

# CUMBERLAND CITY COUNCIL

## Council Meeting

*Wednesday, 30 July 2025 at 6:00 PM*

Cumberland City Council Chambers

Merrylands Service Centre, 16 Memorial Avenue, Merrylands

## Councillor Contact Details

### Granville Ward

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

### Greystanes Ward

Clr Dr Diane Colman	0400 279 200	Diane.Colman@cumberland.nsw.gov.au
Clr Eddy Sarkis	0425 348 000	Eddy.Sarkis@cumberland.nsw.gov.au
Clr Nadima Kafrouni-Saba	0447 605 158	Nadima.KafrouniSaba@cumberland.nsw.gov.au

### Regents Park Ward

Clr Enver Yasar	0497 428 929	Enver.Yasar@cumberland.nsw.gov.au
Clr Helen Hughes	0400 264 534	Helen.Hughes@cumberland.nsw.gov.au
Clr Steve Yang	0448 836 197	Steve.Yang@cumberland.nsw.gov.au

### South Granville Ward

Clr Paul Garrard	0414 504 504	Paul.Garrard@cumberland.nsw.gov.au
Clr Ahmed Ouf	0449 877 141	Ahmed.Ouf@cumberland.nsw.gov.au
Clr Glenn Elmore	0418 459 527	Glenn.Elmore@cumberland.nsw.gov.au

### Wentworthville Ward

Clr Michael Zaiter (Deputy Mayor)	0418 432 797	Michael.Zaiter@cumberland.nsw.gov.au
Clr Suman Saha	0419 546 950	Suman.Saha@cumberland.nsw.gov.au
Clr Sujan Selventhiran	0427 104 940	Sujan.Selventhiran@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](http://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.*

<b>1</b>	<b>Opening of Meeting</b>	
<b>2</b>	<b>Opening Prayer / Acknowledgement of Country / National Anthem</b>	
<b>3</b>	<b>Apologies / Requests for Leave of Absence/ Requests for Attendance by Audio-Visual Link</b>	
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## **13 Questions with Notice**

Nil

## **14 Closed Session Reports**

C07/25-161 Update - Property Sale, Merrylands CBD

*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**

C07/25-147 Legal Report

1. Litigation register

*Note: Included in Closed Business Paper in accordance with Section 10A(2)(g) of the Local Government Act as the information involves advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

C07/25-151 Letter of Offer - 3 Centenary Road, Merrylands

1. Letter of Offer dated 2 May 2025

*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: C07/25-146

## **MINUTES OF THE ORDINARY MEETING OF COUNCIL - 18 JUNE 2025**

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

### **RECOMMENDATION**

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**That Council confirm the minutes of the Ordinary Meeting of Council held on 18 June 2025.**

### **ATTACHMENTS**

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1. Council Minutes - 18 June 2025 [↓](#)

**DOCUMENTS  
ASSOCIATED WITH  
REPORT C07/25-146**

**Attachment 1  
Council Minutes - 18 June 2025**

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## Minutes of the Council Meeting 18 June 2025

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**Present:****Councillors**

Ola Hamed (Mayor)	Councillor
Michael Zaiter (Deputy Mayor)	Councillor
Steve Christou	Councillor
Dr Diane Colman	Councillor
Glenn Elmore	Councillor
Paul Garrard	Councillor
Helen Hughes	Councillor
Nadima Kafrouni-Saba	Councillor
Ahmed Ouf	Councillor (exited 8:58pm)
Joseph Rahme	Councillor (exited 8:02pm)
Suman Saha	Councillor
Eddy Sarkis	Councillor (arrived 6:18pm) (exited 9.03pm)
Sujan Selventhiran	Councillor (via Audio-Visual)
Steve Yang	Councillor
Enver Yasar	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 Hamed declared the meeting open at 6:03pm.

**Opening Prayer**

The opening prayer was read by Reverend Rodney Kerr from Merrylands Anglican Church.

**National Anthem**

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

**Acknowledgement of Country**

The Mayor, Councillor Hamed 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."*

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**Min.959      Apologies / Requests for Leave of Absence/ Requests for Attendance  
by Audio-Visual Link****Motion (Zaiter/Yang)**

That in accordance with Clause 5.24 of the *Code of Meeting Practice*, Council approve the attendance of Councillor Selventhiran 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, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Ouf, Rahme, Saha, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Nil.

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**Notice of Live Streaming of Council Meeting**

The Mayor, Councillor Hamed 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.

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**Confirmation of Minutes**

**Min.960      C06/25-132 Minutes of the Ordinary Meeting of Council - 28 May 2025**

**Motion (Garrard/Kafrouni-Saba)**

That Council confirm the minutes of the Ordinary Meeting of Council held on 28 May 2025.

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

Councillor(s) For the Motion: Christou, Colman, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Ouf, Rahme, Saha, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Nil.

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

There were no declarations of interest.

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**Min.961      Mayoral Minute - 2025 Local Government Excellence Awards****Motion (Hamed)**

That Council:

1. Note the Mayoral Minute;
2. Congratulate Council's Arts and Culture Team and Deputy General Manager – Melissa Attia – on their awards received at the 2025 LG Professionals - NSW Local Government Excellence Awards; and
3. Recognise all staff involved in initiatives that were nominated for awards at the event.

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

Councillor(s) For the Motion: Christou, Colman, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Ouf, Rahme, Saha, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Nil.

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**Min.962      Mayoral Minute – Air India Flight AL171 Tragedy.****Motion (Hamed)**

That Council:

1. Extends its deepest condolences to all those affected by the Air India Flight AI171 tragedy; and
2. Observes a minute of silence in memory of the victims.

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

Councillor(s) For the Motion: Christou, Colman, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Ouf, Rahme, Saha, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Nil.

**Note:** Council observed a minute of silence following the consideration of this item.

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**Min.963      Mayoral Minute - Auburn Girls High School****Motion (Hamed)**

That Council:

1. Formally commend Auburn Girls High School for its excellence in STEM education, in reaching the Universal Robotics Challenge World Final – being held on Saturday 20<sup>th</sup> September 2025, in Osaka, Japan;
2. Donate \$15,000 from the Community Reserve to Auburn Girls High School, to help fund costs associated with its representation at the event; and
3. Thank the dedicated staff and students at Auburn Girls High School for their outstanding efforts.

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

Councillor(s) For the Motion: Christou, Colman, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Ouf, Rahme, Saha, Sarkis, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Nil.

Councillor Sarkis entered the Meeting at 6:18pm during the consideration of this item.

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**Public Forum**

Nil.

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**Min.964      Items Resolved by Exception****Motion (Garrard/Ouf)**

That Council adopt items C06/25-133, C06/25-134, C06/25-136, C06/25-137 and C06/25-141 on the Council Agenda as per the recommendations in the report.

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

Councillor(s) For the Motion: Christou, Colman, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Ouf, Rahme, Saha, Sarkis, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Nil.



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**C06/25-133 Legal Report*****Resolved by Exception***

That the report be received.

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**C06/25-134 Investment Report - May 2025*****Resolved by Exception***

That Council receive the May 2025 Investment Report.

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**C06/25-136 Local Government Remuneration Tribunal  
Determination - Mayor and Councillor Remuneration 2025/26*****Resolved by Exception***

That Council:

1. Set the annual Councillor Fee for the period 1 July 2025 to 30 June 2026 at \$34,820 in accordance with the provisions of Section 248 of the *Local Government Act 1993*; and
2. Set the annual Mayoral Fee for the period 1 July 2025 to 30 June 2026 at \$101,470 in accordance with the provisions of Section 249 of the *Local Government Act 1993*.

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**C06/25-137 Adoption of Draft Community Engagement Strategy  
2025-2029 - Post Exhibition*****Resolved by Exception***

That Council adopt the Draft Community Engagement Strategy 2025-2029 as outlined in Attachment 1 of this report.

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**C06/25-141 Audit, Risk & Improvement Committee - Minutes of  
Meeting held on 19 May 2025*****Resolved by Exception***

That Council receive the Minutes of the Audit, Risk and Improvement Committee held on 19 May 2025.

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**Min.965      C06/25-135    Review and Formation of Councils Advisory Committees**

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**Motion (Colman/Saha)**

That Council:

1. Formally dissolves all previously constituted Advisory Committees.
2. Adopt the attached Terms of Reference documents for the establishment of the following advisory Committees:
  - Arts, Culture and Events Advisory Committee;
  - Aboriginal and Torres Strait Islander Consultative (ATSIC) Committee;
  - Community Wellbeing and Inclusion Advisory Committee;
  - Domestic and Family Violence Prevention Advisory Committee;
  - Flood Risk Management Committee;
  - Library Advisory Committee;
  - Youth, Recreation and Sport Advisory Committee;
  - Heritage Advisory Committee; and
  - Wentworthville Community Garden - Section 355 *Local Government Act 1993* Committee - noting that adoption appoints the 3 sitting Wentworthville Ward Councillors to the Committee.
3. Determines its Councillor representation on its Advisory Committees as follows (2 Councillors per Advisory Committee):
  - Arts, Culture and Events Advisory Committee (Councillor Saha and Councillor Kafrouni-Saba);
  - Aboriginal and Torres Strait Islander Consultative (ATSIC) Committee (Councillor Colman and Councillor Selventhiran);
  - Community Wellbeing and Inclusion Advisory Committee (Councillor Yasar and Councillor Garrard);
  - Domestic and Family Violence Prevention Advisory Committee (Councillor Hamed and Councillor Colman);
  - Flood Risk Management Committee (Councillor Elmore and Councillor Sarkis);
  - Library Advisory Committee (Councillor Colman and Councillor Hughes);
  - Youth, Recreation and Sport Advisory Committee (Councillor Yasar and Councillor Ouf); and
  - Heritage Advisory Committee (Councillor Elmore and Councillor Hamed);

4. Receive a further report at the conclusion of the Expression of Interest Process for the appointment of Community Representatives for the Committees outlined in 1.
5. Delegate to the General Manager to commence the scheduling of Committee meetings.

**Amendment (Christou/Sarkis)**

Add a point 6 as follows:

Form two committees, one for the Lebanese Community and one for the Afghan Community highlighting their needs and cultural requirements.

The Amendment moved by Councillor Christou and seconded by Councillor Sarkis on being Put was declared **LOST**.

Councillor(s) For the Amendment: Christou.

Councillor(s) Against the Amendment: Colman, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Ouf, Saha, Sarkis, Selventhiran, Yang, Yasar and Zaiter.

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

Councillor(s) For the Motion: Christou, Colman, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Ouf, Saha, Sarkis, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Nil.

Councillor Garrard left the Meeting at 6:31pm and returned to the Meeting at 6:33pm during the consideration of this item.

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

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**Min.966      C06/25-138 Adoption of the Integrated Planning and Reporting documents - Post Exhibition****Motion (Saha/Colman)**

That Council adopt the Integrated Planning and Reporting documents as attached to this report (Attachments 1-9):

- Community Strategic Plan 2025-2035;
- Delivery Program 2025-2029;
- Operational Plan 2025-2026;
- Asset Management Strategy 2025-2035;
- Asset Management Policy;
- Workforce Management Strategy 2025-2029;
- Digital Strategy 2025-2029;

- 
- Long Term Financial Plan 2025-2035; and
  - Fees and Charges 2025-2026, Subject to the following changes to the *Draft Fees and Charges 2025-26*:
    1. Removal of all spectator fees for swimming pools and insertion of the following: '*Spectators accompanying swimmers and pool facility users – No charge*' (Page 680);
    2. Insert under Concession Tickets (P.680) : '*Club Member – 20 Visits (supervised during club events only) - \$58.*'; and
    3. Removal of '*Carnival venue hire fee (including upto 500 pool entries) - \$600*' (Page 681).
    4. Page 711 - Library Photocopying fees (A3 & A4 - B&W/Colour) – No increase in fees (per 2024/25).

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

Councillor(s) For the Motion: Christou, Colman, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Ouf, Rahme, Saha, Sarkis, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Nil.

Councillor Rahme returned to the Meeting at 6:49pm during the consideration of this item.

Councillor Ouf left the Meeting at 7:01pm and returned to the Meeting at 7:04pm during the consideration of this item.

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**Min.967      C06/25-139 Making and Levying of Rates and Fixing of Charges for the 2025/26 Financial Year**

**Motion (Saha/Colman)**

That Council:

1. In accordance with Section 494 of the *Local Government Act 1993*, Council makes the Ordinary Rates for the following rating structure for the 2025/2026 financial year.

An Ordinary Residential rate of zero point zero zero one three zero zero seven five (0.00130075) cents in the dollar applied to the land value of all rateable land categorised as Residential in Cumberland Council's local government area, subject to a minimum ordinary rate of \$921.06 per assessment be made and levied for the rating year 1 July 2025 to 30 June 2026.

An Ordinary Business rate of zero point zero zero two seven three six three nine (0.00273639) cents in the dollar applied to the land value on all parcels of rateable land categorised as Business in the Cumberland Council's local government area, subject to a minimum ordinary rate of \$1,409.44 per assessment be made and levied for the rating year 1 July 2025 to 30 June 2026.

An Ordinary Business sub-category for Industrial Centre of Activity for Auburn, Holroyd and Parramatta rate, including Multi-Level Shopping Centres, amount of zero point zero zero three six four zero three two (0.00364032) cents in the dollar applied to the land value on all parcels of rateable land categorised as Business Industrial or Multi-Level Shopping Centre, subject to a minimum ordinary rate of \$1,409.44 per assessment be made and levied for the rating year 1 July 2025 to 30 June 2026.

2. In accordance with Section 566(3) of the Local Government Act 1993, Council adopts the overdue Rates and Charges interest rate, as advised by the Minister for Local Government, of 10.5% for the period 1 July 2025 to 30 June 2026.
3. In accordance with Section 575 of the Local Government Act 1993, eligible pensioners receive a maximum rates rebate of \$250. A \$25 voluntary rebate shall continue to apply for eligible pensioner rate payers in accordance with Council Policy. Those eligible pensioners that have owned and resided in the Cumberland City LGA for 5 consecutive years will receive an additional voluntary rebate of \$100. The maximum rebate for all eligible pensioners will be \$375 (up to \$250 mandatory rebate and up to \$125 voluntary rebate).
4. In accordance with Section 496A of *Local Government Act 1993*, the following Stormwater Management Levy be made:  
Residential - \$25 per property  
Residential (Strata lots) - \$12.50 per Strata Unit  
Business - \$25 per 350 sqm capped at \$500 per property maximum  
Business (Strata lots) - \$12.50 per Strata Unit.
5. In accordance with Section 496 of the Local Government Act 1993, Council make the following annual charges for Domestic Waste/ Recycling Services for 2025/2026:

240L garbage bin, 240L green waste and 240L recycling bin (single unit dwellings only)	Service	\$866.00
240L garbage bin and 240L recycling bin (former Holroyd only)	Service	\$776.00
120L/140L garbage bin, 240L green waste and 240L recycling bin	Service	\$667.00
120L/140L garbage bin, 240L recycling bin (strata properties only)	Service	\$640.00
Availability charge	Service	\$209.50
Additional 240L recycling bin	Service	\$114.00
Additional 240L green waste bin	Service	\$114.00

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

Councillor(s) For the Motion: Colman, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Ouf, Rahme, Saha, Sarkis, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Christou.

During the consideration of this item, due to repeated interjections, the Mayor Councillor Hamed warned a member of the public gallery.

During the consideration of this item, Councillor Christou raised a point of order, citing an alleged breach of Clause 15.11(d) and (e) of the *Code of Meeting Practice*, stating that Councillor Zaiter misrepresented him. The Mayor, Councillor Hamed did not uphold the Point of Order, and provided Councillor Zaiter the opportunity to clarify his speech.

Councillor Sarkis left the Meeting at 7:08pm and returned to the Meeting at 7:15pm during the consideration of this item.

Councillor Ouf left the Meeting at 7:11pm and returned to the Meeting at 7:16pm during the consideration of this item.

Councillor Selventhiran left the Meeting at 7:15pm and returned to the Meeting at 7:17pm during the consideration of this item.

Councillor Selventhiran left the Meeting at 7:27pm and returned to the Meeting at 7:30pm during the consideration of this item.

Councillor Selventhiran left the Meeting at 7:32pm and returned to the Meeting at 7:40pm during the consideration of this item.

Councillor Sarkis left the Meeting at 7:37pm and returned to the Meeting at 7:43pm during the consideration of this item.

Councillor Rahme left the Meeting at 7:42pm and returned to the Meeting at 7:45pm during the consideration of this item.

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**Min.968      C06/25-140 Property Committee - Minutes of Meeting held 2 June 2025****Motion (Zaiter/Saha)**

That Council:

1. Receive the Minutes of the Cumberland Property Committee meeting held on 2 June 2025, and adopt the recommendations contained therein.
2. Include a copy of the resolutions of Council in the Minutes.

**Amendment (Garrard/Hughes)**

Add to point 1 "with the exception of Item PC017/25 - Request For Removal of Land Acquisition Reservation - 31 Cambridge Street, Lidcombe which is to be referred back to the Property Committee for consideration.

The Amendment moved by Councillor Garrard and seconded by Councillor Hughes on being Put was declared **LOST** on the casting vote of the Mayor.

Councillor(s) For the Amendment:      Christou, Colman, Garrard, Hughes, Ouf, Sarkis and Yasar.

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Councillor(s) Against the Amendment: Elmore, Hamed, Kafrouni-Saba, Saha, Selventhiran, Yang and Zaiter.

The Motion on being Put was declared **CARRIED** on the casting vote of the Mayor.

Councillor(s) For the Motion: Colman, Elmore, Hamed, Kafrouni-Saba, Saha, Yang and Zaiter.

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

Councillor Rahme left the Meeting at 8:02pm during the consideration of this item and did not return.

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**Min.969      C06/25-142 Notice of Motion - Additional Outdoor Staff Resourcing**

**Motion (Christou/Ouf)**

That Council:

1. Receive a report to the next Council meeting to deliver increased staffing for street cleansing and litter cleaning services; and
2. The report include how the additional staffing can be funded from recent increases to rates revenue.

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

Councillor(s) For the Motion: Christou, Hughes, Kafrouni-Saba, Ouf and Sarkis.

Councillor(s) Against the Motion: Colman, Elmore, Hamed, Saha, Selventhiran, Yang, Yasar and Zaiter.

Councillor Garrard left the Meeting at 8:15pm during the consideration of this item.

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**Min.970      C06/25-143 Notice of Motion - Hazara Culture Day**

**Motion (Colman/Elmore)**

That Council:

1. Recognises Hazara Culture Day annually on 19 May;
2. Includes Hazara Culture Day in the Council annual cultural program from 2026, and identifies local Hazara organisations to collaborate with Council to organise activities;
3. Allocates funding from the Community Reserve to fund the program in 2026;
4. Promotes Hazara Culture Day through Council communications channels; and
5. Writes to State and Federal MPs to advocate to make 19 May Hazara Culture Day.



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

Councillor(s) For the Motion: Christou, Colman, Elmore, Garrard, Hamed, Hughes, Ouf, Saha, Sarkis, Selventhiran and Yasar.

Councillor(s) Against the Motion: Kafrouni-Saba, Yang and Zaiter.

Councillor Garrard returned to the Meeting at 8:44pm during the consideration of this item.

Councillor Selventhiran left the Meeting at 8:48pm and returned to the Meeting at 8:51pm during the consideration of this item.

Councillor Selventhiran left the Meeting at 8:52pm and returned to the Meeting at 8:54pm during the consideration of this item.

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**Min.971 C06/25-144 Notice of Motion - Commemorative Signage for Regents Park Railway Centenary and Inner West Line Restoration**

**Motion (Yasar/Hughes)**

That Council:

1. Endorses the installation of a commemorative sign within the Regents Park Library precinct, adjacent to Regents Park Station, to acknowledge:
  - a) The centenary of the Lidcombe–Regents Park–Cabramatta railway line, which commenced operations in October 1924; and
  - b) The restoration of the Inner West Line (Liverpool via Regents Park) services in October 2024, reinstating direct train services to the City Circle.
2. Authorises Council officers to liaise with Transport for NSW and other relevant stakeholders to finalise the design, wording, and installation details of the commemorative sign; and
3. Fund the minor costs to implement the sign from Council's signage operational budget.

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

Councillor(s) For the Motion: Christou, Elmore, Hamed, Hughes, Kafrouni-Saba, Saha, Sarkis, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Nil.

Councillor Ouf left the Meeting at 8:58pm during the consideration of this item and did not return.



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Councillor Garrard left the Meeting at 8:15pm during the consideration of this item.

Councillor Selventhiran left the Meeting at 8:58pm and returned to the Meeting at 8:59pm during the consideration of this item.

Councillor Colman left the Meeting at 8:58pm during the consideration of this item.

Councillor Christou left the Meeting at 8:58pm and returned to the Meeting at 9:01pm during the consideration of this item.

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**Min.972      Closed Session**

At this stage of the meeting being 9:02pm, the Mayor advised that in accordance with Section 10A(2) of the *Local Government Act 1993*, it is proposed to move into Closed Session to consider the following item:

- C06/25-145 Tender Evaluation Report - Roads Infrastructure Services (RFx942)

as the item contained the following considerations under the Act:

*(2)(d)(i) – commercial information of a confidential nature that would, if disclosed prejudice the commercial position of the person who supplied it.*

**Motion (Elmore/Saha)**

That in accordance with Section 10A(2)(d)(i) of the *Local Government Act 1993*, Council enter into Closed Session to determine Item C06/25-145.

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

Councillor(s) For the Motion: Christou, Elmore, Hamed, Hughes, Kafrouni-Saba, Saha, Sarkis, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Nil.

Councillor Sarkis left the Meeting at 9:03pm during the consideration of this item and did not return.

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**Min.973      C06/25-145 Tender Evaluation Report - Roads Infrastructure Services (RFx942)**

**Motion (Zaiter/Colman)**

That Council:

1. Accept the Negotiation Panel's recommendation to award the contract to State Asphalt Services Pty Ltd (ABN 49 001 287 421), for a 5 year contract term with the option to extend for a further total of up to 3 years (2+1 year options) at the sole discretion of the Council, for the unit rate amounts as submitted.

- 
2. Delegate to the General Manager the authority to execute the contract and any associated documents.

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

Councillor(s) For the Motion: Christou, Colman, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Saha, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Nil.

Councillor Colman returned to the Meeting at 9:03pm during the consideration of this item.

Councillor Garrard returned to the Meeting at 9:09pm during the consideration of this item.

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**Min.974      Open Session**

**Motion (Elmore/Colman)**

That Council resume the public meeting.

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

Councillor(s) For the Motion: Christou, Colman, Elmore, Garrard, Hamed, Hughes, Kafrouni-Saba, Saha, Selventhiran, Yang, Yasar and Zaiter.

Councillor(s) Against the Motion: Nil.

On resumption of the public meeting at 9:10pm, the Mayor, Councillor Hamed read out the resolution made in Closed Session.

---

The Mayor, Councillor Hamed closed the meeting at 9:11pm.

Chairperson\_\_\_\_\_

**Appendix 1 Resolutions of the Council following consideration of the recommendations of the Property Committee Meeting held at Merrylands Administration Building, 16 Memorial Avenue, Merrylands NSW 2160 on Monday 2 June 2025.**

Council received the Minutes of the Property Committee held on 2 June 2025 and adopted the recommendations therein. The resolutions of Council are below.

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**ITEM PC011/25 - Update on General Property Leases/Transactions**

**RESOLVED**

That the Property Committee recommends that Council:

1. Receive and note the update.
2. Formally decline the unsolicited offer for the proposed purchase of Vivian Crescent Reserve, Berala.

---

**ITEM PC012/25 - Outcome of Negotiations - Former Banksia Babes Childcare Centre**

**RESOLVED**

That the Property Committee recommend that Council:

1. Award the lease to Barnardos Australia (ABN 18 068 557 906), for a net commencement rent of \$100,000 per year excluding GST over a Lease term of 5 years, with an option to renew for additional 5-year periods (up to a total of 15 years).
2. Ensure that the leasing income is recognised within Council's education and care unit budget and business plan, consistent with this Committees previous resolution; and
3. Delegate to the General Manager the authority to execute the contract and any associated documents.

---

**ITEM PC013/25 - Proposed Granting of Drainage Easement - 197-201 Fairfield Road Guildford West through adjoining Council Land to Foray Street**

**RESOLVED**

The Property Committee recommend that Council in accordance with Section 46 of the *Local Government Act 1993*, approve the creation of an easement in favour of the property located at 197-201 Fairfield Road, Guildford West NSW 2161 (Lot 1 in DP

1304736), to permit the legal disposal of stormwater through Council land known as 167 Fairfield Road, Guildford West (Lot 1 in DP 1179149) subject to:

- (a) an independent valuation report being obtained;
- (b) the final easement location and design being in accordance with the expert advice of Council's Engineering Team and Special Projects Manager;
- (c) completion of the required 28-day public notification period in accordance with Section 47 of the *Local Government Act 1993*; and
- (d) all associated costs regarding the granting of an easement, including compensation to be paid by the applicant.

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**ITEM PC014/25 - Proposed Granting of Drainage Easement - 107 Toongabbie Road through Greystanes Creek Reserve****RESOLVED**

That the Property Committee recommend that Council in accordance with Section 46 of the *Local Government Act 1993*, approve the creation of an easement in favour of the property located at 107 Toongabbie Road, Toongabbie NSW 2146 (Lot 25 in DP 837421), to permit the legal disposal of stormwater through Council's Reserve known as Greystanes Creek Reserve (Lot 58 in DP 837421) subject to:

- (a) an independent valuation report being obtained;
- (b) the final easement location and design being in accordance with the expert advice of Council's Engineering team and Special Projects Manager;
- (c) completion of the required 28-day public notification period in accordance with Section 47 of the *Local Government Act 1993*; and
- (d) all associated costs regarding the granting of an easement, including compensation to be paid by the applicant.

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**ITEM PC015/25 - Request to Purchase Council Land - Bangor Street, Guildford****RESOLVED**

The Property Committee:

1. Receive the report; and
2. Note that a further report will be provided in relation to this proposal if supported in principle.

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**ITEM PC016/25 - Response to Notice of Motion - Increased Car Parking - Civic Park Pendle Hill Car Park****RESOLVED (Zaiter/Saha)**

That the Property Committee recommend to Council to endorse the progression of additional car parking spaces at 18 Billabong Street, Pendle Hill, as outlined in this report.

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**ITEM PC017/25 - Request For Removal of Land Acquisition Reservation - 31 Cambridge Street, Lidcombe****RESOLVED**

That the Property Committee recommend that Council:

1. Note the written request received on behalf of the landowners at 31 Cambridge Street, Lidcombe (Lot 11, Section 11, DP 1483).
2. Progress the preparation of a planning proposal for 31 Cambridge Street, Lidcombe seeking to:
  - Rezone from RE1 Public Recreation to R2 Low Density Residential, and update associated planning controls for the site, and
  - Remove the Land Acquisition Reservation (LRA) for purpose of local open space.

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**ITEM PC018/25 - Review of Land Acquisition and Open Space Requirements for Cumberland****RESOLVED**

That the Property Committee recommend that Council prepare a planning proposal that reviews land acquisition and open space requirements across the Cumberland LGA in response to site specific requests and to ensure alignment with current strategies and plans.

---

**ITEM PC019/25 - Electric Vehicle Charging Infrastructure on Council Land - Licence Proposal****RESOLVED**

That the Property Committee recommend that Council:

1. Endorse the proposal by JOLT for Electric Vehicle (EV) charging infrastructure on Council land as outlined in this report; and

2. Delegate to the General Manager to negotiate and execute the necessary documentation to give effect to an agreement.

---

**ITEM PC020/25 - Land Acquisition For Road Widening - Priam Street and Boundary Road Intersection****RESOLVED**

That the Property Committee recommend that Council:

1. Endorse the transfer and subdivision of land identified as Lot 1 in Deposited Plan 225816 for the purpose of road widening.
2. Delegate authority to the General Manager to finalise the Deed of Dedication and Settlement with Sydney Corporation (49 776 225 038) and execute associated documentation.

---

**ITEM PC021/25 - Verbal Update on General & Strategic Property Matters****RESOLVED**

That the Property Committee receive the update.

Item No: C07/25-147

## LEGAL REPORT

Directorate: General Manager  
Responsible Officer: General Counsel  
Community Strategic Plan Goal: *Providing Local Leadership*

## SUMMARY

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

## RECOMMENDATION

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**That the report be received.**

## REPORT

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This report provides Council with a summary of the status of litigation for which Council is a party to. It does not include the following types of legal proceedings:

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

The report is current to 9 July 2025. It does not capture changes that have occurred between that date and the date the report is considered by Council.

## COMMUNITY ENGAGEMENT

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

## POLICY IMPLICATIONS

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

## RISK IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

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

## CONCLUSION

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

## ATTACHMENTS

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1. Litigation register (confidential)  
Note: Included in Closed Business Paper in accordance with Section 10A(2)(g) of the Local Government Act as the information involves advice concerning litigation, or advice as comprises a discussion of this matter, that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.



Item No: C07/25-148

## **INVESTMENT REPORT - JUNE 2025**

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 June 2025.

### **RECOMMENDATION**

**That Council receive the June 2025 Investment Report.**

### **REPORT**

Included in this report are the following items that highlight Council's investment portfolio performance for June 2025.

#### ***Council Investments as at 30 June 2025***

Council's investment portfolio has a current market value of \$253,379,278 and has returned 5.27% 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	9,300,000	9,290,175	9,405,739	4.26
Cash	10,291,328	10,291,328	10,291,328	4.00
Floating Rate Note	48,000,000	48,131,460	48,416,294	5.30
Managed Funds	14,348,913	12,000,000	14,348,913	8.62
Term Deposit	166,000,000	166,000,000	170,917,003	5.10
	<b>247,940,241</b>	<b>245,712,963</b>	<b>253,379,278</b>	<b>5.27</b>

*Face Value = capital value to be repaid upon maturity*

*Purchase Price = capital value +/- premiums or discounts*

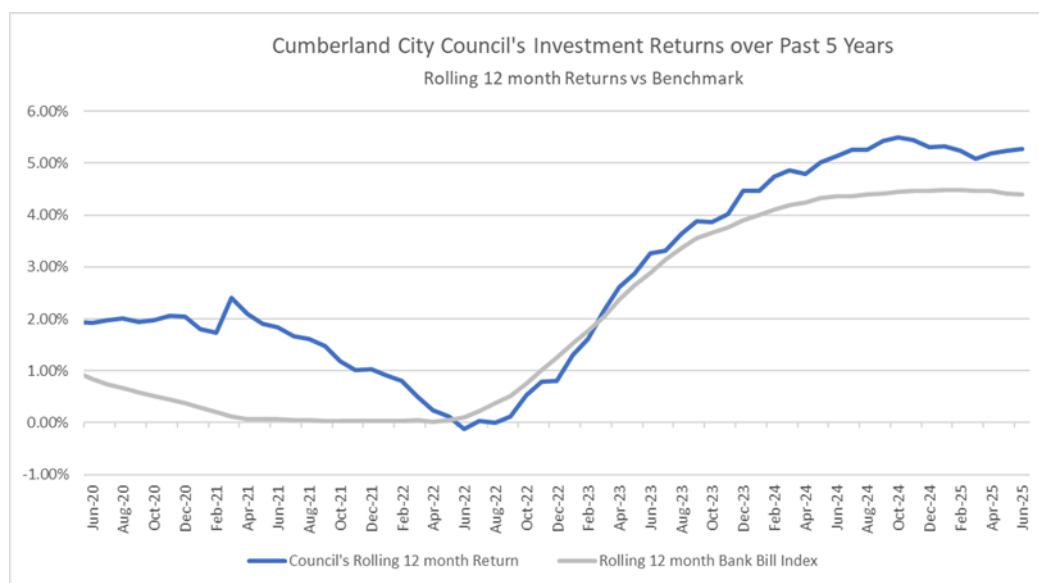
*Current Value = current market value + accrued interest*

## ***Investment Portfolio Performance***

Council's investment portfolio returned 0.43% (actual) for the month on a marked-to-market basis versus the bank bill index benchmark's 0.32% (actual) 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 2024/25 FY, the investment portfolio returned 5.27% versus the benchmark's 4.39%.

As at 30 June 2025 the cumulative interest earned was \$13,009,311 This is \$2,088,611 higher than the year-to-date budget of \$10,920,700.

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

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

## CONCLUSION

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Council hereby certifies that the investments listed 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

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1. Investment Report June 2025 [↓](#)
2. Investment Commentary June 2025 [↓](#)

DOCUMENTS  
ASSOCIATED WITH  
REPORT C07/25-148

Attachment 1  
Investment Report June 2025



Investment Summary Report  
June 2025

Cumberland City Council  
Investment Summary Report - June 2025**Contents**

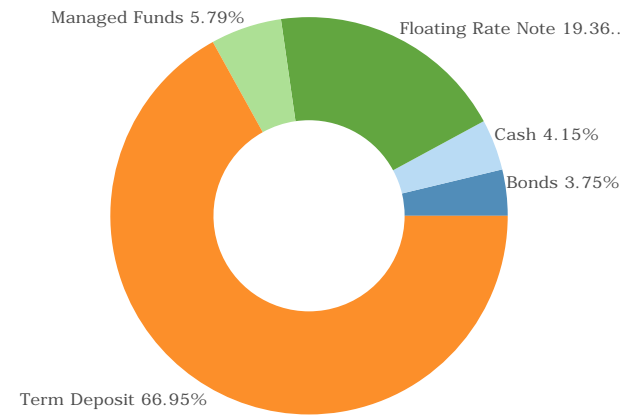
Executive Summary	Page 3
Investment Summary Report	Page 4
Actual Interest Report	Page 8
Investment Performance Report	Page 9
Investment Policy Compliance Report	Page 10
Individual Institutional Exposures Report	Page 11
Investment Cashflows Report	Page 12

## Cumberland City Council Executive Summary - June 2025



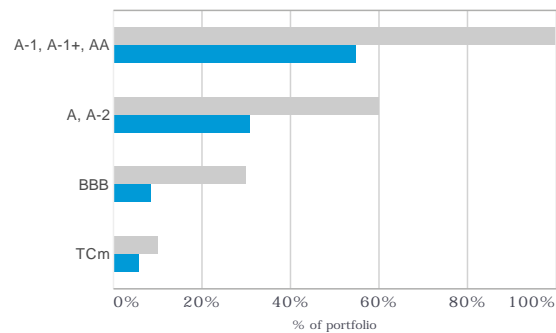
### Investment Holdings

	Face Value (\$)	Purchase Price (\$)	Current Value (\$)	12 Month Return (%)
Bonds	9,300,000	9,290,175	9,405,739	4.26
Cash	10,291,328	10,291,328	10,291,328	4.00
Floating Rate Note	48,000,000	48,131,460	48,416,294	5.30
Managed Funds	14,348,913	12,000,000	14,348,913	8.62
Term Deposit	166,000,000	166,000,000	170,917,003	5.10
	247,940,241	245,712,963	253,379,278	5.27

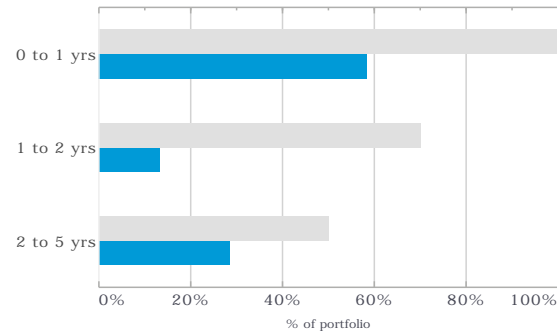


### Investment Policy Compliance

#### Total Credit Exposure



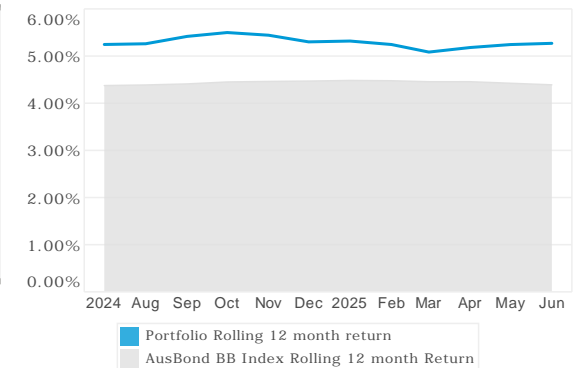
#### Term to Maturities



Portfolio Exposure

Investment Policy Limit

### Investment Performance



## Cumberland City Council Investment Holdings Report - June 2025



### Cash Accounts

Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Current Value (\$)	Deal No.
2,291,328.26	3.6000%	Commonwealth Bank of Australia	A-1+	2,291,328.26	250385
8,000,000.00	3.8000%	Commonwealth Bank of Australia	A-1+	8,000,000.00	533672
10,291,328.26	3.7555%			10,291,328.26	

### Managed Funds

Face Value (\$)	Monthly Return (%)	Institution	Credit Rating	Capital Base (\$)	Current Value (\$)	Deal No.	Funds Name
14,348,913.16	1.2262%	NSW T-Corp (MT)	TCm	12,000,000.00	14,348,913.16	538647	Medium Term Growth Fund
14,348,913.16	1.2262%				14,348,913.16		

### Term Deposits

Purchase Date	Maturity Date	Term Days	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency
28-Jun-24	1-Jul-25	368	4,000,000.00	5.4500%	National Australia Bank	A-1+	4,000,000.00	4,219,791.78	545215	219,791.78	At Maturity
2-Jul-24	8-Jul-25	371	4,000,000.00	5.4800%	National Australia Bank	A-1+	4,000,000.00	4,218,599.45	545226	218,599.45	Annually
29-Jul-24	22-Jul-25	358	4,000,000.00	5.3000%	National Australia Bank	A-1+	4,000,000.00	4,195,736.99	545300	195,736.99	At Maturity
29-Jul-24	29-Jul-25	365	4,000,000.00	5.3000%	National Australia Bank	A-1+	4,000,000.00	4,195,736.99	545301	195,736.99	At Maturity
6-Aug-24	6-Aug-25	365	4,000,000.00	5.0500%	National Australia Bank	A-1+	4,000,000.00	4,182,076.71	545316	182,076.71	At Maturity
7-Aug-24	6-Aug-25	364	4,000,000.00	5.0500%	AMP Bank	A-2	4,000,000.00	4,181,523.29	545331	181,523.29	At Maturity
19-Aug-24	19-Aug-25	365	4,000,000.00	4.9200%	Westpac Group	A-1+	4,000,000.00	4,170,380.27	545369	170,380.27	At Maturity
27-Aug-24	27-Aug-25	365	4,000,000.00	4.8300%	Westpac Group	A-1+	4,000,000.00	4,163,029.04	545400	163,029.04	At Maturity
27-Aug-24	3-Sep-25	372	4,000,000.00	4.8300%	Westpac Group	A-1+	4,000,000.00	4,163,029.04	545399	163,029.04	At Maturity
4-Sep-24	3-Sep-25	364	4,000,000.00	4.9800%	National Australia Bank	A-1+	4,000,000.00	4,163,726.03	545449	163,726.03	At Maturity
12-Dec-24	9-Sep-25	271	4,000,000.00	5.1000%	Suncorp Bank	A-1+	4,000,000.00	4,112,339.73	545702	112,339.73	At Maturity
15-Jan-25	7-Oct-25	265	4,000,000.00	5.0000%	Suncorp Bank	A-1+	4,000,000.00	4,091,506.85	545738	91,506.85	At Maturity
19-Feb-25	14-Oct-25	237	3,000,000.00	4.7700%	National Australia Bank	A-1+	3,000,000.00	3,051,751.23	545804	51,751.23	At Maturity
29-Jan-25	5-Nov-25	280	3,000,000.00	4.9000%	National Australia Bank	A-1+	3,000,000.00	3,061,619.18	545754	61,619.18	At Maturity
12-Dec-24	12-Nov-25	335	4,000,000.00	5.0100%	Suncorp Bank	A-1+	4,000,000.00	4,110,357.26	545703	110,357.26	At Maturity
3-Dec-24	3-Dec-25	365	4,000,000.00	5.1400%	Rabobank Australia	A-1	4,000,000.00	4,118,290.41	545669	118,290.41	At Maturity



## Cumberland City Council Investment Holdings Report - June 2025



Purchase Date	Maturity Date	Term Days	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Current Value (\$)	Deal No.	Accrued Interest (\$)	Coupon Frequency
6-Dec-23	9-Dec-25	734	4,000,000.00	5.3000%	Bank of Queensland	A-2	4,000,000.00	4,120,230.14	544701	120,230.14	Annually
10-Mar-25	17-Dec-25	282	3,000,000.00	4.6000%	Westpac Group	A-1+	3,000,000.00	3,042,723.29	545889	42,723.29	At Maturity
10-Mar-25	7-Jan-26	303	4,000,000.00	4.6500%	National Australia Bank	A-1+	4,000,000.00	4,057,583.56	545890	57,583.56	At Maturity
11-Feb-25	13-Jan-26	336	4,000,000.00	4.7500%	Suncorp Bank	A-1+	4,000,000.00	4,072,876.71	545784	72,876.71	At Maturity
29-Jan-25	28-Jan-26	364	4,000,000.00	4.9000%	National Australia Bank	A-1+	4,000,000.00	4,082,158.90	545755	82,158.90	At Maturity
11-Feb-25	10-Feb-26	364	4,000,000.00	4.7000%	Suncorp Bank	A-1+	4,000,000.00	4,072,109.59	545783	72,109.59	At Maturity
17-Feb-25	17-Feb-26	365	4,000,000.00	4.7700%	Westpac Group	A-1+	4,000,000.00	4,070,047.12	545795	70,047.12	At Maturity
10-Mar-25	10-Mar-26	365	4,000,000.00	4.6500%	Suncorp Bank	A-1+	4,000,000.00	4,057,583.56	545888	57,583.56	At Maturity
12-Jun-25	10-Mar-26	271	4,000,000.00	4.3400%	Suncorp Bank	A-1+	4,000,000.00	4,009,036.71	546160	9,036.71	At Maturity
25-Jun-25	28-Apr-26	307	4,000,000.00	4.2700%	Suncorp Bank	A-1+	4,000,000.00	4,002,807.67	546202	2,807.67	At Maturity
6-May-25	12-May-26	371	4,000,000.00	4.2700%	Westpac Group	A-1+	4,000,000.00	4,026,204.93	546021	26,204.93	Annually
25-Jun-25	23-Jun-26	363	4,000,000.00	4.1600%	Suncorp Bank	A-1+	4,000,000.00	4,002,735.34	546203	2,735.34	At Maturity
20-Jul-23	21-Jul-26	1097	4,000,000.00	5.4000%	Bank of Queensland	A-	4,000,000.00	4,203,572.60	544330	203,572.60	Annually
27-Jul-23	27-Jul-26	1096	4,000,000.00	5.4500%	AMP Bank	BBB+	4,000,000.00	4,201,276.71	544341	201,276.71	Annually
5-Aug-22	4-Aug-27	1825	3,000,000.00	4.6000%	Bank of Queensland	A-	3,000,000.00	3,124,767.12	543151	124,767.12	Annually
31-Aug-22	30-Aug-27	1825	4,000,000.00	5.0000%	Bank of Queensland	A-	4,000,000.00	4,167,123.29	543267	167,123.29	Annually
26-Nov-24	26-Nov-27	1095	4,000,000.00	5.0100%	Rabobank Australia	A	4,000,000.00	4,119,141.92	545650	119,141.92	Annually
15-Jan-25	18-Jan-28	1098	4,000,000.00	4.8700%	Rabobank Australia	A	4,000,000.00	4,089,127.67	545737	89,127.67	Annually
28-Jun-23	28-Jun-28	1827	4,000,000.00	5.4000%	Bank of Queensland	A-	4,000,000.00	4,000,591.78	544246	591.78	Annually
28-Aug-24	28-Aug-28	1461	2,000,000.00	4.7000%	Rabobank Australia	A	2,000,000.00	2,079,063.01	545411	79,063.01	Annually
29-Nov-23	22-Nov-28	1820	4,000,000.00	5.5300%	Bank of Queensland	A-	4,000,000.00	4,129,689.86	544676	129,689.86	Annually
3-Dec-24	5-Dec-28	1463	4,000,000.00	5.0000%	Rabobank Australia	A	4,000,000.00	4,115,068.49	545670	115,068.49	Annually
28-Aug-24	21-Aug-29	1819	4,000,000.00	4.8500%	Rabobank Australia	A	4,000,000.00	4,163,172.60	545410	163,172.60	Annually
28-Aug-24	28-Aug-29	1826	4,000,000.00	4.8500%	Rabobank Australia	A	4,000,000.00	4,163,172.60	545409	163,172.60	Annually
3-Sep-24	3-Sep-29	1826	4,000,000.00	5.0000%	Rabobank Australia	A	4,000,000.00	4,164,931.51	545444	164,931.51	Annually
12-Dec-24	12-Dec-29	1826	4,000,000.00	4.9500%	Rabobank Australia	A	4,000,000.00	4,109,035.62	545701	109,035.62	Annually
24-Feb-25	19-Feb-30	1821	4,000,000.00	5.1500%	Rabobank Australia	A	4,000,000.00	4,071,676.71	545812	71,676.71	Annually
			166,000,000.00	4.9437%			166,000,000.00	170,917,003.26			4,917,003.26

## Cumberland City Council Investment Holdings Report - June 2025



### Floating Rate Notes

Purchase Date	Maturity Date	Term Days	Face Value (\$)	Current Rate (%)	Security Name	Credit Rating	Purchase Price (\$)	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Coupon Date
29-Apr-22	29-Oct-25	1279	3,000,000.00	4.9926%	BoQ Snr FRN (Oct25) BBSW+ 1.10%	A-2	3,000,000.00	3,032,482.09	542666	25,852.09	29-Jul-25
24-Feb-23	24-Feb-26	1096	2,250,000.00	5.2095%	RACQ Snr FRN (Feb26) BBSW+ 1.50%	A-2	2,250,000.00	2,267,838.31	543828	11,560.81	25-Aug-25
6-May-21	6-May-26	1826	2,000,000.00	4.4768%	BoQ Snr FRN (May26) BBSW+ 0.63%	A-2	2,000,000.00	2,015,137.03	541296	13,737.03	6-Aug-25
24-Aug-21	24-Aug-26	1826	2,400,000.00	4.1195%	NAB Snr FRN (Aug26) BBSW+ 0.41%	AA-	2,400,000.00	2,409,799.36	541749	9,751.36	25-Aug-25
15-Sep-21	15-Sep-26	1826	4,000,000.00	4.1938%	SUN Snr FRN (Sep26) BBSW+ 0.48%	AA-	4,000,000.00	4,006,333.92	541883	6,893.92	15-Sep-25
23-Jan-24	23-Oct-26	1004	1,800,000.00	5.5367%	GSB Snr FRN (Oct26) BBSW+ 1.60%	BBB+	1,800,000.00	1,837,106.35	544802	18,839.95	23-Jul-25
27-Oct-21	27-Oct-26	1826	2,000,000.00	4.6962%	BoQ Snr FRN (Oct26) BBSW+ 0.80%	A-	2,000,000.00	2,022,728.87	542003	16,468.87	28-Jul-25
17-Nov-23	17-Nov-26	1096	2,250,000.00	5.3576%	POL Snr FRN (Nov26) BBSW+ 1.55%	BBB+	2,250,000.00	2,264,201.31	544638	14,201.31	18-Aug-25
14-Jan-22	14-Jan-27	1826	1,500,000.00	4.7478%	CBA Snr FRN (Jan27) BBSW+ 0.70%	AA-	1,500,000.00	1,519,838.98	542234	15,218.98	14-Jul-25
26-Aug-24	8-Feb-27	896	2,000,000.00	5.4198%	HPC Snr FRN (Feb27) BBSW+ 1.60%	BBB+	2,030,420.00	2,037,916.67	545392	16,036.67	8-Aug-25
25-Feb-22	25-Feb-27	1826	3,200,000.00	4.4295%	NAB Snr FRN (Feb27) BBSW+ 0.72%	AA-	3,200,000.00	3,224,540.23	542353	13,980.23	25-Aug-25
27-Feb-25	5-Mar-27	736	3,000,000.00	5.3048%	RACQ Snr FRN (Mar27) BBSW+ 1.60%	BBB+	3,031,320.00	3,031,976.28	545830	11,336.28	5-Sep-25
21-Jun-24	21-Jun-27	1095	1,000,000.00	4.9639%	TMB Snr FRN (Jun27) BBSW+ 1.30%	BBB+	1,000,000.00	1,008,727.98	545187	1,087.98	22-Sep-25
13-Sep-24	13-Sep-27	1095	1,500,000.00	5.0475%	AusW Snr FRN (Sep27) BBSW+ 1.33%	Baa2	1,500,000.00	1,503,733.77	545466	3,733.77	15-Sep-25
14-Dec-22	14-Dec-27	1826	1,600,000.00	4.9638%	SUN Snr FRN (Dec27) BBSW+ 1.25%	AA-	1,600,000.00	1,623,983.87	543632	3,263.87	15-Sep-25
21-Mar-25	21-Mar-28	1096	2,500,000.00	4.8139%	BEY Snr FRN (Mar28) BBSW+ 1.15%	BBB+	2,500,000.00	2,501,037.75	545924	2,637.75	22-Sep-25
29-Aug-24	30-Apr-29	1705	3,000,000.00	5.1545%	BoQ Snr FRN (Apr29) BBSW+ 1.28%	A-	3,033,630.00	3,053,956.77	545417	26,266.77	30-Jul-25
19-Sep-24	19-Sep-29	1826	2,500,000.00	4.5436%	WBC Snr FRN (Sep29) BBSW+ 0.85%	AA-	2,500,000.00	2,509,919.47	545487	3,734.47	19-Sep-25
17-Mar-25	21-Jan-30	1771	3,000,000.00	5.2022%	NPBS Snr FRN (Jan30) BBSW+ 1.25%	BBB+	3,036,090.00	3,029,180.47	545923	29,930.47	21-Jul-25
21-May-25	21-May-30	1826	1,400,000.00	4.6625%	SUN Snr FRN (May30) BBSW+ 0.93%	AA-	1,400,000.00	1,410,580.26	546056	7,332.26	21-Aug-25
13-Jun-25	13-Jun-30	1826	2,100,000.00	4.6675%	ING Snr FRN (Jun30) BBSW+ 0.95%	A	2,100,000.00	2,105,274.74	546124	4,833.74	15-Sep-25
			48,000,000.00	4.8552%			48,131,460.00	48,416,294.48			256,698.58

### Fixed Rate Bonds

Purchase Date	Maturity Date	Term Days	Face Value (\$)	Current Rate (%)	Security Name	Credit Rating	Purchase Price (\$)	Current Value (\$)	Deal No.	Accrued Interest (\$)	Purchase Yield
11-Aug-22	11-Aug-25	1096	2,300,000.00	3.9000%	WBC Snr Bond (Aug25) 3.90%	AA-	2,291,375.00	2,334,249.95	543159	34,690.61	4.0340%
22-Aug-22	22-Aug-25	1096	1,600,000.00	4.4000%	SUN Snr Bond (Aug25) 4.40%	AA-	1,598,800.00	1,625,541.58	543181	24,974.30	4.4270%
14-Sep-23	14-Sep-26	1096	1,400,000.00	4.9460%	MAC Snr Bond (Sep26) 4.946%	A+	1,400,000.00	1,438,694.57	544493	20,398.91	4.9460%

Cumberland City Council  
Investment Holdings Report - June 2025



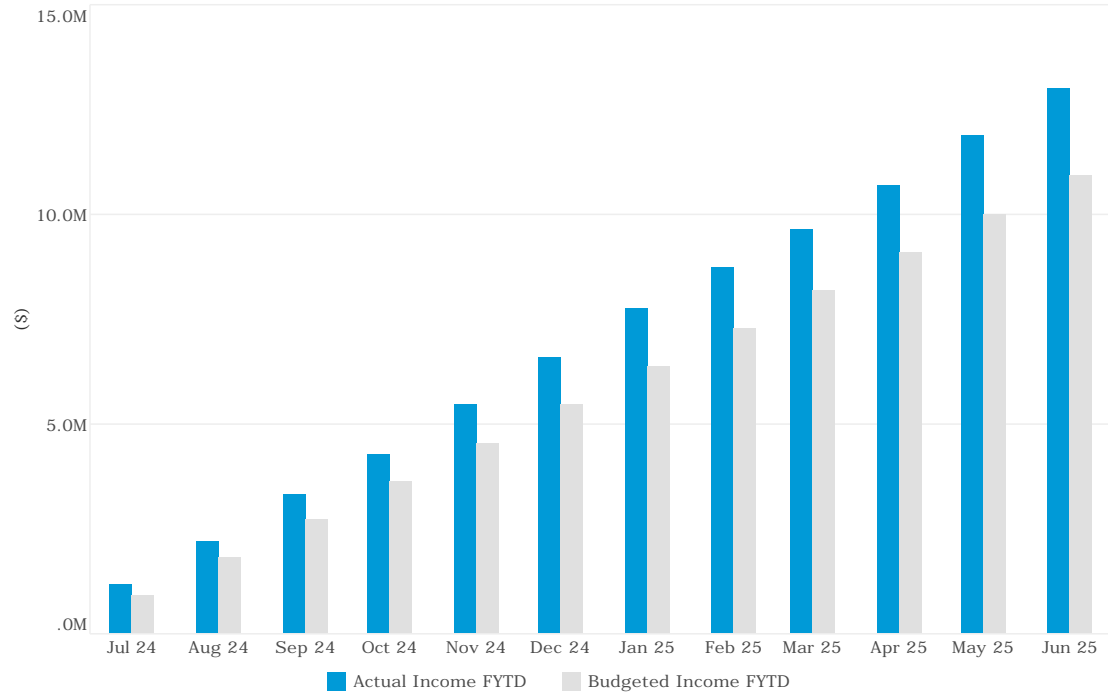
Purchase Date	Maturity Date	Term Days	Face Value (\$)	Current Rate (%)	Security Name	Credit Rating	Purchase Price (\$)	Current Value (\$)	Deal No.	Accrued Interest (\$)	Purchase Yield
29-May-25	15-Jun-28	1113	4,000,000.00	4.4000%	NT T-Corp Bond (Jun28) 4.40%	Aa3	4,000,000.00	4,007,252.75	546095	7,252.75	4.4000%
			9,300,000.00	4.3585%			9,290,175.00	9,405,738.85		87,316.57	4.3963%

## Cumberland City Council Investment Budget Report - June 2025

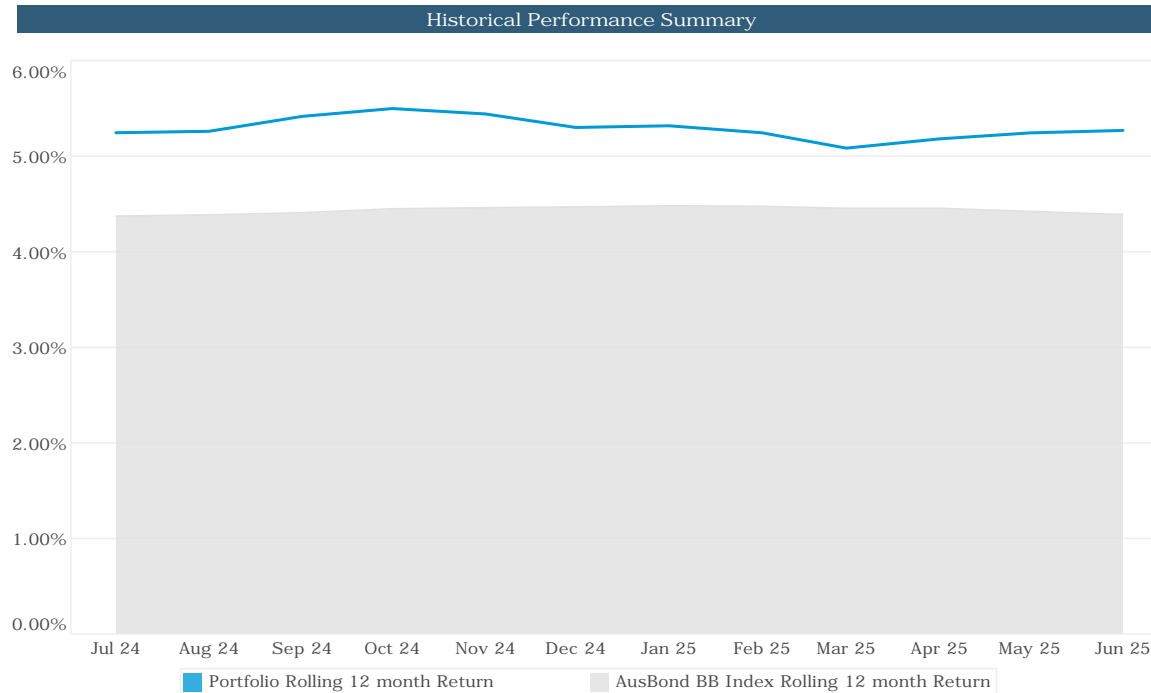


### Budgeted vs Actual Returns

	Monthly Income (\$)	YTD Actual (\$)	YTD Budgeted (\$)
July 2024	1,178,679	1,178,679	910,058
August 2024	1,015,916	2,194,595	1,820,117
September 2024	1,134,900	3,329,494	2,730,175
October 2024	959,557	4,289,051	3,640,233
November 2024	1,195,058	5,484,109	4,550,292
December 2024	1,105,965	6,590,074	5,460,350
January 2025	1,168,551	7,758,624	6,370,408
February 2025	971,273	8,729,897	7,280,467
March 2025	923,909	9,653,806	8,190,525
April 2025	1,042,044	10,695,850	9,100,583
May 2025	1,198,544	11,894,394	10,010,642
June 2025	1,114,916	13,009,311	10,920,700



## Cumberland City Council Investment Performance Report - June 2025



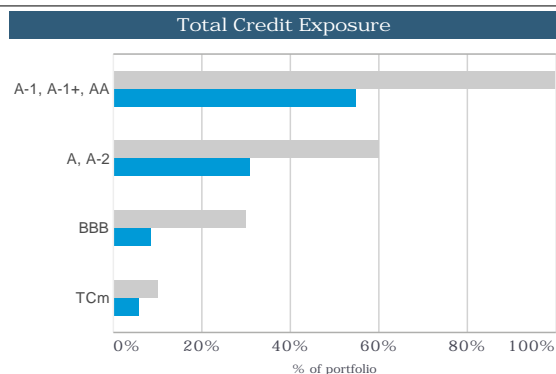
Historical Performance Summary (Annualised)					
	1 month	3 months	6 months	FYTD	12 months
Portfolio Return (1)	5.32%	5.41%	5.17%	5.27%	5.27%
Index Return (2)	3.94%	4.14%	4.28%	4.39%	4.39%
Outperformance (3)	1.38%	1.27%	0.89%	0.88%	0.88%

- (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

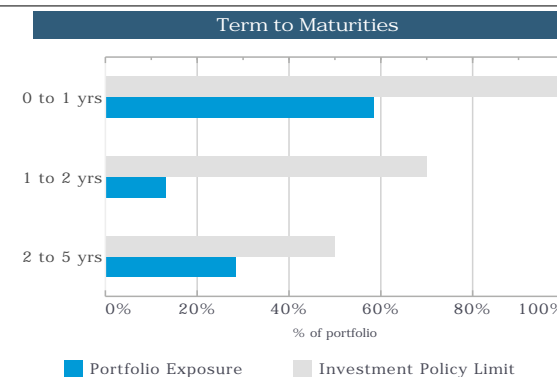
Historical Performance Summary (Actual)					
	1 month	3 months	6 months	FYTD	12 months
Portfolio Return (1)	0.43%	1.32%	2.53%	5.27%	5.27%
Index Return (2)	0.32%	1.02%	2.10%	4.39%	4.39%
Outperformance (3)	0.11%	0.30%	0.43%	0.88%	0.88%

- (1) Portfolio Return is the actual 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 - June 2025



Credit Rating Group		Face Value (\$)	Policy Max	
Long Term	AA	20,600,000		
Short Term	A-1	4,000,000		
Short Term	A-1+	111,191,328		
		135,791,328	55%	100% a
Long Term	A	61,500,000		
Short Term	A-2	15,250,000		
		76,750,000	31%	60% a
Long Term	BBB	21,050,000		
		21,050,000	8%	30% a
Short Term	TCm	14,348,913		
		14,348,913	6%	10% a
		247,940,241		



Policy Minimum	Face Value (\$)	Policy Min	
Between 0 and 0.25 years	72,540,241	29%	10% a
Between 0.25 and 1 years	72,250,000	29%	20% a

Policy Maximum	Face Value (\$)	Policy Max	
Between 0 and 1 years	144,790,241	58%	100% a
Between 1 and 2 years	32,550,000	13%	70% a
Between 2 and 5 years	70,600,000	28%	50% a
	247,940,241		

a = compliant  
r = non-compliant

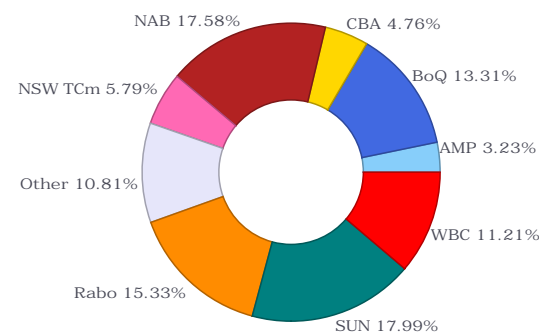
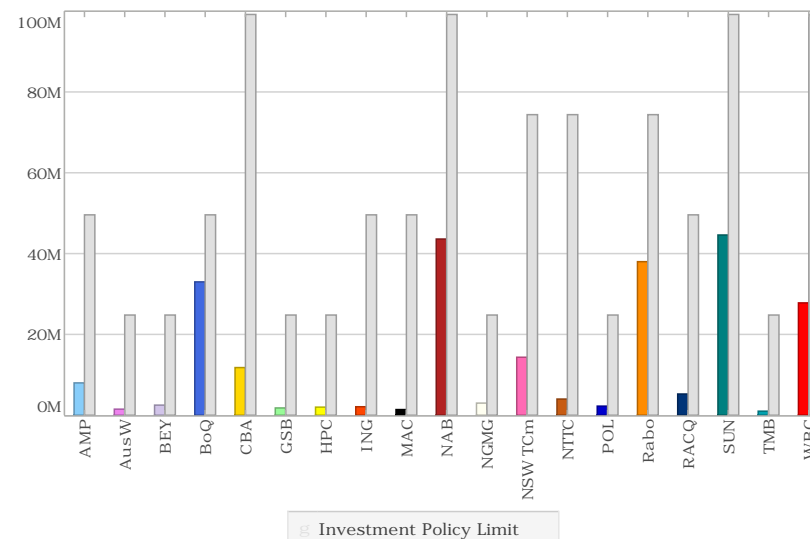
## Cumberland City Council Individual Institutional Exposures Report - June 2025



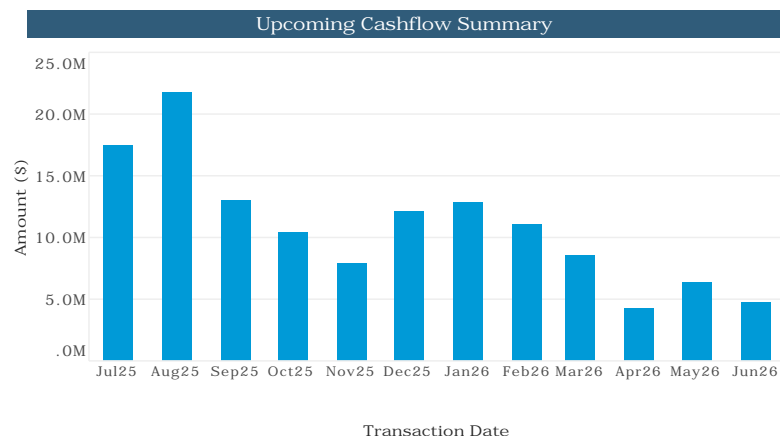
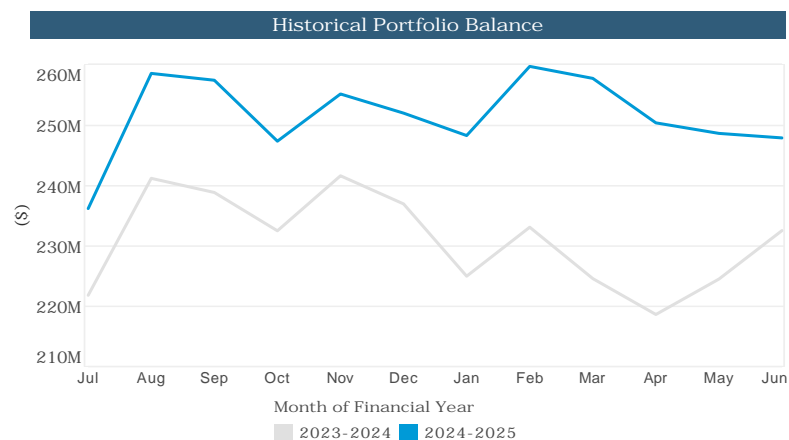
### Individual Institutional Exposures

Parent Group	Portfolio Exposure (\$)	% of portfolio
AMP Bank (BBB+, A-2)	8,000,000	3%
Auswide Bank (P-2, Baa2)	1,500,000	1%
Bank of Queensland (A-, A-2)	33,000,000	13%
Beyond Bank (A-2, BBB+)	2,500,000	1%
Commonwealth Bank of Australia (AA-, A-1+)	11,791,328	5%
Great Southern Bank (BBB+, A-2)	1,800,000	1%
Heritage and People's Choice (A-2, BBB+)	2,000,000	1%
ING Bank (Australia) (A-1, A)	2,100,000	1%
Macquarie Bank (A-1, A+)	1,400,000	1%
Members Banking Group (BBB+, A-2)	5,250,000	2%
National Australia Bank (AA-, A-1+)	43,600,000	18%
Newcastle Greater Mutual Group (BBB+, A-2)	3,000,000	1%
NSW T-Corp (MT) (TCm)	14,348,913	6%
NT T-Corp (Aa3)	4,000,000	2%
Police Bank Ltd (BBB+, A-2)	2,250,000	1%
Rabobank Australia (A-1, A)	38,000,000	15%
Suncorp Bank (AA-, A-1+)	44,600,000	18%
Teachers Mutual Bank (BBB+, A-2)	1,000,000	0%
Westpac Group (AA-, A-1+)	27,800,000	11%
	247,940,241	

### Individual Institutional Exposure Charts



## Cumberland City Council Investment Cashflows Report - June 2025



Historical Portfolio Balance		
	2023-2024	2024-2025
July	221,834,523	236,218,824
August	241,234,698	258,641,685
September	238,887,959	257,509,028
October	232,534,249	247,398,611
November	241,658,710	255,230,243
December	236,992,528	252,052,736
January	225,003,122	248,332,491
February	233,126,658	259,807,605
March	224,604,475	257,816,716
April	218,649,485	250,439,608
May	224,529,535	248,691,209
June	232,576,257	247,940,241

Average 12 month Portfolio Balance 251,673,250

Upcoming Cashflow Summary	
	Amount
July-25	17,475,736
August-25	21,778,557
September-25	12,999,134
October-25	10,420,676
November-25	7,904,280
December-25	12,139,276
January-26	12,864,631
February-26	11,021,264
March-26	8,562,653
April-26	4,285,821
May-26	6,325,797
June-26	4,774,386



DOCUMENTS  
ASSOCIATED WITH  
REPORT C07/25-148

Attachment 2  
Investment Commentary June  
2025



## Cumberland City Council Economic and Investment Portfolio Commentary June 2025

### Investment Portfolio Commentary

Council's investment portfolio returned 0.43% (actual) for the month on a marked-to-market basis versus the bank bill index benchmark's 0.32% (actual) return. For the 2024/25 FY, the investment portfolio returned 5.27% versus the benchmark's 4.39%.

