

# CUMBERLAND CITY COUNCIL

## Council Meeting

*Wednesday, 17 March 2021 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 Joseph Rahme	0418 995 471	Joseph.Rahme@cumberland.nsw.gov.au
Clr Ola Hamed	0405 070 007	Ola.Hamed@cumberland.nsw.gov.au

### Greystanes Ward

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

### Regents Park Ward

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

### South Granville Ward

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

### Wentworthville Ward

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

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



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## ORDER OF BUSINESS

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- 1 Opening Prayer / Acknowledgement of Country / National Anthem**
- 2 Notice of Live Streaming of Council meeting**
- 3 Apologies / Requests for Leave of Absence**
- 4 Declarations of Pecuniary & Non Pecuniary Conflicts of Interest**
- 5 Confirmation of Previous Minutes**  
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- 6 Mayoral Minutes**  
Nil
- 7 Public Forum / Presentation of Petitions**
- 8 Items Resolved by Exception**
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Nil

## **13 Questions on Notice**

Nil

## **14 Closed Session Reports**

C03/21-708	Outcome of Expression of Interest Process - Opportunity for Redevelopment of Council's site at Wentworthville
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*Note: Included in Closed Council in accordance with Section 10A(2)(d)(i) and (d)(ii) 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 and information that would, if disclosed, confer a commercial advantage on a competitor of the council.*

## **15 Other / General Matters**

## **16 Close**



Item No: C03/21-695

## **MINUTES OF THE ORDINARY MEETING OF COUNCIL - 03 MARCH 2021**

Responsible Division:

Finance & Governance

Officer:

Director Finance & Governance

### **RECOMMENDATION**

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**That Council confirm the minutes of the Ordinary Meeting of Council held on 03 March 2021.**

### **ATTACHMENTS**

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1. Draft Council Meeting Minutes - 3 March 2021 [↓](#)







DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-695

Attachment 1

Draft Council Meeting Minutes - 3  
March 2021







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## Minutes of the Council Meeting 3 March 2021

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**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
Kun Huang	Councillor
Lisa Lake	Councillor
Joseph Rahme	Councillor
Suman Saha	Councillor
Michael Zaiter	Councillor
Tom Zreika	Councillor
Peter Fitzgerald	Acting General Manager
Melissa Attia	Director Community & Organisation Development
Daniel Cavallo	Director Environment & Planning
Brendan Govers	Acting Director Works & Infrastructure
Richard Sheridan	Director Finance & Governance

**Also Present:**

Colin McFadzean	General Counsel
Carol Karaki	Acting Executive Manager Corporate Services
Olivia Shields	Senior Governance Officer

The Mayor, Councillor Christou declared the meeting open at 6:32pm.

**Note:** In recognition of the annual World Hearing Day, the Mayor welcomed to the Chamber David McQuiggan, Auslan Interpreter.

**Opening Prayer**

The opening prayer was read by Fr. Eduardo Orillia from St Joachims Catholic Church, Lidcombe.

**Acknowledgement of Country**

The Mayor, Councillor Christou read the following Acknowledgement of Country:

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



### **National Anthem**

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

### **Notice of Live Streaming of Council Meeting**

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

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### **Min.1038 Apologies/Leave of Absence**

#### **Resolved (Sarkis/Elmore)**

That the apology tendered on behalf of Councillor Hamed be accepted.

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

Councillors Attie and Sarkis declared a less than significant non-pecuniary interest in item C03/21-687 as they are both members of the Sydney Central City Planning Panel. As such, they exited the Chamber during the consideration of this item.

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### **Confirmation of Minutes**

**Min.1039 C03/21-684 Minutes of the Ordinary Meeting of Council - 17 February 2021**

#### **Resolved (Garrard/Attie)**

That Council confirm the minutes of the Ordinary Meeting of Council held on 17 February 2021.

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### **Min.1040 Mayoral Minute – World Hearing Day**

#### **Resolved (Christou)**

That Council recognise the significance of World Hearing Day 2021.

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### **Public Forum:**

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

<b>Speaker</b>	<b>Item #</b>	<b>Suburb</b>
Mr Roydon Ng	C03/21-689 Pippita Rail Trail – Preliminary Feasibility Report	Lidcombe
Dr Yadu Singh	C03/21-693 Notice of Motion - Cultural Festivals and Multiculturalism	Baulkham Hills



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**Min.1041      Suspension of Standing Orders****Resolved (Sarkis/Attie)**

That in accordance with Clause 8.2 of the Code of Meeting Practice, Council suspend standing orders to allow Items C03/21-689 and C03/21-693 to be brought forward for consideration at this time of the Meeting.

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**Min.1042      C03/21-689 Pippita Rail Trail – Preliminary Feasibility Report****Resolved (Attie/Huang)**

That Council:

1. Note the Preliminary Feasibility Report for the Pippita Rail Trail, as provided at Attachment 1.
2. Consult with relevant State Government agencies to confirm their interest and in-principle support to progress the Pippita Rail Trail.
3. Consult with the relevant State Government agencies regarding the new proposed express train service through the Pippita Rail Trail.
4. Provide a further report to Council on the outcomes of consultation with relevant State Government agencies.

**Carried Unanimously**

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**Min.1043      C03/21-693 Notice of Motion - Cultural Festivals and Multiculturalism****Resolved (Huang/Saha)**

That Council:

1. Continue to organise and host cultural events like Lunar New Year, Diwali, Ramadan, and the Cherry Blossom Festival with the respective communities subject to Council's budgetary position. These Cultural events and activities reflect the diverse mix of cultural backgrounds in Cumberland. Council recognise that these and other events bring us together as one community and celebrate what makes Cumberland such a wonderful place to live;
2. Through the events committee, engage with the respective communities/associations for each festival to assist where possible in obtaining sponsorship and business engagement for the success of each cultural event.
3. Reaffirms its commitment to Multiculturalism and recognise Australia is a modern, successful, and cohesive multicultural nation and recognise events like Lunar New Year, Diwali, and Ramadan as part of Australian Celebration. Many Cultures One Community.

**Carried Unanimously**



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**Min.1044 Items by Exception****Resolved (Sarkis/Attie)**

That Council adopt items C03/21-685, C03/21-688, C03/21- 690 and C03/21-692 on the Council Agenda in bulk as per the recommendations in the reports.

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**Min.1045 C03/21-685 Proposed Granting of Easement through Greystanes Sportsground****Resolved (Sarkis/Attie)**

That Council:

1. In accordance with S.77 (1)(H) of the *Local Government Act 1993*, Council approve the creation of an easement from the rear of 2 Curra Place through part of Greystanes Sportsground at 812 Merrylands Road, Greystanes in accordance with DA2020/0017, subject to an independent valuation and compensation being paid to Council;
2. The final easement location and design be subject to expert advice of Council's Engineering team; and
3. The easement approval be subject to concurrence from Sydney Water and public notice being undertaken.

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**Min.1046 C03/21-688 Response to Notice of Motion - Main Street Program for the South Street Area in Granville****Resolved (Sarkis/Attie)**

That Council endorse the proposed scope and implementation approach for the Main Street Program at the South Street area in Granville.

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**Min.1047 C03/21-690 NSW Public Spaces Legacy Program - Project nomination and funding application****Resolved (Sarkis/Attie)**

That Council prepare and submit an application for funding of up to \$5.5 million under the NSW Public Spaces Legacy Program to design and deliver the Merrylands Civic Square project.

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**Min.1048 C03/21-692 Quarterly Progress Report on Council Consultative and Advisory Committees****Resolved (Sarkis/Attie)**

That Council receive the Draft Minutes of the Consultative and Advisory Committee meetings held as listed in the report and included under Attachments 1, 2 and 3.



**Min.1049 C03/21-686 Road Closure and Sale of Part of Finns Lane, Merrylands****Motion (Elmore/Saha)**

That Council defer the permanent closure of Finns Lane between McFarlane Street and Main Lane, Merrylands until a detailed report is brought back to Council and the Cumberland Traffic Committee pertaining to the following:

1. Council prepares a report on the feasibility of selling the land below and the airspace above Finns Lane whilst retaining its ownership.
2. Council Staff investigate the merits of a stratum subdivision for the closure of Finns Lane.
3. Council Staff report on the public interest of retaining the freehold ownership of Finns Lane rather than its sale. The proposed terms of the granting of an easement to Council and any other issues that may arise with its disposal.

**Amendment (Cummings/Attie)**

That Council:

1. Approve the permanent closure of Finns Lane between McFarlane Street and Main Lane, Merrylands.
2. Prepare an amendment to the new Cumberland Development Control Plan to reflect changes to Finns Lane, Merrylands.
3. Delegate authority to the General Manager to execute all documents to finalise the road closure.
4. Delegate authority to the General Manager to sell that part of Finns Lane between McFarlane Street and Main Lane, Merrylands in accordance with the range of values in the independent valuation subject to the creation of an Easement outlined in the valuation report.

The Amendment moved by Councillor Cummings seconded by Councillor Attie on being Put was declared CARRIED.

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

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

Councillor(s) Against the Amendment: Campbell, Elmore, Huang and Saha.

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

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



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

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

Councillor(s) Against the Motion: Campbell, Elmore and Saha.

Councillor Rahme left the Meeting at 7:33pm and returned to the Meeting at 7:35pm during the consideration of this item.

Councillor Sarkis left the Meeting at 7:33pm and returned to the Meeting at 7:36pm during the consideration of this item.

Councillor Zaiter left the Meeting at 7:35pm and returned to the Meeting at 7:36pm during the consideration of this item.

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**Min.1050 C03/21-687 2-36 Church Street, Lidcombe - Post-Exhibition Report on Planning Proposal and Voluntary Planning Agreement**

**Note:** Councillors Attie and Sarkis exited the Chamber at 7:46pm prior to the consideration of this item and returned to the Chamber at 7:48pm following the consideration of this item as they had declared a less than significant non-pecuniary interest in relation to this item.

**Resolved (Garrard/Zaiter)**

That Council:

1. Adopt the recommended planning controls for 2-36 Church Street, Lidcombe, as previously resolved by Council, being:
  - a. Increase the Height of Buildings controls from:
    - o 14.9 metres to 22 metres
    - o 16.9 metres to 32 metres
    - o 22.9 metres to 40 metres
    - o 27 metres to 40 metres
  - b. Increase the Floor Space Ratio controls from 1:29:1, 1.49:1, 2.49:1 and 2.6:1 to 3.2:1.
2. Finalise the Planning Proposal (Attachment 1), as delegated by the Minister, following execution of the Voluntary Planning Agreement and registration on title.
3. Note that this Local Environmental Plan amendment will be published in the Government Gazette upon finalisation.
4. Endorse the revised Voluntary Planning Agreement (Attachment 2), noting that the amendments relate to the timing of payment and minor administrative changes only, with the scope and value of the public benefit offer the same as previously agreed by Council.



5. Endorse the revised Voluntary Planning Agreement be re-exhibited for a period of 28 days.
6. Endorse and delegate authority to the Mayor and General Manager to execute the revised Voluntary Planning Agreement on behalf of Council for 2-36 Church Street, Lidcombe, subject to no significant objections on the Agreement being received during re-exhibition.

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: Campbell, Christou, Cummings, Elmore, Garrard, Huang, Lake, Rahme, Saha and Zaiter

Councillor(s) Against the Motion: Nil

Councillor Zreika left the Meeting at 7:47pm during the consideration of this item.

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**C03/21-688 Response to Notice of Motion - Main Street Program for the South Street Area in Granville**

This item was dealt with earlier in the meeting.

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**C03/21-689 Pippita Rail Trail – Preliminary Feasibility Report**

This item was dealt with earlier in the meeting.

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**C03/21-690 NSW Public Spaces Legacy Program - Project nomination and funding application**

This item was dealt with earlier in the meeting.

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**Min.1051 C03/21-691 Response to Notice of Motion - Construction of Footpaths**

**Motion (Campbell/Huang)**

That Council:

1. Defer consideration of the below point pending the receipt of the ward by ward breakdown of the expenditure of footpaths from September 2019 to date.
2. Place the draft New Footpath Construction Policy on Public Exhibition, with the outcome of this to be reported back to Council.



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**Amendment (Sarkis/Attie)**

That Council:

1. Note that the cost of providing footpaths within the area bound by Hampstead Road, Parramatta Road, Macquarie Road and Rawson Street, Auburn would be \$331,000, and that funding does not exist in the current financial year to deliver these works.
2. Place the draft New Footpath Construction Policy on Public Exhibition, with the outcome of this to be reported back to Council.

The Amendment moved by Councillor Sarkis seconded by Councillor Attie on being Put was declared CARRIED.

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

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

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

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

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

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

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

Councillor(s) Against the Motion: Campbell and Saha.

Councillor Zreika returned to the Meeting via web conferencing at 7:56pm during the consideration of this item. The Mayor, Councillor Christou noted that Councillor Zreika does not have access to a video camera however as he can be heard by Chamber, his vote would be accepted.

Councillor Rahme left the Meeting at 7:59pm and returned to the Meeting at 8:01pm during the consideration of this item.

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**C03/21-692 Quarterly Progress Report on Council Consultative and Advisory Committees**

This item was dealt with earlier in the meeting.



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The Mayor, Councillor Christou closed the meeting at 8:05pm.

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







Item No: C03/21-696

## LEGAL REPORT

Responsible Division: General Manager  
Officer: General Counsel  
File Number: 2041456  
Community Strategic Plan Goal: *Transparent and accountable leadership*

## SUMMARY

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This report provides Council with a summary of legal proceedings in which Council is involved.

## RECOMMENDATION

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**That Council receive the report.**

## REPORT

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This report provides Council with a summary of legal proceedings in which Council is involved. It does not include the following types of legal proceedings:

1. Proceedings that are managed by Council's insurers;
2. Local Court proceedings involving an appeal against a parking fine; and
3. Proceedings for the recovery of debts where those proceedings are being run by Council's external debt collection agency.

The report is current to 5 March 2021. It does not capture changes that have occurred between that date and the date the report is considered by Council.

## COMMUNITY ENGAGEMENT

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

## POLICY IMPLICATIONS

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

## RISK IMPLICATIONS

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



## **FINANCIAL IMPLICATIONS**

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

## **CONCLUSION**

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This is an information report with the legal register of current cases provided as a confidential attachment.

## **ATTACHMENTS**

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1. Legal report (confidential)



Item No: C03/21-697

## MONTHLY MANAGEMENT ACCOUNTS - JANUARY 2021

Responsible Division: Finance & Governance  
Officer: Director Finance & Governance  
File Number: HC-06-13-22  
Community Strategic Plan Goal: *Transparent and accountable leadership*

### SUMMARY

The purpose of this report is to provide an update to Council regarding Council's financial performance.

### RECOMMENDATION

**That Council receive the report.**

### REPORT

The following is the year-to-date (YTD) January 2021 report for Council and attached are the directorate reports. The following table provides a summary of the YTD actual against the approved budget. The YTD actual is favourable to the approved Q2 revised budget by \$2.1 million as at 31 January 2021.

The amount of leave taken has been a large contributor to the savings as Council applied the leave program over 6 months. Council is optimistic that the current budget will be achieved; costs are still being monitored and managed as they have been in the last 12 months. The goal is to reach the \$10 million available cash target earlier than predicted to allow Council to continue to repay the \$21 million in delayed renewal capital sooner.

## EXECUTIVE SUMMARY - PROFIT AND LOSS

The following table provides a summary of YTD Actual against Forecast and reflects a YTD surplus of \$2.1 million as at 31 January 2021.

OPERATING	ORIGINAL BUDGET '\$000	APPROVED BUDGET '\$000	YTD ACTUAL \$000	YTD FORECAST \$000	YTD VARIANCE \$000	VARIANCE %
Operating Income	204,887	203,236	177,053	177,327	(\$274)	-0.2%
Capital Income	18,812	13,515	9,609	7,522	\$2,087	27.7%
Operating Expenses	204,322	203,161	113,011	115,398	\$2,387	2.1%
<b>Surplus/-Deficit</b>	<b>19,377</b>	<b>13,590</b>	<b>73,651</b>	<b>69,452</b>	<b>\$4,199</b>	<b>6.0%</b>
Surplus/-Deficit (Excl. Capital Inc.)	565	75	64,042	61,929	\$2,112	3.4%



**Discussion January Year-to-date*****Operating Income YTD \$177.0m, \$0.3m lower than budget.***

Income is lower than the revised budget as at January 2021 due to timing differences of \$0.3m. These variances are mainly due:

- \$(0.18)m for Rates, mainly due to rates income timing differences.
- \$(0.30)m Other Revenue, due to fines \$0.2m and leases \$0.1m.
- \$0.11m User fees, due to food and health premises fees returning to normal levels.
- \$0.17m, additional funds waste grants and safety grants received earlier than planned.

***Operating Expenses YTD \$113.01m, \$2.3m better than budget.***

The expenses are \$2.3m lower than the budget due to the following:

- Employee Costs \$1.4m – There are vacancies of \$0.6m in Community and Organisational Development and \$0.3m in the General Manager's budgets and \$0.3m in Finance and Governance and \$0.1m in Works and Infrastructure.
- Other Expenses \$0.7m – There was a timing difference for function costs \$0.13m, postage \$0.1m and utilities \$0.2m and other minor variances totalling \$0.3m.
- Material Contracts \$0.4m – Waste timing differences \$0.6m offset by over budget spend facilities contractors \$0.2m.

**POLICY IMPLICATIONS**

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

**RISK IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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There are no financial implications for Council associated with this report. The revenue and expenses will remain closely monitored.

**CONCLUSION**

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The January year-to-date recurring budget position is 3.4% favourable to the budget. There is an expectation that 1.2% of this is related to timing differences, which means the savings are still around 2.2%. Council will recommend that these savings are adopted into the Q2 revised budget.



## ATTACHMENTS

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1. Month Performance Report - Directors [↓](#)







DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-697

Attachment 1  
Month Performance Report -  
Directors







DIRECTORATE FINANCIAL PERFORMANCE

Works & Infrastructure	YTD ACTUAL \$m	YTD FORECAST \$m	VARIANCE Better/ (Worse) \$m	ORIGINAL BUDGET \$m	APPROVED Q2 Revised BUDGET \$m	VARIANCE Better/ (Worse) \$m
Rates & Annual	41.43	41.46	(0.03)	40.10	41.59	1.49
User charges	6.22	6.21	0.00	10.99	9.89	(1.10)
Interest	0.00	0.01	(0.01)	0.05	0.02	(0.03)
Other revenue	4.90	5.03	(0.13)	7.89	8.46	0.57
Operating Grants	2.12	2.10	0.02	4.69	4.70	0.01
Capital Grants	1.79	2.22	(0.44)	0.72	4.23	3.51
<b>Total Operating Income</b>	<b>56.46</b>	<b>57.03</b>	<b>(0.57)</b>	<b>64.44</b>	<b>68.88</b>	<b>4.44</b>
Employee costs	18.30	18.44	0.14	33.42	31.92	1.51
Borrowing Costs	0.05	0.06	0.01	0.00	0.11	(0.11)
Materials	28.76	29.01	0.25	53.07	52.61	0.45
Other expenses	3.62	3.77	0.15	7.04	6.92	0.12
Depreciation	19.62	19.69	0.07	30.83	33.65	(2.82)
Internal charges	5.64	5.63	(0.01)	9.40	9.64	(0.24)
<b>Total Operating Expenses</b>	<b>76.00</b>	<b>76.60</b>	<b>0.61</b>	<b>133.76</b>	<b>134.85</b>	<b>(1.09)</b>
Surplus/(Deficit)	(19.54)	(19.57)	0.03	(69.32)	(65.97)	3.35
Surplus/(Deficit (Excl. Capital Inc.))	(21.33)	(21.80)	0.47	(70.04)	(70.21)	(0.16)

Community Development	YTD ACTUAL \$m	YTD FORECAST \$m	VARIANCE Better/ (Worse) \$m	ORIGINAL BUDGET \$m	APPROVED Q2 Revised BUDGET \$m	VARIANCE Better/ (Worse) \$m
User charges	6.52	6.48	0.04	14.41	12.65	(1.77)
Other revenue	0.13	0.13	0.00	0.31	0.19	(0.11)
Operating Grants	4.42	4.35	0.07	2.28	5.47	3.19
Capital Grants	0.19	0.21	(0.01)	0.00	0.21	0.21
<b>Total Operating Income</b>	<b>11.27</b>	<b>11.16</b>	<b>0.11</b>	<b>17.00</b>	<b>18.52</b>	<b>1.52</b>
Employee costs	14.10	14.72	0.62	26.16	25.23	0.93
Materials	0.97	0.98	0.01	1.44	2.16	(0.72)
Other expenses	1.03	1.33	0.31	4.79	3.66	1.13
Depreciation	0.27	0.26	(0.01)	0.45	0.45	0.00
Internal charges	2.91	2.88	(0.03)	5.19	4.98	0.21
<b>Total Operating Expenses</b>	<b>19.28</b>	<b>20.17</b>	<b>0.89</b>	<b>38.02</b>	<b>36.49</b>	<b>1.54</b>
Surplus/(Deficit)	(8.01)	(9.01)	1.00	(21.03)	(17.97)	3.06
Surplus/(Deficit (Excl. Capital Inc.))	(8.20)	(9.21)	1.01	(21.03)	(18.17)	2.85

Finance & Governance	YTD ACTUAL \$m	YTD FORECAST \$m	VARIANCE Better/ (Worse) \$m	ORIGINAL BUDGET \$m	APPROVED Q2 Revised BUDGET \$m	VARIANCE Better/ (Worse) \$m
Rates & Annual	100.44	100.60	(0.15)	100.59	100.93	0.33
User charges	0.74	0.69	0.05	1.62	1.37	(0.24)
Interest	1.48	1.54	(0.06)	3.01	2.42	(0.60)
Other revenue	1.16	1.31	(0.15)	3.23	3.23	(0.00)
Operating Grants	3.63	3.58	0.05	10.77	6.29	(4.48)
Capital Grants	1.09	0.42	0.67	0.00	0.87	0.87
<b>Total Operating Income</b>	<b>108.54</b>	<b>108.14</b>	<b>0.41</b>	<b>119.22</b>	<b>115.10</b>	<b>(4.12)</b>
Employee costs	5.74	6.02	0.27	10.53	10.35	0.18
Borrowing costs	0.72	0.72	0.00	1.03	1.09	(0.06)
Materials	0.85	1.02	0.17	2.14	2.16	(0.02)
Other expenses	7.36	7.46	0.10	12.64	11.98	0.66
Depreciation	1.77	1.70	(0.07)	2.30	2.90	(0.60)
Internal charges	(10.69)	(10.68)	0.02	(18.38)	(18.30)	(0.08)
<b>Total Operating Expenses</b>	<b>5.75</b>	<b>6.25</b>	<b>0.49</b>	<b>10.25</b>	<b>10.18</b>	<b>0.07</b>
Surplus/(Deficit)	102.79	101.89	0.90	108.97	104.92	(4.05)
Surplus/(Deficit (Excl. Capital Inc.))	101.70	101.47	0.23	108.97	104.06	(4.91)



Environment & Planning	YTD ACTUAL \$m	YTD FORECAST \$m	VARIANCE Better/ (Worse) \$m	ORIGINAL BUDGET '\$m	APPROVED Q2 Revised BUDGET '\$m	VARIANCE Better/ (Worse) \$m
User charges	2.15	2.14	0.01	3.62	3.61	(0.01)
Other revenue	0.14	0.16	(0.02)	0.26	0.25	(0.01)
Operating Grants	0.95	0.93	0.02	0.28	1.38	1.11
Capital Grants	6.54	4.67	1.86	18.09	8.21	(9.88)
<b>Total Operating Income</b>	<b>9.78</b>	<b>7.90</b>	<b>1.88</b>	<b>22.24</b>	<b>13.46</b>	<b>(8.79)</b>
Employee costs	5.42	5.46	0.04	9.66	9.38	0.28
Materials	0.72	0.98	0.26	1.35	2.25	(0.91)
Other expenses	0.06	0.06	0.01	0.40	0.44	(0.05)
Internal charges	3.10	3.07	(0.03)	5.40	5.32	0.08
<b>Total Operating Expenses</b>	<b>9.30</b>	<b>9.57</b>	<b>0.28</b>	<b>16.80</b>	<b>17.40</b>	<b>(0.60)</b>
Surplus/(Deficit)	0.49	(1.67)	2.16	5.44	(3.95)	(9.39)
Surplus/(Deficit (Excl. Capital Inc.))	(6.05)	(6.34)	0.30	(12.65)	(12.15)	0.49

General Manager	YTD ACTUAL \$m	YTD FORECAST \$m	VARIANCE Better/ (Worse) \$m	ORIGINAL BUDGET '\$m	APPROVED Q2 Revised BUDGET '\$m	VARIANCE Better/ (Worse) \$m
Other revenue	0.03	0.04	(0.01)	0.10	0.10	(0.00)
Operating Grants	0.58	0.58	0.00	0.69	0.69	0.00
<b>Total Operating Income</b>	<b>0.61</b>	<b>0.62</b>	<b>(0.01)</b>	<b>0.79</b>	<b>0.79</b>	<b>(0.00)</b>
Employee costs	2.55	2.90	0.35	5.68	4.36	1.32
Materials	0.64	0.37	(0.27)	0.43	0.63	(0.20)
Other expenses	0.44	0.51	0.07	0.97	0.89	0.08
Depreciation	0.00	0.00	(0.00)	0.01	0.00	0.01
Internal charges	(0.95)	(0.97)	(0.03)	(1.60)	(1.64)	0.04
<b>Total Operating Expenses</b>	<b>2.69</b>	<b>2.81</b>	<b>0.12</b>	<b>5.48</b>	<b>4.24</b>	<b>1.24</b>
Surplus/(Deficit)	(2.08)	(2.19)	0.11	(4.69)	(3.45)	1.24
Surplus/(Deficit (Excl. Capital Inc.))	(2.08)	(2.19)	0.11	(4.69)	(3.45)	1.24



Item No: C03/21-698

## **INVESTMENT REPORT - FEBRUARY 2021**

Responsible Division: Finance & Governance  
 Officer: Director Finance & Governance  
 File Number: A-05-01/05  
 Community Strategic Plan Goal: *Transparent and accountable leadership*

### **SUMMARY**

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This is a report from the Director Finance & Governance providing an update on the performance of Council's investment portfolio to 28 February 2021.

### **RECOMMENDATION**

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**That Council receive the report.**

### **REPORT**

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Included in this report are the following items that highlight Council's investment portfolio performance for the month, year-to-date to 28 February 2021 and an update of the investment environment.

#### ***Council Investments as at 28 February 2021***

Council's investment portfolio has a current market value of \$143,641,343. This represents a premium of \$1,242,282 above the face value of the portfolio being \$142,399,060 and generates a 0.57% 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	5,093,380	3.0474
Cash	33,209,283	33,209,283	0.3950
Floating Rate Note	33,750,000	34,196,260	1.0276
Managed Funds	16,689,778	16,689,778	- 3.3613
Term Deposit	54,000,000	54,452,642	1.3998
	<b>142,399,060</b>	<b>143,641,343</b>	<b>0.5742</b>



## ***Investment Portfolio Performance***

The investment returns for the month, year-to-date of 28 February outperformed the Year to date benchmark and saw a small underperformance in the current month due to a fall of 0.5% in the MTGF. There was also an unexpected increase in the market interest rates towards the end of February with the Australian 10 year swap rate rising from 1.10% to a high of 1.95% during the month. This has a short term impact it is a positive sign of the recovery starting to be priced into economy.

### Performance – Current Month 28 February 2021

For the month of February, Council's portfolio generated interest earnings of \$66,911. This is \$58,923 lower than the budget of \$125,834 and underperformed against the AusBond Bank Bill Index by 0.01%, as detailed below:-

Monthly Results	Income	Budget	Variance	Portfolio Performance	AusBond BB Index	Underperformance
Total Portfolio	66,911	125,834	- 58,923	-0.01%	0.00%	-0.01%

### Performance – Year-to-date 28 February 2021

For the year-to-date, Council's portfolio generated interest earnings of \$1,424,738. This is \$278,092 higher than the budget of \$1,146,646 and outperformed the AusBond Bank Bill Index by 1.22%, as per below:-

FYTD Results	Income	Budget	Variance	Portfolio Performance	AusBond BB Index	Outperformance
Total Portfolio	1,424,738	1,146,646	278,092	1.27%	0.05%	1.22%

## **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 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**

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

**CONCLUSION**

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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**

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1. Investment Report February 2021 [↓](#)
2. Investment Portfolio Commentary February 2021 [↓](#)







DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-698

Attachment 1  
Investment Report February 2021









**Investment Summary Report  
February 2021**



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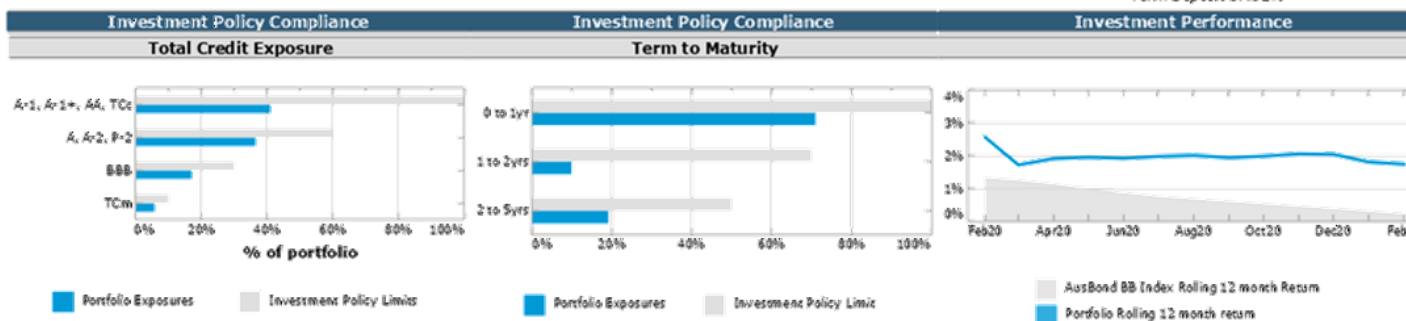
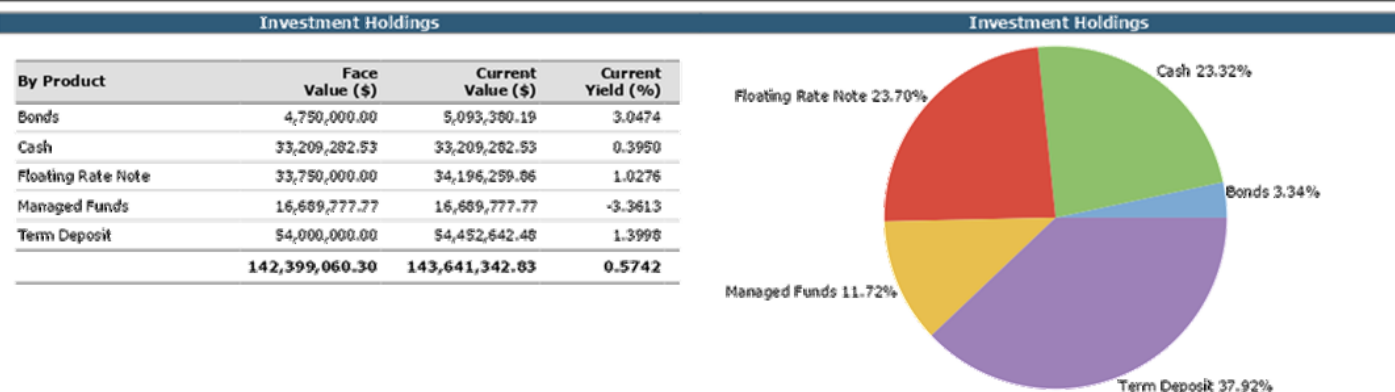


**Cumberland Council**  
Investment Summary Report - February 2021**Contents**

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**Cumberland Council**  
Executive Summary - February 2021



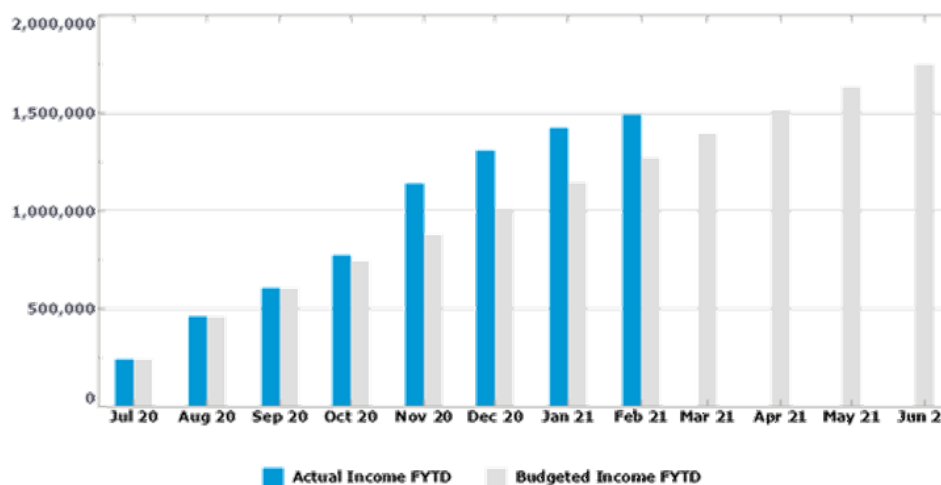


**Cumberland Council**  
Actual Interest Report - February 2021



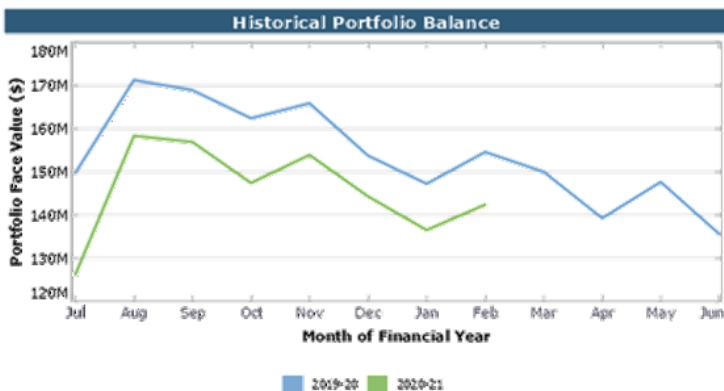
**Budgeted vs Actual Returns**

	Monthly Income	YTD Actual	YTD Budgeted
July 2020	241,669	241,669	241,669
August 2020	218,847	460,516	460,516
September 2020	145,297	605,813	605,813
October 2020	167,867	773,680	744,146
November 2020	366,043	1,139,723	879,980
December 2020	169,484	1,309,206	1,013,313
January 2021	115,531	1,424,736	1,146,646
February 2021	66,911	1,491,650	1,272,480





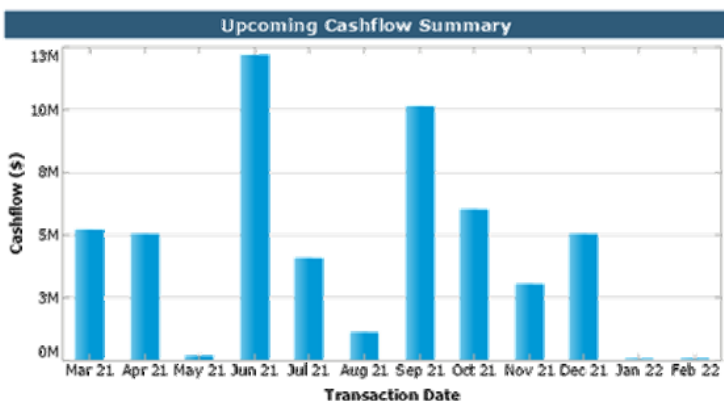
**Cumberland Council**  
Investment Cashflows - February 2021



**Historical Portfolio Balance**

	2020-21	2019-20
July	126,316,815	149,746,425
August	158,305,957	171,194,994
September	156,863,144	168,825,526
October	147,404,163	162,351,811
November	153,875,260	165,813,514
December	144,298,002	153,714,732
January	136,521,059	147,208,069
February	142,399,060	154,552,547
March		149,988,069
April		139,269,346
May		147,636,618
June		135,604,806

Average 12 month Portfolio Balance 145,618,065

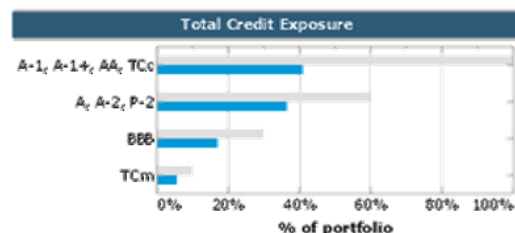


**Upcoming Cashflow Summary**

	Amount
March 21	5,229,154
April 21	5,044,007
May 21	179,823
June 21	12,196,573
July 21	4,086,924
August 21	1,115,907
September 21	10,155,725
October 21	6,030,954
November 21	3,048,130
December 21	5,042,156
January 22	59,862
February 22	64,947

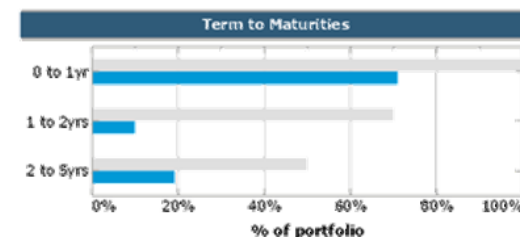


**Cumberland Council**  
Investment Policy Compliance Report - February 2021



■ Portfolio Exposure ■ Investment Policy Limit

Credit Rating		Exposures		Policy Max	
		(\$)	(%)		
Long Term	AA	11,750,000			
Short Term	A-1	1,000,000			
Short Term	A-1+	36,896,083			
Short Term	TCc	8,600,292			
		<b>58,246,375</b>	<b>41%</b>	<b>100%</b>	<b>0</b>
Long Term	A	5,500,000			
Short Term	A-2	44,313,199			
Short Term	P-2	2,100,000			
		<b>51,913,199</b>	<b>36%</b>	<b>60%</b>	<b>0</b>
Long Term	BBB	24,150,000			
		<b>24,150,000</b>	<b>17%</b>	<b>30%</b>	<b>0</b>
Short Term	TCM	8,089,486			
		<b>8,089,486</b>	<b>6%</b>	<b>10%</b>	<b>0</b>
		<b>142,399,060</b>	<b>100%</b>		



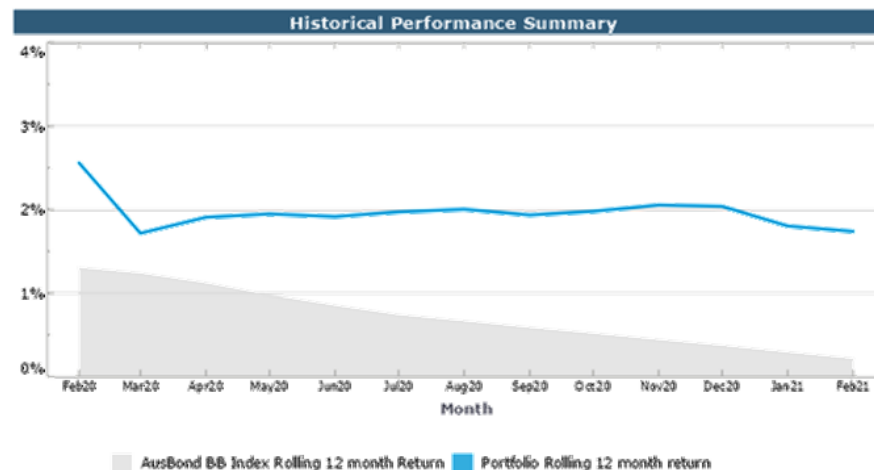
■ Portfolio Exposure ■ Investment Policy Limit

Policy Minimum		Exposures		Min
		(\$)	(%)	(%)
Less than 3 months		59,999,060	42%	10% 0
Between 3 months and 1 year		41,000,000	29%	20% 0
Policy Maximum		Exposures		Max
		(\$)	(%)	(%)
Between 1 and 2 years		14,150,000	10%	70% 0
Between 2 and 5 years		27,250,000	19%	50% 0
		<b>142,399,060</b>		

0 = compliant  
0 = non compliant



**Cumberland Council**  
Investment Performance Report - February 2021



Historical Performance Summary (Annualised)					
	1 Month	3 Months	6 Months	FYTD	12 months
Portfolio Return (1)	-0.14%	0.62%	1.44%	1.89%	1.74%
Index Return (2)	-0.01%	0.01%	0.06%	0.07%	0.21%
Outperformance (3)	-0.13%	0.61%	1.38%	1.82%	1.53%

(1) Portfolio Return is the annualised rate of return for the portfolio for the specified period  
 (2) The Index Return is the Bloomberg AusBond Bank Bill Index  
 (3) Outperformance is the excess of the Portfolio Return over the Index Return

Historical Performance Summary (actual)					
	1 Month	3 Months	6 Months	FYTD	12 months
Portfolio Return (1)	-0.01%	0.15%	0.71%	1.25%	1.74%
Index Return (2)	-0.00%	0.00%	0.03%	0.05%	0.21%
Outperformance (3)	-0.01%	0.15%	0.68%	1.20%	1.53%

(1) Portfolio Return is the annualised rate of return for the portfolio for the specified period  
 (2) The Index Return is the Bloomberg AusBond Bank Bill Index  
 (3) Outperformance is the excess of the Portfolio Return over the Index Return



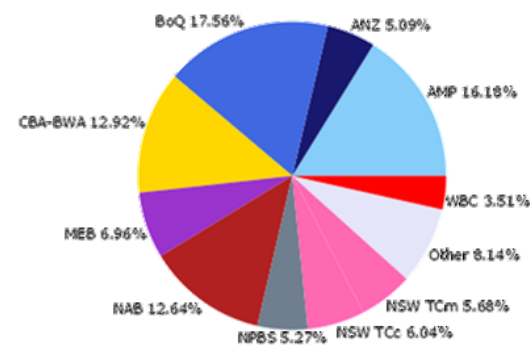
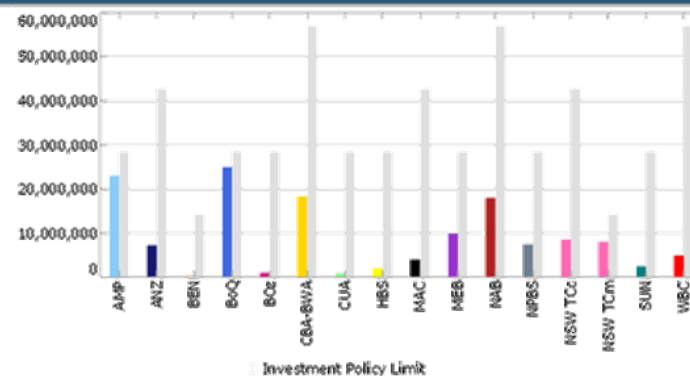
**Cumberland Council**  
Individual Institutional Exposures Report - February 2021



Individual Institutional Exposures

Parent Group	Credit Rating	Portfolio Exposure (\$)	% of portfolio
AMP Bank	A-2, BBB	23,045,435	16%
ANZ Group	A-1+, AA-	7,250,000	5%
Bank Australia	A-2, BBB	1,000,000	1%
Bank of Queensland	A-2, BBB+	25,000,000	18%
Bendigo and Adelaide Bank	A-2, BBB+	1,000,000	1%
Commonwealth Bank of Australia	A-1+, AA-	18,396,083	13%
Credit Union Australia	A-2, BBB	1,000,000	1%
Heritage Bank	P-2, Baa1	2,100,000	1%
Macquarie Bank	A-1, A+	4,000,000	3%
Members Equity Bank	A-2, BBB	9,917,764	7%
National Australia Bank	A-1+, AA-	18,000,000	13%
Newcastle Permanent Building Society	A-2, BBB	7,500,000	5%
NSW T-Corp (Cash)	TCc, TCc	8,600,292	6%
NSW T-Corp (MT)	TCm, TCm	8,089,486	6%
Suncorp Bank	A-1, A+	2,500,000	2%
Westpac Group	A-1+, AA-	5,000,000	4%
		<b>142,399,060</b>	

Individual Institutional Exposure Charts





**Cumberland Council**  
Investment Summary Report - February 2021



**Cash Accounts**

Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
10,146,083.16	0.0000%	Commonwealth Bank of Australia	A-1+	10,146,083.16	250385	3010516
5,750,000.00	0.1000%	Commonwealth Bank of Australia	A-1+	5,750,000.00	533672	3010516
3,267,764.43	0.4000%	ME Bank	A-2	3,267,764.43	539882	3040620
14,045,434.94	0.8000%	AMP Bank	A-2	14,045,434.94	540125	3180820
<b>33,209,282.53</b>	<b>0.3950%</b>			<b>33,209,282.53</b>		

**Managed Funds**

Face Value (\$)	Monthly Return (%)	Institution	Credit Rating	Fund Name	Current Value (\$)	Deal No.	Capital Base (\$)	Reference
5,450,896.72	-0.0017%	NSW T-Corp (Cash)	TCc	Cash Fund	5,450,896.72	204877	4,985,681.91	3120516
3,149,395.16	-0.0593%	NSW T-Corp (Cash)	TCc	Short Term Income Fund	3,149,395.16	204878	2,734,286.39	3120516
8,089,485.89	-0.5240%	NSW T-Corp (MT)	TCm	Medium Term Growth Fund	8,089,485.89	538647	8,000,000.00	3021019
<b>16,689,777.77</b>					<b>16,689,777.77</b>			

**Term Deposits**

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
8-Mar-21	3,000,000.00	2.8500%	Newcastle Permanent Building Society	A-2	3,000,000.00	6-Mar-19	3,084,328.77	537619	84,328.77	Annually	3060319
19-Apr-21	4,000,000.00	0.7300%	National Australia Bank	A-1+	4,000,000.00	26-Aug-20	4,014,960.00	540147	14,960.00	At Maturity	3260820
7-Jun-21	4,000,000.00	1.1500%	ME Bank	A-2	4,000,000.00	2-Jun-20	4,034,279.45	539885	34,279.45	At Maturity	3020620
8-Jun-21	2,000,000.00	3.1400%	Westpac Group	A-1+	2,000,000.00	8-Jun-18	2,014,280.55	536727	14,280.55	Quarterly	3080618
28-Jun-21	2,000,000.00	2.0500%	Bank of Queensland	A-2	2,000,000.00	27-Jun-19	2,027,520.55	538086	27,520.55	Annually	3270619
30-Jun-21	4,000,000.00	0.8000%	National Australia Bank	A-1+	4,000,000.00	2-Sep-20	4,015,780.82	540181	15,780.82	At Maturity	3020920
12-Jul-21	4,000,000.00	0.8000%	National Australia Bank	A-1+	4,000,000.00	2-Sep-20	4,015,780.82	540180	15,780.82	At Maturity	3020920
27-Sep-21	4,000,000.00	0.7600%	National Australia Bank	A-1+	4,000,000.00	14-Sep-20	4,013,992.33	540238	13,992.33	At Maturity	3140920
4-Oct-21	3,000,000.00	1.7000%	Bank of Queensland	A-2	3,000,000.00	4-Sep-19	3,024,871.23	538486	24,871.23	Annually	3040919
11-Oct-21	3,000,000.00	1.7000%	Bank of Queensland	A-2	3,000,000.00	4-Sep-19	3,024,871.23	538486	24,871.23	Annually	3040919



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**Cumberland Council**  
Investment Summary Report - February 2021



**Term Deposits**

Maturity Date	Face Value (\$)	Rate (%pa)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency	Reference
19-Nov-21	3,000,000.00	0.6000%	Westpac Group	A-1+	3,000,000.00	19-Nov-20	3,005,030.14	540563	5,030.14	At Maturity	3191120
15-Dec-21	4,000,000.00	0.7500%	AMP Bank	A-2	4,000,000.00	15-Dec-20	4,006,246.58	540706	6,246.58	At Maturity	3151220
21-Dec-21	1,000,000.00	0.7500%	Macquarie Bank	A-1	1,000,000.00	21-Dec-20	1,001,438.36	540719	1,438.36	At Maturity	3211220
23-May-22	2,000,000.00	2.4000%	Bank of Queensland	BBB+	2,000,000.00	24-May-19	2,036,821.92	537973	36,821.92	Annually	3240519
30-May-22	2,000,000.00	2.4000%	Bank of Queensland	BBB+	2,000,000.00	30-May-19	2,036,295.89	537991	36,295.89	Annually	3300519
14-Jun-22	2,000,000.00	2.2500%	Bank of Queensland	BBB+	2,000,000.00	11-Jun-19	2,032,424.66	538030	32,424.66	Annually	3110619
24-Aug-22	5,000,000.00	0.9500%	Bank of Queensland	BBB+	5,000,000.00	24-Aug-20	5,024,595.89	540138	24,595.89	Annually	3240820
22-May-23	2,000,000.00	2.5500%	Bank of Queensland	BBB+	2,000,000.00	24-May-19	2,039,123.29	537974	39,123.29	Annually	3240519
<b>54,000,000.00</b>		<b>1.3998%</b>			<b>54,000,000.00</b>		<b>54,452,642.48</b>		<b>452,642.48</b>		

**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 Date	Reference
29-Mar-21	2,100,000.00	1.2500%	HBS Snr FRN (Mar21) BBSW+1.23%	P-2	2,100,000.00	29-Mar-18	2,106,052.82	536457	4,458.90	29-Mar-21	3290318
16-Apr-21	1,000,000.00	1.2800%	ME Bank Snr FRN (Apr21) BBSW+1.27%	A-2	1,000,000.00	17-Apr-18	1,002,776.95	536509	1,472.88	16-Apr-21	3170418
30-Aug-21	1,000,000.00	1.3300%	BOZ "SRI" Snr FRN (Aug21) BBSW+1.30%	A-2	1,000,000.00	30-Aug-18	1,004,559.32	536987	109.32	31-May-21	3300818
6-Sep-21	1,000,000.00	1.2691%	CUA Snr FRN (Sep21) BBSW+1.25%	A-2	1,000,000.00	6-Sep-18	1,008,380.67	537050	2,920.67	8-Mar-21	3060918
10-Sep-21	2,000,000.00	1.1000%	AMP Snr FRN (Sep21) BBSW+1.08%	A-2	2,000,000.00	10-Sep-18	2,007,822.19	537065	4,882.19	10-Mar-21	3100918
10-Sep-21	3,000,000.00	1.1000%	AMP Snr FRN (Sep21) BBSW+1.08%	A-2	3,021,240.00	31-May-19	3,011,733.29	537992	7,323.29	10-Mar-21	3310519
18-Jul-22	1,650,000.00	0.9900%	ME Bank Snr FRN (Jul22) BBSW+0.98%	BBB	1,650,000.00	18-Jul-19	1,665,888.14	538175	1,879.64	19-Apr-21	3180719
25-Jan-23	1,000,000.00	1.0603%	BEN Snr FRN (Jan23) BBSW+1.05%	BBB+	1,000,000.00	25-Jan-18	1,014,996.73	536142	1,016.73	27-Apr-21	3250118
6-Feb-23	500,000.00	1.4098%	NPBS Snr FRN (Feb23) BBSW+1.40%	BBB	501,370.00	21-Mar-18	508,265.56	536444	405.56	6-May-21	3210318



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**Cumberland Council**  
Investment Summary Report - February 2021



**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 Reference Date
9-May-23	3,000,000.00	0.9097%	ANZ Snr FRN (May23) BBSW+0.90%	AA-	3,000,000.00	9-May-18	3,046,525.40	536562	1,495.40	10-May-21 3090518
19-Jun-24	2,000,000.00	0.9338%	NAB Snr FRN (Jun24) BBSW+0.92%	AA-	2,000,000.00	19-Jun-19	2,042,921.70	538035	3,581.70	19-Mar-21 3190619
18-Jul-24	4,000,000.00	1.0400%	BoQ Snr FRN (Jul24) BBSW+1.03%	BBB+	4,021,640.00	29-Aug-19	4,089,166.85	538417	4,786.85	19-Apr-21 3290819
30-Jul-24	2,500,000.00	0.7900%	SUN Snr FRN (Jul24) BBSW+0.78%	A+	2,495,800.00	12-Aug-19	2,533,802.40	538383	1,677.40	30-Apr-21 3120819
7-Aug-24	3,000,000.00	0.8098%	MAC Snr FRN (Aug24) BBSW+0.80%	A+	3,000,000.00	7-Aug-19	3,041,154.64	538349	1,397.74	7-May-21 3070819
29-Aug-24	2,000,000.00	0.8000%	ANZ Snr FRN (Aug24) BBSW+0.77%	AA-	2,000,000.00	29-Aug-19	2,031,418.13	538412	131.51	31-May-21 3290819
4-Feb-25	4,000,000.00	1.1297%	NPBS Snr FRN (Feb25) BBSW+1.12%	BBB	4,000,000.00	4-Feb-20	4,080,775.07	539180	3,095.07	4-May-21 3040220
<b>33,750,000.00</b>		<b>1.0276%</b>			<b>33,790,050.00</b>		<b>34,196,259.86</b>		<b>40,634.85</b>	

**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
11-Jan-24	2,500,000.00	3.0000%	CBA Snr Bond (Jan24) 3.00%	AA-	2,500,000.00	11-Jan-19	2,678,796.15	537455	10,096.15	3.1850%	3110119
8-Feb-24	2,250,000.00	3.1000%	ANZ Snr Bond (Feb24) 3.10%	AA-	2,250,000.00	8-Feb-19	2,414,584.04	537488	4,024.04	3.1125%	3080219
<b>4,750,000.00</b>		<b>3.0474%</b>			<b>4,750,000.00</b>		<b>5,093,380.19</b>		<b>14,120.19</b>	<b>3.1507%</b>	







DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-698

Attachment 2  
Investment Portfolio Commentary  
February 2021









## **Cumberland Council Economic and Investment Portfolio Commentary February 2021**

### **Global issues:**

- Globally, the pace of the Covid-19 vaccine roll out picked up during the month. While still in early stages, optimism is beginning to pick up in hard hit industries such as travel and entertainment. Economists are looking at the second half of 2021 being particularly strong as consumer pent-up demand is expected to surge.
- In the US, President Biden's US\$1.9T stimulus/recovery package appears to have a good chance of being passed. Despite some parts of the package likely to be scrapped to get through the Senate, the spending plan has the financial markets anticipating inflationary pressures reflected by the US 10yr Treasury yield sitting at a 12 month high of 1.40% by the end of the month.
- In Europe, GDP data recorded better than expected results, albeit still negative 0.7% for the quarter. Meanwhile, inflation among the 27 European countries averaged 1.2% and economic confidence surveys showed modest improvement.

### **Domestic issues:**

- In Australia, labour statistics continue to show solid gains with another 29,000 jobs added and the unemployment rate declining to 6.4%. Over 90% of the jobs lost in the 2020 lockdowns have been recovered.
- Despite the positive trend in employment data, economists warn that Australia remains a long way off from sub-5% unemployment and any sustained wage growth inflation. Other solid economic data, such as retail sales, is also being tempered with warnings that the government's temporary fiscal and monetary stimulus measures are still playing a significant role in their upward trends.
- The Australian share market held onto modest gains after losing ground from mid-month highs. The AUD/USD ended February at 0.77c with economists forecasting 0.80c to be reached in the coming months.

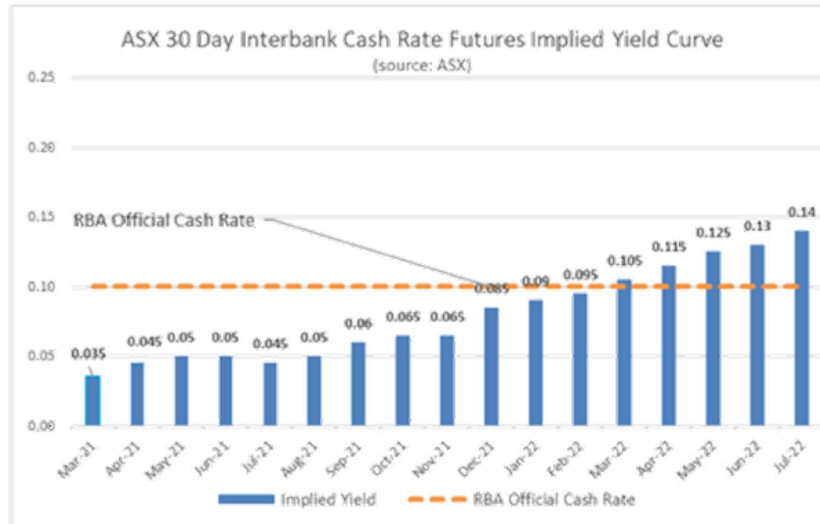
### **Interest rates**

- At the end of February, the Australian 10 year swap rate rose from 1.10% to a high of 1.95% mirroring trends in the US as markets started to price in higher inflation due successful vaccine rollouts and forecasts of a solid economic rebound in 2021. Nevertheless, central bankers remain sceptical that any sustainable inflation is on the horizon and believe the market may be getting ahead of itself.
- The 3 month bank bill rate also jumped to 0.03% on the last day of February, its highest level since early November. As with all fixed rate securities, a rise in yield corresponds to a fall in the dollar value of the security. Consequently, the benchmark 3 month Bloomberg Bank Bill Index, a marked-to-market index of the previous 13 week's 3 month bank bills, made its first ever monthly negative return as all existing bank bills in the index were revalued lower due to the market rate jumping up from 0.01% to 0.03%.

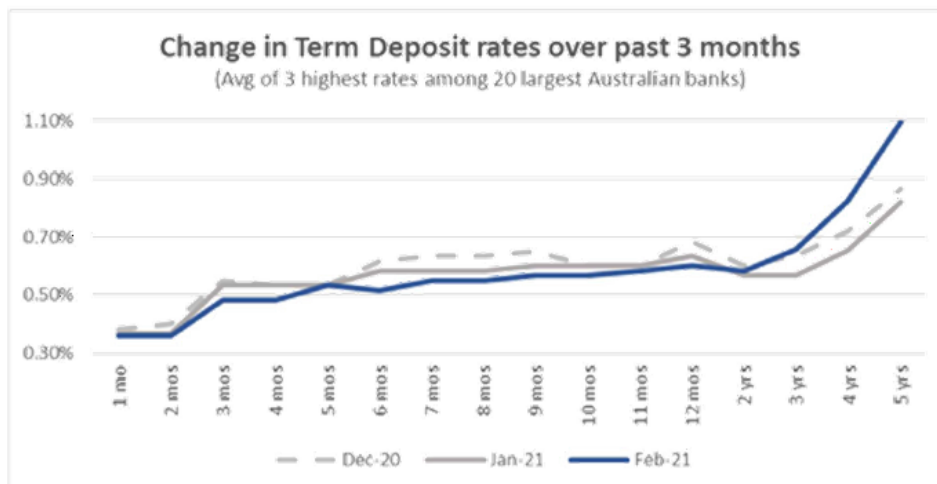




- The RBA kept the official cash rate at 0.10% at its first meeting of 2021. The post-meeting statement noted that despite encouraging signs of the economy rebounding quicker than expected, there would be no rate increases until wage growth inflation was materially higher than current levels.



- In February, average TD rates in the 1-12 month range slipped backward by an average of 3 basis points (0.03%). Meanwhile, the surge in long dated interest rates off the back of economic optimism pushed up term deposit rates in 2-5yr range with 5yr TDs up an average of 0.27% to 1.09%:







### Investment Portfolio Commentary

Council's investment portfolio posted a return of -0.14%pa for the month of February versus the bank bill index benchmark return of -0.01%pa. For the past 12 months, the investment portfolio returned 1.74%pa, exceeding the bank bill index benchmark's 0.21%pa by 1.53%pa.

Without marked-to-market influences, Council's investment portfolio yielded 1.06%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 February, Council's investment portfolio had \$7m in maturities between a 5 month TD paying 0.73%pa and a 2yr TD paying 2.95%pa. Currently, a good 5 month TD rate is 0.45%pa and a good 2yr rate is 0.60%pa, indicative of the sharp drop in TD rates across the market. No new TD or bond investments were made during the month.

The TCorpIM MT Growth Fund fell 0.5% in February. The Australian share market gained 1.4% for the month with Materials (+7.1%) the best performing sector as the price of base metals and iron ore surged during the month. Financial stocks (+5.2%) also gained as the major banks reported further falls in Covid-related loan deferrals. IT (-8.0%) and Utilities (-8.0%) were the worst performing sectors. Overseas markets were generally stronger with the US S&P 500 (2.8%), European S&P350 (+2.7%) and Japanese S&P 500 (+3.4%) all up while the Chinese S&P 300 (-0.6%) fell slightly. Despite this, a stronger AUD during the month moderated unhedged international share performance.

Council has a well-diversified portfolio invested among a range of term deposits and floating rate notes from highly rated Australian ADIs. 83% 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: C03/21-699

## **45 BARCOM STREET, MERRYLANDS WEST - DRAFT VOLUNTARY PLANNING AGREEMENT AND DRAFT DEVELOPMENT CONTROL PLAN**

Responsible Division: Environment & Planning  
Officer: Director Environment & Planning  
File Number: PP2020/0011  
Community Strategic Plan Goal: *A resilient built environment*

### **SUMMARY**

---

Following the endorsement by Council and Gateway Determination regarding the revised planning proposal for 45 Barcom Street, Merrylands West, a public benefit offer has been proposed by the proponent for a monetary contribution towards local infrastructure upgrades in the Merrylands West area, as well as a monetary contribution towards the Duck River Masterplan. Council officers have reviewed the updated offer and determined that it is consistent with the Cumberland Planning Agreements Policy and Guidelines. A draft Voluntary Planning Agreement has been prepared to reflect the offer.

A draft site-specific Development Control Plan has also been prepared, as resolved by Council, to guide the redevelopment of the site.

It is recommended that Council endorse in-principle the updated offer, draft Voluntary Planning Agreement, and draft site-specific Development Control Plan provisions prepared for the planning proposal. Subject to Council's endorsement of the above, the draft Voluntary Planning Agreement and draft site-specific Development Control Plan will be exhibited as part of the post-Gateway exhibition of the planning proposal.

### **RECOMMENDATION**

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#### **That Council:**

- 1. Endorse in-principle the public benefit offer from the applicant of 45 Barcom Street, Merrylands West, for a monetary contribution towards local infrastructure upgrades in the Merrylands West area, as well as a monetary contribution towards the Duck River Masterplan;**
- 2. Endorse that the draft Voluntary Planning Agreement and draft site-specific Development Control Plan for 45 Barcom Street, Merrylands West, be publicly exhibited for a period of 28 days in accordance with statutory and policy requirements; and**
- 3. Note that the planning proposal for 45 Barcom Street, Merrylands West, will be placed on Post-Gateway public exhibition at the same time as the exhibition of the draft Voluntary Planning Agreement and draft site-specific Development Control Plan.**



## REPORT

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### **Context**

In September 2019, a Planning Proposal Request for 45 Barcom Street, Merrylands West was lodged. The proposal sought to amend the *Holroyd Local Environment Plan (LEP) 2013* for 45 Barcom Street, Merrylands West to rezone the land, increase the existing Height of Building (HoB) controls, increase the existing Floor Space Ratio (FSR) controls of the site and add a clause to Part 6 Additional Local Provisions to include 1,480m<sup>2</sup> of retail/commercial uses (formerly referred to as non-residential uses) as per the Gateway Determination issued.

The proposal seeks to facilitate the redevelopment of the existing Cardinal Gilroy Village land at 45 Barcom Street, Merrylands West to build a new seniors housing development that involves the construction of 17 buildings that range from 2 to 5 storeys, community facilities (1,311m<sup>2</sup>) and commercial/retail uses (1,480m<sup>2</sup>) with onsite open space and car parking.

The draft Voluntary Planning Agreement negotiated for 45 Barcom Street will result in 26,040sqm of additional residential Gross Floor Area (GFA) to accommodate approximately 224 additional independent living units (approximately 460 living units in total), and an additional 25 bed residential aged care facility (approximately 148 beds in total). This also includes a small portion of community facilities and retail/commercial uses to facilitate the redevelopment of the site.

The site's maximum permitted Gross Floor Area (GFA) proposed is 63,240m<sup>2</sup>.

The planning proposal was endorsed by Council in April 2020 and forwarded to the Department of Planning, Industry and Environment for a Gateway Determination. A Gateway Determination was issued by the Department in July 2020, authorising Council to proceed to exhibition with its planning proposal for 45 Barcom Street, Merrylands West.

### **Proposed Offer and Public Benefit**

The proponent has provided a public benefit offer to Council (Attachment 1) following a resolution from Council in April 2020 to derive public benefit, and as per recommendations of the Cumberland Local Planning Panel. The letter of offer proposes a monetary contribution to the funding of local infrastructure upgrades in the Merrylands West area, such as road and traffic works, as well as a monetary contribution to the Duck River Masterplan.

Council officers have undertaken an analysis of the proposed updated offer (Attachment 2) and determined that it is consistent with the Cumberland Planning Agreements Policy and Guidelines.

A draft Voluntary Planning Agreement has been prepared in accordance with the letter of offer, as provided in Attachment 3.

### **Draft Site-Specific Development Control Plan**

As recommended by the Cumberland Local Planning Panel in March 2020 and resolved by Council in April 2020, a draft site-specific Development Control Plan has been prepared (Attachment 4).



The draft Development Control Plan includes a vision statement and broad principles (design and planning framework) to redevelop the site for a new seniors housing development to integrate and complement with the surrounding Merrylands West community.

The draft Plan also includes provisions to support an appropriate transition in the built form between the proposed seniors housing development and its adjoining heritage significant items located to the west, and neighbouring low and medium residential development located to the east. This is achieved through siting of buildings and separation setbacks and including a range of building storeys accordingly.

The site-specific Development Control Plan will amend existing Part J - Site Specific Controls of *Holroyd Development Control Plan 2013*. Should the new *Cumberland Development Control Plan* be in force prior to finalisation of the planning proposal, the site-specific Development Control Plan will be included in the Plan under Part F1 – Residential Site Specific (Attachment 5).

### **Next Steps**

It is recommended that Council endorse in-principle the public benefit offer, draft Voluntary Planning Agreement and draft site-specific Development Control Plan for 45 Barcom Street, Merrylands West. Subject to endorsement, the draft Voluntary Planning Agreement and draft site-specific Development Control Plan will be publicly exhibited in accordance with statutory and policy requirements. The post-Gateway public exhibition for the planning proposal applying to 45 Barcom Street, Merrylands West, will also be held at the same time.

Following this process, a further report will be provided to Council on the draft Voluntary Planning Agreement, draft Development Control Plan and Planning Proposal.

### **COMMUNITY ENGAGEMENT**

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Subject to Council endorsement, the draft Voluntary Planning Agreement and draft site-specific Development Control Plan will be placed on public exhibition in accordance with the *Environmental Planning and Assessment Act* and Council's Planning Agreements Policy and Guidelines. The planning proposal will also be placed on post-Gateway exhibition at the same time.

### **POLICY IMPLICATIONS**

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Policy implications are outlined in the body of the report.

### **RISK IMPLICATIONS**

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There are minimal risk implications for Council associated with this report.

### **FINANCIAL IMPLICATIONS**

---

Financial implications on the public benefit offer for Council are outlined in the main body of the report.



## CONCLUSION

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A public benefit offer has been provided by the proponent of 45 Barcom Street, Merrylands West for a monetary contribution, supported by a draft Voluntary Planning Agreement. A site-specific draft Development Control Plan has also been prepared. It is recommended that Council endorse in-principle the public benefit offer, as well as endorse the public exhibition of the draft Voluntary Planning Agreement and draft site-specific Development Control Plan.

## ATTACHMENTS

---

1. Updated Letter of Offer (confidential)
2. Public Benefit Offer Analysis (confidential)
3. Draft Voluntary Planning Agreement [↓](#)
4. Draft Site Specific Development Control Plan (Holroyd DCP version) [↓](#)
5. Draft Site Specific Development Control Plan (Cumberland DCP version) [↓](#)



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-699

Attachment 3  
Draft Voluntary Planning  
Agreement







[Draft VPA (with SCC approval for exhibition)]

## **Planning Agreement**

### **Cardinal Gilroy Village - 45 Barcom Street, Merrylands West**

---

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

Southern Cross Care (NSW & ACT) Limited (ABN 76 131 082 374) (**Developer**)

#### **Marsdens Law Group**

Level 1  
49 Dumaresq Street  
CAMPBELLTOWN NSW 2560

Tel: 02 4626 5077

Fax: 02 4626 4826

DX: 5107 Campbelltown

Ref: 43 0764



Draft VPA – 11391067\_1



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## Planning Agreement Cardinal Gilroy Village 45 Barcom Street, Merrylands West

### Parties

<b>Council</b>	<b>Name</b>	Cumberland City Council
	<b>Address</b>	16 Memorial Avenue Merrylands NSW 2160
	<b>ABN</b>	22 798 563 329
<b>Developer/Owner</b>	<b>Name</b>	Southern Cross Care (NSW & ACT) Limited
	<b>Address</b>	16-18 Bridge Street Epping NSW 2121
	<b>ABN</b>	76 131 082 374

### Background

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

### Operative Provisions

#### 1 Agreement

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

#### 2 Definitions

##### 2.1 Defined Terms

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

##### 2.2 Interpretation

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



---

### **3 Application and operation of this document**

---

#### **3.1 Planning Agreement**

This document is a planning agreement:

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

#### **3.2 Application**

This document applies to the:

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

#### **3.3 Operation**

This document operates from the last to occur of:

- (1) the date the document is executed by all parties; and
- (2) the date that the Instrument Change enters into force.

---

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

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#### **4.1 Section 7.11**

This document does not exclude the application of s7.11 of the Act to the Development.

#### **4.2 Section 7.12**

This document does not exclude the application of s7.12 of the Act to the Development.

#### **4.3 Consideration of Benefits**

Section 7.11(6) of the Act does not apply to the Contributions that are provided in accordance with this document.

#### **4.4 Section 7.24**

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

---

### **5 Monetary Contributions**

---

#### **5.1 Payment**

- (1) The Developer must pay:
  - (a) the Monetary Contribution; and
  - (b) if applicable, the Additional Monetary Contribution,to Council in accordance with this document, and in particular in accordance with **Schedule 3**.
- (2) **Schedule 3** has effect as an operative provision of this document.
- (3) The Developer must pay the full amount of the Monetary Contribution and any Additional Monetary Contribution in cash, or by unendorsed bank cheque, or by deposit by means of electronic funds transfer of cleared funds, into a bank account nominated by Council.



---

**5.2 Indexation**

The amount of the Monetary Contribution will be indexed in the same way that contributions required to be paid under s7.11 of the Act for the Development would be indexed in accordance with the *Cumberland Local Infrastructure Contributions Plan 2020* from the date of this document until the date that they are paid to Council.

**5.3 Payment by Instalments**

Council acknowledges that the Developer will pay the Monetary Contributions in column 1 of **Schedule 3** in the Instalments.

---

**6 Developer Warranties**

The Developer warrants to Council that:

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

---

**7 Security****7.1 General Bank Guarantee**

- (1) Prior to the execution of this document, the Developer must deliver to Council a Bank Guarantee in an amount equal to ten percent (10%) of the sum (as indexed in accordance with clause 5.2 this document) of the Monetary Contribution in column 1 of **Schedule 3** to secure the obligations of the Developer under this document.
- (2) If the Developer is in breach of any obligation under this document, Council may, without limiting any other avenues available to it, call on the Bank Guarantee provided under paragraph (1) to rectify that breach and to meet any costs incurred by Council in rectifying the relevant breach.

**7.2 Council may withhold Subdivision Certificate**

- (1) The Developer may only make, or cause, suffer or permit the making of, an application for a Subdivision Certificate in respect of the Development if, at the date of the application, the Developer is not in breach of any obligation to make a Contribution under clause 5.1 of this document.
- (2) Council may withhold the issue of a Subdivision Certificate if, at the relevant time, the Developer is in breach of any obligation to make a Contribution under clause 5.1 of this document until such time as the breach is rectified.

**7.3 Construction Certificate must be withheld**

- (1) Every application for a Construction Certificate for the carrying out of the Development within either of the Precincts that is made after the Instrument Change comes into effect must be accompanied by a notice from the Developer which includes the following information:
  - (a) for each Precinct within which the relevant Development that is the subject of that Construction Certificate is to be undertaken, the amount of the new Gross Floor Area proposed to be constructed within that Precinct under that Construction Certificate;
  - (b) the Approved Gross Floor Area within whichever of the Precincts the relevant Development that is the subject of that Construction Certificate is to be undertaken, assuming that the Construction Certificate is issued; and



- (c) a list of all of the Construction Certificates issued for the Development of the Precincts after the Instrument Change came into effect, and prior to the relevant application being made.
- (2) Other than with the express written consent of Council, a Construction Certificate in respect of the Development must not be issued if:
  - (a) a notice under paragraph (1) with respect to the relevant Construction Certificate is not provided; and/or
  - (b) the Developer is in breach of any obligation to make a Contribution under clause 5.1 of this document.

#### **7.4 Occupation Certificate must be withheld**

Other than with the express written consent of Council, an Occupation Certificate in respect of the Development must not be issued if the Developer is in breach of any obligation to make a Contribution under clause 5.1 of this document.

### **8 Registration of this document**

#### **8.1 Registration of this document**

The Developer must register this document on the title to the Land pursuant to section 7.6 of the Act.

#### **8.2 Obligations of Developer**

- (1) The Developer, at its own expense, will promptly after this document comes into operation, take all practical steps, and otherwise do anything that the Council reasonably requires, to procure:
  - (a) the execution of any documents; and
  - (b) the production of the relevant duplicate certificates of title,and to otherwise undertake the registration of this document in accordance with clause 9.1.
- (2) The Developer, at its own expense, will take all practical steps, and otherwise do anything that the Council reasonably requires:
  - (a) to allow the lodgement of this document with the Registrar-General as soon as reasonably practicable after this document comes into operation but in any event, no later than fifteen (15) business days after that date; and
  - (b) to allow the registration of this document by the Registrar-General in the relevant folios of the Register for the Land as soon as reasonably practicable after this document is lodged for registration.

#### **8.3 Discharge from the Register**

Council will execute any form required by the Registrar General, and prepared by the Developer, to allow this document to be removed from the folios of the Register for the Land (or any part of it such that the document is discharged in respect of only the relevant part of the Land) when:

- (1) the obligations under this document referable to the Land from which this document is proposed to be removed from title have been satisfied; or
- (2) if this document is terminated or rescinded.

#### **8.4 Caveat**

- (1) The Developer acknowledges and agrees that this document creates a caveatable interest in the Land in favour of Council.



- (2) The Developer consents to Council lodging a caveat on the title of the Land at any time prior to the registration of this document on the title of the Land under this clause 8.
- (3) Council will withdraw any caveat lodged under this clause 8 as soon as practicable after the first to occur of:
  - (a) the registration of this document on the title of the Land; and
  - (b) this document ending.

## 9 Assignment

### 9.1 Restriction on Assignment

Other than in accordance with this clause 9:

- (1) the Developer may not Assign their rights or obligations under this document; and
- (2) the Developer may not Assign any part of the Land.

### 9.2 Procedure for Assignment

- (1) If the:
  - (a) Developer wishes to Assign any part of the Land; and/or
  - (b) Developer wishes to Assign its rights or obligations under this document,then the Developer must:
  - (c) provide a written request to Council for the consent of Council to the relevant Assignment;
  - (d) provide Council with any evidence required by Council, acting reasonably, to satisfy Council that the third party in whose favour the Assignment is to be made (**Assignee**) is reasonably capable of performing the obligations under this document that are to be Assigned to it;
  - (e) obtain written consent of Council to the relevant Assignment, which cannot be unreasonably withheld if the Developer complies with the requirements of this clause 9.2(1);
  - (f) at no cost to Council, procure the execution by the Assignee of an appropriate deed where the Assignee agrees to be bound by the terms of this document; and
  - (g) procure that any Bank Guarantee held by Council under this document is replaced by an identical Bank Guarantee provided by the Assignee.
- (2) Council is under no obligation to consider granting its consent to any request made by the Developer under paragraph (1) if, at the time the request is made, the Developer is in breach of this document, unless that breach is waived by Council.

## 10 Dispute Resolution

### 10.1 Notice of dispute

- (1) If a dispute or lack of certainty between the parties arises in connection with this document or its subject matter (**Dispute**), then either party (**First Party**) must give to the other (**Second Party**) a notice which:
  - (a) is in writing;
  - (b) adequately identifies and provides details of the Dispute;
  - (c) stipulates what the First Party believes will resolve the Dispute; and
  - (d) designates its representative (**Representative**) to negotiate the Dispute.



- (2) The Second Party must, within five (5) Business Days of service of the notice of dispute, provide a notice to the First Party designating as its representative a person to negotiate the Dispute (the representatives designated by the parties being together, the **Representatives**).

#### **10.2 Conduct pending resolution**

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

#### **10.3 Further steps required before proceedings**

Subject to clauses 10.14 and 10.15 and except as otherwise expressly provided in this document, any Dispute must, as a condition precedent to the commencement of litigation, mediation under clause 10.5 or determination by an expert under clause 10.6, first be referred to the Representatives. The Representatives must endeavour to resolve the dispute within five (5) Business Days of the date a notice under clause 10.1(2) is served.

#### **10.4 Disputes for mediation or expert determination**

If the Representatives have not been able to resolve the Dispute, then the parties must agree within five (5) Business Days to either refer the matter to mediation under clause 10.5 or expert resolution under clause 10.6.

#### **10.5 Disputes for mediation**

- (1) If the parties agree in accordance with clause 10.4 to refer the Dispute to mediation, the mediation must be conducted by a mediator agreed by the parties and, if the parties cannot agree within five (5) Business Days, then by a mediator appointed by the President of the Law Society of New South Wales for the time being.
- (2) Unless otherwise agreed by the parties, each party must pay their own costs incurred with respect to any mediation of the Dispute.
- (3) If the mediation referred to in paragraph (1) has not resulted in settlement of the Dispute and has been terminated, the parties may agree to have the matter determined by expert determination under clause 10.6.

#### **10.6 Choice of expert**

- (1) If the Dispute is to be determined by expert determination, this clause 10.6 applies.
- (2) The Dispute must be determined by an independent expert in the relevant field:
  - (a) agreed between and appointed jointly by the parties; or
  - (b) in the absence of agreement within five (5) Business Days after the date that the matter is required to be determined by expert determination, appointed by the President of the Law Society of New South Wales for the time being.
- (3) If the parties fail to agree as to the relevant field within five (5) Business Days after the date that the matter is required to be determined by expert determination, either party may refer the matter to the President of the Law Society of New South Wales for the time being whose decision as to the relevant field is final and binding on the parties.
- (4) The expert appointed to determine a Dispute:
  - (a) must have a technical understanding of the issues in dispute;
  - (b) must not have a significantly greater understanding of one party's business, functions or operations which might allow the other side to construe this greater understanding as a bias; and



- (c) must inform the parties before being appointed of the extent of the expert's understanding of each party's business or operations and, if that information indicates a possible bias, then that expert must not be appointed except with the written approval of the parties.
- (5) The parties must promptly enter into a document with the expert appointed under this clause 10.6 setting out the terms of the expert's determination and the fees payable to the expert.

#### **10.7 Directions to expert**

- (1) In reaching a determination in respect of a dispute under clause 10.6, the independent expert must give effect to the intent of the parties entering into this document and the purposes of this document.
- (2) The expert must:
  - (a) act as an expert and not as an arbitrator;
  - (b) proceed in any manner as the expert thinks fit without being bound to observe the rules of natural justice or the rules of evidence;
  - (c) not accept verbal submissions unless both parties are present;
  - (d) on receipt of a written submission from one party, ensure that a copy of that submission is given promptly to the other party;
  - (e) take into consideration all documents, information and other material which the parties give the expert which the expert in its absolute discretion considers relevant to the determination of the Dispute;
  - (f) not be expected or required to obtain or refer to any other documents, information or material (but may do so if the expert so wishes);
  - (g) issue a draft certificate stating the expert's intended determination (together with written reasons), giving each party ten (10) Business Days to make further submissions;
  - (h) issue a final certificate stating the expert's determination (together with written reasons); and
  - (i) act with expedition with a view to issuing the final certificate as soon as practicable.
- (3) The parties must comply with all directions given by the expert in relation to the resolution of the Dispute and must within the time period specified by the expert, give the expert:
  - (a) a short statement of facts;
  - (b) a description of the Dispute; and
  - (c) any other documents, records or information which the expert requests.

#### **10.8 Expert may commission reports**

- (1) Subject to paragraph (2):
  - (a) the expert may commission the expert's own advisers or consultants (including lawyers, accountants, bankers, engineers, surveyors or other technical consultants) to provide information to assist the expert in making a determination; and
  - (b) the parties must indemnify the expert for the cost of those advisers or consultants in accordance with clause 10.6(5) of this deed.
- (2) The parties must approve the costs of those advisers or consultants in writing prior to the expert engaging those advisers or consultants.



**10.9 Expert may convene meetings**

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

**10.10 Other courses of action**

If:

- (1) the parties cannot agree in accordance with clause 10.4 to refer the matter to mediation or determination by an expert; or
- (2) the mediation referred to in clause 10.5 has not resulted in settlement of the dispute, the mediation has been terminated and the parties have not agreed to refer the matter to expert determination within five (5) Business Days after termination of the mediation,

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

**10.11 Confidentiality of information provided in dispute resolution process**

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

**10.12 Final determination of expert**

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



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**10.13 Costs**

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

**10.14 Remedies available under the Act**

This clause 10 does not operate to limit the availability of any remedies available to Council under the Act.

**10.15 Urgent relief**

This clause 10 does not prevent a party from seeking urgent injunctive or declaratory relief concerning any matter arising out of this document.

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**11 Termination, Rescission or Determination****11.1 Termination**

This document terminates in the following events:

- (1) The parties agree in writing to terminate the operation of this document at any time.
- (2) The Instrument Change is not made.

**11.2 Consequence of termination**

Upon termination of this document:

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

**11.3 Determination**

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

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**12 Position of Council****12.1 Consent authority**

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

**12.2 Document does not fetter discretion**

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

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

(Discretion).

**12.3 Severance of provisions**

- (1) No provision of this document is intended to, or does, constitute any unlawful fetter on any Discretion. If, contrary to the operation of this clause, any provision of this document is held by a court of competent jurisdiction to constitute an unlawful fetter on any Discretion, the parties agree:
  - (a) they will take all practical steps, including the execution of any further documents, to ensure the objective of this clause 12 is substantially satisfied; and



- (b) in the event that paragraph (1)(a) cannot be achieved without giving rise to an unlawful fetter on a Discretion, the relevant provision is to be severed and the remainder of this document has full force and effect; and
  - (c) to endeavour to satisfy the common objectives of the parties on relation to the provision of this document which is held to be an unlawful fetter to the extent that it is possible having regard to the relevant court judgment.
- (2) Where the Law permits Council to contract out of a provision of that Law or gives Council power to exercise a Discretion, then if Council has in this document contracted out of a provision or exercised a Discretion under this document, then to the extent of this document is not to be taken to be inconsistent with the Law.

#### **12.4 No Obligations**

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

### **13 Confidentiality**

#### **13.1 Document not Confidential**

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

#### **13.2 Other Confidential Information**

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

### **14 GST**

#### **14.1 Defined GST Terms**

Defined terms used in this clause 14 have the meaning ascribed to them in the GST Law.



#### 14.2 GST to be Added to Amounts Payable

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

#### 14.3 GST Obligations to Survive Termination

This clause 14 will continue to apply after expiration of termination of this document.

### 15 Miscellaneous

#### 15.1 Obligation to act in good faith

The parties must at all times:

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

#### 15.2 Legal costs

The Developer agrees to:

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

#### 15.3 Administration fees

In addition to any fees payable under clause 15.2, the Developer must also pay any administration fees associated with this document, or anything undertaken in accordance with it, as specified in Council's adopted Fees and Charges Schedule from time to time.

### 16 Administrative Provisions

#### 16.1 Notices

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



- (b) if sent by pre-paid mail, on the third Business Day after posting; and
  - (c) if transmitted by facsimile to a person's address and a correct and complete transmission report is received, on the day of transmission if a Business Day, otherwise on the next Business Day.
- (3) For the purpose of this clause the address of a person is the address set out in this document or another address of which that person may from time to time give notice to each other person.

#### **16.2 Entire agreement**

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

#### **16.3 Variation of agreement**

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

#### **16.4 Waiver**

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

#### **16.5 Cooperation**

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

#### **16.6 Counterparts**

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

#### **16.7 Amendment**

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

#### **16.8 Unenforceability**

Any provision of this document which is invalid or unenforceable in any jurisdiction is to be read down for the purposes of that jurisdiction, if possible, so as to be valid or enforceable, and is otherwise capable of being severed to the extent of the invalidity or enforceability, without affecting the remaining provisions of this document or affecting the validity or enforceability of that provision in any other jurisdiction.

#### **16.9 Power of Attorney**

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

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

#### **16.10 Governing law**

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



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

REQUIREMENT UNDER THE ACT	THIS PLANNING AGREEMENT
<b>Planning instrument and/or development application – (Section 7.4(1))</b> The Developer has: (a) sought a change to an environmental planning instrument; (b) made, or proposes to make, a Development Application; and/or (c) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies.	(a) Yes. (b) Yes. (c) Not applicable.
<b>Description of land to which this agreement applies – (Section 7.4(3)(a))</b>	Refer to definition of 'Land' in Part 1 of <b>Schedule 2</b> .
<b>Description of change to the environmental planning instrument to which this agreement applies – (Section 7.4(3)(b))</b>	As set out in the definition for Planning Proposal in Part 1 of <b>Schedule 2</b> .
<b>Application of section 7.11 of the Act – (Section 7.4(3)(d))</b>	Applies (refer to clause 4).
<b>Applicability of section 7.12 of the Act – (Section 7.4(3)(d))</b>	Applies (refer to clause 4).
<b>Consideration of benefits under this agreement if section 7.11 applies – (Section 7.4(3)(e))</b>	Refer to clause 4.3.
<b>Mechanism for Dispute resolution – (Section 7.4(3)(f))</b>	See clause 10.
<b>Enforcement of this agreement (Section 7.4(3)(g))</b>	See clause 7.
<b>No obligation to grant consent or exercise functions – (Section 7.4(3)(9))</b>	See clause 12.



## Schedule 2 – Defined Terms and Interpretation

### Part 1 – Definitions

<b>Act</b>	means the <i>Environmental Planning and Assessment Act 1979</i> (NSW).
<b>Additional Monetary Contribution</b>	means a monetary contribution over and above the Monetary Contribution, and which is calculated in accordance with <b>Schedule 3</b> .
<b>Approved Gross Floor Area</b>	means Gross Floor Area in respect of which a Construction Certificate has been issued after the Instrument Change comes into force.
<b>Assign</b>	as the context requires refers to any assignment, sale, transfer, disposition, declaration of trust over or other assignment of a legal and/or beneficial interest.
<b>Authority</b>	means (as appropriate) any: <ol style="list-style-type: none"> <li>(1) federal, state or local government;</li> <li>(2) department of any federal, state or local government;</li> <li>(3) any court or administrative tribunal; or</li> <li>(4) statutory corporation or regulatory body.</li> </ol>
<b>Bank Guarantee</b>	means an irrevocable and unconditional undertaking by a financial institution satisfactory to Council.
<b>Claim</b>	against any person any allegation, action, demand, cause of action, suit, proceeding, judgement, debt, damage, loss, cost, expense or liability howsoever arising and whether present or future, fixed or unascertained, actual or contingent whether at law, in equity, under statute or otherwise.
<b>Confidential Information</b>	means any information and all other knowledge at any time disclosed (whether in writing and orally) by the parties to each other, or acquired by the parties in relation to the other's activities or services which is not already in the public domain and which: <ol style="list-style-type: none"> <li>(1) is by its nature confidential;</li> <li>(2) is designated, or marked, or stipulated by either party as confidential (whether in writing or otherwise);</li> <li>(3) any party knows or ought to know is confidential;</li> <li>(4) is information which may be reasonably considered to be of a confidential nature.</li> </ol>
<b>Construction Certificate</b>	has the meaning ascribed to that term in s6.4(a) of the Act.
<b>Contribution</b>	means the payment of the Monetary Contribution.



<b>Contribution Value</b>	means the amount specified in <b>Schedules 3</b> in the column headed "Contribution".
<b>Development Consent</b>	means a consent issued under the Act for the Development.
<b>Development</b>	the development of the Land permitted after the Instrument Change is made.
<b>Dispute</b>	has the meaning ascribed to it in clause 10.1.
<b>Encumbrance</b>	means an interest or power: <ul style="list-style-type: none"> <li>(1) reserved in or over an interest in any asset;</li> <li>(2) arising under, or with respect to, a Bio-Banking Agreement;</li> <li>(3) created or otherwise arising in or over any interest in any asset under any mortgage, charge (whether fixed or floating), pledge, lien, hypothecation, title retention, conditional sale agreement, hire or hire purchase agreement, option, restriction as to transfer, use or possession, easement, covenant, lease, subordination to any right of any other person and any other encumbrance or security interest, trust or bill of sale; or</li> <li>(4) by way of security for the payment of a debt or other monetary obligation or the performance of any obligation.</li> </ul>
<b>Encumber</b>	means to grant an Encumbrance.
<b>First Instalment</b>	means the sum of \$750,000.
<b>Gross Floor Area</b>	has the same meaning ascribed to that term in the LEP.
<b>GST Law</b>	means <i>A New Tax System (Goods and Services Tax) Act 1999</i> (Cth) and any other Act or regulation relating to the imposition or administration of the GST.
<b>Instalments</b>	means the First Instalment and the Second Instalment of the Contribution paid according to the time for payment specified in Column 2 of <b>Schedule 3</b> .
<b>Instrument Change</b>	means the amendment of the LEP in accordance with the Planning Proposal.
<b>Land</b>	means the land contained in the following folio identifiers: <ul style="list-style-type: none"> <li>(1) 5/701151;</li> <li>(2) 8/732058; and</li> <li>(3) 11/1075418,</li> </ul> as depicted in the Plan of Land contained in <b>Annexure 1</b> .
<b>Law</b>	means all legislation, regulations, by-laws, common law and other binding order made by any Authority.
<b>LEP</b>	means Holroyd Local Environmental Plan 2013.



<b>Monetary Contribution</b>	means monetary contribution set out in <b>Schedule 3</b> , as adjusted in accordance with this document.
<b>Northern Precinct</b>	means the northern precinct of the Development depicted in the Cardinal Gilroy Village Masterplan contained in <b>Annexure 1</b> .
<b>Occupation Certificate</b>	has the same meaning as in section 6.4(c) of the Act.
<b>Planning Legislation</b>	means the Act, the <i>Local Government Act 1993</i> (NSW) and the <i>Roads Act 1993</i> (NSW).
<b>Planning Proposal</b>	<p>means the planning proposal number PP_2020_CUMBE_002_00 to amend the LEP to allow the following:</p> <ol style="list-style-type: none"> <li>(1) rezone the Land from R2 Low Density Residential to R4 High Density Residential;</li> <li>(2) amend the Height of Building Control for the Land from 9m to 15m;</li> <li>(3) amend the Floor Space Ratio (FSR) control for the Land from 0.5:1 to 0.85:1; and</li> <li>(4) add a clause to Part 6 Additional Local Provisions of Holroyd LEP 2013 limiting retail/commercial uses to 1,480m<sup>2</sup> (formerly referred to as non-residential uses),</li> </ol> <p>as described in the Gateway Determination dated 20 July 2020 issued with respect to the Land and the Planning Proposal.</p>
<b>Precincts</b>	means the Northern Precinct and the Southern Precinct.
<b>Second Instalment</b>	means the sum of \$750,000.
<b>Southern Precinct</b>	means the southern precinct of the Development depicted in the Cardinal Gilroy Village Masterplan contained in <b>Annexure 1</b> .
<b>Subdivision Certificate</b>	has the same meaning as in section 6.4(d) of the Act.
<b>Part 2 - Interpretational Rules</b>	
<b>clauses, annexures and schedules</b>	a clause, annexure or schedule is a reference to a clause in or annexure or schedule to this document.
<b>reference to statutes</b>	a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them.
<b>singular includes plural</b>	the singular includes the plural and vice versa.
<b>person</b>	the word "person" includes an individual, a firm, a body corporate, a partnership, joint venture, an unincorporated body or association or any government agency.
<b>executors, administrators, successors</b>	a particular person includes a reference to the person's executors, administrators, successors, substitutes (including persons taking by novation) and assigns.
<b>dollars</b>	Australian dollars, dollars, \$ or A\$ is a reference to the lawful



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	currency of Australia.
<b>calculation of time</b>	if a period of time dates from a given day or the day of an act or event, it is to be calculated exclusive of that day.
<b>reference to a day</b>	a day is to be interpreted as the period of time commencing at midnight and ending 24 hours later.
<b>accounting terms</b>	an accounting term is a reference to that term as it is used in accounting standards under the Corporations Act or, if not inconsistent with those standards, in accounting principles and practices generally accepted in Australia.
<b>reference to a group of persons</b>	a group of persons or things is a reference to any two or more of them jointly and to each of them individually.
<b>meaning not limited</b>	the words "include", "including", "for example" or "such as" are not used as, nor are they to be interpreted as, words of limitation, and, when introducing an example, do not limit the meaning of the words to which the example relates to that example or examples of a similar kind.
<b>next day</b>	if an act under this document to be done by a party on or by a given day is done after 4.30pm on that day, it is taken to be done on the next day.
<b>next Business Day</b>	if an event must occur on a stipulated day which is not a Business Day then the stipulated day will be taken to be the next Business Day.
<b>time of day</b>	time is a reference to Sydney time.
<b>headings</b>	headings (including those in brackets at the beginning of paragraphs) are for convenience only and do not affect the interpretation of this document.
<b>agreement</b>	a reference to any agreement, document or instrument includes the same as varied, supplemented, novated or replaced from time to time.

