

NOTICE OF COUNCIL MEETING

PUBLIC AGENDA

An Ordinary Meeting of City of Parramatta Council will be held in PHIVE (COUNCIL CHAMBER) COUNCIL CHAMBER AT 5 PARRAMATTA SQUARE, PARRAMATTA on Monday, 27 May 2024 at 6.30PM.

Gail Connolly PSM
CHIEF EXECUTIVE OFFICER

EMERGENCY EVACUATION DIAGRAM

Level 4 East

2 Civic Place, Parramatta NSW 2150

Evacuation Procedures

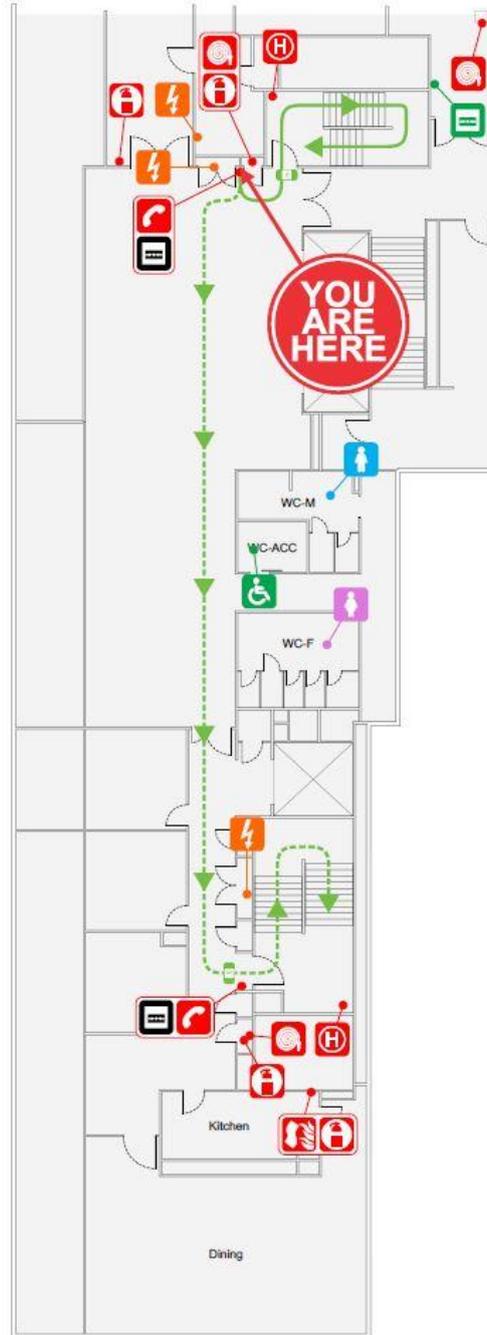
IN CASE OF FIRE

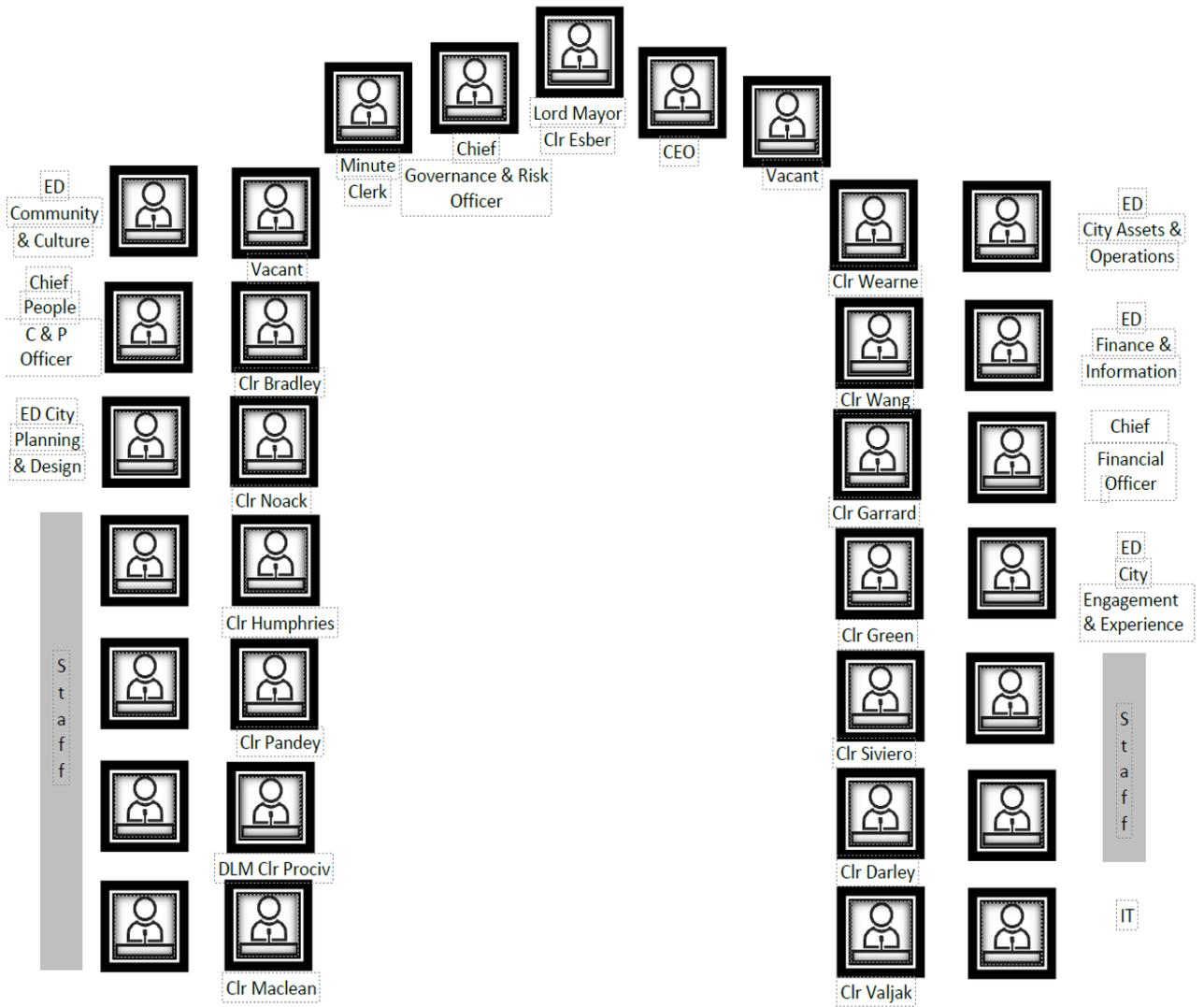
- (R)** REMOVE people from immediate danger
- (A)** ALERT people nearby and raise an alarm (Dial 000)
- (C)** CONFINE fire and smoke (Close doors behind you if safe to do so)
- (E)** EVACUATE via the nearest emergency exit

Legend

Site Plan

Parramatta PHIVE





STATEMENT OF ETHICAL OBLIGATIONS:

In accordance with clause 3.23 of the Model Code of Meeting Practice, Council is obligated to remind Councillors of the oath or affirmation of office made under section 233A of the Local Government Act 1993, and of their obligations under Council's Code of Conduct to disclose and appropriately manage conflicts of interest – the ethical obligations of which are outlined below:

Obligations	
Oath [Affirmation] of Office by Councillors	I swear [solemnly and sincerely declare and affirm] that I will undertake the duties of the office of Councillor in the best interests of the people of the City of Parramatta Council and the City of Parramatta Council that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgement.
Code of Conduct Conflict of Interests	
Pecuniary Interests	<p>A Councillor who has a pecuniary interest in any matter with which the Council is concerned, and who is present at a meeting of the Council at which the matter is being considered, must disclose the nature of the interest to the meeting.</p> <p>The Councillor must not be present at, or in sight of, the meeting:</p> <ol style="list-style-type: none"> At any time during which the matter is being considered or discussed, or At any time during which the Council is voting on any question in relation to the matter.
Non-Pecuniary Conflict of Interests	A Councillor who has a non-pecuniary conflict of interest in a matter, must disclose the relevant private interest in relation to the matter fully and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.
Significant Non-Pecuniary Conflict of Interests	A Councillor who has a significant non-pecuniary conflict of interest in relation to a matter under consideration at a Council meeting, must manage the conflict of interest as if they had a pecuniary interest in the matter.
Non-Significant Non-Pecuniary Interests	A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest must also explain why conflict of interest is not significant and does not require further action in the circumstances.