The NSW TCorp Medium Term Growth Fund recorded another strong result during the month with a gain of 1.23% (actual). The return was reflective of the gains in the domestic and international share markets as fears of an escalating Iranian crises lessened, oil prices dropped, and optimism grew for trade deals and interest rate cuts.

During June, Council had maturities of \$13m across four term deposits with original terms of 10, 12 (x2), and 24 months which were yielding an average of 5.37%pa. Council invested \$12m between three new deposits with maturities between 9 and 12 months at an average rate of 4.26%pa, which is a good result particularly if the anticipated RBA rate cuts ensue.

For its long term portfolio, Council invested \$2.1m in a 5yr ING Snr FRN paying quarterly interest of 3m BBSW +0.95%, its first quarterly rate set is 4.67%pa.

Council's rolling 12 month return continues to exceed the benchmark's return as competitive rates on new term deposit and floating rate note quarterly rate resets have provided a solid base for the portfolio. Council's exposure to the TCorp Medium Term Growth Fund has also contributed good results over the past two years.

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:

- Globally, oil and financial markets were on edge last month following the US attacks on Iranian nuclear facilities, but concern eased after Iran's retaliation to the strikes was seen as symbolic and aimed at de-escalation.
- A subsequent ceasefire between Israel and Iran, albeit tenuous, has helped oil prices to fall below levels seen before their "12 day" war started, and shares have rebounded.
- In the US, latest economic data was weak with retail sales, industrial production and housing starts all falling last month. Housing starts are soft with a home builders' conditions index pointing to weakness ahead. A major manufacturing conditions survey and consumer confidence index also weakened with ongoing concern regarding tariff related price pressures.
- In China, latest economic activity data was mixed with stronger retail sales and lower unemployment but softer industrial production and investment. Property



sales were also weaker, and the pace of falling home prices accelerated again. Further government stimulus is expected.

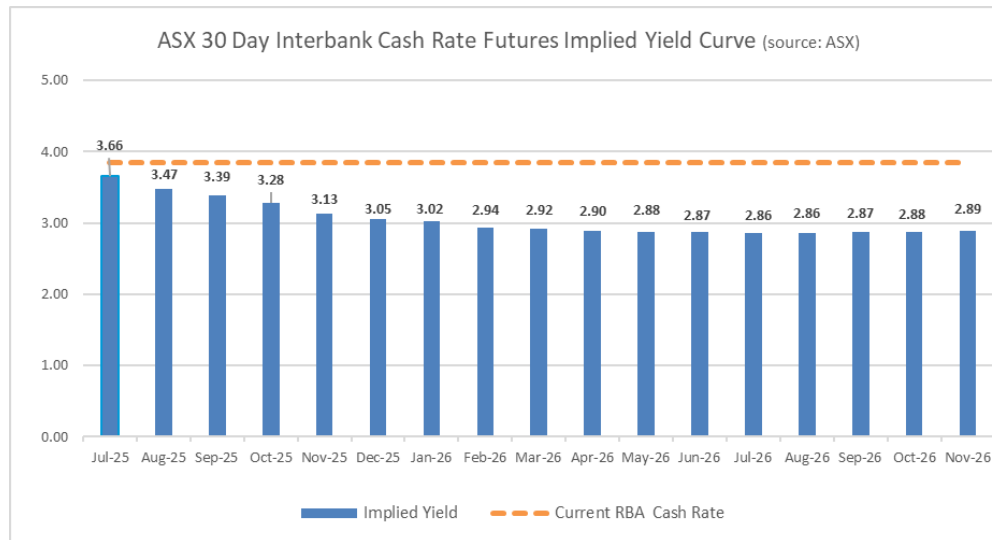
- Global shares ended the month mostly higher as Israeli/Iranian hostilities settled down and optimism grew for trade deals and interest rate cuts. US shares gained 5% with China (+3.4%) and Japan (+2%) following behind. European markets slipped backward by -1.4%. Australian shares recorded a monthly gain of 1.4%, led by the Energy sector (+9%), to end the 2024/25 FY up over 13%.

#### **Domestic issues:**

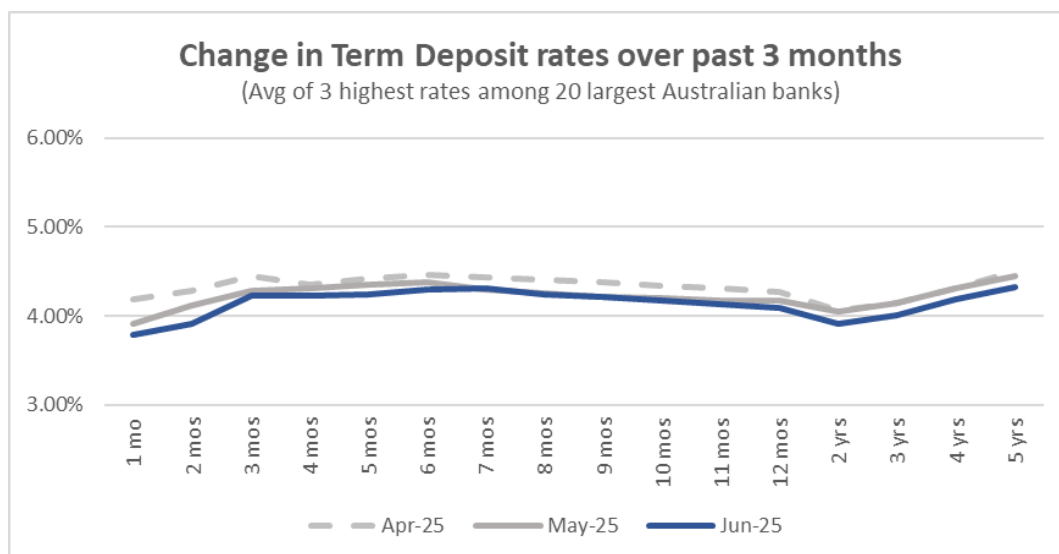
- March quarter GDP data was lower than expected, up only 0.2% for the first 3 months of 2025, which was half of the consensus forecasts of +0.4%, and only 1.3% for the year. The poor result was largely driven by ongoing impacts of high interest rates on the economy. Tariff related constraints have yet to be reflected in the data.
- Latest monthly Australian inflation data eased further than expected, with headline CPI at 2.1%, down from 2.4% last month, and trimmed mean falling to 2.4% from 2.8%, the lowest rate since November 2021.
- Approximately 50% of the individual CPI items recorded inflation below 2% indicating a broad based nature of the fall in Australian inflation and data shows that domestic inflation is in line with or below that in other comparable countries.
- Jobs data remained strong. Employment fell by 2500 but full-time jobs grew by 38,700 and hours worked rose. Unemployment remained unchanged at 4.1%.
- Despite the latest employment data, various leading jobs growth indicators are pointing to slower jobs growth ahead. With inflation cooling, the weak GDP data results, and downside risks related to the impact of US tariffs, many economists are expecting another 3-4 rate cuts of 25bps before the end of the cycle.

#### **Interest rates**

- The official cash rate remains 3.85%pa. There was no RBA Monetary Policy meeting in June and the next meeting is July 7-8.
- The market is currently pricing in 75 basis points worth of interest rate cuts by the end of 2025 and another 25 basis point cut by mid-2026:



- Term deposit rates across the 1 month to 5 year range fell during the month with the biggest drop in the 1-5 month areas given expectations of another rate cut by the RBA coming soon. Rates in the 1 to 5 year range also slipped lower as the market readjusts its long term outlook for global interest rates:



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

Item No: C07/25-149

**ADOPTION OF CODE OF CONDUCT AND DELEGATIONS OF AUTHORITY TO THE GENERAL MANAGER**

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

**SUMMARY**

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This report recommends delegations of authority to the General Manager for this Council term, and seeks Council's determination as required under section 380 of the *Local Government Act 1993*. This report also recommends that Council re-adopt its Code of Conduct and Procedures for the Administration of the Code of Conduct, in line with the Office of Local Government's model templates to adhere to the requirements of Section 440(7) of the *Local Government Act 1993*.

**RECOMMENDATION**

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**That Council:**

- 1. Revoke the previous '*Delegations of Authority to the General Manager - Instrument of Delegation*'.**
- 2. Adopt the '*Delegations of Authority to the General Manager - Instrument of Delegation*' (Attachment 1).**
- 3. Adopt the *Code of Conduct and Procedures for the Administration of the Code of Conduct* as per Attachment 2 and Attachment 3 to this report.**

**REPORT**

---

Section 380 of the *Local Government Act 1993* requires the Council to review all of its delegations, including those to the General Manager, during the first 12 months of each term of its office.

A review of the previous delegations issued to the General Manager has been completed, and it is now appropriate for Council to determine the attached draft Instrument of Delegations.

The Instrument of Delegations remains in the format as previously resolved by Council and is unchanged in content. The document is drafted to delegate to the General Manager all of the functions, powers, duties and authorities of the Council that it may lawfully delegate under the *Local Government Act 1993*, any other Act, regulation, instrument, rule or the like, other than those functions prescribed in Section 377(1) of the *Local Government Act 1993* as functions which cannot be delegated. The general delegation referred to above is subject to the restrictions set out in schedule 1 of the Instrument.

Section 440(7) of the *Local Government Act 1993* states that: ‘A council must, within 12 months after each ordinary election, review its adopted code and make such adjustments as it considers appropriate and as are consistent with this section’.

The Office of Local Government in September 2024 released a discussion paper on the Draft Councillor Misconduct Framework, to which Cumberland City Council made a submission. On previous advice received, the General Manager had delayed reporting the Code of Conduct for determination, as the release of a new *Model Code of Conduct* and *Model Code of Meeting Practice* was due for release in early 2025.

Council has recently received advice to the effect that the release of the new Model Codes is now expected in late 2025, and Councils should adopt their existing Code of Conduct to adhere to the requirements of section 440(7) of the Act. On this basis, it is recommended that Council adopt the attached *Code of Conduct* and *Procedures for the Administration of the Code of Conduct*, which are both unchanged based on last term’s documents and align with the Model OLG documents.

Upon release of a new *Code of Conduct*, this will be workshopped with Councillors and be reported to Council seeking public exhibition and adoption within the prescribed timeframe.

## COMMUNITY ENGAGEMENT

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

## POLICY IMPLICATIONS

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

## RISK IMPLICATIONS

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Adoption of this report will ensure Council is meeting key post-election statutory obligations under the *Local Government Act 1993*.

## FINANCIAL IMPLICATIONS

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

## CONCLUSION

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The *General Manager’s Delegations of Authority*, *Code of Conduct* and *Procedures for the Administration of the Code of Conduct* are now provided to Council for determination.

## ATTACHMENTS

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1. Delegations of Authority to the General Manager [↗](#)
2. Draft Code of Conduct [↗](#)
3. Draft Procedures for the Administration of the Model Code of Conduct [↗](#)

DOCUMENTS  
ASSOCIATED WITH  
REPORT C07/25-149

Attachment 1  
Delegations of Authority to the  
General Manager

## **Delegations of Authority to the General Manager**

### **(Instrument of Delegation)**

Pursuant to Section 377 of the Local Government Act 1993 and a resolution of the Council at its meeting held on **30 July 2025 (Min. XXX)** Cumberland Council:

1. Revokes all prior delegations granted to the General Manager; and
2. Delegates to the General Manager, or to the person who acts in that position, all of the functions, powers, duties and authorities of the Council that it may lawfully delegate under the *Local Government Act 1993*, any other Act, regulation, instrument, rule or the like (including any functions, powers, duties and authorities delegated to the Council by any authority, body, person or the like):
  - a) other than those functions prescribed in section 377 of the *Local Government Act 1993* as functions which may not be delegated; and
 subject to:
  - i. the Restrictions set out in Column 2 in respect of those functions listed in Column 1 of the schedule below, and
  - ii. compliance with any applicable resolution of the Council.
3. Fixes the amount, pursuant to section 213(2) of the *Local Government (General) Regulation 2021*, above which debts to the Council may be written off only by resolution of the Council to be \$50,000.

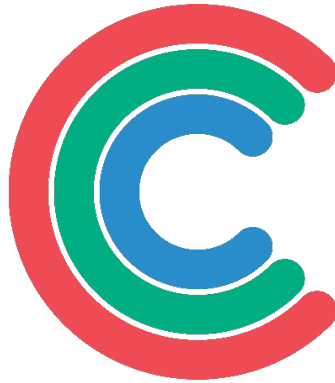
#### **Schedule 1**

<b>Column 1 Delegation</b>	<b>Column 2 Restriction/s</b>
Accept a tender	<ul style="list-style-type: none"> <li>• The value of the tender does not exceed \$500,000 (including GST).</li> <li>• The tender does not involve provision of a service that is currently provided by members of the staff of the Council.</li> </ul>



DOCUMENTS  
ASSOCIATED WITH  
REPORT C07/25-149

Attachment 2  
Draft Code of Conduct

CUMBERLAND  
CITY COUNCIL

# Code of Conduct

## AUTHORISATION & VERSION CONTROL

<b>Policy Number</b>	POL-001
<b>Policy Owner</b>	Director Governance & Risk
<b>Date Adopted</b>	30 July 2025
<b>Version No</b>	4.0
<b>Document ID</b>	3232264
<b>Review Date</b>	30 July 2029

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## PART 1 INTRODUCTION

This *Model Code of Conduct for Local Councils in NSW* (“the Model Code of Conduct”) is made under section 440 of the *Local Government Act 1993* (“LGA”) and the *Local Government (General) Regulation 2005* (“the Regulation”).

The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence (section 439)
- act in a way that enhances public confidence in local government.

Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct. A council’s or joint organisation’s adopted code of conduct may also include provisions that supplement the Model Code of Conduct and that extend its application to persons that are not “council officials” for the purposes of the Model Code of Conduct (e.g. volunteers, contractors and members of wholly advisory committees).

A council’s or joint organisation’s adopted code of conduct has no effect to the extent that it is inconsistent with the Model Code of Conduct. However, a council’s or joint organisation’s adopted code of conduct may prescribe requirements that are more onerous than those prescribed in the Model Code of Conduct.

Councillors, administrators, members of staff of councils, delegates of councils, (including members of council committees that are delegates of a council) and any other person a council’s adopted code of conduct applies to, must comply with the applicable provisions of their council’s code of conduct. It is the personal responsibility of council officials to comply with the standards in the code and to regularly review their personal circumstances and conduct with this in mind.

Failure by a councillor to comply with the standards of conduct prescribed under this code constitutes misconduct for the purposes of the LGA. The LGA provides for a range of penalties that may be imposed on councillors for misconduct, including suspension or disqualification from civic office. A councillor who has been suspended on three or more occasions for misconduct is automatically disqualified from holding civic office for five years.

Failure by a member of staff to comply with a council’s code of conduct may give rise to disciplinary action.

**Note:** References in the Model Code of Conduct to councils are also to be taken as references to county councils and joint organisations.

**Note:** In adopting the Model Code of Conduct, joint organisations should adapt it to substitute the terms “board” for “council”, “chairperson” for “mayor”, “voting representative” for “councillor” and “executive officer” for “general manager”.

**Note:** In adopting the Model Code of Conduct, county councils should adapt it to substitute the term “chairperson” for “mayor” and “member” for “councillor”.

## PART 2 DEFINITIONS

In this code the following terms have the following meanings:

administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
committee	see the definition of “council committee”
complaint	a code of conduct complaint made for the purposes of clauses 4.1 and 4.2 of the Procedures.
conduct	includes acts and omissions
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council’s audit, risk and improvement committee
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council’s audit, risk and improvement committee
council official	includes councillors, members of staff of a council, administrators, council committee members, delegates of

	council and, for the purposes of clause 4.16, council advisers
councillor	any person elected or appointed to civic office, including the mayor and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
designated person	a person referred to in clause 4.8
election campaign	includes council, state and federal election campaigns
environmental planning instrument	has the same meaning as it has in the <i>Environmental Planning and Assessment Act 1979</i>
general manager	includes the executive officer of a joint organisation
joint organisation	a joint organisation established under section 400O of the LGA
LGA	<i>Local Government Act 1993</i>
local planning panel	a local planning panel constituted under the <i>Environmental Planning and Assessment Act 1979</i>
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisations
the Office	Office of Local Government
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose

	identity is apparent or can reasonably be ascertained from the information or opinion
the Procedures	the <i>Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW</i> prescribed under the Regulation
the Regulation	the <i>Local Government (General) Regulation 2005</i>
voting representative	a voting representative of the board of a joint organisation
wholly advisory committee	a council committee that the council has not delegated any functions to

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## PART 3 GENERAL CONDUCT OBLIGATIONS

### General conduct

- 3.1 You must not conduct yourself in a manner that:
- a) is likely to bring the council or other council officials into disrepute
  - b) is contrary to statutory requirements or the council's administrative requirements or policies
  - c) is improper or unethical
  - d) is an abuse of power
  - e) causes, comprises or involves intimidation or verbal abuse
  - f) involves the misuse of your position to obtain a private benefit
  - g) constitutes harassment or bullying behaviour under this code, or is unlawfully discriminatory.
- 3.2 You must act lawfully and honestly, and exercise a reasonable degree of care and diligence in carrying out your functions under the LGA or any other Act. (*section 439*).

### Fairness and equity

- 3.3 You must consider issues consistently, promptly and fairly. You must deal with matters in accordance with established procedures, in a non-discriminatory manner.
- 3.4 You must take all relevant facts known to you, or that you should be reasonably aware of, into consideration and have regard to the particular merits of each case. You must not take irrelevant matters or circumstances into consideration when making decisions.
- 3.5 An act or omission in good faith, whether or not it involves error, will not constitute a breach of clauses 3.3 or 3.4.

### Harassment and discrimination

- 3.6 You must not harass or unlawfully discriminate against others, or support others who harass or unlawfully discriminate against others, on the grounds of age, disability, race (including colour, national or ethnic origin or immigrant status), sex, pregnancy, marital or relationship status, family responsibilities or breastfeeding, sexual orientation, gender identity or intersex status or political, religious or other affiliation.
- 3.7 For the purposes of this code, "harassment" is any form of behaviour towards a person that:
- a) is not wanted by the person



- b) offends, humiliates or intimidates the person, and
- c) creates a hostile environment.

### Bullying

3.8 You must not engage in bullying behaviour towards others.

- 3.9 For the purposes of this code, “bullying behaviour” is any behaviour in which:
- a) a person or a group of people repeatedly behaves unreasonably towards another person or a group of persons, and
  - b) the behaviour creates a risk to health and safety.

3.10 Bullying behaviour may involve, but is not limited to, any of the following types of behaviour:

- a) aggressive, threatening or intimidating conduct
- b) belittling or humiliating comments
- c) spreading malicious rumours
- d) teasing, practical jokes or ‘initiation ceremonies’
- e) exclusion from work-related events
- f) unreasonable work expectations, including too much or too little work, or work below or beyond a worker’s skill level
- g) displaying offensive material
- h) pressure to behave in an inappropriate manner.

3.11 Reasonable management action carried out in a reasonable manner does not constitute bullying behaviour for the purposes of this code. Examples of reasonable management action may include, but are not limited to:

- a) performance management processes
- b) disciplinary action for misconduct
- c) informing a worker about unsatisfactory work performance or inappropriate work behaviour
- d) directing a worker to perform duties in keeping with their job
- e) maintaining reasonable workplace goals and standards
- f) legitimately exercising a regulatory function
- g) legitimately implementing a council policy or administrative processes.

### Work health and safety

3.12 All council officials, including councillors, owe statutory duties under the *Work Health and Safety Act 2011* (WHS Act). You must comply with your duties under the WHS Act and your responsibilities under any policies or procedures adopted by the council to ensure workplace health and safety. Specifically, you must:

- a) take reasonable care for your own health and safety

- b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
- c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WHS Act and any policies or procedures adopted by the council to ensure workplace health and safety
- d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
- e) report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations
- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WHS Act in relation to the same matter.

#### Land use planning, development assessment and other regulatory functions

- 3.13 You must ensure that land use planning, development assessment and other regulatory decisions are properly made, and that all parties are dealt with fairly. You must avoid any occasion for suspicion of improper conduct in the exercise of land use planning, development assessment and other regulatory functions.
- 3.14 In exercising land use planning, development assessment and other regulatory functions, you must ensure that no action, statement or communication between yourself and others conveys any suggestion of willingness to improperly provide concessions or preferential or unduly unfavourable treatment.

#### Binding caucus votes

- 3.15 You must not participate in binding caucus votes in relation to matters to be considered at a council or committee meeting.
- 3.16 For the purposes of clause 3.15, a binding caucus vote is a process whereby a group of councillors are compelled by a threat of disciplinary or other adverse action to comply with a predetermined position on a matter before the council or committee, irrespective of the personal views of individual members of the group on the merits of the matter before the council or committee.
- 3.17 Clause 3.15 does not prohibit councillors from discussing a matter before the council or committee prior to considering the matter in question at a council or committee meeting, or from voluntarily holding a shared view with other councillors on the merits of a matter.

- 3.18 Clause 3.15 does not apply to a decision to elect the mayor or deputy mayor, or to nominate a person to be a member of a council committee or a representative of the council on an external body.

Obligations in relation to meetings

- 3.19 You must comply with rulings by the chair at council and committee meetings or other proceedings of the council unless a motion dissenting from the ruling is passed.
- 3.20 You must not engage in bullying behaviour (as defined under this Part) towards the chair, other council officials or any members of the public present during council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions).
- 3.21 You must not engage in conduct that disrupts council or committee meetings or other proceedings of the council (such as, but not limited to, workshops and briefing sessions), or that would otherwise be inconsistent with the orderly conduct of meetings.
- 3.22 If you are a councillor, you must not engage in any acts of disorder or other conduct that is intended to prevent the proper or effective functioning of the council, or of a committee of the council. Without limiting this clause, you must not:
- a) leave a meeting of the council or a committee for the purposes of depriving the meeting of a quorum, or
  - b) submit a rescission motion with respect to a decision for the purposes of voting against it to prevent another councillor from submitting a rescission motion with respect to the same decision, or
  - c) deliberately seek to impede the consideration of business at a meeting.

## PART 4 PECUNIARY INTERESTS

### What is a pecuniary interest?

- 4.1 A pecuniary interest is an interest that you have in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to you or a person referred to in clause 4.3.
- 4.2 You will not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision you might make in relation to the matter, or if the interest is of a kind specified in clause 4.6.
- 4.3 For the purposes of this Part, you will have a pecuniary interest in a matter if the pecuniary interest is:
- (a) your interest, or
  - (b) the interest of your spouse or de facto partner, your relative, or your partner or employer, or
  - (c) a company or other body of which you, or your nominee, partner or employer, is a shareholder or member.
- 4.4 For the purposes of clause 4.3:
- (a) Your “relative” is any of the following:
    - i) your parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - ii) your spouse’s or de facto partner’s parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
    - iii) the spouse or de facto partner of a person referred to in paragraphs (i) and (ii).
  - (b) “de facto partner” has the same meaning as defined in section 21C of the *Interpretation Act 1987*.
- 4.5 You will not have a pecuniary interest in relation to a person referred to in subclauses 4.3(b) or (c):
- (a) if you are unaware of the relevant pecuniary interest of your spouse, de facto partner, relative, partner, employer or company or other body, or
  - (b) just because the person is a member of, or is employed by, a council or a statutory body, or is employed by the Crown, or
  - (c) just because the person is a member of, or a delegate of a council to, a company or other body that has a pecuniary interest in the

matter, so long as the person has no beneficial interest in any shares of the company or body.

What interests do not have to be disclosed?

4.6 You do not have to disclose the following interests for the purposes of this Part:

- (a) your interest as an elector
- (b) your interest as a ratepayer or person liable to pay a charge
- (c) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to the public generally, or to a section of the public that includes persons who are not subject to this code
- (d) an interest you have in any matter relating to the terms on which the provision of a service or the supply of goods or commodities is offered to your relative by the council in the same manner and subject to the same conditions as apply to persons who are not subject to this code
- (e) an interest you have as a member of a club or other organisation or association, unless the interest is as the holder of an office in the club or organisation (whether remunerated or not)
- (f) if you are a council committee member, an interest you have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if you have been appointed to represent the organisation or group on the council committee
- (g) an interest you have relating to a contract, proposed contract or other matter, if the interest arises only because of a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company
- (h) an interest you have arising from the proposed making by the council of an agreement between the council and a corporation, association or partnership, being a corporation, association or partnership that has more than 25 members, if the interest arises because your relative is a shareholder (but not a director) of the corporation, or is a member (but not a member of the committee) of the association, or is a partner of the partnership
- (i) an interest you have arising from the making by the council of a contract or agreement with your relative for, or in relation to, any of the following, but only if the proposed contract or agreement is similar in terms and conditions to such contracts and agreements as have been made, or as are proposed to be made, by the council in respect of similar matters with other residents of the area:

- i) the performance by the council at the expense of your relative of any work or service in connection with roads or sanitation
  - ii) security for damage to footpaths or roads
  - iii) any other service to be rendered, or act to be done, by the council by or under any Act conferring functions on the council, or by or under any contract
- (j) an interest relating to the payment of fees to councillors (including the mayor and deputy mayor)
- (k) an interest relating to the payment of expenses and the provision of facilities to councillors (including the mayor and deputy mayor) in accordance with a policy under section 252 of the LGA,
- (l) an interest relating to an election to the office of mayor arising from the fact that a fee for the following 12 months has been determined for the office of mayor
- (m) an interest of a person arising from the passing for payment of a regular account for the wages or salary of an employee who is a relative of the person
- (n) an interest arising from being covered by, or a proposal to be covered by, indemnity insurance as a councillor or a council committee member
- (o) an interest arising from the appointment of a councillor to a body as a representative or delegate of the council, whether or not a fee or other recompense is payable to the representative or delegate.

4.7 For the purposes of clause 4.6, “relative” has the same meaning as in clause 4.4, but includes your spouse or de facto partner.

What disclosures must be made by a designated person?

4.8 Designated persons include:

- (a) the general manager
- (b) other senior staff of the council for the purposes of section 332 of the LGA
- (c) a person (other than a member of the senior staff of the council) who is a member of staff of the council or a delegate of the council and who holds a position identified by the council as the position of a designated person because it involves the exercise of functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the person’s duty as a member of staff or delegate and the person’s private interest
- (d) a person (other than a member of the senior staff of the council) who is a member of a committee of the council identified by the council as a committee whose members are designated persons because the

functions of the committee involve the exercise of the council's functions (such as regulatory functions or contractual functions) that, in their exercise, could give rise to a conflict between the member's duty as a member of the committee and the member's private interest.

4.9 A designated person:

- (a) must prepare and submit written returns of interests in accordance with clauses 4.21, and
- (b) must disclose pecuniary interests in accordance with clause 4.10.

4.10 A designated person must disclose in writing to the general manager (or if the person is the general manager, to the council) the nature of any pecuniary interest the person has in any council matter with which the person is dealing as soon as practicable after becoming aware of the interest.

4.11 Clause 4.10 does not require a designated person who is a member of staff of the council to disclose a pecuniary interest if the interest relates only to the person's salary as a member of staff, or to their other conditions of employment.

4.12 The general manager must, on receiving a disclosure from a designated person, deal with the matter to which the disclosure relates or refer it to another person to deal with.

4.13 A disclosure by the general manager must, as soon as practicable after the disclosure is made, be laid on the table at a meeting of the council and the council must deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council staff other than designated persons?

4.14 A member of staff of council, other than a designated person, must disclose in writing to their manager or the general manager the nature of any pecuniary interest they have in a matter they are dealing with as soon as practicable after becoming aware of the interest.

4.15 The staff member's manager or the general manager must, on receiving a disclosure under clause 4.14, deal with the matter to which the disclosure relates or refer it to another person to deal with.

What disclosures must be made by council advisers?

4.16 A person who, at the request or with the consent of the council or a council committee, gives advice on any matter at any meeting of the council or



committee, must disclose the nature of any pecuniary interest the person has in the matter to the meeting at the time the advice is given. The person is not required to disclose the person's interest as an adviser.

- 4.17 A person does not breach clause 4.16 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.

What disclosures must be made by a council committee member?

- 4.18 A council committee member must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29.

- 4.19 For the purposes of clause 4.18, a "council committee member" includes a member of staff of council who is a member of the committee.

What disclosures must be made by a councillor?

- 4.20 A councillor:
- (a) must prepare and submit written returns of interests in accordance with clause 4.21, and
  - (b) must disclose pecuniary interests in accordance with clause 4.28 and comply with clause 4.29 where it is applicable.

Disclosure of interests in written returns

- 4.21 A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 to this code, disclosing the councillor's or designated person's interests as specified in schedule 1 to this code within 3 months after:
- (a) becoming a councillor or designated person, and
  - (b) 30 June of each year, and
  - (c) the councillor or designated person becoming aware of an interest they are required to disclose under schedule 1 that has not been previously disclosed in a return lodged under paragraphs (a) or (b).
- 4.22 A person need not make and lodge a return under clause 4.21, paragraphs (a) and (b) if:
- (a) they made and lodged a return under that clause in the preceding 3 months, or
  - (b) they have ceased to be a councillor or designated person in the preceding 3 months.



- 4.23 A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular.
- 4.24 The general manager must keep a register of returns required to be made and lodged with the general manager.
- 4.25 Returns required to be lodged with the general manager under clause 4.21(a) and (b) must be tabled at the first meeting of the council after the last day the return is required to be lodged.
- 4.26 Returns required to be lodged with the general manager under clause 4.21(c) must be tabled at the next council meeting after the return is lodged.
- 4.27 Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

#### Disclosure of pecuniary interests at meetings

- 4.28 A councillor or a council committee member who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council or committee at which the matter is being considered, must disclose the nature of the interest to the meeting as soon as practicable.
- 4.29 The councillor or council committee member must not be present at, or in sight of, the meeting of the council or committee:
  - (a) at any time during which the matter is being considered or discussed by the council or committee, or
  - (b) at any time during which the council or committee is voting on any question in relation to the matter.
- 4.30 In the case of a meeting of a board of a joint organisation, a voting representative is taken to be present at the meeting for the purposes of clauses 4.28 and 4.29 where they participate in the meeting by telephone or other electronic means.
- 4.31 A disclosure made at a meeting of a council or council committee must be recorded in the minutes of the meeting.
- 4.32 A general notice may be given to the general manager in writing by a councillor or a council committee member to the effect that the councillor or council

committee member, or the councillor's or council committee member's spouse, de facto partner or relative, is:

- (a) a member of, or in the employment of, a specified company or other body, or
- (b) a partner of, or in the employment of, a specified person.

Such a notice is, unless and until the notice is withdrawn or until the end of the term of the council in which it is given (whichever is the sooner), sufficient disclosure of the councillor's or council committee member's interest in a matter relating to the specified company, body or person that may be the subject of consideration by the council or council committee after the date of the notice.

- 4.33 A councillor or a council committee member is not prevented from being present at and taking part in a meeting at which a matter is being considered, or from voting on the matter, merely because the councillor or council committee member has an interest in the matter of a kind referred to in clause 4.6.
- 4.34 A person does not breach clauses 4.28 or 4.29 if the person did not know, and could not reasonably be expected to have known, that the matter under consideration at the meeting was a matter in which they had a pecuniary interest.
- 4.35 Despite clause 4.29, a councillor who has a pecuniary interest in a matter may participate in a decision to delegate consideration of the matter in question to another body or person.
- 4.36 Clause 4.29 does not apply to a councillor who has a pecuniary interest in a matter that is being considered at a meeting if:
  - (a) the matter is a proposal relating to:
    - (i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council's area, or
    - (ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council's area, and
  - (b) the pecuniary interest arises only because of an interest of the councillor in the councillor's principal place of residence or an interest of another person (whose interests are relevant under clause 4.3) in that person's principal place of residence, and
  - (c) the councillor made a special disclosure under clause 4.37 in relation to the interest before the commencement of the meeting.

- 4.37 A special disclosure of a pecuniary interest made for the purposes of clause 4.36(c) must:
- (a) be in the form set out in schedule 3 of this code and contain the information required by that form, and
  - (b) be laid on the table at a meeting of the council as soon as practicable after the disclosure is made, and the information contained in the special disclosure is to be recorded in the minutes of the meeting.
- 4.38 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who has a pecuniary interest in a matter with which the council is concerned to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:
- (a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
  - (b) that it is in the interests of the electors for the area to do so.
- 4.39 A councillor or a council committee member with a pecuniary interest in a matter who is permitted to be present at a meeting of the council or committee, to take part in the consideration or discussion of the matter and to vote on the matter under clause 4.38, must still disclose the interest they have in the matter in accordance with clause 4.28.

## **PART 5      NON-PECUNIARY CONFLICTS OF INTEREST**

### What is a non-pecuniary conflict of interest?

- 5.1 Non-pecuniary interests are private or personal interests a council official has that do not amount to a pecuniary interest as defined in clause 4.1 of this code. These commonly arise out of family or personal relationships, or out of involvement in sporting, social, religious or other cultural groups and associations, and may include an interest of a financial nature.
- 5.2 A non-pecuniary conflict of interest exists where a reasonable and informed person would perceive that you could be influenced by a private interest when carrying out your official functions in relation to a matter.
- 5.3 The personal or political views of a council official do not constitute a private interest for the purposes of clause 5.2.
- 5.4 Non-pecuniary conflicts of interest must be identified and appropriately managed to uphold community confidence in the probity of council decision-making. The onus is on you to identify any non-pecuniary conflict of interest you may have in matters that you deal with, to disclose the interest fully and in writing, and to take appropriate action to manage the conflict in accordance with this code.
- 5.5 When considering whether or not you have a non-pecuniary conflict of interest in a matter you are dealing with, it is always important to think about how others would view your situation.

### Managing non-pecuniary conflicts of interest

- 5.6 Where you have a non-pecuniary conflict of interest in a matter for the purposes of clause 5.2, you must disclose the relevant private interest you have in relation to the matter fully and in writing as soon as practicable after becoming aware of the non-pecuniary conflict of interest and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter. In the case of members of council staff other than the general manager, such a disclosure is to be made to the staff member's manager. In the case of the general manager, such a disclosure is to be made to the mayor.
- 5.7 If a disclosure is made at a council or committee meeting, both the disclosure and the nature of the interest must be recorded in the minutes on each occasion on which the non-pecuniary conflict of interest arises. This disclosure constitutes disclosure in writing for the purposes of clause 5.6.

- 5.8 How you manage a non-pecuniary conflict of interest will depend on whether or not it is significant.
- 5.9 As a general rule, a non-pecuniary conflict of interest will be significant where it does not involve a pecuniary interest for the purposes of clause 4.1, but it involves:
- a) a relationship between a council official and another person who is affected by a decision or a matter under consideration that is particularly close, such as a current or former spouse or de facto partner, a relative for the purposes of clause 4.4 or another person from the council official's extended family that the council official has a close personal relationship with, or another person living in the same household
  - b) other relationships with persons who are affected by a decision or a matter under consideration that are particularly close, such as friendships and business relationships. Closeness is defined by the nature of the friendship or business relationship, the frequency of contact and the duration of the friendship or relationship.
  - c) an affiliation between the council official and an organisation (such as a sporting body, club, religious, cultural or charitable organisation, corporation or association) that is affected by a decision or a matter under consideration that is particularly strong. The strength of a council official's affiliation with an organisation is to be determined by the extent to which they actively participate in the management, administration or other activities of the organisation.
  - d) membership, as the council's representative, of the board or management committee of an organisation that is affected by a decision or a matter under consideration, in circumstances where the interests of the council and the organisation are potentially in conflict in relation to the particular matter
  - e) a financial interest (other than an interest of a type referred to in clause 4.6) that is not a pecuniary interest for the purposes of clause 4.1
  - f) the conferral or loss of a personal benefit other than one conferred or lost as a member of the community or a broader class of people affected by a decision.
- 5.10 Significant non-pecuniary conflicts of interest must be managed in one of two ways:
- a) by not participating in consideration of, or decision making in relation to, the matter in which you have the significant non-pecuniary conflict of interest and the matter being allocated to another person for consideration or determination, or

- b) if the significant non-pecuniary conflict of interest arises in relation to a matter under consideration at a council or committee meeting, by managing the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29.

- 5.11 If you determine that you have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest you must also explain in writing why you consider that the non-pecuniary conflict of interest is not significant and does not require further action in the circumstances.
- 5.12 If you are a member of staff of council other than the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of your manager. In the case of the general manager, the decision on which option should be taken to manage a non-pecuniary conflict of interest must be made in consultation with and at the direction of the mayor.
- 5.13 Despite clause 5.10(b), a councillor who has a significant non-pecuniary conflict of interest in a matter, may participate in a decision to delegate consideration of the matter in question to another body or person.
- 5.14 Council committee members are not required to declare and manage a non-pecuniary conflict of interest in accordance with the requirements of this Part where it arises from an interest they have as a person chosen to represent the community, or as a member of a non-profit organisation or other community or special interest group, if they have been appointed to represent the organisation or group on the council committee.

#### Political donations

- 5.15 Councillors should be aware that matters before council or committee meetings involving their political donors may also give rise to a non-pecuniary conflict of interest.
- 5.16 Where you are a councillor and have received or knowingly benefitted from a reportable political donation:
- a) made by a major political donor in the previous four years, and
  - b) the major political donor has a matter before council,
- you must declare a non-pecuniary conflict of interest in the matter, disclose the nature of the interest, and manage the conflict of interest as if you had a pecuniary interest in the matter by complying with clauses 4.28 and 4.29. A

disclosure made under this clause must be recorded in the minutes of the meeting.

5.17 For the purposes of this Part:

- a) a “reportable political donation” has the same meaning as it has in section 6 of the *Electoral Funding Act 2018*
- b) “major political donor” has the same meaning as it has in the *Electoral Funding Act 2018*.

5.18 Councillors should note that political donations that are not a “reportable political donation”, or political donations to a registered political party or group by which a councillor is endorsed, may still give rise to a non-pecuniary conflict of interest. Councillors should determine whether or not such conflicts are significant for the purposes of clause 5.9 and take the appropriate action to manage them.

5.19 Despite clause 5.16, a councillor who has received or knowingly benefitted from a reportable political donation of the kind referred to in that clause, may participate in a decision to delegate consideration of the matter in question to another body or person.

#### Loss of quorum as a result of compliance with this Part

5.20 A councillor who would otherwise be precluded from participating in the consideration of a matter under this Part because they have a non-pecuniary conflict of interest in the matter is permitted to participate in consideration of the matter if:

- a) the matter is a proposal relating to:
  - i) the making of a principal environmental planning instrument applying to the whole or a significant portion of the council’s area, or
  - ii) the amendment, alteration or repeal of an environmental planning instrument where the amendment, alteration or repeal applies to the whole or a significant portion of the council’s area, and
- b) the non-pecuniary conflict of interest arises only because of an interest that a person has in that person’s principal place of residence, and
- c) the councillor discloses the interest they have in the matter that would otherwise have precluded their participation in consideration of the matter under this Part in accordance with clause 5.6.

5.21 The Minister for Local Government may, conditionally or unconditionally, allow a councillor or a council committee member who is precluded under this Part from participating in the consideration of a matter to be present at a meeting of the



council or committee, to take part in the consideration or discussion of the matter and to vote on the matter if the Minister is of the opinion:

- a) that the number of councillors prevented from voting would be so great a proportion of the whole as to impede the transaction of business, or
- b) that it is in the interests of the electors for the area to do so.

- 522 Where the Minister exempts a councillor or committee member from complying with a requirement under this Part under clause 5.21, the councillor or committee member must still disclose any interests they have in the matter the exemption applies to, in accordance with clause 5.6.

#### Other business or employment

- 523 The general manager must not engage, for remuneration, in private employment, contract work or other business outside the service of the council without the approval of the council.

- 524 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council or that might conflict with the staff member's council duties unless they have notified the general manager in writing of the employment, work or business and the general manager has given their written approval for the staff member to engage in the employment, work or business.

- 525 The general manager may at any time prohibit a member of staff from engaging, for remuneration, in private employment, contract work or other business outside the service of the council that relates to the business of the council, or that might conflict with the staff member's council duties.

- 526 A member of staff must not engage, for remuneration, in private employment, contract work or other business outside the service of the council if prohibited from doing so.

- 527 Members of staff must ensure that any outside employment, work or business they engage in will not:

- a) conflict with their official duties
- b) involve using confidential information or council resources obtained through their work with the council including where private use is permitted
- c) require them to work while on council duty
- d) discredit or disadvantage the council
- e) pose, due to fatigue, a risk to their health or safety, or to the health and safety of their co-workers.



Personal dealings with council

- 528 You may have reason to deal with your council in your personal capacity (for example, as a ratepayer, recipient of a council service or applicant for a development consent granted by council). You must not expect or request preferential treatment in relation to any matter in which you have a private interest because of your position. You must avoid any action that could lead members of the public to believe that you are seeking preferential treatment.
- 529 You must undertake any personal dealings you have with the council in a manner that is consistent with the way other members of the community deal with the council. You must also ensure that you disclose and appropriately manage any conflict of interest you may have in any matter in accordance with the requirements of this code.

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## PART 6 PERSONAL BENEFIT

- 6.1 For the purposes of this Part, a gift or a benefit is something offered to or received by a council official or someone personally associated with them for their personal use and enjoyment.
- 6.2 A reference to a gift or benefit in this Part does not include:
- a) items with a value of \$10 or less
  - b) a political donation for the purposes of the *Electoral Funding Act 2018*
  - c) a gift provided to the council as part of a cultural exchange or sister-city relationship that is not converted for the personal use or enjoyment of any individual council official or someone personally associated with them
  - d) a benefit or facility provided by the council to an employee or councillor
  - e) attendance by a council official at a work-related event or function for the purposes of performing their official duties, or
  - f) free or subsidised meals, beverages or refreshments provided to council officials in conjunction with the performance of their official duties such as, but not limited to:
    - i) the discussion of official business
    - ii) work-related events such as council-sponsored or community events, training, education sessions or workshops
    - iii) conferences
    - iv) council functions or events
    - v) social functions organised by groups, such as council committees and community organisations.

### Gifts and benefits

- 6.3 You must avoid situations that would give rise to the appearance that a person or body is attempting to secure favourable treatment from you or from the council, through the provision of gifts, benefits or hospitality of any kind to you or someone personally associated with you.
- 6.4 A gift or benefit is deemed to have been accepted by you for the purposes of this Part, where it is received by you or someone personally associated with you.

### How are offers of gifts and benefits to be dealt with?

- 6.5 You must not:
- a) seek or accept a bribe or other improper inducement
  - b) seek gifts or benefits of any kind

- c) accept any gift or benefit that may create a sense of obligation on your part, or may be perceived to be intended or likely to influence you in carrying out your public duty
- d) subject to clause 6.7, accept any gift or benefit of more than token value as defined by clause 6.9
- e) accept an offer of cash or a cash-like gift as defined by clause 6.13, regardless of the amount
- f) participate in competitions for prizes where eligibility is based on the council being in or entering into a customer–supplier relationship with the competition organiser
- g) personally benefit from reward points programs when purchasing on behalf of the council.

- 6.6 Where you receive a gift or benefit of any value other than one referred to in clause 6.2, you must disclose this promptly to your manager or the general manager in writing. The recipient, manager, or general manager must ensure that, at a minimum, the following details are recorded in the council's gift register:
- a) the nature of the gift or benefit
  - b) the estimated monetary value of the gift or benefit
  - c) the name of the person who provided the gift or benefit, and
  - d) the date on which the gift or benefit was received.

- 6.7 Where you receive a gift or benefit of more than token value that cannot reasonably be refused or returned, the gift or benefit must be surrendered to the council, unless the nature of the gift or benefit makes this impractical.

#### Gifts and benefits of token value

- 6.8 You may accept gifts and benefits of token value. Gifts and benefits of token value are one or more gifts or benefits received from a person or organisation over a 12-month period that, when aggregated, do not exceed a value of \$100. They include, but are not limited to:
- a) invitations to and attendance at local social, cultural or sporting events with a ticket value that does not exceed \$100
  - b) gifts of alcohol that do not exceed a value of \$100
  - c) ties, scarves, coasters, tie pins, diaries, chocolates or flowers or the like
  - d) prizes or awards that do not exceed \$100 in value.

#### Gifts and benefits of more than token value

- 6.9 Gifts or benefits that exceed \$100 in value are gifts or benefits of more than token value for the purposes of clause 6.5(d) and, subject to clause 6.7, must not be accepted.

- 6.10 Gifts and benefits of more than token value include, but are not limited to, tickets to major sporting events (such as international matches or matches in national sporting codes) with a ticket value that exceeds \$100, corporate hospitality at a corporate facility at major sporting events, free or discounted products or services for personal use provided on terms that are not available to the general public or a broad class of persons, the use of holiday homes, artworks, free or discounted travel.
- 6.11 Where you have accepted a gift or benefit of token value from a person or organisation, you must not accept a further gift or benefit from the same person or organisation or another person associated with that person or organisation within a single 12-month period where the value of the gift, added to the value of earlier gifts received from the same person or organisation, or a person associated with that person or organisation, during the same 12-month period would exceed \$100 in value.
- 6.12 For the purposes of this Part, the value of a gift or benefit is the monetary value of the gift or benefit inclusive of GST.

“Cash-like gifts”

- 6.13 For the purposes of clause 6.5(e), “cash-like gifts” include, but are not limited to, gift vouchers, credit cards, debit cards with credit on them, prepayments such as phone or internet credit, lottery tickets, memberships or entitlements to discounts that are not available to the general public or a broad class of persons.

Improper and undue influence

- 6.14 You must not use your position to influence other council officials in the performance of their official functions to obtain a private benefit for yourself or for somebody else. A councillor will not be in breach of this clause where they seek to influence other council officials through the proper exercise of their role as prescribed under the LGA.
- 6.15 You must not take advantage (or seek to take advantage) of your status or position with council, or of functions you perform for council, in order to obtain a private benefit for yourself or for any other person or body.

## PART 7 RELATIONSHIPS BETWEEN COUNCIL OFFICIALS

### Obligations of councillors and administrators

- 7.1 Each council is a body politic. The councillors or administrator/s are the governing body of the council. Under section 223 of the LGA, the role of the governing body of the council includes the development and endorsement of the strategic plans, programs, strategies and policies of the council, including those relating to workforce policy, and to keep the performance of the council under review.
- 7.2 Councillors or administrators must not:
- a) direct council staff other than by giving appropriate direction to the general manager by way of council or committee resolution, or by the mayor or administrator exercising their functions under section 226 of the LGA
  - b) in any public or private forum, direct or influence, or attempt to direct or influence, any other member of the staff of the council or a delegate of the council in the exercise of the functions of the staff member or delegate
  - c) contact a member of the staff of the council on council-related business unless in accordance with the policy and procedures governing the interaction of councillors and council staff that have been authorised by the council and the general manager
  - d) contact or issue instructions to any of the council's contractors, including the council's legal advisers, unless by the mayor or administrator exercising their functions under section 226 of the LGA.
- 7.3 Despite clause 7.2, councillors may contact the council's external auditor or the chair of the council's audit risk and improvement committee to provide information reasonably necessary for the external auditor or the audit, risk and improvement committee to effectively perform their functions.

### Obligations of staff

- 7.4 Under section 335 of the LGA, the role of the general manager includes conducting the day-to-day management of the council in accordance with the strategic plans, programs, strategies and policies of the council, implementing without undue delay, lawful decisions of the council and ensuring that the mayor and other councillors are given timely information and advice and the administrative and professional support necessary to effectively discharge their official functions.

7.5 Members of staff of council must:

- a) give their attention to the business of the council while on duty
- b) ensure that their work is carried out ethically, efficiently, economically and effectively
- c) carry out reasonable and lawful directions given by any person having authority to give such directions
- d) give effect to the lawful decisions, policies and procedures of the council, whether or not the staff member agrees with or approves of them
- e) ensure that any participation in political activities outside the service of the council does not interfere with the performance of their official duties.

Inappropriate interactions

7.6 You must not engage in any of the following inappropriate interactions:

- a) councillors and administrators approaching staff and staff organisations to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- b) council staff approaching councillors and administrators to discuss individual or operational staff matters (other than matters relating to broader workforce policy), grievances, workplace investigations and disciplinary matters
- c) subject to clause 8.6, council staff refusing to give information that is available to other councillors to a particular councillor
- d) councillors and administrators who have lodged an application with the council, discussing the matter with council staff in staff-only areas of the council
- e) councillors and administrators approaching members of local planning panels or discussing any application that is either before the panel or that will come before the panel at some future time, except during a panel meeting where the application forms part of the agenda and the councillor or administrator has a right to be heard by the panel at the meeting
- f) councillors and administrators being overbearing or threatening to council staff
- g) council staff being overbearing or threatening to councillors or administrators
- h) councillors and administrators making personal attacks on council staff or engaging in conduct towards staff that would be contrary to the general conduct provisions in Part 3 of this code in public forums including social media
- i) councillors and administrators directing or pressuring council staff in the performance of their work, or recommendations they should make

- j) council staff providing ad hoc advice to councillors and administrators without recording or documenting the interaction as they would if the advice was provided to a member of the community
- k) council staff meeting with applicants or objectors alone AND outside office hours to discuss planning applications or proposals
- l) councillors attending on-site inspection meetings with lawyers and/or consultants engaged by the council associated with current or proposed legal proceedings unless permitted to do so by the council's general manager or, in the case of the mayor or administrator, unless they are exercising their functions under section 226 of the LGA.

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## PART 8 ACCESS TO INFORMATION AND COUNCIL RESOURCES

### Councillor and administrator access to information

- 81 The general manager is responsible for ensuring that councillors and administrators can access information necessary for the performance of their official functions. The general manager and public officer are also responsible for ensuring that members of the public can access publicly available council information under the *Government Information (Public Access) Act 2009* (the GIPA Act).
- 82 The general manager must provide councillors and administrators with the information necessary to effectively discharge their official functions.
- 83 Members of staff of council must provide full and timely information to councillors and administrators sufficient to enable them to exercise their official functions and in accordance with council procedures.
- 84 Members of staff of council who provide any information to a particular councillor in the performance of their official functions must also make it available to any other councillor who requests it and in accordance with council procedures.
- 85 Councillors and administrators who have a private interest only in council information have the same rights of access as any member of the public.
- 86 Despite clause 8.4, councillors and administrators who are precluded from participating in the consideration of a matter under this code because they have a conflict of interest in the matter, are not entitled to request access to council information in relation to the matter unless the information is otherwise available to members of the public, or the council has determined to make the information available under the GIPA Act.

### Councillors and administrators to properly examine and consider information

- 87 Councillors and administrators must ensure that they comply with their duty under section 439 of the LGA to act honestly and exercise a reasonable degree of care and diligence by properly examining and considering all the information provided to them relating to matters that they are required to make a decision on.

### Refusal of access to information

- 88 Where the general manager or public officer determine to refuse access to information requested by a councillor or administrator, they must act reasonably. In reaching this decision they must take into account whether or not the



information requested is necessary for the councillor or administrator to perform their official functions (see clause 8.2) and whether they have disclosed a conflict of interest in the matter the information relates to that would preclude their participation in consideration of the matter (see clause 8.6). The general manager or public officer must state the reasons for the decision if access is refused.

#### Use of certain council information

- 8.9 In regard to information obtained in your capacity as a council official, you must:
- a) subject to clause 8.14, only access council information needed for council business
  - b) not use that council information for private purposes
  - c) not seek or obtain, either directly or indirectly, any financial benefit or other improper advantage for yourself, or any other person or body, from any information to which you have access by virtue of your office or position with council
  - d) only release council information in accordance with established council policies and procedures and in compliance with relevant legislation.

#### Use and security of confidential information

- 8.10 You must maintain the integrity and security of confidential information in your possession, or for which you are responsible.
- 8.11 In addition to your general obligations relating to the use of council information, you must:
- a) only access confidential information that you have been authorised to access and only do so for the purposes of exercising your official functions
  - b) protect confidential information
  - c) only release confidential information if you have authority to do so
  - d) only use confidential information for the purpose for which it is intended to be used
  - e) not use confidential information gained through your official position for the purpose of securing a private benefit for yourself or for any other person
  - f) not use confidential information with the intention to cause harm or detriment to the council or any other person or body
  - g) not disclose any confidential information discussed during a confidential session of a council or committee meeting or any other confidential forum (such as, but not limited to, workshops or briefing sessions).

Personal information

- 8.12 When dealing with personal information you must comply with:
- a) the *Privacy and Personal Information Protection Act 1998*
  - b) the *Health Records and Information Privacy Act 2002*
  - c) the Information Protection Principles and Health Privacy Principles
  - d) the council's privacy management plan
  - e) the Privacy Code of Practice for Local Government

Use of council resources

- 8.13 You must use council resources ethically, effectively, efficiently and carefully in exercising your official functions, and must not use them for private purposes, except when supplied as part of a contract of employment (but not for private business purposes), unless this use is lawfully authorised and proper payment is made where appropriate.
- 8.14 Union delegates and consultative committee members may have reasonable access to council resources and information for the purposes of carrying out their industrial responsibilities, including but not limited to:
- a) the representation of members with respect to disciplinary matters
  - b) the representation of employees with respect to grievances and disputes
  - c) functions associated with the role of the local consultative committee.
- 8.15 You must be scrupulous in your use of council property, including intellectual property, official services, facilities, technology and electronic devices and must not permit their misuse by any other person or body.
- 8.16 You must avoid any action or situation that could create the appearance that council property, official services or public facilities are being improperly used for your benefit or the benefit of any other person or body.
- 8.17 You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
- 8.18 You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:
- a) for the purpose of assisting your election campaign or the election campaign of others, or

b) for other non-official purposes.

- 8.19 You must not convert any property of the council to your own use unless properly authorised.

Internet access

- 8.20 You must not use council's computer resources or mobile or other devices to search for, access, download or communicate any material of an offensive, obscene, pornographic, threatening, abusive or defamatory nature, or that could otherwise lead to criminal penalty or civil liability and/or damage the council's reputation.

Council record keeping

- 8.21 You must comply with the requirements of the *State Records Act 1998* and the council's records management policy.
- 8.22 All information created, sent and received in your official capacity is a council record and must be managed in accordance with the requirements of the *State Records Act 1998* and the council's approved records management policies and practices.
- 8.23 All information stored in either soft or hard copy on council supplied resources (including technology devices and email accounts) is deemed to be related to the business of the council and will be treated as council records, regardless of whether the original intention was to create the information for personal purposes.
- 8.24 You must not destroy, alter, or dispose of council information or records, unless authorised to do so. If you need to alter or dispose of council information or records, you must do so in consultation with the council's records manager and comply with the requirements of the *State Records Act 1998*.

Councillor access to council buildings

- 8.25 Councillors and administrators are entitled to have access to the council chamber, committee room, mayor's office (subject to availability), councillors' rooms, and public areas of council's buildings during normal business hours and for meetings. Councillors and administrators needing access to these facilities at other times must obtain authority from the general manager.
- 8.26 Councillors and administrators must not enter staff-only areas of council buildings without the approval of the general manager (or their delegate) or as

provided for in the procedures governing the interaction of councillors and council staff.

- 827 Councillors and administrators must ensure that when they are within a staff only area they refrain from conduct that could be perceived to improperly influence council staff decisions.

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## PART 9 MAINTAINING THE INTEGRITY OF THIS CODE

### Complaints made for an improper purpose

- 9.1 You must not make or threaten to make a complaint or cause a complaint to be made alleging a breach of this code for an improper purpose.
- 9.2 For the purposes of clause 9.1, a complaint is made for an improper purpose where it is trivial, frivolous, vexatious or not made in good faith, or where it otherwise lacks merit and has been made substantially for one or more of the following purposes:
- a) to bully, intimidate or harass another council official
  - b) to damage another council official's reputation
  - c) to obtain a political advantage
  - d) to influence a council official in the exercise of their official functions or to prevent or disrupt the exercise of those functions
  - e) to influence the council in the exercise of its functions or to prevent or disrupt the exercise of those functions
  - f) to avoid disciplinary action under the Procedures
  - g) to take reprisal action against a person for making a complaint alleging a breach of this code
  - h) to take reprisal action against a person for exercising a function prescribed under the Procedures
  - i) to prevent or disrupt the effective administration of this code under the Procedures.

### Detrimental action

- 9.3 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for a complaint they have made alleging a breach of this code.
- 9.4 You must not take detrimental action or cause detrimental action to be taken against a person substantially in reprisal for any function they have exercised under the Procedures.
- 9.5 For the purposes of clauses 9.3 and 9.4, a detrimental action is an action causing, comprising or involving any of the following:
- a) injury, damage or loss
  - b) intimidation or harassment
  - c) discrimination, disadvantage or adverse treatment in relation to employment
  - d) dismissal from, or prejudice in, employment
  - e) disciplinary proceedings.