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### Schedule 3 - Monetary Contributions

Column 1 Contribution	Column 2 Time for payment and amount of instalment	Column 3 Public Purpose
<u>Monetary Contribution</u> One million five hundred thousand dollars (\$1,500,000).	In the Instalments as follows: 1. The First Instalment being (\$750,000.00) prior to the first to occur of the following: (a) the issue of a Construction Certificate in respect of any Development involving the construction of new Gross Floor Area within the first Precinct to be developed, resulting in the aggregate of Approved Gross Floor Area within that Precinct being greater than 10,000 m <sup>2</sup> ; and (b) 30 November 2026. 2. The Second Instalment being (\$750,000.00) prior to the first to occur of the following: (a) the issue of a Construction Certificate in respect of any Development involving the construction of new Gross Floor Area within the other Precinct (that is, the Precinct not referable to the First Instalment), resulting in the aggregate of Approved Gross Floor Area within that Precinct being greater than 10,000 m <sup>2</sup> ; and (b) 30 November 2026.	The implementation of the Duck River Masterplan. Contribution towards, but not limited to: upgrades for local roads and traffic infrastructure improvements in the area; open space (Central Gardens); small local centres and public domain upgrades; Holroyd Sports Ground upgrade within Merrylands West and surrounds as per Council's Capital Works.
<u>Additional Monetary Contribution</u> An amount of \$375.50 for each square metre (or	Prior to the issue of the Construction Certificate for any part of the Development with respect to which the Additional Monetary Contribution will be required	For the provision of public benefits within the Cumberland Council local government

Draft VPA

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part thereof) of Gross Floor Area which forms part of the Development in excess of 63,240 sqm	to be paid.	area other than those set out above.
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**Annexure 1 – Plan of the Land and Cardinal Gilroy Village Masterplan**

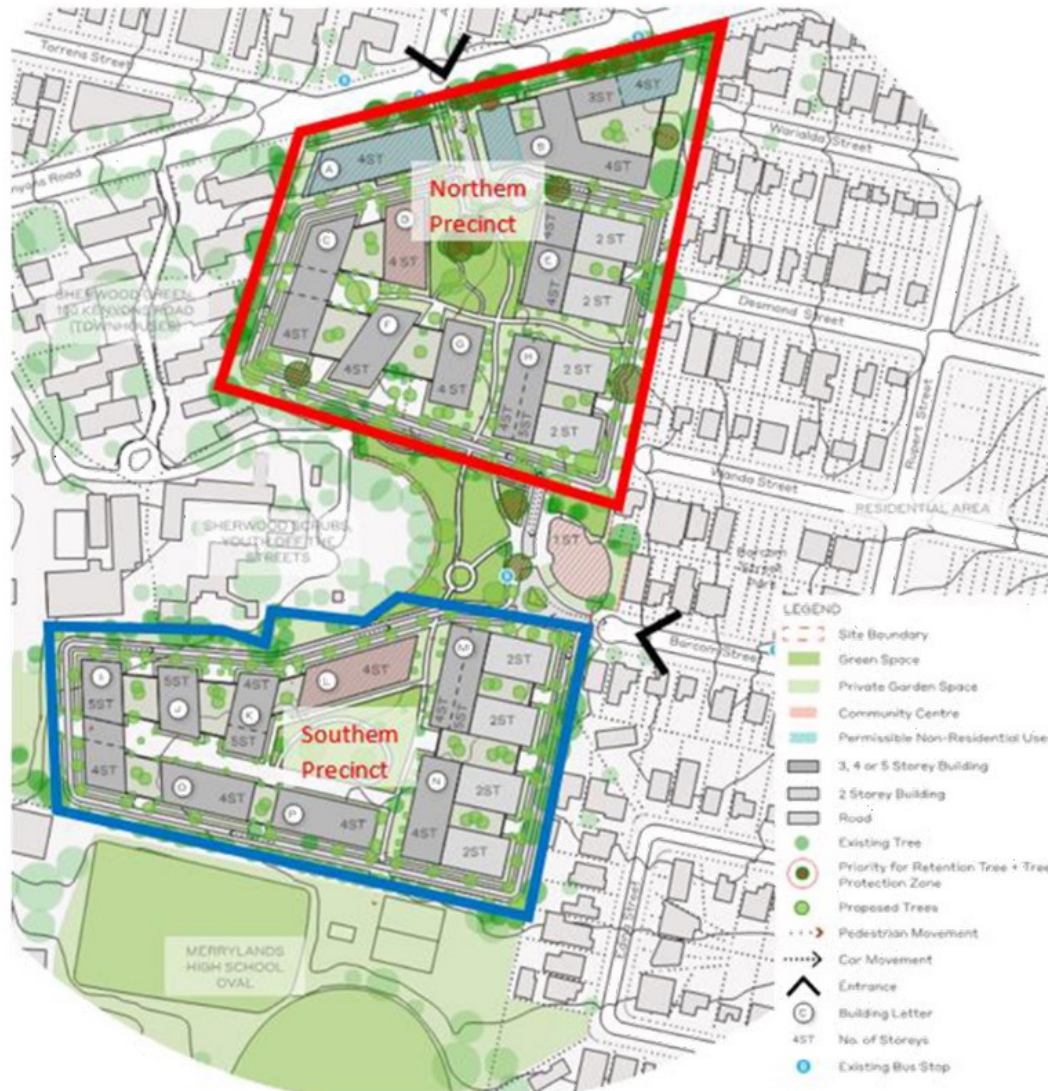


**Plan of Land to which the VPA and planning proposal applies**





**Cardinal Gilroy Village Masterplan (Indicative)**





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**Execution page**

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**Executed as a deed.**

Dated:

**Signed, sealed and delivered** by **Cumberland City Council** by its General Manager and Mayor by the affixing of the Common Seal of Council in accordance with resolution dated

---

General Manager (Signature)

---

Mayor (Signature)

---

Name of General Manager (Print Name)

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Name of Mayor (Print Name)**Signed, sealed and delivered** by Southern Cross Care (NSW & ACT) Limited (76 131 082 374) in accordance with section 127(1) of the *Corporations Act 2001* (Cth).

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Director/Secretary (Signature)

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Director (Signature)

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Name of Director/ Secretary (Print Name)

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Name of Director (Print Name)

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DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-699

Attachment 4

Draft Site Specific Development  
Control Plan (Holroyd DCP  
version)









**45 Barcom St, Merrylands West**

**Draft Site-Specific Development Control Plan Amendment  
to  
Holroyd Development Control Plan 2013**

**To be read in conjunction with other parts of Holroyd DCP 2013**

**(For exhibition)**

*Updated 15 January 2021*



## Part

## J

## Site Specific Controls

**Note:** The proposed site- specific development control plan provisions will be made effective via an amendment to existing Part J – site specific controls of Holroyd DCP 2013 OR the relevant Part of the adopted Cumberland DCP 2020 in the future when the outlined draft DCP provisions are exhibited, adopted and made effective along with the corresponding draft LEP amendment to the Holroyd LEP 2013.

The proposed new DCP provisions are outlined below:

## 15. 45 Barcom Street, Merrylands West (Cardinal Gilroy Village)

### 15.1 Purpose of this DCP

The purpose of this DCP is to outline the 'site specific controls' (the detailed planning and design framework) that relates to 45 Barcom Street site (refer to Figure 1) which is located within the Merrylands West area to guide the future redevelopment of the site.

Where there is inconsistency between this document and provisions contained elsewhere in the Holroyd DCP 2013, the site-specific controls contained in this document shall apply to the extent of the inconsistency.

### 15.2 Preliminaries

Land to which this section applies

This section applies to land at 45 Barcom Street, Merrylands West, containing three (3) lots with a total area of 7.44ha including Lot 5 DP 701151 (2.42ha), Lot 8 DP 732058 (1.928ha) and Lot 11 DP 1075418 (3.092ha) and shown in Figure 1.



## Site Specific Controls



**Figure I – Land to which this section applies**

### 15.3 Relationship to Holroyd Development Control Plan 2013

The controls contained in this part are supplementary to and shall be read in conjunction with the following relevant parts of Holroyd DCP 2013.

Part A - General Controls

Part B - Residential Controls

Part C - Commercial, Shop Top Housing and Mixed-Use Development Controls

Part E - Public Participation

Part F - Advertising and Signage Controls

Part G - Places of Public Worship Controls

Part H - Heritage and Conservation Controls

Part I - Child Care Centre Controls

Part J- Site Specific Controls (refer to Section 6.0 - Guidelines for the Development of Sherwood Scrubs and Adjoining Land)



## Site Specific Controls

In addition to this Part, SEPP ((Housing for Seniors or People with a Disability) 2004, SEPP 65 and the NSW Apartment Design Guide (ADGs) must be considered when preparing a development application. Where there is an inconsistency between this DCP Part and provisions contained elsewhere in Holroyd DCP 2013, the provisions of this Part shall prevail.

### Vision and Principles

#### Vision

The Cardinal Gilroy Village is a vibrant and active Seniors Housing development that integrates with, complements and enhances the surrounding Merrylands West community.

#### Principles

- 1 Development is predominantly residential in use, making an important contribution to the amount and choice of housing for the broader community. The site will establish a 'landmark' development for Seniors and People with a Disability and deliver a mix of high-quality Seniors Housing to meet a demonstrated need
- 2 Buildings are sited, positioned and designed to maximise climatic responsiveness and provide high levels of desirable solar access and natural ventilation
- 3 Development creates a high level of residential amenity, including optimising outlook and views to desirable landscape elements, and respects the amenity of surrounding established residential areas
- 4 Deliver the highest standards of urban planning and excellence in architectural design.
- 5 Development creates two distinct precincts to the north and south with a green heart (open space) at its core. Central Park will be a publicly accessible, multi-use park that forms the centre piece of new through site linkages
- 6 Development provides for a varied, integrated open space network that provides for a diverse range of informal active and passive recreational activities in a largely green, soft landscaped setting.
- 7 Development that provides for considerable area of landscaped open space to reduce urban heat loads and maintain the landscaped character of the locality.
- 8 Create liveable communities by providing high quality amenities and open space to meet the needs of existing and future residents of Merrylands West.
- 9 The establishment of permissible retail/commercial uses at ground level fronting Kenyons Road to enhance convenience and service the day to day needs of occupants and surrounding residents.
- 10 Development responds to and respects the site and its context, including its strategic, transit proximate location, topography and surrounding residential uses and heritage significant surrounds located to the site's west.
- 11 Existing heritage surrounding the site is retained, enhanced and respected through increased building separation distances and setbacks, protection of key view corridors and the provision of landscaped open space within the visual curtilage of the heritage significant items.
- 12 Development provides for a high level of engagement between the public and private domains, in particular providing for pedestrian integration and extensive opportunities for passive casual surveillance.

#### Master Plan

The vision and principles for the site as identified above are spatially expressed in the urban structure for the precinct as shown in **Figure 2**.

To ensure that development provides key elements, where variations to the master plan are proposed, the



## Site Specific Controls

development application is to demonstrate how the vision and principles have been achieved.



**Figure 2 – Masterplan**

### 15.4 Land use

#### Objectives

- O1.** Development creates a vibrant and active Seniors Housing development that integrates with, complements and enhances the surrounding Merrylands West community.
- O2.** Development provides for permissible retail/commercial uses on the ground level fronting Kenyons Road that supports the day to day and lifestyle needs of residents and the surrounding neighbourhood.



## Site Specific Controls

### Development Controls

- C1.** Land use is in accordance with **Figure 3**.
- C2.** Development provides for a maximum of 1,480sqm of GFA of permissible retail/commercial uses.  
*Note: permissible retail/commercial uses include kiosks, neighbourhood shops and health services facilities, etc.*
- C3.** Permissible retail/commercial uses such as a neighbourhood shop, kiosk and health services facilities are located at ground level fronting the Kenyons Road buildings in accordance with **Figure 3**.
- C4.** The open space areas detailed in **Figure 3** are publicly accessible and connected by a network of pedestrian linkages (refer to Part 15.9 below).



**Figure 3 – Land Use**



## Site Specific Controls

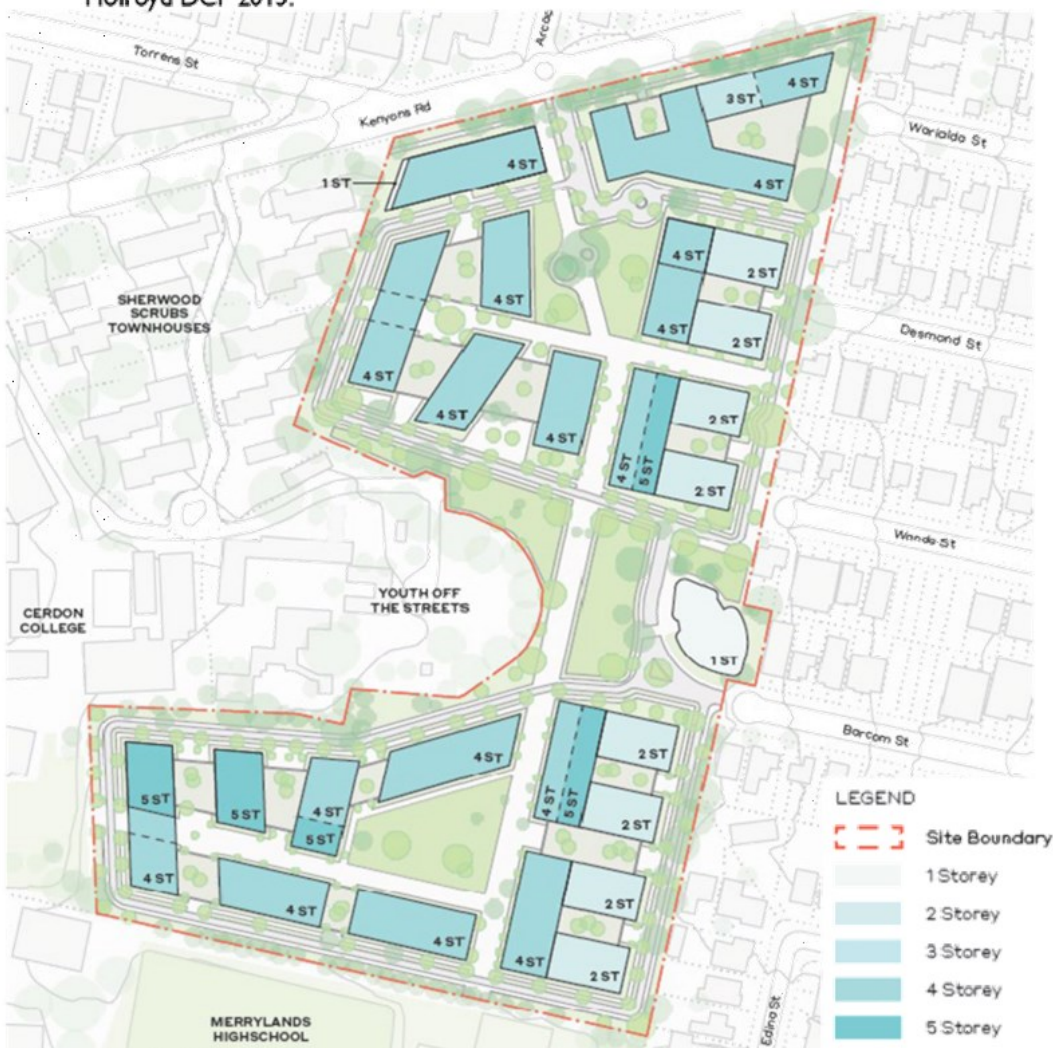
### 15.5 Building height

#### Objectives

- O1.** Building height is varied throughout the site to reflect the scale and density of surrounding development and create an articulated and visually interesting development.
- O2.** Building height adopts a height pyramid principle with taller buildings located in the centre of the site transitioning to lower rise buildings at the site's edges.
- O3.** Building height retains adequate solar access and privacy to neighbouring educational, residential and heritage significant properties throughout the year.

#### Development Controls

- C1.** Maximum building height is in accordance with **Figure 4**.
- C2.** Building heights allow solar access to neighbouring properties in accordance with Section 1.8 of Part B under Holroyd DCP 2013.



**Figure 4 – Building Height**



**Part J**

**Site Specific Controls**

**15.6 Building siting**

**Objectives**

- O1.** Buildings are sited to provide adequate separation from buildings within and adjoining the site.
- O2.** Buildings are sited to provide a physical and landscaped buffer between the proposed buildings and adjoining residential and heritage significant properties.
- O3.** Buildings are sited to provide a high level of amenity within and for adjoining residential and heritage significant properties.

**Development Controls**

- C1.** All residential buildings on the site are setback in accordance with the provisions of Part 3F-1 of the Apartment Design Guide (ADG).
- C2.** Setbacks for all buildings adjacent to the boundary are in accordance with **Figure 5** with indicative sections in **Figures 6-8**.



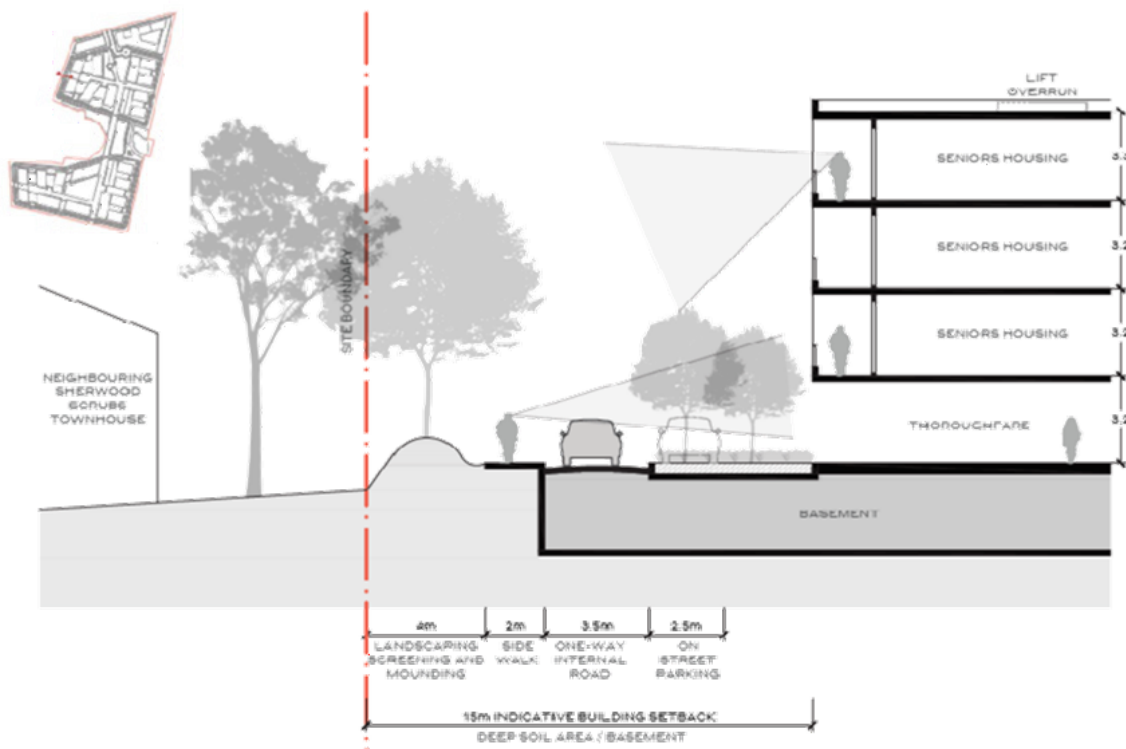
**Figure 5 – Setbacks**



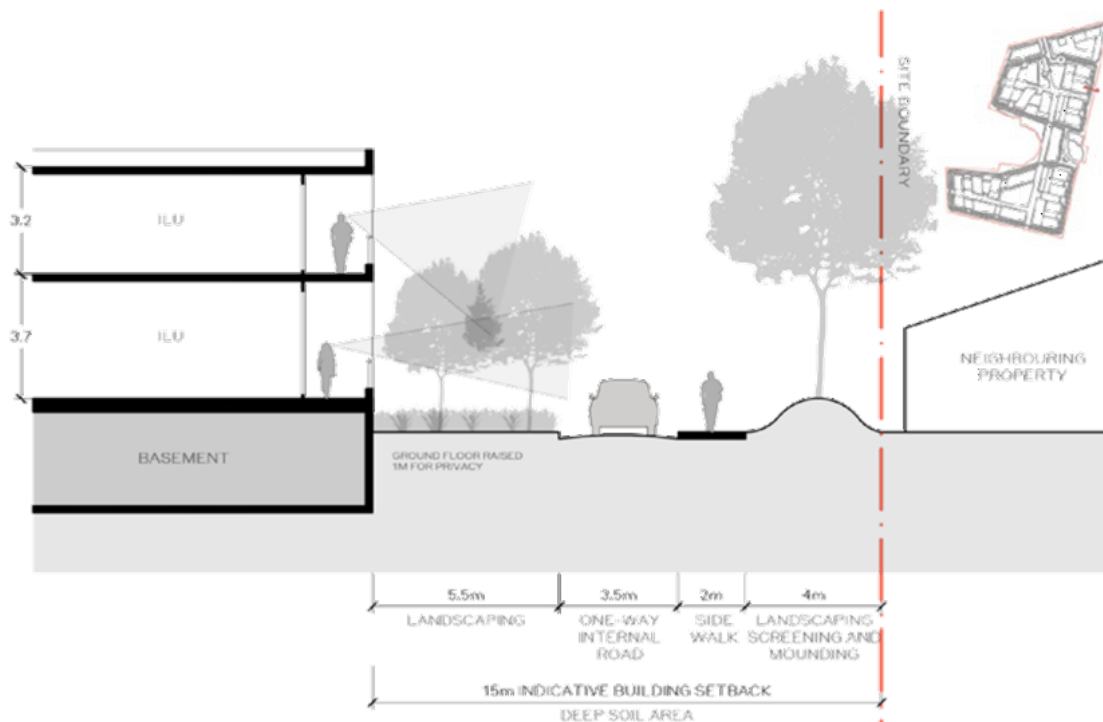
Part

**J**

## Site Specific Controls



**Figure 6 – Indicative section from Sherwood Scrubs Townhouses to the west**



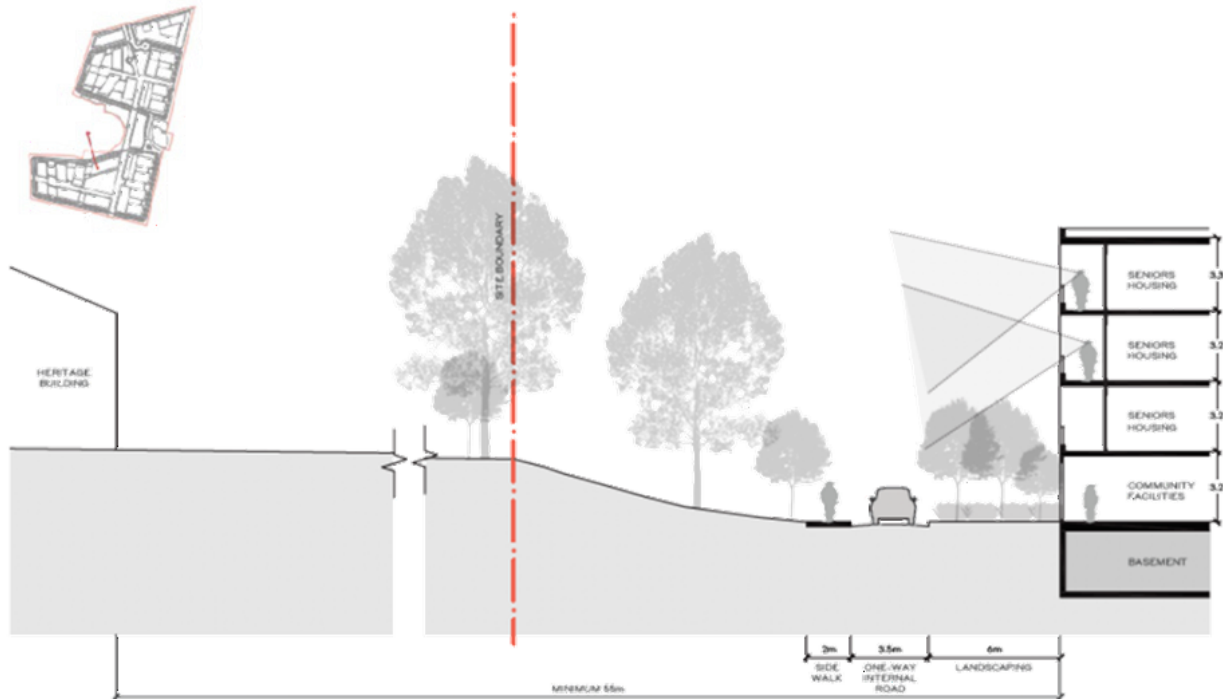
**Figure 7 – Indicative section adjacent to the residential development to the east**



**Part**

**J**

**Site Specific Controls**



**Figure 8 –Indicative setbacks from the heritage item to the west**

- C3.** Building setbacks and separation distances for buildings fronting internal streets and open space areas are to be generally consistent with **Figures 9**.



## Site Specific Controls



**Figure 9 – Setbacks**

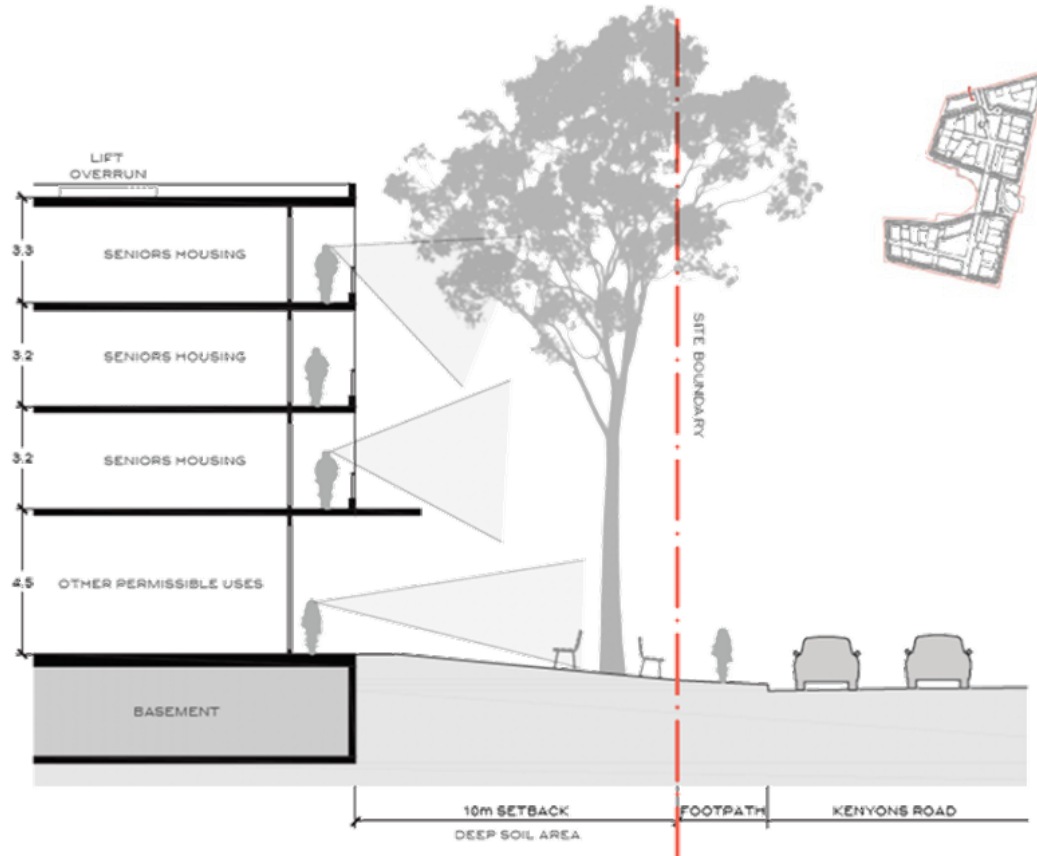
- C4.** Buildings fronting Kenyons Road are to be setback 10m from the street boundary. Awnings may encroach into the setback area consistent with **Figure 10**.
- C5.** Overlooking to adjoining residential zones is minimised via the use of fixed privacy screens, fixed depth planter boxes or similar where required.
- C6.** Buildings are setback to allow direct solar access to neighbouring properties in accordance with Section 1.8 of Part B under Holroyd DCP 2013.



Part **J**

**Site Specific Controls**

- C7.** Buildings are sited to ensure lines of sight to publicly accessible and communal open space is maximised.



**Figure 10 - Indicative section for buildings fronting Kenyons Road**

**15.7 Built form**

**Objectives**

- O1.** Buildings fronting Kenyons Road are designed to activate and engage with the adjoining public domain.
- O2.** Buildings are designed to reduce the bulk and scale when viewed from the public domain, and provide visual interest.
- O3.** Buildings are designed to reduce the bulk and scale to minimise built form impacts from the site to the adjoining residential and heritage significant properties.
- O4.** Internal street setbacks and upper level setbacks enable sunlight and view corridors, whilst allowing passive surveillance from upper level balconies and terraces.

**Development Controls**

- C1.** Buildings fronting Kenyons Road are designed to have activated uses at ground level that ensures:
- the number of individual tenancies that adjoin and are directly accessible from the public domain are maximised

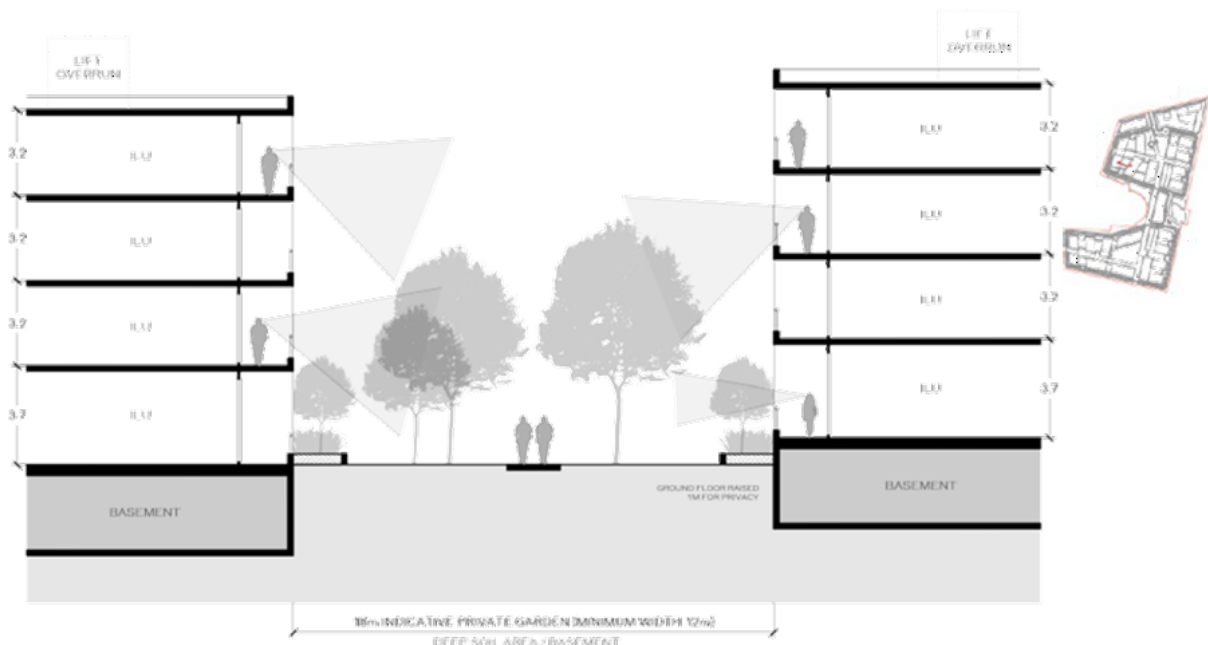


**Part**

**J**

**Site Specific Controls**

- multiple accessible pedestrian entries are provided from the public domain
  - large areas of transparent glazing or other openings enable clear sightlines between the public domain and internal areas, in particular those with high levels of activity
  - any kiosk uses may include outdoor seating fronting Kenyons Road
  - awnings or other overhangs provide shelter for outdoor seating areas and minimise noise transmission to dwellings above
  - roller shutters or bars are not permitted on windows or openings fronting the public domain
- C2.** Loading docks and any vehicular access points are not to be located fronting the public domain and are to be unobtrusively located to minimise the visual impact.
- C3.** Upper level residential dwellings are designed to have their main living areas and adjoining private open space oriented to and directly overlook the public domain, internal roads or publicly accessible open space areas in accordance with **Figure 11**.



**Figure 11 - Indicative section for buildings**

- C4.** Building designs are to follow the topography of the land and minimise the cut and fill of the site.
- C5.** Floor to ceiling heights are provided in accordance with the ADG.
- C6.** Building facades are positioned to optimise solar access to main internal living areas and adjoining private open space and optimise outlook and views to high amenity features such as open space.
- C7.** Blank walls are to be avoided and building facades feature articulation using design measures such as:
- recessed and / or projecting balconies
  - blades or fins
  - privacy screens
  - large windows and other openings
  - sun control devices such as eaves, louvres and screens
  - differentiation of materials



## Site Specific Controls

- architectural features

- C8. Maximum building depth and width is in accordance with the ADG.
- C9. New development adjacent to the heritage building requires consideration of building materials that are complimentary to the retained heritage buildings and are sympathetically designed and supported by a Heritage Impact Statement.
- C10. View corridors to the adjacent heritage building are maximised through the publicly accessible central park from the Barcom Street entrance and community centre.
- C11. Building facades are designed to provide a variety of design solutions, to promote diversity, choice, identity and character of space.

## 15.8 Open space and Landscaping

### Objectives

- O1. To provide for open space that includes a variety of publicly accessible parks, communal open space for residents and through-site links for the benefit of the surrounding Merrylands West community.
- O2. To provide for publicly accessible and communal open spaces that cater for a diverse range of informal passive and active recreation activities that are accessible, useable, permeable and fit for their intended purpose.
- O3. To provide for publicly accessible and communal open spaces that have a high level of amenity, including adequate solar access throughout the year, shade during the summer, circulation and safety.
- O4. To provide for publicly accessible and communal open spaces that have a coherent, legible landscape character, and offers a high level of visual amenity.
- O5. To enhance the surrounding and internal pedestrian and street networks with quality landscaping and architectural responses, to facilitate a network of green links.
- O6. To promote social cohesion and a sense of community through providing spaces that cater for organised and informal community gathering and interaction.
- O7. To respect the existing natural assets such as existing significant trees and other plantings to create attractive spaces and encourages biodiversity.

### Development Controls

- C1. Development is to provide a publicly accessible central park (open space) area having a minimum area of 5,000sqm located centrally on the site that forms the green heart of the Cardinal Gilroy Village.
- C2. All publicly accessible and communal open space areas includes the following:
  - soft and hard landscaping for passive recreation and active play
  - sufficient area for deep soil planting to support large, spreading canopy trees
  - adaptable playground areas
  - amenities such as BBQ facilities, shade structures, seating, lighting, bins and signage
- C3. Open spaces are designed to create a variety of type of space (path, street, square, park) character of space (public, recreational, semiprivate) and scale of space, that responds to the characteristics of all proposed areas and landscaping in accordance with **Figure 12**
- C4. Development provides for continuous linear through-site links between buildings that provide a physical and visual connection between the publicly accessible central park and surrounding properties.
- C5. Ground level communal open space areas for occupants are to be provided for the northern and southern precincts with a direct visual connection to the publicly accessible central park. All publicly accessible and



Part **J**

**Site Specific Controls**

- communal open space is to be designed in accordance with CPTED principles.
- C6.** Where possible, publicly accessible and communal open space includes areas for community gardens in locations that do not compromise the useability of the space for informal active and passive recreation activities.
  - C7.** A minimum of 4 hours of direct solar access is to be maintained to at least 50% of the publicly accessible central park on June 21 between 10.00am and 3.00pm.
  - C8.** A minimum of 2 hours of direct solar access is to be maintained to at least 50% of the communal open space areas on June 21 between 10.00am and 3.00pm.
  - C9.** Open space is provided generally in accordance with **Figure 12**. Indicative sections of the publicly accessible central park is provided in **Figure 13**.



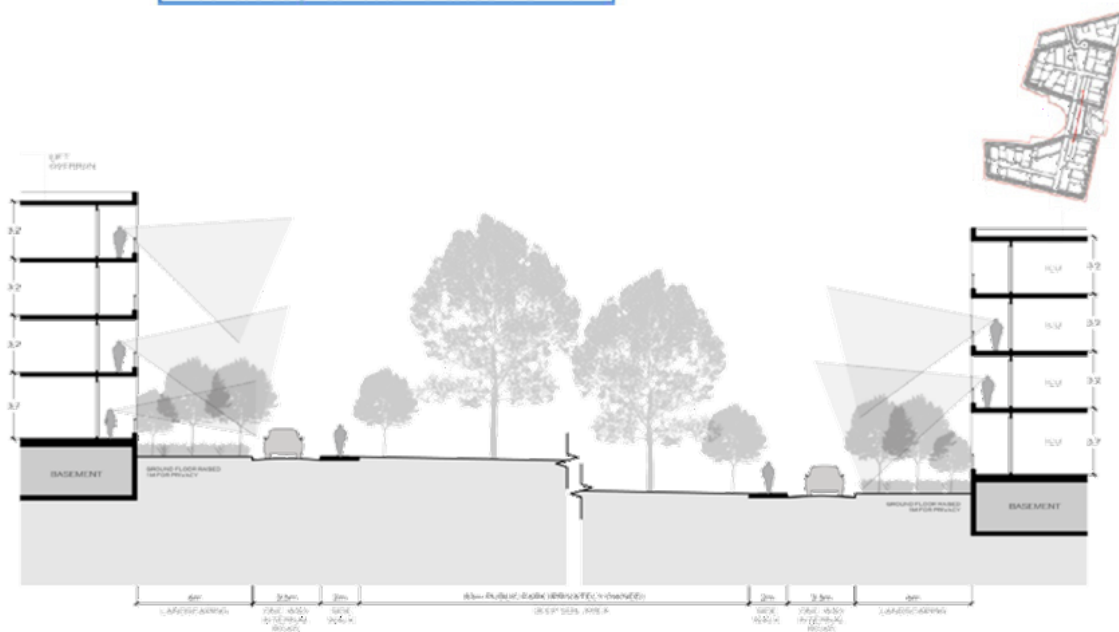
**Figure 12 – Open Space Network and Linkages**



**Part**

**J**

**Site Specific Controls**



**Figure 13 - Indicative section of buildings overlooking public and private open space**

- C10.** Existing significant trees around the perimeter of the site, in particular high value trees that provide a screening function for adjoining uses, are retained where not required for site access points or internal roads, and are integrated into the prevailing landscape character of the precinct.
- C11.** A minimum of 25% of the site area is to comprise of deep soil landscaped area.
- C12.** A minimum of 50% of the front setback area to Kenyons Road is to comprise of deep soil landscaped areas
- C13.** Deep soil landscape areas are located between buildings and between the residential boundaries surrounding the site. The deep soil landscaped areas on the boundaries are to contain a combination of mounding and/or dense landscaping to provide amenity and maximise screening between properties.
- C14.** Plantings in open space areas incorporate a diverse selection of locally native species including trees, shrubs and grasses/groundcovers.

## 15.9 Movement network

### Objectives

- O1.** The movement network provides for multiple points of public access to the precinct.
- O2.** The movement network is functional and provides for the efficient, safe and comfortable movement of vehicles, pedestrians and cyclists.
- O3.** The movement network where appropriate, provides opportunities for social interaction and gathering.

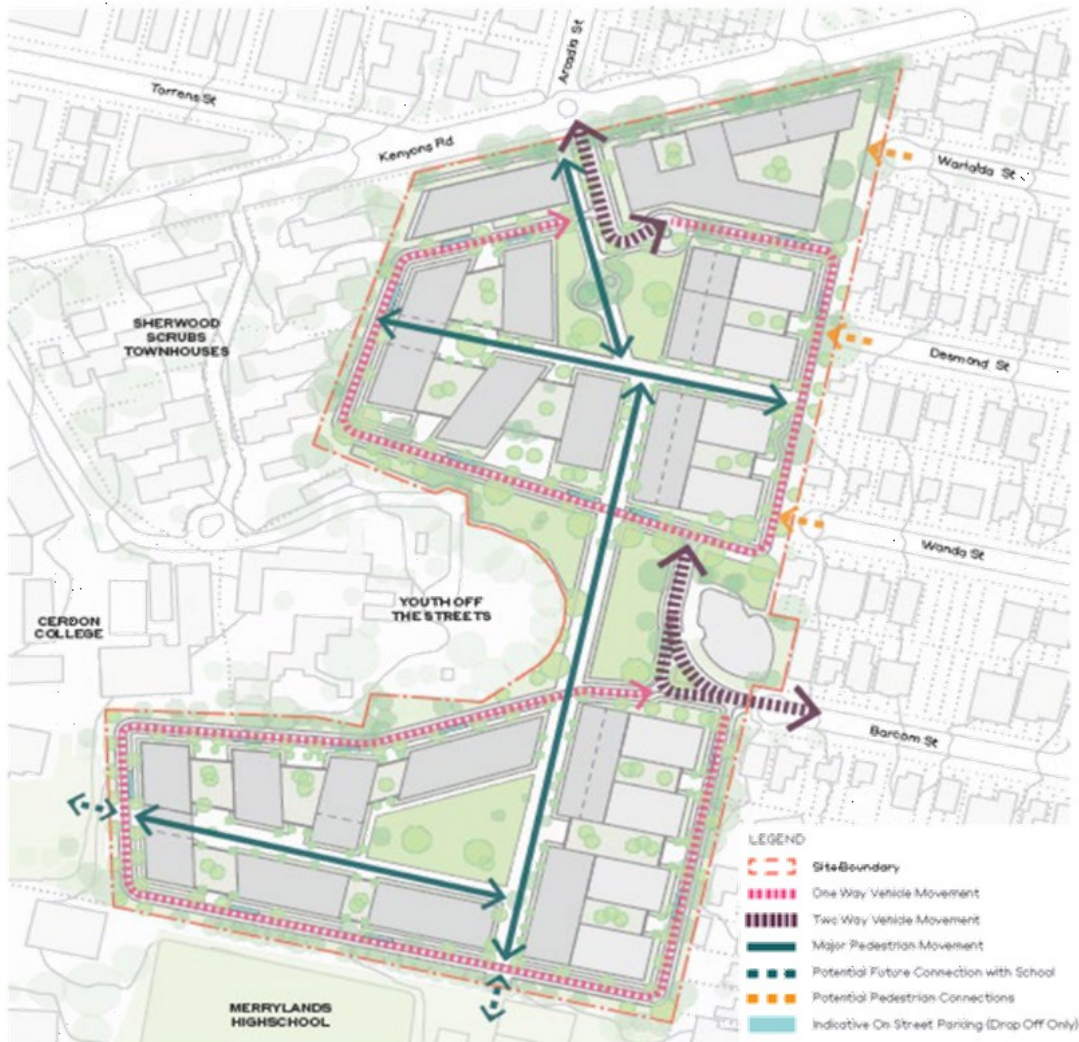
### Development Controls

- C1.** The vehicular and pedestrian access points from the public domain are provided on Kenyons Road and Barcom Street in accordance with **Figure 14**.



**Part J**

**Site Specific Controls**



**Figure 14 – Movement Plan**

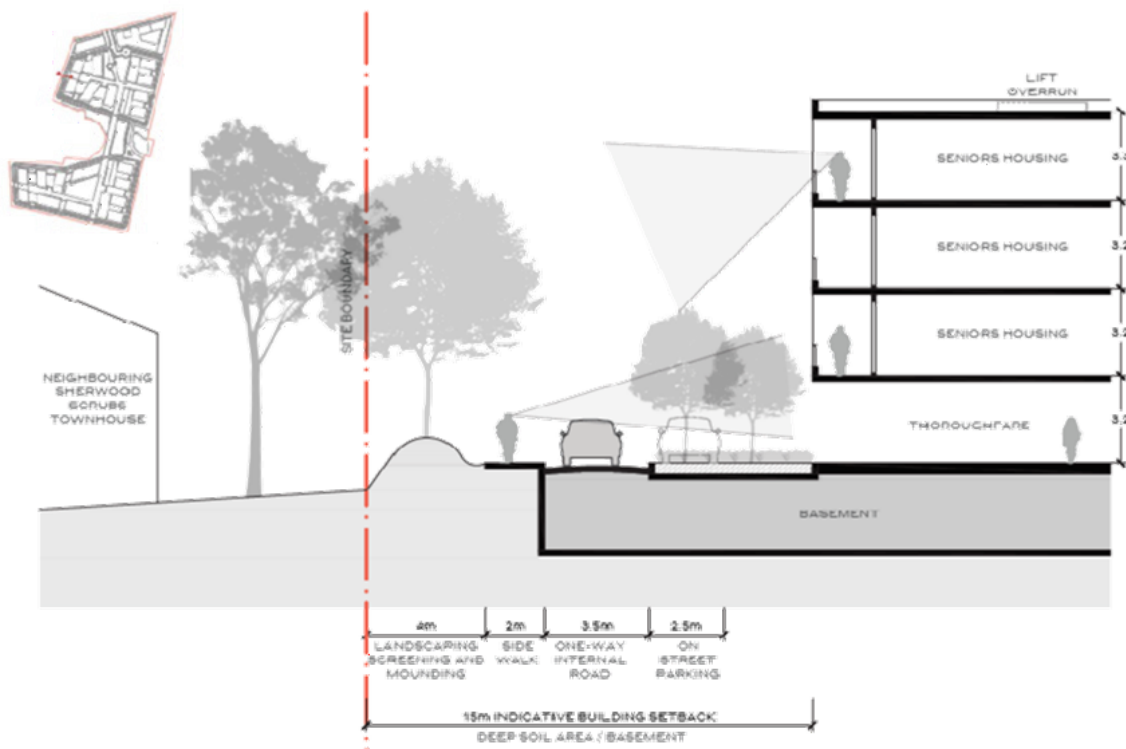
- C2.** Vehicular movement and directions are provided in accordance with **Figure 14**. Limited on-street parking is provided for pick up and drop off zones for residents and their guests adjacent to building entries.
- C3.** All internal streets around the periphery of the site are to:
- be single lane to a maximum width of 3.5m
  - limited on-street parking is provided for pick up and drop off zones for residents and their guests adjacent to building entries
  - include pedestrian paths and landscaping
  - prioritise pedestrian and cyclist movement over vehicular movement
  - include a landscaped verge on both sides with extensive and co-ordinated tree plantings; and be generally in accordance with the indicative sections in **Figures 15 and 16**.



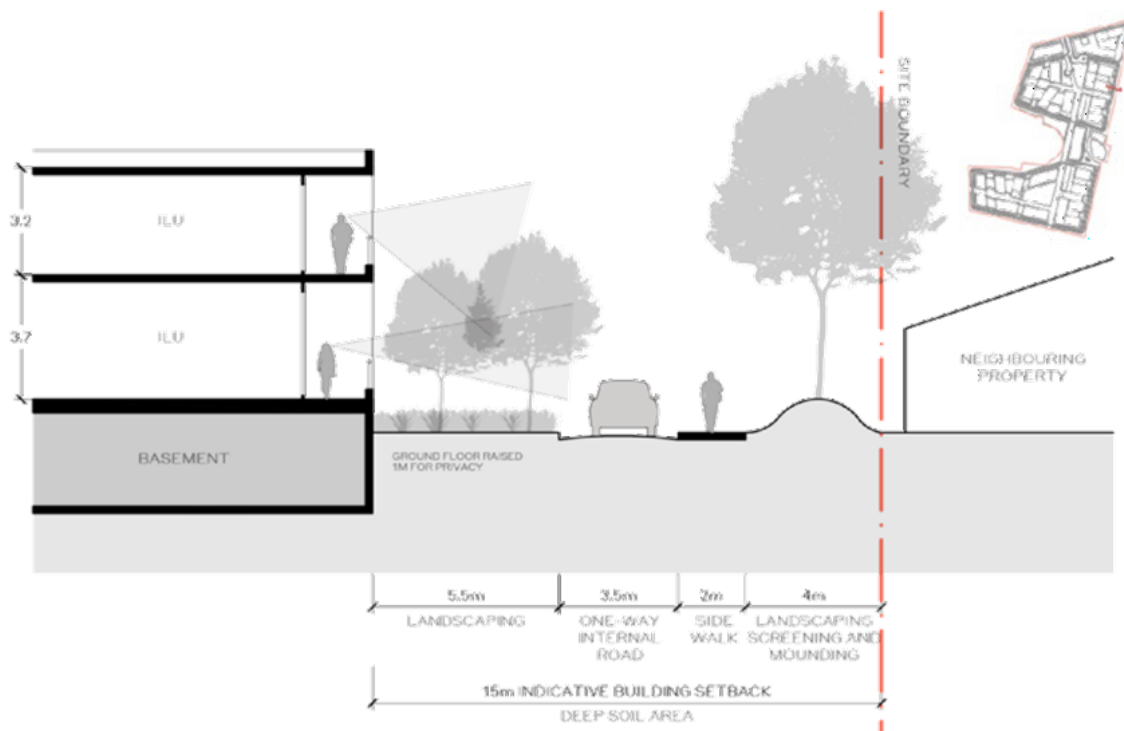
Part

**J**

## Site Specific Controls



**Figure 15 – Indicative western section**



**Figure 16 – Indicative eastern section**



## Site Specific Controls

- C4.** The pedestrian and cycle access network:
- is direct, accessible and easily identified by all users
  - includes signage for way-finding and advising of the publicly accessible status of the link and the places to which it connects
  - is integrated into the network design and includes furniture, facilities and materials of a high quality
  - is well lit and open to the sky for the entire length
  - is clearly distinguished from vehicle access-ways
  - allows visibility along the length of the through site links
- C5.** Street furniture is provided and includes a high quality, durable and co-ordinated selection of:
- paving
  - seating
  - lighting
  - rubbish bins
  - signage
- C6.** Provision is made to allow possible future connections from the site to adjoining properties to the east, west and south in accordance with **Figure 14**.
- C7.** Street trees are to be provided on all streets and pedestrian links that:
- comprise a co-ordinated palette of climatically responsive species
  - are robust and low-maintenance
  - are planted in a co-ordinated and formalised manner
  - increase the comfort of the public domain for pedestrians, including through the provision of shade in summer
  - enhance the environmental performance of the precinct by increasing opportunities for energy conservation

### 15.10 Managing transport demand and parking

#### Objectives

- O1.** Ensure that the transport demand generated by development is managed in a sustainable manner.
- O2.** On-site car parking is provided at a rate that balances the need to provide for the convenience needs of residents and visitors while encouraging more sustainable forms of movement such as the public transport, walking and cycling.
- O3.** On-site car parking is provided in a form that reduces overall building size and enables the creation of a positive relationship between buildings and the adjoining public domain, in particular through high levels of integration at the ground level.

#### Development Controls

- C1.** All development applications are to include a 'Transport and Traffic Impact Assessment Study' addressing the potential impact of the development on surrounding movement systems, where the proposed development comprises:
- a. retail/commercial development of more than 1000m<sup>2</sup> GFA;
  - b. residential development of 100 or more new dwellings; or
  - c. likely to generate significant traffic impacts according to the consent authority.
- C2.** Any development application is to include a site wide 'Green Travel Plan' to outline initiatives for walking, cycling and the use of public transport. The Green Travel Plan should address different transport needs and



## Site Specific Controls

patterns for residential and non-residential uses.

- C3. Any development application is to include a 'Transport Access Guide', and a strategy for its future availability to residents, employees and visitors, to the Seniors Housing development.
- C4. End-of-trip facilities including showers and lockers must be provided to adequately service the number of bicycle parking spaces required for employees in the retail/commercial uses are to be located close to the bicycle parking area, entry/exit points, and within an area of security camera surveillance preferably where there are such building security systems.
- C5. On-site car parking is provided in accordance with Part A, Holroyd DCP 2013 and State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004.
- C6. All on-site car parking is provided within basements where the basement only protrudes a maximum of 1 metre above ground level. Limited on-street parking is provided for pick up and drop off zones for residents and their guests adjacent to building entries.

### 15.11 Environmental Performance

#### Objectives

- O1. To reduce environmental impact over the life cycle of a building.
- O2. To reduce the necessity for mechanical heating and cooling.
- O3. To enhance local biodiversity through the planting of diverse native plant species.
- O4. To promote renewable energy initiatives.
- O5. To reduce urban heat island effect by providing shading, trees, vegetation and selection of materials that deflect radiation from the sun.

#### Development Controls

- C1. Ensure rainwater is captured, stored and used for non-potable uses such as irrigation of landscaping.
- C2. Native planting to be incorporated in on-site landscaping.
- C3. Where possible, incorporate a dual water system that recycles grey water for toilet flushing and car washing.
- C4. Consideration should be given to utilising roof space for developing roof gardens (green roof).
- C5. Where appropriate bio-walls (green walls) should be incorporated in the design of buildings.
- C6. Selection of sustainable materials should be considered as part of the future development, with a relatively positive impact on communities and the environment.
- C7. During demolition of existing structures; recycling or reuse of resources and waste management approaches should also be considered throughout development stages.
- C8. Materials should provide optimal insulation and address the reduction of urban heat island effect.



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-699

Attachment 5

Draft Site Specific Development  
Control Plan (Cumberland DCP  
version)









CUMBERLAND  
CITY COUNCIL

## PART F1-X

45 BARCOM STREET  
MERRYLANDS WEST  
(CARDINAL GILROY  
VILLAGE)



Cumberland DCP – Part F1 –Residential Site Specific

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## 1. Introduction

### 1.1 Purpose of this DCP

The purpose of this DCP is to outline the 'site specific controls' (the detailed planning and design framework) that relates to 45 Barcom Street site (refer to Figure 1) which is located within the Merrylands West area to guide the future redevelopment of the site.

Where there is inconsistency between this document and provisions contained elsewhere in the **Cumberland DCP XX**, the site-specific controls contained in this document shall apply to the extent of the inconsistency.

### 1.2 Land to which this Part applies

This section applies to land at 45 Barcom Street, Merrylands West, containing three (3) lots with a total area of 7.44ha including Lot 5 DP 701151 (2.42ha), Lot 8 DP 732058 (1.928ha) and Lot 11 DP 1075418 (3.092ha) and shown in Figure 1.



Figure 1: Land to which this Part applies



## Cumberland DCP – Part F1 –Residential Site Specific

### 1.3 Relationship to Cumberland Development Control Plan XX

The controls contained in this part are supplementary to and shall be read in conjunction with the following relevant parts of **Cumberland DCP XX**.

Part A – Introduction and General Controls

Part B – Development in Residential zones

Part C – Development in Business zones

Part E – Other land use-based development controls

Part F1- Residential site-specific development controls (refer to Sherwood scrubs and adjoining land)

Part G - Miscellaneous Development Controls (for general heritage conservation, traffic and parking controls, **tree management and landscaping** and other related controls)

In addition to this Part, SEPP ((Housing for Seniors or People with a Disability) 2004, SEPP 65 and the NSW Apartment Design Guide (ADGs) must be considered when preparing a development application. Where there is an inconsistency between this DCP Part and provisions contained elsewhere in **Cumberland DCP XX**, the provisions of this Part shall prevail.

## 2. Vision and Objectives

### 2.1 Vision

The Cardinal Gilroy Village is a vibrant and active Seniors Housing development that integrates with, complements and enhances the surrounding Merrylands West community.

### 2.2 General Objectives

- O1. Development is predominantly residential in use, making an important contribution to the amount and choice of housing for **the seniors and people with a disability along with the provision of some related retail and commercial uses for its occupants and the surrounding neighbourhood** broader community. The site will establish a 'landmark' development for Seniors and People with a Disability and deliver a mix of high-quality Seniors Housing to meet a demonstrated need.
- O2. Buildings are sited, positioned and designed to maximise climatic responsiveness and provide high levels of desirable solar access and natural ventilation.
- O3. Development creates a high level of residential amenity, including optimising outlook and views to desirable landscape elements, and respects the amenity of surrounding established residential areas.
- O4. Deliver the highest standards of urban planning and excellence in architectural design.
- O5. Development creates two distinct precincts to the north and south with a green heart (open space) at its core. Central Park will be a publicly accessible, multi-use park that forms the centre piece of new through-site linkages.
- O6. Development provides for a varied, integrated open space network that provides for a diverse range of informal active and passive recreational activities in a largely green, soft landscaped setting **and** development that provides for considerable area of landscaped open space to reduce urban heat loads.
- O7. Development that provides for considerable area of landscaped open space to reduce urban heat loads and maintain the landscaped character of the locality.

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**Cumberland DCP – Part F1 –Residential Site Specific**

- O8. Create liveable communities by providing high quality amenities and open space to meet the needs of existing and future residents of Merrylands West.
- O9. The establishment of permissible retail/commercial uses at ground level fronting Kenyons Road to enhance convenience and service the day to day needs of occupants and surrounding residents.
- O10. Development responds to and respects the site and its context, including its strategic, transit proximate location, topography and surrounding residential uses and heritage significant surrounds located to the site's west.
- O11. Existing heritage surrounding the site is retained, enhanced and respected through increased building separation distances and setbacks, protection of key view corridors and the provision of landscaped open space within the visual curtilage of the heritage significant items.
- O12. Development provides for a high level of engagement between the public and private domains, in particular providing for pedestrian integration and extensive opportunities for passive casual surveillance.

## 2.3 Master Plan

The vision and principles for the site as identified above are spatially expressed in the urban structure for the precinct as shown in Figure 2.

To ensure that development provides key elements, where variations to the master plan are proposed, the development application is to demonstrate how the vision and principles have been achieved.



Figure 2: Master Plan



### 3. Specific objectives and controls

#### 3.1 Land use

##### Objectives

- O1. Development creates a vibrant and active Seniors Housing development that integrates with, complements and enhances the surrounding Merrylands West community.
- O2. Development provides for permissible retail/commercial uses on the ground level fronting Kenyons Road that supports the day to day and lifestyle needs of residents and the surrounding neighbourhood.

##### Controls

- C1. Land use is in accordance with Figure 3.
- C2. Development provides for a maximum of 1,480sqm of GFA of permissible retail/commercial uses. Note: permissible retail/commercial uses include kiosks, neighbourhood shops and health services facilities, etc.
- C3. Permissible retail/commercial uses such as a neighbourhood shop, kiosk and health services facilities are located at ground level fronting the Kenyons Road buildings in accordance with Figure 3.
- C4. The open space areas detailed in Figure 3 are publicly accessible and connected by a network of pedestrian linkages (refer to Section 3.6 below).



**Cumberland DCP – Part F1 –Residential Site Specific**



Figure 3: Land use



**Cumberland DCP – Part F1 –Residential Site Specific**

### 3.2 Building height

#### Objectives

- Q1. Building height is varied throughout the site to reflect the scale and density of surrounding development and create an articulated and visually interesting development.
- Q2. Building height adopts a height pyramid principle with taller buildings located in the centre of the site transitioning to lower rise buildings at the site's edges.
- Q3. Building height retains adequate solar access and privacy to neighbouring educational, residential and heritage significant properties throughout the year.

#### Controls

- C1. Maximum building height is generally in accordance with Figure 4.
- C2. Building heights allow solar access to neighbouring properties in accordance with Part B under **Cumberland DCP XX.**



Figure 4: Building height



### 3.3 Building siting and setbacks

#### Objectives

- O1. Buildings are sited to provide adequate separation between from proposed buildings within and adjoining the site, and a physical and landscaped buffer to proposed buildings adjoining (or located outside) especially adjoining residential and heritage significant properties.
- O2. Buildings are sited to provide a high level of amenity within and for adjoining residential and heritage significant properties.

#### Controls

- C1. All residential buildings on the site are setback in accordance with the provisions of Part 3F- I of the Apartment Design Guide (ADG).
- C2. Setbacks for all buildings adjacent to the boundary are in accordance with Figure 5 with indicative sections in Figures 6-8.



Figure 5: Setbacks



**Cumberland DCP – Part F1 –Residential Site Specific**

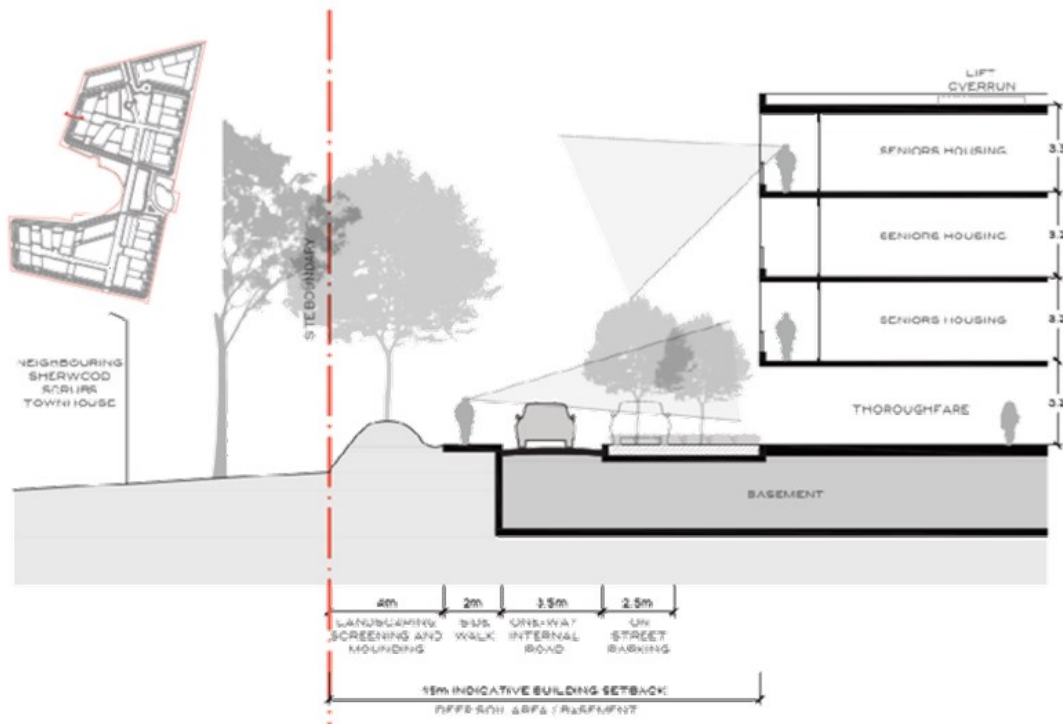


Figure 6: Indicative section from Sherwood Scrubs Townhouses to the west

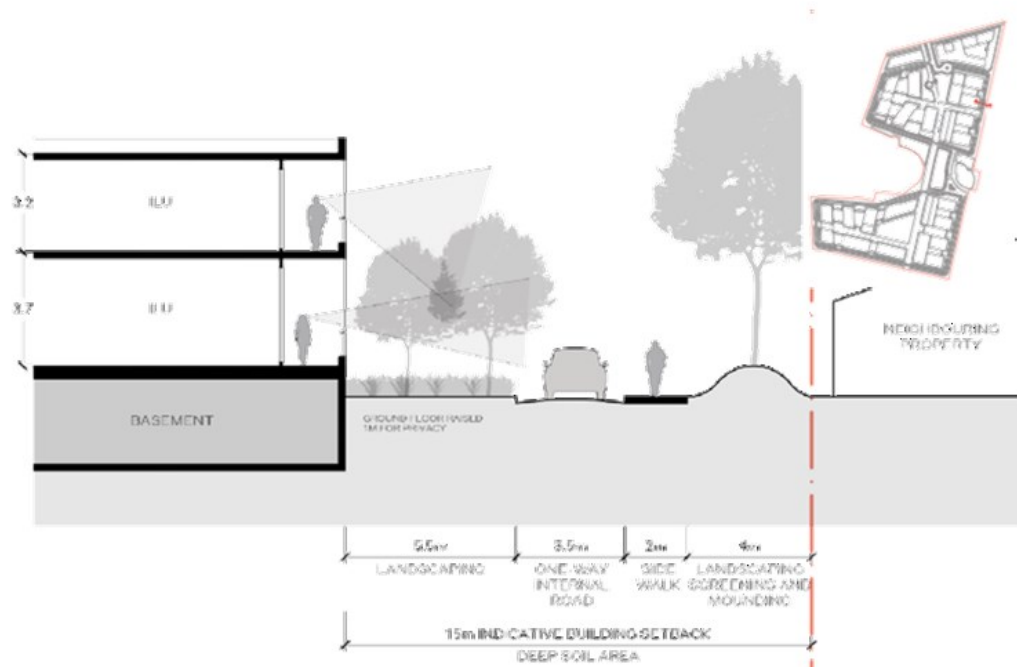


Figure 7: Indicative section adjacent to the residential development to the east



**Cumberland DCP – Part F1 –Residential Site Specific**

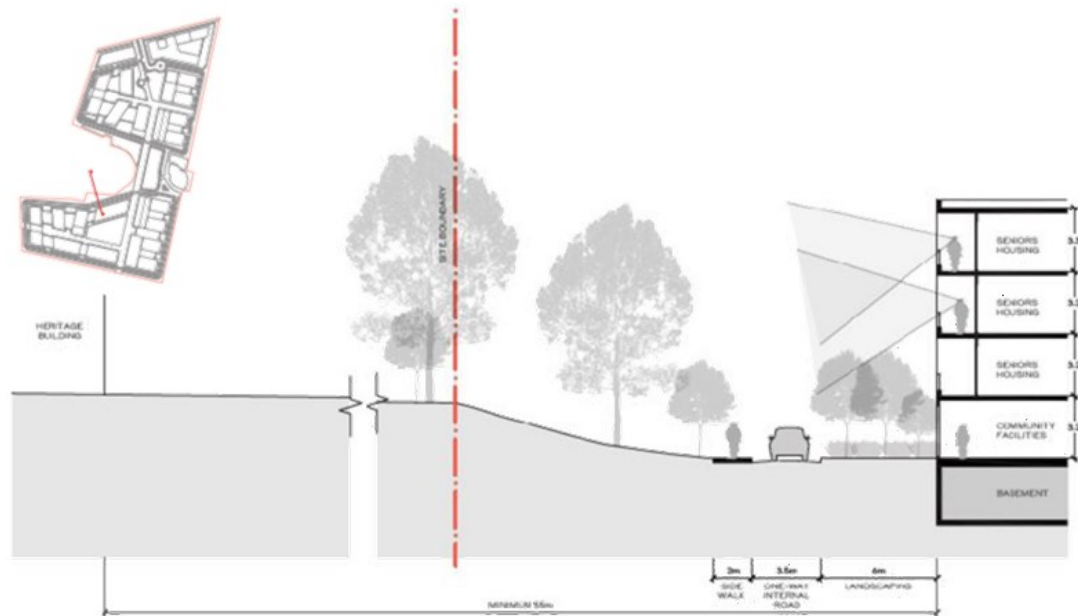


Figure 8: Indicative setbacks from the heritage item to the west

- C3. Building setbacks and separation distances for buildings fronting internal streets and open space areas are to be generally consistent with Figure 9.



Figure 9: Setbacks



Cumberland DCP – Part F1 –Residential Site Specific

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- C4. Buildings fronting Kenyons Road are to be setback 10m from the street boundary. Awnings may encroach into the setback area consistent with Figure 10.
- C5. Overlooking to adjoining residential zones is minimised via the use of fixed privacy screens, fixed depth planter boxes or similar where required.
- C6. Buildings are setback to allow direct solar access to neighbouring properties in accordance with Part B under **Cumberland DCP XX**.
- C7. Buildings are sited to ensure lines of sight to publicly accessible and communal open space is maximised.

### 3.4 Built form

#### Objectives

- O1. Buildings are designed to activate and engage with the adjoining public domain.
- O2. Buildings are designed to reduce the bulk and scale when viewed from the public domain and provide visual interest **and to minimise built form impacts from the site to the adjoining residential and heritage significant properties.**
- O3. Internal street setbacks and upper level setbacks enable sunlight and view corridors, whilst allowing passive surveillance from upper level balconies and terraces.

#### Controls

- C1. Building fronting Kenyons Road are designed to have activated uses at ground level that ensures:
  - the number of individual tenancies that adjoin and are directly accessible from the public domain are maximised
  - multiple accessible pedestrian entries are provided from the public domain
  - large areas of transparent glazing or other openings enable clear sightlines between the public domain and internal areas, in particular those with high levels of activity
  - any kiosk uses may include outdoor seating fronting Kenyons Road
  - awnings or other overhangs provide shelter for outdoor seating areas and minimise noise transmission to dwellings above.
  - roller shutters or bars are not permitted on windows or openings fronting the public domain.



**Cumberland DCP – Part F1 –Residential Site Specific**

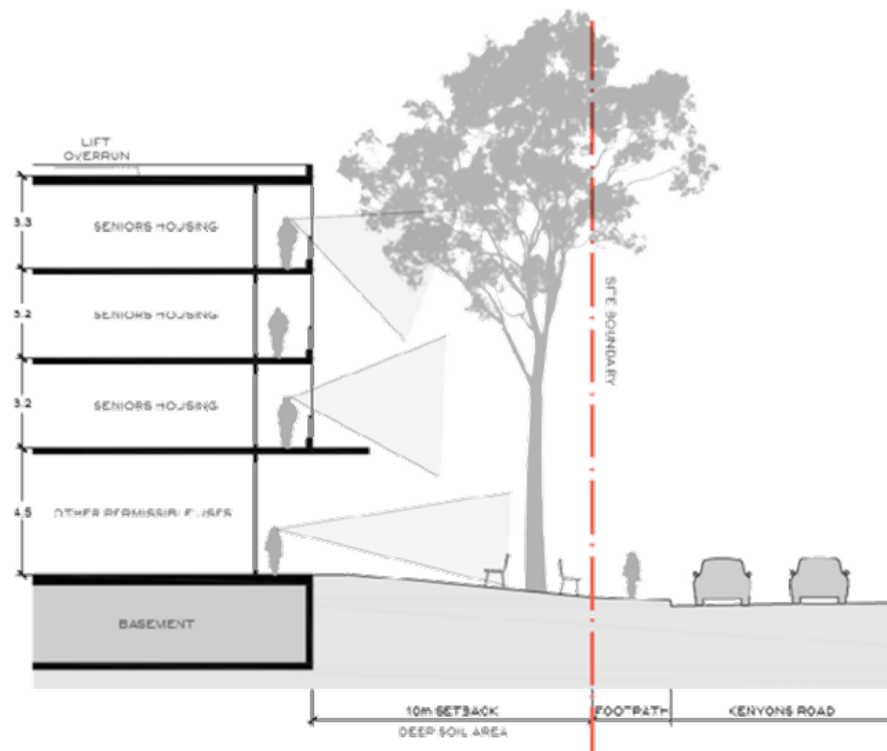


Figure 10: Indicative section for buildings fronting Kenyons Road

- C2. Loading docks and any vehicular access points are not be located fronting the public domain and are to be unobtrusively located to minimise the visual impact.
- C3. Upper level residential dwellings are designed to have their main living areas and adjoining private open space oriented to and directly overlook the public domain, internal roads or publicly accessible open space areas in accordance with Figure 11.

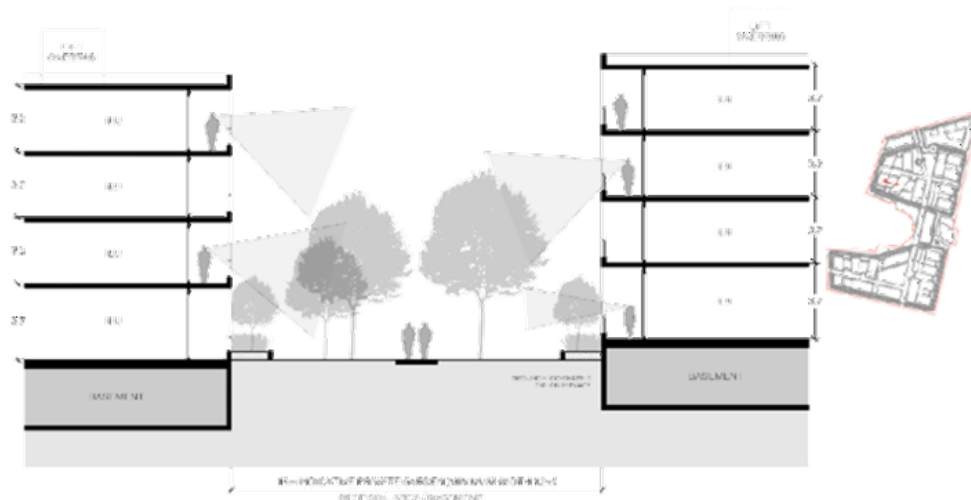


Figure 11: Indicative section for buildings



## Cumberland DCP – Part F1 –Residential Site Specific

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- C4. Building designs are to follow the topography of the land and minimise the cut and fill of the site.
- C5. Floor to ceiling heights are provided in accordance with the ADG.
- C6. Building facades are positioned to optimise solar access to main internal living areas and adjoining private open space and optimise outlook and views to high amenity features such as open space.
- C7. Blank walls are to be avoided and building facades feature articulation using design measures such as:
  - recessed and/or projecting balconies
  - blades or fins
  - privacy screens
  - large windows and other openings
  - sun control devices such as eaves, louvres and screens
  - differentiation of materials
  - architectural features
- C8. Maximum depth and width is in accordance with the ADG.
- C9. New development adjacent to the heritage building requires consideration of building materials that are complementary to the retained heritage buildings, are sympathetically designed and supported by a Heritage Impact Statement.
- C10. View corridors to the adjacent heritage building are maximised through the publicly accessible central park from the Barcom Street entrance and community centre.
- C11. Building facades are designed to provide a variety of design solutions, to promote diversity, choice and character of space.

### 3.5 Open space and landscaping

#### Objectives

- O1. To provide for open space includes a variety of publicly accessible parks, communal open space and through-site links for the benefit of the surrounding Merrylands West community.
- O2. To provide for publicly accessible and communal open space that caters for a diverse range of informal passive and active recreation activities that are accessible, useable, permeable and fit for their intended purpose.
- O3. To provide for publicly accessible and communal open spaces that have a high level of amenity, including adequate solar access throughout the year, shade during the summer, circulation and safety.
- O4. To provide for publicly accessible and communal open spaces that have a coherent, legible landscape character, and offers a high level of visual amenity.
- O5. To enhance the surrounding and internal pedestrian and street networks with quality landscaping and architectural responses, to facilitate a network of green links.
- O6. To promote social cohesion and a sense of community through providing spaces that cater for organised and informal community gathering and interaction.



Cumberland DCP – Part F1 –Residential Site Specific

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- Q7. To respect the existing natural assets such as existing significant trees and other planting to create attractive spaces and encourages biodiversity.

**Controls**

- C1. Development is to provide a publicly accessible central park (open space) area having a minimum area of 5,000sqm located centrally on the site that forms the green heart of the Cardinal Gilroy Village. Indicative sections of the publicly accessible central park are provided in Figure 13.
- C2. All publicly accessible and communal open space areas include the following:
- soft and hard landscaping for passive recreation and active play;
  - sufficient area for deep soil planting to support large, spreading canopy trees
  - adaptable playground areas; and
  - amenities such as BBQ facilities, shade structures, seating, lighting, bins and signage.
- C3. Open spaces are designed to create a variety of type of space (path, street, square, park) character of space (public, recreational, semi-private) and scale of space, that responds to the characteristics of all proposed areas and landscaping in accordance with Figure 12.
- C4. Development provides for continuous linear through-site links between building that provide a physical and visual connection between the publicly accessible central park and surrounding properties.
- C5. Ground level communal open space area for occupants are to be provided for the northern and southern precincts with a direct visual connection to the publicly accessible central park and green spaces where possible. All publicly accessible and communal open space is to be designed in accordance with CPTED principles.
- C6. Where possible, publicly accessible and communal open space includes areas for community gardens in locations that do not compromise the useability of the space for informal active and passive recreation activities.
- C7. A minimum of 4 hours of direct solar access is to be maintained to at least 50% of the publicly accessible central park on June 21 between 10.00am and 3.00pm.
- C8. A minimum of 2 hours of direct solar access is to be maintained to at least 50% of the communal open space areas on June 21 between 10.00am and 3.00pm.
- C9. Open space is provided generally in accordance with Figure 12. Indicative sections of the publicly accessible central park are provided in Figure 13.



**Cumberland DCP – Part F1 –Residential Site Specific**



Figure 12: Open Space Network and Linkages

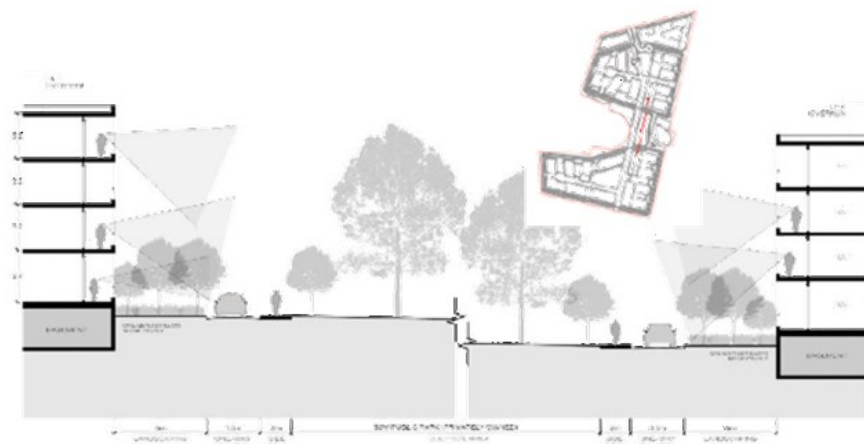


Figure 13: Indicative section of buildings overlooking public and private open space



Cumberland DCP – Part F1 –Residential Site Specific

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- C10. Existing significant trees around the perimeter of the site, in particular those that provide a screening function for adjoining uses are retained where not required for site access points or internal roads and are integrated into the prevailing landscape character of the precinct.
- C11. A minimum of 25% of the site area is to comprise of deep soil landscaped area.
- C12. A minimum of 50% of the front setback area to Kenyons Road is to comprise of deep soil landscaped areas.
- C13. Deep soil landscape areas are located between buildings and between the residential boundaries surrounding the site. The deep soil landscaped areas on the boundaries are to contain a combination of mounding and/or dense landscaping to provide amenity and maximise screening between properties.
- C14. Plantings in open space areas incorporate a diverse selection of locally native species including trees, shrubs and grasses/groundcovers.

### 3.6 Movement network

#### Objectives

- O1. The movement network provides for multiple points of public access to the precinct.
- O2. The movement network is functional and provides for the efficient, safe and comfortable movement of vehicles, pedestrians and cyclists.
- O3. The movement network where appropriate, provides opportunities for social interaction and gathering.

#### Controls

- C1. Vehicular movement and directions are provided in accordance with Figure 14. Limited on-street parking is provided for pick up and drop off zones for residents and their guests adjacent to building entries.



**Cumberland DCP – Part F1 –Residential Site Specific**

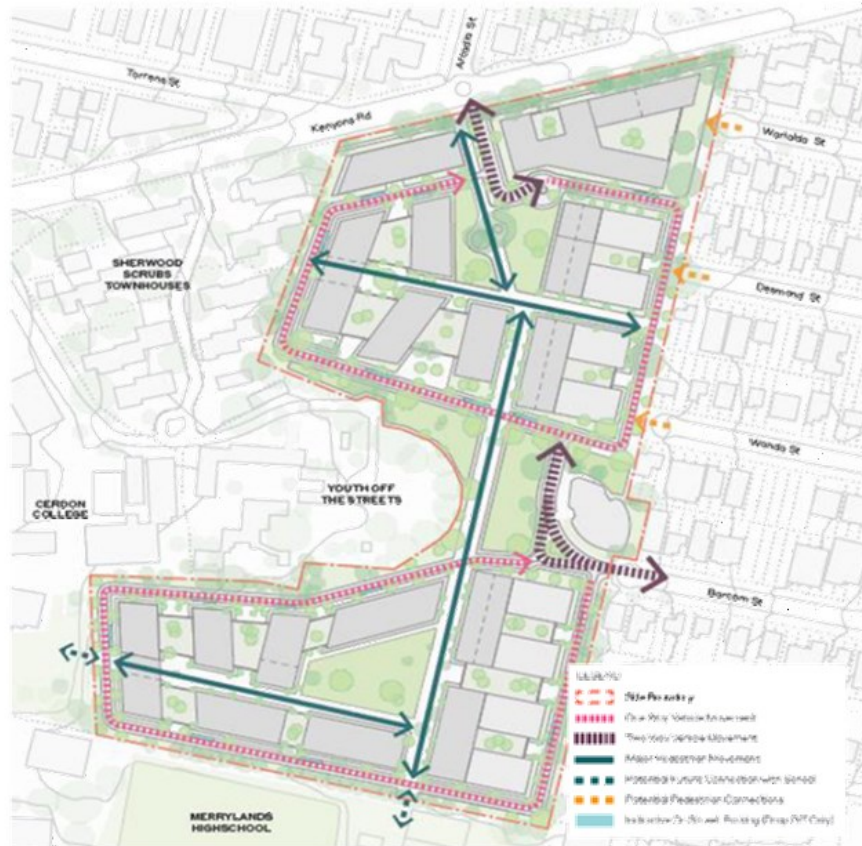


Figure 14: Movement Plan

- C2. The vehicular and pedestrian access points from the public domain are provided on Kenyons Road and Barcom Street in accordance with Figure 14.
- C3. All internal streets around the periphery of the site are to:
- be single lane to a maximum width of 3.5 metres
  - limited on-street parking is provided for pickup and drop off zones for residents and their guests adjacent to building entries
  - include pedestrian paths and landscaping
  - prioritise pedestrian and cyclist movement over vehicular movement
  - include a landscaped verge on both sides with extensive and co-ordinated tree plantings; and be generally in accordance with the indicative sections in Figures 15 and 16.



**Cumberland DCP – Part F1 –Residential Site Specific**

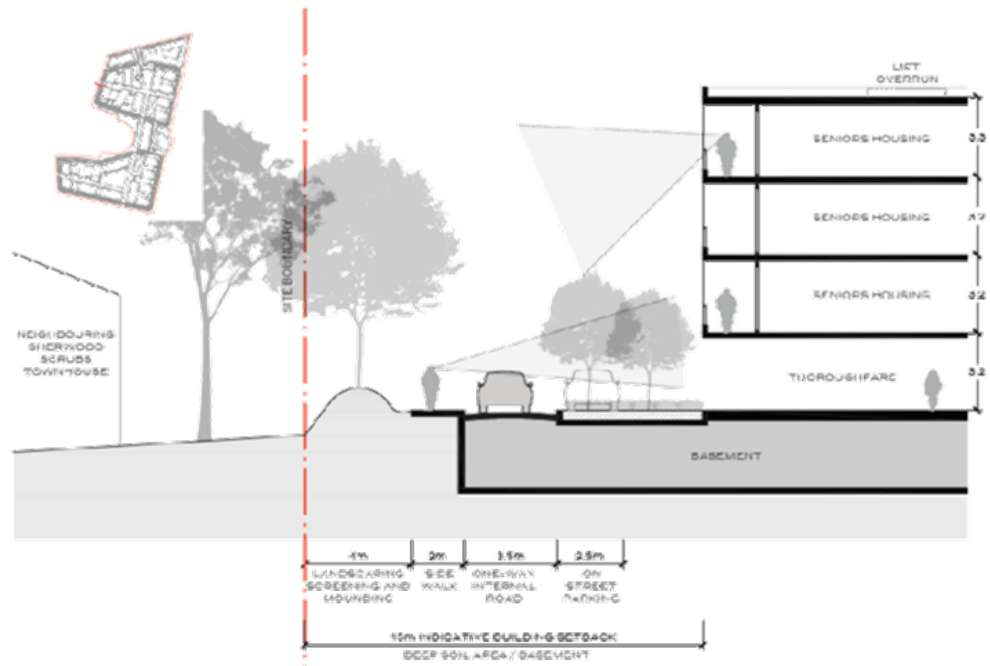


Figure 15: Indicative western section

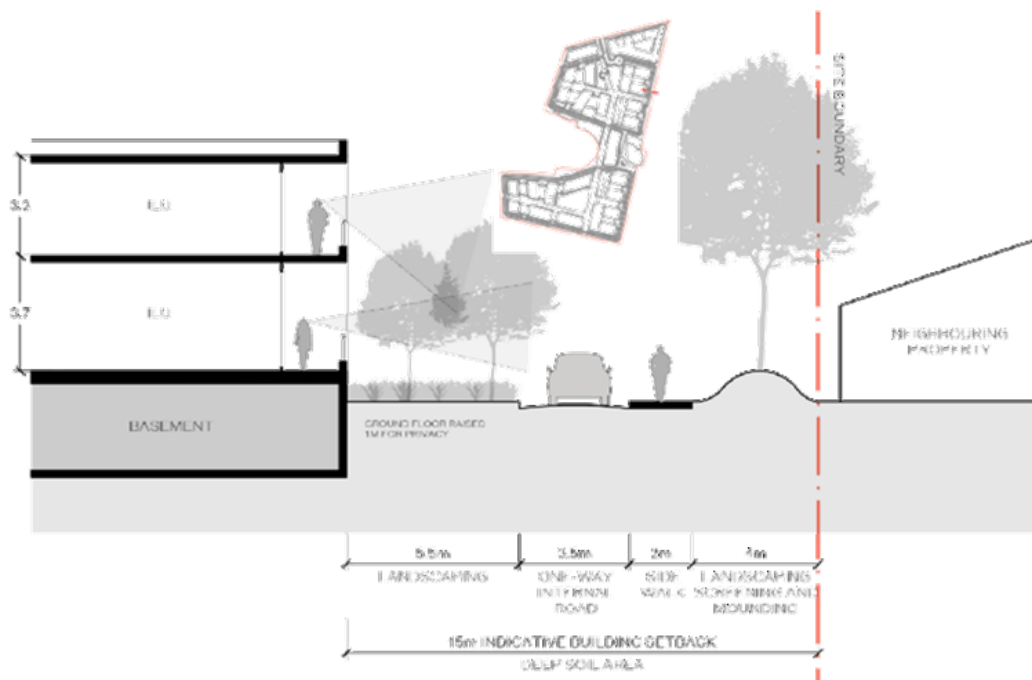


Figure 16: Indicative eastern section

**C4. The pedestrian and cycle access network:**

- is direct, accessible and easily identified by all users;
- includes signage for way-finding and advising of the publicly accessible status of the link and the places to which it connects



## Cumberland DCP – Part F1 –Residential Site Specific

- is integrated into the network design and includes furniture, facilities and materials of a high quality
  - is well lit and open to the sky for the entire length
  - is clearly distinguished from vehicle access-ways
  - allows visibility along the length of the through-site links.
- C5. Streets furniture is provided and includes a high quality, durable and co-ordinated selection of:
- paving
  - seating
  - lighting
  - rubbish bins
  - signage.
- C6. Provision is made to allow possible future connections from the site to adjoining properties to the east, west and south in accordance with Figure 14.
- C7. Street trees are to be provided on all streets and pedestrian links that:
- comprise a co-ordinated palette of climatically responsive species
  - are robust and low-maintenance
  - are planted in a co-ordinated and formalised manner
  - increase the comfort of the public domain for pedestrians, including through the provision of shade in summer
  - enhance the environmental performance of the precinct by increasing opportunities for energy conservation.

### 3.7 Managing transport demand and parking

#### Objective

- O1. Ensure that the transport demand generated by development is managed in a sustainable manner.
- O2. On- site car parking is provided at a rate that balances the needs to provide for the convenience needs of residents and visitors while encouraging more sustainable forms of movement such as public transport, walking and cycling.
- O3. On-site car parking is provided in a form that reduces overall building size and enables the creation of a positive relationship between building and the adjoining public domain, in particular through high levels of integration at the ground floor level.

#### Controls

- C1. All development applications are to include a 'Transport and Traffic Impact Assessment Study' addressing the potential impact of the development on surrounding movement systems, where the proposed development comprises:
- Retail/commercial development of more than 1,000m<sup>2</sup> GFA;
  - residential development of 100 or more new dwellings; or
  - likely to generate significant traffic impacts according to the consent authority.
- C2. Any development application is to include a site wide 'Green Travel Plan' to outline initiatives for walking, cycling and the use of public transport. The Green Travel Plan should address different transport needs and patterns for residential and retail /commercial uses.
- C3. Any development application is to include a 'Transport Access Guide', and a strategy for its future availability to residents, employees and visitors, to the Seniors Housing



Cumberland DCP – Part F1 –Residential Site Specific

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development.

- C4. End-of-trip facilities including showers and lockers must be provided to adequately service the number of bicycle parking spaces required for employees in the retail/commercial uses and are to be located close to the bicycle parking area, entry/exit points, and within an area of security camera surveillance preferably where there are such building security systems.
- C5. On-site car parking is provided in accordance with Part G, **Cumberland DCP XX** and the State Environmental Planning Policy (Housing for Seniors of People with a Disability) 2004.
- C6. All on-site car parking is provided within basements where the basement only protrudes a maximum of 1 metre above ground level. Limited on-street parking is provided for pickup and drop off zones for residents and their guests adjacent to building entries.

### 3.8 Environmental Performance

#### Objectives

- O1. To reduce environmental impact over the life cycle of a building.
- O2. To reduce the necessity for mechanical heating and cooling.
- O3. To enhance local biodiversity through the planting of diverse native plant species
- O4. To promote renewable energy initiatives.
- O5. To reduce urban heat island effect by providing shading trees, vegetation and selection of materials that deflect radiation from the sun.

#### Controls

- C1. Ensure rainwater is captured, stored and used for non-potable uses such as irrigation of landscaping.
- C2. To reduce the necessity for mechanical heating and cooling.
- C3. To enhance local biodiversity through the planting of diverse native plant species.
- C4. Consideration should be given to utilising roof space for developing roof gardens (green roof).
- C5. Where appropriate bio-walls (green walls) should be incorporated in the design of buildings.
- C6. Selection of sustainable materials should be considered as part of the future development, with a relatively positive impact on communities and the environment.
- C7. During demolition of existing structures; recycling or reuse of resources and waste management approaches should also be considered throughout development stages.
- C8. Materials should provide optimal insulation and address the reduction of urban heat island effect.



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Cumberland DCP – Part F1 –Residential Site  
Specific

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Item No: C03/21-700

## **2-22 WILLIAM STREET, GRANVILLE - PLANNING PROPOSAL, DEVELOPMENT CONTROL PLAN AND VOLUNTARY PLANNING AGREEMENT**

Responsible Division: Environment & Planning  
Officer: Director Environment & Planning  
File Number: PP2017/1  
Community Strategic Plan Goal: *A resilient built environment*

### **SUMMARY**

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The planning proposal for 2-22 William Street, Granville, was endorsed by Council at its meeting of 4 September 2019 for a Gateway Determination. The resolution also required the preparation of an acceptable Voluntary Planning Agreement and a site-specific Development Control Plan.

Following receipt of a Gateway Determination by the Department of Planning, Industry and Environment and in accordance with Council's resolution, the Planning Proposal, draft Voluntary Planning Agreement and draft site-specific Development Control Plan have been prepared and exhibited. This report outlines the feedback received during exhibition.

It is recommended that Council endorses the Voluntary Planning Agreement and delegates authority to execute the Voluntary Planning Agreement, and that the site-specific Development Control Plan be adopted. It is also recommended that Council finalise the Planning Proposal.

### **RECOMMENDATION**

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#### **That Council:**

- 1. Adopt the recommended planning controls for 2-22 William Street, Granville, as previously resolved by Council, being:**
  - a. a maximum building height of 16 metres be applied to the site;**
  - b. a maximum Floor Space Ratio of 1.7:1 be applied to the site; and**
  - c. removal of existing local heritage item I205 known as 10 William Street, Granville (Lot 27 DP 2371).**
- 2. Finalise the Planning Proposal (Attachment 1), as delegated by the Minister, following execution of the Voluntary Planning Agreement and registration on title.**
- 3. Note that this Local Environmental Plan amendment will be published in the Government Gazette upon finalisation.**
- 4. Adopt the site-specific Development Control Plan as an amendment to the Parramatta Development Control Plan 2011, as provided in Attachment 4, with the Development Control Plan coming into effect on**



the date of notification (gazetted) of the Local Environmental Plan amendment.

5. Delegate to the General Manager the authority to make minor, non-policy corrections or formatting changes to the Development Control Plan controls, if required, prior to coming into effect.
6. Endorse that the site-specific Development Control Plan provisions be carried over to the new Cumberland Development Control Plan when this is in force.
7. Endorse and delegate authority to the Mayor and General Manager to execute the Voluntary Planning Agreement on behalf of Council for 2-22 William Street, Granville, as provided in Attachment 5.

## REPORT

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### **Background**

A revised planning proposal request was lodged with Cumberland Council on 16 October 2018 for 2-22 William Street, Granville, which sought to increase the maximum height of buildings, floor space ratio controls and remove the existing local heritage item no. I205 known as 10 William Street (Lot 27 DP 2371) from schedule 5 of the *Parramatta Local Environmental Plan (LEP) 2011* for this site.

The proposal was considered by the Cumberland Local Planning Panel on 16 April 2019. The Panel recommended that the proposal be reported to Council seeking a resolution to proceed to Gateway and recommended the preparation of a site-specific development control plan for the site.

The proposal was reported to Council on 4 September 2019, with Council endorsing that a planning proposal be prepared and seeking to amend the following planning controls:

- Apply a Floor Space Ratio control of 1.7:1 for the site;
- Increase the Height of Building control to 16 metres; and
- Remove an existing local heritage item I205 known as 10 William Street (Lot 27 DP 2371) from Schedule 5 of the Parramatta LEP 2011.

At the meeting, Council resolved to prepare a draft site-specific Development Control Plan to prohibit rooftop communal open space, specify the maximum number of storeys and ensure an appropriate transition in built form between the proposed higher density residential development and neighbouring residential dwellings to mitigate any potential loss of direct solar access and residential amenity. Council also resolved to prepare a Voluntary Planning Agreement to capture public benefit arising from the proposal.

On 24 January 2020, a Gateway Determination was issued by the Department of Planning, Industry and Environment for the proposal requesting to proceed with delegations issued by the Minister.



***Public Exhibition***

The draft Planning Proposal, draft Voluntary Planning Agreement and draft site-specific Development Control Plan were publicly exhibited for a total period of 54 days from Friday 11 December 2020 to Tuesday 2 February 2021. A longer exhibition period was held due to Christmas/New Year/Australia Day holiday periods, and the requirement to exclude the period between 20 December 2020 and 10 January 2021 (inclusive) from the public exhibition period.

During this time, the exhibition material was made available on Council's website and in hardcopy form at selected Customer Service Centres and Libraries. Owners and occupiers in close proximity to the site received written notification. As per the Gateway Determination issued, Council also consulted with NSW Heritage Office for this proposal; however, no comments were received.

A total of one (1) community submission was received in response to the exhibition. The submission objected to the draft voluntary planning agreement's monetary contribution provision being allocated for infrastructure upgrades/improvements within Granville Town Centre and raised potential contamination concerns that related to the site should the site be developed for residential.

***Planning Proposal***

The issues raised in the community submission were considered by Council officers prior to the Gateway Determination stage of the Planning Proposal and are matters which can be addressed in detail at the development application stage and through Council's broader strategic planning work that is being carried out. A site-specific Development Control Plan has also been prepared to mitigate issues relating to proposed building's height, built form and setback controls and to protect the loss of residential amenity of neighbouring residential areas located south of the site.

No changes to the Planning Proposal are proposed in response to the public submission. It is recommended that Council finalise the Planning Proposal.

***Development Control Plan***

Council's resolution required that a site-specific Development Control Plan (DCP) be prepared to mitigate any overshadowing and loss of residential amenity as a result of the proposed development.

No changes have been made to the site-specific DCP following public exhibition in conjunction with the Planning Proposal.

It is recommended that Council adopt the site-specific DCP for the site, as provided in Attachment 4, as an amendment to the Parramatta DCP 2011 under Section 4.1.6 – Granville Town Centre. It is also recommended that Council endorse the carryover of the site-specific DCP to the new Cumberland DCP Part F2 – Business site specific – Granville Town Centre when in force.

