a 23-hectare regional park with several significant recreation facilities, catering largely for organised sporting activities and large-scale community events. The park is bound by Olympic Drive, Church Street and Percy Street and is within walking distance to both Auburn and Lidcombe Railway Stations.

The site features an athletic track, netball facility, indoor youth facilities, basketball centre, cycling velodrome, skate track, aquatic centre, dog off-leash facility, event and sporting field facilities.

The purpose of this Plan of Management is to provide a ten-year strategic framework for the future use and sustainable management of Wyatt Park. The Plan is accompanied by a Landscape Masterplan and action plan to guide future asset management and capital works, in and around the park.

In addition to addressing the requirements of the *Local Government Act 1993*, Council's specific objectives for Wyatt Park include:

- Co-location of park activities, including sports and events, family and youth.
- New and upgraded park infrastructure and recreation facilities, including a multipurpose youth and community centre, an upgraded Cumberland Basketball Centre, play opportunities for all ages and abilities, paths, park furniture and picnic areas.
- Improved accessibility and connectivity for pedestrians, cyclists and vehicles to and from, and within the park.
- Increased amenity including shade, shelter and visual presentation.
- Improved security through passive surveillance, lighting and improved access to activate the park.
- Supplementary planting and associated landscaping works.

#### **Land Categorisation**

In accordance with Section 36 of the *Local Government Act 1993*, community land within the open space area has been identified and re-categorised to sportsground, park and general community use. This is an amendment to previously proposed categorisation of the land and is a direct result of the community consultation already undertaken (including public hearing).



#### **COMMUNITY ENGAGEMENT**

Preparation for the draft Plan of Management commenced in 2017 and has included research and analysis of the local community in addition to consideration of Council's strategic directions. A project steering committee was also created to oversee workshops and meetings with internal / external stakeholders, including key sporting bodies and the Wyatt Park Local Parks Committee.

To provide further community consultation and to fulfil the requirements of the *Local Government Act 1993*, the draft Plan of Management and Landscape Masterplan will be placed on public exhibition for a period of 42 days to receive public submissions.

Details of this public exhibition period and a public hearing will be notified to the local community and stakeholders via Councils 'Have Your Say' page, email and newspaper advertisements.

#### **POLICY IMPLICATIONS**

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

#### **RISK IMPLICATIONS**

Non-compliance with the requirements of the *Local Government Act 1993* relating to the categorisation of Community Land, may result in legal action being instigated against Council.

#### FINANCIAL IMPLICATIONS

Funding for improvement works as outlined within the draft Wyatt Park Plan of Management Action Table, will be considered during the development of Council's future Capital Works Program utilising available funds, including 7.11 Contributions, grants or lease income.

#### CONCLUSION

The draft Plan of Management has been prepared as a legislative instrument to guide the ongoing management and development of Wyatt Park in compliance with the requirements of the *Local Government Act 1993* and *Crown Lands Act 2016*.

This report recommends that the draft Wyatt Park Plan of Management and Landscape Masterplan be submitted to the NSW Department of Planning, Industry and Environment for the required Ministerial consent and then placed on public exhibition for further community consultation.

#### **ATTACHMENTS**

- 1. Wyatt Park Draft Plan of Management U
- 2. Wyatt Park Masterplan <a href="#">U</a>

# DOCUMENTS ASSOCIATED WITH REPORT C08/20-511

# Attachment 1 Wyatt Park Draft Plan of Management





# Wyatt Park Draft Plan of Management July 2020













# WYATT PARK PLAN OF MANAGEMENT

Draft for Public Exhibition

Revision 4 22 July 2020



#### **Document Status**

This document the Draft Wyatt Park Plan of Management prepared for Ministerial Endorsement, public exhibition and feedback.

DRAFT WYATT PARK PLAN OF MANAGEMENT REVISION 4 22 July 2020

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#### EXECUTIVE SUMMARY

This report constitutes volume one of the Draft Plan of Management (PoM) for Wyatt Park, located in Lidcombe in the Cumberland Local Government Area (LGA).

Wyatt Park is a 23 hectare regional park, within Cumberland City Council with a number of significant recreation facilities, catering largely for organised sporting activities and large scale community events. The park is bound by Olympic Drive, Church Street and Percy Street and within walking distance to both Auburn and Lidcombe Railway Stations.

The draft Wyatt Park PoM provides the community, sporting groups and Cumberland Council with a clear direction and framework for the future use and management of the Park.

This PoM has been prepared based on a detailed analysis of relevant planning and policy directions, a comprehensive assessment of existing site conditions and usage patterns as well as extensive consultation with internal Council staff, key stakeholders and the general community.

The draft PoM contains:

- · An overview of the guiding planning framework and context
- An overview description of the condition of land current use and existing facilities
- · An overview of consultation and community engagement
- A summary of the key issues and values of the Park from the background research and analysis
- · A vision statement and associated management objectives;
- A Landscape Concept Plan showing the indicative design and proposed layout of the Park
- · Implementation priorities and likely costs for masterplan works
- Recommendations for future use agreements with third parties; and
- An Action Plan with detailed actions to facilitate the upgrade and ongoing management of the Park.

This draft PoM recommends that Wyatt Park will retain its important function in providing for active and organised sporting activities. The active sports offering will be complemented by informal and passive leisure opportunities to cater for social and family recreation and demand for access to green space as the area surrounding Wyatt Park densifies.

Key improvements to Wyatt Park will include:

- · Co-location of park activities sports and events, family and youth
- New and upgraded park infrastructure and recreation facilities including a multi-purpose youth and community centre, an upgraded Cumberland Basketball Centre, play opportunities for all ages and abilities, new paths and furniture, and gathering and picnic areas
- Improved accessibility and connectivity for pedestrians, cyclists and vehicles to and from, and within the park
- Increased amenity including shade, shelter and visual presentation
- Improved security through passive surveillance, lighting, and improved access to activate the park
- · Supplementary planting and associated landscaping works.



# Welcome to Country

Jumna ya wogal wal ya pemel jumna mingan jumna tamu. Ngalaringi wyanga pemal.

Ngalaringi babuna wal gnia ya pemal da lo-loley dice wara mooting jumna banga nolla ya.

Pemal jumna wal gnia koi mund wal tati pemal jumna annagar dice.

Eorah wal mullana wal mingan jumna gai gnia bou gu-nu-gal nglaringi go-roong dyaralang.

Nglaringi go-roong dyaralang.

Ngalaringi bou ngalaringi jam ya tiati nglaringi bubuna jumna. Mittigar gurrung burruk gneene da daruga pemal.

Didjeree Goor.

We were the first carers of the land, we took only what we needed from our Mother Earth.

Our ancestors knew how to take care of the land, so as to continue their survival.

We do not own the land, but we are charged with the care of it. As custodians of this land we ask that all people join us and preserve what we have left for future generations.

We must protect the few sites we have to ensure our culture continues.

In the language of our ancestors we welcome you to Darug Lands.

Thank you.

Welcome to Country by Darug Elder Aunty Edna



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1100000.	Codiptoral land form markets	01	CBC	Cumberland Basketball Centre
			CLA	Crown Lands Act 1989
			CLMA	Crown Lands Management Act 2016
			CPTED	Crime Prevention Through Environmental Design
			DPILF	Department of Industry - Lands & Forestry
			ERW	Emergency Relief Work
			GPOP	Greater Parramatta and Olympic Park
			KoB	Kids on Bikes
			LACC	Lidcombe Auburn Cycling Club
			LEP	Local Environmental Plan
			LGA	Local Government Area
			LGAct	Local Government Act 1993
			LGGR	Local Government (General) Regulation 2005
			MAP	Management Action Plan
			MDNC	Marie Dunn Netball Courts
			N4A	Netball for All
			OSRS	Open Space and Recreation Strategy
			PANA	Parramatta Auburn Netball Association
			PBA	Parramatta Basketball Association
			PoM	Plan of Management
			RMS	Roads and Maritime Services
			SFR	Social and family recreation
			REAC	Ruth Everuss Aquatic Centre
			TWLA	Tiger Wests Little Athletics
			WA	Woodville Alliance
			WPYC	Wyatt Park Youth Centre





# SECTION ONE INTRODUCTION





#### 1 INTRODUCTION

#### 1.1 What is a Plan of Management?

A Plan of Management (PoM) is a strategic document that outlines the management of community land owned or managed by Council. It describes how an area of open space will be used, improved and managed in the future. In doing so the PoM informs Council's planning, budgeting for capital works and on-going management and maintenance services.

#### 1.2 Background to this PoM

This PoM originates as part of a Council program to enhance its sports grounds and community facilities to cater for local as well as district demand, coupled with concern over the poor condition of many facilities in Wyatt Park, and the declining condition of the park overall.

During the Ordinary Council Meeting of 2 November 2016, the Cumberland Council Administrator announced the intention to prepare of PoM for Wyatt Park. The PoM will establish the parameters for the development of quality recreation facilities and will be the first step towards strengthening Wyatt Park as an appealing and valued recreational hub.

#### 1.3 Purpose

The purpose of this PoM is to provide a five to ten year strategic framework for the future use and sustainable management of Wyatt Park. The PoM is accompanied by a landscape masterplan and an action plan to guide future asset management and capital works in and around the Park. The action plan also details other operational and management actions required to support and complement asset management and capital works in order to successfully realise the desired outcomes.

#### Relationship to other studies

Following amalgamation of parts of the previous Auburn, Parramatta and Holroyd Local Government Areas (LGAs), and consistent with the local government framework for integrated planning and reporting the new Cumberland Council is reviewing and updating its strategic framework across a wide range of areas to ensure alignment with Council's vision for the Cumberland LGA as outlined in the Community Strategic Plan 2017-2027.

As part of this process Council has initiated the preparation of an Open Space and Recreation Strategy (OSRS). The OSRS will inform further detail planning, for example for the provision of playgrounds or indoor and outdoor sports facilities.



Plate 1: A netball game at Wyatt Park

#### PoM review

It is recommended that this PoM be subject to an initial review following a period of five years with the aim of ensuring the overall vision and recommendations remain aligned with the strategic recommendations outlined in the OSRS.

#### 1.4 Aims

The specific aims of this PoM and accompanying landscape masterplan are to

- Identify the values of the park to the community and reflect community and stakeholder values and priorities
- Identify the preferred mix of recreation facilities including potential opportunities for future development of Wyatt Park based on community priorities
- · Give consideration to the historical significant of the Park
- · Identify threats to the ecological quality of Wyatt Park
- Prepare a landscape concept plan showing practical future development
- Prepare guidelines for the future management and maintenance of Wyatt Park to the benefit of the local community
- Address issues including leases and licences, the preferred mix of recreational facilities, conflict between users, safety for park users and recreational needs of residents.
- Recommend performance measures by which the objectives of the PoM will be achieved and the manner in which these measures are to be addressed
- Meet all legislative requirements, namely the Crown Lands Act 1989 and Local Government Act 1993.

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#### INTRODUCTION

#### 1.5 Land to which this Plan applies

Wyatt Park is made up of several parcels of land with a total area of approximately 23 hectares (refer to Table 1 and Figure 1).

Wyatt Park has multiple land owners. The majority of Wyatt Park is Crown land contained within Crown Reserve No. 60119 for which Cumberland Council acts as Reserve Trust Manager.

#	Identifier	Registered Property Address	Ownership	Existing Major Features	Size (Ha)
•	Lot 1 DP 581438	Percy Street, Lidcombe	Crown land. Crown Reserve R60119	Auburn Athletics Centre, Cumberland Basketball Centre, Auburn PCYC, Marie Dunn Netball Courts.	6.43
				Note: Easement for access and electricity purposes	
2	Lot 1 DP 319530	Percy Street, Lidcombe	Cumberland Council	Council store in former electricity substation	0.073
9	Lots 1-4 DP 707506	Percy Street, Lidcombe	Cumberland Council	Off-street parking	0.729
4	Lot 2 DP 581438	Percy Street, Lidcombe	Crown land. Crown Reserve R60119	Grove of trees	0.45
6	Lot 7046 DP 1065005	Olympic Drive, Lidcombe	Crown land. Crown Reserve R60119	Lidcombe Oval, Grandstand and Velodrome, Wyatt Park fields, Wyatt Park Youth Centre, Ruth Everuss Aquatic Centre, dog off-leash area, former tennis courts, off-street parking, Haslams Creek.	13.38
				Note: Easements for electricity purposes and stormwater. Right of way and easement for electricity purposes	
6	Lot 1 DP 611380	Olympic Drive, Lidcombe	Alpha Distribution Ministerial Holding Corporation (formerly known as Ausgrid)	Substation. Note: Right of Way and easement for electricity purposes.	0.031
0	Lot 1 DP 1136347	Olympic Drive, Lidcombe	Cumberland Council	N/A	0.07
8	Lot 75 DP 752036	Olympic Drive, Lidcombe	Crown land. Crown Reserve R1002879	N/A	0.67
9	Lot 77	Olympic Drive,	Crown land.	Girl Guides Hall	0.069
	DP 752036	Lidcombe	Special lease 1962-16 (Metropolitan) in perpetuity to Girl Guides Association of NSW		
10	Lot 76	Percy Street,	Crown land.	Scout Hall	0.629
	DP 752036	Lidcombe	Special Lease 1961-134 (Metropolitan) to Boy Scouts Association of NSW		
1	Lot 453 DP 752036	Boorea Street Lidcombe	Cumberland Council	N/A	0.358

Table 1: Lots and land ownership details for Wyatt Park

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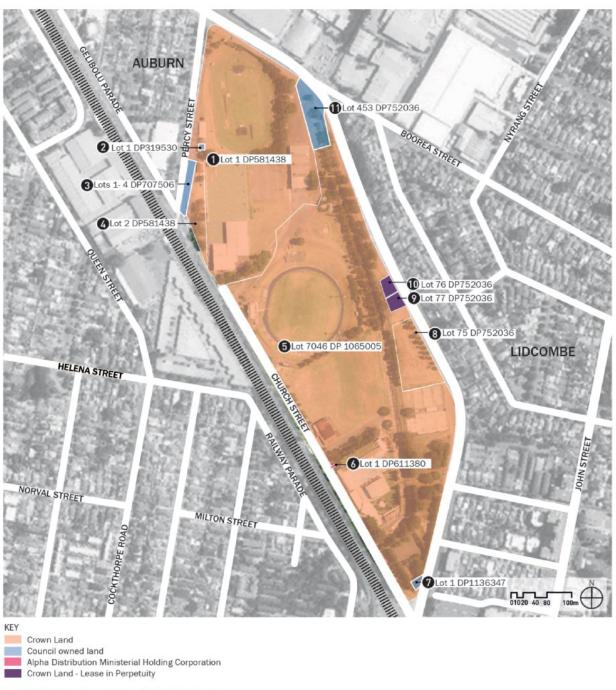


Figure 1: Lots and land ownership in Wyatt Park

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# 1.6 Legislative Requirements

The content of PoMs is prescribed by legislation that deals with the management of community land and Crown reserves in NSW, as summarised below.

#### NSW Local Government Act 1993

The LGAct provides the legal framework for managing the use and management of public land under Council's care and control.

The LGAct requires the preparation of PoMs for all community land. Together with the Local Government (General) Regulation 2005 it provides a specific approach to the classification, categorisation and management of community land.

The requirements of the Act and where they are addressed in the PoM are outlined in Table 2.

# NSW Crown Lands Management Act 2016

The Crown Lands Management Act 2016 (CLMA), together with the Crown Land Legislation Amendment Act 2017 implements reforms identified through the comprehensive review of Crown land management.

The CLMA allows Councils to manage Crown land under the provisions of the *Local Government Act 1993* (LGAct) in respect of public land. Crown reserves managed by councils will generally be classified as community land and categorised under the LGAct, with the Minister for Lands' approval.

The categorisation of community land in Wyatt Park is discussed further in Section 4 of this PoM.

#### Native Title Act 1993

The Native Title Act 1993 (Cth) is a law passed by the Australian Parliament that recognises the rights and interests of Aboriginal and Torres Strait Islander people in land and waters according to their traditional laws and customs.

Under the Native Title Act all activities on the land must address the issue of Native Title. The Native Title process must be considered for each activity on the land and a native title assessment must be undertaken. Almost all activities and public works carried out on the land will affect native title and require validation of the future act procedures in Division 3 of the Native Title Act by Council's Native Title Manager.

## Notification

Prior to commencing work on this PoM and in accordance with section 1.12 (2) of the CLA, Council informed the Crown lands division of the Department of Industry - Lands & Forestry (DPILF) of Council's intention to prepare a PoM for Wyatt Park.

Table 2 details which parts of this PoM address the respective requirements of the CLA and LGAct.



Matters to be addressed by the PoM	CLA or LGAct and section	Relevant PoM section(s)
Principles of Crown land management.	CLA, s11	Section Three
Categorisation of community land.	LGAct, s36(3)(a)	Section Three
Objectives and performance targets.	LGAct, s36(3)(b)	Section Four Section Five
How objectives and performance targets will be achieved.	LGAct, s36(3)(c)	Section Five
How Council will assess its performance in achieving the objectives and performance targets.	LGAct, s36(3)(d)	Section Five
The condition of the land, and of any buildings or other improvements at the time of PoM adoption.	LGAct, s36(3A)(a)(i)	Section Two Section Three Volume 2 Part A
The condition of the reserve (including the condition of any buildings or other improvements on the reserve.	CLA, s112(a)	
The use of the land and any buildings or improvements at the time of PoM adoption.	LGAct, s36(3A)(a)(ii)	Section Two Volume 2 Part A
The existing use of the reserve (including the existing use of any buildings or other improvements on the reserve)	CLA, s112(b)	
The purposes for which the land will be permitted to be used in the future.	LGAct, s36(3A)(b)(i)	Section Three Section Four
The nature and scale of the proposed additional purpose .	CLA, s112(c)	
The purposes for which any further development of the land will be permitted, whether under lease or licence or otherwise.	LGAct, s36(3A)(b)(ii)	Section Four
The scale and intensity of any permitted use or development.	LGAct, s36(3A)(b)(iii)	
The nature, scale and term of any lease, licence or other arrangement that is intended to be granted or entered into in relation to the additional purpose.	CLA, s112(d)	
Any submissions made in relation to the draft plan as a result of the consultation process and public exhibition requirements under section 113.	CLA, s112(e)	Volume 2 Part B

Table 2: Legislative requirements for PoMs and where they are addressed in this document



# 1.7 How this PoM was prepared

Developing the Draft PoM for Wyatt Park has involved working closely with Council's Project Steering Group through a series of workshops and meetings.

The key project stages to date have included

- Extensive research including review of available state and local government strategies, planning documents and reports
- · Review and analysis of demographics
- A detailed site description and analysis combining on-site observations with a desktop study and stakeholder feedback and observations
- A review of open space and recreation planning principles of relevance to the project
- · Development of masterplanning principles for the park
- · Development of masterplan options
- · Public exhibition of masterplan options
- · Identification of the preferred masterplan
- Public exhibition of the preferred masterplan and draft PoM.
   The draft PoM will be publicly exhibited for 28 days.

Following public exhibition of the draft PoM and masterplan, public submissions will be reviewed, and where necessary the draft PoM will be amended prior to finalisation and adoption by Council.

The full list of background documents reviewed is listed in the bibliography in section Six of this PoM.

The findings of the review of the planning context and the detailed site analysis and description are included in Volume 2 Part A.

The community and key stakeholders were consulted at different project stages and through a variety of means. The respective consultation stages and techniques are described in Volume 2 Part B, together with a summary of the feedback and key messages.

