

CUMBERLAND CITY COUNCIL

Council Meeting

*Wednesday, 7 February 2024 at
6:30pm*

Cumberland City Council Chambers
Merrylands Service Centre, 16 Memorial Avenue, Merrylands

Councillor Contact Details

Granville Ward

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

Greystanes Ward

| | | |
|-------------------|--------------|-------------------------------------|
| Clr Diane Colman | 0400 279 200 | Diane.Colman@cumberland.nsw.gov.au |
| Clr Greg Cummings | 0417 612 717 | Greg.Cummings@cumberland.nsw.gov.au |
| Clr Eddy Sarkis | 0425 348 000 | Eddy.Sarkis@cumberland.nsw.gov.au |

Regents Park Ward

| | | |
|---------------------|--------------|---------------------------------------|
| Clr Kun Huang | 0418 911 774 | Kun.Huang@cumberland.nsw.gov.au |
| Clr Sabrin Farooqui | 0400 322 999 | Sabrin.Farooqui@cumberland.nsw.gov.au |
| Clr Helen Hughes | 0400 264 534 | Helen.Hughes@cumberland.nsw.gov.au |

South Granville Ward

| | | |
|---------------------|--------------|---------------------------------------|
| Clr Glenn Elmore | 0418 459 527 | Glenn.Elmore@cumberland.nsw.gov.au |
| Clr Paul Garrard | 0414 504 504 | Paul.Garrard@cumberland.nsw.gov.au |
| Clr Mohamad Hussein | 0400 281 726 | Mohamad.Hussein@cumberland.nsw.gov.au |

Wentworthville Ward

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

Statement of Ethical Obligations

Oath or Affirmation of Office

In taking the Oath or Affirmation of Office, each Councillor has made a commitment to undertake the duties of the office of councillor in the best interests of the people of Cumberland and Cumberland City Council and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act to the best of their ability and judgment.

Conflicts of Interest

A councillor who has a conflict of interest in any matter with which the council is concerned, and who is present at a meeting of the council when the matter is being considered, must disclose the interest and the nature of the interest to the meeting as soon as practicable. Both the disclosure and the nature of the interest must be recorded in the minutes of the Council meeting where the conflict of interest arises. Councillors should ensure that they are familiar with Parts 4 and 5 of the Code of Conduct in relation to their obligations to declare and manage conflicts of interests.

For information on Council services and facilities please visit www.cumberland.nsw.gov.au

ORDER OF BUSINESS

All Council Meetings are livestreamed via Council's website. An audio/visual recording of the meeting is published following the meeting. Recordings remain on Council's website for a period of 12 months and are archived following this.

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| 1 | Opening of Meeting | |
| 2 | Opening Prayer / Acknowledgement of Country / National Anthem | |
| 3 | Apologies / Requests for Leave of Absence/ Requests for Attendance by Audio-Visual Link | |
| 4 | Confirmation of Previous Minutes | |
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| 5 | Disclosures of Interest | |
| 6 | Mayoral Minutes | |
| | Nil | |
| 7 | Public Forum / Presentation of Petitions | |
| 8 | Items Resolved by Exception | |
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| | C02/24-460 Report on Variations for Development Standards Approved Under Delegation - October to December 2023 Quarter | 167 |
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| | C02/24-461 Notice of Motion - Response to proposed changes to Planning Policy for parts of Berala and Lidcombe..... | 177 |

12 Motions to Alter or Rescind Council Resolution

- AR02/24-1 Notice of Motion to Alter Council Resolution - C12/23-451 Draft Performance Agreement for Cumberland Council General Manager for the Period 1 July 2023 to 30 June 2024 193
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13 Questions with Notice

Nil

14 Closed Session Reports

- C02/24-462 Tender Evaluation Report - Norman Park Playspace Upgrade RFX574

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

- C02/24-463 Tender Evaluation Report - Rosnay (Auburn) Golf Course Irrigation Upgrade RFX648

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

15 Confidential Attachments from Open Reports

- C02/24-456 Letter of Offer for 4-4A Terminal Place, Merrylands

1. Letter of Offer

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

- C02/24-457 Letter of Offer for 15 Neil Street, Merrylands

1. Letter of Offer

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

16 Resolutions passed in Closed Session

17 Other / General Matters

18 Close

Item No: C02/24-452

MINUTES OF THE ORDINARY MEETING OF COUNCIL - 06 DECEMBER 2023

Directorate: Governance and Risk
Responsible Officer: Director Governance and Risk

RECOMMENDATION

That Council confirm the minutes of the Ordinary Meeting of Council held on 06 December 2023 and 13 December 2023 (*As resumed from the Council Meeting adjourned on 6 December 2023*).

ATTACHMENTS

1. Draft Council Minutes - 6 December 2023 & 13 December 2023 (As resumed from the Council Meeting adjourned on 6 December 2023) [↓](#)

**DOCUMENTS
ASSOCIATED WITH
REPORT C02/24-452**

Attachment 1

**Draft Council Minutes - 6
December 2023 & 13 December
2023 (As resumed from the
Council Meeting adjourned on 6
December 2023)**

Minutes of the Council Meeting 6 December 2023

PRESENT

Councillors

| | |
|--------------------------|--|
| Lisa Lake (Mayor) | Councillor |
| Ola Hamed (Deputy Mayor) | Councillor |
| Steve Christou | Councillor |
| Diane Colman | Councillor |
| Greg Cummings | Councillor |
| Glenn Elmore | Councillor |
| Sabrin Farooqui | Councillor |
| Paul Garrard | Councillor (arrived 6:34pm) |
| Kun Huang | Councillor (via Audio-Visual Link joined 6:36pm) |
| Helen Hughes | Councillor |
| Mohamad Hussein | Councillor (arrived 6:59pm) |
| Joseph Rahme | Councillor (arrived 6:37pm) |
| Suman Saha | Councillor |
| Eddy Sarkis | Councillor |
| Michael Zaiter | Councillor |

Officers

| | |
|------------------|---|
| Peter Fitzgerald | General Manager |
| Melissa Attia | Director Corporate Performance (Deputy General Manager) |
| Daniel Cavallo | Director Environment & Planning |
| Brendan Govers | Director City Services |
| Nicole Byrn | Director Community & Culture |
| Charlie Ayoub | Director Governance & Risk |
| Colin McFadzean | General Counsel |
| Carol Karaki | Manager Governance |
| Bianca Mourched | Coordinator Governance |

The Mayor, Councillor Lake declared the meeting open at 6:31pm.

Opening Prayer

The opening prayer was read by Mr Mohammed Al-Zoubi from Auburn Islamic Community Centre.

Acknowledgement of Country

The Mayor, Councillor Lake 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 Lake asked all of those in attendance to stand for the playing of the Australian National Anthem.

Min.610 Apologies / Requests for Leave of Absence/ Requests for Attendance by Audio-Visual Link

Motion (Hamed/Saha)

That in accordance with Clause 5.24 of the *Code of Meeting Practice*, Council approve the attendance of Councillor Huang at this meeting via Audio/Visual Link due to work commitments.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Hughes, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Notice of Live Streaming of Council Meeting

The Mayor, Councillor Lake advised that the Council meeting was being streamed live on Council's website and all in attendance must ensure their speech to the Council is respectful and use appropriate language.

Confirmation of Minutes

Min.611 C12/23-439 Minutes of the Ordinary Meeting of Council - 15 November 2023

Motion (Elmore/Hamed)

That Council confirm the minutes of the Ordinary Meeting of Council held on 15 November 2023.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Colman, Cummings, Elmore, Farooqui, Hamed, Huang, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Christou, Garrard, Hughes and Rahme.

Declarations of Pecuniary & Non Pecuniary Conflicts of Interest

Councillor Colman declared a Significant, Non-Pecuniary interest in Item C12/23-443 as she is a member of the relevant planning panel responsible for determination of this matter. Councillor Colman advised that she will leave the Chamber for the consideration of this item.

Councillor Hughes declared a Non-Significant, Non-Pecuniary interest in item C12/23-442 as her neighbour's site is referenced as part of the resolution on 7 December 2022 however discussion is not relating to this site and therefore would be remaining in the Chamber for the consideration of the item.

The General Manager declared a Pecuniary interest in item C12/23-451 as the item directly related to his employment. As such, the General Manager indicated that he would be exiting the Chamber upon the consideration of this item.

Councillor Elmore raised a Point of Order, citing an alleged breach by Councillor Christou of Clause 15.11(e) of *the Code of Meeting Practice* noting that Councillor Christou was not maintaining order at the Meeting. The Mayor, Councillor Lake advised that Councillor Christou had got the message and had taken his seat.

Request for Adjournment – Prayer Break

The Mayor, Councillor Lake advised that she was in receipt of a request for a prayer break adjournment at 8:00pm. In accordance with clause 5.8 of the *Code of Meeting Practice*, the Mayor ruled that she will adjourn the Meeting for a period of 10 minutes after the first item that concludes around 8:00pm to allow Councillors to pray.

Min.612 MM12/23-44 Mayoral Minute - 16 Days of Activism

Motion (Lake)

That Council:

1. Notes the high engagement and participation in Cumberland's Western Sydney March on November 29th 2023 for the 16 Days of Activism Campaign.
2. Write to the Premier, Federal and State Members, NSW Minister for Women, the Hon. Jodie Harrison and the Federal Minister for Women, Senator the Hon. Katy Gallagher outlining the critical need for funding provision at the local level for prevention and intervention programs.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Rahme, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Councillor Hussein entered the Meeting at 6:59pm during the consideration of this item.

Min.613 MM12/23-45 Mayoral Minute - Cumberland Council Awards Congratulations

Motion (Lake)

That Council congratulate all staff on their achievements and their outstanding contributions to Council and the Cumberland local government area in 2023.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Rahme, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Councillor Rahme left the Meeting at 7:22pm and returned to the Meeting at 7:23pm during the consideration of this item.

Public Forum

Speakers in Agenda Items:

| Name | Subject | Suburb | Interest |
|-------------------------|---|-----------|---------------------------------|
| Mr Khaled Etri (Via AV) | C12/23-442 Cumberland Heritage Planning Proposal – Post-exhibition report | Auburn | Owner |
| Mr Sinan Haliloglu | C12/23-442 Cumberland Heritage Planning Proposal – Post-exhibition report | Auburn | Owner |
| Mr Max Fang | C12/23-442 Cumberland Heritage Planning Proposal – Post-exhibition report | Auburn | Owner |
| Ms Sandra Robinson | C12/23-442 Cumberland Heritage Planning Proposal – Post-exhibition report | Tamarama | Town Planner representing Owner |
| Ms Thi Trinh | C12/23-442 Cumberland Heritage Planning Proposal – Post-exhibition report | Granville | Owner |
| Mr George Kirpichnikov | C12/23-442 Cumberland Heritage Planning Proposal – Post-exhibition report | Lidcombe | Priest |
| Mr Simon Nechepurenkov | C12/23-442 Cumberland Heritage Planning Proposal – Post-exhibition report | Lidcombe | Committee President |

Councillor Hussein left the Meeting at 7:29pm and returned to the Meeting at 7:31pm during Public Forum.

Councillor Christou left the Meeting at 7:37pm and returned to the Meeting at 7:39pm during Public Forum.

Councillor Rahme left the Meeting at 7:46pm and returned to the Meeting at 7:53pm during Public Forum.

ADJOURNMENT

7:58pm The Mayor, Councillor Lake adjourned the meeting in accordance with Clause 5.8 of the *Code of Meeting Practice*.

8:43pm The Mayor, Councillor Lake resumed the meeting.

The Mayor, Councillor Lake noted that at the conclusion of the ten minute prayer break, the emergency alarm had sounded in the Merrylands Administration Building and that all present had been required to evacuate. The Fire and Rescue Services then attended the site and had now given clearance to return to the Building.

Public Forum (Continued)

| Name | Subject | Suburb | Interest |
|-------------------|---|--------|----------|
| Ms Kerry Stanton | C12/23-442 Cumberland Heritage Planning Proposal – Post-exhibition report | Auburn | Resident |
| Mr Anthony Parker | C12/23-442 Cumberland Heritage Planning Proposal – Post-exhibition report | Auburn | Resident |

Speakers on General Items:

| Name | Subject | Suburb | Interest |
|-----------------|--|-----------|--------------------|
| Mr Gerard Pinto | Gender Reassignment Leave Entitlements | Granville | Resident/ Owner |

Councillor Rahme returned to the Meeting at 8:45pm following the adjournment.

Councillor Sarkis left the Meeting at 9:00pm and returned to the Meeting at 9:04pm during Public Forum.

Min.614 Alteration of Order of Business

Motion (Colman/Sarkis)

That in accordance with Clause 8.2 of the *Code of Meeting Practice*, Council alter the order of business to allow Item C12/23-442 to be brought forward for consideration at this time of the Meeting.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Rahme, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Min.615 C12/23-442 Cumberland Heritage Planning Proposal - Post-Exhibition Report

Motion (Colman/Sarkis)

That Council:

1. Endorse the minor amendments to curtilage and information of 47 existing heritage items identified in Schedule 5 of the Cumberland Local Environmental Plan (Cumberland Heritage List) (Attachment 1).
2. Endorse that the heritage area mapping for Rookwood Cemetery and Necropolis is amended to align with the State Heritage Register, as outlined in this report.
3. Endorse Option 2 for new heritage items to Part 1 of Schedule 5 in the Cumberland Local Environmental Plan (Cumberland Heritage List), to progress with 17 new heritage items which meet the following criteria: resolved by Council for inclusion in the Planning Proposal; and recommended for finalisation where no written objection has been received from landowners or interested parties on the proposed inclusion of the item during the process (Attachment 3).
4. Endorse that the Cumberland Heritage Planning Proposal, as provided in Attachment 4, be updated and finalised, based on the above recommendations.
5. Delegate authority to the General Manager to make administrative, mapping and other related changes to documents associated with the Planning Proposal, consistent with the endorsed recommendations of Council.
6. Note that the Local Environmental Plan amendment will be published on the New South Wales legislation website and in the Government Gazette upon finalisation.

Amendment (Zaiter/Rahme)

Add a point 7 as follows:

That item HS67 be excluded from the Heritage Listing.

The proposed Amendment was accepted by the Mover and Seconder of the Motion, and was incorporated to become the substantive Motion as follows:

Motion (Colman/Sarkis)

That:

1. Council endorse the minor amendments to curtilage and information of 47 existing heritage items identified in Schedule 5 of the Cumberland Local Environmental Plan (Cumberland Heritage List) (Attachment 1).
2. Council endorse that the heritage area mapping for Rookwood Cemetery and Necropolis is amended to align with the State Heritage Register, as outlined in this report.
3. Council endorse Option 2 for new heritage items to Part 1 of Schedule 5 in the Cumberland Local Environmental Plan (Cumberland Heritage List), to progress with 17 new heritage items which meet the following criteria: resolved by Council for inclusion in the Planning Proposal; and recommended for finalisation where no written objection has been received from landowners or interested parties on the proposed inclusion of the item during the process (Attachment 3).
4. Council endorse that the Cumberland Heritage Planning Proposal, as provided in Attachment 4, be updated and finalised, based on the above recommendations.
5. Council delegate authority to the General Manager to make administrative, mapping and other related changes to documents associated with the Planning Proposal, consistent with the endorsed recommendations of Council.
6. Council note that the Local Environmental Plan amendment will be published on the New South Wales legislation website and in the Government Gazette upon finalisation.
7. Item HS67 be excluded from the Heritage Listing.

The Motion on being Put was declared **CARRIED** Unanimously.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Rahme, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

ADJOURNMENT

9:38pm The Mayor, Councillor Lake adjourned the meeting for 5 minutes.

9:43pm The Mayor, Councillor Lake resumed the meeting.

Min.616 Extension of Council Meeting

Motion (Sarkis/Saha)

That Council in accordance with clause 18.2 of the *Code of Meeting Practice*, extend the meeting by 1 hour to conclude at 11:00pm, or if an item being discussed is unfinished at 11:00pm, at the conclusion of that item.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Councillor Rahme left the Meeting at 9:45pm during the consideration of this item and did not return.

Min.617 Items Resolved by Exception

Motion (Saha/Sarkis)

That Council adopt items C12/23-440, C12/23-445 and C12/23-446 on the Council Agenda as per the recommendations in the reports.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

C12/23-440 Legal Report

Resolved by Exception

That the report be received.

**C12/23-445 Audit, Risk and Improvement Committee - Draft Minutes
of Meeting held on 20 November 2023**

Resolved by Exception

That Council receive the Draft Minutes of the Audit, Risk and Improvement Committee meeting held on 20 November 2023.

**C12/23-446 Cumberland Local Traffic Committee - Minutes of 1
November 2023 Meeting and Items Considered Under Delegated
Authority**

Resolved by Exception

That Council:

1. Note the items considered under delegated authority by the Cumberland Local Traffic Committee at the 1 November 2023 meeting, as provided in Attachment 1.
2. Receive and note the minutes of the Cumberland Local Traffic Committee meeting held on 1 November 2023, as provided in Attachment 2.

**Min.618 C12/23-441 Letter from Minister for Planning Regarding More
Housing in Low and Medium Density Zones - Draft Submission**

Motion (Saha/Elmore)

That Council:

1. Endorse the draft submission to the Minister for Planning regarding more housing in low and medium density zones, as provided in Attachment 1, and forward to the Minister for consideration; and
2. Delegate authority to the General Manager to finalise the draft submission, including minor typographical changes.

Amendment (Huang/Farooqui)

Add a point 3 as follows:

Send a further, separate letter to the Minister of Planning expressing concern about media reports that the state government intends to impose new planning controls within 400 meters of certain train stations including Lidcombe and Berala and seek a urgent meeting to clarify their intent and discuss the feasibility and potential merit.

The proposed Amendment was accepted by the Mover and Seconder of the Motion, and was incorporated to become the substantive Motion as follows:

Motion (Saha/Elmore)

That Council:

1. Endorse the draft submission to the Minister for Planning regarding more housing in low and medium density zones, as provided in Attachment 1, and forward to the Minister for consideration; and
2. Delegate authority to the General Manager to finalise the draft submission, including minor typographical changes.
3. Send a further, separate letter to the Minister for Planning expressing concern about media reports that the state government intends to impose new planning controls within 400 meters of certain train stations including Lidcombe and Berala and seek an urgent meeting to clarify their intent and discuss the feasibility and potential merit.

Amendment (Garrard/Christou)

Omit the final paragraph including the three dot points of the letter and include the following:

That Council's submission be inclusive of the following advice in considering the Minister's request to review Council's policy setting to allow for more and diverse low and medium density zones.

That:

- a) The Minister be advised that Council has recently completed a review of its planning controls addressing considered ways to promote housing density and diversity in residential zones, particularly concerning R2 and R3 zonings.
- b) Council's strategies will enable an additional 24,000 dwellings by 2036, and that this increased level of housing already raises concerns about the ability of the State Government to address existing backlogs associated with the provision of infrastructure.
- c) Council respects the community's desire to maintain the existing amenity and character of its existing low-density residential areas.

Foreshadowed Amendment (Zaiter)

Omit the final paragraph and ensure that Council's submission be inclusive of Council's position that a review is not required and that Council can achieve the housing targets.

Councillor Garrard subsequently withdrew his Amendment.

The Foreshadowed Amendment then became the Amendment as follows:

Amendment (Zaiter/Cummings)

Replace point 1 with the following:

1. Redraft Council's submission to ensure that Council's submission be inclusive of Council's position that a review is not required and that Council can achieve the housing targets.

Add a point 4:

4. Send a copy of the submission to local members requesting support.

The proposed Amendment was accepted by the Mover and Seconder of the Motion, and was incorporated to become the substantive Motion as follows:

Motion (Saha/Elmore)

That Council:

1. Redraft Council's submission to ensure that Council's submission be inclusive of Council's position that a review is not required and that Council can achieve the housing targets.
2. Delegate authority to the General Manager to finalise the draft submission, including minor typographical changes.
3. Send a further, separate letter to the Minister for Planning expressing concern about media reports that the state government intends to impose new planning controls within 400 meters of certain train stations including Lidcombe and Berala and seek an urgent meeting to clarify their intent and discuss the feasibility and potential merit.
4. Send a copy of the submission to local members requesting support.

The Motion on being Put was declared **CARRIED** Unanimously.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore
Farooqui, Garrard, Hamed, Huang, Hughes,
Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Councillor Colman left the Meeting at 9:48pm and returned to the Meeting at 9:51pm during the consideration of this item.

Councillor Christou left the Meeting at 9:55pm and returned to the Meeting at 9:56pm during the consideration of this item.

Councillor Zaiter left the Meeting at 10:27pm and returned to the Meeting at 10:28pm during the consideration of this item.

Councillor Hussein left the Meeting at 10:39pm and returned to the Meeting at 10:43pm during the consideration of this item.

Councillor Sarkis left the Meeting at 10:44pm and returned to the Meeting at 10:45pm during the consideration of this item.

**Min.619 C12/23-443 Draft Site-Specific Development Control Plan - 1
Crescent Street, Holroyd - Post Exhibition**

Note: Councillor Colman exited the Chamber at 10:50pm prior to the consideration of this item as she had previously declared an interest in this item. She returned to the Chamber following the consideration of this item at 11:12pm.

Motion (Elmore/Saha)

That Council adopt the site specific Development Control Plan for 1 Crescent Street, Holroyd as provided in Attachment 1.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Cummings, Elmore Farooqui,
Garrard, Huang, Hughes, Hussein, Lake, Saha
and Zaiter.

Councillor(s) Against the Motion: Sarkis.

Councillor Hamed left the Meeting at 10:50pm and returned to the Meeting at 11:11pm following the consideration of this item.

Min.620 Adjournment of Meeting**Motion (Sarkis/Hamed)**

That Council adjourn the remainder of this agenda to a meeting scheduled for the 13th December 2023 to commence at 6.30pm, and resolve to vacate the Ordinary Council meeting fixed for the 20th December 2023.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore
Farooqui, Garrard, Hamed, Hughes, Hussein,
Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Due to the maximum time limit/duration of the Council meeting being reached, the Mayor closed the current meeting at 11:12pm.

**Minutes of the Council Meeting held on 13 December 2023 –
(As resumed from the Council Meeting adjourned on 6 December 2023)**

PRESENT**Councillors**

| | |
|--------------------------|------------------------------------|
| Lisa Lake (Mayor) | Councillor |
| Ola Hamed (Deputy Mayor) | Councillor |
| Steve Christou | Councillor |
| Diane Colman | Councillor |
| Greg Cummings | Councillor |
| Glenn Elmore | Councillor (arrived 6:32pm) |
| Sabrin Farooqui | Councillor |
| Paul Garrard | Councillor |
| Kun Huang | Councillor |
| Helen Hughes | Councillor |
| Mohamad Hussein | Councillor (arrived 6:41pm) |
| Suman Saha | Councillor |
| Eddy Sarkis | Councillor (via Audio-Visual Link) |
| Michael Zaiter | Councillor |

Officers

| | |
|------------------|---|
| Peter Fitzgerald | General Manager |
| Melissa Attia | Director Corporate Performance (Deputy General Manager) |
| Daniel Cavallo | Director Environment & Planning |
| Brendan Govers | Director City Services |
| Nicole Byrn | Director Community & Culture |
| Charlie Ayoub | Director Governance & Risk |
| Colin McFadzean | General Counsel |
| Carol Karaki | Manager Governance |
| Bianca Mourched | Coordinator Governance |

The Mayor, Councillor Lake opened the Meeting on Wednesday 13 December 2023 at 6:30pm.

Opening Prayer

The opening prayer was read by the General Manager.

Acknowledgement of Country

The Mayor, Councillor Lake 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 Lake asked all of those in attendance to stand for the playing of the Australian National Anthem.

Min.621 Apologies / Requests for Leave of Absence/ Requests for Attendance by Audio-Visual Link

Note: The Mayor, Councillor Lake noted that Councillor Rahme was an apology for this meeting.

Motion (Saha/Zaiter)

That in accordance with Clause 5.24 of the *Code of Meeting Practice*, Council approve the attendance of Councillor Sarkis at this meeting via Audio/Visual Link due to travelling.

The Motion on being Put was declared **CARRIED**.

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

Councillor(s) Against the Motion: Nil.

Notice of Live Streaming of Council Meeting

The Mayor, Councillor Lake advised that the Council meeting was being streamed live on Council's website and all in attendance must ensure their speech to the Council is respectful and use appropriate language.

Request for Adjournment – Prayer Break

The Mayor, Councillor Lake advised that she was in receipt of a request for a prayer break adjournment at 8:05pm. Councillor Garrard raised a Point of Order, stating that as this was the resumption of a previously adjourned Council Meeting, a prayer break could not be called under the *Code of Meeting Practice* as one had already been taken during the meeting held on the 6th December 2023. The Mayor, Councillor Lake upheld the Point of Order.

Min.622 C12/23-444 Greystanes Pemulwuy Bushfire Management Plan

Motion (Colman/Saha)

That Council note this report.

The Motion on being Put was declared **CARRIED** Unanimously.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Councillor Hussein entered the meeting at 6:41pm during the consideration of this item.

**Min.623 C12/23-447 Cumberland Local Traffic Committee - 1 November 2023
- Recommendations to Council**

Motion (Cummings/Saha)

That Council endorse the recommendations for items considered by the Cumberland Local Traffic Committee at the 1 November 2023 meeting, as provided in this report with the exception of items CTC-23-187, CTC-23-191 and CTC-23-192 which will be dealt with separately.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Min.624

CTC-23-187- Kibo Road, Regents Park - Proposed Refuge Island

Motion (Hughes/Garrard)

That:

1. The proposed Pedestrian Crossing with associated signage and zebra line marking on Kibo Road, Regents Park (adjacent to Kibo Reserve) be finalised and included in Council's Capital Works Program.
2. Council liaise with Australia Post for the relocation of the mailbox.
3. The affected / concerned residents be notified of Council's resolution.

Amendment (Saha/Hamed)

Omit the points 1-3 and refer the matter back to the Traffic Committee.

Foreshadowed Amendment (Farooqui)

Omit the word zebra in point 1 and replace the words Pedestrian Crossing with Refuge Island.

The Amendment on being Put was declared **LOST**.

Councillor(s) For the Amendment: Hamed, Lake and Saha.

Councillor(s) Against the Amendment: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Huang, Hughes, Hussein, Sarkis and Zaiter.

The Foreshadowed Amendment then became the Amendment as follows:

Amendment (Farooqui/Huang)

Omit the word zebra in point 1 and replace the words Pedestrian Crossing with Refuge Island.

ADJOURNMENT

8:04pm The Mayor, Councillor Lake adjourned the meeting for 5 minutes due to technical issues with the live stream.

8:09pm The Mayor, Councillor Lake resumed the meeting.

Upon resuming the meeting, the Mayor Councillor Lake noted that the cameras had ceased working and that only audio output was operational.

The Amendment on being Put was declared **CARRIED**.

Councillor(s) For the Amendment: Colman, Elmore, Farooqui, Hamed, Huang, Hussein, Lake, Saha and Zaiter.

Councillor(s) Against the Amendment: Christou, Garrard, Hughes and Sarkis.

The Amendment then became the Motion as follows:

Motion (Farooqui/Huang)

That:

1. The proposed Refuge Island with associated signage and line marking on Kibo Road, Regents Park (adjacent to Kibo Reserve) be finalised and included in Council's Capital Works Program.
2. Council liaise with Australia Post for the relocation of the mailbox.
3. The affected / concerned residents be notified of Council's resolution.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Colman, Elmore, Farooqui, Hamed, Huang, Hussein, Lake, Saha and Zaiter.

Councillor(s) Against the Motion: Christou, Garrard, Hughes and Sarkis.

During the consideration of this item, Councillor Elmore raised a Point of Order, citing a breach of Clause 15.11 (d) of the *Code of Meeting Practice*, alleging Councillor Christou made an unfavourable remark and requested he withdraw his comment and apologise. The Mayor, Councillor Lake upheld the Point of Order, and requested that Councillor Christou withdraw his comment. Councillor Christou refused to withdraw his comment.

Councillor Hussein left the Meeting at 7:17pm and returned to the Meeting at 7:19pm during the consideration of this item.

Councillor Cummings left the Meeting at 7:52pm and returned to the Meeting at 7:58pm during the consideration of this item.

Min.625

CTC-23-191 - Dellwood Street, South Granville - Request for Pedestrian Crossing

Motion (Garrard/Christou)

That:

1. The proposed marked pedestrian crossing in Dellwood Street, South Granville, including kerb blisters and signage in accordance with the attached plan be approved.
2. Council forward final design plans to Transport for NSW for concurrence.
3. Council notify the Taxi Council regarding the reduction in length of the existing 'Taxi Zone'.
4. Council undertake consultation with the businesses regarding the proposed marked pedestrian crossing in Dellwood Street, South Granville and report back to the Traffic Committee if objections are received.

The Motion on being Put was declared **CARRIED** Unanimously.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

During the consideration of this item, Councillor Saha raised a Point of Order, citing an alleged breach of Clause 15.11 (d) of the *Code of Meeting Practice* alleging Councillor Garrard made an unfavourable personal remark. The Mayor, Councillor Lake upheld the Point of Order and asked Councillor Garrard to refrain from making any personal comments towards anyone in the room.

Councillor Cummings returned to the Meeting following the adjournment at 8:15pm during the consideration of this item.

Min.626

CTC-23-192 - Hampden Road, South Wentworthville - Road Safety Concerns

Motion (Saha/Hussein)

That the matter be referred back to the Traffic Committee due to a late submission.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Min.627 C11/23-438 Notice of Motion - Request for Marked Pedestrian Crossings Warrant Policy – Part Heard from Council Meeting of 15 November 2023

Note: The Amendment proposed on 15 November 2023 was accepted by the Mover and Seconder of the Motion, and was incorporated to become the substantive Motion as follows:

Motion (Hughes/Garrard)

As Transport for NSW (TfNSW) now permits local governments to develop their own Policy and Guidelines (including Warrants) for marked pedestrian crossings, it allows implementation to our communities of safety contributions for local needs.

Council therefore requests that a workshop be arranged to brief Councillors on:

1. Transport for NSW Pedestrian Crossing warrant system.
2. Pedestrian Crossing Guideline effective from 13 September 2022.
3. Whether a local Pedestrian Crossing Warrant Policy is necessary and/or desirable.
4. Recommendations on clauses to be included in a local policy if it is determined it is required.

The Motion on being Put was declared **CARRIED** Unanimously.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Min.628 C12/23-448 Notice of Motion - Closing the Gap**Motion (Christou/Garrard)**

That Council:

1. Note and acknowledge the recent overwhelming No Vote Result from the Voice to Parliament Referendum.
2. Donate \$10,000 to the Ngaanyatjarra Pitjantatjara Yankunytjatjara Women's Council, known as the NPY Women's Council, funded from the Community Reserve.
3. Request that the General Manager provide a report to a future Council meeting following referral of this matter and consultation of the Cumberland ATSIC, exploring measures that Council can undertake to partner up with an Indigenous organisation or charity, to ascertain the needs of disadvantaged Indigenous communities, and how Council can assist further.

-
4. Ensure the scope of this report includes details on a potential Council delegation of Elected Councillors and staff wishing to visit a disadvantaged Indigenous Community to better understand their struggles and needs and what can be done to assist their lives.
 5. Write to the Minister for Indigenous Australians and the Minister for Immigration, Citizenship and Migrant Services and Multicultural Affairs, seeking support and additional funding to help implement the above initiatives.

The Motion on being Put was declared **LOST**.

Councillor(s) For the Motion: Christou, Cummings, Garrard, Hughes, Sarkis and Zaiter.

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

Councillor Saha left the Meeting at 8:37pm and returned at 8:39pm during the consideration of this item.

C12/23-449 Questions on Notice - Submitted by Councillor Colman

Note: Council received the answers to these questions as published in the Business Paper for this Ordinary Council Meeting (6 December 2023).

Min.629 Closed Session Reports

At this stage of the meeting being 8:43pm, the Mayor advised that in accordance with Section 10A(2)(a) and (2)(d)(i) of the *Local Government Act 1993*, the meeting would now move into Closed Session to consider the following items:

Item C12/23-450 as the item contains the following;

(2) The matters and information are the following—

(d) commercial information of a confidential nature that would, if disclosed--

(i) prejudice the commercial position of the person who supplied it.

Item C12/23-451 as the item contains the following:

(2) The matters and information are the following—

(a) personnel matters concerning particular individuals (other than councillors),

Motion (Cummings/Hussein)

That:

1. In accordance with S.10A(2)(d)(i) of the *Local Government Act 1993*, Council enter into Closed Session to consider Item C12/23-450, and;
2. In accordance with S.10A(2)(a) of the *Local Government Act 1993*, enter into Closed Session to consider Item C12/23-451.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Cummings, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

Min.630 C12/23-450 Tender Evaluation Report - Alderson Park Upgrade Works RFX574

Motion (Saha/Hamed)

That Council:

1. Accept the Tender Evaluation Panel's recommendation to award the contract to Perfection Landscape Services Pty Ltd ABN 77 096 353 294 in accordance with Clause 178(1)(a) of the Local Government (General) Regulation 2005, for \$945,062.43 (excluding GST).
2. Delegate to the General Manager the authority to execute the contract and any associated documents.

The Motion on being Put was declared **CARRIED** Unanimously.

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

Councillor(s) Against the Motion: Nil.

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

Councillor Hussein left the Meeting at 8:45pm and returned to the Meeting at 8:46pm during the consideration of this item.

Min.631 C12/23-451 Draft Performance Agreement for Cumberland Council General Manager for the Period 1 July 2023 to 30 June 2024

Note: The General Manager exited the Chamber prior to the consideration of this item at 8:47pm and returned to the Chamber following the consideration of this item at 9:39pm, as he had declared a Pecuniary Interest in this item.

Resolved (Hamed/Zaiter)

That Council:

1. Adopt the *Draft Performance Agreement for Cumberland Council General Manager for the period 1 July 2023 to 30 June 2024*, as provided under Attachment 1 to this report subject to deletion of the tier 3 weightings leaving the tier 1 and tier 2 weightings.

2. Note that this agreement, once adopted will form the basis on which the mid-year review of the General Manager's performance will be conducted (in February 2024 consistent with the Procedure for the Review of the Performance of the General Manager).
3. Receive a report in July 2024 to nominate a third panel member to form the Review Panel, to conduct the review of the General Manager's performance for the period 1 July 2023 to 30 June 2024 as per the *Procedure for the Review of the Performance of the General Manager*.
4. Conduct the annual review of the General Manager's performance on or as close as possible to 1 August 2024.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Colman, Elmore, Farooqui, Hamed, Huang, Hussein, Lake, Saha and Zaiter.

Councillor(s) Against the Motion: Christou, Garrard, Hughes and Sarkis.

During the consideration of this item, Councillor Elmore raised a Point of Order, citing an alleged breach of Clause 15.11 (d) of the *Code of Meeting Practice* alleging Councillor Christou made a threatening remark. The Mayor, Councillor Lake did not uphold the Point of Order.

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

Councillor Cummings left the Meeting at 9:14pm and returned to the Meeting at 9:19pm during the consideration of this item.

Councillor Cummings left the Meeting at 9:30pm during the consideration of this item and did not return.

Min.632 Open Session

Motion (Colman/Hamed)

That Council resume the public meeting.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha, Sarkis and Zaiter.

Councillor(s) Against the Motion: Nil.

On resumption of the public meeting at 9:38pm, the Mayor, Councillor Lake read out the resolutions made in Closed Session.

Councillor Sarkis left the Meeting at 9:38pm during the consideration of this matter and did not return.

Min.633 Matter of Urgency – Councillor Garrard – Guildford Shopping Centre Cleanliness

In accordance with Clause 9.3(b) of the adopted *Code of Meeting Practice*, the Mayor ruled that the business raised without notice by Councillor Garrard in relation to the cleanliness of the Guildford Shopping Centre area be heard by Council as a matter of urgency, as it requires a decision by the Council before the next scheduled ordinary meeting.

Motion (Garrard/Christou)

That the General Manager improve the service delivery ensuring the cleanliness of the Guildford Shopping Centre area.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Elmore, Farooqui, Garrard, Hamed, Huang, Hughes, Hussein, Lake, Saha and Zaiter.

Councillor(s) Against the Motion: Nil.

Min.634 Matter of Urgency – Councillor Christou – Release of 80 detainees into the Wider Community

In accordance with Clause 9.3(b) of the adopted *Code of Meeting Practice*, the Mayor ruled that the business raised without notice by Councillor Christou in relation to the recent release of 80 detainees into the wider community be heard by Council as a matter of urgency, as it requires a decision by the Council before the next scheduled ordinary meeting.

Motion (Christou/Garrard)

That Council rewrite to the Federal Government urging a response in relation to the illegal detainees and expressing serious concern.

Amendment (Colman/Elmore)

That the Motion be replaced with the following:

That Council follows up with the Federal Government a response in relation to its previous correspondence.

The proposed Amendment was accepted by the Mover and Seconder of the Motion, and was incorporated to become the substantive Motion as follows:

Motion (Christou/Garrard)

That Council follows up with the Federal Government a response in relation to its previous correspondence.

The Motion on being Put was declared **CARRIED**.

Councillor(s) For the Motion: Christou, Colman, Elmore, Farooqui, Garrard, Hamed, Hughes, Hussein, Lake and Saha.

Councillor(s) Against the Motion: Nil.

Councillor Huang left the Meeting at 9:50pm during the consideration of this matter and did not return.

Councillor Zaiter left the Meeting at 9:50pm during the consideration of this matter and did not return.

Other/General Business

At this point of the meeting, the Mayor Councillor Lake thanked the General Manager, Executive Team, Staff, Councillors, Community Organisations and the families of the Councillors. The Mayor further wished everyone an enjoyable Christmas break.