***Voluntary Planning Agreement***

Council's resolution also required that a draft Voluntary Planning Agreement (VPA) be prepared with the Planning Proposal (refer to Attachment 5).

A public benefit offer was received from the proponent for consideration by Council after Gateway Determination was issued, following a recommendation by the Cumberland Local Planning Panel to derive public benefit and as resolved by Council.



The proposed public benefit offer is considered to be consistent with the Cumberland Planning Agreements Policy. The offer formalises the inclusion and provision of a monetary contribution towards supporting public domain upgrades within the Granville Town Centre and surrounds.

A draft VPA was negotiated between Council and the applicant to capture the public benefit offer. The draft VPA was notified in accordance with statutory and policy requirements. No changes have been made to the VPA following its public exhibition with the Planning Proposal and site-specific Development Control Plan .

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## COMMUNITY ENGAGEMENT

Community engagement on the proposal is outlined in the main body of the report.

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## POLICY IMPLICATIONS

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

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## RISK IMPLICATIONS

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

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## FINANCIAL IMPLICATIONS

Financial implications for Council regarding the Voluntary Planning Agreement are outlined in the main body of the report.

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## CONCLUSION

As required by Council's resolution on 4 September 2019 and 2 December 2020, the draft Planning Proposal, draft Voluntary Planning Agreement and a draft site-specific Development Control Plan have been prepared and publicly exhibited. It is recommended that Council finalise the Planning Proposal, adopt the site-specific Development Control Plan, and endorse and delegate authority to execute the Voluntary Planning Agreement.

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## ATTACHMENTS

1. Planning Proposal [↓](#)
2. Gateway Determination [↓](#)
3. Submission [↓](#)
4. Site-Specific Development Control Plan [↓](#)
5. Voluntary Planning Agreement [↓](#)



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-700

Attachment 1  
Planning Proposal









## Planning Proposal 2-22 William Street, Granville

Proposal seeks to amend the *Parramatta Local Environmental Plan 2011* by:

- Increasing the maximum building height (HoB) from 14m to 16m,
- Increasing the floor space ratio (FSR) from 1:1 to 1.7:1,
- Removing the local heritage item no. I205 known as 10 William Street (Lot 27 DP 2371) from Schedule 5 of the above LEP.

December 2020 (Planning Proposal updated for exhibition)

(Reference PP2017/1)



Planning Proposal

2-22 William Street, Granville

## Report history

Date	Status
1 March 2019	Commencement
11 September 2019	Final Report
9 December 2020	Proposal updated for exhibition (Post-Gateway)



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# 1 Introduction

## 1.1 Purpose of the report

This Planning Proposal explains the intended effect of, and justification for, the proposed amendment to the *Parramatta Local Environmental Plan 2011* (*Parramatta LEP 2011*). It has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the NSW Department of Planning, Industry and Environment (DPIE) guides on preparing Planning Proposals and Local Environment Plans.

## 1.2 Background

### Original Proposal request/s

On 15 December 2015, a planning proposal request (**Attachment A**) and concept scheme (**Attachment B**) was lodged with Parramatta Council for 2-22 William Street, Granville (the Site) by Sid Arida c/- PTI Architects. This original planning proposal request sought to amend the development standards in the *Parramatta LEP 2011* to achieve a greater height and density on the Site to enable the development of a seven (7) storey residential development with two (2) basement levels and roof top gardens.

The original planning proposal request proposed an increase in FSR from 1:1 to 2.3:1 and a proposed increase in maximum building height from 14m to 23m (seven storeys). The proposal included the removal of Heritage Item I205 (No. 10 William Street) from Schedule 5 of the *Parramatta LEP 2011*.

Post Council amalgamations in May 2016, assessment of the planning proposal request became the responsibility of Cumberland Council.

A revised concept scheme was submitted to Cumberland Council in September 2016 (**Attachment C**) contains revised plans, however a revised version of the planning proposal report document was not provided at that time). The revised proposal sought a lower maximum FSR of 1.7:1 and a maximum height of 19.2 metres (five storeys), in attempt to address the overshadowing of the adjoining properties to the south of the Site. It also sought the removal (i.e. demolition) of the heritage item at 10 William Street.

Preliminary public exhibition of the original planning proposal request and revised concept scheme was undertaken by Cumberland Council between 10 April 2017 and 12 May 2017, in accordance with Council's planning proposal notification policy. An assessment of the proposal request and submissions received were undertaken, and this was reported to the Cumberland Independent Hearing and Assessment Panel (Cumberland IHAP) meeting on 13 September 2017 (Please see report at **Attachment D**).

At this meeting, the Cumberland IHAP recommended that the planning proposal request be deferred to a future Cumberland IHAP (now Cumberland Local Panel Planning) meeting and for Council to undertake the following (**Attachment D**):

- Obtain an additional independent heritage opinion on the demolition of the heritage item.



- Undertake an urban design study of whether the FSR is appropriate while satisfying the outcomes required in the Apartment Design Guide (ADG) including but not limited to floor to floor height, appropriate amenity to all habitable rooms, transition to R2 zoning to the south, separation to side boundary setbacks between Sites 1 and 2.
- Consideration be given to any community benefit in the proposed increased FSR and height.

#### **Revised proposal request (October, 2018)**

Following above meeting, on 16 October 2018 a revised planning proposal request was submitted by Ethos Urban (**Attachment 1**) on behalf the proponent with a revised concept scheme prepared by PTI Architects (**Attachment 2**) to address concerns raised by the Cumberland IHAP and to ensure the planning proposal was consistent with the proposed concept scheme provided.

This revised proposal request sought a maximum FSR of 1.7:1 and a maximum height of 20 metres (five storeys), and like the previous planning proposal requests, it also sought the removal (i.e. demolition) of the existing heritage item located at 10 William Street.

As per the recommendations of the Cumberland IHAP meeting of 13 September 2017, further additional independent heritage advice (prepared by Extent Heritage) was obtained on the demolition of the existing heritage item (**Attachment 3**).

An FSR study was also undertaken to develop a preferred urban design-built form outcome that is contextually appropriate and delivers good amenity outcomes for residents of the building itself and its neighbours (**Attachment 4**).

The revised proposal request was then reported to the Cumberland Local Planning Panel on 16 April 2019 addressing the earlier recommendations made by the Cumberland IHAP (**Attachment 5**).

At this meeting, the Cumberland Local Planning Panel recommended the following (**Attachment 6**):

*1. Council proceed with the preparation of a Planning Proposal for 2-22 William Street, Granville (Lots 18 – 31 DP 2371 and SP 31488), with the following development standards:*

- *a floor space ratio of 1.7:1; and*
- *a maximum building height of 16m;*

*2. A voluntary planning agreement be negotiated between Council and the Proponent to ensure a public benefit is derived from the uplift value that this planning proposal will achieve.*

*3. Council prepare site specific development controls that prohibit rooftop communal open space, specify the maximum number of storeys, and ensures an appropriate transition in*



*built form between the higher density development on the site and neighbouring low density dwellings.*

*4. The proponent undertake the following, prior to any demolition approval if allowed:*

- *prepare an archival recording of the heritage item at 10 William Street as per the NSW OEH Guideline How to prepare archival records of heritage items;*
- *organise for an interpretation strategy to be prepared by a qualified heritage consultant for the group of three cottages at 6, 8 and 10 William Street, and for this strategy to be integrated into any proposed development in accordance with The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 2013, and the NSW OEH documents namely Interpreting Heritage Places and Items Guidelines 2005, and the Heritage Interpretation Policy 2005. The interpretation strategy should also integrate the reuse of any salvaged material; and*
- *organise for a qualified heritage consultant to prepare a list of items and materials to be salvaged. Any material identified for salvaging should be photographed, tagged and catalogued by a heritage consultant and stored until reused in a secure, weather-proof location. The location of the storage should be ascertained by the proponent in consultation with Cumberland Council.*

Following the above panel meeting, the matter was also considered by the Cumberland Council's Heritage Committee on 19 June 2019. The Committee was provided with an update on the heritage assessment undertaken for the proposed removal of the heritage item at 10 William Street, Granville as part of the planning proposal for 2-22 William Street.

Expert advice provided by Extent Heritage noted that there were a number of significantly better examples of this type of heritage items in the local area. No objection was raised by the Heritage Committee. 10 William Street, Granville has also been identified in Stage 1 of the Cumberland Heritage Study as no longer meeting the NSW heritage criteria for heritage items. The matter was reported to Council on 7 August 2019 (**Attachment 7**).

Following above, the proposal was reported Council's meeting of 4 September 2019. Council resolved to prepare a planning proposal and seek a Gateway Determination (refer to **Attachment 8**). At this meeting, Council also resolved to prepare a site-specific DCP and to derive public benefit through preparation of a voluntary planning agreement.

Following Council's lodgement of the proposal in October 2019, in January 2020, DPIE issued a Gateway Determination (**Attachment 9**) for the proposal requesting that the proposal proceed with conditions.



## 2 Existing context

### 2.1 Land to which the proposal applies

The planning proposal applies to land at 2 – 22 William Street, Granville. The Site is the block on the southern side of William Street, and is bound by William Street, Clyde Street, Factory Street and a rear access laneway.



**Figure 1:** Aerial photograph of the Site and surrounds.

The area of the Site is approximately 3700m<sup>2</sup>. It comprises fifteen allotments containing seven buildings with a frontage to William Street (detached residential dwellings), and two storey strata subdivided residential flat building including six apartments (See **Table 1** for Lot and Deposited Plan Numbers). The Site also contains a commercial building used for warehousing at the western end of the block and includes the existing heritage item at 10 William Street (**Figure 1**).

**Table 1 – Lot and Deposited Plan Numbers**

Property Address	Lots and Deposited Plan
22 William Street	Lot 18 Section 2 in DP 2371 Lot 19 Section 2 in DP 2371 Lot 20 Section 2 in DP 2371
12 William Street	Lot 21 Section 2 in DP 2371



	Lot 22 Section 2 in DP 2371 Lot 23 Section 2 in DP 2371 Lot 24 Section 2 in DP 2371 Lot 25 Section 2 in DP 2371 Lot 26 Section 2 in DP 2371
10 William Street	Lot 27 Section 2 in DP 2371 (Existing PLEP Heritage Item)
8 William Street	Lot 28 Section 2 in DP 2371
6 William Street	Lot 29 Section 2 in DP 2371
4 William Street	Lot 30 Section 2 DP 2371 Lot 31 Section 2 in DP 2371
2 William Street	SP 31488

Sid Arida, the applicant owns the Site at 10-22 William Street (Site 1) and has instigated the LEP amendment. The remaining portion of the Site is known as 2-8 William Street (Site 2) and comprises five allotments held under private ownership and strata title (**Figure 2**).



**Figure 2:** Overall site ownership pattern.





**Figure 3:** No.2 William Street, viewed from William Street



**Figure 4:** No.10 William Street (heritage item)



**Figure 5:** No.6 and No.8 William Street



**Figure 6:** View east along rear laneway

## 2.2 Local context

The Site is bound to the north by the Granville RSL Club and existing industrial buildings (towards Clyde Railway Station). These buildings are accessed from and have frontage to, Memorial Drive with no vehicular access or active frontages to William Street, facing the Site.

To the east of the Site is an industrial precinct zoned IN1 General Industrial. The lots to the south of the Site fronting First Street (and backing onto the rear lane) are established detached residential dwellings within an R2 Low Density Residential zone with a max FSR of 0.5:1 and a 9m height limit. Allotments to the west of Clyde Street are residential flat buildings varying from two to four storeys within a R4 High Density Residential zone with a max FSR of 1.1:1 and a 14m height limit.

There are a range of recreational facilities within walking distance of the Site, including the Granville RSL Club, Granville Town Centre, public open space, and sporting ovals. The Granville Town Centre also provides a range of educational facilities.

The Site is located approximately 150m from Clyde Railway Station and about 500-600 metres from Granville Station and the Granville shopping area located along Mary Street and South Street.





**Figure 7:** Granville RSL Club, northwest of the Site



**Figure 8:** View on Clyde Street, north east of the Site



**Figure 9:** Granville Multicultural Community Centre



**Figure 10:** No. 14 Clyde Street

## 2.3 Existing planning controls

The current planning controls of the Site are described below.

### Land Use Zoning

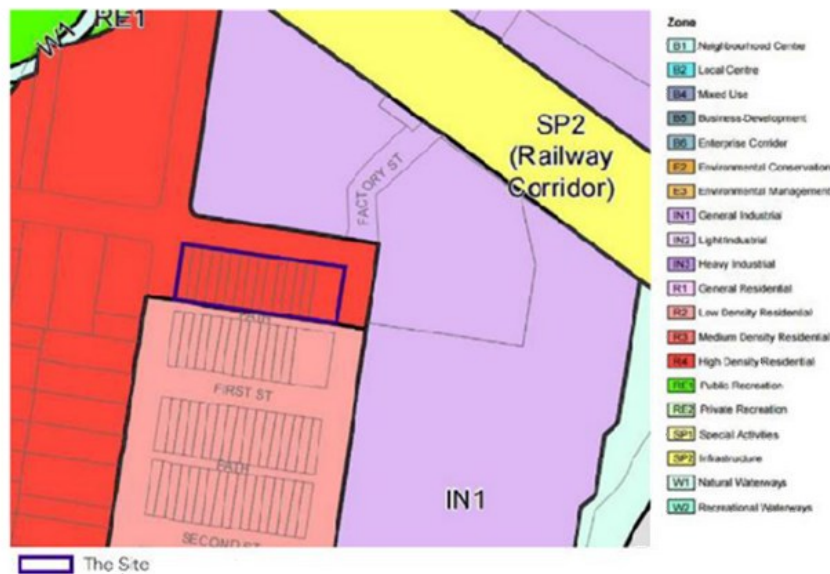
The site is currently zoned R4 High Density Residential (See Figure 11) in the *Parramatta LEP 2011*. The objectives of the zone are:

- To provide for the housing needs of the community within a high density residential environment.
- To provide a variety of housing types within a high density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To provide opportunity for high density residential development close to major transport nodes, services and employment opportunities.



- To provide opportunities for people to carry out a reasonable range of activities from their homes if such activities will not adversely affect the amenity of the neighbourhood.

Key permitted uses include residential flat buildings.



**Figure 11: Parramatta LEP 2011 - Land Zoning Map**

### Height of Building

The maximum permissible height for the Site is 14m as shown in **Figure 12**.



**Figure 12: Parramatta LEP 2011 - Maximum Building Height Map**



### Floor Space Ratio

The maximum floor space ratio for the Site is 1:1 as shown as **Figure 13**.



**Figure 13: Parramatta LEP 2011 – Maximum Floor Space Ratio Map**

### Heritage

No.10 William Street (Item I205) on the Site is listed as a heritage item as shown in **Figure 14**.



**Figure 14: Parramatta LEP 2011 – Heritage Map**



**Other relevant planning controls****Parramatta Development Control Plan 2011**

The *Parramatta Development Control Plan 2011 (Parramatta DCP 2011)* currently applies to the Site. The specific controls that are relevant to this planning proposal are listed as follows:

**3.1.2 Height Transition**

- Where there is a common boundary between areas where a different height limit is specified, the top storey on the land with the higher height limit is to be stepped back to fit within a plane projected at a 45 degree angle from the floor below the topmost floor.

**3.3.2 Private and Communal Open Space**

- C.7 A minimum of 10m<sup>2</sup> private open space per dwelling with minimum dimensions of 2.5 metres.
- C.8 A minimum of 10m<sup>2</sup> communal open space per dwelling with minimum dimensions of 2.5 metres.
- Table 3.1.3.7 Provide a deep soil zone of a minimum 30% of the Site, of which at least 50% is to be located at rear of site, with minimum dimensions of 4m x 4m.
- Table 3.1.3.7 Provide a landscaped area of minimum 40% of the Site (including deep soil zone).

**Table 3.1.3.7 Setbacks**

- Provide a front setback on the primary frontage of William Street of minimum 5 – 9 metres.
- Provide a secondary street frontage of minimum 3 – 5 metres.
- Provide a rear setback on the lane of a minimum 15% of length of site.
- C.4.1.6 C1 (f) For development in the R4 High Density Housing Zone, south of the railway line, setbacks apply to the first 4 storeys of development. Remaining storeys are to be set back an additional 3 metres. Balconies may encroach the upper level setback (levels 5 and 6 only) for a maximum depth of 1 metre.

**3.3.3 Visual and Acoustic Privacy**

- C.10 The minimum separation between habitable rooms/ balconies is 12m.
- C.11 For loft dwellings facing rear lanes, the minimum separation between habitable rooms/balconies is 8m.
- C.12 The minimum separation between habitable rooms/balconies is 12m up to and including the third storey and 18m above the third storey.

**3.3.5 Solar Access and Cross Ventilation**

- C.8 The minimum floor to ceiling height is 2.7m.
- C.9 80% of dwellings are to be naturally cross ventilated. (Note the ADG requirement is less than this and supersedes this requirement).
- C.10 Single aspect dwellings are limited in depth to 8m from a window.
- C.11 The maximum building depth is 18m, subject to showing that the building can provide acceptable amenity outcomes.



- P.2 Adjoining properties are to receive a minimum of 3 hours sunlight in the primary living area, and in at least 50% of the private open space between 9am and 3pm on 21 June. Where existing development currently receives less sunlight than this requirement, this should not be unreasonably reduced.

#### 3.4.4 Safety and Security

- C.1 Buildings should contain multiple stair/ lift cores which limit the number of dwellings with access from the circulation core.
- C.2 Individual dwellings should be designed to overlook communal areas such as play areas, and gardens.
- C.4 Frontages of development should face other frontages rather than their backs or sides.
- C.5 Where developments have a car park or laneway for access to a car park, building layouts should provide some windows, lighting or secondary access doors that address the car park.
- C.6 Access from car parks to dwellings should be direct and safe for residents day and night.

#### 3.6.2 Parking and Vehicular Access

- C.21 Car parking spaces are to be located in a basement.

#### Apartment Design Guide

Relevant Apartment Design Guide (ADG) controls to the Site include:

- 3.D.1 Communal open space to be 25% of the Site area with 50% of the principal usable open space to receive a minimum of 2 hours of direct sunlight in midwinter (9am – 3 pm).

#### 4A Solar and daylight access

- 4A-1.1 Living rooms and private open spaces of at least 70% of apartments in a building receive a minimum of 2 hours direct sunlight between 9 am and 3 pm at mid-winter in the Sydney Metropolitan Area and in the Newcastle and Wollongong local government areas.
- 4A-1.3 A maximum of 15% of apartments in a building receive no direct sunlight between 9 am and 3 pm at mid-winter.

#### 4B Natural Ventilation

- 4B-3.1 At least 60% of apartments are naturally cross ventilated in the first nine storeys of the building. Apartments at ten storeys or greater are deemed to be cross ventilated only if any enclosure of the balconies at these levels allows adequate natural ventilation and cannot be fully enclosed.
- 4B-3.2 Overall depth of a cross-over or cross-through apartment does not exceed 18m, measured glass line to glass line.



As per the recommendation made by the Cumberland Local Planning Panel at its 16 April 2019 meeting, the planning proposal seeks to amend the *Parramatta DCP 2011* controls to prohibit rooftop communal open space, specify the maximum of storeys, and ensure an appropriate transition in built form between the higher density development in the site and neighbouring low density dwellings.

## Part 1: Objectives or intended outcomes

The proposal seeks to facilitate the redevelopment of the site to build residential flat developments with basement parking on-site with the removal (demolition) of existing heritage item at 10 William Street.

In order to balance the proposed uplift on the site and maximise public benefit the proponent offered to enter into negotiations with Council for a planning agreement consistent with council's planning agreements policy to provide local infrastructure improvements such as public domain/open space improvements within the Granville Town Centre and surrounds. The proponent's proposed letter of offer is **Attachment 10**.

The other key objectives of the planning proposal are to:

- Ensure the scale and mass of the site's proposed development transitions appropriately to the low-density area to the south; and
- Ensure that the proposed height and FSR promotes an urban design-built form outcome that is contextually appropriate and delivers good amenity outcomes for residents of the proposed site and its nearby neighbours.

## Part 2: Explanation of provisions

The intended outcome is proposed to be achieved via the following amendments to the *Parramatta Local Environmental Plan 2011*:

- Increase the existing Floor Space Ratio control from 1:1 to 1.7:1;
- Increase the existing Height of Buildings from 14m to 16m;
- Remove existing heritage item I205 (10 William Street) from Schedule 5 of the above LEP.

A summary of the evolution of the planning proposal controls for the site is provided below as additional information:



**Table 2 – Summary of Past and Proposed Planning Controls for site**

<i>PLEP 2011</i> Development Standards	Existing Planning Controls ( <i>Parramatta LEP</i> 2011)	Planning Proposal (Cumberland Sept 2016)	Revised Planning Proposal (Oct 2018)	Recommended Planning Controls (Panel meeting of 16 April 2019 and Council Meeting of 4 Sept 2019)
Zoning	R4 High Density Residential	R4 High Density Residential	R4 High Density Residential	<b>R4 High Density Residential</b>
FSR	1:1	1.7:1	1.7:1	<b>1.7:1</b>
Maximum Height of Buildings HoB)	14m	19.2m	20m	<b>16m</b>
Heritage	10 William Street (Lot 27 DP 2371) is listed as a Heritage item I205 in Schedule 5 of the <i>Parramatta LEP</i> 2011	Remove (demolish) 10 William Street from Schedule 5 of the <i>Parramatta</i> <i>LEP 2011</i>	Remove (demolish) 10 William Street from Schedule 5 of the <i>PLEP 2011</i>	<b>Remove (demolish) 10 William Street from Schedule 5 of the <i>PLEP 2011</i></b>

#### ***Proposed concept development***

The revised proposal request submitted in October 2018 provided an indicative concept scheme with a FSR of 1.7:1, a maximum building height of 20m, and the removal (i.e. demolition) of the heritage item at 10 William Street, Granville. The concept scheme, however, was non-compliant with the *Parramatta DCP 2011* and the ADG. This is discussed further below.

For purposes of Gateway exhibition the concept scheme has been further revised to include site 2 details in addition to site 1 (**Attachment 2**) to address gateway conditions.

#### ***Additional information or supporting studies***

The following additional studies were also provided to support the proposal:

- Heritage Impact Statement prepared by Archnex Designs (**Attachment 11**).
- Peer Heritage Review prepared by Heritage 21/Rappoport (**Attachment 12**).
- Traffic and Parking Assessment Report by Varga Traffic Planning (**Attachment 13**).

#### ***Planning agreement offer and draft site specific DCP***

A planning agreement was also negotiated with the proponent as resolved by Council Post Gateway. The proponent's letter of offer, draft VPA prepared along with site- specific DCP will be exhibited along with this proposal.



## Part 3: Justification

### SECTION A – Need for the planning proposal

**Q1** *Is the planning proposal a result of any strategic study or report?*

The proposal was initiated as a result of a request made by PTI Architects Pty Ltd on behalf of the owner, Sid Arida.

**Q2** *Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*

As the increase in the FSR and height is more than 5% as permitted through *Clause 4.6 Exceptions to Development Standards* of the *Parramatta LEP 2011*, the best means of achieving the objectives or intended outcomes is through a planning proposal.

The planning proposal differs to the planning proposal request submitted by the proponent as the concept scheme provided by the proponent demonstrated inconsistencies with the *Parramatta DCP 2011* and the ADG. Please see FSR study commissioned by Council at **Attachment 4** for further details.

**Table 3 – Proposed Planning Controls included in the revised PP Request and Planning Proposal**

Control	Revised PP Request	Planning Proposal
FSR	1.7:1	1.7:1
Building height	20m	16m
Heritage	Remove heritage item I205 from Schedule 5 of the <i>Parramatta LEP 2011</i> .	Remove heritage item I205 from Schedule 5 of the <i>Parramatta LEP 2011</i> .

### Section B – Relationship to strategic framework

**Q3.** *Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?*

The proposal is consistent with the relevant actions and provisions of the following state government strategic planning policies:

- *Greater Sydney Region Plan – A Metropolis of Three Cities*
- *Central City District Plan*

**Greater Sydney Region Plan – A Metropolis of Three Cities**

The Greater Sydney Commission's *Greater Sydney Region Plan – A Metropolis of Three Cities* is built on a vision of three cities (to 2056) where most residents live within 30 minutes



of their jobs, services and great places. Cumberland is within the Central River City. The plan seeks to achieve the vision by aligning land use, transport and infrastructure outcomes for Greater Sydney concurrently with *Future Transport 2056* (Transport for NSW) and *State Infrastructure Strategy* (Infrastructure NSW). The Plan identifies objectives and actions under 10 directions for the Metropolis, under the following four key themes:

**Table 4 – Ten directions of the Greater Sydney Region Plan.**

Themes	Directions
Infrastructure and collaboration	<ol style="list-style-type: none"> <li>1. A city supported by infrastructure</li> <li>2. A collaborative city</li> </ol>
Liveability	<ol style="list-style-type: none"> <li>3. A city for people</li> <li>4. Housing the city</li> <li>5. A city of great places</li> </ol>
Productivity	<ol style="list-style-type: none"> <li>6. A well-connected city</li> <li>7. Jobs and skills for the city</li> </ol>
Sustainability	<ol style="list-style-type: none"> <li>8. A city in its landscape</li> <li>9. An efficient city</li> <li>10. A resilient city</li> </ol>

The proposal is consistent with the following directions:

*Direction 1: A city supported by infrastructure*

The planning proposal supports increased 30-minute access to a metropolitan centre/cluster as it is located in walking distance to the Clyde Railway Station.

*Direction 4: Housing the city*

The planning proposal provides additional housing capacity in Granville, contributing to the supply and range of housing in the area.

*Direction 6: A well-connected city*

The planning proposal supports this direction by placing new housing within 30 minutes by public transport of a metropolitan centre/ cluster and a strategic centre.

**Central City District Plan**

The *Central City District Plan* (Greater Sydney Commission, March 2018) outlines planning priorities and actions to support the *Greater Sydney Region Plan*, under the same set of themes and directions. Part 3.8 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) requires planning authorities to give effect to the District Plan in preparing or considering planning proposals.

The planning proposal is consistent with the following key planning priorities and actions.

*C1. Planning for a city supported by infrastructure*



The planning proposal maximises the utility of existing infrastructure assets such as the Clyde Railway Station.

*C5. Providing housing supply, choice and affordability, with access to jobs, services and public transport*

The planning proposal provides for additional dwellings (approximately 46 apartments) in close proximity to a large range of employment and services near to Parramatta CBD. The planning proposal is located 150 metres from Clyde Railway Station and is also in walking distance to the following bus routes:

- S2 Sefton to Granville (Servicing Chester Hill)
- M91 Hurstville to Parramatta (Servicing Padstow, Bankstown and Chester Hill)
- 906 Parramatta to Fairfield (Servicing Granville and Guildford)

*C6. Creating and renewing great places and local centres, and respecting the District's heritage*

The planning proposal facilitates redevelopment of an existing urban site, presenting opportunities for renewal and social interaction.

*C9. Delivering integrated land use and transport planning and a 30-minute city*

The planning proposal supports this priority by placing housing in a location less than 30 minutes by public transport from Parramatta CBD.

**Q4 Is the planning proposal consistent with Council's local strategy or other local strategic plan?**

***Cumberland Community Strategic Plan 2017-2027***

The Cumberland Community Strategic Plan 2017- 2027 was adopted by Cumberland Council in June 2017 and is a 10-year plan for the future growth and development of Cumberland. Based on extensive community engagement, this plan identifies six strategic goals for Cumberland, being:

- Strategic Goal 1 – A great place to live
- Strategic Goal 2 – A safe accessible community
- Strategic Goal 3 – A clean and green community
- Strategic Goal 4 – A strong local economy
- Strategic Goal 5 – A resilient built environment
- Strategic Goal 6 – Transparent and accountable leadership

This Planning Proposal is broadly consistent with Goal 5 in that it will:

- facilitate the renewal of an urban site;
- provide residential development in close proximity to the Clyde Railway Station; and
- provide for increased and a greater range of housing types.

**Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

An assessment of the Planning Proposal against State Environmental Planning Policies (SEPPs) and deemed SEPPs is provided in **Appendices 1 and 2** respectively. **Table 5** below lists the relevant SEPPs and deemed SEPPs only.



**Table 5 – Consistency with Relevant SEPPs and deemed SEPPs**

No.	Title	Summary	Application	Remarks
64	<b>Advertising and Signage</b>	Aims to regulate signage (but not content) and ensure signage is compatible with desired amenity and visual character of the area.	<b>Applies to State</b>	To be considered at the Development Application (DA) stage, if required.
65	<b>Design Quality of Residential Flat Development</b>	Aims to improve the design qualities of residential flat building development in New South Wales.	<b>Applies to State, except Kosciusko SEPP area</b>	Compliance requirements considered at a higher level during the assessment of the planning proposal. Detailed compliance with the SEPP to be demonstrated at the time of making a DA for the site's development.
70	<b>Affordable Housing (Revised Schemes)</b>	Identifies a need for affordable housing, describes the kinds of households for which affordable housing may be provided, and makes a requirement with respect to the imposition of conditions relating to the provision of affordable housing.	<b>Applies to State.</b>	To be considered at DA stage, if required.
	<b>Affordable Rental Housing 2009</b>	Aims to provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing	<b>Applies to State</b>	To be considered at DA stage, if required.
	<b>Building Sustainability Index: BASIX 2004</b>	Aims to ensure consistency in the implementation of the BASIX scheme throughout the State	<b>Applies to State</b>	To be considered at the DA stage, if required.



Planning Proposal

2-22 William Street, Granville

No.	Title	Summary	Application	Remarks
	<b>Concurrences 2018</b>	Provides for the Planning Secretary to act in place of a person whose concurrence to development is required should they fail to inform a consent authority of the decision concerning concurrence within the time allowed for doing so.	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Exempt and Complying Development Codes 2008</b>	Aims to provide streamlined assessment process for development that complies with specified development standards.	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Housing for Seniors or People with a Disability 2004</b>	Aims to encourage the provision of housing to meet the needs of seniors or people with a disability.	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Infrastructure 2007</b>	Aims to facilitate the effective delivery of infrastructure across the State. Specifies exempt and complying development controls to apply to the range of development types listed in the SEPP.	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Miscellaneous Consent Provisions 2007</b>	Aims to provide erection of temporary structures permissible with consent across the State	<b>Applies to State</b>	The planning proposal does not involve erection of temporary structures. To be considered at DA stage, if required.
	<b>Vegetation in Non-Rural Areas 2017</b>	Aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.	<b>Applies to various local government areas in the State.</b>	The number of trees on the Site is not substantial. Any proposed removal will be assessed at DA stage.



No.	Title	Summary	Application	Remarks
	<b>Sydney Harbour Catchment 2005</b>	Aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole.	<b>Applies to the area of Sydney Harbour, including Parramatta River and its tributaries and the Lane Cove River.</b>  Applies to some land within the Cumberland LGA.	The water quality of the catchment would be ensured through storm water controls in the <i>Parramatta DCP 2011</i> .

**Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1)**

A full checklist analysis of the proposal's consistency with the Ministerial Directions is provided at **Appendix 3. Table 6** below lists the relevant directions only.

Direction	Applicability / Consistency
<b>2. Environment and Heritage</b>	
2.3 Heritage Conservation	<p><b>Consistent</b></p> <p>The site to which the planning proposal applies includes a heritage item at 10 William Street, which is currently protected under the <i>Parramatta LEP 2011</i>.</p> <p>The planning proposal proposes that this heritage item be demolished. Independent heritage advice received by Council recommends that the proposed demolition of 10 William Street may occur. This is discussed further under Q.8 <i>Other likely environmental effects</i>.</p>
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	<p><b>Consistent</b></p> <p>The planning proposal proposes the redevelopment of an urban block in the Granville area, reducing consumption of land for housing and associated development on the urban fringe. It will also increase the number of housing and range of housing types.</p>



Planning Proposal

2-22 William Street, Granville

Direction	Applicability / Consistency
	<p>Due to the location of the site to which the planning proposal applies, the proposed development makes efficient use of transport infrastructure such as Clyde Railway Station and existing bus services.</p> <p>The recommended FSR and height ensures the planning proposal can meet good design requirements of the Apartment Design Guide and the <i>Parramatta DCP 2011</i>. Further design requirements will be considered in more detail at the DA stage.</p>
3.3 Home Occupations	<p><b>Consistent</b></p> <p>Home occupations not included as part of the planning proposal and will be considered, if required, at the DA stage.</p>
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	<p><b>Inconsistent</b></p> <p>This Planning Proposal is considered to be inconsistent with this direction as an acid sulfate soils study, required when an intensification of land uses is proposed, has not been prepared. This inconsistency is considered to be of minor significance given that:</p> <ul style="list-style-type: none"> <li>• The site to which the planning proposal applies is subject to a Class 5 Acid Sulfate Soils classification; and</li> <li>• The matter will be further considered at DA stage under clause 6.1 of the <i>Parramatta LEP 2011</i>.</li> </ul>
4.3 Flood Prone Land	<p><b>Not applicable</b></p> <p>The site to which the proposal applies is not known to be flood affected.</p>
<b>5. Regional Planning</b>	
5.10 Implementation of Regional Plans	<p><b>Consistent</b></p> <p>The planning proposal is consistent with the <i>Greater Sydney Region Plan</i>. This is discussed in the main body of the report in Q3. <i>Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?</i></p>



Direction	Applicability / Consistency
<b>7. Metropolitan Planning</b>	
7.1 Implementation of A Plan for Growing Sydney	<p><b>Consistent</b></p> <p><i>A Metropolis of Three Cities – The Greater Sydney Region Plan</i> has replaced <i>A Plan for Growing Sydney</i>. The planning proposal is consistent with The Greater Sydney Region Plan as discussed in the main body of the report in Q3. <i>Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?</i></p>

## SECTION C – Environmental, social and economic impact

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

The Site is not known to include any such species, populations or ecological communities or their habitats. The land is already zoned for urban purposes and is located within a well-established urbanised area of Granville. The Site consists of minimal vegetation (tree cover). These matters can, if required, be addressed further at the DA stage.

**Q8. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?**

### Heritage

The Statement of Heritage Impact prepared by Archnex (**Attachment 11**) and peer review by Heritage 21 (**Attachment 12**) recommended that removal (i.e. demolition) of the heritage item was reasonable due to its extensive modification and its low contribution towards the heritage setting of the wider area generally. This advice was contradictory to the recommendation of the City of Parramatta Council's heritage officer and Cumberland Council's consultant heritage advisor (Form Architects, **Attachment 14**), who noted that the heritage item retains a sufficient degree of integrity and that the heritage item should be retained and adapted for reuse as part of the proposed development. (refer to Cumberland IHAP meeting report and minutes of 13 September 2017 in **Attachment D** for details).

Council subsequently engaged consultants to undertake an independent assessment and review the proponent's heritage impact statement and peer review. This assessment concluded that the proposed demolition of 10 William Street could occur (See **Attachment 3** for the heritage advice provided). The advice stated the following:

- While the cottage is the only remaining item of the group of three (both 6 and 8 William Street have been compromised with the demolition of the original cottages and replacement with new dwellings on both sides), it is an ordinary example of a weatherboard cottage. Retention and conservation works including adaptive reuse or restoration would increase its aesthetic value as an item, but would not significantly



add to its contribution to the wider streetscape, where as an example of historic values, it is quite isolated.

- Two other groups of weatherboard cottages at 115-119 and 170-178 William Street are in intact condition, and each group is cohesive in its contribution to the streetscape, providing better examples of interpretation of the residential context of the area. Therefore, the retention of the cottage at 10 William Street, which is the only remaining house of the original group of three cottages, does not represent an intact group of cottages as in the case of the other two groups, nor provide enough evidence for interpretation of the former group.

10 William Street has also been identified in the Cumberland Heritage Study currently being undertaken by Council as one of the properties no longer meeting the NSW heritage criteria for assessing heritage significance. Council endorsed the exclusion of this heritage item on 4 September 2019 from Schedule 5 of the new Cumberland Local Environmental Plan (**Attachment 8**). The NSW Office of Environment and Heritage will also subsequently be alerted to the delisting.

The proponent will be required to undertake the following, prior to any demolition approval (if allowed):

- Prepare an archival recording of the cottage at 10 William Street as per the NSW OEH Guideline *How to prepare archival records of heritage items*;
- Organise for an interpretation strategy to be prepared by a qualified heritage consultant for the group of three cottages at 6, 8 and 10 William Street, and for this strategy to be integrated into any proposed development in accordance with *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance 2013*, and the NSW OEH documents, namely *Interpreting Heritage Places and Items Guidelines 2005*, and the *Heritage Interpretation Policy 2005*. The interpretation strategy should also integrate the reuse of any salvaged material; and
- Organise for a qualified heritage consultant to prepare a list of items and materials to be salvaged. Any material identified for salvaging should be photographed, tagged and catalogued by a heritage consultant and stored until reused in a secure, weather-proof location. The location of the storage should be ascertained by the proponent in consultation with Cumberland Council.

#### **Flooding, Water and Energy Use**

The Site is not flood affected. Water and energy use would be considered under BASIX and at the DA stage.

#### **Q9. Has the planning proposal adequately addressed any social and economic effects?**

The proposed development facilitated by the planning proposal will result in positive social and economic effects for the local area.



**Social Impacts**

The planning proposal is expected to have a positive social effect, particularly in its redevelopment of an underutilised urban block in close proximity to existing infrastructure and services such as Clyde Railway Station and existing bus services. It will also provide a mix of dwelling types, increasing the amount and range of housing types available in the Granville area.

The potential overshadowing impacts of the planning proposal on the residential dwellings to the south (along First Street) will be addressed through the preparation of site-specific development controls that ensure an appropriate transition in built form (this is discussed further below).

**Economic Impacts**

The planning proposal will provide housing in a well serviced location and will encourage further amalgamation of properties to facilitate the redevelopment of an underutilised street block. This will result in better alignment of development with its high-density residential zoning, promoting growth of a modest scale in close proximity to a train station and employment in Granville and in Greater Parramatta.

**Q10. Has the planning proposal adequately addressed any other planning matters?****Land Use Planning**

The Site is located 150m from Clyde Railway Station, and about 500-600 metres from Granville Railway Station and the Granville shopping area located along Mary Street and South Street.

It is located in the Granville Town Centre, which accommodates educational facilities such as Granville TAFE campus, Granville Boys High, and Granville Public School. Community and recreational facilities such as the Granville Medical Centre, Granville Swimming Centre, Granville Multicultural Community Centre and public open space is located in close proximity to the Site.

Situated 4km from Parramatta CBD, the Site is therefore well positioned for increased density in order to locate housing with access to employment opportunities.

The proposed zoning of the Site is to remain as *R4 High Density Residential*. The proposal for an increase in FSR and maximum height of buildings is discussed below.

**FSR and Height of Building Assessment**

An FSR of 1:1 and a maximum building height of 14m applies across the Site. The proponent's revised planning proposal request and concept scheme submitted to Council on 16 October 2018 proposes an FSR of 1.7:1 and a height of 20m (five storeys) across the Site.

In order to determine an appropriate FSR and maximum height of building for the Site, Council engaged a consultant to prepare a FSR study to develop a preferred urban design built form outcome that is contextually appropriate and delivers good amenity outcomes for residents of the proposed development and its neighbours, particularly the dwellings located to the south (along First street).



The study outlined compliance issues with the built form provided for Site 1 in the planning proposal request, some of which are of relevance at the planning proposal stage. This includes inadequate deep soil and non-compliance with the rear setback, upper level setback and ADG separation requirements on the eastern boundary. For a complete list of all non-compliance, please see page 9 of the FSR study (**Attachment 4**).

The study tested a height of 16m to determine the most appropriate FSR for Site 1 and 2 whilst ensuring compliance with the *Parramatta DCP 2011* and the ADG, and recommended that communal open space not be placed on the roof (as proposed by the proponent) due to the lift needing to extend up 3 metres to provide roof access. It was recommended that the communal open space be provided at ground level as the Site has sufficient width and area to achieve this. This will also be more sympathetic with the existing residential context that has rear yards.

The FSR study also undertook overshadowing analysis and demonstrated that a compliant ADG and DCP option would ensure that there is no additional overshadowing impact to 11 and 13 First Street after 1pm, which is an improvement to the planning proposal request.

The study concluded that an FSR of 1.7:1 and a height of 16.2m will deliver good amenity outcomes for the residents of the buildings and its neighbours, particularly the properties to the south.

#### Urban Design

The FSR study highlighted the inconsistencies of the revised planning proposal request and revised concept scheme submitted by the proponent in October 2018. Issues that are of relevance at the planning proposal stage are listed as follows:

- Overall height including lift overruns is 20m.
- 45-degree upper level setback not met.
- Inadequate deep soil zone for tree planting as car park extends under communal open space.
- Rear setback is non-compliant with the *Parramatta DCP 2011*.
- Does not meet ADG separation requirements on eastern boundary.

To address these issues, a number of site specific development controls are proposed to be inserted on page 4.1-43 of the *Parramatta DCP 2011* to prohibit rooftop communal open space, specify the maximum number of storeys, and ensure an appropriate transition in built form between the higher density development on the site and neighbouring low density dwellings.

#### Traffic and Site Access

The proponent submitted a *Traffic and Parking Assessment Report (Traffic Report)* (**Attachment 13**) prepared by Varga Traffic Planning Consultants on 9 December 2015. It should be noted that the report undertook an assessment for the Site (Sites 1 and 2) with a proposed dwelling yield of 63 apartments for Site 1 and 45 apartments for Site 2. The above is much higher than what is now being proposed which is 46 apartments for Site 1 and 32 apartments for Site 2 which is 28% less for the site. Since the dwelling yield has been considerably reduced from when the report was prepared, the findings of the report is still considered to be adequate for the planning proposal.



Although the car parking and vehicular access arrangements will be designed during the DA stage in accordance with Council's requirements as well as relevant standards and guidelines, the Traffic Report undertakes the follows:

- Assesses the traffic implications of the planning proposal in terms of road network capacity; and
- Assesses the adequacy and suitability of the quantity of off-street parking provided on the Site.

Calculations of the additional projected traffic flow due to the planning proposal was evaluated using SIDRA analysis. The analysis indicated that Level of Service 'B' at the William Street, Clyde Street and Memorial Drive intersection is expected to continue to operate at the same level of service. The impact of traffic generated by the additional density of the planning proposal is therefore considered to be relatively minor.

The number of car parking spaces and access into the Site will be further assessed at the DA stage.

## **SECTION D – State and Commonwealth interests**

### ***Q11. Is there adequate public infrastructure for the planning proposal?***

The Site is located in an established urban area and is currently serviced with sewer, water, power supply and telecommunications. Any Site redevelopment would seek to access these existing utilities. This matter, including any required amplifications, will be a matter for consideration and technical investigation at the DA stage.

The Site has good public transport access and is bounded on three sides by Williams Street, Factory Street and Clyde Street, and by a rear lane to the south. Detailed traffic and access requirements will be assessed at the DA stage.

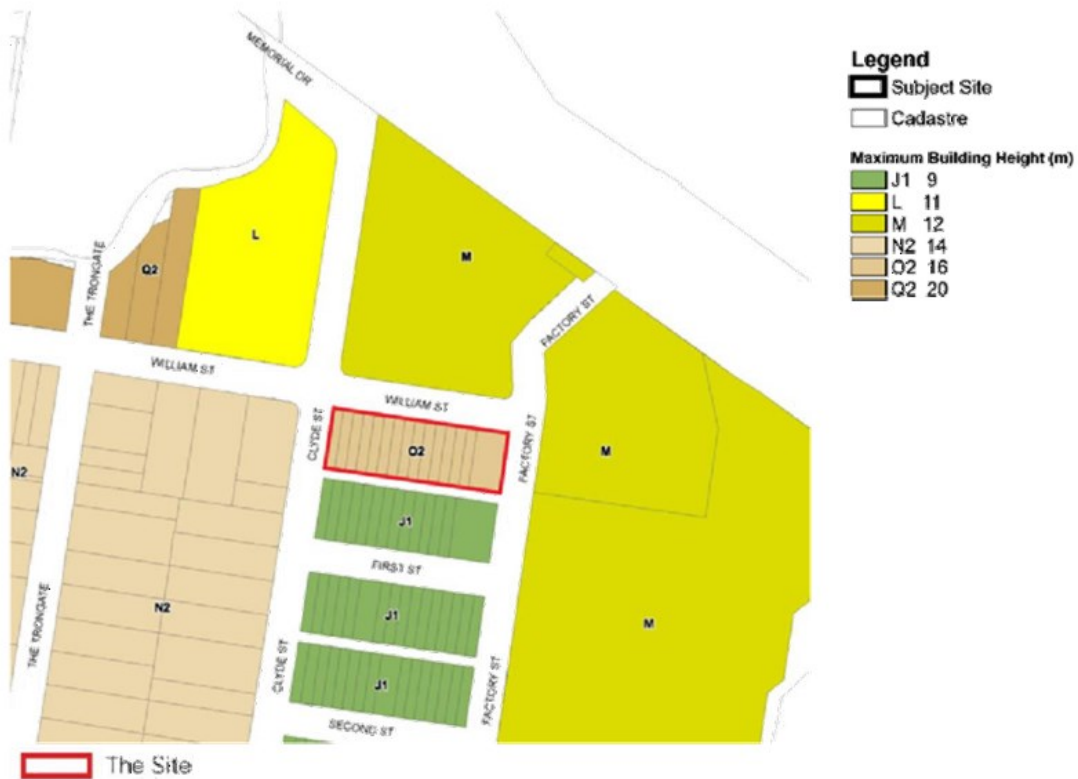
### ***Q12. What are the views of State and Commonwealth Public Authorities consulted in accordance with the Gateway Determination, and have they resulted in any variations to the planning proposal?***

Consultation with relevant State and Commonwealth Public Authorities will be undertaken as directed by a favourable Gateway Determination from the Department of Planning, Industry and Environment.

## **Part 4: Mapping**

Figures 15 – 17 show the proposed maps for maximum building height, maximum floor space ratio, and for heritage.





**Figure 15: Proposed amendment to the Parramatta LEP 2011 – Maximum Building Height Map**



**Figure 16: Proposed maximum Floor Space Ratio Map (1.7:1)**





**Figure 17: Proposed Heritage Map (removal of existing heritage item from 10 William Street property)**

## Part 5: Community Consultation

The planning proposal was publically exhibited (pre-gateway exhibition) between 10 April 2017 to 12 May 2017. It included:

- Notification of the public exhibition on Council's website;
- Exhibition of proposal and all supporting documentation at Council's Service Centres in Auburn and Merrylands and libraries at Auburn, Merrylands, and (Granville or Guildford);
- Notification and exhibition of the proposal and all supporting documentation on a dedicated page under have your say on Council's website, and;
- Notification by mail of the public exhibition to adjoining and nearby landowners located from the proposal site.

In response to the preliminary exhibition, Council received seven submissions, consisting of two individual submissions and five identical form letters. Key issues raised in submissions included concerns about overshadowing, overlooking, potential loss of privacy, noise, loss of property value, traffic congestion and parking. These submission issues were outlined in the 13 September 2017 report to the Cumberland Independent Hearing and Assessment Panel meeting (**Attachment D**).

The post- gateway consultation for this proposal will be carried out in a similar manner to exhibit the proposal in accordance with the issued Gateway Determination.



## Part 6: Project Timeline

The proposal's updated project timeline is as follows:

Milestone	Date
Gateway Determination	January 2020
Post Gateway exhibition of PP along with draft VPA and draft DCP	11 Dec 2020 – 2 Feb 2021
Consult with public agencies as required	Dec 2020 - Feb 2021
Report to Council following exhibition for adoption of proposal	March 2021
Consult with Parliamentary Counsel to prepare legal instrument and LEP Maps	April 2021
LEP amendment notification	April/May 2021

## 3 Conclusion

This Planning Proposal explains and justifies proposed changes to *Parramatta LEP 2011*. The proposal is likely to result in positive social and economic outcomes, consistent with the strategic directions and priorities outlined in the *Greater Sydney Region Plan*, *Central City District Plan* and *Cumberland 2030: Our Strategic Planning Statement*.

The proposal is also consistent with and will help to redevelop the site and contribute to local infrastructure improvements and upgrades within the Granville Town Centre.



## Appendix 1: Consistency of Proposal with State Environmental Planning Policies

No.	Title	Summary	Application	Remarks
1	<b>Development Standards</b>	Aims to provide flexibility in the application of planning controls where strict compliance of development standards would be unreasonable, unnecessary or hinder the attainment of specified objectives of the Act.	<b>Does not apply to Cumberland LGA</b> SEPP repealed by <i>Auburn LEP 2010</i> , <i>Holroyd LEP 2013</i> and <i>Parramatta LEP 2011</i> (clause 1.9).	
19	<b>Bushland in Urban Areas</b>	Aims to protect bushland within urban areas. Specific attention to bushland, remnant and endangered vegetation and bushland zoned or reserved for public open space.	<b>Applies to State</b>	The planning proposal is not affected by this SEPP.
21	<b>Caravan Parks</b>	Aims to facilitate the proper management and development of land used for caravan parks catering to the provision of accommodation to short and long term residents.	<b>Applies to State, except land to which SEPP (Western Sydney Parklands) applies</b>	The planning proposal is not affected by this SEPP.
33	<b>Hazardous and Offensive Development</b>	Aims to provide additional support and requirements for hazardous and offensive development	<b>Applies to State</b>	The planning proposal is not development for a potentially hazardous industry or potential offensive industry.
36	<b>Manufactured Home Estates</b>	Aims to facilitate the establishment of manufactured home estates as a contemporary form of residential housing.	<b>Does not apply to the Cumberland LGA</b> Applies to land outside the Sydney Region.	



No.	Title	Summary	Application	Remarks
44	<b>Koala Habitat Protection</b>	Aims to encourage proper conservation and management of areas of natural vegetation that provide habitat for koalas	<b>Does not apply to Cumberland LGA</b> Former Auburn LGA parts, former Parramatta LGA parts of the Woodville Ward, and former Holroyd LGA parts that are now located within Cumberland are not listed in Schedule 1 of the SEPP.	
47	<b>Moore Park Showground</b>	Aims to enable redevelopment of Moore Park Showground consistent with its status as being of State and regional planning importance.	<b>Does not apply to the Cumberland LGA</b>	
50	<b>Canal Estate Development</b>	Prohibits canal estate development	<b>Applies to State, except Penrith Lakes</b>	The planning proposal is not affected by this SEPP.
55	<b>Remediation of Land</b>	Provides a State wide planning approach for the remediation of contaminated land.	<b>Applies to State</b>	The planning proposal is not affected by this SEPP as the potential for contamination of the site is low.
64	<b>Advertising and Signage</b>	Aims to regulate signage (but not content) and ensure signage is compatible with desired amenity and visual character of the area.	<b>Applies to State</b>	To be considered at the Development Application (DA) stage, if required.



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No.	Title	Summary	Application	Remarks
65	<b>Design Quality of Residential Flat Development</b>	Aims to improve the design qualities of residential flat building development in New South Wales.	<b>Applies to State, except Kosciusko SEPP area</b>	Compliance requirements considered at a higher level during the assessment of the planning proposal. Detailed compliance with the SEPP to be demonstrated at the time of making a DA for the site's development.
70	<b>Affordable Housing (Revised Schemes)</b>	Identifies a need for affordable housing, describes the kinds of households for which affordable housing may be provided, and makes a requirement with respect to the imposition of conditions relating to the provision of affordable housing.	<b>Applies to State</b>	Affordable housing (or contributions towards this) will be negotiated as part of a planning agreement.
	<b>Aboriginal Land 2019</b>	Aims to provide for development delivery plans for areas of land owned by Local Aboriginal Land Councils to be considered when development applications are considered, and to declare specified development carried out on land owned by Local Aboriginal Land Councils to be regionally significant development.	<b>Does not apply to the Cumberland LGA</b>	The planning proposal is not affected by this SEPP.
	<b>Affordable Rental Housing 2009</b>	Aims to provide a consistent planning regime for the provision of affordable rental housing and facilitate the effective delivery of affordable housing	<b>Applies to State</b>	To be considered at DA stage, if required.



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No.	Title	Summary	Application	Remarks
	<b>Building Sustainability Index: BASIX 2004</b>	Aims to ensure consistency in the implementation of the BASIX scheme throughout the State	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Coastal Management 2018</b>	Aims to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the Coastal Management Act 2016, including the management objectives for each coastal management area.	<b>Applies to land within the coastal zone</b>	The planning proposal is not affected by this SEPP.
	<b>Concurrences 2018</b>	Provides for the Planning Secretary to act in place of a person whose concurrence to development is required should they fail to inform a consent authority of the decision concerning concurrence within the time allowed for doing so.	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Educational Establishments and Child Care Facilities 2017</b>	Aims to facilitate the effective delivery of educational establishments and early education and care facilities across the State.	<b>Applies to State</b>	The planning proposal is not affected by this SEPP.
	<b>Exempt and Complying Development Codes 2008</b>	Aims to provide streamlined assessment process for development that complies with specified development standards.	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Gosford City Centre 2018</b>	Aims to promote the economic and social revitalisation of Gosford City Centre.	<b>Does not apply to Cumberland LGA</b>	
	<b>Housing for Seniors or People with a Disability 2004</b>	Aims to encourage the provision of housing to meet the needs of seniors or people with a disability.	<b>Applies to State</b>	To be considered at the DA stage, if required.



No.	Title	Summary	Application	Remarks
	<b>Infrastructure 2007</b>	Aims to facilitate the effective delivery of infrastructure across the State. Specifies exempt and complying development controls to apply to the range of development types listed in the SEPP.	<b>Applies to State</b>	To be considered at the DA stage, if required.
	<b>Kosciuszko National Park – Alpine Resorts 2007</b>	Aims to protect and enhance the natural environment of the alpine resorts area.	<b>Does not apply to Cumberland LGA</b> Applies only to specified land within Kosciuszko National Park, Kosciuszko Road and Alpine Way.	
	<b>Kurnell Peninsula 1989</b>	Aims to provide for the proper management and development of mineral, petroleum and extractive material resources	<b>Does not apply to Cumberland LGA</b> Applies to the land within Sutherland Shire known as Kurnell Peninsula. Excludes some land under SSLEP 2006.	
	<b>Mining, Petroleum Production and Extractive Industries 2007</b>	Aims to provide for the proper management and development of mineral, petroleum and extractive material resources	<b>Applies to State</b>	The planning proposal is not affected by this SEPP.
	<b>Miscellaneous Consent Provisions 2007</b>	Aims to provide erection of temporary structures permissible with consent across the State	<b>Applies to State</b>	The planning proposal does not involve erection of temporary structures. To be considered at DA stage, if required.
	<b>Penrith Lakes Scheme 1989</b>	Aims to provide a development control process that ensures that environmental and technical matters are considered in the implementation of the Penrith Lakes Scheme.	<b>Does not apply to the Cumberland LGA</b>	



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No.	Title	Summary	Application	Remarks
	<b>Primary Production and Rural Development 2019</b>	Aims to facilitate the orderly economic use and development of lands for primary production.	<b>Does not apply to the Cumberland LGA</b>	
	<b>State and Regional Development 2011</b>	Aims to identify State significant development and State significant infrastructure. Also to confer functions on joint regional planning panels to determine development applications.	<b>Applies to State</b>	The planning proposal is not affected by this SEPP.
	<b>State Significant Precincts 2005</b>	Aims to facilitate the development or protection of important urban, coastal and regional sites of economic, environmental or social significance to the State. Also to facilitate service delivery outcomes for a range of public services.	<b>Applies to State</b>	The planning proposal site is not located within a State Significant Precinct.
	<b>Sydney Drinking Water Catchment 2011</b>	Aims to provide for healthy water catchments that will deliver high quality water while permitting development that is compatible with that goal.	<b>Does not apply to Cumberland LGA</b> Applies to land within the Sydney drinking water catchment.	
	<b>Sydney Region Growth Centres 2006</b>	Aims to co-ordinate the release of land for development in the North West and South West Growth Centres.	<b>Does not apply to Cumberland LGA</b> Applies to all land in a 'growth centre' (North West Growth Centre or the South West Growth Centre)	



No.	Title	Summary	Application	Remarks
	<b>Three Ports 2013</b>	Aims to provide consistent planning regime for the development and delivery of infrastructure on land in Port Botany, Port Kembla and Port Newcastle.	<b>Does not apply to Cumberland LGA</b>  Applies to the land within Botany City Council in the area known as Port Botany. It also applies to land within Wollongong City Council in an area known as Port Kembla and land within New Castle City Council in an area known as Port Newcastle.	
	<b>Urban Renewal 2010</b>	Aims to facilitate the orderly and economic development and redevelopment of sites in and around urban renewal precincts	<b>Applies to Cumberland LGA</b>  Applies to land within a potential precinct – land identified as a potential urban renewal precinct. This includes Redfern-Waterloo, Granville and Newcastle.	The planning proposal is not affected by this SEPP.
	<b>Vegetation in Non-Rural Areas 2017</b>	Aims to protect the biodiversity values of trees and other vegetation in non-rural areas of the State, and to preserve the amenity of non-rural areas of the State through the preservation of trees and other vegetation.	<b>Applies to various local government areas in the State</b>	The number of trees on the Site is not substantial. Any proposed removal will be assessed at DA stage.
	<b>Western Sydney Employment Area 2009</b>	Aims to promote economic development and the creation of employment in the Western Sydney Employment Area by providing for development	<b>Applies to Cumberland LGA</b>  Applies to Greystanes Northern Employment Lands.	The planning proposal is not affected by this SEPP.



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No.	Title	Summary	Application	Remarks
	<b>Western Sydney Parklands 2009</b>	Aims to ensure the Western Sydney Parkland can be developed as urban parkland to serve the Western Sydney Region.	<b>Applies to Cumberland LGA</b> Applies to land within Blacktown, Fairfield, Liverpool LGAs and a small part of former Holroyd LGA now located within Cumberland LGA.	The planning proposal is not affected by this SEPP.

## Appendix 2: Deemed SEPPs (Regional Environmental Plans)

No	Title	Summary	Application	
<b>Sydney Regional Environmental Plans</b>				
8	<b>Central Coast Plateau Areas</b>	Aims to implement the State's urban consolidation policy.	<b>Does not apply to Cumberland LGA</b> Applies to nominated land in the NSW Central Coast.	
9	<b>Extractive Industry No. 2 1995</b>	Aims to facilitate development of extractive industries in proximity to the population of the Sydney Metropolitan Area.	<b>Applies to the Cumberland LGA</b> Applies to LGAs listed in Schedule 4 (includes former Parramatta and Holroyd LGAs).	The planning proposal is not affected by this SEPP.
16	<b>Walsh Bay</b>	Aims to regulate the use and development of the Walsh Bay area.	<b>Does not apply to Cumberland LGA</b> Applies to land within the City of Sydney and within Sydney Harbour.	
20	<b>Hawkesbury-Nepean River (No 2-1997)</b>	Aims to protect the Hawkesbury-Nepean River System.	<b>Does not apply to Cumberland LGA</b> Applies to certain LGAs within the Greater Metropolitan Region.	



No	Title	Summary	Application	
24	<b>Homebush Bay Area</b>	Aims to encourage the co-ordinated and environmentally sensitive development of the Homebush Bay area	<b>Does not apply to the Cumberland LGA</b>  Applies to rest of the former Auburn LGA which is now located within City of Parramatta – refer to the <i>State Environmental Planning Policy (Major Development) Amendment (Sydney Olympic Park) 2009 Land Application Map</i> .	
26	<b>City West</b>	Aims to promote the orderly and economic use and development of land within City West.	<b>Does not apply to the Cumberland LGA</b>  Applies to land shown as City West area (Pymont and Ultimo)	
30	<b>St Marys</b>	Aims to support the redevelopment of St Marys by providing a framework for sustainable development.	<b>Does not apply to the Cumberland LGA</b>  Applies to specified land within the Blacktown and Penrith LGAs	
33	<b>Cooks Cove</b>	Establishes the zoning and development controls for the Cooks Cove site.	<b>Does not apply to the Cumberland LGA</b>  Applies to specified land at Cooks Cove within the suburb of Arncliffe.	
	<b>Sydney Harbour Catchment 2005</b>	Aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole.	<b>Applies to the area of Sydney Harbour, including Parramatta River and its tributaries and the Lane Cove River</b>  Applies to some land within the Cumberland LGA.	The water quality of the catchment would be ensured through storm water controls in the <i>Parramatta DCP 2011</i> .
<b>Greater Metropolitan Regional Environmental Plan</b>				



No	Title	Summary	Application	
2	<b>George River Catchment</b>	Aims to maintain and improve the water quality and river flows of the Georges River and its tributaries and ensure that development is managed in a manner that is in keeping with the national, State, regional and local significance of the Catchment.	<b>Applies to various regions in the Greater Metropolitan Area and includes parts of the Cumberland LGA</b>	The water quality of the catchment would be ensured through storm water controls in the <i>Parramatta DCP 2011</i> .

## Appendix 3: Section 9.1 Ministerial Directions

Direction	Applicability / Consistency
<b>1. Employment and Resources</b>	
1.1 Business and Industrial Zones	<b>Not applicable</b> The planning proposal does not affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary).
1.2 Rural Zones	<b>Not applicable</b> The planning proposal does not affect land within an existing or proposed rural zone (including the alteration of any existing rural zone boundary).
1.3 Mining, Petroleum Production and Extractive Industries	<b>Not applicable</b>
1.4 Oyster Aquaculture	<b>Not applicable</b>
1.5 Rural Lands	<b>Not applicable</b>
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	<b>Not applicable</b> The site to which the planning proposal applies does not consist of any environmentally sensitive areas.
2.2 Coastal Management	<b>Not applicable</b> The site to which the planning proposal applies is not within the coastal zone, as defined under the <i>Coastal Management</i>



Planning Proposal

2-22 William Street, Granville

Direction	Applicability / Consistency
	<i>Act 2016, and as identified by the State Environmental Planning Policy (Coastal Management) 2018.</i>
2.3 Heritage Conservation	<p><b>Consistent</b></p> <p>The site to which the planning proposal applies includes a heritage item at 10 William Street, which is currently protected under the <i>Parramatta LEP 2011</i> (Item name: William Street Cottages Group).</p> <p>The planning proposal proposes, however, that this heritage item be demolished. Independent heritage advice received by Council recommends that the proposed demolition of 10 William Street may occur. This is discussed further under Q.8 <i>Other likely environmental effects</i>.</p>
2.4 Recreation Vehicle Areas	<p><b>Not applicable</b></p> <p>The planning proposal does not enable land to be developed for the purpose of a recreation vehicle area.</p>
2.5 Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	<b>Not applicable</b>
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	<p><b>Consistent</b></p> <p>The planning proposal proposes the redevelopment of an urban block in the Granville area, reducing consumption of land for housing and associated urban development on the urban fringe. It will also increase the number of housing and range of housing types.</p> <p>Due to the location of the site to which the planning proposal applies, the proposed development makes efficient use of transport infrastructure such as Clyde Railway Station and existing bus services.</p> <p>The recommended FSR and height ensures the planning proposal can meet good design requirements of the Apartment Design Guide and the <i>Parramatta DCP 2011</i>. Further design requirements will be considered in more detail at the DA stage.</p>



Planning Proposal

2-22 William Street, Granville

Direction	Applicability / Consistency
3.2 Caravan Parks and Manufactured Home Estates	<b>Not applicable</b>
3.3 Home Occupations	<b>Consistent</b> Home occupations not included as part of the planning proposal and will be considered, if required, at the DA stage.
3.4 Integrating Land Use and Transport	<b>Not applicable</b> The planning proposal does not create, alter or remove a zone or a provision relating to urban land, including land zoned for residential, business, industrial, village or tourist purposes as the zoning proposed in the planning proposal is the same as the existing zoning.
3.5 Development Near Regulated Airports and Defence Airfields	<b>Not applicable</b>
3.6 Shooting Ranges	<b>Not applicable</b> The planning proposal does not affect, create, alter or remove a zone or a provision relating to land adjacent to and/or adjoining an existing shooting range.
3.7 Reduction in non-hosted short-term rental accommodation period	<b>Not applicable</b> Only applies to Byron Shire Council.
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	<b>Inconsistent</b> This Planning Proposal is considered to be inconsistent with this direction as an acid sulfate soils study, required when an intensification of land uses is proposed, has not been prepared. This inconsistency is considered to be of minor significance given that: <ul style="list-style-type: none"> <li>The site to which the planning proposal applies is subject to a Class 5 Acid Sulfate Soils classification; and</li> <li>The matter will be further considered at DA stage under clause 6.1 of the <i>Parramatta LEP 2011</i>.</li> </ul>
4.2 Mine Subsidence and Unstable Land	<b>Not applicable</b> The site to which the planning proposal applies is not within a mine subsidence district, nor has it been identified as unstable in a study, strategy or other assessment.
4.3 Flood Prone Land	<b>Not applicable</b>

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Planning Proposal

2-22 William Street, Granville

Direction	Applicability / Consistency
	The site to which the proposal applies is not known to be flood affected.
4.4 Planning for Bushfire Protection	<b>Not applicable</b> The site to which the planning proposal applies does not adjoin bushland, nor is it known to be adversely affected by bushfire hazards.
<b>5. Regional Planning</b>	
5.1 Implementation of Regional Strategies	<b>Not applicable</b> The South Coast Regional Strategy (excluding land in the Shoalhaven LGA) and the Sydney–Canberra Corridor Regional Strategy do not apply to land enabled for development by the planning proposal.
5.2 Sydney Drinking Water Catchments	<b>Not applicable</b> This direction only applies to selected local government areas.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	<b>Not applicable</b> This direction only applies to selected local government areas.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	<b>Not applicable</b> This direction only applies to selected council areas on the North Coast that the Pacific Highway traverses, being those council areas between Port Stephens Shire Council and Tweed Shire Council, inclusive.
5.9 North West Rail Link Corridor Strategy	<b>Not applicable</b> This direction only applies to Hornsby Shire Council, The Hills Shire Council and Blacktown City Council.
5.10 Implementation of Regional Plans	<b>Consistent</b> The planning proposal is consistent with the <i>Greater Sydney Region Plan</i> . This is discussed in the main body of the report in Q3. <i>Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?</i>
5.11 Development of Aboriginal Land Council Land	<b>Not applicable</b> This direction does not apply to the Cumberland LGA.



Planning Proposal

2-22 William Street, Granville

Direction	Applicability / Consistency
<b>6. Local Plan Making</b>	
6.1 Approval and Referral Requirements	<b>Not applicable</b> The planning proposal does not contain any provisions that require the concurrence, consultation or referral of development applications to a Minister or public authority, nor nominate any development as 'designated development'.
6.2 Reserving Land for Public Purposes	<b>Not applicable</b> The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.
6.3 Site Specific Provisions	<b>Not applicable</b> No new site-specific clauses are being proposed to be introduced to the <i>Parramatta LEP 2011</i> .
<b>7. Metropolitan Planning</b>	
7.1 Implementation of A Plan for Growing Sydney	<b>Consistent</b> <i>A Metropolis of Three Cities – The Greater Sydney Region Plan</i> has replaced <i>A Plan for Growing Sydney</i> . The planning proposal is consistent with The Greater Sydney Region Plan as discussed in the main body of the report in Q3. <i>Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy?</i>
7.2 Implementation of Greater Macarthur Land Release Investigation	<b>Not applicable</b> This direction only applies to Campbelltown City Council and Wollondilly Shire Council.
7.3 Parramatta Road Corridor Urban Transformation Strategy	<b>Not applicable</b> The site to which the planning proposal applies is not situated within land affected by the <i>Parramatta Road Corridor Urban Transformation Strategy</i> .
7.4 Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	<b>Not applicable</b> This direction only applies to Blacktown City Council, The Hills Shire Council and Hawkesbury City Council.
7.5 Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	<b>Not applicable</b> The site to which the planning proposal applies is not situated within the Greater Parramatta Priority Growth Area.



Planning Proposal

2-22 William Street, Granville

Direction	Applicability / Consistency
7.6 Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	<b>Not applicable</b> This direction only applies to Wollondilly Shire Council.
7.7 Implementation of Glenfield to Macarthur Urban Renewal Corridor	<b>Not applicable</b> This direction only applies to Campbelltown City Council.
7.8 Implementation of Western Sydney Aerotropolis Interim Land Use and Infrastructure Implementation Plan	<b>Not applicable</b> This direction only applies to Liverpool City Council, Penrith City Council, Blue Mountains City Council, Blacktown City Council, Camden Council, Campbelltown City Council, Fairfield City Council and Wollondilly Shire Council.
7.9 Implementation of Bayside West Precincts 2036 Plan	<b>Not applicable</b> This direction only applies to the Bayside local government area.
7.10 Implementation of Planning Principles for the Cooks Cove Precinct	<b>Not applicable</b> This direction only applies to selected land in the Bayside local government area.



## Attachments

### Planning Proposal supporting documentation

1. Revised planning proposal request (prepared by Ethos Urban) and submitted to Council on 16 October 2018.
2. Revised concept scheme showing sites 1 and 2 (prepared by PTI Architects) and submitted to Council on October 2020.
3. Heritage advice provided by Extent Heritage on 4 December 2018.
4. FSR study prepared by Design Inc. for Council on 27 February 2019.
5. Cumberland Local Planning Panel Report of 16 April 2019
6. Minutes of the Cumberland Local Planning Panel of 16 April 2019
7. Council Report and Minutes of 7 Aug 2019 Heritage Committee consideration on removal of 10 William Street, heritage item
8. Council report and minutes of 4 September 2019 where council resolved to prepare a planning proposal and seek a Gateway Determination
9. Gateway Determination
10. Proponent's letter of offer
11. Heritage Impact Statement prepared by Archnex Designs (proponent)
12. Peer Heritage Review prepared by Heritage 21/Rappoport.
13. Original Traffic and Parking Assessment Report (Varga Traffic Planning) – 9 Dec 2015.
14. Preliminary heritage advice to Cumberland City Council by Form Architects

### Additional information on Council's website (Have your say) page with regards to Original proposal requests for site

- A. Original planning proposal request report by JBA (Note: Revised version of this report was not provided with the revised planning proposal concept scheme in September 2016).
- B. Original planning proposal request concept scheme submitted to Cumberland Council in December 2015.
- C. Revised planning proposal request concept scheme submitted to Cumberland Council in September 2016.
- D. Cumberland IHAP Report and Recommendations of 13 September 2017.







DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-700

Attachment 2  
Gateway Determination







Planning,  
Industry &  
Environment

PP\_2019\_CUMBE\_007\_00/IRF19/7471

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

Dear Mr McNulty

**Planning proposal PP\_2019\_CUMBE\_007\_00 to amend Parramatta Local Environmental Plan 2011**

I am writing in response to Council's request for a Gateway determination under section 3.34(1) of the *Environmental Planning and Assessment Act 1979* (the Act) in respect of the planning proposal to increase height of building and floor space ratio controls at 2 – 22 William Street, Granville. The proposal also seeks to remove a local heritage item I205, located 10 William Street, Granville.

As delegate of the Minister for Planning and Public Spaces, I have now determined that the planning proposal should proceed subject to the conditions in the enclosed Gateway determination.

I have also agreed, as delegate of the Secretary, the planning proposal's inconsistencies with section 9.1 Directions 2.3 Heritage Conservation and 4.1 Acid Sulfate Soils are justified in accordance with the terms of the Direction. No further approval is required in relation to these Directions.

I have considered the nature of Council's planning proposal and have conditioned the Gateway for Council to be authorised as the local plan-making authority.

The amending local environmental plan (LEP) is to be finalised within 12 months of the date of the Gateway determination. Council should aim to commence the exhibition of the planning proposal as soon as possible. Council's request to draft and finalise the LEP should be made directly to Parliamentary Counsel's Office six weeks prior to the projected publication date. A copy of the request should be forwarded to the Department of Planning, Industry and Environment.

The state government is committed to reducing the time taken to complete LEPs by tailoring the steps in the process to the complexity of the proposal, and by providing clear and publicly available justification for each plan at an early stage. In order to meet these commitments, the Minister may take action under section 3.32(2)(d) of the Act if the time frames outlined in this determination are not met.



Should you have any enquiries about this matter, I have arranged for Mr Peter Pham to assist you. Mr Pham can be contacted on 9860 1593.

Yours sincerely



24/01/2020

**Jazmin van Veen**  
**Acting Director, Central (GPOP)**  
**Central River City and Western Parkland City**

Encl: Gateway determination  
Authorised plan-making reporting template



Planning,  
Industry &  
Environment

## Gateway Determination

**Planning proposal (Department Ref: PP\_2019\_CUMBE\_007\_00):** to amend the Parramatta Local Environmental Plan 2011 by removing a local heritage item and increasing the height of building and floor space ratio controls.

I, the Acting Director, Central (GPOP) at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Parramatta Local Environmental Plan (LEP) 2011 to remove a local heritage item and increase the height of building and floor space ratio controls should proceed subject to the following conditions:

1. Prior to public exhibition, the proposal is to be updated to address the following:
  - (a) amend concept scheme to include further information on built form for Site 2 taking into consideration Council's FSR study,
  - (b) amend the overshadowing diagrams to reflect the height sought under the proposed controls,
  - (c) ensure the planning proposal is consistent with *A guide to preparing planning proposals*, including the provision of a project timeline and, clear and concise explanation of provisions.
2. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
3. Consultation is required NSW Heritage - Department of Premier and Cabinet under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions.

NSW Heritage is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).



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

Dated 24<sup>th</sup> day of January 2020.



**Jazmin van Veen**  
**Acting Director, Central (GPOP)**  
**Central River City and Western**  
**Parkland City**  
**Department of Planning, Industry and**  
**Environment**

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

PP\_2019\_CUMBE\_007\_00 (IRF19/7471)



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-700

Attachment 3  
Submission







Submissions summarised for 2-22 William Street, Granville proposal

No	Submission date	Suburb	Support or objection	Comments (have been summarised/paraphrased)	Council's response
01.	01 February 2021	Granville	Objection	<p><b>Concerns with regards to the Voluntary Planning Agreement</b></p> <p>Objects to the proposed VPA funds as outlined below and raises concerns below:</p> <p>Claims that the draft VPA does not provide 'equity' for the immediate residents in their local interactions by Council dedicating the monetary contributions towards the Granville Town Centre.</p> <p>States that residents south side of the Clyde Railway line interact more readily with recreational land and service needs along the Duck River Corridor from New Glasgow Park near to Sixth Street through to Mona Street South along Duck River.</p> <ol style="list-style-type: none"> <li>1. That the Clyde Station there is no incomplete footpath access and pedestrians cross onto the road before the Transport for NSW land access. Corner store, footpath, road and grocery needs are all met towards the South Granville direction and not around the Granville Town Centre area.</li> <li>2. States that all mature trees in footpath plantings from 2-22 William St were removed with Council's agreement due to footpath infrastructure and Optus line impacts and instead they were inappropriately planted camphor laurels and there was no replacement planting, not even with appropriate species.</li> <li>3. States that Council's agreement was given to full removal of all mature trees on William St at the Blaxcell St roundabout in the pocket land onto Duck Creek near to the Sydney Water canal which were trees and housed roots of ibis. Also claims that there was no replacement planting with an appropriate landscaping mix to address urban heat and more, and this was still a bare field of weeds beside the Russian Orthodox Church.</li> <li>4. States that Council land and illegal dumping hotspot at the end of the Trongate adjoining the Duck Creek Canal has still not been assessed and addressed for lighting, landscaping and more.</li> <li>5. Developer contributions from this planning proposal should instead be directed to funding some or all the resident needs outlined above.</li> <li>6. Also claims "without this change to the focus of the VPA, there is little opportunity for this investment to occur in the foreseeable future - the Carlingford Station/rail line changes and stalled planning for uplift of residential development to the south of Clyde station otherwise, will mean that the local residents will not be likely to see any change for their current infrastructure needs otherwise".</li> </ol> <p><b>Potential contamination concerns</b></p> <p>States that 12-20 William Street factory site contains a fuel bowser and underground petroleum storage tank onto the lane at the rear of the factory which raises potential contamination concerns and leakage which needs to be assessed with proper checks prior to developing the land for residential.</p> <p>States that full protection and assurance would need to be given to the community and neighbouring residents to ensure that any removal and disposal of Asbestos from the site is carried out in a safe manner with regards to existing residents adjoining and surrounding residents.</p>	<p>Online submission is acknowledged and noted with issues raised.</p> <p>The land subject to the draft VPA and planning proposal is located within the Granville Town Centre and surrounds, and is located 150m from the Clyde railway station.</p> <p>The draft VPA is contributing towards local infrastructure to support growth in the area.</p> <p>Council is currently undertaking a draft Masterplan for the Duck River area. The issues raised can be considered as part of this work.</p> <p>Issues related to delivery of services, illegal dumping, removal of mature trees by Council and lack of footpath access, have been forwarded to the relevant teams in Council for consideration.</p> <p>Noted. Potential contamination concerns and removal of asbestos from the site will be further subjected to detailed assessment and investigations at the development application stage.</p>







DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-700

Attachment 4  
Site-Specific Development  
Control Plan







2-22 William Street, Granville – Site Specific Development Controls



**2-22 William St, Granville**

**Draft Site-Specific Development Control Plan  
Amendment**

**to**

**Parramatta Development Control Plan 2011**

**(For Council's adoption)**



2-22 William Street, Granville – Site Specific Development Controls

**Note: The site- specific provisions listed below and on the following pages are in addition to those provisions included under existing section 4.1.6 - Granville Town Centre of the Parramatta DCP 2011 that is current and will continue to apply to this Site.**

***These additional site- specific provisions could also be made effective via a relevant part of adopted draft Cumberland DCP 2020 in future.***

***The proposed new DCP provisions would need to be read with the Granville Town Centre Precinct's objectives and development controls whichever way the DCP amendment proceeds.***

### **Background**

The Cumberland Local Planning Panel recommended the following controls be considered for the 2-22 William Street, Granville Planning Proposal:

*"Council prepare site specific development controls that prohibit rooftop communal open space, specify the maximum number of storeys, and ensures an appropriate transition in built form between the higher density development in the site and neighbouring low density dwellings".*

In response, Council has prepared the following site specific DCP controls to amend the Parramatta Development Control Plan 2011 and/or the adopted draft Cumberland DCP 2020 relevant part that captures similar controls.

**Note: The newly drafted DCP provisions are shown in blue text:**

1. Add the following new objectives to the existing section 4.1.6 Granville Town Centre of Parramatta DCP 2011.

O.6 To enhance residential amenity through provision of landscaping and communal open space at ground level.

O.7 To ensure an appropriate height transition of building heights to maintain amenity of adjacent development.

2. Add the following development control to existing section titled *Landscaping and Deep Soil*:

C.14 For Land at 2-22 William Street, communal open space and landscaping is to be provided at ground level where possible.



2-22 William Street, Granville – Site Specific Development Controls

3. Add the following new section and development controls after existing section 'Development between Parramatta Road and Railway Line':

**Development at 2- 22 William Street, Granville**

- C.21 Storeys above the first four storeys of the proposed development shall have an additional 3.1m upper level rear setback and the proposed development's rear building setback (facing the low density residential area) is to be a minimum of 9m (without the rear existing laneway).
- C.22 The proposed development at 2-22 William Street, is to be not more than 5 storeys. (Note: This control is governed by the height of building controls in the LEP and NSW Apartment Design Guide floor to ceiling height requirements).







DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-700

Attachment 5  
Voluntary Planning Agreement







## **Deed**

### **'SITE 1' – 10 to 22 William Street, Granville Planning Agreement**

Under s7.4 of the *Environmental Planning and Assessment Act 1979*

**Cumberland City Council**

**Sid Arida (Developer)**

**Sid Arida, Joseph Arida and George Arida (Landowner)**

Date:



**'SITE 1' – 10 to 22 William Street, Granville**

**'SITE 1' – 10 to 22 William Street, Granville  
Planning Agreement**

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**'SITE 1' – 10 to 22 William Street, Granville**

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**'SITE 1' – 10 to 22 William Street, Granville**

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## **'SITE 1' – 10 to 22 William Street, Granville Planning Agreement**

### **Summary Sheet**

#### **Council:**

**Name:** Cumberland City Council  
**Address:** PO Box 42 MERRYLANDS NSW 2160  
**Telephone:** (02) 8757 9000  
**Email:** council@cumberland.nsw.gov.au  
**Representative:** The General Manager

#### **Landowner:**

**Name:** Sid Arida, Joseph Arida and George Arida  
**Address:** PO BOX 437, Granville NSW 2142  
**Telephone:** 0417 467 396  
**Email:** sid@ozfashions.com.au  
**Representative:** Sid Arida

#### **Developer:**

**Name:** Sid Arida  
**Address:** PO BOX 437, Granville NSW 2142  
**Telephone:** 0417 467 396  
**Email:** sid@ozfashions.com.au  
**Representative:** Sid Arida

#### **Land:**

See definition of *Land* in clause 1.1.

#### **Development:**

See definition of *Development* in clause 1.1.



**'SITE 1' – 10 to 22 William Street, Granville**

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**Development Contributions:**

See clause 9 and Schedule 1.

**Application of s7.11, s7.12 and s7.24 of the Act:**

See clause 8.

**Security:**

See Part 4.

**Registration:**

See clause 16.

**Restriction on dealings:**

See clause 17.

**Dispute Resolution:**

See Part 3.



**'SITE 1' – 10 to 22 William Street, Granville**

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**'SITE 1' – 10 to 22 William Street, Granville Planning Agreement**

Under s7.4 of the *Environmental Planning and Assessment Act 1979*

**Parties**

**Cumberland City Council** ABN 22 798 563 329 of PO Box 42 MERRYLANDS  
NSW 2160 (**Council**)

and

**Sid Arida, Joseph Arida and George Arida** of PO BOX 437, Granville  
NSW 2142 (**Landowner**)

and

**Sid Arida** of PO BOX 437, Granville NSW 2142 (**Developer**)

**Background**

- A The Landowner owns the Land.
- B A Planning Proposal has been prepared in respect of the Land and other adjoining land.
- C The Developer has sought the Planning Proposal to facilitate the development on the Land.
- D The Planning Proposal seeks an amendment to the *Parramatta Local Environmental Plan 2011* to:
  - increase the existing Height of Building (HOB) from 14m to 16 metres;
  - increase the existing Floor Space Ratio (FSR) control for the site from 1:1 to 1.7:1;  
and
  - remove an existing local heritage item I205 (10 William Street, Granville – Lot 27 DP 2371) from Schedule 5 of the LEP.
- E The Developer and Landowner have offered to make Development Contributions in accordance with this Deed in connection with the Planning Proposal to provide the shared value uplift of Land because of the making of the LEP Amendment.



**'SITE 1' – 10 to 22 William Street, Granville**

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**Operative provisions****Part 1 - Preliminary****1 Interpretation**

1.1 In this Deed the following definitions apply:

**Act** means the *Environmental Planning and Assessment Act 1979* (NSW).

**Approval** includes approval, consent, licence, permission or the like.

**Authority** means the Commonwealth or New South Wales government, a Minister of the Crown, a government department, a public authority established by or under any Act, a council or county council constituted under the *Local Government Act 1993*, or a person or body exercising functions under any Act including a commission, panel, court, tribunal and the like.

**Bank Guarantee** means an irrevocable and unconditional undertaking without any expiry or end date in favour of the Council to pay an amount or amounts of money to the Council on demand issued by:

(a) one of the following trading banks:

- (i) Australia and New Zealand Banking Group Limited,
- (ii) Commonwealth Bank of Australia,
- (iii) Macquarie Bank Limited,
- (iv) National Australia Bank Limited,
- (iv) St George Bank Limited,
- (v) Westpac Banking Corporation, or

(b) any other financial institution approved by the Council in its absolute discretion.

**Claim** includes a claim, demand, remedy, suit, injury, damage, loss, Cost, liability, action, proceeding or right of action.

**Construction Certificate** has the same meaning as in the Act.

**Contribution Value** means the \$ amount agreed between the Parties as the value of a Development Contribution made under this Deed.

**Cost** means a cost, charge, expense, outgoing, payment, fee and other expenditure of any nature.

**Deed** means this Deed and includes any schedules, annexures and appendices to this Deed.

**Development** means any development on the Land, within the meaning of the Act, in accordance with a Development Consent (as modified or substituted from time to time under the Act) granted as a result of the making of the LEP Amendment, a preliminary concept of the development being shown in Schedule 3.

**Development Application** has the same meaning as in the Act.



**'SITE 1' – 10 to 22 William Street, Granville**

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**Development Consent** has the same meaning as in the Act.

**Development Contribution** means a monetary contribution, the dedication of land free of cost, the carrying out of work, or the provision of any other material public benefit, or any combination of them, to be used for, or applied towards a public purpose, but does not include any Security or other benefit provided by a Party to the Council to secure the enforcement of that Party's obligations under this Deed for the purposes of s7.4(3)(g) of the Act.

**Dispute** means a dispute or difference between the Parties under or in relation to this Deed.

**Gross Floor Area** means the gross floor area (within the meaning of the LEP) of the Development, from time to time.

**GST** has the same meaning as in the GST Law.

**GST Law** has the same meaning as in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.

**Land** means the land identified as Lots 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27 Section 2 in DP 2371 and shown as 'Site 1' on the Location Plan.

**LEP** means the *Parramatta Local Environmental Plan 2011*.

**LEP Amendment** means the amendment of the LEP resulting from the Planning Proposal.

**Location Plan** means the plans in Schedule 2.

**Party** means a party to this Deed.

**Planning Proposal** means the document proposing amendments to the LEP for which a gateway determination was issued on 24 January 2020 (as altered from time to time) under s3.34 of the Act and as varied pursuant to s3.35 of the Act, proposing:

- (a) increasing the height of building control under the LEP for the Land and other adjoining land from 14m to 16m; and
- (b) increasing the floor space ratio under the LEP for the Land and other adjoining land from 1:1 and 1.7:1; and
- (c) remove local heritage item I205 (10 William Street, Granville – Lot 27 DP 2371) from Schedule 5 of the LEP.

**Regulation** means the *Environmental Planning and Assessment Regulation 2000*.

**Security** means a Bank Guarantee, or a bond or other form of security to the satisfaction of the Council indexed in accordance with the *Consumer Price Index (All Groups – Sydney)* published by the Australian Bureau of Statistics from the date of this Deed.

1.2 In the interpretation of this Deed, the following provisions apply unless the context otherwise requires:

- 1.2.1 Headings are inserted for convenience only and do not affect the interpretation of this Deed.
- 1.2.2 A reference in this Deed to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.



**'SITE 1' – 10 to 22 William Street, Granville**

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- 1.2.3 If the day on which any act, matter or thing is to be done under this Deed is not a business day, the act, matter or thing must be done on the next business day.
- 1.2.4 A reference in this Deed to dollars or \$ means Australian dollars and all amounts payable under this Deed are payable in Australian dollars.
- 1.2.5 A reference in this Deed to a \$ value relating to a Development Contribution is a reference to the value exclusive of GST.
- 1.2.6 A reference in this Deed to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
- 1.2.7 A reference in this Deed to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.
- 1.2.8 A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Deed.
- 1.2.9 An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.
- 1.2.10 Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
- 1.2.11 A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.
- 1.2.12 References to the word 'include' or 'including' are to be construed without limitation.
- 1.2.13 A reference to this Deed includes the agreement recorded in this Deed.
- 1.2.14 A reference to a Party to this Deed includes a reference to the employees, agents and contractors of the Party, the Party's successors and assigns.
- 1.2.15 A reference to 'dedicate' or 'dedication' in relation to land is a reference to dedicate or dedication free of cost.
- 1.2.16 Any schedules, appendices and attachments form part of this Deed.
- 1.2.17 Notes appearing in this Deed are operative provisions of this Deed.

**2 Status of this Deed**

- 2.1 This Deed is a planning agreement within the meaning of s7.4(1) of the Act.

**3 Commencement**

- 3.1 This Deed commences and has force and effect on and from the date when the Parties have:



**'SITE 1' – 10 to 22 William Street, Granville**

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- 3.1.1 all executed the same copy of this Deed, or
- 3.1.2 each executed separate counterparts of this Deed and exchanged the counterparts.
- 3.2 The Parties are to insert the date when this Deed commences on the front page and on the execution page.

**4 Application of this Deed**

- 4.1 This Deed applies to the Land, the LEP Amendment to the extent it applies to the Land, and to the Development.

**5 Warranties**

- 5.1 The Parties warrant to each other that they:
  - 5.1.1 have full capacity to enter into this Deed, and
  - 5.1.2 are able to fully comply with their obligations under this Deed.

**6 Further agreements**

- 6.1 The Parties may, at any time and from time to time, enter into agreements relating to the subject-matter of this Deed that are not inconsistent with this Deed for the purpose of implementing this Deed.

**7 Surrender of right of appeal, etc.**

- 7.1 The Developer and the Landowner are not to commence or maintain, or to cause or procure the commencement or maintenance, of any proceedings in any court or tribunal or similar body appealing against, or questioning the validity of this Deed, or an Approval relating to the Development in so far as the subject-matter of the proceedings relates to this Deed.

**8 Application of s7.11, s7.12 and s7.24 of the Act to the Development**

- 8.1 This Deed does not exclude the application of s7.11 and s7.12 of the Act to the Development.
- 8.2 The benefits under this Deed are not to be taken into consideration when determining a Development Contribution under s7.11 of the Act in relation to the Development.
- 8.3 This Deed does not exclude the application of s7.24 of the Act to the Development.



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**Part 2 – Development Contributions****9 Provision of Development Contributions**

- 9.1 The Developer is to make Development Contributions to the Council in accordance with Schedule 1, any other provision of this Deed relating to the making of Development Contributions and otherwise to the satisfaction of the Council.
- 9.2 Any Contribution Value specified in this Deed in relation to a Development Contribution does not serve to define the extent of the Developer's obligation to make the Development Contribution.
- 9.3 The Council is to apply each Development Contribution made by the Developer under this Deed towards the public purpose for which it is made and otherwise in accordance with this Deed.
- 9.4 Despite clause 9.3, the Council may apply a Development Contribution made under this Deed towards a public purpose other than the public purpose specified in this Deed if the Council reasonably considers that the public interest would be better served by applying the Development Contribution towards that other purpose rather than the purpose so specified.
- 9.5 If Development Consent is granted or modified, to allow additional **Gross Floor Area beyond 1,517.2m<sup>2</sup>**, the Developer is to pay additional Development Contributions to the Council for each additional metre square of Gross Floor Area in the amount of **\$273.50 per metre square** not later than 7 days after the grant of Development Consent or the modification of the Development Consent.

**10 Payment of monetary Development Contributions**

- 10.1 Monetary Development Contributions that are required to be paid under this Deed are to be indexed from the date of this Deed to the date of payment in the same way that monetary contributions are indexed under the relevant contributions plan made under s7.18 of the Act that is applicable to the Development.
- 10.2 A monetary Development Contribution is made for the purposes of this Deed when the Council receives the full amount of the contribution payable under this Deed in cash or by unendorsed bank cheque or by the deposit by means of electronic funds transfer of cleared funds into a bank account nominated by the Council.



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**Part 3 – Dispute Resolution****11 Dispute resolution – expert determination**

- 11.1 This clause applies to a Dispute between any of the Parties to this Deed concerning a matter arising in connection with this Deed that can be determined by an appropriately qualified expert if:
  - 11.1.1 the Parties to the Dispute agree that it can be so determined, or
  - 11.1.2 the Chief Executive Officer of the professional body that represents persons who appear to have the relevant expertise to determine the Dispute gives a written opinion that the Dispute can be determined by a member of that body.
- 11.2 A Dispute to which this clause applies is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.
- 11.3 If a notice is given under clause 11.2, the Parties are to meet within 14 days of the notice in an attempt to resolve the Dispute.
- 11.4 If the Dispute is not resolved within a further 28 days, the Dispute is to be referred to the President of the NSW Law Society to appoint an expert for expert determination.
- 11.5 The expert determination is binding on the Parties except in the case of fraud or misfeasance by the expert.
- 11.6 Each Party is to bear its own costs arising from or in connection with the appointment of the expert and the expert determination.
- 11.7 The Parties are to share equally the costs of the President, the expert, and the expert determination.

**12 Dispute Resolution - mediation**

- 12.1 This clause applies to any Dispute arising in connection with this Deed other than a Dispute to which clause 11 applies.
- 12.2 Such a Dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute.
- 12.3 If a notice is given under clause 12.2, the Parties are to meet within 14 days of the notice in an attempt to resolve the Dispute.
- 12.4 If the Dispute is not resolved within a further 28 days, the Parties are to mediate the Dispute in accordance with the Mediation Rules of the Law Society of New South Wales published from time to time and are to request the President of the Law Society to select a mediator.
- 12.5 If the Dispute is not resolved by mediation within a further 28 days, or such longer period as may be necessary to allow any mediation process which has been commenced to be completed, then the Parties may exercise their legal rights in relation to the Dispute, including by the commencement of legal proceedings in a court of competent jurisdiction in New South Wales.
- 12.6 Each Party is to bear its own costs arising from or in connection with the appointment of a mediator and the mediation.



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- 12.7 The Parties are to share equally the costs of the President, the mediator, and the mediation.

**Part 4 - Enforcement****13 Security for performance of obligations**

- 13.1 The Developer is to provide Security to the Council in the amount of **\$20,750.00 being 5%** of the monetary Development Contributions required to be paid under this Deed, in relation to the performance of its obligations under this Deed.
- 13.2 The Developer is to provide the Security to the Council before it commences any part of the Development unless, before that time, the Council agrees in writing to apportion the Security to different Stages, in which case the Developer is to provide the portion of the Security relating to a particular Stage to the Council before it commences any part of the Development comprised in the Stage.
- 13.3 The Council may call-up and apply the Security in accordance with clause 14 to remedy any breach of this Deed notwithstanding any other remedy it may have under this Deed, under any Act or otherwise at law or in equity.
- 13.4 The Council is to release and return the Security or any unused part of it to the Developer within 14 days of completion of the obligation to which the Security relates.
- 13.5 The Developer may at any time provide the Council with a replacement Security.
- 13.6 On receipt of a replacement Security, the Council is to release and return the Security that has been replaced to the Developer.
- 13.7 If the Council calls-up the Security or any portion of it, it may, by written notice to the Developer, require the Developer to provide a further or replacement Security to ensure that the amount of Security held by the Council equals the amount it is entitled to hold under this Deed.
- 13.8 The Developer is to ensure that the Security provided to the Council is at all times maintained to the full current indexed value.