## 1.8 Structure of this PoM

The PoM is structured into several volumes and sections that build on each other to provide the rationale for proposed future use, development and management of Wyatt Park. The content of each section is summarised below:

# 1. Introduction

Introductory Overview

## Description of the Park

Overview of the current use of the Park, including the existing facilities and their conditions.

## 3. Planning Context -

Overview of planning context, legislative requirements and relevant documents.

#### 4. Basis for Management Key Issues and Values

Summarises key issues and values influencing the future use and management of the park including key findings from the site analysis, review of background information and stakeholder consultation.

Provides an overview of contemporary open space and recreation planning principles and their relevance to the future use, management and development of the park. Concludes with a summary overview of key directions and opportunities for Wyatt Park.

### 5. Vision for Wyatt Park

Sets out the vision for the park including management objectives and future uses. The vision is complemented by a masterplan illustrating the future structure and development of the park, together with implementation priorities and high level cost estimates for recommended improvements. Concludes with recommendations in respect of future use agreements including leases and licences.

#### 6. Management Action Plan

The Management Action Plan will guide Council in managing the park at all levels. It contains a series of tables that identify the specific actions required to realise the desired outcomes and their level of priority, responsibility for action within Council, and how success is to be measured.

#### References and Bibliography

List of information reviewed in the preparation of this PoM.







## 2.1 Location

Wyatt Park is located approximately halfway between Lidcombe and Auburn stations in the suburb of Lidcombe, in the eastern Cumberland LGA (Figure 2).

The park is within walking distance to Auburn (800m) and Lidcombe (400m) stations. It is located about 5.5 kilometres south-east of the Parramatta CBD, three kilometres south-west of the Sydney Olympic Park business centre and about 15 kilometres west of Sydney's CBD.

The park adjoins Olympic Drive, an important arterial road connecting the Sutherland and Bankstown area in the south to the Hills District in the north. On the southern side the park is bound by the Western Line connecting Sydney to Richmond and Emu Plains and beyond. Church Street is located between the rail line and the park and provides vehicular access.

The park is surrounded is by low and medium residential housing with pockets of high density housing, industrial and employment areas





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# 2.2 Existing Facilities

Wyatt Park features a range of facilities that have the potential to service local residents, Cumberland residents as well as people from other parts of metropolitan Sydney.

The primary use of Wyatt Park is for sporting use which is facilitated through a number of clubs and organisations.

Table 3 summarises the existing facilities within the park and the primary groups or organisations using them.

Facility	Primary user groups	
Auburn Athletics Centre (AAC): track and field	ASICS Wests Athletics Club (AWAC) and Tiger Wests Little Athletics (TWLA)	
Cumberland Basketball Centre (CBC): indoor basketball	Parramatta Basketball Association (PBA)	
Marie Dunn Netball Courts (MDNC): 17 floodlit outdoor courts	Parramatta Auburn Netball Association (PANA)	
Auburn PCYC: indoor sports hall, gym, gymnastics, ping pong, multi-purpose rooms	Auburn PCYC	
Lidcombe Oval, Grandstand and Velodrome	Auburn Warriors Rugby League Club (AWRLC), Lidcombe Auburn Cycling Club (LACC), Kids on Bikes (KoB)	
Wyatt Park fields	Community events including Afrocultures, Eid Festival	
Wyatt Park Youth Centre (WPYC): indoor sports hall, consulting/ meeting rooms, kitchen	Auburn Youth Centre (AYC), Woodville Alliance (WA)	
Ruth Everuss Aquatic Centre (REAC): indoor and outdoor pools, gym, waterplay	Managed by Belgravia Leisure	
Girl Guides and Boy Scouts Halls	Girl Guides and Boy Scouts	
Former tennis courts	N/A - under demolition	

Table 3: Existing facilities and primary users

Facility	Primary user groups
Skate bowl	N/A - disused

It is noted that park facilities currently cater for active sporting activities through club or organisation membership. There is no general recreation infrastructure such as playgrounds, walking paths, seats or picnic areas that would encourage general community use.

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Figure 3: Existing facilities

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Duplication of the recreation offering exists for basketball which is offered at the CBC, PCYC and WPYC.

#### Level of Use

While the intensity of use varies across the range of facilities and spaces in the park, the majority of the park currently operates below capacity. Given the identified latent demand for sports and recreation this indicates that there may be a number of factors at play that contribute to under-use that may be independent of the nature and condition of the facilities.

#### Condition

The condition of facilities in the park is highly variable with some high quality facilities such as the REAC (opened in 2017), Lidcombe Oval, the recently refurbished cycling track at Lidcombe Velodrome, the AAC, PCYC building and the MDNC (resurfaced in 2013).

This is in contrast to a number of facilities of poor appearance or deteriorating condition including a defunct skate bowl, a former toilet block, the WPYC building, the CBC building and the netball kiosk/ change rooms and the former tennis centre (which is now a vacant area surrounded by a boundary fence).









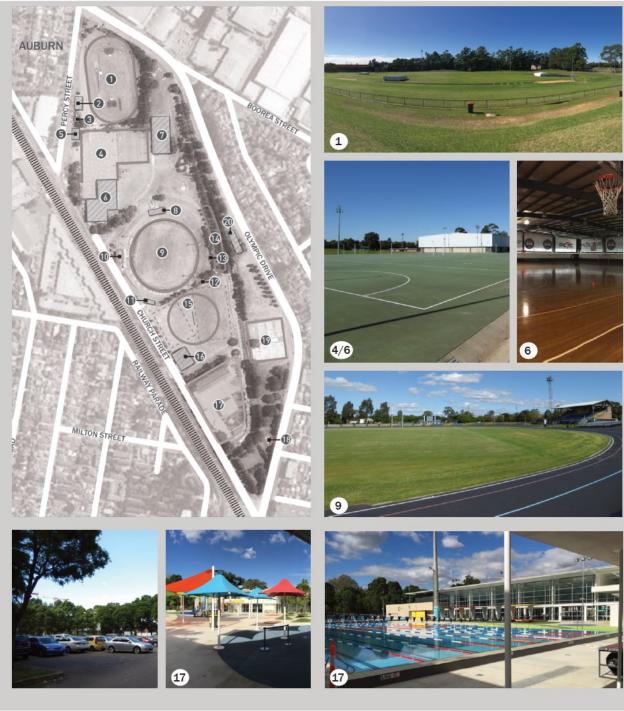


Plate 2: Condition of existing facilities

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#### Access

#### Vehicular access

Formal vehicular access to Wyatt Park is via Church Street which, together with internal driveways, provides access to all major venues. Two further gate-controlled access points are at Percy Street and at Olympic Drive opposite Boorea Street. The Boorea Street entrance is used during events to provide a one-way traffic loop through the park.

Currently the park provides for about 640 car spaces through a combination of on- and off-street parking, the majority of which is accessed from Church Street. Percy Street also offers on- and off-street parking.

During events, open areas along Olympic Drive and the Wyatt Park fields are used for overflow parking.

#### Pedestrians and cyclists

The primary access route for pedestrians and cyclists is along Church Street. It includes a pedestrian crossing at the Olympic Drive traffic lights and a shared path linking Church Street to Percy Street along the rail line. There are no other dedicated foot or shared paths in the park.

#### 2.3 Natural Features

## **Haslams Creek**

The major natural feature is Haslams Creek. The creek primarily conveys stormwater flows through a brick and concrete channel. The channel is a Sydney Water asset and is considered to be of heritage significance. During major storm events the creek floods, with the vast majority of the park identified as a flood risk area, ranging from low to high risk.

The creek is fenced and bisects the park in a north-south direction. The creek banks are lined with predominantly native vegetation consisting of a combination of trees, shrubs and groundcovers.

Consistent with the floodplain location, much of the park has been identified as having potential to develop acid sulfate soils.

# Vegetation

The majority of the park consists of large open areas developed for sports and suitable for events. A number of significant trees have been identified in the park and are listed on Council's Significant Tree Register. They include a number of mature Tallowood trees (Eucalyptus microcorys) throughout the park as well as an avenue of Tallowood trees (E. microcorys) along Olympic Drive that is heritage listed on the Auburn Local Environmental Plan 2010 (ALEP).

Other significant trees include a Hill's Weeping Fig (Ficus microcarpa var. Hillii) and two Cottonwood trees (Populus deltoides) near the REAC.



Plate 3: Haslams Creek canal



Plate 4: Hill's Weeping Fig, Church Street

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# 2.4 History and Heritage

Wyatt Park was first dedicated as a public reserve in 1927. It has a continuous history as an important sportsground and is associated with a number of clubs and user groups.

The Park is listed in Schedule 5 - Environmental Heritage of the ALEP, under the item name of Wyatt Park / Haslams [sic] Creek / Lidcombe Oval. The heritage inventory prepared for the listing specifically mentions the former Auburn Swimming Centre (since redeveloped to become the Ruth Everuss Aquatic Centre), Wyatt Park Youth Centre, Lidcombe Oval and the grandstand.

The Wyatt Park Draft Heritage Study Report (Cumberland Council, 2017) identifies a number of additional items to be considered for heritage preservation.



Plate 6: Tallowoods along Olympic Drive



Plate 5: Lidcombe Oval, Velodrome and Grandstand

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# SECTION THREE PLANNING CONTEXT





# 3.1 NSW Planning Framework

## A Plan for Growing Sydney

Released in December 2014, A Plan for Growing Sydney is the NSW Government's strategy for future of Sydney as both a strong global city and a great place to live while accommodating major population growth.

The Plan will guide land use planning decisions for the next 20 years and presents a clear strategy for accommodating Sydney's future population, and to deliver the housing, jobs and infrastructure to strengthen the global competitiveness of Sydney.

# **Directions for Greater Sydney**

Directions for Greater Sydney was published by the Greater Sydney Commission in 2017 and follows on from A Plan for Growing Sydney.

Directions for Greater Sydney provides the foundation for the future planning of Greater Sydney over the next forty years. It identifies Sydney as a global metropolis of three productive, liveable and sustainable cities: the Eastern Harbour City, the Central River City and the Western Parkland City - refer Figure 4.

Directions for Greater Sydney seeks to match the region's growth with strategically planned investments, projects and priorities including in the arenas of land use, transport and infrastructure.

## Revised Central City District Plan

Draft District Plans were released in 2016 by the Greater Sydney Commission to complement *Directions for Greater Sydney*. They define the vision, actions and priorities for the five planning districts in metropolitan Sydney.

The Draft West Central District Plan covers the Local Government Areas of Blacktown, Cumberland, Parramatta and The Hills, an area expected to experience population growth in the area of about 551,000 people by 2036. It sets out the planning directions and actions required to accommodate this growth while delivering a productive, livable and sustainable city.

Bridging the gap between metropolitan planning and local government planning, the district plan clearly sets out the growth, planning priorities and desired outcomes for the area.

# Parramatta Road Urban Transformation Strategy

Released in 2016, Urban Growth developed the Strategy for the Parramatta Road corridor over the next 30 years. It aims to grow and revitalise local communities living and working along the 20km length of the project.

Within the Strategy eight precincts are proposed, one of which is Auburn adjacent to Wyatt Park. The program area extends from Parramatta Road to Boorea Road including an intense employment precinct within the existing industrial area to the north-east of Wyatt Park.

#### Greater Parramatta and Olympic Park Precinct

The Greater Parramatta and Olympic Park Precinct (GPOP) is an evolving knowledge, health, technology, finance, administration and justice centre. The GPOP will offer better public transport, cultural and sporting facilities and a knowledge intensive, services oriented economy in an area stretching from Strathfield to Westmead, and from Auburn to Telopea, embracing Parramatta and Olympic Park - refer Figure 5.

The area is expected to be subject to an 85% increase in housing and a 60-70% increase in jobs across four distinct quarters and supported by key infrastructure.

The GPOP is earmarked for rapid transformation, with a total investment of over \$10 billion in the GPOP over the next five years alone.

### **Carter Street Priority Precinct**

In 2013 the NSW Government endorsed the Carter Street Priority Precinct, located within the GPOP. The Precinct is expected to accommodate significant jobs and housing growth and the proposal involves rezoning the precinct to develop:

- A high density urban community with potentially over 5,500 dwellings, including a range of housing options from townhouses to apartments in buildings of 4-20 storeys
- Employment uses along the M4 Motorway corridor, within buildings up to 6 storeys
- A mixed use village centre and village square
- · A new primary school
- · A multi-purpose community facility
- New open space including a 1.8 hectare park at Hill Road, a village park on Uhrig Road, and a new linear foreshore reserve along Haslams Creek south of John Ian Wing Parade.



# 3.2 Cumberland Council Planning

#### Auburn Local Environmental Plan 2010

The Auburn Council Local Environmental Plan 2010 (ALEP) remains the relevant environmental planning instrument guiding land use and development surrounding Wyatt Park, until a consolidated Local Environmental Plan (LEP) is developed for Cumberland Council

The ALEP establishes aims, objectives and principles for the whole LGA, as well as for specific sections or zones of the LGA.

Under the ALEP, Wyatt Park is zoned RE1 Public Recreation. Land use zones applicable to areas surrounding Wyatt Park are shown in Figure 6.

The objectives of the RE1 zone are:

- To enable land to be used for public open space or recreational purposes
- To provide a range of recreational settings and activities and compatible land uses
- To protect and enhance the natural environment for recreational purposes.

No works are permitted within Wyatt Park without development consent. Permissible development within this zone includes child care centres, community facilities, depots, environmental facilities; environmental protection works, function centres, information and education facilities, kiosks, markets, places of public worship, public administration buildings, recreation areas, recreation facilities (indoor), recreation facilities (major), recreation facilities (outdoor), respite day care centres, restaurants or cafes, roads and water recreation structures. Development consent is required for the construction of any of these.

The three LEP currently applying to Cumberland Local Government Area (Auburn, Parramatta and Holroyd) has recently been consolidated and consultation occured early 2020.

## Local Centre Upgrades

Informed by state, regional and local strategies and directions, the former Auburn and now Cumberland Council has been planning for increased uplift and development in local town centres to accommodate future growth, including Lidcombe and Auburn

## Draft Auburn and Lidcombe Town Centres Strategy 2016

The Draft Auburn and Lidcombe Town Centres Strategy 2016 was commissioned by Cumberland Council. It builds on the work of the earlier Auburn Town Centres Strategy prepared for the former Auburn Council, as well as other technical studies and the district planning processes by the Greater Sydney Commission.

This strategy has been prepared in recognition that Auburn and Lidcombe Town Centres are at a critical transition point. It identified significant opportunities to improve both the built form and the public domain within the context of increased heights and floor space ratios.

The Strategy proposes a number of principles for the growth of each centre and recommends changes to planning controls to support these principles. The principles build on the strengths of each centre, and enable an improved and more diverse built form, with a greater emphasis on how people interact with each other and with the built environment.

## Auburn Town Centre Strategy 2031

The Strategy developed in 2008 provides a vision and direction for planning, community, transport, economic and environmental issues to guide strategic planning policies over the next 25 years.

Key themes and actions of the Strategy include:

- The Auburn town centre will be compact and well-defined with improved development quality and viability. Building height controls are reconsidered to ensure consistency with other built form controls so that development potential is not constrained to a greater extent than intended
- Access to and circulation within the Auburn town centre will be integrated, safe and convenient, with priority for walking, cycling and public transport
- A significant public space at the Civic Road, Queen Street and Auburn Road intersection on the western corner of Queen Street and Auburn Road and on the northeastern corner of Civic Road and Auburn Road.

#### Auburn Residential Development Strategy 2015

The Auburn Residential Development Strategy outlines a 20 year strategy to guide the planning for future housing needs in Auburn City. The Strategy indicates a number of developable sites within a kilometre of Auburn Station and Lidcombe Stations for multi-level (up to 19 storeys) buildings. These would accommodate residents in high-density which will increase the demand of open space available to these residents.

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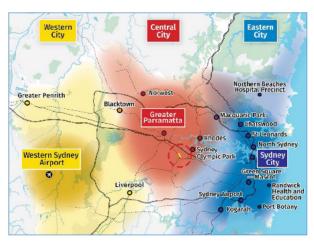


Figure 4: The Three Cities Model showing location of Wyatt Park

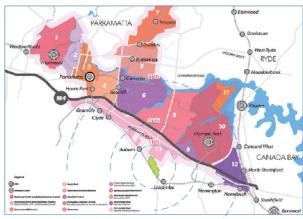


Figure 5: Parramatta Road Urban Transformation Area showing

### Planning Context - Key Findings

- Wyatt Park is located in the 'Central City' as per the 3 city model developed by the Greater Sydney Commission.
- Wyatt Park is located in relative proximity to the 'Eastern City' and easily accessed by car.
- Wyatt Park is located in close proximity to major growth areas and centres, both within the Cumberland LGA and in surrounding areas including
  - The GPOP
  - The 'New Parramatta Road' urban renewal corridor
  - Lidcombe and Auburn Town Centres.

#### Implications and Opportunities for Wyatt Park

- There is pressure from clubs and groups outside the LGA to use the park, spilling over from other areas as open space and recreation facilities in the 'Eastern City' are at/ beyond capacity
- Population growth will result in increased pressure at the local/ district level for access to open space including
  - Competition by various sporting clubs and codes
  - Increased demand from unit dwellers for access to informal open space.

## 3.3 Land Use Zoning

## **Key Findings**

- The park is surrounded by a mix of industrial and residential uses.
- The park is in close proximity to the Auburn and Lidcombe Town Centres and their respective railway stations.
- The park is surrounded on three sites by major road and rail infrastructure, i.e. Olympic Drive and the Western Rail Line.
- • The park is zoned RE1 Public Recreation, objectives are to
  - Enable use for public open space or recreational purposes
  - Provide a range of recreational settings and activities and compatible land uses
  - Protect and enhance the natural environment for recreational purposes.
  - Protect open space at riparian and foreshore locations.
- Wyatt Park is the most significant open space provision by far.

# **Implications and Opportunities**

- The park is cut off from residential areas by road and rail.
- The park is within walking and cycling distance from the town centres and rail stations.
- The park has the potential to meet the needs of the local residential community for both sport and general recreation.
- There is an opportunity to enhance links to nearby open spaces and community facilities including schools and town centres.
- There is an opportunity to investigate a future pedestrian bridge connecting Milton Street to Wyatt Park.