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	OPENING MEETING	
2	ACKNOWLEDGMENT OF TRADITIONAL OWNERS OF LAND	
3	WEBCASTING ANNOUNCEMENT	
4	GENERAL RECORDING OF MEETING ANNOUNCEMENT	
5	APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS	
6	CONFIRMATIONS OF MINUTES <i>Council - 13 May 2024</i>	8
7	DECLARATIONS OF INTEREST	
8	MINUTES OF THE LORD MAYOR Nil	
9	PUBLIC FORUM Nil	
10	PETITIONS Nil	
11	RESCISSION MOTIONS Nil	
12	REPORTS TO COUNCIL - FOR NOTATION	
12.1	Investment Report for April 2024	34
12.2	Referral of Inspection Reports by Fire and Rescue NSW	89
12.3	Library Opening Times - Customer Feedback	97
12.4	Minutes of the Traffic Engineering Advisory Group - 24 April 2024	100
13	REPORTS TO COUNCIL - FOR COUNCIL DECISION	
13.1	Quarterly Budget Review - March 2024	122
13.2	Adoption of Debt Management and Hardship Assistance Policy 2024	140
13.3	Adoption of Media Policy 2024.....	154
13.4	Adoption of Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No 3) - Church Street North Precinct.....	179
13.5	Approval of Planning Proposal for 8 Lincluden Place, Oatlands	274
13.6	Approval of Civic Link Block 3 Concept Design	396
13.7	Public Exhibition of Draft Code of Meeting Practice	422

13.8	Parramatta as a C40 Global City - Application for Membership	559
13.9	Gateway Request: Planning Proposal for North East Parramatta (North-East Planning Investigation Area)	566
14	NOTICES OF MOTION	
14.1	DEFERRED OCM 13 May 2024, Procurement of Australian Goods	680
14.2	Safety of e-Bikes	682
14.3	Establishment of a Heritage Facility in Fleet Street Precinct.....	685
14.4	Proposed Establishment of an Entrepreneur Grant Program.....	687
15	QUESTIONS WITH NOTICE	
15.1	Questions Taken on Notice at the 13 May 2024 Council Meeting	690
16	CONFIDENTIAL MATTERS	
16.1	Stage 2 Parramatta Light Rail Enabling Works - Archer Park Memorandum Of Understanding <i>This report is confidential in accordance with section 10A (2) (e) of the Local Government Act 1993 as the report contains information that would, if disclosed, prejudice the maintenance of law.</i>	
16.2	Adoption of the Parramatta River Flood Study <i>This report is confidential in accordance with section 10A (2) (c) of the Local Government Act 1993 as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.</i>	
16.3	Progress Report - Grant Application for the Upgrade of Belmore Park (Richie Benaud Oval) <i>This report is confidential in accordance with section 10A (2) (c) of the Local Government Act 1993 as the report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.</i>	
17	PUBLIC ANNOUNCEMENT	
18	CONCLUSION OF MEETING	



CITY OF PARRAMATTA

MINUTES

**Ordinary Council Meeting
Monday, 13 May 2024
6.30pm**

**Council Chamber
Level 4, PHIVE
Parramatta Square, Parramatta**

PRESENT - COUNCILLORS

The Lord Mayor, Councillor Pierre Esber and Councillors Phil Bradley, Kellie Darley, Michelle Garrard, Cameron MacLean, Paul Noack, Sameer Pandey, Deputy Lord Mayor, Dr Patricia Prociv, Dan Siviero, Georgina Valjak (online), Donna Wang (online) and Lorraine Wearne.