**14 Breach of obligations**

- 14.1 If the Council reasonably considers that the Developer is in breach of any obligation under this Deed, it may give a written notice to the Developer:
- 14.1.1 specifying the nature and extent of the breach,
- 14.1.2 requiring the Developer to:
- (a) rectify the breach if it reasonably considers it is capable of rectification, or
  - (b) pay compensation to the reasonable satisfaction of the Council in lieu of rectifying the breach if it reasonably considers the breach is not capable of rectification,



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- 14.1.3 specifying the period within which the breach is to be rectified or compensation paid, being a period that is reasonable in the circumstances.
- 14.2 If the Developer fails to fully comply with a notice referred to in clause 14.1, the Council may, without further notice to the Developer, call-up the Security provided by the Developer under this Deed and apply it to remedy the Developer's breach.
- 14.3 Any costs incurred by the Council in remedying a breach in accordance with clause 14.2 may be recovered by the Council by either or a combination of the following means:
  - 14.3.1 by calling-up and applying the Security provided by the Developer under this Deed, or
  - 14.3.2 as a debt due in a court of competent jurisdiction.
- 14.4 For the purpose of clause 14.3, the Council's costs of remedying a breach the subject of a notice given under clause 14.1 include, but are not limited to:
  - 14.4.1 the costs of the Council's employees, agents and contractors reasonably incurred for that purpose,
  - 14.4.2 all fees and charges necessarily or reasonably incurred by the Council in remedying the breach, and
  - 14.4.3 all legal costs and expenses reasonably incurred by the Council, by reason of the breach.
- 14.5 Nothing in this clause 14 prevents the Council from exercising any rights it may have at law or in equity in relation to a breach of this Deed by the Developer, including but not limited to seeking relief in an appropriate court.

**15 Enforcement in a court of competent jurisdiction**

- 15.1 Without limiting any other provision of this Deed, the Parties may enforce this Deed in any court of competent jurisdiction.
- 15.2 For the avoidance of doubt, nothing in this Deed prevents:
  - 15.2.1 a Party from bringing proceedings in the Land and Environment Court to enforce any aspect of this Deed or any matter to which this Deed relates, or
  - 15.2.2 the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Deed or any matter to which this Deed relates.

**Part 5 – Registration & Restriction on Dealings****16 Registration of this Deed**

- 16.1 The Parties agree to register this Deed for the purposes of s7.6(1) of the Act.
- 16.2 Not later than 10 days after the commencement of this Deed, the Developer and Landowner are to deliver to the Council in registrable form:



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- 16.2.1 an instrument requesting registration of this Deed on the title to the Land duly executed by the registered proprietors, and
- 16.2.2 the written irrevocable consent of each person referred to in s7.6(1) of the Act to that registration.
- 16.3 Upon being returned the instrument executed by the Council and the consents referred to in clause 16.2, the Developer and Landowner are to immediately lodge them for registration on the title to the Land and notify the Council in writing of such lodgement.
- 16.4 The Developer is to do such other things as are reasonably necessary to enable registration of this Deed to occur.
- 16.5 The Developer may, with the Council's prior written approval, do such things as are reasonably necessary to remove any notation relating to this Deed from the title to the Land once the Developer has completed its obligations under this Deed to the reasonable satisfaction of the Council or this Deed is terminated or otherwise comes to an end for any other reason.
- 16.6 The Developer is responsible for its own and any costs incurred by the Council in relation to the registration and removal of registration of this Deed from the title to the Land.

**17 Restriction on dealings**

- 17.1 The Developer and Landowner are not to:
  - 17.1.1 sell or transfer the Land, other than a Final Lot, or
  - 17.1.2 assign the Developer's rights or obligations under this Deed, or novate this Deed,
 to any person unless:
  - 17.1.3 the Developer or Landowner (as the case may be) has, at no cost to the Council, first procured the execution by the person to whom the Land or part is to be sold or transferred or the Developer's rights or obligations under this Deed are to be assigned or novated, of a deed in favour of the Council on terms reasonably satisfactory to the Council, and
  - 17.1.4 the Council has given written notice to the Developer or Landowner (as the case may be) stating that it reasonably considers that the purchaser, transferee, assignee or novatee, is reasonably capable of performing its obligations under this Deed, and
  - 17.1.5 the Developer or Landowner (as the case may be) is not in breach of this Deed, and
  - 17.1.6 the Council otherwise consents to the transfer, assignment or novation, such consent not to be unreasonably withheld.
- 17.2 Subject to clause 17.3, the Developer and Landowner acknowledge and agree that they remain liable to fully perform their obligations under this Deed unless and until they have complied with their obligations under clause 17.1.
- 17.3 Clause 17.1 does not apply in relation to any sale or transfer of the Land if this Deed is registered on the title to the Land at the time of the sale.



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**Part 6 – Indemnities & Insurance****18 Risk**

- 18.1 The Developer and Landowner perform this Deed at their own risk and its own cost.

**19 Release**

- 19.1 The Developer and Landowner release the Council from any Claim they may have against the Council arising in connection with the performance of the Developer's and Landowner's obligations under this Deed except if, and to the extent that, the Claim arises because of the Council's negligence or default.

**20 Indemnity**

- 20.1 The Developer and Landowner indemnify the Council from and against all Claims that may be sustained, suffered, recovered or made against the Council arising in connection with the performance of the Developer's and Landowner's obligations under this Deed except if, and to the extent that, the Claim arises because of the Council's negligence or default.

**Part 7 – Other Provisions****21 Annual report by Developer**

- 21.1 The Developer is to provide to the Council by not later than each anniversary of the date on which this Deed is entered into a report detailing the performance of its obligations under this Deed.
- 21.2 The report referred to is to be in such a form and to address such matters as required by the Council from time to time.

**22 Review of Deed**

- 22.1 The Parties agree to review this Deed every 2 years, and otherwise if either party is of the opinion that any change of circumstance has occurred, or is imminent, that materially affects the operation of this Deed.
- 22.2 For the purposes of clause 22.1, the relevant changes include (but are not limited to) any change to a law that restricts or prohibits or enables the Council or any other planning authority to restrict or prohibit any aspect of the Development.



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- 22.3 For the purposes of addressing any matter arising from a review of this Deed referred to in clause 22.1, the Parties are to use all reasonable endeavours to agree on and implement appropriate amendments to this Deed.
- 22.4 If this Deed becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties agree to do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Deed is entered into.
- 22.5 A failure by a Party to agree to take action requested by the other Party as a result of a review referred to in clause 22.1 (but not 22.4) is not a Dispute for the purposes of this Deed and is not a breach of this Deed.

**23 Notices**

- 23.1 Any notice, consent, information, application or request that is to or may be given or made to a Party under this Deed is only given or made if it is in writing and sent in one of the following ways:
- 23.1.1 delivered or posted to that Party at its address set out in the Summary Sheet, or
- 23.1.2 emailed to that Party at its email address set out in the Summary Sheet.
- 23.2 If a Party gives the other Party 3 business days' notice of a change of its address or email, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, posted or emailed to the latest address.
- 23.3 Any notice, consent, information, application or request is to be treated as given or made if it is:
- 23.3.1 delivered, when it is left at the relevant address,
- 23.3.2 sent by post, 2 business days after it is posted, or
- 23.3.3 sent by email and the sender does not receive a delivery failure message from the sender's internet service provider within a period of 24 hours of the email being sent.
- 23.4 If any notice, consent, information, application or request is delivered, or an error free transmission report in relation to it is received, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day.

**24 Approvals and Consent**

- 24.1 Except as otherwise set out in this Deed, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Deed in that Party's absolute discretion and subject to any conditions determined by the Party.
- 24.2 A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.



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**25 Costs**

- 25.1 The Developer is to pay to the Council the Council's costs of preparing, negotiating, executing and stamping this Deed on an indemnity basis, and any document related to this Deed within 7 days of a written demand by the Council for such payment.
- 25.2 The Developer is also to pay to the Council the Council's reasonable costs of enforcing this Deed within 7 days of a written demand by the Council for such payment.

**26 Entire Deed**

- 26.1 This Deed contains everything to which the Parties have agreed in relation to the matters it deals with.
- 26.2 No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Deed was executed, except as permitted by law.

**27 Further Acts**

- 27.1 Each Party must promptly execute all documents and do all things that another Party from time to time reasonably requests to effect, perfect or complete this Deed and all transactions incidental to it.

**28 Governing Law and Jurisdiction**

- 28.1 This Deed is governed by the law of New South Wales.
- 28.2 The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them.
- 28.3 The Parties are not to object to the exercise of jurisdiction by those courts on any basis.

**29 Joint and Individual Liability and Benefits**

- 29.1 Except as otherwise set out in this Deed:
  - 29.1.1 any agreement, covenant, representation or warranty under this Deed by 2 or more persons binds them jointly and each of them individually, and
  - 29.1.2 any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

**30 No Fetter**

- 30.1 Nothing in this Deed shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without



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limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

**31 Illegality**

- 31.1 If this Deed or any part of it becomes illegal, unenforceable or invalid as a result of any change to a law, the Parties are to co-operate and do all things necessary to ensure that an enforceable agreement of the same or similar effect to this Deed is entered into.

**32 Severability**

- 32.1 If a clause or part of a clause of this Deed can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way.
- 32.2 If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Deed, but the rest of this Deed is not affected.

**33 Amendment**

- 33.1 No amendment of this Deed will be of any force or effect unless it is in writing and signed by the Parties to this Deed in accordance with clause 25C of the Regulation.

**34 Waiver**

- 34.1 The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Deed, does not amount to a waiver of any obligation of, or breach of obligation by, another Party.
- 34.2 A waiver by a Party is only effective if it:
- 34.2.1 is in writing,
  - 34.2.2 is addressed to the Party whose obligation or breach of obligation is the subject of the waiver,
  - 34.2.3 specifies the obligation or breach of obligation the subject of the waiver and the conditions, if any, of the waiver,
  - 34.2.4 is signed and dated by the Party giving the waiver.
- 34.3 Without limitation, a waiver may be expressed to be conditional on the happening of an event, including the doing of a thing by the Party to whom the waiver is given.
- 34.4 A waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given, and is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.



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- 34.5 For the purposes of this Deed, an obligation or breach of obligation the subject of a waiver is taken not to have been imposed on, or required to be complied with by, the Party to whom the waiver is given.

**35 GST**

- 35.1 In this clause:

**Adjustment Note, Consideration, GST, GST Group, Margin Scheme, Money, Supply and Tax Invoice** have the meaning given by the GST Law.

**GST Amount** means in relation to a Taxable Supply the amount of GST payable in respect of the Taxable Supply.

**GST Law** has the meaning given by the *A New Tax System (Goods and Services Tax) Act 1999* (Cth).

**Input Tax Credit** has the meaning given by the GST Law and a reference to an Input Tax Credit entitlement of a party includes an Input Tax Credit for an acquisition made by that party but to which another member of the same GST Group is entitled under the GST Law.

**Taxable Supply** has the meaning given by the GST Law excluding (except where expressly agreed otherwise) a supply in respect of which the supplier chooses to apply the Margin Scheme in working out the amount of GST on that supply.

- 35.2 Subject to clause 35.4, if GST is payable on a Taxable Supply made under, by reference to or in connection with this Deed, the Party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.
- 35.3 Clause 35.2 does not apply to the extent that the Consideration for the Taxable Supply is expressly stated in this Deed to be GST inclusive.
- 35.4 No additional amount shall be payable by the Council under clause 35.2 unless, and only to the extent that, the Council (acting reasonably and in accordance with the GST Law) determines that it is entitled to an Input Tax Credit for its acquisition of the Taxable Supply giving rise to the liability to pay GST.
- 35.5 If there are Supplies for Consideration which is not Consideration expressed as an amount of Money under this Deed by one Party to the other Party that are not subject to Division 82 of the *A New Tax System (Goods and Services Tax) Act 1999*, the Parties agree:
- 35.5.1 to negotiate in good faith to agree the GST inclusive market value of those Supplies prior to issuing Tax Invoices in respect of those Supplies;
- 35.5.2 that any amounts payable by the Parties in accordance with clause 35.2 (as limited by clause 35.4) to each other in respect of those Supplies will be set off against each other to the extent that they are equivalent in amount.
- 35.6 No payment of any amount pursuant to this clause 35, and no payment of the GST Amount where the Consideration for the Taxable Supply is expressly agreed to be GST inclusive, is required until the supplier has provided a Tax Invoice or Adjustment Note as the case may be to the recipient.



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- 35.7 Any reference in the calculation of Consideration or of any indemnity, reimbursement or similar amount to a cost, expense or other liability incurred by a party, must exclude the amount of any Input Tax Credit entitlement of that party in relation to the relevant cost, expense or other liability.
- 35.8 This clause continues to apply after expiration or termination of this Deed.

**36 Explanatory Note**

- 36.1 The Appendix contains the Explanatory Note relating to this Deed required by clause 25E of the Regulation.
- 36.2 Pursuant to clause 25E(7) of the Regulation, the Parties agree that the Explanatory Note is not to be used to assist in construing this Planning Deed.



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## Schedule 1

(Clause 9)

### Development Contributions

Column 1	Column 2	Column 3	Column 4
Item/ Contribution	Public Purpose	Manner & Extent	Timing

#### A. Monetary Contributions

1. \$415,000 (four hundred and fifteen thousand dollars)	Public domain/open space upgrades in Granville Town Centre and surrounds	In accordance with clauses 9 and 10.	Prior to the issue of the first Construction Certificate for the Development
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**Schedule 2**

(Clause 1)

**Location Plan**



Figure 1- Land affected by the VPA and LEP amendment



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Figure 2- Aerial view of Sites 1 and 2



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### **Schedule 3**

(Clause 1)

## **Preliminary Concept of Development**



Figure 3- Envisaged concept development for land



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APARTMENTS (sqm)						GFA CALCULATION (sqm)			PER CALCULATION		CAR PARKING CALCULATION			
LEVEL	1'000'	1'000'	2'000'	2'000'	TOTAL	VSC	RESIDENTIAL	TOTAL	DESCRIPTION		LEVEL	RESIDENTIAL	VISITORS	CAR SPACES
04	-	-	5	5	10	PROPOSED	814	814	GFA/VSC RATIO	2.75	01	33	7	40
01	1	5	6	1	11	PROPOSED	839	839			02	22	7	29
17	-	2	7	-	9	PROPOSED	731	731	PROPOSED TOTAL PER	1.7:1	TOTAL	55	14	69
07	-	2	7	-	9	PROPOSED	731	731						
14	-	1	3	3	7	PROPOSED	662	662						
UNITS	1	12	20	5	44	GFA (sqm)	3,777	3,777	COMMERCIAL GFA (sqm)	574				
UNIT MIX	25%	14%	41%	11%	100%				OFFICE GFA (sqm)	25%				
									SITE PROVISION	24%				
									OFFICE PROVISION	73%				
									OFFICE PROVISION	43%				
									OFFICE PROVISION	30%				
									OFFICE PROVISION	7%				
									OFFICE PROVISION	14%				

Figure 4- Proposed apartment mix and other calculations for Site 1



**'SITE 1' – 10 to 22 William Street, Granville**

---

## **Execution**

**Executed as a Deed**

**Dated:**

---

**Signed Sealed and Delivered on behalf of the Council**

---

**General Manager**

---

**Witness**

---

**Mayor**

---

**Witness**

---

**Signed Sealed and delivered by Sid Arida** as Developer and Landowner

---

**Sid Arida**

---

**Witness**



**'SITE 1' – 10 to 22 William Street, Granville**

---

---

**Signed Sealed and delivered by Joseph Arida** as Landowner

---

Joseph Arida

---

Witness

---

**Signed Sealed and delivered by George Arida** as Landowner

---

George Arida

---

Witness



**'SITE 1' – 10 to 22 William Street, Granville**

---

**Appendix**

(Clause 36)

*Environmental Planning and Assessment Regulation 2000*

(Clause 25E)

See the following pages.



**'SITE 1' – 10 to 22 William Street, Granville**

---

## **'SITE 1' – 10 to 22 William Street, Granville**

### **Planning Agreement**

### **Explanatory Note**

#### **Draft Planning Agreement**

Under s7.4 of the *Environmental Planning and Assessment Act 1979*

#### **Parties**

**City of Cumberland City Council** ABN 22 798 563 329 of PO Box 42 MERRYLANDS NSW 2160 (**Council**)

**and**

**Sid Arida, Joseph Arida and George Arida** of PO BOX 437, Granville NSW 2142 (**Landowner**)

**and**

**Sid Arida** of PO BOX 437, Granville NSW 2142 (**Developer**)

#### **Description of the Land to which the Draft Planning Agreement Applies**

This draft Planning Agreement applies to the land identified as Lots 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27 Section 2 in DP 2371 and shown as 'Site 1' on the Location Plan.

#### **Description of Proposed Development**

This draft Planning Agreement applies to the planning proposal submitted by the Proponent/ Developer and supported by the Council for which a Gateway determination was issued on 24 January 2020 (as altered from time to time) under s3.34 of the Act and as varied pursuant to s3.35 of the Act, proposing to:

- Increase the existing height of building control under the LEP for the Land from 14m to 16m; and



**'SITE 1' – 10 to 22 William Street, Granville**

---

- Increase the existing floor space ratio under the LEP for the Land from 1:1 and 1.7:1; and
- Remove existing local heritage item I205 (10 William Street, Granville – Lot 27 DP 2371) from Schedule 5 of the LEP

This draft Planning Agreement applies to the development, within the meaning of the Act, on the Land in accordance with a Development Consent (as modified or substituted from time to time under the Act) granted as a result of the making of the LEP Amendment.

**Summary of Objectives, Nature and Effect of the Draft Planning Agreement****Objectives of Draft Planning Agreement**

The objectives of the Draft Planning Agreement are to provide funding for public domain improvements/upgrades in Granville Town Centre and surrounds providing public benefit.

**Nature of Draft Planning Agreement**

The Draft Planning Agreement is a planning agreement under s7.4 of the EPA Act. It is a voluntary agreement, under which the Developer makes Development Contributions (as defined in clause 1.1 of the Draft Planning Agreement) for various public purposes (as defined in s 7.4(2) of the EPA Act).

**Effect of the Draft Planning Agreement**

The Draft Planning Agreement:

- requires the Developer to make monetary development contributions,
- relates to the taking effect of the Planning Proposal and the carrying out by the Developer of the Development,
- does not exclude the application of s 7.11 and s7.12 of the EPA Act to the Development,
- does not exclude the application of s 7.24 of the EPA Act to the Development,
- is to be registered on the titles to the Land,
- imposes restrictions on the Developer and Landowner transferring the Land or part of the Land or assigning an interest under the Agreement,
- provides a dispute resolution method where a dispute arises under the agreement, being mediation and expert determination,
- provides that the agreement is governed by the law of New South Wales, provides that the A New Tax System (Goods and Services Tax) Act 1999 (Cth) applies to the agreement.



**'SITE 1' – 10 to 22 William Street, Granville**

---

**Assessment of the Merits of the Draft Planning Agreement****The Planning Purposes Served by the Draft Planning Agreement**

The Draft Planning Agreement:

- promotes and co-ordinates the orderly and economic use and development of the land to which the Planning Agreement applies,
- captures the shared uplift value of land through the delivery of public services and public amenities.

The Draft Planning Agreement provides a reasonable means of achieving these planning purposes by requiring the Developer to make monetary contributions to Council, to facilitate public domain improvements in Granville Town Centre and surrounds.

**How the Draft Planning Agreement Promotes the Public Interest**

The Draft Planning Agreement promotes the public interest by:

- promoting the objects of the EPA Act set out in sections 1.3(a), (c) and (j); and
- enabling the funding and provision of public domain improvements and public facilities for the benefit of the public and to address demand arising from the Development.

**For Planning Authorities:*****Development Corporations - How the Draft Planning Agreement Promotes its Statutory Responsibilities***

N/A

***Other Public Authorities – How the Draft Planning Agreement Promotes the Objects (if any) of the Act under which it is Constituted***

N/A

***Councils – How the Draft Planning Agreement Promotes the guiding principles for councils (formerly Elements of the Council's charter)***

The Draft Planning Agreement promotes the guiding principles for local councils:

- the management of lands and other assets so that current and future local community needs can be met in an affordable way,
- working with others to secure appropriate services for local community needs,
- promoting Council's long-term strategic planning on behalf of the local community.



**'SITE 1' – 10 to 22 William Street, Granville**

---

***All Planning Authorities – Whether the Draft Planning Agreement  
Conforms with the Authority's Capital Works Program***

Yes, the Draft Planning Agreement conforms with the Council's capital works program as the program identifies public domain upgrades and open space upgrades as a category of works.

***All Planning Authorities – Whether the Draft Planning Agreement  
specifies that certain requirements must be complied with before a  
construction certificate, occupation certificate or subdivision  
certificate is issued***

This Draft Planning Agreement contains requirements that must be complied with before any Construction Certificate is issued.







Item No: C03/21-701

## **PLANNING PROPOSAL - 2 RAILWAY STREET AND 3-7 EAST STREET, LIDCOMBE**

Responsible Division: Environment & Planning  
Officer: Director Environment & Planning  
File Number: PP2020/0004  
Community Strategic Plan Goal: *A resilient built environment*

### **SUMMARY**

---

Since 2017, Council has progressed a Planning Proposal to amend planning controls under the Auburn Local Environmental Plan 2010 for the site at 2 Railway Street and 3-7 East Street, Lidcombe. In March 2021, the Department of Planning, Industry and Environment provided a Gateway Determination that rejected the Planning Proposal. This report is provided to Council for noting and to formally complete the process for the Planning Proposal.

### **RECOMMENDATION**

---

**That Council note the rejection by the Department of Planning, Industry and Environment of the Planning Proposal at 2 Railway Street and 3-7 East Street, Lidcombe.**

### **REPORT**

---

#### ***Background***

The Planning Proposal sought to amend planning controls under the Auburn Local Environmental Plan (LEP) 2010 for the site at 2 Railway Street and 3-7 East Street, Lidcombe, as follows:

- Rezone part of the site from IN2 Light Industrial to part B4 Mixed Use and retain existing RE1 zone over part of the site
- Amend the maximum height of buildings control on part of the site from no value to 32m
- Increase the maximum FSR on part of the site from 1.0:1 to 3.5:1
- Identify land on part of the site for potential future road acquisition to enable an intersection upgrade.



As part of the Planning Proposal, Council also sought to enter into negotiations with the proponent for a Voluntary Planning Agreement to provide open space on the site and any land dedication required for roadworks.

In June 2017, Council resolved to proceed with the preparation of a Planning Proposal, subject to the submission of additional information by the Proponent and considered satisfactory by the General Manager.

Following the receipt of the additional information, the Planning Proposal was submitted by Council to Department of Planning, Industry and Environment for a Gateway Determination in August 2018.

In August 2019, Council received correspondence from the Department of Planning, Industry and Environment requesting that the Planning Proposal be resubmitted to address the following matters:

- the potential for the site to provide higher-order employment opportunities that serve the local population and investigate mechanisms that may be able to deliver an appropriate land-use mix on the site that maintains commercial feasibility and responds to an identified employment need;
- consistency with the Greater Sydney Region Plan, specifically Objective 23: Industrial and urban services land is planned, retained and managed of the Greater Sydney Region Plan; and
- consistency with the Central City District Plan, specifically Action 49: Review and manage industrial and urban service land.

Following receipt of the correspondence, Council officers reviewed the matters raised and provided a response in November 2019.

### **Status**

In March 2021, the Department of Planning, Industry and Environment (the Department) issued a Gateway Determination, rejecting the Planning Proposal for 2 Railway Street and 3-7 East Street, Lidcombe. The Gateway Determination outlined the following reasons for refusal:

1. The proposal contains unresolved inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones, 6.2 Reserving Land for Public Purposes and 6.3 Site Specific Provisions.
2. The proposal is inconsistent with the Central City District Plan 'Action 49 Review and manage industrial and urban service land'. There is no strategic justification to transition the site from employment lands to mixed-use residential/commercial.
3. The proposal is inconsistent with the Cumberland 2030: Local Strategic Planning Statement's response to retaining and managing industrial lands, primarily for employment uses.



4. It is considered that permitting residential and retail development would undermine the ongoing operation of the industrial precinct.

This report is provided to Council for noting and to formally complete the process for the Planning Proposal. Council has also advised the Proponent on the outcome of the Gateway Determination.

Any future planning for the site, either by Council or through the landowner, will carefully consider the outcomes of the Gateway Determination.

## **COMMUNITY ENGAGEMENT**

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

## **POLICY IMPLICATIONS**

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

## **RISK IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

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

## **CONCLUSION**

---

This report provides an update on the status of the Planning Proposal for 2 Railway Street and 3-7 East Street, Lidcombe. Following the rejection of the Planning Proposal by the Department of Planning, Industry and Environment, this report is provided for noting and to formally complete the process for this Planning Proposal.

## **ATTACHMENTS**

---

1. Gateway Determination [↓](#)







DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-701

Attachment 1  
Gateway Determination







Planning,  
Industry &  
Environment

## Gateway Determination

**Planning proposal (Department Ref: PP-2020-3702):** to rezone land, amend height and floor space ratio controls and identify land for acquisition at 2 Railway Street and 3-7 East Street, Lidcombe.

I, the Deputy Secretary, Greater Sydney, Place and Infrastructure at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Auburn Local Environmental Plan (LEP) 2010 to rezone land, amend height and floor space ratio controls and identify land for acquisition at 2 Railway Street and 3-7 East Street, Lidcombe should not proceed for the following reasons:

1. The proposal contains unresolved inconsistencies with section 9.1 Directions 1.1 Business and Industrial Zones, 6.2 Reserving Land for Public Purposes and 6.3 Site Specific Provisions.
2. The proposal is inconsistent with the Central City District Plan 'Action 49 Review and manage industrial and urban service land'. There is no strategic justification to transition the site from employment lands to mixed-use residential/commercial.
3. The proposal is inconsistent with the Cumberland 2030: Local Strategic Planning Statement's response to retaining and managing industrial lands, primarily for employment uses.
4. It is considered that permitting residential and retail development would undermine the ongoing operation of the industrial precinct.

Dated 3rd day of March 2021  


Brett Whitworth  
Deputy Secretary, Greater Sydney,  
Place and Infrastructure  
Department of Planning, Industry and  
Environment

Delegate of the Minister for Planning  
and Public Spaces







Item No: C03/21-702

## READOPTON OF THE ASBESTOS MANAGEMENT POLICY AND GUIDELINE

Responsible Division: Environment & Planning  
Officer: Director Environment & Planning  
File Number: 8736618  
Community Strategic Plan Goal: *A clean and green community*

### SUMMARY

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This report recommends that Council readopt the *Asbestos Management Policy* and supporting Guideline. These documents were first adopted in 2018.

### RECOMMENDATION

---

**That Council readopt the Asbestos Management Policy and supporting Guideline.**

### REPORT

---

The *Asbestos Management Policy* and its supporting document, the *Guideline to Asbestos Management in Cumberland City Council*, which was first adopted in 2018, outlines Council's commitment and responsibilities for asbestos management and aims to minimise any exposure to asbestos as far as reasonably practicable. The Policy also ensure that Council complies with relevant legislation.

The review date has been triggered for the Policy and Guideline, and the documents have been reviewed by Council officers. The review has identified that the contents of the Policy and supporting Guideline continues to be relevant and reflect best practice. It is recommended that Council readopts the *Asbestos Management Policy* and its supporting Guideline.

### COMMUNITY ENGAGEMENT

---

There are no changes to the *Asbestos Management Policy* and its supporting document *Guideline to Asbestos Management in Cumberland City Council*, and therefore no further community engagement is required at this time.

In 2018, the Asbestos Management Policy was advertised on Council's website and in the local paper for 28 days, during which one (1) submission was received from the public. Council also made separate contact with the Asbestos Disease Foundation of Australia during this period to advice of the draft Policy and invite their submission; however, no response was received.



## POLICY IMPLICATIONS

---

There are no changes to the *Asbestos Management Policy* and its supporting Guideline that were adopted in 2018.

## RISK IMPLICATIONS

---

The Policy continues to ensure that Council complies with relevant legislation, and will assist Council in minimising the risk of exposure to asbestos containing material to the Cumberland community and workforce.

## FINANCIAL IMPLICATIONS

---

There are no financial implications for Council associated with this report. Any actions arising from the *Asbestos Management Policy* and its supporting Guideline will be funded from the existing budget. Grant funding will be sought where applicable and/or available.

## CONCLUSION

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It is recommended that Council readopts the *Asbestos Management Policy* and its supporting document the *Guideline to Asbestos Management in Cumberland City Council*. Upon readoption, the Asbestos Management Policy and supporting Guideline will confirm Council's continued commitment to ensure that asbestos containing material is managed to protect the health and wellbeing of staff, contractors and the community.

## ATTACHMENTS

---

1. Asbestos Management Policy [↓](#)
2. Guideline to Asbestos Management [↓](#)



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-702

Attachment 1  
Asbestos Management Policy







CUMBERLAND  
CITY COUNCIL

# Asbestos Management Policy

## AUTHORISATION & VERSION CONTROL

<b>Policy Number</b>	<i>POL-056</i>
<b>Policy Owner</b>	<i>Director Environment &amp; Planning</i>
<b>Date Adopted</b>	<i>6 June 2018</i>
<b>Version No</b>	<i>1</i>
<b>Document ID</b>	<i>238056</i>
<b>Review Date</b>	<i>June 2020</i>



## PURPOSE

This Policy outlines Council's commitment and responsibilities for asbestos management.

This Policy is supported by the '*Guideline to Asbestos Management in Cumberland City Council*' that provides detailed information on the role of Council. The Policy and Guideline are based on the Model Asbestos Policy for NSW councils developed by the Heads of Asbestos Coordination Authorities.

## SCOPE

This Policy and Guideline apply to the Cumberland Local Government Area.

## POLICY STATEMENT

Cumberland City Council is committed to ensuring that asbestos-containing material is managed and controlled to protect the health and well-being of its community.

## PRINCIPLES

The purpose of this Policy and Guideline is to protect staff, contractors and the community from the risks from asbestos containing material and are guided by the following principles:

- Defining the role of Council and other organisations in managing asbestos.
- Clearly outlining Council's regulatory powers.
- Communicating Council's approach to dealing with naturally occurring asbestos, sites contaminated by asbestos and emergencies or incidents.
- Providing general advice for residents on renovating homes that may contain asbestos.
- Outlining Council's development approval process and conditions of consent for developments that may involve asbestos.
- Provide information regarding waste management and regulation procedures for asbestos waste in the LGA, and
- Outlining Council's approach to managing asbestos containing materials in Council workplaces.



## RELATED LEGISLATION

- Contaminated Land Management Act 1997
- Code of practice on how to manage and control asbestos in the workplace (catalogue no. SW08285) published by SafeWork NSW
- Code of practice on how to safely remove asbestos (catalogue no. SW08286) published by SafeWork NSW
- Demolition work code of practice 2015
- Environmental Planning and Assessment Act 1979
- Environmental Planning and Assessment Regulation 2000
- Local Government Act 1993
- Local Government (General) Regulation 2005
- Protection of the Environment Operations (General) Regulation 2009
- Protection of the Environment Operations (Waste) Regulation 2014
- Protection of the Environment Operations Act 1997
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- NSW Work Health and Safety Act 2011
- NSW Work Health and Safety Regulation 2011
- Workers' Compensation (Dust Diseases) Act 1942

## RELATED DOCUMENTS

[Guideline to Asbestos Management in Cumberland City Council 2018](#)







DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-702

Attachment 2  
Guideline to Asbestos  
Management







CUMBERLAND  
CITY COUNCIL

# Guideline to Asbestos Management in Cumberland City Council 2018

## AUTHORISATION & VERSION CONTROL

<b>Guideline Number</b>	GLD-003
<b>Guideline Owner</b>	Director Environment & Planning
<b>Date Adopted</b>	6 June 2018
<b>Version No</b>	1
<b>Document ID</b>	238058
<b>Review Date</b>	June 2020



**Council disclaimer**

This document (Guideline to Asbestos Management in Cumberland City Council 2018) was formulated to be consistent with Council's legislative obligations and within the scope of Council's powers. This document should be read in conjunction with relevant legislation, guidelines and codes of practice. In the case of any discrepancies, the most recent legislation should prevail.

This document is based upon the *Model Asbestos Policy for NSW Councils* developed by the Heads of Asbestos Coordination Authorities to promote a consistent Local Government approach to asbestos management across NSW.

This document is a guide and therefore does not constitute legal advice. Legal advice should be sought in relation to particular circumstances and liability will not be accepted for losses incurred as a result of reliance on this document.



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## 1. Introduction

Cumberland acknowledges the serious health hazard of exposure to asbestos.

In Australia, asbestos was gradually phased out of building materials in the 1980s and the supply and installation of asbestos containing goods has been prohibited since 31 December 2003. Yet asbestos legacy materials still exist in many homes, buildings and other assets and infrastructure. It is estimated that one in three Australian homes contains asbestos. The Cumberland Local Government Area (LGA) is in the heart of Western Sydney's "Fibro Belt" where many suburbs were developed in the 1950s and 1960s using asbestos as the principle building material. These suburbs will experience a high level of re-building and redevelopment over the next 20-30 years. Ensuring that asbestos is removed safely and securely from all buildings and structures when redeveloping is essential in protecting workers and the community from exposure to asbestos fibres.

Where material containing asbestos is in a non-friable form (that is, cannot be crushed by hand into a powder), undisturbed and painted or otherwise sealed, it may remain safely in place. However, where asbestos containing material is broken, damaged, disturbed or mishandled, fibres can become loose and airborne posing a risk to health. Breathing in dust containing asbestos fibres can cause asbestosis, lung cancer and mesothelioma.

It is often difficult to identify the presence of asbestos by sight. Where a material cannot be identified or is suspected to be asbestos, it is best to assume that the material is asbestos and take appropriate precautions. Further information about asbestos and the health impacts of asbestos can be found in Appendix A and website links to additional information are provided in Appendix B.

Council has an important dual role in minimising exposure to asbestos, as far as is reasonably practicable, for both:

- ☐ residents and the public within the Local Government Area (LGA)
- ☐ workers (employees and other persons) in Council workplaces.

Council's legislative functions for minimising the risks from asbestos apply in various scenarios including:

- ☐ as a responsible employer
- ☐ contaminated land management
- ☐ Council land, building and asset management
- ☐ emergency response
- ☐ land use planning (including development approvals and demolition)
- ☐ management of naturally occurring asbestos
- ☐ regulation of activities (non-work sites)
- ☐ waste management and regulation.

### 1.1 Purpose

This document aims to outline:

- the role of Council and other organisations in managing asbestos
- Council's relevant regulatory powers
- Council's approach to dealing with naturally occurring asbestos, sites contaminated by asbestos and emergencies or incidents
- general advice for residents on renovating homes that may contain asbestos
- Council's development approval process and conditions of consent for developments that may involve asbestos
- waste management and regulation procedures for asbestos waste in the LGA
- Council's approach to managing asbestos containing materials in Council workplaces
- sources of further information.



---

## 1.2 Scope

This document (guideline) applies to all of the Cumberland LGA within Council's jurisdiction.

The document provides information for Council staff, the local community and wider public. Part 1 of the document includes the sections that are likely to be of most interest to the local community and wider public. Part 2 is information that applies to workers associated with Council including employees, contractors, consultants, and volunteers (as defined by the NSW *Work Health and Safety Regulation 2017*). Definitions for key terms used in the document are provided in Appendix C and acronyms are listed in Appendix D.

The document applies to friable, non-friable (bonded) and naturally occurring asbestos (where applicable) within the LGA.

The document outlines Council's commitment and responsibilities in relation to safely managing asbestos and contains general advice. For specific advice, individuals are encouraged to contact Council or the appropriate organisation (contact details are listed in Appendix E).

The document does not provide detail on specific procedures. Practical guidance on how to manage risks associated with asbestos and asbestos containing material can be found in the:

- *Code of practice on how to manage and control asbestos in the workplace* (catalogue no. SW08285) published by SafeWork NSW.
- *Code of practice on how to safely remove asbestos* (catalogue no. SW08286) published by SafeWork NSW.
- Additional guidance material listed in Appendix B.

Detailed information on Council's procedures and plans may be found in other documents, which are referenced in part 2 under section 18.1.

## 2. Definitions

Definitions are provided in Appendix C.

## 3. Roles and responsibilities of Council

### 3.1 Educating residents

Council shall assist residents to access appropriate information and advice on the:

- prohibition on the use and re-use of asbestos containing materials
- requirements in relation to development, land management and waste management
- risks of exposure to asbestos
- safe management of asbestos containing materials
- safe removal and disposal of minor quantities of asbestos containing materials.

Educational information and website links for educational materials can be found in Appendices A and B.

### 3.2 Managing land

Council is responsible for managing public land. This may include land with naturally occurring asbestos as described in section 5 and land contaminated with asbestos as outlined in section 6.



---

### 3.3 Managing waste

Where Council is the appropriate regulatory authority, Council is responsible for:

- Issuing clean up notices to address illegal storage or disposal of asbestos waste or after an emergency or incident (under the *Protection of the Environment Operations Act 1997*).
- Issuing prevention or clean up notices where asbestos waste has been handled (including stored, transported or disposed of) in an unsatisfactory manner (under the *Protection of the Environment Operations Act 1997*).
- Issuing penalty infringement notices for improper transport of asbestos (under the *Protection of the Environment Operations Act 1997*).
- Applying planning controls to proposals to dispose of asbestos waste on-site, seeking advice from the Environment Protection Authority (EPA) on this matter and making notation on planning certificates (section 149 certificates) where on-site disposal is permitted.

Waste facilities that are licensed to accept asbestos waste are listed in Appendix F.

### 3.4 Regulatory responsibilities

Council has regulatory responsibilities under the following legislation, policies and standards in situations where Council is the appropriate regulatory authority or planning authority:

- *Contaminated Land Management Act 1997* (NSW)
- *Environmental Planning and Assessment Act 1979* (NSW)
- *Environmental Planning and Assessment Regulation 2000* (NSW)
- *Local Government Act 1993* (NSW)
- *Protection of the Environment Operations Act 1997* (NSW)
- *Protection of the Environment Operations (General) Regulation 2009* (NSW)
- *Protection of the Environment Operations (Waste) Regulation 2014* (NSW)
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *Demolition work code of practice 2015* (catalogue no. SW08289).

Additional legislation, policies and standards relating to the safe management of asbestos are listed in Appendix G.

The situations in which Council has a regulatory role in the safe management of asbestos are listed in Table 1.



**Table 1: Situations in which Council has a regulatory role in managing asbestos**

Issue	Council's role	Section of document
Contaminated land	<ul style="list-style-type: none"> <li>Record known asbestos site contamination on section 149 certificates where practicable and for Council workplaces, record on Council's asbestos register.</li> <li>Notify stakeholders of land use planning policy requirements relating to contamination.</li> <li>Manage residential asbestos contaminated land that is not declared 'significantly contaminated' under the <i>Contaminated Land Management Act 1997</i> (excluding oversight of removal or remediation work which is the role of SafeWork NSW).</li> </ul>	Section 6
Development assessment	<ul style="list-style-type: none"> <li>Assess development applications for approval under the <i>Environmental Planning and Assessment Act 1979</i>.</li> <li>Set conditions of consent for renovations, alterations, additions, demolitions or other developments requiring consent and which may involve disturbance of asbestos containing materials.</li> <li>Ensure compliance with development conditions.</li> <li>Apply conditions relating to development involving friable and non-friable asbestos material under the relevant legislation and planning codes and as outlined in section 9.</li> </ul>	Section 9
Demolition	<ul style="list-style-type: none"> <li>Approve demolition under the <i>Environmental Planning and Assessment Act 1979</i>.</li> <li>Council certifiers approve development as complying development under the <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>.</li> </ul>	Section 9
Emergencies and incidents	<ul style="list-style-type: none"> <li>Regulate the clean up of asbestos waste following emergencies where sites are handed over to the Council or a local resident by an emergency service organisation (excluding oversight of licensed removal or remediation work which is the role of SafeWork NSW). Council may consider the need to issue a clean up notice, prevention notice or cost compliance notice under the <i>Protection of the Environment Operations Act 1997</i>.</li> </ul>	Section 7
Naturally occurring asbestos	<ul style="list-style-type: none"> <li>Verify compliance with environmental planning and assessment legislation for development applications that could disturb naturally occurring asbestos.</li> <li>Prepare an asbestos management plan for Council workplaces or road works which occur on land containing naturally occurring asbestos.</li> </ul>	Section 5
Residential premises	<ul style="list-style-type: none"> <li>Respond to any public health risks (risks to Council workers and wider public) relating to the removal of asbestos containing materials or asbestos work at residential properties that does not involve a business or undertaking.</li> <li>Respond to complaints about unsafe work at a residential property that is undertaken by a resident (not a worker, which is the role of SafeWork NSW).</li> <li>Respond to public health risks posed by derelict properties or asbestos materials in residential settings.</li> </ul>	Section 9
Waste	<ul style="list-style-type: none"> <li>Manage waste facilities in accordance with environmental protection legislation.</li> <li>Respond to illegal storage, illegal dumping and orphan waste.</li> <li>Regulate non-complying transport of asbestos containing materials.</li> </ul>	Section 10



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### 3.5 Responsibilities to workers

Council is committed to fulfilling its responsibilities to workers under the *NSW Work Health and Safety Act 2011* and *NSW Work Health and Safety Regulation 2017* and maintaining a safe work environment through Council's:

- general responsibilities
- education, training and information for workers
- health monitoring for workers
- procedures for identifying and managing asbestos containing materials in Council premises.

These responsibilities are outlined in part 2.

## 4. Other stakeholders involved in managing asbestos

Council is committed to working collaboratively with other government agencies and where appropriate, other stakeholders as needed to respond to asbestos issues.

Appendix E notes useful contacts and Appendix H notes agencies involved in managing asbestos. Various asbestos scenarios requiring stakeholders to work together are outlined in Appendix I.

## Part 1 – Asbestos in the Local Government Area: Information for the community

### 5. Naturally occurring asbestos

Council is not aware of any naturally occurring asbestos in the LGA.

Naturally occurring asbestos only poses a health risk when elevated levels of fibres are released into the air, either by human activities or by natural weathering and these fibres are breathed in by people. Information on naturally occurring asbestos, work processes that have the potential to release naturally occurring asbestos fibres into the air and known locations of naturally occurring asbestos in NSW is provided in Appendix A under section 2.1. This information is indicative, and not a complete picture of all naturally occurring asbestos in NSW.



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## 5.1 Responsibilities for naturally occurring asbestos

For naturally occurring asbestos that will remain undisturbed by any work practice, Council is the lead regulator.

Where development applications propose activities that may disturb areas of naturally occurring asbestos (such as excavation), any consent or approval should contain conditions requiring: testing to determine if asbestos is present, and the development of an asbestos management plan if the testing reveals naturally occurring asbestos is present. Council will verify compliance with environmental planning and assessment legislation and together with the EPA and SafeWork NSW will coordinate enforcement where non-compliance is suspected.

Where naturally occurring asbestos will be disturbed due to a work process, including roadwork, excavation and remediation work, SafeWork NSW is the lead regulator. Requirements for workplaces are summarised in the *Naturally-occurring asbestos fact sheet* (catalogue no. WC03728) published by SafeWork NSW. Where naturally occurring asbestos is part of a mineral extraction process, the NSW Department of Industry is the lead regulator.

## 5.2 Managing naturally occurring asbestos

Where naturally occurring asbestos is encountered or suspected, the risk from disturbance of the naturally occurring asbestos should be assessed by an occupational hygienist.

The management of naturally occurring asbestos that stays in its natural state is not prohibited if managed in accordance with an asbestos management plan. Requirements for risk management, asbestos management plans and provisions for workers are outlined in the *Naturally-occurring asbestos fact sheet* (catalogue no. WC03728) published by SafeWork NSW. The SafeWork NSW website provides further information on naturally occurring asbestos and supporting documents on what people can do to avoid contact with naturally occurring asbestos.

### 5.2.1 Management of naturally occurring asbestos by Council

Council will aim to prevent the exposure of workers and the public to any naturally occurring asbestos that is known or discovered in the Council workplace.



## 6. Contamination of land with asbestos

Background information on contamination of land with asbestos and potential disturbance of asbestos contaminated sites can be found in Appendix A under sections 2 and 3. The nature of asbestos contamination of land can vary significantly and there can be a number of different mechanisms available to address this contamination depending upon its source and extent.

### 6.1 Responsibilities for contaminated land

Responsibility for cleaning up contaminated land lies with the person responsible for contaminating the land or the relevant landowner.

Council may issue a clean-up notice to the occupier of premises at or from which Council reasonably suspects that a pollution incident has occurred, or is occurring, requiring asbestos waste to be removed (under part 4.2 of the *Protection of the Environment Operations Act 1997*).

Council may also issue prevention notices (under part 4.3 of the *Protection of the Environment Operations Act 1997*) to ensure good environmental practice. If a person does not comply with a prevention notice given to the person, Council employees, agents or contractors may take action to cause compliance with the notice.

Any reasonable costs incurred by Council in monitoring or enforcing clean up and prevention notices may be recovered through a compliance cost notice (under part 4.5 of the *Protection of the Environment Operations Act 1997*). Council shall keep records of: tasks undertaken; the hours Council employees have spent undertaking those tasks; and expenses incurred.

During site redevelopment Council will consider contamination with asbestos containing materials in the same way as other forms of contamination as stipulated by the *Environmental Planning and Assessment Act 1979*. That is, Council will apply the general requirements of *State Environmental Planning Policy (SEPP) No. 55 – Remediation of Land and the Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land*.

Council provides information about land contamination on planning certificates (issued under section 149 of the *Environmental Planning and Assessment Act 1979*) as outlined in section 6.2.

For sites that are 'significantly contaminated' and require a major remediation program independent of any rezoning or development applications, the EPA and SafeWork NSW are the lead regulatory authorities as outlined in Appendix A under section 2.4.2.

The management of Council workplaces contaminated with asbestos is outlined in section 14.4.

### 6.2 Finding out if land is contaminated

A person may request from Council a planning certificate containing advice on matters including whether Council has a policy to restrict the use of land due to risks from contamination. Certificates are issued under section 149(2) of the *Environmental Planning and Assessment Act 1979*.

Factual information relating to past land use and other matters relevant to contamination may also be provided, even when land use is not restricted. When Council receives a request for a certificate under section 149(2), it may also inform applicants of any further information available under section 149(5). Council may also use section 149(5) certificates to record other information, particularly anything else of a factual nature about contamination which Council deems appropriate (such as details of land history, assessment, testing and remediation).

Council records can only indicate known contaminated sites. Any site may potentially be contaminated.

Council may issue notices to land owners or occupiers requiring information about land it has reason to believe may be contaminated by asbestos using section 192 and section 193 of the *Protection of the Environment Operations Act 1997*.



### 6.3 Duty to report contaminated land

A person whose activities have contaminated land or a landowner whose land has been contaminated is required to notify the EPA when they become aware of the contamination (under section 60 of the *Contaminated Land Management Act 1997*). Situations where this is required are explained in the document: *Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997*.

The EPA will inform Council of contaminated land matters relating to the LGA as required under section 59 of the *Contaminated Land Management Act 1997*.

### 6.4 Derelict buildings

Concerns regarding potential health risks from derelict properties may be directed to Council. Derelict properties include abandoned buildings, fire damaged buildings and otherwise dilapidated buildings. Where derelict properties contain friable asbestos and asbestos is exposed, either from human activities or weathering, this poses a potential risk to public health.

Council may respond to derelict properties that pose a demonstrable public health risk using a range of regulatory tools according to the particular circumstances.

Council may issue a clean-up notice or prevention notice and compliance cost notice as noted in section 6.1.

Council may also order a person to demolish or remove a building if the building is so dilapidated as to present harm to its occupants or to persons or property in the neighbourhood (under section 121B 2(c) of the *Environmental Planning and Assessment Act 1979*). An order may require immediate compliance with its terms in circumstances which the person who gives the order believes constitute a serious risk to health or safety or an emergency (under section 121M of the *Environmental Planning and Assessment Act 1979*). If a person fails to comply with the terms of an order, Council may act under section 121ZJ of the *Environmental Planning and Assessment Act 1979* to give effect to the terms of the order, including the carrying out of any work required by the order.

If the derelict building is on a site that is a workplace then SafeWork NSW is the lead agency responsible for ensuring that asbestos is removed by appropriately licensed removalists.

## 7. Responding to emergencies and incidents

Emergencies and incidents such as major collapses, cyclones, explosions, fires, storms, or vandalism can cause damage to buildings or land that contain asbestos. This may include working with state agencies in accordance with the NSW Asbestos Emergency Plan and the Disaster Assistance Guidelines. This can create site contamination issues and potentially expose emergency service workers and the wider public to asbestos. Emergencies or incidents can arise from natural hazards, or from accidental or deliberate human activities including criminal activity.

### 7.1 Responsibilities in the clean up after an emergency or incident

Council may play a role in ensuring that asbestos containing materials are cleaned up after an emergency or incident. If the emergency or incident occurs at a workplace, SafeWork NSW is the lead agency.

Council may issue a clean-up, prevention, cost compliance or penalty infringement notice as outlined in section 3.3 and section 6.1.

Alternatively, Council may act under the *Environmental Planning and Assessment Act 1979* as outlined in section 6.4 of this document.

Council will determine an appropriate response depending on the nature of the situation.

This may include to:

- Seek advice from an occupational hygienist on the likely level of risk and appropriate controls required.
- Liaise with or consult the appropriate agencies.
- Inform emergency personnel of any hazards known to Council as soon as practicable.
- Follow the *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) published by SafeWork NSW.



- Ensure that any Council workers attending the site have appropriate training and are wearing appropriate personal protective equipment.
- Exclude the public from the site.
- Inform the public of the potential sources of exposure to asbestos, health risks and emergency management response.
- Minimise the risks posed by any remaining structures (see section 6.4).
- Address the risks posed by disturbed asbestos containing materials by engaging a licensed removalist (as outlined in section 14.6.2) or issuing a clean-up or prevention notice (as outlined in section 6.4) to ensure asbestos containing materials are removed for disposal.
- Ensure that the site is kept damp, at all times or sprayed with PVA glue, particularly where friable asbestos is present, if considered appropriate (noting that in some instances this may not be appropriate, for example if there are live electrical conductors or if major electrical equipment could be permanently damaged or made dangerous by contact with water).
- Ensure that asbestos containing materials are disposed of at a facility licensed to accept asbestos waste and sight proof of appropriate disposal through weighbridge dockets or similar documentation.

## 7.2 Advice to the public regarding clean up after an emergency or incident

During a clean up after an emergency or incident, the possibility of neighbours being exposed to asbestos fibres may be very low if precautions are taken to minimise the release and inhalation of asbestos dust and fibres.

As a precautionary measure, where Council is involved in a clean-up, Council may consider advising those in neighbouring properties to:

- avoid unnecessary outdoor activity and do not put any laundry outside during the clean up
- close all external doors and windows and stay indoors during the clean up
- consider avoiding using air conditioners that introduce air from outside into the home during the clean up
- dispose of any laundry that may have been contaminated with asbestos as asbestos waste after the clean-up (advice on disposing of asbestos waste is provided in section 10)
- use a low pressure hose on a spray configuration to remove visible dust from pathways after the clean up
- wipe dusty surfaces with a damp cloth and bag and dispose of the cloth as asbestos waste after the clean-up (advice on disposing of asbestos waste is provided in section 10)
- any other measures recommended by an occupational hygienist following assessment of the situation.

## 8. Council's process for changing land use

Council recognises the need to exercise care when changing zoning for land uses, approving development or excavating land due to the potential to uncover known or unknown asbestos material from previous land uses (for example, where a site has been previously been used as a landfill or for on-site burial of asbestos waste).

*State Environmental Planning Policy No. 55 – Remediation of Land* states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must take place before the land is developed.

Managing sites contaminated with asbestos material is addressed in section 6.



## 9. Council's process for assessing development

This section applies to development applications assessed under the *Environmental Planning and Assessment Act 1979* and complying development applications assessed under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* or Council's complying codes (see section 9.5.2). This includes alterations and additions to residential development, which may include internal work as well as extensions to the existing main structure, or changes to outbuildings, sheds or garages.

This section also covers renovations that do not require development consent or a complying development certificate. Development consent is not required to maintain an existing structure. For example, the replacement of windows, doors and ceilings may involve the removal of asbestos but is categorised as exempt development under the *Environmental Planning and Assessment Act 1979* and does not require development consent. In these instances, Council has an educative role in providing owners and occupiers with advice and information about the identification and safe management of asbestos.

### 9.1 Responsibilities for approving development

Council is the consent authority for the majority of development applications in the LGA. The Sydney Central City Planning Panel (SCCPP) is also consent authority for certain local or regional development as well as the Cumberland Independent Hearing and Assessment Panel (CIHAP).

Council, the SCCPP or CIHAP may impose conditions of consent and a waste disposal policy to a development consent to ensure the safe removal of asbestos, where asbestos has been identified or may be reasonably assumed to be present.

Either Council or a private certifier may assess a complying development certificate. Where a private certifier is engaged to assess a complying development certificate, the private certifier is responsible for ensuring that the proposed development activities include adequate plans for the safe removal and disposal of asbestos. This also applies to the demolition of buildings. Certifiers are able to issue a complying development certificate under the Demolition Code of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*. Further information on demolition is provided in section 9.4.

When a private certifier issues a complying development certificate and is appointed as the Principal Certifying Authority for the development it is the certifier's responsibility to follow up to ensure that works including asbestos handling, removal and disposal if present, are carried out appropriately in accordance with the *Environmental Planning and Assessment Regulation 2000* (clause 136E). Compliance is covered in section 9.7.

### 9.2 Providing advice to home owners, renovators and developers

Council is committed to providing information to minimise the risks from asbestos in the LGA. Information is provided below and in Appendix A. Appendix B lists additional sources of information on how to deal safely with the risks of asbestos and Appendix J lists asbestos containing products that may be found around the home.

The key points are:

- ☐ Before any renovation, maintenance or demolition work is carried out, any asbestos or asbestos containing materials should be identified (refer to section 9.3).
- ☐ Where a material cannot be identified or it is suspected to be asbestos, it is best to assume that the material is asbestos and take appropriate precautions.
- ☐ If asbestos containing materials can be maintained in good condition it is recommended that they be safely contained, left alone and periodically checked to monitor their condition, until demolition or redevelopment.
- ☐ If asbestos materials cannot be safely contained, they should be removed as outlined in section 9.4.
- ☐ For demolition or redevelopment, any asbestos containing materials should be safely removed and disposed of prior to the work commencing.

Anyone who is undertaking renovations them self without a contractor is encouraged to refer to Appendices A and B for more information and contact Council where they require further advice or clarification. Anyone engaging an asbestos removal contractor may contact SafeWork NSW with any queries as SafeWork NSW regulates asbestos



removal by workers (as explained in section 9.4). Contact details for Council and SafeWork NSW are provided in Appendix E.

### 9.3 Identifying asbestos

Information on common places where asbestos is likely to be found in residential, commercial and industrial premises with materials from prior to 2004 on the premises is provided in Appendix A.

A person may apply to Council for a planning certificate (called a section 149 certificate) for the relevant land. Council may provide information on a planning certificate including whether Council has a policy to restrict the use of land due to risks from asbestos contamination, as outlined in section 6.2.

Council aims to ensure that records are, as far as possible, accurate. In some instances, Council may not have up-to-date information about asbestos for a property. Council may be able to provide general advice on the likelihood of asbestos being present on the land based on the age of the buildings or structures on the land. A general guide to the likelihood of asbestos presence based on building age is provided in Appendix A under section 2.2.

The most accurate way to find out if a building or structure contains asbestos is to obtain an asbestos inspection by a person competent in the identification and assessment of asbestos, such as an occupational hygienist (a competent person is defined by the *NSW Work Health and Safety Regulation 2017*). This is highly advisable before undertaking major renovations to buildings constructed, or containing materials from prior to 2004.

Property owners and agents are encouraged to inform any tenants or occupiers of the presence of asbestos and to address any potential asbestos hazards where appropriate.

Property owners who let their properties out are required to identify any asbestos within those properties before any work is carried out (this includes residential properties).

The *Work Health and Safety Regulation 2017* states that the person conducting a business or undertaking in any building constructed before 31 December 2003 must identify if there is any asbestos in the building.

All commercial properties that contain asbestos must have and maintain a current asbestos register and asbestos management plan.

### 9.4 Removing asbestos, refurbishments and demolitions

#### 9.4.1 Removing asbestos at domestic premises

If development is undertaken by contractors, as is the case with a lot of home renovations, then the work is considered to be at a workplace and is regulated by SafeWork NSW under the *NSW Work Health and Safety Regulation 2017*. This requires that a person conducting a business or undertaking who is to carry out refurbishment or demolition of residential premises must ensure that all asbestos that is likely to be disturbed by the refurbishment or demolition is identified and, so far as reasonably practicable, is removed before the refurbishment or demolition is commenced.

Depending on the nature and quantity of asbestos to be removed, a licence may be required to remove the asbestos. The requirements for licences are outlined below and summarised in the table in Appendix K. SafeWork NSW is responsible for issuing asbestos licences.

Friable asbestos must only be removed by a licensed removalist with a friable (Class A) asbestos removal licence. Except in the case of the removal of:

- ☐ asbestos containing dust associated with the removal of non-friable asbestos, or
- ☐ asbestos containing dust that is not associated with the removal of friable or non-friable asbestos and is only a minor contamination (which is when the asbestos contamination is incidental and can be cleaned up in less than one hour).

The removal of more than 10 square metres of non-friable asbestos or asbestos containing material must be carried out by a licensed non-friable (Class B) or a friable (Class A) asbestos removalist.

The removal of asbestos containing dust associated with the removal of more than 10 square metres of non-friable asbestos or asbestos containing material requires a non-friable (Class B) asbestos removal licence or a friable (Class A) asbestos removal licence.



Removal of 10 square metres or less of non-friable asbestos may be undertaken without a licence. However, given the risks involved, Council encourages residents to consider engaging a licensed asbestos removal contractor. The cost of asbestos removal by a licensed professional is comparable in price to most licensed tradespeople including electricians, plumbers and tilers.

All asbestos removal should be undertaken in accordance with the *Code of practice on how to safely remove asbestos* (catalogue no. SW08286).

If a residential premise is a workplace, the licensed asbestos removalist must inform the following persons before licensed asbestos removal work is carried out:

- ☐ the person who commissioned the work
- ☐ a person conducting a business or undertaking at the workplace
- ☐ the owner and occupier of the residential premises
- ☐ anyone occupying premises in the immediate vicinity of the workplace (as described in section 467 of the *NSW Work Health and Safety Regulation 2017*).

In certain circumstances, a premise may be used for both residential and commercial purposes and is therefore classified as a workplace.

All licensed asbestos removal must be:

- ☐ supervised by a supervisor named to SafeWork NSW
- ☐ notified to SafeWork NSW at least five days prior to the work commencing.

Requirements for the transport and disposal of asbestos waste are covered in section 10.

#### 9.4.2 Removing asbestos at workplaces

The *NSW Work Health and Safety Regulation 2017* specifies requirements for demolition and refurbishment at a workplace with structures or plants constructed or installed before 31 December 2003. SafeWork NSW is the lead agency for regulating the safe management of asbestos at workplaces.

#### 9.4.3 Obtaining approval for demolition

Demolition work is classified as high risk construction work in the *NSW Work Health and Safety Regulation 2017* and demolition licenses are required for some demolition work. The *Demolition work code of practice 2015* provides practical guidance on how to manage the risks associated with the demolition of buildings and structures. In most circumstances demolition of a structure requires development consent or a complying development certificate. Applicants need to enquire to Council as to whether and what type of approval is required. Where a development application is required Council's standard conditions need to be applied to ensure that asbestos is safely managed. Council's conditions for development consent are referred to in section 9.6.

A wide range of development, including residential, industrial and commercial development, can be approved for demolition as complying development under the *Demolition Code of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* and the *Environmental Planning and Assessment Regulation 2000* provides mandatory conditions for complying development certificate applications.

Demolition of development that would be exempt development under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* is also exempt development and does not require consent. This includes minor structures such as carports, fences, sheds and the like.

### 9.5 Exempt or complying development

#### 9.5.1 Exempt development

Exempt development does not require any planning or construction approval if it meets the requirements of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

This means that there is no ability for Council or a private certifier to impose safeguards for the handling of asbestos through conditions of development consent. However, Council advises that all asbestos removal work should be carried out in accordance with the *Code of practice on how to safely remove asbestos* (catalogue no. WC03561).



### 9.5.2 Complying development

The *Environmental Planning and Assessment Regulation 2000* (clause 136E) outlines conditions under which a complying development certificate can be issued for development that involves building work or demolition work and friable or non-friable asbestos.

Applications for complying development certificates must include details of the estimated area (if any) in square metres of friable and/or non-friable asbestos material that will be disturbed, repaired or removed in carrying out the development (under Schedule 1 part 2 of the *Environmental Planning and Assessment Regulation 2000*).

Where more than 10 square metres of non-friable asbestos is to be removed, a contract evidencing the engagement of a licensed asbestos removal contractor is to be provided to the principal certifying authority. The contract must specify the landfill site lawfully able to accept asbestos to which the removed asbestos will be delivered.

If the contract indicates that asbestos will be removed to a specified landfill site, the person having the benefit of the complying development certificate must give the principal certifying authority a copy of a receipt from the operator of the landfill site stating that all the asbestos material referred to in the contract has been received by the operator.

If the work involves less than 10 square metres of non-friable asbestos and is not undertaken by a licensed contractor, it should still be undertaken in a manner that minimises risks as detailed in the *Code of practice on how to safely remove asbestos* (catalogue no. SW08286). In instances where asbestos removal is less than 10 square metres of non-friable asbestos and not from a place of work, then SafeWork NSW would not be the agency responsible for regulating this activity. Concerns or complaints may be directed to Council as outlined in section 11.

The *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* outlines the requirements for the applicant to notify their neighbours that works may include asbestos removal.

Further requirements to inform other persons of licensed asbestos removal are described in section 467 of the *NSW Work Health and Safety Regulation 2017* as noted in section 9.4.1 of this document.

## 9.6 Development applications

If a proposed building does not meet the requirements of exempt or complying development then there is a final planning approval option: a development application (DA). A DA can only be approved by a local Council, the JRPP or, for very large State-significant development proposals, the State Government. A development application needs to be prepared and it will be assessed in accordance with the development standards established by Council. Council may undertake a site inspection as part of the DA assessment.

Upon receipt of a Development Application to demolish a building erected prior to 1987, Council will notify in writing the residents adjoining a demolition site of the following:

- ☐ The conditions (see 9.6.2) that will be imposed should a Development Consent be granted.
  - Council's phone number: (02) 8757 9000.
- ☐ SafeWork NSW Asbestos/Demolition Hotline phone number: (02) 8260 5885.

An abbreviated copy of WorkCover's "Your Guide to Working with Asbestos Cement" is to be sent with the notification to adjoining residents).

### 9.6.1 Pre-development application advice regarding asbestos

Council's pre-DA service enables proponents to discuss asbestos-related issues with Council prior to lodging a DA, if the issue is raised. Council may inform applicants of this document, fact sheets or websites. Generally this may be most relevant to structures erected or modified before the 1980s and any other structure that could be reasonably suspected to contain asbestos including those with building materials from prior to 2004.

### 9.6.2 Conditions of consent

The following conditions of development consent are to be applied to work that may involve asbestos, in particular demolition and renovation or recladding or brick veneering works of buildings erected prior to 1987. Evidence acceptable to Council may be required to establish the construction date of a building or part of a building:

(A) DEMOLITION OF BUILDINGS:



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Conditions of Development Consent:

- i. Demolition is to be carried out in accordance with the applicable provisions of Australian Standard AS2601-2001 - The demolition of structures. *Note: Developers are reminded that WorkCover requires that all plant and equipment used in demolition work must comply with the relevant Australian Standards and manufacturer specifications.*
- ii. The developer is to notify owners and occupiers of premises on either side, opposite and at the rear of the development site five (5) working days prior to demolition. Such notification is to be clearly written on A4 size paper stating the date demolition will commence and is to be placed in the letterbox of every premises (including every residential flat or unit, if any) either side, immediately at the rear of, and directly opposite the demolition site. Demolition must not commence prior to the date stated in the notification.
- iii. Five (5) working days (i.e., Monday to Friday with the exclusion of Public Holidays) notice in writing is to be given to Cumberland City Council for inspection of the site prior to the commencement of works. Such written notice is to include the date when demolition will commence and details of the name, address, business hours contact telephone number and licence number of the demolisher. Works are not to commence prior to Council's inspection and works must not commence prior to the commencement date nominated in the written notice.
- iv. On the first day of demolition, work is not to commence until the Principal Certifying Authority (PCA) has inspected the site. Should the building to be demolished be deemed likely to contain asbestos, approval to commence demolition will not be given until the PCA is satisfied that all measures are in place so as to comply with WorkCover's document Your Guide to Working with Asbestos.
- v. On demolition sites where buildings to be demolished are likely to contain asbestos, a standard commercially manufactured sign containing the words "DANGER ASBESTOS REMOVAL IN PROGRESS" measuring not less than 400mm x 300mm is to be erected in a prominent visible position on the site to the satisfaction of Council's officers. Advice on the availability of these signs can be obtained by telephoning Council's Customer Service Centre during business hours on 8757 9000. The sign is to be erected prior to demolition work commencing and is to remain in place until such time as all asbestos has been removed from the site to an approved waste facility.
- vi. Demolition works involving the removal and disposal of asbestos cement must only be undertaken by contractors who hold a current WorkCover "Demolition Licence" and a current WorkCover "Class 2 (Restricted) Asbestos Licence".
- vii. Demolition is to be completed within five (5) days of commencement at which time the applicant shall notify the Certifying Authority.
- viii. Demolition works are restricted to Monday to Friday between the hours of 7.00am to 6.00pm. No demolition works are to be undertaken on Saturdays, Sundays or Public Holidays.
- ix. Protective fencing is to be installed to prevent public access to the site.
- x. All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the NSW Environmental Protection Authority (EPA). NOTE: The person responsible for disposing of the above asbestos waste is to telephone the EPA on 131 555 or Council's Compliance and Environment Unit on (02) 8757 9000 to determine the location of a tip licensed to receive asbestos. Within fourteen (14) days of the completion of demolition works, the applicant must lodge with Council, all original weighbridge receipts issued by the receiving tip as evidence of proper disposal.
- xi. After completion, the applicant shall notify the Principal Certifying Authority within seven (7) days to assess the site and ensure compliance with Australian Standard AS2601 1991 - The Demolition of Structures.
- xii. Within fourteen (14) days of completion of demolition, the applicant shall submit to Council:
  - a) an asbestos clearance certificate prepared by a WorkCover licensed asbestos assessor ; and



- 
- b) a signed statement verifying that demolition work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of actual weighbridge receipts for the recycling/disposal of all materials.

**(B) RENOVATION OF BUILDINGS:**

(The following conditions of Development Consent are to be imposed on buildings erected prior to 1987 that are to be renovated or reclad or brick veneered. Evidence acceptable to Council may be required to establish the construction date of a building or part of a building).

**Conditions of Development Consent:**

- i. All asbestos cement sheeting must be removed by contractors with an appropriate licence issued by WorkCover and who are familiar with asbestos removal prior to the commencement of:
  - a. Recladding or brick veneering works where the existing walls to be covered are currently clad with asbestos cement; OR
  - b. Construction work where new work abuts existing asbestos cement sheeting and/or where parts of the existing building clad with asbestos cement sheeting are to be altered or demolished.
- ii. Removal must be carried out strictly in accordance with WorkCover's Your Guide to Working with Asbestos (copy attached).
- iii. All asbestos laden waste, including asbestos cement flat and corrugated sheets must be disposed of at a tipping facility licensed by the NSW Environment Protection Authority (EPA).

**NOTE:** The person responsible for disposing of the above asbestos waste is to telephone the EPA on 131 555 or Council's Compliance and Environment Unit on (02) 8757 9000 to determine the location of a tip licensed to receive asbestos. Upon completion of tipping operations the applicant must lodge with Council, all original weighbridge receipts issued by the receiving tip as evidence of proper disposal.

- iv. Within fourteen (14) days of completion of renovation or recladding or brick veneering works where asbestos cement sheeting was removed, the applicant shall submit to Council:
  - a. an asbestos clearance certificate prepared by a SafeWork NSW licensed asbestos assessor; and
  - b. a signed statement verifying that work and the recycling of materials was undertaken in accordance with the Waste Management Plan approved with this consent. In reviewing such documentation Council will require the provision of actual weighbridge receipts for the disposal of all materials.



## 9.7 Compliance and enforcement

### 9.7.1 Responsibilities for compliance and enforcement

The controls rely on information being provided and checked by the principal certifying authority which may be either the local Council or a private certifier. A private certifier has powers under the *Environmental Planning and Assessment Act 1979* to issue construction certificates, compliance certificates, complying development certificates, occupation certificates and to carry out mandatory inspections. Councils will not always be the principal certifying authority. When a Council is not nominated as the principal certifying authority for a complying development certificate or development application, the Council may not have any knowledge of the asbestos matter. Accordingly, coordination of compliance and/or enforcement actions between the Council and the private certifier will be required.

Council may take action on any development for which Council has issued the development consent, even when not appointed as the principal certifying authority to ensure enforcement. Where Council receives a complaint about a development for which Council is not the principal certifying authority, Council should consider whether Council is the appropriate authority to resolve the matter. Complaints that warrant action by Councils because of their greater enforcement powers include:

- urgent matters, for example, a danger to the public or a significant breach of the development consent or legislation
- matters that are not preconditions to the issue of the occupation/subdivision certificate.

In relation to naturally occurring asbestos, Council is to verify compliance with environmental planning and assessment legislation and together with the EPA and SafeWork NSW is to coordinate enforcement where non-compliance is suspected.

### 9.7.2 Compliance strategies

Illegal works include:

- works that are undertaken without a required development consent or complying development certificate
- works that are undertaken that do not comply with the conditions of the development consent or complying development certificate.

Where Council becomes aware of illegal work involving asbestos or asbestos containing materials, Council will notify SafeWork NSW if the site is a workplace.

The *Environmental Planning and Assessment Act 1979* empowers Council to issue orders to direct specific work be undertaken to comply with a development consent.

Council may need to issue an order under the *Local Government Act 1993* (section 124) to direct a person to 'do or refrain from doing such things as are specified in the order to ensure that land is, or premises are, placed or kept in a safe or healthy condition.'

Council may also issue a clean up notice or prevention notice under the *Protection of the Environment Operations Act 1997* as outlined in section 6.1 of this document.

Council may audit asbestos-related demolition works which Council has recently approved by using a legal notice under section 192 of the *Protection of the Environment Operations Act 1997* to require developers to provide information and records regarding disposal of their asbestos waste.

Council's Environmental Protection Team provide a quick response to asbestos related complaints involving the incorrect handling of asbestos on development sites. Each situation is assessed and corrective action directed to the person in charge and control of the site to ensure the immediate environmental and public health risk is reduced. Once this has occurred, the matter is then referred to Council's Development Compliance Unit to follow up and action.



## 10. Managing asbestos as a waste

It is illegal to dispose of asbestos waste in domestic garbage bins or to recycle, reuse, bury or illegally dump asbestos waste. Asbestos must not be placed in general waste skip bins, yet there have been instances where asbestos has been illegally placed in skip bins by third parties. Members of the public need to be aware of this hazard and may need to secure their skip bins to prevent a third party from illegally disposing of asbestos in the skip bin.

Asbestos waste (in any form) must only be disposed of at a landfill site that may lawfully receive asbestos waste.

### 10.1 Responsibilities for asbestos waste management

Council's responsibilities for asbestos waste management are outlined in section 3.3.

The handling and, where appropriate, temporary storage of asbestos waste at worksites is regulated by SafeWork NSW.

The EPA regulates premises that have or require an environment protection licence in accordance with the *Protection of the Environment Operations Act 1997*. A licence is required where more than 5 tonnes of asbestos waste, brought from off-site, is stored at any time. All other sites where asbestos waste is stored, typically those that are non-work sites, are regulated by local Councils.

### 10.2 Handling asbestos waste for disposal

The *Code of practice on how to safely remove asbestos* (catalogue no. SW08286) provides details on waste containment and disposal and controls applicable to all types of asbestos removal (in section 4.8 of the Code).

### 10.3 Transporting asbestos waste

The following requirements apply to the transport of asbestos waste and non-compliance with these requirements is an offence under clause 78 of the *Protection of the Environment Operations (Waste) Regulation 2014*:

- (a) any part of any vehicle in which the person transports the waste is covered, and leak-proof, during the transportation, and
- (b) if the waste consists of bonded asbestos material-it is securely packaged during the transportation, and
- (c) if the waste consists of friable asbestos material-it is kept in a sealed container during transportation, and
- (d) if the waste consists of asbestos-contaminated soils-it is wetted down.

Asbestos waste that is transported interstate must be tracked in accordance with the *Protection of the Environment Operations (Waste) Regulation 2014*. The transport of asbestos waste in NSW must be recorded from the place of generation to its final destination. The waste tracking system is administered by the EPA. Operators that use the EPA's WasteLocate system will be in compliance with these requirements. Information about EPA's WasteLocate system can be found at: [www.epa.nsw.gov.au/wasteregulation/transport-asbestos-tyres.htm](http://www.epa.nsw.gov.au/wasteregulation/transport-asbestos-tyres.htm)

An environment protection licence issued by the EPA is required to transport asbestos waste interstate where any load contains more than 200 kilograms of asbestos waste.

It is an offence to transport waste to a place that cannot lawfully receive that waste, or cause or permit waste to be so transported (under section 143 of the *Protection of the Environment Operations Act 1997*). Penalty notices may be issued for \$7,500 (to individuals) and \$15,000 (to corporations). NSW courts may impose penalties up to \$250,000 (for individuals) and \$1,000,000 (for corporations) found guilty of committing this offence.

### 10.4 Disposing of asbestos waste at waste facilities

There are no waste facilities in the Cumberland LGA that will accept asbestos waste. A list of local privately operated licensed facilities that may be accessed is provided below:

Horsley Park Waste Management Facility  
716-752 Wallgrove Road  
Horsley Park NSW 2164



Dial A Dump Eastern Creek  
Honeycomb Drive  
Eastern Creek NSW 2766

Elizabeth Drive Landfill  
Elizabeth Drive  
Kemps Creek NSW 2555

Lucas Heights Resource Recovery Park  
New Illawarra Road  
Lucas Heights NSW 2234

Persons delivering waste to a landfill site must comply with the following requirements:

- ☐ a person delivering waste that contains asbestos to a landfill site must inform the landfill occupier of the presence of asbestos when delivering the waste.
- ☐ when unloading and disposing of asbestos waste at a landfill site, the waste must be unloaded and disposed of in such a manner as to prevent the generation of dust or the stirring up of dust.

Non-compliance with these requirements is an offence under the *Protection of the Environment Operations (Waste) Regulation 2014* and these offences attract strong penalties.

Refer to Section 9.6.2 for conditions of consent regarding waste management.

#### 10.4.1 Situations in which asbestos waste may be rejected from waste facilities

Asbestos waste may be rejected from a waste facility if the waste is:

- not correctly packaged for delivery and disposal (as per sections 10.2 and 10.3)
- not disclosed by the transporter as being asbestos or asbestos containing materials, or
- taken to a waste facility that does not accept asbestos waste.

Where waste is rejected, the waste facility must inform the transporter of the waste of a waste facility to which the waste may be transported, that is, a waste facility at which the waste can be legally accepted (as required by the *Protection of the Environment Operations (Waste) Regulation 2014*).

Individuals may be fined \$7,500 and corporations may be fined \$15,000 under the *Protection of the Environment Operations Act 1997* and *Protection of the Environment Operations (Waste) Regulation 2014* for transporting asbestos waste to a facility that cannot lawfully receive asbestos waste.

#### 10.5 Illegal dumping of asbestos waste

Illegal dumping is the unlawful deposit of waste onto land. That is waste materials dumped, tipped or otherwise deposited onto private or public land where no licence or approval exists to accept such waste. Illegal landfilling, which is waste used as fill material, with or without the consent of the owner or occupier of the land and without the necessary Council or EPA approvals, is also considered to be illegal dumping and pollution of land.

Illegal dumping of asbestos waste in public places such as parks, streets or nature strips can attract regulatory action including:

- on the spot fines of up to \$15,000
- prosecution for pollution of land of up to \$1 million for a corporation and \$120,000 for each day the offence continues (under section 142A of the *Protection of the Environment Operations Act 1997*), or
- up to \$1 million, or seven years imprisonment, or both for an individual (under section 119 of the *Protection of the Environment Operations Act 1997*).

The responsibility for cleaning up illegally dumped waste lies with the person or company that deposited the waste. If they cannot be identified the relevant occupier or landowner becomes the responsible party.

Local Councils are the appropriate regulatory authority for illegal dumping unless:

- the activity was part of the carrying on of an activity listed in Schedule 1 of the *Protection of the Environment Operations Act 1997*



- 
- the activity was carried out by a public authority or the state, or
  - the site is regulated by a different authority such as the Minister for Planning.

A handbook to assist Aboriginal communities to prevent and arrange the clean-up of illegal dumping (published by the EPA) is noted in Appendix B.

### 10.6 Asbestos remaining on-site

Cumberland City Council does not permit any on site disposal of asbestos. Long term management of asbestos on site does not eliminate the risk of asbestos exposure should the site be subject to future development. All asbestos waste must be appropriately removed and disposed of in accordance with this Document as part of any development application considered by Council.

## 11. Complaints and investigations

Complaints and inquiries may be directed to Council about incidents in public places and private properties. Complaints and inquiries regarding a workplace should be directed to SafeWork NSW. Complaints and inquiries regarding licensed premises under the *Protection of the Environment Operations Act 1997* should be directed to the EPA.

Council will respond to complaints and inquiries regarding:

- Council's requirements in relation to development, land management and waste management
  - ☐ derelict properties
  - ☐ general asbestos safety issues
  - ☐ illegal dumping
  - ☐ safe removal and disposal of minor quantities of asbestos materials
  - ☐ unsafe work at a residential property conducted by a homeowner or tenant.

Complaints about Council in relation to asbestos may be directed to the NSW Ombudsman.

## Part 2 – Management of asbestos risks within Council

## 12. Rights and responsibilities of workers at the Council workplace

### 12.1 Duties of Council workers at the Council workplace

#### 12.1.1 PCBU and Officers

The PCBU (Council) has a primary duty of care under the NSW Work Health and Safety act to ensure the health and safety of all workers and provide a workplace without risk to health and safety and provision of safe systems of work. This includes taking reasonable steps to ensure that Council has and uses appropriate resources and processes to eliminate or minimise risks associated with asbestos.



### 12.1.2 Workers

Workers have a duty to take reasonable care for their own health and safety and that they do not adversely affect the health and safety of other persons. Accordingly workers:

- must comply with this document and any reasonable instruction or procedure relating to health and safety at the workplace
- must use any personal protective equipment provided, in accordance with information, training and reasonable instruction provided so far as the worker is reasonably able
- may cease, or refuse to carry out, work if the worker has a reasonable concern that to carry out the work would expose them, or other persons, to a serious health or safety risk, emanating from an immediate or imminent exposure to a hazard
- should ensure they are using the latest version of all relevant procedures, plans, guidelines and legislation (refer to Appendix G).

Directors are responsible for ensuring workers who report to them have access to this document and appropriate information, documentation and training.

### 12.1.3 Prohibited work activities

Council will not permit the use of the following on asbestos or asbestos containing material:

- high pressured water spray (unless for firefighting or fire protection purposes), or
- compressed air.

Council will not permit the following equipment to be used on asbestos or asbestos containing material unless the use of the equipment is controlled in accordance with the *NSW Work Health and Safety Regulation 2017*:

- power tools
- brooms (note brooms are allowed for use on vinyl floor tiles), or
- any other implements that cause the release of airborne asbestos into the atmosphere.

## 12.2 Responsibilities of Council to Council workers

### 12.2.1 Council's responsibilities

Council has specific responsibilities under the *NSW Work Health and Safety Act 2011* and the *NSW Work Health and Safety Regulation 2017*. Accordingly Council will:

- not use any asbestos containing materials (unless in accordance with part 8.1 (419) of the *NSW Work Health and Safety Regulation 2017*) and will not cause or permit asbestos waste in any form to be reused or recycled
- ensure that exposure of a person at the workplace to airborne asbestos is eliminated so far as is reasonably practicable
- ensure that the exposure standard for asbestos (defined in Appendix C) is not exceeded in the workplace
- notify SafeWork NSW immediately if persons are likely to be affected by asbestos fibres or if an air monitoring process records respirable asbestos fibre levels above 0.02 fibres/ml of air
- ensure that any contractors engaged to undertake the removal of asbestos for Council are appropriately licensed
- consult with workers as required by the *Work Health and Safety Act 2011*.

Council will not import asbestos or asbestos containing material into Australia as prohibited under the *Customs (Prohibited Imports) Regulations 1956*. If plant or other materials are imported from countries where asbestos is not yet prohibited, Council shall ensure the plant or materials do not contain asbestos prior to supply or use in the workplace.



### 12.2.2 Education, training and information for workers

As required by the NSW *Work Health and Safety Act 2011* and NSW *Work Health and Safety Regulation 2017*, Council will:

- provide any information, training, instruction or supervision that is necessary to protect all persons at the workplace from risks to their health and safety arising from work carried out as part of the conduct of Council business
- ensure workers who Council reasonably believes may be involved in asbestos removal work or the carrying out of asbestos-related work in the workplace are trained in the identification, safe handling and suitable control measures for asbestos and asbestos containing material.

Any workers who are involved in any activity listed in Appendix A under section 3 on behalf of, or for, Council shall be provided with access to a copy of this document and information and training suitable to their role and the activity.

Directors are responsible for identifying and ensuring new staff who may be involved in asbestos removal work or carrying out asbestos related work are provided with the document, it is read and understood by them and notified to this extent and, training is provided as soon as practicable. Existing staff will undertake refresher training at least every two years to ensure provision of information is ongoing.

Topics training may cover are outlined in the *Code of practice on how to safely remove asbestos* (catalogue no. SW08285).

Education and training will only be provided by appropriately accredited individuals.

A record of asbestos training undertaken by each worker will be kept until five years after the day the worker ceases to work for Council.

A list of workers who have received the appropriate training to respond to asbestos hazards is available from Council upon request.

### 12.2.3 Health monitoring for workers

Council will ensure health monitoring is provided to a worker if they are carrying out licensed asbestos removal work, other ongoing asbestos removal work or asbestos-related work at the workplace for Council and are at risk of exposure to asbestos when carrying out the work.

The health monitoring will be consistent with the *Code of practice on how to safely remove asbestos* (catalogue no. SW08285) and meet the requirements of the NSW *Work Health and Safety Regulation 2017*(part 8.5 Division 1).

Health counselling may be appropriate where a heightened sense of concern exists for individuals possibly exposed to elevated levels of airborne asbestos fibres.

Workers who were exposed to asbestos in the past and if there is a risk to the health of the worker as a result of that exposure, are covered by the NSW *Work Health and Safety Regulation 2017*(clauses 435-444). Council will ensure these workers are kept on the health monitoring program.

If Council is likely to engage a worker to undertake licenced asbestos removal work at a place of work where there is a risk of exposure carrying out such work, it must ensure health monitoring of the worker commences before they carry out any licensed asbestos removal work.

Council may wish to refer to any plan / procedures / forms / record keeping systems that Council may have for health monitoring for workers to assist the Council worker responsible for coordinating the health monitoring.

Council as part of its recruitment process provides health monitoring to new employed workers who may have been exposed to any dust diseases as part of their previous employment history. A medical appointment is made through the Dust Diseases Board.



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## 13. Identifying and recording asbestos hazards in the Council workplace

This section outlines how Council will identify and record asbestos hazards in the workplace. This section does not cover naturally occurring asbestos which is addressed in section 5 or illegal dumping which is addressed in section 10.5.

### 13.1 Identifying asbestos

Council will ensure, so far as is reasonably practicable, that all asbestos or asbestos containing material at the workplace is identified by a competent person (as defined by the *NSW Work Health and Safety Regulation 2017*). If a material cannot be identified or accessed, it will be assumed to be asbestos. This does not apply if Council has reasonable grounds to believe that asbestos or asbestos containing material is not present.

#### 13.1.1 Material sampling

Council may choose to identify asbestos or asbestos containing material by arranging for a sample to be analysed. Where Council arranges sampling of asbestos containing material, this will be undertaken by an appropriately trained and competent Council worker or a competent person will be contracted to undertake this task. Analysis of the sample must only be carried out by a National Association of Testing Authorities (NATA) accredited laboratory (refer to Appendix E) or a laboratory approved or operated by the regulator.

### 13.2 Indicating the presence and location of asbestos

Council will clearly indicate the presence and location of any asbestos or asbestos containing material identified or assumed at the workplace. Where it is reasonably practicable to do so, Council will indicate the presence and location of the asbestos or asbestos containing material by a label.

### 13.3 Asbestos register

Council has an asbestos register of Council Buildings that can be made available through Council's Customer Service Unit upon request.

Council's asbestos register will be maintained to ensure the register lists all identified (or assumed) asbestos in the workplace and information in the register is up to date. The asbestos register will be accessible, reviewed, revised and otherwise managed as mandated by the *NSW Work Health and Safety Regulation 2017* (clauses 425 – 428).

Council will ensure that any worker carrying out or intending to carry out work at a Council workplace that involves a risk of exposure to airborne asbestos, is given a copy of the asbestos register.

### 13.4 Suspected asbestos

If a worker suspects there is asbestos in a Council workplace, they should inform their Director or supervisor. A competent worker should check the asbestos register for existing asbestos locations and control measures and may need to arrange for an inspection and sampling of the material (refer to section 13.1.1). If it is likely that asbestos or suspected asbestos is present, the asbestos register will be updated and workers will be notified of any newly identified asbestos locations.

Council may need to manage the suspected asbestos as outlined in section 14. If the suspected asbestos has been disturbed and has, or could, become airborne, Council may need to respond immediately as outlined in section 15.



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## 14. Managing asbestos-related risks in the Council workplace

### 14.1 Asbestos management plan

Council has an asbestos management plan that can be made available through Council's Customer Service Unit upon request. The asbestos management plan will be accessible, reviewed, revised and otherwise managed as mandated by the *NSW Work Health and Safety Regulation 2017* (clause 429).

### 14.2 Asbestos management plan for naturally occurring asbestos

Council is not aware of any naturally occurring asbestos in the workplace. If naturally occurring asbestos is discovered, Council will prepare an asbestos management plan in relation to the naturally occurring asbestos in accordance with the *NSW Work Health and Safety Regulation 2017* (part 8.4) (Management of naturally occurring asbestos).

### 14.3 Management options for asbestos-related risks in the Council workplace

Council's asbestos management plan includes decisions and reasons for decisions about the management of asbestos at the workplace.

Options for managing asbestos-related risks include:

- ☐ removal of asbestos or asbestos containing materials (preferred wherever reasonably practicable)
- ☐ interim control measures: enclosure (only for non-friable asbestos), encapsulation (when the original asbestos bond is still intact) or sealing (where the sealed material is unlikely to be subject to mechanical damage) asbestos containing material, to be implemented along with regular inspections by a competent person
- ☐ leaving asbestos containing material in situ (deferring action).

Council may undertake an asbestos risk assessment, in consultation with workers and/or their representatives, in order to inform decision-making. Only competent persons will perform risk assessments or any subsequent reviews or revisions of risk assessments.

For all asbestos work or asbestos-related work, safe work practices will be in place and suitable personal protective equipment will be used.

Council has a number of Safe Work Method Statements and Standard Operating Procedures associated with asbestos that deal with risk assessment or risk management that have been prepared in accordance with the relevant legislation.



#### 14.4 Sites contaminated with asbestos that are Council workplaces

Where asbestos is identified as contaminating a workplace, the site will be included in Council's asbestos register and asbestos management plan.

Council may need to ensure that an exposure assessment is undertaken and that appropriate risk management options are determined and implemented.

For asbestos in soil or aggregate, a suitably qualified occupational hygienist must carry out an assessment if the material in the soil and aggregate is unknown or classified as friable.

Council should engage specialists, who may include asbestos removalists, for all cases except in the case of minor, non-friable contaminations.

Further details on managing land contaminated with asbestos may be found in section 6.

#### 14.5 Demolition or refurbishment of Council buildings and assets

Council will ensure that before any demolition or refurbishment of a Council structure or plant constructed or installed before 31 December 2003 is undertaken, the asbestos register is reviewed and a copy provided to the business undertaking the demolition or refurbishment. Council will ensure that any asbestos that is likely to be disturbed is identified and, so far as is reasonably practicable removed.

#### 14.6 Removal of asbestos in the Council workplace

Removal of asbestos or asbestos containing materials in the Council workplace will be undertaken in accordance with the:

- ☐ NSW Work Health and Safety Act 2011
- ☐ NSW Work Health and Safety Regulation 2017.

Council may also refer to the *Code of practice on how to safely remove asbestos* (catalogue no. SW08285).

For licensed asbestos removal work, a licensed asbestos removalist must meet the requirements of the *NSW Work Health and Safety Regulation 2017* including the requirements to:

- ☐ notify SafeWork NSW at least five days prior to the asbestos removal work commencing. However, in the case of emergency work, such as burst pipes, fires and illegally dumped asbestos, Council may request to SafeWork NSW that this five days period be waived
- ☐ prepare, supply and keep an asbestos removal control plan
- ☐ obtain a copy of the asbestos register for the workplace before carrying out asbestos removal work at the workplace (this does not apply if the asbestos removal work is to be carried out at residential premises, for example cleaning up asbestos that has been illegally dumped at a residential premises)
- ☐ inform the person with management or control of the workplace that the licensed asbestos removal work is to be carried out at the workplace
- ☐ erect signs and barricades
- ☐ limit access to the asbestos removal area
- ☐ properly dispose of asbestos waste and dispose of, or treat, contaminated personal protective equipment
- ☐ arrange a clearance inspection and clearance certificate.

Where Council is informed that asbestos removal work is to be carried out at the workplace, Council will inform workers and those in the immediate vicinity of the workplace and limit access to the asbestos removal area as per the *NSW Work Health and Safety Regulation 2017*.

##### 14.6.1 Removal by Council employees

If any Council workers are to undertake any asbestos removal work, the work must be undertaken in accordance with the relevant legislation. Council will ensure that before any Council worker undertakes asbestos (or suspected asbestos) removal work they are:

- ☐ appropriately trained
- ☐ adequately supervised



- ☐ provided with appropriate personal protective equipment and clothing
- ☐ provided access to this document and relevant Safe Work Method Statements
- ☐ provided with information about the health risks and health effects associated with exposure to asbestos
- ☐ provided with health monitoring (informed of the need for, and details of, health monitoring).

#### 14.6.2 Removal by contractors

Where Council commissions the removal of asbestos at the workplace, Council will ensure asbestos removal work is carried out only by a licensed asbestos removalist who is appropriately licensed to carry out the work, unless specified in the *NSW Work Health and Safety Regulation 2017* that a licence is not required.

Where Council requires the services of asbestos removalists, Council will require the licence details of asbestos removalists prior to engaging their services and will verify the licence details with SafeWork NSW's Certification Unit prior to entering a contract or agreement with the licensed asbestos removalists.

Council is required to ensure that the work is carried out by a competent person who has been trained in the identification and safe handling of, and suitable control measures for, asbestos and asbestos containing material. Council will therefore require a statement in a written contract or agreement with the licensed asbestos removalist that the licensed asbestos removalist who will undertake the work has been adequately trained and is provided with appropriate health monitoring by their employer.

The licensed asbestos removalist is to provide the following documentation prior to carrying out asbestos removal work:

- ☐ Asbestos removal control plan
- ☐ Public liability certificate of currency
- ☐ Workers compensation certificate of currency
- ☐ SafeWork NSW confirmation details to carry out the removal work

Council will provide a copy of the asbestos register to the licensed asbestos removalist.

Where Council becomes aware of any breaches by licensed asbestos removalists, Council will report this to SafeWork NSW.

#### 14.6.3 Clearance inspections and certificates

Where Council commissions any licensed asbestos removal work, Council will ensure that once the licensed asbestos removal work has been completed, a clearance inspection is carried out and a clearance certificate is issued by an independent licensed asbestos assessor (for Class A asbestos removal work) or an independent competent person (in any other case) before the asbestos removal area is re-occupied.

The friable asbestos clearance certificate will require visual inspection as well as air monitoring of the asbestos removal site. Air monitoring is mandatory for all friable asbestos removal. The air monitoring must be conducted before and during Class A asbestos removal work by an independent licensed asbestos assessor.

The friable asbestos clearance certificate is to state that there was no visible asbestos residue in the area or vicinity of the area where the work was carried out and that the airborne asbestos fibre level was less than 0.01 asbestos fibres/ml.

### 15. Accidental disturbance of asbestos by workers

In situations where asbestos is accidentally disturbed by Council work and has, or could, become airborne, Council will act to minimise exposure of workers and the wider public to airborne asbestos.

Any work will be undertaken in accordance with Council's Asbestos Management Plan and the Code of Practice on how to safely remove asbestos (catalogue no. WC03561).

### 16. Council's role in the disposal of asbestos waste

#### 16.1 Responding to illegal dumping



A licensed asbestos removal contractor is engaged to collect all illegally dumped asbestos. For Officers investigating reports of illegally dumped asbestos, Council will ensure they are trained to undertake this work.

Where Council becomes aware of illegally dumped asbestos material outside of Council's jurisdiction, Council will promptly notify the relevant authority.

## 16.2 Transporting and disposing of asbestos waste

Council will transport and dispose of waste in accordance with the legislation and as outlined in section 10.

## 16.3 Re-excavation of landfill sites

The re-excavation of a Council landfill site where significant quantities of asbestos waste are deposited is not encouraged and should only be considered with reference to any available records on the nature, distribution and quantities of asbestos waste required under the relevant legislation, and consultation with the Environment Protection Authority (as the appropriate regulatory authority under the *Protection of the Environment Operations Act 1997*).

## 17. Advice to tenants and prospective buyers of Council owned property

Council may provide advisory notes to tenants and prospective buyers of Council owned property that is likely to contain asbestos.

Council may request that tenants in Council property:

- advise Council of any hazards relating to asbestos
- minimise damage to asbestos containing material
- co-operate with Council in facilitating any risk management work arranged by Council
- act on advice from Council to minimise risks from asbestos.

## 18. Implementing Council's asbestos policy

### 18.1 Supporting documents

The implementation of this document is supported by Council's:

- ☐ Asbestos Management Procedure
- ☐ Asbestos Register for Buildings
- ☐ Complaints handling procedures
- ☐ Employee health monitoring plans
- ☐ Site maps for asbestos in landfill
- Site specific safety management plans – park lands
- ☐ Training registers/ records (relevant to identifying, handling and removing of asbestos materials).
- ☐ The Compliance and Environment Unit of Council has developed and implemented Safe Work Method Statements for staff to follow regarding tasks related to or involving asbestos.

### 18.2 Communication

This is a publicly available document. The document is to be made available via Council's website [www.cumberland.nsw.gov.au](http://www.cumberland.nsw.gov.au).

All employees shall receive information about the document at induction from Council's Safety Section.