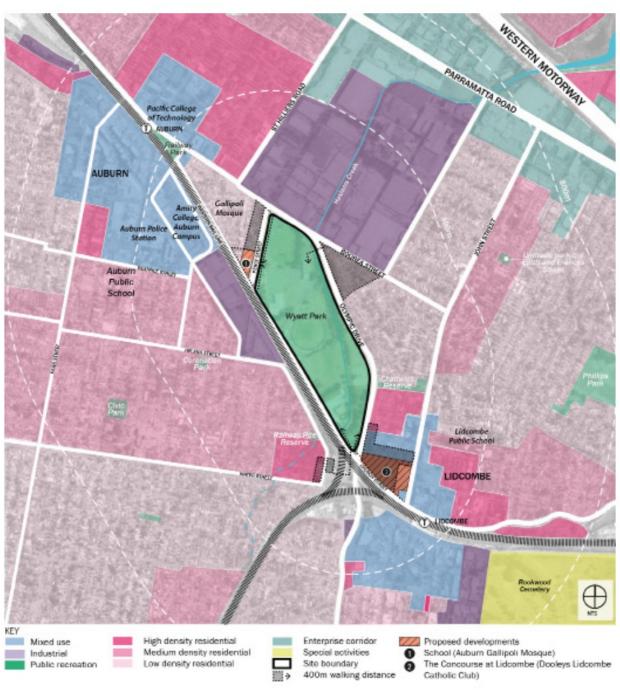


Figure 6: Land use zoning of areas surrounding Wyatt Park

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# 3.4 Relevant Council Studies and Reports

## Key Background documents reviewed

#### Strategies

- Cumberland Community Strategic Plan 2017-2027
- Sportsground Strategy (Auburn Council 2010)
- Auburn Playground Strategy (Auburn Council 2007)
- · Cumberland Cultural Plan
- · Cumberland Community Facilities Strategy 2019-2029
- Cumberland Open Space and Recreation Strategy 2019-2029
- · Cumberland Biodiversity Strategy 2019
- · Cumberland Urban Tree Strategy
- · Cumberland Waste and Resource Recovery Strategy

#### **Contributions Plans**

- Auburn Open Space And Recreation Contributions Study (@Leisure Planners 2017)
- Former Auburn Council Development Contributions Plan 2007 (Amendment No. 2, 2016)
- · Cumberland Contributions Plan

#### Parks Generic Plans of Management

- Plan Of Management For Sports grounds (Auburn Council 2001)
- Plan of Management For General Community Use (Auburn Council 2001)

#### Heritage

- Draft Wyatt Park Heritage Study (City Plan Services 2017)
- · Auburn LEP Schedule 5 Heritage Inventory Sheets
- Heritage Assessment Lidcombe Grandstand Oval (Phoenix Architects 2001)

## **Business Cases + Assessments**

- Draft Synthetic Sports Surfaces Business Case Study (Auburn Council 2015)
- Community Safety Audit Wyatt Park Youth Precinct (Cumberland Council, May 2016)
- Cumberland Youth Profile & Youth Needs Assessment.
   Key Findings (Cumberland Council 2016)

## **Identified Opportunities**

- Future open space needs will be met through sustainable management and park improvements.
- There is a need to resolve whether and where synthetic surfaces should be provided at Wyatt Park, to provide for increased capacity.
- There is a need for innovative, flexible and multipurpose recreation facilities.
- There is a need to clarify the need/ desire for a multisports facility at Lidcombe Oval.
- There is a need for a good distribution of social/ family recreation spaces that cater for people of all ages and abilities.
- At least \$7.5M has previously been allocated for Wyatt Park improvements but not yet been spent. Funds should be available for improvements.
- Schools are often under-provided with fields/ open space. Wyatt Park is an ideal location for shared community/ schools use, in particular in light of the proposed school at Percy Street.
- There are a series of safety issues and concerns in Wyatt Park, including around the Youth Centre: safety/ CPTED needs to be considered.
- There is a need to provide facilities conducive to participation by females and locally prevalent cultural groups.
- Wyatt Park offers the potential to provide for access to enhanced natural areas.
- Many recreation facilities and opportunities under-catered for across the LGA could be accommodated in Wyatt Park including
  - Climbing walls
  - Community gardens
  - AFL
  - (Social) cricket
  - Soccer
  - "Free to play" tennis courts with lights
  - Free full-size basketball courts
  - Social-family recreation areas
  - 'Pay and play' sport outside of clubs
- A local and a district playground should be provided in Wyatt Park.



- There are a number of gaps in youth provision that could be met by Wyatt Park including
  - A central, accessible information 'hub' to get information and seek help
  - A facility that can accommodate large numbers of people (i.e. 1,200+ people) for events
  - Multi-purpose rooms i.e. music, movies
  - Facilities/spaces with access to free wi-fi
  - Girls only spaces for use by girls and young women (and associated programs)
  - BBQ areas
  - Skate parks/ BMX facility
  - Outdoor gym equipment/ free gyms
  - Safe spaces to relax and hang out
  - Study areas (indoor and outdoor)
  - Indoor sport and recreational facilities and gyms
  - Cafes and food outlets
- · Other recommendations
  - Cover the drainage channel
  - Multisports courts with better access
  - Pedestrian bridge over Olympic Drive
  - Community focussed fitness centre including free running/ a running club
  - New amenities at Lidcombe Oval
  - Short term parking/ drop-off zones
- There is demand, and therefore significant opportunity, to activate the park through a targeted program of activities including
  - Free activities/ programs
  - Recreational programs and events e.g. social tournaments
  - Festivals and events for young people
- A number of actions need to happen at an organisational level including
  - Improved promotion of facilities
  - Partnering and coordination amongst the organisations in the precinct
  - Grass roots development and engagement (more/ better programs)
  - Monitoring and enforcement/ greater accountability for success.



# SECTION FOUR BASIS FOR MANAGEMENT





# 4.1 Stakeholder and Community Consultation Overview

The following provides an overview of the consultation process and key outcomes.

#### Consultation Purpose

- The consultation process aimed to provide the opportunity for key stakeholders and the broader community to provide information and their perspectives on the existing park and ideas for the future
- The information received will support the development of the Plan of Management.

#### Consultation Activities

#### Interviews

Interviews with Council officers from Community and Culture, Properties and Facilities, Recreational Parks to discuss

- Council's roles and responsibilities at Wyatt Park
- · Existing use, agreements and arrangements
- · Park functionality and condition and improvements required

Interviews with 14 organisations using the park focused on:

- · How the organisation and its members currently use the park
- · What is working well and what is not working well
- Improvements and changes required to facilities and the park
- Ideas for the park in the future

#### **Community Survey**

Online and hardcopy community survey (144 responses).

Designed to be relevant to diverse types of park users including:

- · Representatives of sporting groups and community organisations
- Clients/members/participants in these groups and organisations
- · The broader community

It was also designed to be relevant to non-users of the park asking:

- · How people currently use the park
- · What is working well and what is not working well
- . The role of the park in the future
- Interests and preferences in relation to activities, services, programs and events
- The types of spaces, facilities, amenities and other inclusions that should be provided

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#### Councillor Workshop

Workshop discussion and feedback on proposed masterplan.

#### Masterplan Walk Through

An on-site walk and discussion to visualise proposed masterplan.

## 4.2 Key findings from consultation

## **Key Messages from Council Officers**

- Consider the role of Wyatt Park in Cumberland LGA's open space network
- Leasing, licensing and maintenance agreements generally working well
- Assessment of facilities is to be completed but there is likely to be a significant amount of work required
- Park well-suited to large scale events but supportive infrastructure is required
- Increasing park amenities and utilisation will increase maintenance works and resources required
- Focus on community needs when determining services, programs and activities provided at the park (ability of an organisation to contribute financially should be considered a bonus)

## Key Messages from Existing Park Organisations

- Overall support for increased use (increased membership as well broader community use)
- Improved clarit y around use agreements required
- Overall support for improved communication and increased co-ordination between park organisations
- · Poor signage and wayfinding
- · Poor visual and physical access (to and around the park)
- · Need to improve overall park aesthetic and condition of facilities
- Need to improve lighting and amenities at facilities and around the park (toilets, change rooms, clubhouses, water stations, seating, shade and shelter)
- Parking is generally good but condition needs to be improved and peak demand managed

## Key Messages from the Community

Key park strengths

- · Specialist and range of sporting spaces and facilities
- · Green space
- · Potential of the park

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# 4.3 Summary of key issues and values

The site analysis, review of background information and community and stakeholder consultation have revealed a series of key issues, values and opportunities for Wyatt Park. They are summarised below.

#### Urban renewal and population growth

The park adjoins the Greater Parramatta and the Olympic Peninsula (GPOP) area and adjoins the Parramatta Road Urban Transformation Area. In addition to these major growth and urban renewal areas, the nearby town centres of Lidcombe and Auburn are also expected to undergo significant renewal, uplift and densification

Based on current predictions there will a population increase of 31% across the Cumberland Local Government Area (LGA) between 2017 and 2036, or an additional 74,950 people.

Population growth in areas immediately adjoining Wyatt Park will be even more significant with an expected increase of 41% and 45% in Auburn and Lidcombe respectively, equating to an additional 25,328 people by 2036.

The increase in population will result in increased demand for open space and recreation. To date planning for the provision of new open space has been limited. The majority of future demand will therefore need to be met by existing open space. To this end the potential of existing open space needs to be maximised through a strategic approach to management, development and ongoing use.

## Role of the park

With a size of approximately 23 hectares, Wyatt Park is a major park in the eastern Cumberland LGA. Established as a sports park, it has continued to play this role since its establishment in the late 1920's, while at the same time adapting to changing needs.

With a general shortage of open space in the eastern Cumberland LGA and a limited number of parks of a size suitable for sports and active recreation, it is vital that Wyatt Park continues to cater for the demand in active sport and recreation.

At the same time, the park has significant potential to increase the available recreation offering in eastern Cumberland to cater for a wider segment of the population and meet the growing demand for general social and family recreation. With population increases being predominantly achieved through densification, it is anticipated that the demand for general passive and family recreation will in particular will increase as availability of access to private open space diminishes.

# Demographic profile

Relative to the Sydney Metropolitan Area and NSW, the population of Cumberland Council and of areas surrounding Wyatt Park, is characterised by a highly culturally diverse and transient population from non-English-speaking backgrounds.

Other notable demographic characteristics include a high:

- · Portion of young people
- · Portion of families with children
- · Level of economic disadvantage
- · Portion of renters
- · Share of people living in high-density dwellings.

The demographic profile implies that there is both a high demand for sport and recreation to cater for the needs of a young population with sport and recreation options that appeal to the culturally prevailing groups.

It is vital for the mix of activities and facilities to include recreation opportunities that can be accessed at no or low cost, as low income levels mean that even relatively low-cost activities can be out of reach for large segments of the community.

With limited access to private open space due to high density living there is a need for outdoor open space for general and family recreation and social interaction.

As the LGA has a large immigrant population there is a need for outreach and community development programs that actively assist new migrants with integration into the community and celebrate a variety of cultural backgrounds. Proactive promotion of open space and recreation facilities is another means to assist new arrivals to integrate with the community by communicating available facilities, services and opportunities.

#### **Existing Facilities**

The park features a uniquely diverse offering of active recreation facilities. These include high quality facilities such as the REAC, the MDNC and PCYC, CBC, Lidcombe Oval and Velodrome and the Auburn Athletics Track. Yet a number of these facilities currently operate below capacity, indicating an inability to tap into latent local demand for sport and recreation.

The park also features a number of buildings that are in poor condition and contribute to an uninviting and neglected appearance. Large undeveloped areas and a lack of basic general park infrastructure such as paths, seating and lighting reinforce the perception of the park as unsafe and unattractive place.

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There are a large number of poorly sited and ill-coordinated small buildings and structures. Many are adapted from previous uses and poorly meet basic requirements, community expectations and current standards. In particular, amenities such as change rooms and toilets are generally inadequate, and there is a shortage of storage and general meeting or multi-purpose rooms.

#### Vehicular Access

The park is surrounded on three sides by major road and rail infrastructure including the Western Rail Line and Olympic Drive. Everyday vehicular access is limited to the intersection of Olympic Drive and Church Street. During flood events, Haslams Creek floods Church Street, cutting of access into and out of the park.

During events, vehicular access is provided via an informal road off Olympic Drive, opposite Boorea Street. Access is also possible from Percy Street, along a small driveway that connects through the park to Church Street. Similar to the entry opposite Boorea Street, this route is generally locked and controlled with an access gate.

Given the size of the park and the number of facilities located within it, the park would benefit from additional access points, as well as improved signage to assist visitors finding the venues.

### **Parking**

Currently Wyatt Park provides in the order of 640 parking spaces. The majority of spaces are located along or off Church Street including in the car parks east and west of the REAC and near the Cumberland Basketball Centre. During major events overflow parking is provided on grassed fields south of Lidcombe Oval and along Olympic Drive.

Based on stakeholder feedback received, parking is generally considered adequate and working well. Where conflicts do arise is typically during peak times in the northern park of the park when more than one facility is busy and users compete for nearby parking spaces.

## Pedestrian and cycle access

Provision for pedestrians and cyclists within the park is currently at a low level, with only limited, generally narrow and poorly lit paths.

Despite the park's proximity to residential areas on all sides, access is mostly cut off by road and rail. The lack of crossing opportunities significantly increases the distance that needs to be travelled to get to the park. Combined with the low level of amenity of existing crossings, the difficulty of reaching the park on foot represents a disincentive to nearby residents using the park.

There is a significant opportunity to encourage greater local use of the park through improved access to the park. Key improvements include the provision of safe paths within the park to connect recreation facilities and to capitalise on the size of the park to provide a destination for daily activities including walking, cycling and jogging.

#### Limited amenity

Wyatt Park currently offers low levels of amenity and of general recreation facilities outside of managed sporting facilities.

Particular issues include the lack of paths, lighting and shade. The lack of basic infrastructure undermines the park's potential to be an attractive place to be, either while watching or participating in sports activities or as a place to socialise, play or simply spend time outdoors.

Closely linked with the limited amount of lighting provided in the park is a general concern about safety within the park. Limited hours of use of sporting facilities, buildings with blank walls that are generally closed off from the park and low levels of park use contribute to a lack of passive surveillance that in turn further discourages use.

While there is a lack of shade around sports facilities, the park features areas of trees planting that provide an attractive backdrop to many sports venues. Significant trees include a number of mature native trees throughout the park as well as an avenue of Tallowood trees (E microcorys) along Olympic Drive that are heritage listed under schedule 5 of the ALEP.

Dense planting is also located along Haslams Creek. While this planting contributes to an attractive backdrop for many park venues it also visually separates the parts of the park east and west of Haslams Creek.

There is an opportunity to extend existing plantings, in particular of shade trees, to provide for increased visitor comfort through shade and reduced temperatures. Planting will need to be located carefully and with consideration of existing concerns about the lack of passive surveillance, in order not to further visually isolate parts of the park.

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# Park management

The parts of the park currently developed with recreational infrastructure are generally managed by parties other than Council, through usage agreements including leases and licences. They are indoor facilities or fenced off from public access. Use of these facilities requires membership and typically payment of fees. As a result, the park does not provide a destination that offers or encourages free recreation.

A number of previous studies have shown that this model is problematic due to the level of economic disadvantage in the area, as well as general trend away from traditional club membership towards more casual sports participation including 'pay-as-you-play' services.

In order for Wyatt Park to more widely and effectively serve the local community there is therefore a need to provide a variety of free and attractive facilities. There may also be a need adjustments to existing operational and management models in order to offer greater flexibility of participation.

#### **Environmental Constraints**

Key environmental constraints in Wyatt Park result from its location in the Haslams Creek floodplain.

The whole park is within the floodplain and the high-risk areas within the canal and a larger area near the junction of Boorea Street. If building within these high-risk areas there is a significant risk of flood damage, as well as a potential risk to life. However, building within the low and medium risk areas of Wyatt Park, including in the vicinity of Haslams Creek, is permitted in accordance with the controls in the DCP.

During a major flood the park would not be accessible as it would be cut off from Olympic Drive.

Consistent with the park's floodplain location, much of the land has been identified at being at risk of developing acid sulfate soils. Based on the history and past uses of the land it is likely that soils within or below the park may be considered contaminated. Any development within the park would need to consider appropriate management strategies.

#### Park Values

The park has significant social, cultural, recreational, heritage and environmental values

Physically valued aspects of the park include

- · Existing quality sporting venues
- The range of sporting spaces and facilities including specialist facilities
- The size of park making it suitable for a diverse range of activities including large events
- · Significant trees, in particular native trees planted in the 1970's
- · A green space that contrasts with surrounding urban areas
- The park's inherent potential to better contribute to meeting local recreation needs.

From a heritage point of view, the park is listed on the ALEP. It is considered locally significant due to:

- · Its long continuous history as an important sportsground
- Its long history and association with a number of clubs/ user groups and prominent individuals
- Its continuous evolution over time to meet and accommodate changing needs and demands
- The surviving evidence of past history and uses as evident in the park's buildings and structures including Lidcombe Oval, Grandstand and Scoreboard, the Haslams Creek Channel, the Ruth Everuss Aquatic Centre and the Wyatt Park Youth Centre
- Its important association with social events and services including depression relief works and youth services.



# 4.4 Synopsis

Wyatt Park is a major park in the eastern Cumberland Local Government Area (LGA) that features a diverse number of sporting facilities including some high quality facilities.

At the same time the park is underdeveloped for general recreation use and lacks many basic facilities and park infrastructure such as lighting, paths or seating.

Consistent with the level of infrastructure provision, the park is well known to existing established sporting users. It is little used or known amongst the wider community, with a general lack of awareness of what the park has to offer.

At the same time there is significant untapped demand for sport and recreation. This will increase as the area is expected to experience major population growth over the next 20 years. With little additional open space currently being planned for, it is therefore imperative that Wyatt Park is managed in a way to maximise its potential as a major urban park to meet a wide variety of open space and recreation needs.

#### Key Issues

Based on the findings from the site analysis, review of background information and community and stakeholder consultation, the key issues that need to be addressed to maximise the potential of Wyatt Park are:

- 1. Low levels of access
- 2. A low level of appeal
- 3. A low level of awareness and use.

#### Low level of access

A key issue that needs to be addressed to maximise the park's potential is the current low level of formal access for all transport modes including vehicular, pedestrian and cycle access. This applies to the park generally but in particular to the area along Olympic Drive.

The lack of access discourages use. Parts of the park are difficult to get to and there is limited passive surveillance, making these areas feel unsafe. At the same these areas are not currently viable for development as any recreation facility located here would not be easily accessed.

Future management of the park needs to break out of this negative feedback loop whereby people don't access parts of the park due to the lack of facilities, and where facilities are not able to be provided due to the lack of access rendering them unfeasible and difficult to construct and maintain.

#### Low level of appeal

Wyatt Park suffers from a generally low level of appeal due to a combination of

- Poor or ageing building stock and facilities such as change rooms and amenities,
- Low levels of amenity due to the lack of basic park infrastructure and shade
- The lack of informal recreation opportunities
- Safety concerns including the lack of lighting and passive surveillance
- Poor way-finding, access and circulation, in particular for pedestrians and cyclists.

#### Low level of awareness and use

The park is predominantly developed for formal supporting use. As a result, existing user groups and organisations represented in the park are "in the know" and enjoy what is on offer.

On the other hand, with the park undeveloped for general recreation, there is a generally low level of awareness of the park amongst the wider, non-sporting, community. This lack of awareness includes both knowledge of the existence of the park itself and of the range of facilities and recreation opportunities it has to offer.

Contemporary research into this phenomenon indicates that a "build it and they will come" approach to park and recreation infrastructure is no longer sufficient, in particular in lower-income communities. In lower-income communities parks are often found to be inadequate in meeting the needs of residents, even if the facilities themselves are similar to those that would be found to be meeting needs in wealthier areas.

In response the research suggests that the provision of physical park improvements and infrastructure must be coupled with an offering of supervised activities and programs, as well as marketing and community outreach efforts to get people involved in recreation activities and using parks.

This is further discussed in the following section.

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# 4.5 Open Space and Recreation Planning Principles

This section describes a number of current trends in the management of open space and recreation facilities that are seen as relevant for Wyatt Park, both in terms of the development of a vision and masterplan, and for ongoing management.

#### Flexibility and adaptability

Flexibility refers to the capacity of the park to allow a multitude of uses to happen at different times throughout the day, week or year. Adaptability refers to the ability of the place to accommodate new or different uses over time and in response to changing needs and demands.

Both are important as they work together to ensure that the recreation offering in the park is both relevant to the community and able to maximise community benefits from a finite resource. That is, use of the park by one group does not exclude use of the park by other people or groups.