The Mayor, Councillor Lake closed the meeting at 9:54pm.

Chairperson _____

Item No: C02/24-453

ORDINARY COUNCIL MEETING SCHEDULE - REMAINDER OF COUNCIL TERM 2024

Directorate: Governance and Risk
Responsible Officer: Director Governance and Risk
Community Strategic Plan Goal: *Providing Local Leadership*

SUMMARY

This report recommends that Council adopt the Ordinary Council Meeting Schedule for the remainder of the current Council term.

RECOMMENDATION

That Council adopt the Ordinary Council Meeting Schedule for the remainder of the current Council term as outlined in the report.

REPORT

In accordance with Council's adopted *Code of Meeting Practice*, Ordinary Council meetings are held generally on the first and third Wednesday of each calendar month, with the exception of January where no meetings are held. Council is required to meet at least 10 times in a calendar year, each in a different month to satisfy the requirements of the *Local Government Act 1993*.

It is proposed that Council resume its meeting schedule from 21 February 2024, with Ordinary Council meetings generally being held on the first and third Wednesday of each month with meetings commencing at 6.30pm.

Further, public holidays such as the Easter long weekend have been considered in preparing the proposed meeting schedule, to ensure that Councillors will have reasonable time to review published business papers prior to a meeting being held after a long weekend including a public holiday.

One meeting is proposed for July 2024, given the Australian Local Government Association conference is being held on July 2nd – 5th 2024 in Canberra, which also includes evening engagements for attending Councillors.

There is an election caretaker period in effect from 4 weeks prior to the local government general election day, being Saturday 14 September 2024.

Following the general election results being formally declared, Council must schedule a meeting within 3 weeks to elect a Mayor, in accordance with Section 290 (1)(a) of the *Local Government Act 1993*. As part of this meeting, Councillors will undertake an Oath or Affirmation of Office as the first item of business of the Council term. It is

anticipated that the schedule for Ordinary Council meetings following the general election will be reported to the incoming Council for adoption.

If this meeting schedule is adopted, any additional meetings required can be scheduled through the calling of an Extraordinary Council meeting in accordance with the adopted *Code of Meeting Practice*.

Accordingly, it is recommended that Council adopt the below Ordinary Council meeting Schedule for the remainder of this Council term as follows:

| PROPOSED MEETING DATES (2024) |
|--------------------------------------|
| 21st February |
| 6th March |
| 20th March |
| 17th April |
| 1st May |
| 15th May |
| 5th June |
| 19th June |
| 17th July |
| 7th August |
| 21st August |

COMMUNITY ENGAGEMENT

The Council meeting schedule will be updated on Council's website following consideration and adoption by Council.

POLICY IMPLICATIONS

The Ordinary Council meeting dates recommended for adoption in this report are consistent with Council's currently adopted *Code of Meeting Practice*. Any deviation from the *Code of Meeting Practice* has been reported as part of the schedule to be fixed by a resolution of the Council.

RISK IMPLICATIONS

Adopting this meeting schedule will ensure Council is compliant with its meeting obligations per the *Local Government Act 1993*.

FINANCIAL IMPLICATIONS

There are no financial implications for Council associated with this report. The operation of Council meetings are budgeted.

CONCLUSION

It is recommended that Council now adopt the Council meeting schedule for the remainder of the current Council term.

ATTACHMENTS

Nil

Item No: C02/24-454

INVESTMENT REPORT - NOVEMBER 2023

Directorate: Corporate Performance
 Responsible Officer: Director Corporate Performance (Deputy GM)
 Community Strategic Plan Goal: *Delivering Sustainable Infrastructure and Services*

SUMMARY

This report provides an update on the performance and compliance of Council's investment portfolio for the month of November 2023.

RECOMMENDATION

That Council receive the November 2023 Investment Report.

REPORT

Included in this report are the following items that highlight Council's investment portfolio performance for November 2023.

Council Investments as at 30 November 2023

Council's investment portfolio has a current market value of \$244,518,230 and has returned 4.02% in the last 12 months. The following table reflects Council's holding in various investment categories:

| Categories | Face Value (\$) | Purchase Price (\$) | Current Value (\$) | 12 Month Return (%) |
|--------------------|--------------------|------------------------|-----------------------|------------------------|
| Bonds | 12,550,000 | 12,539,975 | 12,559,149 | 3.37 |
| Cash | 10,246,280 | 10,246,280 | 10,246,280 | 3.65 |
| Floating Rate Note | 43,200,000 | 43,217,440 | 43,276,907 | 4.64 |
| Managed Funds | 12,662,431 | 12,000,000 | 12,662,431 | 4.91 |
| Term Deposit | 163,000,000 | 163,000,000 | 165,773,463 | 3.95 |
| | 241,658,710 | 241,003,695 | 244,518,230 | 4.02 |

Face Value = capital value to be repaid upon maturity

Purchase Price = capital value +/- premiums or discounts

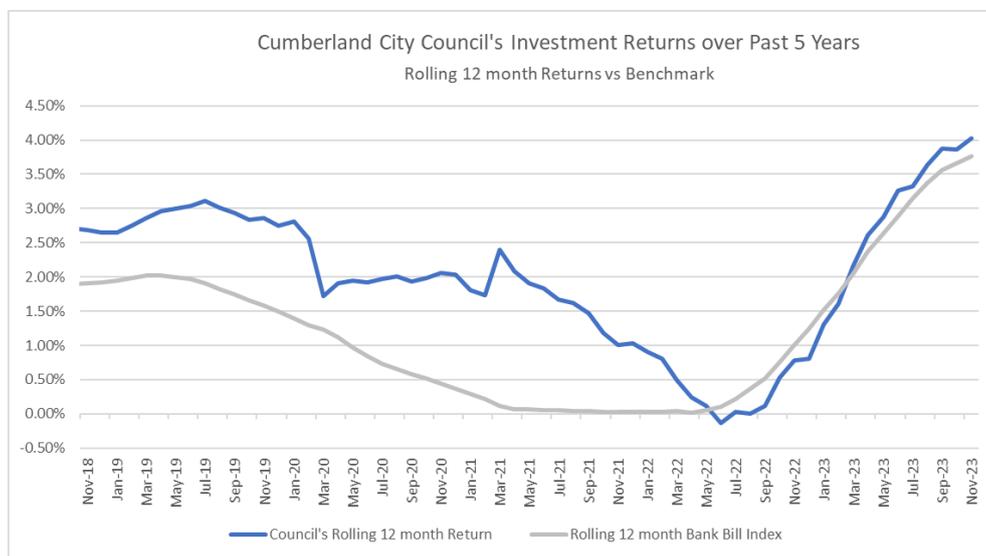
Current Value = current market value + accrued interest

Investment Portfolio Performance

Council’s investment portfolio returned 0.52% (actual) for the month on a market-to-market basis versus the bank bill index benchmark’s 0.35% return. Council’s managed fund investments may experience monthly volatility as financial markets undergo changes in outlook. However, such investments are expected to yield a favourable return over the long term. For the past 12 months, the investment portfolio has returned 4.02% versus the bank bill index benchmark’s 3.76%.

As at 30 November 2023 the cumulative interest earned was \$4,424,143. This is \$2,130,810 higher than the year-to-date budget of \$2,293,333.

The performance chart below shows Council’s rolling 12 monthly return versus benchmark over the past 5 years. Each data point is the 12 month return for the stated month end:



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

Preservation of capital is the prime objective of the investment portfolio. Investments are placed in a manner that seeks to ensure security and safeguarding of the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters that is both set in Council’s Investment Policy and guided by the investment advisor.

FINANCIAL IMPLICATIONS

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

CONCLUSION

Council hereby certifies that the investments listed within this report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the *Local Government (General) Regulation 2021* and Council's Investment Policy.

ATTACHMENTS

1. Investment Report November 2023 [↓](#)
2. Investment Commentary November 2023 [↓](#)

**DOCUMENTS
ASSOCIATED WITH
REPORT C02/24-454**

**Attachment 1
Investment Report November
2023**



**Investment Summary Report
November 2023**



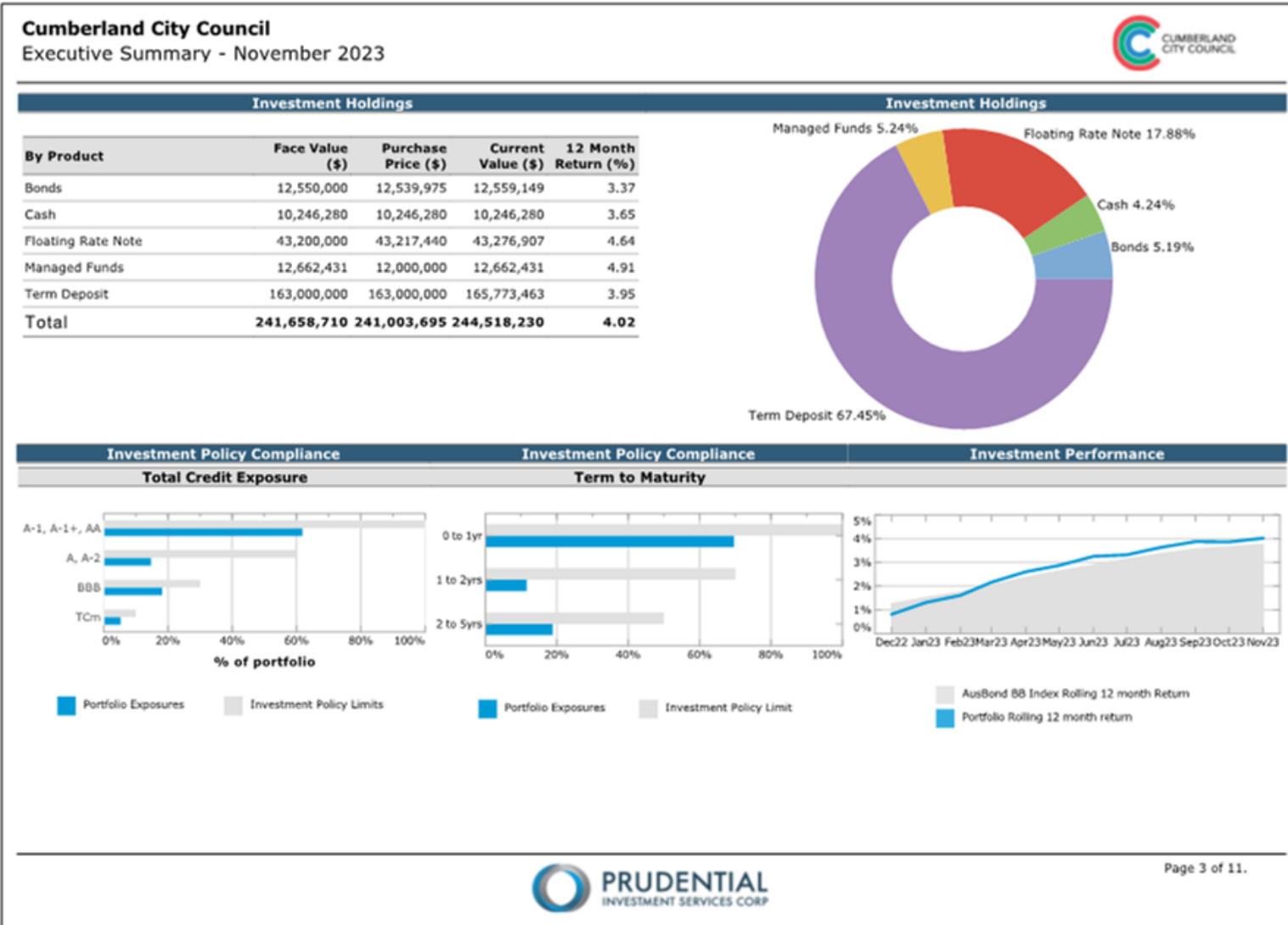
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Cumberland City Council
Investment Summary Report - November 2023



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| Cumberland City Council | | | | | | | | | | | |
|---|----------------------|----------------|--------------------------------|---------------|--------------------------------|----------------------|---------------------|-------------------------|----------|-----------------------|------------------|
| Investment Summary Report - November 2023 | | | | | | | | | | | |
| Cash Accounts | | | | | | | | | | | |
| | Face Value (\$) | Rate (%pa) | Institution | Credit Rating | Current Value (\$) | Deal No. | | | | | |
| | 5,246,279.67 | 4.1000% | Commonwealth Bank of Australia | A-1+ | 5,246,279.67 | 250385 | | | | | |
| | 5,000,000.00 | 4.3500% | Commonwealth Bank of Australia | A-1+ | 5,000,000.00 | 533672 | | | | | |
| | 10,246,279.67 | 4.2220% | | | 10,246,279.67 | | | | | | |
| Managed Funds | | | | | | | | | | | |
| | Face Value (\$) | Monthly Return | Institution | Credit Rating | Capital Base (\$) | Current Value (\$) | Deal No. | Fund Name | | | |
| | 12,662,430.62 | 2.3372% | NSW T-Corp (MT) | TCm | 12,000,000.00 | 12,662,430.62 | 538647 | Medium Term Growth Fund | | | |
| | 12,662,430.62 | | | | | 12,662,430.62 | | | | | |
| Term Deposits | | | | | | | | | | | |
| Purchase Date | Maturity Date | Term Days | Face Value (\$) | Rate (%pa) | Institution | Credit Rating | Purchase Price (\$) | Current Value (\$) | Deal No. | Accrued Interest (\$) | Coupon Frequency |
| 6-Dec-22 | 6-Dec-23 | 365 | 4,000,000.00 | 4.3300% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,170,827.40 | 543623 | 170,827.40 | At Maturity |
| 4-Aug-23 | 6-Dec-23 | 124 | 4,000,000.00 | 5.1000% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,066,509.59 | 544354 | 66,509.59 | At Maturity |
| 31-Aug-22 | 28-Dec-23 | 484 | 3,000,000.00 | 4.2000% | Westpac Group | A-1+ | 3,000,000.00 | 3,000,345.21 | 543266 | 345.21 | Quarterly |
| 7-Mar-23 | 10-Jan-24 | 309 | 4,000,000.00 | 4.8500% | National Australia Bank | A-1+ | 4,000,000.00 | 4,142,975.34 | 543909 | 142,975.34 | At Maturity |
| 20-Jul-23 | 16-Jan-24 | 180 | 4,000,000.00 | 5.4600% | National Australia Bank | A-1+ | 4,000,000.00 | 4,080,179.73 | 544329 | 80,179.73 | At Maturity |
| 13-Feb-23 | 13-Feb-24 | 365 | 4,000,000.00 | 5.0100% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,159,770.96 | 543822 | 159,770.96 | At Maturity |
| 17-Feb-23 | 15-Feb-24 | 363 | 4,000,000.00 | 4.9000% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,154,115.07 | 543840 | 154,115.07 | At Maturity |
| 7-Mar-22 | 4-Mar-24 | 728 | 3,000,000.00 | 1.7100% | Westpac Group | A-1+ | 3,000,000.00 | 3,011,946.58 | 542412 | 11,946.58 | Quarterly |
| 6-Mar-23 | 27-Mar-24 | 387 | 4,000,000.00 | 5.1000% | Bank of Queensland | A-2 | 4,000,000.00 | 4,150,904.11 | 543891 | 150,904.11 | At Maturity |
| 3-Apr-23 | 3-Apr-24 | 366 | 4,000,000.00 | 4.9000% | AMP Bank | A-2 | 4,000,000.00 | 4,129,950.68 | 543982 | 129,950.68 | At Maturity |
| 1-Jun-23 | 3-Apr-24 | 307 | 4,000,000.00 | 5.0600% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,101,477.26 | 544140 | 101,477.26 | At Maturity |
| 2-May-23 | 1-May-24 | 365 | 4,000,000.00 | 4.9000% | AMP Bank | A-2 | 4,000,000.00 | 4,114,378.08 | 544056 | 114,378.08 | At Maturity |
| 28-Jun-23 | 28-May-24 | 335 | 4,000,000.00 | 5.6000% | Bendigo and Adelaide Bank | A-2 | 4,000,000.00 | 4,095,736.99 | 544240 | 95,736.99 | At Maturity |
| 30-Nov-23 | 29-May-24 | 181 | 4,000,000.00 | 5.3700% | Suncorp Bank | A-1 | 4,000,000.00 | 4,000,588.49 | 544677 | 588.49 | At Maturity |
| 4-Aug-23 | 5-Jun-24 | 306 | 4,000,000.00 | 5.5200% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,071,986.85 | 544352 | 71,986.85 | At Maturity |
| 1-Jun-23 | 5-Jun-24 | 370 | 4,000,000.00 | 5.0700% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,084,356.54 | 544142 | 84,356.54 | SemiAnnually |
| 8-Aug-23 | 11-Jun-24 | 308 | 4,000,000.00 | 5.5100% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,069,441.10 | 544358 | 69,441.10 | At Maturity |
| 4-Aug-23 | 12-Jun-24 | 313 | 4,000,000.00 | 5.5200% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,071,986.85 | 544353 | 71,986.85 | At Maturity |
| 22-Jun-23 | 25-Jun-24 | 369 | 4,000,000.00 | 5.5900% | Bank of Queensland | A-2 | 4,000,000.00 | 4,099,241.64 | 544219 | 99,241.64 | At Maturity |
| 8-Aug-23 | 1-Jul-24 | 328 | 4,000,000.00 | 5.5300% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,069,693.15 | 544357 | 69,693.15 | At Maturity |
| 4-Sep-23 | 9-Jul-24 | 309 | 4,000,000.00 | 5.2000% | National Australia Bank | A-1+ | 4,000,000.00 | 4,050,147.95 | 544462 | 50,147.95 | At Maturity |
| 27-Jul-23 | 26-Jul-24 | 365 | 3,000,000.00 | 5.5500% | AMP Bank | A-2 | 3,000,000.00 | 3,057,932.88 | 544340 | 57,932.88 | Annually |

Cumberland City Council
Investment Summary Report - November 2023

Term Deposits

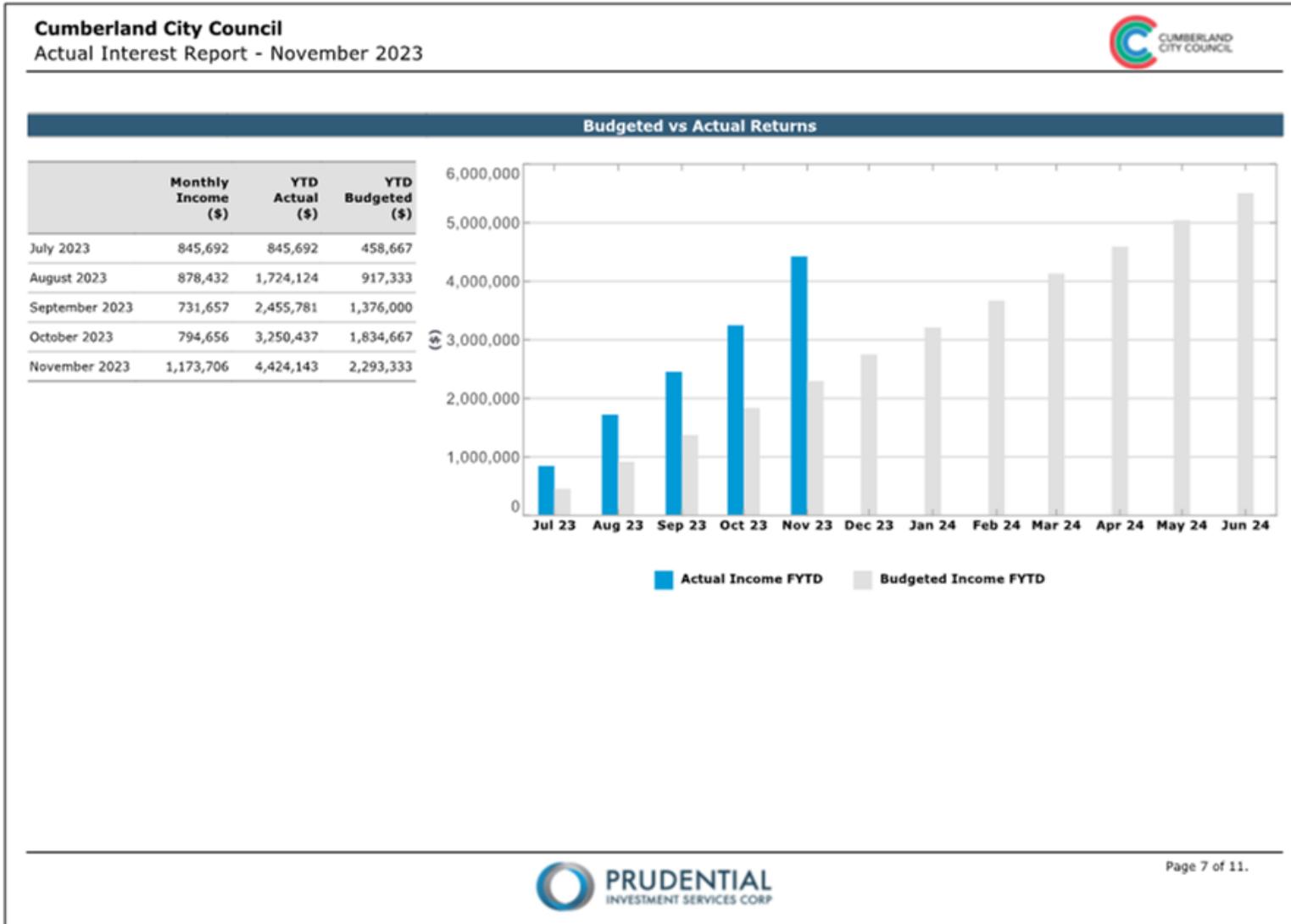
| Purchase Date | Maturity Date | Term Days | Face Value (\$) | Rate (%pa) | Institution | Credit Rating | Purchase Price (\$) | Current Value (\$) | Deal No. | Accrued Interest (\$) | Coupon Frequency |
|---------------|---------------|-----------|-----------------------|----------------|--------------------------------|---------------|-----------------------|-----------------------|----------|-----------------------|---------------------|
| 19-Aug-22 | 19-Aug-24 | 731 | 4,000,000.00 | 4.1500% | Westpac Group | A-1+ | 4,000,000.00 | 4,005,002.74 | 543198 | 5,002.74 | Quarterly |
| 28-Aug-23 | 27-Aug-24 | 365 | 4,000,000.00 | 5.4200% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,056,427.40 | 544432 | 56,427.40 | At Maturity |
| 28-Aug-23 | 27-Aug-24 | 365 | 4,000,000.00 | 5.4200% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,056,427.40 | 544433 | 56,427.40 | At Maturity |
| 4-Sep-23 | 3-Sep-24 | 365 | 4,000,000.00 | 5.2100% | National Australia Bank | A-1+ | 4,000,000.00 | 4,050,244.38 | 544459 | 50,244.38 | At Maturity |
| 6-Sep-23 | 4-Sep-24 | 364 | 4,000,000.00 | 5.2500% | National Australia Bank | A-1+ | 4,000,000.00 | 4,049,479.45 | 544474 | 49,479.45 | At Maturity |
| 24-Aug-22 | 24-Sep-24 | 762 | 4,000,000.00 | 4.4200% | Westpac Group | A-1+ | 4,000,000.00 | 4,003,390.68 | 543213 | 3,390.68 | Quarterly |
| 29-Nov-23 | 15-Oct-24 | 321 | 4,000,000.00 | 5.5000% | Suncorp Bank | A-1 | 4,000,000.00 | 4,001,205.48 | 544674 | 1,205.48 | At Maturity |
| 29-Aug-22 | 29-Oct-24 | 792 | 4,000,000.00 | 4.4500% | Westpac Group | A-1+ | 4,000,000.00 | 4,000,975.34 | 543244 | 975.34 | Quarterly |
| 1-Nov-23 | 5-Nov-24 | 370 | 4,000,000.00 | 5.5500% | Westpac Group | A-1+ | 4,000,000.00 | 4,018,246.58 | 544607 | 18,246.58 | At Maturity |
| 29-Nov-23 | 26-Nov-24 | 363 | 4,000,000.00 | 5.5200% | Suncorp Bank | A-1 | 4,000,000.00 | 4,001,209.86 | 544675 | 1,209.86 | At Maturity |
| 30-Nov-23 | 27-Nov-24 | 363 | 4,000,000.00 | 5.4600% | Suncorp Bank | A-1 | 4,000,000.00 | 4,000,598.36 | 544678 | 598.36 | At Maturity |
| 13-Dec-22 | 11-Dec-24 | 729 | 3,000,000.00 | 4.5600% | Commonwealth Bank of Australia | AA- | 3,000,000.00 | 3,056,903.23 | 543649 | 56,903.23 | SemiAnnually |
| 17-Feb-23 | 17-Feb-25 | 731 | 4,000,000.00 | 4.8700% | Commonwealth Bank of Australia | AA- | 4,000,000.00 | 4,081,028.87 | 543841 | 81,028.87 | SemiAnnually |
| 28-Jun-23 | 25-Jun-25 | 728 | 4,000,000.00 | 5.5500% | Bendigo and Adelaide Bank | BBB+ | 4,000,000.00 | 4,094,882.19 | 544241 | 94,882.19 | At Maturity |
| 20-Jul-23 | 21-Jul-26 | 1097 | 4,000,000.00 | 5.4000% | Bank of Queensland | BBB+ | 4,000,000.00 | 4,079,298.63 | 544330 | 79,298.63 | Annually |
| 27-Jul-23 | 27-Jul-26 | 1096 | 4,000,000.00 | 5.4500% | AMP Bank | BBB | 4,000,000.00 | 4,075,852.05 | 544341 | 75,852.05 | Annually |
| 5-Aug-22 | 4-Aug-27 | 1825 | 3,000,000.00 | 4.6000% | Bank of Queensland | BBB+ | 3,000,000.00 | 3,043,857.53 | 543151 | 43,857.53 | Annually |
| 31-Aug-22 | 30-Aug-27 | 1825 | 4,000,000.00 | 5.0000% | Bank of Queensland | BBB+ | 4,000,000.00 | 4,050,410.96 | 543267 | 50,410.96 | Annually |
| 28-Jun-23 | 28-Jun-28 | 1827 | 4,000,000.00 | 5.4000% | Bank of Queensland | BBB+ | 4,000,000.00 | 4,092,317.81 | 544246 | 92,317.81 | Annually |
| 29-Nov-23 | 22-Nov-28 | 1820 | 4,000,000.00 | 5.5300% | Bank of Queensland | BBB+ | 4,000,000.00 | 4,001,212.05 | 544676 | 1,212.05 | Annually |
| | | | 163,000,000.00 | 5.0929% | | | 163,000,000.00 | 165,773,463.44 | | | 2,773,463.44 |

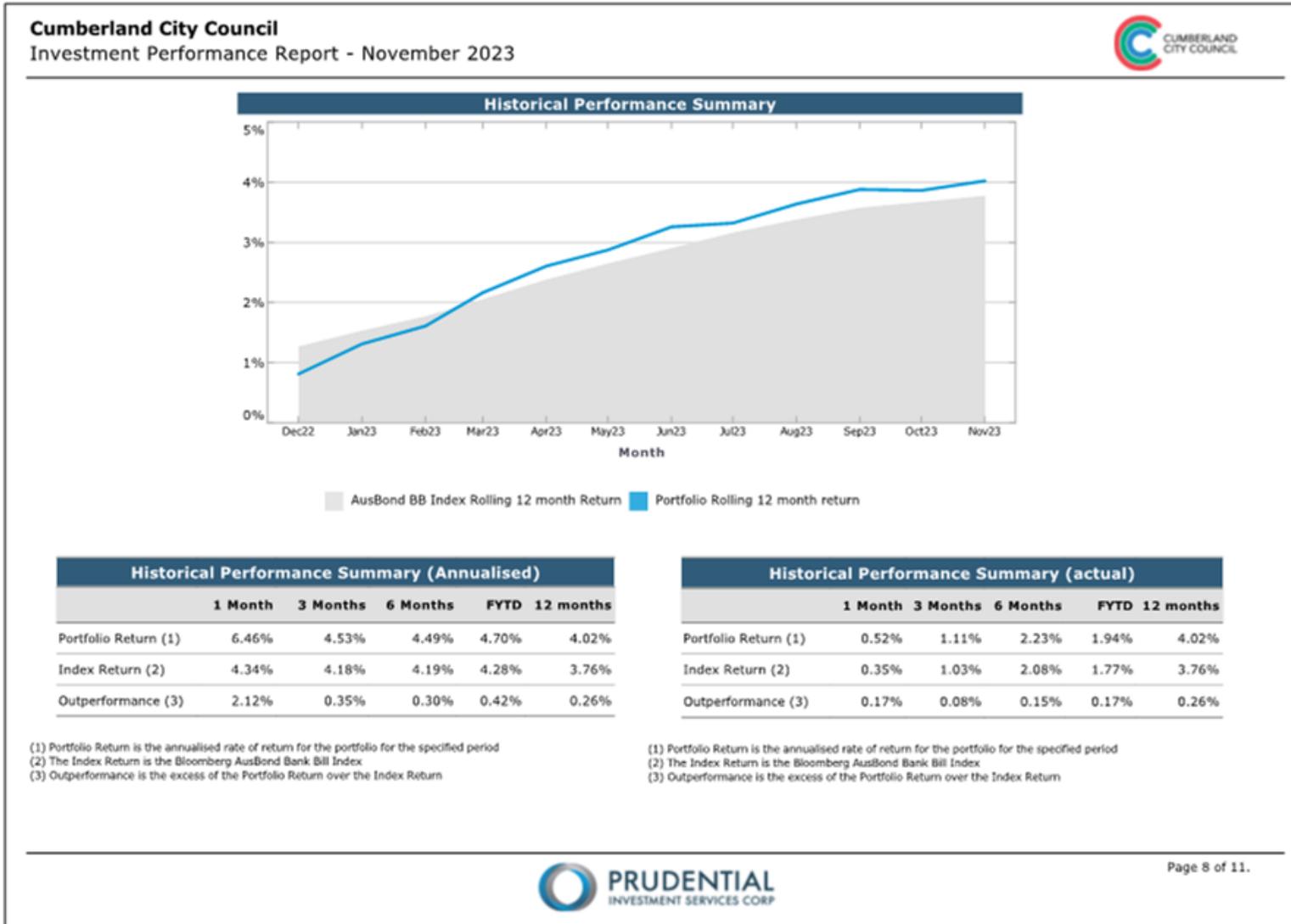
Floating Rate Notes

| Purchase Date | Maturity Date | Term Days | Face Value (\$) | Rate (%pa) | Security Name | Credit Rating | Purchase Price (\$) | Current Value (\$) | Deal No. | Accrued Interest (\$) | Next Coupon Date |
|---------------|---------------|-----------|-----------------|------------|----------------------------------|---------------|---------------------|--------------------|----------|-----------------------|------------------|
| 29-Aug-19 | 18-Jul-24 | 1785 | 4,000,000.00 | 5.2306% | BoQ Snr FRN (Jul24) BBSW+1.03% | A-2 | 4,021,640.00 | 4,029,141.52 | 538417 | 25,221.52 | 18-Jan-24 |
| 12-Aug-19 | 30-Jul-24 | 1814 | 2,500,000.00 | 5.1218% | SUN Snr FRN (Jul24) BBSW+0.78% | A-1 | 2,495,800.00 | 2,513,625.86 | 538383 | 11,225.86 | 30-Jan-24 |
| 7-Aug-19 | 7-Aug-24 | 1827 | 3,000,000.00 | 5.1672% | MAC Snr FRN (Aug24) BBSW+0.80% | A-1 | 3,000,000.00 | 3,015,903.72 | 538349 | 10,192.83 | 7-Feb-24 |
| 29-Aug-19 | 29-Aug-24 | 1827 | 2,000,000.00 | 5.1581% | ANZ Snr FRN (Aug24) BBSW+0.77% | A-1+ | 2,000,000.00 | 2,005,699.95 | 538412 | 565.27 | 29-Feb-24 |
| 4-Feb-20 | 4-Feb-25 | 1827 | 4,000,000.00 | 5.4672% | NPBS Snr FRN (Feb25) BBSW+1.12% | BBB | 4,000,000.00 | 4,011,298.63 | 539180 | 14,978.63 | 5-Feb-24 |
| 10-Mar-22 | 17-Mar-25 | 1103 | 2,000,000.00 | 4.8094% | WBC Snr FRN (Mar25) BBSW+0.69% | AA- | 2,000,000.00 | 2,023,193.29 | 542437 | 19,501.13 | 18-Dec-23 |
| 13-May-22 | 23-May-25 | 1106 | 1,500,000.00 | 5.6482% | RACQ Snr FRN (Mat 25) BBSW+1.25% | BBB+ | 1,500,000.00 | 1,495,586.94 | 542776 | 1,856.94 | 23-Feb-24 |
| 22-Apr-22 | 29-Oct-25 | 1286 | 3,000,000.00 | 5.4418% | BoQ Snr FRN (Oct25) BBSW+1.10% | BBB+ | 3,000,000.00 | 3,015,842.68 | 542666 | 14,312.68 | 29-Jan-24 |
| 15-Feb-23 | 24-Feb-26 | 1105 | 2,250,000.00 | 5.8786% | RACQ Snr FRN (Mat 26) BBSW+1.50% | BBB+ | 2,250,000.00 | 2,240,791.66 | 543828 | 2,536.66 | 26-Feb-24 |
| 6-May-21 | 6-May-26 | 1826 | 2,000,000.00 | 4.9772% | BoQ Snr FRN (May26) BBSW+0.63% | BBB+ | 2,000,000.00 | 1,983,838.08 | 541296 | 6,818.08 | 6-Feb-24 |
| 18-Aug-21 | 24-Aug-26 | 1832 | 2,400,000.00 | 4.7886% | NAB Snr FRN (Aug26) BBSW+0.41% | AA- | 2,400,000.00 | 2,381,468.07 | 541749 | 2,204.07 | 26-Feb-24 |



| Cumberland City Council Investment Summary Report - November 2023 | | | | | | | | | | | | |
|--|---------------|-----------|----------------------|----------------|--------------------------------|---------------|----------------------|----------------------|----------|-----------------------|------------------|--|
| Floating Rate Notes | | | | | | | | | | | | |
| Purchase Date | Maturity Date | Term Days | Face Value (\$) | Rate (%pa) | Security Name | Credit Rating | Purchase Price (\$) | Current Value (\$) | Deal No. | Accrued Interest (\$) | Next Coupon Date | |
| 9-Sep-21 | 15-Sep-26 | 1832 | 4,000,000.00 | 4.6073% | SUN Snr FRN (Sep26) BBSW+0.48% | A+ | 4,000,000.00 | 3,985,758.04 | 541883 | 38,878.04 | 15-Dec-23 | |
| 21-Oct-21 | 27-Oct-26 | 1832 | 2,000,000.00 | 5.1142% | BoQ Snr FRN (Oct26) BBSW+0.80% | BBB+ | 2,000,000.00 | 1,994,748.05 | 542003 | 9,808.05 | 29-Jan-24 | |
| 10-Nov-23 | 17-Nov-26 | 1103 | 2,250,000.00 | 5.9305% | POL Snr FRN (Nov26) BBSW+1.55% | BBB | 2,250,000.00 | 2,255,118.10 | 544638 | 5,118.10 | 19-Feb-24 | |
| 11-Jan-22 | 14-Jan-27 | 1829 | 1,500,000.00 | 4.8517% | CBA Snr FRN (Jan27) BBSW+0.70% | AA- | 1,500,000.00 | 1,504,671.71 | 542234 | 9,171.71 | 15-Jan-24 | |
| 17-Feb-22 | 25-Feb-27 | 1834 | 3,200,000.00 | 5.0975% | NAB Snr FRN (Feb27) BBSW+0.72% | AA- | 3,200,000.00 | 3,193,691.62 | 542353 | 1,787.62 | 26-Feb-24 | |
| 8-Dec-22 | 14-Dec-27 | 1832 | 1,600,000.00 | 5.3725% | SUN Snr FRN (Dec27) BBSW+1.25% | A+ | 1,600,000.00 | 1,626,529.53 | 543632 | 18,369.53 | 14-Dec-23 | |
| | | | 43,200,000.00 | 5.2012% | | | 43,217,440.00 | 43,276,907.45 | | 192,546.72 | | |
| Fixed Rate Bonds | | | | | | | | | | | | |
| Purchase Date | Maturity Date | Term Days | Face Value (\$) | Rate (%pa) | Security Name | Credit Rating | Purchase Price (\$) | Current Value (\$) | Deal No. | Accrued Interest (\$) | Purchase Yield | |
| 11-Jan-19 | 11-Jan-24 | 1826 | 2,500,000.00 | 3.0000% | CBA Snr Bond (Jan24) 3.00% | A-1+ | 2,500,000.00 | 2,524,727.50 | 537455 | 29,144.02 | 3.1850% | |
| 8-Feb-19 | 8-Feb-24 | 1826 | 2,250,000.00 | 3.1000% | ANZ Snr Bond (Feb24) 3.10% | A-1+ | 2,250,000.00 | 2,265,040.02 | 537488 | 21,796.88 | 3.1125% | |
| 6-May-22 | 12-May-25 | 1102 | 2,500,000.00 | 4.0500% | ANZ Snr Bond (May25) 4.05% | AA- | 2,499,800.00 | 2,474,731.87 | 542750 | 5,006.87 | 4.0530% | |
| 9-Aug-22 | 11-Aug-25 | 1098 | 2,300,000.00 | 3.9000% | WBC Snr Bond (Aug25) 3.90% | AA- | 2,291,375.00 | 2,287,615.43 | 543159 | 27,152.43 | 4.0340% | |
| 16-Aug-22 | 22-Aug-25 | 1102 | 1,600,000.00 | 4.4000% | SUN Snr Bond (Aug25) 4.40% | A+ | 1,598,800.00 | 1,598,617.74 | 543181 | 19,321.74 | 4.4270% | |
| 7-Sep-23 | 14-Sep-26 | 1103 | 1,400,000.00 | 4.9460% | MAC Snr Bond (Sep26) 4.946% | A+ | 1,400,000.00 | 1,408,416.38 | 544493 | 14,838.00 | 4.9460% | |
| | | | 12,550,000.00 | 3.7876% | | | 12,539,975.00 | 12,559,148.94 | | 117,259.94 | 3.8553% | |