PRESENT – STAFF

Chief Executive Officer - Gail Connolly, Executive Director City Engagement and Experience - Angela Jones-Blayney, Executive Director Finance and Information - John Angilley, Director City Planning and Design - Jennifer Concato, Acting Executive Director Community and Culture - David Moutou, Executive Director City Assets & Operations - George Bounassif, Group Manager Office of the Lord Mayor and CEO - Roxanne Thornton, Chief of Staff - Justin Mulder, Chief People, Culture and Performance Officer - Brendan Clifton, Acting Chief Information Officer - Ian Vong, Chief Financial Officer - Amit Sharma, Group Manager City Strategic Planning - Robert Cologna, Acting Group Manager Regulatory Services - Adrian Mihalicia, Transport Planning Manager - Michael Jollon, Council Secretariat and Policy Officer - Marina Cavar, Corporate Strategy Manager - Dayne Glinkowski, Strategy Manager - Sarah Baker, Project Team Lead - Katie Papagiannis, Graduate Project Officer - Emilia Hallstroem, Business Manager - Michelle Samuel, ICT Service Desk Team Leader - Alex Piccone and ICT Service Desk Officer - Blandon Lee.

1. OPENING MEETING

The Lord Mayor, Councillor Esber, opened the meeting at 6.35pm.

2. ACKNOWLEDGEMENT TO TRADITIONAL OWNERS OF LAND

The Lord Mayor acknowledged the Burramattagal people of The Dharug Nation as the traditional owners of this land, and paid respect to their ancient culture and to their elders past, present and emerging.

3. WEBCASTING ANNOUNCEMENT

The Lord Mayor advised that this meeting is being recorded and streamed live on the internet. The recording will also be archived and made available on Council's website.

The Lord Mayor further advised that all care will be taken to maintain privacy, however as a visitor in the public gallery, the public should be aware that their presence may be recorded.

4. GENERAL RECORDING OF MEETING ANNOUNCEMENT

As per Council's Code of Meeting Practice, the recording of the Council Meeting by the public using any device, audio or video, is only permitted with Council permission. Recording a Council Meeting without permission may result in the individual being expelled from the Meeting.

5. APOLOGIES AND APPLICATIONS FOR LEAVE OF ABSENCE OR ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS

RESOLVED: Councillor MacLean and Councillor Noack

- (a) That an apology be accepted on behalf of Councillors Green and Humphries and a leave of absence be granted.
- (b) That Councillors Valjak and Wang be permitted to attend the meeting via Audio Visual Link.

Record of Voting:

For the Motion: Unanimous

6. CONFIRMATION OF MINUTES

Minutes of the Council Meeting held on 22 April 2024

RESOLVED: Councillor Noack and Councillor MacLean

That the minutes be taken as read and be accepted as a true record of the Meeting, with the exception of the following required update;

- Amendment to be made in the Disclosure of Interest Item, relating to Councillor Noack. The reference to Councillor Noack being a land owner in the LGA is incorrect.

Record of Voting:

For the Motion: Unanimous

7. DISCLOSURES OF INTEREST

There were no Declarations of Interest made at this meeting.

PROCEDURAL MOTION

SUSPENSION OF STANDING ORDERS - ORDER OF BUSINESS

RESOLVED: Councillor Esber and Councillor Noack

In Accordance with Clause 8.2 of Council's Code of Meeting Practice, That Council amend the Order of Business for this meeting to allow for the consideration of the following items prior to any other business on the agenda.

- Public Forum.

- Item 8.1: Lord Mayoral Minute 'PARRAMATTA 2050' - A Long Term Strategic Vision for Our City.
- Item 13.3: Late Report: Public Exhibition 'PARRAMATTA 2050' - A Long Term Strategic Vision for Our City.