Compliance with requirements under the Procedures

- 9.6 You must not engage in conduct that is calculated to impede or disrupt the consideration of a matter under the Procedures.
- 9.7 You must comply with a reasonable and lawful request made by a person exercising a function under the Procedures. A failure to make a written or oral submission invited under the Procedures will not constitute a breach of this clause.
- 9.8 You must comply with a practice ruling made by the Office under the Procedures.

Disclosure of information about the consideration of a matter under the Procedures

- 9.9 All allegations of breaches of this code must be dealt with under and in accordance with the Procedures.
- 9.10 You must not allege breaches of this code other than by way of a complaint made or initiated under the Procedures.
- 9.11 You must not make allegations about, or disclose information about, suspected breaches of this code at council, committee or other meetings, whether open to the public or not, or in any other forum, whether public or not.
- 9.12 You must not disclose information about a complaint you have made alleging a breach of this code or any other matter being considered under the Procedures except for the purposes of seeking legal advice, unless the disclosure is otherwise permitted under the Procedures.
- 9.13 Nothing under this Part prevents a person from making a public interest disclosure to an appropriate public authority or investigative authority under the *Public Interest Disclosures Act 1994*.

Complaints alleging a breach of this Part

- 9.14 Complaints alleging a breach of this Part by a councillor, the general manager or an administrator are to be managed by the Office. This clause does not prevent the Office from referring an alleged breach of this Part back to the council for consideration in accordance with the Procedures.
- 9.15 Complaints alleging a breach of this Part by other council officials are to be managed by the general manager in accordance with the Procedures.

**SCHEDULE 1: DISCLOSURES OF INTERESTS AND OTHER MATTERS IN  
WRITTEN RETURNS SUBMITTED UNDER CLAUSE 4.21****Part 1: Preliminary****Definitions**

1. For the purposes of the schedules to this code, the following definitions apply:

*address* means:

- a) in relation to a person other than a corporation, the last residential or business address of the person known to the councillor or designated person disclosing the address, or
- b) in relation to a corporation, the address of the registered office of the corporation in New South Wales or, if there is no such office, the address of the principal office of the corporation in the place where it is registered, or
- c) in relation to any real property, the street address of the property.

*de facto partner* has the same meaning as defined in section 21C of the *Interpretation Act 1987*.

*disposition of property* means a conveyance, transfer, assignment, settlement, delivery, payment or other alienation of property, including the following:

- a) the allotment of shares in a company
- b) the creation of a trust in respect of property
- c) the grant or creation of a lease, mortgage, charge, easement, licence, power, partnership or interest in respect of property
- d) the release, discharge, surrender, forfeiture or abandonment, at law or in equity, of a debt, contract or chose in action, or of an interest in respect of property
- e) the exercise by a person of a general power of appointment over property in favour of another person
- f) a transaction entered into by a person who intends by the transaction to diminish, directly or indirectly, the value of the person's own property and to increase the value of the property of another person.

*gift* means a disposition of property made otherwise than by will (whether or not by instrument in writing) without consideration, or with inadequate

consideration, in money or money's worth passing from the person to whom the disposition was made to the person who made the disposition, but does not include a financial or other contribution to travel.

*interest* means:

- a) in relation to property, an estate, interest, right or power, at law or in equity, in or over the property, or
- b) in relation to a corporation, a relevant interest (within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth) in securities issued or made available by the corporation.

*listed company* means a company that is listed within the meaning of section 9 of the *Corporations Act 2001* of the Commonwealth.

*occupation* includes trade, profession and vocation.

*professional or business association* means an incorporated or unincorporated body or organisation having as one of its objects or activities the promotion of the economic interests of its members in any occupation.

*property* includes money.

*return date* means:

- a) in the case of a return made under clause 4.21(a), the date on which a person became a councillor or designated person
- b) in the case of a return made under clause 4.21(b), 30 June of the year in which the return is made
- c) in the case of a return made under clause 4.21(c), the date on which the councillor or designated person became aware of the interest to be disclosed.

*relative* includes any of the following:

- a) a person's spouse or de facto partner
- b) a person's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- c) a person's spouse's or de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child
- d) the spouse or de facto partner of a person referred to in paragraphs (b) and (c).



*travel* includes accommodation incidental to a journey.

Matters relating to the interests that must be included in returns

2. *Interests etc. outside New South Wales:* A reference in this schedule or in schedule 2 to a disclosure concerning a corporation or other thing includes any reference to a disclosure concerning a corporation registered, or other thing arising or received, outside New South Wales.
3. *References to interests in real property:* A reference in this schedule or in schedule 2 to real property in which a councillor or designated person has an interest includes a reference to any real property situated in Australia in which the councillor or designated person has an interest.
4. *Gifts, loans etc. from related corporations:* For the purposes of this schedule and schedule 2, gifts or contributions to travel given, loans made, or goods or services supplied, to a councillor or designated person by two or more corporations that are related to each other for the purposes of section 50 of the *Corporations Act 2001* of the Commonwealth are all given, made or supplied by a single corporation.

## Part 2: Pecuniary interests to be disclosed in returns

### Real property

5. A person making a return under clause 4.21 of this code must disclose:
  - a) the street address of each parcel of real property in which they had an interest on the return date, and
  - b) the street address of each parcel of real property in which they had an interest in the period since 30 June of the previous financial year, and
  - c) the nature of the interest.
6. An interest in a parcel of real property need not be disclosed in a return if the person making the return had the interest only:
  - a) as executor of the will, or administrator of the estate, of a deceased person and not as a beneficiary under the will or intestacy, or
  - b) as a trustee, if the interest was acquired in the ordinary course of an occupation not related to their duties as the holder of a position required to make a return.
7. An interest in a parcel of real property need not be disclosed in a return if the person ceased to hold the interest prior to becoming a councillor or designated person.
8. For the purposes of clause 5 of this schedule, “interest” includes an option to purchase.

### Gifts

9. A person making a return under clause 4.21 of this code must disclose:
  - a) a description of each gift received in the period since 30 June of the previous financial year, and
  - b) the name and address of the donor of each of the gifts.
10. A gift need not be included in a return if:
  - a) it did not exceed \$500, unless it was among gifts totalling more than \$500 made by the same person during a period of 12 months or less, or
  - b) it was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
  - c) the donor was a relative of the donee, or
  - d) subject to paragraph (a), it was received prior to the person becoming a councillor or designated person.
11. For the purposes of clause 10 of this schedule, the amount of a gift other than money is an amount equal to the value of the property given.

Contributions to travel

12. A person making a return under clause 4.21 of this code must disclose:
- a) the name and address of each person who made any financial or other contribution to the expenses of any travel undertaken by the person in the period since 30 June of the previous financial year, and
  - b) the dates on which the travel was undertaken, and
  - c) the names of the states and territories, and of the overseas countries, in which the travel was undertaken.
13. A financial or other contribution to any travel need not be disclosed under this clause if it:
- a) was made from public funds (including a contribution arising from travel on free passes issued under an Act or from travel in government or council vehicles), or
  - b) was made by a relative of the traveller, or
  - c) was made in the ordinary course of an occupation of the traveller that is not related to their functions as the holder of a position requiring the making of a return, or
  - d) did not exceed \$250, unless it was among gifts totalling more than \$250 made by the same person during a 12-month period or less, or
  - e) was a political donation disclosed, or required to be disclosed, under Part 3 of the *Electoral Funding Act 2018*, or
  - f) was made by a political party of which the traveller was a member and the travel was undertaken for the purpose of political activity of the party in New South Wales, or to enable the traveller to represent the party within Australia, or
  - g) subject to paragraph (d) it was received prior to the person becoming a councillor or designated person.
14. For the purposes of clause 13 of this schedule, the amount of a contribution (other than a financial contribution) is an amount equal to the value of the contribution.

Interests and positions in corporations

15. A person making a return under clause 4.21 of this code must disclose:
- a) the name and address of each corporation in which they had an interest or held a position (whether remunerated or not) on the return date, and
  - b) the name and address of each corporation in which they had an interest or held a position in the period since 30 June of the previous financial year, and

- c) the nature of the interest, or the position held, in each of the corporations, and
  - d) a description of the principal objects (if any) of each of the corporations, except in the case of a listed company.
16. An interest in, or a position held in, a corporation need not be disclosed if the corporation is:
- a) formed for the purpose of providing recreation or amusement, or for promoting commerce, industry, art, science, religion or charity, or for any other community purpose, and
  - b) required to apply its profits or other income in promoting its objects, and
  - c) prohibited from paying any dividend to its members.
17. An interest in a corporation need not be disclosed if the interest is a beneficial interest in shares in a company that does not exceed 10 per cent of the voting rights in the company.
18. An interest or a position in a corporation need not be disclosed if the person ceased to hold the interest or position prior to becoming a councillor or designated person.

Interests as a property developer or a close associate of a property developer

19. A person making a return under clause 4.21 of this code must disclose whether they were a property developer, or a close associate of a corporation that, or an individual who, is a property developer, on the return date.
20. For the purposes of clause 19 of this schedule:

*close associate*, in relation to a corporation or an individual, has the same meaning as it has in section 53 of the *Electoral Funding Act 2018*.

*property developer* has the same meaning as it has in Division 7 of Part 3 of the *Electoral Funding Act 2018*.

Positions in trade unions and professional or business associations

21. A person making a return under clause 4.21 of the code must disclose:
- a) the name of each trade union, and of each professional or business association, in which they held any position (whether remunerated or not) on the return date, and

- b) the name of each trade union, and of each professional or business association, in which they have held any position (whether remunerated or not) in the period since 30 June of the previous financial year, and
  - c) a description of the position held in each of the unions and associations.
22. A position held in a trade union or a professional or business association need not be disclosed if the person ceased to hold the position prior to becoming a councillor or designated person.

#### Dispositions of real property

23. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property by the person (including the street address of the affected property) in the period since 30 June of the previous financial year, under which they wholly or partly retained the use and benefit of the property or the right to re-acquire the property.
24. A person making a return under clause 4.21 of this code must disclose particulars of each disposition of real property to another person (including the street address of the affected property) in the period since 30 June of the previous financial year, that is made under arrangements with, but is not made by, the person making the return, being a disposition under which the person making the return obtained wholly or partly the use of the property.
25. A disposition of real property need not be disclosed if it was made prior to a person becoming a councillor or designated person.

#### Sources of income

26. A person making a return under clause 4.21 of this code must disclose:
- a) each source of income that the person reasonably expects to receive in the period commencing on the first day after the return date and ending on the following 30 June, and
  - b) each source of income received by the person in the period since 30 June of the previous financial year.
27. A reference in clause 26 of this schedule to each source of income received, or reasonably expected to be received, by a person is a reference to:
- a) in relation to income from an occupation of the person:
    - (i) a description of the occupation, and
    - (ii) if the person is employed or the holder of an office, the name and address of their employer, or a description of the office, and
    - (iii) if the person has entered into a partnership with other persons, the name (if any) under which the partnership is conducted, or

- b) in relation to income from a trust, the name and address of the settlor and the trustee, or
  - c) in relation to any other income, a description sufficient to identify the person from whom, or the circumstances in which, the income was, or is reasonably expected to be, received.
28. The source of any income need not be disclosed by a person in a return if the amount of the income received, or reasonably expected to be received, by the person from that source did not exceed \$500, or is not reasonably expected to exceed \$500, as the case may be.
29. The source of any income received by the person that they ceased to receive prior to becoming a councillor or designated person need not be disclosed.
30. A fee paid to a councillor or to the mayor or deputy mayor under sections 248 or 249 of the LGA need not be disclosed.

#### Debts

31. A person making a return under clause 4.21 of this code must disclose the name and address of each person to whom the person was liable to pay any debt:
- a) on the return date, and
  - b) at any time in the period since 30 June of the previous financial year.
32. A liability to pay a debt must be disclosed by a person in a return made under clause 4.21 whether or not the amount, or any part of the amount, to be paid was due and payable on the return date or at any time in the period since 30 June of the previous financial year, as the case may be.
33. A liability to pay a debt need not be disclosed by a person in a return if:
- a) the amount to be paid did not exceed \$500 on the return date or in the period since 30 June of the previous financial year, as the case may be, unless:
    - (i) the debt was one of two or more debts that the person was liable to pay to one person on the return date, or at any time in the period since 30 June of the previous financial year, as the case may be, and
    - (ii) the amounts to be paid exceeded, in the aggregate, \$500, or
  - b) the person was liable to pay the debt to a relative, or
  - c) in the case of a debt arising from a loan of money the person was liable to pay the debt to an authorised deposit-taking institution or other person

- whose ordinary business includes the lending of money, and the loan was made in the ordinary course of business of the lender, or
- d) in the case of a debt arising from the supply of goods or services:
- (i) the goods or services were supplied in the period of 12 months immediately preceding the return date, or were supplied in the period since 30 June of the previous financial year, as the case may be, or
  - (ii) the goods or services were supplied in the ordinary course of any occupation of the person that is not related to their duties as the holder of a position required to make a return, or
- e) subject to paragraph (a), the debt was discharged prior to the person becoming a councillor or designated person.

Discretionary disclosures

34. A person may voluntarily disclose in a return any interest, benefit, advantage or liability, whether pecuniary or not, that is not required to be disclosed under another provision of this Schedule.

**SCHEDULE 2: FORM OF WRITTEN RETURN OF INTERESTS SUBMITTED  
UNDER CLAUSE 4.21****'Disclosures by councillors and designated persons' return**

1. The pecuniary interests and other matters to be disclosed in this return are prescribed by Schedule 1 of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).
2. If this is the first return you have been required to lodge with the general manager after becoming a councillor or designated person, do not complete Parts C, D and I of the return. All other parts of the return should be completed with appropriate information based on your circumstances at the return date, that is, the date on which you became a councillor or designated person.
3. If you have previously lodged a return with the general manager and you are completing this return for the purposes of disclosing a new interest that was not disclosed in the last return you lodged with the general manager, you must complete all parts of the return with appropriate information for the period from 30 June of the previous financial year or the date on which you became a councillor or designated person, (whichever is the later date), to the return date which is the date you became aware of the new interest to be disclosed in your updated return.
4. If you have previously lodged a return with the general manager and are submitting a new return for the new financial year, you must complete all parts of the return with appropriate information for the 12-month period commencing on 30 June of the previous year to 30 June this year.
5. This form must be completed using block letters or typed.
6. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.
7. If there are no pecuniary interests or other matters of the kind required to be disclosed under a heading in this form, the word "NIL" is to be placed in an appropriate space under that heading.

**Important information**

This information is being collected for the purpose of complying with clause 4.21 of the Model Code of Conduct.



You must not lodge a return that you know or ought reasonably to know is false or misleading in a material particular (see clause 4.23 of the Model Code of Conduct). Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the council, the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

The information collected on this form will be kept by the general manager in a register of returns. The general manager is required to table all returns at a council meeting.

Information contained in returns made and lodged under clause 4.21 is to be made publicly available in accordance with the requirements of the *Government Information (Public Access) Act 2009*, the *Government Information (Public Access) Regulation 2009* and any guidelines issued by the Information Commissioner.

You have an obligation to keep the information contained in this return up to date. If you become aware of a new interest that must be disclosed in this return, or an interest that you have previously failed to disclose, you must submit an updated return within three months of becoming aware of the previously undisclosed interest.

Disclosure of pecuniary interests and other matters by *[full name of councillor or designated person]*

as at *[return date]*

in respect of the period from *[date]* to *[date]*

*[councillor's or designated person's signature]*  
*[date]*

#### A. Real Property

Street address of each parcel of real property in which I had an interest at the return date/at any time since 30 June	Nature of interest

#### B. Sources of income

1 Sources of income I reasonably expect to receive from an occupation in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from an occupation at any time since 30 June

Description of occupation	Name and address of employer or description of office held (if applicable)	Name under which partnership conducted (if applicable)
---------------------------	--	--

2 Sources of income I reasonably expect to receive from a trust in the period commencing on the first day after the return date and ending on the following 30 June

Sources of income I received from a trust since 30 June

Name and address of settlor	Name and address of trustee
-----------------------------	-----------------------------

3 Sources of other income I reasonably expect to receive in the period commencing on the first day after the return date and ending on the following 30 June

Sources of other income I received at any time since 30 June

*[Include description sufficient to identify the person from whom, or the circumstances in which, that income was received]*

#### C. Gifts

Description of each gift I received at any time since 30 June	Name and address of donor
---	---------------------------

#### D. Contributions to travel

Name and address of each person who made any financial or other contribution to any travel undertaken by me at any time since 30 June	Dates on which travel was undertaken	Name of States, Territories of the Commonwealth and overseas countries in which travel was undertaken
---	--------------------------------------	---

E. Interests and positions in corporations

Name and address of each corporation in which I had an interest (if interest or held a position at the return date/at any time since 30 June	Nature of any)	Description of position (if any)	Description of principal objects (if any) of corporation (except in case of listed company)
--	----------------	----------------------------------	---

F. Were you a property developer or a close associate of a property developer on the return date? (Y/N)

G. Positions in trade unions and professional or business associations

Name of each trade union and each professional or business association in which I held any position (whether remunerated or not) at the return date/at any time since 30 June	Description of position
---	-------------------------

H. Debts

Name and address of each person to whom I was liable to pay any debt at the return date/at any time since 30 June
---

I. Dispositions of property

1 Particulars of each disposition of real property by me (including the street address of the affected property) at any time since 30 June as a result of which I retained, either wholly or in part, the use and benefit of the property or the right to re-acquire the property at a later time

2 Particulars of each disposition of property to a person by any other person under arrangements made by me (including the street address of the affected property), being dispositions made at any time since 30 June, as a result of which I obtained, either wholly or in part, the use and benefit of the property

J. Discretionary disclosures

**SCHEDULE 3: FORM OF SPECIAL DISCLOSURE OF PECUNIARY INTEREST SUBMITTED UNDER CLAUSE 4.37**

1. This form must be completed using block letters or typed.
2. If there is insufficient space for all the information you are required to disclose, you must attach an appendix which is to be properly identified and signed by you.

**Important information**

This information is being collected for the purpose of making a special disclosure of pecuniary interests under clause 4.36(c) of the *Model Code of Conduct for Local Councils in NSW* (the Model Code of Conduct).

The special disclosure must relate only to a pecuniary interest that a councillor has in the councillor's principal place of residence, or an interest another person (whose interests are relevant under clause 4.3 of the Model Code of Conduct) has in that person's principal place of residence.

Clause 4.3 of the Model Code of Conduct states that you will have a pecuniary interest in a matter because of the pecuniary interest of your spouse or your de facto partner or your relative or because your business partner or employer has a pecuniary interest. You will also have a pecuniary interest in a matter because you, your nominee, your business partner or your employer is a member of a company or other body that has a pecuniary interest in the matter.

"Relative" is defined by clause 4.4 of the Model Code of Conduct as meaning your, your spouse's or your de facto partner's parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant or adopted child and the spouse or de facto partner of any of those persons.

You must not make a special disclosure that you know or ought reasonably to know is false or misleading in a material particular. Complaints about breaches of these requirements are to be referred to the Office of Local Government and may result in disciplinary action by the Chief Executive of the Office of Local Government or the NSW Civil and Administrative Tribunal.

This form must be completed by you before the commencement of the council or council committee meeting at which the special disclosure is being made. The completed form must be tabled at the meeting. Everyone is entitled to inspect it. The special disclosure must be recorded in the minutes of the meeting.

Special disclosure of pecuniary interests by *[full name of councillor]*

in the matter of *[insert name of environmental planning instrument]*

which is to be considered at a meeting of the *[name of council or council committee (as the case requires)]*

to be held on the                      day of                      20     .

Pecuniary interest	
Address of the affected principal place of residence of the councillor or an associated person, company or body (the identified land)	
Relationship of identified land to the councillor <i>[Tick or cross one box.]</i>	<input type="checkbox"/> The councillor has an interest in the land (e.g. is the owner or has another interest arising out of a mortgage, lease, trust, option or contract, or otherwise). <input type="checkbox"/> An associated person of the councillor has an interest in the land. <input type="checkbox"/> An associated company or body of the councillor has an interest in the land.
Matter giving rise to pecuniary interest <sup>1</sup>	
Nature of the land that is subject to a change in zone/planning control by the proposed LEP (the subject land) <sup>2</sup> <i>[Tick or cross one box]</i>	<input type="checkbox"/> The identified land. <input type="checkbox"/> Land that adjoins or is adjacent to or is in proximity to the identified land.

<sup>1</sup> Clause 4.1 of the Model Code of Conduct provides that a pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person. A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter, or if the interest is of a kind specified in clause 4.6 of the Model Code of Conduct.

<sup>2</sup> A pecuniary interest may arise by way of a change of permissible use of land adjoining, adjacent to or in proximity to land in which a councillor or a person, company or body referred to in clause 4.3 of the Model Code of Conduct has a proprietary interest.

Current zone/planning control <i>[Insert name of current planning instrument and identify relevant zone/planning control applying to the subject land]</i>	
Proposed change of zone/planning control <i>[Insert name of proposed LEP and identify proposed change of zone/planning control applying to the subject land]</i>	
Effect of proposed change of zone/planning control on councillor or associated person <i>[Insert one of the following: "Appreciable financial gain" or "Appreciable financial loss"]</i>	

*[If more than one pecuniary interest is to be declared, reprint the above box and fill in for each additional interest.]*

Councillor's signature

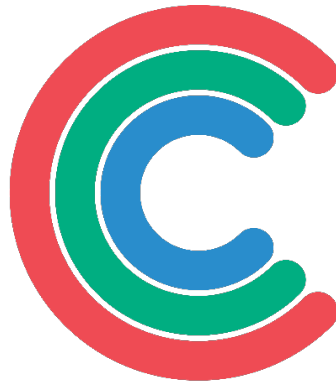
Date

[This form is to be retained by the council's general manager and included in full in the minutes of the meeting]

DOCUMENTS  
ASSOCIATED WITH  
REPORT C07/25-149

Attachment 3

Draft Procedures for the  
Administration of the Model Code  
of Conduct

CUMBERLAND  
CITY COUNCIL

# Procedures for the Administration of the Model Code of Conduct

## AUTHORISATION & VERSION CONTROL

<b>Policy Number</b>	POL-002
<b>Policy Owner</b>	Director Governance & Risk
<b>Date Adopted</b>	30 July 2025
<b>Version No</b>	4.0
<b>Document ID</b>	3232270
<b>Review Date</b>	30 July 2029



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## PART 1 INTRODUCTION

These procedures (“the Model Code Procedures”) are prescribed for the administration of the *Model Code of Conduct for Local Councils in NSW* (“the Model Code of Conduct”).

The Model Code of Conduct is made under section 440 of the *Local Government Act 1993* (“the LGA”) and the *Local Government (General) Regulation 2005* (“the Regulation”). Section 440 of the LGA requires every council (including county councils) and joint organisation to adopt a code of conduct that incorporates the provisions of the Model Code of Conduct.

The Model Code Procedures are made under section 440AA of the LGA and the Regulation. Section 440AA of the LGA requires every council (including county councils) and joint organisation to adopt procedures for the administration of their code of conduct that incorporate the provisions of the Model Code Procedures.

In adopting procedures for the administration of their adopted codes of conduct, councils and joint organisations may supplement the Model Code Procedures. However, provisions that are not consistent with those prescribed under the Model Code Procedures will have no effect.

**Note:** References in these procedures to councils are also to be taken as references to county councils and joint organisations.

**Note:** In adopting the Model Code Procedures, joint organisations should adapt them to substitute the terms “board” for “council”, “chairperson” for “mayor”, “voting representative” for “councillor” and “executive officer” for “general manager”.

**Note:** In adopting the Model Code Procedures, county councils should adapt them to substitute the term “chairperson” for “mayor” and “member” for “councillor”.

**Note:** Parts 6, 7, 8 and 11 of these procedures apply only to the management of code of conduct complaints about councillors (including the mayor) or the general manager.

## PART 2 DEFINITIONS

In these procedures the following terms have the following meanings:

administrator	an administrator of a council appointed under the LGA other than an administrator appointed under section 66
code of conduct	a code of conduct adopted under section 440 of the LGA

code of conduct complaint	a complaint that is a code of conduct complaint for the purposes of clauses 4.1 and 4.2 of these procedures
complainant	a person who makes a code of conduct complaint
complainant councillor	a councillor who makes a code of conduct complaint
complaints coordinator	a person appointed by the general manager under these procedures as a complaints coordinator
conduct reviewer	a person appointed under these procedures to review allegations of breaches of the code of conduct by councillors or the general manager
council	includes county councils and joint organisations
council committee	a committee established by a council comprising of councillors, staff or other persons that the council has delegated functions to and the council's audit, risk and improvement committee
council committee member	a person other than a councillor or member of staff of a council who is a member of a council committee other than a wholly advisory committee, and a person other than a councillor who is a member of the council's audit, risk and improvement committee
councillor	any person elected or appointed to civic office, including the mayor, and includes members and chairpersons of county councils and voting representatives of the boards of joint organisations and chairpersons of joint organisations
council official	any councillor, member of staff of council, administrator, council committee member, delegate of council and, for the purposes of clause 4.16 of the Model Code of Conduct, council adviser

delegate of council	a person (other than a councillor or member of staff of a council) or body, and the individual members of that body, to whom a function of the council is delegated
external agency	a state government agency such as, but not limited to, the Office, the ICAC, the NSW Ombudsman or the police
general manager	includes the executive officer of a joint organisation
ICAC	the Independent Commission Against Corruption
joint organisation	a joint organisation established under section 4000 of the LGA
LGA	the <i>Local Government Act 1993</i>
mayor	includes the chairperson of a county council or a joint organisation
members of staff of a council	includes members of staff of county councils and joint organisations
the Office	the Office of Local Government
investigator	a conduct reviewer
the Regulation	the <i>Local Government (General) Regulation 2005</i>
respondent	a person whose conduct is the subject of investigation by a conduct reviewer under these procedures
wholly advisory committee	a council committee that the council has not delegated any functions to

### **PART 3 ADMINISTRATIVE FRAMEWORK**

#### **The establishment of a panel of conduct reviewers**

3.1 The council must establish a panel of conduct reviewers.

- 3.2 The council may enter into an arrangement with one or more other councils to share a panel of conduct reviewers including through a joint organisation or another regional body associated with the councils.
- 3.3 The panel of conduct reviewers is to be established following a public expression of interest process.
- 3.4 An expression of interest for members of the council's panel of conduct reviewers must, at a minimum, be advertised locally and in the Sydney metropolitan area.
- 3.5 To be eligible to be a conduct reviewer, a person must, at a minimum, meet the following requirements:
- a) an understanding of local government, and
  - b) knowledge of investigative processes including but not limited to procedural fairness requirements and the requirements of the *Public Interest Disclosures Act 1994*, and
  - c) knowledge and experience of one or more of the following:
    - i) investigations
    - ii) law
    - iii) public administration
    - iv) public sector ethics
    - v) alternative dispute resolution, and
  - d) meet the eligibility requirements for membership of a panel of conduct reviewers under clause 3.6.
- 3.6 A person is not eligible to be a conduct reviewer if they are:
- a) a councillor, or
  - b) a nominee for election as a councillor, or
  - c) an administrator, or
  - d) an employee of a council, or
  - e) a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
  - f) a nominee for election as a member of the Commonwealth Parliament or any State Parliament or Territory Assembly, or
  - g) a person who has a conviction for an indictable offence that is not an expired conviction.
- 3.7 A person is not precluded from being a member of the council's panel of conduct reviewers if they are a member of another council's panel of conduct reviewers.
- 3.8 An incorporated or other entity may be appointed to a council's panel of conduct reviewers where the council is satisfied that all the persons who will be undertaking the functions of a conduct reviewer on behalf of the entity meet the selection and eligibility criteria prescribed under this Part.
- 3.9 A panel of conduct reviewers established under this Part is to have a term of up to four years.

- 3.10 The council may terminate the panel of conduct reviewers at any time. Where a panel of conduct reviewers has been terminated, conduct reviewers who were members of the panel may continue to deal with any matter referred to them under these procedures prior to the termination of the panel until they have finalised their consideration of the matter.
- 3.11 When the term of the panel of conduct reviewers concludes or is terminated, the council must establish a new panel of conduct reviewers in accordance with the requirements of this Part.
- 3.12 A person who was a member of a previous panel of conduct reviewers established by the council may be a member of subsequent panels of conduct reviewers established by the council if they continue to meet the selection and eligibility criteria for membership of the panel.

#### The appointment of an internal ombudsman to a panel of conduct reviewers

- 3.13 Despite clause 3.6(d), an employee of a council who is the nominated internal ombudsman of one or more councils may be appointed to a council's panel of conduct reviewers with the Office's consent.
- 3.14 To be appointed to a council's panel of conduct reviewers, an internal ombudsman must meet the qualification requirements for conduct reviewers prescribed under clause 3.5 as modified by the operation of clause 3.13.
- 3.15 An internal ombudsman appointed to a council's panel of conduct reviewers may also exercise the functions of the council's complaints coordinator. For the purposes of clause 6.1, an internal ombudsman who is a council's complaints coordinator and has been appointed to the council's panel of conduct reviewers, may either undertake a preliminary assessment and investigation of a matter referred to them under clauses 5.26 or 5.33 or refer the matter to another conduct reviewer in accordance with clause 6.2.
- 3.16 Clause 6.4(c) does not apply to an internal ombudsman appointed to a council's panel of conduct reviewers.

#### The appointment of complaints coordinators

- 3.17 The general manager must appoint a member of staff of the council or another person (such as, but not limited to, a member of staff of another council or a member of staff of a joint organisation or other regional body associated with the council), to act as a complaints coordinator. Where the complaints coordinator is a member of staff of the council, the complaints coordinator should be a senior and suitably qualified member of staff.
- 3.18 The general manager may appoint other members of staff of the council or other persons (such as, but not limited to, members of staff of another

council or members of staff of a joint organisation or other regional body associated with the council), to act as alternates to the complaints coordinator.

- 3.19 The general manager must not undertake the role of complaints coordinator.
- 3.20 The person appointed as complaints coordinator or alternate complaints coordinator must also be a nominated disclosures coordinator appointed for the purpose of receiving and managing reports of wrongdoing under the *Public Interest Disclosures Act 1994*.
- 3.21 The role of the complaints coordinator is to:
- a) coordinate the management of complaints made under the council's code of conduct
  - b) liaise with and provide administrative support to a conduct reviewer
  - c) liaise with the Office, and
  - d) arrange the annual reporting of code of conduct complaints statistics.

#### **PART 4 HOW MAY CODE OF CONDUCT COMPLAINTS BE MADE?**

##### What is a code of conduct complaint?

- 4.1 For the purpose of these procedures, a code of conduct complaint is a complaint that shows or tends to show conduct on the part of a council official in connection with their role as a council official or the exercise of their functions as a council official that would constitute a breach of the standards of conduct prescribed under the council's code of conduct if proven.
- 4.2 The following are not "code of conduct complaints" for the purposes of these procedures:
- a) complaints about the standard or level of service provided by the council or a council official
  - b) complaints that relate solely to the merits of a decision made by the council or a council official or the exercise of a discretion by the council or a council official
  - c) complaints about the policies or procedures of the council
  - d) complaints about the conduct of a council official arising from the exercise of their functions in good faith, whether or not involving error, that would not otherwise constitute a breach of the standards of conduct prescribed under the council's code of conduct.
- 4.3 Only code of conduct complaints are to be dealt with under these procedures. Complaints that do not satisfy the definition of a code of



conduct complaint are to be dealt with under the council's routine complaints management processes.

When must a code of conduct complaint be made?

- 44 A code of conduct complaint must be made within 3 months of the alleged conduct occurring or within three months of the complainant becoming aware of the alleged conduct.
- 45 A complaint made after 3 months may only be accepted if the general manager or their delegate, or, in the case of a complaint about the general manager, the mayor or their delegate, is satisfied that the allegations are serious and compelling grounds exist for the matter to be dealt with under the code of conduct.

How may a code of conduct complaint about a council official other than the general manager be made?

- 46 All code of conduct complaints other than those relating to the general manager are to be made to the general manager in writing. This clause does not operate to prevent a person from making a complaint to an external agency.
- 47 Where a code of conduct complaint about a council official other than the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 48 In making a code of conduct complaint about a council official other than the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 49 The general manager or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.10 Notwithstanding clauses 4.6 and 4.7, where the general manager becomes aware of a possible breach of the council's code of conduct, they may initiate the process for the consideration of the matter under these procedures without a written complaint.

How may a code of conduct complaint about the general manager be made?

- 4.11 Code of conduct complaints about the general manager are to be made to the mayor in writing. This clause does not operate to prevent a person from making a complaint about the general manager to an external agency.



- 4.12 Where a code of conduct complaint about the general manager cannot be made in writing, the complaint must be confirmed with the complainant in writing as soon as possible after the receipt of the complaint.
- 4.13 In making a code of conduct complaint about the general manager, the complainant may nominate whether they want the complaint to be resolved by mediation or by other alternative means.
- 4.14 The mayor or their delegate, or, where the complaint is referred to a conduct reviewer, the conduct reviewer, must consider the complainant's preferences in deciding how to deal with the complaint.
- 4.15 Notwithstanding clauses 4.11 and 4.12, where the mayor becomes aware of a possible breach of the council's code of conduct by the general manager, they may initiate the process for the consideration of the matter under these procedures without a written complaint.

## **PART 5 HOW ARE CODE OF CONDUCT COMPLAINTS TO BE MANAGED?**

### Delegation by general managers and mayors of their functions under this Part

- 5.1 A general manager or mayor may delegate their functions under this Part to a member of staff of the council or to a person or persons external to the council other than an external agency. References in this Part to the general manager or mayor are also to be taken to be references to their delegates.

### Consideration of complaints by general managers and mayors

- 5.2 In exercising their functions under this Part, general managers and mayors may consider the complaint assessment criteria prescribed under clause 6.31.

### What complaints may be declined at the outset?

- 5.3 Without limiting any other provision in these procedures, the general manager or, in the case of a complaint about the general manager, the mayor, may decline to deal with a complaint under these procedures where they are satisfied that the complaint:
- a) is not a code of conduct complaint, or
  - b) subject to clause 4.5, is not made within 3 months of the alleged conduct occurring or the complainant becoming aware of the alleged conduct, or
  - c) is trivial, frivolous, vexatious or not made in good faith, or
  - d) relates to a matter the substance of which has previously been considered and addressed by the council and does not warrant further action, or

- e) is not made in a way that would allow the alleged conduct and any alleged breaches of the council's code of conduct to be readily identified.

How are code of conduct complaints about staff (other than the general manager) to be dealt with?

- 54 The general manager is responsible for the management of code of conduct complaints about members of staff of council (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.
- 55 The general manager must refer code of conduct complaints about members of staff of council alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.
- 56 The general manager may decide to take no action in relation to a code of conduct complaint about a member of staff of council other than one requiring referral to the Office under clause 5.5 where they consider that no action is warranted in relation to the complaint.
- 57 Where the general manager decides to take no action in relation to a code of conduct complaint about a member of staff of council, the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 58 Code of conduct complaints about members of staff of council must be managed in accordance with the relevant industrial instrument or employment contract and make provision for procedural fairness including the right of an employee to be represented by their union.
- 59 Sanctions for breaches of the code of conduct by staff depend on the severity, scale and importance of the breach and must be determined in accordance with any relevant industrial instruments or contracts.

How are code of conduct complaints about delegates of council, council advisers and council committee members to be dealt with?

- 5.10 The general manager is responsible for the management of code of conduct complaints about delegates of council and council committee members (other than complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct) and for determining the outcome of such complaints.
- 5.11 The general manager must refer code of conduct complaints about council advisers, delegates of council and council committee members alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct to the Office.

- 5.12 The general manager may decide to take no action in relation to a code of conduct complaint about a delegate of council or a council committee member other than one requiring referral to the Office under clause 5.11 where they consider that no action is warranted in relation to the complaint.
- 5.13 Where the general manager decides to take no action in relation to a code of conduct complaint about a delegate of council or a council committee member, the general manager must give the complainant reasons in writing for their decision and this shall finalise the consideration of the matter under these procedures.
- 5.14 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about delegates of council or council committee members, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 5.15 Where the general manager resolves a code of conduct complaint under clause 5.14 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.16 Sanctions for breaches of the code of conduct by delegates of council and/or council committee members depend on the severity, scale and importance of the breach and may include one or more of the following:
- a) censure
  - b) requiring the person to apologise to any person or organisation adversely affected by the breach in such a time and form specified by the general manager
  - c) prosecution for any breach of the law
  - d) removing or restricting the person's delegation
  - e) removing the person from membership of the relevant council committee.
- 5.17 Prior to imposing a sanction against a delegate of council or a council committee member under clause 5.16, the general manager or any person making enquiries on behalf of the general manager must comply with the requirements of procedural fairness. In particular:
- a) the substance of the allegation (including the relevant provision/s of the council's code of conduct that the alleged conduct is in breach of) must be put to the person who is the subject of the allegation, and

- b) the person must be given an opportunity to respond to the allegation, and
- c) the general manager must consider the person's response in deciding whether to impose a sanction under clause 5.16.

How are code of conduct complaints about administrators to be dealt with?

- 5.18 The general manager must refer all code of conduct complaints about administrators to the Office for its consideration.
- 5.19 The general manager must notify the complainant of the referral of their complaint in writing.

How are code of conduct complaints about councillors to be dealt with?

- 5.20 The general manager must refer the following code of conduct complaints about councillors to the Office:
  - a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
  - b) complaints alleging a failure to comply with a requirement under the code of conduct to disclose and appropriately manage conflicts of interest arising from political donations (see section 328B of the LGA)
  - c) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
  - d) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 5.21 Where the general manager refers a complaint to the Office under clause 5.20, the general manager must notify the complainant of the referral in writing.
- 5.22 The general manager may decide to take no action in relation to a code of conduct complaint about a councillor, other than one requiring referral to the Office under clause 5.20, where they consider that no action is warranted in relation to the complaint.
- 5.23 Where the general manager decides to take no action in relation to a code of conduct complaint about a councillor, the general manager must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.24 Where the general manager considers it to be practicable and appropriate to do so, the general manager may seek to resolve code of conduct complaints about councillors, other than those requiring referral to the Office under clause 5.20, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the

offending behaviour. The resolution of a code of conduct complaint under this clause is not to be taken as a determination that there has been a breach of the council's code of conduct.

- 525 Where the general manager resolves a code of conduct complaint under clause 5.24 to the general manager's satisfaction, the general manager must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 526 The general manager must refer all code of conduct complaints about councillors, other than those referred to the Office under clause 5.20 or finalised under clause 5.23 or resolved under clause 5.24, to the complaints coordinator.

How are code of conduct complaints about the general manager to be dealt with?

- 527 The mayor must refer the following code of conduct complaints about the general manager to the Office:
- a) complaints alleging a breach of the pecuniary interest provisions contained in Part 4 of the code of conduct
  - b) complaints alleging a breach of the provisions relating to the maintenance of the integrity of the code of conduct contained in Part 9 of the code of conduct
  - c) complaints that are the subject of a special complaints management arrangement with the Office under clause 5.49.
- 528 Where the mayor refers a complaint to the Office under clause 5.27, the mayor must notify the complainant of the referral in writing.
- 529 The mayor may decide to take no action in relation to a code of conduct complaint about the general manager, other than one requiring referral to the Office under clause 5.27, where they consider that no action is warranted in relation to the complaint.
- 530 Where the mayor decides to take no action in relation to a code of conduct complaint about the general manager, the mayor must give the complainant reasons in writing for their decision within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 531 Where the mayor considers it to be practicable and appropriate to do so, the mayor may seek to resolve code of conduct complaints about the general manager, other than those requiring referral to the Office under clause 5.27, by alternative means such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour. The resolution of a code of conduct complaint under this clause is not to

be taken as a determination that there has been a breach of the council's code of conduct.

- 5.32 Where the mayor resolves a code of conduct complaint under clause 5.31 to the mayor's satisfaction, the mayor must notify the complainant in writing of the steps taken to resolve the complaint within 21 days of receipt of the complaint and this shall finalise the consideration of the matter under these procedures.
- 5.33 The mayor must refer all code of conduct complaints about the general manager, other than those referred to the Office under clause 5.27 or finalised under clause 5.30 or resolved under clause 5.31, to the complaints coordinator.

How are complaints about both the general manager and the mayor to be dealt with?

- 5.34 Where the general manager or mayor receives a code of conduct complaint that alleges a breach of the code of conduct by both the general manager and the mayor, the general manager or mayor must either:
- a) delegate their functions under this part with respect to the complaint to a member of staff of the council other than the general manager where the allegation is not serious, or to a person external to the council, or
  - b) refer the matter to the complaints coordinator under clause 5.26 and clause 5.33.

Referral of code of conduct complaints to external agencies

- 5.35 The general manager, mayor or a conduct reviewer may, at any time, refer a code of conduct complaint to an external agency for its consideration, where they consider such a referral is warranted.
- 5.36 The general manager, mayor or a conduct reviewer must report to the ICAC any matter that they suspect on reasonable grounds concerns or may concern corrupt conduct.
- 5.37 Where the general manager, mayor or conduct reviewer refers a complaint to an external agency under clause 5.35, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.
- 5.38 Referral of a matter to an external agency shall finalise consideration of the matter under these procedures unless the council is subsequently advised otherwise by the referral agency.



Disclosure of the identity of complainants

- 5.39 In dealing with matters under these procedures, information that identifies or tends to identify complainants is not to be disclosed unless:
- a) the complainant consents in writing to the disclosure, or
  - b) it is generally known that the complainant has made the complaint as a result of the complainant having voluntarily identified themselves as the person who made the complaint, or
  - c) it is essential, having regard to procedural fairness requirements, that the identifying information be disclosed, or
  - d) a conduct reviewer is of the opinion that disclosure of the information is necessary to investigate the matter effectively, or
  - e) it is otherwise in the public interest to do so.
- 5.40 Clause 5.39 does not apply to code of conduct complaints made by councillors about other councillors or the general manager.
- 5.41 Where a councillor makes a code of conduct complaint about another councillor or the general manager, and the complainant councillor considers that compelling grounds exist that would warrant information that identifies or tends to identify them as the complainant not to be disclosed, they may request in writing that such information not be disclosed.
- 5.42 A request made by a complainant councillor under clause 5.41 must be made at the time they make a code of conduct complaint and must state the grounds upon which the request is made.
- 5.43 The general manager or mayor, and where the matter is referred to a conduct reviewer, the conduct reviewer, must consider a request made under clause 5.41 before disclosing information that identifies or tends to identify the complainant councillor, but they are not obliged to comply with the request.
- 5.44 Where a complainant councillor makes a request under clause 5.41, the general manager or mayor or, where the matter is referred to a conduct reviewer, the conduct reviewer, shall notify the councillor in writing of their intention to disclose information that identifies or tends to identify them prior to disclosing the information.

Code of conduct complaints made as public interest disclosures

- 5.45 These procedures do not override the provisions of the *Public Interest Disclosures Act 1994*. Code of conduct complaints that are made as public interest disclosures under that Act are to be managed in accordance with the requirements of that Act, the council's internal reporting policy, and any guidelines issued by the NSW Ombudsman that relate to the management of public interest disclosures.

- 5.46 Where a councillor makes a code of conduct complaint about another councillor or the general manager as a public interest disclosure, before the matter may be dealt with under these procedures, the complainant councillor must consent in writing to the disclosure of their identity as the complainant.
- 5.47 Where a complainant councillor declines to consent to the disclosure of their identity as the complainant under clause 5.46, the general manager or the mayor must refer the complaint to the Office for consideration. Such a referral must be made under section 26 of the *Public Interest Disclosures Act 1994*.

#### Special complaints management arrangements

- 5.48 The general manager may request in writing that the Office enter into a special complaints management arrangement with the council in relation to code of conduct complaints made by or about a person or persons.
- 5.49 Where the Office receives a request under clause 5.48, it may agree to enter into a special complaints management arrangement if it is satisfied that the number or nature of code of conduct complaints made by or about a person or persons has:
- a) imposed an undue and disproportionate cost burden on the council's administration of its code of conduct, or
  - b) impeded or disrupted the effective administration by the council of its code of conduct, or
  - c) impeded or disrupted the effective functioning of the council.
- 5.50 A special complaints management arrangement must be in writing and must specify the following:
- a) the code of conduct complaints the arrangement relates to, and
  - b) the period that the arrangement will be in force.
- 5.51 The Office may, by notice in writing, amend or terminate a special complaints management arrangement at any time.
- 5.52 While a special complaints management arrangement is in force, an officer of the Office (the assessing OLG officer) must undertake the preliminary assessment of the code of conduct complaints specified in the arrangement in accordance with the requirements of Part 6 of these procedures.
- 5.53 Where, following a preliminary assessment, the assessing OLG officer determines that a code of conduct complaint warrants investigation by a conduct reviewer, the assessing OLG officer shall notify the complaints coordinator in writing of their determination and the reasons for their determination. The complaints coordinator must comply with the recommendation of the assessing OLG officer.



- 5.54 Prior to the expiry of a special complaints management arrangement, the Office may, at the request of the general manager, review the arrangement to determine whether it should be renewed or amended.
- 5.55 A special complaints management arrangement shall expire on the date specified in the arrangement unless renewed under clause 5.54.

## **PART 6 PRELIMINARY ASSESSMENT OF CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS OR THE GENERAL MANAGER BY CONDUCT REVIEWERS**

### Referral of code of conduct complaints about councillors or the general manager to conduct reviewers

- 6.1 The complaints coordinator must refer all code of conduct complaints about councillors or the general manager that have not been referred to an external agency or declined or resolved by the general manager, mayor or their delegate and that have been referred to them under clauses 5.26 or 5.33, to a conduct reviewer within 21 days of receipt of the complaint by the general manager or the mayor.
- 6.2 For the purposes of clause 6.1, the complaints coordinator will refer a complaint to a conduct reviewer selected from:
- a) a panel of conduct reviewers established by the council, or
  - b) a panel of conduct reviewers established by an organisation approved by the Office.
- 6.3 In selecting a suitable conduct reviewer, the complaints coordinator may have regard to the qualifications and experience of members of the panel of conduct reviewers. Where the conduct reviewer is an incorporated or other entity, the complaints coordinator must also ensure that the person assigned to receive the referral on behalf of the entity meets the selection and eligibility criteria for conduct reviewers prescribed under Part 3 of these procedures.
- 6.4 A conduct reviewer must not accept the referral of a code of conduct complaint where:
- a) they have a conflict of interest in relation to the matter referred to them, or
  - b) a reasonable apprehension of bias arises in relation to their consideration of the matter, or
  - c) they or their employer has entered into one or more contracts with the council (other than contracts relating to the exercise of their functions as a conduct reviewer) in the 2 years preceding the referral, and they or their employer have received or expect to receive payments under the contract or contracts of a value that, when aggregated, exceeds \$100,000, or

- d) at the time of the referral, they or their employer are the council's legal service provider or are a member of a panel of legal service providers appointed by the council.
- 6.5 For the purposes of clause 6.4(a), a conduct reviewer will have a conflict of interest in a matter where a reasonable and informed person would perceive that they could be influenced by a private interest when carrying out their public duty (see clause 5.2 of the Model Code of Conduct).
- 6.6 For the purposes of clause 6.4(b), a reasonable apprehension of bias arises where a fair-minded observer might reasonably apprehend that the conduct reviewer might not bring an impartial and unprejudiced mind to the matter referred to the conduct reviewer.
- 6.7 Where the complaints coordinator refers a matter to a conduct reviewer, they will provide the conduct reviewer with a copy of the code of conduct complaint and any other information relevant to the matter held by the council, including any information about previous proven breaches and any information that would indicate that the alleged conduct forms part of an ongoing pattern of behaviour.
- 6.8 The complaints coordinator must notify the complainant in writing that the matter has been referred to a conduct reviewer, and advise which conduct reviewer the matter has been referred to.
- 6.9 Conduct reviewers must comply with these procedures in their consideration of matters that have been referred to them and exercise their functions in a diligent and timely manner.
- 6.10 The complaints coordinator may at any time terminate the referral of a matter to a conduct reviewer and refer the matter to another conduct reviewer where the complaints coordinator is satisfied that the conduct reviewer has failed to:
- a) comply with these procedures in their consideration of the matter, or
  - b) comply with a lawful and reasonable request by the complaints coordinator, or
  - c) exercise their functions in a timely or satisfactory manner.
- 6.11 Where the complaints coordinator terminates a referral to a conduct reviewer under clause 6.10, they must notify the complainant and any other affected person in writing of their decision and the reasons for it and advise them which conduct reviewer the matter has been referred to instead.

Preliminary assessment of code of conduct complaints about councillors or the general manager by a conduct reviewer

- 6.12 The conduct reviewer is to undertake a preliminary assessment of a complaint referred to them by the complaints coordinator for the purposes of determining how the complaint is to be managed.
- 6.13 The conduct reviewer may determine to do one or more of the following in relation to a complaint referred to them by the complaints coordinator:
- a) to take no action
  - b) to resolve the complaint by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
  - c) to refer the matter back to the general manager or, in the case of a complaint about the general manager, the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
  - d) to refer the matter to an external agency
  - e) to investigate the matter.
- 6.14 In determining how to deal with a matter under clause 6.13, the conduct reviewer must have regard to the complaint assessment criteria prescribed under clause 6.31.
- 6.15 The conduct reviewer may make such enquiries the conduct reviewer considers to be reasonably necessary to determine what options to exercise under clause 6.13.
- 6.16 The conduct reviewer may request the complaints coordinator to provide such additional information the conduct reviewer considers to be reasonably necessary to determine what options to exercise in relation to the matter under clause 6.13. The complaints coordinator will, as far as is reasonably practicable, supply any information requested by the conduct reviewer.
- 6.17 The conduct reviewer must refer to the Office any complaints referred to them that should have been referred to the Office under clauses 5.20 and 5.27.
- 6.18 The conduct reviewer must determine to take no action on a complaint that is not a code of conduct complaint for the purposes of these procedures.
- 6.19 The resolution of a code of conduct complaint under clause 6.13, paragraphs (b) or (c) is not to be taken as a determination that there has been a breach of the council's code of conduct.

- 620 Where the conduct reviewer completes their preliminary assessment of a complaint by determining to exercise an option under clause 6.13, paragraphs (a), (b) or (c), they must provide the complainant with written notice of their determination and provide reasons for it, and this will finalise consideration of the matter under these procedures.
- 621 Where the conduct reviewer refers a complaint to an external agency, they must notify the complainant of the referral in writing unless they form the view, on the advice of the relevant agency, that it would not be appropriate for them to do so.
- 622 The conduct reviewer may only determine to investigate a matter where they are satisfied as to the following:
- a) that the complaint is a code of conduct complaint for the purposes of these procedures, and
  - b) that the alleged conduct is sufficiently serious to warrant the formal censure of a councillor under section 440G of the LGA or disciplinary action against the general manager under their contract of employment if it were to be proven, and
  - c) that the matter is one that could not or should not be resolved by alternative means.
- 623 In determining whether a matter is sufficiently serious to warrant formal censure of a councillor under section 440G of the LGA or disciplinary action against the general manager under their contract of employment, the conduct reviewer is to consider the following:
- a) the harm or cost that the alleged conduct has caused to any affected individuals and/or the council
  - b) the likely impact of the alleged conduct on the reputation of the council and public confidence in it
  - c) whether the alleged conduct was deliberate or undertaken with reckless intent or negligence
  - d) any previous proven breaches by the person whose alleged conduct is the subject of the complaint and/or whether the alleged conduct forms part of an ongoing pattern of behaviour.
- 624 The conduct reviewer must complete their preliminary assessment of the complaint within 28 days of referral of the matter to them by the complaints coordinator and notify the complaints coordinator in writing of the outcome of their assessment.
- 625 The conduct reviewer is not obliged to give prior notice to or to consult with any person before making a determination in relation to their preliminary assessment of a complaint, except as may be specifically required under these procedures.

Referral back to the general manager or mayor for resolution

- 626 Where the conduct reviewer determines to refer a matter back to the general manager or to the mayor to be resolved by alternative and

appropriate means, they must write to the general manager or, in the case of a complaint about the general manager, to the mayor, recommending the means by which the complaint may be resolved.

- 627 The conduct reviewer must consult with the general manager or mayor prior to referring a matter back to them under clause 6.13(c).
- 628 The general manager or mayor may decline to accept the conduct reviewer's recommendation. In such cases, the conduct reviewer may determine to deal with the complaint by other means under clause 6.13.
- 629 Where the conduct reviewer refers a matter back to the general manager or mayor under clause 6.13(c), the general manager or, in the case of a complaint about the general manager, the mayor, is responsible for implementing or overseeing the implementation of the conduct reviewer's recommendation.
- 630 Where the conduct reviewer refers a matter back to the general manager or mayor under clause 6.13(c), the general manager, or, in the case of a complaint about the general manager, the mayor, must advise the complainant in writing of the steps taken to implement the conduct reviewer's recommendation once these steps have been completed.

#### Complaints assessment criteria

- 631 In undertaking the preliminary assessment of a complaint, the conduct reviewer must have regard to the following considerations:
- a) whether the complaint is a code of conduct complaint for the purpose of these procedures
  - b) whether the complaint has been made in a timely manner in accordance with clause 4.4, and if not, whether the allegations are sufficiently serious for compelling grounds to exist for the matter to be dealt with under the council's code of conduct
  - c) whether the complaint is trivial, frivolous, vexatious or not made in good faith
  - d) whether the complaint discloses prima facie evidence of conduct that, if proven, would constitute a breach of the code of conduct
  - e) whether the complaint raises issues that would be more appropriately dealt with by an external agency
  - f) whether there is or was an alternative and satisfactory means of redress available in relation to the conduct complained of
  - g) whether the complaint is one that can be resolved by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour
  - h) whether the issue/s giving rise to the complaint have previously been addressed or resolved
  - i) any previous proven breaches of the council's code of conduct
  - j) whether the conduct complained of forms part of an ongoing pattern of behaviour

- k) whether there were mitigating circumstances giving rise to the conduct complained of
- l) the seriousness of the alleged conduct (having regard to the criteria specified in clause 6.23)
- m) the significance of the conduct or the impact of the conduct for the council
- n) how much time has passed since the alleged conduct occurred
- o) such other considerations that the conduct reviewer considers may be relevant to the assessment of the complaint.

## **PART 7 INVESTIGATIONS OF CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS OR THE GENERAL MANAGER**

### What matters may a conduct reviewer investigate?

- 7.1 A conduct reviewer (hereafter referred to as an “investigator”) may investigate a code of conduct complaint that has been referred to them by the complaints coordinator and any matters related to or arising from that complaint.
- 7.2 Where an investigator identifies further separate possible breaches of the code of conduct that are not related to or do not arise from the code of conduct complaint that has been referred to them, they are to report the matters separately in writing to the general manager, or, in the case of alleged conduct on the part of the general manager, to the mayor.
- 7.3 The general manager or the mayor or their delegate is to deal with a matter reported to them by an investigator under clause 7.2 as if it were a new code of conduct complaint in accordance with these procedures.

### How are investigations to be commenced?

- 7.4 The investigator must at the outset of their investigation provide a written notice of investigation to the respondent. The notice of investigation must:
  - a) disclose the substance of the allegations against the respondent, and
  - b) advise of the relevant provisions of the code of conduct that apply to the alleged conduct, and
  - c) advise of the process to be followed in investigating the matter, and
  - d) advise the respondent of the requirement to maintain confidentiality, and
  - e) invite the respondent to make a written submission in relation to the matter within a period of not less than 14 days specified by the investigator in the notice, and
  - f) provide the respondent the opportunity to address the investigator on the matter within such reasonable time specified in the notice.



- 7.5 The respondent may, within 7 days of receipt of the notice of investigation, request in writing that the investigator provide them with such further information they consider necessary to assist them to identify the substance of the allegation against them. An investigator will only be obliged to provide such information that the investigator considers reasonably necessary for the respondent to identify the substance of the allegation against them.
- 7.6 An investigator may at any time prior to issuing a draft report, issue an amended notice of investigation to the respondent in relation to the matter referred to them.
- 7.7 Where an investigator issues an amended notice of investigation, they must provide the respondent with a further opportunity to make a written submission in response to the amended notice of investigation within a period of not less than 14 days specified by the investigator in the amended notice.
- 7.8 The investigator must also, at the outset of their investigation, provide written notice of the investigation to the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the complainant, the complaints coordinator and the mayor. The notice must:
- a) advise them of the matter the investigator is investigating, and
  - b) in the case of the notice to the complainant, advise them of the requirement to maintain confidentiality, and
  - c) invite the complainant to make a written submission in relation to the matter within a period of not less than 14 days specified by the investigator in the notice.

#### Written and oral submissions

- 7.9 Where the respondent or the complainant fails to make a written submission in relation to the matter within the period specified by the investigator in their notice of investigation or amended notice of investigation, the investigator may proceed to prepare their draft report without receiving such submissions.
- 7.10 The investigator may accept written submissions received outside the period specified in the notice of investigation or amended notice of investigation.
- 7.11 Prior to preparing a draft report, the investigator must give the respondent an opportunity to address the investigator on the matter being investigated. The respondent may do so in person or by telephone or other electronic means.
- 7.12 Where the respondent fails to accept the opportunity to address the investigator within the period specified by the investigator in the notice of

investigation, the investigator may proceed to prepare a draft report without hearing from the respondent.

- 7.13 Where the respondent accepts the opportunity to address the investigator in person, they may have a support person or legal adviser in attendance. The support person or legal adviser will act in an advisory or support role to the respondent only. They must not speak on behalf of the respondent or otherwise interfere with or disrupt proceedings.
- 7.14 The investigator must consider all written and oral submissions made to them in relation to the matter.

#### How are investigations to be conducted?

- 7.15 Investigations are to be undertaken without undue delay.
- 7.16 Investigations are to be undertaken in the absence of the public and in confidence.
- 7.17 Investigators must make any such enquiries that may be reasonably necessary to establish the facts of the matter.
- 7.18 Investigators may seek such advice or expert guidance that may be reasonably necessary to assist them with their investigation or the conduct of their investigation.
- 7.19 An investigator may request that the complaints coordinator provide such further information that the investigator considers may be reasonably necessary for them to establish the facts of the matter. The complaints coordinator will, as far as is reasonably practicable, provide the information requested by the investigator.

#### Referral or resolution of a matter after the commencement of an investigation

- 7.20 At any time after an investigator has issued a notice of investigation and before they have issued their final report, an investigator may determine to:
- a) resolve the matter by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
  - b) refer the matter to the general manager, or, in the case of a complaint about the general manager, to the mayor, for resolution by alternative and appropriate strategies such as, but not limited to, explanation, counselling, training, mediation, informal discussion, negotiation, a voluntary apology or an undertaking not to repeat the offending behaviour, or
  - c) refer the matter to an external agency.



- 721 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they must do so in accordance with the requirements of Part 6 of these procedures relating to the exercise of these options at the preliminary assessment stage.
- 722 The resolution of a code of conduct complaint under clause 7.20, paragraphs (a) or (b) is not to be taken as a determination that there has been a breach of the council's code of conduct.
- 723 Where an investigator determines to exercise any of the options under clause 7.20 after the commencement of an investigation, they may by written notice to the respondent, the complainant, the complaints coordinator and the general manager, or in the case of a complaint about the general manager, to the respondent, the complainant, the complaints coordinator and the mayor, discontinue their investigation of the matter.
- 724 Where the investigator discontinues their investigation of a matter under clause 7.23, this shall finalise the consideration of the matter under these procedures.
- 725 An investigator is not obliged to give prior notice to or to consult with any person before making a determination to exercise any of the options under clause 7.20 or to discontinue their investigation except as may be specifically required under these procedures.

#### Draft investigation reports

- 726 When an investigator has completed their enquiries and considered any written or oral submissions made to them in relation to a matter, they must prepare a draft of their proposed report.
- 727 The investigator must provide their draft report to the respondent and invite them to make a written submission in relation to it within a period of not less than 14 days specified by the investigator.
- 728 Where the investigator proposes to make adverse comment about any other person (an affected person) in their report, they must also provide the affected person with relevant extracts of their draft report containing such comment and invite the affected person to make a written submission in relation to it within a period of not less than 14 days specified by the investigator.
- 729 The investigator must consider written submissions received in relation to the draft report prior to finalising their report in relation to the matter.
- 730 The investigator may, after consideration of all written submissions received in relation to their draft report, make further enquiries into the matter. If, as a result of making further enquiries, the investigator makes any material change to their proposed report that makes new adverse comment about the respondent or an affected person, they must provide

the respondent or affected person as the case may be with a further opportunity to make a written submission in relation to the new adverse comment.

- 7.31 Where the respondent or an affected person fails to make a written submission in relation to the draft report within the period specified by the investigator, the investigator may proceed to prepare and issue their final report without receiving such submissions.
- 7.32 The investigator may accept written submissions in relation to the draft report received outside the period specified by the investigator at any time prior to issuing their final report.

#### Final investigation reports

- 7.33 Where an investigator issues a notice of investigation, they must prepare a final report in relation to the matter unless the investigation is discontinued under clause 7.23.
- 7.34 An investigator must not prepare a final report in relation to the matter at any time before they have finalised their consideration of the matter in accordance with the requirements of these procedures.
- 7.35 The investigator's final report must:
- a) make findings of fact in relation to the matter investigated, and,
  - b) make a determination that the conduct investigated either,
    - i. constitutes a breach of the code of conduct, or
    - ii. does not constitute a breach of the code of conduct, and
  - c) provide reasons for the determination.
- 7.36 At a minimum, the investigator's final report must contain the following information:
- a) a description of the allegations against the respondent
  - b) the relevant provisions of the code of conduct that apply to the alleged conduct investigated
  - c) a statement of reasons as to why the matter warranted investigation (having regard to the criteria specified in clause 6.23)
  - d) a statement of reasons as to why the matter was one that could not or should not be resolved by alternative means
  - e) a description of any attempts made to resolve the matter by use of alternative means
  - f) the steps taken to investigate the matter
  - g) the facts of the matter
  - h) the investigator's findings in relation to the facts of the matter and the reasons for those findings
  - i) the investigator's determination and the reasons for that determination
  - j) any recommendations.