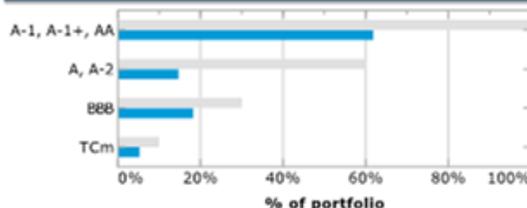




Cumberland City Council
Investment Policy Compliance Report - November 2023



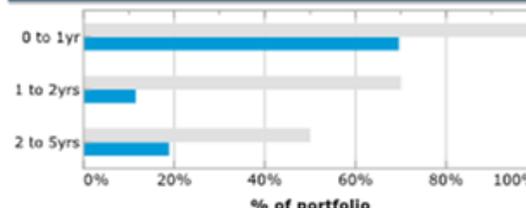
Total Credit Exposure



■ Portfolio Exposure ■ Investment Policy Limit

| Credit Rating | Exposures | | Policy Max | |
|-----------------|--------------------|-------------|-------------|---|
| | (\$) | (%) | (%) | |
| Long Term AA | 20,900,000 | | | |
| Short Term A-1 | 21,500,000 | | | |
| Short Term A-1+ | 106,996,280 | | | |
| | 149,396,280 | 62% | 100% | ✓ |
| Long Term A | 8,600,000 | | | |
| Short Term A-2 | 27,000,000 | | | |
| | 35,600,000 | 15% | 60% | ✓ |
| Long Term BBB | 44,000,000 | | | |
| | 44,000,000 | 18% | 30% | ✓ |
| Short Term Tcm | 12,662,431 | | | |
| | 12,662,431 | 5% | 10% | ✓ |
| | 241,658,710 | 100% | | |

Term to Maturities



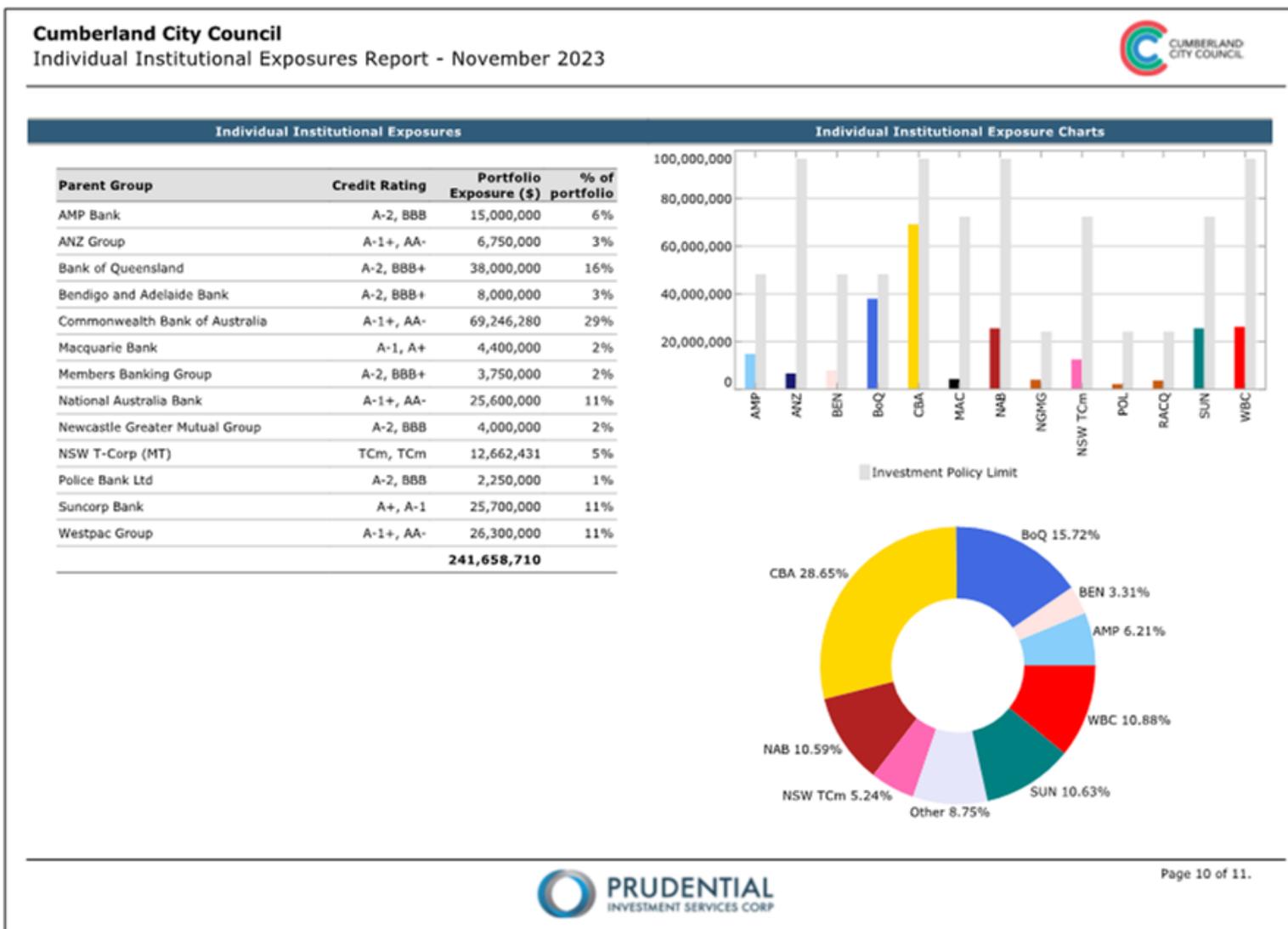
■ Portfolio Exposure ■ Investment Policy Limit

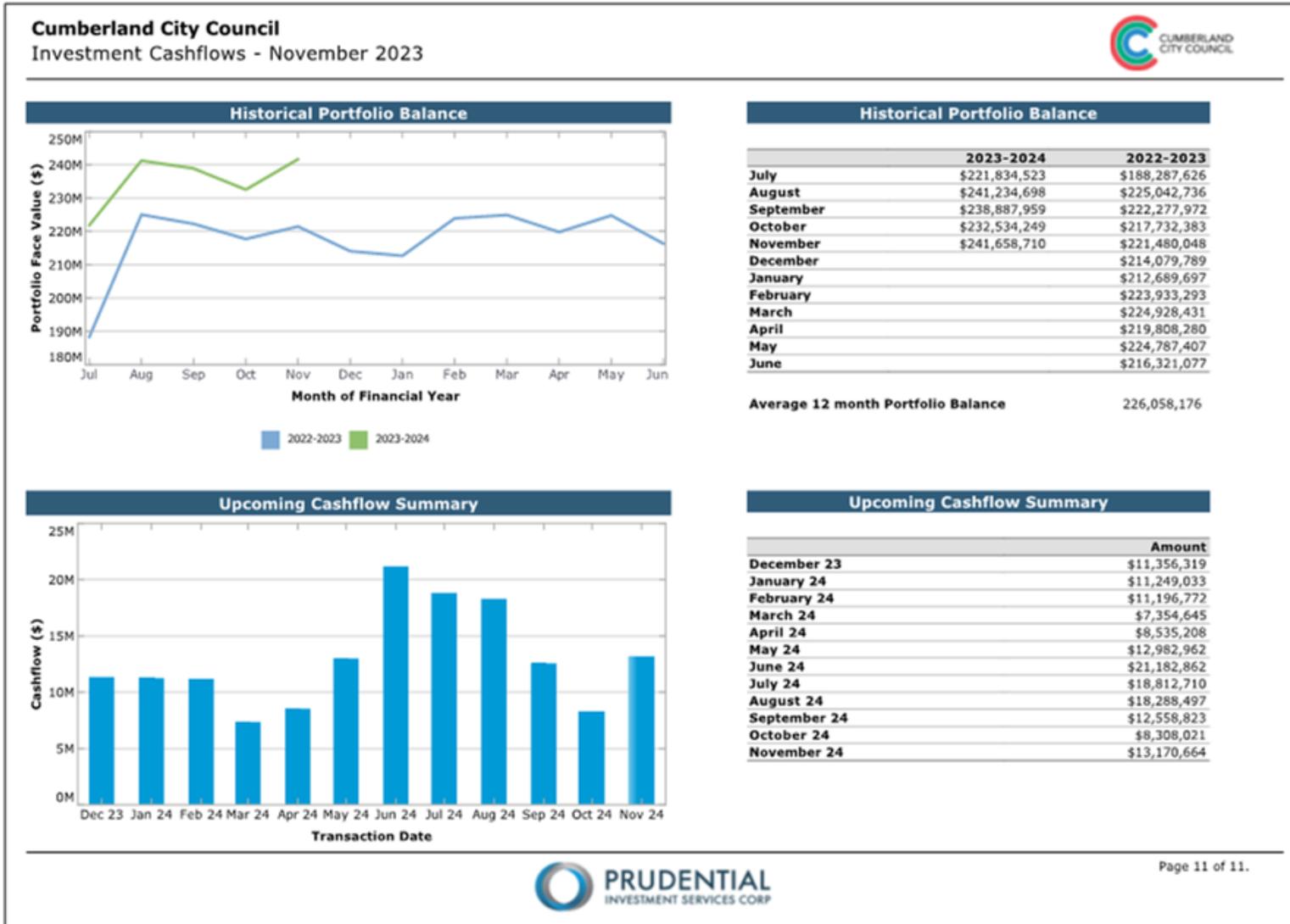
| Policy Minimum | Exposures | | Min (%) | |
|-----------------------------|--------------------|-----------|---------|-----|
| | (\$) | (%) | | |
| Less than 3 months | 54,658,710 | 23% | 10% | ✓ |
| Between 3 months and 1 year | 113,500,000 | 47% | 20% | ✓ |
| | | | | |
| Policy Maximum | | Exposures | Max | |
| | | (\$) | (%) | (%) |
| Between 1 and 2 years | 27,900,000 | 12% | 70% | ✓ |
| Between 2 and 5 years | 45,600,000 | 19% | 50% | ✓ |
| | 241,658,710 | | | |

✓ = compliant
 X = non compliant



Page 9 of 11.





DOCUMENTS
ASSOCIATED WITH
REPORT C02/24-454

Attachment 2
Investment Commentary
November 2023



Cumberland City Council Economic and Investment Portfolio Commentary November 2023

Investment Portfolio Commentary

Council's investment portfolio returned 0.52% (actual) for the month on a marked-to-market basis versus the bank bill index benchmark's 0.35% return. For the past 12 months, the investment portfolio has returned 4.02% versus the bank bill index benchmark's 3.76%.

The NSW TCorpIM Medium Term Fund (+2.34% actual) had a very strong return for the month reflecting the surge in global share markets and the rebound in bond prices as the end of the interest rate hikes may be at hand. The fund's return gave a good boost to the portfolio's overall performance.

During November, Council had \$14m in deposits mature with terms of 12, 14 and 24 months paying an average of 3.57%pa. Council invested \$24m among six term deposits with maturities ranging between 6, 10, 12 months and 5 years paying an overall average of nearly 5.50%pa, providing a good boost to the portfolio's overall yield.

Council also took advantage of a newly issued senior ranked bond from Police Bank for its long term portfolio. Council invested \$2.25m in the 3yr floating rate note paying quarterly interest of 3mo BBSW + 1.55%pa. The first rate set on the FRN is 5.93%pa.

Council's investment performance had reflected the downward trend in interest rate markets over recent years accelerated by pandemic related interest rate cuts. With inflation pressures building, interest rates increased sharply over much of 2022, causing negative marked-to-market returns on existing bonds and FRNs over that period. By early 2023, the higher rates being received on new investments and FRN rate resets have been flowing through to the rolling 12mo figure which is again exceeding the benchmark's performance.

Council has a well-diversified portfolio invested among a range of term deposits, fixed and floating rate bonds from highly rated Australian ADIs as well as growth assets via holdings in the NSW TCorp Medium Term Growth Fund. It is expected that Council's portfolio will achieve above benchmark returns over the medium/long term with prudent investment selection and holding the securities for the recommended time horizons of their asset classes.

Global issues:

- Inflation data is trending lower across the US, Canada, UK and Europe leading economists to predict that central banks there have reached the end of their tightening cycle. Further rate hikes in Australia and Japan remain possibilities with both countries having reached peak inflation later than most.
- In the US, data is indicating that the Federal Reserve's interest rate management may avoid a sharp decrease in economic growth. US profit results continue to surprise on the upside making it the best reporting season in two years; policy uncertainty diminished a bit with the US and China looking to ease tensions and the US Congress averted a shutdown with temporary funding.



- The temporary truce between Israel and Hamas, which could see an eventual resolution to the conflict, along with the fact that the war has not widened to include major oil producers, has boosted sentiment in financial markets. Oil prices are well below their level prior to the conflict helping to ease inflationary fears that were building.
- In China, the economic outlook remains uncertain. The economy is recovering modestly, driven by activity in the services sector, but the level of growth remains below forecasters' expected trend. The property sector remains very weak, which may result in a pronounced adverse effect on the Chinese economy as a whole.
- Global (and domestic) shares and bonds had a good rally in November. In the short-term, financial markets could lift further on positive seasonality into the end of the year; the temporary truce between Israel and Hamas, which may result in a resolution to the conflict; signs that interest rates are not headed higher across most major economies; and falling bond yields.

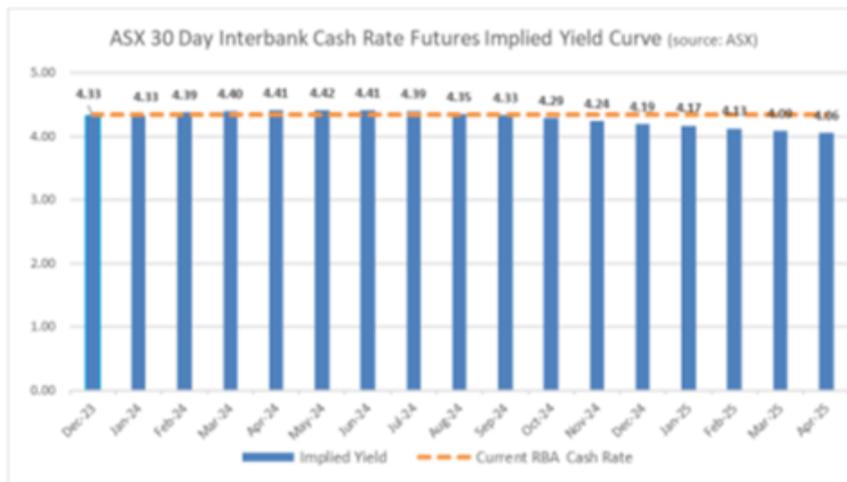
Domestic issues:

- The jobs market is still tight but it is gradually easing with unemployment (at 3.7%) and underemployment (at 6.3%) both up from their lows in October 2022. Various leading indicators point to softer jobs growth ahead including a rising trend in applicants.
- The monthly inflation release showed annual inflation fell to 4.90% in October from 5.60% in September, as price pressures for consumer goods moderated due to falling demand.
- The monthly consumer price indicator was lower than economists' expectations of a 5.20% outcome and cemented the market's view that the RBA board would likely keep the cash rate on hold at 4.35% at its final meeting of the year, which subsequently proved correct.

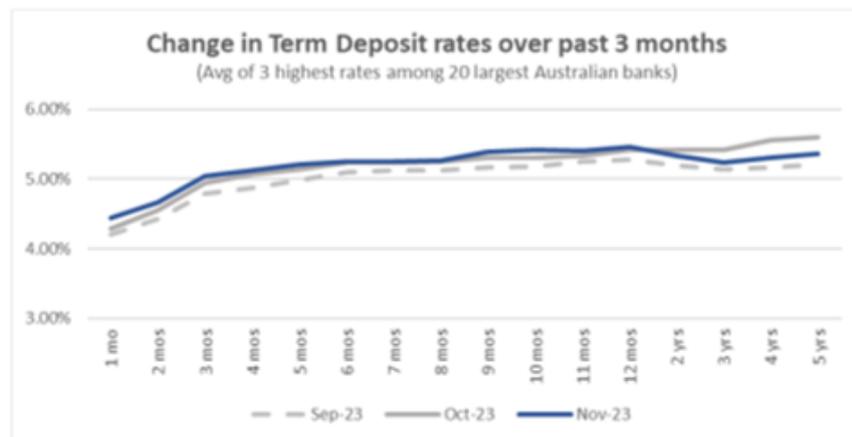


Interest rates

- At its November meeting, the RBA raised the official cash rate by 25 basis points to 4.35%. Despite the recent run of good news on the international front, with inflation continuing to ease in North America and Europe, the RBA remains very cautious when it comes to the domestic inflation, emphasising that *'the remaining inflation challenge...is increasingly homegrown and demand driven'*.
- The central bank's projection is for inflation to only reach the upper area of its 2-3% inflation target by late 2025. It was reiterated that the RBA has a "low tolerance" for a slower fall in inflation than expected and if it is higher than expected then it would respond with another rate hike.
- The market is giving more credence to the latest inflation data than to the RBA's comments, pricing in no further interest rate hikes for this cycle and a rate cut by March 2025:



- In November, term deposit rates across the 1 to 12 month range were little changed from last month as the market had largely priced in the early November rate hike by the end of October. The benign inflation figures released at the end of November indicated a possible reprieve from another rate hike in this cycle, causing a drop in 2yr to 5yr term deposit rates by an average of 20 basis points.





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. 68845.

Item No: C02/24-455

INVESTMENT REPORT - DECEMBER 2023

Directorate: Corporate Performance
 Responsible Officer: Director Corporate Performance (Deputy GM)
 Community Strategic Plan Goal: *Delivering Sustainable Infrastructure and Services*

SUMMARY

This report provides an update on the performance and compliance of Council's investment portfolio for the month of December 2023.

RECOMMENDATION

That Council receive the December 2023 Investment Report.

REPORT

Included in this report are the following items that highlight Council's investment portfolio performance for December 2023.

Council Investments as at 31 December 2023

Council's investment portfolio has a current market value of \$240,520,860 and has returned 4.46% in the last 12 months. The following table reflects Council's holding in various investment categories:

| Categories | Face Value (\$) | Purchase Price (\$) | Current Value (\$) | 12 Month Return (%) |
|--------------------|--------------------|------------------------|-----------------------|------------------------|
| Bonds | 12,550,000 | 12,539,975 | 12,663,268 | 3.43 |
| Cash | 8,266,529 | 8,266,529 | 8,266,529 | 3.76 |
| Floating Rate Note | 43,200,000 | 43,217,440 | 43,399,423 | 4.75 |
| Managed Funds | 12,975,999 | 12,000,000 | 12,975,999 | 9.18 |
| Term Deposit | 160,000,000 | 160,000,000 | 163,215,641 | 4.13 |
| | 236,992,528 | 236,023,944 | 240,520,860 | 4.46 |

Face Value = capital value to be repaid upon maturity

Purchase Price = capital value +/- premiums or discounts

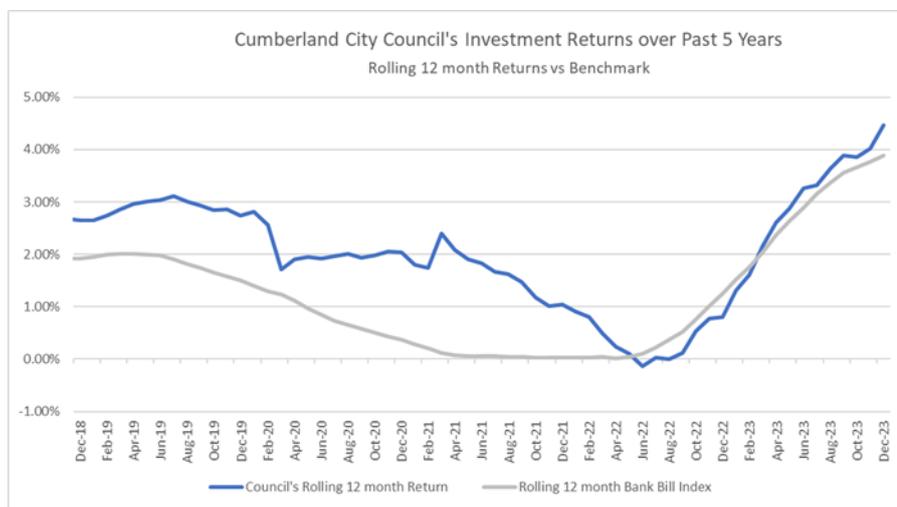
Current Value = current market value + accrued interest

Investment Portfolio Performance

Council's investment portfolio returned 0.56% (actual) for the month on a marked-to-market basis versus the bank bill index benchmark's 0.37% return. Council's managed fund investments may experience monthly volatility as financial markets undergo changes in outlook. However, such investments are expected to yield a favourable return over the long term. For the past 12 months, the investment portfolio has returned 4.46% versus the bank bill index benchmark's 3.89%.

As at 31 December 2023 the cumulative interest earned was \$5,708,726. This is \$1,336,226 higher than the year-to-date budget of \$4,372,500.

The performance chart below shows Council's rolling 12 monthly return versus benchmark over the past 5 years. Each data point is the 12 month return for the stated month end:



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

Preservation of capital is the prime objective of the investment portfolio. Investments are placed in a manner that seeks to ensure security and safeguarding of the investment portfolio. This includes managing credit and interest rate risk within identified thresholds and parameters that is both set in Council's Investment Policy and guided by the investment advisor.

FINANCIAL IMPLICATIONS

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

CONCLUSION

Council hereby certifies that the investments listed within this report have been made in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the *Local Government (General) Regulation 2021* and Council's Investment Policy.

ATTACHMENTS

1. Investment Report December 2023 [↓](#)
2. Investment Commentary December 2023 [↓](#)

**DOCUMENTS
ASSOCIATED WITH
REPORT C02/24-455**

**Attachment 1
Investment Report December
2023**



**Investment Summary Report
December 2023**



Cumberland City Council
Investment Summary Report - December 2023



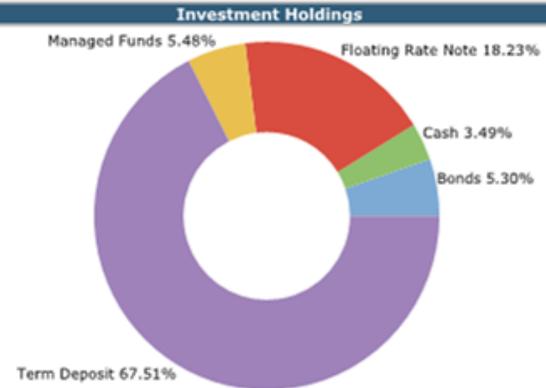
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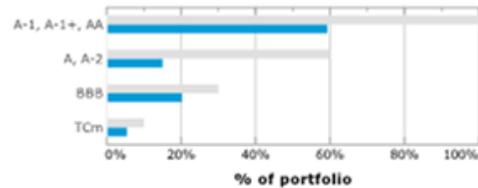
Cumberland City Council
Executive Summary - December 2023



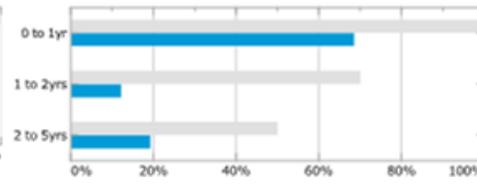
| Investment Holdings | | | | |
|---------------------|--------------------|---------------------|--------------------|---------------------|
| By Product | Face Value (\$) | Purchase Price (\$) | Current Value (\$) | 12 Month Return (%) |
| Bonds | 12,550,000 | 12,539,975 | 12,663,268 | 3.43 |
| Cash | 8,266,529 | 8,266,529 | 8,266,529 | 3.76 |
| Floating Rate Note | 43,200,000 | 43,217,440 | 43,399,423 | 4.75 |
| Managed Funds | 12,975,999 | 12,000,000 | 12,975,999 | 9.18 |
| Term Deposit | 160,000,000 | 160,000,000 | 163,215,641 | 4.13 |
| Total | 236,992,528 | 236,023,944 | 240,520,860 | 4.46 |



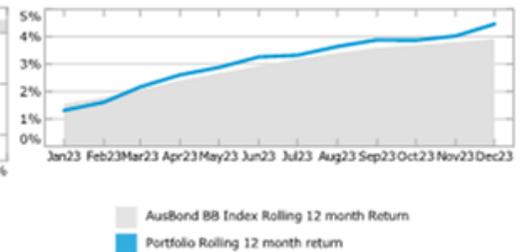
Investment Policy Compliance
Total Credit Exposure



Investment Policy Compliance
Term to Maturity



Investment Performance



Cumberland City Council
Investment Summary Report - December 2023



Cash Accounts

| Face Value (\$) | Rate (%pa) | Institution | Credit Rating | Current Value (\$) | Deal No. |
|---------------------|----------------|--------------------------------|---------------|---------------------|----------|
| 6,266,529.37 | 4.1000% | Commonwealth Bank of Australia | A-1+ | 6,266,529.37 | 250385 |
| 2,000,000.00 | 4.3500% | Commonwealth Bank of Australia | A-1+ | 2,000,000.00 | 533672 |
| 8,266,529.37 | 4.1605% | | | 8,266,529.37 | |

Managed Funds

| Face Value (\$) | Monthly Return | Institution | Credit Rating | Capital Base (\$) | Current Value (\$) | Deal No. | Fund Name |
|----------------------|----------------|-----------------|---------------|-------------------|----------------------|----------|-------------------------|
| 12,975,999.00 | 2.4764% | NSW T-Corp (MT) | TCm | 12,000,000.00 | 12,975,999.00 | 538647 | Medium Term Growth Fund |
| 12,975,999.00 | | | | | 12,975,999.00 | | |

Term Deposits

| Purchase Date | Maturity Date | Term Days | Face Value (\$) | Rate (%pa) | Institution | Credit Rating | Purchase Price (\$) | Current Value (\$) | Deal No. | Accrued Interest (\$) | Coupon Frequency |
|---------------|---------------|-----------|-----------------|------------|--------------------------------|---------------|---------------------|--------------------|----------|-----------------------|------------------|
| 7-Mar-23 | 10-Jan-24 | 309 | 4,000,000.00 | 4.8500% | National Australia Bank | A-1+ | 4,000,000.00 | 4,159,452.05 | 543909 | 159,452.05 | At Maturity |
| 20-Jul-23 | 16-Jan-24 | 180 | 4,000,000.00 | 5.4600% | National Australia Bank | A-1+ | 4,000,000.00 | 4,098,728.77 | 544329 | 98,728.77 | At Maturity |
| 13-Feb-23 | 13-Feb-24 | 365 | 4,000,000.00 | 5.0100% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,176,791.23 | 543822 | 176,791.23 | At Maturity |
| 17-Feb-23 | 15-Feb-24 | 363 | 4,000,000.00 | 4.9000% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,170,761.64 | 543840 | 170,761.64 | At Maturity |
| 7-Mar-22 | 4-Mar-24 | 728 | 3,000,000.00 | 1.7100% | Westpac Group | A-1+ | 3,000,000.00 | 3,003,513.70 | 542412 | 3,513.70 | Quarterly |
| 6-Mar-23 | 27-Mar-24 | 387 | 4,000,000.00 | 5.1000% | Bank of Queensland | A-2 | 4,000,000.00 | 4,168,230.14 | 543891 | 168,230.14 | At Maturity |
| 3-Apr-23 | 3-Apr-24 | 366 | 4,000,000.00 | 4.9000% | AMP Bank | A-2 | 4,000,000.00 | 4,146,597.26 | 543982 | 146,597.26 | At Maturity |
| 1-Jun-23 | 3-Apr-24 | 307 | 4,000,000.00 | 5.0600% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,118,667.40 | 544140 | 118,667.40 | At Maturity |
| 2-May-23 | 1-May-24 | 365 | 4,000,000.00 | 4.9000% | AMP Bank | A-2 | 4,000,000.00 | 4,131,024.66 | 544056 | 131,024.66 | At Maturity |
| 28-Jun-23 | 28-May-24 | 335 | 4,000,000.00 | 5.6000% | Bendigo and Adelaide Bank | A-2 | 4,000,000.00 | 4,114,761.64 | 544240 | 114,761.64 | At Maturity |
| 30-Nov-23 | 29-May-24 | 181 | 4,000,000.00 | 5.3700% | Suncorp Bank | A-1 | 4,000,000.00 | 4,018,831.78 | 544677 | 18,831.78 | At Maturity |
| 4-Aug-23 | 5-Jun-24 | 306 | 4,000,000.00 | 5.5200% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,090,739.73 | 544352 | 90,739.73 | At Maturity |
| 1-Jun-23 | 5-Jun-24 | 370 | 4,000,000.00 | 5.0700% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,101,674.77 | 544142 | 101,674.77 | SemiAnnually |
| 8-Aug-23 | 11-Jun-24 | 308 | 4,000,000.00 | 5.5100% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,088,160.00 | 544358 | 88,160.00 | At Maturity |
| 4-Aug-23 | 12-Jun-24 | 313 | 4,000,000.00 | 5.5200% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,090,739.73 | 544353 | 90,739.73 | At Maturity |
| 22-Jun-23 | 25-Jun-24 | 369 | 4,000,000.00 | 5.5900% | Bank of Queensland | A-2 | 4,000,000.00 | 4,118,232.33 | 544219 | 118,232.33 | At Maturity |
| 8-Aug-23 | 1-Jul-24 | 328 | 4,000,000.00 | 5.5300% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,088,480.00 | 544357 | 88,480.00 | At Maturity |
| 4-Sep-23 | 9-Jul-24 | 309 | 4,000,000.00 | 5.2000% | National Australia Bank | A-1+ | 4,000,000.00 | 4,067,813.70 | 544462 | 67,813.70 | At Maturity |
| 27-Jul-23 | 26-Jul-24 | 365 | 3,000,000.00 | 5.5500% | AMP Bank | A-2 | 3,000,000.00 | 3,072,073.97 | 544340 | 72,073.97 | Annually |
| 19-Aug-22 | 19-Aug-24 | 731 | 4,000,000.00 | 4.1500% | Westpac Group | A-1+ | 4,000,000.00 | 4,019,101.37 | 543198 | 19,101.37 | Quarterly |
| 28-Aug-23 | 27-Aug-24 | 365 | 4,000,000.00 | 5.4200% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,074,840.55 | 544432 | 74,840.55 | At Maturity |
| 28-Aug-23 | 27-Aug-24 | 365 | 4,000,000.00 | 5.4200% | Commonwealth Bank of Australia | A-1+ | 4,000,000.00 | 4,074,840.55 | 544433 | 74,840.55 | At Maturity |

Cumberland City Council
Investment Summary Report - December 2023



Term Deposits

| Purchase Date | Maturity Date | Term Days | Face Value (\$) | Rate (%pa) | Institution | Credit Rating | Purchase Price (\$) | Current Value (\$) | Deal No. | Accrued Interest (\$) | Coupon Frequency | |
|---------------|---------------|-----------|-----------------------|----------------|--------------------------------|---------------|---------------------|-----------------------|-----------------------|-----------------------|---------------------|--|
| 4-Sep-23 | 3-Sep-24 | 365 | 4,000,000.00 | 5.2100% | National Australia Bank | A-1+ | 4,000,000.00 | 4,067,944.11 | 544459 | 67,944.11 | At Maturity | |
| 6-Sep-23 | 4-Sep-24 | 364 | 4,000,000.00 | 5.2500% | National Australia Bank | A-1+ | 4,000,000.00 | 4,067,315.07 | 544474 | 67,315.07 | At Maturity | |
| 24-Aug-22 | 24-Sep-24 | 762 | 4,000,000.00 | 4.4200% | Westpac Group | A-1+ | 4,000,000.00 | 4,018,406.58 | 543213 | 18,406.58 | Quarterly | |
| 29-Nov-23 | 15-Oct-24 | 321 | 4,000,000.00 | 5.5000% | Suncorp Bank | A-1 | 4,000,000.00 | 4,019,890.41 | 544674 | 19,890.41 | At Maturity | |
| 29-Aug-22 | 29-Oct-24 | 792 | 4,000,000.00 | 4.4500% | Westpac Group | A-1+ | 4,000,000.00 | 4,016,093.15 | 543244 | 16,093.15 | Quarterly | |
| 1-Nov-23 | 5-Nov-24 | 370 | 4,000,000.00 | 5.5500% | Westpac Group | A-1+ | 4,000,000.00 | 4,037,101.37 | 544607 | 37,101.37 | At Maturity | |
| 29-Nov-23 | 26-Nov-24 | 363 | 4,000,000.00 | 5.5200% | Suncorp Bank | A-1 | 4,000,000.00 | 4,019,962.74 | 544675 | 19,962.74 | At Maturity | |
| 30-Nov-23 | 27-Nov-24 | 363 | 4,000,000.00 | 5.4600% | Suncorp Bank | A-1 | 4,000,000.00 | 4,019,147.40 | 544678 | 19,147.40 | At Maturity | |
| 6-Dec-23 | 10-Dec-24 | 370 | 4,000,000.00 | 5.2600% | Suncorp Bank | A-1 | 4,000,000.00 | 4,014,987.40 | 544702 | 14,987.40 | At Maturity | |
| 13-Dec-22 | 11-Dec-24 | 729 | 3,000,000.00 | 4.5600% | Commonwealth Bank of Australia | A-1+ | 3,000,000.00 | 3,068,585.35 | 543649 | 68,585.35 | SemiAnnually | |
| 17-Feb-23 | 17-Feb-25 | 731 | 4,000,000.00 | 4.8700% | Commonwealth Bank of Australia | AA- | 4,000,000.00 | 4,097,663.93 | 543841 | 97,663.93 | SemiAnnually | |
| 28-Jun-23 | 25-Jun-25 | 728 | 4,000,000.00 | 5.5500% | Bendigo and Adelaide Bank | BBB+ | 4,000,000.00 | 4,113,736.99 | 544241 | 113,736.99 | At Maturity | |
| 6-Dec-23 | 9-Dec-25 | 734 | 4,000,000.00 | 5.3000% | Bank of Queensland | BBB+ | 4,000,000.00 | 4,015,101.37 | 544701 | 15,101.37 | Annually | |
| 20-Jul-23 | 21-Jul-26 | 1097 | 4,000,000.00 | 5.4000% | Bank of Queensland | BBB+ | 4,000,000.00 | 4,097,643.84 | 544330 | 97,643.84 | Annually | |
| 27-Jul-23 | 27-Jul-26 | 1096 | 4,000,000.00 | 5.4500% | AMP Bank | BBB | 4,000,000.00 | 4,094,367.12 | 544341 | 94,367.12 | Annually | |
| 5-Aug-22 | 4-Aug-27 | 1825 | 3,000,000.00 | 4.6000% | Bank of Queensland | BBB+ | 3,000,000.00 | 3,055,578.08 | 543151 | 55,578.08 | Annually | |
| 31-Aug-22 | 30-Aug-27 | 1825 | 4,000,000.00 | 5.0000% | Bank of Queensland | BBB+ | 4,000,000.00 | 4,067,397.26 | 543267 | 67,397.26 | Annually | |
| 28-Jun-23 | 28-Jun-28 | 1827 | 4,000,000.00 | 5.4000% | Bank of Queensland | BBB+ | 4,000,000.00 | 4,110,663.01 | 544246 | 110,663.01 | Annually | |
| 29-Nov-23 | 22-Nov-28 | 1820 | 4,000,000.00 | 5.5300% | Bank of Queensland | BBB+ | 4,000,000.00 | 4,019,998.90 | 544676 | 19,998.90 | Annually | |
| | | | 160,000,000.00 | 5.1379% | | | | 160,000,000.00 | 163,215,641.05 | | 3,215,641.05 | |