Record of Voting:

For the Motion: Unanimous

PUBLIC FORUM

	Speaker	Report No.	Report Title
1.	Greg Monaghan	Item 13.3	Late Report: Public Exhibition 'PARRAMATTA 2050' - A Long Term Strategic Vision for Our City
2.	Kerri Glassock	Item 13.3	Late Report: Public Exhibition 'PARRAMATTA 2050' - A Long Term Strategic Vision for Our City
3.	Aunty Ros	Item 13.3	Late Report: Public Exhibition 'PARRAMATTA 2050' - A Long Term Strategic Vision for Our City

8. MINUTE OF THE LORD MAYOR

8.1 'PARRAMATTA 2050' - A Long Term Strategic Vision for Our City

(Lord Mayor, Councillor Pierre Esber)

RESOLVED: Lord Mayor, Councillor Esber and Councillor Noack

- That Council note that the City of Parramatta's *Parramatta 2050* vision is on tonight's agenda, and that it proposes a long-term strategic vision that guides our City's future and secures Parramatta's position as a global city;
- That Council note that with the Chamber's endorsement, Parramatta 2050 will now go on public exhibition to seek feedback from our business and residential communities and other stakeholders; and
- That Council acknowledge the extraordinary enthusiasm and hard work of the Council officers during the research and preparation stage of the vision document and thank them for their commitment to helping make the City of Parramatta a successful global city for current and future generations.

Record of Voting:

For the Motion: Unanimous

Note: A video was broadcast to all present in the Chamber and online promoting 'Parramatta 2050'.

13.3 **LATE REPORT: Public Exhibition: 'Parramatta 2050' - A Long Term Strategic Vision for the City**

(Report of Project Team Lead; Change Manager)

MOTION: Lord Mayor, Councillor Esber and Councillor Noack

- (a) That Council exhibits the draft *Parramatta 2050* strategic vision for the City for 60 days and conduct community pop up sessions and surveys
- (b) That Council authorises the Chief Executive Officer to make editorial amendments of a minor and/or non-policy nature to the draft *Parramatta 2050*.
- (c) That Council receives an update via a Councillor Workshop prior to a further report detailing the outcomes of the public exhibition.

AMENDMENT: Councillor Wearne and Councillor Darley

- (a) That Council exhibits the first draft *Parramatta 2050* strategic vision for the City for 60 days and conduct community pop up sessions and surveys.
- (b) That Council receives an update via a Councillor Workshop prior to a further report detailing the outcomes of the public exhibition of the first draft.

Record of Voting:

For the Amendment: Councillors Bradley, Darley, Garrard, Wearne, Siviero and Wang

Against the Amendment: Lord Mayor, Councillor Esber, Deputy Lord Mayor Councillor Prociv, Councillors MacLean, Noack, Pandey and Valjak,

On being PUT to the meeting Voting on the Amendment was six (6) votes FOR and six (6) votes AGAINST. The Lord Mayor, Councillor Esber exercised his Casting Vote resulting in a result of six (6) votes FOR and seven (7) votes AGAINST. The Amendment was LOST.

RESOLVED: Lord Mayor, Councillor Esber and Councillor Noack

- (a) That Council exhibits the draft *Parramatta 2050* strategic vision for the City for 60 days and conduct community pop up sessions and surveys
- (b) That Council authorises the Chief Executive Officer to make editorial amendments of a minor and/or non-policy nature to the draft *Parramatta 2050*.
- (c) That Council receives a detailed presentation at a Councillor Workshop prior to any further report detailing the outcomes of the public exhibition to Council.

Record of Voting:

For the Motion: Unanimous

Question Taken on Notice (Clr Garrard) relating to Item 13.3 - LATE REPORT: Public Exhibition: 'Parramatta 2050' - A Long Term Strategic Vision for the City;

- How much has the work that has already been undertaken cost to date?
- There is no mention of consultation with youth?

PROCEDURAL MOTION

SUSPENSION OF STANDING ORDERS - MATTER OF URGENCY

Councillor Noack sought a Suspension of Standing Orders to raise a Matter of Urgency regarding 'Decision of Cumberland City Council' and 'Parramatta Goannas AFL Academy'.

The Lord Mayor Councillor Esber denied the matter 'Decision of Cumberland City Council' was a Matter of Urgency, and the matter was not considered by Council.

The Lord Mayor, Councillor Esber agreed that the matter for 'Parramatta Goannas AFL Academy' was a Matter of Urgency, and allowed the matter to be considered by Council.