- 7.37 Where the investigator determines that the conduct investigated constitutes a breach of the code of conduct, the investigator may recommend:
- a) in the case of a breach by the general manager, that disciplinary action be taken under the general manager's contract of employment for the breach, or
  - b) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the LGA, or
  - c) in the case of a breach by a councillor, that the council resolves as follows:
    - i. that the councillor be formally censured for the breach under section 440G of the LGA, and
    - ii. that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.38 Where the investigator proposes to make a recommendation under clause 7.37(c), the investigator must first consult with the Office on their proposed findings, determination and recommendation prior to finalising their report, and must take any comments by the Office into consideration when finalising their report.
- 7.39 Where the investigator has determined that there has been a breach of the code of conduct, the investigator may, in addition to making a recommendation under clause 7.37, recommend that the council revise any of its policies, practices or procedures.
- 7.40 Where the investigator determines that the conduct investigated does not constitute a breach of the code of conduct, the investigator may recommend:
- a) that the council revise any of its policies, practices or procedures
  - b) that a person or persons undertake any training or other education.
- 7.41 The investigator must provide a copy of their report to the complaints coordinator and the respondent.
- 7.42 At the time the investigator provides a copy of their report to the complaints coordinator and the respondent, the investigator must provide the complainant with a written statement containing the following information:
- a) the investigator's findings in relation to the facts of the matter and the reasons for those findings
  - b) the investigator's determination and the reasons for that determination
  - c) any recommendations, and
  - d) such other additional information that the investigator considers may be relevant.

- 743 Where the investigator has determined that there has not been a breach of the code of conduct, the complaints coordinator must provide a copy of the investigator's report to the general manager or, where the report relates to the general manager's conduct, to the mayor, and this will finalise consideration of the matter under these procedures.
- 744 Where the investigator has determined that there has been a breach of the code of conduct and makes a recommendation under clause 7.37, the complaints coordinator must, where practicable, arrange for the investigator's report to be reported to the next ordinary council meeting for the council's consideration, unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case the report must be reported to the first ordinary council meeting following the election.
- 745 Where it is apparent to the complaints coordinator that the council will not be able to form a quorum to consider the investigator's report, the complaints coordinator must refer the investigator's report to the Office for its consideration instead of reporting it to the council under clause 7.44.

#### Consideration of the final investigation report by council

- 746 The role of the council in relation to a final investigation report is to impose a sanction if the investigator has determined that there has been a breach of the code of conduct and has made a recommendation in their final report under clause 7.37.
- 747 The council is to close its meeting to the public to consider the final investigation report in cases where it is permitted to do so under section 10A of the LGA.
- 748 Where the complainant is a councillor, they must absent themselves from the meeting and take no part in any discussion or voting on the matter. The complainant councillor may absent themselves without making any disclosure of interest in relation to the matter unless otherwise required to do so under the code of conduct.
- 749 Prior to imposing a sanction, the council must provide the respondent with an opportunity to make a submission to the council. A submission may be made orally or in writing. The respondent is to confine their submission to addressing the investigator's recommendation.
- 750 Once the respondent has made their submission they must absent themselves from the meeting and, where they are a councillor, take no part in any discussion or voting on the matter.
- 751 The council must not invite submissions from other persons for the purpose of seeking to rehear evidence previously considered by the investigator.

- 7.52 Prior to imposing a sanction, the council may by resolution:
- a) request that the investigator make additional enquiries and/or provide additional information to it in a supplementary report, or
  - b) seek an opinion from the Office in relation to the report.
- 7.53 The council may, by resolution, defer further consideration of the matter pending the receipt of a supplementary report from the investigator or an opinion from the Office.
- 7.54 The investigator may make additional enquiries for the purpose of preparing a supplementary report.
- 7.55 Where the investigator prepares a supplementary report, they must provide copies to the complaints coordinator who shall provide a copy each to the council and the respondent.
- 7.56 The investigator is not obliged to notify or consult with any person prior to submitting the supplementary report to the complaints coordinator.
- 7.57 The council is only required to provide the respondent a further opportunity to make an oral or written submission on a supplementary report if the supplementary report contains new information that is adverse to them.
- 7.58 A council may by resolution impose one of the following sanctions on a respondent:
- a) in the case of a breach by the general manager, that disciplinary action be taken under the general manager's contract of employment for the breach, or
  - b) in the case of a breach by a councillor, that the councillor be formally censured for the breach under section 440G of the LGA, or
  - c) in the case of a breach by a councillor:
    - i. that the councillor be formally censured for the breach under section 440G of the LGA, and
    - ii. that the matter be referred to the Office for further action under the misconduct provisions of the LGA.
- 7.59 Where the council censures a councillor under section 440G of the LGA, the council must specify in the censure resolution the grounds on which it is satisfied that the councillor should be censured by disclosing in the resolution, the investigator's findings and determination and/or such other grounds that the council considers may be relevant or appropriate.
- 7.60 The council is not obliged to adopt the investigator's recommendation. Where the council proposes not to adopt the investigator's recommendation, the council must resolve not to adopt the recommendation and state in its resolution the reasons for its decision.

- 761 Where the council resolves not to adopt the investigator's recommendation, the complaints coordinator must notify the Office of the council's decision and the reasons for it.

## **PART 8      OVERSIGHT AND RIGHTS OF REVIEW**

### The Office's powers of review

- 81 The Office may, at any time, whether or not in response to a request, review the consideration of a matter under a council's code of conduct where it is concerned that a person has failed to comply with a requirement prescribed under these procedures or has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct in their consideration of a matter.
- 82 The Office may direct any person, including the council, to defer taking further action in relation to a matter under consideration under the council's code of conduct pending the completion of its review. Any person the subject of a direction must comply with the direction.
- 83 Where the Office undertakes a review of a matter under clause 8.1, it will notify the complaints coordinator and any other affected persons, of the outcome of the review.

### Complaints about conduct reviewers

- 84 The general manager or their delegate must refer code of conduct complaints about conduct reviewers to the Office for its consideration.
- 85 The general manager must notify the complainant of the referral of their complaint about the conduct reviewer in writing.
- 86 The general manager must implement any recommendation made by the Office as a result of its consideration of a complaint about a conduct reviewer.

### Practice rulings

- 87 Where a respondent and an investigator are in dispute over a requirement under these procedures, either person may make a request in writing to the Office to make a ruling on a question of procedure (a practice ruling).
- 88 Where the Office receives a request in writing for a practice ruling, the Office may provide notice in writing of its ruling and the reasons for it to the person who requested it and to the investigator, where that person is different.
- 89 Where the Office makes a practice ruling, all parties must comply with it.



- 8.10 The Office may decline to make a practice ruling. Where the Office declines to make a practice ruling, it will provide notice in writing of its decision and the reasons for it to the person who requested it and to the investigator, where that person is different.

#### Review of decisions to impose sanctions

- 8.11 A person who is the subject of a sanction imposed under Part 7 of these procedures other than one imposed under clause 7.58, paragraph (c), may, within 28 days of the sanction being imposed, seek a review of the investigator's determination and recommendation by the Office.
- 8.12 A review under clause 8.11 may be sought on the following grounds:
- a) that the investigator has failed to comply with a requirement under these procedures, or
  - b) that the investigator has misinterpreted or misapplied the standards of conduct prescribed under the code of conduct, or
  - c) that in imposing its sanction, the council has failed to comply with a requirement under these procedures.
- 8.13 A request for a review made under clause 8.11 must be made in writing and must specify the grounds upon which the person believes the investigator or the council has erred.
- 8.14 The Office may decline to conduct a review, in cases where the grounds upon which the review is sought are not sufficiently specified.
- 8.15 The Office may undertake a review of a matter without receiving a request under clause 8.11.
- 8.16 The Office will undertake a review of the matter on the papers. However, the Office may request that the complaints coordinator provide such further information that the Office considers reasonably necessary for it to review the matter. The complaints coordinator must, as far as is reasonably practicable, provide the information requested by the Office.
- 8.17 Where a person requests a review under clause 8.11, the Office may direct the council to defer any action to implement a sanction. The council must comply with a direction to defer action by the Office.
- 8.18 The Office must notify the person who requested the review and the complaints coordinator of the outcome of the Office's review in writing and the reasons for its decision. In doing so, the Office may comment on any other matters the Office considers to be relevant.
- 8.19 Where the Office considers that the investigator or the council has erred, the Office may recommend that a decision to impose a sanction under these procedures be reviewed. Where the Office recommends that the decision to impose a sanction be reviewed:

- a) the complaints coordinator must, where practicable, arrange for the Office's determination to be tabled at the next ordinary council meeting unless the meeting is to be held within the 4 weeks prior to an ordinary local government election, in which case it must be tabled at the first ordinary council meeting following the election, and
- b) the council must:
  - i. review its decision to impose the sanction, and
  - ii. consider the Office's recommendation in doing so, and
  - iii. resolve to either rescind or reaffirm its previous resolution in relation to the matter.

820 Where, having reviewed its previous decision in relation to a matter under clause 8.19(b), the council resolves to reaffirm its previous decision, the council must state in its resolution its reasons for doing so.

## **PART 9 PROCEDURAL IRREGULARITIES**

- 9.1 A failure to comply with these procedures does not, on its own, constitute a breach of the code of conduct, except as may be otherwise specifically provided under the code of conduct.
- 9.2 A failure to comply with these procedures will not render a decision made in relation to a matter invalid where:
  - a) the non-compliance is isolated and/or minor in nature, or
  - b) reasonable steps are taken to correct the non-compliance, or
  - c) reasonable steps are taken to address the consequences of the non-compliance.

## **PART 10 PRACTICE DIRECTIONS**

- 10.1 The Office may at any time issue a practice direction in relation to the application of these procedures.
- 10.2 The Office will issue practice directions in writing, by circular to all councils.
- 10.3 All persons performing a function prescribed under these procedures must consider the Office's practice directions when performing the function.

## **PART 11 REPORTING STATISTICS ON CODE OF CONDUCT COMPLAINTS ABOUT COUNCILLORS AND THE GENERAL MANAGER**

- 11.1 The complaints coordinator must arrange for the following statistics to be reported to the council within 3 months of the end of September of each year:



- a) the total number of code of conduct complaints made about councillors and the general manager under the code of conduct in the year to September (the reporting period)
- b) the number of code of conduct complaints referred to a conduct reviewer during the reporting period
- c) the number of code of conduct complaints finalised by a conduct reviewer at the preliminary assessment stage during the reporting period and the outcome of those complaints
- d) the number of code of conduct complaints investigated by a conduct reviewer during the reporting period
- e) without identifying particular matters, the outcome of investigations completed under these procedures during the reporting period
- f) the number of matters reviewed by the Office during the reporting period and, without identifying particular matters, the outcome of the reviews, and
- g) the total cost of dealing with code of conduct complaints made about councillors and the general manager during the reporting period, including staff costs.

11.2 The council is to provide the Office with a report containing the statistics referred to in clause 11.1 within 3 months of the end of September of each year.

## **PART 12 CONFIDENTIALITY**

- 12.1 Information about code of conduct complaints and the management and investigation of code of conduct complaints is to be treated as confidential and is not to be publicly disclosed except as may be otherwise specifically required or permitted under these procedures.
- 12.2 Where a complainant publicly discloses information on one or more occasions about a code of conduct complaint they have made or purported to make, the general manager or their delegate may, with the consent of the Office, determine that the complainant is to receive no further information about their complaint and any future code of conduct complaint they make or purport to make.
- 12.3 Prior to seeking the Office's consent under clause 12.2, the general manager or their delegate must give the complainant written notice of their intention to seek the Office's consent, invite them to make a written submission within a period of not less than 14 days specified by the general manager or their delegate, and consider any submission made by them.
- 12.4 In giving its consent under clause 12.2, the Office must consider any submission made by the complainant to the general manager or their delegate.

- 12.5 The general manager or their delegate must give written notice of a determination made under clause 12.2 to:
- a) the complainant
  - b) the complaints coordinator
  - c) the Office, and
  - d) any other person the general manager or their delegate considers should be notified of the determination.
- 12.6 Any requirement under these procedures that a complainant is to be provided with information about a code of conduct complaint that they have made or purported to make, will not apply to a complainant the subject of a determination made by the general manager or their delegate under clause 12.2.
- 12.7 Clause 12.6 does not override any entitlement a person may have to access to council information under the *Government Information (Public Access) Act 2009* or to receive information under the *Public Interest Disclosures Act 1994* in relation to a complaint they have made.

DRAFT

Item No: C07/25-150

## LOCAL GOVERNMENT NSW ANNUAL CONFERENCE 2025

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

### SUMMARY

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This report is prepared in accordance with the adopted *Councillor Expenses and Facilities Policy*, and outlines the details of the Local Government NSW (LGNSW) Annual Conference 2025. The report requests that Council nominate up to 10 Councillors to attend as voting delegates and give consideration to potential motions for lodgement.

### RECOMMENDATION

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#### That Council:

1. **Nominate the Mayor and/or Councillor(s) to attend the Local Government NSW Annual Conference 2025 as nominated voting delegates; and**
2. **Give consideration to submitting motion(s) to the Local Government NSW Annual Conference 2025.**

### REPORT

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The Local Government NSW (LGNSW) Annual Conference is an annual policy-making event for NSW general-purpose councils, where local councillors across NSW Council's convene to share ideas and debate issues that influence the way councils are governed. Cumberland City Council is a financial member of Local Government NSW and is eligible to send representation to the Conference.

The LGNSW Annual Conference 2025 will be held from Sunday, 23 November 2025 to Tuesday, 25 November 2025 at the Panthers Western Sydney Conference Centre in Penrith, NSW.

Motions may be submitted for consideration at the Conference and must be submitted, at latest, by Sunday, 26 October 2025. For a motion to be included in the Business Paper, it must meet the criteria detailed in the *LGNSW 2025 Annual Conference Motion Submission Guide* (Attachment 1).

When submitting motions to be considered at the Conference, a copy of the Council resolution must be provided to enable lodgement.

All Councillors are able to attend the conference if they wish, however Council is entitled to register up to 10 voting delegates to the Conference, and must determine these Councillors. LGNSW must be provided with the names of nominated voting delegates by 5pm (AEDT) on Friday, 7 November 2025. It is now recommended that Council proceed to determine its nominated voting delegates for the conference.

## COMMUNITY ENGAGEMENT

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

## POLICY IMPLICATIONS

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The Local Government NSW Annual Conference 2025 is the key policy development conference for the NSW local government sector. Councillor attendance at the Local Government NSW Annual Conference is provided for under the *Councillor Expenses and Facilities Policy*.

## RISK IMPLICATIONS

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

## FINANCIAL IMPLICATIONS

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Councillor attendance to the Local Government NSW Annual Conference 2025 is provided for under the *Councillor Expenses and Facilities Policy* and is budgeted within the 2025/26 annual budget.

## CONCLUSION

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The Local Government NSW Annual Conference is the key policy-making event for the local government sector. To ensure representation and participation at this key event, this report recommends that Council nominate Councillors to attend as voting delegates and consider submitting motions to be debated at the Conference.

## ATTACHMENTS

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1. LGNSW 2025 Annual Conference Motion Submission Guide [↓](#)

**DOCUMENTS  
ASSOCIATED WITH  
REPORT C07/25-150**

**Attachment 1**

**LGNSW 2025 Annual Conference  
Motion Submission Guide**

# **LGNSW 2025 Annual Conference Motion Submission Guide**

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# MOTION SUBMISSION GUIDE

## 1. Introduction

Each year, Local Government NSW (LGNSW) members submit a range of motions to the LGNSW Annual Conference. These motions relate to strategic local government issues which affect members state-wide and introduce new or emerging policy issues. They are debated and resolved by Conference delegates, with successful resolutions establishing LGNSW's policy positions and guiding LGNSW's advocacy priorities for the year ahead.

All LGNSW member councils are invited to submit motions to the Annual Conference, with the following guide outlining the motion development and submission process.

## 2. Deadlines

- Motion submission will open on **Tuesday 1 July 2025**
- Members are encouraged to submit motions [online](#) as early as possible before **Tuesday 30 September 2025**, to allow assessment of the motions and distribution of the Business Paper before the Conference.
- Under the LGNSW Rules, the latest date motions can be accepted for inclusion in the Business Paper is **12 midnight (AEDT) on Sunday 26 October 2025** (28 days prior to Conference).

## 3. Criteria for motion submission 2025

Members are encouraged to be mindful that each Annual Conference can only reasonably consider and debate around 100 motions in the available time. With the number of LGNSW members including councils and related entities (such as ROCs and JOs), LGNSW requests that members only submit motions that relate to their highest priorities.

The LGNSW Board has resolved that motions will be included in the Business Paper for the Conference only where they fit in with the following criteria.

### Criteria for motions

To be included in the Business Paper, motions must:

1. **Be consistent with the objects of the LGNSW Rules (Rule 4)**
2. **Demonstrate that the issue concerns or is likely to concern a substantial number of local governments in NSW**
3. **Seek to establish or change a policy position of LGNSW and/or improve governance of the association** (noting that the LGNSW Board is responsible for any decisions around resourcing and campaigns or operational activities, and any necessary resource allocations will be subject to the LGNSW budgetary process)
4. **Be strategic**
5. **Be concise, clearly worded and unambiguous**
6. **Not be focussed on just a small specific part of NSW**
7. **Not encourage violation of prevailing laws**
8. **Not seek to advantage one or several members at the expense of other members.**



**Motions of a similar objective:**

9. May be consolidated by LGNSW as a single item.

**Motions reflecting existing LGNSW policy:**

10. Remain part of LGNSW's Policy Platform but will not be included for debate as they have already been considered by Conference.

Before submitting motions for this year's Annual Conference, members are encouraged to the [LGNSW Policy Platform](#) to ensure the proposed motion wording does not reflect existing policy positions.

#### **4. How to write a motion**

Motions adopted at Conferences establish LGNSW policy positions and inform LGNSW's advocacy actions on behalf of the local government sector. LGNSW includes the exact wording of motions when writing to ministers, departments and agencies post-conference, so it is important that the wording of motions clearly outlines your council's policy intent or objective.

The format of motions, as much as possible, should call on a specific body (e.g. LGNSW, state government, federal government, a specific department or minister) and have a specific outcome that the motion is aiming to achieve. The wording should be unambiguous.

*Examples of clearly-worded Annual Conference motions:***Local government representation on National Cabinet**

That Local Government NSW lobbies the Australian Government for permanent local government representation on the National Cabinet.

**Natural disaster funding, day labour**

That LGNSW requests the Australian and NSW governments reinstate the claimable expense for the use of council staff during their normal working hours to attend to natural disaster relief and recovery funded works and reverse the present policy that effectively requires the mandatory use of contractors for recovery works.

**Remuneration for assessment of State Significant Development**

That Local Government NSW calls on the Department of Planning to remunerate councils for the time staff provide to review State Significant Development applications.

**Short term rental accommodation**

That Local Government NSW calls on the NSW Government to complete its review of the options in regard to short-term rental accommodation and provide a range of

'model' options for councils to consider ensuring flexible and improved opportunities to improve the management and regulation of this land use in their local areas.

#### **Skills shortages**

That Local Government NSW:

1. calls on the NSW and Federal Governments to provide incentives to address critical sector skills shortages effecting private and public investment, primarily in the fields of planning, engineering and building certification with these incentives to be in the form of scholarships, co-funding cadetships and reduced university course costs.
2. encourages all NSW to provide cadetship programs to build sector capacity in areas of critical sector skill shortages.

For more examples see Business Papers from past Conferences on the [LGNSW website](#).

### **5. Demonstrating evidence of council support for motion**

The member submitting the motion must provide accompanying evidence of support for the motion. Such evidence takes the form of an attachment note or extract from the minutes of the council meeting, at which the member council resolved to submit the motion for consideration by the Conference. In the absence of a council meeting, the evidence should be a letter signed by both the Mayor and General Manager.

### **6. How to submit a motion**

LGNSW members are invited to submit motions through an [online portal](#) from **Tuesday 1 July 2025**.

Attachment A provides detailed instructions on how to submit motions via the online portal.

### **7. How LGNSW manages incoming motions**

The LGNSW Board delegates the function of managing incoming motions for the Conference to a motions committee. The Chief Executive will refer motions to the committee and the committee will assess whether each motion meets or does not meet the Board-endorsed criteria. This assessment forms the final decision on which motions are included in the Conference Business Paper.

Prior to the committee making a final decision, LGNSW may contact the council that submitted the motion to seek clarity on its intent or wording.

Incoming motions which seek to change any long-held [Fundamental Principles](#) (Part A of the Policy Platform), will be highlighted in the Business Paper for members' information at time of voting.

Motions which are consistent with existing LGNSW positions or current LGNSW actions, or that are operational and can be actioned without a Conference resolution, may still be printed in the Business Paper but will not be debated at the Conference.

## 8. Late motions

Late items are only to be included in the Business paper addendum if, in addition to the above criteria, the late items relate to highly urgent matters that have arisen after the deadline for the motion submission has passed.

In considering whether a late item relates to a highly urgent matter, the Board Motions Committee is to have regard to:

- (a) whether the late item has arisen after the deadline for motions has passed, and
- (b) whether the urgency of the matter justifies it being presented to voting delegates with short notice and limited opportunity to review and consider before they are required to vote on the motion.

## 9. What happens to motions at the LGNSW Annual Conference

Standing orders are outlined at the front of the Business Paper and adopted at the commencement of each Conference. They outline the manner in which the Conference deals with motions. The standing orders adopted at past conferences can be found in the business papers from previous conferences on the LGNSW [website](#).

During debate on motions at Conference, the standing orders generally permit voting delegates to speak in support of or against each motion. Following a vote on a motion, the motion is either carried and becomes a resolution of the Conference, or it is defeated.

## 10. Post-conference: Updates to the LGNSW Policy Platform

LGNSW's [Policy Platform](#) consolidates the voices of councils across NSW, reflecting the collective positions of local government on issues of importance to the sector. Importantly, the Policy Platform guides LGNSW in its advocacy on behalf of the local government sector.

The Policy Platform consists of two parts: LGNSW's Fundamental Principles, and the more targeted Position Statements.

- **Fundamental Principles** are the enduring and overarching principles that direct LGNSW's response to broad matters of importance to the local government sector. These Fundamental Principles are endorsed (or amended) by LGNSW members at Annual Conferences.
- **Position Statements** contain LGNSW's more detailed positions on specific issues and guide LGNSW's work on, and response to, policy issues of the day. Position Statements are subordinate to LGNSW's Fundamental Principles but are more agile and are targeted at specific policy issues as they arise.

### ***Changing Fundamental Principles***

Where a motion conflicts or may conflict with a Fundamental Principle, this will be clearly highlighted for delegates in the Conference Business Paper. If the motion is adopted as a resolution at Conference, then the relevant Fundamental Principle will be changed.

It is expected that changes to the Fundamental Principles will be uncommon, given their broad focus and general acceptance among the local government sector.

### ***Changing Position Statements***

Following each Conference, LGNSW will review resolutions of that Conference to determine whether the intent of each resolution is adequately covered by existing Position Statements. Where the Position Statements do not adequately include the intent of a resolution, LGNSW will update an existing Position Statement or draft a new Position Statement for inclusion in the LGNSW Policy Platform.

LGNSW members will be informed of updates to the LGNSW Policy Platform.

## **11. Post-conference: Determining LGNSW Advocacy Priorities**

Following the LGNSW Annual Conference, LGNSW will review the resolutions and identify key areas of focus to guide LGNSW's advocacy. These areas of focus are also informed by member feedback, the LGNSW strategic plan, position statements, emerging issues, and Board input.

LGNSW's Advocacy Priorities for the following year are then submitted for endorsement by the LGNSW Board.

As LGNSW undertakes advocacy actions on each of the Conference resolutions throughout the year, these actions and their outcomes will be reported to members.

## **12. Further information**

For further information on the motion submission process, please contact LGNSW at [policy@lgnsw.org.au](mailto:policy@lgnsw.org.au).

## **13. Frequently Asked Questions**

**How do I know if my proposed motion is consistent with existing LGNSW policy positions?**

The subject matter expert within your council may be best placed to identify this (for example, if the motion relates to a planning matter, this question could be answered by the Planning Manager). Subject matter experts are encouraged to review LGNSW's [Policy Platform](#) to gain an understanding of LGNSW's position on a particular matter to help identify whether your proposed motion is consistent.

**What is the deadline for submitting motions?**

Members are encouraged to submit motions as soon as possible to allow assessment of the motions and distribution of the Business Paper before the Conference. However, in

line with the LGNSW Rules, the latest date motions can be accepted for inclusion in the Conference Business Paper is **12 midnight AEST on Sunday 26 October 2025** (28 days prior to Conference).

LGNSW can receive more than 300 motions for an Annual Conference. Submitting motions as early as possible helps LGNSW to manage the large volume of motions received within a short period of time and allows LGNSW to seek clarification on any motions if required.

However, the LGNSW Rules allow councils to submit motions with less than 28 days' notice and the LGNSW Board may, in some circumstances, allow these to be considered at Conference as a **late item** (but not included in the Business Paper).

#### **I'm unsure which motion category or sub-category I should select in the online portal**

If you are unsure, just select the category you think best fits. LGNSW can re-categorise the motion if necessary.

#### **Who should be the council contact for motions?**

We recommend the council contact is someone who is available during the months that motions are open, and able to respond promptly to communications between your council and LGNSW. Some councils have identified the General Manager and others have identified a Governance Manager – it is a decision for each council.

#### **How can I amend my council's motion that I've already submitted?**

Once a motion has been submitted it cannot be edited without contacting LGNSW so please review the content carefully before submission. If you need to edit a submitted motion, please contact LGNSW at [policy@lgnsw.org.au](mailto:policy@lgnsw.org.au). You may need to provide evidence of support for the change (see section 5).

# ATTACHMENT A - STEP BY STEP GUIDE TO LODGING MOTIONS IN THE ONLINE PORTAL

This section provides step-by-step instructions to assist council staff in lodging a motion via our online portal Survey Monkey Apply.

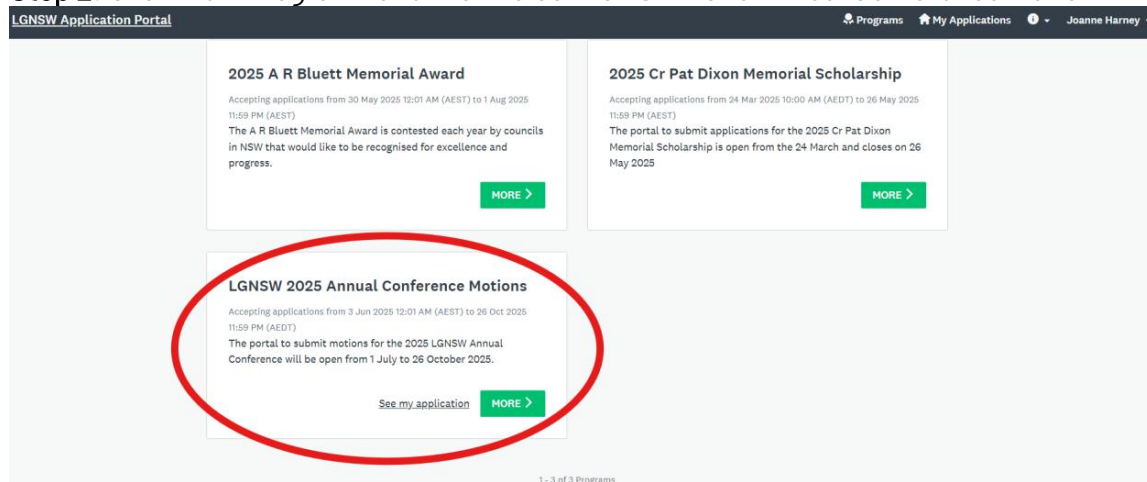
- Member councils are invited to submit motions for the LGNSW Annual Conference via [Survey Monkey Apply](#) from **Tuesday 1 July 2025**.
- Under LGNSW Rules, the latest date motions can be accepted for inclusion in the Business Paper is **12 midnight (AEDT) on Sunday 26 October 2025** (28 days prior to Conference).
- Once a motion has been submitted it cannot be edited without contacting LGNSW, so please review the content carefully before submission.

For further assistance contact LGNSW at [policy@lgnsw.org.au](mailto:policy@lgnsw.org.au)

**Step 1:** Log into [LGNSW's online portal](#) using the same password you use to access the LGNSW member website. If you don't know your password, click "forgot password" to reset your password.

*Note: you will need to register if you are logging in for the first time.*

**Step 2:** Click *View Programs* and then select *LGNSW 2025 Annual Conference Motions*.



The screenshot shows the LGNSW Application Portal interface. At the top, there is a navigation bar with 'Programs', 'My Applications', and a user profile 'Joanne Harney'. Below the navigation bar, there are three program cards. The first card is for the '2025 A R Bluett Memorial Award', the second for the '2025 Cr Pat Dixon Memorial Scholarship', and the third for 'LGNSW 2025 Annual Conference Motions'. The third card is circled in red. Each card contains details about the application period and a 'MORE >' button. The 'LGNSW 2025 Annual Conference Motions' card also includes a 'See my application' link and a 'MORE >' button. At the bottom of the page, it says '1 - 3 of 3 Programs'.

**Step 3:** Click **APPLY**.

### LGNSW 2025 Annual Conference Motions

The portal to submit motions for the 2025 LGNSW Annual Conference will open from 1 July.

In line with LGNSW rules the latest date motions could be accepted for inclusion in the Conference Business Paper is Sunday 26 October 2025.

More information, including on late motions, is available on the LGNSW Conference website.

Contact [policy@lgnsw.org.au](mailto:policy@lgnsw.org.au) for any questions relating to conference motions.

**APPLY**

Opens  
3 Jun 2025 12:01 AM (AEST)

Deadline  
26 Oct 2025 11:59 PM (AEDT)

**Step 4:** Add your motion title (a few words). You will then be taken to the landing page which will show three tasks to complete:

1 of 3 tasks complete

Last edited: 10 Jun 2025 01:21 PM (AEST)

REVIEW SUBMIT

Deadline: 26 Oct 2025 11:59 PM (AEDT)

JH Joanne Harney (Owner)  
[joanne.harney@lgnsw.org.au](mailto:joanne.harney@lgnsw.org.au)

Add collaborator

LGNSW 2025 Annual Conference... [Link](#) [Preview](#) [More](#)

### Cemetery Tax

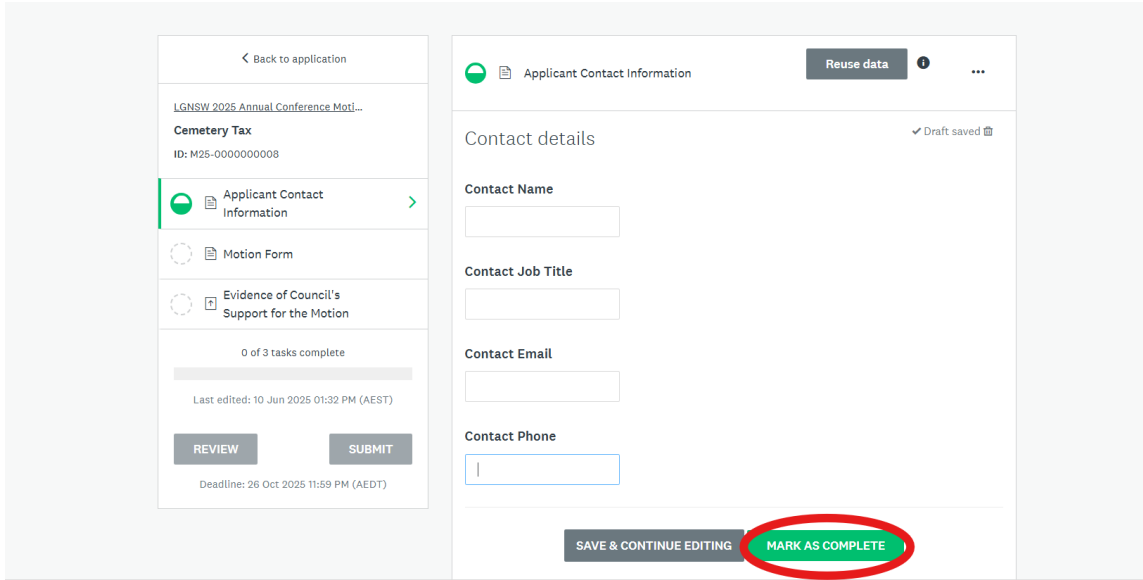
ID: M25-0000000008

APPLICATION ACTIVITY

Your tasks

- ☒ Applicant Contact Information  
Completed on: 10 Jun 2025 01:21 PM (AEST)
- ☐ Motion Form
- ☐ Evidence of Council's Support for the Motion

**Step 5:** Click on 'Applicant Contact Information' to add the contact information. This should be the relevant officer within your council who can respond to any questions from LGNSW about the motion promptly. Click **MARK AS COMPLETE** once finished.



Back to application

LGNSW 2025 Annual Conference Moti...

**Cemetery Tax**  
ID: M25-0000000008

Applicant Contact Information

Motion Form

Evidence of Council's Support for the Motion

0 of 3 tasks complete

Last edited: 10 Jun 2025 01:32 PM (AEST)

REVIEW SUBMIT

Deadline: 26 Oct 2025 11:59 PM (AEDT)

Applicant Contact Information

Reuse data

Contact details

✓ Draft saved

Contact Name

Contact Job Title

Contact Email

Contact Phone

SAVE & CONTINUE EDITING MARK AS COMPLETE



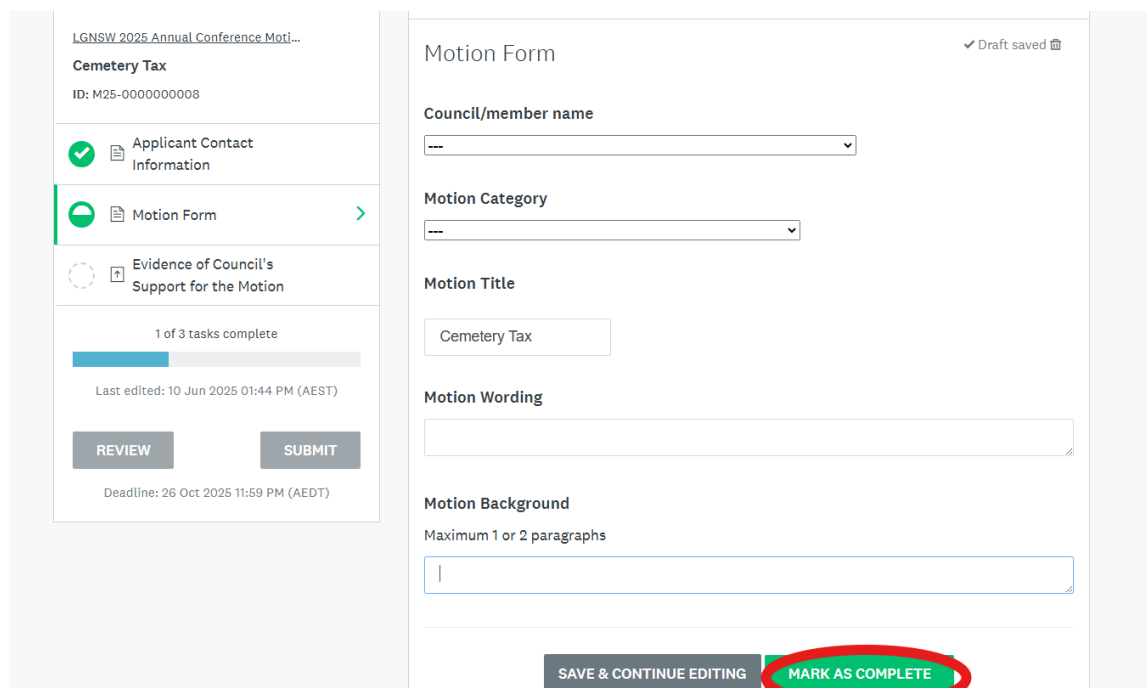
**Step 6:** Click 'Motion Form' to add the motion details.

**Motion category and sub-category** assists with categorising motions and grouping related motions in the Conference Business Paper.

**Motion wording** should include a sentence or two which includes the call to action.

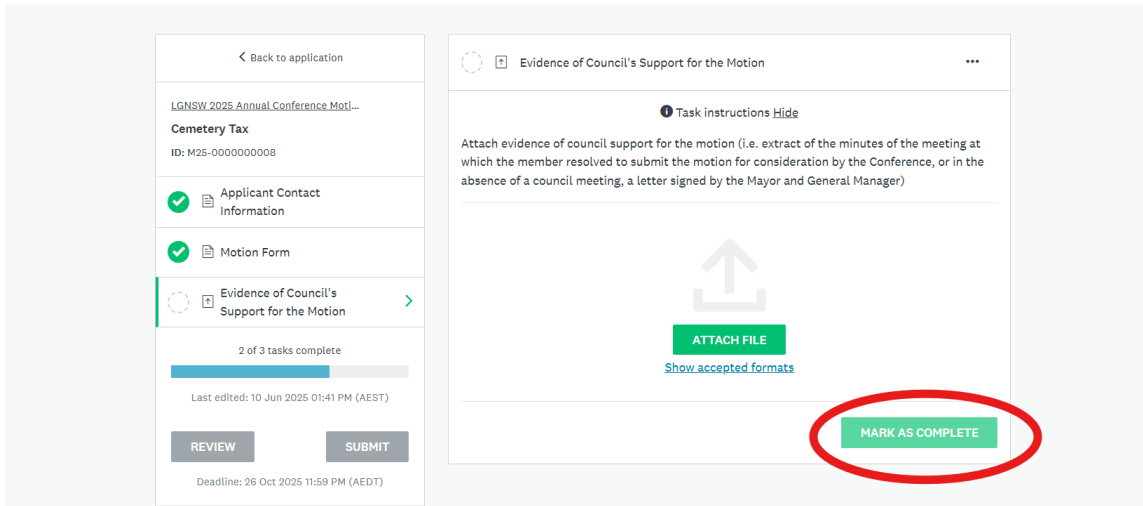
**Background note** should provide a paragraph or two to explain the context and importance of the issue to the local government sector.

Click **MARK AS COMPLETE** once finished.



The screenshot displays the 'Motion Form' interface. On the left, a sidebar shows a progress bar with three steps: 'Applicant Contact Information' (completed), 'Motion Form' (active), and 'Evidence of Council's Support for the Motion' (pending). Below the progress bar, it indicates '1 of 3 tasks complete', 'Last edited: 10 Jun 2025 01:44 PM (AEST)', and buttons for 'REVIEW' and 'SUBMIT'. A deadline of '26 Oct 2025 11:59 PM (AEDT)' is also shown. The main form area is titled 'Motion Form' and includes a 'Draft saved' indicator. It contains several fields: 'Council/member name' (a dropdown menu), 'Motion Category' (a dropdown menu), 'Motion Title' (a text box containing 'Cemetery Tax'), 'Motion Wording' (a large text area), and 'Motion Background' (a text box with a note 'Maximum 1 or 2 paragraphs'). At the bottom of the form, there are two buttons: 'SAVE & CONTINUE EDITING' and 'MARK AS COMPLETE', with the latter being highlighted by a red circle.

**Step 7:** Click 'Evidence of Council's Support for the Motion' and attach the relevant file. This will usually be an extract of council meeting minutes. Click **MARK AS COMPLETE** once finished.



Back to application

LGNW 2025 Annual Conference Moti...

**Cemetery Tax**  
ID: M25-0000000008

Applicant Contact Information

Motion Form

Evidence of Council's Support for the Motion

2 of 3 tasks complete

Last edited: 10 Jun 2025 01:41 PM (AEST)

REVIEW SUBMIT

Deadline: 26 Oct 2025 11:59 PM (AEDT)

Evidence of Council's Support for the Motion

Task instructions Hide

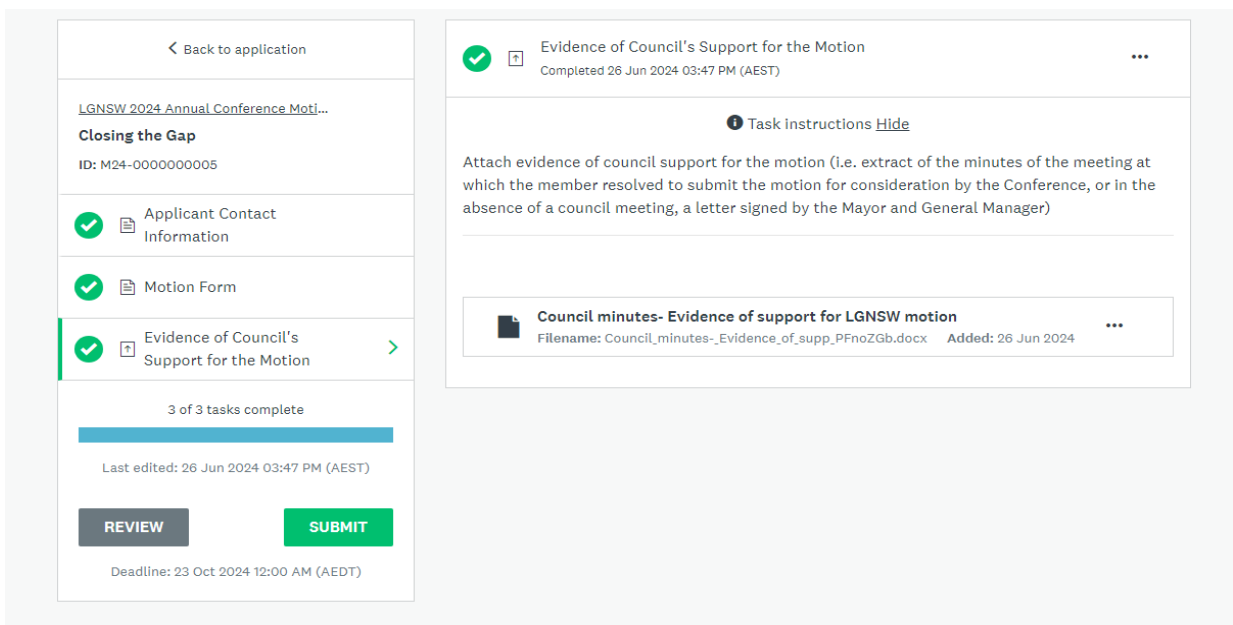
Attach evidence of council support for the motion (i.e. extract of the minutes of the meeting at which the member resolved to submit the motion for consideration by the Conference, or in the absence of a council meeting, a letter signed by the Mayor and General Manager)

ATTACH FILE

Show accepted formats

MARK AS COMPLETE

**Step 8:** Once you have completed all tasks (a green tick is displayed next to each task), click **SUBMIT**.



Back to application

LGNW 2024 Annual Conference Moti...

**Closing the Gap**  
ID: M24-0000000005

Applicant Contact Information

Motion Form

Evidence of Council's Support for the Motion

3 of 3 tasks complete

Last edited: 26 Jun 2024 03:47 PM (AEST)

REVIEW SUBMIT

Deadline: 23 Oct 2024 12:00 AM (AEDT)

Evidence of Council's Support for the Motion

Completed 26 Jun 2024 03:47 PM (AEST)

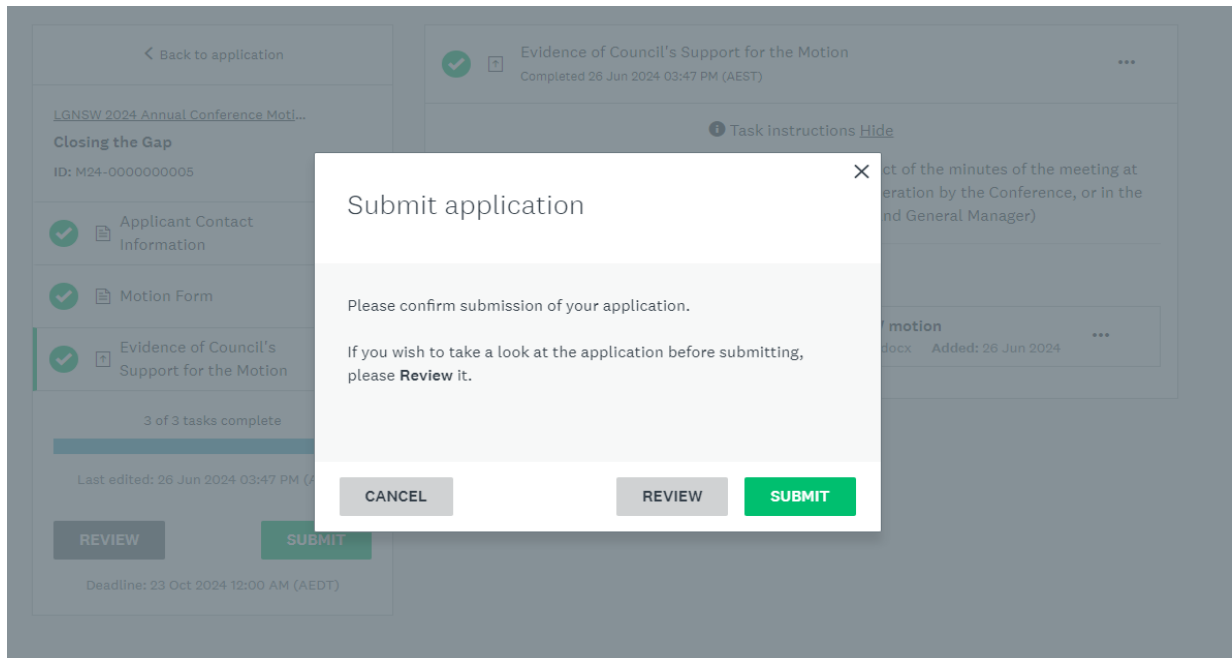
Task instructions Hide

Attach evidence of council support for the motion (i.e. extract of the minutes of the meeting at which the member resolved to submit the motion for consideration by the Conference, or in the absence of a council meeting, a letter signed by the Mayor and General Manager)

Council minutes- Evidence of support for LGNSW motion

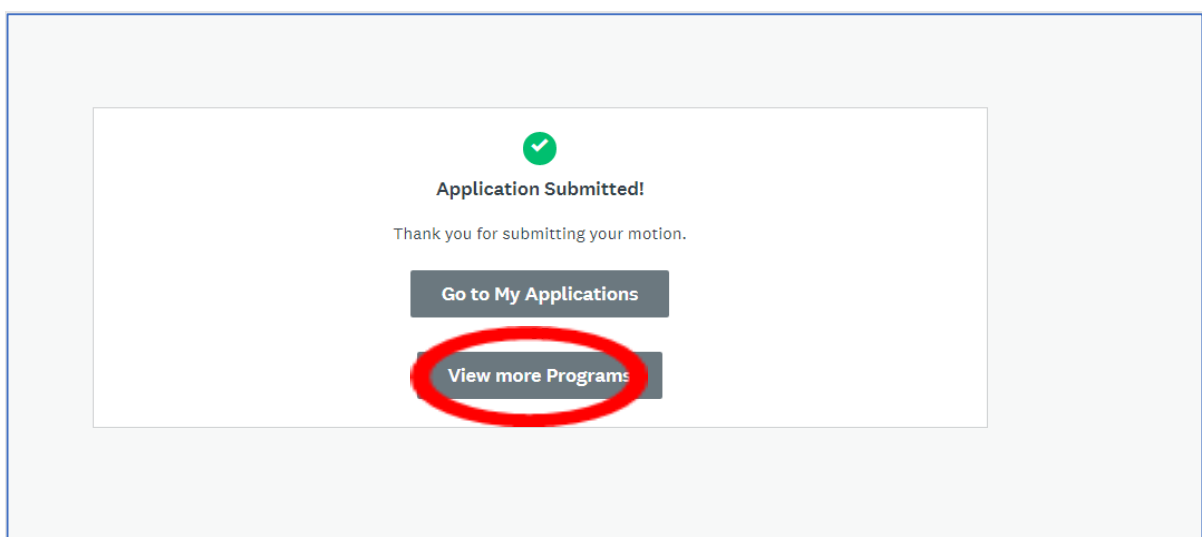
Filename: Council\_minutes-\_Evidence\_of\_supp\_PFn0ZGb.docx Added: 26 Jun 2024

**Step 9:** You will be asked to confirm submission of the motion. There is an option to review the motion before submitting. When you are ready, click **SUBMIT**.



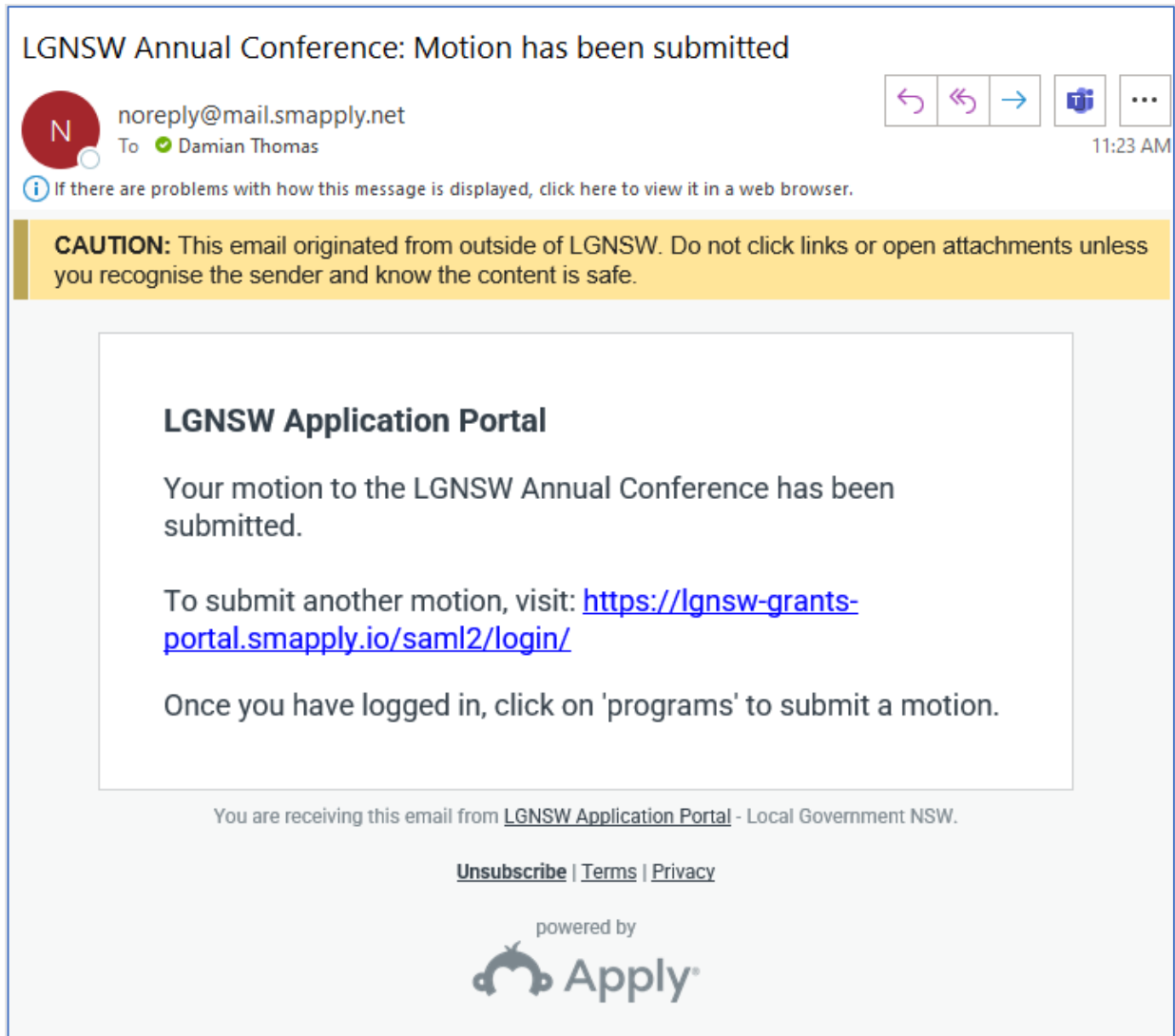
The screenshot shows a web interface with a task list on the left and a 'Submit application' dialog box in the center. The task list includes: 'Back to application', 'Evidence of Council's Support for the Motion' (Completed 26 Jun 2024 03:47 PM (AEST)), 'Task Instructions Hide', 'Closing the Gap' (ID: M24-0000000005), 'Applicant Contact Information', 'Motion Form', and 'Evidence of Council's Support for the Motion'. The dialog box has a title bar with a close button (X). The main text reads: 'Submit application', 'Please confirm submission of your application.', and 'If you wish to take a look at the application before submitting, please **Review** it.' At the bottom are three buttons: 'CANCEL', 'REVIEW', and 'SUBMIT'.

**Step 10:** If you are submitting multiple motions, click 'View more Programs'. This will take you back to the landing page to submit more motions.



The screenshot shows a confirmation screen with a green checkmark icon at the top. The text reads: 'Application Submitted!', 'Thank you for submitting your motion.', and two buttons: 'Go to My Applications' and 'View more Programs'. The 'View more Programs' button is circled in red.

**Step 11:** An automated confirmation email will be sent to the email address listed in the 'Applicant Contact Information' section.



Item No: C07/25-151

**LETTER OF OFFER - 3 CENTENARY ROAD, MERRYLANDS**

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

**SUMMARY**

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Council is currently assessing a Development Application (DA) DA2024/0682 applying to land at 3 Centenary Road, Merrylands, comprising four land allotments (Lot E in Deposited Plan 345321, Lot 1 in Deposited Plan 658191, Lot 1 in Deposited Plan 658192 and Lot 1 in Deposited Plan 65819). The DA is seeking approval to construct a two-storey mixed-use development comprising of a 124-place centre-based childcare facility and an indoor recreation facility (swim school) for approximately 20 children on the ground floor with associated basement car parking.

In association with the DA, Council has received a Letter of Offer from the applicant to enter into a Planning Agreement. The Planning Agreement in accordance with the Letter of Offer would require the developer to dedicate land free of cost for future public domain improvements for the portion of their site. This land dedication is currently identified by Cumberland Development Control Plan (DCP) 2021 Part F4 Special Precincts – Part 2 Mays Hill, Subpart 6.3 Private access ways, vehicular entries and land dedication under Finlayson and Sherwood Transitway Precinct for the purpose of public domain improvements within the existing intersection of Merrylands Road and Centenary Road, and to contribute to the current shared pedestrian footpath by widening the portion of the Merrylands Road.

Following review by Council officers, it is recommended that Council provide in-principle endorsement of the Letter of Offer submitted by the applicant. The offer aligns with the Cumberland Planning Agreements Policy as it would deliver a public benefit through the dedication of land free of cost to Council for the purposes of future public domain improvement and the construction and expansion of the existing shared footpath.

**RECOMMENDATION**

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**That Council:**

- 1. Endorse in-principle the Letter of Offer for 3 Centenary Road, Merrylands, regarding future public domain improvements and construction of a shared pathway to be dedicated at no cost to Council; and**
- 2. Note that the Council resolution on the Letter of Offer will be considered as part of the assessment of the development application on site.**

## REPORT

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### **Context**

Development Application DA2024/0682 for 3 Centenary Road, Merrylands comprising four land allotments (Lot E in Deposited Plan 345321, Lot 1 in Deposited Plan 658191, Lot 1 in Deposited Plan 658192 and Lot 1 in Deposited Plan 658190), as shown in Figure 1, is currently under assessment. The proposal is seeking approval to construct a two-storey mixed-use development comprising of a 124-place centre-based childcare facility and an indoor recreation facility (swim school) for approximately 20 children on the ground floor with associated basement car parking.



Figure 1: Site subject to Development Application

### **Proposed Offer**

In conjunction with the DA, Council has received a Letter of Offer from the applicant proposing to enter into a Planning Agreement in early May 2025. This agreement would involve dedication of the portion of their land at no cost to Council. The land is designated in the Cumberland DCP 2021, Part F4-2 Mays Hill, Finlayson, and Sherwood Transitway Precinct Subpart 6.3 Private access ways, vehicular entries and land dedication, as required for land dedication to facilitate public domain improvements with the expansion of the existing shared footpath along the Merrylands Road frontage.

### **Public Benefit and DCP Requirement**

The Letter of Offer is consistent with the Cumberland Planning Agreements Policy, as it will provide a public benefit through the land dedication for future public domain improvements.

The location of the land portion to be dedicated free of any cost to Council for the site is identified in the Cumberland DCP 2021 Part F4-2 Mays Hill, Finlayson and Sherwood Transitway Precinct under Sherwood Transitway Precinct Subparts 5 and 6, shown in Figure 2 below.

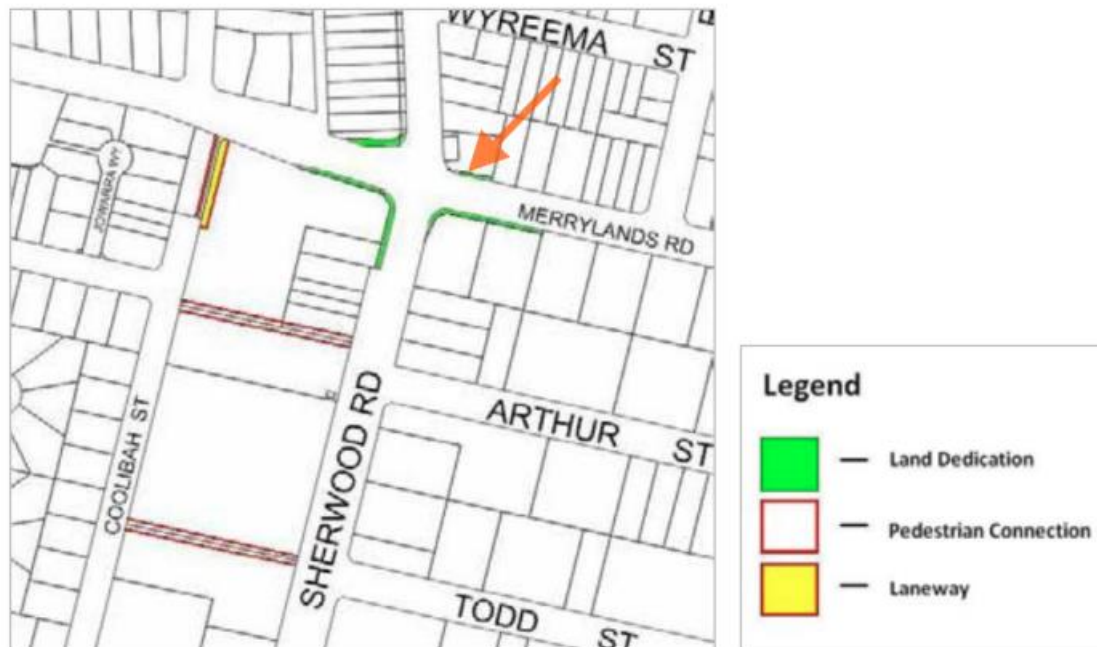


Figure 21: Proposed laneways and land dedication

Figure 2: Land subject to dedication, marked with orange arrow

As per the Cumberland DCP 2021 provisions, the dedication of land is required to:

- Ensure adequate land is provided for the provision of public domain improvements including any safe pedestrian footpath expansion, expansion of cycling facilities (excluding site's driveway and pedestrian access to proposed development),
- Achieve a more consistent carriageway width along the Merrylands Road, and
- Provide public domain enhancements at the intersection of Merrylands Road and Sherwood Road (without affecting any existing key views or sight lines for pedestrians, motorists and cyclists at the intersection from west and south).

### **Next Steps**

Subject to Council's in-principle endorsement of the Letter of Offer, a condition will be included that the preparation, notification and finalisation of a Planning Agreement is to be undertaken in accordance with the offer. If the development application is approved, a further report will be presented to Council on the draft Planning Agreement prior to public notification.



It is intended that the Planning Agreement be entered into prior to the issue of a Construction Certificate and reinforced by the conditions of consent, as well as the dedication of the land free of cost prior to the issue of an Occupation Certificate.

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

## **COMMUNITY ENGAGEMENT**

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Should the Letter of Offer be endorsed by Council and the Development 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**

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

## **RISK IMPLICATIONS**

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

## **FINANCIAL IMPLICATIONS**

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

## **CONCLUSION**

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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 Assessments Act 1979. It is recommended that Council provide in-principle endorsement of the Letter of Offer provided that the Letter of Offer is updated to reflect the current date.

## **ATTACHMENTS**

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1. Letter of Offer dated 2 May 2025 (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.
2. Relevant Cumberland DCP 2021 - Sherwood Transitway Precinct [↓](#)



DOCUMENTS  
ASSOCIATED WITH  
REPORT C07/25-151

Attachment 2

Relevant Cumberland DCP 2021  
- Sherwood Transitway Precinct



CUMBERLAND  
CITY COUNCIL

# PART F4-2

## MAYS HILL, FINLAYSON AND SHERWOOD TRANSITWAY PRECINCT

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## 1. Introduction

This Part of *Cumberland Development Control Plan 2021* provides a framework that will guide future development along the Liverpool to Parramatta Transitway and in particular, the Mays Hill, Finlayson and Sherwood Precincts.

This Part of the DCP applies to all development within the Transitway Precincts of Mays Hill, Finlayson and Sherwood as shown in Figure 1.



Figure 1: Mays Hill Transitway Precinct

## 2. Mays Hill Transitway Precinct

### Vision

#### 2.1 Desired Future Character Statement

The desired future character for Mays Hill is an active, urban area which makes full use of its proximity to public transport and services, as well the Parramatta Central Business District.

A mix of uses and good pedestrian access will encourage a fuller utilisation of the interface along the Great Western Highway. Taller buildings along the highway will include retail and commercial uses at the ground level, near the Transitway station, to promote an active and safe public domain. Residential development above will offer convenient access to the Transitway station and precinct. A new laneway between Burnett Street and Robilliard Street will improve permeability, and allow for rear lane access.

Away from the highway, a transition between higher and lower density dwellings will occur. The surrounding streets will be more domestic in scale that easily accesses the shops and services of Mays Hill and the extensive open space. The opportunity for social interaction, provided by buildings directly addressing streets, will promote a sense of community.

Existing character, where desirable, will be kept, but a greater range of housing choice will be provided through the construction of medium density dwellings. Well designed buildings will contribute to the public domain. Site consolidation will allow more usable open space to be incorporated into new developments.