Floating Rate Notes

| Purchase Date | Maturity Date | Term Days | Face Value (\$) | Rate (%pa) | Security Name | Credit Rating | Purchase Price (\$) | Current Value (\$) | Deal No. | Accrued Interest (\$) | Next Coupon Date |
|---------------|---------------|-----------|-----------------|------------|----------------------------------|---------------|---------------------|--------------------|----------|-----------------------|------------------|
| 29-Aug-19 | 18-Jul-24 | 1785 | 4,000,000.00 | 5.2306% | BoQ Snr FRN (Jul24) BBSW+1.03% | A-2 | 4,021,640.00 | 4,047,071.23 | 538417 | 42,991.23 | 18-Jan-24 |
| 12-Aug-19 | 30-Jul-24 | 1814 | 2,500,000.00 | 5.1218% | SUN Snr FRN (Jul24) BBSW+0.78% | A-1 | 2,495,800.00 | 2,524,825.92 | 538383 | 22,100.92 | 30-Jan-24 |
| 7-Aug-19 | 7-Aug-24 | 1827 | 3,000,000.00 | 5.1672% | MAC Snr FRN (Aug24) BBSW+0.80% | A-1 | 3,000,000.00 | 3,028,721.02 | 538349 | 23,358.58 | 7-Feb-24 |
| 29-Aug-19 | 29-Aug-24 | 1827 | 2,000,000.00 | 5.1581% | ANZ Snr FRN (Aug24) BBSW+0.77% | A-1+ | 2,000,000.00 | 2,014,117.96 | 538412 | 9,326.98 | 29-Feb-24 |
| 4-Feb-20 | 4-Feb-25 | 1827 | 4,000,000.00 | 5.4672% | NPBS Snr FRN (Feb25) BBSW+1.12% | BBB | 4,000,000.00 | 4,026,832.13 | 539180 | 33,552.13 | 5-Feb-24 |
| 10-Mar-22 | 17-Mar-25 | 1103 | 2,000,000.00 | 5.0525% | WBC Snr FRN (Mar25) BBSW+0.69% | AA- | 2,000,000.00 | 2,008,543.15 | 542437 | 3,875.89 | 18-Mar-24 |
| 13-May-22 | 23-May-25 | 1106 | 1,500,000.00 | 5.6482% | RACQ Snr FRN (Mat 25) BBSW+1.25% | BBB+ | 1,500,000.00 | 1,505,256.09 | 542776 | 9,052.59 | 23-Feb-24 |
| 22-Apr-22 | 29-Oct-25 | 1286 | 3,000,000.00 | 5.4418% | BoQ Snr FRN (Oct25) BBSW+1.10% | BBB+ | 3,000,000.00 | 3,031,298.09 | 542666 | 28,178.09 | 29-Jan-24 |
| 15-Feb-23 | 24-Feb-26 | 1105 | 2,250,000.00 | 5.8786% | RACQ Snr FRN (Mat 26) BBSW+1.50% | BBB+ | 2,250,000.00 | 2,256,907.92 | 543828 | 13,770.42 | 26-Feb-24 |
| 6-May-21 | 6-May-26 | 1826 | 2,000,000.00 | 4.9772% | BoQ Snr FRN (May26) BBSW+0.63% | BBB+ | 2,000,000.00 | 1,993,492.50 | 541296 | 15,272.50 | 6-Feb-24 |
| 18-Aug-21 | 24-Aug-26 | 1832 | 2,400,000.00 | 4.7886% | NAB Snr FRN (Aug26) BBSW+0.41% | AA- | 2,400,000.00 | 2,394,132.94 | 541749 | 11,964.94 | 26-Feb-24 |
| 9-Sep-21 | 15-Sep-26 | 1832 | 4,000,000.00 | 4.8300% | SUN Snr FRN (Sep26) BBSW+0.48% | A+ | 4,000,000.00 | 3,961,678.36 | 541883 | 8,998.36 | 15-Mar-24 |

Cumberland City Council
Investment Summary Report - December 2023



Floating Rate Notes

| Purchase Date | Maturity Date | Term Days | Face Value (\$) | Rate (%pa) | Security Name | Credit Rating | Purchase Price (\$) | Current Value (\$) | Deal No. | Accrued Interest (\$) | Next Coupon Date |
|---------------|---------------|-----------|----------------------|----------------|--------------------------------|---------------|----------------------|----------------------|----------|-----------------------|------------------|
| 21-Oct-21 | 27-Oct-26 | 1832 | 2,000,000.00 | 5.1142% | BoQ Snr FRN (Oct26) BBSW+0.80% | B8B+ | 2,000,000.00 | 2,003,415.19 | 542003 | 18,495.19 | 29-Jan-24 |
| 10-Nov-23 | 17-Nov-26 | 1103 | 2,250,000.00 | 5.9305% | POL Snr FRN (Nov26) BBSW+1.55% | BBB | 2,250,000.00 | 2,266,451.04 | 544638 | 16,451.04 | 19-Feb-24 |
| 11-Jan-22 | 14-Jan-27 | 1829 | 1,500,000.00 | 4.8517% | CBA Snr FRN (Jan27) BBSW+0.70% | AA- | 1,500,000.00 | 1,512,487.64 | 542234 | 15,352.64 | 15-Jan-24 |
| 17-Feb-22 | 25-Feb-27 | 1834 | 3,200,000.00 | 5.0975% | NAB Snr FRN (Feb27) BBSW+0.72% | AA- | 3,200,000.00 | 3,210,489.64 | 542353 | 15,641.64 | 26-Feb-24 |
| 8-Dec-22 | 14-Dec-27 | 1832 | 1,600,000.00 | 5.6041% | SUN Snr FRN (Dec27) BBSW+1.25% | A+ | 1,600,000.00 | 1,613,701.87 | 543632 | 4,421.87 | 14-Mar-24 |
| | | | 43,200,000.00 | 5.2416% | | | 43,217,440.00 | 43,399,422.69 | | 292,805.01 | |

Fixed Rate Bonds

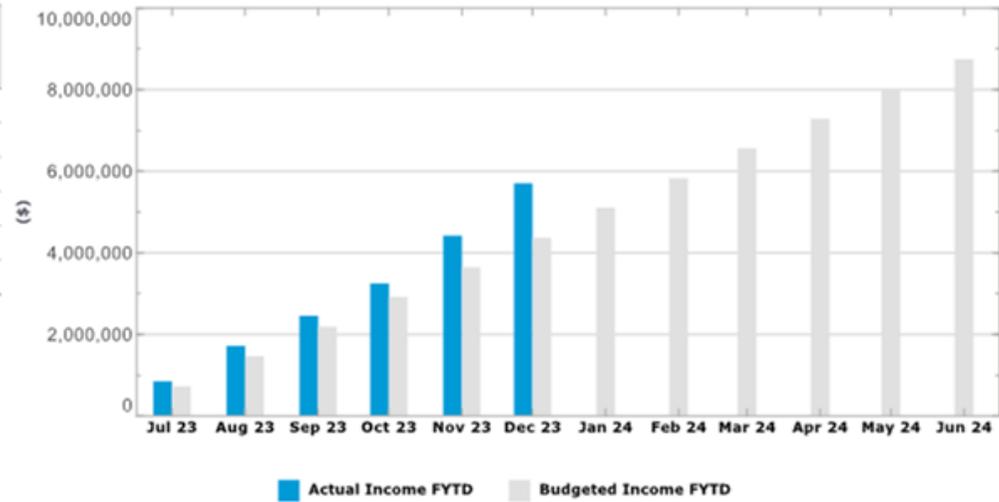
| Purchase Date | Maturity Date | Term Days | Face Value (\$) | Rate (%pa) | Security Name | Credit Rating | Purchase Price (\$) | Current Value (\$) | Deal No. | Accrued Interest (\$) | Purchase Yield |
|---------------|---------------|-----------|----------------------|----------------|-----------------------------|---------------|----------------------|----------------------|----------|-----------------------|----------------|
| 11-Jan-19 | 11-Jan-24 | 1826 | 2,500,000.00 | 3.0000% | CBA Snr Bond (Jan24) 3.00% | A-1+ | 2,500,000.00 | 2,534,538.74 | 537455 | 35,461.96 | 3.1850% |
| 8-Feb-19 | 8-Feb-24 | 1826 | 2,250,000.00 | 3.1000% | ANZ Snr Bond (Feb24) 3.10% | A-1+ | 2,250,000.00 | 2,274,136.92 | 537488 | 27,672.55 | 3.1125% |
| 6-May-22 | 12-May-25 | 1102 | 2,500,000.00 | 4.0500% | ANZ Snr Bond (May25) 4.05% | AA- | 2,499,800.00 | 2,497,404.81 | 542750 | 13,629.81 | 4.0530% |
| 9-Aug-22 | 11-Aug-25 | 1098 | 2,300,000.00 | 3.9000% | WBC Snr Bond (Aug25) 3.90% | AA- | 2,291,375.00 | 2,311,667.84 | 543159 | 34,667.84 | 4.0340% |
| 16-Aug-22 | 22-Aug-25 | 1102 | 1,600,000.00 | 4.4000% | SUN Snr Bond (Aug25) 4.40% | A+ | 1,598,800.00 | 1,615,348.17 | 543181 | 25,252.17 | 4.4270% |
| 7-Sep-23 | 14-Sep-26 | 1103 | 1,400,000.00 | 4.9460% | MAC Snr Bond (Sep26) 4.946% | A+ | 1,400,000.00 | 1,430,171.25 | 544493 | 20,735.15 | 4.9460% |
| | | | 12,550,000.00 | 3.7876% | | | 12,539,975.00 | 12,663,267.73 | | 157,419.48 | 3.8553% |

Cumberland City Council
Actual Interest Report - December 2023

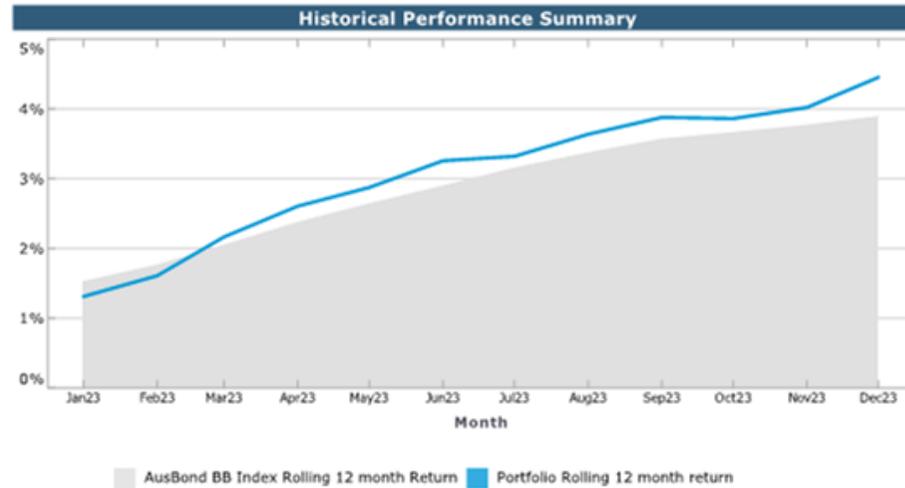


Budgeted vs Actual Returns

| | Monthly Income (\$) | YTD Actual (\$) | YTD Budgeted (\$) |
|----------------|---------------------------|-----------------------|-------------------------|
| July 2023 | 845,692 | 845,692 | 728,750 |
| August 2023 | 878,432 | 1,724,124 | 1,457,500 |
| September 2023 | 731,657 | 2,455,781 | 2,186,250 |
| October 2023 | 794,656 | 3,250,437 | 2,915,000 |
| November 2023 | 1,173,706 | 4,424,143 | 3,643,750 |
| December 2023 | 1,284,583 | 5,708,726 | 4,372,500 |



Cumberland City Council
Investment Performance Report - December 2023



| Historical Performance Summary (Annualised) | | | | | |
|---|---------|----------|----------|-------|-----------|
| | 1 Month | 3 Months | 6 Months | FYTD | 12 months |
| Portfolio Return (1) | 6.77% | 5.61% | 5.04% | 5.04% | 4.46% |
| Index Return (2) | 4.43% | 4.26% | 4.31% | 4.31% | 3.89% |
| Outperformance (3) | 2.34% | 1.35% | 0.73% | 0.73% | 0.57% |

(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

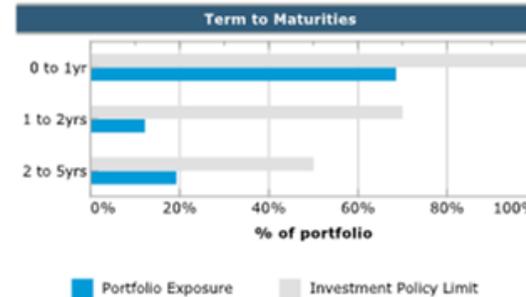
| Historical Performance Summary (actual) | | | | | |
|---|---------|----------|----------|-------|-----------|
| | 1 Month | 3 Months | 6 Months | FYTD | 12 months |
| Portfolio Return (1) | 0.56% | 1.38% | 2.51% | 2.51% | 4.46% |
| Index Return (2) | 0.37% | 1.06% | 2.15% | 2.15% | 3.89% |
| Outperformance (3) | 0.19% | 0.32% | 0.36% | 0.36% | 0.57% |

(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 City Council
Investment Policy Compliance Report - December 2023



| Credit Rating | Exposures | | Policy Max | |
|-----------------|--------------------|-------------|-------------|---|
| | (\$) | (%) | | |
| Long Term AA | 17,900,000 | | | |
| Short Term A-1 | 25,500,000 | | | |
| Short Term A-1+ | 97,016,529 | | | |
| | 140,416,529 | 59% | 100% | ✓ |
| Long Term A | 8,600,000 | | | |
| Short Term A-2 | 27,000,000 | | | |
| | 35,600,000 | 15% | 60% | ✓ |
| Long Term BBB | 48,000,000 | | | |
| | 48,000,000 | 20% | 30% | ✓ |
| Short Term TCm | 12,975,999 | | | |
| | 12,975,999 | 5% | 10% | ✓ |
| | 236,992,528 | 100% | | |



| Policy Minimum | Exposures | | Min | |
|-----------------------------|--------------------|-----|-----|---|
| | (\$) | (%) | | |
| Less than 3 months | 48,992,528 | 21% | 10% | ✓ |
| Between 3 months and 1 year | 113,500,000 | 48% | 20% | ✓ |
| | | | | |
| Policy Maximum | Exposures | | Max | |
| | (\$) | (%) | (%) | |
| Between 1 and 2 years | 28,900,000 | 12% | 70% | ✓ |
| Between 2 and 5 years | 45,600,000 | 19% | 50% | ✓ |
| | 236,992,528 | | | |

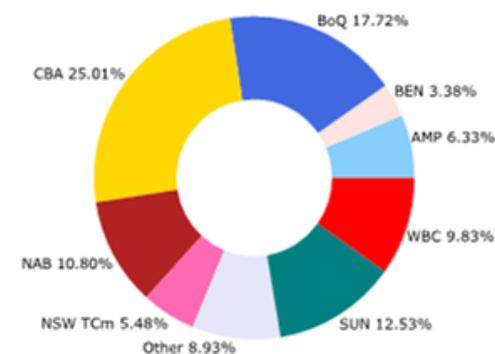
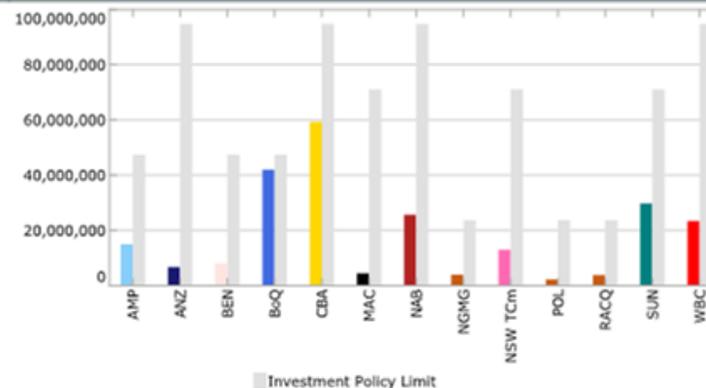
✓ = compliant
X = non compliant

Cumberland City Council
Individual Institutional Exposures Report - December 2023

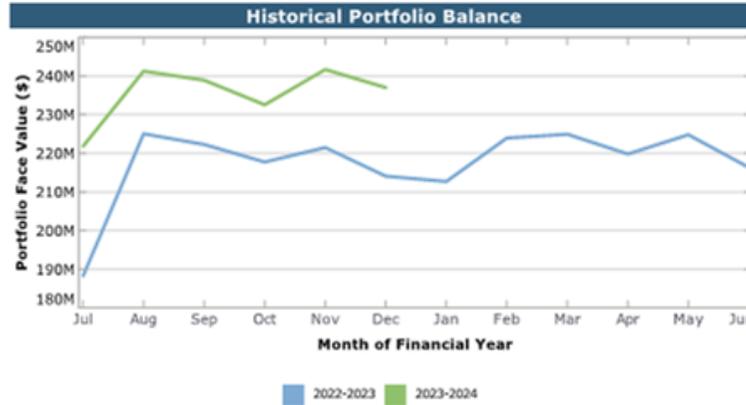


Individual Institutional Exposures **Individual Institutional Exposure Charts**

| Parent Group | Credit Rating | Portfolio Exposure (\$) | % of portfolio |
|--------------------------------|---------------|-------------------------|----------------|
| AMP Bank | A-2, BBB | 15,000,000 | 6% |
| ANZ Group | A-1+, AA- | 6,750,000 | 3% |
| Bank of Queensland | A-2, BBB+ | 42,000,000 | 18% |
| Bendigo and Adelaide Bank | A-2, BBB+ | 8,000,000 | 3% |
| Commonwealth Bank of Australia | A-1+, AA- | 59,266,529 | 25% |
| Macquarie Bank | A-1, A+ | 4,400,000 | 2% |
| Members Banking Group | A-2, BBB+ | 3,750,000 | 2% |
| National Australia Bank | A-1+, AA- | 25,600,000 | 11% |
| Newcastle Greater Mutual Group | A-2, BBB | 4,000,000 | 2% |
| NSW T-Corp (MT) | TCm, TCm | 12,975,999 | 5% |
| Police Bank Ltd | A-2, BBB | 2,250,000 | 1% |
| Suncorp Bank | A+, A-1 | 29,700,000 | 13% |
| Westpac Group | A-1+, AA- | 23,300,000 | 10% |
| | | 236,992,528 | |



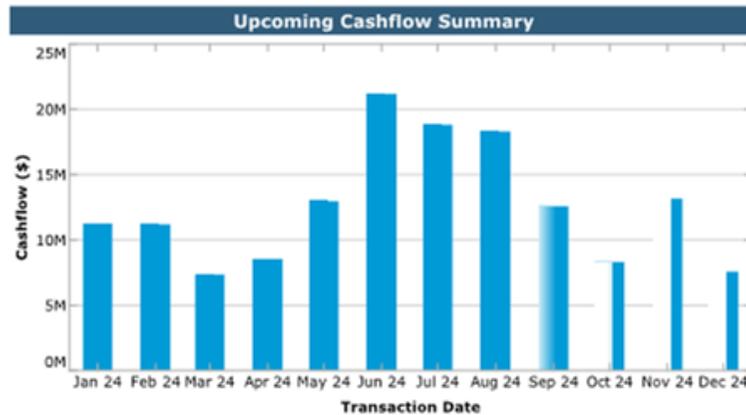
Cumberland City Council
Investment Cashflows - December 2023



Historical Portfolio Balance

| | 2023-2024 | 2022-2023 |
|-----------|---------------|---------------|
| July | \$221,834,523 | \$188,287,626 |
| August | \$241,234,698 | \$225,042,736 |
| September | \$238,887,959 | \$222,277,972 |
| October | \$232,534,249 | \$217,732,383 |
| November | \$241,658,710 | \$221,480,048 |
| December | \$236,992,528 | \$214,079,789 |
| January | | \$212,689,697 |
| February | | \$223,933,293 |
| March | | \$224,928,431 |
| April | | \$219,808,280 |
| May | | \$224,787,407 |
| June | | \$216,321,077 |

Average 12 month Portfolio Balance 227,967,571



Upcoming Cashflow Summary

| | Amount |
|--------------|--------------|
| January 24 | \$11,249,033 |
| February 24 | \$11,196,772 |
| March 24 | \$7,359,002 |
| April 24 | \$8,535,208 |
| May 24 | \$12,982,962 |
| June 24 | \$21,187,302 |
| July 24 | \$18,812,710 |
| August 24 | \$18,288,497 |
| September 24 | \$12,563,224 |
| October 24 | \$8,308,021 |
| November 24 | \$13,170,664 |
| December 24 | \$7,582,670 |



DOCUMENTS
ASSOCIATED WITH
REPORT C02/24-455

Attachment 2
Investment Commentary
December 2023



Cumberland City Council Economic and Investment Portfolio Commentary December 2023

Investment Portfolio Commentary

Council's investment portfolio returned 0.56% (actual) for the month on a marked-to-market basis versus the bank bill index benchmark's 0.37% return. For the past 12 months, the investment portfolio has returned 4.46% versus the bank bill index benchmark's 3.89%.

The NSW TCorpIM Medium Term Growth Fund (+2.48% actual) had another strong month reflecting the surge in global share markets and the upward trend in bond prices. Inflation appears to be easing in many major countries signalling the likely end of interest rate hikes in this cycle and possible cuts starting in mid-2024. The fund's return gave another good boost to the portfolio's overall performance.

During December, Council had \$11m in maturities across 4, 12 and 16 month term deposits paying an average of 5.54%pa. Council invested \$8m between two deposits with 12 and 24 month terms paying an average of 5.28%pa.

Council's investment performance had reflected the downward trend in interest rate markets over recent years accelerated by pandemic related interest rate cuts. With inflation pressures building, interest rates increased sharply over much of 2022, causing negative marked-to-market returns on existing bonds and FRNs over that period. Throughout 2023, the higher rates being received on new investments and FRN rate resets flowed through to the rolling 12mo figure which is again exceeding the benchmark's performance.

Council has a well-diversified portfolio invested among a range of term deposits, fixed and floating rate bonds from highly rated Australian ADIs as well as growth assets via holdings in the NSW TCorp Medium Term Growth Fund. It is expected that Council's portfolio will achieve above benchmark returns over the medium/long term with prudent investment selection and holding the securities for the recommended time horizons of their asset classes.

Global issues:

- It's now looking almost certain that rates have peaked in major central banks and they are moving towards rate cuts. This is all being driven by the ongoing fall in inflation, with US consumer price inflation falling again and a bigger than expected fall in producer price inflation.
- The past month saw several central banks – the US Fed, the European Central Bank, the Bank of England along with central banks in Switzerland, the Philippines and Taiwan – all leave interest rates on hold.
- The US inflation rate peaked in June 2022 which was several months ahead of other countries (October 2022 for the Eurozone and UK and December 2022 in Australia) and so it has experienced a longer period of slowing. The US Fed held rates at 5.25-5.50% but noted that growth and inflation have slowed and is allowing for three rate cuts in 2024 possibly starting in the June quarter.



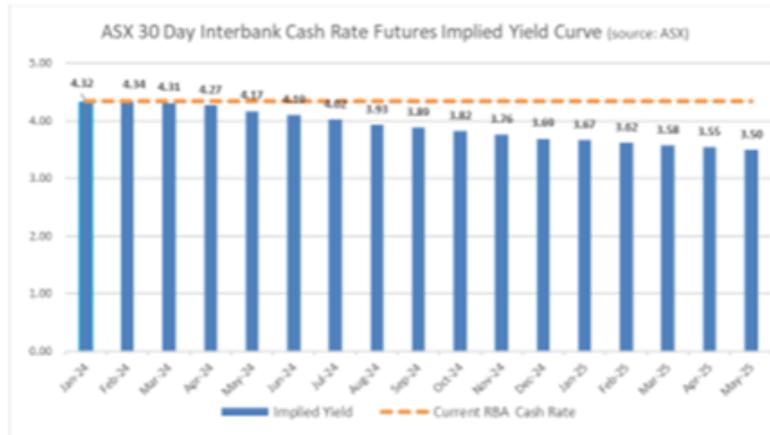
- The peaking in global interest rates and shift towards rate cuts led by the US Fed is a good sign for the RBA. Just as Australian inflation and interest rates lagged the pickup in US/global inflation and interest rates by a few months its likely to also do the same on the way down.
- Global (and domestic) shares and bonds performed strongly again in December due to inflation pressures continuing to ease in many countries and the growing prospect of cuts in the official cash rates both domestically and abroad. Australian shares were among the top performers globally for the month with the All Ords up 7.4% for the month, bringing its 12 month return to 13%. The US S&P 500 closed out 2024 with a return of 4.5% for December and over 26% for the year.

Domestic issues:

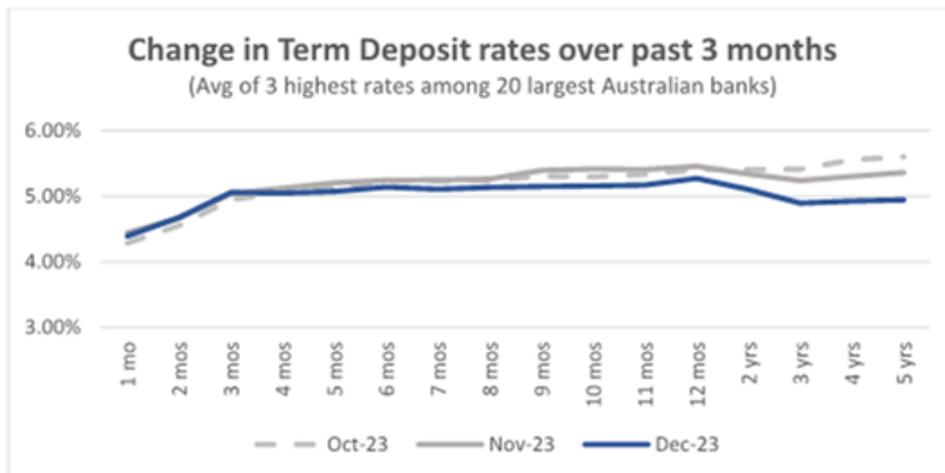
- September quarter GDP and other data released in December leave no doubt that the domestic household sector is getting hit hard by the RBA rate hikes. While annual GDP growth was stronger than expected at 2.1%yoy, this reflected upwards revisions to past quarters with September quarter GDP growth coming in well below expectations at 0.2%qoq.
- Consumer spending stalled in the September quarter and down 2% per person over the last year which highlights that the average Australian is cutting back discretionary spending.
- While labour income has been strong this is being swamped by increasing mortgage payments and higher tax payments. The share of gross household income devoted to mortgage payments and tax payments are now both at or around record highs.
- Consumer confidence rose slightly in December on the RBA rate pause but remains depressed and business confidence surveys fell, albeit business conditions are still okay but also falling. All things being equal this is consistent with soft growth.

Interest rates

- At its December meeting, the RBA kept the official cash rate unchanged at 4.35% noting that economic data received over the prior month had been broadly in line with expectations. Inflation had continued to decline but remained high and wages growth had reached 4% sooner than expected but is unlikely to rise much further.
- The RBA Board agreed that “*whether*” further tightening of monetary policy is required will depend on how the global economy, trends in domestic demand, and the outlook for inflation and the labour market alter the economic outlook and the evolving assessment of risks.
- The market is pricing in no further interest rate hikes for this cycle and as much as 85bps in rate cuts by mid-2025:



- In December, term deposit rates across the 1 to 3 month range were little changed from last month, but then dropped off for terms between 3 months to 5 years as the market priced in a reprieve from another rate hike in this cycle and the prospect of interest rate cuts starting within six months.



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. 46815.

Item No: C02/24-456

LETTER OF OFFER FOR 4-4A TERMINAL PLACE, MERRYLANDS

Directorate: Environment and Planning
Responsible Officer: Director Environment & Planning
Community Strategic Plan Goal: *Enhancing the Natural and Built Environment*

SUMMARY

Council is currently assessing Development Applications at 4-4A Terminal Place, Merrylands (DA2022/0722 and DA2022/0776), which include the construction of mixed-use development comprising of commercial tenancies, neighbourhood shops and residential units.

Related to the applications, Council received a Letter of Offer from the applicants of the development applications to enter into a Planning Agreement to dedicate the open space area and local road area on the site to Council as identified in the Cumberland LEP, and for the value of the land and any associated works with the identified open space area and local road area (as required by Council) to be used to offset local infrastructure contributions for the site.

Following review by Council officers, it is recommended that Council endorse in-principle the offer. The offer is consistent with the Cumberland Planning Agreements Policy as it would provide a public benefit through the dedication of land for open space and local roads, as well as associated works that are identified in local planning controls.

RECOMMENDATION

That Council:

- 1. Endorse in-principle the letter of offer for 4-4A Terminal Place, Merrylands, regarding the dedication of land for the purpose of open space and local roads, including associated works (as required by Council), and associated offsets of local infrastructure contributions, as outlined in this report.**
- 2. Note that the Council resolution on the letter of offer will be considered as part of the assessment for the development applications on the site.**

Letter of Offer

Council received a Letter of Offer from Bartier Perry Lawyers on behalf of Merrylands (A) 88 Pty Limited (Applicant of Development Application 2022/0722) and Merrylands (B) 88 Developments Pty Ltd (Applicant of Development Application 2022/0776) dated 25 January 2024 to enter into a Planning Agreement to offset payable Section 7.11 contributions related to the Development Applications against the dedication of land identified in the Cumberland LEP and any associated works (as required by Council).

The land proposed to be dedicated is as follows:

- Land identified as Lot 3 in the Draft Subdivision Plan as shown below in Figure 2. Currently zoned RE1 Public Recreation and identified in the *Cumberland Local Environmental Plan 2021, Land Reserved for Acquisition Map* to be acquired by Council for Local Open Space (Public Domain).
- Land identified as Lot 4 in the Draft Subdivision Plan (otherwise known as McLeod Road) as shown below in Figure 2. Currently zoned E2 Commercial Centre and identified in the *Cumberland Local Environmental Plan 2021, Land Reserved for Acquisition Map* to be acquired by Council for a Local Road.

Works proposed to be included under the offer include public domain works associated with the site as envisioned in Council’s strategies and plans.

It is noted by Council officers that should there be a remaining balance under Section 7.11 following the completion of the offer, this will need to be paid as a monetary contribution.

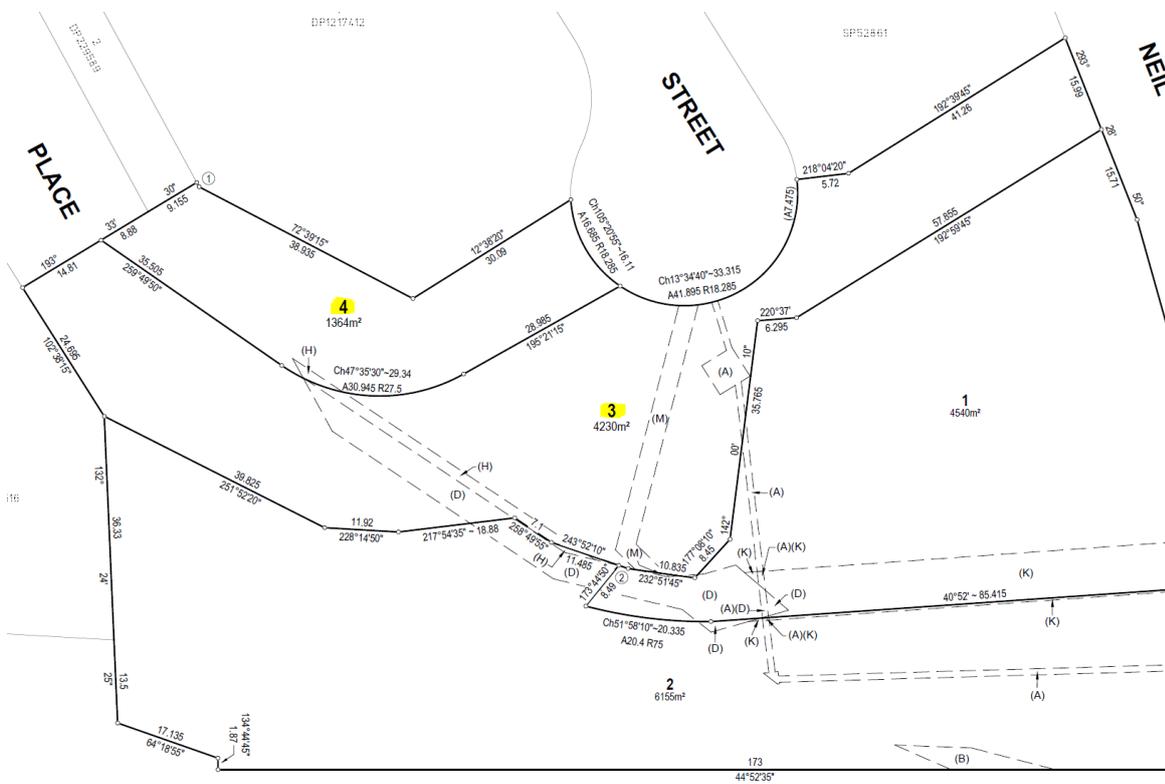


Figure 2 – Draft Subdivision Plan

Public Benefit

The dedication of land for open space and local roads, including associated works, is consistent with the Cumberland Planning Agreements Policy as it would provide a public benefit through the construction of local infrastructure that is identified in local planning controls.

The open space and local roads are identified in the Land Reservation Acquisition Map in the Cumberland LEP and is shown in Figure 3 below.

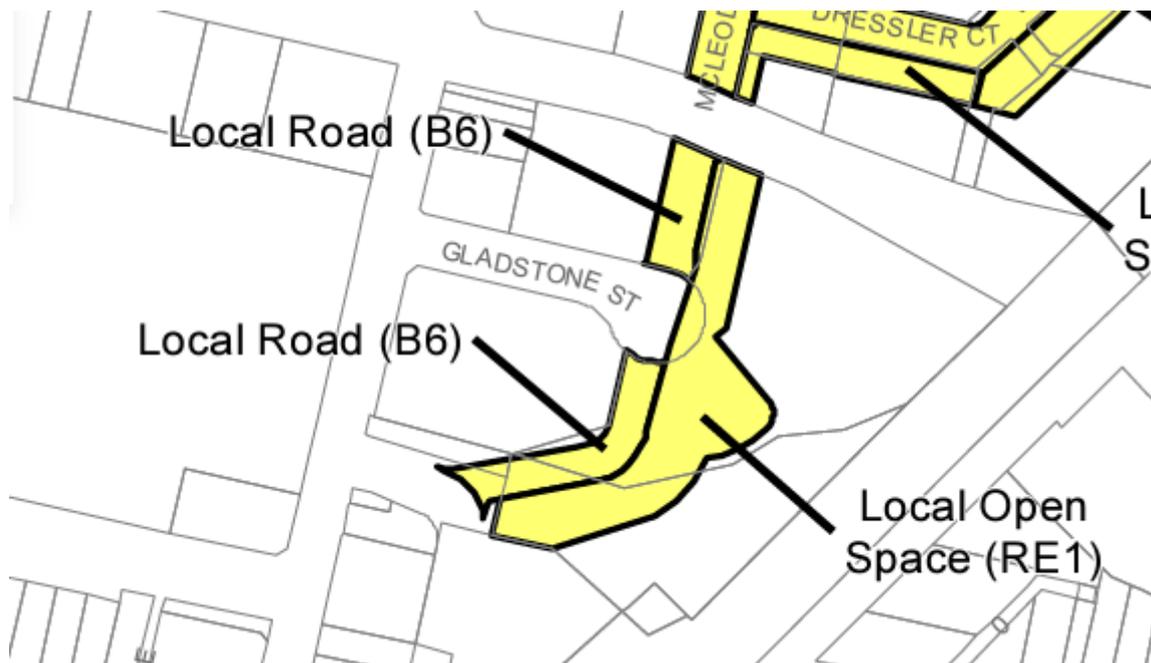


Figure 3 – Land Acquisition Reservation in Cumberland LEP for Open Space and Local Roads

Next Steps

The development applications are being finalised and will be determined the Sydney Central City Planning Panel. Subject to Council's in-principle endorsement of the offer, a condition will be included that the preparation, notification and finalisation of a Planning Agreement be undertaken in accordance with the offer. If the application is approved, a further report will be presented to Council on the draft Planning Agreement prior to public notification.

Should Council not support the offer, the assessment will be finalised with consideration of this outcome.

It is noted by Council officers that should there be a remaining balance under Section 7.11 following the completion of the offer, this will need to be paid as a monetary contribution.

COMMUNITY ENGAGEMENT

Should the offer be endorsed by Council and the development applications approved, the draft planning agreement will be prepared and publicly notified in accordance with Section 7.5 of the *Environmental Planning and Assessment Act 1979* and Council's Planning Agreements Policy.

RISK IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The proposed letter of offer will enable Council to deliver on planning outcomes for Merrylands without the need to use existing capital and/or local infrastructure contribution funding. If the offer does not proceed, Council will need to ensure that sufficient local contribution and/or general funding is available to progress the planning outcomes for the site. If these are not available, there would be a delay in the delivery of these planning outcomes for Merrylands.

CONCLUSION

The applicant's offer to enter into a planning agreement has been considered by Council officers and is consistent with the relevant principles and requirements detailed in Council's Planning Agreements Policy, and with statutory provisions of the Environmental Planning and Assessment Act 1979. It is recommended that Council provide in-principle endorsement of the offer.

ATTACHMENTS

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

Item No: C02/24-457

LETTER OF OFFER FOR 15 NEIL STREET, MERRYLANDS

Directorate: Environment and Planning
Responsible Officer: Director Environment & Planning
Community Strategic Plan Goal: *Enhancing the Natural and Built Environment*

SUMMARY

The subject site at 15 Neil Street, Merrylands, benefits from development consent DA2012/493/1. Pursuant to Condition 138 of DA2012/493/1, a surplus amount to the value of \$122,651.30 was granted to be used against any future development in the Cumberland local government area.

A subsequent development consent under DA2022/0131 was approved by the Cumberland Local Planning Panel on 4 August 2022 for alterations and additions to an approved mixed use development including the provision of an additional 8 residential storeys accommodating an additional 30 apartments, minor amendments to existing apartment layouts, minor amendments to the basement car park layout and modifications to the design and materials of the development. The site includes an area of open space that is identified for acquisition by Council in accordance with the Cumberland LEP.

A modification application has been received by Council (MOD2023/0552), seeking changes to the approved mixed use building and amendments to the conditions of consent. Related to the application, Council received a Letter of Offer to enter into a Planning Agreement to dedicate the open space area on the site to Council as identified in the Cumberland LEP, to use the surplus amount of Section 7.11 contributions (pursuant to Condition 138 of DA2012/493/1) as an offset to local infrastructure contributions for the site, and for the value of the land any associated works (as required by Council) within the identified open space area to be used to offset local infrastructure contributions for the site.

Following review by Council officers, it is recommended that Council endorse in-principle the offer. The offer is consistent with the Cumberland Planning Agreements Policy as it would provide a public benefit through the dedication of land for open space and associated works that is identified in local planning controls.