Flexibility and adaptability enable the park to respond to and evolve with changing needs and demands. They are particularly relevant in the context of diverse needs, fast population growth and changes in the cultural and demographic makeup of the community that are yet difficult to predict.

Under this principle capital investment is channelled to provide flexible spaces and facilities rather than highly specialised infrastructure that would be at greater risk of being used for only limited amounts of time or of becoming redundant or irrelevant.

Flexible and adaptable facilities need to be complemented by targeted and regularly monitored programs to cater for different users. Unlike capital works, recreation programs are able to be adjusted relatively quickly and cost-effectively to ensure they deliver ongoing beneficial recreational, social, community and health outcomes.

#### Diversity

Similarly to flexibility, diversity ensures that venues are designed to appeal to and be able to be used by a diverse range of people and ages, either at the same time or at different times of the day, week or year.

Another aspect of diversity is to ensure a broad range of experiences are available in the park through a range of facilities and spaces that provide accessible and attractive opportunities to all resident groups.

## Co-location and integration of facilities and services

Co-location refers to a mix of activities, user groups and programs operating out of one venue. To a degree this is already happening in the park, for example at the REAC. REAC offers a range of aquatic, leisure and wellness programs including a gym, coaching services and outdoor water playground/ splash pad.

There is an opportunity to further extend the REAC's offering to include a wider range of health and well being services, fitness and social activities, as well as outdoor programs such as play groups, physical exercise or fitness classes that take advantage of the park setting.

Other opportunities include the potential to establish a youth hub by clustering a broad range youth services and programs with sports activities and facilities that appeal to young people and provide opportunities for social interaction and integration.

In addition to the potential for cross-programming of activities and client sharing, the benefits of co-location include ease of client access to a wide range of services in one place (a "one-stop-shop"), enhanced social interaction between users of different facilities and programs, as well as the opportunity to provide a comprehensive and integrated set of programs to increase the diversity of services.

From a facilities development and management perspective, the benefits of co-location include:

- · Eliminating or avoiding duplicated infrastructure and services
- Increasing operating hours and achieving higher occupancy levels due to shared use
- Improving safety around a busy facility, benefiting both building occupants and surrounding precincts through increased passive surveillance
- Reducing the overall footprint of facilities and freeing up valuable land for other uses
- Lowering capital costs and realising economies of scale in marketing
- Reducing upkeep and maintenance/ servicing costs including repairs, energy costs and the like
- · Achieving higher viability

#### Multi-use of shared facilities

In the past it was typical for many user groups to have their own facilities. This required a multitude of buildings, each with limited hours of use but a full set of maintenance requirements.

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In contrast multi-use of facilities recognise that each organisation does not need its own building. Due to the generally limited hours of use by each individual organisation there is an opportunity to share facilities between different groups. Accordingly all buildings, upgrades and development should be designed to ensure they can be used by multiple groups, rather than having their use restricted to a single organisation.

Similar to co-location and integration, shared used of buildings and facilities reduces capital and ongoing costs and the land area required to accommodate various organisation, while increasing viability through extended hours of use.

#### Minimisation of conflict

Providing a range of different recreation activities including shared use of facilities has the potential for some activities to impact on others, with the potential to lead to conflicts between different activities or groups.

Typical conflicts include uncertainty over priority of access or times of use as well as noise concerns, parking conflicts and tension between the need for vehicular access and safe use of the park by young children.

Ongoing management and development of the park will be undertaken in a manner that seeks to minimise the potential for conflict by

- Identifying clear priorities for activities throughout the day, week and year including through usage agreements such as leases and licences
- Positioning of uses and activities, for example the locations of car parks in relation to playing areas
- Identifying activities that are not permitted or would require prior approval for example festivals and events.

# Community development and strengthening

The principle of community development and strengthening builds on the recognition that in multicultural or economically disadvantaged communities many people do not know whether they are allowed to use a park, or how to use it.

Programming of park spaces becomes a crucial complement to the provision of physical facilities in order to achieve the desired community benefits and outcomes including mental and physical health and social interaction.

The park is able to be used as a base for a wide variety of community development activities including events, picnics, carnivals, social tournaments, cultural celebrations (including food, music, dancing), school events and play groups, school holiday

activities and after-school activities and games. Programs have been found to significantly increase use of open space without the need for additional permanent or built infrastructure.

## Compatibility

Development within any park needs to ensure that it is both compatible with the site itself, in terms of scale and the role of the park within the open space system, and with the availability and offering across the LGA more generally. This ensures a diverse recreation offering across Council's open space system to meet the needs of everyone while avoiding unnecessary duplication.

Individual facilities should be designed to be compatible for use at different levels or standards of training and/ or competition. Key examples at Wyatt Park are the netball courts and the Auburn Athletics Centre. The latter offers significant potential to be used by local groups and schools, as well as to cater to the needs for higher level athletes.

For Wyatt Park, the primary focus should be meeting 'local' and 'district' needs while retaining and possibly expanding its capacity to accommodate Council-wide or possibly 'regional' events. While Wyatt Park currently meets its district and regional role quite well, there is a need to enhance local level facilities in particular, and to improve the condition and amenity of district level facilities.

This will require new facilities that are designed to primarily meet the needs of local residents such as a small playground, lawns for informal play or picnics and shady areas to meet the need for general family recreation and socialising in the context of decreasing access to private outdoor space.

Local facilities would be complemented by enhanced district and regional level facilities that will continue to attract residents from more distant locations to use high quality or unique facilities or attend events. They include sporting venues that need to be enhanced through updated amenities and the provision of additional sporting fields to enable it to better meet its district/regional sporting function. Fields should be configured for maximum flexibility to allow the full range of potential sports codes using full-size fields.

## Economic activity and contribution

Open space and recreation facilities in the park have the potential to bring economic benefits to the community. An existing example is the REAC and the PCYC. They generate economic activity by providing employment and through daily operations and management including the purchasing of supplies, and fee-for-service programs and activities. People attending events in the

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park including the Eid and Afrocultures festivals spend money at the events as well as in getting there.

The contribution of the park to the local economy should be recognised and can be further enhanced by developing the park in a way that facilitates economic activity. Means would include enhanced spaces and upgraded facilities with the ability to stage quality sporting events and more frequent (cultural) events that attract people to the park.

This builds on the traditional role of Lidcombe oval as an important suburban sportsground and its continued association with rugby league and cycling clubs. There is also a significant opportunity to work with prominent cultural groups and institutions such as the Gallipolli Mosque to hold important annual festivals (e.g. Eid, Diwali, Afrocultures) as well as more regular events in the park, for example a weekly prayer.

## Visibility and Wayfinding

Optimising sight lines will be important in Wyatt Park to ensure users feel safe, are aware of what's going on and can find their way around. Particular factors for consideration include the topography and the type and location of planting provided.

Due to the size of the park and the number of facilities available, the provision of sight lines will need to be complemented by effective wayfinding signage to give clear guidance on how to access facilities.

## Identity

Given the size and importance of Wyatt Park as the major park in the eastern LGA, the park should provide a mix of settings and opportunities that is unique. Similarly the design of facilities and the infrastructure provided in the park will need to be of a standard and quality that reflects the importance of the park and clearly indicates that the place is valued and valuable. Materials should be consistent to support the park's identity and using unique colours or other features to distinguish it from other places.

Over the longer term, the use of quality materials and the development of quality facilities will assist in reducing maintenance requirements, requiring less time and money to look after them.

## Sustainability

The park needs to be developed in a manner that is sustainable and contributes to a highly livable Cumberland. The design of the park will need to recognise the potential challenges inherent in climate change, including changes to flood behaviour and potential sea level rises, as well as likely increased temperatures in a part of Sydney that already experience extreme summer heat.

Wyatt Park offers significant potential to contribute to the aims of sustainability and livability. Opportunities include additional tree planting to ameliorate the effects of urban heat islands and provide habitat, as well as opportunities to cleanse and re-use stormwater to reduce downstream impacts and the amount of potable water used in the park and fields maintenance.

#### Park management

Programming of the park and its spaces will be a key management requirement complementing investment in physical infrastructure if the potential of Wyatt Park is to be maximised and the current issues of declining condition and under-use to be reversed.

In addition to a commitment to invest in physical infrastructure in Wyatt Park and in order to deliver the full benefits of investment to the community there needs to be a significant additional commitment to

- Asset management and maintenance including higher maintenance inputs and standards
- Programming and program management including higher levels of park supervision and usage monitoring.

#### Asset management and maintenance

Parts of Wyatt Park currently receive varying levels of care and maintenance, with established facilities such as Lidcombe Oval and Auburn Athletics Centre generally maintained to a high standard, and little time or resources available to maintain other parts of the park. This is manifest in the poorly embellished and run-down character of areas outside of major facilities and consistent with staff feedback and concerns about being able to service an improved park based on current resourcing levels.

Similar to Council indoor assets, there is a need for greater supervision and maintenance of outdoor facilities to realise their potential to be safe and attractive places.

#### Programs

It is evident from Wyatt Park and other places that facilitated programs, cultural events and club use are able to generate significant levels of use within the park, based on a commitment to organise and market these activities.

In contrast during the remaining time the park is for the most part empty and unused.

A number of strategies can be employed to address the issue of under-use. An important strategy is to diversify the existing offering from organisations within the park to provide programs within the wider Wyatt Park, especially in outdoor areas when they are not in use for other structured activities.

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Particular opportunities include extending the responsibilities of REAC management (currently provided by Belgravia) to organise outdoor activities in adjoining parts of the park including fitness classes (e.g. yoga, tai chi, boot camp, orienteering) or family and play activities such as play group, geocaching or walking groups. There is also potential to provide additional outdoor infrastructure that could be managed/ supervised by REAC management such as outdoor slides, high ropes courses, extended water play areas and the like

Similarly there is potential for the PCYC to expand its program into outdoor areas. Examples include outdoor ping pong, outdoor gymnastics or aerobics classes or rock climbing on the centre's walls.

With steady and growing demand for basketball there is a significant opportunity to provide for outdoor basketball, in particular for social games. Cycling clubs could provide additional bike-riding activities including learn-to-cycle classes or beginner social rides around the park. Other existing groups and organisations could offer informal after-school games and tournaments or provide "come and try" opportunities, either individually or as part of a park-wide community recreation fair day.

There are also opportunities to seek partnerships with new organisations or providers to run programs or activities in the park, or for Council itself to coordinate programs that could address a wide range of community development, sport and recreation and youth needs.

All new opportunities will require marketing and coordination as part of the expanded management responsibilities, in particular if they are to attract and deliver benefits to those members of the community that are traditionally hard to capture or need support or encouragement to access community facilities.

## 4.6 Statutory Objectives and Principles

### Principles of Crown land management

Section 11 of the CLA identifies the following principles of management for Crown land:

- (a) That environmental protection principles be observed in relation to the management and administration of Crown land,
- (b) That the natural resources of Crown land (including water, soil, flora, fauna and scenic quality) be conserved wherever possible,
- That public use and enjoyment of appropriate Crown land be encouraged,
- (d) That, where appropriate, multiple use of Crown land be encouraged.
- (e) That, where appropriate, Crown land should be used and managed in such a way that both the land and its resources are sustained in perpetuity, and
- (f) That Crown land be occupied, used, sold, leased, licensed or otherwise dealt with in the best interests of the State consistent with the above principles

#### Community land

The LGAct and the Local Government (General) Regulation 2005 (LGGR) provide the legal requirements for community land under Council under its care and control (refer to section 36). It requires Council to classify all community land according to set management categories, in accordance with the guidelines provided by the LGAct and the LGGR.

Figure 4 illustrates the proposed categorisation of community land in Wyatt Park. Management and use of community land must be consistent with the core objectives prescribed by the LGAct for the different categories.

#### Core management objectives

Based on the categories of community land proposed for Wyatt Park, Section 36 of the LGAct prescribes the following core management objectives.

## Community Land categorised as "Sportsground"

The core objectives for management of community land categorised as a sportsground are (Section 36F):

- (a) To encourage, promote and facilitate recreational pursuits in the community involving organised and informal sporting activities and games, and
- (b) To ensure that such activities are managed having regard to any adverse impact on nearby residences

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#### Community land categorised as "Park"

- (a) To encourage, promote and facilitate recreational, cultural, social and educational pastimes and activities, and
- (b) To provide for passive recreational activities or pastimes and for the casual playing of games, and
- (c) To improve the land in such a way as to promote and facilitate its use to achieve the other core objectives for its management.

#### Community land categorised as "General Community Use"

The core objectives for management of community land categorised as general community use are to promote, encourage and provide for the use of the land, and to provide facilities on the land, to meet the current and future needs of the local community and of the wider public:

- (a) In relation to public recreation and the physical, cultural, social and intellectual welfare or development of individual members of the public, and
- (b) In relation to purposes for which a lease, licence or other estate may be granted in respect of the land (other than the provision of public utilities and works associated with or ancillary to public utilities).





Figure 7: Categorisation of community land in Wyatt Park

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# 4.7 Summary of Opportunities

# **Broad Directions for Wyatt Park**

Based on the above, the following broad directions are identified for Wyatt Park:

- Promote, program and develop Wyatt Park as the core multi-user parkland for eastern Cumberland – a place and a destination
- · Enhance the quality of all assets in the park
- · Integrate facilities and services
- Improve awareness of the park through promotion and marketing
- Increase use of the park and enhance the park as a destination through improved facilities and programming
- · Enhance safety and accessibility
- Ensure diversity of opportunity within the park and the wider open space system
- · Protect and enhance environmental systems and diversity
- · Promote sustainability and sustainable use

## **Dual Approach to Management**

Based on the issues identified for Wyatt Park and consistent with contemporary open space and recreation planning principles and with current research there is a need to adopt a two-pronged approach to the park's future management. This approach will see physical improvements coupled with organisational change and social engagement and participation elements to promote the park and reach out to new target groups.

Future management and development of Wyatt Park will therefore involve

- 1. Physical changes and improvements
- Operation and management changes including community development and the pro-active promotion and provision of programs at the park

## Physical changes and improvements

Key changes to the physical function of Wyatt Park will need to include:

- · Improved vehicular, pedestrian and cycle access
- · Improved parking management during peak times
- · Improved safety (lighting and surveillance)
- Improved pedestrian circulation around the park perimeter and connecting the different facilities and venues within the park
- · Improved signage/ way-finding
- Better facilities including change rooms, toilets, canteens, storage, shade, shelter, seating and water stations.
- · Upgrading of poor building stock and appearance
- Improved amenity throughout the park including shade, shelter, public toilets, park furniture, bubblers and natural areas
- New spaces and amenities that support informal and family recreation including BBQs, picnic areas and playgrounds
- Better infrastructure to support major events including access to water and power

## Operational and management changes

Key changes in the approach to the management of Wyatt Park will need to include:

- · Greater promotion of the park and its offerings to
  - Increase awareness of the park generally
  - Increase awareness of what's on offer including free activities
  - Capture latent local demand for sport and recreation
  - Increase participation in activities and the utilisation of existing venues (many are operating below capacity)
  - Extended service hours i.e. events and activities available at a greater range of times (day/ night)
- Greater coordination/ cooperation amongst stakeholders including sports clubs and organisations and Council
- Increase the offering of activities, programs, events and services to attract people to the park and better meet community interests and needs including
  - More frequent activities/ events
  - Community and sporting events and tournaments
  - Regular targeted programs conducted in the park by either Council, existing clubs and organisations or third parties
- Consideration and allocation of appropriate resources to maintain an upgraded park with increased utilisation
- Resolution of ambiguities regarding maintenance and repairs in use agreements to achieve a better cared for and more inviting place.

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# SECTION FIVE VISION FOR WYATT PARK





#### 5.1 Vision Statement

The vision for the Wyatt Park will guide the development of management strategies as well as the specific actions that are proposed in this PoM.

Realising the vision for Wyatt Park will rely on a collaborative approach by Council and existing user groups. The development of detailed actions and allocation of suitable levels of funding will be critical steps in the process of achieving this vision.

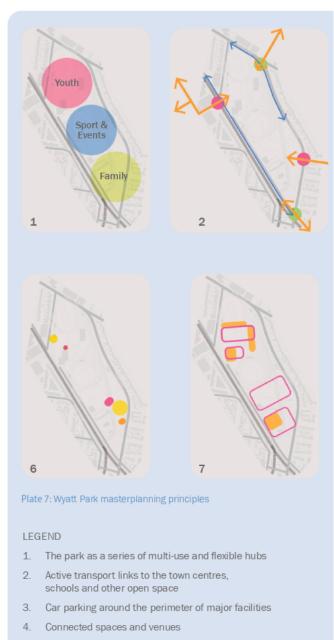
Building on existing strengths and uses, Wyatt Park will be progressively renewed and upgraded to provide a series of quality facilities and places catering to a wide range of people in Cumberland. The Park's historic sports focus will be retained and complemented with additional recreation opportunities including social and family recreation. The park will be enhanced to provide a comfortable and pleasant setting, ease of access and enhanced passive surveillance to ensure it meets its potential as one of the premier open spaces in Cumberland.



# 5.2 Masterplanning principles

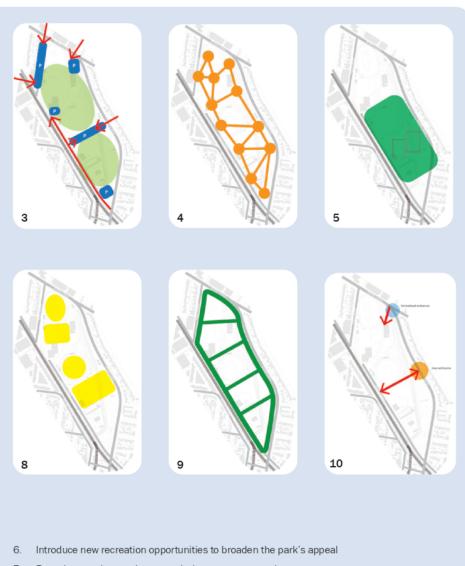
The key issues, opportunities and principles outlined in the Basis for Management and the Vision for Wyatt Park were captured in a series of diagrams or masterplanning principles. The masterplanning principles guide the development of the landscape masterplan by providing the respective direction to inform the future physical structure and layout of the park.

The masterplanning principles diagrams are illustrated in Plate 7.



5. An uninterrupted parkland





- 7. Extend recreation services to actively program external areas
- 8. Increase shared use of park areas
- 9. Extended tree cover to frame venues and provide shade and amenity
- 10. Vehicular access from Olympic Drive subject to RMS approval



## 5.3 Key Outcomes

The vision and masterplanning principles indicate six key outcome areas for Wyatt Park. They are:

- An active and diverse park
- 2. Accessible and connected
- 3. Comfortable spaces
- 4. A clear identity
- 5. Integrated facilities and services
- 6. A sustainable place

Table 4 outlines a series of objectives and guidelines to realise these outcomes.