## 2.2 Objectives and controls

### General Objectives

- O1. Create an active urban area with a wide range of services and mixed uses in close proximity to public transport by:
- mix of uses and good pedestrian access along the interface of the Great Western Highway; and
  - allowing taller buildings along the highway that include retail and commercial uses at ground level; and
  - creating a sense of community through retaining the domestic scale in the areas adjacent to the highway; and
  - consolidating sites to allow for more usable open space.
- O2. Ensure development responds to:
- site opportunities and constraints; and
  - the need for concentrated activity, building height and building mass on the highway, while retaining a suburban feel to the adjacent blocks; and
  - the need for high quality building and design.
- O3. Ensure buildings in the Mays Hill Transitway Station Precinct, regardless of its use or type, are of a quality design, such that the design:
- responds and contributes to its context being the key natural and built features of the area;
  - provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings;
  - achieves an appropriate built form for the site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements;
  - has a density appropriate for the site and its context, in terms of floor space yields (or numbers of units or residents);
  - makes efficient use of natural resources, energy and water through the building's full life cycle, including construction;
  - recognise that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain;
  - provides amenity through the physical, spatial and environmental quality of the development;
  - optimises safety and security, both internal to the development and for the public domain;
  - responds to the social context and needs for the local community in terms of lifestyles, affordability, and access to social facilities;
  - provides quality aesthetics that
    - require an appropriate composition of building elements, textures, materials and colours; and
    - reflect the use, internal design and structure of the development; and
  - permits appropriate access to the development that doesn't compromise the safety or disrupt the transitway network.
- O4. Promote the principles of ecologically sustainable development.

- O5. Ensure flexible floor plates are provided to allow for mixed uses at ground floor level fronting primary streets.
- O6. Maintain retail, commercial and community activity at street and ground floor level to deliver an active enterprise corridor and encourage commercial office space or other suitable non-residential uses at the first floor level of development.

## **2.3 Site Consolidation and Frontage**

### **Objectives**

- O1. Ensure all sites provide the required minimum frontage to adequately provide for basement car parking.
- O2. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent character and landscaped open space to the rear of sites.
- O3. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement car parking or rear open space.
- O4. Ensure future redevelopment results in quality streetscapes, amenity, and appropriate passive surveillance, landscape and open space.
- O5. Require a more continuous building form along the Great Western Highway.
- O6. Ensure vehicular access for properties facing the Great Western Highway is provided from secondary streets or laneways.

### **Controls**

- C1. Amalgamation of lots in accordance with Figure 2 and 3 is required for redevelopment.
- C2. Land locking of adjoining sites is not permitted. Properties shall be amalgamated to ensure the minimum frontage is obtainable without reducing the developability of adjacent properties.
- C3. Notwithstanding C1, the minimum lot frontage for all development fronting the Great Western Highway shall be 45m.
- C4. In instances where amalgamation cannot be achieved, the following information must be submitted with any development application:
  - two written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent valuers registered with the Australian Valuers Institute; and
  - evidence that a reasonable offer has been made to the owners(s) of the affected sites to purchase and valuation reports.
- C5. Alternative consolidation patterns may be considered by Council if it can be demonstrated that development controls can be satisfied on the land and adjoining properties.
- C6. Where amalgamation (as required) is not achieved, the applicants must show that the remaining sites, which are not included in the consolidation, will still be able to achieve the development outcome prescribed in this DCP, including achieving the required vehicular access, basement parking and built form.



Figure 2: Lot amalgamation plan – North



Figure 3: Lot amalgamation plan – South

## 2.4 Private accessway, laneways and vehicular access

### Objectives

- O1. Ensure buildings fronting the Great Western Highway have vehicular access from the rear or side of the property to improve vehicular and pedestrian traffic flow, pedestrian safety, site functionality and reduce impacts on the wider network.
- O2. Ensure secondary vehicular access is created, where necessary, to mitigate amenity and access constraints currently affecting or likely to affect the Mays Hill Transitway Precinct.
- O3. Ensure all developments are able to obtain the required vehicular access and future developability of sites is not restricted.

- O4. Ensure sites utilise existing access ways from the rear of the property for vehicular access and parking.
- O5. Mitigate any impacts of vehicular traffic on residences and the adjoining precinct.
- O6. Minimise the visual impact of vehicle entrances to basement car parking through good design and use of site slope and side setbacks, where appropriate.
- O7. Allow improved circulation space for pedestrians and future residents within the precinct and ensure the creation of clear and direct pedestrian connections.

**Controls**

- C1. Vehicular access to properties fronting the Great Western Highway and those within the B6 zone on Burnett Street and Robilliard Street must be provided from the rear or side, via laneways or secondary roads.
- C2. Vehicular entry points shall be located away from intersections.
- C3. Vehicular access from the Great Western Highway is not permitted from properties identified on Figure 4 and access must be provided from the rear or side via laneways or secondary roads.
- C4. An 8m connecting laneway is required in accordance with Figure 5 for the redevelopment of properties bounded by the Great Western Highway, Burnett Street and Robilliard Street.
- C5. A 6m wide vehicular accessway shall be provided from Good Street in accordance with Figure 6.
- C6. A pedestrian link shall be provided from Joyner Street that connects with the vehicular access from Good Street in accordance with Figure 6.
- C7. A pedestrian link shall be provided between Telfer Place and the Great Western Highway in accordance with Figure 7.
- C8. Laneways shall be treated as shared spaces to provide unimpeded access from apartments to common facilities and open space.
- C9. Refer to Part G this DCP to ensure that any relevant objectives and controls for vehicular access are complied with.





Figure 4: Properties where vehicular access is not permitted from the Great Western Highway or Burnett Street



Figure 5: Proposed laneway

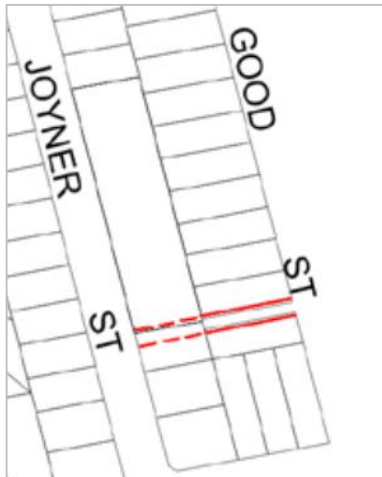


Figure 6: Proposed vehicular accessway and pedestrian link

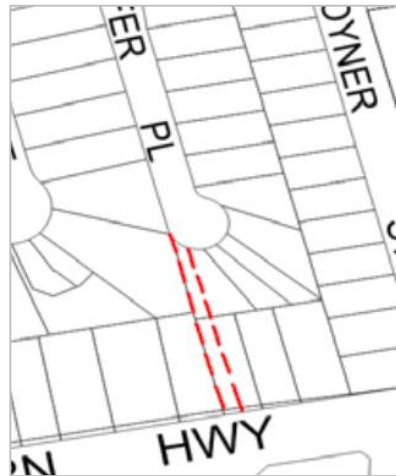


Figure 7: Proposed pedestrian link

## 2.5 Building Height

### Objectives

- O1. Require an appropriate scale relationship between building heights and street width.
- O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.
- O3. Enable flexibility of uses by implementing higher floor to ceiling heights within buildings for the ground and first floors.
- O4. Reduce the visual impact of buildings on the public domain.
- O5. Allow activation of the street edge on primary roads.

### Controls

- C1. The maximum height for development within the Mays Hill Transitway Precinct is detailed within the *Cumberland Local Environmental Plan 2021*.
- C2. The maximum building storey limits are detailed in Figures 8 and 9.
- C3. Street wall heights, setbacks and minimum floor to ceiling heights are to be as set out in Parts B2 and C of this DCP.



Figure 8: Building heights – North



Figure 9: Building heights – South

## 2.6 Building Setbacks

### Objectives

- O1. Create a clear threshold by providing a transition between public and private space.
- O2. Establish the desired spatial proportions of the street.
- O3. Ensure a continuous built edge within commercial and mixed use development for activation of the street edge is achieved.
- O4. Ensure visual and acoustic privacy for residential development is enabled
- O5. Ensure a landscaped setback character for residential development is retained.
- O6. Ensure setbacks that respond appropriately to the building separation requirements are achieved.

### Controls

- C1. Setbacks shall be in accordance with Figures 10 and 11.
- C2. A 4m setback is required for properties fronting the Great Western Highway between Joyner Street and Good Street to allow for mixed use development to occur and sufficient space for landscaping.

- C3. The residential component of developments fronting the Great Western Highway between Burnett Street and Robilliard Street shall have a setback of 1m for all levels above the first floor.
- C4. Buildings facing the Great Western Highway are to be built to the boundary of adjoining properties to form a continuous street edge.



Figure 10: Building setbacks – South

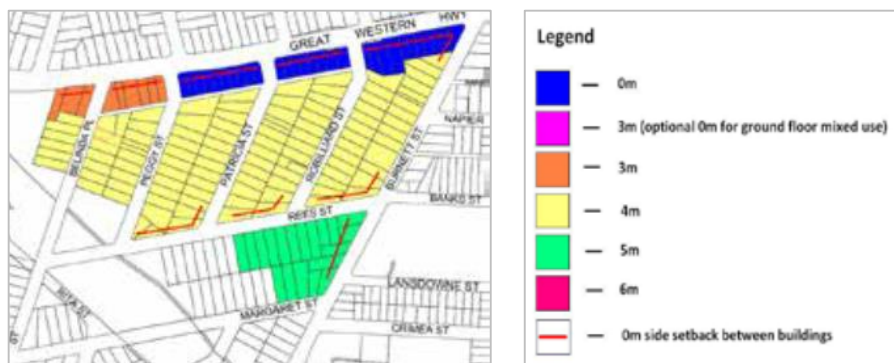


Figure 11: Building setbacks – North

## 2.7 Site Design and Appearance

### Objectives

- O1. Require development in Good Street to be orientated across the amalgamated sites.
- O2. Ensure building design incorporates the use design solutions suitable to the location.
- O3. Ensure the articulation of buildings creates a desirable street presentation.

### Controls

- C1. Developments shall be oriented to front boundaries.
- C2. Development on properties 84-88 Great Western Highway shall incorporate high quality, innovative and sustainable design solutions to emphasise and represent their gateway location.
- C3. Vertical articulation and a break in the building facade is required above the fourth storey for buildings exceeding 25m in length.

## 2.8 Road Widening

### Objectives

- O1. Ensure a minimum width of 5.5m from the kerb to the property boundary is reserved for the purpose of pedestrian facilities.
- O2. Ensure an adequate amount of land is identified for the purpose of future road widening.
- O3. Ensure adequate land is provide for the provision of safe pedestrian and cycling facilities.
- O4. Achieve a more consistent carriageway width along the Great Western Highway.
- O5. Provide wider carriageways and footpaths to cater for the increase in vehicular and pedestrian traffic.

### Controls

- C1. Road widening is required along both sides of the Great Western Highway to result in a footpath width of 5.5m from the kerb to the property boundary as indicated in Figure 12.
- C2. Properties located behind the Transitway stops shall have a 4m separation between the rear of the bus shelter and the building line to allow for the continuation of the shared pedestrian/ cycle footpath.

Note: The 5.5m wide setback shall allow for a shared footpath consisting of the following dimensions:

- a 1.5m verge from the kerb;
- a 2.5m shared path; and
- a 1.5m distance from the shared path to the building line.

Note: The amount of land required to meet the minimum 5.5m reserve is variable and will depend on each individual property's existing setback.



Figure 12: Properties subject to the 5.5m footpath widening reserve



### 3. Finlayson Transitway Precinct

#### Vision

##### 3.1 Desired Future Character Statement

Finlayson station will be a better integrated part of the precinct as higher density residential development occurs in close proximity to the station. The pedestrian experience will be improved through increased ground floor activity on the Highway and a sense of connectivity between the two parts of the precinct created through consistent setbacks and streetscaping.

The precinct will continue to serve neighbourhood needs and passing trade captured by the existing highway uses. The existing commercial area will be expanded, creating an activity zone that includes the Transitway station. A variety of uses at ground level will create a safe and animated environment. Taller buildings will be placed to take advantage of a topography which will minimise their impact. Lower buildings will provide a transition between the precinct and adjoining low rise dwellings and heritage areas.

Site consolidation will allow ample communal open space to be offered to residents. Visitors and residents will enjoy a pedestrian network that is pleasant convenient while access to nearby parks will be improved.

### 4. Objectives and controls

#### 4.1 Precinct Objectives

- O1. Focus new development around the existing commercial precinct of the Finlayson Transitway Station, that shall consist of:
  - where permissible, retail and commercial uses, at ground floor fronting the Great Western Highway,
  - appropriate residential development around the commercial core; and
  - facilitating appropriate scale and size of development.
- O2. Any proposed development in the Finlayson Transitway Precinct responds to:
  - site opportunities and constraints; and
  - the need for high quality building design
- O3. Any proposed building in the Finlayson Transitway Station Precinct, regardless of its use or type, being of a quality design, such that the design:
  - responds and contributes to its context, being the key natural and built features of the area;
  - provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings;
  - achieves an appropriate built form for the site and the building's purpose, in terms of building alignments, proportions, building type and the manipulation of building elements;
  - has a density appropriate for the site and its context, in terms of floor space yields (or numbers of units or residents, and
  - makes efficient use of natural resources, energy and water throughout the building's full life cycle, including construction;
  - recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain;

- provides amenity through the physical, spatial and environmental quality of the development;
  - optimises safety and security, both internal to the development and for the public domain;
  - responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities;
  - provides quality aesthetics that:
    - require an appropriate composition of building elements, textures, materials and colours;
    - reflect the use, internal design and structure of the development; and
    - all development within the Finlayson Transitway Station Precinct shall be undertaken in a way that promotes the principles of ecologically sustainable development.
- O4. Ensure any development adjoining a heritage item does not adversely impact upon the heritage item and/or heritage conservation area.
- O5. All development within the Finlayson Transitway Station Precinct shall be undertaken in a way that promotes the principles of ecologically sustainable development.
- O6. Maintain retail, commercial and community activity at street and ground floor level to deliver an active enterprise corridor and encourage commercial office space or other suitable non-residential uses at the first floor level of development.
- O7. Encourage mixed use development along the enterprise corridor and local business centre.

## 4.2 Site Consolidation

### Objectives

- O1. Ensure all sites achieve the required minimum width to adequately provide for basement car parking.
- O2. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent landscaped open space to the rear of sites.
- O3. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement car parking or rear open space.
- O4. Encourage a more continuous building form.

### Controls

- C1. Amalgamation of lots in accordance with Figure 13 is required for redevelopment.
- C2. The minimum lot frontage for all development in Finlayson shall be 30m.
- C3. In instances where amalgamation cannot be achieved, the following information must be submitted with any development application:
- two written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent valuers registered with the Australian Valuers Institute, and;

- evidence that a reasonable offer has been made to the owners(s) of the affected sites to purchase and valuation reports.
- C4. Alternative consolidation patterns may be considered by Council if it can be demonstrated that development controls can be satisfied on the land and adjoining properties.
- C5. Where amalgamation (as required) is not achieved, the applicants must show that the remaining sites, which are not included in the consolidation, will still be able to achieve the development outcome prescribed in this DCP, including achieving the required vehicular access, basement parking and built form.
- C6. Sites must not be left such that they are physically unable to develop in accordance with the prescribed built form outcomes outlined in this DCP.
- C7. Properties not identified in Figure 13 shall redevelop in accordance with the development controls detailed in Part C of this DCP.

Note:

*Potential value can include, (but is not limited to) the land locked site developed jointly with adjoining properties, or on its own, under Cumberland LEP 2021 and this plan.*

*A reasonable offer shall be a fair market value, and include for all expenses that would be incurred by the owner in the sale of the land locked site.*

*Council will accept as documentary evidence a copy of a written offer delivered by registered mail to the affected owner(s) and dated no more than 3 months prior to the date of lodgment of the development application.*



Figure 13: Lot amalgamation plan

### 4.3 Private accessway, land dedication and vehicular entries

#### Objectives

- O1. Require buildings fronting primary roads to have vehicular access from the rear or side of the property.
- O2. Ensure sites utilise existing access ways from the rear of the property for vehicular access and parking.



- O3. Create secondary vehicular access where necessary to mitigate amenity and access constraints.
- O4. Create clear and direct pedestrian connections.
- O5. Allow improved circulation space for pedestrians and future residents within the precinct.

#### **Controls**

- C1. A 12m connecting laneway between Rawson Road and Florence Street is required in accordance with Figure 14.
- C2. A 15m connecting laneway between Florence Street and Quinn Street is required in accordance with Figure 14.
- C3. A pedestrian link is required between Chelmsford Road and Centenary Road as identified in Figure 15.
- C4. Where buildings front the Great Western Highway and Centenary Road, vehicular access must be provided from the rear or side, via laneways or secondary roads.
- C5. Refer to Part G of this DCP to ensure that any relevant objectives and controls for vehicular access are complied with.

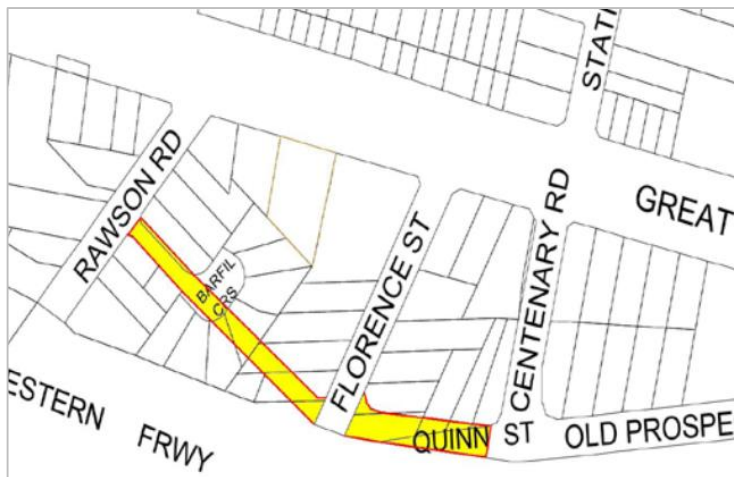


Figure 14: Proposed laneways



Figure 15: Proposed pedestrian link

#### 4.4 Building Height

##### Objectives

- O1. Require an appropriate scale relationship between building heights and street width.
- O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.
- O3. Enable flexibility of uses by implementing higher floor to ceiling heights within buildings for the ground and first floors.
- O4. Reduce the visual impact of buildings on the public domain.
- O5. Allow activation of the street edge on primary roads.

##### Controls

- C1. The maximum height for development within the Finlayson Transitway Precinct is detailed within the *Cumberland Local Environmental Plan 2021*.
- C2. The maximum building storey limits are detailed in Figures 16 and 17.
- C3. Street wall height, setbacks and minimum floor to ceiling heights are referenced in Parts B and C of this DCP.

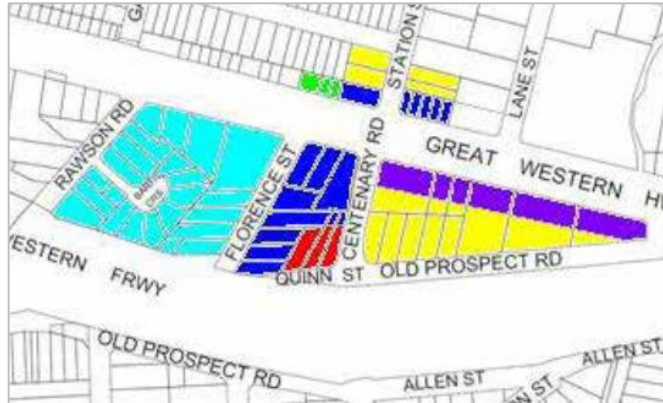


Figure 16: Building heights – East



Figure 17: Building heights - South

## 4.5 Building Setbacks

### Objectives

- O1. Create a clear threshold by providing a transition between public and private space.
- O2. Establish the desired spatial proportions of the street.
- O3. Require a continuous built edge within commercial and mixed use development for activation of the street edge.
- O4. Enable visual and acoustic privacy for residential development.
- O5. Require setbacks which appropriately respond to the building separation requirements.
- O6. Retain a landscaped setback character for residential development.

### Controls

- C1. Setbacks shall be in accordance with Figures 18 and 19.
- C2. Development along the Great Western Highway between:
  - South - Rawson Road and Centenary Road;

- South - Centenary Road, Old Prospect Road and Great Western Highway;
- North - Land Street and Bransgrove Street; and
- North - Intersection of Station Street and Great Western Highway (east and west) shall be built to the boundary to form a continuous street edge.

*Note: Front, side and rear setbacks, unless indicated otherwise in Figures 18 and 19 are to be in accordance with setbacks indicated in Part B or Part C of this plan.*



Figure 18: Setbacks – North



Figure 19: Building setbacks – South

## 5. Sherwood Transitway Precinct

### 5.1 Desired Future Character Statement

Sherwood will become a compact mixed use centre. It will retain the feel of a neighbourhood, but higher density residential development will increase housing choice and maximise the use of the transitway precinct and station. Site consolidation and redevelopment will rationalise land use and define the precinct.

Higher residential densities will be centred around the Transitway station. More consistent setbacks and more attractive built form will define the street edges and increase residential amenity.

New laneways will increase permeability for pedestrians. The compact form of Sherwood will encourage walking. Services will be available in close proximity to the Transitway station, convenient for time-poor commuters.

Early planning for a supermarket will encourage its integration into the area. “Sleeving” the supermarket and other large plate facilities will promote activity around it, creating a safe and interesting environment for pedestrians.

## 6. Objectives and controls

### 6.1 Precinct Objectives

- O1. Create an active and vibrant mixed use, transit oriented village by:
  - allowing active retail uses to front Sherwood Road;
  - where permitted, providing the opportunity for appropriate commercial activity;
  - prioritising pedestrians throughout the business core of the precinct; and
  - facilitating appropriate scale and size of development.
- O2. Improvement of vehicular and pedestrian traffic flow in the precinct by:
  - restricting vehicular egress and ingress to buildings on Sherwood Road and Merrylands Road;
  - where necessary, the creation of new street connections;
  - the creation of clear and direct pedestrian through site links in the business core of the Precinct; and
  - enabling clear and direct pedestrian accessibility to the Sherwood Transitway station.
- O3. Any proposed development responds to:
  - site opportunities and constraints;
  - the prominence of the intersection of Sherwood and Merrylands Roads; and
  - the need for high quality building design.
- O4. Any proposed building in the Sherwood Transitway Station Precinct, regardless of its use or type, being of a quality design, such that the design:
  - responds and contributes to its context, being the key natural and built features of the area;
  - provides an appropriate scale in terms of the bulk and height that suits the scale of the street and the surrounding buildings;

- achieves an appropriate built form for the site and the buildings purpose, in terms of building alignments, proportions, building type and the manipulation of building elements;
  - has a density appropriate for the site and its context, in terms of floor space yields (or numbers of units or residents);
  - makes efficient use of natural resources, energy and water throughout the building's full life cycle, including construction;
  - recognises that together landscape and buildings operate as an integrated and sustainable system, resulting in greater aesthetic quality and amenity for both occupants and the adjoining public domain;
  - provides amenity through the physical, spatial and environmental quality of the development;
  - optimises safety and security, both internal to the development and for the public domain;
  - responds to the social context and needs of the local community in terms of lifestyles, affordability, and access to social facilities;
  - provides quality aesthetics that:
    - require an appropriate composition of building elements, textures, materials and colours; and
    - reflect the use, internal design and structure of the development.
- O5. All development within the Sherwood Transitway Station Precinct shall be undertaken in a way that promotes the principles of ecologically sustainable development.
- O6. Maintain retail, commercial and community activity at street and ground floor level to deliver an active enterprise corridor and encourage commercial office space or other suitable non-residential uses at the first floor level of development

## **6.2 Site Consolidation**

### **Objectives**

- O1. Ensure all sites provide the required minimum frontage to adequately provide for basement car parking.
- O2. Ensure all sites achieve the required minimum width to allow for a site configuration that permits a consistent landscaped open space to the rear of the site.
- O3. Ensure any site amalgamation pattern does not restrict the development opportunity of any adjoining site or the ability of adjoining sites to provide basement car parking or rear open space.
- O4. Establish fine grain shopfronts along primary retail streets.

### **Controls**

- C1. Amalgamation of lots in accordance with Figure 20 is required for redevelopment
- C2. The minimum lot frontage for all development in the Sherwood Precinct shall be 30m.
- C3. Where amalgamation cannot be achieved, the following information must be submitted with any development application:



- two written valuations indicating the value of the remaining sites that were to be developed in conjunction with the applicants properties. These are to be undertaken by two independent valuers registered with the Australian Valuers Institute; and
  - evidence that a reasonable offer has been made to the owner(s) of the affected sites to purchase and valuation reports.
- C4. Where amalgamation (as required) is not achieved, the applicants must show that the remaining sites, which are not included in the consolidation, will still be able to achieve the development outcome prescribed in this part of the *Cumberland DCP 2021*, including achieving the required vehicular access, basement parking and built form.
- C5. Sites must not be left such that they are physically unable to develop in accordance with the prescribed built form outcomes outlined in this DCP.

*Note: Potential value can include, (but is not limited to) the land locked site developed jointly with adjoining properties, or on its own, under Cumberland LEP 2021 and this plan.*

*A reasonable offer shall be a fair market value, and include for all expenses that would be incurred by the owner in the sale of the land locked site.*

*Council will accept as documentary evidence a copy of a written offer delivered by registered mail to the affected owner(s) and dated no more than 3 months prior to the date of lodgement of the development application.*



Figure 20: Lot Amalgamation Plan

### 6.3 Private access ways, vehicular entries and land dedication

#### Objectives

- O1. Require buildings fronting primary roads to locate vehicular access at the rear of the property.
- O2. Ensure sites utilise existing access ways from the rear of the property for vehicular access and parking.
- O3. Mitigate any impacts of vehicular traffic on residences and the adjoining precinct.

- O4. Allow improved circulation space for pedestrians and future residents within the precinct.
- O5. Ensure pedestrian connections have sufficient width to allow for outdoor dining in commercial areas.

#### Controls

- C1. Where possible, buildings fronting Sherwood, Centenary or Merrylands Roads, must be provide vehicular access from the rear or side, via laneways or secondary roads.
- C2. Dedication of land at all corners of the intersection of Sherwood Road and Merrylands Road and Centenary Road for public domain improvements is required in accordance with Figure 21 for development.
- C3. A 12m connecting laneway between Merrylands Road and Coolibah Street is required in accordance with Figure 21.
- C4. Vehicular access is to be designed in accordance with relevant objectives and controls for vehicular access in Part G.

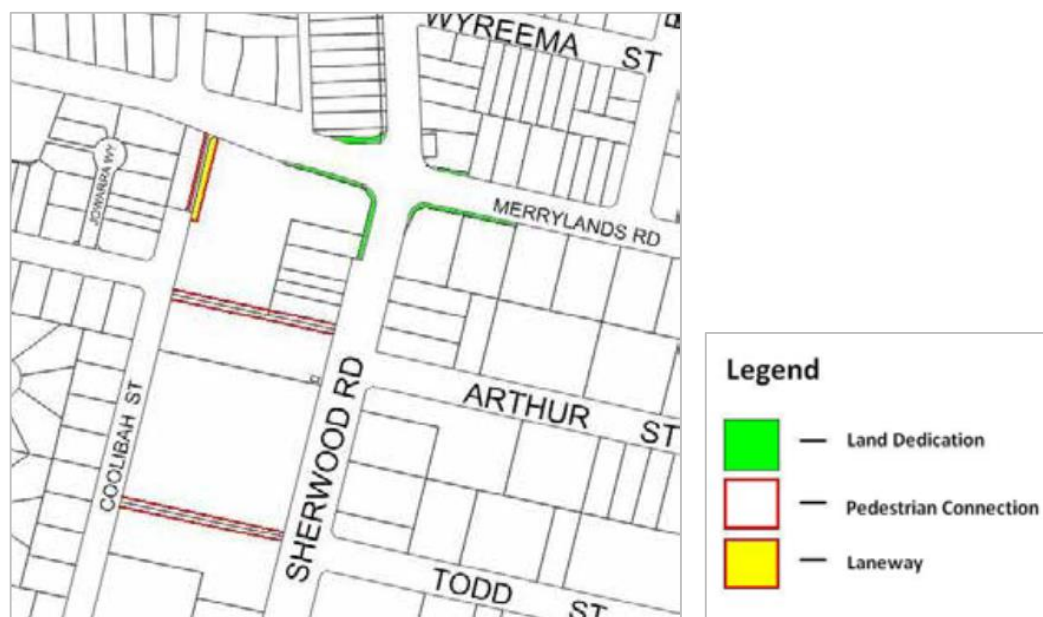


Figure 21: Proposed laneways and land dedication



## 6.4 Building Height

### Objectives

- O1. Ensure an appropriate scale relationship between building height and street width.
- O2. Ensure the appropriate management of overshadowing, access to sunlight and privacy.
- O3. Enable flexibility of uses by implementing higher floor to ceiling heights within buildings for the ground and first floors.
- O4. Reduce the visual impact of buildings on the public domain.
- O5. Allow activation of the street edge on primary road.

### Controls

- C1. The maximum height for development within the Sherwood Transitway Precinct is detailed within the *Cumberland Local Environmental Plan 2021*.
- C2. The maximum building storey limits are detailed in Figure 22.
- C3. Street wall height, setbacks and minimum floor to ceiling heights are referenced in Parts B and C of this DCP.



Figure 22: Building heights

## 6.5 Building Setbacks and Separation

### Objectives

- O1. Create a clear threshold by providing a transition between public and private space.
- O2. Establish the desired spatial proportions of the street.

- O3. Require a continuous built edge within commercial and mixed use development for activation of the street edge.
- O4. Retain a landscaped setback character for residential development.
- O5. Require setbacks which appropriately respond to the building separation requirements.

### Controls

- C1. Setbacks shall be in accordance with Figure 23.
- C2. Development along Sherwood Road is to be built to the boundary of adjoining properties to form a continuous street edge.

*Note: Side setbacks, unless indicated otherwise in Figure 23 are to be in accordance with setbacks indicated in Part B or Part C of this plan.*



Figure 23: Setbacks

Item No: C07/25-152

## **CUMBERLAND LOCAL TRAFFIC COMMITTEE - MEETING OF 4 JUNE 2025**

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

### **SUMMARY**

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This report presents the minutes of the Cumberland Local Council Committee meeting, items considered under delegated authority and recommendations to Council.

### **RECOMMENDATION**

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**That Council:**

- 1. Receive and note the minutes of the Cumberland Local Traffic Committee meeting held on 4 June 2025, as provided in Attachment 1.**
- 2. Note the items considered under delegated authority by the Cumberland Local Traffic Committee at the 4 June 2025 meeting, as provided in Attachment 2.**
- 3. Endorse the recommendations for items considered by the Cumberland Local Traffic Committee at the 4 June 2025 meeting, as provided in Attachment 3.**

### **REPORT**

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A meeting of the Cumberland Local Traffic Committee was held, and the minutes of the meeting are provided in Attachment 1. The items considered under delegated authority under Part 1 of the Terms of Reference for the Cumberland Local Traffic Committee are provided in Attachment 2. The items recommended for endorsement by Council under Part 2 of the Terms of Reference for the Cumberland Local Traffic Committee are provided in Attachment 3.

### **COMMUNITY ENGAGEMENT**

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Community consultation has been undertaken and has been addressed under each report that was presented to the Local Traffic Committee.

### **POLICY IMPLICATIONS**

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

### **RISK IMPLICATIONS**

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

## FINANCIAL IMPLICATIONS

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The expenditure of funds associated with implementing the recommendations will be included in the Council's traffic facility construction program.

## ATTACHMENTS

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1. Minutes of the Meeting of Cumberland Traffic Committee on 4 June 2025 [↓](#)
2. Items Considered under Delegated Authority at the Cumberland Local Traffic Committee on 4 June 2025 [↓](#)
3. Recommendation to Council of Cumberland Traffic Committee Meeting on 4 June 2025 [↓](#)

**DOCUMENTS  
ASSOCIATED WITH  
REPORT C07/25-152**

**Attachment 1**

**Minutes of the Meeting of  
Cumberland Traffic Committee on  
4 June 2025**

Minutes of the Traffic Committee meeting held at Merrylands Administration Building, 16 Memorial Avenue, Merrylands on Wednesday, 4 June 2025.

### OPENING OF MEETING:

The meeting was opened by the Chairperson - Clr. Joseph Rahme at 9.32am.

### PRESENT:

#### MEMBERS

Clr Joseph Rahme (Chairman)	Cumberland City Council
Mr George Campbell	Local Member for Auburn
Clr Glenn Elmore	Local Member for Granville
Dr Diane Colman – arrived 9.35am	Local Member for Prospect
Leading Senior Constable William Graham – joined online 9.39am, left 9.47am	Cumberland Police Area Command
Mr Matthew Tangonan	Transport for NSW

#### OBSERVERS

Clr Steve Christou	Councillor
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#### COUNCIL OFFICERS

Daniel Cavallo	Director Environment & Planning
Elias Elias	Manager Engineering & Building
Soma Somaskanthan	Executive Engineer Traffic and Transport
Siva Sivakumar	Manager Special Projects
Scott Kavanagh	Coordinator Engineering Services
Nancy Nguyen	Engineering & Building Administration Officer
Ann-Marie Dinh	Business Admin Trainee
Paulette Maroon	Governance Officer (Minute Taker)
Joyti Sharma	Governance Officer

### APOLOGIES:

Leading Senior Constable Raymond Yeung	Auburn Police Area Command - <i>Leading Senior Constable William Graham represented both Police Area Commands.</i>
Local Member for Fairfield – no representative nominated	Local Member for Fairfield - <i>No items in the State electorate.</i>
Ms Hannah Shilling/ Mr James Duguid	Transit Systems - No objections received.
CDCBus	No objections received
Transdev	No objections received

## DECLARATIONS OF INTEREST

Clr Rahme declared a Less Than Significant, Non-Pecuniary Interest in item – CTC-25-100 Factory Street And Its Intersections With Side Streets, Granville – Proposed Intersection Treatments, as he lives within close proximity of the location.

## CONFIRMATION OF PREVIOUS MINUTES

That the Cumberland Traffic Committee confirm the minutes of the Cumberland Traffic Committee held on 2 April 2025 be confirmed as per Council's resolution 28 May 2025.

Note: Final Resolutions can be viewed on Council's Website.

## Summary of Reports

### Part 1 - Recommended for Approval under Delegated Authority

Item #	Title	Electorate				Police Area Command (PAC)	
		Fairfield	Granville	Prospect	Auburn	Cumberland	Auburn
CTC-25-099	KIMBERLEY STREET, MERRYLANDS – APPLICATION FOR 'WORKS ZONE' SIGNAGE		x			x	
CTC-25-100	FACTORY STREET AND ITS INTERSECTIONS WITH SIDE STREETS, GRANVILLE – PROPOSED INTERSECTION TREATMENTS		x			x	
CTC-25-101	MERRYLANDS ROAD, MERRYLANDS – PROPOSED RELOCATION OF EXISTING BUS STOP		x			x	
CTC-25-102	LYTTON STREET AND JORDAN STREET, WENTWORTHVILLE – PROPOSED 'NO STOPPING' RESTRICTIONS		x			x	
CTC-25-103	MONTEREY STREET AND HAMILTON STREET, SOUTH WENTWORTHVILLE – PROPOSED 'NO STOPPING' RESTRICTIONS AND LINE MARKING		x			x	
CTC-25-104	CALLIOPE STREET AND BYRON ROAD, GUILDFORD – PROPOSED INTERSECTION TREATMENT		x			x	
CTC-25-105	FAIRFIELD ROAD, GUILDFORD WEST – PROPOSED PARKING RESTRICTIONS		x			x	
CTC-25-106	HARROW ROAD, AUBURN - PROPOSED 'NO PARKING WEDDING OR FUNERAL VEHICLES EXCEPTED' SIGNAGE				x		x
CTC-25-107	OXFORD STREET, GUILDFORD – PROPOSED EXTENSION OF EXISTING 'NO STOPPING' RESTRICTION		x			x	
CTC-25-108	HOWE STREET, WESTMEAD – PROPOSED PARKING RESTRICTIONS		x			x	
CTC-25-109	MAGOWAR ROAD, GIRRAWEE – PROPOSED 'NO STOPPING' PARKING RESTRICTIONS			x		x	
CTC-25-110	PERCY STREET, AUBURN - PROPOSED 'NO STOPPING' SIGNAGE				x		x

CTC-25-111	MAGOWAR ROAD AT MACKLIN STREET AND WYENA ROAD, PENDLE HILL – PROPOSED ‘NO STOPPING’ RESTRICTIONS AND LINE MARKING			×		×	
CTC-25-112	ELVINA STREET AND GOZO ROAD, GREYSTANES – PROPOSED ‘NO STOPPING’ RESTRICTIONS AND LINE MARKING			×		×	
CTC-25-113	STURT STREET, SMITHFIELD – PROPOSED 1/2 P TIMED PARKING AND ‘NO STOPPING’ RESTRICTIONS		×			×	
CTC-25-114	BENNETT STREET, WENTWORTHVILLE – PROPOSED AMENDMENTS TO EXISTING PARKING RESTRICTIONS			×		×	
CTC-25-115	IRIS STREET, GUILDFORD – PROPOSED PARKING RESTRICTIONS		×			×	
CTC-25-116	PERCY STREET, AUBURN – PROPOSED PARKING RESTRICTIONS ASSOCIATED WITH A DEVELOPMENT APPLICATION				×		×
CTC-25-117	ALBERT STREET AND FRANK STREET, GUILDFORD – ROAD SAFETY CONCERNS		×			×	
CTC-25-118	JOHN ST, LIDCOMBE – APPLICATION FOR ‘WORKS ZONE’ SIGNAGE				×		×
CTC-25-119	RANDLE STREET AND BENNALONG STREET, GRANVILLE – ROAD SAFETY CONCERNS		×			×	

## Part 2 - Recommendation to Council

Note: Part 2 recommendations of the Traffic Committee are subject to Council's endorsement. For final decisions regarding these matters, please refer to the Council Meeting Minutes where these matters were reported to Council for determination.

Item #	Title	Electorate				Police Area Command (PAC)	
		Fairfield	Granville	Prospect	Auburn	Cumberland	Auburn
CTC-25-120	THE ESPLANADE, ELIZABETH STREET AND AMHERST STREET, GUILDFORD - ROAD SAFETY CONCERNS		×			×	
CTC-25-121	VAUGHAN STREET, LIDCOMBE – REQUEST FOR MEDIAN ISLAND OUTSIDE MCDONALD'S DRIVEWAY				×		×
CTC-25-122	WARWICK ROAD & BURNETT STREET, MERRYLANDS – REQUEST FOR BANNING TURNING MOVEMENTS AT THE INTERSECTION		×			×	
CTC-25-123	OLD PROSPECT ROAD AND ETTALONG STREET, GREYSTANES – TEMPORARY ROAD CLOSURES ASSOCIATED WITH ‘OUR LADY QUEEN OF PEACE FESTA’			×		×	
CTC-25-124	BRISTOL STREET, MERRYLANDS WEST – ROAD SAFETY CONCERNS		×			×	
CTC-25-125	HARGRAVE ROAD, AUBURN – PROVISION OF A PEDESTRIAN CROSSING OUTSIDE AUBURN HOSPITAL				×		×



CTC-25-126	OCTAVIA STREET, TOONGABBIE – PROVISION OF A PEDESTRIAN CROSSING AT THE INTERSECTION WITH AURELIA STREET			×		×	
CTC-25-127	TALBOT ROAD, GUILDFORD - PROPOSED PEDESTRIAN FENCING		×			×	
CTC-25-128	OLYMPIC DRIVE, LIDCOMBE – PROPOSED SAFETY FENCE				×		×
CTC-25-129	PRINCES STREET AND KING STREET, GUILDFORD WEST – PROPOSED ROUNDABOUT		×			×	
CTC-25-130	EXCELSIOR STREET, WYNYARD STREET AND EVE STREET, GUILDFORD - ROAD SAFETY CONCERNS - CONSULTATION RESULT		×			×	
CTC-25-131	PALMER STREET, GUILDFORD WEST – PROPOSED ROUNDABOUT AND PEDESTRIAN CROSSING		×			×	
CTC-25-132	PARK ROAD AND ANGUS AVENUE, AUBURN – PROPOSED INTERSECTION TREATMENT				×		×
CTC-25-133	PARK ROAD AT MOUNT AUBURN ROAD AND ANGUS AVENUE, AUBURN – PROPOSED ROUNDABOUT				×		×
CTC-25-134	GUILDFORD ROAD, GUILDFORD – ROAD SAFETY CONCERNS		×			×	

***Part 1 - Recommended for Approval under Delegated Authority in accordance with Part 1 of the Terms of Reference for the Cumberland Local Traffic Committee.***

**ITEMS RESOLVED BY EXCEPTION**

The Committee resolved by exception the below items on the Traffic Committee Agenda as per the recommendations in the reports:

CTC-25-099, CTC-25-100, CTC-25-101, CTC-25-102, CTC-25-103, CTC-25-104, CTC-25-105, CTC-25-107, CTC-25-108, CTC-25-109, CTC-25-110, CTC-25-111, CTC-25-112, CTC-25-113, CTC-25-114, CTC-25-115, CTC-25-117, CTC-25-118 and CTC-25-119.

**Moved** Cllr Glenn Elmore, **Seconded** Mr Matthew Tangonan

ITEM CTC-25-099 - KIMBERLEY STREET, MERRYLANDS – APPLICATION FOR 'WORKS ZONE' SIGNAGE

***Resolved by Exception***

The Traffic Committee recommends that:

1. The 12m long 'Works Zone, 7:00am-6:00pm, Monday-Friday, 8:00am-4:00pm, Saturday' signs be approved in principle on the frontage of the redevelopment site on Kimberley Street, Merrylands in accordance with the attached plan subject to Council's standard conditions for the period of 6 months and subsequent extension if required.
2. The applicant be advised to pay the 'Works Zone' fees to Council as per the adopted Fees and Charges

**ITEM CTC-25-100 - FACTORY STREET AND ITS INTERSECTIONS WITH SIDE STREETS, GRANVILLE – PROPOSED INTERSECTION TREATMENTS**

***Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of 'Give Way' control signs and associated line marking at the intersections of Factory Street, Granville with side streets in accordance with the attached plans be approved.
2. The affected / concerned residents be notified of the outcome.

**ITEM CTC-25-101 - MERRYLANDS ROAD, MERRYLANDS – PROPOSED  
RELOCATION OF EXISTING BUS STOP*****Resolved by Exception***

The Traffic Committee recommends that:

1. The relocation of existing Bus Stop and associated signage in front of No.535 Merrylands Road, Merrylands in accordance with the attached plan be approved.
2. The cost of the works shall be borne by the applicant.
3. The applicant is to be notified of the outcome.

**ITEM CTC-25-102 - LYTTON STREET AND JORDAN STREET, WENTWORTHVILLE  
– PROPOSED ‘NO STOPPING’ RESTRICTIONS*****Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of ‘No Stopping’ signs at the intersection of Lytton Street and Jordan Street, Wentworthville in accordance with the attached plan be approved.
2. The affected and concerned residents be notified of the outcome.

**ITEM CTC-25-103 - MONTEREY STREET AND HAMILTON STREET, SOUTH  
WENTWORTHVILLE – PROPOSED ‘NO STOPPING’ RESTRICTIONS AND LINE  
MARKING*****Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of ‘No Stopping’ signs and ‘BL2’ line marking at the intersection of Monterey Street and Hamilton Street, South Wentworthville in accordance with the attached plan be approved in principle.
2. Council consult with affected residents and report back to the Traffic Committee if objections are received.

**ITEM CTC-25-104 - CALLIOPE STREET AND BYRON ROAD, GUILDFORD – PROPOSED INTERSECTION TREATMENT*****Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of 'Give Way' and 'No Stopping' signs with associated line marking at the intersection of Calliope Street and Byron Road, Guildford in accordance with attached plan be approved.
2. The affected / concerned residents be notified of the outcome.

**ITEM CTC-25-105 FAIRFIELD ROAD, GUILDFORD WEST - PROPOSED PARKING RESTRICITONS*****Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of '1P 8:30 am to 6pm Mon- Sat' on the western side of Fairfield Road, Guildford West outside No.121 and part of No. 123-131, as provided in the attached plan, be approved.
2. Council notifies the business owners of the outcome.

**ITEM CTC-25-107 - OXFORD STREET, GUILDFORD – PROPOSED EXTENSION OF EXISTING 'NO STOPPING' RESTRICTION*****Resolved by Exception***

The Traffic Committee recommends that:

1. The extension of the existing 'No Stopping' restrictions on Oxford Street, Guildford outside Granville South Public School in accordance with attached plan be approved.
2. Granville South Public School be notified of the outcome.

**ITEM CTC-25-108 - HOWE STREET, WESTMEAD – PROPOSED PARKING RESTRICTIONS*****Resolved by Exception***

The Traffic Committee recommends that:

1. The proposed 'No Parking' signage outside No. 5 Howe Street, Westmead in accordance with the attached plan be approved.
2. The cost of the works shall be borne by the applicant.
3. The applicant is to be notified of the outcome.

**ITEM CTC-25-109 - MAGOWAR ROAD, GIRRAWEE – PROPOSED 'NO STOPPING' PARKING RESTRICTIONS*****Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of 'No Stopping' signs between No. 147 and No. 149 Magowar Road, Girrawee in accordance with the attached plan be approved.
2. The affected / concerned businesses be notified of the outcome.

**ITEM CTC-25-110 - PERCY STREET, AUBURN - PROPOSED 'NO STOPPING' SIGNAGE*****Resolved by Exception***

The Traffic Committee recommends:

1. The proposed 'No Stopping' signs outside No. 11-13 Percy Street, Auburn in accordance with the attached plan be approved.
2. Council notify the affected businesses of the outcome.

**ITEM CTC-25-111 - MAGOWAR ROAD AT MACKLIN STREET AND WYENA ROAD,  
PENDLE HILL – PROPOSED ‘NO STOPPING’ RESTRICTIONS AND LINE MARKING*****Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of ‘No Stopping’ signs, ‘BL2’ line markings in Magowar Road and at the intersection of Macklin Street and Wyena Road, Pendle Hill in accordance with the attached plan be approved.
2. The affected / concerned residents be notified of the outcome.

**ITEM CTC-25-112 - ELVINA STREET AND GOZO ROAD, GREYSTANES –  
PROPOSED ‘NO STOPPING’ RESTRICTIONS AND LINE MARKING*****Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of ‘No Stopping’ signs, ‘BL2’ line markings, and the modification of ‘EL1’ line markings at the intersection of Elvina Street and Gozo Road, Greystanes, in accordance with the attached plan, be approved in principle.
2. Council consults with affected residents and report back to the Traffic Committee if objections are received.
3. The concerned and affected residents be notified of the outcome.

**ITEM CTC-25-113 - STURT STREET, SMITHFIELD – PROPOSED 1/2 P TIMED  
PARKING AND ‘NO STOPPING’ RESTRICTIONS*****Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of ‘1/2 P 8:30 am to 6pm’ and ‘No Stopping’ restrictions on the eastern side of Sturt Street, Smithfield as per the attached plan be approved.
2. Council notify business owners of the outcome.

**ITEM CTC-25-114 - BENNETT STREET, WENTWORTHVILLE – PROPOSED AMENDMENTS TO EXISTING PARKING RESTRICTIONS*****Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of 'No Parking, 8:30 am to 9:30 am Mon- Fri, 2:30 pm to 4:00 pm, school days and amendment to existing P 15 minutes as per the attached plan be approved.
2. Council notifies Our Lady of Mount Carmel Primary School of the outcome.

**ITEM CTC-25-115 - IRIS STREET, GUILDFORD – PROPOSED PARKING RESTRICTIONS*****Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of 'No Parking' and 'No Stopping' signage on the eastern side of Iris Street, Guildford, outside Tom Uren Park, in accordance with the attached plan, be approved in principle.
2. Council consult affected residents and report back to the Traffic Committee if objections are received.

**ITEM CTC-25-117 - ALBERT STREET AND FRANK STREET, GUILDFORD – ROAD SAFETY CONCERNS*****Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of 'Give Way' signage and associated linemarking on Frank Street at Albert Street, Guildford West, be approved according to the attached plan.
2. The installation of 'No Stopping' signage and 'BL2' linemarking on Frank Street at Albert Street, Guildford West, be approved according to the attached plan.
3. The concerned and affected residents be consulted and report back to Traffic Committee if objections are received.

**ITEM CTC-25-118 - JOHN ST, LIDCOMBE – APPLICATION FOR ‘WORKS ZONE’ SIGNAGE*****Resolved by Exception***

The Traffic Committee recommends that:

1. The 12m long ‘Works Zone, 7:00am-6:00pm, Monday-Friday, 8:00am-4:00pm, Saturday’ signs be approved in principle on the frontage of the redevelopment site on John Street, Lidcombe in accordance with the attached plan subject to Council’s standard conditions for the period of 6 months and subsequent extension if required.
2. The applicant be advised to pay the ‘Works Zone’ fees to Council as per the adopted Fees and Charges.

**ITEM CTC-25-119 - RANDLE STREET AND BENNALONG STREET, GRANVILLE – ROAD SAFETY CONCERNS*****Resolved by Exception***

The Traffic Committee recommends that:

1. The proposed ‘BL2’ centre lines on the Bennelong Street approaches to its intersection with Randle Street, in accordance with the attached plan, be approved.
2. The concerned resident be notified of the outcome.

**ITEM CTC-25-106 - HARROW ROAD, AUBURN - PROPOSED ‘NO PARKING WEDDING OR FUNERAL VEHICLES EXCEPTED’ SIGNAGE**

The Traffic Committee recommends that:

1. The proposed ‘No Parking, Wedding or Funeral Vehicles Excepted’ signs outside No.43-47 Harrow Road, Auburn in accordance with the attached plan be approved.
2. Council notify the property owner of the outcome.

**Moved** Mr George Campbell, **Seconded** Mr Matthew Tangonan



**ITEM CTC-25-116 - PERCY STREET, AUBURN – PROPOSED PARKING RESTRICTIONS ASSOCIATED WITH A DEVELOPMENT APPLICATION**

The Traffic Committee recommends that:

1. The request for a pedestrian crossing on Percy Street, Auburn outside the International Maarif Schools of Australia (IMSA) Gallipoli Campus, Auburn and associated signage be approved in principle.
2. The costs associated with the installation of the signage shall be borne by the applicant at no cost to Council.
3. The applicant provides final design plans for Council approval prior to construction.
4. The applicant be notified of Council's resolution.

Council Officer noted that CTC-25-116 was included in *Part 1 Recommended for Approval under Delegated Authority* however this item will be moved to *Part 2 Recommendation to Council*.

**Moved** Matthew Tangonan, **Seconded** Cllr Glenn Elmore

***Part 2 - Recommendation to Council in accordance with Part 2 of the Terms of Reference for the Cumberland Local Traffic Committee.***

Note: Part 2 recommendations of the Traffic Committee are subject to Council's endorsement. For final decisions regarding these matters, please refer to the Council Meeting Minutes where these matters were reported to Council for determination.

**ITEMS RESOLVED BY EXCEPTION**

The Committee resolved by exception the below items on the Traffic Committee Agenda as per the recommendations in the reports:

CTC-25-120, CTC-25-121, CTC-25-122, CTC-25-124, CTC-25-125, CTC-25-126, CTC-25-127, CTC-25-128, CTC-25-129, CTC-25-130, CTC-25-131, CTC-25-132, CTC-25-133 and CTC-25-134.

**Moved** Cllr Glenn Elmore, **Seconded** Mr Matthew Tangonan

**ITEM CTC-25-120 - THE ESPLANADE, ELIZABETH STREET AND AMHERST STREET, GUILDFORD - ROAD SAFETY CONCERNS*****Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of 'No Stopping' signs and centre line marking at the intersection of The Esplanade, Amherst Street and Elizabeth Street, and the proposed speed cushions on the Elizabeth Street approach to its intersection with The Esplanade, Guildford, in accordance with the attached plan, be approved in principle.
2. Council undertake consultation with affected residents and report back to the Traffic Committee if objections are received.
3. Concerned and affected residents be notified of the outcome.

**ITEM CTC-25-121 - VAUGHAN STREET, LIDCOMBE – REQUEST FOR MEDIAN ISLAND OUTSIDE MCDONALD'S DRIVEWAY*****Resolved by Exception***

The Traffic Committee recommends that:

1. A 600 mm wide, 25m long median island on Vaughan Street, Lidcombe, outside the McDonalds carpark driveway, be approved in principle.
2. Council undertake consultation with affected stakeholders and a further report be provided to the Traffic Committee if objections are received.

**ITEM CTC-25-122 - WARWICK ROAD & BURNETT STREET, MERRYLANDS – REQUEST FOR BANNING TURNING MOVEMENTS AT THE INTERSECTION**

**Note:** Cllr Colman separately advised Council Officers during the meeting of Less Than Significant, Non-Pecuniary Interest in item – CTC-25-122 Warwick Road & Burnett Street, Merrylands – Request for Banning Turning Movements at the Intersection, as she lives within close proximity of the location.

***Resolved by Exception***

The Traffic Committee recommends that:

1. Council installs “No Right Turn, 6 AM – 10AM, 3PM – 7PM, Monday to Friday” signage on Warwick Road, Merrylands at its intersection with Burnett Street as per the attached plan.
2. Council installs advisory sign indicating “No Right Turn at Burnett St, 6 AM-10 AM, 3 PM-7 PM, MON-FRI” on Warwick Road at its intersection with Walpole Street as per the attached plan.
3. Council notify the residents who sent submissions during the consultation of the outcome.
4. Council provide information to road users and local residents of the traffic movement changes prior to commencement.

**ITEM CTC-25-124 - BRISTOL STREET, MERRYLANDS WEST – ROAD SAFETY CONCERNS*****Resolved by Exception***

The Traffic Committee recommends that Council undertake consultation with the residents of Bristol Street, Merrylands West, between Cusack Street and Fowler Road, to assess support or otherwise for the provision of speed humps in the street.

**ITEM CTC-25-125 - HARGRAVE ROAD, AUBURN – PROVISION OF A PEDESTRIAN CROSSING OUTSIDE AUBURN HOSPITAL*****Resolved by Exception***

The Traffic Committee recommends that:

1. A raised pedestrian crossing on Hargrave Road, Auburn, outside Auburn Hospital be approved in principle.
2. Council investigate the two locations as indicated in the report and prepare concept plans for consultation with affected residents and Auburn Hospital Administration.

3. A further report on the consultation results and preferred location with concept plan be provided for consideration by the Traffic Committee.

**ITEM CTC-25-126 - OCTAVIA STREET, TOONGABBIE – PROVISION OF A PEDESTRIAN CROSSING AT THE INTERSECTION WITH AURELIA STREET**

***Resolved by Exception***

The Traffic Committee recommends that:

1. A raised pedestrian crossing on Octavia Street, Toongabbie, outside the car park of Girraween Park, as provided in the attached plan, be approved in principle.
2. Council forward final design plans to Transport for NSW for concurrence.
3. Council undertake consultation with affected residents and other stakeholders and report back to the Traffic Committee if objections are received.

**ITEM CTC-25-127 - TALBOT ROAD, GUILDFORD - PROPOSED PEDESTRIAN FENCING**

***Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of a pedestrian fence on the eastern side of Talbot Road along the side boundary of No. 265 Guildford Road, Guildford, in accordance with the attached plan, be approved.
2. The concerned business owner be notified of the outcome.

**ITEM CTC-25-128 - OLYMPIC DRIVE, LIDCOMBE – PROPOSED SAFETY FENCE**

***Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of safety fence at the bend in Olympic Drive, Lidcombe outside No.13 in accordance with the attached plan be approved.
2. The concerned resident be notified of the outcome.

**ITEM CTC-25-129 - PRINCES STREET AND KING STREET, GUILDFORD WEST – PROPOSED ROUNDABOUT*****Resolved by Exception***

The Traffic Committee recommends that:

1. That the installation of a roundabout at the intersection of King Street and Princes Street, Guildford West, be supported in principle.
2. Council prepare a concept plan for the proposed roundabout and undertake consultation with affected residents, with a further report provided to the Traffic Committee if objections are received.

**ITEM CTC-25-130 - EXCELSIOR STREET, WYNYARD STREET AND EVE STREET, GUILDFORD - ROAD SAFETY CONCERNS - CONSULTATION RESULT*****Resolved by Exception***

The Traffic Committee recommends that:

1. The proposed intersection treatment at the intersection of Excelsior Street, Wynyard Street and Eve Street, Guildford in accordance with the attached plan be approved.
2. Council notify affected and concerned residents of the outcome.

**ITEM CTC-25-131 - PALMER STREET, GUILDFORD WEST – PROPOSED ROUNDABOUT AND PEDESTRIAN CROSSING*****Resolved by Exception***

The Traffic Committee recommends that:

1. The proposed roundabout and pedestrian crossing on Palmer Street, Guildford be approved in principle, subject to final plans being reviewed and accepted by Council.
2. The applicant is to consult with local residents on the proposal prior to the receipt of final plans with Council for review, with the outcomes of consultation provided to Council.
3. The cost of the works shall be borne by the applicant.
4. The applicant is to be notified of the outcome.

**ITEM CTC-25-132 - PARK ROAD AND ANGUS AVENUE, AUBURN – PROPOSED INTERSECTION TREATMENT*****Resolved by Exception***

The Traffic Committee recommends that:

1. The provision of a marked merge bay and associated parking restrictions on Park Road at the intersection with Angus Avenue, Auburn, be supported in principle.
2. Council undertake consultation with affected residents and report back to the Traffic Committee if objections are received.

**ITEM CTC-25-133 - PARK ROAD AT MOUNT AUBURN ROAD AND ANGUS AVENUE, AUBURN – PROPOSED ROUNDABOUT*****Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of a roundabout at the intersection of Park Road and Mount Auburn Road, Auburn, in accordance with the attached plan, be supported in principle.
2. Council undertake consultation with adjacent residents and provide a further report to the Traffic Committee.

**ITEM CTC-25-134 - GUILDFORD ROAD, GUILDFORD – ROAD SAFETY CONCERNS*****Resolved by Exception***

The Traffic Committee recommends that:

1. The installation of a speed hump in Guildford Road, Guildford, outside No.270, as provided in the attached plan, be supported in principle.
2. Council undertake consultation on the proposal and provide a further report to the Traffic Committee if objections are received.
3. Concerned and affected businesses be notified of the outcome.

**ITEM CTC-25-123 - OLD PROSPECT ROAD AND ETTALONG STREET,  
GREYSTANES – TEMPORARY ROAD CLOSURES ASSOCIATED WITH ‘OUR LADY  
QUEEN OF PEACE FESTA’**

The Traffic Committee recommends that the temporary closures of Old Prospect Road and Ettalong Road, Greystanes between the hours of 2:00pm and 5:00pm Sunday 28 September 2025 be approved subject to the following conditions:

1. All affected businesses, residents and emergency stakeholders being notified/consulted of the closure.
2. Complying with the notification requirements of the Roads Act 1993, i.e. placing public notices in a newspaper and erecting notices on the road.
3. Bus operators be consulted of the closure.
4. Approval of a Traffic Management Plan by Transport for NSW and the Transport Management Centre and amending the Plan appropriately as recommended by the above authorities, including comments from NSW Police.

**Moved** Snr Constable William Graham, **Seconded** Clr Glenn Elmore

**General Business**

Nil.

**NEXT MEETING**

Next Meeting 6 August 2025 at 9:30 AM

**MEETING CLOSE**

The meeting terminated at 9.48am.