RECOMMENDATION

That Council:

- 1. Endorse in-principle the letter of offer for 15 Neil Street, Merrylands, regarding the dedication of land for the purpose of open space and associated works (as required by Council), use of a surplus value of**

contributions already paid, and associated offsets of local infrastructure contributions, as outlined in this report.

- 2. Note that the Council resolution on the letter of offer will be considered as part of the assessment for the modification application on the site.**

REPORT

Context

The site currently known as 15 Neil Street, Merrylands, benefits from development consent DA2012/493/1 for the demolition of existing structures; subdivision of land into 2 lots and construction of a 9-storey mixed use building containing 28 residential units and 2 commercial units on Lot A and a part 7 part 8 storey residential fat building containing 59 units on Lot B totalling 87 units (being 7 x 1 bedroom with study; 65 x bedroom, 7 x 2 bedroom with study and 8 x 3 bedroom); 3 levels of basement parking containing 122 car spaces, provision of new roads, site works and landscaping.

Pursuant to Condition 138 of DA2012/493/1, a surplus amount to the value of \$122,651.30 under Section 7.11 contributions was identified to be used against any future development in the Cumberland local government area.

A Planning Proposal previously undertaken for the precinct amended the planning controls on the subject site, including the height and floor space of buildings, and amended the zoning and development controls for the entire Neil Street Precinct. These controls were transferred into the current Cumberland Local Environmental Plan 2021, which provides for a floor space ratio of 8.5:1 and maximum building height of 54 metres.

The works associated with Building B, including extension and dedication of Dressler Court and McLeod Road (bounded by white lines in Figure 1 below), have since been completed. Open space area (Open Space/OS 1 in Figure 1 below) has also been dedicated to Council as part of works carried out under Stage 1. An Occupation Certificate for Building B was issued on 18 May 2021.

Following the Planning Proposal, a further development consent for Lot A (Building A) under DA2022/0131 was approved by the Cumberland Local Planning Panel on 4 August 2022 for alterations and additions to an approved mixed use development, including the provision of an additional 8 residential storeys accommodating an additional 30 apartments, minor amendments to existing apartment layouts, minor amendments to the basement car park layout and modifications to the design and materials of the development.

Recently, a modification application has been received by Council (MOD2023/0552), seeking changes to the approved mixed use building and amendments to the conditions of consent.



Figure 1: Site Layout

Proposed Offer

Council received a Letter of Offer from Paramonte Legal on behalf of HB and Sons Pty Ltd on 18 January 2024 to enter into a Planning Agreement to dedicate the open space area on the site to Council (Open Space/OS 2 in Figure 1 above) as identified in the Cumberland LEP, to use the surplus amount of Section 7.11 contributions (pursuant to Condition 138 of DA2012/493/1) as an offset to local infrastructure contributions for the site, and for the value of the land and any associated works with the identified open space area (as required by Council) to be used to offset local infrastructure contributions for the site.

It is noted by Council officers that should there be a remaining balance under Section 7.11 following the completion of the offer, this will need to be paid as a monetary contribution.

Public Benefit

The dedication of open space and associated works is consistent with the Cumberland Planning Agreements Policy as it would provide a public benefit through the construction of local infrastructure that is identified in local planning controls.

The open space is identified in the Land Reservation Acquisition Map in the Cumberland LEP and is shown in Figure 2 below.



1.

Figure 2: Land Acquisition Reservation in Cumberland LEP for Open Space

Next Steps

The modification application MOD2023/0552 is being finalised and will be determined under delegation by Council officers. Subject to Council's in-principle endorsement of the offer, a condition will be included that the preparation, notification and finalisation of a Planning Agreement be undertaken in accordance with the offer. If the application is approved, a further report will be presented to Council on the draft Planning Agreement prior to public notification.

Should Council not support the offer, the assessment will be finalised with consideration of this outcome.

COMMUNITY ENGAGEMENT

Should the offer be endorsed by Council and the modification application approved, the draft planning agreement will be prepared and publicly notified in accordance with Section 7.5 of the *Environmental Planning and Assessment Act 1979* and Council's Planning Agreements Policy.

POLICY IMPLICATIONS

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

RISK IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

CONCLUSION

The applicant's offer to enter into a planning agreement has been considered by Council officers and is consistent with the relevant principles and requirements detailed in Council's Planning Agreements Policy, and with statutory provisions of the Environmental Planning and Assessment Act 1979. It is recommended that Council provide in-principle endorsement of the offer.

ATTACHMENTS

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

Item No: C02/24-458

DRAFT PENDLE HILL TOWN CENTRE PUBLIC DOMAIN PLAN - POST EXHIBITION

Directorate: Environment and Planning
Responsible Officer: Director Environment & Planning
Community Strategic Plan Goal: *Enhancing the Natural and Built Environment*

SUMMARY

The Draft Pendle Hill Town Centre Public Domain Plan has been developed to guide the delivery of a consistently high-quality public realm to promote the revitalisation of the Pendle Hill Town Centre. The Draft Plan supports the broader planning work undertaken for this precinct.

The Public Domain Plan was placed on public exhibition for a period of 28 days seeking feedback from the community and key stakeholders. This report details the outcomes from submissions received during the public exhibition period and recommends the adoption of the Pendle Hill Town Centre Public Domain Plan.

RECOMMENDATION

That Council adopt the Pendle Hill Town Centre Public Domain Plan as provided in Attachment 1.

REPORT

Council at its meeting of 3 May 2023 (Item No: C05/23-299) resolved that the Pendle Hill Town Centre Public Domain Plan be placed on public exhibition for a period of 28 days, with a report provided back to Council following the conclusion of the exhibition period (Min. 424).

The Draft Pendle Hill Town Centre Public Domain Plan was exhibited for 28 days between Monday 22 May to Wednesday 21 June 2023 and made available on Council's 'Have Your Say' page.

Subsequently, a total of 24 direct submissions were received. A summary of all themes from the submissions received, and the Council's responses are outlined in Attachment 3 to this report.

The majority of responses received from the community were in support of the Public Domain Plan. The final draft revision of the document following the public exhibition period has been prepared to take account of minor errors and text clarifications.

In accordance with the above, Council has now addressed all public feedback and recommends the Pendle Hill Town Centre Public Domain Plan be adopted by Council as outlined in Attachment 1 of this report.

COMMUNITY ENGAGEMENT

Council publicly exhibited the Draft Pendle Hill Town Centre Public Domain Plan, for a period of 28 days from Monday 22 May to Wednesday 21 June 2023 both on Council's website and in local newspaper publications.

Council had 835 visits to the 'Have Your Say' community engagement website during the public exhibition period, with 396 downloading the Draft Pendle Hill Town Centre Public Domain Plan provided.

Submissions were received from 23 community respondents and 1 directly from community and public organisations. Council has formally responded to all respondents who made a submission and notified them of the consideration of this item at this Council meeting.

Methods of engagement included:

- Notices published in local newspapers.
- Notices sent to Have Your Say Newsletter participants, community groups and public agencies, and posted on social media.
- Flyers were distributed to local businesses.
- Posters were installed at select locations within the town centre.
- Two pop up information stalls in the town centre.

POLICY IMPLICATIONS

The Plan will support place-based outcomes identified for Pendle Hill in Cumberland 2030: Our Local Strategic Planning Statement and is also aligned with Council's Community Strategic Plan.

RISK IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Public domain works identified in the Pendle Hill Town Centre Public Domain Plan will be included for consideration in Council's capital works program. Development contributions have been collected and reserved for this purpose. The first stage of works under the Plan is for the upgrade of Civic Park in Pendle Hill, which is underway and received funding from Council and the NSW Government. Further grant opportunities to implement the plan will also be explored as they become available.

CONCLUSION

The Pendle Hill Town Centre Public Domain Plan has been developed to guide the delivery of consistently high-quality public realm to reinforce the centre's role in creating healthy, creative, culturally rich and socially connected communities. It is recommended that Council adopt the Pendle Hill Town Centre Public Domain Plan as provided in Attachment 1.

ATTACHMENTS

1. Pendle Hill Town Centre Public Domain Plan [↓](#)
2. Draft Pendle Hill Town Centre Public Domain Plan - Engagement Evaluation Report [↓](#)
3. Draft Pendle Hill Town Centre Public Domain Plan - Response to Submissions [↓](#)

**DOCUMENTS
ASSOCIATED WITH
REPORT C02/24-458**

**Attachment 1
Pendle Hill Town Centre Public
Domain Plan**





Welcome to Country

by Darug Elder Aunty Edna

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

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

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

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

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

“We were the first carers of the land,
we took only what we needed from our Mother Earth.
Our ancestors knew how to take care of the land,
so as to continue their survival.

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

We must protect the few sites we have to ensure our culture continues.
In the language of our ancestors we welcome you to Darug lands.
Thank you.”

over Image: Civic Park, Pendle Hill

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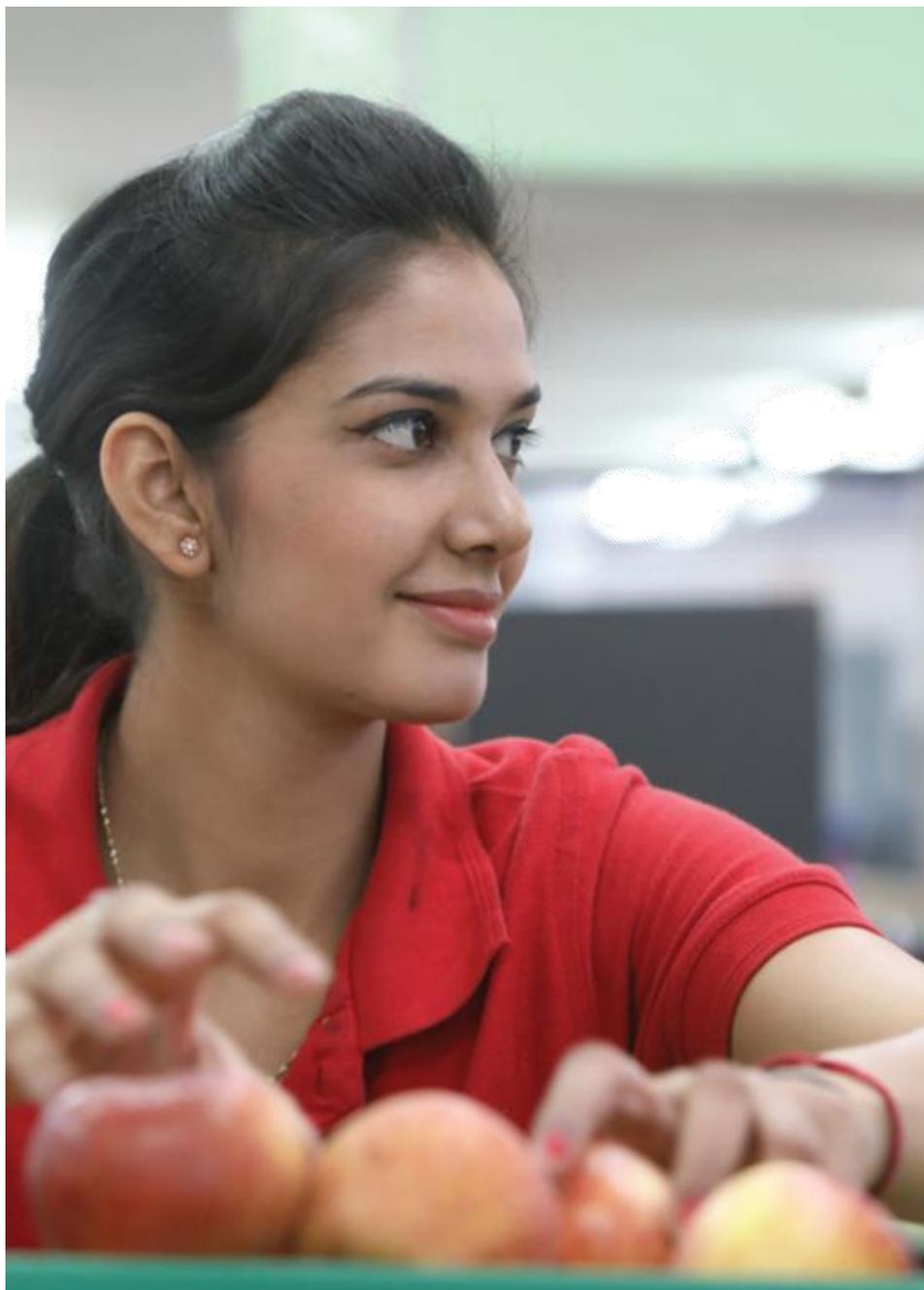
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1. Introduction

1.1 Purpose

Cumberland City Council have prepared the Pendle Hill Town Centre Public Domain Plan (The Plan) to guide the delivery of consistently high-quality public realm to promote the revitalisation of Pendle Hill Town Centre.

This document sets out a Town Centre wide palette of streetscape treatments, including material palettes for surface treatments, street furniture, landscaping, and finishes. It also provides guidelines and relevant information to assist developers and Council in undertaking public domain works within Pendle Hill Town Centre.

1.2 What is the Public Domain?

Within the context of this document, the public domain represents all urban and natural elements, structures, and spaces that exist within the publicly owned areas of Pendle Hill Town Centre and the relationship between them. The public domain also includes privately-owned arcades, plazas, building forecourts, internal walkways, and other semi-public spaces as they also influence the overall character of the public domain.

2. Planning Context

2.1 Strategies, Plan and Legislation

This plan builds on the community feedback and the identified planning approach from a range of legislation, strategies and plans. These include the following:

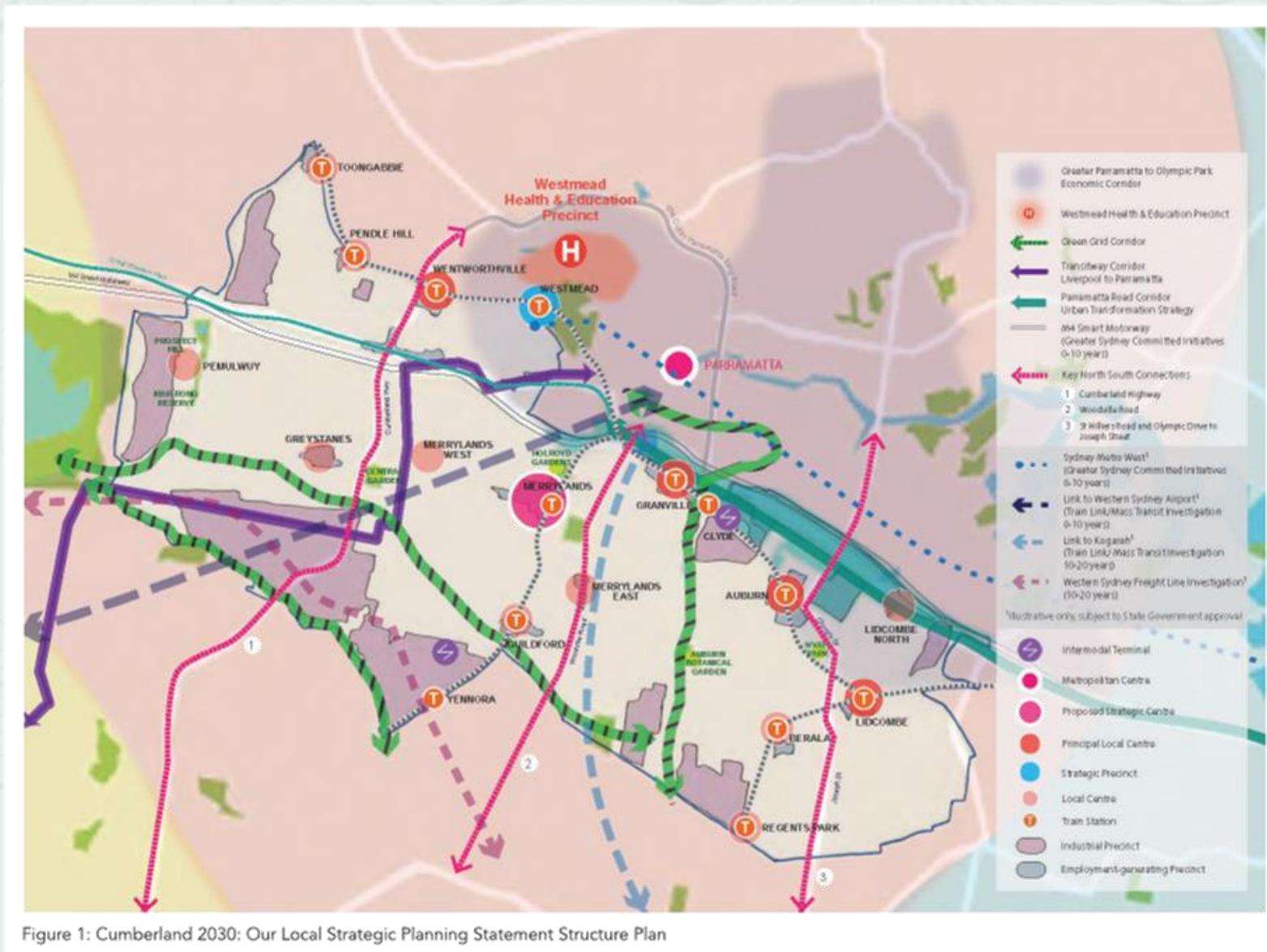
- Cumberland 2030: Our Local Strategic Planning Statement,
- Cumberland Local Housing Strategy 2020,
- Cumberland Local Environmental Plan 2021,
- Cumberland Development Control Plan 2021, with reference to site specific controls for the Pendle Hill Town Centre.

Cumberland 2030: Our Local Strategic Planning Statement identifies Pendle Hill as a Local Centre that provides land use opportunities for housing and local employment, as well as services and facilities to meet the needs of the local community.

The Central City District Plan recognises the importance of our Local Centres as a focal point of neighbourhoods. Easily accessible Local Centres provide opportunities for social connections that assist in fostering healthy, creative, and culturally rich communities. Creating and renewing local centres and respecting the local heritage contributes to making a diversity of great places within our City.

The Pendle Hill Town Centre supports the Greater Cities Commission vision as a 30-minute city with access to jobs and services with good public transport access to Parramatta CBD.





3 Overview

3.1 Site Context

Pendle Hill Town Centre is located on the western side and northern boundary in the Cumberland Local Government Area. Immediately to the north lies City of Parramatta, to the west Blacktown City Council and to the south Fairfield City Council. Major road corridors that surround Pendle Hill include the Great Western Highway and M4 to the south and Cumberland Highway to the east.

The Pendle Hill Town Centre boundaries are the railway line to the north, Dunmore Street to the south, Targo Road to the west and Jones Street to the east.

The town centre comprises of mixed-use development and surrounded by high density residential. Pendle Hill provides a range of retail, business, and community infrastructure including a train station, public buses, a district park to the west of the centre and local parks to the east of the centre.

Aged care facilities and seniors housing are located immediately south of the local centre. Girraween Public School and High School are located to the west of the town centre. Light Industrial lands immediately north of the railway line are located within the City of Parramatta Local Government Area.

Pendle Hill Creek situated on the western side of the centre, is a first order stream that connects into Girraween Creek, Toongabbie Creek, and Parramatta River to the north. Pendle Hill Creek contributes to Sydney's blue and green grid.

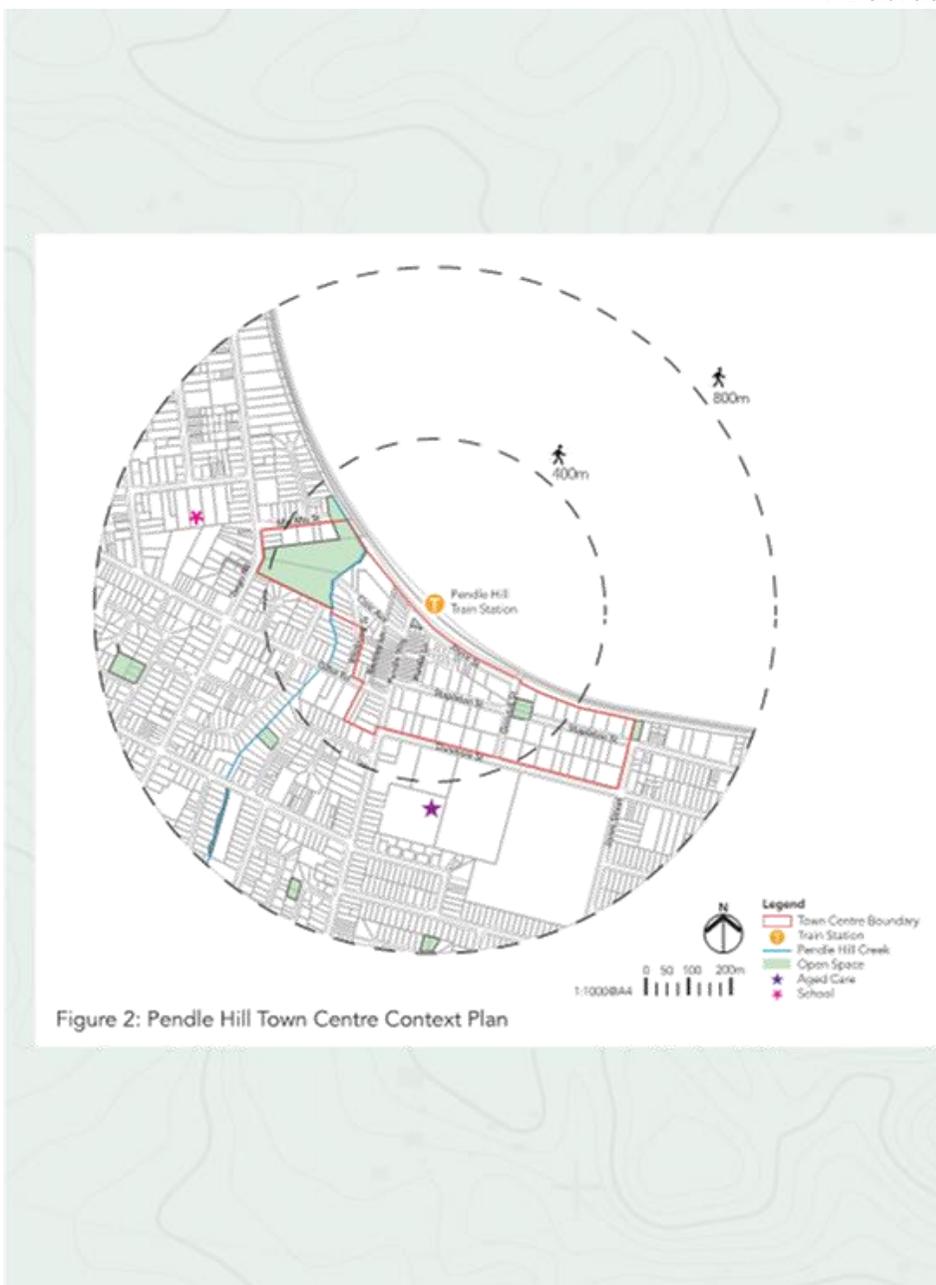


Figure 2: Pendle Hill Town Centre Context Plan

4 Vision and Design Principles

4.1 Vision

Pendle Hill is a vibrant Town Centre that will build on the local character to create an attractive, walkable, and socially inclusive open space network with high quality public realm at its centre.

4.2 Design Principles

Celebration of place

- Celebrate the history of Pendle Hill and build on the local character to create a distinct and attractive neighbourhood.
- Create active and vibrant streetscapes that supports innovative economic activities throughout the day & evenings, which attract residents, workers and welcomes visitors to the local area.
- Promote opportunities to socialise and participate in local life with a high-quality public realm that will enhance the health and well-being of the local community.



Clean and Green

- Create a continuous green tree cover throughout the centre to assist in mitigating urban heat and stormwater runoff.
- Improve walkability to reduce reliance on cars that will assist in positive environmental outcomes including improved air quality.
- Enhance well-being and a sense of community identity by delivering an attractive and well-maintained public realm.
- Maintain areas of open space and introduce measures to capture stormwater runoff thereby improving the water quality entering Pendle Hill Creek.



Well connected

- Promote healthy living with good walking and cycling permeability throughout the local centre.
- Upgrade pedestrian crossings to improve safety and comfort for pedestrians.
- Provide clear and effective wayfinding signage to enable access to services and facilities within the local centre.
- Use smart technologies and evidence-based decision making to prioritise footpath and cycling improvements.



Equitable

- To assist in the creation of liveable neighbourhoods and a cohesive community, streetscape design shall be inclusive for all abilities and ages with a continuous accessible path of travel.
- Provide opportunities for social connections through the design of safe and comfortable places for people to stop and rest and engage with street life within the local centre.
- Celebrate the diversity of the community by implementing public art initiatives and street banners that assist in creating culturally rich and socially connected communities.



5 Urban Structure

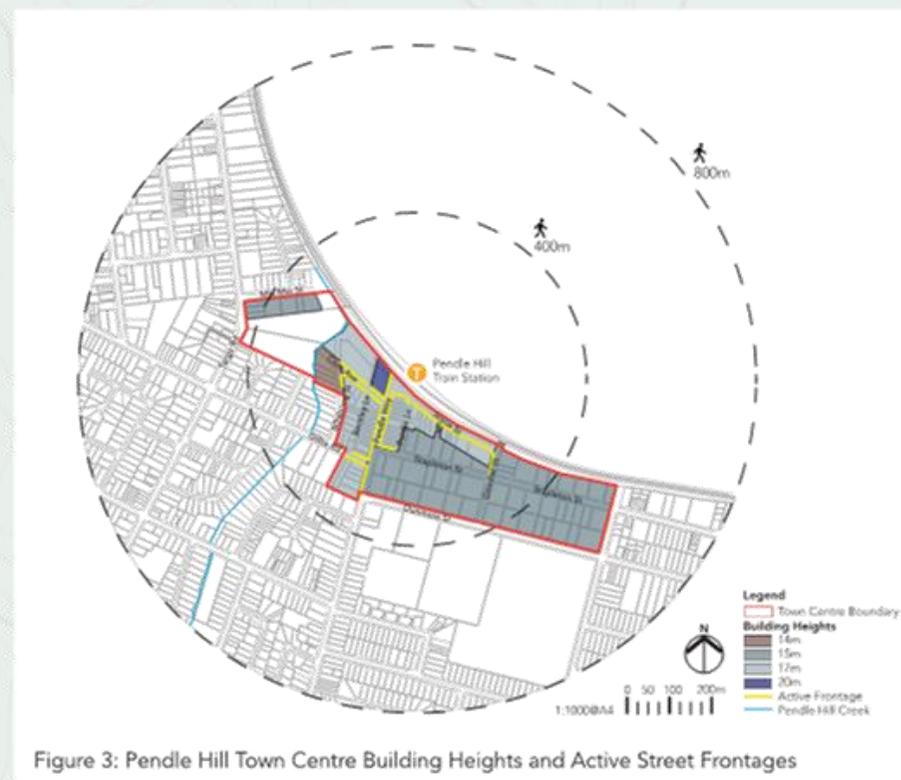
5.1 Built Form and Active Street Frontages

Land use planning within Pendle Hill Town Centre is based on a range of mixed use and high-density areas. The built form needs to consider the future local character and comfort levels of our public domain.

Pendle Way, Joyce Street and Civic Avenue will have a fine grain texture at street level with continuous active street frontages that will contribute to the vibrancy and liveability of the town centre.

To support active street frontages, the public domain will provide attractive seating areas, planting and lighting that promote both daytime and night-time activation. Public art elements including banner poles and decorative paving that reflect the existing local character of Pendle Hill will be integrated into the streetscape and assist in retaining the local identity of the neighbourhood.

Footpaths will be accessible for all ages and abilities that will enhance walkability to and within the Town Centre and provide opportunities for socialisation and contribute to the health and well-being of our community.



5 Urban Structure

5.2 Heritage and Open Space

Pendle Hill was part of an initial Crown Land grant issued to Colonial Surgeon D'Arcy Wentworth in 1819. The Wentworth family retained this land until World War I, when they sold a sizeable portion of land for the development of residential lots and small farms within Pendle Hill.

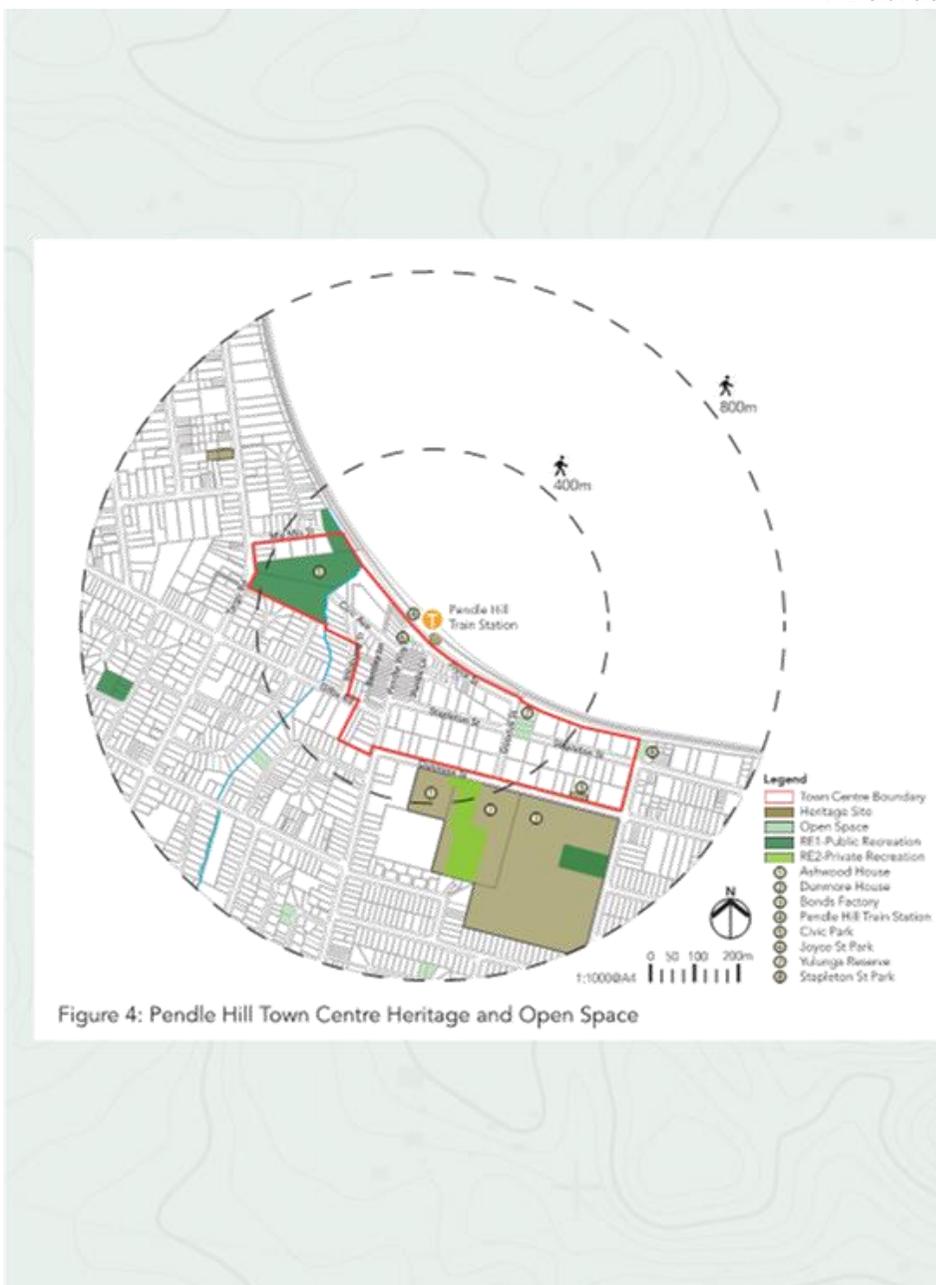
There are three heritage items located on the southern side of the town centre that significantly contribute to the present-day character of Pendle Hill. Dunmore House, a Victorian Italianate residence (1887), Ashwood House, an Interwar Georgian revival residence (1938), and the Bonds Bobbin Mills and Factory, industrial/manufacturing buildings (c. 1920).

Located on Dunmore Street, the Bonds Factory from its inception in 1923, was a major influence on the development of Pendle Hill. The success of the company created employment opportunities and resulted in the expansion of residential and retail development in the area. In 1924, a new train station was established at Pendle Hill in response to the growing population and manufacturing output offered by the Bonds Factory.

Dunmore House, originally a private residence, became an orphan home in 1934 when purchased by The Churches of Christ Homes Trust. In 1938, the Church expanded its care facilities constructing Ashwood House as an Aged Ladies Nursing Home. Both residences form part of an aged care and seniors housing facility still in operation today.

The Town Centre is supported by a range of open spaces. Civic Park, gazetted in 1939 for public recreation, is the most significant area of open space within Pendle Hill. Civic Park, a district level park, provides a range of recreational opportunities including tennis courts, barbeque and picnic facilities, fitness station, pathways for walking and cycling and opportunities for both formal and nature-based play. Civic Park houses a memorial for the Maltese Community as well as a plaque and tree planting dedicated to Leonard Moore which acknowledge their contributions to the Pendle Hill community. Pendle Hill Creek is located on the eastern boundary of Civic Park.

Other areas of open space include Joyce Street Park, located opposite the train station that provides opportunities for rest and casual social gatherings, Yulunga Reserve with a formal playground on the eastern side of the Town Centre, and Stapleton Street Park, a small road reserve with a formal playground located just outside the eastern boundary of the Town Centre.



5 Urban Structure

5.3 Environmental Sustainability

To improve our resilience as a community and protect ourselves against future shocks and stresses we need to be environmentally sustainable.

Trees and green cover are an effective way in which to reduce the build up of heat in our urban environment. Trees provide many benefits including in assisting in mitigating urban heat island effect, improving air quality through extraction of air particles, assisting in filtering stormwater, slowing down traffic as well as positive health and well-being benefits for our community.

There is a mix of urban and native tree planting throughout the Town Centre to cool the local environment. Civic Park and Stapleton Street Precinct have over 40% tree coverage whilst Pendle Way Precinct has less than 10% tree coverage. Urban heat maps however indicate that the Pendle Way Precinct and Stapleton Street Precinct can experience between 3–5-degree warmer temperatures and is more vulnerable to heat than the Civic Park Precinct. Build-up of urban heat can be attributed not only to tree coverage, but also percentage of impermeable surfaces. Pendle Hill and Stapleton Street Precincts have a higher percentage of impermeable surfaces (51%-75%) than Civic Park which is cooled by its large tract of green surfaces.

The opportunities to cool the urban environment within the Pendle Way Precinct and Stapleton Street Precinct are limited. Other green infrastructure, including new parklets, green roofs, green walls, planter beds and Water Sensitive Urban Design (WSUD) projects, need to be considered to assist in cooling our urban environment.

There are pockets of remnant bushland identified in Civic Park. Cumberland Shale Plain woodland species are present along the northern boundary of Civic Park and Grey Box Red Forest Gum grassy woodland species are present along the embankments of Pendle Hill Creek. Both ecological communities form part of the Cumberland Plain Woodlands.

Preservation of the green canopy along Pendle Hill Creek contributes to the green and blue grid network for the Central City District.

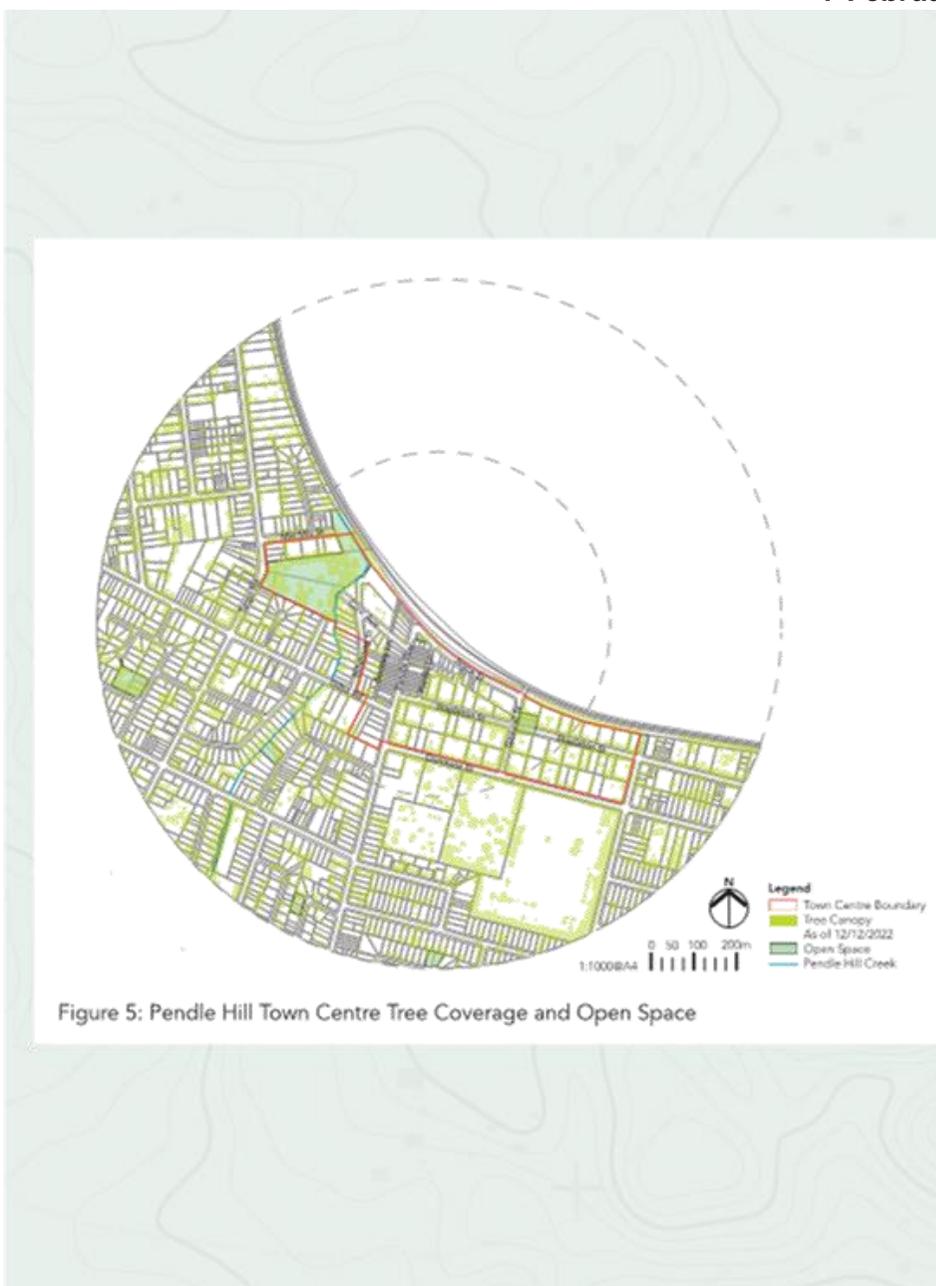


Figure 5: Pendle Hill Town Centre Tree Coverage and Open Space

5 Urban Structure

5.4 Movement Corridors

5.4.1 Active and Public Transport

To encourage healthy lifestyles, active transport solutions including walking, cycling, and catching public transport can assist in keeping our local centre vibrant and socially connected. Active transport also has many positive environmental benefits.