Objectives Guidelines

#### Outcome Area 1: An active and diverse park

- Provide and enhance facilities to create multi-use destinations that generate activity and movement
- Create fun and active spaces that promote a sense of community ownership
- Create flexible and adaptable spaces that cater for diverse user groups and local cultural needs and sensitivities
- Retain high quality sporting venues and enhance or replace club facilities
- Enhance undeveloped areas to create quality open spaces for social and family recreation
- Provide additional recreation equipment around the park to cater for currently unmet needs such as exercise or outdoor gym equipment
- Extend the sports offering in line with the preferences of culturally prominent groups e.g. soccer, table tennis, volleyball, cricket
- Extend the offering for young children to create a whole-of-family destination
- Provide recreation facilities that are welcoming
- Provide a mix of free to use and pay to use activities and facilities, to ensure there is something for everyone/ every budget
- · Create an events hub

#### Outcome Area 2: An accessible and connected park

- 1. Provide convenient and safe access for all
- 2. Deliver a walkable and legible place
- 3. Provide for well-connected activities
- 4. Maximise and unify the parkland
- Integrate the park into a system of attractive and well-connected destinations
- Create additional park entrances including from/ across Olympic Drive and the railway line
- Re-align or cover the Haslams Creek channel to unify the parkland and activate the Olympic Park frontage
- Provide for pedestrian/ cycle circulation through all areas of the park and between the various activities and venues
- · Provide appropriate directional signage and maps
- Remove unnecessary fences to provide visual and physical access and promote passive surveillance
- · Minimise restricted and exclusive areas
- Retain and enhance access and provide for controlled parking areas

Table 4: Objective and Guidelines for Key Outcome Areas

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#### Objectives Guidelines

- · Improve active transport links to the town centres
- Create links to other open spaces and residential areas (the Auburn 'Green Grid') to create an integrated system of attractive, different and accessible parklands
- Provide spaces for social connectedness: places to meet and places to access to wifi/ digital meeting places

#### Outcome Area 3: A comfortable park

- 1. Provide a safe and clean environment
- 2. Create a high level of amenity and user comfort
- Locate facilities / uses to minimise potential for conflict
- · Enhance access through the park to maximise passive surveillance
- Provide new park infrastructure such as paths, lighting, shade/ shelter, seating
- Design buildings and facilities to maximise interaction and casual surveillance of external park spaces including through fenestration, external bookings and the like
- Use planting to enhance the microclimate and visitor comfort
- Locate parking and vehicular access to the perimeter of the park to facilitate good access while avoiding potential for conflict with other users
- Modulate existing landform to maximise passive surveillance and remove left-over spaces

#### Outcome Area 4: A park with a clear identity

- Meet local and district needs while improving the capacity to hold Council-wide events
- 2. Create a unique mix of settings and opportunities
- Create experiences and programs that connect people to the place and build community
- Promote the site's rich industrial, social and recreational history to the wider community
- Develop facilities to serve local residents including playgrounds, BBQ/ picnic areas and informal play areas
- Improve the park as a venue for community and cultural events
- Increase the 'presence' of the park from Olympic Drive: enhance the park's street appeal and entry experience
- Improve the park as an environmental destination and a green oasis in the suburb
- Maintain Lidcombe Oval as the ceremonial "heart" of the park
- Design spaces that relate users to local history and culture such as Lidcombe Oval or the AGE site where users can relate and learn historical/ cultural facts about the place
- · Include a public art program



#### Objectives Guidelines

#### Outcome Area 5: Integrated facilities and services

- Co-locate a mix of compatible activities, user groups and programs to maximise use, interaction and passive surveillance
- Initiate a diversity of programs across facilities, in particular areas with limited or no structured use
- Ensure all buildings and redevelopments are able to be used by multiple groups
- Create a youth hub taking advantage of existing facilities and activities in the western park and the proposed new school
- Consolidate facilities to reduce duplication and free up parkland for additional uses
- Maximise shared use amongst different groups (i.e. of courts, parking, buildings) to reduce duplicated infrastructure and reduce the footprint of dispersed facilities, maximise parkland for other uses, maximise hours of operation and occupancy rates and reduce management and maintenance costs
- Carefully consider the placement and arrangement of furniture, public amenities and other items to increase accessibility, usability and the interaction between people

#### Outcome Area 6: A sustainable park

- 1. Protect and enhance natural systems
- Design buildings and spaces that are easily maintained and cared for
- Design the park to be able to be updated and adapted over time and allow for staging of development in line with Council cash flow
- Develop management (funding, leasing etc) models that ensure benefits (social, health, financial) are returned to the community
- Evaluate performance and outcomes to ensure ratepayer moneys have been put to best use

- Enhance tree cover to provide shade, restore the local ecology and counter the urban heat island effect
- Enhance and restore the riparian ecology of Haslams Creek
- Assess the capacity for developing wetlands in association with Haslams
  Creek as a means of attracting more native fauna and flora, strengthening
  natural processes and cleansing stormwater and runoff
- · Investigate opportunities to enhance water quality and ameliorate flooding
- Locate future facilities to minimise risks/ costs as a result from flooding
- Nominate different stages of the development to allow early works to commence before larger components are built
- Implement the "low-hanging fruit" of smaller budget items such as planting, paths, playgrounds and lighting before relocating or redeveloping major facilities
- Consider water and energy consumption and promote the use of clean energy through design (e.g. introduce solar powered lighting).



## 5.4 Landscape masterplan

#### How the plan was developed

The preferred landscape masterplan for Wyatt Park was developed in consultation with Cumberland Council, the community and key stakeholders

The first step in the masterplan development process involved the preparation of three options to address the identified key issues and reflect the agreed planning principles.

Following consultation with Council, two options were further refined and amended, for the purposes of consultation with the Cumberland community.

Community consultation panels were prepared to explain the masterplan options and how they were developed. The masterplan options and consultation boards were available for viewing on Council's website, together with a survey questionnaire that provided an opportunity for people to respond to a series of specific questions as well as leave general feedback.

Hard copies of the questionnaire were available at all major Council venues and Council staff carried out a number of visits to the town centres to capture input from the general community. Existing stakeholders and user groups were notified of the public exhibition via email.

Following the public exhibition of options, Council collated and analysed the feedback and survey responses received. As a result of this process, a preferred option was developed, combining features from both exhibited options, as well as a number of refinements.

Community consultation panels and a summary of the masterplan options community engagement process are provided in Volume 2 Part B.

The next step will be the public exhibition of the Draft PoM. This provides a further opportunity for the community to input. Submissions will be reviewed and considered in the finalisation of the PoM.

#### Description of the masterplan

The landscape masterplan for Wyatt Park is presented in Figure 6. It illustrates the desired future park structure and use, guiding development of Wyatt Park for the duration of this PoM.

There are a number of key components to the masterplan:

- Existing elements that will not fundamentally change (but may be improved)
- 2. Building changes
- Park uses and activities
- 4. Access and circulation
- Landscape, amenity and ecology

#### 1. Existing elements that will not change

Recent or current Investments and High Quality Facilities

Over the last few years Council has made a number of significant investments in the park. In addition, the park features a number of quality facilities that are highly valued, well used or not available in other locations in eastern Cumberland. The masterplan recognises the importance of these facilities to existing users and the potential they offer for the wider community. They include (refer Figure 5):

- Auburn Athletics Centre
- 2. Cumberland Basketball Centre
- 3. Marie Dunn Netball Courts
- 4. PCYC building
- 5. Lidcombe Oval, Grandstand, Scoreboard and Velodrome
- Ruth Everuss Aquatic Centre.

It is proposed that these facilities are retained. Some aspects of these facilities are proposed to be improved to better meet the needs of existing and potential future users. More information on the proposed improvements or upgrades is provided in the following sections.



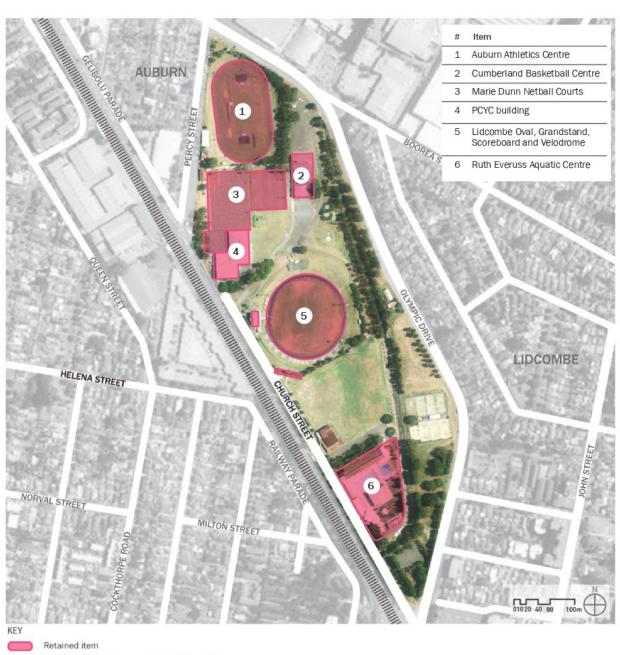


Figure 8: Existing facilities that will be retained

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#### 2. Building changes

The masterplan proposes the following changes in respect of buildings in the park:

- · CBC: alterations + additions including
  - A northern extension to increase capacity to four full courts and safe run-off areas - refer Plate 8
  - A remodelled entrance through a new southern annex that will provide a more attractive facade at the southern end as well as passive surveillance of the park. Potential opportunities include new offices, meeting/ consulting rooms or a cafe with external serving area - refer Plate 9
  - A Council maintenance store at the northern end.
- WPYC: retain the existing building while a new building is built close by. The existing building would be demolished (subject to approval - see A note on heritage items below). The new youth centre should be:
  - Approximately 1,200m²
  - A multi-purpose building and able to accommodate a wide range of community uses and functions, including meeting rooms, change rooms, toilets, kiosk and accommodation - refer Plate 10
  - External spaces for gathering and recreation.
- · Netball amenities: refurbish the existing netball pavilion:
  - The former AGE Caretaker's Cottage will be upgraded.
     Works would include a second change room, upgraded bathrooms, access improvements, additional storage, a meeting room and upgraded kiosk/ canteen facilities. A more detailed brief would be developed in consultation with key stakeholders including PANA and N4A
  - General building improvements to ensure compliance with current codes and standards
  - Provide for public toilets as part of the building upgrade.
- AAC: renew or upgrade the athletics pavilion:
  - Upgrade amenities (change rooms and bathrooms)
  - Additional shade/ covered areas refer Plate 11
  - Other building upgrades or improvements may be considered in the future. These would be identified and agreed through further consultation with stakeholders such as AWAC, TWLA and local schools.
- Lidcombe Oval Grandstand:
  - Consolidate ancillary buildings at Lidcombe Oval to reduce clutter and improve views into the oval
  - Upgrade bathrooms, change rooms, first aid and canteen facilities
  - Relocate Council maintenance equipment to a new store within the CBC

- · Lidcombe Oval Scoreboard
  - Refurbish and repair the former scoreboard and turnstiles (subject to approval - see note on heritage items below)
  - Re-instate as the formal entrance to Lidcombe Oval - refer Plate 12
  - Investigate potential to provide a multi-purpose meeting room and/ or equipment store.
- · Lidcombe Velodrome
  - Upgrade the existing amenities building at the northern end to accommodate change rooms, bathrooms, bicycle/ equipment storage and potential multi-purpose/ meeting room that could be shared between clubs
- Girl Guides and Boy Scouts Halls: the masterplan does not propose any changes to the existing buildings
- PCYC: the masterplan does not propose any changes to the existing building
- REAC: the masterplan does not propose any changes to the facility.

#### 3. Park uses and activities

Existing uses and activities

The masterplan proposes the following changes or improvements to existing facilities and uses in Wyatt Park:

- AAC: upgrade the grounds to address concerns surrounding player and visitor safety and comfort:
  - Provide formal spectator seating such as bleachers or seating steps on the existing embankment - refer Plate 13
  - Provide a formal path link from the amenities building to the field, to provide safe and complying access down the existing embankment
- · Netball: upgrade the existing courts including
  - Resurface and line-mark the lower (eastern) courts.
     Investigate the potential for multisport use (basketball, handball, volleyball and futsal) in the future refer Plate 14
  - Provide perimeter paths, seating and shade to upper and lower courts
  - Provide publicly accessible bubblers/ drinking fountains.
- Lidcombe Oval:
  - To remain open for public use during working hours and Council to establish a more inviting entry to encourage greater use - refer Plate 15
  - Consider event/ community uses such as outdoor cinema screenings utilising the old scoreboard - refer Plate 16.
- RFAC
  - Improve links across Haslams Creek to provide potential opportunities for REAC to run outdoor programs in the park such as boot camps/ personal fitness, playgroup, (kids) gymnastics, stretch classes or yoga - refer Plate 17. There may also be potential for built infrastructure such as a tree tops walk or high ropes course.

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- 1. Haslams Creek pedestrian/ cycle link to Olympic Park
- Potential vehicular connection to Olympic Drive (subject to RMS approval)
- Shared car park
- Extended Cumberland Basketball Centre incorporating Council maintenance store
- 5. Aubum Athletics Centre (retained)
- 6. Additional perpendicular parking in Percy Street
- Refurbished netball change rooms, kiosk, public toilets and storage facility
- 8. Cycle/ pedestrian link to Auburn town centre
- 9. Local playground for Gelibolu precinct
- Netball courts lower courts to be sealed. New perimeter paths, seats and shade trees
- Existing road to be modified to become an emergency entrance only and pedestrian path including landscape treatments
- 12. Outdoor passive recreation space
- 13. PCYC and parking (retained)
- 14. Upgrade Lidcombe Oval Grandstand and amenities
- 15. Refurbish existing changeroom facilities and canteen
- Sculptural landform/ marker
- Picnic/ BBQ area
- 18. Existing dog off-leash area
- 19. Perimeter shared path
- 20. Girl Guides and Scouts Halls (retained)
- 21. Haslams Creek (partially covered)
- 22. Internal shared path
- 23. Lidcombe Oval perimeter path
- 24. Lidcombe Oval and Velodrome
- 25. Small plaza/ forecourt to Lidcombe Oval Scoreboard
- 26. New east-west link for vehicular access and parking
- Multi-use fields and event space
- New multi-purpose youth and community centre (1,200m2)
- 29. New public amenities
- 30. Car park (retained)
- 31. Aubum Ruth Everuss Aquatic Centre
- 32. Church Street: retain existing parking and provide additional street trees
- Destinational all abilities playground and learn to ride facility
- Potential future pedestrian/ cycle overbridge to Chadwick Reserve (subject to RMS approval)
- 35. Indoor/outdoor Skate/scoot park
- 36. Existing car park (retained)
- 37. Cycle/ pedestrian link to Lidcombe town centre



Figure 9: Wyatt Park Landscape Masterplan

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#### · Wyatt Park fields:

- Create improved connectivity across Haslams Creek to provide a more continuous multi-use area with greater visibility from Olympic Drive (subject to heritage and Sydney Water approval)
- Redesign the fields to provide a flexible, multi-use, informal recreation space that caters for the social, meeting and informal recreation needs of a growing population.
   Provide a variety of different, scaled, open areas as well as shady groves of trees for shade and amenity
- Maintain and enhance the current role as a prime site for community and cultural events - refer Plate 18. Provide services including water/ sewer access and lighting/ electricity to better support events
- Plant additional trees around the perimeter of the fields to provide an attractive landscape setting that offers shade and comfort for visitors and spectators alike, including during sport and community/ cultural events - refer Plate 20.

#### · Dog park:

 Retain in the short term. As part of wider strategic studies, review the need for dog parks and determine the most appropriate location in Lidcombe and Auburn, with a view for future removal and relocation from Wyatt Park.

#### New uses and activities

The masterplan proposes to extend the recreation offering in Wyatt Park to provide for greater use by the general community. It proposes a range of new infrastructure for play and passive, individual and family or social recreation, as described below.

- Play: provide play and exercise opportunities to cater for all ages and abilities including:
  - A small local playground at Percy Street to cater for residents in the Gelibolu precinct, including parents with small children waiting to collect older siblings from the proposed school in Percy Street - refer Plate 20 (note: the school proposal is yet to be approved)
  - A destinational playground along Olympic Drive, opposite and connected to Chadwick Reserve via a new overbridge (subject to Roads and Maritime Services (RMS) approval). The playground would be designed to provide a range of high quality and exciting play opportunities, commensurate with Wyatt's Park regional importance. It would cater for all ages and abilities and provide a highly visible landmark along Olympic Drive to enhance community awareness of Wyatt Park - refer Plate 21. The playground would be set back from the road frontage to provide a buffer and would be surrounded by a playground fence or similar to prevent children from running onto Olympic Drive. Noise mitigation may need to be considered to reduce traffic noise from Olympic Drive while maintaining views and passive surveillance
  - An indoor/outdoor combined skate/ scooter park colocated with the destinational playground near Olympic Drive where it would be easily accessible and visible. The facility would cater to a range of ages from primary to

- adolescents/ young adults to provide a whole-of-family destination in eastern Wyatt Park refer Plate 22
- Provide outdoor exercise equipment along new park paths to create a fitness loop or circuit to cater for a range of ages - refer Plate 19
- Provide a learn-to-ride cycle track for general community use and with the potential to host programs and training opportunities including activities run by KoB and LACC in conjunction with destinational playground-refer Plate 25.
- · Social and family recreation opportunities:
  - Improve existing lawns and complement existing trees to provide picnic lawns and shady groves for social and family gatherings - refer Plate 20. Key areas are Wyatt Park fields and eastern Wyatt Park
  - Provide picnic shelters, BBQs and seating/ tables to encourage use of the park by families and other groups for social outings and get-togethers - refer Plate 26
  - Provide small shaded plazas near major facilities such as the CBC, WPYC and Lidcombe Oval to provide social gathering spaces - refer Plate 12
  - Provide general recreation infrastructure throughout the park including seats, shade, bins, bubblers/ drinking fountains and bike racks

#### 4. Access and circulation

The masterplan proposes to improve access both to and within Wyatt Park, as follows:

- · Improve vehicular access within the park:
  - Extend Church Street to provide a formal low speed link to the CBC and to Boorea Street
  - Provide a new east-west link from Church Street to Olympic Drive between Lidcombe Oval and the Wyatt Park fields.
     The link would provide improved access to the events precincts and the Wyatt Park fields (including for emergency vehicles) as well as eastern Wyatt Park, as well as provide for increased passive surveillance and parking capacity.
- Improve vehicular access to the park by providing additional entrances to the park. Extra entry/ exit points will spread traffic loads, provide more direct access and maximise awareness of the park. Note: all road connections to Olympic Drive and Boorea Street are subject to RMS approval:
  - Provide an entrance and exit at the signalised Olympic Drive/ Boorea Street intersection. This would formalise the current arrangement for major events when a one-way traffic loop is in place through the park
  - Provide a new left-in/ left-out intersection at Olympic Drive between Lidcombe Oval and the Wyatt Park fields.
- · Enhance car parking:
  - Provide additional parking capacity at Wyatt Park fields in the form of either parallel or angle parking



- along the proposed new east-west link road, subject to detailed design investigations
- Retain the existing car park between REAC and the Wyatt Park fields and investigate opportunities to review the parking configuration to maximise capacity
- Consolidate and reconfigure car parking in the northern part of the park. Provide shared car parking for all users (including but not limited to the PCYC, AAC, CBC, PANA, N4A, KoB and LACC) in two new formal car parks east of the PCYC and east of the CBC (to replace the existing car park south of the CBC). Integrate tree planting in the design of car parks to provide shade and thermal comfort and enhance the landscape setting of Wyatt Park - refer Plate 27
- Retain the existing PCYC car parks
- Increase parking capacity through additional 90° parking on the western side of Percy Street. This can be accommodated through line marking
- A limited number of parking spaces may be provided along the Church Street to Boorea Street link, alongside Lidcombe Oval (subject to detailed design investigations)
- Review the parking configuration along Church Street to maximise capacity within the existing road footprint
- Retain the existing car park near Olympic Drive in its current footprint.
- · Improve pedestrian and cycle access and circulation:
  - Provide a continuous path around the park's perimeter
  - Provide paths throughout the park to connect existing and proposed facilities and encourage use of the park for walking, cycling, scooter riding, running and the like - refer Plate 28
  - Provide a safe and direct link to Chadwick Reserve and residential areas in Lidcombe in the form of an overbridge across Olympic Drive (subject to RMS approval) - refer Plate 29
  - Modify the internal existing road to provide an attractive pedestrian connection from Percy Street to the Cumberland Basketball Centre (in between the Netball Courts and Athletics Field). The existing boom gate will be retained for controlled vehicle access
  - Better connect the park across Haslams Creek through a land bridge in Wyatt Park fields
  - Improve existing paths to ensure they are accessible, continuous and of sufficient width
  - Enhance the amenity of existing pedestrian crossings on roads surrounding the park to ensure they are accessible, safe and comfortable to encourage people to access the park by walking or cycling
  - Provide a continuous cycle/ pedestrian link to Auburn town centre and station
  - Provide a continuous cycle/ pedestrian link to Lidcombe town centre and station.
  - In addition there is the potential to further investigate opportunities for a direct rail crossing from the REAC/ Church Street to the reserve in Milton Street (subject to approval).
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- · Signage and way-finding
  - Develop a signage strategy and graphics to increase awareness of the park and to assist people to find their way to and around the park and between the various venues and facilities - refer Plate 30.