Any workers (including employees, contractors, consultants and, where relevant, volunteers and members of the public) who are involved in any activity or activities listed in Appendix A under section 3 on behalf of, or for, Council shall be provided with access to a copy of this document and relevant supporting attachments. This includes any workers involved in commencing, arranging, undertaking, regulating, inspecting or supervising a potentially hazardous activity or activities. Directors are responsible for ensuring workers who report to them have access to this document and appropriate information, documentation and training in asbestos awareness (as per the NSW



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*Work Health and Safety Regulation 2017*) prior to planning the activity or activities. Further information about training is noted in section 12.2.2 of this document.

Council shall incorporate a statement regarding compliance with this document in all relevant contracts and agreements with workers (including employees, contractors, consultants and, where relevant, volunteers and members of the public).

In the case of any substantive revisions to this document, the revisions will be approved by the General Manager and the General Manager will notify all persons who may have cause to undertake, arrange or supervise any activities listed in Appendix A under section 3 on behalf of, or for, Council.

### 18.3 Non-compliance

Failure by workers to adhere to this document and failure by Directors to adequately inform relevant workers of this document shall be considered non-compliance with this guideline.

The appropriate supervisor, Director, or the General Manager, shall take action in the case on non-compliance with this document and this may include providing education and training, issuing a verbal or written warning, altering the worker's duties, or in the case of serious breaches, terminating the worker's services. Each case shall be assessed on its merits with the aim of achieving a satisfactory outcome for all parties.

Workers should approach their supervisor or Director if they are experiencing difficulties in understanding or implementing this document or if they are concerned that other workers are not complying with this guideline.

## 19. Variations

Council reserves the right to review, vary or revoke this document. The General Manager may allow variations to this document for minor issues in individual cases.



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## Appendices

### Appendix A – General information and guidance

#### 1. What is asbestos?

Asbestos is the generic term for a number of naturally occurring, fibrous silicate materials. If asbestos is disturbed it can release dangerous fine particles of dust containing asbestos fibres. Breathing in dust containing elevated levels of asbestos fibres can cause asbestosis, lung cancer and mesothelioma.

There are two major groups of asbestos:

- the serpentine group contains chrysotile, commonly known as white asbestos
- the amphibole group contains amosite (brown asbestos) and crocidolite (blue asbestos) as well as some other less common types (such as tremolite, actinolite and anthophyllite).

Further information about the different types of asbestos can be found in: Environmental Health Standing Committee (enHealth), *Asbestos: A guide for householders and the general public*, Australian Health Protection Principal Committee, Canberra, 2013 (available at: [www.health.gov.au/internet/publications/publishing.nsf/Content/asbestos-toc~asbestos-about](http://www.health.gov.au/internet/publications/publishing.nsf/Content/asbestos-toc~asbestos-about)).

In Australia, in the past asbestos was mined and widely used in the manufacture of a variety of materials. Asbestos was gradually phased out of building materials in the 1980s and the supply and installation of asbestos containing goods has been prohibited in Australia since 31 December 2003.

Asbestos legacy materials still exist in many homes, buildings and other assets. It is estimated that 1 in 3 Australian homes contains building materials with asbestos. Where the material containing asbestos is in a non-friable form (or bonded), undisturbed, and painted or otherwise sealed, it may remain safely in place. However, where the asbestos containing material is broken, damaged or mishandled, fibres can become loose and airborne posing a risk to health. Disturbing or removing asbestos unsafely can create a health hazard.

It is often difficult to identify the presence of asbestos by sight. If you are in doubt, it is best to assume that you are dealing with asbestos and take every precaution. The most accurate way to find out whether a material contains asbestos is to obtain an asbestos inspection by a person competent in the identification and assessment of asbestos such as an occupational hygienist. It can be unsafe for an unqualified person to take a sample of asbestos. Licensed asbestos removalists can be found by using the telephone directory. Council encourages residents to ask the contractor for a copy of their licence prior to engaging them. Residents can then check with SafeWork NSW (phone 13 10 50) to confirm the contractor has the appropriate class of licence for the asbestos removal job.



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## 2. Where is asbestos found?

Asbestos can be found where it occurs naturally and in a variety of materials (from prior to 2004) in residential, commercial and industrial premises and on public and private land.

### 2.1 Naturally occurring asbestos

Naturally occurring asbestos refers to the natural geological occurrence of asbestos minerals found in association with geological deposits including rock, sediment or soil.

Asbestos is found as a naturally occurring mineral in many areas of NSW. Asbestos may occur in veins within rock formations. [The map provided in Appendix L](#) gives an indication of areas in NSW known to have naturally occurring asbestos.

Work processes that have the potential to inadvertently release naturally occurring asbestos into the air include:

- agriculture
- forestry
- landscaping
- mining
- other excavation or construction activities
- pipe works and telecommunications works
- road construction and road works.

Further information can be found in this document under section 5 and in the *Naturally-occurring asbestos fact sheet* (catalogue no. WC03728) published by SafeWork NSW, which provides a photograph of naturally occurring asbestos. The SafeWork NSW website provides further information on naturally occurring asbestos and supporting documents on what people can do to avoid contact with naturally occurring asbestos.

### 2.2 Residential premises

As a general rule, a house built:

- Before the mid-1980s – is highly likely to contain asbestos containing products.
- Between the mid-1980s and 1990 – is likely to contain asbestos containing products.
- After 1990 – is unlikely to contain asbestos containing products. However, some houses built in the 1990s and early 2000s may have still used asbestos cement materials until the total ban on any activity involving asbestos products became effective from December 2003.

Pipelines installed prior to 1992, particularly black surface coated and grey surface pipes, may contain asbestos.

It is important to note, the most accurate way to find out whether a material contains asbestos is by engaging a licensed asbestos removalist or occupational hygienist to inspect and arrange testing where necessary.

Fibre cement sheeting, commonly known as 'fibro', 'asbestos sheeting' or 'AC sheeting' (asbestos containing sheeting) is the most commonly found legacy asbestos material in residential premises. Other asbestos containing materials were used in 'fibro' houses but also found in brick and timber housing stock from that period. Asbestos materials were sold under a range of commercial names. Some asbestos containing materials found in New South Wales domestic settings are listed in Appendix J.

Common places where asbestos is likely to be found in and around homes include:

Outside

- backyard garden sheds, carports, garages and dog kennels
- electrical meter boards
- imitation brick cladding
- lining under eaves
- wall and roof materials (flat, patterned or corrugated asbestos sheeting).



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Inside

- insulation materials in heaters and stoves
- interior walls and sheeting
- sheet materials in wet areas (bathroom, toilet and laundry walls, ceilings and floors)
- vinyl floor tiles, the backing to cushion vinyl flooring and underlay sheeting for ceramic tiles including kitchen splashback.

Asbestos can also be found in:

- angle mouldings (internal and external)
- board around windows and fireplaces
- brake pads and clutch pads to vehicles
- buried and dumped waste materials
- carpet underlay
- ceilings (ceiling tiles or sprayed coatings or loose in the ceiling cavity and may have moved to wall cavities, cornices and sub-floor areas)
- cement flooring
- external toilets
- fencing
- guttering, downpipes and vent pipes
- inside appliances eg irons, whitegoods
- gable ends
- outbuildings
- ridge capping
- swimming pools – reinforcing marble swimming pools
- ventilators – internal and external.

Other places asbestos can be found are listed in Appendix J.

### 2.3 Commercial and industrial premises

In commercial and industrial premises, asbestos may be found in the abovementioned places and also:

- asbestos rope or fabric in expansion joints (for example exhaust flues) and insulation
- bituminous waterproof membrane on flat roofs
- brake disc pads and brake linings
- cloth, tapes, ropes and gaskets for packing
- electrical switchboards and duct heater units
- fillers and filters
- fire doors
- lagging on pipes such as heater flues
- lift motor rooms
- pipes, casing for water and electrical/ telecommunication services
- rubber, plastics, thermosetting resins, adhesives, paints, coatings, caulking compounds and sealants for thermal, electrical and insulation applications
- structural beams of buildings



- yarns and textiles eg fire blankets.

Other places asbestos can be found are listed in Appendix J.

#### 2.4 Sites contaminated with asbestos

Contamination of soils from asbestos or asbestos containing materials can present a risk in urban and rural environments if the asbestos can give rise to elevated levels of airborne fibres that people can breathe. Whilst buried material may not give rise to airborne asbestos fibres if securely contained, inappropriate disturbance of this waste could give rise to harmful levels of asbestos fibres in air. Activities such as those listed in section 3 of this Appendix have the potential to encounter and disturb asbestos waste or contamination, particularly where the contamination is not known to be present at the site or has not been appropriately considered.

##### 2.4.1 Situations where asbestos contamination may occur

Situations where asbestos contamination may occur include:

- industrial land, e.g., asbestos-cement manufacturing facilities, former power stations, and rail and ship yards, especially workshops and depots
- waste disposal or dumping sites, including sites of illegal dumping eg, building waste
- sites with infill or burial of asbestos waste from former asbestos mining or manufacture processes
- buildings or structures damaged by fire or storm (particularly likely for those with pre-1980s building materials but also possible for those with materials from prior to 2004)
- land with fill or foundation material of unknown composition
- sites where buildings or structures have been constructed from asbestos containing material or where asbestos may have been used as insulation material, e.g., asbestos roofing, sheds, garages, reservoir roofs, water tanks, boilers and demolition waste has been buried onsite
- sites where buildings or structures have been improperly demolished or renovated, or where relevant documentation is lacking (particularly likely for those with pre-1980s building materials but also those with materials from prior to 2004)
- disused services with asbestos containing piping such as water pipes (including sewage systems, water services and irrigation systems), underground electrical and telephone wires and telecommunications trenches or pits (usually within 1 metre of the surface).

##### 2.4.2 Significantly contaminated land

For sites that are significantly contaminated, the EPA and SafeWork NSW are the lead regulatory authorities. The *Contaminated Land Management Act 1997* applies to significantly contaminated land. In general, significant contamination is usually associated with former asbestos processing facilities or where large quantities of buried friable asbestos waste has been uncovered and is giving rise to measureable levels of asbestos fibres in air. Such sites require regulatory intervention to protect community health where the source of the contamination is not being addressed by the responsible person. The Environment Protection Authority has details of sites that have been nominated as significantly contaminated on its Public Register at: [www.epa.nsw.gov.au/cdm/publiclist.htm](http://www.epa.nsw.gov.au/cdm/publiclist.htm)

If land is contaminated but not determined to be 'significant enough to warrant regulation' then the *Contaminated Land Management Act 1997* does not apply. In such cases the provisions within the planning legislation and/or the *Protection of the Environment Operations Act 1997* may be the appropriate mechanism for management of such contamination.

Guidance on assessing land can be found in the document: *Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997*.



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### 3. Potentially hazardous activities

A number of activities could cause asbestos to be inadvertently disturbed and consequently create a health risk.

Before undertaking any of the activities listed below, it should be considered whether asbestos containing materials may be present. If asbestos is present, these activities may be illegal or certain precautions may be required, or an appropriately licensed person may be required to undertake the activity.

Members of the public could inadvertently disturb asbestos through activities including:

- renovations, refurbishments or repairs particularly those involving power tools, boring, breaking, cutting, drilling, grinding, sanding or smashing asbestos containing materials
- sealing, painting, brushing and cleaning asbestos cement products
- demolitions of homes or other structures (dismantling or destruction)
- relocating a house, building or structure
- using compressed air on asbestos containing materials
- water blasting asbestos containing materials
- cleaning gutters on asbestos cement roofs
- handling asbestos cement conduits or boxes
- maintenance work such as plumbing and electrical work on or adjacent to asbestos containing materials such as working on electrical mounting boards
- maintenance or servicing of materials from vehicles, plant or equipment
- checking, removing or replacing ceiling insulation which contains asbestos.

Council could inadvertently disturb asbestos through activities such as:

- abovementioned activities
- asset and building maintenance
- certifying
- inspections of sites and premises
- transport and disposal of illegally dumped materials
- collection, transport and disposal of incorrectly disposed of materials.

Naturally occurring asbestos and contaminated sites could be inadvertently disturbed during:

- road building
- site and construction work
- other excavation activities
- vehicle movements.

Natural processes can create a risk of exposure to asbestos including:

- extensive fire or storm damage to asbestos cement roofs or building materials
- extensive weathering and etching of unsealed asbestos cement roofs.

In addition, work that intentionally disturbs asbestos, such as sampling or removal, should be conducted by a competent person and in accordance with the relevant codes of practice and legislation.



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#### 4. Health hazards

Asbestos fibres can pose a risk to health if airborne, as inhalation is the main way that asbestos enters the body. The World Health Organisation has stated that concentrations of asbestos in drinking water from asbestos cement pipes do not present a hazard to human health.

Breathing in asbestos fibres can cause asbestosis, lung cancer and mesothelioma. The risk of contracting these diseases increases with the number of fibres inhaled and the risk of lung cancer from inhaling asbestos fibres is greatly increased if you smoke. Small fibres are the most dangerous and they are invisible to the naked eye. People who are at most risk are those who have been exposed to high levels of asbestos for a long time. The symptoms of these diseases do not usually appear for some time (about 20 to 30 years) after the first exposure to asbestos.

**Asbestosis** is the irreversible scarring of lung tissue that can result from the inhalation of substantial amounts of asbestos over a period of years. It results in breathlessness that may lead to disability and, in some cases, death.

**Lung cancer** can be caused by asbestos. Lung cancer is related to the amount of fibre that is breathed in and the risk of lung cancer is greatly increased in those who also smoke tobacco.

**Mesothelioma** is a cancer of the pleura (outer lung lining) or the peritoneum (the lining of the abdominal cavity). Mesothelioma rarely occurs less than 15 years from first exposure, and most cases occur over 30 years after first exposure. Accordingly, the rates of malignant mesothelioma (an incurable cancer) are expected to rise from the year 2012 to 2020 and are expected to peak in this time.

If asbestos fibres are in a stable material, for example bonded in asbestos-cement sheeting (such as fibro), and these materials are in good condition they pose little health risk. However, where fibro or other non-friable asbestos sheeting is broken, damaged or mishandled, fibres can become loose and airborne posing a risk to health. Disturbing or removing asbestos containing materials unsafely can create a hazard.

The occupational standard for asbestos is 0.1fibre/ml of air and the environmental standard is 0.01fibre/ml in air.

When someone has potentially been exposed to asbestos, or receives or expects they may receive a diagnosis of an asbestos-related disease, they may experience psychological distress, including anxiety and may be in need of support. Their family and those around them may also be vulnerable to psychological distress.



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## Appendix B – Further information

### Aboriginal communities

*Illegal dumping prevention and clean-up. Handbook for Aboriginal communities*, 2008 (EPA)  
[www.epa.nsw.gov.au/illegaldumping/resources.htm](http://www.epa.nsw.gov.au/illegaldumping/resources.htm)

### Asbestos contractors

*Choosing an asbestos consultant fact sheet* (catalogue no. WC04547) (SafeWork NSW)  
[www.safework.nsw.gov.au/formspublications/publications/Pages/Choosinganasbestosconsultant.aspx](http://www.safework.nsw.gov.au/formspublications/publications/Pages/Choosinganasbestosconsultant.aspx)

For a listing of asbestos removal contractors in your area, refer to your local telephone directory or the Yellow Pages [www.yellowpages.com.au](http://www.yellowpages.com.au) or by contacting the Asbestos Removal Contractors Association NSW (ARCA) [www.arcansw.asn.au](http://www.arcansw.asn.au) or by emailing: [email@arcansw.asn.au](mailto:email@arcansw.asn.au). An asbestos removal contractor's licence can be verified by contacting the SafeWork NSW's Certification Unit on 13 10 50.

### Asbestos waste

Advice about safely disposing of household asbestos waste can be found at:  
[www.epa.nsw.gov.au/managewaste/house-asbestos.htm](http://www.epa.nsw.gov.au/managewaste/house-asbestos.htm)

Asbestos waste disposal facility search function on the Asbestos Safety and Eradication Agency website:  
[www.asbestosafety.gov.au/search-disposal-facilities](http://www.asbestosafety.gov.au/search-disposal-facilities)

Cumberland City Council Asbestos Answers

Website: [www.asbestosanswers.com.au](http://www.asbestosanswers.com.au)

*Crackdown on Illegal Dumping: A Handbook for Local Government*, 2007 (EPA)  
[www.epa.nsw.gov.au/illegaldumping/resources.htm](http://www.epa.nsw.gov.au/illegaldumping/resources.htm)

*Illegally Dumped Asbestos Clean Up Program (IDACUP)*: Council may become involved in clean up activities of illegally dumped asbestos waste. Where the responsible party is unknown, unavailable, unwilling (despite a legal obligation to do so) or unable to pay for clean up within the timeframe required to avoid or at least minimise harm to the environment or public health, Council may apply for funding under the IDACUP. Information about the IDACUP is available at [www.environment.nsw.gov.au/grants/IDACUP.htm](http://www.environment.nsw.gov.au/grants/IDACUP.htm)

*Regional Illegal Dumping (RID) Squads*: are regionally based teams that specialise in dealing with illegal dumping. The squads are funded by the EPA and the member local Councils who opt to work together and pool resources to tackle illegal dumping.

*RIDonline* is a state-wide illegal dumping database and reporting tool to assist Councils and the EPA develop a comprehensive picture of the extent of illegal dumping in NSW. Members of the community can assist by reporting illegal dumping online through the RIDonline App, available for the public to download in February 2016.

For more information on illegal dumping and safely disposing of asbestos waste visit the EPA website:  
[www.epa.nsw.gov.au](http://www.epa.nsw.gov.au)

*Management of asbestos in recycled construction and demolition waste*, 2010 (SafeWork NSW)  
[www.safework.nsw.gov.au/data/assets/pdf\\_file/0017/18323/asbestos\\_recycled\\_construction\\_demolition\\_waste\\_2772.pdf](http://www.safework.nsw.gov.au/data/assets/pdf_file/0017/18323/asbestos_recycled_construction_demolition_waste_2772.pdf)

### Contaminated land

*Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997*, 2015 (EPA).  
[www.epa.nsw.gov.au/resources/clm/150164-report-land-contamination-guidelines.pdf](http://www.epa.nsw.gov.au/resources/clm/150164-report-land-contamination-guidelines.pdf)

*Managing land contamination: Planning guidelines SEPP 55 – Remediation of land*, 1998 (Department of Planning and Environment and EPA)  
[www.epa.nsw.gov.au/resources/clm/gu\\_contam.pdf](http://www.epa.nsw.gov.au/resources/clm/gu_contam.pdf)



## Emergency management

*Guidance Material: Asbestos and Fire-damaged Buildings*, 2015 (EPA)  
[www.epa.nsw.gov.au/resources/waste/asbestos/150044-asbestos-fire-damaged-buildings.pdf](http://www.epa.nsw.gov.au/resources/waste/asbestos/150044-asbestos-fire-damaged-buildings.pdf)

*NSW Asbestos Emergency Plan*: The NSW Asbestos Emergency sub plan details the specific arrangements for the coordinated funding and management of asbestos debris during and following a larger scale emergency, being an event that requires a significant and coordinated response, where the presence of asbestos containing material in the community poses a significant risk to public health and safety.  
[www.emergency.nsw.gov.au/publications/plans/sub-plans/asbestos.html](http://www.emergency.nsw.gov.au/publications/plans/sub-plans/asbestos.html)

## Environmental risk assessment

*Environmental health risk assessment: Guidelines for assessing human health risks from environmental hazards*, 2002 (Commonwealth of Australia)

Available via email by contacting the enHealth Secretariat: [enHealth.Secretariat@health.gov.au](mailto:enHealth.Secretariat@health.gov.au)

## Health

*Asbestos and health risks fact sheet*, 2007 (NSW Health)  
[www.health.nsw.gov.au/environment/factsheets/Pages/asbestos-and-health-risks.aspx](http://www.health.nsw.gov.au/environment/factsheets/Pages/asbestos-and-health-risks.aspx)

Further advice concerning the health risks of asbestos can be obtained from your local public health unit.

## Renovation and development

*Asbestos: A guide for householders and the general public*, Environmental Health Standing Committee (enHealth), Australian Health Protection Principal Committee, Canberra, 2013 (available at: [www.health.gov.au/internet/publications/publishing.nsf/Content/asbestos-toc~asbestos-about](http://www.health.gov.au/internet/publications/publishing.nsf/Content/asbestos-toc~asbestos-about)).

Cumberland City Council Asbestos Answers

Website: [www.asbestosanswers.com.au](http://www.asbestosanswers.com.au)

*Asbestos Awareness website* (Asbestos Education Committee)  
[www.asbestosawareness.com.au](http://www.asbestosawareness.com.au)

*Choosing and working with a principal certifying authority: A guide for anyone planning to build or subdivide*, 2011 (Building Professionals Board)  
[www.bpb.nsw.gov.au/sites/default/files/public/Finalbuildingappbroch.pdf](http://www.bpb.nsw.gov.au/sites/default/files/public/Finalbuildingappbroch.pdf)

## Practical guidance

*Code of practice on how to manage and control asbestos in the workplace* (catalogue no. WC03560) published by SafeWork NSW  
[www.safework.nsw.gov.au/\\_data/assets/pdf\\_file/0015/15216/how-to-manage-control-asbestos-workplace-code-of-practice-3560.pdf](http://www.safework.nsw.gov.au/_data/assets/pdf_file/0015/15216/how-to-manage-control-asbestos-workplace-code-of-practice-3560.pdf)

*Code of practice on how to safely remove asbestos* (catalogue no. WC03561) published by SafeWork NSW  
[www.safework.nsw.gov.au/\\_data/assets/pdf\\_file/0016/15217/how-to-safely-remove-asbestos-code-of-practice-3561.pdf](http://www.safework.nsw.gov.au/_data/assets/pdf_file/0016/15217/how-to-safely-remove-asbestos-code-of-practice-3561.pdf)

## Tenants

*Tenants rights Fact sheet 26 Asbestos and lead*, 2010 (Tenants NSW)  
[www.tenants.org.au/publish/factsheet-26-asbestos-lead/index.php](http://www.tenants.org.au/publish/factsheet-26-asbestos-lead/index.php)

## Tenants – Housing NSW tenants

*Asbestos fact sheet*, 2010 (Housing NSW)  
[www.housing.nsw.gov.au/NR/rdonlyres/F4E1131F-2764-4CB1-BC07-98EB6C594085/0/Asbestos.pdf](http://www.housing.nsw.gov.au/NR/rdonlyres/F4E1131F-2764-4CB1-BC07-98EB6C594085/0/Asbestos.pdf)



## Appendix C – Definitions

The terms used in the document are defined as below, consistent with the definitions in the:

- *Code of practice on how to manage and control asbestos in the workplace* (catalogue no. WC03560) published by SafeWork NSW
- *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) published by SafeWork NSW
- *Contaminated Land Management Act 1997*
- *Environmental Planning and Assessment Act 1979*
- *Emergency Pollution and Orphan Waste Clean-Up Program Guidelines 2008*
- *Protection of the Environment Operations Act 1997*
- *Waste classification guidelines part 1 classifying waste 2008*
- *NSW Work Health and Safety Act 2011*
- *NSW Work Health and Safety Regulation 2017.*

**accredited certifier** in relation to matters of a particular kind, means the holder of a certificate of accreditation as an accredited certifier under the *Building Professionals Act 2005* in relation to those matters.

**airborne asbestos** means any fibres of asbestos small enough to be made airborne. For the purposes of monitoring airborne asbestos fibres, only respirable fibres are counted.

**asbestos** means the asbestiform varieties of mineral silicates belonging to the serpentine or amphibole groups of rock forming minerals including the following:

- a. actinolite asbestos
- b. grunerite (or amosite) asbestos (brown)
- c. anthophyllite asbestos
- d. chrysotile asbestos (white)
- e. crocidolite asbestos (blue)
- f. tremolite asbestos
- g. a mixture that contains 1 or more of the minerals referred to in paragraphs (a) to (f).

**asbestos containing material (ACM)** means any material or thing that, as part of its design, contains asbestos.

**asbestos-contaminated dust or debris (ACD)** means dust or debris that has settled within a workplace and is, or is assumed to be, contaminated with asbestos.

**asbestos-related work** means work involving asbestos that is permitted under the *Work Health and Safety Regulation 2017*, other than asbestos removal work.

**asbestos removal licence** means a Class A asbestos removal licence or a Class B asbestos removal licence.

**asbestos removal work** means:

- a. work involving the removal of asbestos or asbestos containing material, or
- b. Class A asbestos removal work or Class B asbestos removal work.

**asbestos removalist** means a person conducting a business or undertaking who carries out asbestos removal work.

**asbestos waste** means any waste that contains asbestos. This includes asbestos or asbestos containing material removed and disposable items used during asbestos removal work including plastic sheeting and disposable tools.

**certifying authority** means a person who is authorised by or under section 85A of the *Environmental Planning and Assessment Act 1979* to issue complying development certificates, or is authorised by or under section 109D of the *Environmental Planning and Assessment Act 1979* to issue part 4A certificates.



**Class A asbestos removal licence** means a licence that authorises the carrying out of Class A asbestos removal work and Class B asbestos removal work by or on behalf of the licence holder.

**Class A asbestos removal work** means the removal of friable asbestos which must be licensed under clause 485 of the *Work Health and Safety Regulation 2017*. This does not include: the removal of ACD that is associated with the removal of non-friable asbestos, or ACD that is not associated with the removal of friable or non-friable asbestos and is only a minor contamination.

**Class B asbestos removal licence** means a licence that authorises the carrying out of Class B asbestos removal work by or on behalf of the licence holder.

**Class B asbestos removal work** means the removal of more than 10 square metres of non-friable asbestos or asbestos containing material work that is required to be licensed under clause 487, but does not include Class A asbestos removal work.

**competent person** means: a person who has acquired through training or experience the knowledge and skills of relevant asbestos removal industry practice and holds:

- a. a certification in relation to the specified VET course for asbestos assessor work, or
- b. a tertiary qualification in occupational health and safety, occupational hygiene, science, building, construction or environmental health.

**complying development** is a fast track, 10 day approval process where a building meets all of the predetermined standards established in either a state or local Council planning document. A complying development certificate can be issued by either a local Council or an accredited certifier.

**contaminant** means any substance that may be harmful to health or safety.

**contamination of land** means the presence in, on or under the land of a substance at a concentration above the concentration at which the substance is normally present in, on or under (respectively) land in the same locality, being a presence that presents a risk of harm to human health or any other aspect of the environment

**control measure**, in relation to a risk to health and safety, means a measure to eliminate or minimise the risk.

**demolition work** means work to demolish or dismantle a structure, or part of a structure that is loadbearing or otherwise related to the physical integrity of the structure, but does not include:

- a. the dismantling of formwork, falsework, or other structures designed or used to provide support, access or containment during construction work, or
- b. the removal of power, light or telecommunication poles.

**development** means:

- a. the use of land
- b. the subdivision of land
- c. the erection of a building
- d. the carrying out of a work
- e. the demolition of a building or work
- f. any other act, matter or thing referred to in section 26 of the *Environmental Planning and Assessment Act 1979* that is controlled by an environmental planning instrument.

**development application** means an application for consent under part 4 of the *Environmental Planning and Assessment Act 1979* to carry out development but does not include an application for a complying development certificate.

The 'document' relates to the *Guideline to Asbestos Management in Cumberland City Council 2018*



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**emergency service organisation** includes any of the following:

- a. the Ambulance Service of NSW
- b. Fire and Rescue NSW
- c. the NSW Rural Fire Service
- d. the NSW Police Force
- e. the State Emergency Service
- f. the NSW Volunteer Rescue Association Inc
- g. the NSW Mines Rescue Brigade established under the *Coal Industry Act 2001*
- h. an accredited rescue unit within the meaning of the *State Emergency and Rescue Management Act 1989*.

**exempt development** means minor development that does not require any planning or construction approval because it is exempt from planning approval.

**exposure standard for asbestos** is a respirable fibre level of 0.1 fibres/ml of air measured in a person's breathing zone and expressed as a time weighted average fibre concentration calculated over an eight-hour working day and measured over a minimum period of four hours in accordance with the Membrane Filter Method or a method determined by the relevant regulator.

**friable asbestos** means material that:

- a. is in a powder form or that can be crumbled, pulverised or reduced to a powder by hand pressure when dry
- b. contains asbestos.

**health** means physical and psychological health.

**health monitoring**, of a person, means monitoring the person to identify changes in the person's health status because of exposure to certain substances.

**independent**, in relation to clearance inspections and air monitoring means:

- a. not involved in the removal of the asbestos
- b. not involved in a business or undertaking involved in the removal of the asbestos, in relation to which the inspection or monitoring is conducted.

**in situ asbestos** means asbestos or asbestos containing material fixed or installed in a structure, equipment or plant, but does not include naturally occurring asbestos.

**licence holder** means: in the case of an asbestos assessor licence – the person who is licensed:

- a. to carry out air monitoring during Class A asbestos removal work
- b. to carry out clearance inspections of Class A asbestos removal work
- c. to issue clearance certificates in relation to Class A asbestos removal work, or
  - in the case of an asbestos removal licence – the person conducting the business or undertaking to whom the licence is granted, or
  - in the case of a major hazard facility licence – the operator of the major hazard facility to whom the licence is granted or transferred.

**licensed asbestos assessor** means a person who holds an asbestos assessor licence.

**licensed asbestos removalist** means a person conducting a business or undertaking who is licensed under the *Work Health and Safety Regulation 2017* to carry out Class A asbestos removal work or Class B asbestos removal work.

**licensed asbestos removal work** means asbestos removal work for which a Class A asbestos removal licence or Class B asbestos removal licence is required.

**NATA** means the National Association of Testing Authorities, Australia.

**NATA-accredited laboratory** means a testing laboratory accredited by NATA, or recognised by NATA either solely or with someone else.



**naturally occurring** asbestos means the natural geological occurrence of asbestos minerals found in association with geological deposits including rock, sediment or soil.

**non-friable asbestos** means material containing asbestos that is not friable asbestos, including material containing asbestos fibres reinforced with a bonding compound.

**Note.** Non-friable asbestos may become friable asbestos through deterioration (see definition of friable asbestos).

**occupational hygienist** means a person with relevant qualifications and experience in asbestos management who is a full member of the Australian Institute of Occupational Hygienists (AIOH).

**occupier** includes a tenant or other lawful occupant of premises, not being the owner.

**officer** means an officer as defined in the *NSW Work Health and Safety Act 2011*.

**orphan waste** means materials that have been placed or disposed of on a premises unlawfully that may have the potential to pose a risk to the environment or public health.

**person conducting a business or undertaking** a 'person' is defined in laws dealing with interpretation of legislation to include a body corporate (company), unincorporated body or association and a partnership.

**personal protective equipment** means anything used or worn by a person to minimise risk to the person's health and safety, including air supplied respiratory equipment.

**the 'Policy'** relates to Councils adopted Asbestos Policy

**respirable asbestos fibre** means an asbestos fibre that:

- a. is less than three micrometres wide
- b. more than five micrometres long
- c. has a length to width ratio of more than 3:1.

**specified VET course** means:

- a. in relation to Class A asbestos removal work – the following VET courses:
  - remove non-friable asbestos
  - remove friable asbestos, or
- b. in relation to Class B asbestos removal work – the VET course Remove non-friable asbestos, or
- c. in relation to the supervision of asbestos removal work – the VET course Supervise asbestos removal, or
- d. in relation to asbestos assessor work – the VET course Conduct asbestos assessment associated with removal.

**structure** means anything that is constructed, whether fixed or moveable, temporary or permanent, and includes:

- a. buildings, masts, towers, framework, pipelines, transport infrastructure and underground works (shafts or tunnels)
- b. any component of a structure
- c. part of a structure
- d. volunteer means a person who is acting on a voluntary basis (irrespective of whether the person receives out-of-pocket expenses).

**waste** includes:

- any substance (whether solid, liquid or gaseous) that is discharged, emitted or deposited in the environment in such volume, constituency or manner as to cause an alteration in the environment, or
- any discarded, rejected, unwanted, surplus or abandoned substance, or
- any otherwise discarded, rejected, unwanted, surplus or abandoned substance intended for sale or for recycling, processing, recovery or purification by a separate operation from that which produced the substance, or
- any process, recycled, re-used or recovered substance produced wholly or partly from waste that is applied to land, or used as fuel, but only in the circumstances prescribed by the regulations, or



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- any substance prescribed by the regulations made under the *Protection of the Environment Operations Act 1997* to be waste.

**waste facility** means any premises used for the storage, treatment, processing, sorting or disposal of waste (except as provided by the regulations).

**worker** a person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as:

- a. an employee, or
- b. a contractor or subcontractor, or
- c. an employee of a contractor or subcontractor, or
- d. an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or
- e. an outworker, or
- f. an apprentice or trainee, or
- g. a student gaining work experience, or
- h. a volunteer, or
- i. a person of a prescribed class.

**workplace** a workplace is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work. Place includes: a vehicle, vessel, aircraft or other mobile structure, and any waters and any installation on land, on the bed of any waters or floating on any waters.



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## Appendix D – Acronyms

ACD	Asbestos Containing Dust (an acronym used in the legislation)
ACM	Asbestos Containing Material (an acronym used in the legislation)
ARA	Appropriate Regulatory Authority (an acronym used in the legislation)
DA	Development Application
EPA	Environment Protection Authority
JRPP	Joint Regional Planning Panel
LGA	Local Government Area
NATA	National Association of Testing Authorities
NSW	New South Wales
SEPP	State Environmental Planning Policy
VET	Vocational Education and Training



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## Appendix E – Relevant Contacts

### **Asbestos Diseases Foundation Australia Inc**

Phone: (02) 9637 8759  
Helpline: 1800 006 196  
Email: [info@adfa.org.au](mailto:info@adfa.org.au)  
Website: [www.adfa.org.au](http://www.adfa.org.au)

### **Asbestos Diseases Research Institute**

Phone: (02) 9767 9800  
Email: [info@adri.org.au](mailto:info@adri.org.au)  
Website: [www.adri.org.au](http://www.adri.org.au)

### **Australian Institute of Occupational Hygienists Inc.**

Phone: (03) 9338 1635  
Email: [admin@aioh.org.au](mailto:admin@aioh.org.au)  
Website: [www.aioh.org.au](http://www.aioh.org.au)

### **Dust Diseases Authority**

Phone: (02) 8223 6600  
Toll Free: 1800 550 027  
Email: [DDAenquiries@icare.nsw.gov.au](mailto:DDAenquiries@icare.nsw.gov.au)  
Website: [www.icare.nsw.gov.au](http://www.icare.nsw.gov.au)

### **Environment Protection Authority (EPA)**

Phone: (02) 9995 5000  
Environment line: 13 15 55  
Email: [info@epa.nsw.gov.au](mailto:info@epa.nsw.gov.au)  
Website: [www.epa.nsw.gov.au/epa](http://www.epa.nsw.gov.au/epa)

### **Licensed Asbestos Contractors**

For a listing of asbestos removal contractors in your area, refer to your local telephone directory or the Yellow Pages website: [www.yellowpages.com.au](http://www.yellowpages.com.au) or contact:

### **Asbestos Removal Contractors Association NSW**

PO Box Q1882  
Queen Victoria Building  
NSW 1230  
Email: [email@arcansw.asn.au](mailto:email@arcansw.asn.au)  
Website: [www.arcansw.asn.au](http://www.arcansw.asn.au)

Verification of an asbestos removal contractor's licence can be checked by contacting SafeWork NSW's Certification Unit Phone: **13 10 50**

### **Civil Contractors Federation (CCF)**

Phone: (02) 9009 4000  
Email: [ccfnsw@ccfnsw.com](mailto:ccfnsw@ccfnsw.com)  
Website: [www.ccfnsf.com/](http://www.ccfnsf.com/)

### **Local Government NSW**

Phone: (02) 9242 4000  
Email: [lgnsf@lgnsf.org.au](mailto:lgnsf@lgnsf.org.au)  
Website: [www.lgnsf.org.au](http://www.lgnsf.org.au)



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**NSW Ombudsman**

Phone: (02) 9286 1000  
Toll free (outside Sydney metro): 1800 451 524  
Email: [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)  
Website: [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au)

**Training providers (non-exhaustive)**

**TAFE NSW**

Phone: 131 601  
Website: [www.tafensw.edu.au](http://www.tafensw.edu.au)

**Housing Industry Association (HIA)**

Phone: (02) 9978 3333  
Website: [www.hia.com.au/](http://www.hia.com.au/)

**Local Government Training Institute**

Phone: (02) 4922 2333  
Website: [www.lgti.com.au](http://www.lgti.com.au)

**Comet Training**

Phone: (02) 9649 5000  
Website: [www.comet-training.com.au/site](http://www.comet-training.com.au/site)

**Master Builders Association (MBA)**

Phone: (02) 8586 3521  
Website: [www.masterbuilders.com.au](http://www.masterbuilders.com.au)

**SafeWork NSW**

SafeWork NSW Information Centre Phone: 13 10 50  
SafeWork NSW – Asbestos/Demolition Hotline Phone: (02) 8260 5885  
Website: [www.safework.nsw.gov.au](http://www.safework.nsw.gov.au)



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## Appendix F – Waste management facilities that accept asbestos wastes

Waste management facilities that can accept asbestos waste may be operated by Council, the State Government or private enterprise. The fees charged by the facility operators for waste received are determined by the facility.

Not all waste management centres accept asbestos waste from the public. Management of asbestos waste requires special precautions such as a separate disposal location away from other general waste and controls to prevent the liberation of asbestos fibres, such as the immediate covering of such waste.

### Waste management facilities in other areas that accept asbestos wastes

A list of licensed landfills that may accept asbestos waste from the public is available on the EPA website at: [www.epa.nsw.gov.au/managewaste/house-asbestos-land.htm](http://www.epa.nsw.gov.au/managewaste/house-asbestos-land.htm)

Some of the landfills may accept non-friable asbestos waste but not friable asbestos waste. Some landfills may not accept large quantities of asbestos waste.

Always contact the landfill before taking asbestos waste to a landfill to find out whether asbestos is accepted and any requirements for delivering asbestos to the landfill. EPA does not endorse any of the landfills listed on the website or guarantee that they will accept asbestos under all circumstances.



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## Appendix G – Asbestos-related legislation, policies and standards

- *Contaminated Land Management Act 1997*
- *Code of practice on how to manage and control asbestos in the workplace* (catalogue no. WC03560) published by SafeWork NSW
- *Code of practice on how to safely remove asbestos* (catalogue no. WC03561) published by SafeWork NSW
- *Demolition work code of practice 2015*
- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Local Government Act 1993*
- *Local Government (General) Regulation 2005*
- *Protection of the Environment Operations (General) Regulation 2009*
- *Protection of the Environment Operations (Waste) Regulation 2014*
- *Protection of the Environment Operations Act 1997*
- *State Environmental Planning Policy No. 55 – Remediation of Land*
- *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*
- *NSW Work Health and Safety Act 2011*
- *NSW Work Health and Safety Regulation 2017*
- *Workers' Compensation (Dust Diseases) Act 1942.*



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## Appendix H – Agencies roles and responsibilities

### NSW organisations

#### Department of Planning and Environment (DPE)

DPE's primary role in the management of asbestos relates to administration of State Environmental Planning Policies, and the *Environmental Planning and Assessment Act 1979* (and associated Regulation).

Whilst DPE does not have an operational role in the management of asbestos, it has a regulatory function and provides policy support relating to asbestos and development. In assessing proposals for development under the *Environmental Planning and Assessment Act 1979*, consent authorities are required to consider the suitability of the subject land for the proposed development. This includes consideration of the presence of asbestos and its environmental impact.

Where asbestos represents contamination of the land (ie it is present in excess of naturally occurring levels), *State Environmental Planning Policy No. 55 – Remediation of Land* imposes obligations on developers and consent authorities in relation to remediation of the land and the assessment and monitoring of its effectiveness.

The *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* enables exempt and complying development across the state. While this includes demolition and the removal of asbestos, the *Environmental Planning and Assessment Regulation 2000* specifies particular conditions that must be contained in a complying development certificate in relation to the handling and lawful disposal of both friable and non-friable asbestos material under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008*.

#### Dust Diseases Authority (DDA)

The Dust Diseases Authority provides a system of no fault compensation to people who have developed a dust disease from occupational exposure to dust as a worker in New South Wales and to their dependants. The DDA's statutory function is to administer the *Workers' Compensation (Dust Diseases) Act 1942*. Services include:

- payment of compensation benefits to eligible workers and dependants
- co-ordination and payment of medical and related health care expenses of affected
- medical examination of workers exposed to dust in the workplace
- information and education.

#### Environment Protection Authority (EPA)

EPA's role is to regulate the classification, storage, transport and disposal of waste in NSW, including asbestos waste. The waste regulatory framework includes the *Protection of the Environment Operations Act 1997* and the *Protection of the Environment Operations (Waste) Regulation 2014*. Clauses 77 through to 81 of the *Protection of the Environment Operations (Waste) Regulation 2014* set out the special requirements relating to the transportation and disposal of asbestos waste.

EPA is the appropriate regulatory authority for activities that require an environment protection licence or are carried out by public authorities such as local Councils, the Roads and Maritime Services and Sydney Water. Local Councils are the appropriate regulatory authority for activities that are not regulated by the EPA, which typically include building demolition, construction sites, residential properties, commercial sites and small to medium sized industrial facilities.

EPA is responsible for assisting Councils in fulfilling their regulatory responsibilities. EPA has developed resources to assist Local Government to regulate asbestos waste incidents and prevent illegal dumping. Website links to these resources are provided in Appendix B.

The EPA maintains the regulatory framework for the remediation of contaminated land (the *Contaminated Land Management Act 1997*) and actively regulates land that is declared to be 'significantly contaminated' under the *Contaminated Land Management Act 1997*.



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**Heads of Asbestos Coordination Authorities (HACA)**

The HACA is chaired by SafeWork NSW with senior officials from:

- Department of Industry
- Department of Planning and Environment
- Dust Diseases Authority
- Environment Protection Authority
- Local Government NSW
- Ministry of Health
- Office of Emergency Management
- Office of Local Government.

The HACA group will improve the management, monitoring and response to asbestos issues in NSW by developing coordinated prevention programs. These programs include a comprehensive public awareness campaign to promote the safe handling of asbestos and help prevent the risk of exposure to asbestos-related diseases in the NSW community. Further information about the HACA can be found on the SafeWork NSW website: [www.safework.nsw.gov.au](http://www.safework.nsw.gov.au).

**Local Government NSW (LGNSW)**

Local Government NSW (LGNSW) is the peak body for Councils in NSW. LGNSW represents all NSW general-purpose Councils, the special-purpose county Councils and the NSW Aboriginal Land Council.

LGNSW is a credible, professional organisation facilitating the development of an effective community-based system of Local Government in NSW. LGNSW represents the views of Councils to NSW and Australian Governments; provides industrial relations and specialist services to Councils; and promotes NSW Councils to the community.

In 2012, LGNSW commenced a project funded by SafeWork NSW to assist Councils to adopt and implement a model asbestos policy. The project is outlined at: [www.lgnsw.org.au](http://www.lgnsw.org.au)

**NSW Department of Industry**

The NSW Department of Industry, Skills and Regional Development (known as the NSW Department of Industry) leads the state government's contribution to making NSW:

- a fertile place to invest and to produce goods and services, and thereby
- create jobs and opportunities for our citizens

The NSW Department of Industry also has responsibilities for:

- skill formation and development to match industry demand
- partnering with stakeholders in stewardship and sustainable use of the state's natural resources; and
- supporting economic growth in the regions.

Within the Division of Resources & Energy in the Department, the Geological Survey of NSW teams of field geologists, geophysicists, mineral geoscientists and palaeontologists and geospatial specialists produce a range of maps. Geological mapping records the distribution of rock types and location of structures at or near the Earth's surface. The maps have applications to land use assessment, engineering construction, environmental management and natural hazard risk assessment.

The Geological Survey of NSW prepared the state-wide mapping of naturally occurring asbestos (NOA) in NSW for the Heads of Asbestos Coordination Authorities.



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**NSW Ministry of Health**

The NSW Ministry of Health does not have express statutory responsibilities for managing asbestos-related risks and incidents in NSW. The Ministry provides an expert advisory service to other governmental agencies on public health issues. This service may include technical information or assistance to prepare public health information bulletins.

**NSW Ombudsman**

The NSW Ombudsman is an independent and impartial watchdog body. The NSW Ombudsman is responsible for ensuring that public and private sector agencies and employees within its jurisdiction fulfil their functions appropriately. The NSW Ombudsman assists those agencies and their employees to be aware of their responsibilities to the public, to act reasonably and to comply with the law and best administrative practice.

**Office of Fair Trading and the Building Professionals Board (BPB)**

NSW Fair Trading safeguards the rights of all consumers and advises business and traders on fair and ethical practice. NSW Fair Trading provides services directly to individuals and businesses to create a fair, safe and equitable marketplace.

NSW Fair Trading is establishing a Loose-Fill Asbestos Implementation Taskforce responsible for overseeing and implementing the NSW Government Voluntary Purchase and Demolition Program for properties containing loose-fill asbestos insulation. The Loose-Fill Asbestos Implementation Taskforce will be in place until work is completed on the purchase and demolition of all properties that choose to participate in the Program.

The Building Professionals Board (BPB) is now part of Fair Trading and oversees building and subdivision certification. The BPB's role involves providing practice advice and educational programs to assist certifying authorities (private and Council) in carrying out their role. The BPB certifies and audits both private and Council certifiers. Further information about the BPB may be found at: [www.bpb.nsw.gov.au](http://www.bpb.nsw.gov.au)

**Office of Local Government**

The Office of Local Government is responsible for local government across NSW. The Office's organisational purpose is to 'Strengthen Local Government' and its organisational outcome is 'Fit for the future Councils leading strong communities'.

The Office has a policy, legislative, investigative and program focus in matters ranging from Local Government finance, infrastructure, governance, performance, collaboration and community engagement. The Office strives to work collaboratively with the Local Government sector and is the key adviser to the NSW Government on Local Government matters.

**SafeWork NSW**

SafeWork NSW is responsible for the issuing and control of licences that are issued to all asbestos removal and demolition contractors. SafeWork NSW works with the employers, workers and community of NSW to achieve safer and more productive workplaces, and effective recovery, return to work and security for injured workers.

SafeWork NSW administers work health and safety, injury management, return to work and workers compensation laws, and manage the workers compensation system. SafeWork NSW's activities include: health and safety, injuries and claims, licensing for some types of plant operators, registration of some types of plant and factories, training and assessment, medical and healthcare, law and policy.

The SafeWork NSW website provides a wide range of asbestos resources, support networks and links at: [www.SafeWorkNSW.nsw.gov.au/newlegislation2012/health-and-safety-topics/asbestos/Pages/default.aspx](http://www.SafeWorkNSW.nsw.gov.au/newlegislation2012/health-and-safety-topics/asbestos/Pages/default.aspx)



## National organisations

### Asbestos Safety and Eradication Agency

The Asbestos Safety and Eradication Agency was established in 2013 to provide a national focus on asbestos issues which go beyond workplace safety to encompass environmental and public health issues. The agency's objective is to eliminate asbestos-related disease in Australia.

The agency has broad functions under its legislation, including:

- reporting on the implementation of the National Strategic Plan on Asbestos Awareness and Management (NSP); reviewing and amending the NSP as required and promoting the NSP
- providing advice to the Minister about asbestos safety
- liaising with all levels of government, agencies or bodies about the implementation of the NSP; as well as asbestos safety in general; and
- commissioning, monitoring and promoting research about asbestos safety.

The agency administers the National Asbestos Exposure Register which was created to record the details of members of the community who may have been exposed to asbestos. Registration forms are online at <https://www.asbestosafety.gov.au/national-asbestos-exposure-register>.

The agency also maintains a national database for asbestos disposal facilities, which members of the public can search to identify their nearest facility that accepts asbestos waste, available online at <https://www.asbestosafety.gov.au/search-disposal-facilities>

Councils interested in finding out more about the agency, updating information listed on the disposal database, or receiving information, flyers or brochures for distribution within the LGA should contact the agency at [enquiries@asbestosafety.gov.au](mailto:enquiries@asbestosafety.gov.au).

### National Association of Testing Authorities (NATA)

This body has the role of providing accreditation to firms licensed to remove asbestos.

NSW	(Head	Office)	and	ACT
Phone:	(02)	9736		8222
National	Toll	Free:	1800	621 666
Website: <a href="http://www.nata.asn.au">www.nata.asn.au</a>				

### Environmental Health Committee (enHealth)

The Environmental Health Committee (enHealth) is a subcommittee of the Australian Health Protection Committee (AHPC). enHealth provides health policy advice, implementation of the National Environmental Health Strategy 2007-2012, consultation with key players, and the development and coordination of research, information and practical resources on environmental health matters at a national level.

Website: [www.health.gov.au/internet/main/publishing.nsf/content/ohp-enviro-enhealth-committee.htm](http://www.health.gov.au/internet/main/publishing.nsf/content/ohp-enviro-enhealth-committee.htm)

### Safe Work Australia

Safe Work Australia is an Australian Government statutory agency established in 2009, with the primary responsibility of improving work health and safety and workers' compensation arrangements across Australia.

Phone:	(02)	6121	5317
Email:			<a href="mailto:info@swa.gov.au">info@swa.gov.au</a>
Website: <a href="http://www.safeworkaustralia.gov.au">www.safeworkaustralia.gov.au</a>			



## Appendix I – Scenarios illustrating which agencies lead a response in NSW

The tables show which agencies are responsible for regulating the following scenarios in NSW:

- emergency management
- naturally occurring asbestos
- residential settings
- site contamination
- waste
- workplaces.

### Emergency management

Scenario	Lead organisation	Other regulators
Emergency response	Emergency services	Fire and Rescue (Hazmat) SafeWork NSW
Handover to Local Council, owner of property or NSW Police – crime scene following a minor incident	Local NSW Police Council	
Handover to State Emergency Recovery Controller	State Emergency Recovery Controller	Recovery Local EPA SafeWork NSW Committee Council
Handover to Recovery Committee following a significant incident	Recovery Committee (formed by State Emergency Recovery Controller)	Local EPA SafeWork NSW Council
Remediation not requiring a licensed removalist	Local Council	Principal Certifying Authority SafeWork NSW (workers)
Remediation requiring licensed removal work	SafeWork NSW	Local Principal Certifying Authority Council
Clearance Certificate issued by an Asbestos Assessor	SafeWork NSW	Principal Certifying Authority



#### Naturally occurring asbestos

Scenario	Lead organisation	Other regulators
Naturally occurring but will be disturbed due to a work process including remediation work	SafeWork NSW	Local Council EPA ( <i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)
Naturally occurring asbestos part of a mineral extraction process	NSW Department of Industry	Local Council EPA ( <i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)
Naturally occurring but will remain undisturbed by any work practice	Local Council	EPA ( <i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities) SafeWork NSW (workers)
Soil contaminated with asbestos waste and going to be disturbed by a work practice	SafeWork NSW	EPA ( <i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities, declared contaminated land sites)
Soil contaminated with asbestos waste but will remain undisturbed by any work practice	Local Council	EPA ( <i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities, declared contaminated land sites) SafeWork NSW (workers on site)
Potential for exposure on public land	EPA ( <i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)	Local Council SafeWork NSW (workers on site)
Soil contaminated with asbestos waste but at a mine site	NSW Department of Industry EPA ( <i>Protection of the Environment Operations Act 1997</i> Scheduled Activities Public Authorities)	Local Council



### Residential settings

Scenario	Lead organisation	Other regulators
Safe Management of asbestos including: <ul style="list-style-type: none"> <li>• identification</li> <li>• in situ management</li> <li>• removal requirements</li> <li>• disposal requirements.</li> </ul>	Local Private Certifiers Council	SafeWork EPA NSW
Site contaminated due to past uses	Local Council	SafeWork EPA NSW
Licensed removal work required	SafeWork NSW	Local Private Certifiers Council
Removal does not require a licensed removalist	Local Private Certifiers Council	SafeWork NSW (workers)
Transport or waste disposal issues	Local Council	EPA
Derelict property with fibro debris	Local Council or Multi-agency	Multi-agency

### Site contamination

Scenario	Lead organisation	Other regulators
Asbestos illegally dumped	Local Council	EPA SafeWork NSW
Site contamination at commercial premises	See Workplaces	
Site contamination at residential premises	See Residential settings	

### Waste

Scenario	Lead organisation	Other regulators
Waste temporarily stored on-site	SafeWork NSW (worksites) EPA and Local Council (non-worksites)	
Waste transported by vehicle	EPA	SafeWork NSW
Waste disposed of onsite	Council or EPA as illegal dumping or pollution of land if no valid Council development consent	Local Council (consent required to dispose onsite) (section 149 property certificate and development assessment process)
Waste going to landfill site	EPA (advice)	Local Council (if managing licensed landfill)
Waste to be transported interstate	EPA	
Waste for export	Department of Immigration and Border Protection	SafeWork Department of Employment NSW



### Workplaces

Scenario	Lead organisation	Other regulators
Asbestos installed/supplied after 2003 (illegally)	SafeWork NSW	
Risks to the health of workers	SafeWork NSW	
Asbestos management and asbestos going to be removed	SafeWork NSW NSW Department of Industry (mine sites)	
Risks to the health of the public from worksites	SafeWork NSW (Risks to workers) Local Council (Risks to the wider public) Department of Planning and Infrastructure (part 3A approvals) EPA ( <i>Protection of the Environment Operations Act 1997</i> licensed sites)	
Waste stored temporarily on-site at worksites	SafeWork NSW	
Transport or waste disposal issues	EPA	SafeWork NSW Local Council
Asbestos contaminated clothing going to a laundry	SafeWork NSW	EPA Local Council
Contaminated land not declared under the <i>Contaminated Land Management Act 1997</i>	Local Council	EPA
'Significantly contaminated' land declared under the <i>Contaminated Land Management Act 1997</i>	EPA	Local Council



## Appendix J – Asbestos containing materials

Some asbestos containing materials found in New South Wales domestic settings (non-exhaustive list)

Asbestos containing materials	Approximate supply dates
Cement sheets	Imported goods supplied from 1903 locally made 'fribrolite' from 1917
Cement roofing / lining slates	Imported goods supplied from 1903 locally made 'fribrolite' from 1917
Mouldings and cover strips	Available by 1920s and 1930s
Super-six (corrugated) roofing	Available by 1920s and 1930s – 1985
'Tilex' decorative wall panels	Available by 1920s and 1930s
Pipes and conduit piping	Available by 1920s and 1930s
Motor vehicle brake linings	Available by 1920s and 1930s
Striated sheeting	Available from 1957
'Asbestolux' insulation boards	Available from 1957
'Shadowline' asbestos sheeting for external walls, gable ends and fences	Available from 1958 – 1985
Vinyl floor tiles impregnated with asbestos	Available up until 1960s
Asbestos containing paper backing for linoleum	Available up until 1960s
'Durasbestos' asbestos cement products	Available up until 1960s
'Tilex' marbled decorative wall panels	Available from early 1960s
'Tilex' weave pattern decorative wall panels	Available from early 1960s
'Hardiflex' sheeting	Available from 1960s – 1981
'Versilux' building board	Available from 1960s – 1982
'Hardiplank' and 'Hardigrain' woodgrain sheeting	Available from mid 1970s – 1981
Loose-fill, fluffy asbestos ceiling insulation	During the 1960s and 1970s, pure loose-fill asbestos was sold as ceiling insulation for residential and commercial premises. A Canberra based company known as 'Mr Fluffy' installed insulation in at least 1,000 homes in the ACT and is also understood to have installed insulation into homes in NSW.
Asbestos rope gaskets for wood heaters. Heater and stove insulation	Dates of supply availability unknown but prior to 31 December 2003
Compressed fibro-cement sheets	Available from 1960s – 1984
Villaboard	Available until 1981
Harditherm	Available until 1984
Highline	Available until 1985
Coverline	Available until 1985
Roofing accessories	Available until 1985
Pressure pipe	Available until 1987

### Sources:

NSW Government, 2011, *Asbestos Blueprint: A guide to roles and responsibilities for operational staff of state and local government*.

NSW Taskforce Report: *Loose-Fill Asbestos Insulation in NSW Homes* (2015)  
[www.fairtrading.nsw.gov.au/biz\\_res/ftweb/pdfs/Tenants\\_and\\_home\\_owners/Loose\\_Fill\\_Abestos\\_Taskforce\\_Report.pdf](http://www.fairtrading.nsw.gov.au/biz_res/ftweb/pdfs/Tenants_and_home_owners/Loose_Fill_Abestos_Taskforce_Report.pdf)  
(accessed October, 2015).



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## Asbestos containing materials that may be found in various settings (non-exhaustive list)

### A

Air conditioning duct, in the exterior or interior acoustic and thermal insulation

Arc shields in lift motor rooms or large electrical cabinets

Asbestos-based plastics products as electrical insulates and acid resistant compositions or aircraft seats

Asbestos ceiling tiles

Asbestos cement conduit

Asbestos cement electrical fuse boards

Asbestos cement external roofs and walls

Asbestos cement in the use of form work for pouring concrete

Asbestos cement internal flues and downpipes

Asbestos cement moulded products such as gutters, ridge capping, gas meter covers, cable troughs and covers

Asbestos cement pieces for packing spaces between floor joists and piers

Asbestos cement (underground) pit as used for traffic control wiring, telecommunications cabling etc

Asbestos cement render, plaster, mortar and coursework

Asbestos cement sheet

Asbestos cement sheet behind ceramic tiles

Asbestos cement sheet over exhaust canopies such as ovens and fume cupboards

Asbestos cement sheet internal walls and ceilings

Asbestos cement sheet underlay for vinyl

Asbestos cement storm drain pipes

Asbestos cement water pipes (usually underground)

Asbestos containing laminates, (such as Formica) used where heat resistance is required

Asbestos containing pegboard

Asbestos felts

Asbestos marine board, eg marinate

Asbestos mattresses used for covering hot equipment in power stations

Asbestos paper used variously for insulation, filtering and production of fire resistant laminates

Asbestos roof tiles

Asbestos textiles

Asbestos textile gussets in air conditioning ducting systems

Asbestos yarn

Autoclave/steriliser insulation



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**B**

Bitumen-based water proofing such as malthoid (roofs and floors, also in brickwork)

Bituminous adhesives and sealants

Boiler gaskets

Boiler insulation, slabs and wet mix

Brake disc pads

Brake linings

**C**

Cable penetration insulation bags (typically Telecom)

Calorifier insulation

Car body filters (uncommon)

Caulking compounds, sealant and adhesives

Ceiling insulation (which may have moved into wall cavities, cornices and sub-floor areas)

Cement render

Chrysotile wicks in kerosene heaters

Clutch faces

Compressed asbestos cement panels for flooring, typically verandas, bathrooms and steps for demountable buildings

Compressed asbestos fibres (CAF) used in brakes and gaskets for plant and automobiles

**D**

Door seals on ovens

**E**

Electric heat banks – block insulation

Electric hot water services (normally no asbestos, but some millboard could be present)

Electric light fittings, high wattage, insulation around fitting (and bituminised)

Electrical switchboards see Pitch-based

Exhausts on vehicles

**F**

Filler in acetylene gas cylinders

Filters: beverage wine filtration

Fire blankets

Fire curtains

Fire door insulation

Fire-rated wall rendering containing asbestos with mortar

Fire-resistant plaster board, typically on ships

Fire-retardant material on steel work supporting reactors on columns in refineries in the chemical industry

Flexible hoses

Floor vinyl sheets

Floor vinyl tiles

Fuse blankets and ceramic fuses in switchboards



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**G**

Galbestos™ roofing materials (decorative coating on metal roof for sound proofing)

Gaskets: chemicals, refineries

Gaskets: general

Gauze mats in laboratories/chemical refineries

Gloves: asbestos

**H**

Hairdryers: insulation around heating elements

Header (manifold) insulation

**I**

Insulation blocks

Insulation in ceilings, which may have spread to wall cavities, cornices and sub-floor areas

Insulation in electric reheat units for air conditioner systems

**L**

Laboratory bench tops

Laboratory fume cupboard panels

Laboratory ovens: wall insulation

Lagged exhaust pipes on emergency power generators

Lagging in penetrations in fireproof walls

Lift shafts: asbestos cement panels lining the shaft at the opening of each floor and asbestos packing around penetrations

Limpet asbestos spray insulation

Locomotives: steam, lagging on boilers, steam lines, steam dome and gaskets

**M**

Mastik

Millboard between heating unit and wall

Millboard lining of switchboxes

Mortar

**P**

Packing materials for gauges, valves, etc can be square packing, rope or loose fibre

Packing material on window anchorage points in high-rise buildings

Paint, typically industrial epoxy paints

Penetrations through concrete slabs in high rise buildings

Pipe insulation including moulded sections, water-mix type, rope braid and sheet

Plaster and plaster cornice adhesives

Pipe insulation: moulded sections, water-mix type, rope braid and sheet

Pitch-based (zelemite, asbestos, lebah) electrical switchboard



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**R**

Refractory linings

Refractory tiles

Rubber articles: extent of usage unknown

**S**

Sealant between floor slab and wall, usually in boiler rooms, risers or lift shafts

Sealant or mastik on windows

Sealants and mastik in air conditioning ducting joints

Spackle or plasterboard wall jointing compounds

Sprayed insulation: acoustic wall and ceiling

Sprayed insulation: beams and ceiling slabs

Sprayed insulation: fire retardant sprayed on nut internally, for bolts holding external building wall panels

Stoves: old domestic type, wall insulation

**T**

Tape and rope: lagging and jointing

Tapered ends of pipe lagging, where lagging is not necessarily asbestos

Tilux sheeting in place of ceramic tiles in bathrooms

Trailing cable under lift cabins

Trains: country – guards vans – millboard between heater and wall

Trains – Harris cars – sprayed asbestos between steel shell and laminex

**V**

Valve and pump insulation

**W**

Welding rods

Woven asbestos cable sheath

**Sources:**

*Environmental health notes number 2 guidelines for local government on asbestos*, 2005 (Victorian Department of Human Services). [www.health.vic.gov.au/environment/downloads/hs523\\_notes2\\_web.pdf](http://www.health.vic.gov.au/environment/downloads/hs523_notes2_web.pdf)

*NSW Taskforce Report: Loose-Fill Asbestos Insulation in NSW Homes* (2015) [www.fairtrading.nsw.gov.au/biz\\_res/ftweb/pdfs/Tenants\\_and\\_home\\_owners/Loose\\_Fill\\_Abestos\\_Taskforce\\_Report.pdf](http://www.fairtrading.nsw.gov.au/biz_res/ftweb/pdfs/Tenants_and_home_owners/Loose_Fill_Abestos_Taskforce_Report.pdf) (accessed October, 2015).



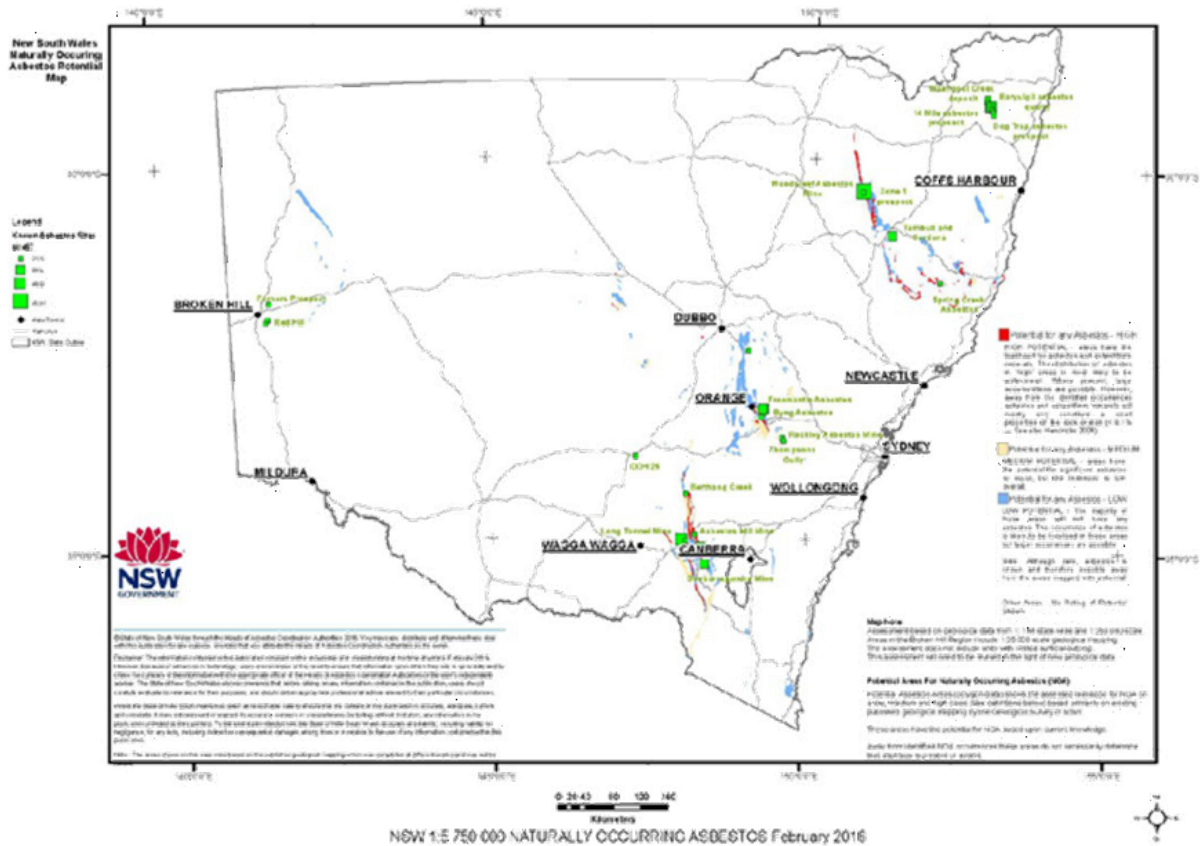
## Appendix K – Asbestos licences

Type of licence	What asbestos can be removed?
Class A	Can remove any amount or quantity of asbestos or asbestos containing material, including: <ul style="list-style-type: none"> <li>any amount of friable asbestos or asbestos containing material</li> <li>any amount of asbestos containing dust</li> <li>any amount of non-friable asbestos or asbestos containing material.</li> </ul>
Class B	Can remove: <ul style="list-style-type: none"> <li>any amount of non-friable asbestos or asbestos containing material</li> </ul> <p><b>Note:</b> A Class B licence is required for removal of more than 10 m<sup>2</sup> of non-friable asbestos or asbestos containing material but the licence holder can also remove up to 10 m<sup>2</sup> of non-friable asbestos or asbestos containing material.</p> <ul style="list-style-type: none"> <li>asbestos containing dust associated with the removal of non-friable asbestos or asbestos containing material.</li> </ul> <p><b>Note:</b> A Class B licence is required for removal of asbestos containing dust associated with the removal of more than 10 m<sup>2</sup> of non-friable asbestos or asbestos containing material but the licence holder can also remove asbestos containing dust associated with removal of up to 10m<sup>2</sup> of non-friable asbestos or asbestos containing material.</p>
No licence required	Can remove: <ul style="list-style-type: none"> <li>up to 10 m<sup>2</sup> of non-friable asbestos or asbestos containing material</li> <li>asbestos containing dust that is: <ul style="list-style-type: none"> <li>associated with the removal of less than 10 m<sup>2</sup> of non-friable asbestos or asbestos containing material</li> <li>not associated with the removal of friable or non-friable asbestos and is only a minor contamination.</li> </ul> </li> </ul>

An asbestos removal contractor's licence can be verified by contacting SafeWork NSW's Certification Unit on 13 10 50.



## Appendix L – Map





Item No: C03/21-703

## **DRAFT ASBESTOS MANAGEMENT FRAMEWORK**

Responsible Division: Environment & Planning  
Officer: Director Environment & Planning  
File Number: 8731505  
Community Strategic Plan Goal: *A clean and green community*

### **SUMMARY**

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The *Draft Asbestos Management Framework 2021* has been developed to provide guidance and inform decision making to help Council effectively manage contaminated land issues as they arise in Cumberland City.

It is recommended that the *Draft Asbestos Management Framework 2021* be placed on public exhibition for a period of 28 days, with a report to be provided back to Council following the conclusion of the exhibition period.

### **RECOMMENDATION**

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**That Council place the *Draft Asbestos Management Framework 2021* on public exhibition for a period of 28 days, with a report to be provided back to Council following the conclusion of the exhibition period.**

### **REPORT**

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Council officers have developed the *Draft Asbestos Management Framework 2021*. This document builds on Council's Asbestos Management Policy and Guidelines already in place, and summarises Council's plans, strategies and policies to provide guidance and inform decision making to help Council effectively manage contaminated land issues as they arise in Cumberland City. The *Draft Asbestos Management Framework 2021* outlines three key focus areas – Planning and Contaminated Land Management, Asbestos Awareness and Education, and Asbestos in Council Assets – and outlines an action plan for Council to implement the desired outcomes.

### **COMMUNITY ENGAGEMENT**

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It is recommended that the *Draft Asbestos Management Framework 2021* be placed on public exhibition for a period of 28 days. The document will also be provided to relevant regulatory bodies to provide an opportunity for their feedback on the *Draft Asbestos Management Framework 2021*.

### **POLICY IMPLICATIONS**

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



## RISK IMPLICATIONS

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The *Draft Asbestos Management Framework 2021* provides a framework for Council in managing asbestos issues and mitigating risks associated with asbestos.

## FINANCIAL IMPLICATIONS

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Any actions arising from the *Draft Asbestos Management Framework 2021* that support delivery of asbestos management activities and programs will be funded within existing budget. Grant funding will be sought where applicable and/or available.

## CONCLUSION

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It is recommended that the *Draft Asbestos Management Framework 2021* be placed on public exhibition for a period of 28 days, with a report to be provided back to Council following the conclusion of the exhibition period.

## ATTACHMENTS

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1. Draft Asbestos Management Framework 2021 [↓](#)



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-703

Attachment 1  
Draft Asbestos Management  
Framework 2021









*Draft Asbestos Management  
Framework*  
2021







# Contents

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# Introduction

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Cumberland City Council is part of the "Asbestos belt" of Sydney. Many of the buildings in Cumberland City were built when asbestos was a cheap and affordable option for building houses in the 1950s and 1960s.

Asbestos was gradually phased out of building materials in Australia in the 1980s. The supply and installation of materials containing asbestos has been prohibited since 2003. Asbestos still exist in many homes, buildings and parks. It is estimated that one in three Australian homes contains asbestos.

The Asbestos Management Framework (the Framework) builds upon the Cumberland City Council Asbestos Management Policy and Guideline. This Framework applies best practice approach for asbestos management within councils.

The Policy and Guideline assists Council in managing its responsibilities in regards to the compliance with relevant legislation and keeping our community safe

from the risks associated with asbestos. Council plays a crucial role in reducing the risks posed by asbestos and have a variety of roles in managing the risks of asbestos. These risks will be managed under three Focus Areas.

Council works together with external agencies such as the NSW Environment Protection Authority, SafeWork NSW, and the wider public to address the legacy of asbestos in building materials and land contaminated with asbestos on both private and public land.

The Asbestos Management Framework is specific to Cumberland City Council and aims to provide guidance and inform decision making and addresses current and emerging issues with asbestos management.

## What is Asbestos?

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Asbestos is the name of a group of natural minerals that have been used in more than three thousand products in Australia. It was used in a wide range of materials and applications such as in concrete, drywall and insulation because it was cheap, it could withstand fire and high temperatures, and was extremely durable.

Asbestos poses a risk to health when the fibres are released into the air and are breathed in. It is generally described as "Friable" or "Non-Friable". Friable asbestos is not commonly found in home. It is able to be broken apart by hand, and includes things such as loose fill insulation and spray insulation on pipes. This type of asbestos poses the highest risk to human health.

Non-Friable asbestos cannot be crumbled or broken by hand. It was commonly used in building products, such as cement sheet, corrugated roof sheeting, pipes, and can be found in many products around the home. The amount of asbestos in these products is relatively small,

generally a maximum of about 15%. If the product is damaged by mechanical means like water blasting, drilling, cutting, milling, or by accidental damage like hail or fire, the asbestos can be released and pose a health risk. Asbestos is also commonly found in soils from historical uncontrolled filling or dumping.

It is often difficult to identify the presence of asbestos by sight. Laboratory testing is the only way to be certain if a material contains asbestos. Where a material cannot be identified or is suspected to be asbestos, it is best to assume that the material is asbestos and take appropriate precautions.



### EXAMPLES OF FRIABLE ASBESTOS



Loose fill ceiling insulation



Spray on fire protectant



Pipe lagging or hot water systems

### EXAMPLES OF NON-FRIABLE ASBESTOS



Fibre cement sheet



Typical asbestos sheet on residential house






Corrugated asbestos cement sheeting  
used as a fence in local park



# Council's Role

Council has an important role in minimising exposure to asbestos to both residents, the community, staff and contractors.

This is through a range of responsibilities as an employer, landowner, asset manager, land use planning, emergency responders and environmental managers. In order to deliver these commitments, we will act in various roles:

Council's Role	Obligations
 <b>STATUTORY AUTHORITY</b>	Council is obliged under NSW legislation to ensure compliance with asbestos management requirements. Council will use its powers to ensure compliance or to regulate activities of residents and businesses to minimise asbestos risk.
 <b>SERVICE PROVIDER</b>	Council plays a key role in providing important education, information and services which minimise asbestos risk to the community and natural environment.
 <b>COLLABORATE</b>	Council collaborates with government agencies and industry experts to help deliver best practice methodology to address asbestos risk.

# Meeting Our Legislative Commitments

Federal, State and local legislation and policies inform the management of asbestos at Cumberland City Council.

## FEDERAL

- Work Health and Safety Act 2011
- Work Health and Safety Regulations 2011
- Environmental health risk assessment: Guidelines for assessing human health risks from environmental hazards, 2002 (Commonwealth of Australia)
- Asbestos: A guide for householders and the general public, Environmental Health Standing Committee

## STATE

- Environmental Planning and Assessment Act 1979

- Protection of the Environment Operations Act 1997
- Asbestos and health risks fact sheet, 2007 (NSW Health)
- Contaminated Land Management Act 1997
- Managing land contamination: Planning guidelines SEPP 55 –Remediation of land, 1998 (Department of Planning and Environment and EPA)

## LOCAL

- Cumberland City Council Asbestos Management Policy and Guideline



# What is an Asbestos Management Framework?

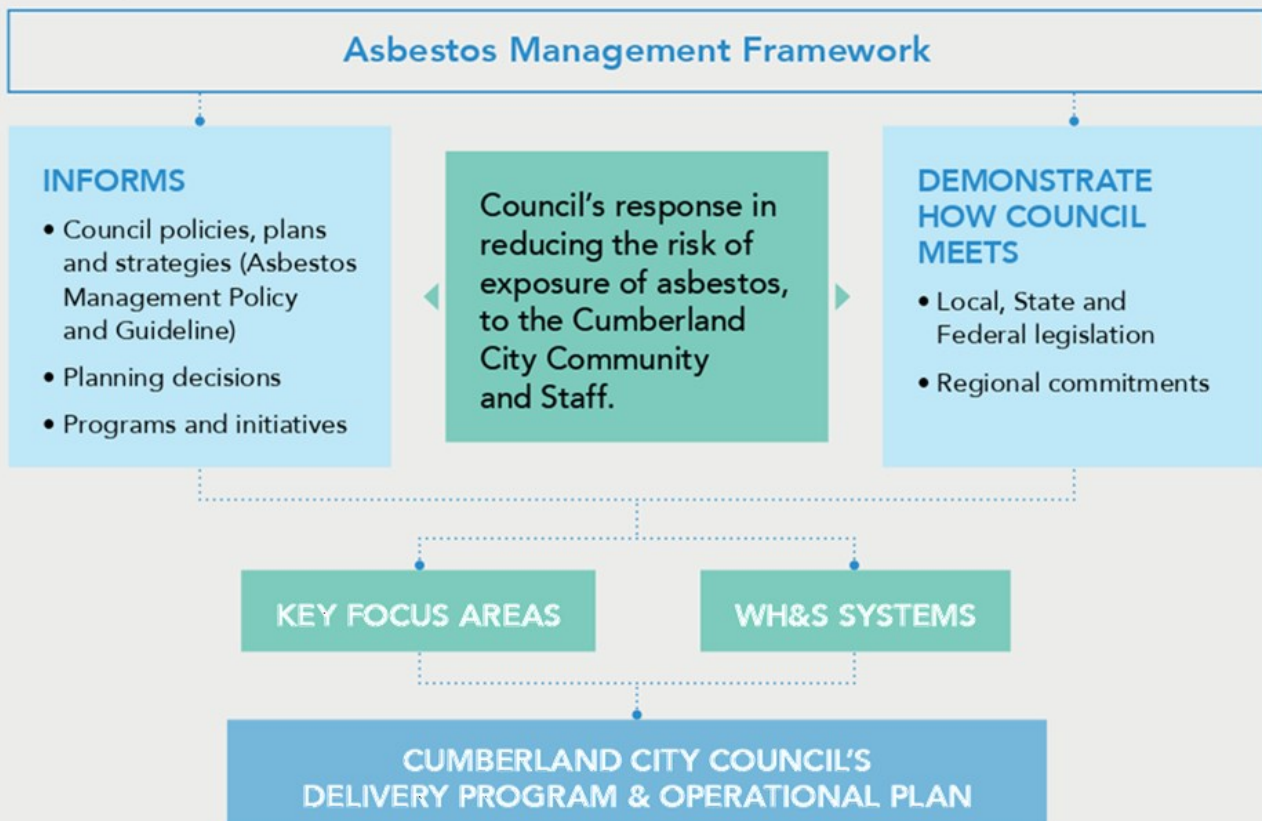
The Asbestos Management Framework demonstrates Council's commitment to addressing the risks associated with asbestos and the historical legacy issues of the past in a clear and coordinated best practice approach.

The Framework provides an overview and guide for how Council will deliver its legal obligations that affect the various obligations that council undertakes. The Framework links the Asbestos Management Policy, The Asbestos Management Guidelines and the actions that council is required to take under Legislation.

It ensures that strategies and plans are in place to address Council assets such as building and open spaces, education for Council Staff and for the community, and to ensure that Development Applications and emergency responses are responded to with respect to the law.

The Framework will reduce the risk of exposure of asbestos to the community and staff. It does this by managing risk in three key focus areas:

- **Key Focus Area 1:**  
Planning and Contaminated Land Management
- **Key Focus Area 2:**  
Asbestos Awareness and Education
- **Key Focus Area 3:**  
Asbestos in Council Assets





# Key Focus Areas

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As Cumberland City is located within Sydney's asbestos belt, there are many buildings and parks containing asbestos. To help minimise health risks to the community and environment, Cumberland City will focus on three areas.

## Key Focus Area 1: Planning and Contaminated Land Management

Council is the consent authority for the majority of development applications within Cumberland City. Council assess development applications for approval under the Environmental Planning and Assessment Act 1979. Council is granted powers to set conditions of consent for renovations, alterations, additions, demolitions or other developments requiring consent and which may involve disturbance of asbestos containing materials. Council can apply conditions relating to development involving friable and non-friable asbestos material under the relevant legislation and planning codes and ensure compliance with development conditions.

As part of the planning process, Council also approves demolition under the Environmental Planning and Assessment Act 1979. Council certifiers approve development as complying development under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008.

In regard to any James Hardie affected sites identified within Cumberland City, special attention will need to be given to ensure any land use changes are compliant with current regulation and legislation.

### DEVELOPMENT APPLICATIONS

Council provides advice to home owners, renovators and developers to manage risks of asbestos so that prior to any development, asbestos is identified, and removed in accordance with the Demolition Code and disposed of in accordance with the Environmental Planning and Assessment Regulation 2000 (clause 136E).

### EMERGENCY RESPONSE

In case of an emergency such as a fire or natural disaster, Council has a role to play to regulate the clean-up of asbestos waste following emergencies. After an emergency, a site is handed over to the

relevant council or a local resident by an emergency service organisation (excluding oversight of licensed removal or remediation work which is the role of SafeWork NSW). Council may consider the need to issue a clean-up notice, prevention notice or cost compliance notice under the Protection of the Environment Operations Act 1997.

Resourcing emergency responses presents challenges to budgets and project planning. Funding for all developments in public open spaces should take into account any potential need for remediation. When prioritising Council resources, it is important to consider the inherent risks of asbestos hazards to staff and the community and the expectations of the acceptable level of risk. Through Council's risk management approach, the risk to health, perceived risks and community expectations are considered and prioritised.

## Key Focus Area 2: Asbestos Awareness and Education

Council is responsible for ensuring that staff awareness training is undertaken on asbestos management. Council shall continue to educate residents about their responsibilities when dealing with asbestos around the home through education campaigns.

### COUNCIL STAFF

Field and office staff account for asbestos when undertaking their duties. This includes pre-site checks for asbestos in parks, or understanding the need for adequate site investigations prior to undertaking maintenance and construction works throughout Councils assets, so that risks are better quantified.

As required by the Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017, Council will:

- provide information, training, instruction or supervision that is necessary to protect all persons at the workplace from risks to their health and safety



arising from work carried out as part of the conduct of Council business, and;

- ensure staff who Council reasonably believes may be involved in asbestos removal work or the carrying out of asbestos-related work in the workplace are trained in the identification, safe handling and suitable control measures for asbestos and asbestos containing material.

Awareness training will continue to be reviewed and integrated into Council's existing Work Health and Safety (WHS) Systems, including procedures and processes, staff meetings and toolbox discussions and other relevant reporting mechanisms. This training can be internal or provided by appropriately accredited external contractors to ensure that emerging issues are communicated to relevant staff. This awareness raising will extend to staff directly and indirectly involved with asbestos management.

#### RESIDENTS AND COMMUNITY

Council has a responsibility to ensure that private buildings do not pose a risk to the wider public. Council provides advice to homeowners, renovators and developers to manage risks of asbestos so that prior to any development, asbestos is identified and removed in accordance with the Demolition Code and disposed of in accordance with the Environmental Planning and Assessment Regulation 2000 (clause 136E).

Cumberland City is considered a leader in public awareness campaigns for asbestos issues for residents. Community engagement with campaigns such as the Asbestos Awareness Information sessions, the Household Asbestos Inspection Program and the free asbestos pick up service of amounts under 10m<sup>2</sup> continues and is seen as a valuable community program.

#### ILLEGAL DUMPING

Council works with government agencies to respond to illegal storage, illegal dumping and orphan waste in Cumberland City through the employment of the Regional Illegal Dumping (RID) Squad and Council staff. Illegally dumped waste is reported through the RID App, which is then recorded as a hot spot using Council's GIS system.

Council does not run any waste storage, transfer, or collection facilities; however, it does need to ensure that consent conditions for private companies fall within the current best practice methods, and that waste facilities are managed in accordance with environmental protection legislation. Council also plays



Asbestos in soil

a role in the regulation of non-complying transport of asbestos containing materials through vehicle inspections by Council staff.

### Key Focus Area 3: Asbestos in Council Assets

Under the Work Health and Safety Regulations 2011, building owners are required to maintain an asbestos register and make it available for site workers. The register must then be reviewed periodically or when changes are made to the asbestos portions of the building.

#### COUNCIL BUILDINGS

Cumberland City Council has undertaken a survey of every Council owned building asset for hazardous materials and upload the results to an online portal called Alpha Tracker. The online portal allows Council staff and contractors to access the information wherever they have internet access. This allows site workers to instantly access the relevant information rather than having to contact council staff for the register. Lowering the barriers to access will increase compliance with staff and contractors by enabling easier access to the building HAZMAT registers.

#### OPEN SPACES

Council is also responsible for all public parks and open spaces in Cumberland City that are used for recreation and leisure. These sites are also workplaces which Council staff maintain. Council has an obligation to conduct risk management procedures for staff.

If land is deemed significantly contaminated, Council works within guidelines set out by government agencies on the management of asbestos in these areas.



# Action Plan

We are committed to ensuring that all of Council's activities are undertaken so that we are compliant with relevant legislation, as well as enhancing the natural and built environment through our activities.

A number of future initiatives for the key focus areas are outlined below:

## Key Focus Area 1: Planning and Contaminated Land Management

OBJECTIVES	Integrate asbestos management into Council's systems and processes					
	Increase awareness and understanding of asbestos risks					
MEASURES	Alignment of Council's actions with legislation and policies					
Actions		Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
KFA 1.1	Review systems and procedures associated with managing the risks of asbestos through the planning process	x	x			
KFA 1.2	Undertake a review of Council's Land Information System to ensure information relating to contaminated land is up to date	x	x			
KFA 1.3	Work with private landowners to ensure contaminated land sites are effectively managed to reduce the risk of exposure to asbestos to the local community	x	x	x	x	x

## Key Focus Area 2: Asbestos Awareness and Education

### ASBESTOS AWARENESS FOR STAFF

OBJECTIVES	Increase awareness and understanding of asbestos risks					
	Number of education initiatives delivered annually					
MEASURES	Decreased costs on projects					
Actions		Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
KFA 2.1	Develop and implement an ongoing asbestos awareness training program for staff	x	x	x	x	x
KFA 2.2	Review relevant WHS procedures to ensure they adopt best practice asbestos management techniques	x	x			
KFA 2.3	Review Council's Project Management Systems to reduce the risks associated with asbestos in Council's Capital Works projects	x	x			



#### ASBESTOS AWARENESS FOR COMMUNITY

OBJECTIVES	Increase awareness and understanding of asbestos risks					
MEASURES	Number of education and engagement initiatives delivered annually					
Actions		Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
KFA 2.4	Review and enhance Council's Community Asbestos Awareness Program	x	x	x	x	x
KFA 2.5	Identify opportunities to enhance Council's Free Asbestos Collection Service		x			

### Key Focus Area 3: Asbestos in Council Assets

#### COUNCIL BUILDING ASSETS

OBJECTIVES	Protect the health of staff, workers and the community					
	Integrate asbestos management into Council's systems and processes					
MEASURES	Zero incidents of exposure to asbestos in built assets					
	Alignment of Council's actions with legislation and policy					
Actions		Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
KFA 3.1	Maintain Council's online hazardous materials online platform	x	x	x	x	x
KFA 3.2	Undertake hazardous material audits of Council's facilities as required by law		x			
KFA 3.3	Identify opportunities to undertake proactive asbestos management programs in Council facilities	x	x	x	x	x

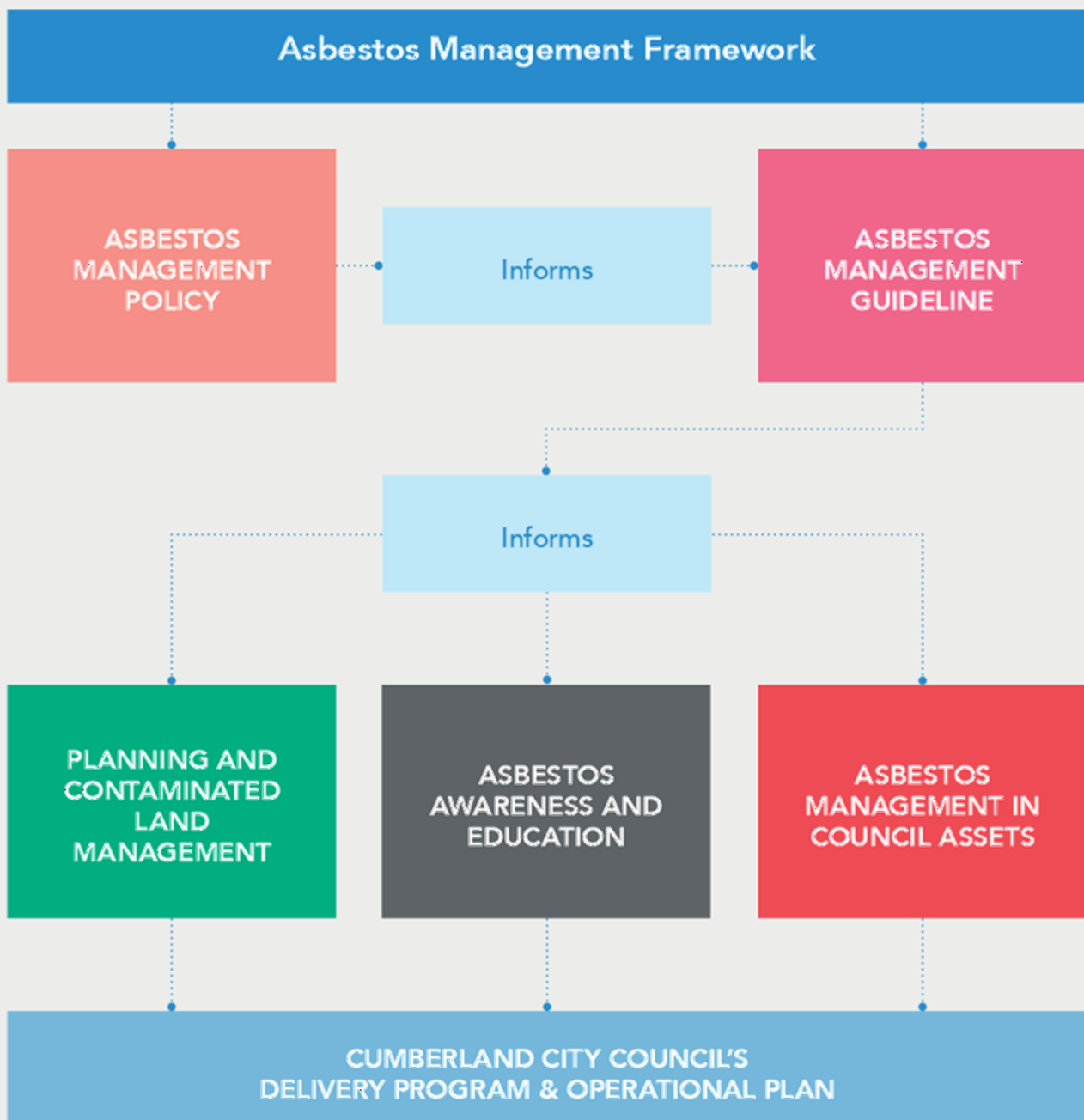
#### COUNCIL OPEN SPACES

OBJECTIVES	Protect health of staff, workers and the community					
	Integrate asbestos management into Council's systems and processes					
MEASURES	Implementation of procedures and compliance tools to protect workers and the community					
	Alignment of Council's actions with legislation and policy					
Actions		Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
KFA 3.4	Develop an Environmental Management Plan that encompasses all of Council's open space assets throughout Cumberland City	x				
KFA 3.5	Develop and maintain Council's corporate GIS system to include information relating to asbestos identified in open space areas	x	x	x	x	x
KFA 3.6	Progress initiatives to reduce the risk of asbestos identified in Council open space areas, including implementation of the Environmental Management Plan	x	x	x	x	x



# Framework Implementation

The implementation approach of the Asbestos Management Framework is outlined below. This is based on the identified Key Focus Areas of Planning and Contaminated Land Management, Asbestos Awareness and Education, and Asbestos in Council Assets.





# Procedure for Review

Council operates in a highly dynamic environment and is impacted by changes to legislation, policies and strategies. To ensure the Framework both supports the Delivery Program and reflects current legislation, policy and strategic direction, the Framework will be reviewed in line with the Delivery Program and Operational Plan.

The Framework review process will be as follows:

STAGE		ACTION
1	Initial Desktop Review	<p>The desktop review should examine and review:</p> <ul style="list-style-type: none"> <li>• Changes to relevant legislation, policies, strategies, plans and regional commitments;</li> <li>• Key drivers and emerging environmental issues;</li> <li>• Council's Delivery Program; and</li> <li>• Council's Environmental Vision.</li> </ul>
2	Consultation	Consult with relevant staff and managers.
3	Draft Revision	Incorporate changes found in Stages 1 and 2. The revised Framework should be shared with relevant staff and managers for final review. If required, the Framework would be placed on public exhibition as per Council policy.
4	Communication	The revised Framework should be shared with staff and our community in line with Council's policies.

# Communication, Reporting and Monitoring

Council will communicate information about its actions towards the implementation of the Asbestos Management Framework internally and externally through Council's website and community newsletters. Progress of Council's initiatives as part of the Asbestos Management Framework will also be reported as part of the Quarterly Performance Report.





CUMBERLAND  
CITY COUNCIL

**Cumberland City Council**

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Item No: C03/21-704

## RESPONSE TO NOTICE OF MOTION GRANVILLE PARK STADIUM NAMING

Responsible Division: Works & Infrastructure  
Officer: Director Works & Infrastructure  
File Number: 8735638  
Community Strategic Plan Goal: *A great place to live*

### SUMMARY

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This report provides a response to the Notice of Motion – Granville Park Stadium Naming (Min. 998) raised at the Council Meeting of 16 December 2020.

### RECOMMENDATION

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**That Council name the new Granville Park stadium, The Eric Tweedale Stadium.**

### REPORT

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At the Ordinary Meeting of Council on 16 December 2020, a Notice of Motion (Min. 998) was raised regarding the naming of the new Granville Park Stadium. In considering this item, Council resolved the following:

*“That Council:*

- 1. Name the new Granville Park Stadium, The Eric Tweedale Stadium after Eric Tweedale, Rugby Union player, Wallaby and crucial in junior rugby development at Granville; and*
- 2. The proposal be placed on public exhibition for 28 days.”*

Eric Tweedale is the oldest living Wallaby, and is a Two Blues Club Patron, former Captain, Coach, and President. Eric first played rugby at Cumberland Oval in 1937. He was then selected to play first grade Rugby Parramatta (now Western Sydney Two Blues) at the age of 17. After serving in World War 2, Eric returned to playing Rugby and was drafted for the 1946 Wallabies team in Australia's first International Test post-war against the All Blacks. He played for Australia against Scotland, Ireland, Wales, England, France and Canada, earning 13 representative caps, and also played for the NSW Waratahs.

After his retirement, Eric became a coach whose involvement was instrumental in the development of Two Blues Junior Rugby. Eric is now the oldest living Wallaby and turns 100 years old in 2021. A more detailed biography of Eric Tweedale is provided below.



### Eric Tweedale's Biography

Eric Tweedale was born in Lancashire, England in 1921. His family migrated to Australia in 1924 and during the great depression, he settled in the outer west of Sydney in the suburb of Merrylands.

Eric has had an active and very interesting life particularly on the sporting field. He first played rugby at Cumberland Oval in 1937 shortly after his 17<sup>th</sup> Birthday. He was then selected to play first grade for Rugby Parramatta (now Western Sydney Two Blues).

His sporting career was interrupted during World War 2, where he spent four years serving in the Royal Australian Navy as a signalman engaged in dangerous convoy duties in the New Guinea and the South Pacific.

Eric returned to playing Rugby and was drafted for the 1946 Wallabies team in Australia's first International Test post-war against the All Blacks. He played for Australia against Scotland, Ireland, Wales, England, France and Canada, earning 13 representative caps, and also played for the NSW Waratahs.

Eric played for Australia until the end of the 1949 season, retiring from the international arena to concentrate on business. Working as an area manager for the Shell Oil Company, he was transferred to Forbes NSW where he quickly formed the Forbes Rugby Union Club. For the next three years, he captained the NSW Country Team against the British Lions, NZ, Fiji and the All Blacks.