The Pendle Hill Train Station is located on the T1 Western Line and the T5 Cumberland line. There are currently 2000 – 4000 persons boarding the trains during the morning peak between 6am – 10am¹. Two bus routes operate via Pendle Way, one between Blacktown, Seven Hills, and Parramatta via Pendle Way at regular 30-minute intervals whilst a limited service operates between Parramatta Station and Northmead Retirement Village. Approximately 1000-3000 persons board buses monthly from Pendle Way¹. These transport options support the 30-minute city with access to services and jobs in our strategic centres including Parramatta CBD.

The town centre is very permeable with 3.6-metre-wide footpaths along the vibrant streets including Pendle Way, Joyce Street, and Civic Avenue. Proposed kerb extensions and new pedestrian crossings on Civic Avenue and opposite the train station will improve pedestrian safety. Other pedestrian crossings are located throughout the town centre, with some in need of an upgrade.

To ensure our streets remain vibrant and liveable, footpath widths will need to accommodate an increasing population in the centre, as well as street furniture, signage, and opportunities for outdoor dining. Transport for NSW Walking Space Guide provides recommended widths for footpaths. Smart technology will enable Council to monitor pedestrian movement patterns on footpaths to ensure they remain safe and comfortable.

Currently all cycling is on-road within the Centre. Opportunities may be considered for cycling within the Town Centre with dedicated bike lanes (where feasible), signage and bike parking stations. There is a popular cycling route through Civic Park along Targo Road that connects with Toongabbie Town Centre and along Dunmore Street that connects with Wentworthville Town Centre.



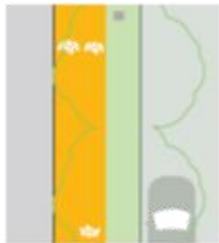
Figure 6: Pendle Hill Town Centre Vibrant Street and Active Transport Routes

5.4 Movement Corridors

Walking Space Guide – Footpath Types

Type 1

Local footpath –
Low activity

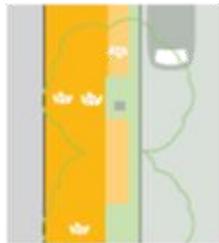


Low activity local footpaths are appropriate where people walking are unlikely to pass people coming the other way.

These footpaths support 2 friends walking together and passing if they walking in single file.

Type 2

Local footpath –
Medium activity

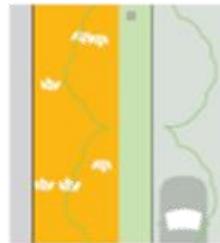
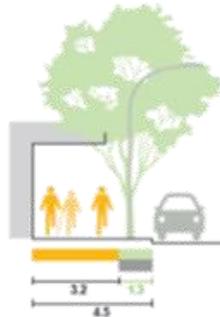


Medium activity local footpaths are appropriate where people walking are more than likely to pass people coming the other way.

These footpaths support 2 people passing abreast or 2 friends walking together passing another person using the Passing Zone.

Type 3

Main street footpath –
Medium activity
/ Local footpath –
High activity

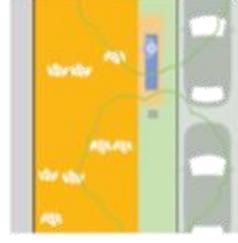
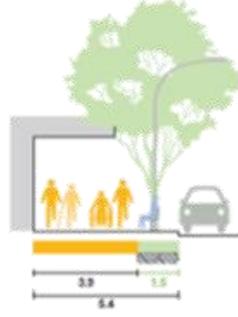


Medium activity main street footpaths are appropriate where people walking are virtually certain to pass people coming the other way.

These footpaths support 2 friends walking together and passing another person without having to walk in single file.

Type 4

Main street footpath –
High activity

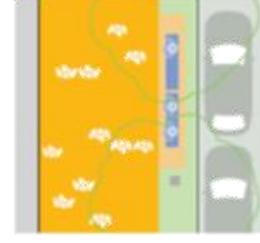
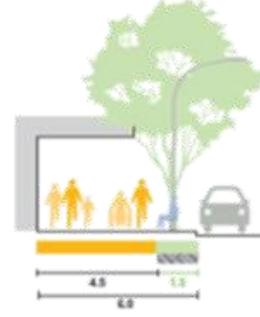


High activity main street footpaths are appropriate where people walking are virtually certain to meet multiple groups of people coming the other way.

These footpaths support 2 friends passing 2 friends coming the other way without either group having to walk in single file.

Type 5

Main street footpath –
Very high activity



Very high activity main street footpaths are appropriate where it is very busy most of the time.

These footpaths provide enough space for large numbers of people to walk comfortably.

Figure 7: Transport for NSW Walking Space Guide



5 Urban Structure

5.4 Movement Corridors

5.4.2 Cars and Freight

The major movement corridors are located on the periphery of the Town Centre along Pendle Way, Dunmore Street, Goodall Street, Gilba Road and Targo Road. The centre is limited to local traffic.

Freight access is along Dunmore Street and Goodall Street, both regional roads, to service the light industrial areas located to the north of the train line.

The Town Centre is well serviced by car parking options.

- 58 commuter parking spaces (no time limit) are available adjacent to the train line on Joyce Street.
- On street parking is available throughout the centre with designated on street disabled parking on Stapleton Street (3 spaces), Pendle Way (2 spaces) and Joyce Street (2 spaces).

Council carparks are in the following locations:

- The terminus of Civic Avenue with 37 spaces (all day parking) plus 3 disabled carparks.
- Purdie Lane with 68 carparking spaces (2-hour limit).
- A new carpark proposed for Civic Park adjacent to the tennis courts with 14 car parking spaces and one disabled carpark.

There are low occurrences of traffic incidents within the Town Centre. Opportunities for improvements to pedestrian crossing points, sightlines and legibility of the road network will improve safety and comfort for all road users. The current speed limit throughout the centre is 50km per hour.



Figure 8: Pendle Hill Town Centre Movement Corridors

6 Urban Design Elements

6.1 Street Layout and Typology

Streets are a critical component and building block of the urban environment that serves a key role in the public domain. Street design must be in accordance with the Australian Standards for pedestrian access on footpaths, as defined in AS/NZS 1428.4.1:2009 and it must follow these principles:

- Reinforce the street hierarchy, its use and character.
- Create a pedestrian-friendly environment and the safe crossing and movement of carriageways for all people.
- Ensure streets and public spaces are inclusive and liveable for all with consideration to Cumberland City Council's Disability Inclusion Action Plan 2022-2026.
- Allow references to the site's geographical and cultural history.
- Be sufficiently robust and durable to withstand heavy use, and be easily maintained.
- Maximise permeability for water infiltration.

6.2 Street Furniture and Lighting

Street furniture contributes to the delivery of placemaking objectives and vibrant streetscapes for the public to enjoy. Lighting is an essential element that can influence the level of activity and use of the public domain. The installation of suitable lighting, passive surveillance and security will improve the safety of the community. Lighting also plays a role in reinforcing legibility and promoting street activation that supports the night economy.

There is opportunity to improve current street lighting to support sustainability and urban design objectives, as well as to also explore ideas for lighting activation in coordination with public art installations, particularly in shared zones and civic areas. A thoughtfully curated palette of outdoor dining furniture such as parklets, standing bars, seats and tables will activate the street space, encourage social interaction, and support local businesses along the main street.

The Disability Discrimination Act 1992 (DDA) ensures public areas are accessible to all ages and abilities. Street furniture within the public realm to be DDA compliant.

Street lighting must be in accordance with the Australian Standards for lighting in pedestrian areas, as defined in AS/NZS 1158.3.1:2020 and AS/NZS 60598.2.3:2015.

Street furniture and lighting elements should:

- Be robust and durable in material.
- Define a sense of place and respond to the local history and cultural values of the site.
- Activate the public domain that attracts and engages people
- Provide comfort and amenity.
- Complement the placement of street trees and landscaping elements.

6 Urban Design Elements

6.3 Street Trees and Landscaping

Street tree planting and landscaping throughout the centre and will assist in providing shade, mitigating urban heat island effects, improving air quality and stormwater drainage. The increase in urban tree canopy cover will also assist in and delivery of Green Grid connections across Greater Sydney.

Tree lined streets can also be an effective traffic calming device to encourage driving at lower speeds resulting in pedestrian friendly streets.

It is proposed that existing established trees particularly on the Centre's periphery roads shall be retained and protected. New tree species have been selected to complement the existing street tree palette to integrate future development into the existing neighbourhood fabric. Nominated tree species were selected for their hardiness and will grow within highly urbanised environments.

The selection of street trees and landscaping should be in accordance with Cumberland Urban Tree Strategy 2020 and follows these principles:

- Create an aspirational and high-quality urban landscape by selecting species that will grow in existing conditions and respond well to future development.
- Ensure street trees and planting contribute to enhance local identity and context
- In outdoor seating areas, to consider thermal comfort and provide deciduous shade-bearing trees in summer months that will allow solar access in winter months.
- Promote Water Sensitive Urban Design (WSUD) through selection of the tree species that require few inputs, such as irrigation.
- Provide consistent spacing and visual continuity along the street.
- Facilitate passive surveillance and not pose a hazard.
- Incorporate WSUD including rain gardens, tree pits and other design measures to enhance flood protection and stormwater management.
- The species selected will respond to the scale and visual prominence of streets, lot layout, street lighting, services and drainage layout and required to provide visual amenity, shade.

Recommended Species



Where the opportunity exists, incorporate planter boxes and hanging baskets to provide colour and visual interest throughout the town centre.

| Botanical Name | Common Name | Height x Width | Pot Size |
|---|-------------------|----------------|----------|
| <i>Eucalyptus moluccana</i> | Grey Box | 30 x 15 | 200L |
| <i>Eucalyptus saligna</i> | Sydney Blue Gum | 30 x 15 | 200L |
| <i>Hymenosporum flavum</i> | Native frangipani | 8 x 6 | 200L |
| <i>Lagerstroemia indica</i> 'Sioux' | Crepe myrtle | 7 x 5 | 400L |
| <i>Lophostemon confertus</i> | Brush Box | 15 x 10 | 400L |
| <i>Tristaniopsis laurina</i> 'Luscious' | Kanooka Gum | 8 x 4 | 400L |
| <i>Ulmus parvifolia</i> 'Todd' | Chinese Elm | 10 x 7 | 400L |

6 Urban Design Elements

6.4 Paving

To provide a quality pedestrian surface treatment throughout the Centre, the following elements need to be considered:

- Visual and tactile qualities of the paving should accessibility communicate the function characteristics of the street.
- Use pavers that are flexible, easy to remove and relay. Use sustainable locally sourced and readily available paving materials.
- Integrate pebblecrete pavers with new pebblecrete pavers so that paving reads as a continuous legible palette.
- Where the opportunity exists, work with Council to design and install decorative paving that reflects the interests of the community. Integrate decorative paving within upgraded streetscapes, park areas and seating areas, subject to approval by Council.

Various footpaths within precinct and surrounds



Pebblecrete pavers



Concrete paving



Decorative paving



6 Urban Design Elements

6.5 Signage

A coordinated approach for the delivery of signage will provide clear and easy access to destinations and assist in the navigation around the town centre. Signage and banners should be in accordance with Council's branding guideline and enhance legibility and a sense of place. This includes:

- Provide continuity in the design approach (placement, material, and look).
- Avoid visual clutter in design and form.
- Complies with sight line requirements as per traffic engineering specifications.
- Contributes to street activation and urban amenity.
- Opportunities for heritage signage in the Pendle Hill Town Centre and surrounds will also be considered.

6.6 Smart Infrastructure

To inform agile placemaking and facilitate data-driven planning for the future, Council will incorporate smart technologies and infrastructure within its town centres.

Incorporating smart technology and infrastructure in our public domain is a useful tool to enhance the public amenity by providing real-time data that measure impacts on local microclimates, monitor car parking demand, as well as improve public safety and security.

There is an opportunity to further explore and deliver integrated digital design solutions and utilities that will contribute to the resilience and innovation objectives for the town centre.



7 Public Domain Plans

7.1 Pendle Hill Town Centre Precincts

There are three identified precincts within Pendle Hill Town Centre, each with a distinctive character. The following section outlines the character, public domain attributes and public domain elements for each precinct.

— Civic Park Precinct

Civic Park Precinct is centred on Civic Park, the largest park within the Town Centre and is located on the western side of the Town Centre. This Precinct is bound by Targo Road to the west, Mia Mia Street to the north, Pendle Hill Creek and Council carpark to the east, and on the southern side of the park, the back fences of residential housing.

— Pendle Way Precinct

Pendle Way Precinct is centred on Pendle Way, a vibrant street supporting retail and business. Other streets within this precinct include Civic Avenue, Billabong Street, Bentley Lane, Joyce Street, Purdie Lane, the western end of Stapleton Street and the northern side of Dunmore Street.

— Stapleton Street Precinct

Stapleton Street Precinct located on the eastern side of the town centre is primarily high-density residential housing. This Precinct includes Goodall Street to the west, the eastern end of Stapleton Street, Jones Street to the east and Dunmore Street to the south. The railway line is located on the northern boundary of this Precinct.

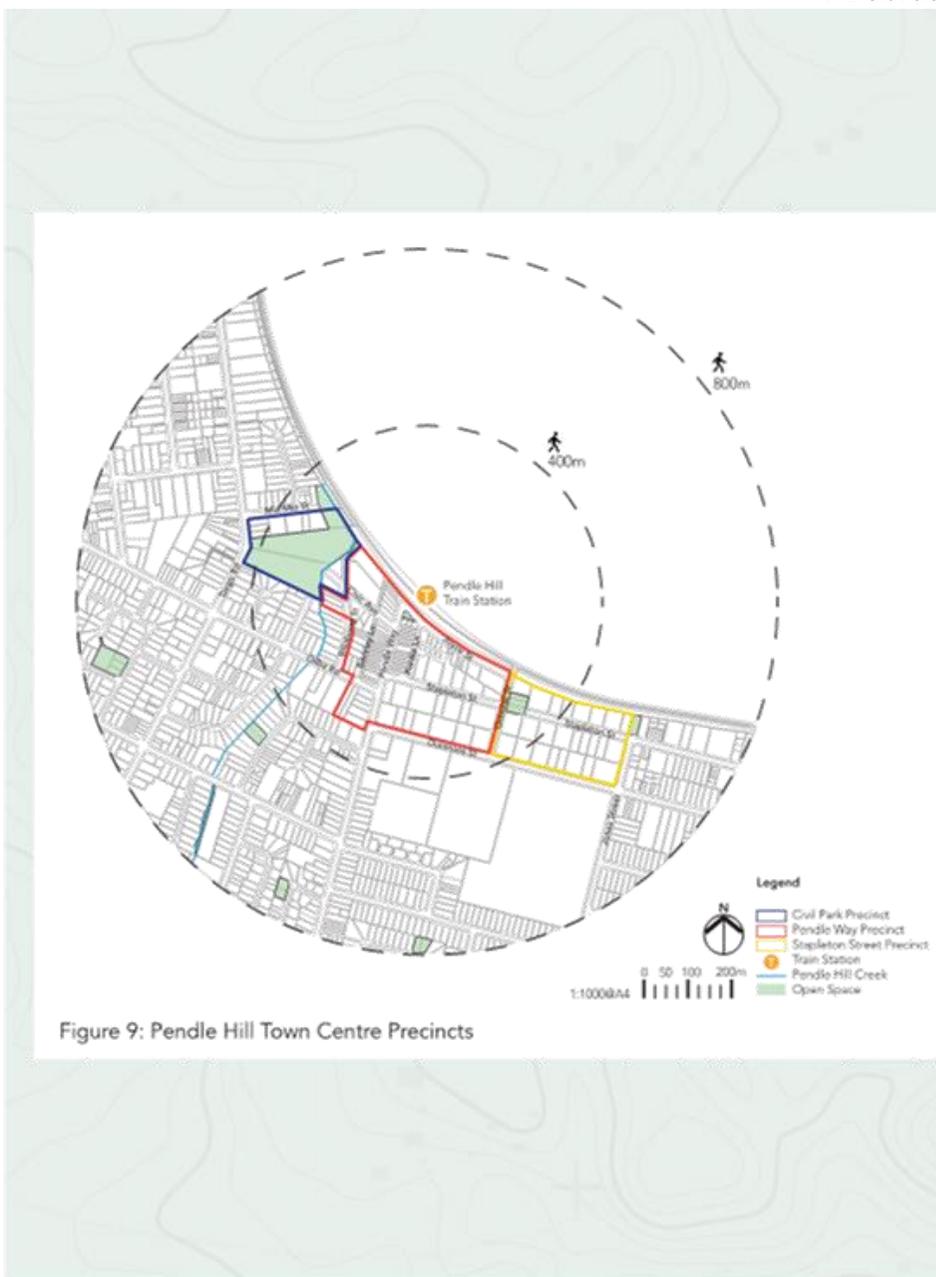


Figure 9: Pendle Hill Town Centre Precincts

7 Public Domain Plans

7.1 Pendle Hill Town Centre

Public Domain

Footpaths within precinct and surrounds:



New Pebblecrete pavers along Pendle Way, Civic Avenue and Joyce St



Decorative Paving with artwork proposed along Pendle Way and Civic Avenue



Concrete for all other paved areas (Natural Grey with no added oxide)

Street Functional Decor:



- Lighting and Banners
- Mounted light poles (MFP) with banner arms
 - LED luminaires in natural white (refer to AS/NZS 1158.3.1:2020)
- Pedestrian Area Lighting
- Luminaires for road and street lighting (AS/NZS 60598.2.3:2015)
 - Council to supply banners

Street Furniture:



Dual Waste Bins



Bike Racks



Benches

Equitable Access - Improve legibility for all accessibility:



- Tactile Ground Surface Indicators (TGSi)
- Warning tactile, directional tactile
 - Grade 316 stainless steel
 - Slip resistances AS/NZ 4586-2013 Appendix A class 5 (very low)
 - Installation shall comply with AS 1428.1-2009

Clean and green WSUD



Best practice Water Sensitive Urban Design (WSUD) measures will be incorporated into design. This will assist with reducing potential flooding and maximising opportunities for healthier tree root growth and canopy cover where applicable.

7 Public Domain Plans

7.2 Civic Park Precinct

Public Domain

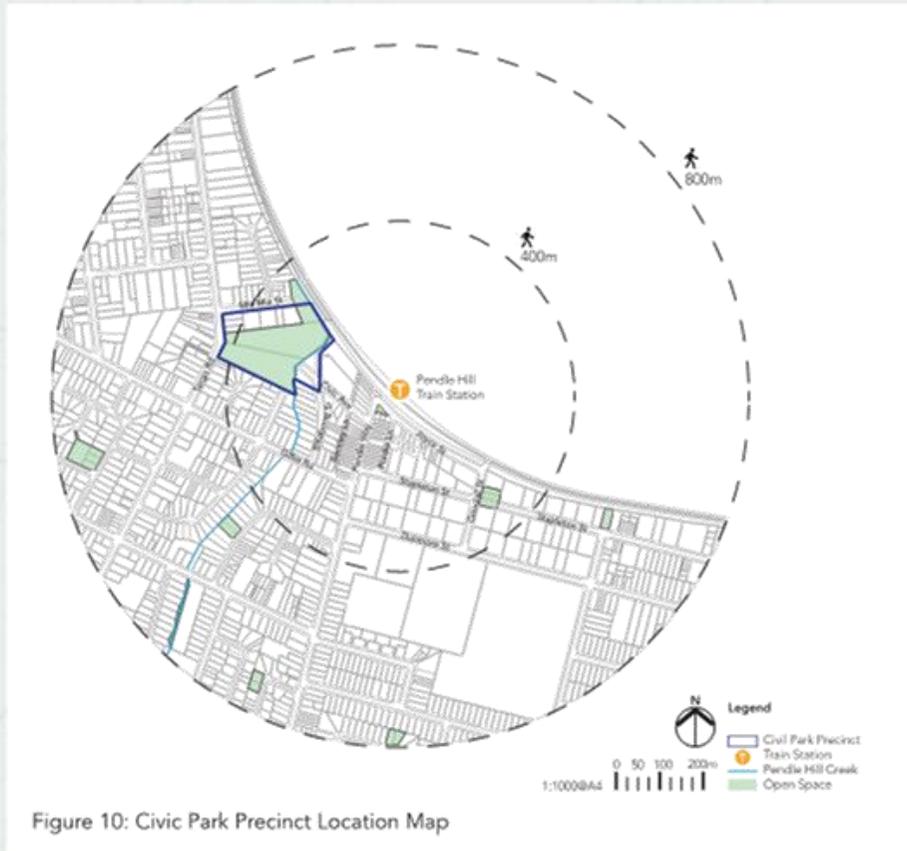


Figure 10: Civic Park Precinct Location Map



7 Public Domain Plans

7.2 Civic Park Precinct

Public Domain



Celebrating our Community

Civic Park will be upgraded with opportunities for families to gather, children to play and the community to celebrate that will improve liveability within the centre and provide positive health and well-being benefits



Connections to Nature

The natural environment within Civic Park will be protected and enhanced to increase our resilience against urban heat and improve air quality as well as mitigate impacts of flooding.



Connections

Upgrade and improve pedestrian and cycling linkages for good permeability through Civic Park and the town centre that will contribute to active and healthy lifestyles and opportunities for social connections.

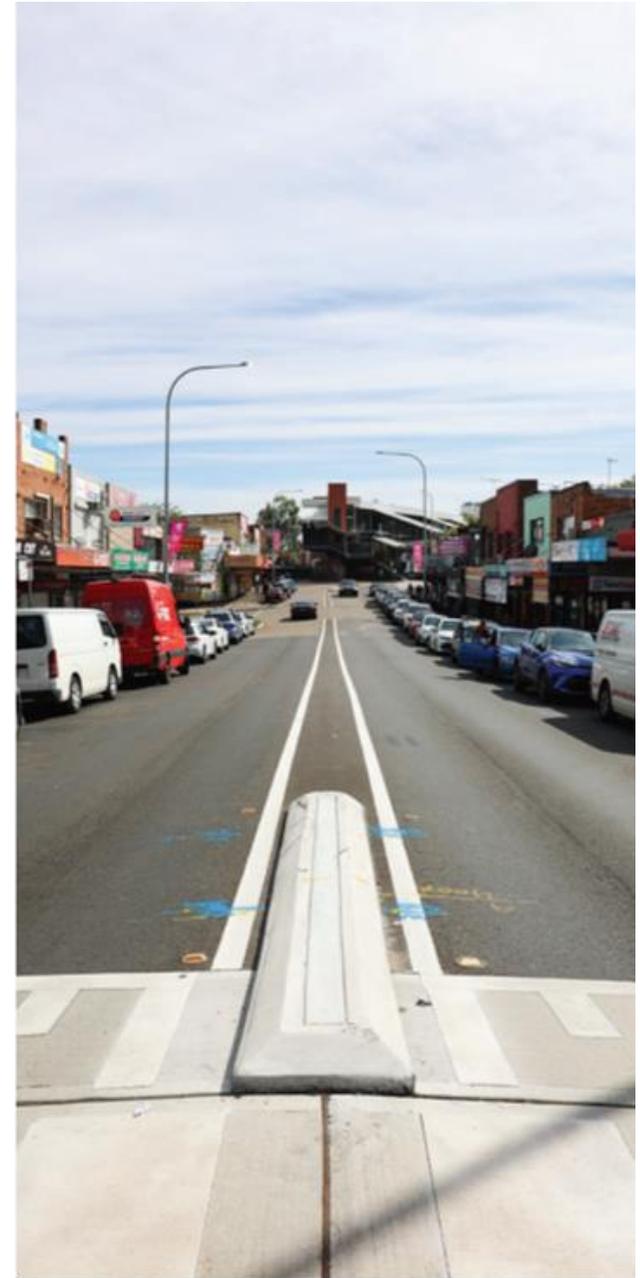
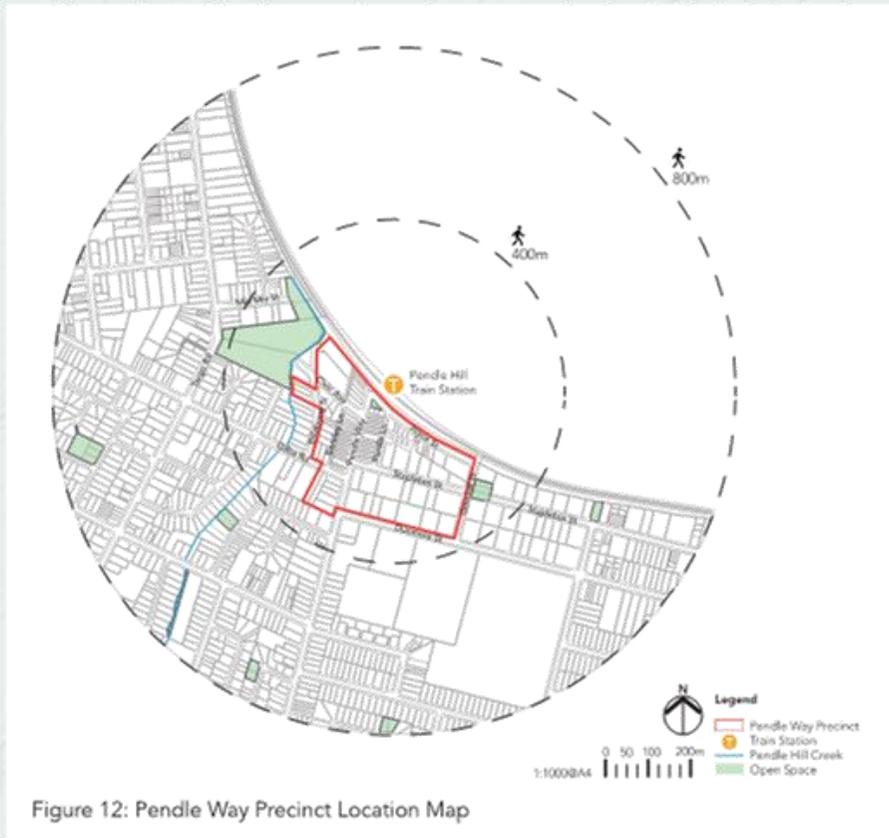


Figure 11: Civic Park Precinct Concept Design

7 Public Domain Plans

7.3 Pendle Way Precinct

Public Domain



7 Public Domain Plans

7.3 Pendle Way Precinct

Sections and Street Trees

New tree planting will provide shade, colour and texture, assist in mitigating urban heat island effect and improve comfort for pedestrians.



Eucalyptus moluccana



Lagerstroemia indica 'Sioux'

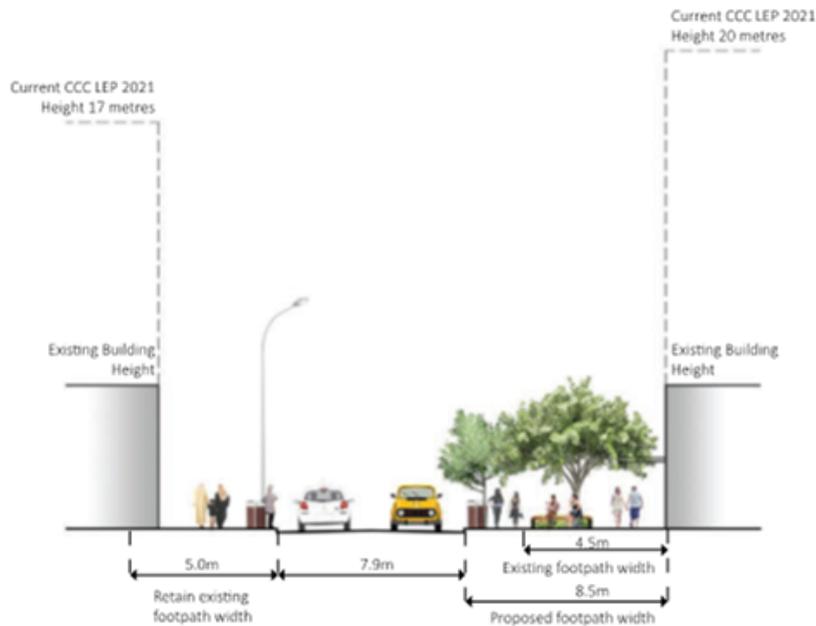


Tristaniopsis laurina 'Luscious'

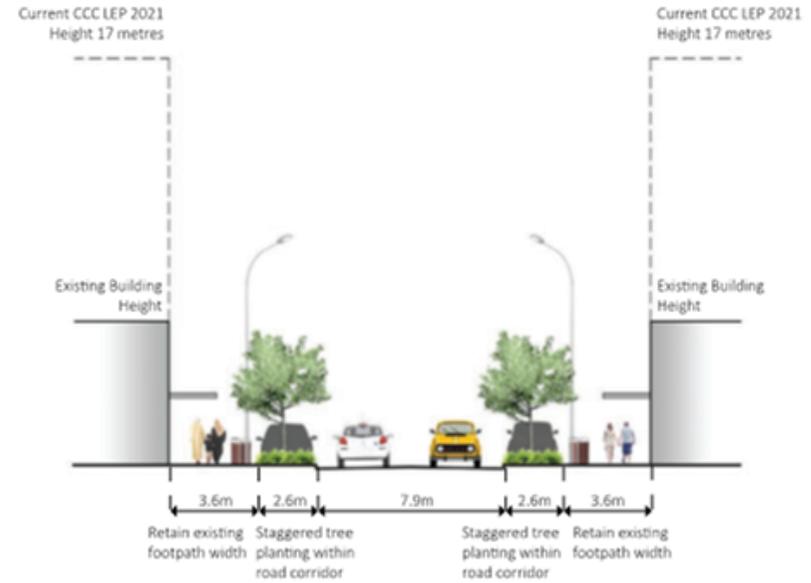


Ulmus parvifolia 'Todd'

Civic Avenue looking west from Pendle Way



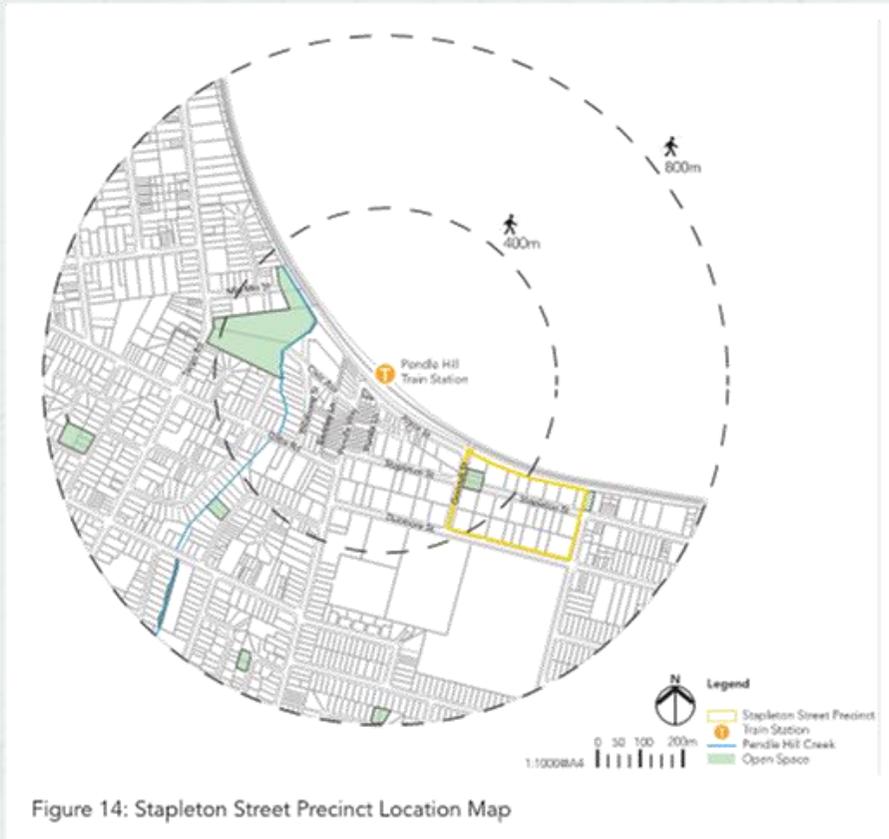
Pendle Way looking north from Stapleton Street



7 Public Domain Plans

7.4 Stapleton Street Precinct

Public Domain



7 Public Domain Plans

7.4 Stapleton Street Precinct

Public Domain



Streetscapes

Liveable neighbourhoods will be clean and green with a short journey to retail and health services, open space, public transport and employment opportunities.



Active Transport Links

Active transport will be encouraged through improved accessible pedestrian pathways and pedestrian crossings, on street cycleways and attractive street design. An active community will benefit through improved health and wellbeing.



Open Space

Enhance Yulunga Reserve to provide places to play, opportunities for families to gather and a space for workers to have lunch breaks.



7 Public Domain Plans

7.3 Stapleton Street Precinct

Sections and Street Trees

New tree planting will provide shade, colour and texture, assist in mitigating urban heat island effect and improve comfort for pedestrians.



*Eucalyptus
moluccana*



*Eucalyptus
saligna*



*Hymenosporum
flavum*



*Ulmus
parvifolia 'Todd'*



8 Implementation of Works

The works outlined in the Public Domain Plan will be delivered by Council as part of its Capital Works Program, or by the private sector through areas of future development activity.

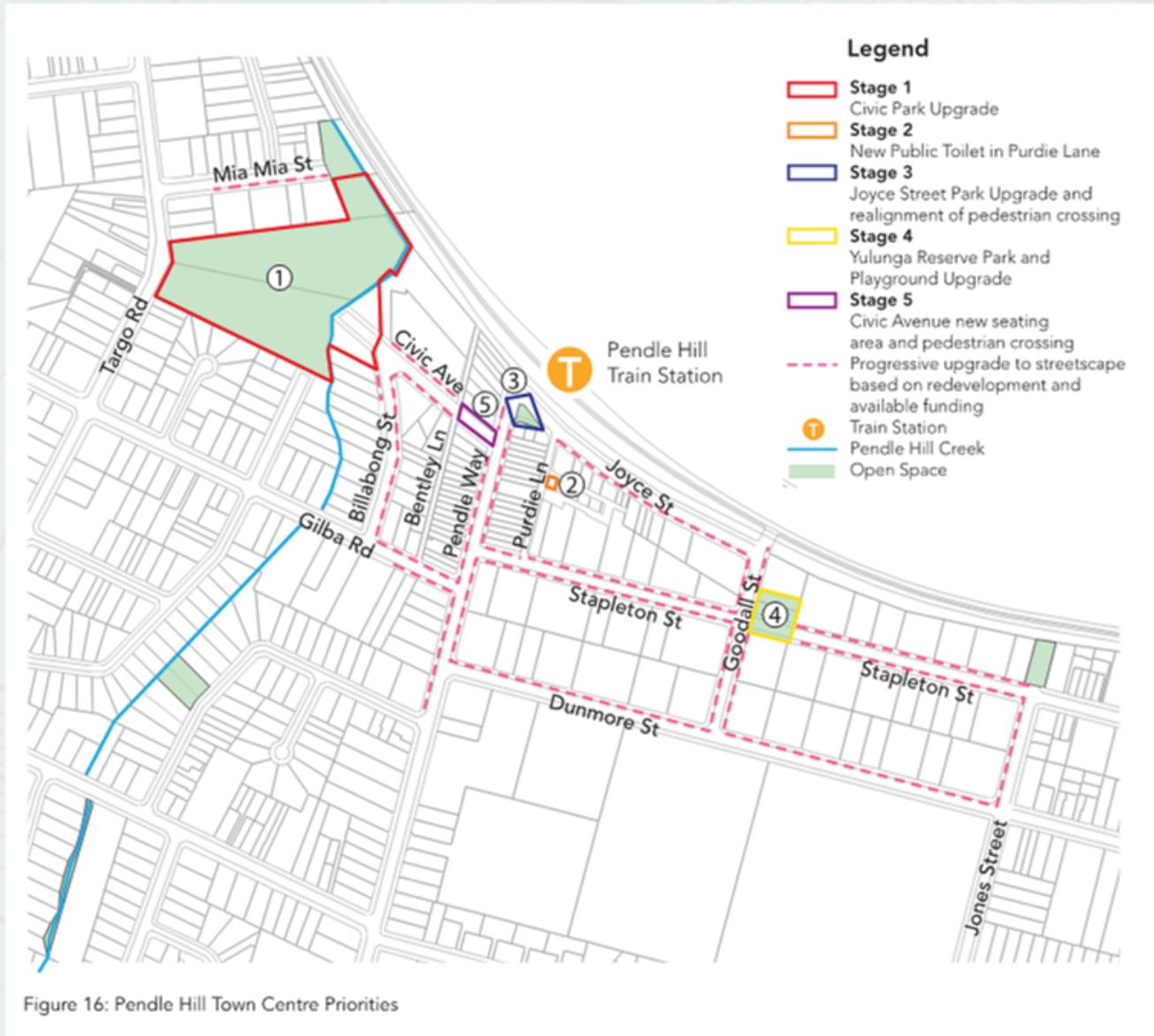
The Public Domain Plan for the Pendle Hill Town Centre will be progressively implemented in stages. The timing of works will be determined by development activity available funding for Council to use, or the delivery of works in accordance with local infrastructure contributions or planning agreements. An indicative approach to the staging of works is included in the following Plan.