#### Landscape, amenity and ecology

The masterplan proposes a range of measures to improve the general appearance, amenity and safety of the park, including:

- Provide additional planting for shade, amenity and thermal comfort, visual interest and habitat:
  - Provide formal tree planting along roads and in car parks - refer Plate 27
  - Complement existing avenue plantings such as along Olympic Drive
  - Provide additional shade trees around sports grounds including Lidcombe Oval, the AAC and the netball courts including between upper and lower netball courts
  - Extend woodland tree planting of native vegetation to provide habitat, especially along Haslams Creek
  - Provide shady groves for spectators and general recreation such as picnics and social gatherings with a particular focus on Wyatt Park fields - refer Plate 20
  - Provided shaded play spaces
  - Use tree planting to frame major venues and facilities, to provide a green backdrop and to enhance the park as a 'green oasis' in the city.
- · Park amenity and safety
  - Provide lighting along internal roads and paths to ensure safety of the park users in the evenings/ at night
  - All new buildings will be designed to maximise passive surveillance of surrounding park areas - refer Plate 31.
- Land form: provide a series of sculpted mounds or markers to
  - Provide topographic interest, play opportunities and elevated viewing points over the park - refer Plate 32
  - Increase awareness of the park from Olympic Drive
  - Conceptually connect the park to Olympic Park located further downstream along Haslams Creek - refer Plate 33.
- Public Art Program to incorporate a program which includes permanent and temporary installations, place making initiatives and artworks that reflect and showcase the LGA's diverse communities.
- Incorporate and Investigate waste and resource recovery options in line with Council strategy

#### A note on heritage items

A number of structures in the park are heritage listed and considered to be of significance. Any changes to these structures will require further detailed design and heritage investigations, and may require prior heritage approval. These structures include Lidcombe Oval and Grandstand, Haslams Creek canal, The Wyatt Park Youth Centre building and Ruth Everuss Aquatic Centre.

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## 5.5 Potential future character

The following images give an indication of the potential future character of Wyatt Park and the recreation opportunities and facilities it provides.



Plate 10: New multi-purpose building with Wi-fi hot spot. Extensive ground level windows ensure passive surveillance of surrounding park



Plate 8: A new colourful mural on the extended CBC will ensure a high level of visibility of the CBC and Wyatt Park from Olympic Drive.



Plate 11: Extended covered areas outside change rooms or the canteen will provide much needed shade for spectators and participants at sports/ athletics events at the AAC.



Plate 9: The CBC entrance at the southern facade has the potential to be activated for improved passive surveillance of the park such as through a container cafe annex.



Plate 12: The traditional entrance to Lidcombe Oval will be remodelled as a small plaza with tree planting and seating.

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Plate 13: Provide spectator seating at the AAC by re-shaping the existing embankment into seating steps.



Plate 16: There's an opportunity for additional community events such as cinema under the stars/ outdoor movies.



Plate 14: The lower netball courts at the MDNC will receive sports surfacing. There may be potential for multisport line-marking and goal posts in the future.



Plate 17: Council will work with existing recreation providers such as the PCYC and Belgravia/ REAC to investigate opportunities for offer outdoor programs in the park.



Plate 15: The fence type and design around Lidcombe Oval will be reviewed to allow for shared community use and access.



Plate 18: The ability of Wyatt Park fields to house major community and cultural events will be enhanced through additional infrastructure including power, water and shade.

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Plate 19: Shady groves will provide cool places for picnicking or watching sports events.



Plate 22: A skate/ scoot park will be designed to cater for a wide age range and complement the youth focus of the park.



Plate 20: A small playground will provide basic play opportunities for residents of the Gelibolu Precinct and be located near Percy Street.



Plate 23: Outdoor exercise equipment will cater to all ages and complement training facilities within existing venues. Several stations can be located along the path system to provide a fitness loop.



Plate 21: A destinational playground will be highly visible from Olympic Drive and will provide an attraction for residents from all of Cumberland.



Plate 24: Outdoor ping pong tables will complement the existing recreation offering and activate outdoor spaces.

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Plate 25: A learn-to-ride track will complement existing cycling programs and cater to local need.



Plate 28: An internal path system will connect the park's facilities and provide safe recreation opportunities for all ages including walking, jogging, cycling and scooter riding.



Plate 26: BBQs, picnic shelters and tables will transform Wyatt Park into a place for social and family gatherings.



Plate 29: Provide a pedestrian cycle bridge across Olympic Drive for safe access and to link to Chadwick Reserve.



Plate 27: Tree planting will be viewed to provide shaded car parks that are comfortable all year round and enhance the landscape character of the park.



Plate 30: Develop signage and a wayfinding strategy to assist people finding their way to and around the park.

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Plate 31: Buildings in the park including the new youth and community centre building will be designed with an attractive an inviting facade and to maximise passive surveillance of the park.



Plate 32: Landform provides potential for exciting play opportunities.



Plate 33: Sculptural land form markers add visual interest and lookout points. They will connects the park to Olympic Park further downstream along Haslams Creek.



## 5.6 High level cost plan

In order to assist Council to determine the priority of implementation of the proposed masterplan, a high level cost plan was prepared. The cost plan provides an indication of the likely magnitude of costs associated with the proposed improvements, to enable Council to budget for park improvements and to align priorities with available funding streams to ensure a financially sustainable outcome. Note: lighting is included in a number of the items - refer to Volume 3 for a breakdown of costs for each item.

The cost of implementing the entire masterplan has been estimated at \$59,655,454 (excluding GST). The major cost items are summarised in the following table, in descending order starting with the most costly items. The item number provides a cross referenced to the masterplan in Figure 6.

Item #	Description	Total
27	Event space/ Haslams Creek land bridge	\$23,776,001
4	Extended Cumberland Basketball Centre incorporating Council maintenance store	\$7,178,920
28	New muti-purpose youth and community centre (1,200m²)	\$4,254,133
33	Destinational playground	\$3,596,869
35	Skate/ scoot park	\$2,910,536
34	Potential future pedestrian/ cycle overbridge to Chadwick Reserve (subject to RMS approval)	\$2,836,089
3	New shared car park	\$2,707,161
5	Auburn Athletics Centre	\$1,888,105
7	Refurbished netball change rooms in former caretakers cottage	\$1,616,812
16	Sculptural landform/ marker (x2)	\$1,573,646
25	Small plaza/ forecourt to Lidcombe Oval Scoreboard	\$1,529,219
32	Church Street: retain existing parking and provide additional street trees	\$638,120
19	Perimeter shared path	\$602,422
14	Upgrade Lidcombe Oval Grandstand and amenities	\$573,025
26	New east-west link for vehicular access and parking	\$526,205
15	Refurbish existing bike club storage	\$463,700
9	Local playground for Gelibolu precinct	\$440,779
17	Picnic/ BBQ areas	\$340,331
10	New perimeter paths, seats and shade trees to netball courts	\$323,314
8	Cycle/ pedestrian link to Auburn town centre	\$270,630

Item #	Description	Total
37	Cycle/ pedestrian link to Lidcombe town centre	\$260,675
29	Learn to ride/ kids cycle track	\$229,508
22	Internal shared path	\$204,188
27	Existing Wyatt Park Youth Centre (to be removed subject to further studies and heritage approval)	\$187,324
11	Existing road to be modified to become a pedestrian path and include landscape treatments (assumed 2.4m wide footpath)	\$170,499
6	Additional perpendicular parking in Percy Street	\$117,505
12	Outdoor table tennis and small plaza	\$100,681
-	Public art - allowance	\$100,000
24	Lidcombe Oval and Velodrome (retained including 18 Grandstand, seating, lights, track and mounding)	\$98,972
21	Haslams Creek	\$71,640
2	Potential vehicular connection to Olympic Drive (subject to RMS approval)	\$68,446
	TOTAL (ex GST)	\$59,655,454

Implementation of the masterplan therefore represents a significant financial commitment on behalf of Council. To ensure available funds are spent in the community's best interest and lead to highest and best use of the park, regular review of this PoM is essential to ensure that the masterplan and proposed works continue to reflect community needs and aspirations.

#### 5.7 Implementation priorities

The priorities for the upgrading of Wyatt Park have been determined in consultation with Cumberland Council and following on from community the community engagement program. Available funding and Council's ability to secure additional funding are further key considerations in determining implementation priorities.

Note: Implementation of the masterplan is independent of general maintenance, repairs and upkeep works that are required to keep existing facilities in good order. Ongoing maintenance operations are not included in the below priority list.

Priorities for masterplan implementation are described in the following table. Please note the order of priority for implementation is indicated by the column titled "P#". The column "M#" provides a reference to the masterplan in Figure 6.

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P#	M#	Description
1.	10	Netball lower court re-surfacing and line marking (underway)
2.	4	CBC extension including Council store and southern annex
3.	17 and throughout the park	Provide general park fumiture throughout the park including additional shade, seats, tables, BBQs, lighting, fitness stations, bins and water stations. Furniture can be progressively rolled out or be provided in association with major park improvements such as the installation of playgrounds
4.	5, 7, 14, 25	Upgrade of amenities at all facilities including netball, AAC, Lidcombe Oval/ Velodrome. Upgrades to encompass change rooms, toilets, canteens and storage. This would include further investigations of opportunities to integrate public toilets with existing facilities such as at the MDNC or within existing buildings at Lidcombe Oval
5.	Throughout the park	Improve community safety through lighting around major venues (in particular those open at night), along the path system and in car parks
6.	28	New multi-purpose youth and community building
7.	29	Learn-to-ride cycle track
8.	6	Additional car parking in Percy Street
9.	32, 30	Review of car parking configuration in Church Street and between Wyatt Park fields and REAC
10.	33	Destinational playground in eastern Wyatt Park including sculptural land marker
11.	35	Skate/ scooter park
12.	27	Wyatt Park field extension across Haslams Creek including new east-west link road between Wyatt Park fields (subject to RMS approval) and Lidcombe Oval and augmentation to existing services to provide for water, sewer and power access for events
13.	19, 22	Establishment of the pedestrian and cycling circulation network around and within the park to connect buildings and recreation facilities/ venues. The pathway network would activate a whole of park experience and encourage walking, running and cycling. It provides the structure for the provision of other park infrastructure such as shade, shelters, park furniture, gym stations, bins and water stations
14.	9	Local playground for the Gelibolu Precinct
15.	8, 37	Pedestrian/ cycle links to Lidcombe and Auburn town centres/ stations

P#	M#	Description
16.	12	Table tennis table near the MDNC
17.	3	New car park east of the PCYC and upgraded Church Street to Boorea Street link road including upgraded CBC parking and connection to Boorea Street
18.	16	Sculptural land markers
19.	34	Olympic Drive overbridge to Chadwick Reserve
20.	18	Relocation of the dog park outside Wyatt Park
21.	1	Haslams Creek pedestrian/ cycle link to Olympic Park
22.	-	Rail crossings from REAC to Milton Street and from Percy Street to Cockthorpe Street

#### LEGEND

Renewal project - existing facilities upgraded
Renewal project for existing uses requiring a major new facility or major upgrade to an existing facility
New infrastructure required to support additional park uses and improve access

#### 5.8 **Existing Use Agreements**

#### Leases and Licences

The majority of existing facilities in the park are managed by third parties under lease or licence.

## Other Agreements

Council also has a number of other management arrangements, as

- · Lidcombe Oval and Velodrome are available for casual or seasonal hire under Council's standard hire agreement
- · Wyatt Park fields are available for casual hire under Council's standard hire agreement, including for events
- The REAC is managed by Belgravia Health and Leisure Group Pty Ltd (Belgravia) under a facility management agreement that delegates the daily management, care and maintenance of the REAC to Belgravia for a term of 3 years. Upon expiration of the agreement Council will invite public tenders with the aim of identifying the preferred third party for a future management term.



Table 5 summarises key information for existing and recently expired use and management agreements. The land to which agreements apply are illustrated in Figure 6.

## 5.9 Proposed Future Use Agreements

#### Planned changes to existing agreements

#### Planned new lease for Cumberland Basketball Centre

During its ordinary meeting on 2 August 2017 Cumberland Council resolved that it would enter into a new lease with the Parramatta Basketball Association for a period of 20 years.

The Agreement for Lease is subject to development consent for the proposed extension of the CBC and approval from Crown Lands for the construction of an addition comprising of

- · An enlargement of the area currently used as the third court
- · An annex to accommodate a fourth court.

Council during its meeting committed to enter into a new lease based on completion of the proposed works and on the basis of a pre-approved construction budget of approximately \$3.5M. The Agreement for Lease will be subject to satisfactory performance on a number of conditions.

While the new lease has not yet been executed, Council's resolution provides confirmation of its commitment to support the long term use of Wyatt Park for the purposes of indoor basketball.

## Proposed future use agreements

This PoM makes a number of recommendations in respect of future use and management agreements within Wyatt Park. They are described in the following sections.

#### General Recommendations

- Clarify the maintenance responsibilities and expectations of Council and its lessees/ licensees to remove ambiguities and ensure a high standard of maintenance, upkeep, presentation, user safety and amenity.
- In order to minimise potential for conflict between different groups using the park, ensure future agreements clearly articulate the extent to which facilities are to be shared or exclusively assigned to a single organisation. This applies to both outdoor facilities (such as fields, courts, tracks and car parks) and indoor facilities (such as change rooms, toilets, canteens, store rooms or meeting rooms).
- Enforce existing lease/ licences to ensure lessees/ licensees do not use facilities in Wyatt Park for commercial gain or advantage through sub-letting or the hiring out to third parties. If a commercial event is organised within Wyatt

Park such as a festival or circus a direct Licence must be organised through Council by the event organiser.

 Shared use of facilities: generally facilities will be managed to enable shared use by multiple user groups. To this end amenities and sports pavilions will not be available for lease or for exclusive use by a single organisation.

#### Length of agreements and strategic assessments

- Review the standard length of leases and ensure lease provides for periodic review (say every five years) prior to renewal or extension. This will ensure that the use of facilities under lease continues to meet Council's and the Cumberland community's needs and expectations.
- Prior to renewing leases or licences, a strategic review should be undertaken to confirm that the proposed use of the facility is consistent with the identified sport and recreation needs in the Cumberland LGA.

#### Discontinue seasonal hire

 Abandon seasonal hire arrangements for Lidcombe Oval and Velodrome in favour of formal licence agreements. The recommended standard term is three years.
 This would provide certainty of operations for clubs/ organisations while providing a regular opportunity for Council to review agreements to ensure licensees and the services and programs they offer continue to meet the needs of the Cumberland community and result in highest and best use of the land in Wyatt Park.

#### **Outdoor Facilities**

- For outdoor facilities, licence agreements are the preferred future agreement type as licences allow for greater shared use of facilities by a number of different organisations as well as by the general community.
- Review the terms of leases and licences to remove the lessees'/ licensees' right to sublet or hire out outdoor facilities to third parties. All hire of facilities is to be directly arranged through Council, with no provision for sub-letting or hiring out of facilities under future licences. Rents and hire charges are to be directly payable to Council to support the continued development and upkeep of community facilities.
- Replace expiring leases such as the lease of the AAC with licences to enable greater shared use of facilities between a number of community organisations and ensure that rent and/ or revenue generated is returned to Council.
- All casual hire of outdoor facilities will be managed by Council.
   Council's fees and charges will apply. Council may chose to offer subsidies to community organisations or other entities, based on its current policy framework at the time of hire.

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#	Agreement type	Agreement party	Permitted uses	Subletting	Duration	Date of expiry
1	Lease	ASICS Wests Athletics Club And Tiger Wests Little Athletics Club	Athletics training, caching, events, and school carnivals in addition to activities relating to the management and operation of not for profit sporting clubs.  The lessee must not use the facility for commercial purposes without written approval of Council.	Permitted to sublet the facility to community organisations, government agencies and schools to provide services or programs for young people from the Auburn community	3 years	30 Sept 2017. New lease currently under negotiation
2	Lease	Parramatta Basketball Association	Basketball, volleyball, netball, futsal, badminton, martial arts and gymnastics.	Permitted with Council consent	21 years	01 Jan 2022 New lease currently under negotiation
3	License	Parramatta Auburn Netball Association	Foster, promote, encourage and control the game of netball within the Parramatta-Auburn District.	Courts are to be hired out to schools in the LGA. Sub-letting permitted with Council consent	10 years	O1 Nov 2007 New lease currently under negotiation (refer section 4.9)
4	Lease	Police Citizens Youth Clubs NSW	Provision of programs, services and facilities enabling children and young people, primarily those who are disadvantaged or at risk of involvement in crime, to participate in sporting, artistic, educational and recreational activities.	Permitted to sublet the facility to community organisations, government agencies and schools to provide services or programs for young people from the Auburn community	20 years	31 March 2036
5	Seasonal hire	Varies	Varies	N/A	Varies	Varies
6	Lease	Boy Scouts and Girl Guides	Erection of buildings (Scout Hall/ Guides Hall)	Halls are to be available for hire on at least one night per week, if required	Lease in perpetuity	
7	Casual hire	Varies	Varies	N/A	Varies	Varies
8	Lease	Auburn Youth Centre	Youth services, programs, and activities	Permitted with Council consent	4 years	31 May 2019
9	Facility Man- agement Agreement	Belgravia Health and Leisure Group	Aquatic swimming and fitness programs, related teaching, coaching and other programmes, cafe/ kiosk,	Management is to encourage cross training and use by sports teams and organisations using Wyatt Park	31 months to 1 July 2018 with a 3 year extension option	01 July 2018

Table 5: Existing and recent leases and licenses

C08/20-511 - Attachment 1



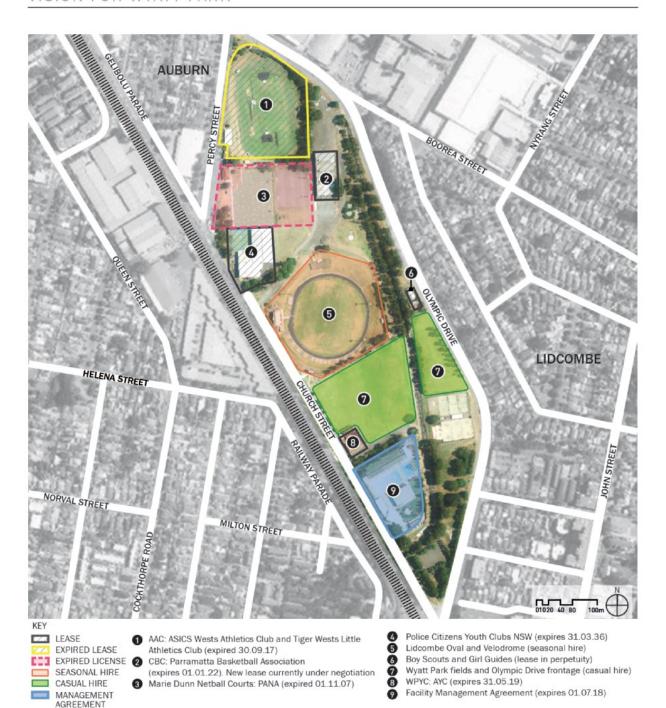


Figure 10: Existing and recently expired use and management agreements

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Car parks: any future use agreements over car parks is to
ensure that rents/ hire/ licence fees adequately reflect the
potential benefit to other parties. Further, before entering
into any agreements for the use of car parks, evidence will
need to provided to ensure such use does not adversely
affect the operation, viability and use of facilities and
recreation areas within Wyatt Park as a result of reduced
parking capacity for visitors and users of Wyatt Park.