Signed:  
Chairperson

DOCUMENTS  
ASSOCIATED WITH  
REPORT C07/25-152

Attachment 2

Items Considered under  
Delegated Authority at the  
Cumberland Local Traffic  
Committee on 4 June 2025



CUMBERLAND TRAFFIC COMMITTEE PART 1 ITEMS CONSIDERED UNDER DELEGATED  
AUTHORITY

Traffic Committee Meeting – 4 June 2025

Item #	Title	Recommendation
CTC-25-099	KIMBERLEY STREET, MERRYLANDS – APPLICATION FOR 'WORKS ZONE' SIGNAGE	<ol style="list-style-type: none"> <li>1. The 12m long 'Works Zone, 7:00am-6:00pm, Monday-Friday, 8:00am-4:00pm, Saturday' signs be approved in principle on the frontage of the redevelopment site on Kimberley Street, Merrylands in accordance with the attached plan subject to Council's standard conditions for the period of 6 months and subsequent extension if required.</li> <li>2. The applicant be advised to pay the 'Works Zone' fees to Council as per the adopted Fees and Charges</li> </ol>
CTC-25-100	FACTORY STREET AND ITS INTERSECTIONS WITH SIDE STREETS, GRANVILLE – PROPOSED INTERSECTION TREATMENTS	<ol style="list-style-type: none"> <li>1. The installation of 'Give Way' control signs and associated line marking at the intersections of Factory Street, Granville with side streets in accordance with the attached plans be approved.</li> <li>2. The affected / concerned residents be notified of the outcome.</li> </ol>
CTC-25-101	MERRYLANDS ROAD, MERRYLANDS – PROPOSED RELOCATION OF EXISTING BUS STOP	<ol style="list-style-type: none"> <li>1. The relocation of existing Bus Stop and associated signage in front of No.535 Merrylands Road, Merrylands in accordance with the attached plan be approved.</li> <li>2. The cost of the works shall be borne by the applicant.</li> <li>3. The applicant is to be notified of the outcome.</li> </ol>
CTC-25-102	LYTTON STREET AND JORDAN STREET, WENTWORTHVILLE – PROPOSED 'NO STOPPING' RESTRICTIONS	<ol style="list-style-type: none"> <li>1. The installation of 'No Stopping' signs at the intersection of Lytton Street and Jordan Street, Wentworthville in accordance with the attached plan be approved.</li> <li>2. The affected and concerned residents be notified of the outcome.</li> </ol>
CTC-25-103	MONTEREY STREET AND HAMILTON STREET, SOUTH WENTWORTHVILLE – PROPOSED 'NO STOPPING' RESTRICTIONS AND LINE MARKING	<ol style="list-style-type: none"> <li>1. The installation of 'No Stopping' signs and 'BL2' line marking at the intersection of Monterey Street and Hamilton Street, South Wentworthville in accordance with the attached plan be approved in principle.</li> <li>2. Council consults with affected residents and report back to the Traffic Committee if objections are received</li> </ol>
CTC-25-104	CALLIOPE STREET AND BYRON ROAD, GUILDFORD – PROPOSED INTERSECTION TREATMENT	<ol style="list-style-type: none"> <li>1. The installation of 'Give Way' and 'No Stopping' signs with associated line marking at the intersection of Calliope Street and Byron Road, Guildford in</li> </ol>

		<p>accordance with attached plan be approved.</p> <p>2. The affected / concerned residents be notified of the outcome.</p>
CTC-25-105	FAIRFIELD ROAD, GUILDFORD WEST – PROPOSED PARKING RESTRICTIONS	<p>1. The installation of '1P 8:30 am to 6pm Mon- Sat' on the western side of Fairfield Road, Guildford West outside No.121 and part of No. 123-131, as provided in the attached plan, be approved.</p> <p>2. Council notifies the business owners of the outcome.</p>
CTC-25-106	HARROW ROAD, AUBURN - PROPOSED 'NO PARKING WEDDING OR FUNERAL VEHICLES EXCEPTED' SIGNAGE	<p>1. The proposed 'No Parking, Wedding or Funeral Vehicles Excepted' signs outside No.43-47 Harrow Road, Auburn in accordance with the attached plan be approved.</p> <p>2. Council notify the property owner of the outcome.</p>
CTC-25-107	OXFORD STREET, GUILDFORD – PROPOSED EXTENSION OF EXISTING 'NO STOPPING' RESTRICTION	<p>1. The extension of the existing 'No Stopping' restrictions on Oxford Street, Guildford outside Granville South Public School in accordance with attached plan be approved.</p> <p>2. Granville South Public School be notified of the outcome.</p>
CTC-25-108	HOWE STREET, WESTMEAD – PROPOSED PARKING RESTRICTIONS	<p>1. The proposed 'No Parking' signage outside No. 5 Howe Street, Westmead in accordance with the attached plan be approved.</p> <p>2. The cost of the works shall be borne by the applicant.</p> <p>3. The applicant is to be notified of the outcome.</p>
CTC-25-109	MAGOWAR ROAD, GIRRAWEE – PROPOSED 'NO STOPPING' PARKING RESTRICTIONS	<p>1. The installation of 'No Stopping' signs between No. 147 and No. 149 Magowar Road, Girrawee in accordance with the attached plan be approved.</p> <p>2. The affected / concerned businesses be notified of the outcome.</p>
CTC-25-110	PERCY STREET, AUBURN - PROPOSED 'NO STOPPING' SIGNAGE	<p>1. The proposed 'No Stopping' signs outside No. 11-13 Percy Street, Auburn in accordance with the attached plan be approved.</p> <p>2. Council notify the affected businesses of the outcome.</p>
CTC-25-111	MAGOWAR ROAD AT MACKLIN STREET AND WYENA ROAD, PENDLE HILL – PROPOSED 'NO STOPPING' RESTRICTIONS AND LINE MARKING	<p>1. The installation of 'No Stopping' signs, 'BL2' line markings in Magowar Road and at the intersection of Macklin Street and Wyena Road, Pendle Hill in accordance with the attached plan be approved.</p> <p>2. The affected / concerned residents be notified of the outcome.</p>
CTC-25-112	ELVINA STREET AND GOZO ROAD, GREYSTANES – PROPOSED 'NO STOPPING' RESTRICTIONS AND LINE MARKING	<p>1. The installation of 'No Stopping' signs, 'BL2' line markings, and the modification of 'EL1' line markings at the intersection of Elvina Street and Gozo Road, Greystanes, in</p>

		<p>accordance with the attached plan, be approved in principle.</p> <ol style="list-style-type: none"> <li>2. Council consults with affected residents and report back to the Traffic Committee if objections are received.</li> <li>3. The concerned and affected residents be notified of the outcome.</li> </ol>
CTC-25-113	STURT STREET, SMITHFIELD – PROPOSED 1/2 P TIMED PARKING AND 'NO STOPPING' RESTRICTIONS	<ol style="list-style-type: none"> <li>1. The installation of '1/2 P 8:30 am to 6pm' and 'No Stopping' restrictions on the eastern side of Sturt Street, Smithfield as per the attached plan be approved.</li> <li>2. Council notify business owners of the outcome.</li> </ol>
CTC-25-114	BENNETT STREET, WENTWORTHVILLE – PROPOSED AMENDMENTS TO EXISTING PARKING RESTRICTIONS	<ol style="list-style-type: none"> <li>1. The installation of 'No Parking, 8:30 am to 9:30 am Mon- Fri, 2:30 pm to 4:00 pm, school days and amendment to existing P 15 minutes as per the attached plan be approved.</li> <li>2. Council notifies Our Lady of Mount Carmel Primary School of the outcome.</li> </ol>
CTC-25-115	IRIS STREET, GUILDFORD – PROPOSED PARKING RESTRICTIONS	<ol style="list-style-type: none"> <li>1. The installation of 'No Parking' and 'No Stopping' signage on the eastern side of Iris Street, Guildford, outside Tom Uren Park, in accordance with the attached plan, be approved in principle.</li> <li>2. Council consult affected residents and report back to the Traffic Committee if objections are received.</li> </ol>
CTC-25-117	ALBERT STREET AND FRANK STREET, GUILDFORD – ROAD SAFETY CONCERNS	<ol style="list-style-type: none"> <li>1. The installation of 'Give Way' signage and associated linemarking on Frank Street at Albert Street, Guildford West, be approved according to the attached plan.</li> <li>2. The installation of 'No Stopping' signage and 'BL2' linemarking on Frank Street at Albert Street, Guildford West, be approved according to the attached plan.</li> <li>3. The concerned and affected residents be consulted and report back to Traffic Committee if objections are received.</li> </ol>
CTC-25-118	JOHN ST, LIDCOMBE – APPLICATION FOR 'WORKS ZONE' SIGNAGE	<ol style="list-style-type: none"> <li>1. The 12m long 'Works Zone, 7:00am-6:00pm, Monday-Friday, 8:00am-4:00pm, Saturday' signs be approved in principle on the frontage of the redevelopment site on John Street, Lidcombe in accordance with the attached plan subject to Council's standard conditions for the period of 6 months and subsequent extension if required.</li> <li>2. The applicant be advised to pay the 'Works Zone' fees to Council as per the adopted Fees and Charges.</li> </ol>

CTC-25-119	RANDLE STREET AND BENNALONG STREET, GRANVILLE – ROAD SAFETY CONCERNS	<ol style="list-style-type: none"><li>1. The proposed 'BL2' centre lines on the Bennelong Street approaches to its intersection with Randle Street, in accordance with the attached plan, be approved.</li><li>2. The concerned resident be notified of the outcome.</li></ol>
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**DOCUMENTS  
ASSOCIATED WITH  
REPORT C07/25-152**

**Attachment 3**

**Recommendation to Council of  
Cumberland Traffic Committee  
Meeting on 4 June 2025**

# List of Recommendations to Council: Cumberland Traffic Committee Meeting on 4 June 2025

## Attachments:

1. CTC-25-116 – Percy Street, Auburn – Proposed Parking Restrictions Associated with a Development Application
2. CTC-25-120 – The Esplanade, Amherst Street and Elizabeth Street, Guildford – Road Safety Concerns
3. CTC-25-121 - Vaughan Street, Lidcombe – Request for Median Island Outside McDonald's Driveway
4. CTC-25-122 – Warwick Road & Burnett Street, Merrylands – Request for Banning Turning Movements at the Intersection
5. CTC-25-123 - Old Prospect Road and Ettalong Road, Greystanes – Temporary Road Closure Associated with “Our Lady Queen of Peace Festa”
6. CTC-25-124 - Bristol Street, Merrylands – Road safety Concerns
7. CTC-25-125 - Hargrave Road, Auburn – Provision of a Pedestrian Crossing Outside Auburn Hospital
8. CTC-25-126 - Octavia Street, Toongabbie – Provision of a Pedestrian Crossing at the Intersection with Aurelia Street
9. CTC-25-127 - Talbot Road, Guildford – Proposed Pedestrian Fencing
10. CTC-25-128 - Olympic Drive, Lidcombe – Proposed Safety Fence
11. CTC-25-129 - Princes Street and King Street, Guildford West – Proposed Roundabout
12. CTC-25-130 - Excelsior Street, Wynyard Street and Eve Street, Guildford – Road Safety Concerns – Consultation Result
13. CTC-25-131 - Palmer Street, Guildford West – Proposed Roundabout and Pedestrian Crossing
14. CTC-25-132 - Park Road and Angus Avenue, Auburn – Proposed Intersection Treatment
15. CTC-25-133 - Park Road at Mount Auburn Road and Angus Avenue, Auburn – Proposed Roundabout
16. CTC-25-134 - Guildford Road, Guildford – Road Safety Concerns

Item No: CTC-25-116

**PERCY STREET, AUBURN – PROPOSED PARKING RESTRICTIONS  
ASSOCIATED WITH A DEVELOPMENT APPLICATION**

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That the Local Traffic Committee recommends, and Council resolves that:

1. The request for a pedestrian crossing on Percy Street, Auburn outside the International Maarif Schools of Australia (IMSA) Gallipoli Campus, Auburn and associated signage be approved in principle.
2. The costs associated with the installation of the signage shall be borne by the applicant at no cost to Council.
3. The applicant provides final design plans for Council approval prior to construction.
4. The applicant be notified of Council's resolution.

**REPORT**

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The International Maarif Schools of Australia (IMSA) Gallipoli Campus, Auburn was approved in March 2020 involving the staged construction of a new K-12 school, with capacity for 728 primary and secondary students and 58 full-time equivalent staff. The school currently has from Kindergarten to Year 5.

The approved plans for the project include a bus zone and pick-up and drop-off zone along the Percy Street frontage of the site, along with a new pedestrian crossing across Percy Street near the intersection with Gelibolu Parade.

Cumberland Traffic Committee at its meeting held on 2 March 2022 considered a report on the request from the Project Manager for the provision of the pedestrian crossing on Percy Road outside the school and recommended that:

1. *The request for a pedestrian crossing on Percy Street, Auburn outside the school not be approved.*  
*The proposed 'No Parking; 8:00AM-9:30AM; 2:30PM-4:00PM; School Days' and 'Bus Zone; 8:00AM-9:30AM; 2:30PM-4:00PM; School Days' signs in accordance with the attached plan be approved.*
2. *The costs associated with the installation of the signage shall be borne by the applicant at no cost to Council.*
3. *The applicant be notified of Council's resolution.*

The signs were installed subsequently.



According to the Annual Report of International Maarif Schools of Australia in 2023, the Gallipoli Campus had classes from Kindergarten to Year 9 with a total of 433 students enrolled. It is anticipated that the construction works will be completed by 2025 and the full complement of expected student numbers will be reached in 2026. Based on the status of the school development, Council has received plan for the proposed pedestrian crossing.

The map below shows the location of Percy Street, Auburn.



Transport for NSW has provided guideline to Local Governments to utilise reduced warrants on local roads, subject to satisfying safety requirements outlined in the Australian Standards and Austroads Guidelines.

Council has developed its own guidelines for the provision of pedestrian crossings on local roads especially at high demand locations including schools, community facilities, parks, hospitals, medical facilities, town centres, neighbourhood shops and public transport facilities.

A pedestrian (zebra) crossing is deemed to meet the numerical warrant for a pedestrian (zebra) crossing if the crossing point meets the following criteria:

- In each of two separate one-hour periods in a typical day, the pedestrian flow per hour crossing the road is or is expected to be equal to or greater than 20, and vehicle volumes be equal to or greater than 200. Where each unaccompanied child, elderly person or mobility impaired pedestrian is counted as two pedestrians.



In addition to the above, all requirements set down in Australian Standards are to be met.

Since the school has reached 60% of its potential number of students (with 433 students enrolled up to Year 9 in 2023) prior to final completion, Council officer observations have indicated that the pedestrian numbers are high in the morning and evening school hours; however, the vehicle numbers were not meeting the minimum threshold. While the numerical threshold for vehicles has not been met, the location of the pedestrian crossing supports safe access for students, parents and community members along a strategic link between Auburn Town Centre and Wyatt Park.

A concept plan showing the proposed crossing is attached.

There were further concerns raised by school administration requesting Council officers to review parking arrangement including the bus zones in Percy Street and Gelibolu Parade around the school. This matter is being investigated, and a further report will be provided to the Traffic Committee, if required.

## **CONSULTATION**

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The location of the pedestrian crossing is between the school site at Percy Street and Wyatt Park, which is owned by Council. As the matter has been raised by the school and is related to their development application on the site, no further consultation is proposed.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

## **ATTACHMENTS**

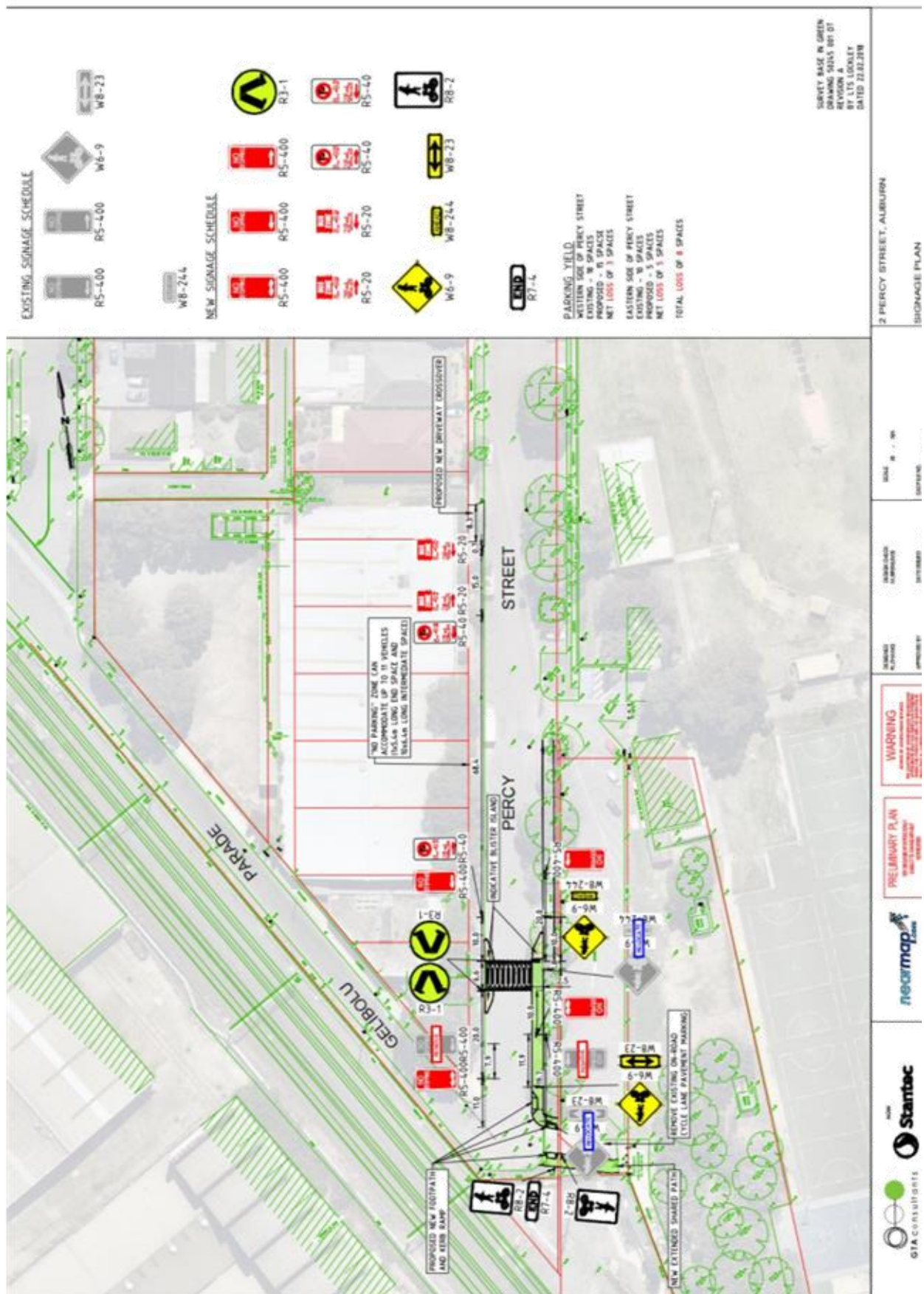
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1. Plans – Percy Street, Auburn – Proposed pedestrian crossing and signage outside the International Maarif Schools of Australia at No 2 Percy Street Auburn.

# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-116

## Attachment 1

Plans – Percy Street, Auburn –  
Proposed pedestrian crossing  
and signage outside the  
International Maarif Schools of  
Australia at No 2 Percy Street  
Auburn.



Item No: CTC-25-120

### **THE ESPLANADE, ELIZABETH STREET AND AMHERST STREET, GUILDFORD - ROAD SAFETY CONCERNS**

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That the Local Traffic Committee recommends, and Council resolves that:

1. The installation of 'No Stopping' signs and centre line marking at the intersection of The Esplanade, Amherst Street and Elizabeth Street, and the proposed speed cushions on the Elizabeth Street approach to its intersection with The Esplanade, Guildford, in accordance with the attached plan, be approved in principle.
2. Council undertake consultation with affected residents and report back to the Traffic Committee if objections are received.
3. Concerned and affected residents be notified of the outcome.

### **REPORT**

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The Esplanade is a local road that runs in a north-south direction between Guildford Road and Hawksview Street with a default speed limit of 50km/h. The street is approximately 750m long and has a width of approximately 12.7m. Parking is permitted on both sides of the road unless signposted otherwise.

Amherst Street is a local road that runs in a westerly direction from The Esplanade and has a speed limit of 50 km/hr. It has a width of approximately 8.8 m. Council has previously installed speed humps in Amherst Street as traffic calming treatment.

Elizabeth Street runs in an easterly direction from The Esplanade and has a width of approximately 11.8 m.

Both Amherst Street and Elizabeth Street form T-intersections with The Esplanade separated by approximately 20m.

There is a bus route through Elizabeth Street, The Esplanade and Amherst Street and in the reverse direction.

Traffic counts were undertaken in Elizabeth Street and Amherst Street late in 2024.

The traffic count location is shown in red on the map below.





The traffic count data is shown below:

	Elizabeth Street	Amherst Street
Average Daily Traffic (Both directions) – Veh/hr	1,833	1,319
Eastbound	1070	519
Westbound	763	800
85 <sup>th</sup> percentile speed (Both directions) – Km/hr	43.4	27.0
Eastbound	42.3	<b>24.3 (towards intersection)</b>
Westbound	<b>44.6 (towards intersection)</b>	28.3

The latest crash data indicated that there was one reported crash at the intersection of Elizabeth Street and The Esplanade in the 5 years ending June 2024.

Date	Location	Description
19/05/2021	Elizabeth Street & The Esplanade	Right-through

There were no reported crashes at the intersection of Amherst Street and The Esplanade.

The resident has requested to consider a roundabout at the staggered intersection. Council has investigated the request and found that due to the bus route, narrow road

width of Amherst Street and the distance separating both T-intersections, it is not feasible for the provision of a roundabout in accordance with Austroads guidelines.

It is noted from the traffic count data, that the vehicle speeds on Elizabeth Street towards The Esplanade is high (85<sup>th</sup> percentile speed 44.6 km/hr), which is unsafe if the need arises for vehicles to give way at the intersection. It is proposed to install speed cushions on the Elizabeth Street approach, as well as 'No Stopping' signage at the intersection with The Esplanade to improve road safety and reinforce the Road Rules.

The approach speeds on Amherst Street are acceptable (85th %tile speed 24.3 km/hr), noting that vehicles travelling along Amherst Street are passing through speed humps in the street. However, there is an opportunity to install 'No Stopping' signage at the intersection with The Esplanade to improve road safety and reinforce the Road Rules.

## **CONSULTATION**

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Subject to endorsement, consultation will be undertaken with affected residents on the proposal.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

## **ATTACHMENTS**

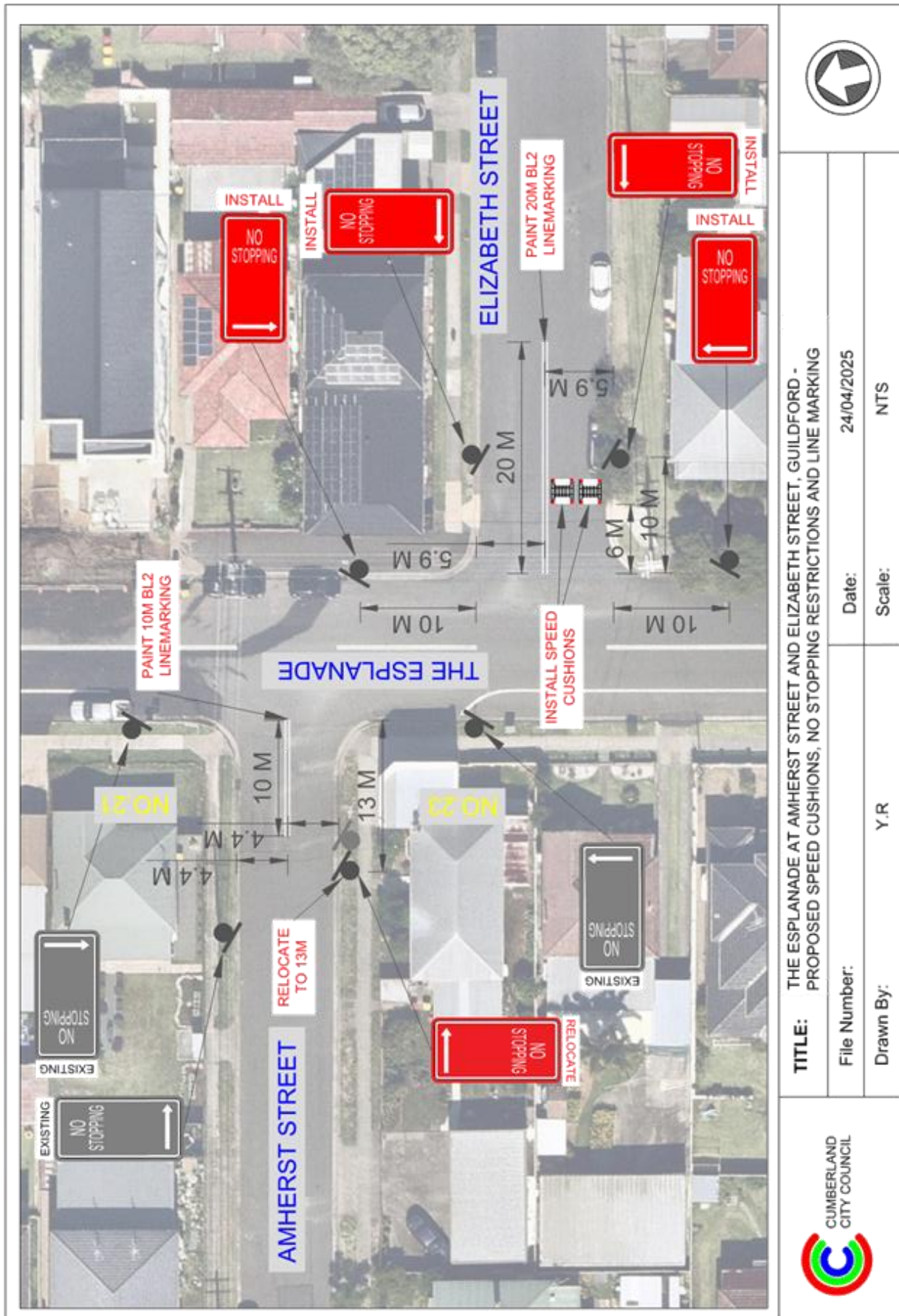
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1. Plan - The Esplanade, Amherst Street and Elizabeth Street, Guildford – Proposed intersection treatment.

# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-120

## Attachment 1

Plan - The Esplanade, Amherst  
Street and Elizabeth Street,  
Guildford – Proposed intersection  
treatment.





Item No: CTC-25-121

### **VAUGHAN STREET, LIDCOMBE – REQUEST FOR MEDIAN ISLAND OUTSIDE MCDONALD'S DRIVEWAY**

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That the Local Traffic Committee recommends, and Council resolves that:

1. A 600 mm wide, 25m long median island on Vaughan Street, Lidcombe, outside the McDonalds carpark driveway, be approved in principle.
2. Council undertake consultation with affected stakeholders and a further report be provided to the Traffic Committee if objections are received.

### **REPORT**

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Council has received safety concerns from motorists regarding the carpark driveway of McDonald's on the northeastern corner of Olympic Drive and Vaughan Street, Lidcombe.

The image below shows the location:





### Locality Plan

Olympic Drive is a state road managed by Transport for NSW and forms an intersection with Vaughan Street which is controlled by traffic signals.

The section of Vaughan Street east of Olympic Drive is a local road that runs in a westerly direction from Joseph Street and has a speed limit of 50 km/hr. Vaughan Street west of Olympic Drive is a regional road.

The McDonald's carpark driveway is located approximately 35 m east from the Olympic Drive traffic signals.

The driveway is marked one lane entry and two lanes for exit, one for right turn and the other for left turn at Vaughan Street. It is alleged that cars travelling westbound on Vaughan Street from Joseph Street tend to travel in the wrong lane to enter the carpark driveway due to long queues in Vaughan Street extending beyond the carpark driveway. Also, cars exiting from the carpark in the right turn lane try to force into the queued traffic and sometimes blocking oncoming traffic. This behaviour causes road safety issues.

The latest crash data indicated that there were two reported crashes on Vaughan Street in the vicinity of McDonalds driveway in the last 5 years ending June 2024. The details of these crashes are tabulated below:

Date	Location	Description
16/10/2021	Vaughan Street & McDonalds	Emerging from driveway
04/10/2023	Vaughan Street 40 m east of Olympic Drive (opposite carpark driveway)	Rear right

Two options are available for Council to remedy this situation. One option is by contacting McDonald's to convert the right turn lane from the carpark into left turn lane thus arranging a dual left turn lane; however, this is in contradiction to the approved development consent. The other option is to build a physical barrier by providing a median island to avoid the traffic conflict at this location. It is proposed that a physical barrier be progressed to address the issue raised.

### **CONSULTATION**

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Subject to endorsement, consultation will be undertaken with affected stakeholders on the proposal.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

### **ATTACHMENTS**

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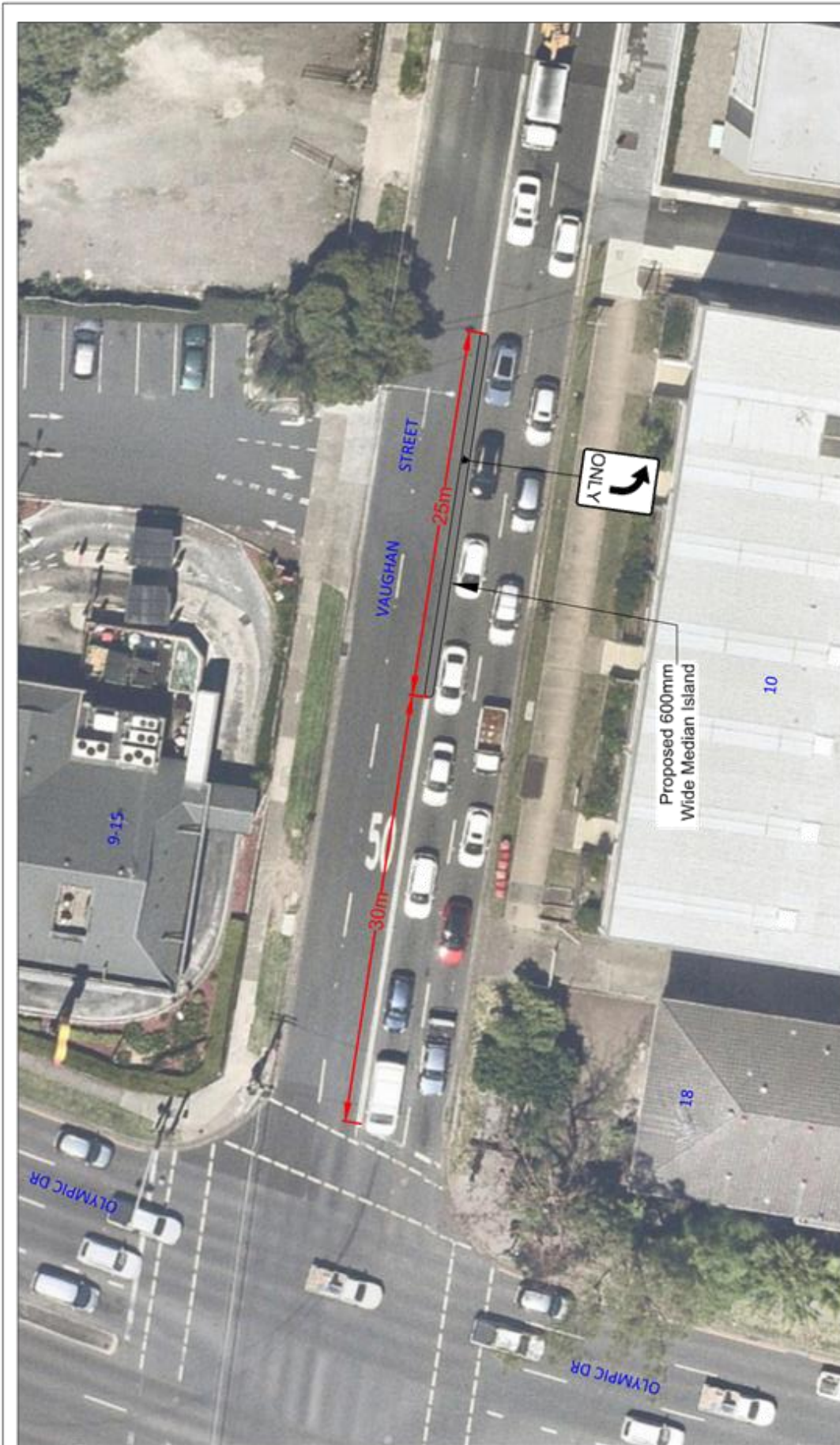
1. Plan – Vaughan Street, Lidcombe – Proposed median island



# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-121

## Attachment 1

Plan – Vaughan Street, Lidcombe  
– Proposed median island





	<p><b>TITLE:</b> Vaughan Street, Lidcombe - Proposed Median Island</p> <p><b>Date:</b> 15/04/25</p> <p><b>Scale:</b> NTS</p> <p><b>Drawn By:</b> P.L</p>	
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Item No: CTC-25-122

### **WARWICK ROAD & BURNETT STREET, MERRYLANDS – REQUEST FOR BANNING TURNING MOVEMENTS AT THE INTERSECTION**

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That the Local Traffic Committee recommends, and Council resolves that:

1. Council installs “No Right Turn, 6 AM – 10AM, 3PM – 7PM, Monday to Friday” signage on Warwick Road, Merrylands at its intersection with Burnett Street as per the attached plan.
2. Council installs advisory sign indicating “No Right Turn at Burnett St, 6 AM-10 AM, 3 PM-7 PM, MON-FRI” on Warwick Road at its intersection with Walpole Street as per the attached plan.
3. Council notify the residents who sent submissions during the consultation of the outcome.
4. Council provide information to road users and local residents of the traffic movement changes prior to commencement.

### **REPORT**

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Council received a request from a resident for banning turning movements at the intersection of Burnett Street and Warwick Road, Merrylands.

Burnett Street is a regional road carrying over 19,000 vehicles/day and links Burnett Street to another regional road Merrylands Road. Warwick Road is a local road that runs in a northerly direction from Merrylands Road to Burnett Street.

Burnett Street and Warwick Road form a T-intersection with ‘Give Way’ sign and line marking on Warwick Road.

The map below shows the locality of Burnett Street and Warwick Road, Merrylands.



Cumberland Traffic Committee considered a report on the request for the right turn ban for vehicles exiting Warwick Road at its meeting held on 5 June 2024.

Traffic Committee recommended that:

1. *Council undertakes community consultation for implementing part time or full-time right turn ban from Warwick Road into Burnett Street and prepare a Traffic Management Plan in consultation with Transport for NSW for submission and approval.*
2. *Council prepares a signage plan and report back to the Traffic Committee following the approval of the Traffic Management Plan by Transport for NSW.*

Council approved the above recommendations at its meeting held on 7 August 2024.

Following Council resolution, consultation was undertaken with the residents of Warwick Road and surrounding streets. The consultation area is marked on the map below.





**Consultation Area**

Council included two options for residents to consider, namely, a full-time right turn ban and a part time right turn ban. A total of 402 letters were sent to owners and tenants of properties. Council received 49 submissions, and the result is summarised below:

Support for full-time ban	= 6
Support for part-time ban	= 14
Objection for any ban	= 29

Based on the above, it is noted that there were 20 submissions supporting a part time or full-time right turn ban. Submissions varied depending on the locations of residents, with those living closest to the intersection supporting the request for a full or part time ban. These residents also indicated that several minor crashes and near misses have occurred in addition to the two formally reported crashes at the intersection over the last five years. This information was used to inform a Traffic Management Plan (TMP) focusing on improving intersection safety.



Following consultation, Council officers submitted a TMP to Transport for NSW for implementing a part time right turn ban ('No Right Turn, 6 AM – 10AM, 3PM – 7PM, Monday to Friday').

Council has received Transport for NSW approval of the TMP, with concurrence that implementing a ban of right turning movements will reduce accidents during peak hours and improve overall safety for road users during peak traffic periods.

Council proposes to install the signage for the part time right turn ban in accordance with the TMP. Prior to commencement, Council officers will advise local residents and road users of the changes to traffic movements at this location.

### **CONSULTATION**

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Consultation was undertaken for 14 days from 14 October 2024 to 28 October 2024. Details of the consultation are outlined in the report.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

### **ATTACHMENTS**

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1. Plan – Signage plan for the part time right turn ban at the intersection of Warwick Road & Burnett Street.
2. Traffic Management Plan
3. Approval of Traffic Management Plan by TfNSW
4. Previous Report - CTC-24-142- Warwick Road & Burnett Street, Merrylands - Part Time Right Turn Ban
5. Submissions

# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-122

## Attachment 1

Plan – Signage plan for the part  
time right turn ban at the  
intersection of Warwick Road &  
Burnett Street.



**TITLE:** WARWICK RD AND BURNETT ST, MERRYLANDS - PROPOSED RIGHT TURN BAN

File Number:

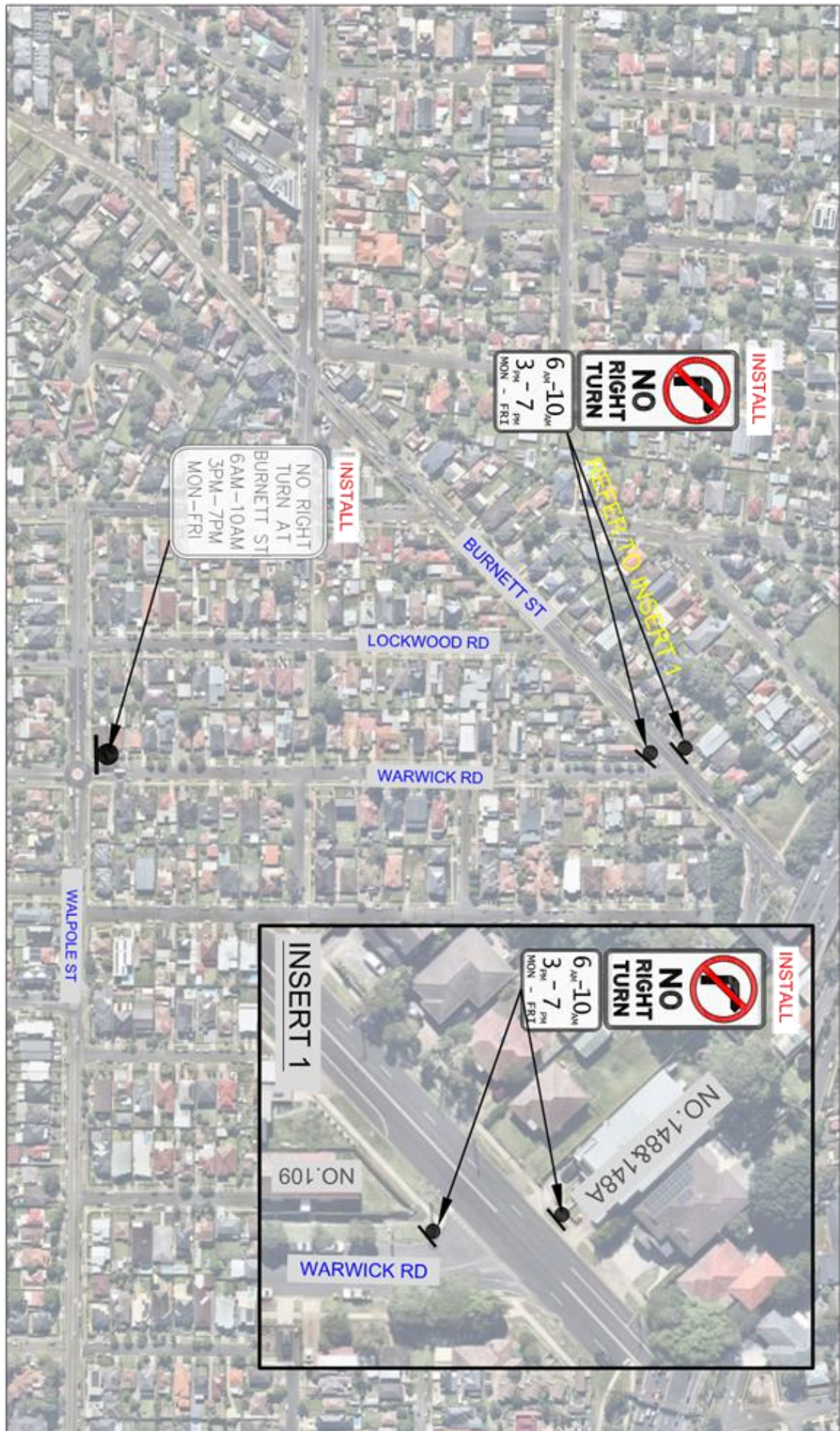
Date: 3/4/25

Drawn By:

L.C

Scale:

NTS



# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-122

## Attachment 2 Traffic Management Plan



## **Traffic Management Plan Warwick Road at Burnett Street, Merrylands Part time banning of Right Turns from Warwick Road into Burnett Street**

### **A. Description or detailed plan of proposed measures.**

Council received safety concerns from residents and motorists regarding the intersection of Warwick Road and Burnett Street, Merrylands.

Burnett Street is a regional road carrying over 19,000 vehicles/day and runs between the regional road Merrylands Road and the state road Great Western Highway. Warwick Road is a local road that runs in a northerly direction from Merrylands Road to Burnett Street.

The following details are given in regard to this intersection:

- "Give way" sign and line marking in Warwick Road.
- Existing right turn ban from Burnett Street into Warwick Road.
- The lane line marking with 'No Stopping' restriction on the eastern side of Burnett Street between the M4 Exit ramp and Warwick Road (approximately 75m).
- "BL2" centre lines marked in Burnett Street in the vicinity of Warwick Road intersection.
- Edge line marking on Burnett Street west of Warwick Road allowing parking along the kerbside.
- Parking is allowed in Burnett Street for over 300m (except at the side road intersections) between Warwick Road and Hilltop Road.

The map below shows the locality of Burnett Street and Warwick Road, Merrylands.





It is alleged that right turning vehicles from Warwick Road into Burnett Street have had crashes or near misses with the traffic on Burnett Street.

Council investigated the concerns and reported the matter to Cumberland Traffic Committee in June 2024. The option of banning the right turns from Warwick Road into Burnett Street either full time or part time was considered.

The traffic committee recommended that

1. Council undertake community consultation for implementing part time or full-time right turn ban from Warwick Road into Burnett Street and prepare a Traffic Management Plan in consultation with Transport for NSW for submission and approval.
2. Council prepare a signage plan and report back to the Traffic Committee following the approval of the Traffic Management Plan by Transport for NSW.

The latest Centre for Road Safety crash data indicated that there were two reported crashes at this intersection in the 5 years ending June 2024. However, residents indicated that there were several non-reported crashes and near misses at this intersection.

Council proposes to implement part time right turn ban from Warwick Road into Burnett Street by installing 'No Right Turn; 6:00AM – 10:00AM; 3:00PM – 7:00PM' signage at this intersection.

A plan showing the signage is attached.

#### **B. Measures to ameliorate the impact of re-assigned traffic.**

The right turning vehicles during peak periods could use several other access roads such as Lockwood Road, Clarence Street or Hilltop Road via Clarence Street. The intersection of Clarence Street and Hilltop Road is controlled by traffic signals and the safer to turn into Burnett Street.

Based on the above, the proposed peak period right turn ban in Warwick Road is unlikely to have a significant impact on the local road network.



The image shown below gives details the proposal and possible alternate routes for the right turn.



**C. Assessment of public transport services affected.**

There is no existing public transport service through Warwick Road.

**D. Details of provision made for emergency vehicles, heavy vehicles, cyclists and pedestrians.**

Emergency vehicles will not be impacted by the proposed part time right turn ban as there will not be any physical barrier constructed to ban the movement. Also, there are other detours available as described in B.

Cyclist and pedestrian access will not be impacted.

The area is a residential area and there are no major heavy vehicle movement. Any heavy vehicle accessing the area can use the detours.

**E. Assessment of effect on existing and future developments with transport implications in the vicinity of proposed measures.**

Council has no further developments planned in this area.

**F. Assessment of effect of proposed measures on traffic movements in adjoining Council areas.**

Adjoining Council areas will not be impacted by the proposed right turn ban.

**G. Public consultation process.**

Council has undertaken community consultation for full time or part time ban.

There were 402 letters sent to residents in Warwick Road and adjacent road network.

Total number of letters sent = 402 (including tenants)

No. of submissions received = 49

Support for full time ban = 6

Support for part time ban = 14

Objection for any ban = 29

Based on the above, it is noted that there were 20 submissions supporting a part time or full time right turn ban.

In view of the safety concerns, it is proposed to implement part time right turn ban.



# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-122

## Attachment 3 Approval of Traffic Management Plan by TfNSW

## Transport for NSW

**Traffic Management Plan**  
Warwick Road & Burnett Street, Merrylands  
Timed Right Turn Restriction**Introduction**

**Cumberland City Council** has submitted a Traffic Management Plan (TMP) to propose the installation of a 'No Right Turn 6:00-10:00am and 3:00-7:00pm Mon - Fri' timed restriction for traffic turning right from Warwick Road onto Burnett Street, Merrylands. The proposal is intended to reduce the occurrence of turning movement accidents during peak hours and improve overall safety for road users during peak traffic periods.

**Details**

Burnett Street is a regional road spanning 2.3km between Great Western Highway and Merrylands Road, and an estimated AADT of 19,000 vehicles. Warwick Road is a local road spanning 1.9km from north to south between Burnett Street and Merrylands Road, primarily serving residential access.

At the Burnett Street and Warwick Road intersection, Burnett Street features a carriageway width of 11.6m with two lanes in the north and southbound directions. In the northbound direction, the right-hand lane is a dedicated right-turn to the M4 Motorway On-Ramp. In the southbound direction, the two exit lanes from the M4 Off-Ramp and Burnett Street converge into a single lane. South of Warwick Street, Burnett Street typically travels with one lane in each direction and parking lanes on both sides. There is an existing 'No Right Turn' restriction from Burnett Street northbound onto Warwick Street.

Concerns have been raised with Council relating to the occurrence of crashes and near misses at the intersection, specifically related to traffic turning right from Warwick Road onto Burnett Street. Council have investigated and reported the matter to Cumberland Local Traffic Committee in June 2024. The latest Centre for Road Safety crash data indicated that there were two reported crashes at this intersection over the last five years.

Community consultation was undertaken following the Local Traffic Committee, with 402 letters sent to residents in the vicinity. A total of 49 responses were received, with 20 responses supporting either full or part-time bans, and 29 objections to any form of restrictions.

Considering ongoing safety concerns, Council are moving forward with the implementation of a 'No Right Turn 6:00-10:00am and 3:00-7:00pm Mon - Fri' timed restriction for traffic turning right from Warwick Road onto Burnett Street.

The timed restriction is not expected to burden local road traffic, given the minor turning volumes and short diversion route to alternative locations that provide safer opportunities to turn onto Burnett Street. Pedestrians and cyclists will not be impacted by the restriction. Public Transport services will not be impacted, as there are no services using Warwick Street.

Emergency services will not be impacted as there are no physical barriers being constructed to restrict movements. It is anticipated that heavy vehicle impacts will be minimal, given the nature of the residential area, and any large vehicles would be subject to the turning restrictions.

OFFICIAL

## Transport for NSW

**Traffic Management Plan**  
Warwick Road & Burnett Street, Merrylands  
Timed Right Turn Restriction**Recommendation**

The submission from **Cumberland City Council** has satisfactorily addressed the necessary requirements of the TMP process and is **RECOMMENDED FOR APPROVAL**.

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**RECOMMENDED**

Network & Safety Officer  
Network and Asset Management

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**CONCURRENCE**

Network & Safety Services Manager  
Network and Asset Management

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**APPROVED**

Senior Manager Network & Safety Services  
Network and Asset Management

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OFFICIAL

# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-122

## Attachment 4

Previous Report - CTC-24-142-  
Warwick Road & Burnett Street,  
Merrylands - Part Time Right  
Turn Ban

Item No: CTC-24-142

## **WARWICK ROAD & BURNETT STREET, MERRYLANDS – REQUEST FOR BANNING TURNING MOVEMENTS INTO WARWICK ROAD**

Directorate:	Environment and Planning
Responsible Officer:	Manager Engineering and Building
Electorate:	Granville
Police Area Command (PAC):	Cumberland
Agenda Part	Part 2

Note: *Recommendation to Council*

### **SUMMARY**

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Cumberland City Council received a request from a resident for banning turning movements at the intersection of Burnett Street and Warwick Road, Merrylands.

This report outlines the outcome of the investigation into this matter.

### **RECOMMENDATION**

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**The Traffic Committee recommends:**

1. Council undertake community consultation for implementing part time or full-time right turn ban from Warwick Road into Burnett Street and prepare a Traffic Management Plan in consultation with Transport for NSW for submission and approval.
2. Council prepare a signage plan and report back to the Traffic Committee following the approval of the Traffic Management Plan by Transport for NSW.

### **REPORT**

---

Council received a request from a resident for banning turning movements at the intersection of Burnett Street and Warwick Road, Merrylands.

Burnett Street is a regional road carrying over 19,000 vehicles/day and links Burnett Street to another regional road Merrylands Road.

Warwick Road is a local road that runs in a northerly direction from Merrylands Road to Burnett Street.

Burnett Street and Warwick Road form a T-intersection with 'Give Way' sign and line marking on Warwick Road.

#### **Site observations**

Council officers have inspected the site and the following observations are made:



- "Give way" sign and line marking in Warwick Road.
- Existing right turn ban from Burnett Street into Warwick Road.
- The lane line marking with 'No Stopping' restriction on the eastern side of Burnett Street between the M4 Exit ramp and Warwick Road (approximately 75m).
- "BL2" centre lines marked in Burnett Street in the vicinity of Warwick Road intersection.
- Edge line marking on Burnett Street west of Warwick Road allowing parking along the kerbside. Parking is allowed in Burnett Street for over 300m (except at the side road intersections) between Warwick Road and Hilltop Road.

The map below show the locality of Burnett Street and Warwick Road, Merrylands.



This report assesses the feasibility of the turn bans and the impacts on surrounding streets. Site observations have indicated that:

- Vehicles exiting from the M4 ramp speed through in a westbound direction towards the intersection with Warwick Road.
- Vehicles turning left into Warwick Road travel along kerb side lane.
- Traffic exiting Warwick Road into Burnett Street, particularly the right turns, have difficulty in judging the available gap to complete the manoeuvre.
- Traffic coming out of the M4 Exit ramp may be speeding down Burnett Street. The section of Burnett Street southwest of the ramp has two lanes in each direction.

### Crash data

Based on Centre for Road Safety crash data, there were 2 reported crashes at the intersection of Burnett Street and Warwick Road intersection in the last five years ending September 2023. It should be noted that the available crash data does not show minor crashes or near misses.

Date	Location	Degree	Description
15/12/2019	Intersection of Burnett St & Warwick Rd	Injury	Right through from right
13/08/2020	Intersection of Burnett St & Warwick Rd	Injury	Other same direction

### Turning movement data

Council undertook intersection turning movement volumes on Wednesday 1 May 2024 and the data is shown below:

HOURLY FLOW TIME PERIOD	Warwick Rd approach		Burnett St - Eastern approach		Burnett St - Western approach
	<i>left turn</i>	<i>Right turn</i>	<i>Left Turn</i>	<i>Straight through</i>	<i>Straight through</i>
7:00 - 8:00	15	104	112	546	1,136
8:00 - 9:00	12	122	220	638	1,145
9:00 - 10:00	12	84	159	439	838
10:00 - 11:00	14	88	138	406	623
11:00 - 12:00	8	85	124	667	662
12:00 - 13:00	13	73	223	917	733
13:00 - 14:00	14	79	181	598	681
14:00 - 15:00	11	83	201	799	699
15:00 - 16:00	15	95	345	916	696
16:00 - 17:00	9	101	307	913	794
17:00 - 18:00	22	86	243	842	806
18:00 - 19:00	13	84	206	732	750

Traffic Committee  
5 June 2024**Turning movement options**

Following review by Council officers, the following options are available for consideration singly or in combination:

1. Banning left turn movements from Burnett Street into Warwick Road.

Warwick Road is conveniently located to allow left turn movements into the street as Burnett Street east of the street has two lanes and kerbside parking is banned. Also, banning the left turn into Warwick Road will direct traffic into the other side roads. Due to the kerbside parking availability on Burnett Street west of Warwick Road, this is likely to force turning vehicles along the centre lane and may cause 'rear end' crashes or delays to the large volume of traffic in the regional road, Burnett Street.

Based on the above, this option is not considered suitable.

2. Banning right turn movements out of Warwick Road into Burnett Street.

Banning right turns out of Warwick Road may divert some traffic into the other streets; however, it is considered to be a safer option in preventing the right turns into Burnett Street against four lanes of traffic.

The right turn ban may be implemented during the peak periods only or full time.

It is proposed that Council undertake consultation with the residents, and motorists to assess support or otherwise to consider appropriate times to ban the right turn movements from Warwick Road.

**Process for banning movements**

In accordance with the Transport for NSW guidelines (TfNSW), Council does not have delegation to ban movements of any vehicular traffic without preparing and receiving approval from TfNSW of a Traffic Management Plan (TMP).

The TMP deals with various impacts of banning any movement, including impact on emergency vehicle access, other streets in the vicinity and justification for the decision to ban. In preparing the TMP, the proposal is required to be advertised and public comments summarised and addressed.

The impacts of the proposal may have to be modelled using appropriate software and justification for the request analysed.

**CONSULTATION**

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Consultation has not been undertaken. Future consultation will be undertaken if recommended by the Traffic Committee.

**ATTACHMENTS**


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Nil





# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-122

## Attachment 5 Submissions

  
CUMBERLAND  
CITY COUNCIL  
REF: DCTC/2411/105  
**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_ Mobile: \_\_\_\_\_  
Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.  
*Being the owner or tenant of the above address, I have received Council's letter dated 14 October 2024 in relation to the proposed traffic change at the intersection of Warwick Road and Burnett Street and I am in favour of the below option (please only select one box below)*  
  

1. I support the installation of Full time 'No Right Turn' when exiting from Warwick Road to Burnett Street.	<input type="checkbox"/>
2. I support the installation of part time 'No Right Turn, 6am – 10am and 3pm - 7pm, Monday to Friday' when exiting from Warwick Road to Burnett Street.	<input checked="" type="checkbox"/>
3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street.	<input type="checkbox"/>

  
Further Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
  
  
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ABN 22 708 563 529  
  
**Welcome Belong Succeed**  


**From:**  
**Sent:** Thu, 24 Oct 2024 12:27:59 +1100  
**To:** "Records Department" <council@cumberland.nsw.gov.au>  
**Subject:** [EXTERNAL] ATT: Traffic Engineers team

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

**RE: Burnett St @ Warwick Rd Merrylands - Proposed right turn ban.**

We as a family, highly support the "Full time - "No right turn" " installation. It is way too dangerous to have it any other way. You are saving lives by implementing this.  
Please see attached and completed form below.

Regards

REF: DCTC2411105  
CUMBERLAND CITY COUNCIL  
BURNETT ROAD, MERRYLANDS - PROPOSED RIGHT TURN BAN

Name: [REDACTED]  
Address: [REDACTED]  
Phone: [REDACTED]

Please indicate your views on the proposed right turn ban at the intersection of Burnett Road and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by 28 October 2024.

Being the owner or tenant of the above address, I have received Council's letter dated 14 October 2024. In relation to the proposed traffic change at the intersection of Warwick Road and Burnett Street and I am in favour of the below option (please only select one box below)

1. I support the installation of Full time 'No Right Turn' when exiting from Warwick Road to Burnett Street. ☒  
2. I support the installation of part time 'No Right Turn, 6am - 10am and 3pm - 7pm, Monday to Friday' when exiting from Warwick Road to Burnett Street. ☐  
3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☐

Further Comments:  
WE (ALL FAMILY MEMBERS) STRONGLY SUPPORT THE INSTALLATION OF FULL TIME NO RIGHT TURN, AS WE HAVE HAD MANY MANY CLOSE CALLS WHEN TRYING TO MAKE A RIGHT TURN. ONLY A FULL TIME SIGN WILL SAVE LIVES. (Signed) [REDACTED]

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CITY COUNCIL



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CITY COUNCIL

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

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**Further Comments:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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ABN 22 798 563 329

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REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Mobile: \_\_\_\_\_

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

**Further Comments:**

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(Signed)

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CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

Further Comments:


Deer Council / SOMA SOMASKANTHAN  
I have written to council regarding the corner off behind St Walpole St,  
South facing. I believe this traffic area is off far more importance to  
be looked at than the corner off [redacted]  
off Burnett St/Warwick Rd. It is very dangerous and needs to  
be looked at ASAP. [redacted] (Signed) [redacted]

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CITY COUNCIL

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

**Further Comments:**  
Warwick Rd provide better flow of traffic given side streets.  
Whatever root cause issues will only transfer to lockwood & clarence & further  
exacerbating any existing issues with flow of traffic only then through Walpole Street  
as the only access point  
The turn of right from clarence & lockwood  
is similar in nature & attributes. & not any safer

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22 OCT 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

**Further Comments:**

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**(Signed)**

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CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_  
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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☐

**Further Comments:**

*I am often at 128 Warwick Rd Merrylands right near the intersection and see traffic backed up, even outside those times proposed under option 2. It is not a safe area to turn onto Burnett St.*

(Signed)

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

**Further Comments:**

Its our only route to get onto Burnett St to  
take kids to school and travel to Parramatta.  
There will be no other access that won't cause further  
delays. Very unnecessary change.

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RECEIVED  
23 OCT 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address \_\_\_\_\_

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Further Comments:

(Signed)

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23 OCT 2024

REF: DCTC/2411/105

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

**Further Comments:**

I would be happy with any Decision  
Mainly IF this brings good benefit to  
the Community

(Signed)

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23 OCT 2024

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**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

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**Further Comments:**

The current Traffic is not necessary to implement changes.

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ABN 22 798 563 329

Welcome *Belong* Succeed

  
CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

**Being the owner or tenant of the above address, I have received Council's letter dated 14 October 2024 in relation to the proposed traffic change at the intersection of Warwick Road and Burnett Street and I am in favour of the below option (please only select one box below)**

1. I support the installation of Full time 'No Right Turn' when exiting from Warwick Road to Burnett Street. ☐
2. I support the installation of part time 'No Right Turn, 6am – 10am and 3pm – 7pm, Monday to Friday' when exiting from Warwick Road to Burnett Street. ☐
3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

**Further Comments:**  
would a roundabout slow the traffic?  
down but allow it to keep flowing?  
That would be better as a no right turn would  
only cause a backlog in  
other streets.

\_\_\_\_\_  
(Signed)

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CUMBERLAND  
CITY COUNCILRECEIVED  
18 OCT 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

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**Further Comments:**

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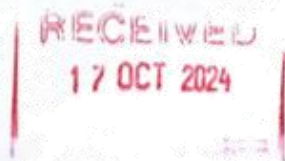
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REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

Further Comments:

definitely leave as is

(Signed)

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CUMBERLAND  
CITY COUNCILRECEIVED  
22 OCT 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

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**Further Comments:**

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**(Signed)**

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CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address \_\_\_\_\_

Phone: \_\_\_\_\_

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**Further Comments:**

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(Signed)

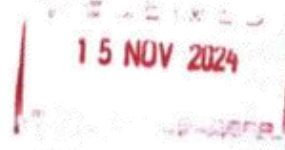
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Welcome Belong Succeed



REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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3. *I do not support any traffic changes at the intersection of Warwick Road and Burnett Street.* ☒

**Further Comments:**

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(Signed) \_\_\_\_\_

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CUMBERLAND  
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30 OCT 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

**Further Comments:**

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CUMBERLAND  
CITY COUNCILRECEIVED  
28 OCT 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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☒ 3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

**Further Comments:**

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**(Signed)**

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CUMBERLAND  
CITY COUNCILRECEIVED  
04 NOV 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☐

**Further Comments:**

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**(Signed)**

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REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

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**Further Comments:**

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RECEIVED  
23 OCT 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☐

**Further Comments:**

*It will be good for me as it will reduce traffic and noise at peak hour. But my only concern is the increased traffic that may travel up or down Cloene Street past the school for disabled students.*

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CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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2. I support the installation of part time 'No Right Turn, 8am – 10am and 3pm - 7pm, Monday to Friday' when exiting from Warwick Road to Burnett Street. ☐

3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

Further Comments: we do not support traffic changes.  
"EFFECTS TO LOCKWOOD ST TURN OFF TO BURNETT ST."

x TRAFFIC congestion

x TRAFFIC FLOW

x TRAFFIC Safty

x volume of traffic into Lockwood St merrylands

x This would make lackwood St more complicated.

(Signed)

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ABN 22 798 563 329

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**From:**  
**Sent:** Fri, 18 Oct 2024 14:19:15 +1100  
**To:** "Records Department" <council@cumberland.nsw.gov.au>  
**Subject:** [EXTERNAL] Object Proposal DCTC/2411/105  
**Attachments:** Council object Proposed right turn to Warwick Scan2024-10-18\_141137.pdf

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

---

Hi Team,

I object to your proposal of No Right Turn restrictions on Burnett St at Warwick road Merrylands.

You will create further congestion to adjoining streets. Making it harder during these hours to commute to the M4 from Burnett Street.

Have a good day.

CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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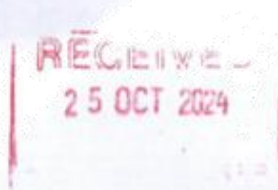
**Further Comments:**

This will cause further congestion to  
Lockwood St & Walpole St, Clarence St then  
further issues on Burnett St & Hilltop Road.  
not excluding Rita St.

\_\_\_\_\_  
(Signed)

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CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

**Being the owner or tenant of the above address, I have received Council's letter dated 14 October 2024 in relation to the proposed traffic change at the intersection of Warwick Road and Burnett Street and I am in favour of the below option (please only select one box below)**

1. I support the installation of Full time 'No Right Turn' when exiting from Warwick Road to Burnett Street. ☒
2. I support the installation of part time 'No Right Turn, 6am – 10am and 3pm - 7pm, Monday to Friday' when exiting from Warwick Road to Burnett Street. ☐
3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☐

**Further Comments:**

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**(Signed)**

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24 OCT 2024CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_

Address

Phone:

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

**Being the owner or tenant of the above address, I have received Council's letter dated 14 October 2024 in relation to the proposed traffic change at the intersection of Warwick Road and Burnett Street and I am in favour of the below option (please only select one box below)**

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2. I support the installation of part time 'No Right Turn, 6am – 10am and 3pm - 7pm, Monday to Friday' when exiting from Warwick Road to Burnett Street. ☐

3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

Further Comments:

we object and reject

We do not support traffic changes

Effects to Lockwood str. Turn off to Burnett street

x Traffic congestion

x Traffic flow

x Traffic safety

x Volume of traffic into Lockwood str. Merrylands

x This would make Lockwood str. more congested

(Signed)

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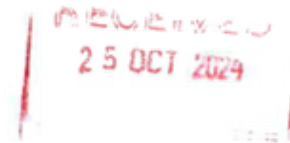
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REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

**Further Comments:**

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RECEIVED  
29 OCT 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

*Being the owner or tenant of the above address, I have received Council's letter dated 14 October 2024 in relation to the proposed traffic change at the intersection of Warwick Road and Burnett Street and I am in favour of the below option (please only select one box below)*

1. I support the installation of Full time 'No Right Turn' when exiting from Warwick Road to Burnett Street. ☐

2. I support the installation of part time 'No Right Turn, 6am – 10am and 3pm - 7pm, Monday to Friday' when exiting from Warwick Road to Burnett Street. ☐

3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

**Further Comments:**

There needs to be a set of lights at the intersection of Lockwood Street and Warwick Road as there is more dangerous. You can't see due to hill traffic on left and cars speed up road when exiting M4 on right. The set of lights will slow down traffic. If you put X

a no right turn sign as proposed more cars will ~~use~~ use Lockwood Street (Signed)

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street to turn right + get onto M4 or go to Parramatta causing more incidents. There is a lot of speeding cars already on Lockwood Street as they come off the M4.

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REF: DCTC/2411/105

# BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Email: \_\_\_\_\_

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

**If you are the owner or tenant of the above address, I have received Council's letter dated 14 October 2024 in relation to the proposed traffic change at the intersection of Warwick Road and Burnett Street and I am in favour of the below option (please only select one box below)**

- ☐ I support the installation of Full time 'No Right Turn' when exiting from Warwick Road to Burnett Street.
- ☐ I support the installation of part time 'No Right Turn, 6am – 10am and 3pm - 7pm, Monday to Friday' when exiting from Warwick Road to Burnett Street.
- ☒ I do not support any traffic changes at the intersection of Warwick Road and Burnett Street.