Work commenced in 2023 on the delivery of the Civic Park Masterplan, and is jointly funded by Council and the NSW Government's Westinvest grant program. Following this, further stages of works include a new public toilet provided by Council in Purdie Lane, as well as the upgrade of the Joyce Street Park by Council.

The areas where the Public Domain Plan are implemented by a developer, the following guidelines shall apply:

- The Developer will be responsible for the upgrade works that interface with the street frontage to the standard and in accordance with this Public Domain Plan.
- Public domain works to be in accordance with the Works Schedule prepared by Council.
- Construction works for the public domain to be approved by Council's representative prior to final sign off.





Public Domain Plan Pendle Hill Town Centre

2024



CUMBERLAND
CITY COUNCIL

Cumberland City Council

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 Cumberland City Council Sydney  [cumberlandcitycouncil](https://www.instagram.com/cumberlandcitycouncil)

**DOCUMENTS
ASSOCIATED WITH
REPORT C02/24-458**

Attachment 2

**Draft Pendle Hill Town Centre
Public Domain Plan -
Engagement Evaluation Report**



CUMBERLAND
CITY COUNCIL

EVALUATION REPORT
Draft Pendle Hill Public Domain Plan



Executive Summary



Council invited the community to give feedback the Draft Pendle Hill Town Centre Public Domain Plan. The Pendle Hill Local Centre has been identified in the Cumberland 2030: Our Local Strategic Planning Statement as a Local Centre that provides land use opportunities for housing and jobs, as well as services and facilities to meet the needs of the broader community.

Council sought feedback to understand the key priorities, aspirations and values of the local community. This will enable Council to progress more detailed planning for the future of Pendle Hill.



Council, through all channels, collected a total of **24 responses** during the consultation period, which comprised **23 surveys** and **1 email submissions**.



Feedback came through via a mix of online and email submissions.



A series of 2 engagement sessions were held during the exhibition period.



Overall, the feedback was positive, with a few suggestions and concerns expressed.



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Methodology

Have your say

A project landing page specifically for the Draft Pendle Hill Public Domain Plan was developed for Council's community engagement platform – Cumberland Conversations, this included:

- Information on the purpose of the Pendle Hill Public Domain Plan consultation.
- A document library with downloadable versions of the documents.
- An online survey.
- Details regarding time and place of pop up sessions.

The Have Your Say page was made available throughout the whole consultation period and was linked in all collateral published to the community.

Data Collection Period

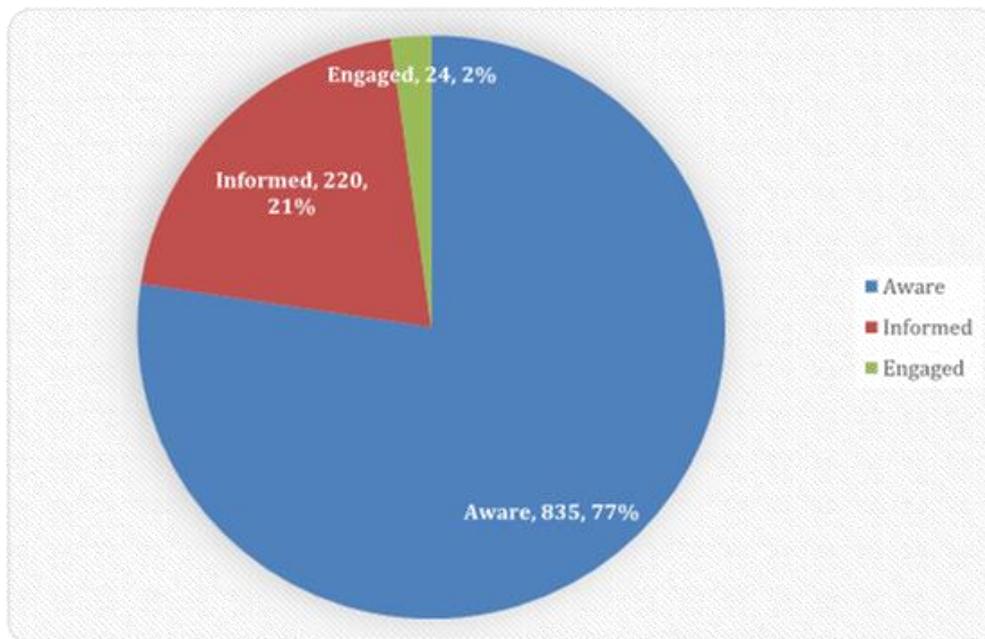
The Draft Pendle Hill Public Domain Plan was open for community consultation from Monday 22 May – Wednesday 21 June 2023.



Engagement at a glance

| Total Page Views | Aware Visitors | Informed Visitors | Engaged Visitors | Submissions |
|--------------------------|----------------|--------------------------|------------------|-------------------------------------|
| 2354 | 835 | 220 | 24 | Online: 23 Email: 1 Total: 24 |
| Total Document Downloads | QR Code Scans | Event & Popup Engagement | | Social Media Interaction |
| 396 | 82 | 40+ | | Likes: 3 Shares: 8 |

Project Level of Engagement

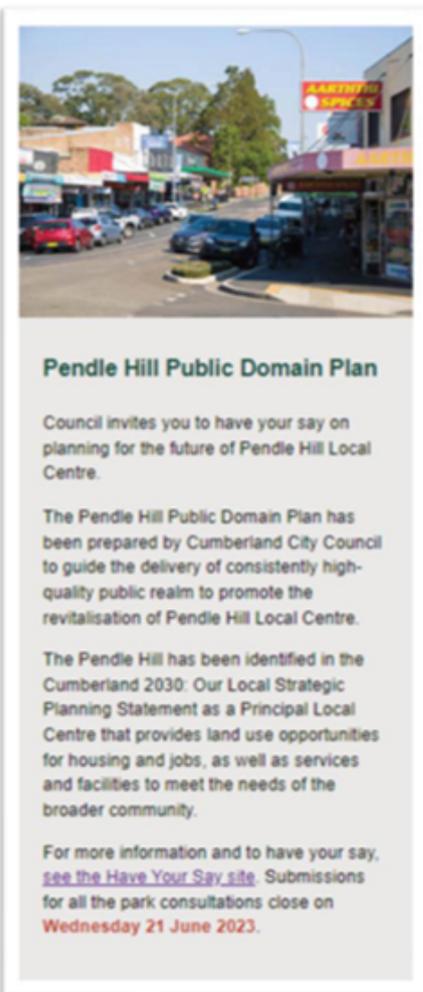




Online engagement

The Have Your Say platform hosted a survey, asking about views on the Draft Pendle Hill Public Domain Plan.

Electronic Direct Mail



The Draft Pendle Hill Public Domain Plan was included in the May 2023 Have Your Say Monthly Newsletter, which was sent via a direct email to registered users. This notified them of the exhibition period and provided link redirecting to the HYS project page and include:

- Information about the Draft Pendle Hill Public Domain Plan consultation and associated project documentation;
- The project exhibition period;
- How to reach an accessible point of contact to discuss concerns; and
- How to lodge a submission.



QR Code

A QR code was created with the Have Your Say link, which was shared on flyers and promotional material. This was scanned 82 times.

Newspapers

Newspaper advertisements were created and placed in the Auburn Review and Parra News. This was put in place to reach a wider audience. Advertisements were placed in both papers on the following date:

- Tuesday 30 May 2023





Social Media

Targeted social media via Cumberland's Facebook page was utilised to inform the community of the consultation. The social media notice was posted on the following dates:

- 25 May 2023
- 1 June 2023
- 19 June 2023





Flyers

300 flyers with the QR code were printed and distributed to community members at information sessions.

Corflute signs

Twenty corflute signs with the QR code were printed, to assist with directing residents to the Have Your Say page. These were placed were placed at strategic locations around the Pendle Hill Local Centre and were also used in the pop up sessions.

Document Downloads

There was one document for this project. The Draft Pendle Hill Public Domain Plan was downloaded 396 times.

Image Gallery

There was one image for this project. The Proposed Pendle Hill Local Centre Precincts map was viewed 30 times.



Engagement

Survey

A survey was provided for the community to identify how they currently use the Pendle Hill Local Centre, what they think the best features are, and what could be improved. A total of 23 submissions were received online.

Direct Submissions



There was one direct submissions with feedback made to Council via an email to both the records department and email to Council staff.

Information sessions

Two information sessions were scheduled during the exhibition period in the Pendle Hill Local Centre, to provide information and allow questions from community members. More than 40 people were engaged with at these sessions.

These engagement sessions had the following engagement numbers:

| Engagement session | Venue | Date | Number of people engaged |
|--------------------|--------------------------------------|------------------------------------|--------------------------|
| Pop up session | Corner Stapleton Street & Pendle Way | Saturday 27 May 2023 1 – 3pm | 30 |
| Pop up session | Pendle Way, Pendle Hill | Thursday 8 June 2023 4:30 – 6pm | 15 |



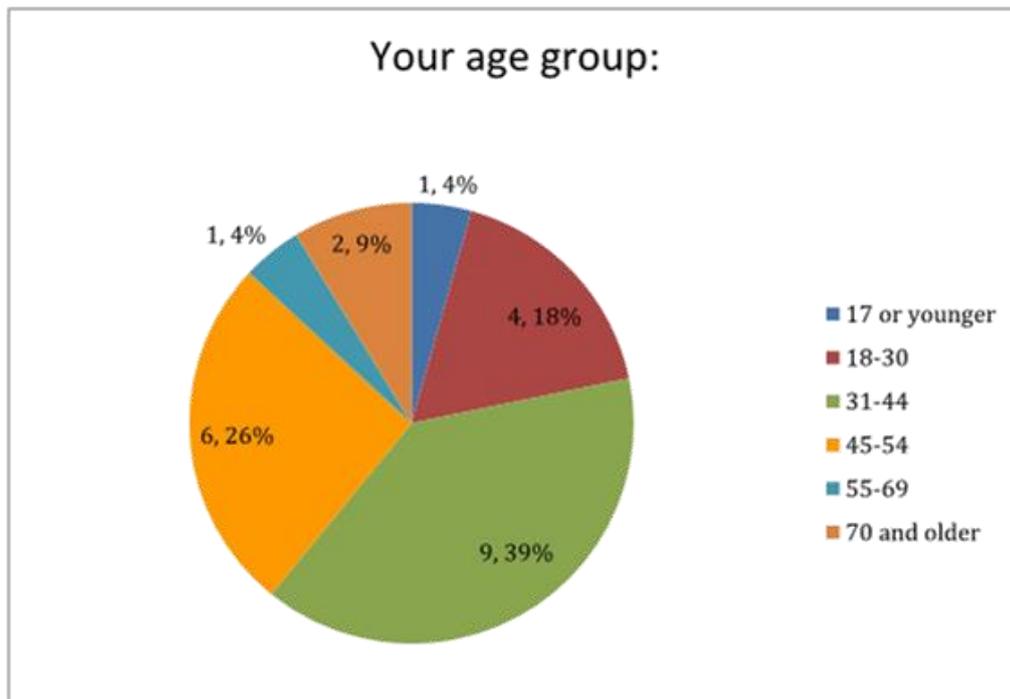
Survey Feedback

There were 23 online submissions and 1 email submissions received for Pendle Hill Public Domain Plan, making a total of 24 submissions received during the consultation period. Some key findings from the survey responses are below.

Demographics

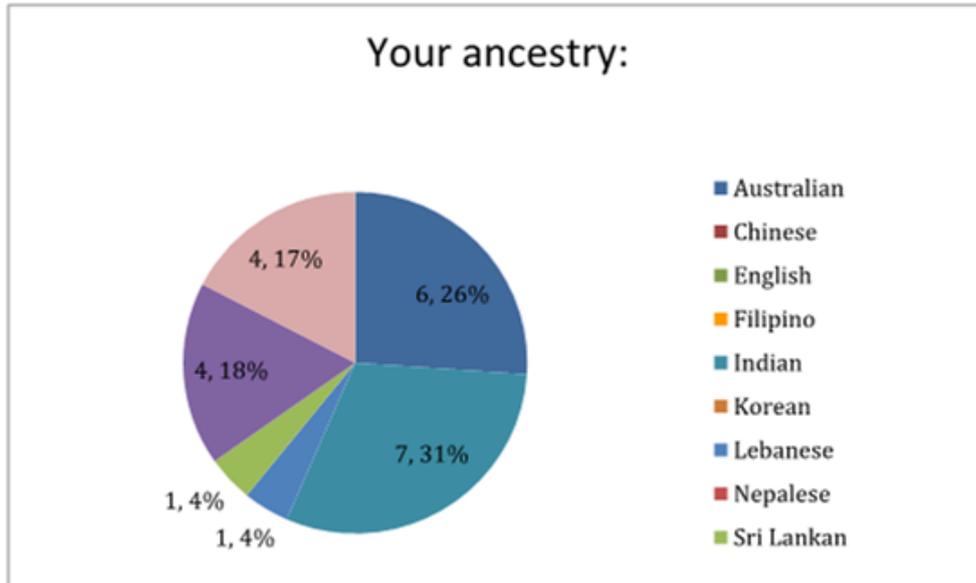
Of those who completed the online survey:

- Almost half were in the 31-44 age group (39%).

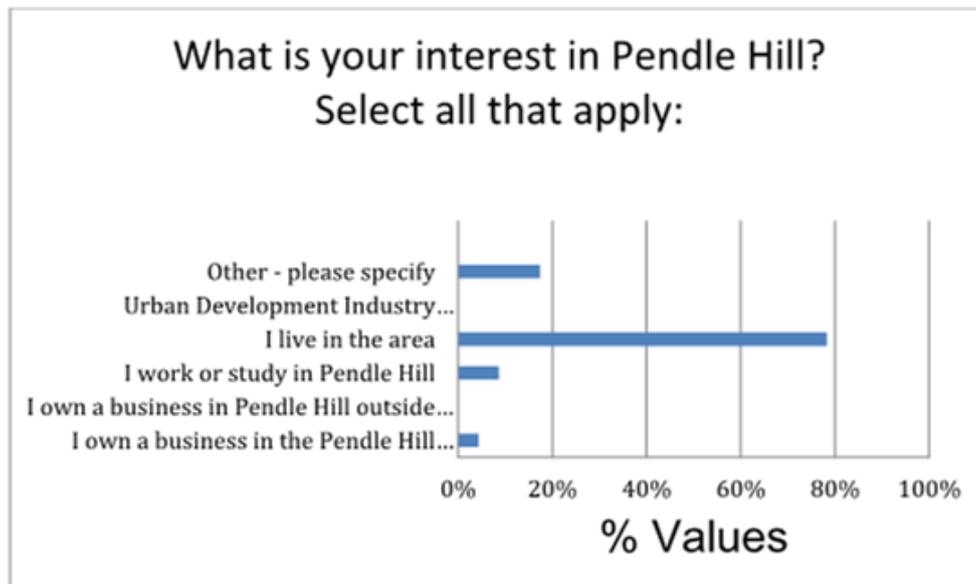


The respondents represented a wide range of cultural groups.

- The most represented ancestry was Indian with 31% (7) of respondents.
- Australian was the second most represented ancestry (6, 26%).



When asked their interest in the Pendle Hill area, 78% of respondents indicated that they live in the study area.

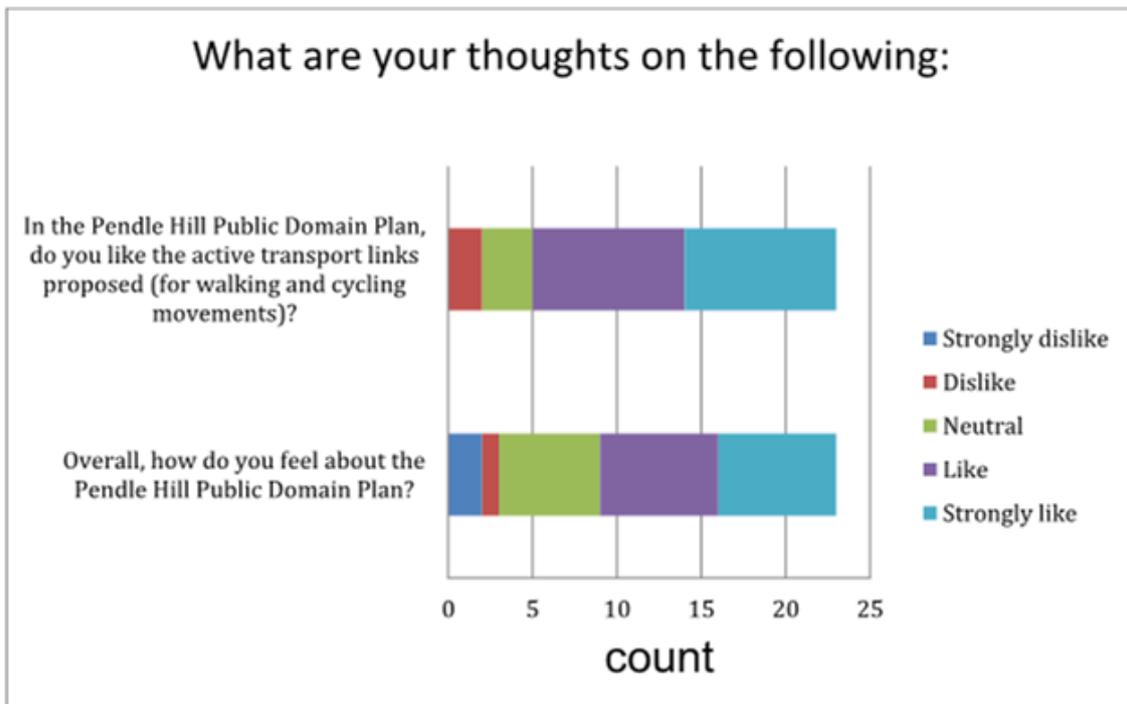


When asked about the Pendle Hill Public Domain Plan:

- The overwhelming response was in favour of the plan:
 - Strongly Like – 30% (7)
 - Like – 30% (7).



- The overwhelming response was in favour of the active transport links outlined in the plan:
 - Strongly Like – 39% (9)
 - Like – 39% (9)





What we heard

There was a total of 24 submissions received during the exhibition through a mix of online and email channels. The feedback on the Draft Pendle Hill Public Domain Plan was largely positive.

- There was general support for the proposal to invest in Pendle Hill, with suggestions and concerns about certain aspects of the plan.
- Suggestions to make better use of the Community Centre (e.g., convert to library, host workshops and courses, etc)
- Suggestions to increase the variety of restaurants, shops, and banks in the centre
- Suggestions to upgrade public toilet facilities.
- Suggestions to upgrade Yulunga Reserve.
- Suggestions to install a roundabout on the intersection of Joyce Street and Purdie Lane to avoid U-turns on Joyce Street for those dropping off commuters.
- Suggestions to improve sidewalks, including the removal of writing currently on it.
- Suggestions to include all day parking spots near the station for commuters.
- Suggestions to remove the Telstra phone booth on Pendle Way, as it obstructs pedestrian visibility.
- Safety concerns were raised regarding the parking lot in Purdie Lane. Suggestions to make this a one-way parking to avoid vehicles entering from either side and causing a potential collision.



Conclusions

Detailed reports with the full survey responses will be provided to the Public Spaces Planning & Design team.

It is recommended, where possible, for the project team to close the loop with those who have participated in the engagement. This is at the discretion of the project team.

Terminology

- *Aware: Number of unique visitors who have viewed the project page, minus any visitors who have undertaken any activity eg: downloaded a document, viewed a video, completed a survey etc.*
- *Informed: Any unique visitor who has viewed a latest news item, viewed a document, viewed a video, viewed a FAQ minus any user that has engaged eg: done a poll, survey, ideas wall, interactive mapping, interactive document, forum.*
- *Engaged: Any unique visitor who has done a poll, survey, ideas wall, interactive mapping, interactive document, forum.*

END OF REPORT.

DOCUMENTS
ASSOCIATED WITH
REPORT C02/24-458

Attachment 3

Draft Pendle Hill Town Centre
Public Domain Plan - Response
to Submissions

| Theme | Feedback to Pendle Hill Public Domain Plan | Response | Recommendation |
|----------------------------------|---|---|----------------|
| GENERAL | | | |
| | I fully support the Vision and Design Principles of the Pendle Hill Public Domain Plan. The Plan's focus on the health and wellbeing is commendable, and I particularly support proposed actions to: walking, cycling and active transport (with dual benefit to planetary health, accessibility, - improve social connection and opportunities for play and physical activity, create quality open green space and - increase tree canopy. | - support - improve Acknowledged | Noted |
| | I think it's great that you want to clean up the centre, as well as improve Civic Park as the town centre is now disgusting and dirty. there is writing on all the walkways which makes it look like a ghetto. | Acknowledged | Noted |
| | The place is very sad now and i know a lot of people that wont go there anymore. Unless ur indian there is nothing there now for anyone else | Acknowledged | Noted |
| | I think the proposal is good - but noted that latest LEP proposes significantly higher building heights. In the event that these progress in earnest (like Toongabbie) we need to ensure that adequate walking and nature strips are maintained . | Submissions requesting changes to the planning controls are beyond the scope of the public domain plans. | Noted |
| | No more high destiny developments. | Submissions requesting changes to the planning controls are beyond the scope of the public domain plans. | Noted |
| | Pendle Hill is a thriving city in Australia with a lot of potential. We need to think about a variety of improvements that meet the wants and needs of its residents if we want to see its true beauty. | Acknowledged | Noted |
| LANDSCAPE & FURNITURE | | | |
| | There is no greenspace near the shops. | There are four areas of greenspace located within the town centre. Civic Park, a district Park, Yulunga, a local park and two open space areas, one located on Joyce St and the other on Civic Avenue. All these areas of greenspace are currently being upgraded or identified to be upgraded to meet the needs of the local community. | Noted |
| | We have large cohorts of aged migrants and young families- and limited spaces for them to meet and congregate. | Civic Park, a district level park, is currently under construction to provide outdoor spaces and facilities for the community of all ages and abilities to meet and congregate. | Noted |
| | There is an ugly Telstra phone booth on Pendle Way that obstructs pedestrian visibility. What an wonderful installation of a relic. Corporate arm twisting! | Council is committed to enabling the provision of free telephone and internet services for community use. Council will liaise with Telstra during detailed design works for Pendle Way to ensure adherence to Safety and Equitability Principles. | Noted |
| | A second half court Basketball Court at civic park would be nice, or at least a second one added to the Yulunga Reserve upgrade. | Council will include a half basketball court as part of Civic Park upgrade. No additional basketball courts are proposed within the town centre. | Noted |
| | Cricket nets for Civic Park | No cricket nets are proposed for Civic Park. Cricket nets are available at Lytton St Park in Wentworthville. | Noted |
| | Why isn't Yulunga Reserve being developed? It is the only park for the R4 residential zone | The Public Domain Plan identifies opportunities to upgrade Yulunga Reserve. Council will undertake a further community consultation to develop the masterplan for Yulunga Reserve. | Noted |
| | Why has the Council decided to maintain Purdie Lane for parking? It is a shame and goes against progressive development. That area could be converted to a shared zone with a new park and also would help R4 residents with more open space to move around. What a poor idea and waste of public money by maintaining a car park. | The car park in Purdie Lane is categorised as Operational Land. Operational land would ordinarily comprise land held as a temporary asset or as an investment, land which facilitates the carrying out by a council of its functions or land which may not be open to the general public, such as a works depot or a council garage. Council currently retains this land for car parking purposes available for the general public use. | Noted |

| | | | |
|---|--|---|-------|
| | I think we should be thinking along progressive city urban planning that includes pedestrians and bicycle riders and not from the Californian cars first mindset. The R4 residential density in and around Joyce Street, Stapleton street are without park and I am hoping the conversion of Purdie Lane parking spots to an accessible park would be a positive step. | The car park in Purdie Lane is categorised as Operational Land. Operational land would ordinarily comprise land held as a temporary asset or as an investment, land which facilitates the carrying out by a council of its functions or land which may not be open to the general public, such as a works depot or a council garage. Council currently retains this land for car parking purposes available for the general public use. | Noted |
| | Moreover the parking spots in Purdie Lane are a waste of taxpayers money and can be converted to greener pastures by providing a park for children and benches for elderly residents to have a chat. The public toilet in that area can be upgraded and serviced well. | Council recently completed a public consultation for new Automated Public Toilets in Purdie Lane. New toilets will be installed in Purdie Lane during this financial year (2023/24). The car park in Purdie Lane is categorised as Operational Land. | Noted |
| | The public toilets can be fixed as well. | Council recently completed a public consultation for new Automated Public Toilets in Purdie Lane. New toilets will be installed in Purdie Lane during this financial year (2023/24). | Noted |
| | Water Park | No water park is proposed for Pendle Hill. | Noted |
| | More planting outside railway station | More green coverage will be considered in further detailed planning work for the town centre to support Clean and Green Principles and assist in mitigating build up of urban heat. | Noted |
| | Provide signage to direct people from Train Station to Public Toilet | New signage will be included in further detailed planning work for the town centre to support Well Connected and Equitable Principles as identified in the Public Domain Plan. | Noted |
| PUBLIC ART | | | |
| | Graffiti Wall in Civic Park well used | Acknowledged | Noted |
| HISTORY | | | |
| | I suggest that celebrating the history of Pendle Hill is inclusive of Darug culture. For example, celebrating Darug history and culture through signage or art works. | The opportunity to include interpretation signage for heritage will be considered in future planning. | Noted |
| FOOTPATHS & PEDESTRIAN CROSSINGS | | | |
| | Improve pedestrian crossing from Yulunga Reserve across Goodall St | Suitable pedestrian facility will be considered to improve pedestrian safety, and is subject to Traffic Committee Approval. | Noted |
| | There is no proper elevated pedestrian crossing on Goddall Street linking Joyce street or Stapleton street and Joyce street to Wentworth Ave. | Suitable pedestrian facility will be considered to improve pedestrian safety, and is subject to Traffic Committee Approval. | Noted |
| | There is no proper elevated pedestrian crossing on Goddall Street linking Joyce street to Wentworth Ave. | Council will continue to collaborate with City of Parramatta to improve active transport links across the railway line to connect to Wentworth Ave. In alignment with Our LSPS LP1 iii) "Collaborate with Transport for NSW, adjoining councils and relevant state agencies and statutory authorities to improve regional and local transport links particularly frequency of rail and bus services, buses, cycling and walking – ongoing." | Noted |
| | Pedestrian improvements Stapleton St | Suitable pedestrian facility will be considered to improve pedestrian safety, and is subject to Traffic Committee Approval. | Noted |
| | Improve crossing at intersection Pendle Way (PW) and Gilba Road with more lights as dangerous | Referred to Traffic Committee to investigate. | Noted |
| | PW & Gilba Road intersection improve pedestrian safety | Referred to Traffic Committee to investigate. | Noted |
| ACCESSIBILITY | | | |
| | Paving to become assessible | All public works will adhere to accessibility guidelines and will be included in further detailed planning work for the town centre to support Connections and Equity Principles. | Noted |
| PARKING | | | |

| | | | |
|----------------|--|---|--|
| | Also the parking on Pendle Way can be turned in to 60 degrees parking on one side and which would then shift the driveable lanes. This will accommodate slightly more cars and also reclaim the 60 degree parking space to makeshift stalls during Council run community events. | Council will investigate parking arrangements as part of detailed design for the town centre and seek Traffic Committee approval if required. | Noted |
| | One of the biggest issues found is in the parking lot in Purdie Lane. Cars tend to enter from both sides of the parking which is a hazard and can cause a lot of car accidents. Perhaps the parking lot could be one way to make it easier for cars to enter and exit. | Council will investigate opportunities to improve traffic movement throughout the town centre and seek Traffic Committee approval if required. | Noted |
| | There really isn't enough parking in the Pendle Way Precinct, I know on paper it looks like we have enough but the carparks often fill up and sometimes you can't park anywhere without double parking for a while to wait for someone else to leave, just so you can pop into the shops. We have people parking all the way up Pendle Way near the Baptist Church/Cheesecake Shop/Rowley St/Daley St for the day and then they walk down to the station to catch the train, they cant park any closer, I have spoken to a number of people who have said they come from Greystanes and Pemulwuy to do this. | Acknowledged. | Noted |
| | There is not sufficient all day parking for train commuters, people are forced to park on the surrounding local streets, which causes congestion. A multi story car park at civic park would be a great benefit to the area. | Acknowledged. | Noted |
| | I think installing some EV Chargers and potentially looking at bringing a multi story car park will help alleviate parking issues in pendle hill - esp if large scale development comes in. | Acknowledged. | Noted |
| | Crowded place over weekend, need more street parking and pedestrian access | Acknowledged. | Noted |
| | We also require car parking areas. More community engagement areas. | Acknowledged. | Noted |
| | Greetings! I am enclosing an illustration (Parking arrangement) of what I think would be a better Pendle Hill town centre and precinct upgrade. I have left feedback online using the "have your say" website as well. | Council will investigate parking arrangements as part of detailed design for the town centre and seek Traffic Committee approval if required. | Noted |
| | By making the Pendle Way, Civic Ave and Billabong street and converting the parking space to 45 degree or 60 degree angle, it will bring in more sanity as well as reclaim those parking spaces when needed for a Council run community event on a half-yearly or yearly basis. | Council will investigate parking arrangements as part of detailed design for the town centre and seek Traffic Committee approval if required. | Noted |
| | Parking times reinforcement | Acknowledged. | Noted |
| | Limited parking | Acknowledged. | Noted |
| | CCTV to monitor parking and enforce time limits | Acknowledged. | Noted |
| | 6-8.30pm drop off parking | Acknowledged. | Noted |
| | Parking - commuter parking full from early morning | Acknowledged. | Noted |
| TRAFFIC | | | |
| | With current turning restrictions on Joyce St (east) and Stapleton St (west) motorists are forced to make u turns on Joyce St when dropping or picking up train commuters, if a roundabout was installed on Joyce St and Purdie lane this would greatly improve the safety of the community. | The provision of a suitable roundabout will be considered to improve traffic safety, subject to Traffic Committee approval. | Amendment: Potential for a roundabout included in concept plans, subject to approval by Traffic Committee |
| | Roundabout Purdie Lane/ Joyce St add back in | The provision of a suitable roundabout will be considered to improve traffic safety, subject to Traffic Committee approval. | Amendment: Potential for a roundabout included in concept plans, subject to approval by Traffic Committee |
| | The statement on page 14 that "There are low occurrences of traffic incidents within the Local Centre" sets a low standard of the acceptability of traffic incidents or is flawed data. The SW fence of the Gilba Rd x Pendle Way roundabout has been smashed by cars 7 times in the last year. Other street furniture at that roundabout, along Joyce St & also Goodall St is also damaged by cars frequently. Cars need to be slowed down & the crossings improved at Gilba Rd & Goodall St at Stapleton St. The current treatment creates an unsafe & unfriendly environment. | Council will investigate opportunities to improve traffic movement throughout the town centre, and seek Traffic Committee approval if required. | Noted |
| | Traffic sign - safety issue corner of PW and Stapleton St | Acknowledged. | Noted |

| | | | |
|---|--|--|-------|
| | Speeding Cars around centre | Acknowledged. | Noted |
| | Safety issue at Goodall St & Stapleton St - roundabout? | Council will investigate opportunities to improve traffic movement throughout the town centre, and seek Traffic Committee approval if required. | Noted |
| ACTIVE TRANSPORT | | | |
| | Stapleton Street to the east is a great opportunity for an active transport link, especially if a better crossing is added at Goodall Street. Stapleton Street to the east could be narrowed without loss of parking, widening the footpath to enable the addition of a shared path along its length. Creating a link to the pool, railway underpass & Wentworthville town centre. | Acknowledged. Council continues to improve active transport links within the LGA. In alignment with Our LSPS LP1 iii) Council will continue to "Collaborate with Transport for NSW, adjoining councils and relevant state agencies and statutory authorities to improve regional and local transport links particularly frequency of rail and bus services, buses, cycling and walking – ongoing." | Noted |
| | Protected bicycle paths and bicycle parking to provide a viable and safe alternative to driving to the town centre, this also solves the low parking availability due to lower demand. | Acknowledged. | Noted |
| | I would welcome dedicated bike lanes and bike parking stations within the Pendle Hill local centre (pg 12). | Acknowledged. | Noted |
| | Support Stapleton St as shared path cycleway - to define cycleway path to improve awareness and safety. | Acknowledged. | Noted |
| MAINTENANCE | | | |
| | The area needs major clean up. Very old construction and unliveable. The area is used very frequently used however council needs to keep up to date with community needs also. The area needs to be cleaned daily. Hygiene workers etc. You can smell garbage as you walk down the street. The place needs to be knocked down and rebuilt. | Acknowledged. | Noted |
| | We require serious clean up of this area. Parramatta is the next CBD and we are only 5-10 min away, yet looking at the area. It does not look very pleasant | Acknowledged. | Noted |
| | Graffiti on shop fronts | Council is not responsible for upgrade of building facades. This is a matter for individual shop owners. | Noted |
| | Pressure clean pavers | Acknowledged. | Noted |
| | Fruit shops should not have fruit displays on the footpaths. | Acknowledged. | Noted |
| OUTSIDE SCOPE OF PROJECT | | | |
| Footpaths & Pedestrian Crossings | There are two unused courtesy crossings on Wentworth Ave on either side of the Bungaree Road intersection which does not make any sense. Rather an elevated crossing on Wentworth Avenue that links Goddall Street would help train commuters and pedestrians. Likewise one across Bungaree Road will help make it a seamless walk to and from the station on the northern side. | Wentworthville Ave located in City of Parramatta LGA | Noted |
| | Targo Road/Gilba Road only 2 pedestrian crossings | Acknowledged. | Noted |
| | Stapleton, Jones, Layton, Springdale, Rogers, Oatlands, Rowley, Levy, Collins, Smith, Macklin, Magowar, Warman, Parry and Parksland St's have inadequate footpaths (one side or incomplete). While, Rose St & Boyne Av have no footpath. The residents of these streets could/should walk to the town centre. But they aren't provided the infrastructure to do so safely or comfortably | Acknowledged. | Noted |
| | Biggest Risk: School kids & pedestrians are at major risk(while crossing the roads) at the corner of Pendle Way & Smith Street as the traffic is quite heavy and there are blind spots when vehicles are parked on pendle way/smith st corners blocking the vision. This needs to be actioned URGENTLY as I see this everyday. Even the vehicle drivers can't be fault sometimes due to blind spots and turning from smith st to pendle way or vice versa can be challenging and often delays the traffic especially during peak hours. So, a traffic signal and pedestrian crossing is highly recommended. Thanks | Acknowledged. | Noted |
| | Jones St & Daley St no pedestrian footpaths | Acknowledged. | Noted |
| | The non-town centre side of the station could also use much improved, walkability is currently poor and it feels unsafe, especially late at night. | Proposed improvements located in City of Parramatta LGA | Noted |
| | Whilst improvements to pedestrian infrastructure in the 3 precincts is welcome. To encourage more active transport, the surrounding areas also need improvements. | Acknowledged. | Noted |
| Community facilities | We also require libraries. More community engagement areas. | Acknowledged. | Noted |
| | We don't have a library and banking facilities in Pendle Hill. Community center is not providing much for community. | Acknowledged. | Noted |

| | | | |
|---------------|--|---------------|-------|
| | Community Centre: A community centre is a meeting place for social gatherings, cultural events, and recreational activities. Pendle Hill can greatly benefit from a dedicated location that brings its residents together. The community centre will provide workshops, courses, and groups for individuals of all ages in order to promote learning, creativity, and involvement. It will be a location where local talent can be recognised, where people can feel like they belong, and where the communal spirit that makes Pendle Hill unique can be fostered. | Acknowledged. | Noted |
| | Library: A well-stocked library is a wealth of knowledge and a doorway to personal and intellectual development. Pendle Hill deserves a first-rate library to satisfy its residents' need for knowledge. A new library will feature a diverse collection of books, digital resources, and multimedia items to fulfil both children's and adults' intellectual curiosity. It will contribute to Pendle Hill's educational environment by providing a peaceful place for study, research, and reflection. | Acknowledged. | Noted |
| | We can lay the groundwork for a thriving Pendle Hill that meets the needs of its expanding population by prioritising improvements like multi-story parking, a new shopping mall, a community centre, and a library. | Acknowledged. | Noted |
| Retail | The shopping area in Pendle Way near the station has mostly food shops or ethnic grocery shops. The area also looks quite run down compared to other upgraded suburbs. We need variety of shops and banks etc. so we could have a shopping area that serves many purposes and peoples. The area also will look vibrant and beautiful with a good spectrum of different businesses running. Currently, there is only a Metro Woolworths. We need a comprehensive supermarket so we don't run to other suburbs to buy groceries. A good option will be to have a modern shopping centre or a market place with one level of interior shops and super market/s. | Acknowledged. | Noted |
| | We need a better composition of the shops which are all takeaway food stores. Appreciating that you probably have no control over this but it would be nice to create a nice village feel in Pendle Hill which is what it used to be like once. | Acknowledged. | Noted |
| | Would like to see the town centre redeveloped with better shops and restaurants. | Acknowledged. | |
| | New Mall for Shopping: A lively shopping centre is the core of any town, and Pendle Hill merits no less. We can boost the local economy by opening a brand-new shopping mall, providing new employment opportunities and attracting both locals and tourists. With a wide range of shops, boutiques, and restaurants, this modern retail hub will meet a wide range of customer requirements. Residents of Pendle Hill won't have to travel as far to find their favourite brands or have a good time shopping. The mall can also be a place where people can gather together, strengthening the town's social fabric. | Acknowledged. | Noted |
| | Love a café on main street | Acknowledged. | Noted |
| | Different variety of food/restaurants | Acknowledged. | Noted |

Item No: C02/24-459

TOM ADAMS OVAL NAMING - POST EXHIBITION

Directorate: Environment and Planning
Responsible Officer: Director Environment & Planning
Community Strategic Plan Goal: *Enhancing the Natural and Built Environment*

SUMMARY

This report provides a response to the Notice of Motion – Tom Adams Oval resolved at the Ordinary Meeting of Council on 19 April 2023 (Min. 410).