In 2000, Eric received the Australian Sports Medal from the Queen for his contribution to Rugby Union.

Eric Tweedale is the oldest living Wallaby, and is a Two Blues Club Patron, former Captain, Coach, and President. He has been instrumental in the development of Junior Rugby in the Cumberland area. Eric turns 100 years old in May 2021.

His wife, Isabel, whom he married in 1944 during his term in the Navy, and whom he was very devoted, died in 1964 after a long illness aged 42. Isabel and Eric had a daughter, Kay. Eric then married USA born, Pyllis Addicoat and moved to the Central Coast. Eric has been blessed with three lovely granddaughters, twins Megan & Michelle and younger sibling Katie.

### Naming approvals and Signage

The Geographical Names Board (GNB) administers place names for parks and reserves within Local Government Areas. The naming of buildings within a park does not require approval from the Geographical Names Board and as such a Council resolution is sufficient to name this stadium.

The Eric Tweedale Stadium signage will be placed at the front of the stadium in brushed aluminium as shown in Figure 1.



Figure 1 - The Eric Tweedale Stadium signage



---

## COMMUNITY ENGAGEMENT

The proposal was placed on public exhibition from 1 February 2021 to 1 March 2021. The proposal received one response through Council's 'have your say' web page, supporting the naming of The Eric Tweedale Stadium. A copy of submissions received is attached.

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## POLICY IMPLICATIONS

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

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## RISK IMPLICATIONS

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

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## FINANCIAL IMPLICATIONS

The cost of the signage is included in the existing project budget.

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## CONCLUSION

The proposed naming was placed on public exhibition for 28 days with one response supporting The Eric Tweedale Stadium naming. This report recommends the naming of the new Granville Park stadium as The Eric Tweedale Stadium and to place a plaque in honour of Eric Tweedale.



## ATTACHMENTS

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1. Summary of Submissions [↓](#)



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-704

Attachment 1  
Summary of Submissions







### Summary of Submissions

Comments / Suggestions	Council response	Changes to document
<p>Submission 1:</p> <p>In the 1970s, the original Clyde Engineering factory closed. Clyde Engineering was a heavy engineering company that moved to Granville in 1883. The company formerly known as Hudson Brothers, had many large-scale contracts, which included building rope driven sheaves used in the tramways, marine engines and steam locomotives. Thought this may be of interest maybe the name of the engineers in the area but the footballer who you have suggested sounds very good! I think his family and himself would be thrilled! Having grown up in the area I wish to keep any historical name and meaning alive!</p>	<p>Feedback on the local Clyde Engineering factory history has been forwarded to Council historical services team.</p> <p>The support for the naming is noted.</p>	<p>nil</p>







Item No: C03/21-705

## **APPROVAL OF HEAVY VEHICLE ACCESS TO FBT - TRANSWEST PTY LTD**

Responsible Division: Works & Infrastructure  
Officer: Director Works & Infrastructure  
File Number: T-28-22  
Community Strategic Plan Goal: *A safe accessible community*

### **SUMMARY**

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The report seeks approval from Council to undertake a 12 month trial of heavy vehicle access under Higher Mass Limits (HML) on Long Street and Britton Street, Smithfield

### **RECOMMENDATION**

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#### **That Council:**

- 1. Approve a trial period of twelve (12) months for heavy vehicles under Higher Mass Limits to access Council roads identified under recommendation 2, subject to the completion of a surface dilapidation and condition report submitted by the applicant to Council and the payment of a performance bond as determined by Council's fees and charges.**
- 2. Note that permissible access to Council's roads would be restricted to the following road sections:**
  - (i) Long Street, Smithfield – From Cumberland Highway to Gipps Road (approximately 2.3km)**
  - (ii) Britton Street, Smithfield – From Long Street roundabout to past the first bend (approximately 520m)**

### **REPORT**

---

Council is in receipt of a request from FBT-Transwest Pty Ltd through the National Heavy Vehicle Regulator, for the approval of Higher Mass Limit (HML) access for B-Double vehicles and Semi-Trailers to access road sections in the LGA.

This request has been considered by Council's Engineering section and it is proposed that a twelve (12) month trial could be undertaken, subject to satisfactory dilapidation reports being presented to Council. The dilapidation reports would relate to the existing pavement and surface conditions of the selected roads which will seek to identify the current condition of road surface and confirmation that the road network is suitable to carry the increased weight. A future comparison of the pavement and surface

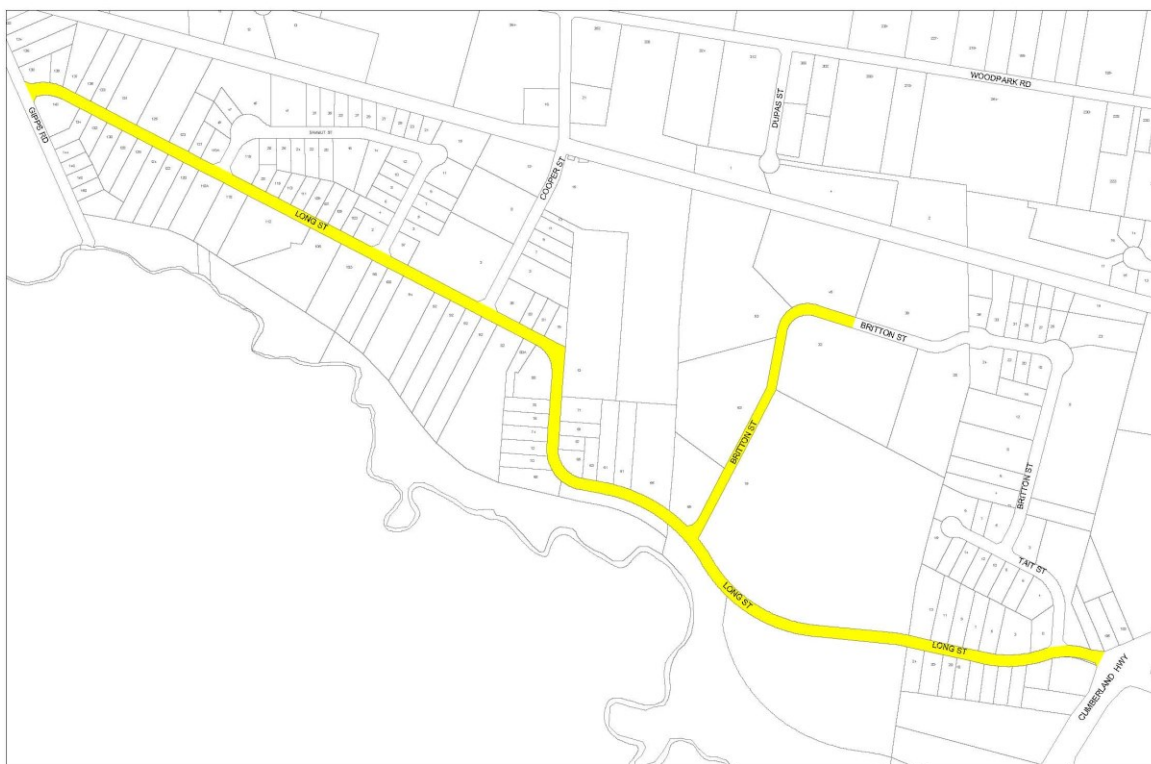


conditions (at the conclusion of the 12 month trial) could then be assessed, prior to consideration of continued use by the B-Double vehicles at higher mass limits.

The routes requested by FBT-Transwest Pty Ltd are listed below:

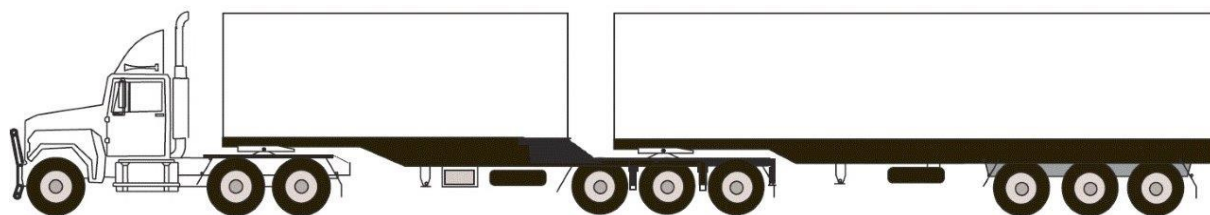
1. Long Street, Smithfield – From Cumberland Highway to Gipps Road (approximately 2.3km)
2. Britton Street, Smithfield – From Long Street roundabout to past the first bend (approximately 520m)

The map below shows road sections within the Cumberland Local Government Area that are subject to this request (marked yellow).

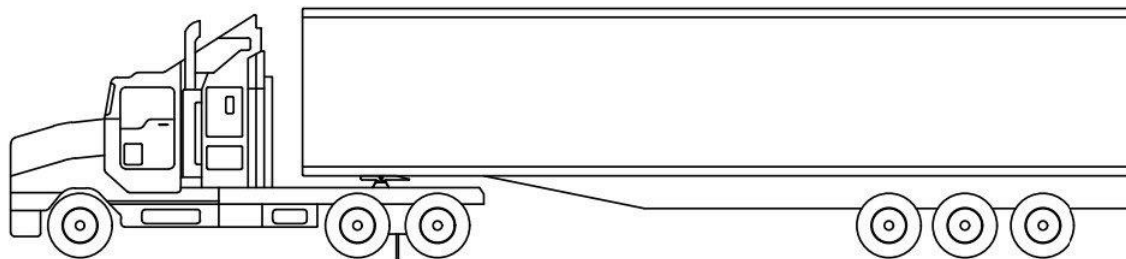


The access requests are for use by; 26m 9-axle B-Double and 19m-6 axle, Semi-Trailer's at Higher Mass Limits.

### **B-Double (26m) 9-axle**





**Prime and Semi-Trailer (19m) 6-axle****Mass Limits for Semi-Trailers and B-Doubles:**

A prime mover and trailer (6-axle 19m Semitrailer) can carry up to 42.5t under General Mass Limits (GML) and 45.5t under HML conditions.

A 9-axle B-Double vehicle can carry up to 62.5t under GML and 68.0t under HML conditions.

**Assessment Requirements**

Requests for HML applications, at other locations in the LGA, have previously been assessed by Council's Engineering Section, with each application considered on merit against a broad range of factors such as community impacts, traffic volumes, network access and the respective road pavement conditions.

The routes requested (Long Street and Britton Street, Smithfield) are on approved B-Double network in the Cumberland LGA.

Council has assessed this application in line with the assessment of other locations and it is proposed that a 12 month trial be conducted, subject to a surface dilapidation report and the payment of a suitable performance bond. The bond can be called upon by Council at the end of the 12 month trial, should Council consider the damage to the road surface to be beyond normal degradation.

**COMMUNITY ENGAGEMENT**

The roads requested (namely Long Street and Britton Street, Smithfield) are within an industrial area where heavy vehicles, including B-Double, already use the roads at general mass limits. The amenity impact to industrial premises along the requested route is therefore considered negligible and on that basis, it is suggested that community consultation is not required in this instance.



**POLICY IMPLICATIONS**

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

**RISK IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

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To ensure no net cost to Council, it is recommended that the applicant provide a performance bond which can be called upon to mitigate any instances of pavement or surface degradation, in addition to providing Council with a surface condition and dilapidation report. All payments provided by the applicant for services provided by Council will be determined in accordance with Council's fees and charges.

**CONCLUSION**

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On the basis of all factors outlined in this report, it is recommended that the 12 month trial be approved subject to the completion of a dilapidation report by the applicant and the payment of a suitable performance bond, to be determined by Council in accordance with Council's approved fees and charges to ensure that there is no net cost to Council.

**ATTACHMENTS**

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Nil



Item No: C03/21-706

## **CUMBERLAND TRAFFIC COMMITTEE - MINUTES OF ELECTRONIC MEETINGS HELD IN FEBRUARY 2021**

Responsible Division: Works & Infrastructure  
Officer: Director Works & Infrastructure  
File Number: T-28-02/08  
Community Strategic Plan Goal: *A safe accessible community*

### **SUMMARY**

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This report presents the minutes of the Cumberland Traffic Committee Electronic Meeting of 3 February 2021.

### **RECOMMENDATION**

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**That:**

- 1. The minutes of Part 1 Items of the Cumberland Traffic Committee electronic meeting of 3 February 2021, be received and noted; and**
- 2. The minutes of Part 2 Items of the Cumberland Traffic Committee electronic meeting of 3 February 2021 be received and recommendations contained therein be approved.**

### **REPORT**

---

Due to COVID-19 restrictions, an electronic meeting of the Cumberland Traffic Committee was conducted on 3 February 2021. The agenda for the electronic meeting was sent to all members, requesting feedback and concurrences to be returned to Council.

In accordance with the Cumberland Local Traffic Committee Terms of Reference, approved by Council on 20 May 2020 (Min. 694 - C05/20-443), the following Part 1 items have been approved under delegated authority; items CTC-21-001 to CTC-21-012.

The minutes of the electronic meeting are presented for Council's approval of Part 2 items. The following Part 2 items require Council approval; Items CTC-21-013 to CTC-21-032.

### **COMMUNITY ENGAGEMENT**

---

Community consultation will occur in accordance with the recommendations of each report.



**POLICY IMPLICATIONS**

---

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

**RISK IMPLICATIONS**

---

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

**FINANCIAL IMPLICATIONS**

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The expenditure of funds associated with implementing the recommendations not approved under delegated authority will be included in the Council's Traffic facility construction program.

**ATTACHMENTS**

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1. Agenda of the Cumberland Traffic Committee meeting of 3 February 2021 [↓](#)
2. Minutes of the Cumberland Traffic Committee meeting of 3 February 2021 [↓](#)



DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-706

Attachment 1

Agenda of the Cumberland Traffic  
Committee meeting of 3 February  
2021







A meeting of the Traffic Committee will be held via Electronic Meeting on Wednesday, 3 February 2021.

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  - CTC-21-002 DAWES AVENUE, REGENTS PARK – PROPOSED  
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  - CTC-21-003 HAIG STREET AND BRIDGE ROAD, WESTMEAD –  
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  - CTC-21-005 APIA STREET, GUILDFORD – PROPOSED 'DISABLED  
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  - CTC-21-006 BELL CRESCENT, YENNORA – PROPOSED LINE  
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  - CTC-21-012 MYALL STREET AND MEAKIN STREET, MERRYLANDS –  
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CTC-21-018	CHURCH STREET AND SWETE STREET, LODCOMBE – PROPOSED ROUNDABOUT – FEDERAL BLACK SPOT 20/21 FY – APPROVED PROJECT	159
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CTC-21-032 GLOUCESTER AVENUE, MERRYLANDS – REQUEST FOR  
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**6. Other Business**



### Summary of Reports

Item #	Title	Electorate				Police Area Command (PAC)	
		Fairfield	Granville	Prospect	Auburn	Cumberland	Auburn
CTC-21-001	MATTHEW STREET AND VILLIERS STREET, MERRYLANDS – PROPOSED 'NO STOPPING' PARKING RESTRICTIONS		x			x	
CTC-21-002	DAWES AVENUE, REGENTS PARK – PROPOSED TREATMENT AT THE BEND				x		x
CTC-21-003	HAIG STREET AND BRIDGE ROAD, WESTMEAD – PROPOSED 'NO STOPPING' PARKING RESTRICTIONS		x			x	
CTC-21-004	ROWLEY ROAD, GUILDFORD – PROPOSED 'NO STOPPING' RESTRICTIONS				x	x	
CTC-21-005	APIA STREET, GUILDFORD – PROPOSED 'DISABLED PARKING' SPACE		x			x	
CTC-21-006	BELL CRESCENT, YENNORA – PROPOSED LINE MARKING AND 'NO STOPPING' RESTRICTIONS	x				x	
CTC-21-007	DAVID PLACE, LIDCOMBE – PROPOSED 'NO STOPPING' RESTRICTIONS				x		x
CTC-21-008	MASON STREET AND HENSON STREET, MERRYLANDS – PROPOSED INTERSECTION TREATMENT		x			x	
CTC-21-009	VIRGINIA STREET, GUILDFORD WEST – PROPOSED PARKING RESTRICTIONS – CONSULTATION RESULT	x				x	
CTC-21-010	YANCO STREET, MERRYLANDS WEST – REVIEW OF 'NO STOPPING' RESTRICTIONS		x			x	
CTC-21-011	179 EXCELSIOR STREET, GUILDFORD – PROPOSED RELOCATION OF BUS ZONE ASSOCIATED WITH A DEVELOPMENT APPLICATION				x	x	
CTC-21-012	MYALL STREET AND MEAKIN STREET, MERRYLANDS – PROPOSED 'NO STOPPING' RESTRICTIONS		x			x	
CTC-21-013	TOONGABBIE ROAD, TOONGABBIE – ROAD SAFETY CONCERNS			x		x	
CTC-21-014	WOODSTOCK STREET AND MARIAN STREET, GUILDFORD – PROPOSED ROUNDABOUT – SAFER ROAD PROGRAM 2020/2021 FY – APPROVED PROJECT		x			x	
CTC-21-015	MONA STREET AND WALTERS STREET, AUBURN – PROPOSED ROUNDABOUT – SAFER ROAD PROGRAM 2020/2021 FY – APPROVED PROJECT				x		x
CTC-21-016	DARTBROOK ROAD, AUBURN – REQUEST FOR PEDESTRIAN CROSSING				x		x
CTC-21-017	GUILDFORD ROAD, GUILDFORD – REQUEST FOR PEDESTRIAN CROSSING		x			x	
CTC-21-018	CHURCH STREET AND SWETE STREET, LODCOMBE – PROPOSED ROUNDABOUT – FEDERAL BLACK SPOT 20/21 FY – APPROVED PROJECT				x		x
CTC-21-019	HAMILTON STREET, SOUTH WENTWORTHVILLE – ROAD SAFETY CONCERNS		x			x	



CTC-21-020	LISGAR STREET, MERRYLANDS – ROAD SAFETY CONCERNS		x			x	
CTC-21-021	LUCAS STREET, GUILDFORD – ROAD SAFETY CONCERNS	x				x	
CTC-21-022	FERNDELL STREET, SOUTH GRANVILLE – ROAD SAFETY CONCERNS ON APPROACH TO TRAFFIC SIGNALS				x	x	
CTC-21-023	GELIBOLU PARADE, AUBURN – ROAD SAFETY CONCERNS				x		x
CTC-21-024	GLOUCESTER AVENUE, MERRYLANDS – PROPOSED PARKING RESTRICTIONS – CONSULTATION RESULT		x			x	
CTC-21-025	GLOUCESTER AVENUE, MERRYLANDS – ROAD SAFETY CONCERNS – CONSULTATION RESULT		x			x	
CTC-21-026	GRASSMERE STREET, GUILDFORD – PROPOSED SPEED HUMPS – CONSULTATION RESULT		x			x	
CTC-21-027	GOZO ROAD, GREYSTANES – PROPOSED SPEED HUMPS – CONSULTATION RESULT			x		x	
CTC-21-028	IRRIGATION ROAD, MERRYLANDS – PROPOSED SPEED HUMPS – CONSULTATION RESULT		x			x	
CTC-21-029	CUMBERLAND ROAD, GREYSTANES – ROAD SAFETY CONCERNS		x			x	
CTC-21-030	LAVINIA STREET, EAST OF ROBERTSON STREET MERRYLANDS, – ROAD SAFETY CONCERNS		x			x	
CTC-21-031	HANBURY STREET, GREYSTANES – ROAD SAFETY CONCERNS		x			x	
CTC-21-032	GLOUCESTER AVENUE, MERRYLANDS – REQUEST FOR ONE-WAY ARRANGEMENT		x			x	



Minutes of the Electronic Traffic Committee meeting of 04 November 2020.

Cumberland Council -

Clr Paul Garrard – Chairman

Clr Eddy Sarkis – Deputy Chair

Transport for NSW (TfNSW) -

Mr Ram Sritharan – *Concurrence received for selected items with comments on other items. Specific comments and changes to recommendations are noted with relevant items.*

Local Member for Auburn -

Clr George Campbell - *Concurrence for all relevant items except CTC-20-199 received.*

*Specific comment for CTC-20-199 noted.*

Local Member for Fairfield -

Mr George Barcha – *Concurrence received for all relevant items*

Local Member for Granville -

Mr Chris Worthington - *Concurrence received for all relevant items*

Local Member for Prospect -

Clr Suman Saha - *Concurrence received for all relevant items.*

Auburn Police Area Command -

Const. Bartolo - *Concurrence received for all relevant items.*

Cumberland Police Area Command -

S/Const. Greg Close – *No objections received.*

Transdev -

*Comments received for item CTC-20-212 which are noted in the specific item.*

CDBus -

*No comments*

Transit Systems -

*No comments*

#### **APOLOGIES:**

**DECLARATIONS OF INTEREST:** *Nil*

#### **CONFIRMATION OF MINUTES**



### Summary of Reports

Item #	Title	Electorate				Police Area Command (PAC)	
		Fairfield	Granville	Prospect	Auburn	Cumberland	Auburn
CTC-20-173	DRESSLER COURT, HOLROYD – PROPOSED PARKING RESTRICTIONS		x			x	
CTC-20-174	ALICE STREET, AUBURN – PROPOSED NO PARKING RESTRICTIONS				x		x
CTC-20-175	AUBURN ROAD & HARROW ROAD, AUBURN – PROPOSED LINE MARKING				x		x
CTC-20-176	LANGTRY AVENUE AND LANEWAY, AUBURN – PROPOSED 'NO STOPPING' SIGNS				x		x
CTC-20-177	RALEIGH STREET, GUILDFORD – PROPOSED PARKING RESTRICTIONS – CONSULTATION RESULT		x			x	
CTC-20-178	LONG STREET, SMITHFIELD – PROPOSED '30MIN' PARKING RESTRICTIONS			x		x	
CTC-20-179	M4 CYCLEWAY DETOUR ROAD SAFETY AUDIT – BUTU WARGUN DRIVE AND SHOPPING CENTRE DRIVEWAY, PEMULWUY – SIGNAGE REQUEST			x		x	
CTC-20-180	M4 CYCLEWAY DETOUR ROAD SAFETY AUDIT – BUTU WARGUN DRIVE AND NEA DRIVE, PEMULWUY – SIGNAGE REQUEST			x		x	
CTC-20-181	PARRY STREET AND TARGO ROAD, PENDLE HILL – PROPOSED PARKING RESTRICTIONS			x		x	
CTC-20-182	SCHOOL PARADE AND MACARTHUR CRESCENT, WESTMEAD – PROPOSED NO STOPPING RESTRICTIONS		x			x	
CTC-20-183	SCHOOL PARADE AND NOLAN CRESCENT, WESTMEAD – PROPOSED NO STOPPING RESTRICTIONS		x			x	
CTC-20-184	TARGO ROAD, GIRRAWEE – PROPOSED RELOCATION OF EXISTING 'BUS ZONE' SIGN			x		x	
CTC-20-185	VAUGHAN STREET AND HARROW ROAD, AUBURN – PROPOSED 'NO STOPPING' RESTRICTIONS				x		x
CTC-20-186	MERRYLANDS ROAD, MERRYLANDS – PROPOSED PARKING CHANGES		x			x	
CTC-20-187	WHALANS ROAD, GREYSTANES – PROPOSED RELOCATION OF EXISTING 'NO STOPPING' SIGN			x		x	
CTC-20-188	ALICE STREET, AUBURN – PROPOSED 'NO PARKING' RESTRICTIONS BETWEEN HAPP STREET AND MARY STREET				x		x
CTC-20-189	GUILDFORD ROAD, GUILDFORD – EXTENDING EXISTING 'NO PARKING' PARKING RESTRICTION		x			x	
CTC-20-190	MERRYLANDS ROAD, MERRYLANDS – APPLICATION FOR 'WORKS ZONE' SIGNAGE			x		x	
CTC-20-191	BOGAN STREET AND DARLING STREET, GREYSTANES – PROPOSED PARKING			x		x	



	RESTRICTIONS AND INTERSECTION TREATMENT						
CTC-20-192	ANDERSON STREET, WESTMEAD – REQUEST FOR 30 MINUTE PARKING AT THE CLOSED END OF THE STREET		x			x	
CTC-20-193	FULLAGAR ROAD, WENTWORTHVILLE – APPLICATION FOR 'WORKS ZONE' SIGNAGE		x			x	
CTC-20-194	CLYDE STREET AND DIXMUDE STREET, SOUTH GRANVILLE – PROPOSED PARKING RESTRICTIONS				x	x	
CTC-20-195	DIXMUDE STREET AND MACKAY ROAD, SOUTH GRANVILLE – PROPOSED PARKING RESTRICTIONS				x	x	
CTC-20-196	NOTTINGHILL ROAD, LONDON ROAD & GEORGES AVENUE, BERALLA – PROPOSED ROUNDABOUT				x		x
CTC-20-197	HYLAND ROAD, GREYSTANES – PROPOSED TRUCK PARKING AREA			x		x	
CTC-20-198	341 BLAXCELL STREET, SOUTH GRANVILLE – PROPOSED RELOCATION OF THE 'NO STOPPING' SIGN				x	x	
CTC-20-199	ADDERLEY STREET WEST, AUBURN – PROPOSED TRUCK PARKING AREA				x		x
CTC-20-200	MERRYLANDS ROAD AND CANAL ROAD, GREYSTANES – REQUEST FOR GUARD RAIL OR BARRIER		x			x	
CTC-20-201	BRAESIDE ROAD, GREYSTANES – PROPOSED CHANGES TO THE EXISTING NO PARKING RESTRICTIONS		x			x	
CTC-20-202	MCKERN STREET, WENTWORTHVILLE – PROPOSED PARKING RESTRICTIONS		x			x	
CTC-20-203	HAWKESBURY ROAD, WESTMEAD – PROPOSED 'NO STOPPING' RESTRICTIONS		x			x	
CTC-20-204	BEECHWOOD AVENUE, GREYSTANES – ROAD SAFETY CONCERNS		x			x	
CTC-20-205	BOGAN STREET, GREYSTANES – PROPOSED PARKING RESTRICTIONS – CONSULTATION RESULT			x		x	
CTC-20-206	HUDSON STREET, SOUTH GRANVILLE – ROAD SAFETY CONCERNS				x	x	
CTC-20-207	RICHMOND STREET, SOUTH WENTWORTHVILLE – ROAD SAFETY CONCERNS		x			x	
CTC-20-208	SCHOOL PARADE, WESTMEAD – PROPOSED PARKING RESTRICTIONS – CONSULTATION RESULT		x			x	
CTC-20-209	VALE STREET, WOODPARK – ROAD SAFETY CONCERNS	x				x	
CTC-20-210	FOURTH AVENUE, BERALLA – ROAD SAFETY CONCERNS				x		x
CTC-20-211	MORRIS STREET, MERRYLANDS – REQUEST FOR A PEDESTRIAN CROSSINGS NEAR MERRYLANDS PUBLIC SCHOOL		x			x	
CTC-20-212	CAMPBELL HILL ROAD, GUILDFORD – CONSULTATION – PROPOSED TRAFFIC CALMING DEVICES				x	x	
CTC-20-213	ROWLEY ROAD, GUILDFORD – PROPOSED SPEED HUMPS – CONSULTATION RESULTS				x	x	



CTC-20-214	MORRIS STREET, MERRYLANDS – PROPOSED SPEED HUMPS – CONSULTATION RESULT		x			x	
CTC-20-215	MARK STREET, LIDCOMBE – PROPOSED TREATMENT AT THE PEDESTRIAN CROSSING				x		x
CTC-20-216	WOMBAT STREET, PEMULWUY – PROPOSED EXTENSION OF EXISTING PARKING BAY NEAR THE CORNER OF MUTTONG STREET			x		x	
CTC-20-217	OLD PROSPECT ROAD & BERESFORD ROAD, GREYSTANES – PROPOSED ROUNDABOUT			x		x	
CTC-20-218	CHETWYND ROAD, GUILDFORD – ROAD SAFETY CONCERNS		x			x	



**REPORTS****ITEM CTC-20-173 - DRESSLER COURT, HOLROYD – PROPOSED  
PARKING RESTRICTIONS****RECOMMENDATION**

---

**That the Traffic Committee recommended that:**

- 1. The proposed installation of 'No Parking' restrictions on Dressler Court, Holroyd in accordance with the attached plan be approved.**
- 2. Council notify affected residents.**

**ITEM CTC-20-174 - ALICE STREET, AUBURN – PROPOSED NO  
PARKING RESTRICTIONS****RECOMMENDATION**

---

**The Cumberland Traffic Committee recommended that the “No Parking; 7am-5pm, Mon-Fri” signs be installed outside 60 Alice Street, Auburn in accordance with the attached plan be approved.**

**ITEM CTC-20-175 - AUBURN ROAD & HARROW ROAD, AUBURN –  
PROPOSED LINE MARKING****RECOMMENDATION**

---

**The Cumberland Traffic Committee recommended that the installation of double barrier lines in Auburn Road and Harrow Road, Auburn between Beatrice Street and Helena Street in accordance with the attached plan be approved.**

**ITEM CTC-20-176 - LANGTRY AVENUE AND LANEWAY, AUBURN–  
PROPOSED 'NO STOPPING' SIGNS****RECOMMENDATION**

---

**That the Traffic Committee recommended that:**

- 1. The proposed installation of 'No Stopping' at the intersection of Langtry Avenue and the service laneway in accordance with the attached plan be approved.**
- 2. Council notify the adjacent properties of the resolution.**



**ITEM CTC-20-177 - RALEIGH STREET, GUILDFORD – PROPOSED  
PARKING RESTRICTIONS – CONSULTATION RESULT****RECOMMENDATION**

**That the Traffic Committee recommended that the request for the installation of parking restrictions in Raleigh Street, Guildford not be approved.**

**ITEM CTC-20-178 - LONG STREET, SMITHFIELD – PROPOSED  
'30MIN' PARKING RESTRICTIONS****RECOMMENDATION**

**That the Traffic Committee recommended that:**

- 1. The installation of '30min, 8:30am – 4:00pm Mon – Fri, 8:30am – 12:30pm Sat' parking restrictions on Long Street, Smithfield in accordance with the attached plan be approved.**
- 2. The property owner be notified of the outcome generally.**

**ITEM CTC-20-179 - M4 CYCLEWAY DETOUR ROAD SAFETY AUDIT  
– BUTU WARGUN DRIVE AND SHOPPING CENTRE DRIVEWAY,  
PEMULWUY - SIGNAGE REQUEST****RECOMMENDATION**

**That the Traffic Committee recommended that;**

- 1. The proposed changes and new signs in accordance with the attached plan (Drg. No. M4SM-SWC-CAR-DRG-001001) be approved.**
- 2. The signs to be installed at no cost to Council.**

**Discussion:**

The TfNSW representative raised concerns regarding the signage and requested further information. TfNSW provided concurrence after additional information was provided.



ITEM CTC-20-180 - M4 CYCLEWAY DETOUR ROAD SAFETY AUDIT  
– BUTU WARGUN DRIVE AND NEA DRIVE, PEMULWUY - SIGNAGE  
REQUEST

**RECOMMENDATION**

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That the Traffic Committee recommended that;

1. The proposed changes and new signs in accordance with the attached plan (Drg. No. M4SM-SWC-NEA-DRG-001001) be approved.
2. The signs to be installed at no cost to Council.

**Discussion:**

The TfNSW representative raised concerns regarding the signage and requested further information. TfNSW provided concurrence after additional information was provided.

ITEM CTC-20-181 - PARRY STREET AND TARGO ROAD, PENDLE  
HILL – PROPOSED PARKING RESTRICTIONS

**RECOMMENDATION**

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That the Traffic Committee recommended that:

1. The installation of 'No Stopping' signs at the intersection of Targo Road with Parry Street, Pendle Hill in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome generally.

ITEM CTC-20-182 - SCHOOL PARADE AND MACARTHUR  
CRESCENT, WESTMEAD – PROPOSED NO STOPPING  
RESTRICTIONS

**RECOMMENDATION**

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That the Traffic Committee recommended that:

1. The installation of 'No Stopping' signs at the intersection of School Parade and Macarthur Crescent, Westmead in accordance with the attached plan be approved.
2. The adjacent residents be notified of the outcome generally.



**ITEM CTC-20-183 - SCHOOL PARADE AND NOLAN CRESCENT,  
WESTMEAD – PROPOSED NO STOPPING RESTRICTIONS****RECOMMENDATION**

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That the Traffic Committee recommended that:

1. The installation of 'No Stopping' signs at the intersection of School Parade and Nolan Crescent, Westmead in accordance with the attached plan be approved.
2. The adjacent residents be notified of the outcome generally.

**ITEM CTC-20-184 - TARGO ROAD, GIRRAWEE – PROPOSED  
RELOCATION OF EXISTING 'BUS ZONE' SIGN****RECOMMENDATION**

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That the Traffic Committee recommended that:

1. The proposed relocation of existing 'Bus Zone' sign on Targo Road, Girrawee in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome generally.

**ITEM CTC-20-185 - VAUGHAN STREET AND HARROW ROAD,  
AUBURN – PROPOSED 'NO STOPPING' RESTRICTIONS****RECOMMENDATION**

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That the Traffic Committee recommended that:

1. The installation of 'No Stopping' signs at the intersection of Vaughan Street and Harrow Road, Auburn in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome generally.

**ITEM CTC-20-186 - MERRYLANDS ROAD, MERRYLANDS –  
PROPOSED PARKING CHANGES****RECOMMENDATION**

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That the Traffic Committee recommended that:

1. The proposed conversion of "1P; 8 AM-6 PM; MON-FRI" signs to "1/2P; 8 AM-6 PM; MON-FRI; 8 AM-4 PM; SAT" outside 27 Merrylands Road, Merrylands in accordance with the attached plan be approved.



2. Council notify the adjacent business owner of the resolution.

ITEM CTC-20-187 - WHALANS ROAD, GREYSTANES – PROPOSED  
RELOCATION OF EXISTING 'NO STOPPING' SIGN

#### RECOMMENDATION

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That the Traffic Committee recommended that:

1. The proposed relocation of existing 'No Stopping' sign and chevron pavement marking on Whalans Road, Greystanes in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome generally.

ITEM CTC-20-188 - ALICE STREET, AUBURN – PROPOSED 'NO  
PARKING' RESTRICTIONS BETWEEN HAPP STREET AND MARY  
STREET

#### RECOMMENDATION

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The Cumberland Traffic Committee recommended that;

1. The "No Parking" signs on Alice Street, between the No Stopping signs at Happ Street and Mary Street intersections, Auburn in accordance with the attached plan be approved.
2. Council notify affected properties of the resolution.

ITEM CTC-20-189 - GUILDFORD ROAD, GUILDFORD – EXTENDING  
EXISTING 'NO PARKING' PARKING RESTRICTION

#### RECOMMENDATION

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That the Traffic Committee recommended that:

1. The proposed extension of 'No Parking – Australia Post Vehicles Excepted' parking space on Guildford Road, Guildford in accordance with the attached plan be approved.
2. The affected businesses be notified of the outcome generally.



**ITEM CTC-20-190 - MERRYLANDS ROAD, MERRYLANDS –  
APPLICATION FOR 'WORKS ZONE' SIGNAGE****RECOMMENDATION**

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**That the Traffic Committee.**

- 1. The 12m long 'Works Zone, 7:00am-6:00pm, Monday-Friday, 8:00am-4:00pm, Saturday' signs be installed on the frontage of the development site at 233 Merrylands Road, Merrylands subject to Council's standard conditions for the period of 6 months and subsequent extension if required.**
- 2. The applicant be advised to pay the 'Works Zone' fees to Council as per the adopted Fees and Charges.**

**ITEM CTC-20-191 - BOGAN STREET AND DARLING STREET,  
GREYSTANES – PROPOSED PARKING RESTRICTIONS AND  
INTERSECTION TREATMENT****RECOMMENDATION**

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**That the Traffic Committee.**

- 1. The installation of 'No Stopping' signs and BB line marking at the intersection of Bogan Street and Darling Street, Greystanes in accordance with the attached plan be approved.**
- 2. The affected residents be notified of the outcome generally.**

**Discussion:**

TfNSW representative advised that when marking the 'BB' centre lines, the school zone dragons painted on the pavement should not be covered or painted over.

**ITEM CTC-20-192 - ANDERSON STREET, WESTMEAD – REQUEST  
FOR 30 MINUTE PARKING AT THE CLOSED END OF THE STREET****RECOMMENDATION**

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**The Traffic Committee recommended that;**

- 1. The proposed parking arrangement comprising "1/2P; 8:30AM-6PM; MON-FRI; 8:30AM-12:30PM; SAT" in accordance with the attached plan be approved.**
- 2. The adjacent properties be notified of Council's resolution.**



**ITEM CTC-20-193 - FULLAGAR ROAD, WENTWORTHVILLE –  
APPLICATION FOR 'WORKS ZONE' SIGNAGE****RECOMMENDATION**

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**That the Traffic Committee.**

- 1. The 12m long 'Works Zone, 7:00am-6:00pm, Monday-Friday, 8:00am-4:00pm, Saturday' restrictions be installed on Fullagar Road, Wentworthville fronting the development site subject to Council's standard conditions for the period of 6 months and subsequent extension if required.**
- 2. The applicant be advised to pay the 'Works Zone' fees to Council as per the adopted Fees and Charges.**

**ITEM CTC-20-194 - CLYDE STREET AND DIXMUDE STREET,  
SOUTH GRANVILLE – PROPOSED PARKING RESTRICTIONS****RECOMMENDATION**

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**That the Traffic Committee recommended that:**

- 1. The installation of 'No Stopping' signs at the intersection of Clyde Street and Dixmude Street, South Granville in accordance with the attached plan be approved.**
- 2. The affected residents be notified of the outcome generally.**

**ITEM CTC-20-195 - DIXMUDE STREET AND MACKAY ROAD, SOUTH  
GRANVILLE – PROPOSED PARKING RESTRICTIONS****RECOMMENDATION**

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**That the Traffic Committee recommended that:**

- 1. The installation of 'No Stopping' signs at the intersection of Dixmude Street and Mackay Road, South Granville in accordance with the attached plan be approved.**
- 2. The affected residents be notified of the outcome generally.**



**ITEM CTC-20-196 - NOTTINGHILL ROAD, LONDON ROAD &  
GEORGES AVENUE, BERALA – PROPOSED ROUNDABOUT****RECOMMENDATION**

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That the Traffic Committee recommended that:

1. The proposed roundabout at the intersection of Nottingham Road, London Road & Georges Avenue, Berala be approved in principle;
2. Council prepare a Traffic Management Plan for submission to Transport for NSW to restrict the right turn movements for trucks banned at this roundabout for approval;
3. Council report back to traffic committee with the final design plans for review;
4. Council apply for funding for the construction of the roundabout under a suitable program;
5. The affected residents be notified prior to commencement of construction.

**ITEM CTC-20-197 - HYLAND ROAD, GREYSTANES – PROPOSED  
TRUCK PARKING AREA****RECOMMENDATION**

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That the Traffic Committee recommended that;

1. The “LONG OR HEAVY VEHICLES PERMITTED TO STOP LONGER THAN 1 HOUR; On section of Hyland Road; 4:00PM – 7:00AM MON-FRI 2:00PM- 12:00 MIDNIGHT SAT 24 HOURS SUNDAY” on the northern side of Hyland Road, Greystanes in accordance with the attached plans be approved.
2. The installation of “No Parking” signs on the southern of Hyland Road, Greystanes in accordance with the attached plan be approved.
3. The installation of “No Parking” signs on both sides in the bend of Hyland Road, Greystanes in accordance with the attached plan be approved.
4. The installation of “No Stopping” signs on Hyland Road at the intersection with Gipps Road in accordance with the attached plan be approved.
5. Council notify adjacent properties of the proposal.



**ITEM CTC-20-198 - 341 BLAXCELL STREET, SOUTH GRANVILLE –  
PROPOSED RELOCATION OF THE 'NO STOPPING' SIGN****RECOMMENDATION**

The Cumberland Traffic Committee recommended that the relocation of the existing "No Stopping" sign outside 341 Blaxcell Street, South Granville by 6m in a northerly direction in accordance with the attached plan be approved.

**ITEM CTC-20-199 - ADDERLEY STREET WEST, AUBURN –  
PROPOSED TRUCK PARKING AREA****RECOMMENDATION**

That the Traffic Committee recommended that the:

- **"LONG OR HEAVY VEHICLES PERMITTED TO STOP LONGER THAN 1 HOUR; On section of Adderley Street W; 4:00PM – 7:00AM MON-FRI 2:00PM- 12:00 MIDNIGHT SAT 24 HOURS SUNDAY"** on the northern side of Adderley Street West, Auburn in accordance with the attached plans be approved.


**Discussion:**


Auburn members representative raised concerns that he would like Auburn North PS to be consulted about whether or not the proposal would leave sufficient parking space to attendees at evening (and weekend) events. He further advised that if the school has no objections or any objections can be accommodated by an appropriate reduction in the truck parking area, then he would support the proposal.

**Action:**


The relevant plan (Plan C) has been amended to reflect the comments. The truck parking area signage in the school drop off zone has been removed.







<b>TITLE:</b> Adderley St West, Auburn - Proposed 'Trucks Zone' restrictions - C	
<b>File Number:</b> S0015-04	<b>Date:</b> 19/10/20
<b>Drawn By:</b> P.L	<b>Scale:</b> NTS







**TITLE:** Adderley St West, Auburn - Proposed 'Trucks Zone' restrictions - C

<b>File Number:</b> S0015-04	<b>Date:</b> 19/10/20
<b>Drawn By:</b> P.L	<b>Scale:</b> NTS






**ITEM CTC-20-200 - MERRYLANDS ROAD AND CANAL ROAD,  
GREYSTANES – REQUEST FOR GUARD RAIL OR BARRIER****RECOMMENDATION**

The Cumberland Traffic Committee recommended that the request for the installation of guard rail or a barrier at the intersection of Merrylands Road and Canal Road, Greystanes not be approved.

**ITEM CTC-20-201 - BRAESIDE ROAD, GREYSTANES – PROPOSED  
CHANGES TO THE EXISTING NO PARKING RESTRICTIONS****RECOMMENDATION**

The Cumberland Traffic Committee recommended that the “No Parking” signs in front of 10 Braeside Road, Greystanes be replaced with “No Parking; 8am-9:30am, 2:30pm-4pm; School Days” signs in accordance with the attached plan be approved.

**ITEM CTC-20-202 - MCKERN STREET, WENTWORTHVILLE –  
PROPOSED PARKING RESTRICTIONS****RECOMMENDATION**

That the Traffic Committee recommended that the proposed parking restrictions on McKern Street, Wentworthville in accordance with the attached plan be approved.

**ITEM CTC-20-203 - HAWKESBURY ROAD, WESTMEAD -  
PROPOSED ‘NO STOPPING’ RESTRICTIONS****RECOMMENDATION**

That the Traffic Committee recommended that:

1. The extension of the existing ‘No Stopping’ zone in a southerly direction by 11m in accordance with the attached plan be approved.
2. The proposed installation of 12m ‘No Parking’ zone on Hawkesbury Road, Westmead south of the relocated ‘No Stopping’ sign in accordance with the attached plan be approved.
3. The affected residents be notified of the outcome generally.



**ITEM CTC-20-204 - BEECHWOOD AVENUE, GREYSTANES – ROAD  
SAFETY CONCERNS****RECOMMENDATION**

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**That the Traffic Committee recommended that;**

- 1. The request for the installation of Traffic Calming devices on Beechwood Avenue, Greystanes not be approved.**
- 2. Council review conditions in Beechwood Avenue, Greystanes in April 2022 and report to traffic committee.**

**ITEM CTC-20-205 - BOGAN STREET, GREYSTANES – PROPOSED  
PARKING RESTRICTIONS – CONSULTATION RESULT****RECOMMENDATION**

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**That the Traffic Committee recommended that the request for the installation of parking restrictions on Bogan Street, Greystanes not be approved.**

**ITEM CTC-20-206 - HUDSON STREET, SOUTH GRANVILLE – ROAD  
SAFETY CONCERNS****RECOMMENDATION**

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**Traffic Committee recommended That.**

- 1. Council note the information contained in this report.**
- 2. Council review traffic conditions in Hudson Street in October 2021 and report back to Cumberland Traffic Committee if significant changes are recorded.**

**ITEM CTC-20-207 - RICHMOND STREET, SOUTH  
WENTWORTHVILLE – ROAD SAFETY CONCERNS****RECOMMENDATION**

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**The Cumberland Traffic Committee recommended that;**

- 1. The installation of traffic calming devices on Richmond Street, South Wentworthville not be supported.**
- 2. Council review conditions in Richmond Street, South Wentworthville in February 2022 and report to traffic committee.**



**ITEM CTC-20-208 - SCHOOL PARADE, WESTMEAD – PROPOSED  
PARKING RESTRICTIONS– CONSULTATION RESULT****RECOMMENDATION**

The Traffic Committee recommended that the request for the installation of parking restrictions on School Parade, Westmead not be approved.

**ITEM CTC-20-209 - VALE STREET, WOODPARK – ROAD SAFETY  
CONCERNS****RECOMMENDATION**

The Cumberland Traffic Committee recommended that the installation of traffic calming devices on Vale Street, Woodpark not be supported.

**ITEM CTC-20-210 - FOURTH AVENUE, BERALA – ROAD SAFETY  
CONCERNS****RECOMMENDATION**

The Cumberland Traffic Committee recommended that;

1. The installation of traffic calming devices on Fourth Avenue, Berala in the section between Hyde Park Road and Walters Road not be supported.
2. Council undertake consultation with the residents of Fourth Avenue, Berala in the section between Walters Road and Kibo Road to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee.

**ITEM CTC-20-211 - MORRIS STREET, MERRYLANDS - REQUEST  
FOR A PEDESTRIAN CROSSINGS NEAR MERRYLANDS PUBLIC  
SCHOOL****RECOMMENDATION**

That the Traffic Committee:

1. The provision of a marked pedestrian crossing on Morris Street west of Holdsworth Street at the frontage of Merrylands Public School in accordance with the attached plan be approved.
2. Final detail design plan be forwarded to Transport for NSW.
3. The construction works to be included in a future works program.



**4. Council notify affected properties of the Council's resolution.**

**Discussion:**

TfNSW representative indicated that the final detailed design plans be submitted to TfNSW.

**Action:**

Recommendations amended to reflect TfNSW requirement.

**ITEM CTC-20-212 - CAMPBELL HILL ROAD, GUILDFORD –  
CONSULTATION - PROPOSED TRAFFIC CALMING DEVICES**

**RECOMMENDATION**

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**That the Traffic Committee.**

- 1. Council approve the proposed traffic calming scheme incorporating raised thresholds on Campbell Hill Road, Guildford in accordance with the attached plan.**
- 2. Council undertake consultation with residents/owners of directly affected properties based on the attached traffic calming scheme and report back to traffic committee with the consultation results if objections are received.**

**Discussion:**

'Transdev' bus operator raised objections to the proposal. It indicated that Canterbury/Bankstown Council wants to place 5 raised thresholds in Campbell Hill Rd between Gurney Rd and Virgil Ave, Chester Hill. That would mean that there would be 8 raised thresholds in Campbell Hill Rd if the 2 Councils went ahead with this plan. It alleged that with the increase of raised thresholds being placed in the various areas, It makes it hard for the Bus Companies to try and keep to the time schedule.

Council has noted the comments, however, voting members of the traffic committee have concurred with the recommendation.

**ITEM CTC-20-213 - ROWLEY ROAD, GUILDFORD – PROPOSED  
SPEED HUMPS – CONSULTATION RESULTS**

**RECOMMENDATION**

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**That the Traffic Committee recommended that;**

- 1. The proposed installation of speed humps on Rowley Road, Guildford in accordance with the attached amended plan be approved.**



2. Council liaise with the resident objecting to the speed hump and attempt to resolve the concerns and report back to traffic committee if not resolved.

ITEM CTC-20-214 - MORRIS STREET, MERRYLANDS – PROPOSED  
SPEED HUMPS – CONSULTATION RESULT

#### **RECOMMENDATION**

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That the Traffic Committee recommended that:

1. The proposed installation of speed humps on Morris Street, Merrylands between Fowler Road and Chetwynd Road in accordance with the attached plan be approved.
2. The speed hump on Morris Street west of Holdsworth Street not be constructed if the raised pedestrian crossing in this section is approved in this agenda.
3. Council forward final design plan of the proposed speed humps to TfNSW.
4. Council include the construction of the speed humps in a future Works program subject to funding availability.
5. The affected residents be notified of the outcome generally.

#### **Action:**

As the pedestrian crossing on Morris Street has been recommended for approval in item CTC-20-211, a revised plan will be forwarded to TfNSW.

ITEM CTC-20-215 - MARK STREET, LIDCOMBE – PROPOSED  
TREATMENT AT THE PEDESTRIAN CROSSING

#### **RECOMMENDATION**

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The Cumberland Traffic Committee recommended that the treatment of the pedestrian crossing on Mark Street at Railway Street in accordance with the attached plan be approved.

#### **Discussion:**

TfNSW representative indicated that the kerb blisters and other engineering facilities and all associated line markings and signage are in accordance with Australian Standards.



**ITEM CTC-20-216 - WOMBAT STREET, PEMULWUY – PROPOSED  
EXTENSION OF EXISTING PARKING BAY NEAR THE CORNER OF  
MUTTONG STREET**

**RECOMMENDATION**

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**That the Traffic Committee recommended that the extension of parking bay on the northern side of Wombat Street east of Muttong Street, Pemulwuy and the relocation of the 'No Stopping' sign in accordance with the attached plan be approved.**

**ITEM CTC-20-217 - OLD PROSPECT ROAD & BERESFORD ROAD,  
GREYSTANES – PROPOSED ROUNDABOUT**

**RECOMMENDATION**

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**That the Traffic Committee recommended that:**

- 1. The proposed construction of roundabout at the intersection of Old Prospect Road & Beresford Road, Prospect be approved in principle;**
- 2. Council forward final design plans to Transport for NSW;**
- 3. Council include construction of the roundabout in a future Works programme;**
- 4. The affected residents be notified after scheduling the works.**

**ITEM CTC-20-218 - CHETWYND ROAD, GUILDFORD – ROAD  
SAFETY CONCERNS**

**RECOMMENDATION**

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**The Cumberland Traffic Committee recommended that Council undertake consultation with the residents of Chetwynd Road between Hawksview Street and Guildford Road, Guildford to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee.**



**GENERAL BUSINESS**

The following general business was raised: Nil

Signed:

Chairperson



Minutes of the Extraordinary Traffic Committee meeting held at Electronic Meeting on Wednesday 18 November 2020.

Cumberland Council -	Clr Paul Garrard – Chairman
	Clr Eddy Sarkis – Deputy Chair
Transport for NSW (TfNSW) -	Mr Ram Sritharan – <i>Concurrence received for all items with specific comments on some items. Specific comments are noted with relevant items.</i>
Local Member for Auburn -	Clr George Campbell - <i>Concurrence received for all relevant items.</i>
Local Member for Fairfield -	Mr George Barcha – <i>Concurrence received for all relevant items</i>
Local Member for Granville -	Mr Chris Worthington - <i>Concurrence received for all relevant items</i>
Local Member for Prospect -	Clr Suman Saha - <i>Concurrence received for all relevant items.</i>
Auburn Police Area Command -	Const. Bartolo - <i>Concurrence received for all relevant items.</i>
Cumberland Police Area Command -	S/Const. Greg Close – <i>No objections received.</i>
Transdev -	<i>No comments.</i>
CDBus -	<i>No comments.</i>
Transit Systems -	<i>No comments .</i>

**APOLOGIES:****DECLARATIONS OF INTEREST -** *Nil***CONFIRMATION OF MINUTES****SUMMARY OF REPORTS**



### Summary of Reports

Item #	Title	Electorate				Police Area Command (PAC)	
		Fairfield	Granville	Prospect	Auburn	Cumberland	Auburn
ECTC-20-219	EXCELSIOR STREET, GUILDFORD – PROPOSED PEDESTRIAN REFUGE WARNING SIGNS				x		x
ECTC-20-220	CROSBY STREET, GREYSTANES – PROPOSED RELOCATION OF EXISTING 'NO STOPPING' SIGNS			x		x	
ECTC-20-221	12-14 NORTHUMBERLAND ROAD, AUBURN – PROPOSED TAXI ZONE				x		x
ECTC-20-222	WAYLAND AVENUE, LIDCOMBE – PROPOSED PARKING RESTRICTIONS 'EASTERN BEND'				x		x
ECTC-20-223	WAYLAND AVENUE, LIDCOMBE – PROPOSED PARKING RESTRICTIONS 'WESTERN BEND'				x		x
ECTC-20-224	OXFORD STREET AND WILFRED STREET, LIDCOMBE – PROPOSED 'NO STOPPING' RESTRICTIONS				x		x
ECTC-20-225	QUEEN STREET, AUBURN – PROPOSED 1 HOUR PARKING RESTRICTIONS				x		x
ECTC-20-226	OLD PROSPECT ROAD, GREYSTANES – PROPOSED RELOCATION OF TRAFFIC SIGN ASSOCIATED WITH A DEVELOPMENT APPLICATION			x		x	
ECTC-20-227	HILTON STREET, GREYSTANES – APPLICATION FOR 'WORKS ZONE' SIGNAGE		x			x	
ECTC-20-228	HILTON STREET AND MERRYLANDS ROAD, GREYSTANES – PROPOSED 'NO STOPPING' SIGNS		x			x	
ECTC-20-229	BOOREA STREET, LIDCOMBE – PROPOSED 'WORKS ZONE' SIGNAGE				x		x
ECTC-20-230	JOYCE STREET, PENDLE HILL – APPLICATION FOR 'WORKS ZONE' SIGNAGE			x		x	
ECTC-20-231	OLD PROSPECT ROAD, GREYSTANES – ROAD SAFETY CONCERNS		x			x	
ECTC-20-232	TEMPORARY ROAD CLOSURE FOR 'AUSTRALIA DAY' CELEBRATIONS		x			x	
ECTC-20-233	GUILDFORD ROAD, GUILDFORD – ROAD SAFETY CONCERNS		x			x	
ECTC-20-234	HAMPDEN ROAD, SOUTH WENTWORTHVILLE – ROAD SAFETY CONCERNS		x			x	
ECTC-20-235	BURAN ROAD, PEMULWUY – PROPOSED SPEED HUMPS ASSESSMENT AND CONSULTATION RESULT			x		x	
ECTC-20-236	TERRY STREET, GREYSTANES – ROAD SAFETY CONCERNS		x			x	
ECTC-20-237	CECIL STREET AND MARY STREET, MERRYLANDS – SAFETY CONCERNS		x			x	
ECTC-20-238	RAWSON ROAD & CLYDE STREET, SOUTH GRANVILLE – PROPOSED GUARD RAIL				x		x



ECTC- 20-239	WENTWORTHVILLE BY PASS – NOTICE OF MOTION – WENTWORTHVILLE TRAFFIC		x			x	
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**REPORTS****ITEM ECTC-20-219 - EXCELSIOR STREET, GUILDFORD –  
PROPOSED PEDESTRIAN REFUGE WARNING SIGNS****RECOMMENDATION**

The Cumberland Traffic Committee recommended that the proposed 'Pedestrian Refuge' warning signs on Excelsior Street, Guildford in accordance with the attached plan be approved.

**Discussion:**

The 'Transport for NSW' representative raised no objections subject to all signage are to Australian Standards.

**ITEM ECTC-20-220 - CROSBY STREET, GREYSTANES –  
PROPOSED RELOCATION OF EXISTING 'NO STOPPING' SIGNS****RECOMMENDATION**

That the Traffic Committee recommended that the proposed relocation of existing 'No Stopping' signs on Crosby Street, Greystanes in accordance with the attached plan be approved.

**ITEM ECTC-20-221 - 12-14 NORTHUMBERLAND ROAD, AUBURN –  
PROPOSED TAXI ZONE****RECOMMENDATION**

The Cumberland Traffic Committee recommended that;

1. The installation of "Taxi Zone" signs outside 12-14 Northumberland Road, Auburn in accordance with the attached plan be approved.
2. The existing 'No Parking' signs be relocated suitably to accommodate the 'Taxi Zone'.

**ITEM ECTC-20-222 - WAYLAND AVENUE, LIDCOMBE – PROPOSED  
PARKING RESTRICTIONS "EASTERN BEND"****RECOMMENDATION**

That the Traffic Committee recommended that:



1. The installation of 'No Stopping' signs and 'BB' centre lines at the eastern bend in Wayland Avenue, Lidcombe in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome generally.

ITEM ECTC-20-223 - WAYLAND AVENUE, LIDCOMBE – PROPOSED  
PARKING RESTRICTIONS "WESTERN BEND"

#### **RECOMMENDATION**

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That the Traffic Committee recommended that:

1. The installation of 'No Stopping' signs and 'BB' centre lines at the western bend in Wayland Avenue, Lidcombe in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome generally.

ITEM ECTC-20-224 - OXFORD STREET AND WILFRED STREET,  
LIDCOMBE – PROPOSED 'NO STOPPING' RESTRICTIONS

#### **RECOMMENDATION**

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That the Traffic Committee recommended that:

1. The installation of 'No Stopping' signs at the intersection of Oxford Street and Wilfred Street, Lidcombe in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome generally.

ITEM ECTC-20-225 - QUEEN STREET, AUBURN – PROPOSED 1  
HOUR PARKING RESTRICTIONS

#### **RECOMMENDATION**

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That the Traffic Committee recommended that:

1. The proposed installation of '1P; 8:30AM-6PM, Mon-Fri; 8:30AM-12:30PM. Sat' outside 76-78 Queen Street, Auburn in accordance with the attached plan be approved.
2. Council notify the affected residents and business owner of Council's resolution.



ITEM ECTC-20-226 - OLD PROSPECT ROAD, GREYSTANES –  
PROPOSED RELOCATION OF TRAFFIC SIGN ASSOCIATED WITH A  
DEVELOPMENT APPLICATION

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**RECOMMENDATION**

That the Traffic Committee recommended that:

1. The proposed relocation of the pedestrian refuge warning sign in front of 252 Old Prospect Road, Greystanes in accordance with the attached plan be approved;
2. The cost associated with the relocation of the sign shall be borne by the applicant.
3. The applicant be notified of Council's resolution.

**Discussion:**

The 'Transport for NSW' representative raised no objections subject to all signage are to Australian Standards.

ITEM ECTC-20-227 - HILTON STREET, GREYSTANES –  
APPLICATION FOR 'WORKS ZONE' SIGNAGE

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**RECOMMENDATION**

That the Traffic Committee recommended that:

1. The 12m long 'Works Zone, 7:00am-6:00pm, Monday-Friday, 8:00am-4:00pm, Saturday' restrictions be installed on Hilton Street, Greystanes fronting the development site subject to Council's standard conditions for the period of 6 months and subsequent extension if required.
2. The applicant be advised to pay the 'Works Zone' fees to Council as per the adopted Fees and Charges.

ITEM ECTC-20-228 - HILTON STREET AND MERRYLANDS ROAD,  
GREYSTANES – PROPOSED 'NO STOPPING' SIGNS

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**RECOMMENDATION**

That the Traffic Committee recommended that:

1. The 'No Stopping' signs on Hilton Street, Greystanes at its intersection with Merrylands Road be approved.
2. The affected residents be notified generally of Council's resolution.



ITEM ECTC-20-229 - BOOREA STREET, LIDCOMBE – PROPOSED  
'WORKS ZONE' SIGNAGE

**RECOMMENDATION**

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That the Traffic Committee recommended that:

1. The 12m long 'Works Zone, 7:00am-6:00pm, Monday-Friday, 8:00am-4:00pm, Saturday' restrictions be installed on Boorea Street, Lidcombe fronting the development site subject to Council's standard conditions for the period of 4 months and subsequent extension if required.
2. The applicant be advised to pay the 'Works Zone' fees to Council as per the adopted Fees and Charges.

ITEM ECTC-20-230 - JOYCE STREET, PENDLE HILL – APPLICATION  
FOR 'WORKS ZONE' SIGNAGE

**RECOMMENDATION**

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The Cumberland Traffic Committee recommended that:

1. The 18m long 'Works Zone, 7:00am-6:00pm, Monday-Friday, 8:00am-4:00pm, Saturday' restrictions be installed on Joyce Street, Pendle Hill fronting the development site subject to Council's standard conditions for the period of 6 months and subsequent extension if required.
2. The existing '1P' timed parking signs be adjusted appropriately.
3. The applicant be advised to pay the 'Works Zone' fees to Council as per the adopted Fees and Charges.

ITEM ECTC-20-231 - OLD PROSPECT ROAD, GREYSTANES – ROAD  
SAFETY CONCERNS

**RECOMMENDATION**

---

The Cumberland Traffic Committee recommended that:

1. The proposed installation of speed cushions on Old Prospect Road, Greystanes in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome generally.



**Discussion:**

The 'Transport for NSW' representative raised no objections subject to speed humps and other engineering facilities and signage are to Australian Standards.

ITEM ECTC-20-232 - TEMPORARY ROAD CLOSURE FOR  
'AUSTRALIA DAY' CELEBRATIONS

**RECOMMENDATION**

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Cumberland Traffic Committee recommended that the temporary one hour closure of Pitt Street in accordance with the attached traffic control plan between 8:30 PM and 9:30 PM on Tuesday January 26, 2021 be approved subject to concurrence and approval of a Traffic Management Plan (TMP) by Transport for NSW.

ITEM ECTC-20-233 - GUILDFORD ROAD, GUILDFORD – ROAD  
SAFETY CONCERNS

**RECOMMENDATION**

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The Cumberland Traffic Committee recommended that;

1. The installation of traffic calming devices on Guildford Road, Guildford not be supported.
2. Council review conditions in Guildford Road in June 2021 and report back to traffic committee at a suitable meeting.

ITEM ECTC-20-234 - HAMPDEN ROAD, SOUTH WENTWORTHVILLE  
– ROAD SAFETY CONCERNS

**RECOMMENDATION**

---

The Cumberland Traffic Committee recommended that Council undertake consultation with the residents of Hampden Road between Paul Crescent and Old Prospect Road, South Wentworthville to determine support or otherwise for the proposed installation of speed humps and report back to Cumberland Traffic Committee.



**ITEM ECTC-20-235 - BURAN ROAD, PEMULWUY – PROPOSED  
SPEED HUMPS ASSESSMENT AND CONSULTATION RESULT****RECOMMENDATION**

**That the Traffic Committee recommended that;**

- 1. The proposed installation of a speed hump on Buran Road, Pemulwuy as per the attached plan be approved.**
- 2. Council notify affected residents of the resolution.**

**Discussion:**

The 'Transport for NSW' representative raised no objections subject to no issues with adjacent residents.

**ITEM ECTC-20-236 - TERRY STREET, GREYSTANES – ROAD  
SAFETY CONCERNS****RECOMMENDATION**

**The Cumberland Traffic Committee recommended that Council undertake consultation with the residents of Terry Street, Greystanes to determine support or otherwise for the proposed installation of speed humps and report back to Cumberland Traffic Committee.**

**ITEM ECTC-20-237 - CECIL STREET AND MARY STREET,  
MERRYLANDS – SAFETY CONCERNS****RECOMMENDATION**

**The Cumberland Traffic Committee recommended that;**

- 1. The installation of speed humps at the intersection of Cecil Street and Mary Street, Merrylands not be supported.**
- 2. The installation of 'BB' centre line marking and 'No Stopping' signs at the intersection of Cecil Street and Mary Street, Merrylands in accordance with the attached plan be supported.**
- 3. The affected residents be notified of the outcome generally.**



ITEM ECTC-20-238 - RAWSON ROAD & CLYDE STREET, SOUTH  
GRANVILLE – PROPOSED GUARD RAIL

**RECOMMENDATION**

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That the Traffic Committee recommended that;

1. The information contained in this report be noted.
2. Council investigate traffic conditions on Ferndell Street approach to the intersection and report back to traffic committee.

ITEM ECTC-20-239 - WENTWORTHVILLE BY PASS – NOTICE OF  
MOTION – WENTWORTHVILLE TRAFFIC

**RECOMMENDATION**

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That the Traffic Committee recommended that the information contained in this report be noted.

**Discussion:**

TfNSW representative indicated that Council will need to undertake traffic counts and modelling to show the impact of the bypass and what impact this will have on the surrounding network. Further information will need to be provided regarding the High Pedestrian Activity Area along Dunmore Street.

**GENERAL BUSINESS**

The following general business was raised: Nil

**NEXT MEETING**

Next Meeting at

.

Signed:

Chairperson







Item No: CTC-21-001

**MATTHEW STREET AND VILLIERS STREET, MERRYLANDS – PROPOSED ‘NO STOPPING’ PARKING RESTRICTIONS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

**SUMMARY**

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Council has received a request from a local resident for the installation of parking restrictions at the intersection of Matthew Street and Villiers Street, Merrylands.

This report outlines the outcome of the investigation into this matter.

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The installation of ‘No Stopping’ signs at the intersection of Matthew Street and Villiers Street, Merrylands in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome.

**REPORT**

---

Villiers Street is a local road that runs in a north-south direction with a posted speed limit of 50 km/h and 40 km/h during school times. It has a width of approximately 10.5m and parking is permitted on both sides of the road unless signposted.

Matthew Street is a local road that runs in an east-west direction and has a width of approximately 9.5m and parking is permitted on both sides of the road unless signposted.

Villiers Street and Matthew Street form a T-junction with priority control (by default) on Matthew Street. The intersection is within approximate distance from Merrylands Public School.

The latest crash data at this location indicated that there are no reported crashes at this intersection in the last 5 year.



Council has received a request from a local resident for the installation of parking restrictions at the intersection of Matthew Street and Villiers Street, Merrylands.

Map below shows the intersection of Matthew Street and Villiers Street, Merrylands:



Council's Officers have investigated the request and found that there are no 'No Stopping' signs at this intersection.

A site inspection indicated that vehicles parking very close to the intersection of Matthew Street and Villiers Street particularly during school times which results in restrict access and sight distance.

Therefore, the installation of 'No Stopping' signs would strengthen the Road Rules requirements and stop vehicles from parking too close to the intersection. It would also improve sight distance requirements.

#### **ATTACHMENTS**

1. Plan – Matthew Street and Villiers Street, Merrylands – Proposed 'No Stopping' parking restriction.



# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-001

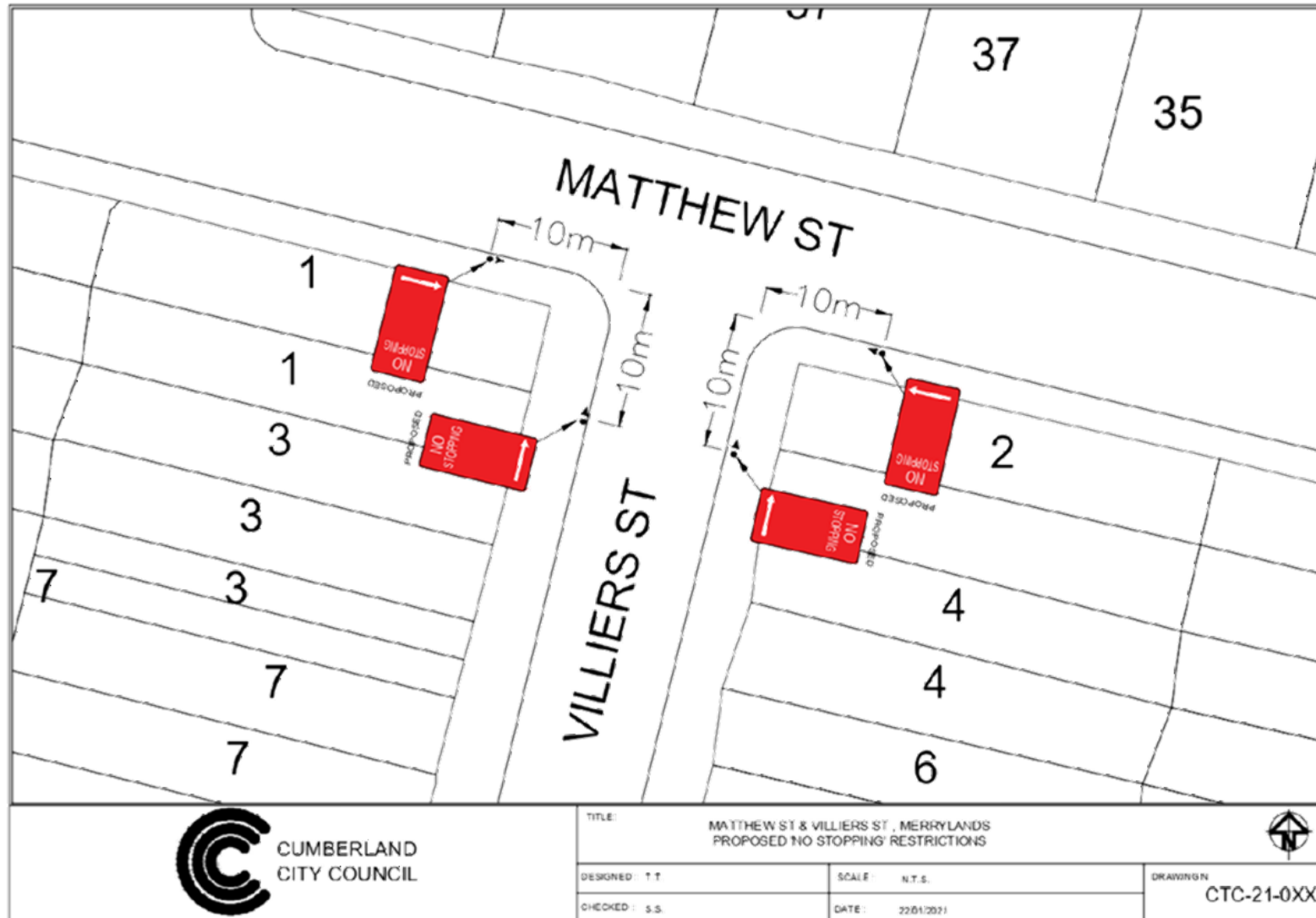
## Attachment 1

Plan – Matthew Street and Villiers  
Street, Merrylands – Proposed  
‘No Stopping’ parking restriction.















Item No: CTC-21-002

### **DAWES AVENUE, REGENTS PARK – PROPOSED TREATMENT AT THE BEND**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: S0990-04  
Electorate: Auburn  
Police Area Command (PAC): Auburn

#### **SUMMARY**

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Council has received concerns from a resident that the bend in Dawes Avenue, Regents Park is unsafe due to vehicles parking on the bend.

This report outlines the outcome of the investigation into this matter.

#### **RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The installation of 'No Stopping' signs and 'BB' line marking at the bend in Dawes Avenue, Regents Park in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome.

#### **REPORT**

---

Council has received concerns from a resident that the bend in Dawes Avenue, Regents Park is unsafe due to vehicles parking on the bend.

Dawes Avenue is a local road with pavement width approximately 7.2m wide and over 10m at the bend. The resident raised safety concerns with the regards to vehicles parking too close to the 90-degree bend and often cars have to drive on the wrong side of road to avoid the parked cars near or at the bend.

Map below shows the location of the bend in Dawes Avenue, Regents Park:





The installation of 'No Stopping' signs at the bend in Dawes Avenue would stop vehicles from parking too close to the bend and will improve sight distance and road safety for all road users.

In addition, the installation of 'BB' line marking would keep motorists on the left-hand side of the traffic lane.

## ATTACHMENTS

1. Plan – Dawes Avenue, Regent's Park – Proposed 'No Stopping' signs and BB line marking



# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-002

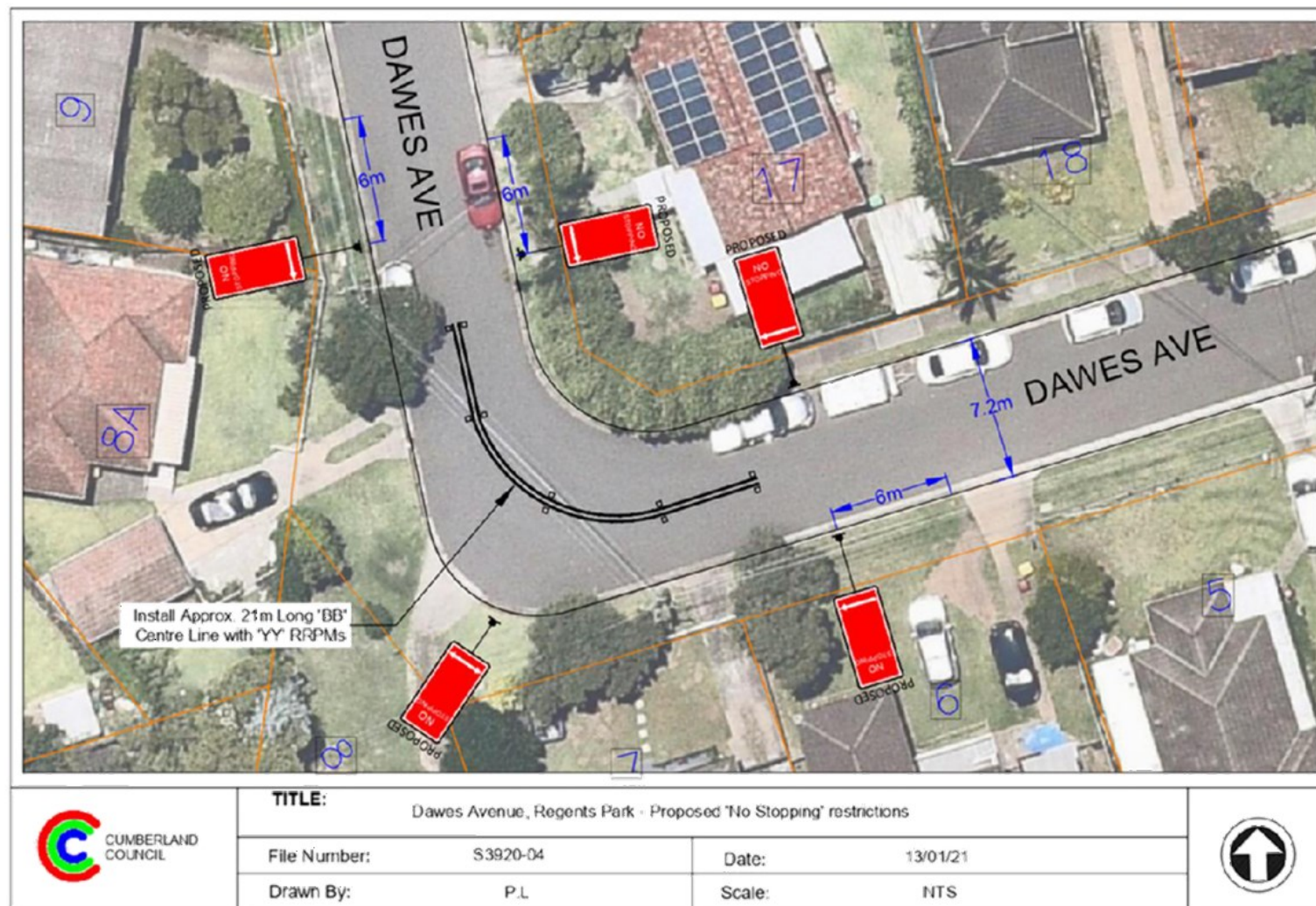
## Attachment 1

Plan – Dawes Avenue, Regents  
Park – Proposed ‘No Stopping’  
signs and BB line marking















Item No: CTC-21-003

### **HAIG STREET AND BRIDGE ROAD, WESTMEAD – PROPOSED ‘NO STOPPING’ PARKING RESTRICTIONS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

#### **SUMMARY**

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Council has received a request from a local resident for the installation of parking restrictions at the intersection of Haig Street and Bridge Road, Westmead.

This report outlines the outcome of the investigation into this matter.

#### **RECOMMENDATION**

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**That the Traffic Committee recommends that:**

1. The installation of ‘No Stopping’ signs at the intersection of Haig Street and Bridge Road, Westmead in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome generally.

#### **REPORT**

---

Haig Street is a local road that runs in an east-west direction and has a width of approximately 11.5m and parking is permitted on both sides of the road unless signposted.

Bridge Road is a local collector road that runs in a north-south direction with a posted speed limit of 50 km/h. It has a width of approximately 12.5m and parking is permitted on both sides of the road unless signposted.

Bridge Road and Haig Street form a T-junction with priority for Bridge Road and ‘Give-way’ sign on Haig Street.

There is an ‘oval’ shaped island and line marking with kerb blisters on Bridge Road as a traffic calming measure and a raised threshold with median island built on Haig Street at the intersection.



The latest crash data at this location indicated that there is no reported crashes at this intersection in the last 5 year.

Council has received a request from a local resident for the installation of parking restrictions at the intersection of Haig Street and Bridge Road.

Map below shows the intersection of Haig Street and Bridge Road:



Council's Officers have investigated the request and found that there are no 'No Stopping' signs at this intersection.

A site inspection indicated that vehicles parking very close to the intersection which results in restricted access and sight distance.

Therefore, the installation of 'No Stopping' signs would strengthen the Road Rules requirements and stop vehicles from parking too close to the intersection. It would also improve sight distance requirements.

It should be noted that the 'No Stopping' restrictions have to be extended to satisfy minimum road rule width requirements adjacent to the traffic devices at the intersection.

## ATTACHMENTS

1. Plan – Haig Street and Bridge Road, Westmead – Proposed 'No Stopping' parking restriction.



# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-003

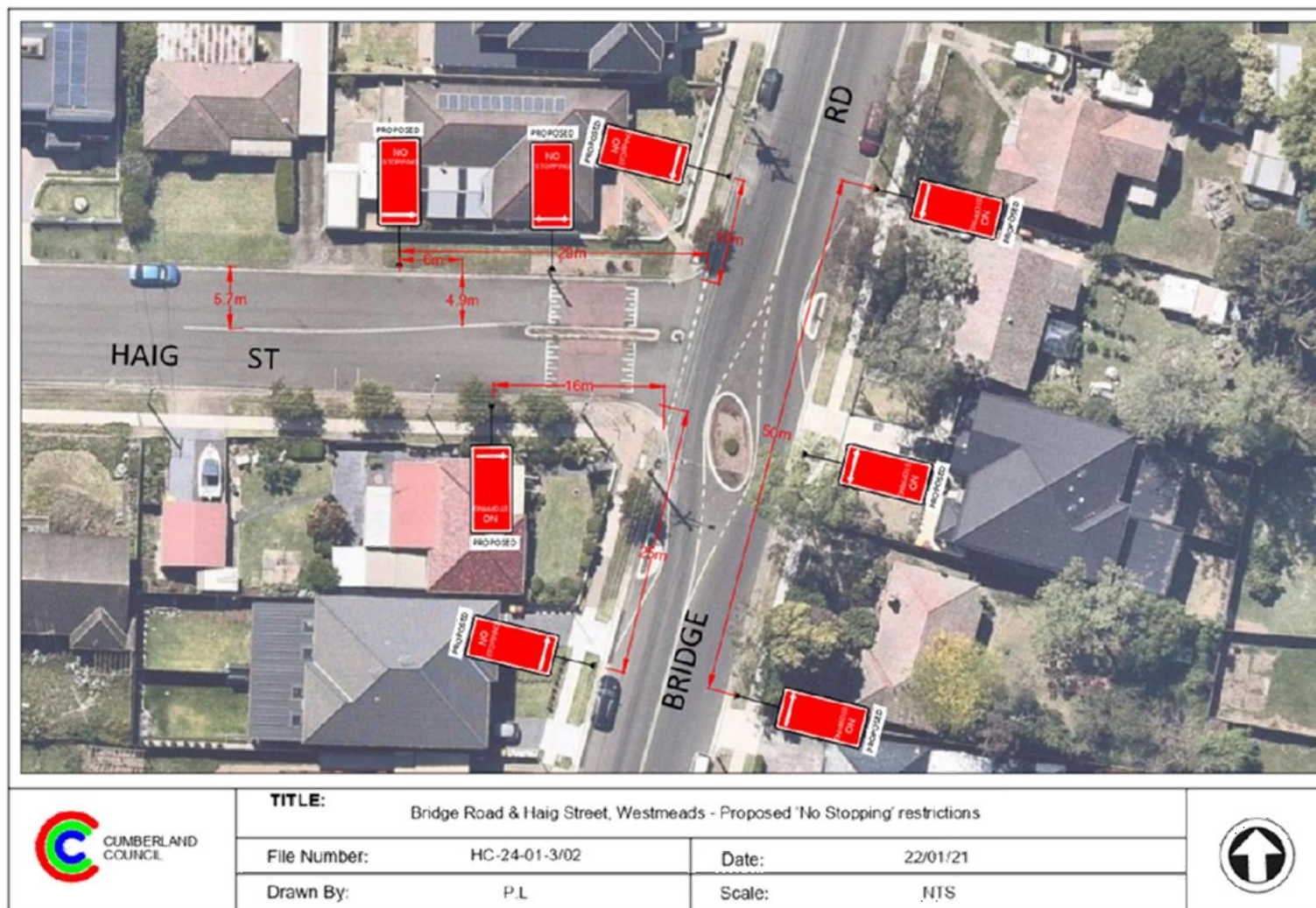
## Attachment 1

Plan – Haig Street and Bridge  
Road, Westmead – Proposed ‘No  
Stopping’ parking restriction.















Item No: CTC-21-004

### **ROWLEY ROAD, GUILDFORD – PROPOSED ‘NO STOPPING’ RESTRICTIONS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Auburn  
Police Area Command (PAC): Cumberland

#### **SUMMARY**

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Council has received a request from a local business owner (childcare) for the installation of parking restrictions at the front of the business at 6 Rowley Road, Guildford.

This report outlines the outcome of the investigation into this matter.

#### **RECOMMENDATION**

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That the Traffic Committee recommends that;

1. The installation of ‘No Stopping’ signs on Rowley Road, Guildford at the frontage of 6 Rowley Road in accordance with the attached plan be approved.
2. The installation of the signage and ongoing maintenance shall be borne by the owner of property known as 6 Rowley Road, Guildford.

#### **REPORT**

---

Council has received a request from a local business owner (childcare centre) for the installation of parking restrictions at the front of the property at 6 Rowley Road, Guildford.

There is little space between the two driveways of the property and the driveway and the boundary of the property.

The installation of ‘No Stopping’ signs would stop vehicles from parking too close or overhanging partially or fully blocking the driveways and would improve sight distance particularly during drop off / pick up times.

#### **ATTACHMENTS**

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1. Plan – Rowley Road, Guildford – Proposed ‘No Stopping’ restrictions







# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-004

## Attachment 1 Plan – Rowley Road, Guildford – Proposed ‘No Stopping’ restrictions















Item No: CTC-21-005

### **APIA STREET, GUILDFORD – PROPOSED ‘DISABLED PARKING’ SPACE**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-0103/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

### **SUMMARY**

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Council has received a request from a parent of a student of Guildford Public School for the installation of a disabled parking space on Apia Street, Guildford.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

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**That the Traffic Committee recommends that:**

1. The installation of a disabled Parking space with time limited for '8:00am – 9:30am, 2:30pm – 4:00pm, MON – FRI, School Days Only' signs on Apia Street, Guildford in accordance with the attached plan be approved.
2. The affected residents / school be notified of the outcome.

### **REPORT**

---

Council has received a request from a parent of a student of Guildford Public School for the installation of a disabled parking space on Apia Street, Guildford. School has advised that parents that have disabled children find it difficult to locate a parking space near the school. Also, it is noted that the parent could not take the child into the school premises after parking in the 'No Parking' area.

Council's Officers have investigated the request and found that the installation of a disabled parking space on Apia Street would assist parents to accompany children into the school and later park and enter the school premises during school times and this can assist both schools (St Patricks Primary and Guildford Public School).

It is recommended that the proposed disabled parking space should have part time restrictions (i.e. 8:00am – 9:30am, 2:30pm – 4:00pm, MON – FRI, School Days Only), as any person with a disabled parking permit can park in this space for the whole day and would remove the opportunity for parents to park and drop off / pick up their children.



## **ATTACHMENTS**

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1. Plan – Apia Street, Guildford – Proposed 'Disabled Parking' signs



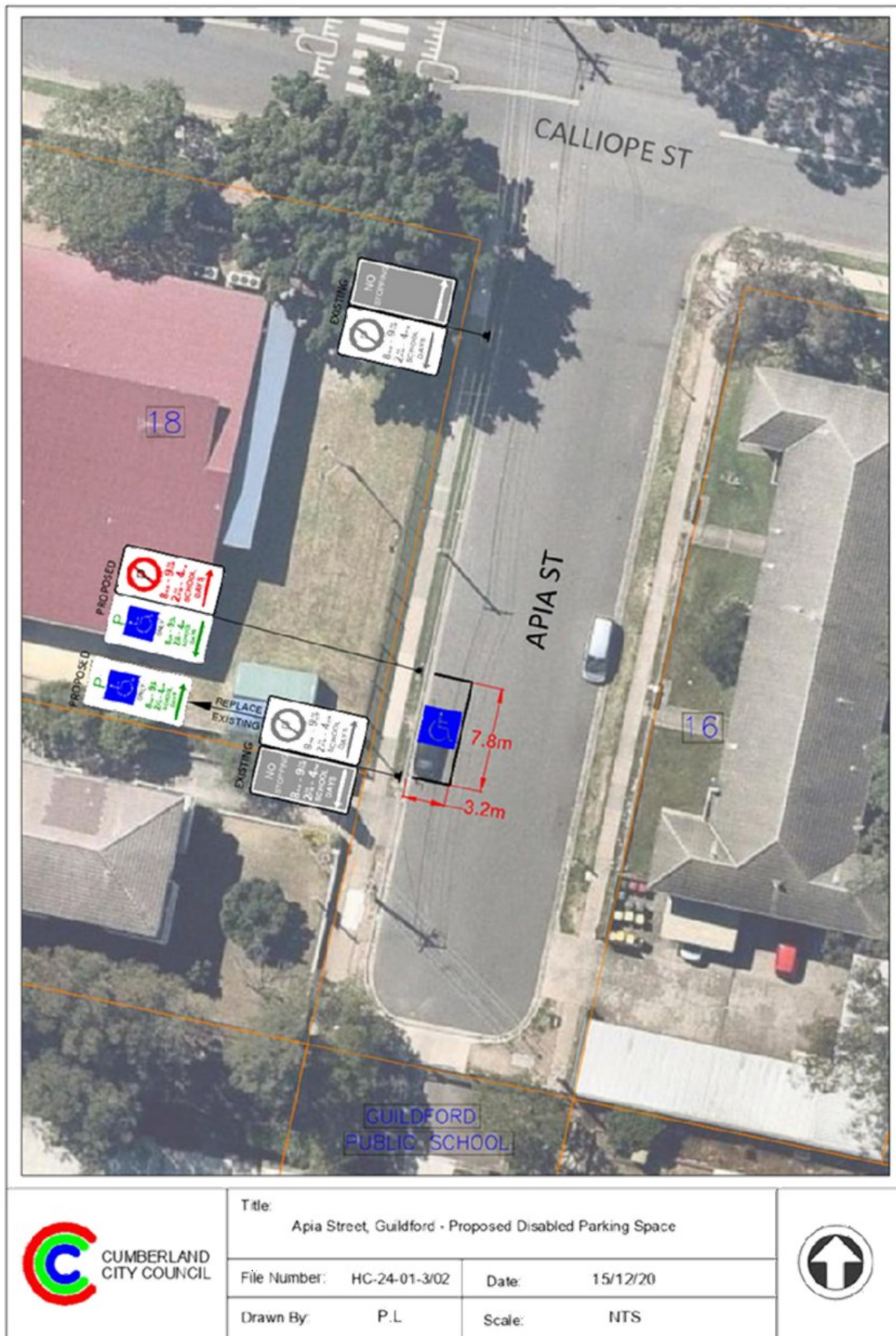
# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-005

## Attachment 1 Plan – Apia Street, Guildford – Proposed ‘Disabled Parking’ signs















Item No: CTC-21-006

## **BELL CRESCENT, YENNORA – PROPOSED LINE MARKING AND ‘NO STOPPING’ RESTRICTIONS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: *Fairfield*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

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Council has received a request from a local resident for the installation of parking restrictions at the intersection of Bell Crescent at Pine Road, Yennora.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

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**That the Traffic Committee recommends that:**

1. **The installation of 10m ‘BB’ line marking and ‘No Stopping’ sign on Bell Crescent, Yennora in accordance with the attached plan be approved.**
2. **The affected residents be notified of the outcome generally.**

### **REPORT**

---

Bell Crescent is a local road that runs in an east-west direction and has a width of approximately 7.3m and parking is permitted on both sides of the road unless signposted.

Pine Road is a collector road that runs in a north-south direction with a posted speed limit of 50 km/h. It has a width of approximately 11.5m and parking is permitted on both sides of the road unless signposted.

The latest crash data at this location indicated that there is no reported crashes at this intersection in the last 5 year.

Council has received a request from a local resident for the installation of parking restrictions at the intersection of Bell Crescent and Pine Road, Yennora.

Map below shows the intersection of Pine Road and Bell Crescent, Yennora.





Council's Officers have investigated the request and found that there are 'No Stopping' signs at this intersection with exception to the southern side of Bell Crescent.

A site inspection indicated that vehicles parking on Bell Crescent too close to the intersection with Pine Road which results in restrict access and sight distance.

Therefore, the installation of 'No Stopping' signs would strengthen the Road Rules requirements and stop vehicles from parking too close to the intersection. It would also improve sight distance requirements. It is also proposed to line mark 10m 'BB' centre line on Bell Crescent at the intersection which will direct vehicles to be on the correct side of the centre line.

## ATTACHMENTS

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1. Plan – Bell Crescent, Yennora – Proposed Line marking and 'No Stopping' sign.



# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-006

## Attachment 1

Plan – Bell Crescent, Yennora –  
Proposed Line marking and ‘No  
Stopping’ sign.















Item No: CTC-21-007

### **DAVID PLACE, LIDCOMBE – PROPOSED ‘NO STOPPING’ RESTRICTIONS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: T-28-01/06  
Electorate: Auburn  
Police Area Command (PAC): Auburn

### **SUMMARY**

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Council has received a request from Strata Management of 2A Mark Street and 20 Railway Street in Lidcombe for the installation of parking restrictions in David Place, Lidcombe.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

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**That the Traffic Committee recommends that:**

1. The installation of ‘No Stopping’ and ‘No Parking’ signs in David Place in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome.

### **REPORT**

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David Place is a ‘no through’ road that runs in an east-west direction off Mark Street. The road was widened and has a pavement width of approximately 6.2m following the completion of the development at 2A Mark Street and 20 Railway Street.

Before the road was widened, the road was 4.6m and there were ‘No Stopping’ signs posted on the northern side of David Place. The sign was removed during the construction of the development and the Strata Management of 2A Mark Street and 20 Railway Street in Lidcombe has requested for the installation of parking restrictions in David Place, Lidcombe due to cars parking on both sides of the road and parking very close to the intersection with Mark Street.

Map below shows the location of David Place, Lidcombe.





Council's Officers have investigated the request and a site inspection indicated that vehicles parked too close to the intersection with Mark Street which results in restrict access and sight distance.

Therefore, the installation of 'No Stopping' signs would strengthen the Road Rules requirements and stop vehicles from parking too close to the intersection. It would also improve access to adjacent properties. Also, 'No Stopping' and 'No Parking' signs are proposed in the straight section of David Place and at the cul-de-sac end of the street.

## ATTACHMENTS

1. Plan – David Place – Proposed 'No Stopping' restrictions.



# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-007

## Attachment 1 Plan – David Place – Proposed ‘No Stopping’ restrictions.















Item No: CTC-21-008

## **MASON STREET AND HENSON STREET, MERRYLANDS – PROPOSED INTERSECTION TREATMENT**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

### **SUMMARY**

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Council has received a complaint from a local resident regarding road safety concerns at the intersection of Mason Street and Henson Street, Merrylands.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

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**That the Traffic Committee recommends that:**

1. The installation of 'No Stopping' signs, BB line marking and supplement 'Give-way' signs at the intersection of Mason Street and Henson Street, Merrylands in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome.

### **REPORT**

---

Mason Street is a local road that runs in a north-south direction with a posted speed limit of 50 km/h. It has a width of approximately 10.5m and parking is permitted on both sides of the road unless signposted.

Henson Street is a local road that runs in an east-west direction with a posted speed limit of 50 km/h and 40 km/h during school times. It has a width of approximately 11.5m and parking is permitted on both sides of the road unless signposted.

Mason Street and Henson Street form a cross-intersection with priority to Henson Street and 'Give-way' signs and line marking on Mason Street. The intersection is approximately 150m from St Margaret Mary's Primary School.

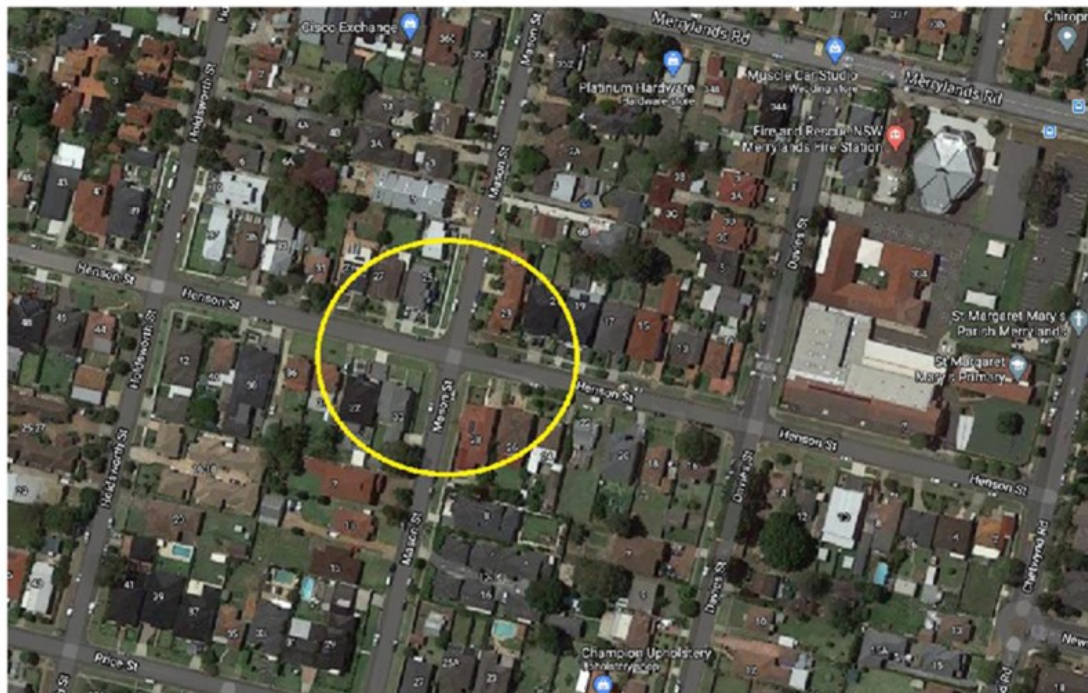
The latest crash data at this location indicated that there is one reported crash at this intersection in the last 5 year (TUM code 10 – intersection crash type).