## Other Comments:

'no right turn' restriction will increase congestion at the traffic light (with no right turn arrow) at the Burnett st - Hilltop rd intersection. I would suggest a traffic light or roundabout.

(Signed)

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**From:**  
**Sent:** Thu, 17 Oct 2024 06:32:04 +1100  
**To:** "Records Department" <council@cumberland.nsw.gov.au>  
**Subject:** [EXTERNAL] BURNETT ST AT WARWICK RD, MERRYLANDS \_ PROPOSED NO  
RIGHT TURN RESTRICTIONS  
**Attachments:** STrace Envi24101706400.pdf

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To whom it may Concern

Please find attached my completed form which states **I do not support any traffic changes at the intersection of Warwick Rd and Burnett St.**

Kindest Regards



CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

Further Comments:

☐ why change it. No issues (resident of 25 yrs)

☐ Why dont you concentrate on fixing footpaths & roads

☐ we have issues with people turning right into Warwick Rd from Burnett St even though No Right Turn (Signed)

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24 OCT 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

**Further Comments:**

Putting A No Right turn would inter divert all the traffic onto  
our st (lockwood st) You would then have to implement a No Right  
turn into lockwood from wattle so lockwood st is carry all the traffic

(Signed) \_\_\_\_\_

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24 OCT 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☐

**Further Comments:**

This should also apply to Lockwood St  
turning into Burnett St as the traffic  
will only move to parallel st

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REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☐

**Further Comments:**

To instal a right turn traffic light indicator at the corner of Burnett Street & Hilltop road to turn right into Burnett Street from Hilltop Road heading north towards Parramatta if you proceed with option #2 above.

(Signed)

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CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

## BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☐

## Further Comments:


Part time is better option but it will bring all  
that load on Lockwood St. That's why part time  
restrictions should be on both roads i.e. Lockwood & Warwick

\_\_\_\_\_  
(Signed)

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ABN 22 798 563 329

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CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☐

Further Comments:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Signed)

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ABN 22 798 563 329

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**From:** -  
**Sent:** Thu, 24 Oct 2024 10:11:06 +1100  
**To:** "Records Department" <council@cumberland.nsw.gov.au>  
**Subject:** [EXTERNAL] Warwick Road / Burnett - No Right Turn  
**Attachments:** IMG\_5473.HEIC, Warwick Road - No Right Turn.pdf

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Good morning,

Hope you're doing well.

I've attached my feedback on the proposed traffic changes from Warwick > Burnett.

I've attached a document with a little further elaboration as well.

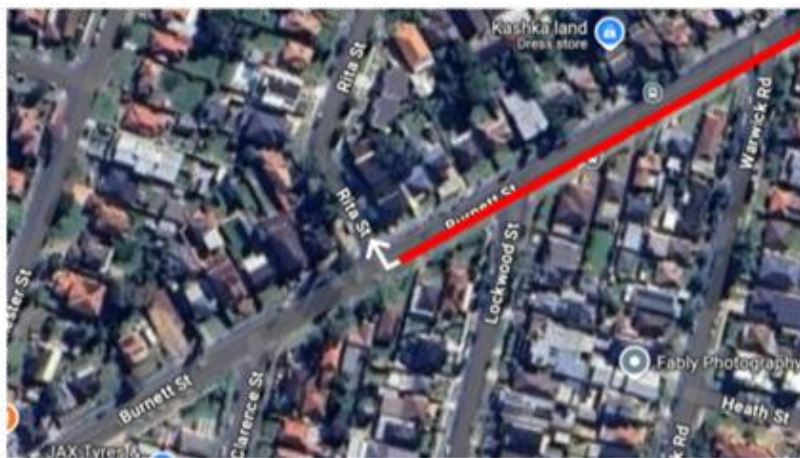
Thank you ☺

**Dear Soma Somaskanthan & the Cumberland Council Team**

I'm writing in addition to my comments to further elaborate as to why I feel the proposed No Right Turn from Warwick to Burnett will cause a hinderance to the local community. Please note, I'm written this from the point of view of a realist, as opposed to my personal agenda of living on Warwick Road.

**Creating congestion on Rita Street.**

This is going to force traffic to turn left and do a U-turn in Rita Street, creating a lot of congestion for those turning right onto Rita Street to do a U-turn, to turn left back onto Burnett. It's going to create a dangerous outcome, especially because Rita Street has a bend close to the intersection. People will do U-Turns close to the bend, creating a high-risk outcome. This is simply too dangerous to ignore.



**Vision is not obstructed.**

As a parent with a 1 year old baby, some right turns feel dangerous as vision can be obstructed, however in this instance – it's not the case. The angle of roads in conjunction with each other and the elevation helps your vision when turning left or right. We get a clear view both ways, for well over a hundred meters.

**It does not hold up any passing traffic.**

Some right turns are simply warranted during peak hour traffic, as it can hold up passing traffic. Example: Merrylands Road > Chetwynd Road, or Hawksview Street > Roseberry Street. Warwick Road is a side street, leading to a busy road. This is going to simply push congestion to Rita Street and literally hold up a main road.

**It's still the individual's decision.**

If people don't like turning right onto Burnett, they can simply turn left and divert. It's not a forced right turn, and neither is it going to deter them turning left as they have numerous side streets to turn into.

Finally, I feel this is unnecessary. It doesn't create a positive outcome. I turn right from Warwick to Burnett every morning, during peak-hour traffic, and there are hardly any instances where there's more than 3-4 cars waiting. Like all roads, and all right turns – it just takes patience, and there is **always** a break in traffic for a few cars to clear out.

With respect, I strongly oppose it as it feels like we're making change rather than improvements.

Thank you,



CUMBERLAND  
CITY COUNCILRECEIVED  
22 OCT 2024

REF: DCTC/2411/105

## BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

Being the owner or tenant of the above address, I have received Council's letter dated 14 October 2024 in relation to the proposed traffic change at the intersection of Warwick Road and Burnett Street and I am in favour of the below option (please only select one box below)

1. I support the installation of Full time 'No Right Turn' when exiting from Warwick Road to Burnett Street. ☐
2. I support the installation of part time 'No Right Turn, 6am – 10am and 3pm - 7pm, Monday to Friday' when exiting from Warwick Road to Burnett Street. ☐
3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

## Further Comments:

A) There is no problem statement B) There is no statement on how the changes address the problem.  
MOST IMPORTANT.  
How do people get on Burnett St thereafter? All you are doing is moving the 'problem' & making it worse.

(Signed)

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**From:**  
**Sent:** Tue, 22 Oct 2024 12:11:27 +1100  
**To:** "Records Department" <council@cumberland.nsw.gov.au>;  
**Subject:** [EXTERNAL] Burnett Street at Warwick Rd, Merrylands - Proposed no Right-Hand turn restrictions. - consultation form  
**Attachments:** 22102024105526-0001.pdf

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---

To whom it may concern

Please find the consultation form for Burnett Street at Warwick Rd, Merrylands - Proposed no Right-Hand turn restrictions. -

I would appreciate you passing the document onto the Traffic and Transport Team

Regards



REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

**Being the owner or tenant of the above address, I have received Council's letter dated 14 October 2024 in relation to the proposed traffic change at the intersection of Warwick Road and Burnett Street and I am in favour of the below option (please only select one box below)**

1. I support the installation of Full time 'No Right Turn' when exiting from Warwick Road to Burnett Street. ☐
2. I support the installation of part time 'No Right Turn, 6am – 10am and 3pm - 7pm, Monday to Friday' when exiting from Warwick Road to Burnett Street. ☐
3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

**Further Comments:**

THIS IS ONLY FORCING TRAFFIC INTO OTHER AREAS/STREETS  
LIKE LOCKWOOD + CLARENCE STREET.  
WHAT WE NEED IS ACTUAL ~~RAMP~~ SPEED BUMPS IN WARWICK  
ROAD (OFF BURNETT ST) AS THERE IS TOO MUCH SPEEDING  
AND TRAFFIC.

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ABN 22 798 563 329

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CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☒

**Further Comments:**

THIS IS NOT GOOD IDEAS – PUSH TRAFFIC FLOW INTO OTHER STREETS LIKE LOCKWOOD ST AND CLARENCE. IT IS AN INCONVENIENCE.

(Signed)

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23 OCT 2024CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

## BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN

Name: \_\_\_\_\_

Address \_\_\_\_\_

Phone: \_\_\_\_\_

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☐

Further Comments:

*6 AM - 10 AM & 3 PM - 7 PM*  
We fully support 'No right turn' prohibitions.  
Which will ease traffic flow without any  
interruption.

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CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☐

**Further Comments:**

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(Signed) \_\_\_\_\_

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CITY COUNCILRECEIVED  
24 OCT 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Please indicate your views on the proposed right turn ban at the intersection of Burnett Street and Warwick Road, Merrylands as described in Council's letter dated 14 October 2024 and submit your response by **28 October 2024**.

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☐

**Further Comments:**

This should also apply to Lockwood St  
turning into Burnett St as the traffic  
will only move to parallel st

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RECEIVED  
29 OCT 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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**Further Comments:**

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**(Signed)**

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CUMBERLAND  
CITY COUNCIL

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

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**Further Comments:**

*SORRY CHANGE OF MIND*

(Signed)

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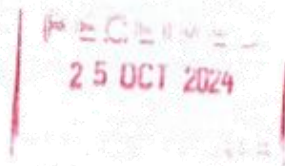
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REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

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**Further Comments:**

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28 OCT 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

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3. I do not support any traffic changes at the intersection of Warwick Road and Burnett Street. ☐

**Further Comments:**

*Too much traffic at the time & Option N°2  
creates confusion and risk taking  
which results in accidents.*

(Signed) \_\_\_\_\_

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RECEIVED  
04 NOV 2024



RECEIVED  
04 NOV 2024

REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
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**Further Comments:**

Traffic lights would be more beneficial and  
safer as <sup>some</sup> drivers will ignore signs and still  
turn right.

(Signed)

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ABN 22 798 563 329

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REF: DCTC/2411/105

**BURNETT STREET AT WARWICK ROAD, MERRYLANDS – PROPOSED RIGHT TURN BAN**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

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**Further Comments:**

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\_\_\_\_\_  
(Signed)

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Item No: CTC-25-123

**OLD PROSPECT ROAD AND ETTALONG STREET, GREYSTANES –  
TEMPORARY ROAD CLOSURES ASSOCIATED WITH ‘OUR LADY QUEEN OF  
PEACE FESTA’**

---

That the Local Traffic Committee recommends, and Council resolves that:

The temporary closures of Old Prospect Road and Ettalong Road, Greystanes between the hours of 2:00pm and 5:00pm Sunday 28 September 2025 be approved subject to the following conditions:

1. All affected businesses, residents and emergency stakeholders being notified/consulted of the closure.
2. Complying with the notification requirements of the Roads Act 1993, i.e. placing public notices in a newspaper and erecting notices on the road.
3. Bus operators be consulted of the closure.
4. Approval of a Traffic Management Plan by Transport for NSW and the Transport Management Centre and amending the Plan appropriately as recommended by the above authorities.

**REPORT**

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Council has received an application for the temporary closure of Old Prospect Road and Ettalong Road, Greystanes between the hours of 2:00 pm and 5:00 pm on Sunday 28 September 2025 during the Our Lady Queen of Peace (OLQP) Festa.

Over the years, the Our Lady Queen of Peace (OLQP) Festa commemorates the parish patron of "Our Lady, Queen of Peace". The OLQP Festa has been a calendar highlight of the Greystanes Community since 1965 with many nationalities. Festa has now become a multicultural event in the Greystanes community with many people attending from all walks of life. Over the past 4 years (post COVID), thousands of people enjoy the tradition of Festa, families making an annual pilgrimage to attend.

One part of the Festa includes a procession of the statue of ‘Our Lady’ through the Parish Grounds. This year, the Festa celebrates 60 years, and the Festa Committee would like the procession to proceed in the streets of Greystanes.

The Festa Committee has requested road closures of part of Ettalong Road and Old Prospect Road Greystanes on Sunday 28 September 2025 for the procession.

Upon advice from the police who attended the Festa last year, the FESTA committee has also requested a kerbside lane closure in Old Prospect Road at the frontage of the property of Our Lady Queen of Peace for the duration of the Festa to enhance safety.

The FESTA committee has requested for the temporary closure of section of Old Prospect Road around its intersection with Ettalong Road and a section of Ettalong Road between Old Prospect Road and Kookaburra Street for the duration of the procession.

The road closures will be between 2:00 pm and 5:00 pm Sunday 28 September 2025. It should be noted that the road closure involves a traffic signal site at the intersection of Old Prospect Road and Ettalong Street.

The applicant will submit a traffic management plan for approval by the Transport Management Centre and Transport for NSW for the road closure and make changes appropriately as recommended by these bodies.

### **CONSULTATION**

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The event organisers will carry out consultation with all affected businesses and residents and any objection received will be forwarded to Council for consideration.

At the meeting, there was further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

### **ATTACHMENTS**

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Nil



Item No: CTC-25-124

### **BRISTOL STREET, MERRYLANDS WEST – ROAD SAFETY CONCERNS**

That the Local Traffic Committee recommends, and Council resolves that:

The Traffic Committee recommends that Council undertake consultation with the residents of Bristol Street, Merrylands West, between Cusack Street and Fowler Road, to assess support or otherwise for the provision of speed humps in the street.

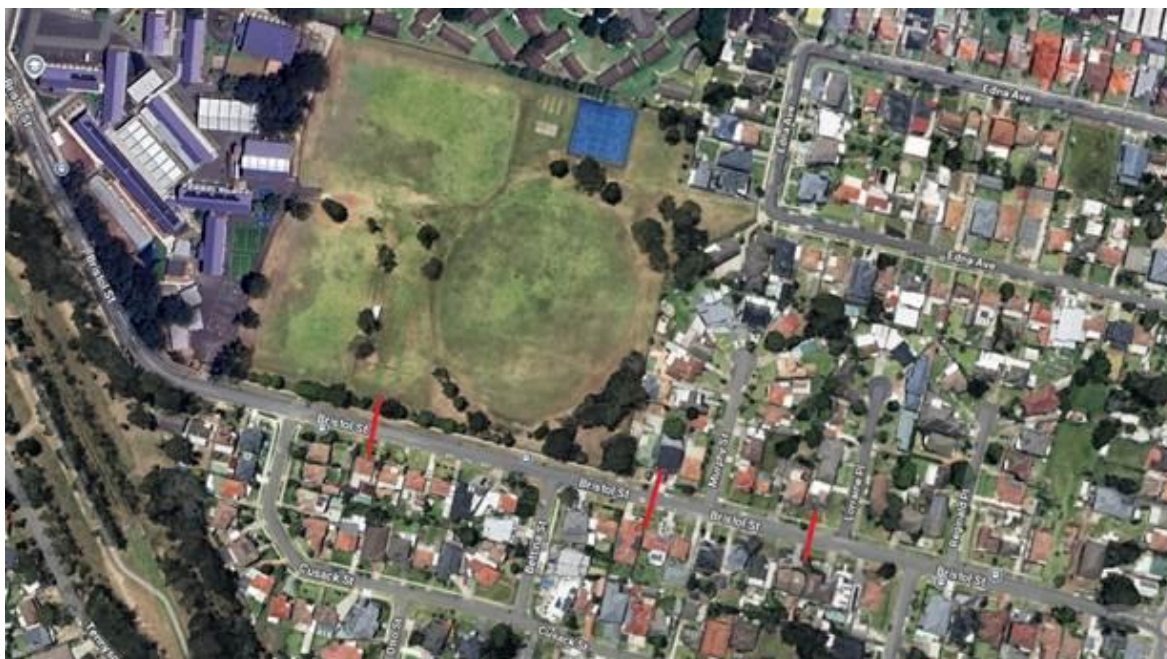
### **REPORT**

Council has received a request from a local resident for the installation of traffic calming devices on Bristol Street, Merrylands West due to speeding concerns. Bristol Street is a local road that runs in an east – west direction between Sherwood Road and Fowler Road.

The speed limit in the street is 50 km/h, and during school operating hours the 40 km/h school zone speed limit applies for a section of the road. Parking is permitted on both sides of the road unless otherwise signposted.

Merrylands West High School has access in Bristol Street west of Cusack Street. The school has two raised pedestrian crossings in Bristol Street outside the school between Sherwood Road and the bend near Cusack Street. There is also a concrete median island built in the bend west of Cusack Street. The school ground is located along Bristol Street between Bettina Street and Cusack Street and is continuously fenced up to the driveway west of Cusack Street.

The map below shows the location of Bristol Street.



Council has received a request from a local resident for the installation of traffic calming devices on Bristol Street, Merrylands West due to speeding concerns. Council has previously reported traffic conditions in Bristol Street and the Traffic Committee recommended that traffic calming devices on Bristol Street, Merrylands West not be supported. The section of Bristol Street between Sherwood Road and Cusack Street has several traffic calming devices installed at the school frontage.

Traffic counts were undertaken on Bristol Street at 3 locations in 2024. The traffic count locations are shown in red on the map above. One location is within the School Zone, the second location at the start/end of the School Zone and the third location outside the School Zone. The three counts will assist in determining driver behaviour inside and outside the School Zone.

The results of the traffic counts on Bristol Street, Merrylands West are detailed in the table below:

	<b>At #16 Outside School Zone</b>	<b>At #33 At the start of School Zone</b>	<b>At #44 In School Zone</b>
Average Daily Traffic (Veh/hr)	6,555	6,647	6,167
Median Speed (Km/hr)	47.5	46.8	48.6
85 <sup>th</sup> %tile speed (Km/hr)	54.5	54	55.6

85 <sup>th</sup> %tile speed Times: 8AM-9AM, 2PM-3PM	School		49.5	49.9
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The latest crash data indicated that there were no reported mid-block crashes in Bristol Street in the 5 years ending June 2024. There were two intersection crashes, one at the intersection with Sherwood Road and other at the intersection with Fowler Road.

The crash details are shown in the table below:

Date	Location	Description
04/12/2020	Sherwood Road & Bristol Street	Rear end
10/06/2024	Sherwood Road & Fowler Road	Off left/rt bnd=>obj

The results of the traffic count and recorded crash history have been used to determine the need for the installation of traffic calming devices in accordance with the criteria set out in Council's Local Traffic and Transport Policy and Guidelines for Local Area Traffic Management (LATM).

The LATM assessment is summarised in the tables below:

Table 1 – Bristol Street - LATM Assessment Points

Criteria	Maximum Score	Score Achieved
Traffic Study Data	60	25
Local Characteristics	35	22
<b>Total</b>	<b>100</b>	<b>47</b>

Table 2 – Bristol Street – Recommended Actions

Points (out of 100)	Recommended Action(s)
61-100	<ul style="list-style-type: none"> <li>•Report to Cumberland Traffic Committee with a recommendation of providing traffic calming.</li> <li>•Report to Cumberland Traffic Committee on line marking and associated improvements to support traffic calming and road safety as an initial response, subject to technical guidelines.</li> <li>•Consider community and stakeholder consultation on potential improvements.</li> </ul>

41-60	<ul style="list-style-type: none"> <li>•Monitor and review traffic data after 6 months.</li> <li>•Report to Cumberland Traffic Committee on line marking and associated improvements to support traffic calming and road safety as an initial response, subject to technical guidelines.</li> <li>•Consider community and stakeholder consultation on potential improvements.</li> </ul>
25-40	<ul style="list-style-type: none"> <li>•Monitor and review traffic data after 12 months.</li> <li>•Report to Cumberland Traffic Committee online marking and associated improvements to support traffic calming and road safety as an initial response, subject to technical guidelines.</li> <li>•Consider community and stakeholder consultation on potential improvements.</li> </ul>
<25	<ul style="list-style-type: none"> <li>•Do nothing.</li> </ul>
Speed	<ul style="list-style-type: none"> <li>•Regardless of the total points scored, should the 85th percentile speed exceeds the posted speed limit by 5km/h, the street is to be referred to the Local Area Command of the NSW Police for monitoring and/or enforcement.</li> <li>•Opportunities for line marking and associated improvements to support traffic calming and road safety to be considered, subject to technical guidelines.</li> </ul>

The traffic counts indicated that the recorded 85<sup>th</sup> percentile speeds were between 54 and 55.6 km/hr. It is also noted that the recorded speeds during School Zone times were high for the counts within the school zone.

Based on the assessment undertaken, it is proposed that Council undertake consultation with the residents of Bristol Street to assess support or otherwise for the installation of speed humps in the street.

### **CONSULTATION**

Subject to endorsement, consultation will be undertaken with affected residents on the proposal.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

### **ATTACHMENTS**

Nil

Item No: CTC-25-125

### **HARGRAVE ROAD, AUBURN – PROVISION OF A PEDESTRIAN CROSSING OUTSIDE AUBURN HOSPITAL**

---

That the Local Traffic Committee recommends, and Council resolves that:

1. A raised pedestrian crossing on Hargrave Road, Auburn, outside Auburn Hospital be approved in principle.
2. Council investigate the two locations as indicated in the report and prepare concept plans for consultation with affected residents and Auburn Hospital Administration.
3. A further report on the consultation results and preferred location with concept plan be provided for consideration by the Traffic Committee.

### **REPORT**

---

Council has received a request from the Auburn Hospital Management for a pedestrian crossing on Hargrave Road, Auburn outside the hospital staff car park.

Council also resolved on a Notice of Motion (C03/25-89 Notice of Motion - Traffic Safety Measures) at its meeting on 26 March 2025 to investigate the installation of a pedestrian crossing near Auburn Hospital amongst other items.

#### Min.912 - C03/25-89 Notice of Motion - Traffic Safety Measures

That Council:

1. *Investigate the installation of a pedestrian crossing and associated safety measures on both Lidbury Street and York Street, Berala, near York Park;*
2. *Investigate the installation of a pedestrian crossing and associated safety measures on Hargrave Road, near the Auburn Hospital entry and bus stop; and*
3. *Provide a report to the Traffic Committee, detailing the process undertaken including technical studies and implementation costs.*

This report details the investigation undertaken in this regard.

Hargrave Road is a local road that runs in a north-south direction between Water Street and Helena Street and has a speed limit of 50 km/hr. Auburn Hospital and associated buildings are located in the section of Hargrave Road between Water Street and Norval Street. There are “No Stopping”, “Bus Zone” and “Taxi Zone” signage in the street.

The latest crash data indicated that there was one reported crash at the intersection of Hargrave Road and Water Street in the last 5 years which was a pedestrian related crash.

The location requested by the Hospital Staff is outside the staff carpark. However, this is 50-70 m away from the hospital entry for visitors and patients.



### Pedestrian crossing warrants

Council officers have investigated the request to provide a pedestrian crossing outside the Auburn Hospital Staff Carpark on Hargrave Road.

Transport for NSW has recently provided guideline to Local Governments to utilise reduced warrants on local roads, subject to satisfying safety requirements outlined in the Australian Standards and Austroads Guidelines.

Council has developed its own guidelines for the provision of pedestrian crossings on local roads especially at high demand locations including schools, community facilities, parks, hospitals, medical facilities, town centres, neighbourhood shops and public transport facilities.

A pedestrian (zebra) crossing is deemed to meet the numerical warrant for a pedestrian (zebra) crossing if the crossing point meets the following criteria:

- In each of two separate one-hour periods in a typical day, the pedestrian flow per hour crossing the road is or is expected to be equal to or greater than 20, and vehicle volumes be equal to or greater than 200. Where each unaccompanied child, elderly person or mobility impaired pedestrian is counted as two pedestrians.

In addition to the above, all requirements set down in Australian Standards are to be met.

### Pedestrian and Vehicle counts:

Pedestrian and vehicle counts were taken on Thursday 6 March 2025 in the area between the Auburn Hospital Entry and Water Street. The hourly count data is given below:

Time Period	PEDESTRIANS	VEHICLES
	Both Directions	Both Directions
0700-0800	108	170
0800-0900	92	215
0900-1000	39	176
1000-1100	43	144
1100-1200	36	145
1200-1300	52	114
1300-1400	56	144
1400-1500	58	156
1500-1600	90	203
1600-1700	97	164
1700-1800	58	138
1800-1900	56	109

Based on the above, it is noted that the numerical warrants for a pedestrian crossing are satisfied in accordance with Council's Local Traffic and Transport Policy and Guidelines, considering this location is outside the Auburn Hospital. The location also meets the safety requirements as outlined in the Australian Standards.

Council has identified two specific locations for further investigation. These two locations are shown in the map below:



It is proposed to further investigate the two locations identified in the map. Council officers will prepare concept plans for the two locations identified and undertake consultation with affected residents and Auburn Hospital Administration.

A further report identifying the exact location suitable for pedestrian crossing will be provided to the Traffic Committee for consideration.

## **CONSULTATION**

---

Subject to endorsement, Council officers will prepare concept plans and undertake consultation with affected residents, bus operator and hospital management on the proposal.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

## **ATTACHMENTS**

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Nil

Item No: CTC-25-126

**OCTAVIA STREET, TOONGABBIE – PROVISION OF A PEDESTRIAN CROSSING  
AT THE INTERSECTION WITH AURELIA STREET**

---

That the Local Traffic Committee recommends, and Council resolves that:

1. A raised pedestrian crossing on Octavia Street, Toongabbie, outside the car park of Girraween Park, as provided in the attached plan, be approved in principle.
2. Council forward final design plans to Transport for NSW for concurrence.
3. Council undertake consultation with affected residents and other stakeholders and report back to the Traffic Committee if objections are received.

**REPORT**

---

Council has received a request from the residents for a pedestrian facility on Octavia Street, Toongabbie outside the car park of Girraween Park.

Council, at its meeting held on 21 August 2024, adopted the Toongabbie Town Centre Public Domain Plan. As part of the plan, a pedestrian facility was identified on Octavia Street at its intersection with Aurelia Street, as shown in the image below.



**Toongabbie Town Centre Public Domain Plan**

Octavia Street is a local road that runs in a westerly direction from Toongabbie Road and has a speed limit of 50 km/hr. Girraween Park car park is in Octavia Street opposite the intersection with Aurelia Street.

The map below shows the location of Octavia Street and the car park.





### Locality Plan

Council officers have investigated the request to provide a pedestrian facility on Octavia Street, Toongabbie, outside the car park at Girraween Park.

The latest crash data indicated that there were two reported crashes at the intersection of Octavia Street and Aurelia Street in the last 5 years ending June 2024. These crashes are vehicle related.

Date	Location	Description
09/01/2021	Aurelia Street & Octavia Street	Rear right
03/09/2022	Aurelia Street & Octavia Street	Left off carriageway into object

#### Pedestrian crossing warrants:

Transport for NSW has recently provided guideline to Local Governments to utilise reduced warrants on local roads, subject to satisfying safety requirements outlined in the Australian Standards and Austroads Guidelines.

Council has developed its own guidelines for the provision of pedestrian crossings on local roads especially at high demand locations including schools, community facilities, parks, hospitals, medical facilities, town centres, neighbourhood shops and public transport facilities.

A pedestrian (zebra) crossing is deemed to meet the numerical warrant for a pedestrian (zebra) crossing if the crossing point meets the following criteria:

- In each of two separate one-hour periods in a typical day, the pedestrian flow per hour crossing the road is or is expected to be equal to or greater than 20, and vehicle volumes be equal to or greater than 200. Where each unaccompanied child, elderly person or mobility impaired pedestrian is counted as two pedestrians.

In addition to the above, all requirements set down in Australian Standards are to be met.

Pedestrian and vehicle counts were taken on Friday 7 March 2025. The hourly count data is given below:

Time Period	PEDESTRIANS	VEHICLES
	Both Directions	Both Directions
0700-0800	16	234
0800-0900	48	557
0900-1000	34	462
1000-1100	36	361
1100-1200	30	340
1200-1300	35	396
1300-1400	22	418
1400-1500	24	430
1500-1600	29	613
1600-1700	44	513
1700-1800	49	486
1800-1900	86	460

Based on the above, it is noted that the numerical warrants for a pedestrian crossing are satisfied in accordance with Council's Local Traffic and Transport Policy, and is a strategic link as outlined in the Toongabbie Town Centre Public Domain Plan. The location also meets the safety requirements as outlined in the relevant Australian Standards.

It is proposed to provide a raised pedestrian crossing on Octavia Street near Aurelia Street. The raised pedestrian crossing will improve safety for pedestrians particularly residents using Girraween Park at this location.

### **CONSULTATION**

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Subject to endorsement, Council officers will undertake consultation on the proposal with affected residents and relevant stakeholders.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

### **ATTACHMENTS**

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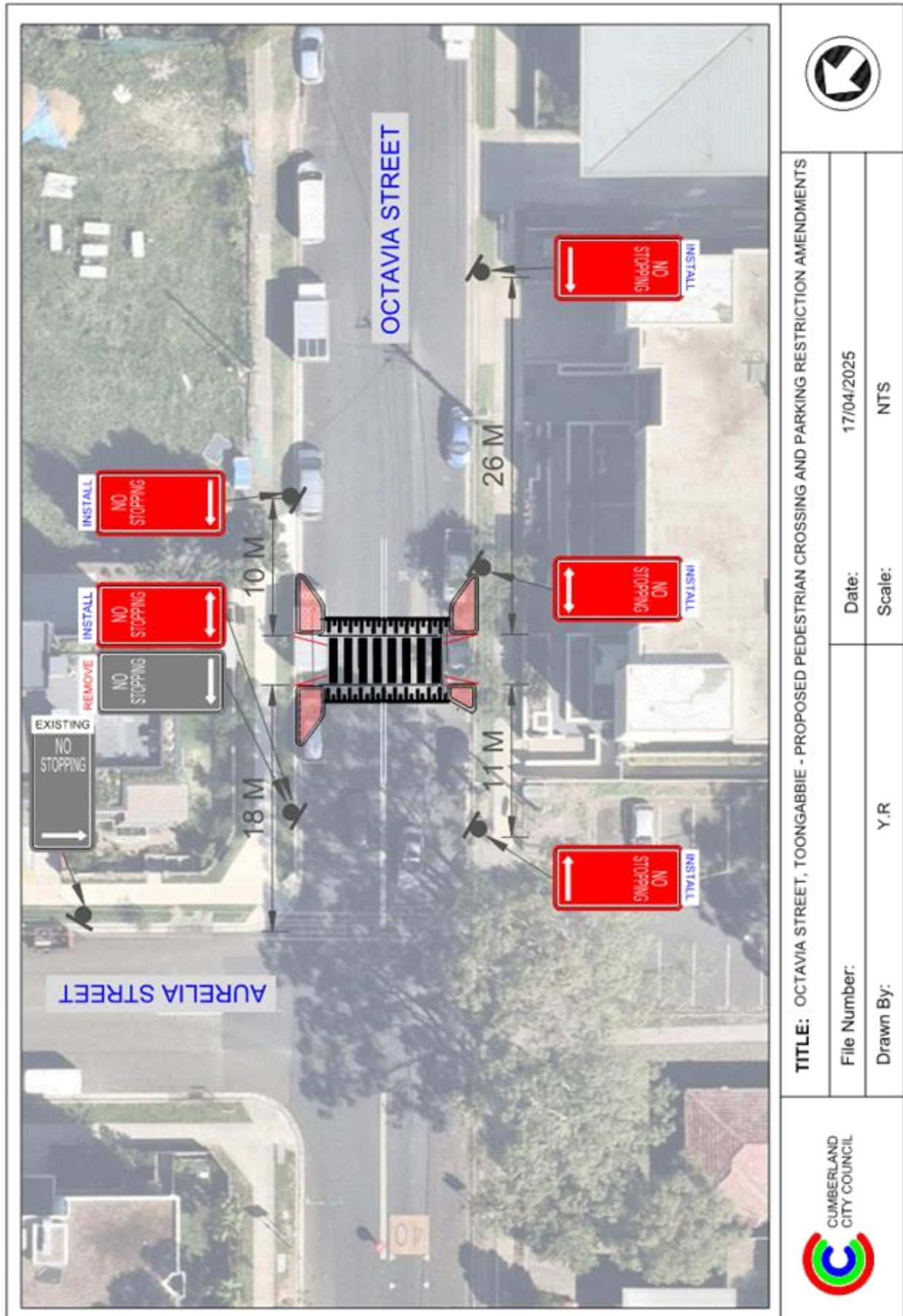
1. Octavia Street, Toongabbie – Proposed raised pedestrian crossing – Concept plan

# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-126

## Attachment 1

Octavia Street, Toongabbie –  
Proposed raised pedestrian  
crossing – Concept plan







Item No: CTC-25-127

### **TALBOT ROAD, GUILDFORD - PROPOSED PEDESTRIAN FENCING**

---

That the Local Traffic Committee recommends, and Council resolves that:

1. The installation of a pedestrian fence on the eastern side of Talbot Road along the side boundary of No. 265 Guildford Road, Guildford, in accordance with the attached plan, be approved.
2. The concerned business owner be notified of the outcome.

### **REPORT**

---

Talbot Road Street is a regional road that runs in a north-south direction. It has a width of approximately 9.5m with a speed limit of 50 km/h. In the business section of the street, parking is not permitted on either side.

The map below shows the intersection.



**Locality Plan**



**Street View**

Council has received a request from the business owner of No. 265 Guildford Road regarding the installation of a pedestrian fence on the eastern side of Talbot Road along the side boundary of No.265 Guildford Road.

The business owner has raised concerns about safety near an outdoor dining area located at the southeast corner of Guildford Road and Talbot Road. While there is already a safety fence on the western side of Talbot Road next to No. 271 Guildford Road, there is no such fence on the eastern side. The business owner is concerned that vehicles entering the intersection from Guildford Road are traveling at high speeds, creating a potential risk of crashing into the outdoor dining area.

To improve pedestrian safety, it is proposed to install a pedestrian safety fence on the eastern side of Talbot Road, as shown in the attached plan.

### **CONSULTATION**

---

No consultation has been undertaken as the installation of the pedestrian safety fence does not adversely impact on any parking or properties.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

### **ATTACHMENTS**

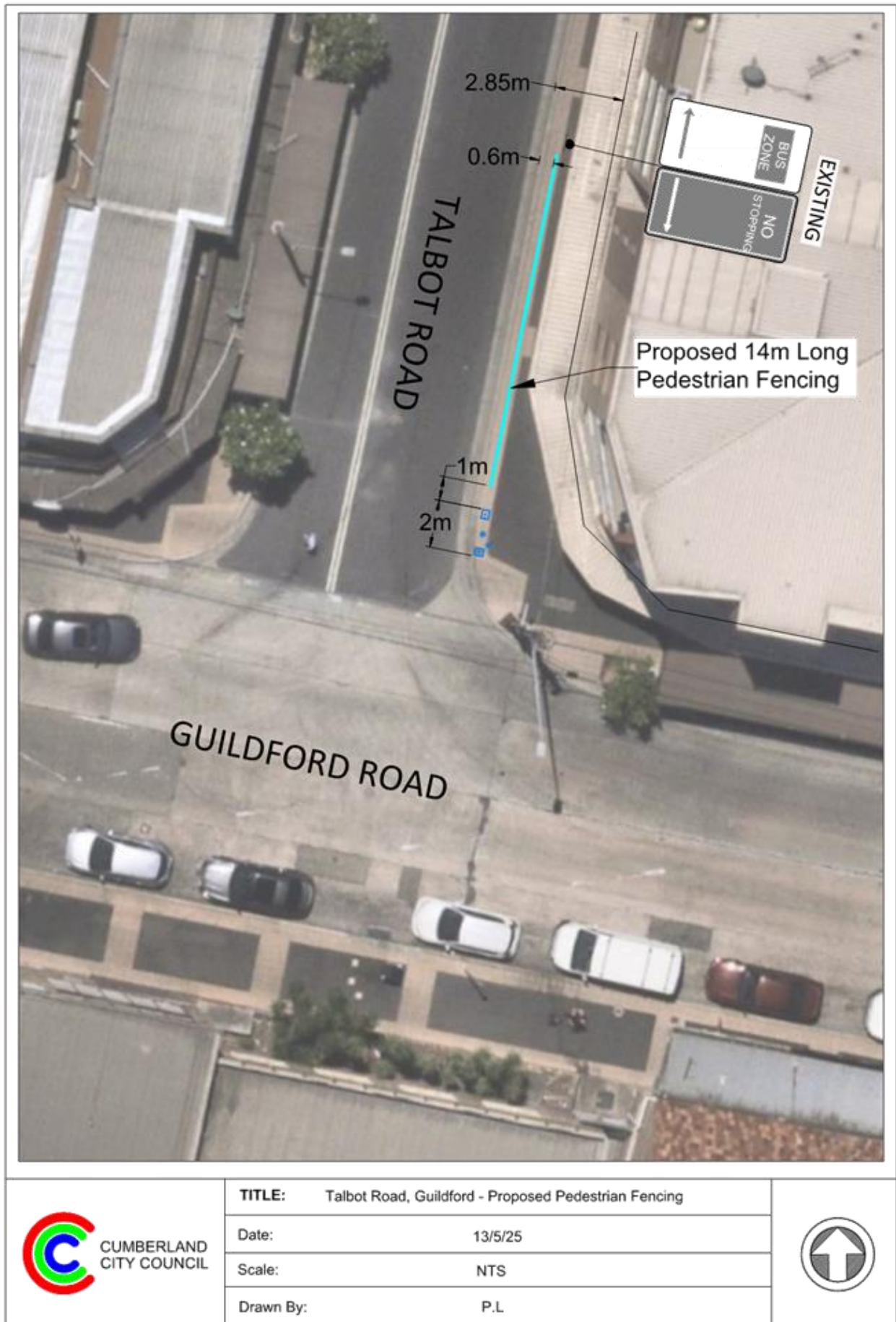
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1. Plan – Talbot Road, Guildford – Proposed pedestrian fencing

# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-127

## Attachment 1

### Plan – Talbot Road, Guildford – Proposed pedestrian fencing





Item No: CTC-25-128

### **OLYMPIC DRIVE, LIDCOMBE – PROPOSED SAFETY FENCE**

---

That the Local Traffic Committee recommends, and Council resolves that:

1. The installation of safety fence at the bend in Olympic Drive, Lidcombe outside No.13 in accordance with the attached plan be approved.
2. The concerned resident be notified of the outcome.

### **REPORT**

---

Olympic Drive is a state road under the jurisdiction of Transport for NSW (TfNSW). It has 3 lanes in each direction with a wide median at the centre which has a wire fencing in the middle. The speed limit in the street at this location is 70km/hr.

The map below shows the location under consideration in Olympic Drive.



**Locality Plan**





**Street View**

It is alleged that vehicles travelling southbound on Olympic Drive lose control, mount the nature strip, and crash into the boundary walls of nearby properties.

According to the Centre for Road Safety accident database, there have been two reported incidents where southbound vehicles lost control and struck objects near the bend, in the vicinity of properties numbered 5 to 13. It should be noted that only officially reported accidents are recorded in the database.

Council has considered other options to provide guard rails and concrete barriers. However, the presence of driveways prevents sufficient length of such structures. Therefore, it is proposed to provide safety fence at this location to respond to the issue raised at this location.

### **CONSULTATION**

---

Consultation has been carried out with Transport for NSW (TfNSW) and no objections were received.

Community consultation has not been undertaken as the proposal does not directly impact any residents.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

### **ATTACHMENTS**

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1. Plan – Olympic Drive, Lidcombe – Proposed Safety Fence

# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-128

## Attachment 1

### Plan – Olympic Drive, Lidcombe – Proposed Safety Fence



 <p>CUMBERLAND CITY COUNCIL</p>	<b>TITLE:</b> Olympic Drive, Lidcombe - Proposed Pedestrian Fencing	
	<b>Date:</b> 13/5/25	
	<b>Scale:</b> NTS	
	<b>Drawn By:</b> P.L	

Item No: CTC-25-129

## **PRINCES STREET AND KING STREET, GUILDFORD WEST – PROPOSED ROUNDABOUT**

---

That the Local Traffic Committee recommends, and Council resolves that:

1. That the installation of a roundabout at the intersection of King Street and Princes Street, Guildford West, be supported in principle.
2. Council prepare a concept plan for the proposed roundabout and undertake consultation with affected residents, with a further report provided to the Traffic Committee if objections are received.

### **REPORT**

---

Princes Street is a local road that runs in a north-south direction with a posted speed limit of 50 km/h. It has a width of approximately 10.5m and parking is permitted on both sides of the road unless otherwise signposted.

King Street is a local road that runs in an east-west direction with a posted speed limit of 50 km/h. It has a width of approximately 13m and parking is permitted on both sides of the road unless signposted.

Princes Street and King Street form a four-way intersection, with priority given to King Street. Currently, there are 'Give Way' signs and associated line marking on Princes Street and 'BL2' line marking along King Street.





**Locality Plan**

In February 2025, the Cumberland Traffic Committee recommended the installation of a raised pedestrian crossing on King Street, near Princes Street. The final location of the proposed crossing is subject to consultation with Guildford West Public School.

Council has recently received concerns from a local resident regarding road safety at the intersection of Princes Street and King Street.

The latest Centre for Road Safety crash data indicates that there were three reported accidents at the intersection of Princes Street and King Street in the five years. The accident details are listed in the table below.

Date	Location	Description
27/3/2020	Princes Street and King Street	Vehicle failed to give way
23/7/2020	Princes Street and King Street	Vehicle failed to give way
26/8/2023	Princes Street and King Street	Vehicle failed to give way

Traffic counts were undertaken in Princes Street and King Street, Guildford West in April 2025. The traffic count locations are marked on the same map above.

***Traffic Count Data in Princes Street and King Street:***



	Average daily traffic (Veh/day)	Average Peak Hour (Veh/hr)		85 <sup>th</sup> %tile speed (Km/hr)
		AM	PM	
King Street	1,827	129	163	58
Princes Street	444	56	49	40.7

Given the number of accidents at this intersection and the high vehicle speeds on King Street, it is proposed to install a roundabout to help reduce speed and improve safety for vehicles turning from Princes Street into King Street. The design of the roundabout will also be informed with the location of the proposed pedestrian crossing to ensure that both projects can be delivered to meet community and technical requirements.

### **CONSULTATION**

---

Subject to endorsement, consultation will be undertaken on the proposal.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

### **ATTACHMENTS**

---

Nil

Item No: CTC-25-130

### **EXCELSIOR STREET, WYNYARD STREET AND EVE STREET, GUILDFORD - ROAD SAFETY CONCERNS - CONSULTATION RESULT**

---

That the Local Traffic Committee recommends, and Council resolves that:

1. The proposed intersection treatment at the intersection of Excelsior Street, Wynyard Street and Eve Street, Guildford in accordance with the attached plan be approved.
2. Council notify affected and concerned residents of the outcome.

### **REPORT**

---

Cumberland Traffic Committee (CTC) at its meeting in February 2025 considered a report (Item No. CTC-25-041) regarding road safety concerns on Excelsior Street, Wynyard Street and Eve Street, Guildford. Council resolved to undertake consultation with the affected residents to determine support for the intersection treatment and report back to Cumberland Traffic Committee.

Consultation was carried out with the residents of Excelsior Street, Wynyard Street and Eve Street accordingly in April 2025. A total of 31 letters including a survey form and a plan were distributed to residents and property owners. Council received four responses (13% of the total letters sent) by the closing date, including two responses from the same address. Of the remaining three responses, all (100%) expressed support for the proposed intersection treatment. One respondent did not select a specific option but indicated support in the comments section.

Based on the above results, as no objections were received from residents, it is recommended that the installation of the proposed intersection treatment be supported in accordance with the attached plan.

### **CONSULTATION**

---

The proposal was notified to the impacted and adjacent residents for a period of 14 days from 30 April 2025 to 14 May 2025. Four responses were received in support of the proposal.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

### **ATTACHMENTS**

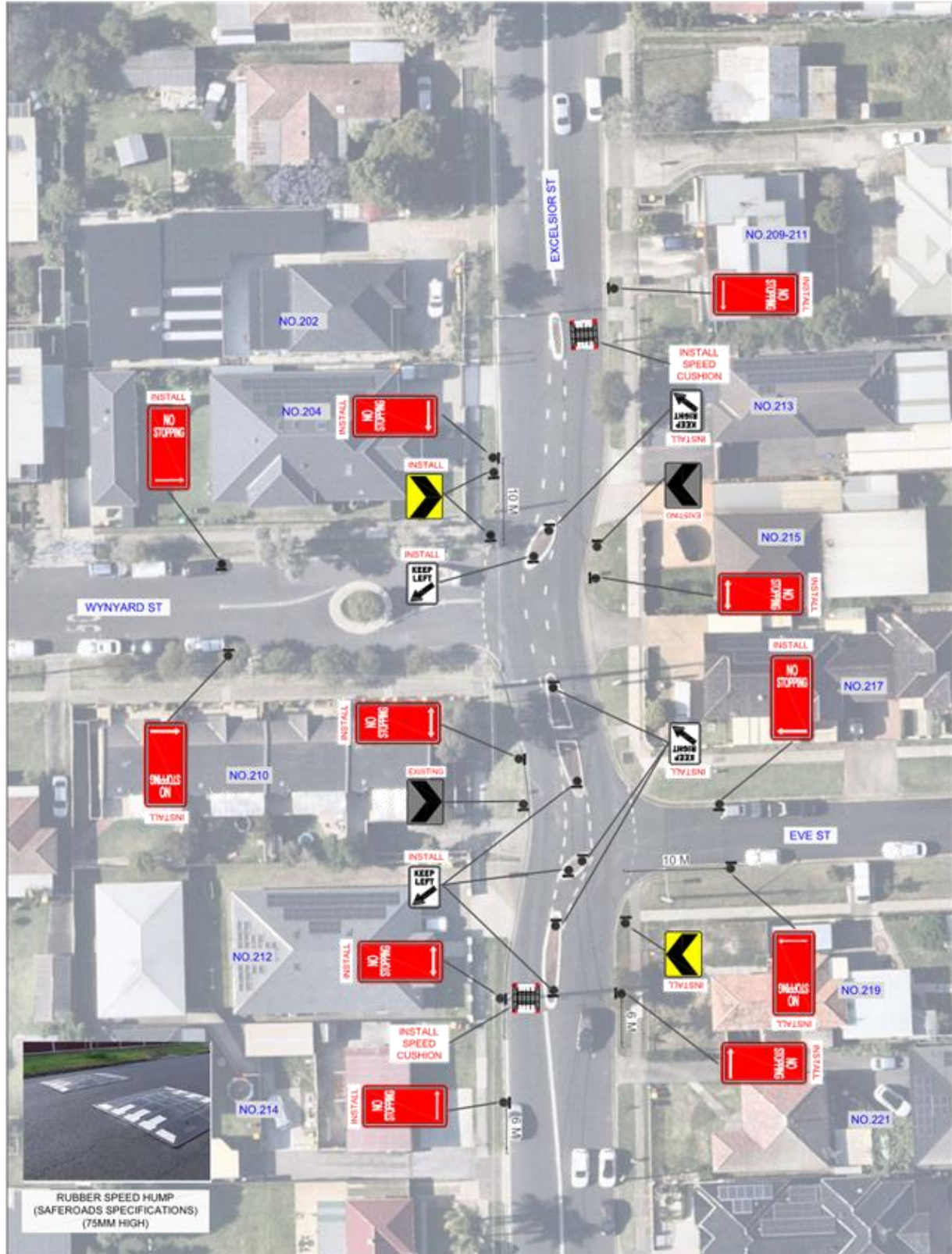
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1. Plan – Excelsior Street, Wynyard Street and Eve Street, Guildford – Proposed intersection treatment
2. Submissions

# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-130

## Attachment 1

Plan – Excelsior Street, Wynyard  
Street and Eve Street, Guildford –  
Proposed intersection treatment



# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-130

## Attachment 2 Submissions



CUMBERLAND  
CITY COUNCILRECEIVED  
15 MAY 2025

BY

REF: DCTC/2511/029

**EXCELSIOR STREET, WYNYARD STREET AND EVE STREET, GUILDFORD – CONSULTATION OF THE  
PROPOSED SPEED CUSHIONS**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Mobile: \_\_\_\_\_

Please indicate your views on the road safety concerns and installation of traffic calming measures – speed cushions at the intersection of Excelsior Street, Wynyard Street and Eve Street, Guildford as described in Council's letter dated **30 April 2025** and submit your response by **Friday 16 May 2025**.

***Being the owner or tenant of the above address, I have received Council's letter dated 30 April 2025 in relation to road safety concerns and the installation of speed cushions at the intersection of Excelsior Street, Wynyard Street and Eve Street and I am in favour of the below option/s.***

**1. I support the proposal in accordance with the attached plan.**



**2. I do not support installation of speed cushions at the intersection of Excelsior Street, Wynyard Street and Eve Street.**



**Further comments:**

---

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(Signed) \_\_\_\_\_

Some of the information that is being collected on this form is personnel information for the purposes of the Privacy and Personal Information Protection Act 1998 ("PPPI Act"). This information is being collected by Cumberland City Council's Works and Infrastructure Department for the purposes of ensuring the accuracy of responses to this survey. The supply of the information by you is voluntary. However, if you do not provide the information Council will be unable to include your responses in its determination. The information will be retained by Council and stored in Council's Central Records System and will be kept confidential. You may make an application for access or amendment to your personal information. For more information about your privacy please contact Cumberland City Council's Privacy Contact Officers.

RECEIVED  
15 MAY 2025

BY: .....REF: DCTC/2511/029

**EXCELSIOR STREET, WYNYARD STREET AND EVE STREET, GUILDFORD – CONSULTATION OF THE  
PROPOSED SPEED CUSHIONS**

Name: \_\_\_\_\_

Address \_\_\_\_\_

Phone: \_\_\_\_\_

Mobile: \_\_\_\_\_

Please indicate your views on the road safety concerns and installation of traffic calming measures – speed cushions at the intersection of Excelsior Street, Wynyard Street and Eve Street, Guildford as described in Council's letter dated **30 April 2025** and submit your response by **Friday 16 May 2025**.

*Being the owner or tenant of the above address, I have received Council's letter dated 30 April 2025 in relation to road safety concerns and the installation of speed cushions at the intersection of Excelsior Street, Wynyard Street and Eve Street and I am in favour of the below option/s.*

1. *I support the proposal in accordance with the attached plan.* ☐
2. *I do not support installation of speed cushions at the intersection of Excelsior Street, Wynyard Street and Eve Street.* ☐

**Further comments:**

*We need them urgent a lot of people do U  
Turn and they put my Rubish bin and the  
Sign, The drivers they drive very fast*

\_\_\_\_\_  
(Signed)

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16  
16 Memorial Avenue, PO Box 42, Merrylands NSW 2160T 02 8757 9000 F 02 9840 9734 E [council@cumberland.nsw.gov.au](mailto:council@cumberland.nsw.gov.au) W [cumberland.nsw.gov.au](http://cumberland.nsw.gov.au)  
ABN 22 798 563 329

Welcome Belong Succeed



CUMBERLAND  
CITY COUNCIL

RECEIVED  
15 MAY 2025

BY: .....

REF: DCTC/2511/029

**EXCELSIOR STREET, WYNYARD STREET AND EVE STREET, GUILDFORD – CONSULTATION OF THE  
PROPOSED SPEED CUSHIONS**

Name: 1

Address

Phone:

Please indicate your views on the road safety concerns and installation of traffic calming measures – speed cushions at the intersection of Excelsior Street, Wynyard Street and Eve Street, Guildford as described in Council's letter dated **30 April 2025** and submit your response by **Friday 16 May 2025**.

***Being the owner or tenant of the above address, I have received Council's letter dated 30 April 2025 in relation to road safety concerns and the installation of speed cushions at the intersection of Excelsior Street, Wynyard Street and Eve Street and I am in favour of the below option/s.***

**1. I support the proposal in accordance with the attached plan.**



**2. I do not support installation of speed cushions at the intersection of Excelsior Street, Wynyard Street and Eve Street.**



**Further comments:**

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Some of the information that is being collected on this form is personnel information for the purposes of the Privacy and Personal Information Protection Act 1998 ("PPPI Act"). This information is being collected by Cumberland City Council's Works and Infrastructure Department for the purposes of ensuring the accuracy of responses to this survey. The supply of the information by you is voluntary. However, if you do not provide the information Council will be unable to include your responses in its determination. The information will be retained by Council and stored in Council's Central Records System and will be kept confidential. You may make an application for access or amendment to your personal information. For more information about your privacy please contact Cumberland City Council's Privacy Contact Officers.

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ABN 22 798 563 329

Welcome Belong Succeed

RECEIVED  
15 MAY 2025

P4

REF: DCTC/2511/029

**EXCELSIOR STREET, WYNYARD STREET AND EVE STREET, GUILDFORD – CONSULTATION OF THE  
PROPOSED SPEED CUSHIONS**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Please indicate your views on the road safety concerns and installation of traffic calming measures – speed cushions at the intersection of Excelsior Street, Wynyard Street and Eve Street, Guildford as described in Council's letter dated 30 April 2025 and submit your response by Friday 16 May 2025.

*Being the owner or tenant of the above address, I have received Council's letter dated 30 April 2025 in relation to road safety concerns and the installation of speed cushions at the intersection of Excelsior Street, Wynyard Street and Eve Street and I am in favour of the below option/s.*

1. *I support the proposal in accordance with the attached plan.* ☒
2. *I do not support installation of speed cushions at the intersection of Excelsior Street, Wynyard Street and Eve Street.* ☐

**Further comments:**

*Suggestion – to move Rubber Speed hump  
Infront of Excelsior St to Slow traffic  
at the bend, at the Risk of traffic accelerating  
Around the Curve between*

Some of the information that is being collected on this form is personnel information for the purposes of the Privacy and Personal Information Protection Act 1998 ("PPPI Act"). This information is being collected by Cumberland City Council's Works and Infrastructure Department for the purposes of ensuring the accuracy of responses to this survey. The supply of the information by you is voluntary. However, if you do not provide the information Council will be unable to include your responses in its determination. The information will be retained by Council and stored in Council's Central Records System and will be kept confidential. You may make an application for access or amendment to your personal information. For more information about your privacy please contact Cumberland City Council's Privacy Contact Officers.



Item No: CTC-25-131

## **PALMER STREET, GUILDFORD WEST – PROPOSED ROUNDABOUT AND PEDESTRIAN CROSSING**

---

That the Local Traffic Committee recommends, and Council resolves that:

1. The proposed roundabout and pedestrian crossing on Palmer Street, Guildford be approved in principle, subject to final plans being reviewed and accepted by Council.
2. The applicant is to consult with local residents on the proposal prior to the receipt of final plans with Council for review, with the outcomes of consultation provided to Council.
3. The cost of the works shall be borne by the applicant.
4. The applicant is to be notified of the outcome.

## **REPORT**

---

Palmer Street is a local road that runs in a north – south direction between Albert Street and McCredie Road, Guildford West. It has a sign posted speed limit of 50 km/h and a width of approximately 11 metres. Parking is unrestricted on both sides of the road unless otherwise signposted.

The map below shows the location of the site:





### **Locality Plan – Proposed development site highlighted in yellow**

In 2017, Council granted development consent (DA2017/52/1) for a residential project comprising four apartment buildings with 192 units and 23 townhouses. As part of the consent conditions, a roundabout is required at the intersection of the service road and Palmer Street, along with a raised pedestrian crossing to connect the development to Guildford West Public School, with concept plans for these works be submitted to the Local Traffic Committee for review.

In compliance with this condition, the applicant has submitted concept plans proposing the construction of pedestrian crossing and roundabout. Following review by Council officers, it is recommended that the proposed roundabout and pedestrian crossing on Palmer Street, Guildford be approved in principle, subject to final plans being reviewed and accepted by Council.