#### Priorities for use agreements

Priorities for use and management agreements revolve around establishing new agreements to replace those currently expired, as follows:

- In consultation with Crown Lands review the leases in perpetuity granted to the Boy Scouts and Girl Guides to
  - Ensure lease conditions are met
  - Review whether the buildings and land are used and managed in accordance with the principles of Crown land management and the CLA
  - Identify potential additional or alternative uses to take advantage of available facilities to accommodate other uses or community groups in need of meeting space
  - Ensure use and appearance of the buildings contributes to a vibrant, active and attractive park.
  - Work with the Boy Scouts Association and the Girl Guides Association to determine their future (including activities, operations and needs) and whether Wyatt Park and the existing halls continue to be best placed to meet their needs.
- Following development of a new multi-purpose youth and community centre building, negotiate a new lease for the facility and ensure that services and programs offered continue to meet the needs of the Cumberland community.

#### Agreements for new park infrastructure

The following outlines the proposed use and management agreements that will be available. All new agreements will be subject to Council's standard policies, processes and conditions, as well as hire charges. Facilities and parts of the park that are not listed below will not be available for lease, licence or hire.

#### Facilities that may be available for lease

- · New multi-purpose youth and community centre
- · PCYC building (upon expiration or termination of existing lease)
- CBC (upon expiration or termination of the existing lease and/or if a new Agreement for Lease as per section 4.9 is either not reached or terminated/ expired).

#### Facilities that may be made available for use under licence

- · AAC including associated amenities and outbuildings
- MDN0
- All amenities and sports pavilions including those at the AAC (typically in conjunction with use of the AAC), MDNC, Lidcombe Oval and Velodrome
- · Lidcombe Oval
- · Lidcombe Velodrome
- · Learn-to-ride cycle track
- · Wyatt Park fields.

#### Facilities that may be made available for hire

Hire opportunities include both casual and seasonal hire:

- All amenities and sports pavilions including those at the AAC (typically to be hired in conjunction with the AAC), MDNC, Lidcombe Oval, Lidcombe Velodrome the new multi-purpose youth and community centre (subject to the conditions of any lease that may be entered into)
- Car parks

The primary function of parking areas in Wyatt Park is to support sports, community and recreation venues and activities by providing convenience of access and ease of parking. Therefore car parks would only be available for hire in exceptional circumstances and for special community or cultural events. Car park hire would be subject to demonstrating need and community benefit.

- AAC
- MDNC
- · Lidcombe Oval
- · Lidcombe Velodrome
- Learn-to-ride cycle track
- Wyatt Park fields.

Under special circumstances the fields may be made available for hire as special events parking area. This would be subject to demonstrated need and community benefit, and subject to ensuring that use of the fields for special events parking would not compromise the fields for other uses including as a result of damage

- · Skate park (for special events or competitions)
- Scout Hall and Girl Guides Hall, subject to negotiation with the Boy Scouts/ Girl Guides Association.





# SECTION SIX MANAGEMENT PLAN





The management action plan (MAP) has been organised consistent with the key components of the landscape masterplan. Management actions are provided for the following areas:

- 1. Building changes and improvements
- 2. Park uses and activities
- 3. Access and circulation
- 4. Landscape, amenity and ecology

The management actions are designed to realise the objectives of this PoM including implementation of the masterplan and ongoing management. The MAP identifies where the responsibilities for implementation of actions lie and what the performance indicators are or means to measure 'success'.



Action No.	Management Action	Responsibility	Performance indicator(s)	Priority (H,M,L
Build	ing Changes and Improvements			
ATHLE	ETICS			
A1	Consult with AWAC, TWLA and local schools to determine needs, priorities and timing of upgrades (including alterations or additions) to buildings and facilities within the AAC. Identify funding streams progressively and undertake upgrades as funding becomes available.	Executive Manager Recreation & Facilities	The upgrades to the AAC facilities as determined in consultation with stakeholders	L
BASK	ETBALL			
A2	Work with the PBA to refine the brief for the extension of the CBC to incorporate additional run-off areas for the third court, a fourth court, a Council maintenance store for equipment and materials and a southern annex to provide a welcoming entrance to the centre as well as passive surveillance of the park. Note: the maintenance store is required to free up the Lidcombe Oval Grandstand and enable refurbishment of that facility.	Executive Manager Recreation & Facilities	CBC extended to four courts and new maintenance store provided     Southern entrance remodelled     Maintenance store provided and materials and equipment fully removed from Lidcombe Oval Grandstand	Н
NETB/	ALL			
A3	Consult with PANA and N4A to develop a brief for the upgrade of the netball amenities in the former AGE Caretaker's Cottage. Engage consultants to assess the condition and compliance of the building with current standards. Prepare designs for refurbishments and alterations/ additions as required. Arrange for planning approvals as required.      MBE OVAL	Executive Manager Recreation & Facilities	Caretakers Cottage refurbished and complying	Н
A4	Consult with Rugby League NSW to determine needs and priorities for refurbishment of the Lidcombe Oval Grandstand amenities (including change rooms, bathrooms, canteen/ kitchen etc) and associated buildings including Investigate opportunities to remove redundant structures and consolidate buildings in the vicinity of the grandstand to reduce clutter and provide a safe and functional spatial arrangement that supports the clubs' needs, respects heritage values and is based on Crime Prevention through Environmental Design (CPTED) principles.  Assess the condition and compliance of existing buildings and fitouts with current standards.  Prepare designs for refurbishments including any heritage assessments or planning approvals that may be required. Note: Action A2 is a prerequisite to the implementation of the Lidcombe Oval Grandstand amenities upgrade	Executive Manager Recreation & Facilities	Lidcombe Oval Grandstand refurbished and complying	M

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Action No.	Management Action	Responsibility	Performance indicator(s)	Priority (H,M,L)
A5	Prepare a brief and engage consultants for the refurbishment of the Lidcombe Oval scoreboard/ turnstiles to restore the building commensurate with its historic and heritage importance. In consultation with Council and external stakeholders determine appropriate building uses (such as meeting/multi-purpose rooms, referee rooms, storage) to ensure the building complements current and future uses and activities of oval.	Executive Manager Recreation & Facilities	Heritage approval granted. Oval scoreboard/ turnstiles refurbished.	L
A6	<ul> <li>Consult with LACC and KoB to develop a brief for the refurbishment of an existing or development of new storage facility. Arrange for planning approvals as required, engagement of consultants and building.</li> </ul>	Executive Manager Recreation & Facilities	Development of appropriate storage facility. Increased user satisfaction.	L
YOUTI	I CENTRE			
A7	<ul> <li>Undertake further detailed heritage studies to confirm that the heritage value of the existing WPYC building is based on social values and the provision of youth services in the park, and to confirm that the building may be demolished subject to provision of a new youth facility in the park.</li> </ul>	Executive Manager Recreation & Facilities with the support of the Executive Manager Development & Planning	Heritage study supporting the removal of the existing WPYC building	Н
A8	Consult with AYC, other youth services and community services and sports groups to develop a brief for the new multi-purpose building at Wyatt Park fields. The building would contain as a minimum multi-purpose/meeting rooms, youth facilities, public toilets (including accessible toilets), public wi-fi access, store room and as well as external gathering spaces and a shaded/undercover area. Potential accommodation should be investigated and the building designed in accordance with the Auburn City Community Facilities Strategy 2014 - 2024. Engage a consultant team to develop designs, planning applications and building construction.	Executive Manager Recreation & Facilities and Executive Manager Community & Place	The construction of a new multi-purpose WPYC building to accommodate AYC and other community services and functions	М
GENE	RAL			
А9	<ul> <li>Design buildings and facilities to maximise interaction and casual surveillance of external park spaces including through fenestration, external booking offices and the like</li> </ul>	Executive Manager Recreation & Facilities	Design of buildings to ensure passive surveillance is maximised	М



Action No.	Management Action	Responsibility	Performance indicator(s)	Priority (H,M,L)
Park	Uses and Activities			
ATHLE	TICS			
B1	Consult with AWAC and TWLA to review the condition of existing facilities and infrastructure within the AAC and determine needs, priorities and timing of repairs or upgrades to the grounds and athletics facilities. Identify funding streams to progressively update the grounds	Executive Manager Recreation & Facilities	Grounds and athletics facilities safe and fit for purpose	М
B2	<ul> <li>In consultation with AWAC, TWLA and local schools develop a brief for safety upgrades to the spectator embankment including spectator seating and formal access between the amenities building and the track. Engage a consultant team to prepare designs and planning approval for the works.</li> </ul>	Executive Manager Recreation & Facilities	Spectator seating and safe access provided	M
NETBA	ALL			
B3	Prepare tenders for enhancement and supporting landscaping of netball court area to include  Sports-surfacing (including re-grading and drainage as required)  Line-marking for netball (multi-purpose line marking to be considered in the future)  Netball hoops  Concrete perimeter paths incorporating seating, shade and drinking fountains.	Executive Manager Recreation & Facilities	Tenders let. Works completed. Increased use of the facility. Positive feedback from users.	Н
LIDCO	MBE OVAL			
B4	The design of the entrance to encourage greater use of Lidcombe Oval particularly during working hours.	Executive Manager Recreation & Facilities	Installation of entry feature	М
WYATI	F PARK FIELD			
B5	Engage consultants to prepared designs for the extension of Wyatt Park across Haslams Creek to include:     The land bridge over the canal     The east-west link road     New tree planting     General park and recreation infrastructure, including picnic facilities and path networks.  Provision is to be made for events including heavy vehicle access, bump-in/-out and extension of existing utility services to provide access to electricity (3 phase power), water and sewerage. Arrange for planning and other approval as required such as heritage and Sydney Water approval.	Executive Manager Recreation & Facilities with the support of the Executive Manager Development & Planning	Provide greater connectivity between open space areas with road link across Haslams Creek to better facilitate events, picnics and general sports and recreation	M

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Action No.	Management Action	Responsibility	Performance indicator(s)	Priority (H,M,L)
B6	• In consultation with LACC and KoB develop a brief for a learn-to-ride cycle track in the Wyatt Park fields. The track is not be designed or managed solely for the benefit of existing cycle clubs but will be available to the club for use under licence. The track will be adjacent to the new multi-purpose youth and community centre and will be designed to provide the opportunity to conduct learn-to-ride programs for the general community. Engage a consultant to prepare designs and engage with the community throughout the design process to ensure the track meets a wide range of needs.	Executive Manager Recreation & Facilities	Learn-to-ride cycle track installed and used	M
PLAY				
B7	Prepare a brief and engage consultants for the design of a local playground off Percy Street, for the Gelibolu Precinct. The playground is to cater to toddlers and primary aged children and must include additional tree planting and shade sails to ensure a minimum 50% shade cover.	Executive Manager Recreation & Facilities	Playground installed and used	M
B8	<ul> <li>Provide outdoor table tennis tables adjacent to PCYC, appropriate surfaces and supporting park infrastructure including seats and shade</li> </ul>	Executive Manager Recreation & Facilities	Outdoor table tennis tables installed and in use	L
B9	Develop a detailed design brief and engage consultants to prepared designs for an indoor/outdoor combined bmx, scooter and skate park near Olympic Drive. The facility must:     Cater to a range of ages and abilities from primary to adolescents/ young adults     Enjoy good passive surveillance from Olympic Drive     Enjoy ease of access     Allow for integration with and connection to a future pedestrian cycle overbridge across Olympic Drive to Chadwick Reserve     Be able to be staged in its delivery     Engage the community in the design process.	Executive Manager Recreation & Facilities	Construction of scooter and skate park which addresses all required features listed	L



Action No.	Management Action	Responsibility	Performance indicator(s)	Priority (H,M,L)
B10	<ul> <li>Develop a detailed design brief and engage consultants to prepared designs for a destinational playground near Olympic Drive. The playground design must</li> <li>Provide a range of high quality and exciting play opportunities, commensurate with Wyatt's Park regional importance</li> <li>Cater for all ages and abilities</li> <li>Include supporting park infrastructure to provide a whole-of-family destination including seats, picnic tables, BBQs, shade (trees, sails or structures), drinking fountains and paths. There may be a need for public toilets unless they can be provided at Wyatt Park fields</li> <li>Not preclude the future extension of the Wyatt Park fields across Haslams Creek</li> <li>Enjoy ease of access from areas west of Haslams Creek including the car park north of the REAC through appropriate creek crossing opportunities</li> <li>Ingestive noise levels form Olympic Drive and their potential impact on the facility and incorporate noise attenuation as required.</li> <li>Enjoy good passive surveillance from Olympic Drive</li> <li>Be surrounded by pool fencing or other visually transparent fencing to prevent children running onto the main road</li> <li>Include tall vertical elements such as towers, slides or climbing nets that will be highly visible from Olympic Drive to increase awareness of the park and its facilities</li> <li>Include land form elements or sculptural markers</li> <li>Allow for integration with and connection to a future pedestrian cycle overbridge across Olympic Drive to Chadwick Reserve</li> <li>Engage the community in the design process.</li> </ul>	Executive Manager Recreation & Facilities	Destinational playground constructed and used	Н
B11	Undertake a feasibility study to determine the most appropriate location for dog-off leash areas in eastern Cumberland.	Executive Manager Recreation & Facilities	Study recommendations implemented to either relocate or enhance the dog off-leash area	M
B12	Work with the community, existing park users and other youth and community organisations in and surrounding the park to select exercise equipment to provide a fitness circuit/ outdoor gym in Wyatt Park, for use by all age groups.	Executive Manager Recreation & Facilities	Equipment selected and fitness station designs completed.     Fitness equipment incrementally rolled out across the park     Equipment observed to be used by a range of community members	L
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Action No.	Management Action	Responsibility	Performance indicator(s)	Priority (H,M,L)
B12	<ul> <li>Provide spaces with access to wi-fi/ digital meeting places.</li> <li>Consult with existing operators in the park (such as PCYC and Belgravia) to investigate opportunities to activate external park spaces surrounding new facilities with wi-fi.</li> </ul>	Executive Manager Recreation & Facilities	Installation of wi-fi access. Increased use of park areas with wi-fi	М
B13	<ul> <li>Provide for new lighting close to facilities, along paths, playgrounds and sculptural markers</li> </ul>	Executive Manager Recreation & Facilities	Lighting installed. User feedback to confirm users feel safer in the park.	Н
B14	<ul> <li>Provide for new park infrastructure such as shade/ shelter, seating, bins and the like. Carefully consider the placement and arrangement of furniture, to increase accessibility, usability and the interaction between people</li> </ul>	Executive Manager Recreation & Facilities	Shade/ shelter, seating, bins installed and used	Н
B15	<ul> <li>Provide a contemporary suite of BBQs, picnic shelters, furniture and bubblers near Lidcombe Oval, in Wyatt Park fields and picnic areas and the destinational playground</li> </ul>	Executive Manager Recreation & Facilities	Installation of BBQs, picnic shelters, furniture, bubblers	M
B16	Provide heritage interpretation to connect users to local history and culture	Executive Manager Recreation & Facilities	Heritage interpretation installed	L
PROM	OTION OF THE PARK			
B17	Increase the number of supervised activities offered to a diverse range of user groups	Manager Children, Youth and Families	The allocation of a recreation coordinator	Н
B18	Work with stakeholders and community organisations to develop a program of events in the park that enhances awareness and use of the park and promotes it as a whole-of-family destination. This would include a mix of free to use and pay to use activities	Children's Recreation Officer and Youth Recreation Officer	Increase in supervised programs, activities and events. Increased park use	Н
B19	<ul> <li>Work with REAC management to identify opportunities to extend REAC programs and services into parklands east of the creek, while maintaining the safety and security of patrons.</li> </ul>	Children's Recreation Officer and Youth Recreation Officer	REAC programs conducted in the park	Н
B20	Market, promote and ensure outreach programs are implemented to promote the park as a destination and increase the number of people using the Park	Children's Recreation Officer and Youth Recreation Officer	Evidence of marketing material and outreach programs. Increased park use	Н



Action No.	Management Action	Responsibility	Performance indicator(s)	Priority (H,M,L)
LEASE	S AND LICENSES			
B21	Work with existing clubs and organisations to:     Clarify management and use agreements. In particular resolve maintenance responsibilities and expectations for all parties to ensure facilities are maintained in good repair and to a high standard of presentation     Clarify use hours (for licences) to ensure the park/outdoor facilities are available to the general community free of charge including for individual or social purposes outside of core club hours (i.e. regular training and competition/games times)     Encourage cooperation and crosspromotion of services and facilities     Extend programs and services into external areas, to take advantage of the park setting and activate external areas for increased passive surveillance.     Encourage flexible models for the provision of recreation services and programs that offer a variety of membership and participation options to maximise opportunities for economically disadvantaged community members to participate in sport and recreation     Implement a program of review of park user agreements and programs to ensure they are aligned with and realise Council's objectives.	Executive Manager Recreation & Facilities in conjunction with the Executive Manager Corporate Services (Property)	Supporting documentation	Н
B22	For all new management and use agreements (including leases and licences) ensure     Maintenance responsibilities and expectations are clear     Rents are fair and reflecting the value to the Cumberland community of the services and programs offered.	Executive Manager Recreation & Facilities in conjunction with the Executive Manager Corporate Services (Property)	New lease and licence agreements to reflect requirements	М



Action No.	Management Action	Responsibility	Performance indicator(s)	Priority (H,M,L)
Acces	ss and Circulation			
VEHIC	LES			
C1	Consult with RMS to seek permission for a left-in/left- out intersection off Boorea Street (near CBC) If granted, intersection designs and undertake construction.	Executive Manager Regulatory & Technical Services	RMS approval     Intersection constructed and used	Н
C2	Develop designs and consult with RMS to seek permission for a left-in/left-out intersection off Olympic Drive (in between Wyatt fields and Lidcombe Oval) If granted, intersection design and undertake construction.	Executive Manager Regulatory & Technical Services	RMS approval     Intersection constructed and used	L
C3	<ul> <li>Provide vehicle access between Wyatt Park fields and Lidcombe Oval (with potential for parking) to enhance safety through increased passive surveillance and better support events</li> </ul>	Executive Manager Regulatory & Technical Services	Internal road and parking constructed	М
C4	Prepare detailed designs for line marking of 90 degree parking on the northern side of Percy Street	Executive Manager Recreation & Facilities in conjunction with the Executive Manager Regulatory & Technical Services	Additional parking provided in Percy Street	Н
C5	Engage consultants to prepare designs for the formalisation of the CBC car park to maximise efficiency and provide supporting amendments to the road layout	Executive Manager Recreation & Facilities in conjunction with the Executive Manager Regulatory & Technical Services	Car park paved. Number of spaces increased	М
C6	Engage consultants to prepare a parking needs study. If shortfalls are identified prepare designs for new formal car park east of the PCYC	Executive Manager Recreation & Facilities in conjunction with the Executive Manager Regulatory & Technical Services	Parking needs formally established. Additional car parking provided based on needs including east of the PCYC	L
PEDES	STRIANS AND CYCLISTS			
C7	Provide a perimeter walking/running/cycling loop	Executive Manager Recreation & Facilities	Path constructed and used	М
C8	Provide pedestrian/ cycle paths through all areas of the park and between the various activities and venues	Executive Manager Recreation & Facilities	Pedestrian/ cycle paths constructed and used	М