Council has received a complaint from a local resident regarding road safety concerns at this intersection. The resident has provided an evidence of a recent accident at this intersection (intersection crash type / ignoring priority at intersection). It is noted that



this would be included in the latest crash database later only. The resident has alleged that vehicles park very close to the intersection for short time where Council officers could not monitor all the time.

Map below shows the intersection of Mason Street and Henson Street, Merrylands:



Council's Officers have investigated the request and found that there are no 'No Stopping' signs at this intersection, the existing line marking was faded, the sight distance on both sides were not restricted at the time of the inspection, however, the sight distance would be restricted if vehicles park too close to the intersection particularly during school pick up / drop off times.

Therefore, the installation of 'No Stopping' signs would strengthen the Road Rules requirements and stop vehicles from parking too close to the intersection it would also improve sight distance requirements, the installation of BB line marking would keep vehicles on the left hand side when approaching the intersection and the installation of supplement 'Give-Way' signs on Mason Street would enforce road priority at the intersection.

The proposed intersection treatment would improve road safety for all road users at this intersection.

## **ATTACHMENTS**

1. Plan – Mason Street and Henson, Merrylands – Proposed Intersection Treatment.



# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-008

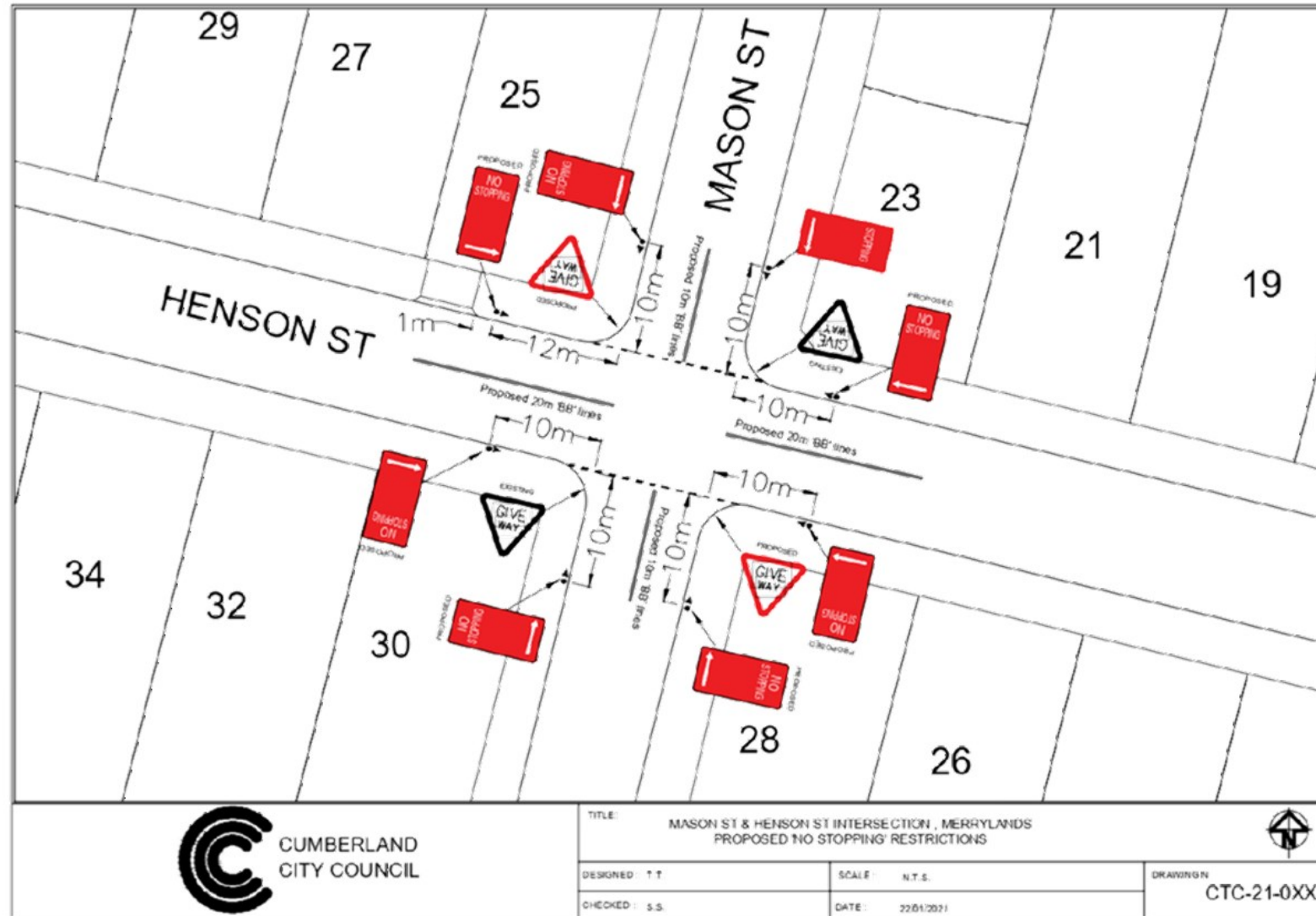
## Attachment 1

Plan – Mason Street and Henson,  
Merrylands – Proposed  
Intersection Treatment.















Item No: CTC-21-009

## **VIRGINIA STREET, GUILDFORD WEST – PROPOSED PARKING RESTRICTIONS– CONSULTATION RESULT**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

### **SUMMARY**

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Cumberland Traffic Committee at its meeting on 5 February 2020 considered a report (CTC-20-036) regarding proposed parking restriction at the cul-de-sac in Virginia Street, Guildford West. Council *recommends that consideration of the proposed 'No Parking' restrictions on Virginia Street be deferred.*

This report outlines the outcome of the consultation into this matter.

### **RECOMMENDATION**

---

The Traffic Committee recommends that:

1. The installation of 'No Parking' restrictions on Virginia Street, Guildford West as per the attached plan be approved.
2. The adjacent residents be notified of the outcome.

### **REPORT**

---

Cumberland Traffic Committee at its meeting on 5 February 2020 considered a report (CTC-20-036) regarding proposed parking restriction at the cul-de-sac in Virginia Street, Guildford West. Council *recommends that consideration of the proposed 'No Parking' restrictions on Virginia Street be deferred.*

Following Council's meeting, consultation was carried out with the affected residents on Virginia Street. Seven (7) letters were sent to the adjacent properties fronting Woodpark Road and Virginia Street. One (1) response was received with support to the proposed parking restrictions.

Based on the feedback received, the proposed 'No Parking' restrictions can be supported.



## **ATTACHMENTS**

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1. Plan – Virginia Street, Guildford West – Proposed 'No Parking' restrictions.
2. Previous report-CTC-20-036



# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-009

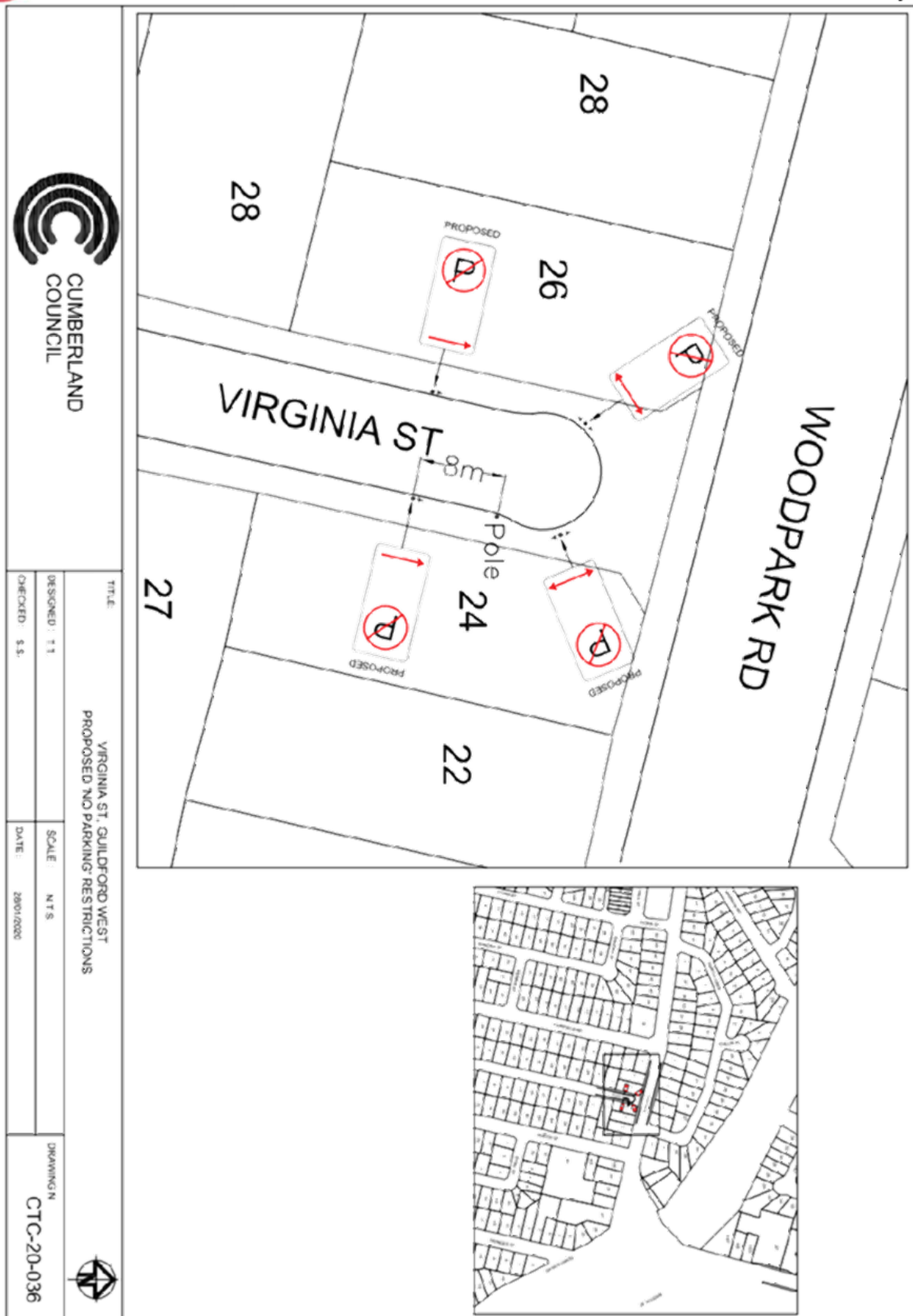
## Attachment 1

Plan – Virginia Street, Guildford  
West – Proposed ‘No Parking’  
restrictions.















# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-009

Attachment 2  
Previous report-CTC-20-036







Item No: CTC-20-036

**VIRGINIA STREET, GUILDFORD WEST - PROPOSED "NO PARKING" SIGNS IN THE CUL-DE-SAC**

Responsible Division:	Works & Infrastructure
Officer:	Team Leader Transportation
File Number:	GS-857-TP
Electorate:	Fairfield
Police Area Command (PAC):	Cumberland

**SUMMARY**

Council has received a request for the installation of parking restrictions in the cul-de-sac end of Virginia Street, Guildford West.

This report outlines the outcome of the investigation into this matter.

**RECOMMENDATION**

That the Traffic Committee recommends that:

1. The proposed 'No Parking' restrictions on Virginia Street in accordance with the attached plan be approved; and
2. Council notify adjacent properties of the Council resolution.

**REPORT**

Council has received a request for the installation of parking restrictions in the cul-de-sac end of Virginia Street, Guildford West.

Council's Officers have investigated the matter and the investigation revealed that vehicles are parking in the cul-de-sac end of the road causing problems to the waste collection vehicles to turn around. The cul-de-sac bulb is approximately 4.8m radius and it is difficult to manoeuvre cars and large vehicles around when cars are parked in the area.

It is proposed to install "No Parking" restrictions in the cul-de-sac end of the street as per the attached plan.

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#### COMMENTS

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"[Insert comments here]"

#### ATTACHMENTS

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1. Plan - Virginia Street, Guildford West - Proposed "No Parking" restrictions







ITEM CTC-20-036 - VIRGINIA STREET, GUILDFORD WEST - PROPOSED "NO PARKING" SIGNS IN THE CUL-DE-SAC

**RECOMMENDATION**

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**That the Traffic Committee recommends that consideration of the proposed "No Parking" restrictions on Virginia Street be deferred.**

**Discussion:**

Members discussed whether the fulltime parking restrictions are appropriate. After discussion, this item was deferred for further investigation.

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Item No: CTC-21-010

## **YANCO STREET, MERRYLANDS WEST – REVIEW OF ‘NO STOPPING’ RESTRICTIONS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: T-28-01/06  
Electorate: Granville  
Police Area Command (PAC): Cumberland

### **SUMMARY**

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Cumberland Traffic Committee at its meeting in September 2020 considered a report (ECTC-20-162) regarding proposed ‘No Stopping’ signs at the intersections of Yanco Street with Merrylands Road and Yoogali Street, Merrylands. Council resolved that:

- “1. The installation of ‘No Stopping’ signs at the intersections of Yanco Street with Merrylands Road and Yoogali Street, Merrylands in accordance with the attached plan be approved.*
- 2. The affected residents be notified of the outcome generally.”*

Council has received concerns from a resident regarding the signs on Yanco Street.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

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**That the Traffic Committee recommends that:**

- 1. The ‘No Stopping’ signs at the intersection of Yanco Street with Merrylands Road, Merrylands approved by the traffic committee in September 2020 not be changed.**
- 2. The residents be notified of the outcome.**

### **REPORT**

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Cumberland Traffic Committee at its meeting in September 2020 considered a report (ECTC-20-162) regarding proposed ‘No Stopping’ signs at the intersections of Yanco Street with Merrylands Road and Yoogali Street, Merrylands. Council resolved that:

- “1. The installation of ‘No Stopping’ signs at the intersections of Yanco Street with Merrylands Road and Yoogali Street, Merrylands in accordance with the attached plan be approved.*
- 2. The affected residents be notified of the outcome generally.”*



Following traffic committee approval, Council's Officers have notified affected residents in accordance with Council's resolution and work instruction was sent accordingly.

Council has received a petition from residents at the intersection of Yanco Street and Merrylands Road objecting to the proposed 'No Stopping' signs particularly the length of the restrictions on both sides of the road (i.e. 18m No Stopping zone). The petition was received by Council after the installation of the 'No Stopping' signs. The petition requests Council to overturn the signage at the intersections of Yanco Street with Merrylands Road and Yoogali Street.

It is noted that the previous traffic committee report indicated that the 18m 'No Stopping' zones are required at the intersection of Yanco Street and Merrylands Road due to large traffic flow on Merrylands Road (i.e. being Regional road) and due to narrow width of Yanco Street (approximately 7m) and the angle of the intersection which will result in any waiting vehicle on Yanco Street will hold up a vehicle trying to turn into Yanco Street from Merrylands Road impacting on the traffic flow in Merrylands Road. The 'No Stopping' signs at the intersection of Yanco Street and Yoogali Street are in accordance with the Road Rules requirement of 10m and approved on safety grounds.

Based on the above, the previously approved and installed 'No Stopping' restrictions remain unchanged due to safety and traffic flow considerations.

#### **ATTACHMENTS**

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1. Previous report – Yanco Street, Merrylands – Proposed No Stopping restrictions.



# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-010

## Attachment 1

Previous report – Yanco Street,  
Merrylands – Proposed No  
Stopping restrictions.







Item No: ECTC-20-162

**YANCO STREET, MERRYLANDS WEST – PROPOSED NO STOPPING  
RESTRICTIONS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: T-28-01/08  
Electorate: Granville  
Police Area Command (PAC): Cumberland

**SUMMARY**

Council has received a request from a local resident for the installation of 'No Stopping' signs on Yanco Street at Merrylands Road and Yanco Street and Yoogali Street intersections, Merrylands.

This report outlines the outcome of the investigation into this matter.

**RECOMMENDATION**

That the Traffic Committee recommends that:

1. The installation of 'No Stopping' signs at the intersections of Yanco Street with Merrylands Road and Yoogali Street, Merrylands in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome generally.

**REPORT**

Council has received a request from a local resident for the installation of 'No Stopping' signs on Yanco Street at Merrylands Road and Yanco Street and Yoogali Street intersections due to vehicles parking too close to the intersection and restricting traffic flow movement and sight distance.

Yanco Street has carriageway of approx. 7m and parking is permitted on both sides of the road. Yanco Street forms T-intersections with Merrylands Road and Yoogali Street at both ends. Left turning movement from Merrylands Road onto Yanco Street is not permitted during morning peak.

Council's Officers have investigated the request and found that there is no 'No Stopping' restriction at this intersection and a site inspection indicated that vehicles park too close to the intersection and on a narrow road, restricting traffic movement in and out from Yanco Street.

Page 31



The installation of 'No Stopping' signs would strengthen the Road Rules requirement and stop vehicles from parking too close to the intersection. It would also improve traffic flow on a narrow road and improve sight distance requirement.

It is proposed to install 10m 'No Stopping' zones at the intersection of Yanco Street Yoogali Street intersection where both streets are local residential streets with nominal traffic. However, it is proposed to install 18m 'No Stopping' zones in Yanco Street at the Merrylands Road intersection. This extra length is necessary as Merrylands Road is a regional road carrying large volumes of traffic and due to the narrow width of Yanco Street and the angle of the intersection, any waiting vehicle on Yanco Street will hold up a vehicle trying to turn into Yanco Street from Merrylands Road.

Based on the above, the installation of 'No Stopping' restrictions would improve road safety for all road users at the intersections.

#### COMMENTS

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#### ATTACHMENTS

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1. Plan – Yanco Street, Merrylands– Proposed No Stopping restrictions.



Item No: CTC-21-011

**179 EXCELSIOR STREET, GUILDFORD – PROPOSED RELOCATION OF BUS ZONE ASSOCIATED WITH A DEVELOPMENT APPLICATION**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-03-21  
Electorate: Auburn  
Police Area Command (PAC): Cumberland

**SUMMARY**

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Council has received a request for the proposed relocation of existing 'Bus Zone' sign associated with the approved development application at 179 Excelsior Street, Guildford.

This report outlines the outcome of a review into this matter.

**RECOMMENDATION**

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That the Traffic Committee recommends that:

1. The proposed relocation of 'Bus Zone' sign at 179 Excelsior Street, Guildford in accordance with the attached plan be approved;
2. The cost associated with the relocation of the sign shall be borne by the applicant.
3. The applicant be notified of the outcome.

**REPORT**

---

Council granted approval for a dual occupancy development at 179 Excelsior Street, Guildford subject to a condition that the existing 'Bus Zone' sign located within the proposed driveway be relocated.

Council has received the design plan for the proposed relocation of the 'Bus Zone' sign for Traffic Committee consideration.

Council's Officers have assessed the proposal and recommended that the sign be relocated to left hand side of the proposed driveway which is at the property boundary.

**ATTACHMENTS**

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1. Plans – 179 Excelsior Street, Guildford – Proposed relocation of 'Bus Zone' sign







# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-011

## Attachment 1

Plans – 179 Excelsior Street,  
Guildford – Proposed relocation  
of ‘Bus Zone’ sign















Item No: CTC-21-012

### **MYALL STREET AND MEAKIN STREET, MERRYLANDS – PROPOSED ‘NO STOPPING’ RESTRICTIONS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

#### **SUMMARY**

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Council has received a request from a local resident for the installation of parking restrictions at the intersection of Myall Street and Meakin Street, Merrylands.

This report outlines the outcome of the investigation into this matter.

#### **RECOMMENDATION**

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**That the Traffic Committee recommends that:**

1. The installation of ‘No Stopping’ signs and ‘BB’ centre line marking at the intersection of Myall Street and Meakin Street, Merrylands in accordance with the attached plan be approved.
2. The adjacent residents be notified of the outcome.

#### **REPORT**

---

Meakin Street is a local road that runs in a north-south direction with a posted speed limit of 50 km/h. It has a width of approximately 12.5m and parking is permitted on both sides of the road unless signposted.

Myall Street is a local road that runs in an east-west direction and has a width of approximately 12.5m and parking is permitted on both sides of the road unless signposted.

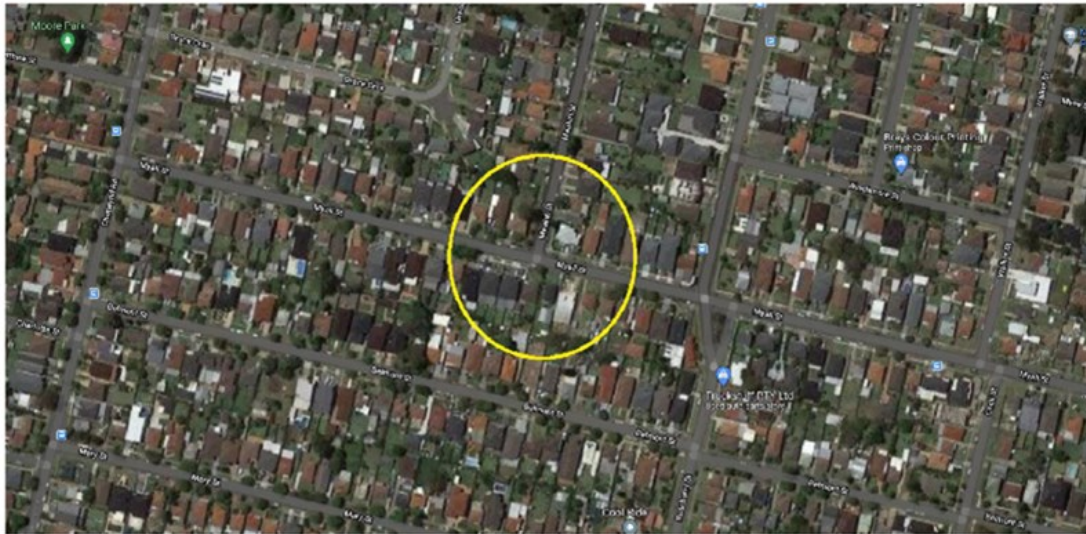
Myall Street and Meakin Street form a T-intersection with Myall Street having priority by default.

The latest crash data at this location indicated that there were no reported crashes at this intersection in the last 5 year.

Council has received a request from a local resident for the installation of parking restrictions at the intersection of Myall Street and Meakin Street, Merrylands.

Map below shows the intersection of Myall Street and Meakin Street, Merrylands:





Council's Officers have investigated the request and found that there are no 'No Stopping' signs at this intersection.

A site inspection indicated that vehicles are parking very close to the intersection of Myall Street and Meakin Street resulting in restricted sight distance requirements.

Therefore, the installation of 10m 'No Stopping' zones would strengthen the Road Rules requirements and stop vehicles from parking too close to the intersection. It would also improve sight distance requirements. It is also proposed to provide 'BB' centre lines at the intersection.

## ATTACHMENTS

1. Plan – Myall Street and Meakin Street, Merrylands – Proposed 'No Stopping' signs and line marking.



# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-012

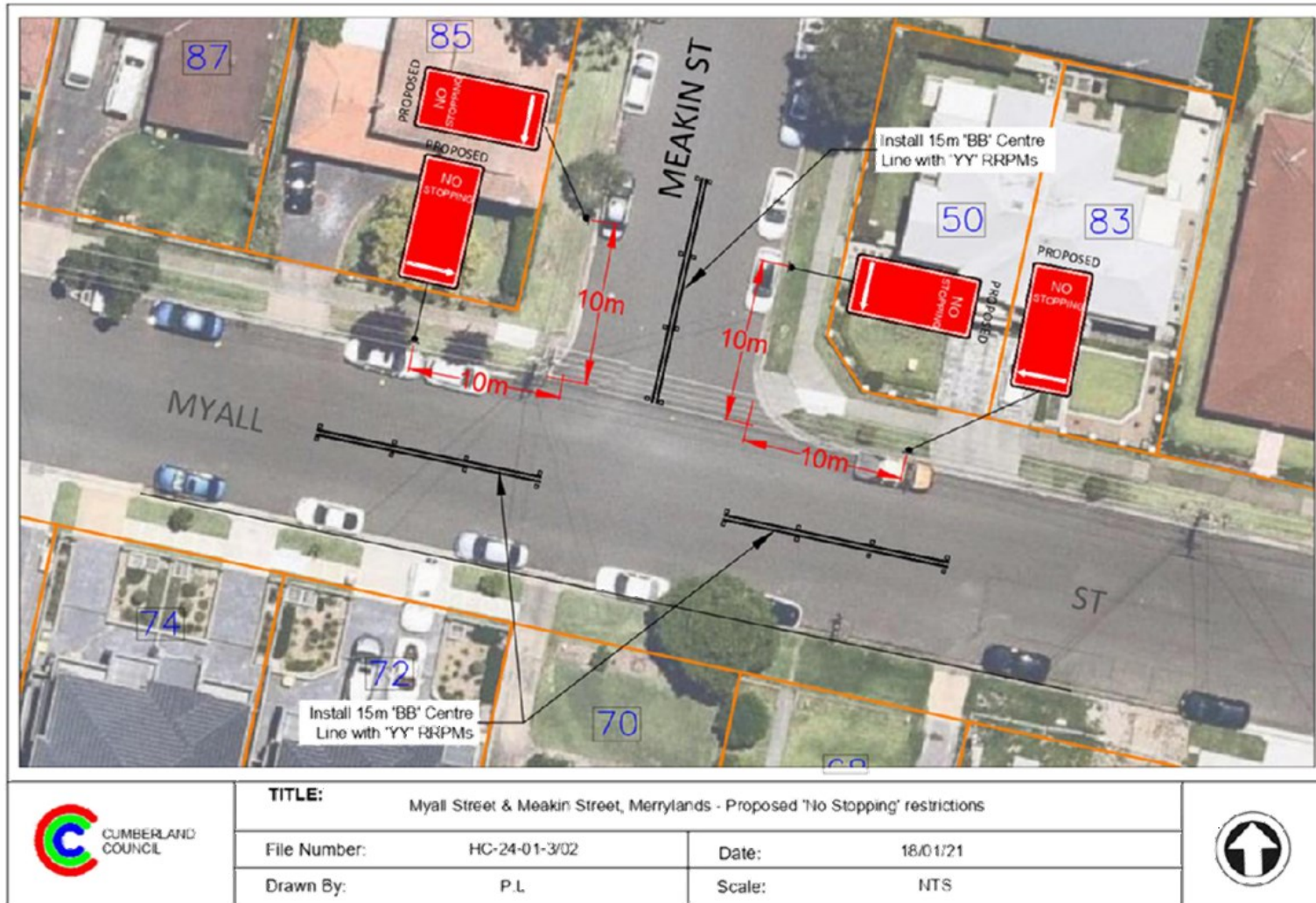
## Attachment 1

Plan – Myall Street and Meakin  
Street, Merrylands – Proposed  
‘No Stopping’ signs and line  
marking.















Item No: CTC-21-013

### **TOONGABBIE ROAD, TOONGABBIE – ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Prospect  
Police Area Command (PAC): Cumberland

#### **SUMMARY**

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Council has received a request from a local resident for the installation of traffic calming devices on Toongabbie Road, Toongabbie.

This report outlines the outcome of the investigation into this matter.

#### **RECOMMENDATION**

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The Cumberland Traffic Committee recommends that;

1. The installation of traffic calming devices on Toongabbie Road, Toongabbie not be supported.
2. Council review traffic conditions in Toongabbie Road, between Portia Road and Targo Road in November 2021 and report back to traffic committee in February 2022.
3. Council request Cumberland Police Area Command to monitor speeding in Toongabbie Road between Portia Road and Targo Road.

#### **REPORT**

---

Toongabbie Road between the Great Western Highway and Portia Road is a regional road that runs in a north-south direction. The posted speed limit is 60km/h and parking is permitted on both sides of the road unless signposted. Land use on the street is industrial on the eastern side and residential area on the western side with the exception to Fox Hills Golf Club. A section of Toongabbie Road between the Great Western Highway and Magowar Road is currently approved for 25/26m B-Double access.

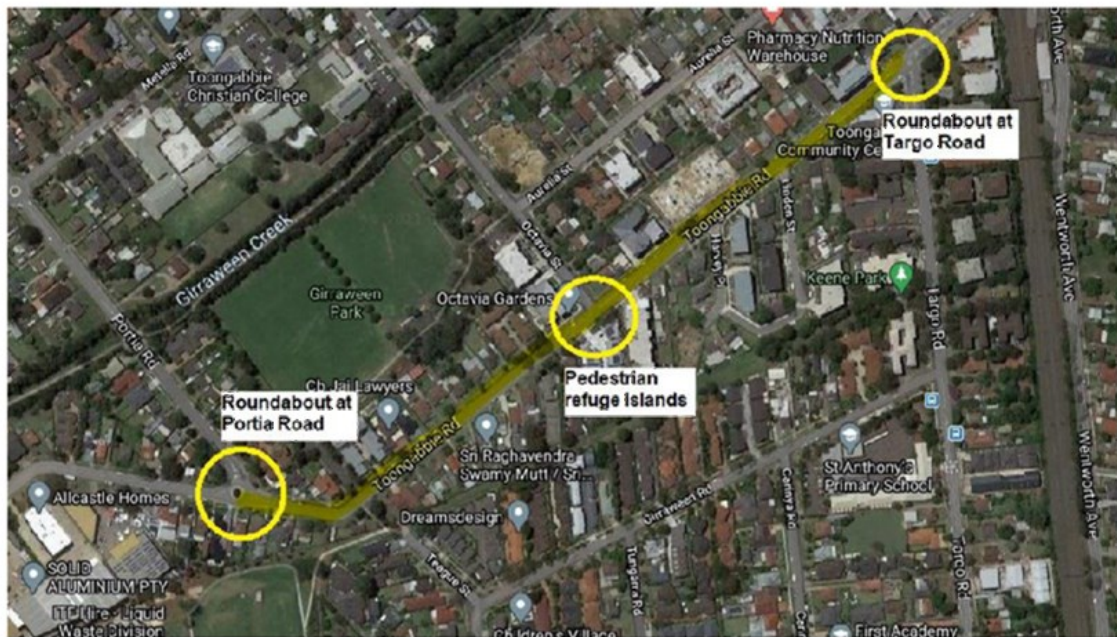
Toongabbie Road between Portia Road and Targo Road is a local road that runs in north-east / south-west direction. The posted speed limit is 50km/h and parking is permitted on both sides of the road unless signposted.

Council has received a request from a local resident for the installation of traffic calming devices on Toongabbie Road, Toongabbie between Targo Road and Portia Road.



Council's Officers have investigated the request for the installation of traffic calming devices on Toongabbie Road between Portia Road and Targo Road in accordance with Council's Local Area Traffic Management (LATM) Policy. The investigation revealed that Toongabbie Road has a number of traffic calming devices such as roundabouts and pedestrian refuge in this section of the road.

The maps below shows the location of Toongabbie Road, Toongabbie between Portia Road and Targo Road.



A traffic count was undertaken on Toongabbie Road in November 2020. The results of the traffic count indicated the following:

**Traffic count Data on Toongabbie Road between Portia Road and Targo Road:**

Average Daily Traffic (ADT) = 5,303 vehicles/day,  
85th percentile speed = of 55.1 km/h,  
Mean (average) vehicle speed = 49 km/h.

The results of the traffic counts, recorded crashes etc. were used in the assessment to determine the need for the installation of traffic calming devices on Toongabbie Road in accordance with the criteria set out in Council's Local area Traffic Management Policy (LATM) Policy. The LATM assessments are summarised in the tables below:

Table 1 – Toongabbie Road - LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	20
Crash warrant in the last 5 years	15	5
Road Characteristics	35	15
Community Support & other factors	5	5



<b>Total</b>	<b>100</b>	<b>45</b>
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Table 2 – Toongabbie Road – Action

Criteria	Action
>75	Report to TC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
<b>41-60</b>	<b>Council to review traffic data in 6 months</b>
25-40	Monitor street and review traffic data after 12 months
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above assessment, traffic calming devices are not warranted in the street, therefore, the request for the installation of traffic calming devices / speed humps can not be supported.

The recorded 85<sup>th</sup> percentile speed is 55.1 km/hr and it is proposed that the Cumberland Police area Command be requested to monitor the section.

#### ATTACHMENTS

Nil







Item No: CTC-21-014

**WOODSTOCK STREET AND MARIAN STREET, GUILDFORD – PROPOSED  
ROUNABOUT – SAFER ROAD PROGRAM 2020/2021 FY – APPROVED  
PROJECT**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-03-21  
Electorate: Granville  
Police Area Command (PAC): Cumberland

**SUMMARY**

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Council has received funding under the Road Safer Program 2020/2021 financial year for the construction of a roundabout at the intersection of Woodstock Street and Marian Street, Guildford.

This report outlines the outcome of a review into this matter.

**RECOMMENDATION**

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**That the Traffic Committee recommends that:**

- 1. The construction of the proposed roundabout including the Signs and Marking Plan at the intersection of Woodstock Street and Marian Street, Guildford in accordance with the attached plan be approved;**
- 2. The adjacent residents be notified of Council's resolution.**

**REPORT**

---

Woodstock Street is a local road that runs in an east-west direction, it has a width of approximately 12m with a 50km/h speed limit. Parking is permitted on both sides of the road.

Marian Street is a local road that runs in a north-south direction, it has a width of approximately 12m with a signposted 50km/h speed limit. Parking is permitted on both sides of the road.

Woodstock Street and Marian Street form a cross intersection with 'Give-Way' signs on Woodstock Street. The western approach of Woodstock Street provides access to Guildford Park and ends in a cul-de-sac.

The map below shows details of the intersection and surrounding streets.





Based on the crash record at the intersection, Council's Officers have investigated the intersection performance and nominated the site for Black Spot Program / Safer Roads Program 2020/2021 Financial Year. The submission was based on the latest RMS crash data at the time of the application which are summarised below:

Crash Period Investigated:	July 2013 – June 2018 (5 years)
Total number of crashes:	3
Total number of injury:	2
Primary crash type:	Cross traffic (RUM 10 & 13)
Proposed treatment:	Installation of roundabout
Treatment cost:	\$175,000

Following the submission, Council has received a formal letter from the Transport for NSW advising that the submission for the proposed roundabout at the intersection of Woodstock Street and Marian Street has received funding of \$175,000. This project will need to be constructed/completed within 2020/2021 Financial Year.

The designs for the proposed roundabout have been prepared to accommodate the movement of Heavy Rigid Vehicle (12.5m long) on all approaches and in accordance with current Roads and Maritime Services / Transport for NSW Guidelines and considered satisfactory. The central island of the roundabout is designed mountable to allow for manoeuvring of right turning trucks.

It is advised that the proposed treatment will slow down traffic, define priority control and improve road safety for all road users.

## ATTACHMENTS

1. Plans – Woodstock Street and Marian Street, Guildford – Proposed roundabout
2. Plans – Woodstock Street and Marian Street, Guildford – Proposed roundabout 12.5m Truck Swept Path



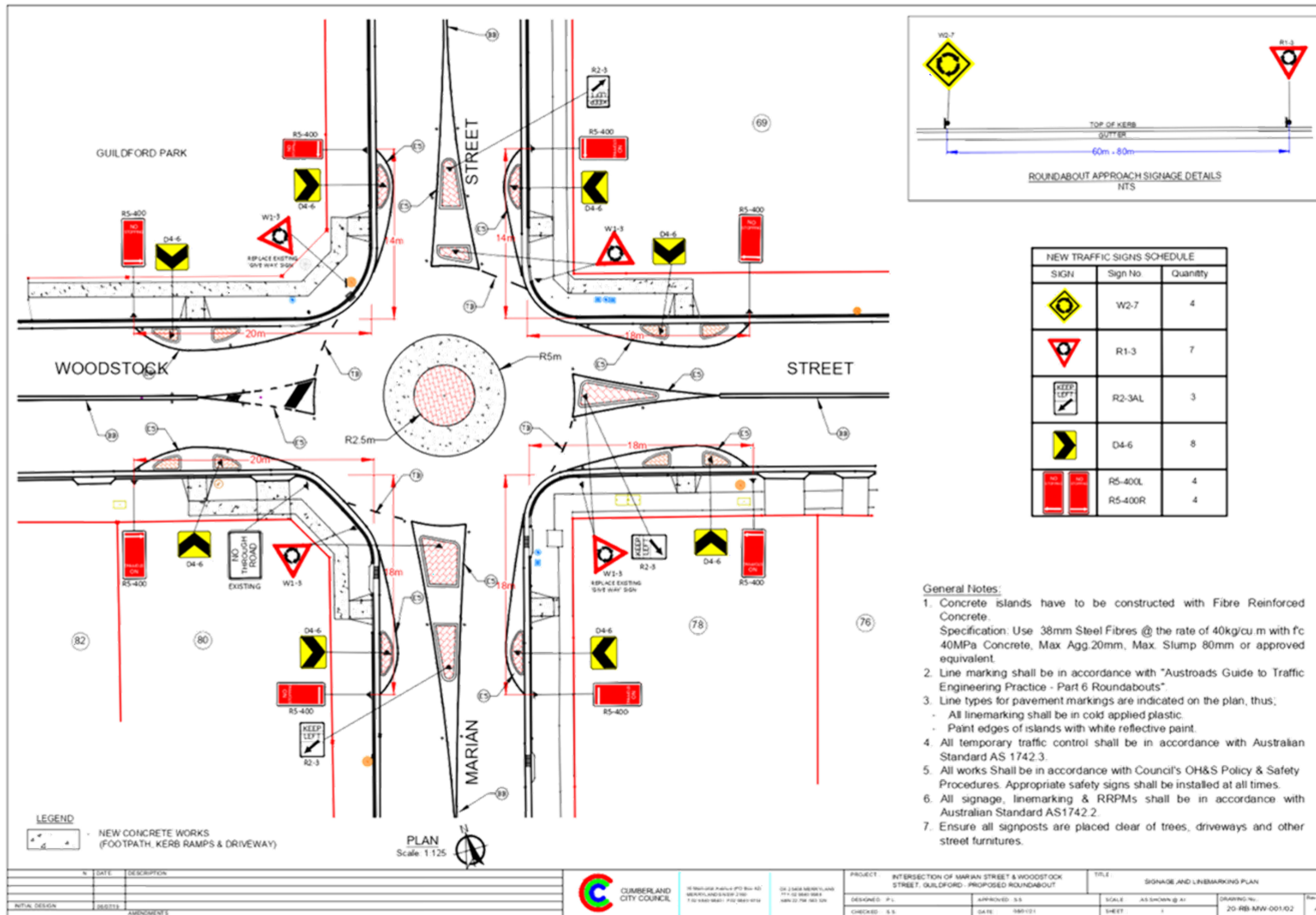
# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-014

## Attachment 1 Plans – Woodstock Street and Marian Street, Guildford – Proposed roundabout















# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-014

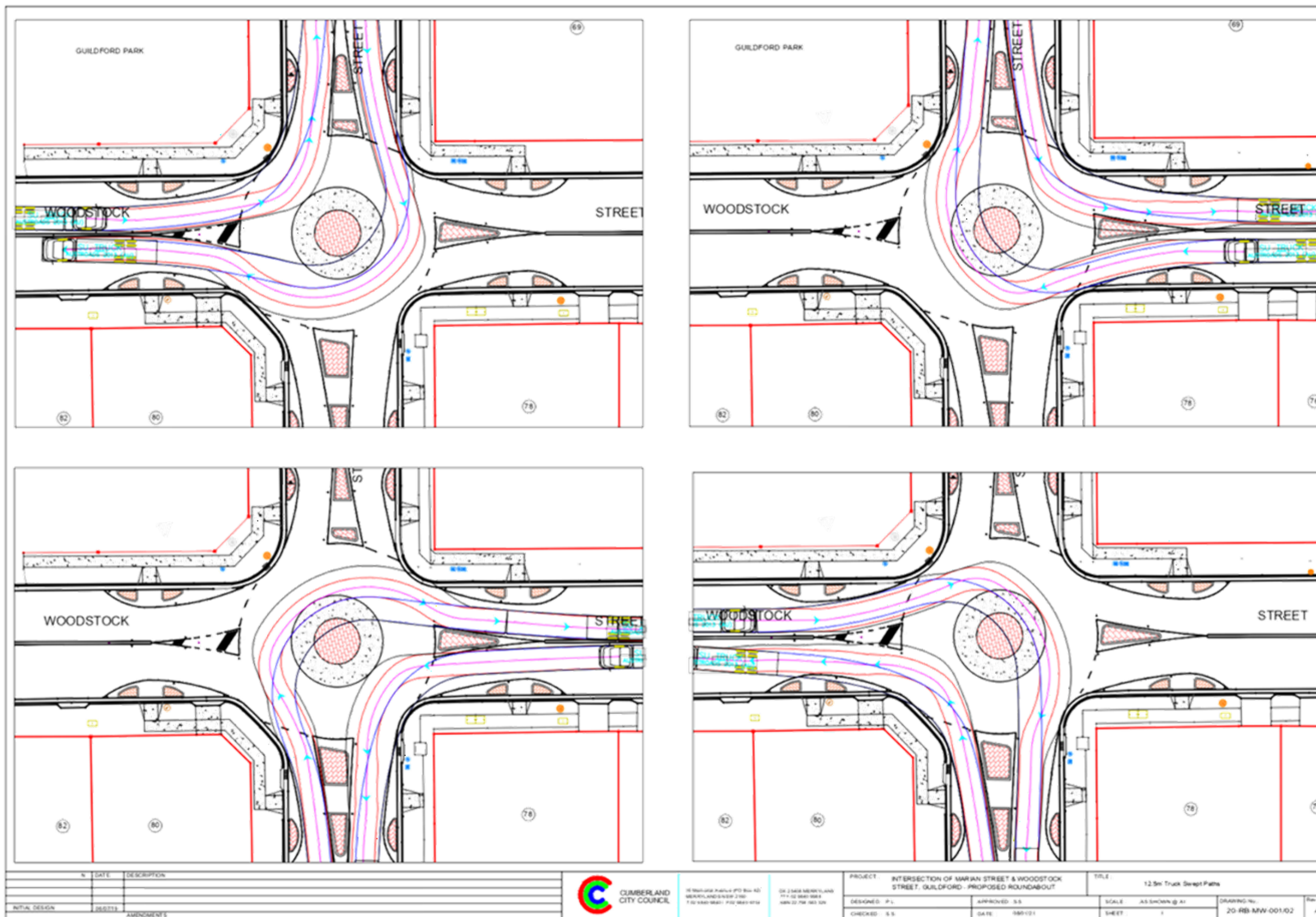
## Attachment 2

Plans – Woodstock Street and  
Marian Street, Guildford –  
Proposed roundabout 12.5m  
Truck Swept Path















Item No: CTC-21-015

**MONA STREET AND WALTERS STREET, AUBURN - PROPOSED ROUNDABOUT  
– SAFER ROAD PROGRAM 2020/2021 FY – APPROVED PROJECT**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-03-21  
Electorate: Auburn  
Police Area Command (PAC): Auburn

**SUMMARY**

---

Council has received funding under the Federal Nation Building Blackspot Program 2020/2021 financial year for the construction of a roundabout at the intersection of Mona Street and Walters Street, Auburn.

This report outlines the outcome of a review into this matter.

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. The construction of the proposed roundabout including the Signs and Marking Plan at the intersection of Mona Street and Walters Street, Auburn be approved;**
- 2. The adjacent residents be notified of Council's resolution.**

**REPORT**

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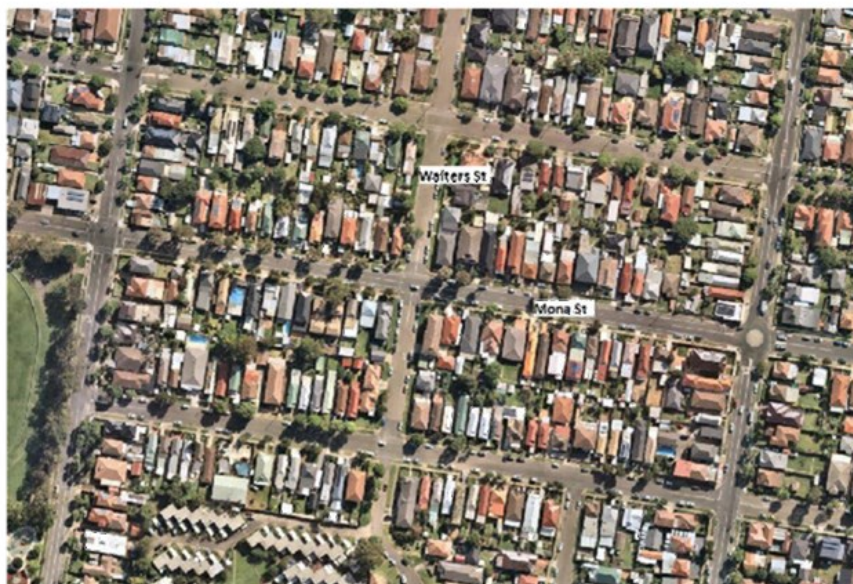
Mona Street, Auburn is a local road east of Chisholm Road that runs in an east-west direction, it has a width of approximately 12.6m with a signposted 50/km/h speed limit. Parking is permitted on both sides.

Walters Street is a local road that runs in a north-south direction, it has a width of approximately 12.5m with a signposted 50/km/h speed limit. Parking is permitted on both sides.

Mona Street and Walters Street form a cross intersection with priority to Mona Street and 'Stop' signs on Walters Street.

The map below shows details of the intersection and surrounding streets.





Based on the crash record at the intersection, Council's Officers have investigated the intersection performance and nominated the site for Black Spot Program 2020/2021 Financial Year. The submission was based on the latest RMS crash data at the time of the application which are summarised below:

Crash Period Investigated:	July 2013 – Jun 2018 (5 years)
Total number of crashes:	4
Total number of injury:	4
Primary crash type:	Pedestrian & Cross traffic (RUM 9, 10 & 30)
Proposed treatment:	Proposed roundabout
Treatment cost:	\$180,000

Following the submission, Council has received a formal letter from the Transport for NSW advising that the submission for the proposed roundabout at the intersection of Mona Street and Walters Street has received funding of \$180,000. This project will need to be constructed/completed within 2020/2021 Financial Year.

The proposed designs have been prepared to accommodate the movement of Heavy Rigid Vehicle (12.5m long) on all approaches and in accordance with current Roads and Maritime Services / Transport for NSW Guidelines and considered satisfactory. The central island of the roundabout is designed mountable to allow for manoeuvring of right turning trucks.

It shall be noted that no pedestrian crossing facility is provided on the Mona Street approach west of Walters Street due to the constraints of a tree and existing driveways. Feasible location will be far away from the intersection which will remove significant on-street parking. Also, there are access ramps available on Walters Street to use to cross Walters Street and cross Mona Street eastern approach.

Swept paths have been provided in the attachment.



It is advised that the proposed treatment will slow down traffic, define priority control and improve road safety for all road users.

#### **ATTACHMENTS**

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1. Plans – Mona Street and Walters Street, Auburn – Proposed roundabout - signage & line marking plan
2. Plans – Mona Street and Walters Street, Auburn – Proposed roundabout 12.5m Truck swept path







# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-015

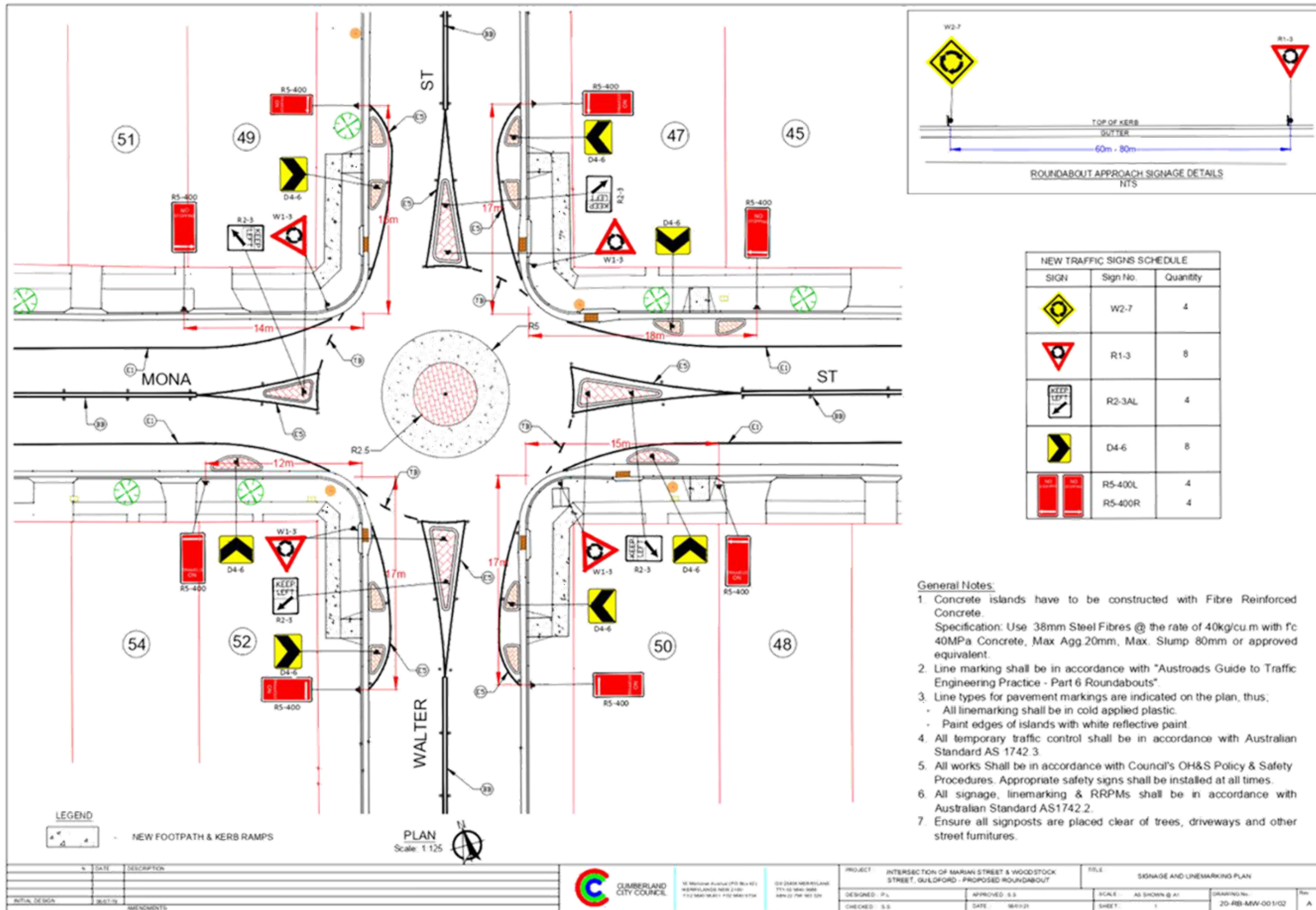
## Attachment 1

Plans – Mona Street and Walters  
Street, Auburn – Proposed  
roundabout - signage & line  
marking plan















# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-015

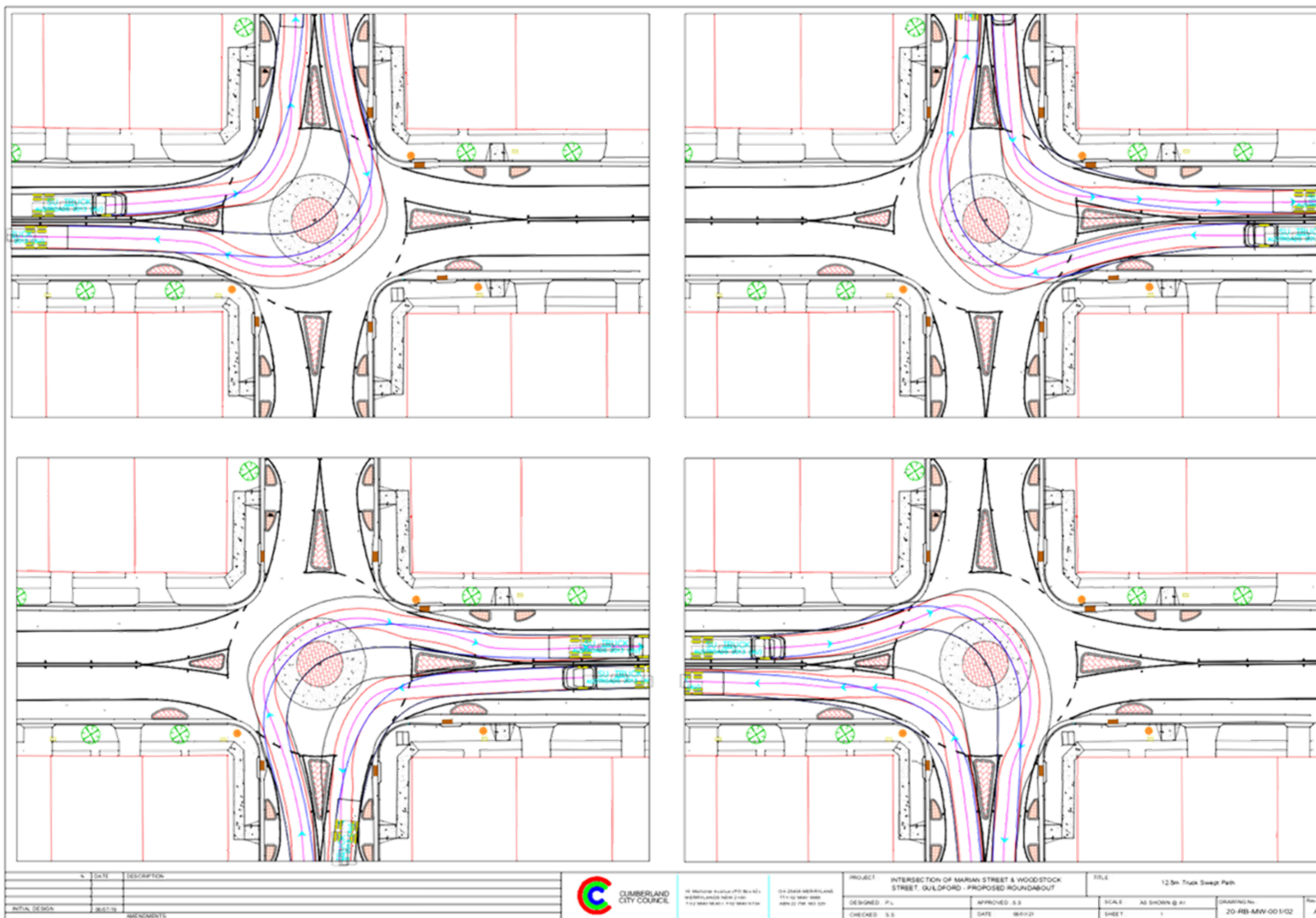
## Attachment 2

Plans – Mona Street and Walters  
Street, Auburn – Proposed  
roundabout 12.5m Truck swept  
path















Item No: CTC-21-016

### **DARTBROOK ROAD, AUBURN – REQUEST FOR PEDESTRIAN CROSSING**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Auburn  
Police Area Command (PAC): Auburn

#### **SUMMARY**

---

Council has received a request from local residents and Gallipoli Mosque worshippers for the installation of a pedestrian crossing on Dartbrook Road, Auburn near Gallipoli Mosque.

This report outlines the outcome of the investigation into this matter.

#### **RECOMMENDATION**

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**That the Traffic Committee recommends that the installation of pedestrian warning signs on Dartbrook Road and Gelibolu Parade, Auburn in accordance with the attached plan be approved.**

#### **REPORT**

---

Dartbrook Road, Auburn is a local road in two sections. The section under consideration in this report is between Rawson Street and Gelibolu Parade. Dartbrook Road has a speed limit of 50km/hr and provides access to Gallipoli Mosque and residential dwellings. Parking is permitted on both sides of the road unless signposted.

Council has received a request from local residents and Gallipoli Mosque worshippers for the installation of a pedestrian crossing on Dartbrook Road, Auburn near Gallipoli Mosque.

Map below shows the location / section of Dartbrook Road, Auburn and the Gallipoli Mosque





It is advised that to provide a marked pedestrian crossing, the following numerical warrants shall be satisfied in accordance with Transport for NSW (TfNSW) / Australian Standard Guidelines:

Normal Warrants:

*A pedestrian (Zebra) Crossing is warranted where: -*

*In each of three (3) separate one hour periods in a typical day*

- (a) the pedestrian flow per hour (P) crossing the road is  $\geq 30$  AND*
- (b) the vehicular flow per hour (V) through the site is  $\geq 500$  AND*
- (c) the product PV is  $\geq 60,000$*

Council's Officers have investigated and undertook traffic counts for an initial assessment of vehicle numbers in the street. The counts were taken on Dartbrook Road close to the intersection with Gelibolu Parade in late November 2020.



The Traffic count data indicated as below:

Average Daily Traffic = 1,067 Veh/day  
Maximum weekday traffic = 1,338 Veh/day  
Max. Peak hour traffic = 134 Veh/hr  
Average Peak hour AM = 59 Veh/hr  
PM = 103 Veh/hr

Based on the results above, the numerical warrant for vehicle numbers which is required to be 500 veh/hr or greater for three different period of the day has not been satisfied. Due to the low vehicle counts, Council did not proceed further to evaluate the pedestrian numbers.

Based on the above, the request for the installation of a pedestrian (zebra) crossing at this location is not warranted. However, it is recommended to install **pedestrian warning signs (W6-1)** on Dartbrook Road and Gelibolu Parade to advise motorists that pedestrians are in the area. These signs will supplement the existing W6-1 warning sign on the eastern side of Dartbrook road and improve safety for the pedestrians including the worshippers even though the vehicle numbers are very low.

#### ATTACHMENTS

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1. Plan – Auburn Gallipoli Mosque – Proposed pedestrian warning signs







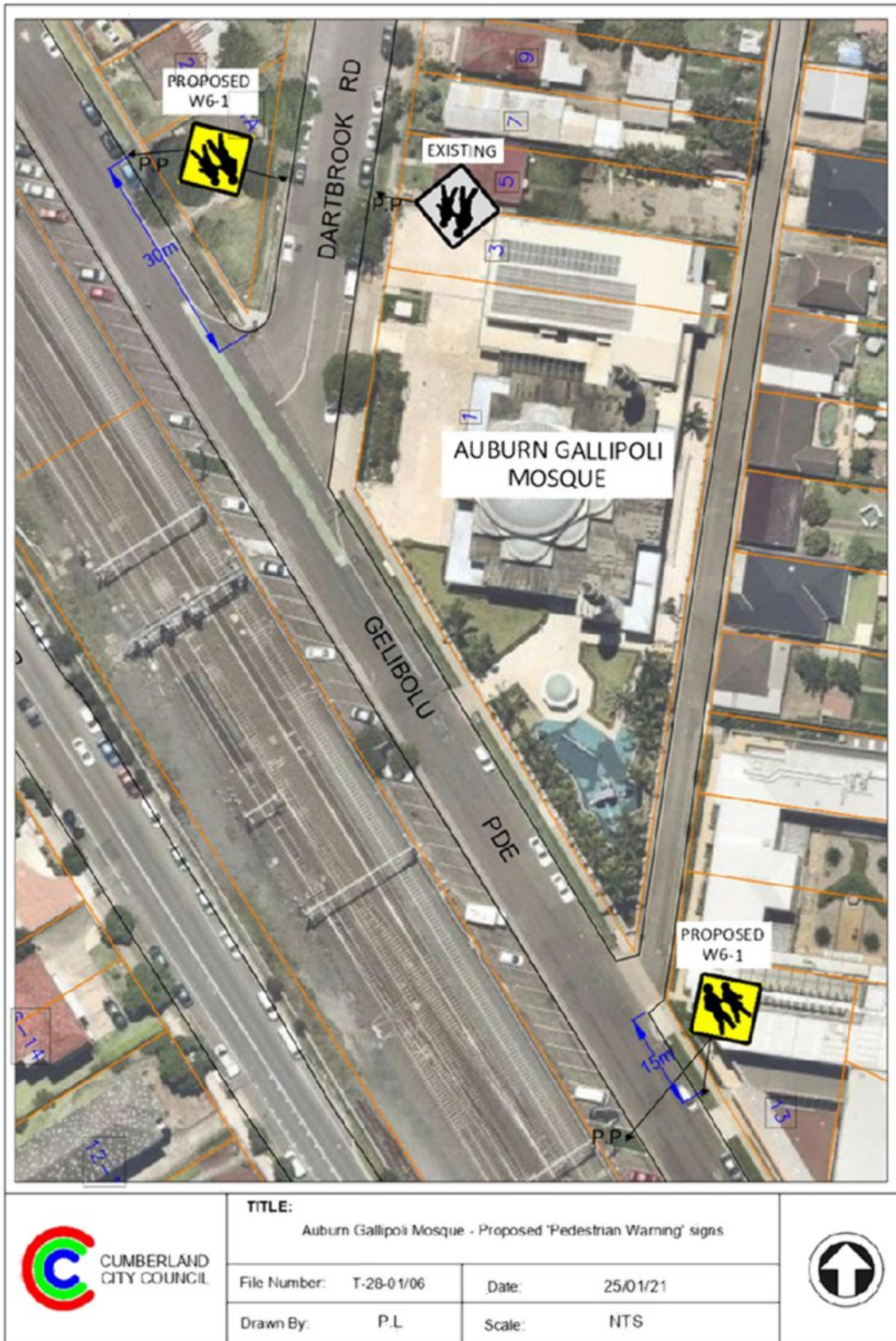
# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-016

## Attachment 1 Plan – Auburn Gallipoli Mosque – Proposed pedestrian warning signs















Item No: CTC-21-017

### **GUILDFORD ROAD, GUILDFORD – REQUEST FOR PEDESTRIAN CROSSING**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

#### **SUMMARY**

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Council has received a request from a local resident for the installation of a pedestrian crossing on Guildford Road, Guildford.

This report outlines the outcome of the investigation into this matter.

#### **RECOMMENDATION**

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**That the Traffic Committee recommends that the installation of 'Pedestrian warning signs' on Guildford Road, Guildford in accordance with the attached plan be approved.**

#### **REPORT**

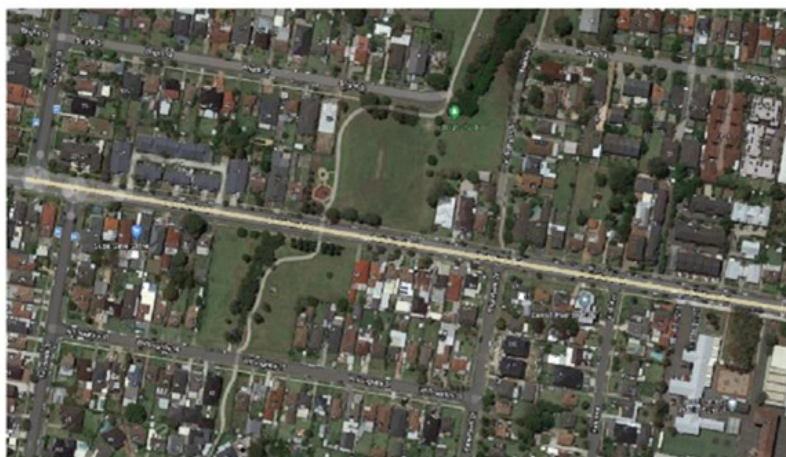
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Guildford Road is a collector road that runs in an east-west direction with a posted speed limit of 50 km/h. It has a width of approximately 12.5m and parking is permitted on both sides of the road unless signposted.

Council has received a request from a local resident for the installation of a pedestrian crossing on Guildford Road, Guildford near Bright Park.

Map below shows the location / section of Guildford Road, Guildford:





Bright Park extends on both sides of Guildford Road and it was alleged that people including children cross Guildford Road to access both sides of the park.

It is advised that to provide a marked pedestrian crossing, the following numerical warrants shall be satisfied in accordance with Transport for NSW (TfNSW) / Australian Standard Guidelines:

Normal Warrant:

*A pedestrian (Zebra) Crossing is warranted where: -*

*In each of three (3) separate one hour periods in a typical day*

- (a) the pedestrian flow per hour (P) crossing the road is  $\geq 30$  AND*
- (b) the vehicular flow per hour (V) through the site is  $\geq 500$  AND*
- (c) the product PV is  $\geq 60,000$*

Reduced Warrant for sites used predominantly by children and by aged or impaired pedestrians.

*If the crossing is used predominantly by school children, is not suitable site for a Children's Crossing and in two counts of one hour duration immediately before and after school hours: -*

- (a)  $P \geq 30$  AND*
  - (b)  $V \geq 200$*
- a pedestrian (Zebra) Crossing may be installed.*

Council's Officers have investigated and undertook 14-hour pedestrian and vehicle counts at the requested location (near Bright Park).

The table below shows pedestrian and vehicle numbers extracted from the counts. It should be noted that out of the 14-hour count, only hours showing high pedestrian numbers are extracted and shown here.



GUILDFORD ROAD, GUILDFORD					
Period	Counts				P X V
	Vehicles	child	adult	Total Pedestrian	
07:45 – 08:45	793	3	10	13	10,309
14:45 – 15:45	869	10	3	13	11,297
17:00 -18:00	747	7	27	34	25,398
19:45 – 20:00	655	6	14	20	13,100

Based on the results in table above, the numerical warrants for pedestrians satisfy only during one-hour period (17:00-18:00). Numerical warrants for vehicle numbers satisfies. But the product of P x V is significantly very low compared to the required value.

Based on the above, the request for the installation of a pedestrian (zebra) crossing at this location could not be supported. However, it is recommended to install pedestrian warning signs (W6-1) on both approaches to advise motorists that pedestrians are in the area.

#### ATTACHMENTS

1. Plan – Guildford Road, Guildford – Proposed pedestrian warning signs







# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-017

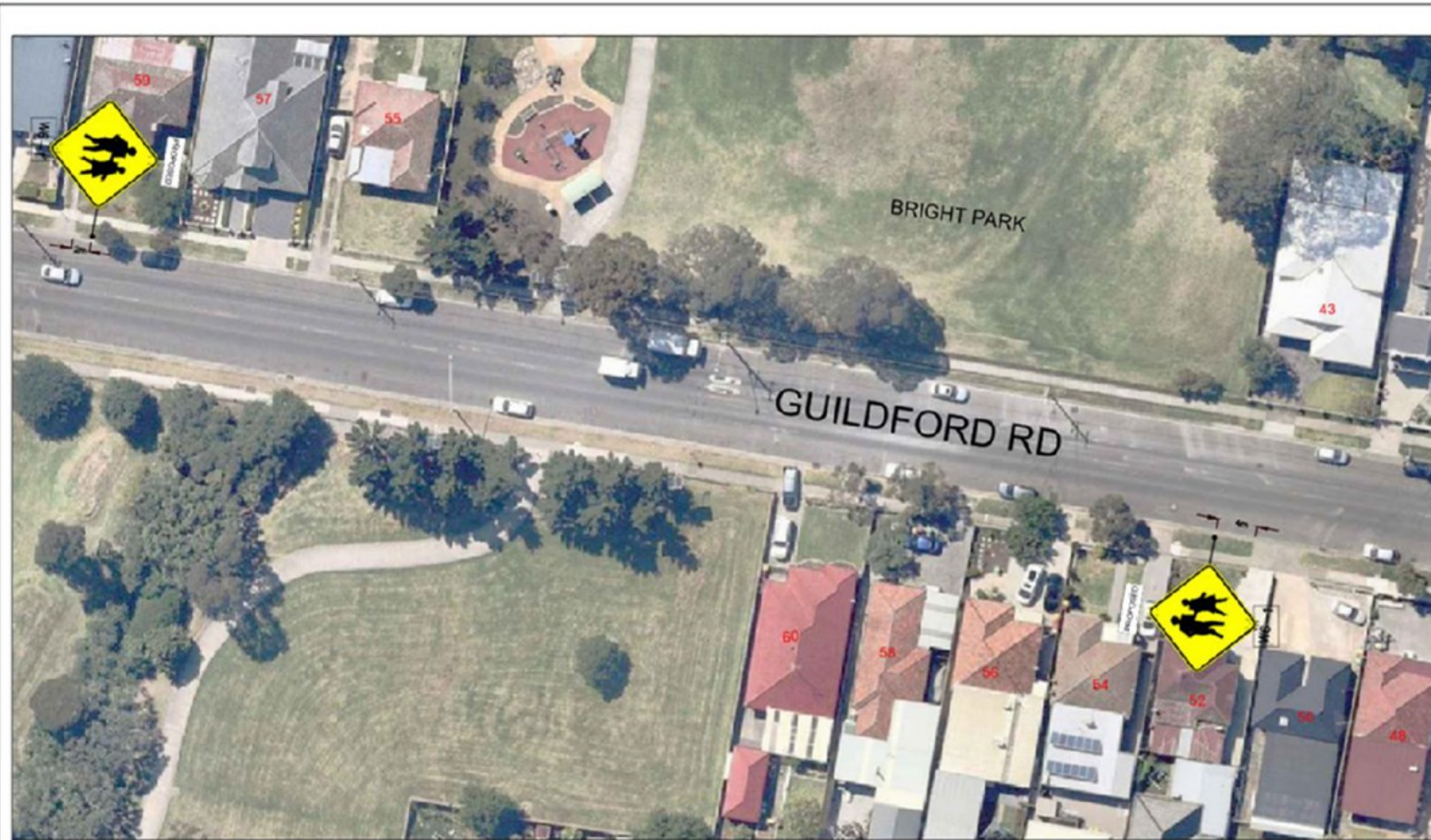
## Attachment 1

Plan – Guildford Road, Guildford  
– Proposed pedestrian warning  
signs















Item No: CTC-21-018

**CHURCH STREET AND SWETE STREET, LODCOMBE – PROPOSED  
ROUNDAABOUT – FEDERAL BLACK SPOT 20/21 FY – APPROVED PROJECT**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-03-21  
Electorate: Auburn  
Police Area Command (PAC): Auburn

**SUMMARY**

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Council has received funding under the Federal Nation Building Blackspot Program 2020/2021 financial year to make amendments and improve deflection at the existing roundabout at the intersection of Church Street and Swete Street, Lidcombe.

This report outlines the outcome of a review into this matter.

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The proposed improvements to existing roundabout and associated signs and linemarking at the intersection of Church Street and Swete Street, Lidcombe in accordance with the attached plan be approved;
2. The adjacent residents be notified of the outcome.

**REPORT**

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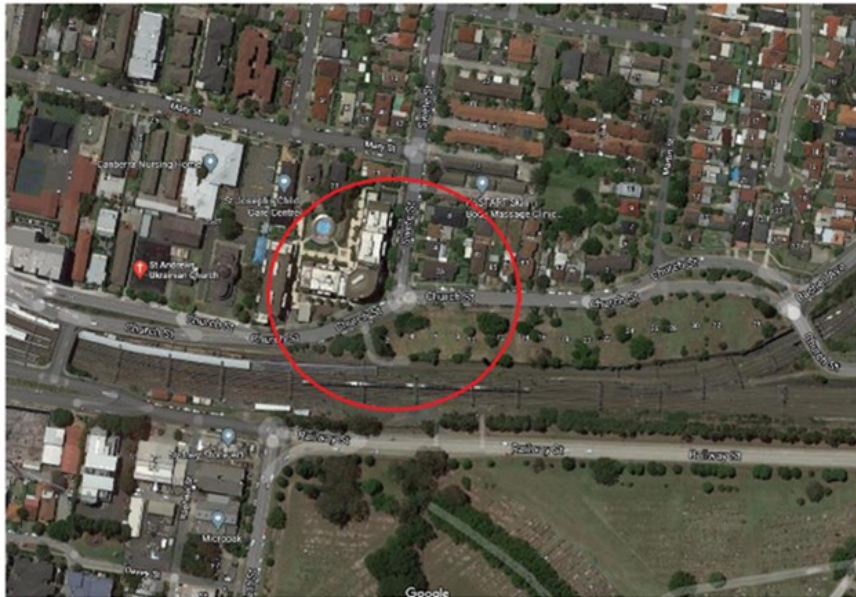
Church Street is a regional road that runs in an east-west direction, it has a width of approximately 12m with a signposted 50/km/h on the western side of the roundabout. The eastern section of Church Street is mostly through industrial area and has a speed limit of 60km/hr. Parking is permitted on both sides unless signposted.

Swete Street is a local road that runs in a north-south direction, it has a width of approximately 12m with a signposted 50/km/h speed limit. Parking is permitted on both sides unless signposted.

Church Street and Swete Street form a T- intersection with roundabout control. The splitter islands of the roundabout do not have any openings due to their size.

The map below shows details of the intersection and surrounding streets.





The street view below shows the Swete Street approach.



The amended design provides better deflection of traffic through the roundabout. Also, the splitter island on the Swete Street approach has been redesigned to allow for a proper opening in accordance with the guidelines to allow for pedestrian traffic to cross the road. All the existing signs remain same.

Based on the crash record at the intersection, Council's Officers have investigated the intersection performance and nominated the site for Black Spot Program 2020/2021 Financial Year. The submission was based on the latest Transport for NSW (TfNSW) crash data at the time of the application and are summarised below:



Crash Period Investigated:	July 2013 – Jun 2018 (5 years)
Total number of crashes:	4
Total number of injury:	4
Primary crash type:	Cross traffic and Manoeuvring (RUM 10, 11, 21, 49)
Proposed treatment:	Improve deflection angle
Treatment cost:	\$88,750

Following the submission, Council has received a formal letter from the TfNSW. The letter advised that the proposed treatment has received funding of \$88,750. This project will need to be constructed/completed within 2020/2021 Financial Year.

The proposed designs have been prepared to accommodate the movement of Heavy Rigid Vehicle (12.5m long) on all approaches and in accordance with current guidelines and considered satisfactory. The central island has been designed mountable.

It is considered that the proposed treatment will slow down traffic, define priority control and improve road safety for all road users.

#### **ATTACHMENTS**

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1. Plan 1 – Church Street and Swete Street, Lidcombe – Proposed Improve Deflection Angle
2. Plan 2 – Church Street and Swete Street, Lidcombe – Proposed Improve Deflection Angle
3. Plan 3 – Church Street and Swete Street, Lidcombe – Proposed Improve Deflection Angle







# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-018

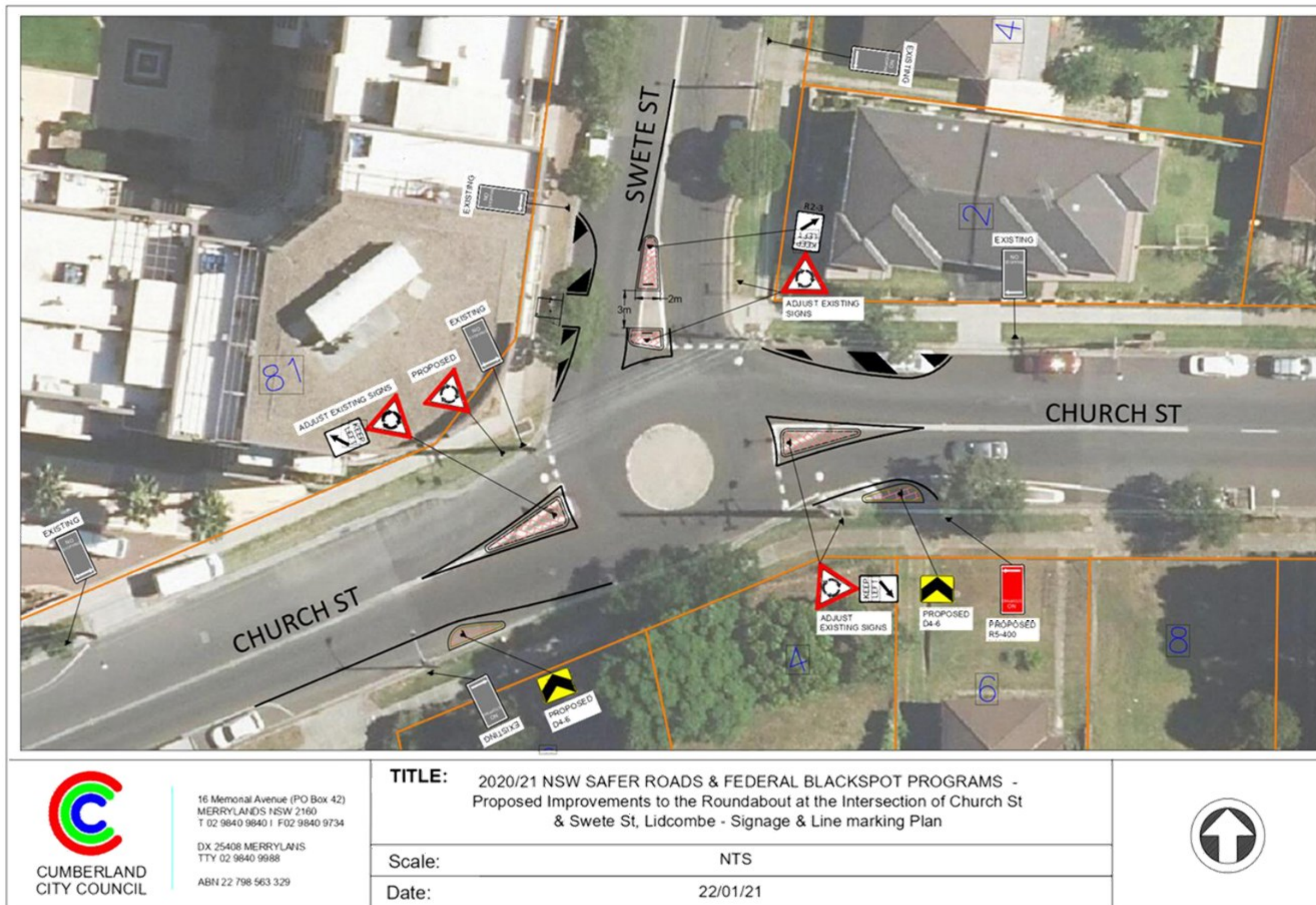
## Attachment 1

### Plan 1 – Church Street and Swete Street, Lidcombe – Proposed Improve Deflection Angle















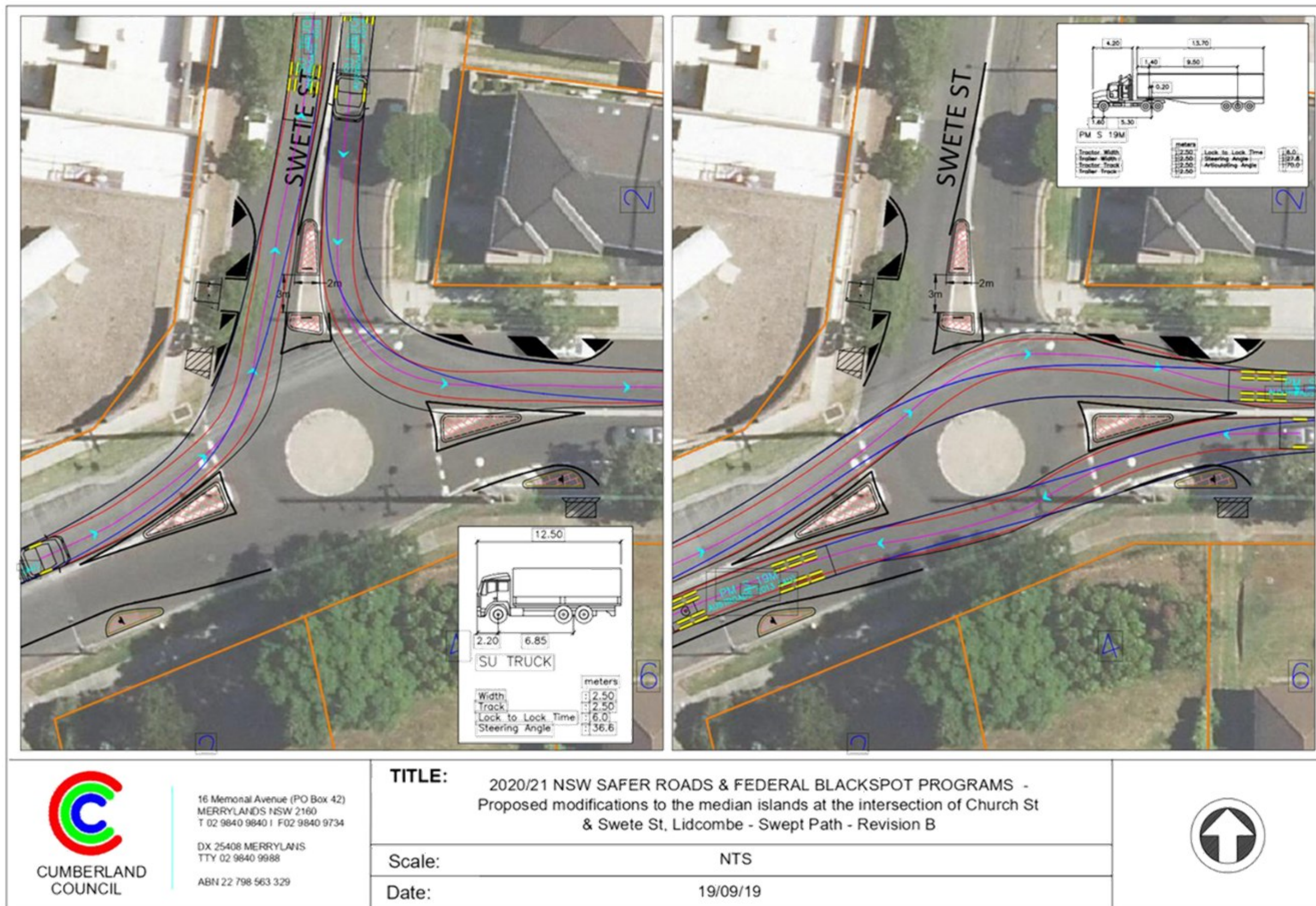
# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-018

## Attachment 2 Plan 2 – Church Street and Swete Street, Lidcombe – Proposed Improve Deflection Angle















# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-018

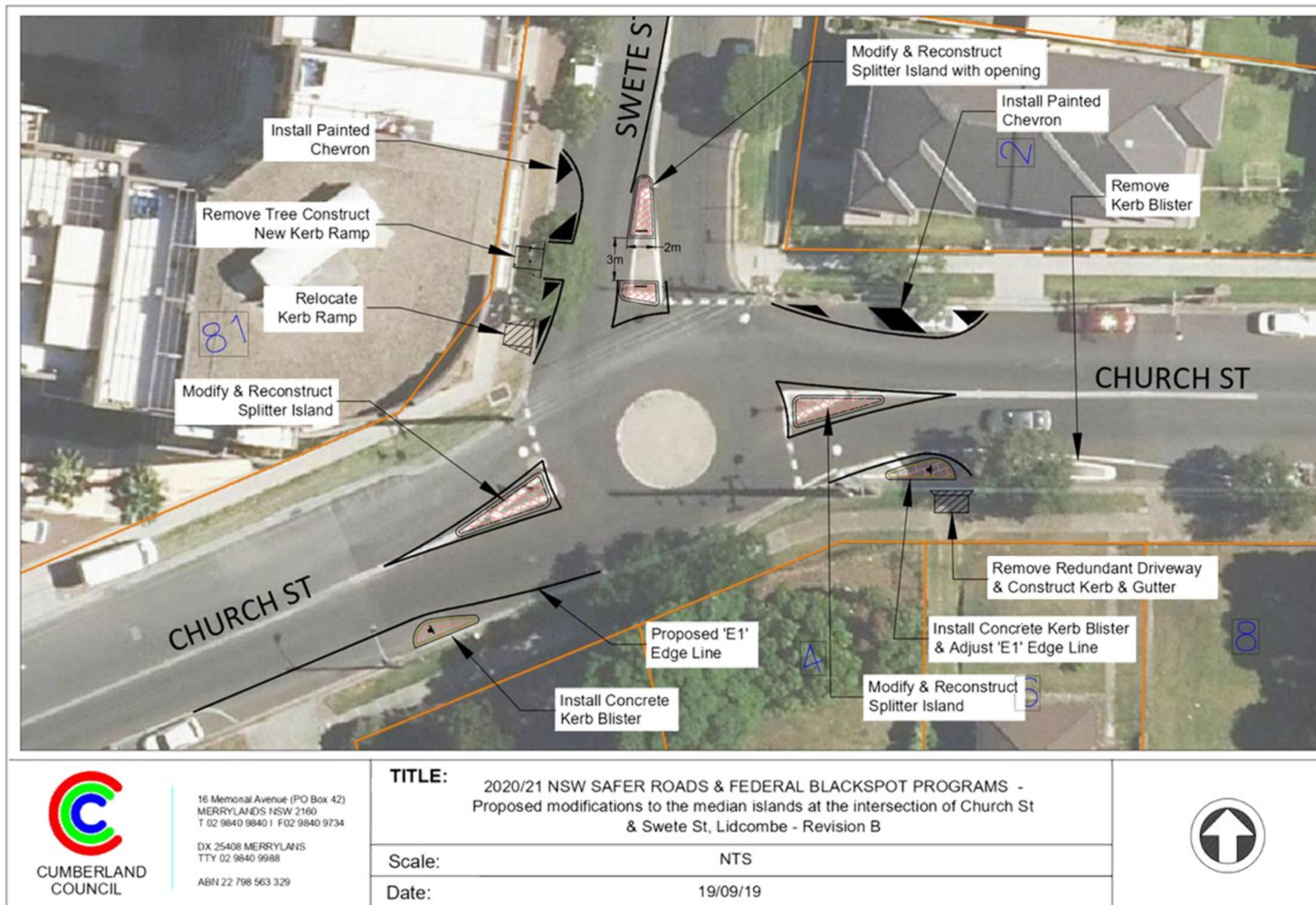
## Attachment 3

### Plan 3 – Church Street and Swete Street, Lidcombe – Proposed Improve Deflection Angle















Item No: CTC-21-019

### **HAMILTON STREET, SOUTH WENTWORTHVILLE – ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

#### **SUMMARY**

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Council has received a request from a local resident for the installation of traffic calming devices on Hamilton Street, South Wentworthville.

This report outlines the outcome of the investigation into this matter.

#### **RECOMMENDATION**

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**The Cumberland Traffic Committee recommends that the installation of traffic calming devices on Hamilton Street, South Wentworthville not be approved.**

#### **REPORT**

---

Hamilton Street is a local road that runs in an east-west direction between Monterey Street and Frances Street, 550m long and has a width of approximately 10m. The speed limit of the street is 50km/hr. Parking is permitted on both sides of the road unless signposted.

Hamilton Street has two roundabouts at its intersections with Richmond Street and Alto Street. The intersection of Hamilton Street and Berkeley Street is approximately in mid-section between the two roundabouts which are approximately 220m apart.

Council has received a request from a local resident for the installation of traffic calming devices on Hamilton Street.

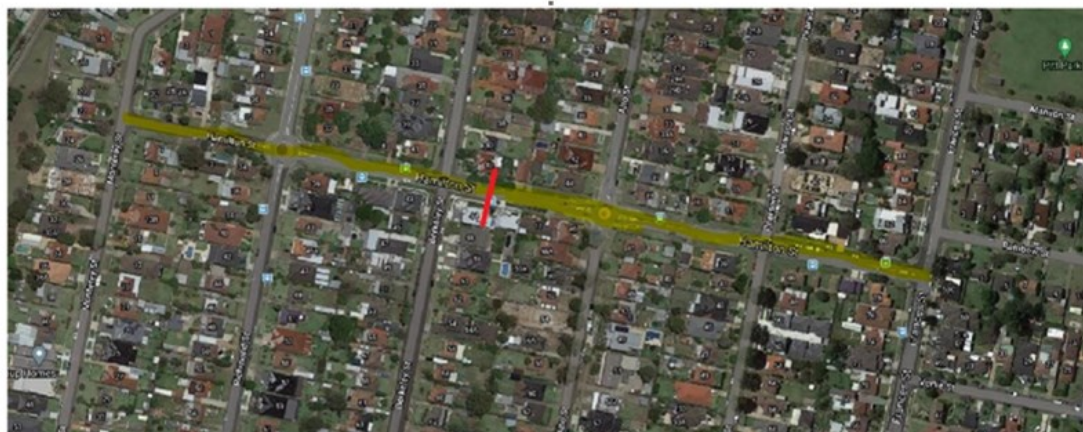
Council's Officers have investigated the request for the installation of traffic calming devices on Hamilton Street in accordance with Council's Local Area Traffic Management (LATM) Policy.

The latest crash data at this location indicated that there is one reported crash at intersection with Berkeley Street in the last 5 year (RUM 10 – intersection type of crash).



Cumberland Traffic Committee at its meeting in November 2019 considered a report (CTC-19-223) regarding proposed intersection improvement at Hamilton Street and Berkeley Street. The Traffic Committee resolved that the installation of 'No Stopping' signs and BB line marking be approved. Following Council's resolution, the proposed works were completed.

The map below shows the location of Hamilton Street, South Wentworthville:



A traffic count was undertaken on Hamilton Street near Berkeley Street in November 2020. The results of the traffic count indicated the following:

**Traffic count Data on Hamilton Street:**

Average Daily Traffic (ADT) = 3,490 vehicles/day,  
85th percentile speed = of 53.5 km/h,  
Mean (average) vehicle speed = 45.9 km/h.

The results of the traffic counts, recorded crashes etc. were used in the assessment to determine the need for the installation of traffic calming devices on Hamilton Street in accordance with the criteria set out in Council's Local area Traffic Management Policy (LATM) Policy.

The LATM assessments are summarised in the tables below:

Table 1 – Hamilton Street - LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	15
Crash warrant in the last 5 years	15	5
Road Characteristics	35	16
Community Support & other factors	5	3
<b>Total</b>	<b>100</b>	<b>39</b>

Table 2 – Hamilton Street – Action



Criteria	Action
>75	Report to TC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
<b>25-40</b>	<b>Monitor street and review traffic data after 12 months</b>
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above assessment, traffic calming devices are not warranted in the street, therefore, the request for the installation of traffic calming devices / speed humps can not be supported.

The 85<sup>th</sup> percentile speed recorded in the street is over the speed limit of the street but within the acceptable tolerance value and combined with a low crash history, no further action is required.

#### ATTACHMENTS

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Nil







Item No: CTC-21-020

### **LISGAR STREET, MERRYLANDS – ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

### **SUMMARY**

---

Council has received a request from a childcare centre operator in Lisgar Street between Excelsior Street for the installation of traffic calming devices on Lisgar Street, Merrylands due to speeding concerns.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

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The Cumberland Traffic Committee recommends that Council undertake consultation with the residents of Lisgar Street between Excelsior Street and Robertson Street, Merrylands to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee.

### **REPORT**

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Lisgar Street is a local road that runs in an east-west direction with posted speed limit of 50 km/h. It has a width of approximately 10m and parking is permitted on both sides of the road unless signposted.

There are roundabouts at the intersections of Lisgar Street with Robertson Street and Stuart Street. the section of Lisgar Street between Excelsior street and Robertson Street is approximately 325m long and is the longest stretch without any traffic facility.

Council has received a request from a childcare centre operator in Lisgar Street between Excelsior Street and Robertson Street for the installation of traffic calming devices in the street.

Council's Officers have investigated the request for the installation of traffic calming devices on Lisgar Street between Excelsior street and Robertson Street in accordance with Council's Local Area Traffic Management (LATM) Policy.



The map below shows the location of Lisgar Street, Merrylands and the being assessed:



A traffic count was undertaken on Lisgar Street in December 2020. The location of traffic count is shown with a red line in the above map.

The results of the traffic count data is given below:

**Traffic count Data on Lisgar Street:**

Average Daily Traffic (ADT) = 2,750 vehicles/day,  
85th percentile speed = of 58.5 km/h,  
Mean (average) vehicle speed = 50.04 km/h.

The results of the traffic counts, recorded crashes etc. were used in the assessment to determine the need for the installation of traffic calming devices on Lisgar Street in accordance with the criteria set out in Council's Local area Traffic Management Policy (LATM) Policy.

The LATM assessments are summarised in the tables below:

Table 1 – Lisgar Street - LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	25
Crash warrant in the last 5 years	15	0
Road Characteristics	35	11
Community Support & other factors	5	3
<b>Total</b>	<b>100</b>	<b>39</b>

Table 2 – Lisgar Street – Action

Criteria	Action
>75	Report to TC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months



<b>25-40</b>	<b>Monitor street and review traffic data after 12 months</b>
<b>&lt;25</b>	<b>Do Nothing</b>
<b>Speed</b>	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above assessment, traffic calming devices are not warranted in the street, however, due to 85% of the speed is higher than the tolerable limit above the speed limit, it is proposed to undertake consultation with the residents of Lisgar Street between Excelsior Street and Robertson Street to determine support or otherwise for speed humps.

#### **ATTACHMENTS**

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Nil







Item No: CTC-21-021

### **LUCAS STREET, GUILDFORD – ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: *Fairfield*  
Police Area Command (PAC): *Cumberland*

### **SUMMARY**

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Council has received a request from a local resident for the installation of traffic calming devices on Lucas Street, Guildford.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

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**The Cumberland Traffic Committee recommends that the installation of traffic calming devices on Lucas Street, Guildford not be supported.**

### **REPORT**

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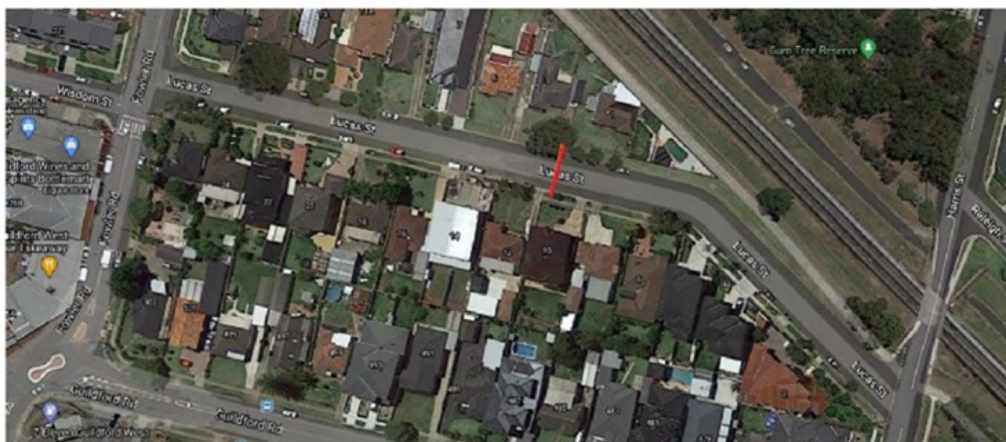
Council has received a request from a local resident for the installation of traffic calming devices (speed humps) on Lucas Street, Guildford.

Lucas Street links Fowler Road and Harris Street and is approximately 260m long and 12.9m wide.

Council's Officers have investigated the request for the installation of traffic calming devices in Lucas Street in accordance with Council's Local Area Traffic Management (LATM) Policy.

The map below shows the location of Lucas Street, Guildford:





A traffic count was undertaken on Lucas Street in December 2020. The location of the traffic counts is shown in red in the map above.