### **CONSULTATION**

---

Subject to endorsement, the applicant is required to carry out consultation with affected local residents on the proposal, with the outcomes of the consultation provided to Council prior to the review of final plans by Council officers.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

### **ATTACHMENTS**

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1. Plan – Palmer Street, Guildford West – Proposed Roundabout and Pedestrian Crossing

# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-131

## Attachment 1

Plan – Palmer Street, Guildford  
West – Proposed Roundabout  
and Pedestrian Crossing



CUMBERLAND CITY COUNCIL  
FRANK STREET, GUILDFORD WEST  
PALMER STREET s138 PLANS  
LTC APPROVAL

NOTE: THE ROUNDABOUT AND WOMBAT CROSSING PROPOSED IN THIS DRAWING HAVE BEEN ORDERED TO BE SUSPENDED UNTIL 12/06/2025 OF DEVELOPMENT CONSENT DA2017521 AND SUBSEQUENT MODIFICATIONS



LOCALITY  
NOT TO SCALE

Sheet List Table	
SHEET NUMBER	SHEET TITLE
800	COVER SHEET
801	GENERAL ARRANGEMENT PLAN
802	ENGINEERING PLAN - ROUNDABOUT
803	ENGINEERING PLAN - WOMBAT CROSSING
804	ENGINEERING PLAN - ROUNDABOUT
805	ENGINEERING PLAN - WOMBAT CROSSING
806	ENGINEERING PLAN - ROUNDABOUT
807	ENGINEERING PLAN - WOMBAT CROSSING
808	ENGINEERING PLAN - ROUNDABOUT
809	ENGINEERING PLAN - WOMBAT CROSSING
810	ENGINEERING PLAN - ROUNDABOUT
811	ENGINEERING PLAN - WOMBAT CROSSING
812	ENGINEERING PLAN - ROUNDABOUT
813	ENGINEERING PLAN - WOMBAT CROSSING
814	ENGINEERING PLAN - ROUNDABOUT
815	ENGINEERING PLAN - WOMBAT CROSSING
816	ENGINEERING PLAN - ROUNDABOUT
817	ENGINEERING PLAN - WOMBAT CROSSING
818	ENGINEERING PLAN - ROUNDABOUT
819	ENGINEERING PLAN - WOMBAT CROSSING
820	ENGINEERING PLAN - ROUNDABOUT

Prepared for: UNIVERSAL PROPERTY GROUP

ENGINEERING | PLANNING | PROJECT MANAGEMENT | SURVEYING | CERTIFICATION

Page 1 of 1

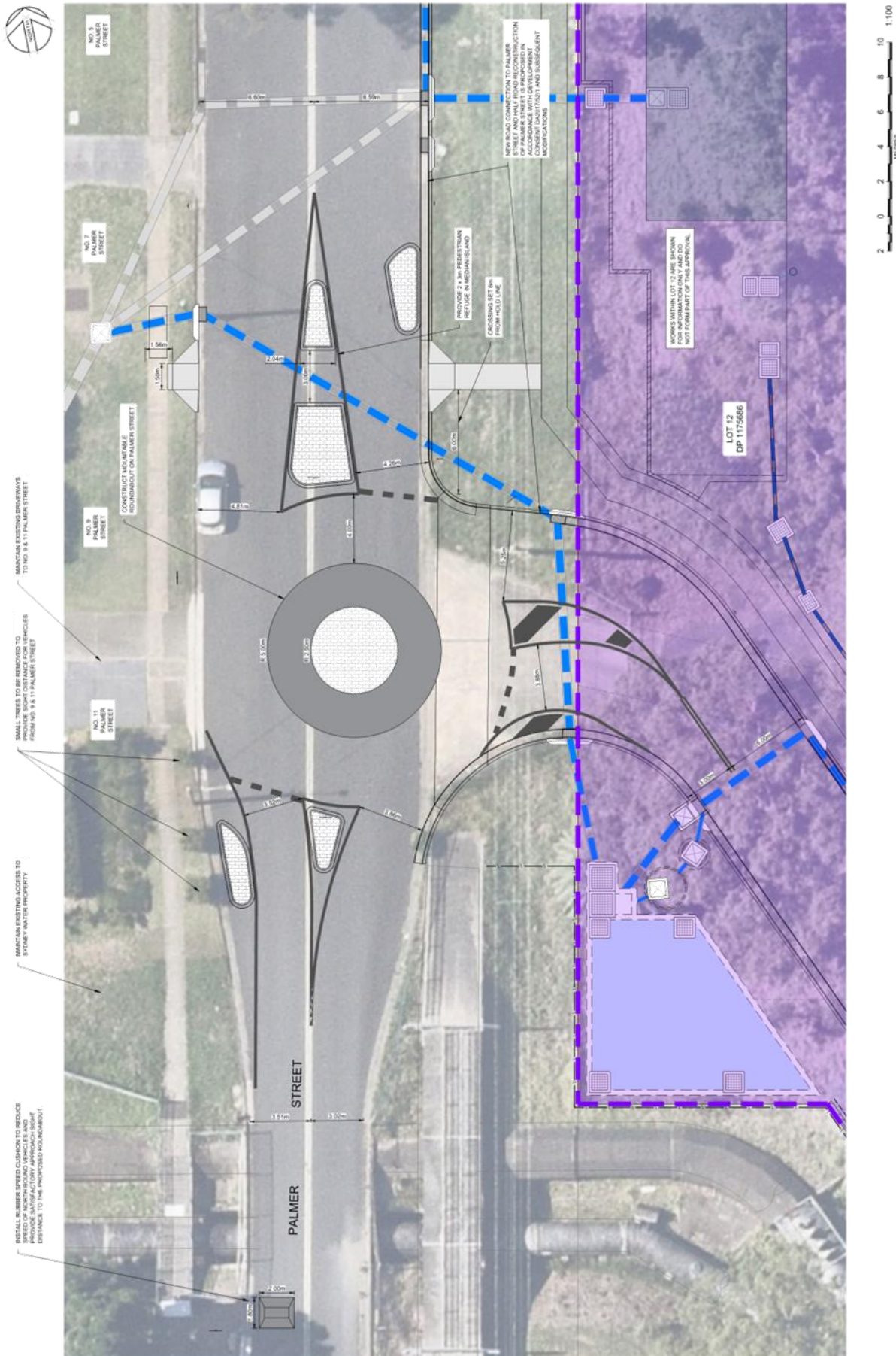


Revision B  
Date 22/05/2025  
Project No. SY160247-02

4001 201 134 100 842 © 2025

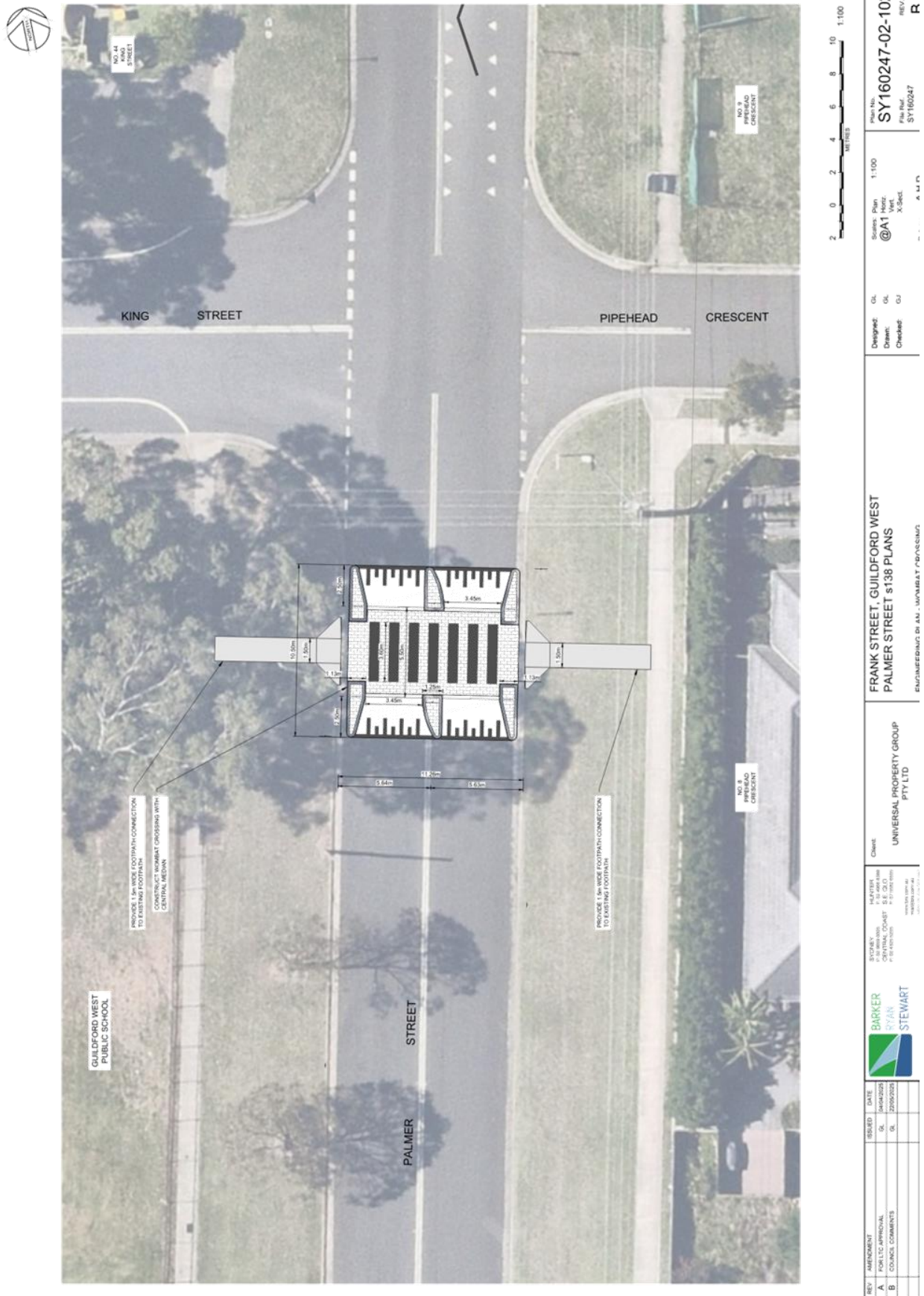
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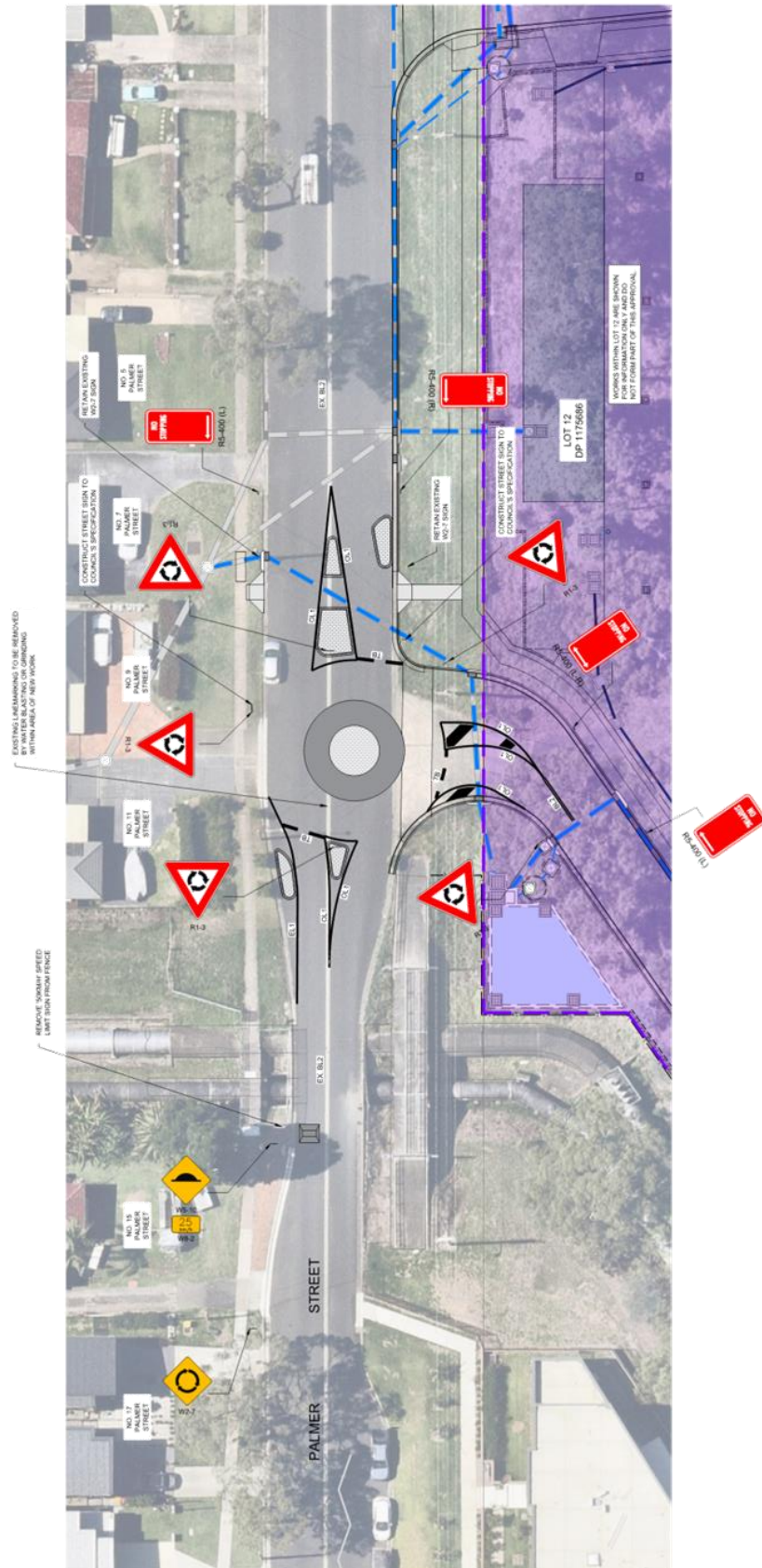




REV	AMENDMENT	ISSUED	DATE	 BARKER STEARNS STEWART	STOWERY PLANS CENTRAL COAST PT 67 AND 7008  <small>STOWERY ENGINEERING PTY LTD 10/01/2020 10:00 AM</small>	Client  <b>UNIVERSAL PROPERTY GROUP PTY LTD</b>	<b>FRANK STREET, GUILDFORD WEST PALMER STREET s138 PLANS</b>	Designed: GL Drawn: GL Checked: GL X-Seed: A	Scale: Plan 1:100 <b>@A1</b> Horiz. File Ref: SY160247 REV: R	Plan No. <b>SY160247-02-101</b>
A	FOR L.C. APPROVAL	GL	10/04/2020							
B	CANCEL COMMENTS	GL	22/05/2020							

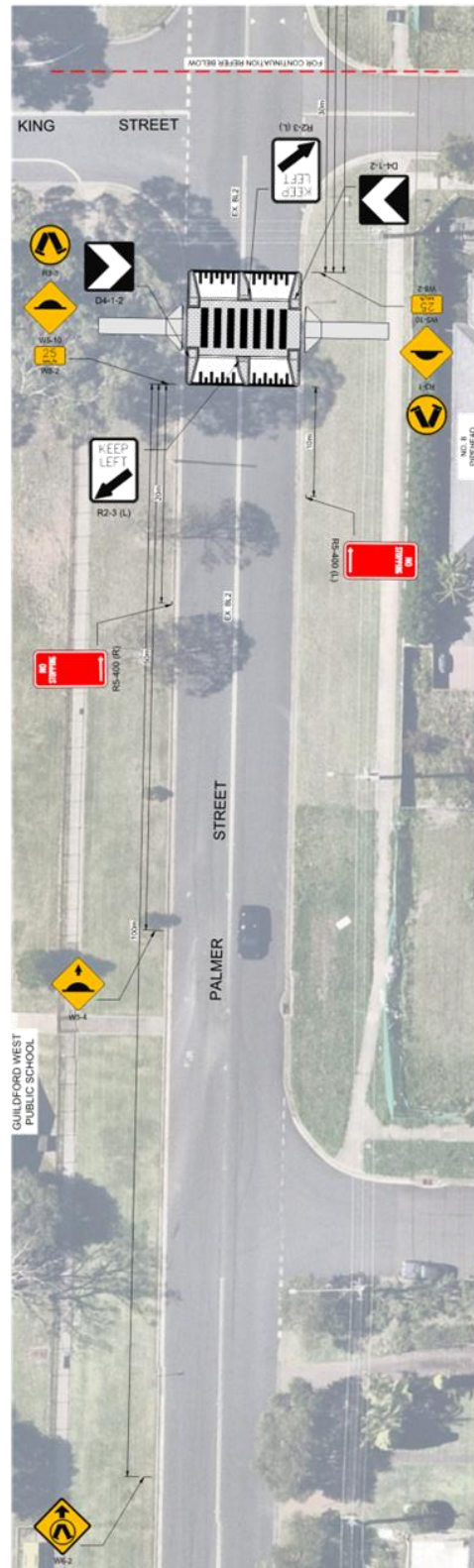




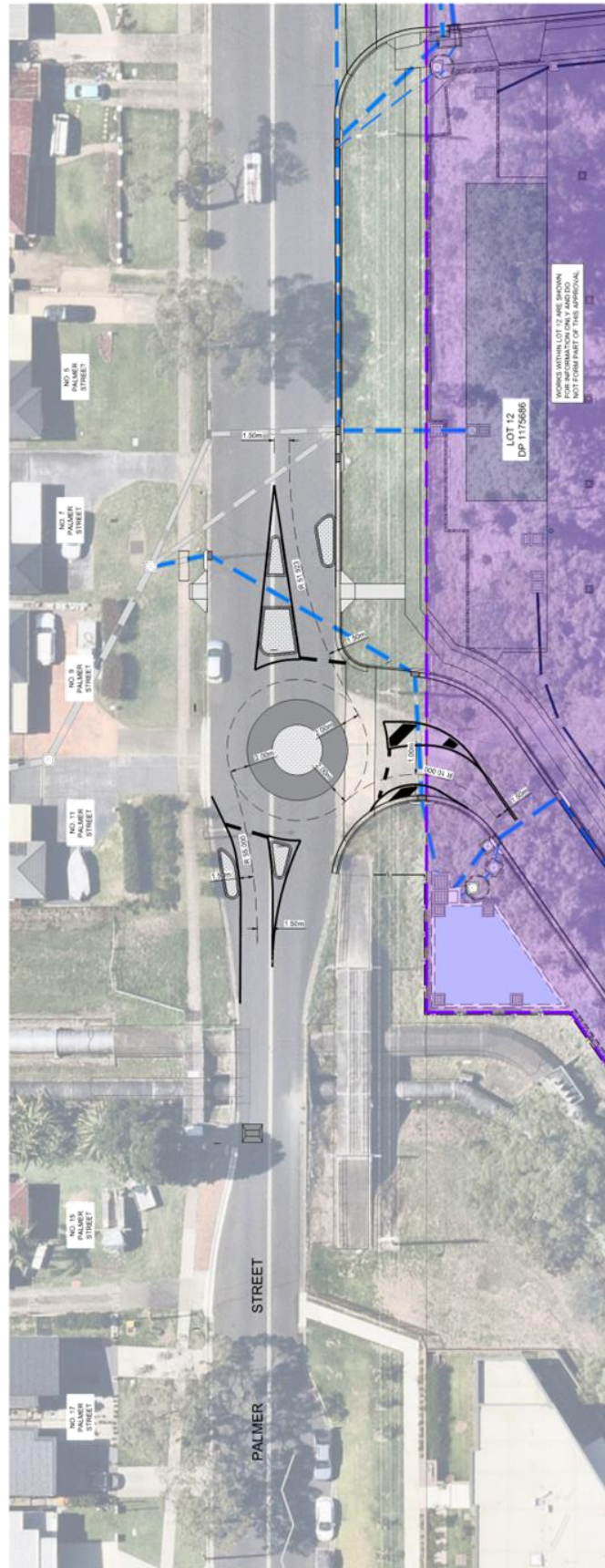


REV	AMENDMENT	ISSUED	DATE		STORY: 3000 S.E. OLD CENTRAL COAST PT. ST. JOSEPH	PLASTER S.E. OLD PT. ST. JOSEPH	Client UNIVERSAL PROPERTY GROUP PTY LTD	FRANK STREET, GUILDFORD WEST PALMER STREET #138 PLANS	Designed: Drawn: Checked:	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL	OL</
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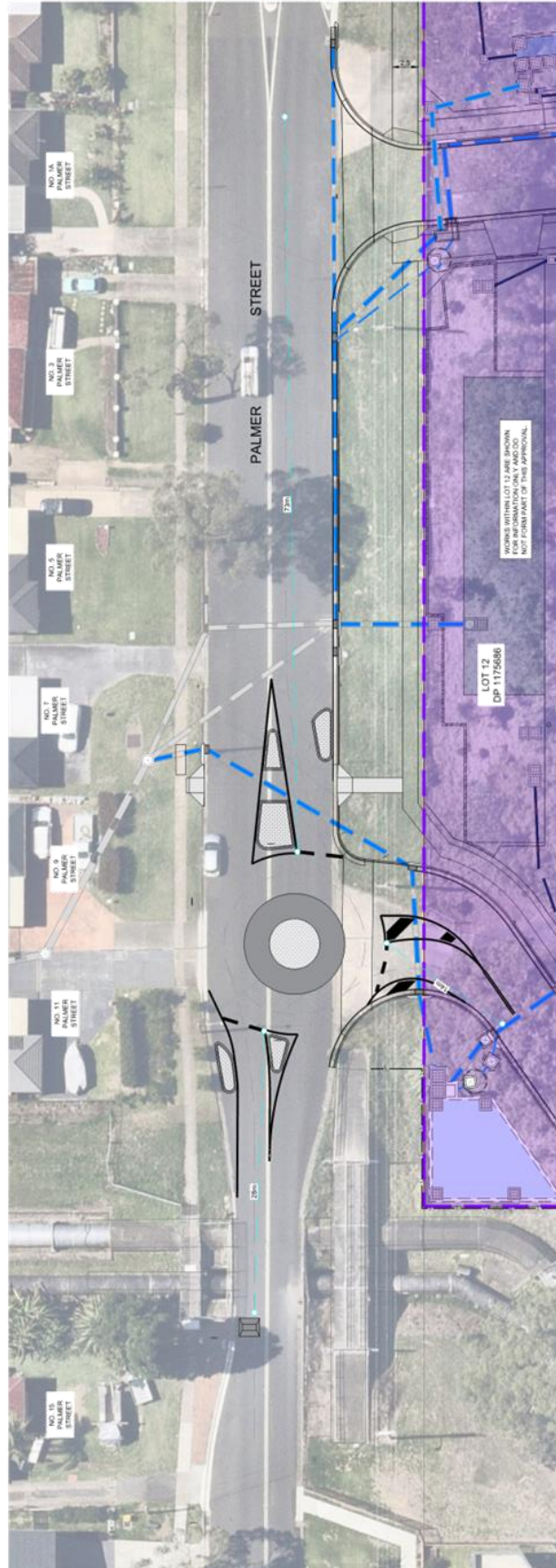




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											REV SY160247

[illegible]





SIGHT DISTANCE - CRITERIA 1



REV	AMENDMENT	DATE	BY	CHK
A	FOR L1C APPROVAL	16/04/2025	OL	
B	COUNCIL COMMENTS	22/06/2025	OL	

DESIGNED BY	GL	DESIGNED BY	GL
DRAWN BY	GL	DRAWN BY	GL
CHECKED BY	GL	CHECKED BY	GL

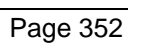
  

SCALE	1:200
PLAN	@A1
FILE NO.	SY160247
REV	R

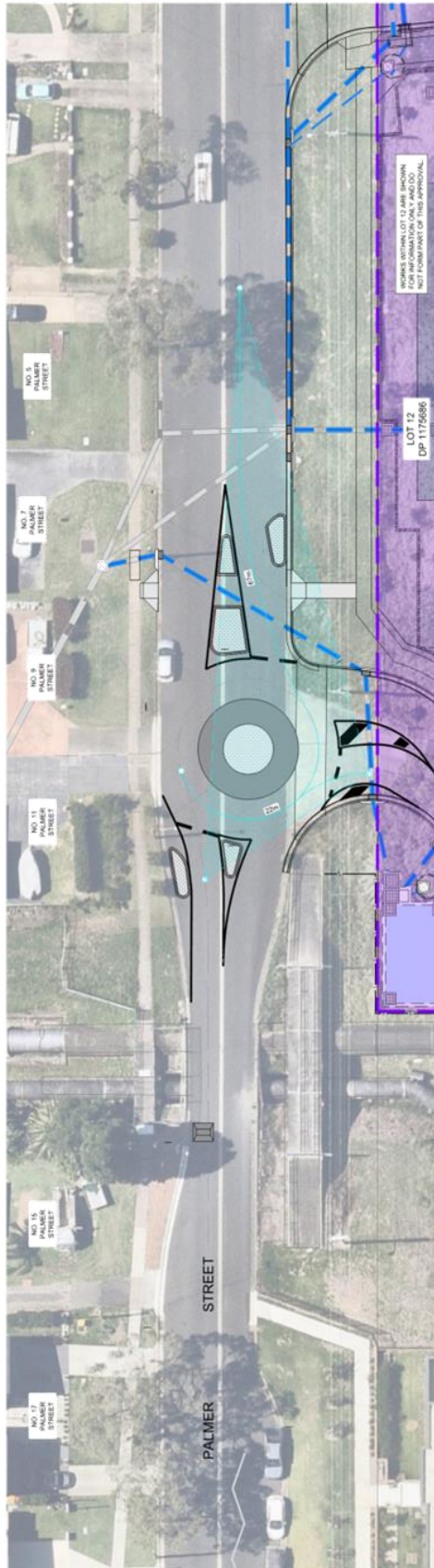
  

CLIENT	UNIVERSAL PROPERTY GROUP PTY LTD
PROJECT	FRANK STREET, GUILDFORD WEST PALMER STREET s138 PLANS
DATE	16/04/2025
BY	OL
CHK	

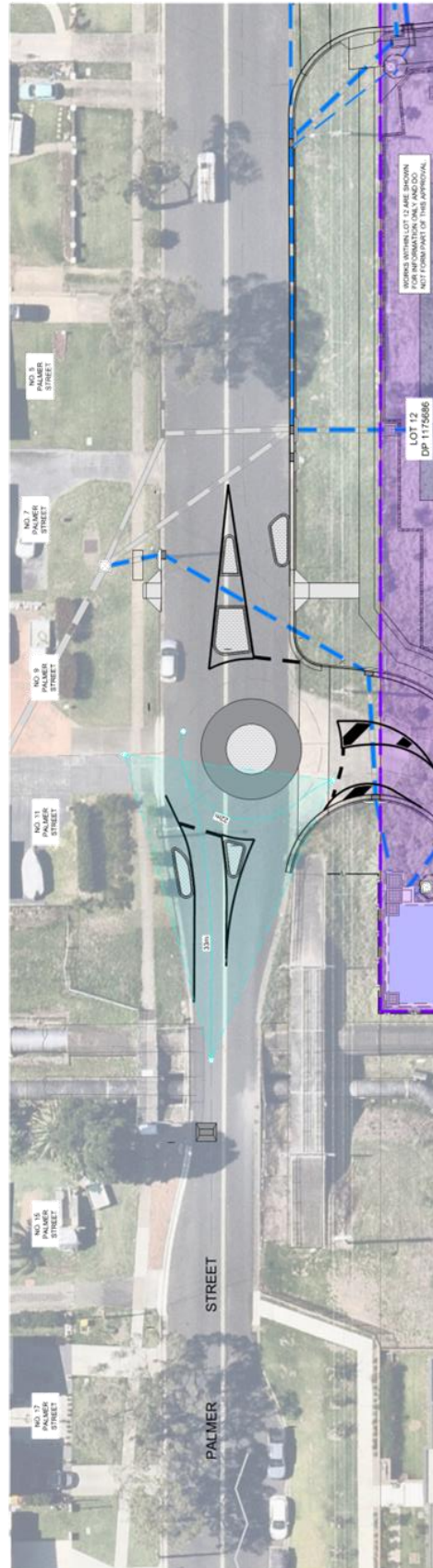








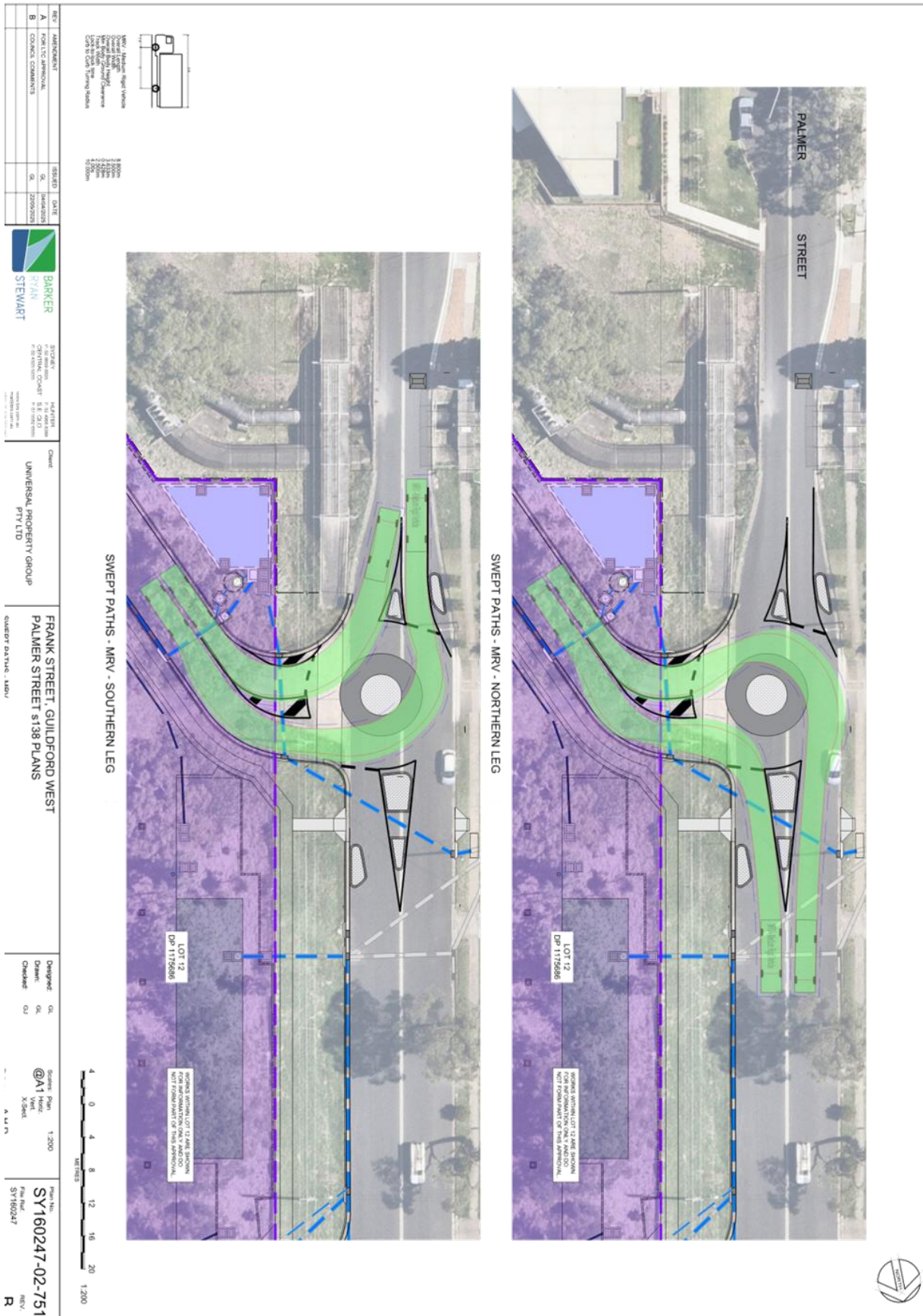
SIGHT DISTANCE - CRITERIA 2 - SOUTHERN LEG

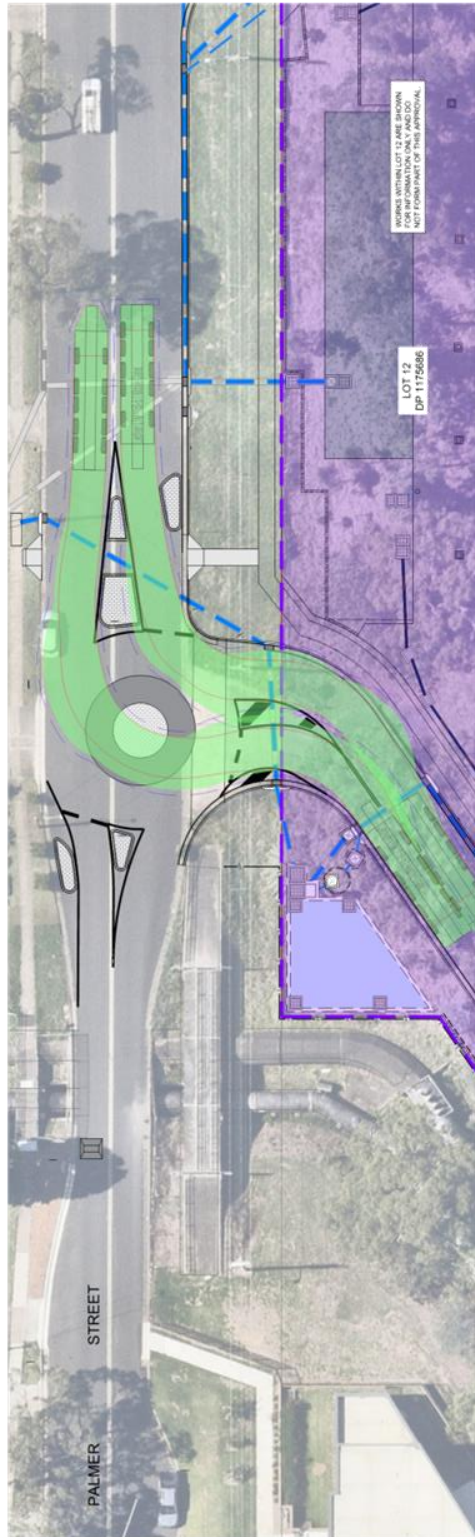


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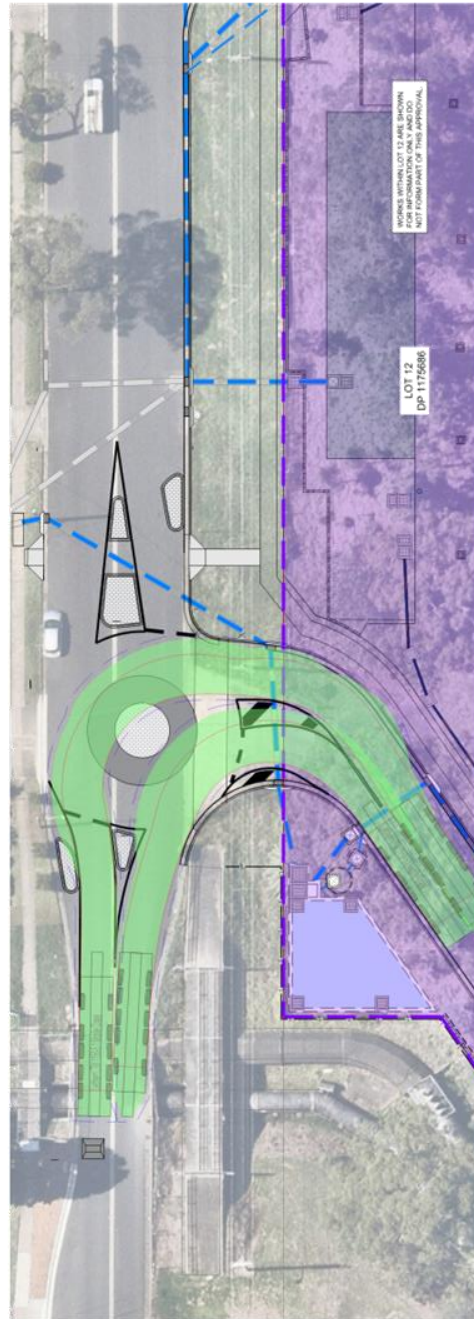
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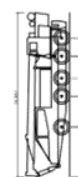




SWEPT PATHS - SYDNEY WATER CRANE - NORTHERN LEG



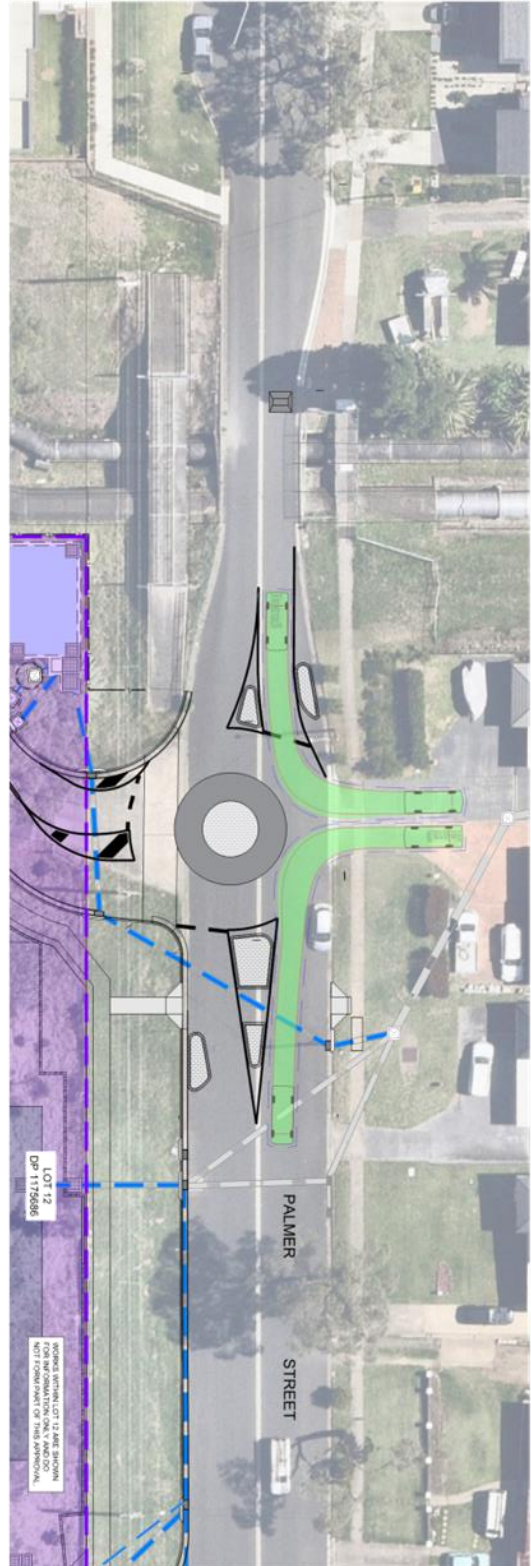
SWEPT PATHS - SYDNEY WATER - SOUTHERN LEG



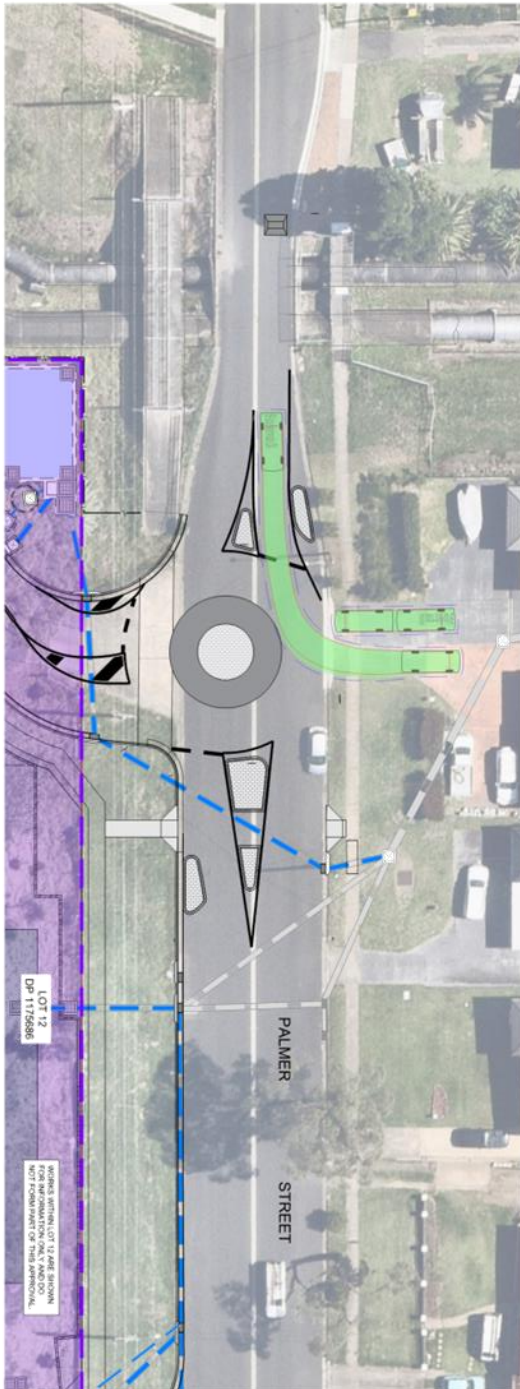
Lubliner LTM 1150-S 1 Mobile Crane	14,947m
Overall Length	3,000m
Overall Width	4,000m
Overall Body Height	0.374m
Min Body Ground Clearance	3,000m
Track Width	4,00m
Lock to lock time	8.841m
Curb to Curb Turning Radius	

[illegible]





**SWEPT PATHS - 9 & 11 PALMER STREET - ACCESS - EGRESS**



**SWEPT PATHS - 9 & 11 PALMER STREET - ACCESS - EGRESS**

REV	AMENDMENT	ISSUED	DATE
A	FORALIC APPROVAL	CL	24/06/2025
B	COUNCIL COMMENTS	CL	22/09/2025



**BARKER & STEWART**  
SURVEYORS  
GENERAL PRACTICE  
17/18 ADELAIDE STREET  
ADELAIDE SA 5000

**COMET**  
UNIVERSAL PROPERTY GROUP  
PTY LTD

**FRANK STREET, GUILDFORD WEST  
PALMER STREET S138 PLANS**  
SUBJECT DATING - B20

Designed: CL  
Checked: CL

Scale: PLAN 1:200  
@A1 HERE  
X-SHEET  
A U N

Plan No: SY160247-02-753  
Rev: SY160247  
REV

1000 Vehicle Swept Path (as defined 2004)  
Vehicle Dimensions:  
Overall Length: 10.0m  
Overall Width: 2.5m  
Wheelbase: 3.0m  
Turning Radius: 10.0m  
Clearance: 0.5m  
Turning Speed: 4.0km/h  
Lot 10 Only - Swept Path

4 0 4 8 12 16 20  
METRES  
1:200

NOTES: SWEEP PATHS SHOWN FOR INFORMATION ONLY AND DO NOT FORM PART OF THIS APPROVAL



Item No: CTC-25-132

## **PARK ROAD AND ANGUS AVENUE, AUBURN – PROPOSED INTERSECTION TREATMENT**

---

That the Local Traffic Committee recommends, and Council resolves that:

1. The provision of a marked merge bay and associated parking restrictions on Park Road at the intersection with Angus Avenue, Auburn, be supported in principle.
2. Council undertake consultation with affected residents and report back to the Traffic Committee if objections are received.

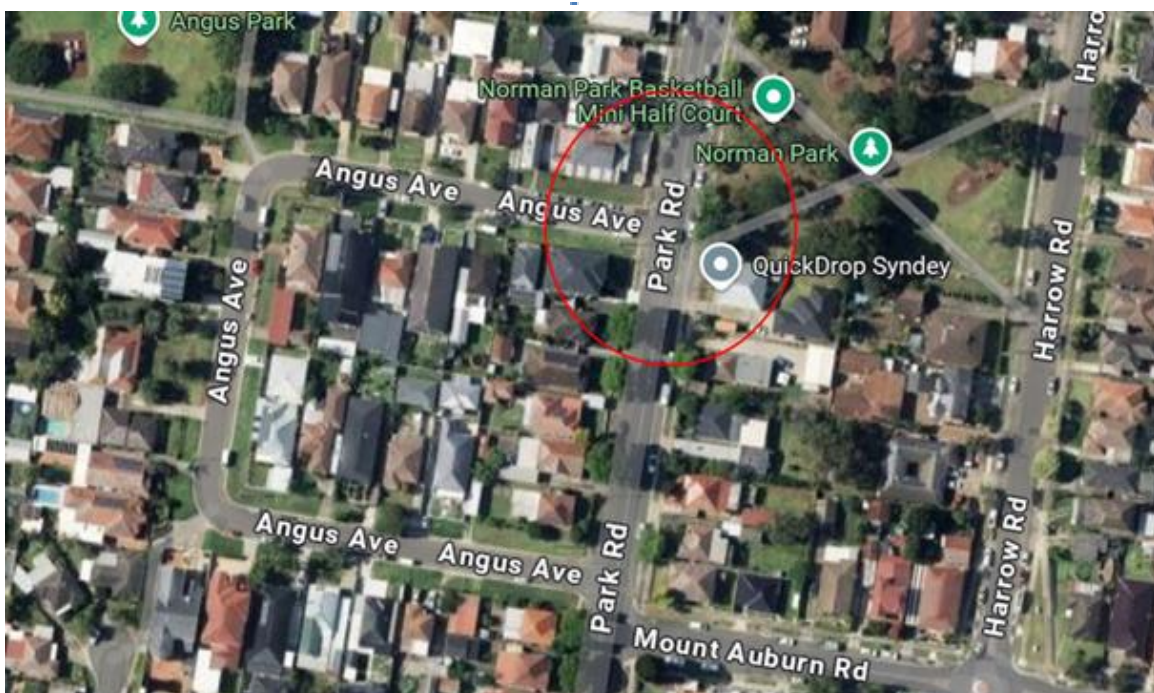
## **REPORT**

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Park Road is a regional road that runs in a north-south direction with a posted speed limit of 60 km/h. It has a width of approximately 12.5m and parking is permitted on both sides of the road unless otherwise signposted.

Angus Avenue is a local road that runs in an east-west direction with a posted speed limit of 50 km/h. It is a U-shape road with both ends connects to Park Road. It has a width of approximately 9m and parking is permitted on both sides of the road unless signposted.

Park Road and Angus Avenue form a T-intersection, with priority given to traffic on Park Road. Currently, 'Give Way' signs and associated line marking are in place on Angus Avenue, while 'BL2' line marking is present along Park Road.



### Locality Plan

Council has received concerns from a local resident regarding road safety on Park Road, at the northern end of the Angus Avenue intersection. It is alleged that vehicles are having difficulties to turn right from Angus Avenue onto Park Road.

Investigations found that as Park Road is a regional road carrying a high volume of traffic in both directions, and it is difficult for vehicles on Angus Avenue to turn right onto Park Road.

To improve traffic flow and safety at this intersection, particularly for right-turning vehicles from Angus Avenue, it is proposed to install a merge bay on Park Road. As part of this treatment, a marked island will be provided on Park Road, north of Angus Avenue, to better delineate traffic movements. Parking restrictions will also be required on the eastern side of Park Road at this location to accommodate the changes.

### CONSULTATION

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Subject to endorsement, consultation will be undertaken on the proposal.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

### ATTACHMENTS

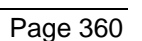
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1. Plan – Park Road at Angus Avenue, Auburn – Proposed Intersection Treatment.

# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-132

## Attachment 1

Plan – Park Road at Angus  
Avenue, Auburn – Proposed  
Intersection Treatment.





Item No: CTC-25-133

### **PARK ROAD AT MOUNT AUBURN ROAD AND ANGUS AVENUE, AUBURN – PROPOSED ROUNDABOUT**

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That the Local Traffic Committee recommends, and Council resolves that:

1. The installation of a roundabout at the intersection of Park Road and Mount Auburn Road, Auburn, in accordance with the attached plan, be supported in principle.
2. Council undertake consultation with adjacent residents and provide a further report to the Traffic Committee.

### **REPORT**

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Park Road is a regional road that runs in a north-south direction with a posted speed limit of 60 km/h. It has a width of approximately 12.5m and parking is permitted on both sides of the road unless otherwise signposted.

Mount Auburn Road is a local road that runs in an east-west direction with a posted speed limit of 50 km/h. It has a width of approximately 12.5m and parking is permitted on both sides of the road unless signposted.

Angus Avenue is a local road that runs in an east-west direction with a posted speed limit of 50 km/h. It has a width of approximately 9m and parking is permitted on both sides of the road unless signposted.

Park Road, Mount Auburn Road, and Angus Avenue form a staggered four-way intersection, with priority given to traffic on Park Road. Currently, 'Give Way' signs and associated line marking are in place on Mount Auburn Road and Angus Avenue, while 'BL2' line marking is present along Park Road.





### Locality Plan

Council has received concerns from a local resident regarding road safety at the intersection of Mount Auburn Road and Park Road.

The latest Centre for Road Safety crash data indicates that there was one reported accident at the intersection of Park Road and Mount Auburn Road in the five years. The accident details are listed in the table below.

Date	Location	Description
16/10/2020	Park Road at Mount Auburn Road	Vehicle failed to give way

Investigations have found that the staggered layout of the intersection can create confusion for drivers, particularly when vehicles from Mount Auburn Road and Angus Avenue arrive at the same time, leading to potential right-of-way conflicts. The offset configuration also increases the risk of side-impact collisions and near-misses, especially where sight distance is limited.

To improve safety, it is proposed to install a roundabout at the intersection of Park Road and Mount Auburn Road. A roundabout can reduce both the number and severity of conflict points compared to the existing give-way controls. The lower travel speeds and one-way traffic flow through a roundabout significantly decrease the risk of serious crashes. Additionally, by reducing approach speeds on all legs of the intersection, a roundabout enhances safety for both drivers and pedestrians.

The traffic movement at the intersection of Park Road and Angus Avenue would be restricted to left in and left out only due to the refuge islands associated with the proposed roundabout.

### **CONSULTATION**

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Subject to endorsement, consultation will be undertaken on the proposal.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

### **ATTACHMENTS**

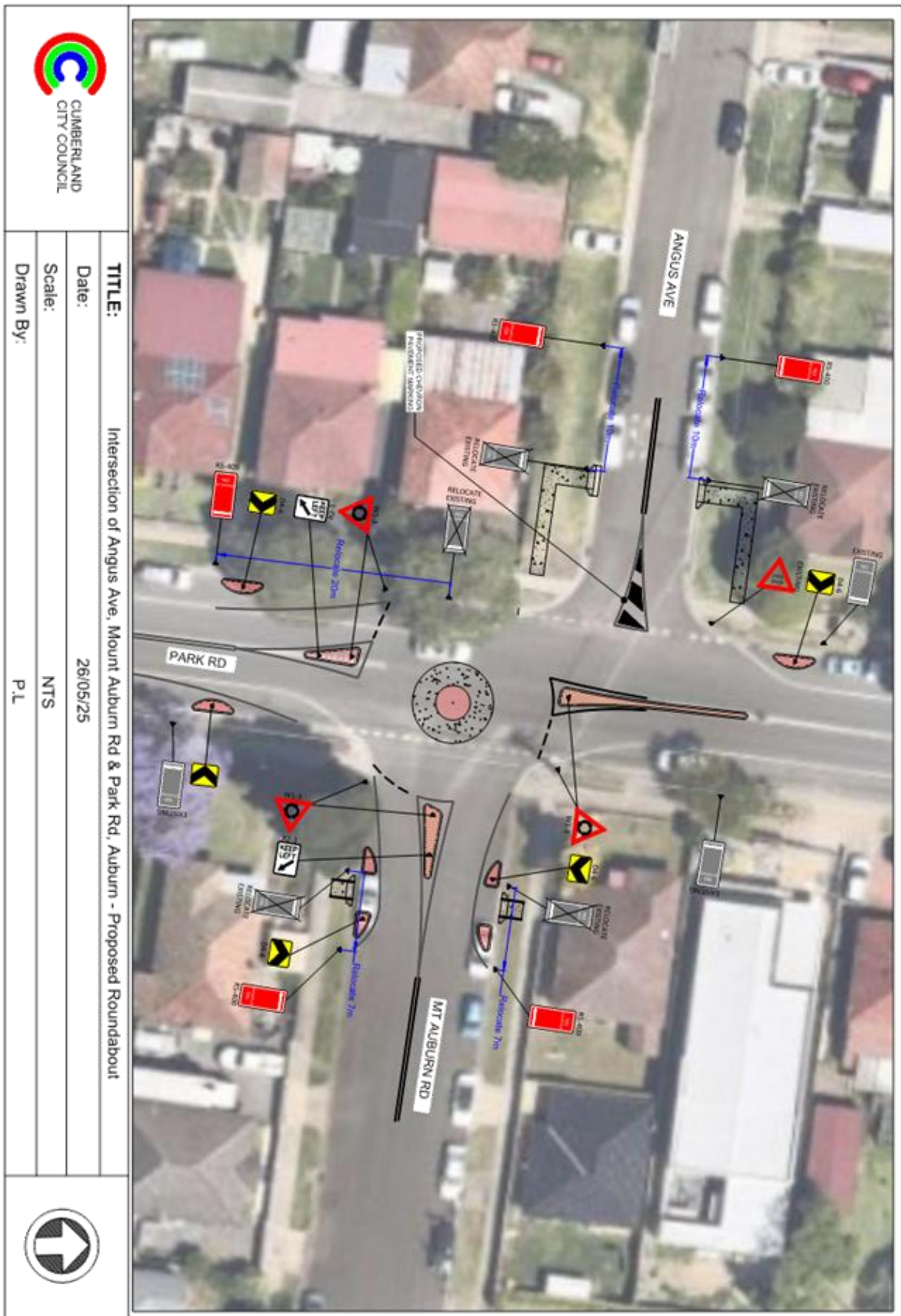
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1. Plan – Park Road at Mount Auburn Road, Auburn – Proposed roundabout

# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-133

## Attachment 1

Plan – Park Road at Mount  
Auburn Road, Auburn –  
Proposed roundabout





Item No: CTC-25-134

## **GUILDFORD ROAD, GUILDFORD – ROAD SAFETY CONCERNS**

That the Local Traffic Committee recommends, and Council resolves that:

1. The installation of a speed hump in Guildford Road, Guildford, outside No.270, as provided in the attached plan, be supported in principle.
2. Council undertake consultation on the proposal and provide a further report to the Traffic Committee if objections are received.
3. Concerned and affected businesses be notified of the outcome.

## **REPORT**

Council has received requests from local businesses for the installation of a traffic calming device on Guildford Road, Guildford between Talbot Road and Bolton Street due to safety concerns.

Guildford Road is a local road runs in an east-west direction between Palmer Street and Clyde Street. The section of interest is between Talbot Road and Bolton Street.

There are three existing pedestrian crossings including two raised and one at-level crossing situated in Guildford Road east of Railway Terrace up to Station Street which is approximately a 180 m section. There is also an existing raised threshold located near Roseberry Road 220 m away from the last raised pedestrian crossing near Station Street.

The section of Guildford Road west of Marian Street is signposted as 'High Pedestrian area' with a speed limit of 40 km/h.

The map below shows the location of Guildford Road section being considered:





The latest Centre for Road Safety Crash data indicated that there were two reported crashes in the section of Guildford Road under consideration in the 5 years ending June 2024.

Date	Location	DCA Code description
26/09/2019	265 Guildford Road	303 – Same- rear right
12/03/2020	100m east of Talbot Road	301 – Same- rear end

A traffic count was undertaken on Guildford Road between Bolton Street and Rosebery Road in February 2025.

The results of the traffic count on Guildford Road, between Station Street and Roseberry Street, indicated the following:

- Average Daily Traffic (ADT) (vehicles/day): 11,661
- 85th percentile speed (km/h): 37.7 km/h
- Mean (average) speed (km/h): 30.5 km/h

The distance between the last raised pedestrian crossing in Guildford Road near Station Street and the raised threshold (speed hump) near Roseberry Road is approximately 220 m. Based on the high volume of traffic and high pedestrian activity in the area, the installation of an additional speed hump could be considered in this section. Therefore, it is proposed to install a raised threshold (speed hump) in Guildford Road outside property No.270 near the Fire Station opposite Bolton Street.

## CONSULTATION

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Subject to endorsement, consultation will be undertaken on the proposal.

At the meeting, there was no further discussion on this matter and the Local Traffic Committee endorsed the recommendation in the report.

## ATTACHMENTS

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1. Plan - Guildford Road, Guildford - Proposed Speed Hump

# DOCUMENTS ASSOCIATED WITH REPORT CTC-25-134

## Attachment 1 Plan - Guildford Road, Guildford - Proposed Speed Hump



Item No: C07/25-153

## **NOTICE OF MOTION - EASTER EXTRAVAGANZA 2026**

Councillor:

Joseph Rahme and Michael Zaiter

### **SUMMARY**

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Pursuant to Notice, Councillors Rahme and Zaiter submitted the following Motion.

### **NOTICE OF MOTION**

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**That:**

- 1) Council deliver in 2026 an 'Easter Extravaganza Fair' to be held in the Granville Ward;**
- 2) This 2-night event be held in the car park precinct bounded by the Granville Town Hall, the old Library, and the Police station;**
- 3) This fair will consist of performance areas, food trucks, and market stalls; and**
- 4) The event be funded through the Community Reserve.**

### **RESOURCING/FINANCIAL IMPLICATIONS**

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If supported, \$75,000 from the Community Reserve would be required to deliver this event in 2026.

### **GENERAL MANAGER ADVICE**

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Nil.

### **ATTACHMENTS**

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Nil

Item No: C07/25-154

## **NOTICE OF MOTION - IMPLEMENTATION OF ELECTRONIC ACCESS SYSTEM FOR COUNCIL'S HIREABLE FACILITIES**

Councillor: Suman Saha and Diane Colman

### **SUMMARY**

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Pursuant to Notice, Councillors Saha and Colman submitted the following Motion.

### **NOTICE OF MOTION**

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**That:**

1. The General Manager prepare a report to a future Council meeting in relation to the implementation of an electronic access system for Council's hireable buildings and facilities; and
2. The report covers all potential operational considerations, including the implementation of a user friendly and cost saving solution for the community, and potential budget implications and funding sources to deliver this.

### **RESOURCING/FINANCIAL IMPLICATIONS**

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If supported, a report can be prepared utilising existing resources.

### **GENERAL MANAGER ADVICE**

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Nil.

### **ATTACHMENTS**

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Nil



Item No: C07/25-155

## **NOTICE OF MOTION - FALUN DAFA DAY**

Councillor: Paul Garrard and Helen Hughes

### **SUMMARY**

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Pursuant to Notice, Councillors Garrard and Hughes submitted the following Motion.

### **NOTICE OF MOTION**

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**That Council:**

- 1. Recognises Falun Dafa Day annually on 13 May;**
- 2. Includes Falun Dafa Day in Council's Annual Cultural Program from 2026, and identifies local Falun Dafa group to collaborate with Council to organise activities;**
- 3. Allocates funding from the Community Reserve to fund the program in 2026; and**
- 4. Promotes Falun Dafa Day through Council communication channels.**

### **RESOURCING/FINANCIAL IMPLICATIONS**

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If supported, funds of up to \$10,000 would be allocated in order to establish the initiative in 2026 from the Community Reserve.

### **GENERAL MANAGER ADVICE**

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Nil.

### **ATTACHMENTS**

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Nil

Item No: C07/25-156

## **NOTICE OF MOTION - PRESERVATION AND CONSERVATION OF HISTORIC SITES**

Councillor:

Paul Garrard and Helen Hughes

### **SUMMARY**

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Pursuant to Notice, Councillors Garrard and Hughes submitted the following Motion.

### **NOTICE OF MOTION**

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**That:**

- 1. Council develop submissions to have the former Lidcombe Police Station and the premises at 102 William Street, Granville, the former 'John Nobbs residence' placed upon the State Heritage Register.**
- 2. Acknowledging that Council has previously investigated the purchase of the former Lidcombe Police Station, that Council still pursue this matter, and investigate the opportunity to purchase 102 William Street, Granville.**
- 3. Council seek to identify appropriate funding sources at both a state and a national level which could be used to allow the further public ownership of these sites.**
- 4. Consideration be given to these sites when Council is undertaking a review of its present LEP.**
- 5. Council seek support from the state and federal members in addressing the future state significant status of these heritage sites.**
- 6. The General Manager provide a report to Council upon the progression of the actions listed above.**

### **RESOURCING/FINANCIAL IMPLICATIONS**

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If supported, this Motion can be actioned utilising existing resources.

### **GENERAL MANAGER ADVICE**

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The Lidcombe Police Station is identified in Schedule 5 of the Cumberland Local Environmental Plan as a locally significant heritage item (ID1181). The property at 102 William Street, Granville, is identified in Schedule 5 of the Cumberland Local Environmental Plan as a locally significant heritage item (ID1114).

Subject to endorsement, work will be undertaken by Council officers in accordance with the resolution and considered by the Cumberland Heritage Advisory Committee prior to a further report to Council.

### **ATTACHMENTS**

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Nil

Item No: C07/25-157

## **NOTICE OF MOTION - PUBLIC TOILET STRATEGY AND IMPROVEMENTS**

Councillor: Enver Yasar and Glenn Elmore

### **SUMMARY**

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Pursuant to Notice, Councillors Yasar and Elmore submitted the following Motion.

### **NOTICE OF MOTION**

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**That Council:**

- 1. Develop a Cumberland Public Toilet Strategy that brings together existing work, plans, and data into a single, forward-looking strategy to guide the planning, delivery, and maintenance of public toilets across the LGA. The strategy should:**
  - Consolidate current information on Council-managed public toilets, including locations, condition, accessibility, and service levels.
  - Identify priority areas for future facilities, upgrades, and improved maintenance based on community needs, usage, and population growth.
  - Set clear principles and standards for provision, design, safety, accessibility, and amenity.
  - Include options for Changing Places facilities and other inclusive features.
  - Explore opportunities for smart technology, partnerships (such as a Community Toilet Scheme), and external funding to support future delivery.
- 2. Receive a report within 6 months outlining:**
  - A draft strategy for public exhibition and feedback.
  - A proposed implementation plan including funding, timelines, and delivery priorities.

### **RESOURCING/FINANCIAL IMPLICATIONS**

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If supported, this Motion can be actioned utilising existing resources.

### **GENERAL MANAGER ADVICE**

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Nil.

**ATTACHMENTS**

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Nil

Item No: C07/25-158

## **NOTICE OF MOTION - EXPANSION OF INCLUSIVE AND ACCESSIBLE PLAYGROUNDS ACROSS CUMBERLAND LGA**

Councillor: Nadima Kafrouni-Saba and Michael Zaiter

### **SUMMARY**

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Pursuant to Notice, Councillors Kafrouni-Saba and Zaiter submitted the following Motion.

### **NOTICE OF MOTION**

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**That Council:**

1. **Ensure that all new playgrounds and upgrades to existing playgrounds include, where possible, features such as but not limited to:**
  - i) **Wheelchair-accessible play equipment**
  - ii) **Sensory play elements for children with Autism Spectrum Disorder (ASD) and sensory sensitivities**
  - iii) **Soft fall and non-slip surfaces**
  - iv) **Communication boards and inclusive signage**
2. **Seek funding opportunities from state and federal governments to support the development of inclusive play spaces.**
3. **As part of the community consultation process for new and upgraded playgrounds, engage with local disability advocacy groups, and other relevant organisations to ensure playground designs meet the diverse needs of the community.**

### **RESOURCING/FINANCIAL IMPLICATIONS**

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If supported, this Motion can be actioned utilising existing resources.

### **GENERAL MANAGER ADVICE**

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Nil.

### **ATTACHMENTS**

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Nil



Item No: C07/25-159

## **NOTICE OF MOTION - EXPANDING COUNCIL'S ADVOCACY TO INCLUDE COLEMAN PARK**

Councillor: Enver Yasar and Glenn Elmore

### **SUMMARY**

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Pursuant to Notice, Councillors Yasar and Elmore submitted the following Motion.

### **NOTICE OF MOTION**

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**That Council:**

1. Notes that Coleman Park sits on the same Crown Land Reserve as Carnarvon Golf Course and is included in the area identified for potential repurposing.
2. Extends its previous resolution regarding Carnarvon Golf Course to include Coleman Park, affirming Council's strong opposition to any proposal that would reduce or repurpose Coleman Park for non-recreational uses.
3. Writes to the Hon. Steve Kamper MP, Minister for Lands and Property, and the Hon. Paul Scully MP, Minister for Planning and Public Spaces, to request that Coleman Park be protected alongside Carnarvon Golf Course.
4. Updates all Council communications and campaign materials to reflect that both Carnarvon Golf Course and Coleman Park are at risk and should be retained in full for public recreation.

### **RESOURCING/FINANCIAL IMPLICATIONS**

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If supported, this Motion can be actioned utilising existing resourcing.

### **GENERAL MANAGER ADVICE**

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Should Council support this Motion, any initiatives in future relating to this matter will be extended to include Coleman Park.

### **ATTACHMENTS**

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Nil

Item No: C07/25-160

## **NOTICE OF MOTION - THE LATE LUKE MANASSA**

Councillor: Nadima Kafrouni-Saba and Joseph Rahme

### **SUMMARY**

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Pursuant to Notice, Councillors Kafrouni-Saba and Rahme submitted the following Motion.

### **NOTICE OF MOTION**

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#### **That Council:**

1. Pays tribute to the life of Luke Manassa, a 21-year-old local resident who tragically lost his life in an apparent case of mistaken identity.
2. Extends our condolences to Luke's family, friends, and the broader community during this time of grief.
3. Acknowledges the growing concerns around youth violence and the impact this senseless tragedy has had.
4. Subject to completion of the ongoing police investigation and in consultation with Luke's family, requests that Council staff investigate and report back on the feasibility of installing a commemorative plaque and/or renaming a suitable location (such as the basketball court) in Luke's honour.
5. Makes urgent representations to NSW Police and relevant authorities regarding increased support to address youth-related crime in the Cumberland LGA, including more resources, patrols, and early intervention programs.
6. Commits to working with schools, youth services, and local organisations to identify and support initiatives that help prevent young people from engaging in crime.

### **RESOURCING/FINANCIAL IMPLICATIONS**

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If supported, this Motion can be actioned utilising existing resources.

### **GENERAL MANAGER ADVICE**

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Nil.

### **ATTACHMENTS**

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Nil

Item No: AR07/25-1

**NOTICE OF MOTION TO ALTER COUNCIL RESOLUTION - C06/25-140  
PROPERTY COMMITTEE - MINUTES OF MEETING HELD 2 JUNE 2025**

Councillor/s: Helen Hughes, Paul Garrard and Sujan Selventhiran

**SUMMARY**

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Pursuant to Notice, Councillors Hughes, Garrard and Selventhiran move that Council alter the below resolution of Council made at the Council Meeting on 18 June 2025 C06/25-140 Property Committee - Minutes of Meeting held 2 June 2025.

**Min.968**

That Council:

1. Receive the Minutes of the Cumberland Property Committee meeting held on 2 June 2025, and adopt the recommendations contained therein.
2. Include a copy of the resolutions of Council in the Minutes.

**MOTION**

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That Council:

1. **Receive the Minutes of the Cumberland Property Committee meeting held on 2 June 2025, and adopt the recommendations contained therein with the exception of Item PC017/25 25 - Request For Removal of Land Acquisition Reservation - 31 Cambridge Street, Lidcombe which is to be referred back to the Property Committee for further consideration.**
2. **Include a copy of the resolutions of Council in the Minutes.**

Signed:

Councillor Helen Hughes  
Councillor Paul Garrard  
Councillor Sujan Selventhiran

**ATTACHMENTS**

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Nil

Item No: AR07/25-2

**NOTICE OF MOTION TO ALTER COUNCIL RESOLUTION - C06/25-145 TENDER EVALUATION REPORT - ROADS INFRASTRUCTURE SERVICES (RFX942)**

Councillor/s: Eddy Sarkis, Steve Christou and Ahmed Ouf

**SUMMARY**

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Pursuant to Notice, Councillors Sarkis, Christou and Ouf move that Council alter the below resolution of Council made at the Council Meeting on 18 June 2025 C06/25-145 Tender Evaluation Report - Roads Infrastructure Services (RFX942).

**Min.973**

That Council:

1. Accept the Negotiation Panel's recommendation to award the contract to State Asphalt Services Pty Ltd (ABN 49 001 287 421), for a 5 year contract term with the option to extend for a further total of up to 3 years (2+1 year options) at the sole discretion of the Council, for the unit rate amounts as submitted.
2. Delegate to the General Manager the authority to execute the contract and any associated documents.

**MOTION**

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**That Mack Civil be awarded the contract.**

Signed:

Councillor Eddy Sarkis  
Councillor Steve Christou  
Councillor Ahmed Ouf

**ATTACHMENTS**

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Nil