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Action No.	Management Action	Responsibility	Performance indicator(s)	Priority (H,M,L)
C9	Provide appropriate way finding, directional signage and maps	Executive Manager Recreation & Facilities	Signage installed	М
C10	Engage consultants to design active transport links to Lidcombe and Auburn town centres and local schools	Executive Manager Development & Planning	Enhanced active transport links provided	М
C11	Investigate the potential for additional pedestrian access from including from/ across:     Olympic Drive from Chadwick Reserve     Railway line connecting to Milton Street Reserve     Railway line in the northern end of the park connecting to Percy Street near the PCYC building	Executive Manager Development & Planning	Strategic options report completed	М
C12	Upgrade/ remove the following fences to improve visual and physical access:     Around existing tennis courts once area is made safe and grass has established     Between Lidcombe Oval and Church Street to improve viability and encourage access	Executive Manager Recreation & Facilities	The removal of the fence around the tennis courts and installation of new fence around Lidcombe Oval	M
C13	Upgrade the existing bridges from the Wyatt Park fields and REAC across Haslams Creek.	Executive Manager Recreation & Facilities	Accessible paths and bridges constructed across Haslams Creek	Н
Lands	scape, Amenity and Ecology			
D1	Enhance tree cover to provide shade, provide a landscaped backdrop to venues, restore the local ecology and counter the urban heat island effect	Executive Manager Recreation & Facilities	Minimum 30% increase in tree cover throughout the park by 2030	Н
D2	Investigate the feasibility of sculptural landform markers	Executive Manager Recreation & Facilities	Feasibility completed including preliminary options and designs. Markers installed	М
D3	Enhance and restore the riparian ecology of Haslams     Creek through additional native planting	Executive Manager Recreation & Facilities	Increase in native flora and fauna in the park	L
D4	• Incorporate Water Sensitive Urban Design (WSUD) treatments into the design of all new facilities, in the particular car parks	Executive Manager Recreation & Facilities	Integrated into future works	Ongoing
D5	Consider sustainable principles such as energy efficiency, the use of clean energy, recycling initiatives etc through the design of park infrastructure and services	Executive Manager Recreation & Facilities	Sustainability initiatives integrated into projects and management	Ongoing
	Increase maintenance so that the park feels well cared for  WYATT PARK PLAN OF MANAGEMENT  MANAGEMENT ACTION BAN	Executive Manager Recreation & Facilities in conjunction with the Manager Open Space	Increased maintenance budget     Visible improvements to the maintenance standard in particular outside of existing sporting venues     Positive community and stakeholder feedback DRAFTFOR PUBLIC EXHIBITION   REV.	M 4   22 JULY 2020



## 7 REFERENCES

The following documents were reviewed or accessed during the preparation of this PoM.

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Greater Sydney Commission (2017). Our vision Towards our Greater Sydney 2056

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NSW Government Planning and Environment (2010). PP-3/2010 Gateway Determination – Research On Flood Risk Management Plan Issue

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## 8 APPENDICES

### **8.1** Native Title Manager Advice:

Wyatt Park Plan of Management and Landscape Masterplan

#### A. Proposed Act

This report considers the following act

- The adoption of the Wyatt Park Plan of Management and Landscape Masterplan
- To undertake a future act, including the adoption of a Plan of Management and Landscape Masterplan on Crown Land, Council must comply with the future act provisions of the Native Title Act 1993 and meet the requirements of section 8.7 the Crown Land Management Act 2016.

#### B. Summary

The Plan of Management and Landscape Masterplan authorises acts, which will or may affect native title, being:

- · Maintaining, operating and developing land consistent with legislative obligations;
- · Granting of leases, licences or permits over land; and
- . The carrying out of Public Works

The Plan of Management and Landscape Masterplan also authorises further acts which will or may affect native title. However, the Plan of Management requires that prior to individual approval of many of those further acts, further Native Title Manager Advice is required. This most notably relates to; exclusive or ticketed special events, private celebrations, public works and asset renewal and replacement not included within the Plan of Management and Landscape Masterplan.

Other uses set out in the Plan of Management, including routine maintenance, sporting, school and community use, casual sport, play, cultural and special events are validly authorised if:

- they are valid future acts under 24JA of the Native Title Act 1993; or
- they are excluded land under the Crown Land Management Act 2016 and Council can reasonably form an opinion that Native Title has been extinguished; or
- · they do not affect Native Title

The Plan of Management complies with the applicable provisions of the Native Title legislation, subject to any requirements of Section 24JA and 24K.

Should native title be determined to exist, at some future date, Council may be liable for compensation under the provisions of the Native Title Act 1993 (Cth) and the Crown Land Management Act 2016, for the effect on native title rights and interests by the proposed act.

#### C. Relevant Land

The Land is identified as:

- · Lot 1 in Deposited Plan (DP) 319530.
- . Lots 1 & 2 in DP 581438
- · Lots 75 & 453 in DP 752036
- Lot 7045 in DP 1065002
- Lot 7046 in DP 1065005

Part of the land subject to the Wyatt Park Plan of Management and Landscape Masterplan is Crown Land under the Crown Land Management Act, 2016 (CLMA). This Crown Land is listed in Table 6 showing the purpose for which the land is reserved or dedicated, evidence of the reservation or dedication and the legislative power (section and Act name) used to reserve or dedicate the land.

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No.	Name	Reserve No	Lot/DPs	Purpose/ Gazette Date	Part of Reserve Affected	Legislative Base
1	Wyatt Park	Part 60119	7046 / 1065005 7045 / 1065002 453 / 752036	Public Recreation – Reserve Created 18/11/1927 Community Purposes – Added 14/3/2014	Part	Section 28 Crown Lands Consolidation Act 1913 Section 121A Crown Lands Act 1989
2	Wyatt Park	Part 60119	1 & 2 / 581438	Public Recreation – Reserve Created 18/11/1927 Addition to Reserve 12/12/1975 Community Purposes – Added 14/3/2014	Part	Section 28 Crown Lands Consolidation Act 1913 Section 28 Crown Lands Consolidation Act 1913 Section 121A Crown Lands Act 1989
3	Wyatt Park	Part 60119	1/319530	Public Recreation – Reserve Created 18/11/1927 Addition to Reserve 25/02/1983 Community Purposes – Added 14/3/2014	Part	Section 28 Crown Lands Consolidation Act 1913 Section 28 Crown Lands Consolidation Act 1913 Section 121A Crown Lands Act 1989
4	Wyatt Park	1002879	75 / 752036	Public Recreation and Community Purposes – Created 5/11/1999	All	Section 87 Crown Lands Act 1989

Table 6: Crown Land subject to Reserves 60119 & 1002879

All the Crown Land affected by the Wyatt Park Plan of Management and Landscape Masterplan is held by the State of New South Wales, The Minister for Lands or Her Most Gracious Majesty Queen Elizabeth the Second in the first schedule and is Crown land.

A search of the National Native Title Tribunal Registers on 23 August 2019 indicates:

- a. There is no current native title application (claim) over the land subject to Wyatt Park Plan of Management and Landscape Masterplan.
- b. No determination of native title has yet been made, and
- c. no Indigenous Land Use Agreement has been registered affecting R.60119 or R.1002879

Council are not aware of any compulsory acquisitions of native title or future act protection determinations which would impact R.60119 or R.1002879.

For the purposes of Section 8.7(1) of the CLMA:

- R.60119 and R.1002879 is relevant land.
- None of R.60119 or R.1002879 is excluded land.
- · Cumberland Council is the Responsible Person.

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#### D. Basis For Advice

#### D1. Will the proposed act affect Native Title?

The relevant act, adoption of the Wyatt Park Plan of Management and Landscape Masterplan may occur at some further stage and will form the basis of the authority to undertake further acts which may affect Native Title.

- The Wyatt Park Plan of Management and Landscape Masterplan authorises impacting acts for the following purposes without further approval
- · General maintenance, repair works and compliance regulation inspections and tasks
- Art Work temporary or permanent
- · Barbecues and Picnics and associated facilities
- Flora, Fauna or Archaeological Surveys
- · Environmental Protection and Management Works
- · Bush Fire Hazard Reduction
- · Cultural Events and Ceremonies
- · Children's Play spaces and equipment
- · Cycling, walking, running and other Passive Recreation and relevant structures
- Dog exercise
- · Bins and waste receptacles
- · Access pathways, ramps, stairways or bridges
- · Vehicles access and parking
- · Community Facilities
- · Amenities
- · Irrigation and Drainage works
- · Shelters and Shade Structures
- Fencing
- Seating
- · Landscaping
- · Lighting for sport and public safety
- · CCTV Camera and security measures
- · Food preparation and related activities
- · Education and Interpretation
- Photography and Filming (with appropriate Council approvals)
- · Pest control
- · Work Sheds and Storage
- Grant of a lease, licence, permit or other authority over current permitted areas for purposes such as;
  - » Seasonal sporting competitions and training
  - » School sports carnivals and events
  - » One-off or occasional community or cultural events
  - » Short-term, temporary or casual use
  - » Creation of Easements to private property
  - » Access across community land

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- 2. The Wyatt Park Plan of Management and Landscape Masterplan authorises impacting acts for development being;
- · proposed future acts consisting of the construction or establishment of a public work
- Upgrades to Athletics facility and review existing infrastructure
- · Improve Athletics facility spectator embankment
- · Extension to Cumberland Basketball Centre
- · Upgrade to Netball amenities, and additional storage facility
- · Refurbishment of the Lidcombe Oval Grandstand amenities and associated buildings
- · Refurbishment of Lidcombe Oval Scoreboard/turnstiles
- · Lidcombe Oval Entry Plaza and Parking upgrade
- · Cycling storage facility
- · Construction of new multi-purpose Youth facility
- · Enhancement of Netball facility landscaping and additional features
- · Land bridge over Haslams Creek Canal and associated road and landscaping works for East-West road link
- · Local and Regional destinational playgrounds
- · Upgrade and install supporting park infrastructure including seating, water refill stations, bins, shared pathways and shade provision etc
- · Provide picnic facilities including suite of BBQs, picnic shelters and furniture
- · Indoor/Outdoor skate and scooter park
- · Relocation or enhancement to Dog Off-Leash facility
- Upgrade and install new safety lighting infrastructure along pathways, playgrounds and sculptural markers
- Upgrade or Replacement of Existing Amenities facilities
- · Installation of New Amenities and storage facility
- · Provide Fitness Station/outdoor gym equipment
- Interpretive Signage for heritage items, local history and culture
- Additional Tree Planting and landscaping works
- · Enhance and upgrade park entries with signage and landscaping
- · Enhance vehicle entry/exit points and additional carparking
- · Pedestrian/cycle link over Olympic Drive
- 3. The Wyatt Park Plan of Management and Landscape Masterplan authorises further impacting acts for the development but requiring further approvals yet to be developed being;
- Means to achieve the outcomes of the Plan of Management and Landscape Masterplan not listed above
- · Future Development of Community and Recreation Facilities
- Future Development of roads, access, kiosks and food and Beveridge premises
- 4. The Wyatt Park Plan of Management and Landscape Masterplan also authorises further impacting acts for use but requiring further approvals yet to be developed

#### D2. Land Status

Table 6 shows the current reserve status of the land.

All existing leases and licences over the affected land were issued after 1994. Investigations have not found evidence of any existing past act. The relevant act is not a past act for the purposes of the Native Title Act, 1993.

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#### D3. Future Act Regime

Requirement	Section	Comment
There is an earlier act that took place before the later act and on or before 23 December 1996.	24JA(1)(a)	Requirement satisfied for R.60119. Each of the gazette dates for R.60119 11 was on or before 23 December 1996 (see Table 1). Requirement not satisfied for R.1002879 The gazette date for R.1002879 was after 23 December 1996. R.1002879 is not further considered for the purposes of Subdivision J.
The earlier act was valid (including because of Div. 2 or 2A).	24JA(1)(b)	Requirement satisfied. Each of the reservation actions, was valid. (See Table 1 earlier act legislative basis.) A reservation under Section 28 Crown Lands Consolidation Act 1913 was valid if the Minister notified the reservation in the Gazette.
The earlier act was done by the Crown in right of the Commonwealth, a State or Territory; or consisted of the making, amendment or repeal of legislation.	24JA(1)(c)	Requirement satisfied.  Each of the earlier acts was undertaken by the responsible State Minister being R.J. Ball, John M. Mason and A.R.L. Gordon.
The earlier act contained, made or conferred a reservation, proclamation, dedication, condition, permission or authority (the reservation) under which the whole or part of any land or waters was to be used for a particular purpose.	24JA(1)(d)	Requirement satisfied. Each of the earlier acts was for a particular purpose being Public Recreation for R.60719.
The later act is done in good faith:  i. under or in accordance with the reservation; or ii. in the area covered by the reservation, so long as the act's impact on native title is no greater than the impact that any act that could have been done under or in accordance with the reservation would have had.	24JA(1)(e)	This is dependent on the actual future act being proposed
		Requirement <b>not</b> satisfied for R.1002879 The gazette date for R.1002879 was after 23 December 1996.

Table 7: Requirements for an Act to be valid



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# DOCUMENTS ASSOCIATED WITH REPORT C08/20-511

Attachment 2 Wyatt Park Masterplan



#### VISION FOR WYATT PARK

- 1. Haslams Creek pedestrian/ cycle link to Olympic Park
- Potential vehicular connection to Olympic Drive (subject to RMS approval)
- Shared car park
- Extended Cumberland Basketball Centre incorporating Council maintenance store
- 5. Aubum Athletics Centre (retained)
- 6. Additional perpendicular parking in Percy Street
- Refurbished netball change rooms, kiosk, public toilets and storage facility
- Cycle/ pedestrian link to Auburn town centre
- Local playground for Gelibolu precinct
- Netball courts lower courts to be sealed. New perimeter paths, seats and shade trees
- Existing road to be modified to become an emergency entrance only and pedestrian path including landscape treatments
- 12. Outdoor passive recreation space
- 13. PCYC and parking (retained)
- 14. Upgrade Lidcombe Oval Grandstand and amenities
- 15. Refurbish existing changeroom facilities and canteen
- 16. Sculptural landform/ marker
- 17. Picnic/ BBQ area
- 18. Existing dog off-leash area
- 19. Perimeter shared path
- 20. Girl Guides and Scouts Halls (retained)
- 21. Haslams Creek (partially covered)
- 22. Internal shared path
- 23. Lidcombe Oval perimeter path
- 24. Lidcombe Oval and Velodrome
- 25. Small plaza/ forecourt to Lidcombe Oval Scoreboard
- 26. New east-west link for vehicular access and parking
- Multi-use fields and event space
- New multi-purpose youth and community centre (1,200m2)
- 29. New public amenities
- 30. Car park (retained)
- 31. Aubum Ruth Everuss Aquatic Centre
- Church Street: retain existing parking and provide additional street trees
- Destinational all abilities playground and learn to ride facility
- Potential future pedestrian/ cycle overbridge to Chadwick Reserve (subject to RMS approval)
- 35. Indoor/outdoor Skate/scoot park
- 36. Existing car park (retained)
- 37. Cycle/ pedestrian link to Lidcombe town centre



Figure 6: Wyatt Park Landscape Masterplan

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Item No: RES08/20-6

# NOTICE OF RESCISSION - MAYORAL MINUTE - COUNCILLOR BRIEFINGS AND WORKSHOPS DURING COVID-19

Councillor/s: George Campbell, Ola Hamed and Lisa Lake

File Number: SC486

#### **NOTICE OF RESCISSION**

Pursuant to Notice, Councillors Campbell, Hamed and Lake move the following Resolution of Council 17/06/2020 (Item MM06/20-33) be rescinded:

That Council conduct all future Councillor Briefings and Workshops in person, with appropriate social distancing implemented in accordance with the NSW Public Health Order, with all Councillors required to attend in person to confirm their attendance.

Signed:

Councillor George Campbell Councillor Ola Hamed Councillor Lisa Lake

#### **ATTACHMENTS**

1. MM06/20-33 Mayoral Minute - Councillor Briefings and Workshops during Covid-19 U

# DOCUMENTS ASSOCIATED WITH REPORT RES08/20-6

# Attachment 1

MM06/20-33 Mayoral Minute -Councillor Briefings and Workshops during Covid-19





Council Meeting 17 June 2020

Item No: MM06/20-33

# MAYORAL MINUTE - COUNCILLOR BRIEFINGS & WORKSHOPS DURING COVID-19

Author: Mayor Steve Christou

File Number: SC486

#### SUMMARY

During the Covid-19 period, the General Manager and Council officers have continually made changes to ensure that the elected Council continues to function as effectively as possible, with appropriate social distancing implemented and the public health order adhered to at all times.

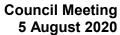
As you can see tonight and from the previous Councillor Workshop, Council has now set up some temporary desks within the Chamber for Councillors on the side of the main table, which will allow ample social distancing for all Councillors. It has been confirmed that this setup can accommodate the return of all 14 Councillors to this Chamber with appropriate social distancing measures in place.

With a number of Councillors returning to the Chamber last meeting, I think we would all agree that a more effective Council meeting was held.

Whilst the Covid-19 amendments to the *Local Government Act* require Councils to make Council meetings available via audio/visual links, Councillor briefings and workshops are a matter to be determined by each Council. The NSW Public Health Order has been relaxed of late, with many Council services reopening such as libraries, Parks and Customer Service Centres to name a few. All Council Officers have commenced rotational return to work arrangements. There is nothing preventing this Council from re-convening in person, in the interests of conducting more effective Councillor briefings and workshops.

It is has been clearly evident to me that conducting Councillor briefings via web conferencing has not been as effective as meeting in person. Councillors leave their workstations for extended periods, do not display their full faces, and Councillors on the web conferencing service often do not participate and contribute. The most effective leadership in this Council occurs in this Chamber, and our community deserve us operating in the most effective fashion for them in deliberating and making decisions. We need to be in this chamber to do that in my view.

Councillors who do not wish to attend Councillor briefings will continue to receive the relevant information disseminated to all Councillors, and are able to ask the General Manager or relevant Director any queries they may have on the matter being workshopped. Councillors will not however, be able to click on a link anymore and have themselves marked as attending a Council briefing or workshop. I take my commitments to this Council, my fellow Councillors and the community very seriously, and I believe all Councillors should do so as well, and come in and contribute to the effective leadership of this community.







Council Meeting 17 June 2020

Therefore Councillors, I am recommending the following:

### RECOMMENDATION

That Council conduct all future Councillor Briefings and Workshops in person, with appropriate social distancing implemented in accordance with the NSW Public Health Order, with all Councillors required to attend in person to confirm their attendance.

#### **ATTACHMENTS**

Nil