The results of the traffic count indicated the following:

**Traffic count Data on Lucas Street:**

Average Daily Traffic (ADT) = 396 vehicles/day,  
85th percentile speed = of 48.6 km/h,  
Mean (average) vehicle speed = 39.6 km/h.

According to the Centre for Road Safety Crash Database, there were no reported crashes in Lucas Street in the last five years.

The results of the traffic counts, recorded crashes etc. were used in the assessment to determine the need for the installation of traffic calming devices on Lucas Street in accordance with the criteria set out in Council's Local area Traffic Management Policy (LATM) Policy.

The LATM assessments are summarised in the tables below:

Table 1 – Lucas Street - LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	0
Crash warrant in the last 5 years	15	0
Road Characteristics	35	12
Community Support & other factors	5	5
<b>Total</b>	<b>100</b>	<b>17</b>

Table 2 – Lucas Street – Action

Criteria	Action
>75	Report to TC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
25-40	Monitor street and review traffic data after 12 months



<b>&lt;25</b>	<b>Do Nothing</b>
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above assessment, traffic calming devices are not warranted in the street, therefore, the request for the installation of traffic calming devices / speed humps can not be supported. The recorded 85<sup>th</sup> percentile speed was 48.6 which is below the speed limit of the street.

#### **ATTACHMENTS**

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Nil







Item No: CTC-21-022

### **FERNDELL STREET, SOUTH GRANVILLE – ROAD SAFETY CONCERNS ON APPROACH TO TRAFFIC SIGNALS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Auburn  
Police Area Command (PAC): Cumberland

#### **SUMMARY**

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Council resolved at its 16 December 2020 meeting resolved to investigate traffic conditions on Ferndell Street approach to the intersection of Rawson Road, Clyde Street and Ferndell Street and report back to traffic committee.

This report outlines the outcome of the investigation into this matter.

#### **RECOMMENDATION**

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The Cumberland Traffic Committee recommends that;

1. The installation of traffic calming devices on Ferndell Street, South Granville not be approved.
2. Council request Centre For Road Safety to investigate installation of a Red light Safety Camera at this intersection.

#### **REPORT**

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Ferndell Street is a regional road that runs in a north-south direction through industrial area. The posted speed limit of the street is 60km/h and parking is permitted on both sides of the road unless signposted. Land use on the street is mixed between industrial and residential area. Ferndell Street is currently approved 25/26m B-Double route.

Cumberland Traffic Committee considered a report on a request from a resident to install guard rails at the signalised intersection of Rawson Road, Clyde Street and Ferndell Street, South Granville at its extra ordinary electronic meeting of 18 November 2020 (ECTC-20-238 – report attached).

The Traffic Committee recommended that;

1. *The information contained in this report be noted.*
2. *Council investigate traffic conditions on Ferndell Street approach to the intersection and report back to traffic committee.*



Council approved the recommendations of the traffic committee at its 16 December 2020 meeting.

Ferndell Street is approximately 1150m long from Boundary Road to Rawson Road. It was alleged by the resident who made the original request that vehicles tend to speed along Ferndell Street due to the long straight nature of the street. This causes loss of control and an accident occurred when a vehicle crashed into the boundary fence of the property at the corner of Rawson Road and Clyde Street. The resident has sent further information on the crash with additional photos of the crash.

Council Officer has investigated the traffic conditions on Ferndell Street approach to the intersection between Rawson Road and Straits Avenue.

The map below shows the section under consideration.





The latest crash data at this location indicated that there are 8 reported crashes at this section of the road in the last 5 years. The type of crashes are varied between pedestrian, intersection, same direction and manoeuvring (RUM 2, 13, 21, 30, 34, 39, 47 x 2)

Following Council resolution, a traffic count was undertaken in December 2020. The counts was taken approximately 45m from the signalised intersection. The count location is indicated in red in the map above.

The results of the traffic count indicated the following:

**Traffic count Data on Ferndell Street between Rawson Rd & Straits Ave:**

Average Daily Traffic (ADT) = 11,166 vehicles/day,  
85th percentile speed = 50.2 km/h,  
Mean (average) vehicle speed = 41.2 km/h.

The results of the traffic counts, recorded crashes etc. were used in the assessment to determine the need for the installation of traffic calming devices on Ferndell Street in accordance with the criteria set out in Council's Local area Traffic Management Policy (LATM) Policy.

The LATM assessments are summarised in the tables below:

Table 1 – Ferndell Street - LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	15
Crash warrant in the last 5 years	15	15
Road Characteristics	35	16
Community Support & other factors	5	5
<b>Total</b>	<b>100</b>	<b>51</b>

Table 2 – Ferndell Street – Action

Criteria	Action
>75	Report to TC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
<b>41-60</b>	<b>Council to review traffic data in 6 months</b>
25-40	Monitor street and review traffic data after 12 months
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above assessment, traffic calming devices are not warranted in the street, therefore, the request for the installation of traffic calming devices / speed humps can not be supported.

The 85<sup>th</sup> percentile speed of 50.2 is well below the speed limit of the street.



## **ATTACHMENTS**

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1. Report ECTC-20-238 – Rawson Road & Clyde Street, South Granville – Proposed Guard Rail



# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-022

## Attachment 1

Report ECTC-20-238 – Rawson  
Road & Clyde Street, South  
Granville – Proposed Guard Rail







Item No: ECTC-20-238

## **RAWSON ROAD & CLYDE STREET, SOUTH GRANVILLE – PROPOSED GUARD RAIL**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: T-28-01/06  
Electorate: Auburn  
Police Area Command (PAC): Cumberland

### **SUMMARY**

Council has received concerns from a resident that the intersection of Rawson Road, Clyde Street & Ferndell Street is unsafe and is requesting a guard rail be installed in front of the property.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

That the Traffic Committee recommends that;

1. The information contained in this report be noted.
2. Council investigate traffic conditions on Ferndell Street approach to the intersection and report back to traffic committee.

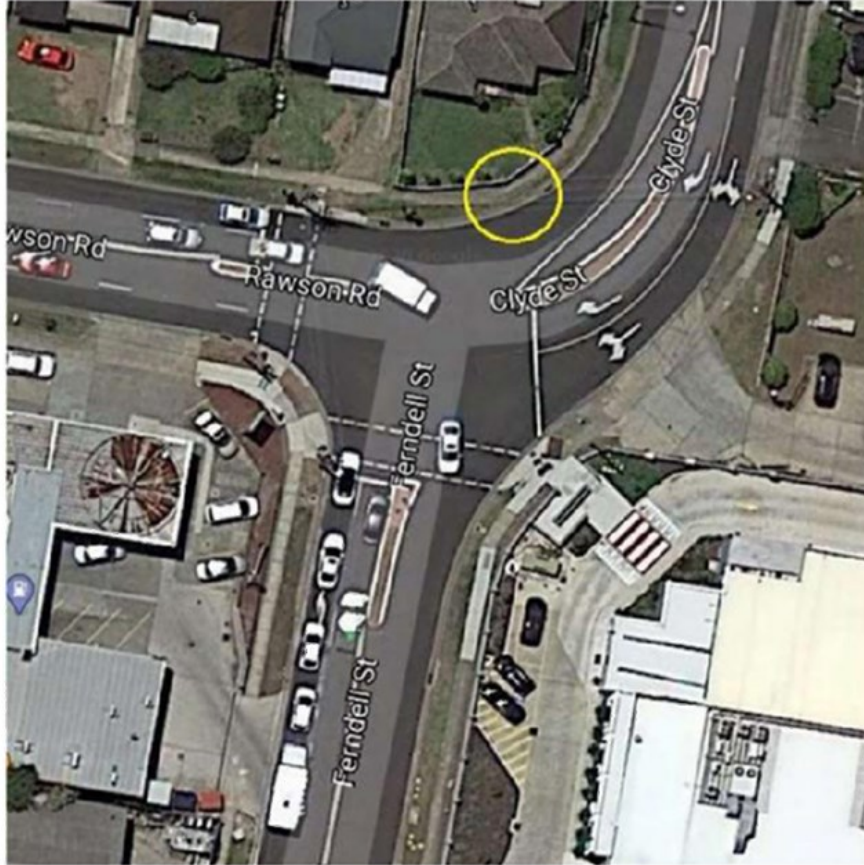
### **REPORT**

Council has received concerns from a resident that the intersection of Rawson Road, Clyde Street & Ferndell Street is unsafe and is requesting a guard rail be installed in front of the property.

Rawson Road, Clyde Street and Ferndell Street are **regional roads** and approved for **B-Double travel** on all approaches. The intersection is controlled by traffic signals. The traffic signals were upgraded in mid 2017 by providing a pedestrian crossing facility on the Ferndell Street approach.

The map below shows the intersection:





The residential property is located opposite Ferndell Street at the corner of Rawson Road & Clyde Street. There was an accident recently where a vehicle lost control and crashed into the fence of the residential property. The owner of the property has requested that Council provide a guard rail at this intersection. Council officers have contacted Police to get more details of the accident:

Based on available information, the vehicle was travelling at high speed and proceeded through the intersection during a 'red' phase and continued straight through the intersection. Speed is considered to be a factor in this accident.

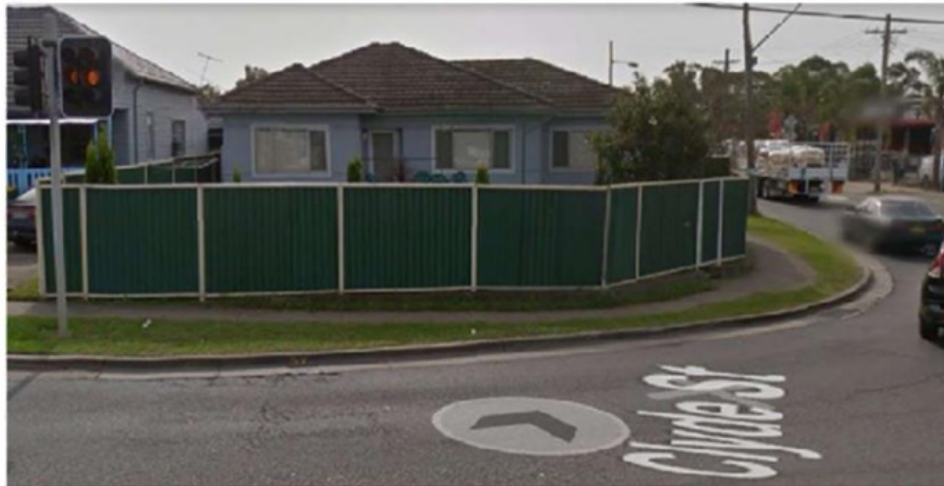
#### Accident History:

According to the Accident Database supplied by the Centre for Road Safety, there were 8 reported accidents at this location in the five years ending in September 2019. Out of these 8 accidents, 2 were pedestrian related and two were related to loss of control vehicles on Rawson Road and Clyde Street.



Council officers inspected the site and noted that the narrowest section between the kerb to the footpath is 550mm. This section is circled in yellow on the map above.

The street view below shows the narrow section:



According to Austroads Guideline, 'Guide to Road Design, Part 6: Roadside Design, Safety and Barriers', the minimum offset from the kerb is 200mm (Refer to Fig 6.4 and Table 6.3). The width of safety barrier and the post is 381mm (RMS Standard Drawing R0710 – W Beam).

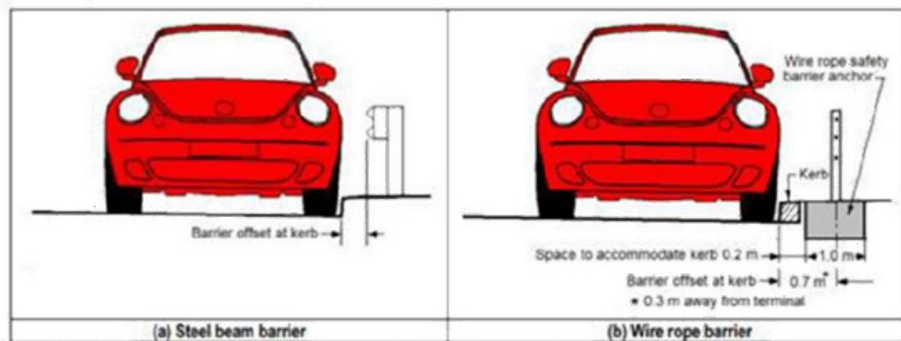


Figure 6.4: Barrier offset at kerb

Table 6.3: Minimum offsets from kerb to barrier face

Situation	Offset from kerb face to barrier (m)
Wire rope road safety barrier	0.3 m <sup>(1)</sup> generally over length of barrier Larger offset may be required at terminal to accommodate foundation <sup>(1)</sup> (e.g. say 0.70 – based on half the anchor width + width of kerb)
Steel rail road safety barrier (e.g. W-beam, Thrie-beam road safety barrier), constrained situation	0.00 (increased nuisance hits may occur)
Steel rail road safety barrier (e.g. W-beam, Thrie-beam road safety barrier), normal situation	0.20
Concrete barrier	0.00 (barrier is the kerb)
Barrier on traffic island	0.20 + bus overhang when a wheel is at the kerb

1. Varies depending on product and foundation required – consult manufacturer's drawings.



It should also be noted that more than the minimum offset may be required between the kerb and the face of barrier to allow for the overhang of large trucks including B-Doubles at this intersection.

It was observed from the site inspection that the section between the kerb to the footpath is not wide enough to install a guard rail. Also, based on the available width, only 10m long guardrail is possible which is well below the minimum required length of 60m in accordance with RMS guidelines.

All intersections controlled by traffic signals are under the jurisdiction of Transport for NSW (formerly RMS) and in this regard, Transport for NSW is unlikely to approve any safety barrier due to the short lengths.

The accident that occurred at this location is freak accident due to a driver speeding and trying to go through in red phase of the signals.

It is proposed that Council undertake speed counts on the Ferndell Street approach to assess speeds of vehicles approaching the intersection. It is recommended that Council liaise with the Transport for NSW to assess safety at this intersection.

#### COMMENTS

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#### ATTACHMENTS

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Nil



Item No: CTC-21-023

### **GELIBOLU PARADE, AUBURN – ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Auburn  
Police Area Command (PAC): Auburn

### **SUMMARY**

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Council has received a request from local residents and Gallipoli Mosque worshippers for the installation of traffic calming devices on Gelibolu Parade, Auburn.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

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**The Cumberland Traffic Committee recommends that the installation of traffic calming devices on Gelibolu Parade, Auburn not be approved.**

### **REPORT**

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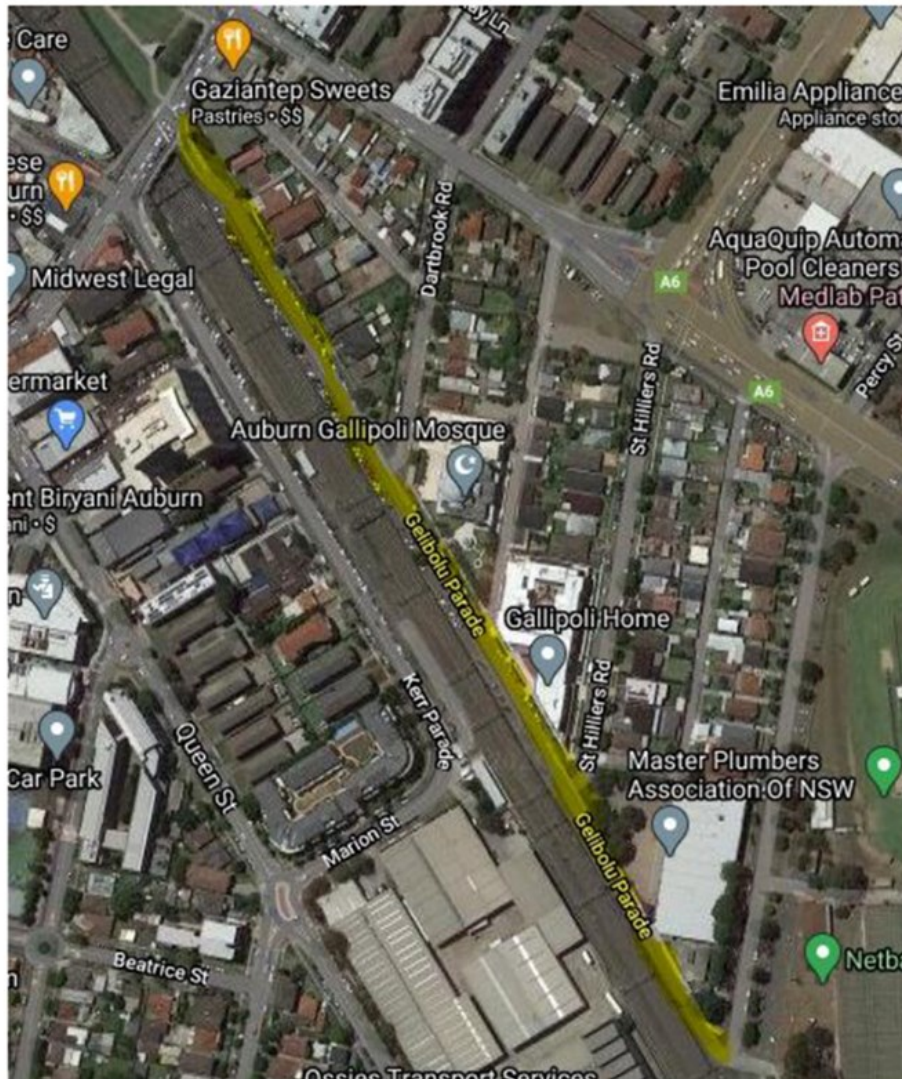
Council has received a request from local residents and Gallipoli Mosque worshippers for the installation of traffic calming devices on Gelibolu Parade, Auburn.

Gelibolu Parade is local road running parallel to the railway line between Station Road and Percy Street, Auburn and is approximately 590m long. It provides access to Gallipoli Mosque, Gallipoli Home, residences and some businesses near Station Road. There angle parking for commuters and other visitors to the area along the railway line and parallel parking along the other side.

Council's Officers have investigated the request for the installation of traffic calming devices on Gelibolu Parade in accordance with Council's Local Area Traffic Management (LATM) Policy.

The map below shows the location of Gelibolu Parade:





A traffic count was undertaken on Gelibolu Parade between Dartbrook Road and St Hilliers Road in December 2020.

The results of the traffic count indicated the following:

**Traffic count Data on Gelibolu Parade:**

Average Daily Traffic (ADT) = 1,135 vehicles/day,  
85th percentile speed = of 47.2 km/h,  
Mean (average) vehicle speed = 37.8 km/h.

The results of the traffic counts, recorded crashes etc. were used in the assessment to determine the need for the installation of traffic calming devices on Gelibolu Parade in accordance with the criteria set out in Council's Local area Traffic Management Policy (LATM) Policy.



The LATM assessments are summarised in the tables below:

Table 1 – Gelibolu Parade - LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	10
Crash warrant in the last 5 years	15	5
Road Characteristics	35	13
Community Support & other factors	5	5
<b>Total</b>	<b>100</b>	<b>33</b>

Table 2 – Gelibolu Parade – Action

Criteria	Action
>75	Report to TC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
<b>25-40</b>	<b>Monitor street and review traffic data after 12 months</b>
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above assessment, traffic calming devices are not warranted in the street, therefore, the request for the installation of traffic calming devices / speed humps on Gelibolu Parade can not be supported.

The 85<sup>th</sup> percentile speed is 47.2km/hr is below the speed limit of the street.

There is a separate report in this agenda assessing the request for a pedestrian crossing on Dartbrook Road near the mosque.

## ATTACHMENTS

Nil







Item No: CTC-21-024

**GLOUCESTER AVENUE, MERRYLANDS – PROPOSED PARKING  
RESTRICTIONS – CONSULTATION RESULT**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

**SUMMARY**

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Council has received requests from local residents for the provision of parking restrictions on Gloucester Avenue, Merrylands.

This report outlines the outcome of the investigation into this matter.

**RECOMMENDATION**

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**The Traffic Committee recommends that the installation of parking restrictions in Gloucester Avenue, Merrylands not be approved.**

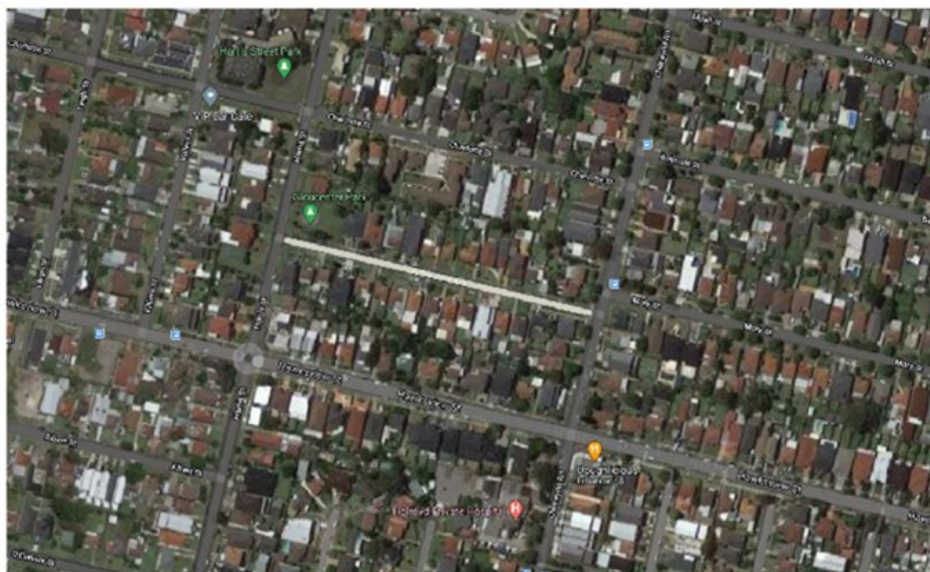
**REPORT**

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Gloucester Avenue is a local road that runs in an east-west direction and has a width of approximately 7m with a signposted 50km/h speed limit. Parking is permitted on both sides of the road unless signposted.

Locality map of Gloucester Avenue is shown below:





Council has received requests from local residents for the provision of parking restrictions on Gloucester Avenue, Merrylands.

As part of the consultation process, an onsite meeting was organised with residents of Gloucester Avenue in late October 2020. At the meeting, some residents requested that the installation of traffic calming devices on Gloucester Avenue be considered by Council. Also, they requested that Council consider parking restrictions in the street.

Following the site meeting, Council's Officers have undertaken consultation with the residents on Gloucester Avenue. The survey form had both requests for speed humps as well as parking restrictions.

This report considers the request for parking restrictions only. Council has analysed separately the request for speed humps which is included in a separate report in this agenda.

### **Proposed Parking Restrictions:**

The survey form showed below Options for the installation of parking restrictions:

1. I raise no objection to proposed parking restrictions

Please choose your preferred option below.  
You may choose more than one option:

- OPTION 1 (On Northern side)  
OR  
OPTION 2 (On Southern side)

2. I object to proposed parking restrictions

Consultation letters with an attached survey form were sent to the residents / owners of 28 properties on Gloucester Avenue.



Council received 10 responses and the results are summarised as below:

Three (3) submissions supported the proposal selecting option 1 or 2. Five (5) submissions objected to the proposed parking restrictions. Two submissions had no option marked.

Table below summarises the feedback received from residents who supported and objected to the proposed parking restrictions:

#	Resident Comments
<b>Supporting</b>	
1	Thank you for your prompt attention to this problem. I would like also to see the street one way from Chetwynd Rd.
<b>Objectors</b>	
1	Absolute ludicrous idea.
2	Speed humps at each end of street. No standing at each end of street

Based on the lack of support from the residents, the installation of parking restrictions on Gloucester Avenue not be supported.

#### **ATTACHMENTS**

Nil







Item No: CTC-21-025

**GLOUCESTER AVENUE, MERRYLANDS – ROAD SAFETY CONCERNS –  
CONSULTATION RESULT**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

**SUMMARY**

---

Council has received a complaint from local residents regarding road safety concerns on Gloucester Avenue, Merrylands.

This report outlines the outcome of the investigation into this matter.

**RECOMMENDATION**

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**The Traffic Committee recommends that the installation of speed humps in Gloucester Avenue, Merrylands not be approved.**

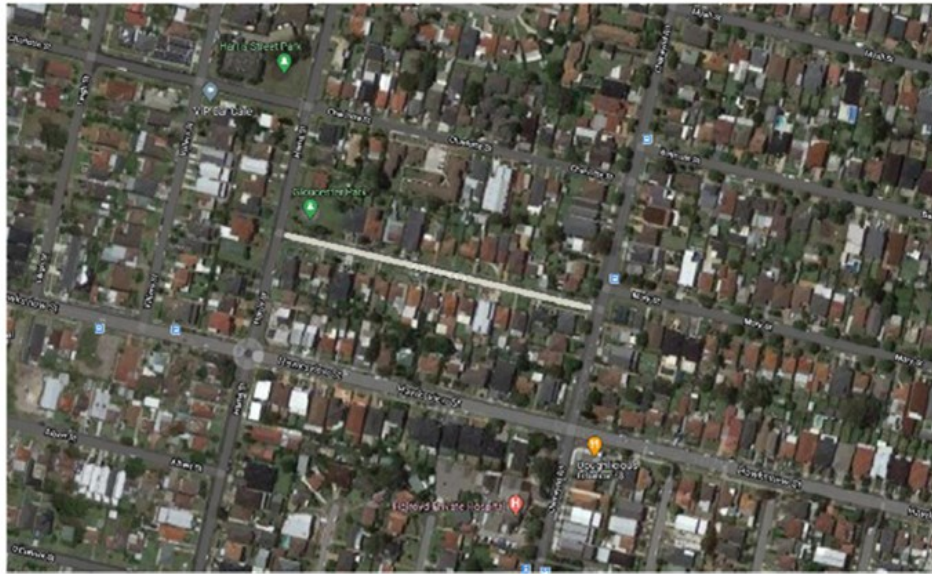
**REPORT**

---

Gloucester Avenue is a local road that runs in an east-west direction and has a width of approximately 7m with a signposted 50km/h speed limit. Parking is permitted on both sides of the road unless signposted.

Locality map of Gloucester Avenue is shown below:





Council has received complaints from local residents in Gloucester Avenue regarding road safety concerns.

As part of the consultation process, an onsite meeting was organised with residents of Gloucester Avenue in late October 2020. At the meeting, some residents requested that the installation of traffic calming devices on Gloucester Avenue be considered by Council. Also, they requested that Council consider parking restrictions in the street.

Following the site meeting, Council's Officers have undertaken consultation with the residents on Gloucester Avenue. The survey form had both requests for speed humps as well as parking restrictions.

This report considers the request for speed humps only. Council has analysed separately the request for parking restrictions which is included in a separate report in this agenda.

The survey form showed below Options for the installation of speed humps:

- Option 1 – I raise no objection to the installation of a speed hump outside my property,
- Option 2 – I object to the installation of a speed hump outside my property,
- Option 3 – No speed humps are required on Gloucester Avenue.

Consultation letters with an attached survey form were sent to the residents / owners of 28 properties on Gloucester Avenue.

Council received 10 responses and the results are summarised as below:

#### **Feedback received regarding the installation of Speed humps:**

Four (4) residents supported speed humps be constructed in front of their property, one (1) objected to construct a speed hump in front of the property and five (5) objected



to the proposed speed humps. Table below summarises the feedback received from some residents who supported and objected to the proposed speed humps:

#	Resident Comments
<b>Supporting</b>	
1	Speed humps are required, too many people race down our street its quite dangerous
2	We believe having speed humps put into our street would have a positive impact on all residents. We currently have many young children, elderly and a park which is regularly used. A speed hump would slow down the fast cars putting us at risk.
3	Thank you for your prompt attention to this problem. I would like also to see the street one way from Chetwynd Rd.
4	Speeding on this street is out of control.
<b>Objectors</b>	
1	One-way from Chetwynd Rd with line marking. Some people park up two spots with one car.
2	One way would be OK.
3	Speed humps at each end of street. No standing at each end of street

### **LATM Assessment**

Council's Officers have also investigated the request in accordance with Council's Local Area Traffic Management (LATM) Policy.

The latest Transport for NSW crash data indicated that there were no reported crashes in the last five years in Gloucester Avenue.

A traffic count was undertaken in midblock on Gloucester Avenue on Oct 2020.

The results of the traffic count indicated the following:

### **Traffic count Data on Gloucester Avenue, Merrylands:**

Average Daily Traffic (ADT) = 542 vehicles/day,  
85th percentile speed = of 50.4 km/h,  
Mean (average) vehicle speed = 41.4 km/h.

The results of the traffic count, recorded crashes etc. were used in the assessment to determine the need for the installation of traffic calming devices on Gloucester Avenue in accordance with the criteria set out in Council's Local area Traffic Management Policy (LATM) Policy.

The LATM assessments are summarised in the tables below:



Table 1 – Gloucester Avenue – LATM

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	5
Crash warrant in the last 5 years	15	0
Road Characteristics	35	15
Community Support & other factors	5	5
<b>Total</b>	<b>100</b>	<b>25</b>

The following table indicates the action to be taken according to the assessment points:

Table 2 – Gloucester Avenue – Action

Criteria	Action
>75	Report to TC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
<b>25-40</b>	<b>Monitor street and review traffic data after 12 months</b>
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

The LATM assessment indicated that the street does not meet the criteria for the installation of traffic calming devices such as speed humps. Also, the recorded 85<sup>th</sup> percentile speed in the street was 50.4 km/hr which almost at the speed limit of the street.

Based on the lack of support from the residents and the LATM assessment, the installation of speed humps on Gloucester Avenue not be supported.

## ATTACHMENTS

Nil



Item No: CTC-21-026

## **GRASSMERE STREET, GUILDFORD – PROPOSED SPEED HUMPS – CONSULTATION RESULT**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

### **SUMMARY**

---

Cumberland Traffic Committee at its electronic meeting on 1 April 2020 considered a report (CTC-20-063) regarding installation of speed humps on Grassmere Street, Guildford. Council recommended that *Council undertake consultation with the residents of Grassmere Street, Guildford to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee.*

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

That the Traffic Committee recommends that;

1. The proposed installation of speed humps on Grassmere Street, Guildford not be approved.
2. Council review conditions in Grassmere Street, Guildford in February 2022.

### **REPORT**

---

Cumberland Traffic Committee at its electronic meeting on 1 April 2020 considered a report (CTC-20-063) regarding installation of speed humps on Grassmere Street, Guildford. Council recommended that *Council undertake consultation with the residents of Grassmere Street, Guildford to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee.*

Council at its meeting on 20 May 2020 approved the above recommendation.

Following Council's meeting, consultation was undertaken with residents on Grassmere Street.



There are 30 properties in Grassmere Street and 44 letters with attached survey forms distributed to the residents / owners. The survey form had three options as below:

1. I support speed humps in Grassmere Street and raise No Objection to install a speed hump outside my property,
2. I support speed humps in Grassmere Street, but I Object to install speed hump outside my property,
3. I do not support the installation of speed humps on Grassmere Street.

There were only 6 responses received by the closing date. Four (4) of the submissions supported the installation of speed humps outside their properties, one (1) objected to install speed humps outside their property and one (1) objected to the proposed speed humps in Grassmere Street.

Residents that supported and objected to the proposal have provided the following comments in the table below:

#	Resident Comments
<b>Supported</b>	
1	I hope the speed humps go ahead, it is totally ridiculous not to put them in. I witness all the time that cars are blasted if they are doing 50km/h and the speeders overtake them and abuse them. This is not acceptable.
2	Its been a long time coming, desperately needed in the street. Now to do something about the congestion in Guildford Rd near Woodville Rd in am and pm peak hours.
<b>Objected</b>	
1	There is a stormwater drain in front of our house. I do not want a speed hump outside my house.
2	As long as they are not high and in front of my property.

Based on the above result, the proposed installation of speed humps on Grassmere Street not be approved due to lack of community support.

## ATTACHMENTS

Nil



Item No: CTC-21-027

## **GOZO ROAD, GREYSTANES – PROPOSED SPEED HUMPS – CONSULTATION RESULT**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Prospect  
Police Area Command (PAC): Cumberland

### **SUMMARY**

---

Cumberland Traffic Committee at its electronic meeting of 11 September 2020 considered a report (ECTC-20-167) regarding installation of speed humps on Gozo Road, Greystanes and recommended that Council undertake consultation with the residents of Gozo Road, Greystanes to determine support or otherwise for speed humps and report back.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that the proposed installation of speed humps on Gozo Road, Greystanes not be approved.**

### **REPORT**

---

Cumberland Traffic Committee at its electronic meeting of 11 September 2020 considered a report (ECTC-20-167) regarding installation of speed humps on Gozo Road, Greystanes and recommended that Council undertake consultation with the residents of Gozo Road, Greystanes to determine support or otherwise for speed humps and report back.

Council at its meeting on 7 October 2020 approved the recommendation of the traffic committee.

Following Council's meeting, consultation was undertaken with the affected residents on Gozo Road, Greystanes.

There were 76 letters with an attached survey form distributed to the residents / owners. The survey form had three options as below:

1. I support speed humps in Gozo Road and raise 'No Objection' to install a speed hump outside my property,



2. I support speed humps in Gozo Road, but I object to install speed hump outside my property,
3. I do not support the installation of speed humps on Gozo Road.

There were 30 responses received by the closing date, 5 (16.7%) supported the installation of speed humps outside their properties, 18 (60%) objected to install speed humps outside their properties and 7 (23.3%) objected to the proposed speed humps in Gozo Road.

Residents that supported and objected to the proposal have provided the following comments in the table below:

#	Resident Comments
<b>Supported</b>	
1	We live at the top of the curved road. Most cars will flatfoot their accelerator in order to get to the top as quick as possible.
<b>Objected</b>	
1	I would rather see the installation of chicanes than humps. I am concerned about the noise of travelling over humps and the impact on motorists and passengers with back problems also being transported in a wheelchair in the rear of a disabled van
2	Our bedrooms are at the front of the property and noise of the cars going over the speed humps will disturb and wake my children. My children are very light sleepers and noise will cause a lot of issues and distress.
3	I already have a bus stop on both sides on the street at the front of my house. I do not think they are necessary and are a nuisance.
4	Definitely something needs to be done the speed at which some people drive is severely dangerous and irresponsible.
5	One of our family member has low sport car and would affect us when parking the car outside.
6	I think the speed hump should be placed before the hill to slow cars down. The speed humps should be smooth concrete, not like the ones in to shopping centre.
7	Due to my existing health condition, constant rump noise in front of my house could affect my quality of rest.
8	Speed humps should be installed near intersection of Gozo Rd & Thelma / Enid Streets, this is evident by tyre marks on that road section.

Based on the above result, Council is unable to locate speed humps as per the standards and spacing to achieve required outcome. Therefore, the proposed installation of speed humps on Irrigation Road not be supported due to lack of community support.

#### ATTACHMENTS

1. Previous report – ECTC-20-167 – Gozo Road, Greystanes – Road Safety Concerns



# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-027

## Attachment 1

Previous report – ECTC-20-167 –  
Gozo Road, Greystanes – Road  
Safety Concerns







Item No: ECTC-20-167

**GOZO ROAD, GREYSTANES – ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Prospect  
Police Area Command (PAC): Cumberland

**SUMMARY**

---

Council has received requests from local residents for the installation of traffic calming devices on Gozo Road, Greystanes.

This report outlines the outcome of the investigation into this matter.

**RECOMMENDATION**

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The Cumberland Traffic Committee recommends that Council undertake consultation with the residents of Gozo Road, Greystanes to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee.

**REPORT**

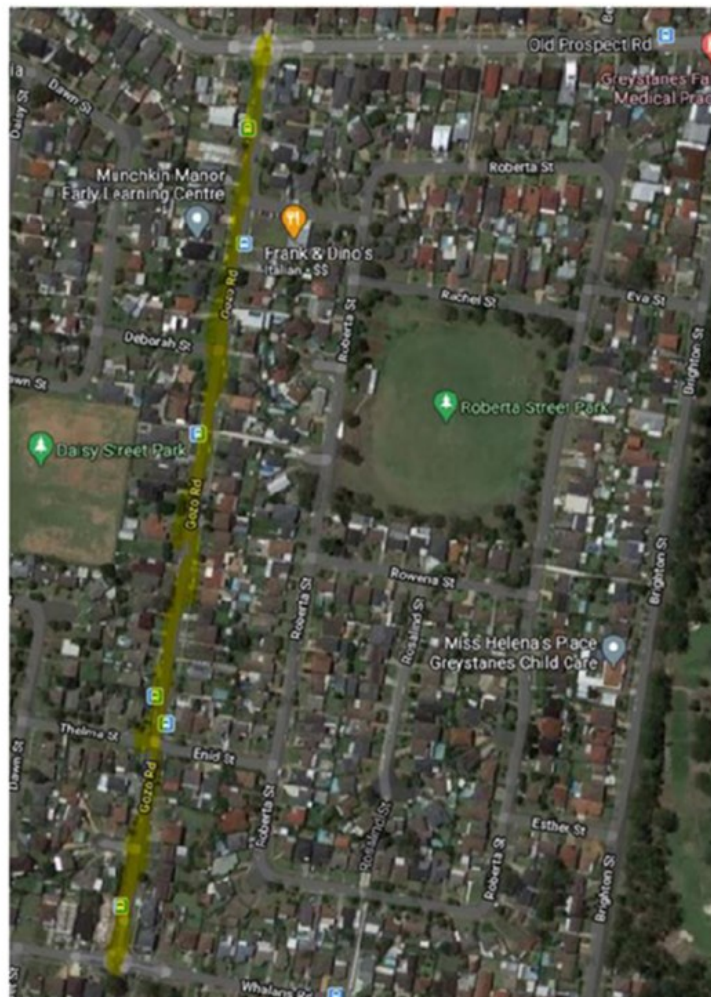
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Council has received requests from local residents for the installation of traffic calming devices on Gozo Road, Greystanes.

Gozo Road is a Council managed road and runs in a north-south direction between Whalans Road and Old Prospect Road.

The map below shows the location of Gozo Road, Greystanes.





There was no crashes reported in Gozo Road, Greystanes in the last five years in accordance with the available Crash data.

A traffic count was also undertaken on Gozo Road on August 2020.

Traffic Count Data in Gozo Road, Greystanes

Average Daily Traffic (ADT)	= 1,998Veh/day
85 <sup>th</sup> Percentile speed	= 60.1 km/hr
Median Speed	= 51.8 km/hr

Council's Officers have assessed the street in accordance with Council's Local Area Traffic Management (LATM) Policy.



The results of the traffic count, recorded crashes etc. were used in the assessment to determine the need for the installation of traffic calming devices on Gozo Road in accordance with the criteria set out in Council's LATM Policy.

The LATM assessments are summarised in the tables below:

Table 1 – Gozo Road, Greystanes – LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	25
Crash warrant in the last 5 years	15	0
Road Characteristics	35	21
Community Support & other factors	5	5
<b>Total</b>	<b>100</b>	<b>51</b>

The following table indicates the action to be taken according to the assessment points:

Table 2 – Gozo Road, Greystanes – Action

Criteria	Action
>75	Report to TC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
<b>41-60</b>	<b>Council to review traffic data in 6 months</b>
25-40	Monitor street and review traffic data after 12 months
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above results, the action recommended is "review traffic data in 6 months". However, the recorded 85<sup>th</sup> percentile speed of 60.1km/hr is considered high compared to the speed limit of 50km/hr.

It is proposed to undertake consultation with the residents of Gozo Road to determine support or otherwise for speed humps.

#### COMMENTS

"[Insert comments here]"

#### ATTACHMENTS

Nil







Item No: CTC-21-028

## **IRRIGATION ROAD, MERRYLANDS – PROPOSED SPEED HUMPS – CONSULTATION RESULT**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

### **SUMMARY**

---

Cumberland Traffic Committee at its electronic meeting of 5 August 2020 considered a report (CTC-20-146) regarding installation of speed humps on Irrigation Road, Merrylands and recommended that Council undertake consultation with the residents of Irrigation Road, Merrylands to determine support or otherwise for speed humps and report back.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

---

**That the Traffic Committee recommends that the proposed installation of speed humps on Irrigation Road, Merrylands not be approved.**

### **REPORT**

---

Cumberland Traffic Committee at its electronic meeting of 5 August 2020 considered a report (CTC-20-146) regarding installation of speed humps on Irrigation Road, Merrylands.

The Cumberland Traffic Committee recommended that Council undertake consultation with the residents of Irrigation Road, Merrylands to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee.

Council at its meeting on 16 September 2020 approved the traffic committee recommendation.

Following Council's meeting, consultation was undertaken with the residents on Irrigation Road, Merrylands.

There were 112 letters with an attached survey form distributed to the residents / owners. the survey form had three options as below:



1. I support speed humps in Irrigation Road and raise 'No Objection' to install a speed hump outside my property,
2. I support speed humps in Irrigation Road, but I object to install speed hump outside my property,
3. I do not support the installation of speed humps on Irrigation Road.

There were 27 responses received by the closing date which is 24% of the total number of letters sent. Out of the submissions received, 13 (48.1%) supported the installation of speed humps outside their properties, 11 (40.7%) objected to install speed humps outside their properties and 3 (11.1%) objected to the proposed speed humps in Irrigation Road.

Residents that supported and objected to the proposal have provided the following comments in the table below:

#	Resident Comments
<b>Supported</b>	
1	There is clear evidence that speed humps are required along the length of Irrigation Rd as there are cars of hooning and general speeding along this road. We are very supporting of installing several speed humps on this road.
2	One speed hump between Biscayne Park and creek on Irrigation Rd. One speed hump outside the shops on Irrigation Rd, totally 2 speed humps.
3	Another concern in addition to the speed of cars along Irrigation Rd is the speed in which some cars take on the corner turning in at of Hampden Rd & Irrigation Rd. it is also very hard to see when turning from Hampden Rd into Irrigation Rd due to blocked vision from parked cars.
4	I am supportive of speed humps as we often have vehicles speeding along our street, however I have a health condition and am an extremely light sleeper, therefore, having speed humps at the front of my house where my bedroom is will be disruptive. Please locate away from my property.
5	This has been a long time coming as there are way too many cars breaking the speed laws along Irrigation Rd. I have been fearful of speeding cars as so many times we have witnessed people driving way too fast and not caring about anyone's safety.
<b>Objected</b>	
1	I object to the installation of speed humps in general, I would prefer to see them removed from existing site and not added to any more insets. I believe that they are damaging to motor vehicles and do not necessarily cause all drives to slow down to negotiate them. secondly, it seems no matter the type or rise they always causes the driver and passenger an uncomfortable at all crossing them.
2	Noise levels at the humps for all cars / vehicles will be excessive especially with fully loaded contractor vehicles.
3	I suggest a roundabout also be installed on Irrigation Rd in front of Hampden Rd. I have witnessed continues accidents and near misses with people trying to turn left or right from Hampden Rd onto Irrigation Rd.



Based on the above result, Council is unable to locate speed humps as per the standards and spacing to achieve required outcome. Therefore, the proposed installation of speed humps on Irrigation Road not be supported due to lack of community support.

#### **ATTACHMENTS**

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1. Previous report – CTC-20-146 – Irrigation Road, Merrylands – Road safety concerns







# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-028

## Attachment 1

Previous report – CTC-20-146 –  
Irrigation Road, Merrylands –  
Road safety concerns







Item No: CTC-20-146

#### **IRRIGATION ROAD, MERRYLANDS – ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

#### **SUMMARY**

Council has received requests from some local residents for the installation of traffic calming devices on Irrigation Road, Merrylands.

This report outlines the outcome of the investigation into this matter.

#### **RECOMMENDATION**

The Cumberland Traffic Committee recommends that Council undertake consultation with the residents of Irrigation Road, Merrylands to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee.

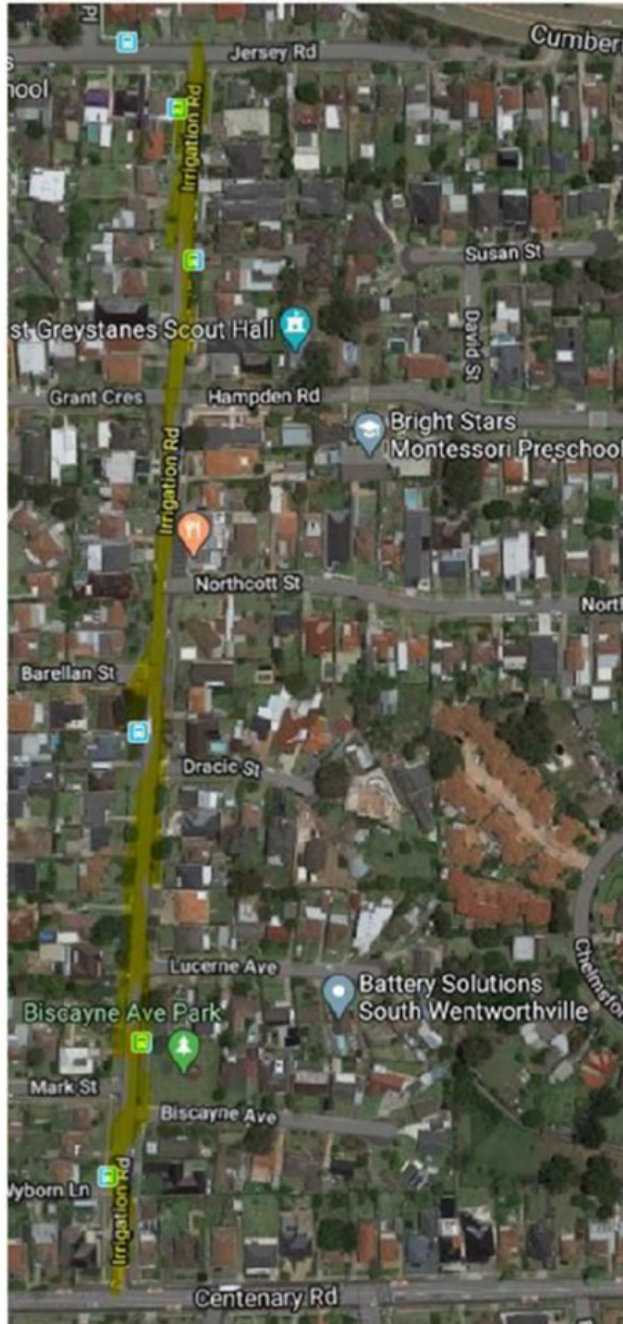
#### **REPORT**

Council has received requests from some local residents for the installation of traffic calming devices on Irrigation Road, Merrylands.

Irrigation Road is a local road that runs in an east-west direction between Centenary Road and Jersey Road. Irrigation Road is approximately 630m long and 9.6 to 10.0m wide.

The map below shows the location of Irrigation Road, Merrylands.





Council's Officers have investigated the request.

A traffic count was undertaken on Irrigation Road in July 2020.

The traffic count data in Irrigation Road, Merrylands:



Average Daily Traffic (ADT) = 2,433 vehicles/day  
85th percentile speed = 59.8km/hr/h  
Median speed = 50 km/h.

There were 2 reported crashes in the last five year period between July 2014 and June 2019 in accordance with the available Crash data.

An investigation was conducted to assess the feasibility of the installation of traffic calming devices on Irrigation Road in accordance with the criteria set out in Council's Local Area Traffic Management (LATM) Policy.

The LATM assessments are summarised in the tables below:

Table 1 – Irrigation Road, Merrylands – LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	30
Crash warrant in the last 5 years	15	5
Road Characteristics	35	21
Community Support & other factors	5	5
<b>Total</b>	<b>100</b>	<b>61</b>

The following table indicates the action to be taken according to the assessment points:

Table 2 – Irrigation Road, Merrylands – Action

Criteria	Action
>75	Report to TC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
25-40	Monitor street and review traffic data after 12 months
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above results, the traffic calming devices could be considered in Irrigation Road, Merrylands. The recorded 85<sup>th</sup> percentile of 59.8km/hr is considered high compared to the speed limit of 50km/hr.

It is proposed to undertake consultation with the residents of Irrigation Road, Merrylands.

#### COMMENTS

"[Insert comments here]"



**ATTACHMENTS**

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Nil



Item No: CTC-21-029

### **CUMBERLAND ROAD, GREYSTANES – ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

### **SUMMARY**

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Council has received a request from a local resident for the installation of traffic calming devices on Cumberland Road south of Merrylands Road, Greystanes

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

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The Cumberland Traffic Committee recommends that;

1. The installation of traffic calming devices on Cumberland Road, Greystanes not be supported.
2. The concerned resident be notified of outcome generally.

### **REPORT**

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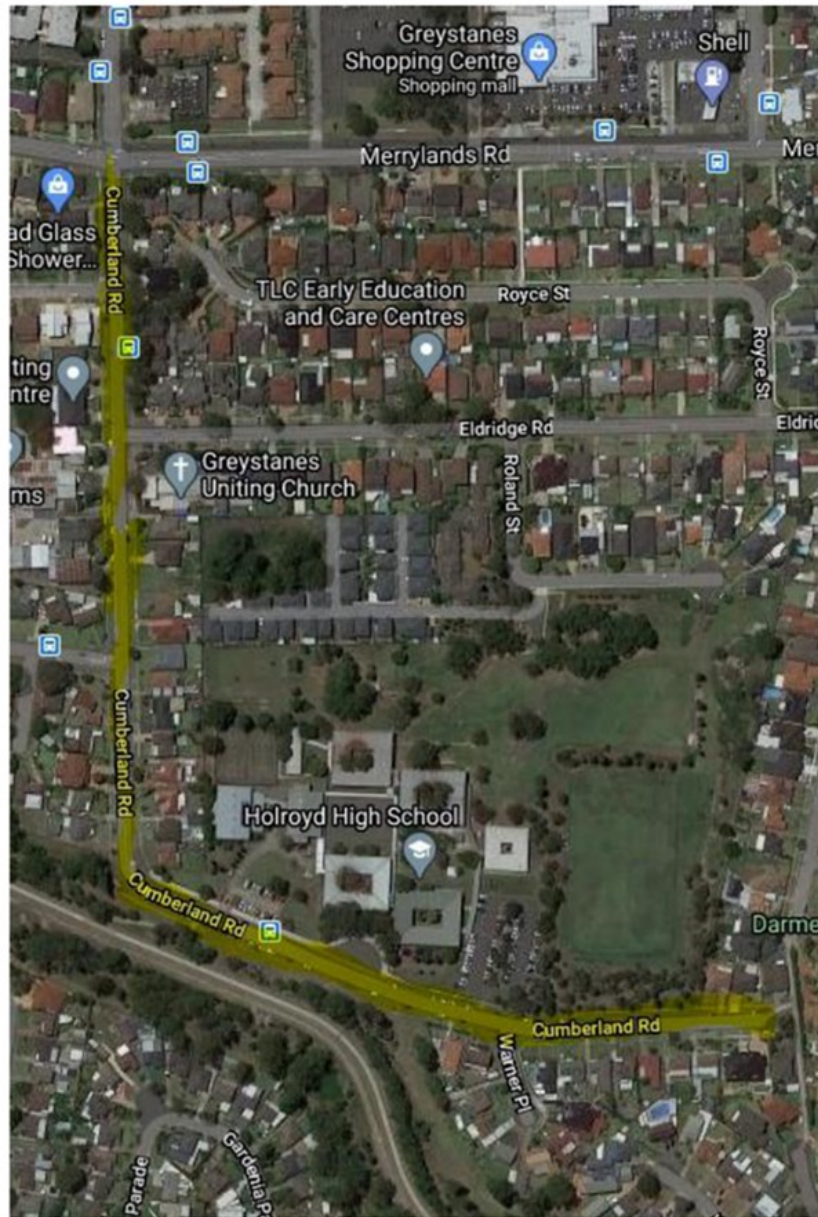
Cumberland Road south of Merrylands Road is a local road that runs in a north-south and east-west direction. The road ends in a cul-de-sac after Holroyd High School. The posted speed limit is 50km/h and 40km/h during school times near Holroyd High School and parking is permitted on both sides of the road unless signposted. Land use on the street is residential.

Council has received a request from a local resident for the installation of traffic calming devices on Cumberland Road south of Merrylands Road.

Council's Officers have investigated the request for the installation of traffic calming devices on Cumberland Road south of Merrylands Road in accordance with Council's Local Area Traffic Management (LATM) Policy.

The maps below shows the location of the section of Cumberland Road, Greystanes under consideration.





A traffic count was undertaken in this section of Cumberland Road in November 2020. The results of the traffic count indicated the following:

**Traffic count Data on Cumberland Road:**

Average Daily Traffic (ADT) = 5,519 vehicles/day,  
85th percentile speed = of 52 km/h,  
Mean (average) vehicle speed = 44.5m/h.

There were two crashes in this section of Cumberland Road in the last 5 years.

The results of the traffic counts, recorded crashes etc. were used in the assessment to determine the need for the installation of traffic calming devices on Cumberland



Road in accordance with the criteria set out in Council's Local area Traffic Management Policy (LATM) Policy.

The LATM assessments are summarised in the tables below:

Table 1 – Cumberland Road - LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	15
Crash warrant in the last 5 years	15	5
Road Characteristics	35	19
Community Support & other factors	5	5
<b>Total</b>	<b>100</b>	<b>44</b>

Table 2 – Cumberland Road – Action

Criteria	Action
>75	Report to TC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	<b>Council to review traffic data in 6 months</b>
25-40	Monitor street and review traffic data after 12 months
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above assessment, traffic calming devices are not warranted in the street, therefore, the request for the installation of traffic calming devices / speed humps cannot be supported.

The recorded 85<sup>th</sup> percentile speed in the street is slightly over the speed limit of the street and combined with a low crash history, no further action is required until the next review of conditions.

## ATTACHMENTS

Nil







Item No: CTC-21-030

**LAVINIA STREET, EAST OF ROBERTSON STREET MERRYLANDS,– ROAD SAFETY CONCERNS**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

**SUMMARY**

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Council has received a request from a local resident for the installation of additional traffic calming devices on Lavinia Street East of Robertson Street, Merrylands.

This report outlines the outcome of the investigation into this matter.

**RECOMMENDATION**

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The Cumberland Traffic Committee recommends that;

1. The installation of additional traffic calming devices on Lavinia Street east of Robertson Street, Merrylands not be approved.
2. Council review conditions in Lavinia Street and report back to traffic committee in April 2022.

**REPORT**

---

Cumberland Traffic Committee considered a report on speeding concerns in Lavinia Street west of Robertson Street Merrylands in February 2019 (CTC-19-010) and recommended the request for traffic calming devices on Lavinia Street, Merrylands not be approved. It shall be noted that the 85<sup>th</sup> %tile speed was 43.2 and 45 km/hr in two sections of the street.

Council has received a new request from a local resident for the installation of traffic calming devices on Lavinia Street east of Robertson Street, Merrylands.

Lavinia Street is a local road that runs in an east-west direction and it has a width of approximately 9.5m. The posted speed limit is 50km/h and parking is permitted on both sides of the road unless signposted.

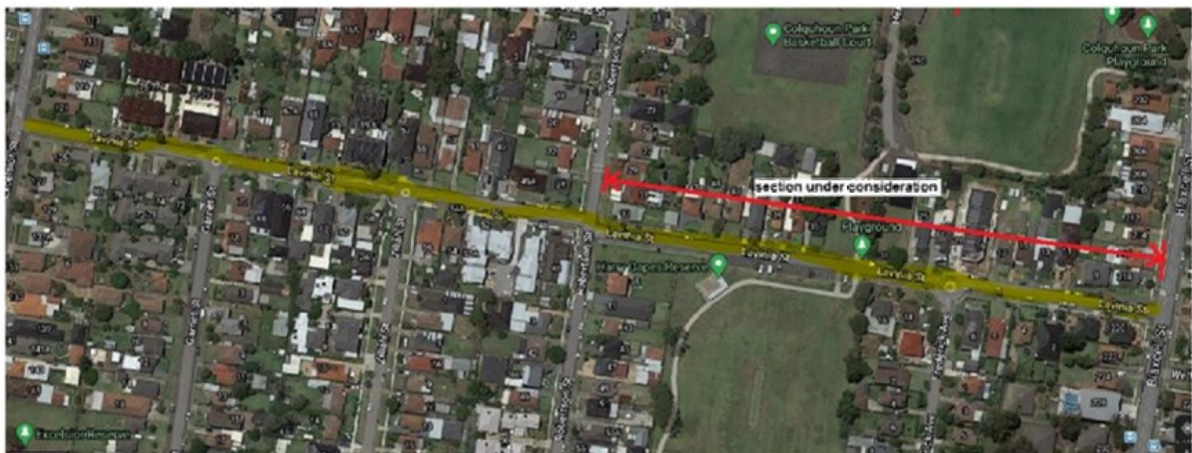
There is one roundabout on Lavinia Street east of Robertson Street. There is also a Park reserve on either side of Lavinia Street between Robertson Street and Frederick Avenue.



Council's Officers have investigated the request for the installation of additional traffic calming devices on Lavinia Street east of Robertson Street in accordance with Council's Local Area Traffic Management (LATM) Policy.

The latest crash data indicated that there are no reported crashes on Lavinia Street east of Robertson Street in the last 5 years.

The map below shows the location of Lavinia Street and the section being considered.



A traffic count was undertaken on Lavinia Street between Robertson Street and Frederick Avenue in November 2020.

The results of the traffic count indicated the following:

**Traffic count Data on Lavinia Street:**

Average Daily Traffic (ADT) = 3,182 vehicles/day,  
85th percentile speed = of 51.7 km/h,  
Mean (average) vehicle speed = 43.9 km/h.

The results of the traffic counts, recorded crashes etc. were used in the assessment to determine the need for the installation of traffic calming devices on Lavinia Street in accordance with the criteria set out in Council's Local area Traffic Management Policy (LATM) Policy.

The LATM assessments are summarised in the tables below:

Table 1 – Lavinia Street - LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	15
Crash warrant in the last 5 years	15	0
Road Characteristics	35	14
Community Support & other factors	5	5
<b>Total</b>	<b>100</b>	<b>34</b>



Table 2 – Lavinia Street – Action

Criteria	Action
>75	Report to TC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
<b>25-40</b>	<b>Monitor street and review traffic data after 12 months</b>
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above assessment, additional traffic calming devices are not warranted in this section of the street, therefore, the request for the installation of traffic calming devices / speed humps cannot be supported.

The 85<sup>th</sup> percentile speed in the street is slightly over the speed limit of the street and combined with a low crash history, no further action is required.

#### ATTACHMENTS

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Nil







Item No: CTC-21-031

## HANBURY STREET, GREYSTANES – ROAD SAFETY CONCERNS

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

### SUMMARY

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Council has received a request from a local resident for the installation of traffic calming devices on Hanbury Street, Greystanes.

This report reviews traffic conditions in Hanbury Street and outlines the outcome of the investigation.

### RECOMMENDATION

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The Cumberland Traffic Committee recommends that;

1. The request for traffic calming devices in Hanbury Street, Greystanes not be approved,
2. Council review conditions in Hanbury Street in November 2021 and report back to traffic committee.

### REPORT

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Hanbury Street is a local road running north-south parallel to Ringrose Avenue and Gerald street and ends in a cul-de-sac. It is approximately 900m long and 7.3m wide. Speed limit in the street is 50km/hr.

Cumberland Traffic Committee considered a report at its meeting in November 2018 and recommended that Cumberland Police Area Command of the NSW Police Force be requested to undertake random surveillance of Hanbury Street and the surrounding roads for illegal driving.

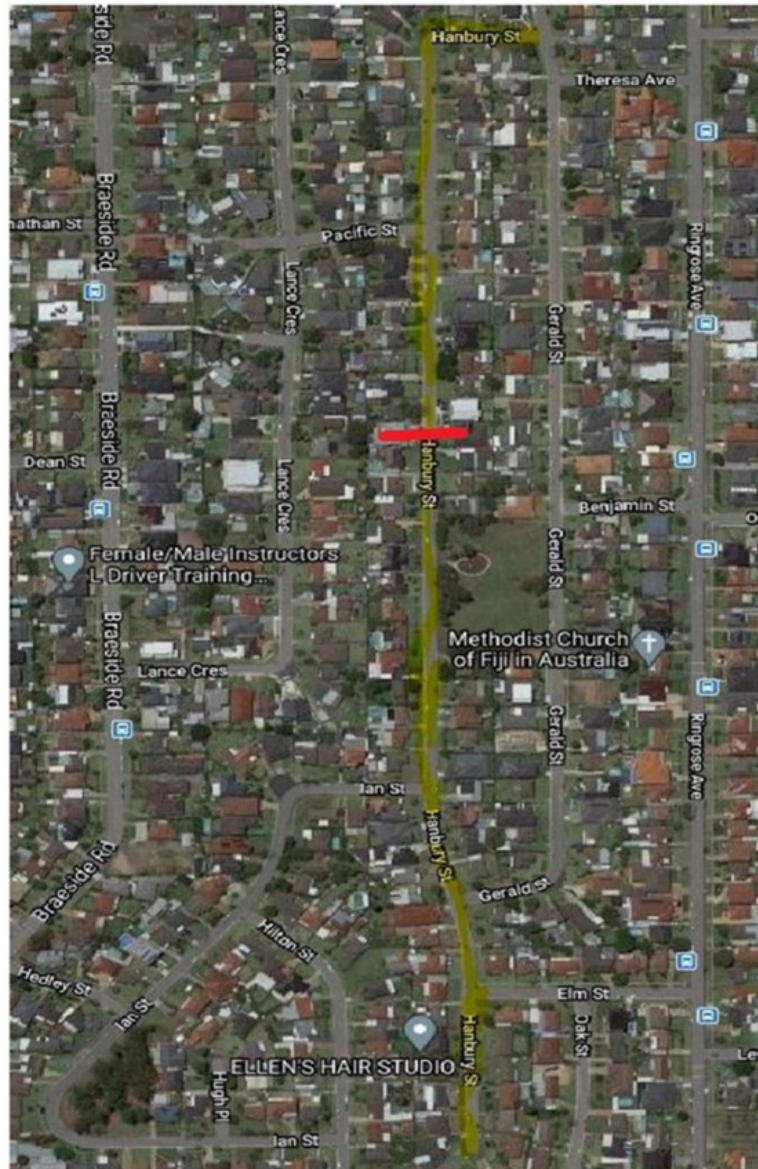
Council has received a recent request from a local resident for the installation of traffic calming devices on Hanbury Street, Greystanes. A review of the traffic conditions in Hanbury Street was to be undertaken in early 2020, however, due to the COVID situation, the review was delayed.

Council's Officers have now investigated the request for the installation of traffic calming devices on Hanbury Street in accordance with Council's Local Area Traffic Management (LATM) Policy.



The latest crash data at this location indicated that there is no reported crashes in Hanbury Street in the last 5 year.

The map below shows the location of Hanbury Street, Greystanes.



A traffic count was undertaken on Hanbury Street in November 2020. The location of the traffic count is shown in red in the map above.

The results of the traffic count together with the previous traffic count taken in 2018 are given in table form below:



	August 2018	November 2020
<i>Average Daily Traffic (ADT)</i>	505 veh./day	529 veh./day
<i>85th percentile speed</i>	58.7 km/hr	57.8 km/h
<i>Mean (average) vehicle speed</i>	48.6km/hr	47.9 km/h

It can be seen from the above table that average daily traffic has increased slightly (4.8%) while the speeds of traffic have decreased by a small amount (approx. 1.5%).

The results of the recent traffic counts, recorded crashes etc. were used in the assessment to determine the need for the installation of traffic calming devices on Hanbury Street in accordance with the criteria set out in Council's Local area Traffic Management Policy (LATM) Policy.

The LATM assessments are summarised in the tables below:

Table 1 – Hanbury Street - LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	15
Crash warrant in the last 5 years	15	0
Road Characteristics	35	16
Community Support & other factors	5	5
<b>Total</b>	<b>100</b>	<b>36</b>

Table 2 – Hanbury Street – Action

Criteria	Action
>75	Report to TC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
<b>25-40</b>	<b>Monitor street and review traffic data after 12 months</b>
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above assessment, traffic calming devices are not warranted in the street, therefore, the request for the installation of traffic calming devices / speed humps can not be supported.

It should be noted that Hanbury Street is accessed by only local traffic and the average daily traffic data confirms it. It is proposed to review conditions in Hanbury Street in 6 months time.

## ATTACHMENTS

1. Previous Report CTC-18-155







# DOCUMENTS ASSOCIATED WITH REPORT CTC-21-031

## Attachment 1 Previous Report CTC-18-155







**CTC-18-155 HANBURY STREET, GREYSTANES – ROAD SAFETY CONCERNS**

State Electorate: Granville  
(File No. T-28-01/06)

PAC: Cumberland

Summary:

Council has received a request from a local resident through the Local Member that vehicles are speeding in Hanbury Street, Greystanes.

This report outlines the outcome of the investigation into this matter.

Report:

Hanbury Street is local road running parallel to Ringrose Avenue & Gerald Street connecting Gerald Street and ending in a cul-de-sac. It is approximately 7.3m wide.

Traffic counts were undertaken on Hanbury Street in August 2018, the results are shown in table form below.

Average Daily Traffic	505 Veh/day)
85 <sup>th</sup> %tile speed	58.7 km/hr
median speed	48.6 km/hr
Vehicles exceeding the speed limit (50 km/hr) per day	225 (44.6%)
No of vehicles exceeding 55km/hr per day	145 (28.4%)

There were no reported accidents in Hanbury Street in the 5 year period between July 2012 to June 2017.

The plan below shows the location of Hanbury Street, Greystanes.





An investigation was conducted to assess the feasibility of the installation of traffic calming devices on Hanbury Street in accordance with the criteria set out in Council's Local Area Traffic Management (LATM) Policy.



The assessments are summarised in the tables below:

Table 1 – Hanbury Street – LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	45	15
Crash warrant in the last 5 years	15	0
Road Characteristics	35	16
Community Support & other factors	5	5
Total	100	36

The following table indicates the action to be taken according to the assessment points:

Table 2 – Action

Criteria	Action
>75	Report to HTC with a recommendation of providing traffic calming devices
61-75	Report to TC and discuss possibility of providing traffic calming devices
41-60	Council to review traffic data in 6 months
25-40	Monitor street and review traffic data after 12 months
<25	Do Nothing
Speed	That regardless of the total points scored, should the 85th percentile speed exceed the posted speed limit by 5 km/h, the street be referred to the NSW Police for monitoring and/or enforcement.

Based on the above results, it is advised that traffic calming devices are not warranted in accordance with Council's LATM Policy.

However, it is noted that the 85<sup>th</sup> percentile speed in the street is high compared to the speed limit.

Also due to the concerns regarding motorists and motor cyclists hooping and illegal driving in the area, it is proposed that Council request the Cumberland Police Area Command to undertake surveillance on the area for such illegal driving and riding practices.

**Comments:**

Traffic committee members agreed with the proposal.

**Recommendation:**

The Cumberland Traffic Committee recommended that:

- Cumberland Police Area Command of the NSW Police Force be requested to undertake random surveillance of Hanbury Street and the surrounding roads for illegal driving.
- Council review traffic conditions in Hanbury Street in November 2019 and report back to Cumberland Traffic Committee in February 2020.







Item No: CTC-21-032

## **GLOUCESTER AVENUE, MERRYLANDS – REQUEST FOR ONE-WAY ARRANGEMENT**

Responsible Division: Works & Infrastructure  
Officer: Traffic Engineer  
File Number: HC-24-01-3/02  
Electorate: Granville  
Police Area Command (PAC): Cumberland

### **SUMMARY**

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Council received requests for making Gloucester Avenue a One-Way street from some residents during a recent consultation for parking restrictions and traffic calming issues.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

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**The Traffic Committee recommends that the information contained in this report be noted.**

### **REPORT**

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Gloucester Avenue is a local road that runs in an east-west direction and has a width of approximately 7m with a signposted 50km/h speed limit. Parking is permitted on both sides of the road unless signposted.

Council received complaints from local residents in Gloucester Avenue regarding road safety concerns.

As part of the consultation process, an onsite meeting was organised with residents of Gloucester Avenue in late October 2020. At the meeting, some residents requested that the installation of traffic calming devices on Gloucester Avenue be considered by Council. Also, they requested that Council consider parking restrictions in the street.

Following the site meeting, Council's Officers have undertaken consultation with the residents on Gloucester Avenue. The survey form had both requests for speed humps as well as parking restrictions.



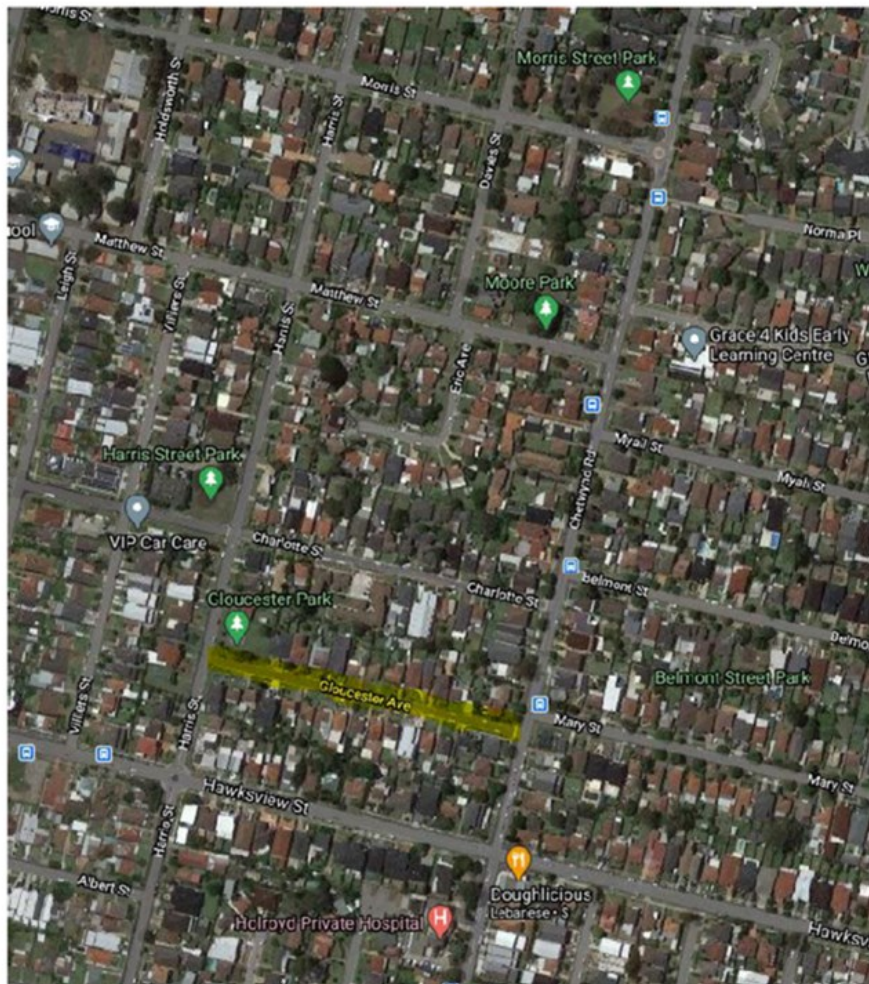
Consultation letters with an attached survey form were sent to the residents / owners of 28 properties on Gloucester Avenue.

Council received 10 responses from the residents. The responses for both requests have been included in two separate reports in this agenda.

Some responses requested that Gloucester Avenue be made a one-way street allowing travel from Chetwynd Road to Harris Street.

This report assesses the feasibility of the one-way street option and its impacts on surrounding streets.

Locality map of Gloucester Avenue and surrounding road network is shown below:





**Traffic count Data on Gloucester Avenue, Merrylands:**

	Eastbound	Westbound	Both directions
Ave. Daily Traffic (Veh./day)	222	320	542
Max AM – 8.00-9.00 (Monday)	40	24	64
Max PM – 3.00-4.00 (Thursday)	28	49	77
Week Day AM average 8.00-9.00	34	24	58
Week Day PM average 3.00-4.00	25	43	68

The above data is based on the values derived from the traffic count taken in late October 2020.

Based on the above data, it can be seen that the average peak hour directional traffic in Gloucester Avenue is slightly high (10 veh/hr) in the eastbound direction during the morning peaks. The average peak hour directional traffic is high (18 veh/hr) in the westbound direction in the evening peaks.

The subject street is approximately 250m long and consists of 31 properties including corner properties. The nature of the street and surrounding road network are expected to generate 8-10 vehicle trips per day per dwelling.

An average daily traffic of 542 veh/day in residential street is not considered high to affect the amenity of the residents, however, the short length of the road (approximately 250m) and limited number of dwellings in the street indicates some users of Gloucester Avenue may not be residents of the street. However, the presence of Gloucester Park at the corner of Harris Street and Gloucester Avenue may attract park visitors to the area.

It should also be noted that one-way arrangement in Gloucester Avenue may direct traffic to other parallel streets in the network. It will also impact on some of the residents to take other parallel roads to access Gloucester Avenue.

**Process for making a street One-way**

In accordance with the Roads and Maritime Services (RMS) – now Transport for NSW guidelines, Council does not have delegation to ban movements of any vehicular traffic without preparing and receiving approval from the RMS (now TfNSW) of a Traffic Management Plan (TMP).

The TMP deals with various impacts of banning any movement including impact on emergency vehicle access, other streets in the vicinity, justification for the decision to ban, etc. Also one of the requirements of the TMP is that the proposal to be advertised and public comments summarised and addressed.

**ATTACHMENTS**

Nil







DOCUMENTS  
ASSOCIATED WITH  
REPORT C03/21-706

Attachment 2

Minutes of the Cumberland Traffic  
Committee meeting of 3 February  
2021







## Minutes of the Electronic Traffic Committee meeting of 03 February 2021.

Cumberland Council -	Clr Paul Garrard – Chairman Clr Eddy Sarkis – Deputy Chair
Transport for NSW (TfNSW) -	Mr Ram Sritharan – <i>Concurrence received for selected items with comments on other items. Specific comments and changes to recommendations are noted with relevant items.</i>
Local Member for Auburn -	Clr George Campbell – <i>Concurrence received for all relevant items.</i>
Local Member for Fairfield -	Mr George Barcha – <i>No objections received.</i>
Local Member for Granville -	Mr Chris Worthington - <i>Concurrence received for all relevant items with comments for selected items.</i>
Local Member for Prospect -	Clr Suman Saha - <i>Concurrence received for all relevant items.</i>
Auburn Police Area Command -	S/Const. J Norris – <i>Concurrence received for all relevant items.</i>
Cumberland Police Area Command -	S/Const. Suzie Horton – <i>Concurrence received for all relevant items.</i>
State Transit Authority	<i>No Objections received.</i>
Transdev -	<i>No comments</i>
CDBus -	<i>No comments</i>
Transit Systems -	<i>No comments</i>

**APOLOGIES:****DECLARATIONS OF INTEREST:** *Nil***CONFIRMATION OF MINUTES****SUMMARY OF REPORTS**



### Summary of Reports

Item #	Title	Electorate				Police Area Command (PAC)	
		Fairfield	Granville	Prospect	Auburn	Cumberland	Auburn
CTC-21-001	MATTHEW STREET AND VILLIERS STREET, MERRYLANDS – PROPOSED 'NO STOPPING' PARKING RESTRICTIONS		x			x	
CTC-21-002	DAWES AVENUE, REGENTS PARK – PROPOSED TREATMENT AT THE BEND				x		x
CTC-21-003	HAIG STREET AND BRIDGE ROAD, WESTMEAD – PROPOSED 'NO STOPPING' PARKING RESTRICTIONS		x			x	
CTC-21-004	ROWLEY ROAD, GUILDFORD – PROPOSED 'NO STOPPING' RESTRICTIONS				x	x	
CTC-21-005	APIA STREET, GUILDFORD – PROPOSED 'DISABLED PARKING' SPACE		x			x	
CTC-21-006	BELL CRESCENT, YENNORA – PROPOSED LINE MARKING AND 'NO STOPPING' RESTRICTIONS	x				x	
CTC-21-007	DAVID PLACE, LIDCOMBE – PROPOSED 'NO STOPPING' RESTRICTIONS				x		x
CTC-21-008	MASON STREET AND HENSON STREET, MERRYLANDS – PROPOSED INTERSECTION TREATMENT		x			x	
CTC-21-009	VIRGINIA STREET, GUILDFORD WEST – PROPOSED PARKING RESTRICTIONS – CONSULTATION RESULT		x			x	
CTC-21-010	YANCO STREET, MERRYLANDS WEST – REVIEW OF 'NO STOPPING' RESTRICTIONS		x			x	
CTC-21-011	179 EXCELSIOR STREET, GUILDFORD – PROPOSED RELOCATION OF BUS ZONE ASSOCIATED WITH A DEVELOPMENT APPLICATION				x		x
CTC-21-012	MYALL STREET AND MEAKIN STREET, MERRYLANDS – PROPOSED 'NO STOPPING' RESTRICTIONS		x			x	
CTC-21-013	TOONGABBIE ROAD, TOONGABBIE – ROAD SAFETY CONCERNS			x		x	
CTC-21-014	WOODSTOCK STREET AND MARIAN STREET, GUILDFORD – PROPOSED ROUNDABOUT – SAFER ROAD PROGRAM 2020/2021 FY – APPROVED PROJECT		x			x	
CTC-21-015	MONA STREET AND WALTERS STREET, AUBURN – PROPOSED ROUNDABOUT – SAFER ROAD PROGRAM 2020/2021 FY – APPROVED PROJECT				x		x
CTC-21-016	DARTBROOK ROAD, AUBURN – REQUEST FOR PEDESTRIAN CROSSING				x		x
CTC-21-017	GUILDFORD ROAD, GUILDFORD – REQUEST FOR PEDESTRIAN CROSSING		x			x	
CTC-21-018	CHURCH STREET AND SWETE STREET, LODCOMBE – PROPOSED ROUNDABOUT – FEDERAL BLACK SPOT 20/21 FY – APPROVED PROJECT				x		x
CTC-21-019	HAMILTON STREET, SOUTH WENTWORTHVILLE – ROAD SAFETY CONCERNS		x			x	



CTC-21-020	LISGAR STREET, MERRYLANDS – ROAD SAFETY CONCERNS		x			x	
CTC-21-021	LUCAS STREET, GUILDFORD – ROAD SAFETY CONCERNS		x			x	
CTC-21-022	FERNDELL STREET, SOUTH GRANVILLE – ROAD SAFETY CONCERNS ON APPROACH TO TRAFFIC SIGNALS				x	x	
CTC-21-023	GELIBOLU PARADE, AUBURN – ROAD SAFETY CONCERNS				x		x
CTC-21-024	GLOUCESTER AVENUE, MERRYLANDS – PROPOSED PARKING RESTRICTIONS – CONSULTATION RESULT		x			x	
CTC-21-025	GLOUCESTER AVENUE, MERRYLANDS – ROAD SAFETY CONCERNS – CONSULTATION RESULT		x			x	
CTC-21-026	GRASSMERE STREET, GUILDFORD – PROPOSED SPEED HUMPS – CONSULTATION RESULT		x			x	
CTC-21-027	GOZO ROAD, GREYSTANES – PROPOSED SPEED HUMPS – CONSULTATION RESULT			x		x	
CTC-21-028	IRRIGATION ROAD, MERRYLANDS – PROPOSED SPEED HUMPS – CONSULTATION RESULT		x			x	
CTC-21-029	CUMBERLAND ROAD, GREYSTANES – ROAD SAFETY CONCERNS		x			x	
CTC-21-030	LAVINIA STREET, EAST OF ROBERTSON STREET MERRYLANDS, – ROAD SAFETY CONCERNS		x			x	
CTC-21-031	HANBURY STREET, GREYSTANES – ROAD SAFETY CONCERNS		x			x	
CTC-21-032	GLOUCESTER AVENUE, MERRYLANDS – REQUEST FOR ONE-WAY ARRANGEMENT		x			x	



**REPORTS**

ITEM CTC-21-001 - MATTHEW STREET AND VILLIERS STREET,  
MERRYLANDS – PROPOSED 'NO STOPPING' PARKING  
RESTRICTIONS

**RECOMMENDATION**

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That the Traffic Committee recommends that:

1. The installation of 'No Stopping' signs at the intersection of Matthew Street and Villiers Street, Merrylands in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome.

ITEM CTC-21-002 - DAWES AVENUE, REGENTS PARK –  
PROPOSED TREATMENT AT THE BEND

**RECOMMENDATION**

---

That the Traffic Committee recommends that:

1. The installation of 'No Stopping' signs and 'BB' line marking at the bend in Dawes Avenue, Regents Park in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome.

ITEM CTC-21-003 - HAIG STREET AND BRIDGE ROAD, WESTMEAD  
– PROPOSED 'NO STOPPING' PARKING RESTRICTIONS

**RECOMMENDATION**

---

That the Traffic Committee recommends that:

1. The installation of 'No Stopping' signs at the intersection of Haig Street and Bridge Road, Westmead in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome generally.



**ITEM CTC-21-004 - ROWLEY ROAD, GUILDFORD – PROPOSED 'NO STOPPING' RESTRICTIONS****RECOMMENDATION**

---

**That the Traffic Committee recommends that;**

- 1. The installation of 'No Stopping' signs on Rowley Road, Guildford at the frontage of 6 Rowley Road in accordance with the attached plan be approved.**
- 2. The installation of the signage and ongoing maintenance shall be borne by the owner of property known as 6 Rowley Road, Guildford.**

**ITEM CTC-21-005 - APIA STREET, GUILDFORD – PROPOSED 'DISABLED PARKING' SPACE****RECOMMENDATION**

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**That the Traffic Committee recommends that:**

- 1. The installation of a disabled Parking space with time limited for '8:00am – 9:30am, 2:30pm – 4:00pm, MON – FRI, School Days Only' signs on Apia Street, Guildford in accordance with the attached plan be approved.**
- 2. The affected residents / school be notified of the outcome.**

**ITEM CTC-21-006 - BELL CRESCENT, YENNORA – PROPOSED LINE MARKING AND 'NO STOPPING' RESTRICTIONS****RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. The installation of 10m 'BB' line marking and 'No Stopping' sign on Bell Crescent, Yennora in accordance with the attached plan be approved.**
- 2. The affected residents be notified of the outcome generally.**



ITEM CTC-21-007 - DAVID PLACE, LIDCOMBE – PROPOSED 'NO STOPPING' RESTRICTIONS

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The installation of 'No Stopping' and 'No Parking' signs in David Place in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome.

ITEM CTC-21-008 - MASON STREET AND HENSON STREET, MERRYLANDS – PROPOSED INTERSECTION TREATMENT

**RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

1. The installation of 'No Stopping' signs, BB line marking and supplement 'Give-way' signs at the intersection of Mason Street and Henson Street, Merrylands in accordance with the attached plan be approved.
2. The affected residents be notified of the outcome.

ITEM CTC-21-009 - VIRGINIA STREET, GUILDFORD WEST – PROPOSED PARKING RESTRICTIONS– CONSULTATION RESULT

**RECOMMENDATION**

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**The Traffic Committee recommends that:**

1. The installation of 'No Parking' restrictions on Virginia Street, Guildford West as per the attached plan be approved.
2. The adjacent residents be notified of the outcome.



**ITEM CTC-21-010 - YANCO STREET, MERRYLANDS WEST –  
REVIEW OF 'NO STOPPING' RESTRICTIONS****RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. The 'No Stopping' signs at the intersection of Yanco Street with Merrylands Road, Merrylands approved by the traffic committee in September 2020 not be changed.**
- 2. The residents be notified of the outcome.**

**ITEM CTC-21-011 - 179 EXCELSIOR STREET, GUILDFORD –  
PROPOSED RELOCATION OF BUS ZONE ASSOCIATED WITH A  
DEVELOPMENT APPLICATION****RECOMMENDATION**

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**That the Traffic Committee recommends that:**

- 1. The proposed relocation of 'Bus Zone' sign at 179 Excelsior Street, Guildford in accordance with the attached plan be approved;**
- 2. The cost associated with the relocation of the sign shall be borne by the applicant.**
- 3. The applicant be notified of the outcome.**

**ITEM CTC-21-012 - MYALL STREET AND MEAKIN STREET,  
MERRYLANDS – PROPOSED 'NO STOPPING' RESTRICTIONS****RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. The installation of 'No Stopping' signs and 'BB' centre line marking at the intersection of Myall Street and Meakin Street, Merrylands in accordance with the attached plan be approved.**
- 2. The adjacent residents be notified of the outcome.**



ITEM CTC-21-013 - TOONGABBIE ROAD, TOONGABBIE – ROAD  
SAFETY CONCERNS**RECOMMENDATION**

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The Cumberland Traffic Committee recommends that;

1. The installation of traffic calming devices on Toongabbie Road, Toongabbie not be supported.
2. Council review traffic conditions in Toongabbie Road, between Portio Road and Targo Road in November 2021 and report back to traffic committee in February 2022.
3. Council request Cumberland Police Area Command to monitor speeding in Toongabbie Road between Portia Road and Targo Road.

ITEM CTC-21-014 - WOODSTOCK STREET AND MARIAN STREET,  
GUILDFORD – PROPOSED ROUNDABOUT – SAFER ROAD  
PROGRAM 2020/2021 FY – APPROVED PROJECT**RECOMMENDATION**

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That the Traffic Committee recommends that:

1. The construction of the proposed roundabout including the Signs and Marking Plan at the intersection of Woodstock Street and Marian Street, Guildford in accordance with the attached plan be approved;
2. The adjacent residents be notified of Council's resolution.

**Discussion:**

TfNSW representative requested that Council undertake a design review and check swept paths.

**Action:**

Final design plans will be forwarded to the TfNSW.



**ITEM CTC-21-015 - MONA STREET AND WALTERS STREET,  
AUBURN - PROPOSED ROUNDABOUT – SAFER ROAD PROGRAM  
2020/2021 FY – APPROVED PROJECT****RECOMMENDATION**

---

**That the Traffic Committee recommends that:**

- 1. The construction of the proposed roundabout including the Signs and Marking Plan at the intersection of Mona Street and Walters Street, Auburn be approved;**
- 2. The adjacent residents be notified of Council's resolution.**

**Discussion:**

TfNSW representative requested that Council undertake a design review and check swept paths for buses.

**Action:**

It is noted that there is a bus route on Mona Street which goes straight through and does not make right or left turns at the roundabout.

Final design plans will be forwarded to the TfNSW.

**ITEM CTC-21-016 - DARTBROOK ROAD, AUBURN – REQUEST FOR  
PEDESTRIAN CROSSING****RECOMMENDATION**

---

**That the Traffic Committee recommends that the installation of pedestrian warning signs on Dartbrook Road and Gelibolu Parade, Auburn in accordance with the attached plan be approved.**

**ITEM CTC-21-017 - GUILDFORD ROAD, GUILDFORD – REQUEST  
FOR PEDESTRIAN CROSSING****RECOMMENDATION**

---

**That the Traffic Committee recommends that the installation of 'Pedestrian warning signs' on Guildford Road, Guildford in accordance with the attached plan be approved.**



ITEM CTC-21-018 - CHURCH STREET AND SWETE STREET,  
LODCOMBE – PROPOSED ROUNDABOUT – FEDERAL BLACK  
SPOT 20/21 FY – APPROVED PROJECT

#### **RECOMMENDATION**

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**That the Traffic Committee recommends that:**

1. The proposed improvements to existing roundabout and associated signs and linemarking at the intersection of Church Street and Swete Street, Lidcombe in accordance with the attached plan be approved;
2. The adjacent residents be notified of the outcome.

**Discussion:**

TfNSW representative requested that Council undertake a design review and check swept paths for buses.

**Action:**

A bus swept path analysis has been undertaken and found satisfactory.

ITEM CTC-21-019 - HAMILTON STREET, SOUTH  
WENTWORTHVILLE – ROAD SAFETY CONCERNS

#### **RECOMMENDATION**

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**The Cumberland Traffic Committee recommends that the installation of traffic calming devices on Hamilton Street, South Wentworthville not be approved.**

ITEM CTC-21-020 - LISGAR STREET, MERRYLANDS – ROAD  
SAFETY CONCERNS

#### **RECOMMENDATION**

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**The Cumberland Traffic Committee recommends that Council undertake consultation with the residents of Lisgar Street between Excelsior Street and Robertson Street, Merrylands to determine support or otherwise for speed humps and report back to Cumberland Traffic Committee.**



**ITEM CTC-21-021 - LUCAS STREET, GUILDFORD – ROAD SAFETY CONCERNS**

**RECOMMENDATION**

---

The Cumberland Traffic Committee recommends that the installation of traffic calming devices on Lucas Street, Guildford not be supported.

**ITEM CTC-21-022 - FERNDELL STREET, SOUTH GRANVILLE – ROAD SAFETY CONCERNS ON APPROACH TO TRAFFIC SIGNALS**

**RECOMMENDATION**

---

The Cumberland Traffic Committee recommends that;

1. The installation of traffic calming devices on Ferndell Street, South Granville not be approved.
2. Council request Centre For Road Safety to investigate installation of a Red light Safety Camera at this intersection.

**ITEM CTC-21-023 - GELIBOLU PARADE, AUBURN – ROAD SAFETY CONCERNS**

**RECOMMENDATION**

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The Cumberland Traffic Committee recommends that the installation of traffic calming devices on Gelibolu Parade, Auburn not be approved.

**ITEM CTC-21-024 - GLOUCESTER AVENUE, MERRYLANDS – PROPOSED PARKING RESTRICTIONS – CONSULTATION RESULT**

**RECOMMENDATION**

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The Traffic Committee recommends that the installation of parking restrictions in Gloucester Avenue, Merrylands not be approved.

**Discussion:**



Granville Local member's representative requested that this item be deferred to enable further information to be collated on recent crash statistics, pedestrian accidents and car accidents on Gloucester Ave.

Council officer advised the member that the item could be reviewed if crashes are reported in the crash data updates from TfNSW.

As per the crash data updates received recently from the Transport for NSW (TfNSW), there were no reported crashes in Gloucester Avenue in the five year period ending June 2020.

**ITEM CTC-21-025 - GLOUCESTER AVENUE, MERRYLANDS – ROAD  
SAFETY CONCERNS – CONSULTATION RESULT**

**RECOMMENDATION**

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**The Traffic Committee recommends that the installation of speed humps in Gloucester Avenue, Merrylands not be approved.**

**Discussion:**

Granville Local member's representative requested that this item be deferred to enable further information to be collated on recent crash statistics, pedestrian accidents and car accidents on Gloucester Ave.

Council officer advised the member that the item could be reviewed if crashes are reported in the crash data updates from TfNSW.

As per the crash data updates received recently from the Transport for NSW (TfNSW), there were no reported crashes in Gloucester Avenue in the five year period ending June 2020.

**ITEM CTC-21-026 - GRASSMERE STREET, GUILDFORD –  
PROPOSED SPEED HUMPS – CONSULTATION RESULT**

**RECOMMENDATION**

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**That the Traffic Committee recommends that;**

- 1. The proposed installation of speed humps on Grassmere Street, Guildford not be approved.**
- 2. Council review conditions in Grassmere Street, Guildford in February 2022.**



**ITEM CTC-21-027 - GOZO ROAD, GREYSTANES – PROPOSED  
SPEED HUMPS – CONSULTATION RESULT****RECOMMENDATION**

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**That the Traffic Committee recommends that the proposed installation of speed humps on Gozo Road, Greystanes not be approved.**

**ITEM CTC-21-028 - IRRIGATION ROAD, MERRYLANDS –  
PROPOSED SPEED HUMPS – CONSULTATION RESULT****RECOMMENDATION**

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**That the Traffic Committee recommends that the proposed installation of speed humps on Irrigation Road, Merrylands not be approved.**

**ITEM CTC-21-029 - CUMBERLAND ROAD, GREYSTANES – ROAD  
SAFETY CONCERNS****RECOMMENDATION**

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**The Cumberland Traffic Committee recommends that;**

- 1. The installation of traffic calming devices on Cumberland Road, Greystanes not be supported.**
- 2. The concerned resident be notified of outcome generally.**

**ITEM CTC-21-030 - LAVINIA STREET, EAST OF ROBERTSON  
STREET MERRYLANDS, – ROAD SAFETY CONCERNS****RECOMMENDATION**

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**The Cumberland Traffic Committee recommends that;**

- 1. The installation of additional traffic calming devices on Lavinia Street east of Robertson Street, Merrylands not be approved.**
- 2. Council review conditions in Lavinia Street and report back to traffic committee in April 2022.**



ITEM CTC-21-031 - HANBURY STREET, GREYSTANES – ROAD  
SAFETY CONCERNS

**RECOMMENDATION**

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The Cumberland Traffic Committee recommends that;

1. The request for traffic calming devices in Hanbury Street, Greystanes not be approved,
2. Council review conditions in Hanbury Street in November 2021 and report back to traffic committee.

ITEM CTC-21-032 - GLOUCESTER AVENUE, MERRYLANDS –  
REQUEST FOR ONE-WAY ARRANGEMENT

**RECOMMENDATION**

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The Traffic Committee recommends that the information contained in this report be noted.

**Discussion:**

Granville Local member's representative requested that this item be deferred to enable further information to be collated on recent crash statistics, pedestrian accidents and car accidents on Gloucester Ave.

Council officer advised the member that the item could be reviewed if crashes are reported in the crash data updates from TfNSW.

As per the crash data updates received recently from the Transport for NSW (TfNSW), there were no reported crashes in Gloucester Avenue in the five year period ending June 2020.

**GENERAL BUSINESS**

Nil

**NEXT MEETING**

Next Meeting 7 April 2021 at 9:30am.





**Traffic Committee  
3 February 2021**

**MEETING CLOSE**

The meeting terminated at : N/A

Signed:

Chairperson







Item No: C03/21-707

## **NOTICE OF MOTION - RACISM NOT WELCOME CAMPAIGN**

Councillor: Kun Huang and Suman Saha  
File Number: SC483

### **SUMMARY**

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Pursuant to Notice, Councillors Huang and Saha have submitted the following Motion.

### **NOTICE OF MOTION**

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#### **That Council:**

- 1. Note the alarming rise in incidents of racism in Australia and our local community;**
  - 2. Endorse the “Racism Not Welcome” campaign developed by the Inner West Multicultural Network (IWMN);**
  - 3. Support the instalment of bi-lingual\* “Racism Not Welcome” street signs in key locations around the Cumberland LGA as part of this campaign;**
  - 4. Work with the IWMN to install the “Racism Not Welcome” street signs;**
- (\*English + one of the top 5 languages that reflects the demographic of the local community)**

### **RESOURCING IMPLICATIONS**

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The resourcing implications cannot be determined until a resolution of Council which identifies locations and costs of the proposed signage including translation.

### **GENERAL MANAGER ADVICE**

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Points 1 and 2 are matters for Council to determine. Should Council support further consideration of the matters raised in 3 and 4 above, a report will need to be brought back to Council outlining the required expenditure for the production and installation of these street signs. Additionally, translation costs will also need to be factored into any expenditure if the signs are not already available in various community languages.

Council will also need to resolve the locations at which these street signs are to replace standard street blades, whilst having regard to any traffic and safety issues. This matter will require advice from Council’s traffic and planning teams to recommend suitable locations and it is anticipated that such advice would be included in the report back to Council regarding this matter.



**ATTACHMENTS**

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Nil