RECOMMENDATION

That Council installs the proposed commemorative plaque in honour of the late Thomas (Tom) Adams and updated identification signage associated with the naming at Roberta Street Park, Greystanes, as outlined in this report.

REPORT

At the Ordinary Council meeting held on 19 April 2023, Council resolved to place the naming proposal on public exhibition for 28 days and to return a report to Council following public exhibition (Min. 410).

Further to the resolution, Council consulted with the Greystanes Cricket Club and family of Tom Adams to confirm content and location preferences. This consultation resulted in the proposed commemorative plaque attached to this report, and consensus that the plaque be mounted on the field facing wall of the parks amenities building.

The Club also wished for Council to consider the installation of updated identification signage incorporating Tom Adams Oval name text, including:

- Installation of two (2) new park identification signs to each side of the parks two Roberta Street road frontages
- Installation of one (1) wall mounted identification sign mounted near the Plaque
- Removal of one (1) existing outdated park identification sign



Figure 1 - Roberta Street Park, Greystanes – Proposed Plaque and Signage Locations

It is recommended that Council proceed with the installation of the plaque and associated signage as outlined in this report.

COMMUNITY ENGAGEMENT

Council publicly exhibited the ‘Tom Adams Oval’ naming proposal on Council’s webpage for a period of 28 days from Monday 22 May to Tuesday 20 June 2023.

Notification of the proposal was included in the May 2023 Have Your Say Monthly Newsletter, which was sent to registered users, as well as the May episode of the Cumberland Conversations Podcast.

Council had 838 visits to the 'Have Your Say' community engagement webpage during the public exhibition period. A total of 55 community submissions were received and none were opposed to the proposal. Many commented on the positive contribution over many decades that Tom had on the local community.

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

The estimated cost to fabricate and install the proposed commemorative plaque is \$3,500. The estimated cost to update site identification signs incorporating Tom Adams Oval name text is \$20,000. Funding is available under Council's budget for this to be undertaken.

CONCLUSION

In accordance with the above, Council has now addressed public exhibition and recommends that Council installs the proposed commemorative plaque in honour of the Late Thomas (Tom) Adams and progress with updated identification signage at Roberta Street Park, Greystanes.

ATTACHMENTS

1. Proposed Plaque Artwork [↓](#)

DOCUMENTS
ASSOCIATED WITH
REPORT C02/24-459

Attachment 1
Proposed Plaque Artwork

CUMBERLAND
CITY COUNCIL

Dedicated
to the memory of
Thomas (Tom) Adams
1938 – 2021

This plaque commemorates the naming of 'Tom Adams Oval' in recognition of Tom's generous and dedicated contribution to the local community.

Tom Adams was a long serving club Treasurer and supporter of the Greystanes Cricket Club for over 40 years. The elite title of life member was awarded to Tom for his many years of dedication and service to the club. He was also a life member of the Parramatta District Cricket Association and held various roles on many park committees. It was always well known that Tom was eager to encourage young people to be involved in sport.

Tom was described as "a true gentleman, outstanding husband, father, mentor, community leader and friend." His contribution has improved the lives of many, both locally and beyond.

Tom will be remembered as a remarkable member of the Greystanes community.

Item No: C02/24-460

REPORT ON VARIATIONS FOR DEVELOPMENT STANDARDS APPROVED UNDER DELEGATION - OCTOBER TO DECEMBER 2023 QUARTER

Directorate: Environment and Planning
Responsible Officer: Director Environment & Planning
Community Strategic Plan Goal: *Providing Local Leadership*

SUMMARY

The purpose of this report is to provide details of the development applications where a variation to a development standard has been approved under delegation in accordance with the reporting requirements of the Planning circular PS 20-002 issued by the Department of Planning, Industry and Environment on 5 May 2020.

RECOMMENDATION

That Council receive and note this report.

REPORT

On 5 May 2020 the Department of Planning, Industry and Environment issued Planning Circular PS 20-002 Variations to Development Standards. The purpose of the circular is as follows:

“to advise consent authorities of arrangements for when the Secretary’s concurrence to vary development standards may be assumed (including when council or its Independent Hearing and Assessment Panel are to determine applications when development standards are varied) and clarify requirements around reporting and record keeping where that concurrence has been assumed.”

By way of background, the objective of clause 4.6 of a Local Environmental Plan (LEP) is to provide an appropriate degree of flexibility in applying certain development standards so as to achieve better outcomes for and from development. The clause is a mechanism by which a development standard within a planning instrument can be varied provided that particular requirements are satisfied. A planning instrument includes an LEP, State Environmental Planning Policy or Regional Environmental Plan. In the case of Cumberland City Council, the relevant LEP’s were the Auburn LEP 2010, Holroyd LEP 2013 and Parramatta LEP 2011. It is currently the Cumberland LEP 2021.

Clause 4.6 also requires that development consent must not be granted for development that contravenes a development standard unless the concurrence of the Planning Secretary has been obtained. The circular however, provides that consent authorities can assume the concurrence of the Planning Secretary under clause 4.6 of

an LEP (which adopts the Standard Instrument (Local Environmental Plans) Order 2006), or any other provision of an environment planning instrument to the same effect, in accordance with Clause 55 of the Environmental Planning and Assessment Regulation 2021 with the following exceptions of relevance to the purpose of this report:

- A delegate of Council cannot assume the Secretary's concurrence if the development contravenes a numerical standard by greater than 10%; or the variation is to a non-numerical standard.

This restriction does not apply to decisions made by the Cumberland Local Planning Panel and the Sydney Central City Planning Panel who are not legal delegates of Council.

Procedural and reporting requirements

In addition to maintaining a publicly available online register of all variations to development standards approved by a consent authority or its delegates and submitting a report of all approved variations (including those made under delegation) through the NSW Planning Portal, the Department is now also requiring that a report of variations approved under delegation from a council be provided to a meeting of the Council at least once each quarter.

| CLAUSE 4.6 VARIATIONS TO DEVELOPMENT STANDARDS APPROVED UNDER DELEGATION | | | | | |
|---|------------------------------|---|---|-------|---|
| DA No. & Determination date | Address | Description of Development | Development Standard | | Extent of Variation |
| <i>October to December 2023 Quarter</i> | | | | | |
| DA-2023/0424 21 November 2023 | 25 Ralph Street WESTMEAD | Use of Attached Dual Occupancy | Floor Ratio | Space | 4.5% Approved, as built structure has minimal bulk and scale impacts on adjoining sites |
| DA-2023/0663 19 December 2023 | 16 Queen Street GRANVILLE | Demolition of existing outbuilding and construction of a secondary dwelling with an attached storage room | Minimum site area for secondary dwellings under SEPP Housing 2021 | | 0.9% Approved, as the site area complies with the Cumberland DCP 2021 |

COMMUNITY ENGAGEMENT

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

POLICY IMPLICATIONS

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

RISK IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

CONCLUSION

The reporting obligations required by Planning Circular PS 20-002 issued by the Department of Planning, Industry and Environment on 5 May 2020, with regards to variations to development standards approved under delegation have been satisfied. It is recommended that Council receive and note this report.

ATTACHMENTS

1. Planning Circular - Variations to Development Standards [↓](#)

**DOCUMENTS
ASSOCIATED WITH
REPORT C02/24-460**

Attachment 1

**Planning Circular - Variations to
Development Standards**



Planning circular

PLANNING SYSTEM

Varying Development Standards

| | |
|----------|--|
| Circular | PS 20-002 |
| Issued | 5 May 2020 |
| Related | Revokes PS 18-003 (February 2018), PS 19-005 |

Variations to development standards

This circular is to advise consent authorities of arrangements for when the Secretary's concurrence to vary development standards may be assumed (including when council or its Independent Hearing and Assessment Panel are to determine applications when development standards are varied) and clarify requirements around reporting and record keeping where that concurrence has been assumed.

Overview of assumed concurrence

This circular replaces Planning Circular PS 18-003 and issues assumed concurrence, governance and reporting requirements for consent authorities. It also advises that council reports are to come through the Planning Portal, and of the repeal of SEPP 1.

All consent authorities may assume the Secretary's concurrence under:

- clause 4.6 of a local environmental plan that adopts the *Standard Instrument (Local Environmental Plans) Order 2006* or any other provision of an environmental planning instrument to the same effect, or
- *State Environmental Planning Policy No 1 – Development Standards* for land included in an old Interim Development Order (IDO) or Planning Scheme Ordinance (PSO).

However, the assumed concurrence is subject to conditions (see below).

The assumed concurrence notice takes effect immediately and applies to pending development applications.

Any existing variation agreed to by the Secretary of Planning, Industry and Environment to a previous notice will continue to have effect under the attached notice.

Assumed concurrence conditions

Lot size standards for dwellings in rural areas

The Secretary's concurrence may not be assumed for a development standard relating to the minimum lot size required for erection of a dwelling on land in one of the following land use zones, if the lot is less than 90% of the required minimum lot size:

- Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone

RU4 Primary Production Small Lots, Zone RU6 Transition

- Zone R5 Large Lot Residential
- Zone E2 Environmental Conservation, Zone E3 Environmental Management, Zone E4 Environmental Living
- a land use zone that is equivalent to one of the above land use zones

This condition will only apply to local and regionally significant development.

Numerical and non-numerical development standards

The Secretary's concurrence may not be assumed by a delegate of council if:

- the development contravenes a numerical standard by greater than 10%; or
- the variation is to a non-numerical standard.

This restriction does not apply to decisions made by independent hearing and assessment panels, formally known as local planning panels, who exercise consent authority functions on behalf of councils, but are not legally delegates of the council (see section 231).

The purpose of the restriction on assumed concurrence for variations of numerical and non-numerical standards applying to delegates is to ensure that variations of this nature are considered by the council or its independent hearing and assessment panel and that they are subject to greater public scrutiny than decisions made by council staff under delegation.

In all other circumstances, delegates of a consent authority may assume the Secretary's concurrence in accordance with the attached written notice.

Independent hearing and assessment panels

From 1 March 2018, councils in Sydney and Wollongong were required to have independent hearing and assessment panels that will determine development applications on behalf of councils (see section 231).

The attached notice allows independent hearing and assessment panels to assume the Secretary's concurrence because they are exercising the council's functions as a consent authority.

Independent hearing and assessment panels established by councils before 1 March 2018 also make decisions on behalf of councils. The attached notice applies to existing panels in the same way as it applies to panels established after 1 March 2018.

Regionally significant development

Sydney district and regional planning panels may also assume the Secretary's concurrence where development standards will be contravened.

The restriction on delegates determining applications involving numerical or non-numerical standards does not apply to all regionally significant development. This is because all regionally significant development is determined by a panel and is not delegated to council staff.

However, the restriction on assuming concurrence to vary lot size standards for dwellings in rural areas will continue to apply to regionally significant development. The Secretary's concurrence will need to be obtained for these proposals in the same way as it would for local development.

State significant development and development where a Minister is the consent authority

Consent authorities for State significant development (SSD) may also assume the Secretary's concurrence where development standards will be contravened. This arrangement also applies to other development for which a Minister is the consent authority for the same reasons.

Any matters arising from contravening development standards will be dealt with in Departmental assessment reports.

The restriction on assuming concurrence to vary lot size standards for dwellings in rural areas will not apply to SSD or where a Minister is the consent authority for the same reasons.

Notification of assumed concurrence

Under clause 64 of the *Environmental Planning and Assessment Regulation 2000*, consent authorities are notified that they may assume the Secretary's concurrence for exceptions to development standards for applications made under clause 4.6 of the SILEP (or any other provision of an environmental planning instrument to the same effect).

The notice takes effect on the day that it is published on the Department of Planning, Industry and Environment's website (i.e. the date of issue of this circular) and applies to pending development applications.

Procedural and reporting requirements

In order to ensure transparency and integrity in the planning framework the below Departmental monitoring and reporting measures must be followed when development standards are being varied:

- Proposed variations to development standards cannot be considered without a written application objecting to the development standard and dealing with the matters required to be addressed by the relevant instrument.
- A publicly available online register of all variations to development standards approved by the consent authority or its delegates is to be established and maintained. This register must include the development application number and description, the property address, the standard to be varied and the extent of the variation.
- A report of all variations approved (including under delegation) must be submitted through the NSW Planning Portal at <https://www.planningportal.nsw.gov.au/reporting/online-submission-planning-data> within four weeks of the end of each quarter (i.e. March, June, September and December) in the form provided by the Department.
- A report of all variations approved under delegation from a council must be provided to a meeting of the council meeting at least once each quarter.

Councils are to ensure these procedures and reporting requirements are carried out on behalf of Independent Hearing and Assessment Panels and Sydney district or regional planning panels.

Audit

The Department will continue to carry out random audits to ensure the monitoring and reporting measures are complied with. The Department and the NSW Independent Commission Against Corruption will continue to review and refine the audit strategy.

Should ongoing non-compliance be identified with one or more consent authorities, the Secretary will consider revoking the notice allowing concurrence to be assumed, either generally for a consent authority or for a specific type of development.

Repeal of State Environmental Planning Policy No 1 – Development Standards (SEPP 1)

The repeal of SEPP 1 came into effect from 1 February 2020 as part of the SEPP Review Program to update and simplify the NSW Planning system.

SEPP 1 is repealed in circumstances where a standard instrument LEP applies in a local council

area. The amendments included the insertion of two clauses into the *SEPP (Concurrences and Consents) 2018*. Clause 6 provides for the continued operation of SEPP 1 where an Interim Development Order (IDO) or a Planning Scheme Ordinance (PSO) is in effect. Clause 7 is a savings provision which continues to apply SEPP 1 for applications that were made prior to the repeal but are yet to be determined.

Further information

A Guide on Varying Development Standards 2011 is available to assist applicants and councils on the procedures for managing SEPP 1 and clause 4.6 applications to vary standards.

Links to the Standard Instrument can be found on the NSW Legislation website at: www.legislation.nsw.gov.au

For further information please contact the Department of Planning, Industry and Environment's information centre on 1300 305 695.

Department of Planning, Industry and Environment circulars are available at: planning.nsw.gov.au/circulars

Authorised by:

Marcus Ray
Group Deputy Secretary,
Planning and Assessment
Department of Planning, Industry and Environment

Important note: This circular does not constitute legal advice. Users are advised to seek professional advice and refer to the relevant legislation, as necessary, before taking action in relation to any matters covered by this circular.

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ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

Assumed concurrence notice

I, Carolyn McNally, Secretary of the Department of Planning and Environment, give the following notice to all consent authorities under clause 64 of the *Environmental Planning and Assessment Regulation 2000*.

Notice

All consent authorities may assume my concurrence, subject to the conditions set out in the table below, where it is required under:

- clause 4.6 of a local environmental plan that adopts the *Standard Instrument (Local Environmental Plans) Order 2006* or any other provision of an environmental planning instrument to the same effect, or
- *State Environmental Planning Policy No 1 – Development Standards*.

| No. | Conditions |
|----------|--|
| 1 | <p>Concurrence may not be assumed for a development that contravenes a development standard relating to the minimum lot size required for the erection of a dwelling on land in one of the following land use zones, if the variation is greater than 10% of the required minimum lot size:</p> <ul style="list-style-type: none"> - Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition - Zone R5 Large Lot Residential - Zone E2 Environmental Conservation, Zone E3 Environmental Management, Zone E4 Environmental Living - a land use zone that is equivalent to one of the above land use zones <p>This condition does not apply to State significant development or development for which a Minister is the consent authority</p> |
| 2 | <p>Concurrence may not be assumed for the following development, if the function of determining the development application is exercised by a delegate of the consent authority:</p> <ul style="list-style-type: none"> - development that contravenes a numerical development standard by more than 10% - development that contravenes a non-numerical development standard <p>Note. Local planning panels constituted under the <i>Environmental Planning and Assessment Act 1979</i> exercise consent authority functions on behalf a council and are not delegates of the council</p> <p>This condition does not apply to State significant development, regionally significant development or development for which a Minister is the consent authority</p> |

This notice takes effect on the day that it is published on the Department of Planning's website and applies to development applications made (but not determined) before it takes effect.

The previous notice to assume my concurrence contained in planning system circular PS 17-006 *Variations to development standards*, issued 15 December 2017 is revoked by this notice. However, any variation to a previous notice continues to have effect as if it were a variation to this notice.

Dated: 21 February 2018



Carolyn McNally
Secretary, Department of Planning and Environment

Item No: C02/24-461

NOTICE OF MOTION - RESPONSE TO PROPOSED CHANGES TO PLANNING POLICY FOR PARTS OF BERALA AND LIDCOMBE.

Councillor: Sabrin Farooqui and Kun Huang

SUMMARY

Pursuant to Notice, Councillors Farooqui and Huang submitted the following Motion.

NOTICE OF MOTION

That with respect to the recently proposed changes to planning policy for parts of Berala and Lidcombe, Council:

- 1. Undertake community information sessions with the affected residents in Lidcombe and Berala to understand the proposed planning changes.**
- 2. Request that staff from the relevant state agencies attend the information sessions.**
- 3. Write to the State Government outlining the community's feedback on the proposal.**

RESOURCING/FINANCIAL IMPLICATIONS

This can be undertaken using existing resources.

GENERAL MANAGER ADVICE

In December 2023, the NSW Government announced the Transport Oriented Development Program to facilitate additional housing with transport infrastructure. As part of this announcement, Lidcombe and Berala were identified in the Program, with a new State Environmental Planning Policy being prepared to allow for residential apartment buildings up to 6 levels to be built within 400m of these stations. It is noted that there are areas in Lidcombe and Berala under the Program that are currently not zoned for this level of development.

Council officers have had initial discussions with the officers from the Department of Planning, Housing and Infrastructure on these planning policy changes, and it is understood that the changes are intended to commence this year. Should the Motion be supported, it is recommended that the community information sessions are held in February 2024, with a submission prepared for consideration by Council in March 2024.

ATTACHMENTS

1. Transport Oriented Development Program [↓](#)

DOCUMENTS
ASSOCIATED WITH
REPORT C02/24-461

Attachment 1
Transport Oriented Development
Program

Transport Oriented Development Program



Transport Oriented Development (TOD) Program

The Transport Oriented Development (TOD) program will deliver much needed housing around 39 transport hubs. Housing at these locations will benefit from an assessment pathway to create faster approvals. The program will deliver state-led rezonings within 1,200 metres of 8 priority transport hubs and we are also introducing a new SEPP to increase the capacity for more mid-rise housing and mixed-use development within 400 metres of 31 other well-located transport hubs and town centres.

Housing is the NSW Government's top priority. We need to work together to address the housing crisis. The Transport Oriented Development (TOD) Program is part of the NSW Government's plan to create more well-located homes close to transport, jobs and services.

There are two parts to the TOD program:

Part 1 of the program will focus on 8 accelerated precincts to create infrastructure and capacity for 47,800 new homes over 15 years.

Land within 1,200 metres of 8 rail and metro stations will be rezoned by the NSW Government to allow for more new and affordable homes. These 8 stations are:

Bankstown, Bays West, Bella Vista, Crows Nest, Homebush Hornsby, Kellyville and Macquarie Park.

Part 2 of the program will focus on precincts that have existing infrastructure and are located within 400 metres of 31 stations to create capacity for 138,000 new homes over 15 years.

New planning controls, delivered through a new State Environment Planning Policy (SEPP) will enable faster delivery of more housing close to jobs and amenity. These 31 locations are:

Adamstown station, Ashfield station, Banksia station, Berala station, Booragul station, Canterbury metro station, Corrimal station, Croydon station, Dapto station, Dulwich Hill station, Gordon station, Gosford station, Hamilton station, Killara station, Kogarah station, Kotara station, Lidcombe station, Lindfield station, Marrickville station, Morisset station, Newcastle Interchange, North Strathfield metro station, North Wollongong station, Rockdale station, Roseville station, St Marys metro station, Teralba station, Tuggerah station, Turrella station, Wiley Park metro station and Wyong station.

Why are we proposing these changes?

Housing our State is the NSW Government's top priority.

The NSW Government is committed to delivering more high quality, well-located homes near transport, community services and open spaces.

Putting homes near planned and existing public transport will help to improve the development pattern of our cities by reducing urban sprawl. This means that more people will be able to live within walking distance of supermarkets, restaurants and open space and be near good public transport to get them where they need to go.

This is a well-understood model of urban growth that is commonly referred to as 'transport-oriented development', and it has been a key feature of strategic planning in NSW and around the world for many years.

What does this mean for local communities?

The changes will increase the capacity for more well-located homes, close to jobs and in places where people want to live.

Existing community members will benefit from improved access to transport options such as new metro stations, walkable neighbourhoods, a great mix of housing choices, public open space, a vibrant nightlife, and other new amenities and services.

By taking this approach, we can address the housing challenges in a way that makes the most sense. Transport-oriented development represents density done well. It reduces the need for lengthy and expensive daily commutes, alleviates the financial burden on households and curbs traffic congestion. This leads to an improved quality of life for residents.

This kind of development can also help reduce the impacts of climate change, promote active transport like cycling and walking and lead to healthier lifestyles.

When will the TOD program start?

Development Applications are expected to start being lodged from mid-2024. State-led rezonings in the 8 precincts will be completed by November 2024, though some rezonings will be completed earlier. This will allow for housing completions during the Accord period.

Part 1 of the TOD Program:

TOD Accelerated Precincts (the 8 sites) - Objectives of the program

The TOD Accelerated Precincts program will deliver high and mid-rise housing within 1,200 metres of 8 priority transport hubs. The objectives of the program are to:

- increase housing supply in well-located areas
- enable a variety of land uses (residential, commercial, recreational) within walking distance of train and metro stations
- deliver housing that is supported by attractive public spaces, vibrancy, and community amenity
- increase the amount of affordable housing in these locations

The 8 state-led rezonings will create capacity for up to 47,800 new well-located homes over the next 15 years.

Where will the accelerated rezonings be?

The accelerated precincts will be within 1,200 metres around stations at Bankstown, Bays West, Bella Vista, Crows Nest, Homebush, Hornsby, Kellyville and Macquarie Park.

How were these locations selected?

The department undertook analysis of 305 Sydney Train, Sydney Metro, and Intercity stations within the Six Cities Region to identify locations that have enabling infrastructure capacity near the transport station to support additional housing growth.

This was informed by an evidence-based approach that used planning, infrastructure like roads, water and sewage capacity, and spatial data, along with expert advice and feasibility analysis. The analysis identified that these 8 stations have significant capacity to support additional growth.

How will the program work?

Master planning and rezoning

Master planning will ensure additional dwellings are supported by good amenity

The department will undertake master planning for each precinct, supported by technical studies, to determine boundaries, and opportunities for new housing within 1,200m from these stations.

The department will lead rezonings within the precincts, informed by the master plans.

Faster assessment pathways

A new State Significant Development (SSD) assessment pathway for residential development

The new SSD assessment pathway will be triggered by a development Capital Investment Value (CIV) threshold of \$60M for residential development in the 8 precincts. The pathway will remain in place until November 2027 to encourage early lodgement of development applications.

SSD applications will be coordinated through a dedicated assessment team within the department to ensure a quicker and more streamlined assessment process.

Development approvals will be time-limited for 2 years to support construction to occur more quickly to deliver housing within the Accord period.

Applications for residential development with a CIV of less than \$60M will be assessed by Council.

90 days in government hands commitment for SSD assessment timeframes

The department is committed to a shorter SSD process, with a target of applications being in government hands for no more than 90 days.

Where master planning has significantly progressed, SSD applications can occur in parallel with the state-led rezoning process to reduce the time needed to achieve dwelling completions.

Affordable Housing

The NSW Government will establish inclusionary zoning within the 8 precincts to ensure the delivery of affordable housing close to jobs, recreation, amenities, and services.

Affordable housing held in perpetuity will make up to 15 per cent of homes in the 8 precincts. The exact proportion of affordable homes in these precincts will be based on feasibility testing, undertaken as part of the master planning process.

Opportunities for affordable housing in these locations will look to achieve the maximum benefit from the sites including through planning controls for increased height and floor space ratio.

High quality amenity and vibrant communities

The NSW Government has committed \$520M to provide community infrastructure in these precincts

This is intended to cover costs of critical road upgrades, active transport links and good quality public open spaces like parks and walkways, to make sure that homes are built close to jobs and in places that people want to live.

Further details about how the funding will be allocated will be provided in early 2024.

Councils will also be encouraged to invest the money it collects from local contributions to make further improvements to existing parks and open spaces.

Good design

Good design will remain a key focus with the Apartment Design Guide remaining the principal guiding document for housing in these locations.

The NSW Government will offer developers of high and mid-rise developments in these 8 accelerated precincts the opportunity to select an architect from a list pre-approved by the NSW Government Architect. This new process may allow developers to bypass the requirement to run a design competition, shortening the assessment time by many months.

What housing types will be included in the 8 precincts?

The government wants people to have more choice in housing diversity and be able to live in high-quality, well-designed homes, located close to jobs, transport and amenity.

Master planning undertaken in the 8 accelerated precincts will determine the mix of housing types to be delivered in these locations. This will range from low rise housing types such as terraces and duplexes within the 1200 metre radius, through to high rise developments very close to the 8 identified stations.

The approach

The department will work closely with relevant councils and government agencies as decisions about planning controls are made and implemented to make sure good place-based outcomes are achieved.

Through this process, community and stakeholders will be invited to have their say on the master plans and rezoning being proposed for each precinct and can make a submission through the NSW Planning Portal.

Part 2 of the TOD Program:

A New SEPP for a further 31 TOD Precincts: Where will the SEPP apply?

The SEPP will apply in the following locations - Adamstown station, Ashfield station, Banksia station, Berala station, Booragul station, Canterbury metro station, Corrimal station, Croydon station, Dapto station, Dulwich Hill station, Gordon station, Gosford station, Hamilton station, Killara station, Kogarah station, Kotara station, Lidcombe station, Lindfield station, Marrickville station, Morisset station, Newcastle Interchange, North Wollongong station, North Strathfield metro station, Rockdale station, Roseville station, St Marys metro station, Teralba station, Tuggerah station, Turrella station, Wiley Park metro station, Wyong station.

How were these locations selected?

The department undertook analysis of 305 Sydney Train, Sydney Metro, and Intercity stations within the Six Cities Region to identify locations that have enabling infrastructure capacity close to a transport station to support additional housing growth. This was informed by an evidence-based approach that used planning, infrastructure, and spatial data, along with expert advice and feasibility analysis. The analysis also considered the current zoning of land around stations, with a focus on residential and avoiding industrial zones where possible. The analysis identified that these 31 locations have the capacity to support additional growth.

What will the SEPP include?

From April 2024, new planning controls will apply within 400 metres of 31 well located and well-connected stations and town centres.

The changes will allow:

- Residential apartment buildings in all residential zones (R1, R2, R3, and R4) within 400m of identified stations
- Residential apartment buildings and shop-top housing in local and commercial centres (E1 and E2) within 400m of identified stations

Proposed changes to planning controls:

- **Maximum building height** 21m (approx. 6 storeys)
- **Floor space ratio** 3:1
- **No minimum lot size or lot width**

- Minimum active street frontage controls in E1 and E2 zones
- Maximum parking rates

It also proposes to introduce new design criteria for mid-rise residential apartment buildings:

- Building separations
- Setbacks
- Vehicle access
- Visual privacy
- Communal open space

How will the program work?

When the SEPP is made from April 2024, new planning controls in these locations will come into effect and development applications will be able to be lodged with councils. These applications will then be assessed and determined by the relevant council.

Good design

Good design and well-built homes will remain a critical focus, with the Apartment Design Guide being the principle guiding document for residential apartment buildings and shop-top housing in these locations.

Amended design criteria are proposed that reflect the unique design challenges of mid-rise buildings and may vary some existing Apartment Design Guide provisions. The design provisions will ensure apartment buildings and shop-top housing around these stations are well-designed and have excellent amenity and liveability for residents and contribute to the amenity of the neighbourhood.

Additionally, the NSW Government is developing a pattern book of endorsed housing designs for both low-rise and mid-rise (up to six storeys) buildings. Developers who choose to adopt the endorsed pattern book designs will have access to an accelerated approval pathway – meaning builders can get on site faster, and people can move into new homes sooner.

While this pathway will be attractive for some developers for its speed and certainty, it will not be compulsory. Builders and their architects can still design bespoke developments that will go through the regular approval pathway.

What housing types will be included in the delivery of this program?

The government wants people to have more choice in housing diversity and be able to live in high-quality, well-designed homes, located close to jobs, transport and amenity.

The SEPP will increase the supply of mid-rise flat buildings (up to 6 storeys) within 400 metres of stations. This will also include apartment buildings that contain shops on the ground floor.

Affordable housing

The NSW Government will establish inclusionary zoning around these locations to deliver affordable housing close to jobs, recreation, amenities, and services.

A mandatory minimum 2% affordable housing contribution will apply for all new developments.

The existing in-fill affordable housing provisions set out in the Housing SEPP 2021 will also continue to apply in the SEPP locations.

The approach

We need to confront the housing crisis together, so councils in the areas where the SEPP will apply will be able to have their say on the proposed changes to the planning controls during the targeted consultation period.

We support and encourage councils to develop strategic plans for well-located precincts to maintain continual growth. The SEPP will remain in place until councils have finalised their strategic planning in ways that align with the NSW Government policy objectives.

More Answers:

What are the likely environmental impacts and how will they be addressed?

Increasing density near planned and existing public transport will help improve the development pattern of our cities by reducing development sprawling out away from central parts of the city. This will mean more people will be able to live within walking distance of transport, jobs, services, and amenities. This kind of development is cheaper because it uses existing infrastructure, can help reduce impacts on climate change, and promote active transport like cycling and walking.

Technical studies will also be undertaken in each accelerated precinct – including relevant environmental studies, to make sure that the impacts are understood and addressed through the master planning process.

Additionally, a merit-based assessment will continue to apply to developments in the 31 TOD-SEPP locations. Relevant environmental controls will apply to the extent they are not inconsistent with the new standards.

Will the TOD program apply in heritage conservation areas? If so, how will it impact character?

The changes proposed will result in significant change in these locations as additional housing is delivered. But it is important to work together to embrace the transition that will occur as the character of these locations evolves.

The new planning controls will apply in heritage conservation areas. However, a merit-based assessment will continue to apply to developments in these locations and relevant heritage controls will apply to the extent they are not inconsistent with the new standards.

How will the Special Entertainment Precinct (SEP) framework apply?

The NSW Government is encouraging local entertainment zones that are vibrant and diverse, especially at night. The new Special Entertainment Precinct framework, which expands on the one that delivered the successful Enmore Road Special Entertainment Precinct, may apply to the 39 precincts, but only at the request of the councils. This can deliver vibrant, safe 'going-out' destinations supported by adequate and reliable transport. Details on Special Entertainment Precincts can be found [here](#).

What infrastructure contributions will apply?

The government introduced Housing and Productivity Contributions in October 2023, and phase-in discounts will apply up to June 2025. This was done in anticipation of the reforms outlined in the document and to supply much need infrastructure in general. The department is developing a digital tool to allow for contributions to be calculated online. This tool will be integrated into the NSW Planning Portal and automates the ongoing administration, tracking and reporting of contributions. The contribution must be paid before a construction certificate is issued.

Local infrastructure in NSW is generally funded through either s7.11 or s7.12 contributions, paid by developers to the local council. Details of local infrastructure contributions will be resolved as soon as practical and be published publicly to enable transparency and support developer investment decisions. This may include an interim fixed Section 7.12 contribution rate where a plan does not exist or a comprehensive review of existing contributions plan/s is required.

How will this interact with proposed council-led strategies around transit hubs?

For the 8 accelerated precincts, the department will undertake master planning for each of these areas supported by technical studies, and consider opportunities for additional housing within 1,200m from these stations. But the department will work closely with relevant councils as decisions

about planning controls are made and implemented to make sure place-based outcomes are achieved.

For the TOD SEPP locations, the amended planning controls will remain in place until councils have completed and delivered a new strategic vision and rezoning for these areas.

The strategic planning must consider:

- Uplift in these locations equal to or exceeding the SEPP controls.
- Use of planning controls and zones that reflect medium-high density potential in these areas.
- Residential supply pipeline into the future to make sure uplift in these areas is sustained.
- Long-term affordable housing provisions in perpetuity.
- Amenity outcomes, including open space provision.

Will the TOD program apply to land zoned for industrial uses?

The planning controls will not apply to land zoned for industrial uses, to make sure these critical land uses are retained and managed.

Item No: AR02/24-1

NOTICE OF MOTION TO ALTER COUNCIL RESOLUTION - C12/23-451 DRAFT PERFORMANCE AGREEMENT FOR CUMBERLAND COUNCIL GENERAL MANAGER FOR THE PERIOD 1 JULY 2023 TO 30 JUNE 2024

Councillor/s: Paul Garrard, Steve Christou and Helen Hughes

SUMMARY

Pursuant to Notice, Councillors Garrard, Christou and Hughes move that Council alter the below resolution of Council made at the Council Meeting on 6 December adjourned to 13 December 2023 C12/23-451 Draft Performance Agreement for Cumberland Council General Manager for the Period 1 July 2023 to 30 June 2024.

Min.631

That Council:

1. Adopt the *Draft Performance Agreement for Cumberland Council General Manager for the period 1 July 2023 to 30 June 2024*, as provided under Attachment 1 to this report subject to deletion of the tier 3 weightings leaving the tier 1 and tier 2 weightings.
2. Note that this agreement, once adopted will form the basis on which the mid-year review of the General Manager's performance will be conducted (in February 2024 consistent with the Procedure for the Review of the Performance of the General Manager).
3. Receive a report in July 2024 to nominate a third panel member to form the Review Panel, to conduct the review of the General Manager's performance for the period 1 July 2023 to 30 June 2024 as per the *Procedure for the Review of the Performance of the General Manager*.
4. Conduct the annual review of the General Manager's performance on or as close as possible to 1 August 2024.

MOTION

That Council:

1. **Adopt the *Draft Performance Agreement for Cumberland Council General Manager for the period 1 July 2023 to 30 June 2024*, as provided under Attachment 1 to this report subject to deletion of the tier 3 weightings leaving the tier 1 and tier 2 weightings subject to the following inclusions:**
 - **That the General manager undertake initiatives to improve compliance around illegally parked trucks on residential roads**
 - **That the town centres cleanliness be improved**

- **That customer service performance be improved whereby staff become more accountable to ratepayer requests**
- 2. **Note that this agreement, once adopted will form the basis on which the mid-year review of the General Manager's performance will be conducted (in February 2024 consistent with the Procedure for the Review of the Performance of the General Manager).**
- 3. **Receive a report in July 2024 to nominate a third panel member to form the Review Panel, to conduct the review of the General Manager's performance for the period 1 July 2023 to 30 June 2024 as per the *Procedure for the Review of the Performance of the General Manager*.**
- 4. **Conduct the annual review of the General Manager's performance on or as close as possible to 1 August 2024.**

Signed:

Councillor Paul Garrard
Councillor Steve Christou
Councillor Helen Hughes

ATTACHMENTS

Nil

Item No: AR02/24-2

NOTICE OF MOTION TO ALTER COUNCIL RESOLUTION - CTC-23-187- KIBO ROAD, REGENTS PARK - PROPOSED REFUGE ISLAND

Councillor/s: Helen Hughes, Paul Garrard and Steve Christou

SUMMARY

Pursuant to Notice, Councillors Hughes, Garrard and Christou move that Council alter the below resolution of Council made at the Council Meeting on 6 December adjourned to 13 December 2023 CTC-23-187- Kibo Road, Regents Park - Proposed Refuge Island.

Min.624

That:

1. The proposed Refuge Island with associated signage and line marking on Kibo Road, Regents Park (adjacent to Kibo Reserve) be finalised and included in Council's Capital Works Program.
2. Council liaise with Australia Post for the relocation of the mailbox.
3. The affected / concerned residents be notified of Council's resolution.

MOTION

That the proposed Pedestrian Crossing with associated signage and zebra line marking on Kibo Road, Regents Park (adjacent to Kibo Reserve) be finalised in accordance with the plan and included in Council's Capital Works Program by a referral back to the Traffic Committee.

Signed:

Councillor Helen Hughes
Councillor Paul Garrard
Councillor Steve Christou

ATTACHMENTS

Nil