URGENCY MOTION: Parramatta Goannas

RESOLVED: Councillor Noack and Councillor Bradley

- (a) That Council congratulates the Parramatta Goannas in their recent victory in Melbourne over Melbourne's Werribee under 14s in a convincing 134-0 victory.
- (b) Council further congratulates Club President Michael Bright and all at the club for their tireless work, and the Lord Mayor contact the club to convey the motion of council".

Record of Voting:

For The Motion: Unanimous

Councillor Garrard raised a Matter of Urgency regarding Parramatta Cricket Club.

The Lord Mayor, Councillor Esber agreed that the matter was a Matter of Urgency, and allowed the matter to be considered by Council.

URGENCY MOTION: Congratulations Parramatta Cricket Club

RESOLVED: Councillor Garrard and Councillor Noack

That the Lord Mayor write to the Parramatta Cricket Club congratulating them on a successful season, noting the U16's Greens Shields who were victorious in their final against Manly and the success of the female teams.

Record of Voting:

For The Motion: Unanimous

RESUMPTION OF STANDING ORDERS

Note: Standing Orders were resumed at 8.28pm.

ADJOURNMENT OF MEETING

At 8.28pm, The Lord Mayor adjourned the meeting and the following Councillors were present:

Lord Mayor, Councillor Esber, Deputy Lord Mayor Councillor Prociv and Councillors Bradley, Darley, Garrard, MacLean, Noack, Pandey, Siviero, Valjak (online), Wang (online) and Wearne.

RECONVENED MEETING

At 8.39pm, the Lord Mayor reconvened the meeting and the following Councillors were present:

Lord Mayor, Councillor Esber, Deputy Lord Mayor Councillor Prociv and Councillors Bradley, Darley, Garrard, MacLean, Noack, Pandey, Siviero, Valjak (online), Wang (online) and Wearne.

PROCEDURAL MOTION DEALING WITH ITEMS BY EXCEPTION

RESOLVED: Lord Mayor, Councillor Esber and Councillor Bradley

That in accordance with Section 13 of Council's Code of Meeting Practice, Council resolve to adopt the following items in accordance with the recommendations as printed, without debate:

- Item 8.2 Parramatta Welcomes the ABC to its new home
- Item 8.3: One Minute of Silence Against Violence
- Item 8.4: Warami Program
- Item 8.5: Vale John Minns, Father of the Premier of NSW, the Hon. Chris Minns MP
- Item 8.6: Vale Councillor Tony Bleasdale OAM, Mayor of Blacktown City Council
- Item 8.7: Vale Beryl Engel, Former Parramatta City Councillor

Record of Voting:

For the Motion: Unanimous

8.2 Parramatta Welcomes the ABC to its new home (Lord Mayor, Councillor Pierre Esber)

RESOLVED: Lord Mayor, Councillor Esber and Councillor Bradley

- (a) That Council welcome the ABC to Parramatta, where it will broadcast local news and radio from its new state-of-the-art hub in Parramatta Square; and
- (b) That Council note that the move to Parramatta will enhance the ABC's presence in the nation's fastest growing residential region, boosting its effectiveness in Greater Western Sydney.

Record of Voting:

For the Motion: Unanimous

8.3 One Minute of Silence Against Violence (Lord Mayor, Councillor Pierre Esber)

RESOLVED: Lord Mayor, Councillor Esber and Councillor Bradley

- (a) That Council note the 'One Minute of Silence Against Violence' candlelight vigil on Thursday 23 May 2024 to be held in honour of victims and survivors of DFV, organised by Cumberland Women's Health Centre (CWHC) and Cumberland Parramatta DFV Interagency.

- (b) That Council acknowledge its multifaceted efforts to combat domestic and family violence in partnership with local services, including City of Parramatta's 2022-2025 Prevention of Domestic and Family Violence Action Plan.
- (c) That Council acknowledge recent landmark legislative reform DFV funding increases of \$230 million in State government funding and more than \$900 million in Federal government funding.
- (d) That the Lord Mayor advocate for local DFV service providers serving the Parramatta LGA to receive their fair share of this funding by writing to:
 - a. The Hon. Jodie Harrison MP, State Minister for Women and the Prevention of Domestic Violence and Sexual Assault,
 - b. Senator the Hon. Katy Gallagher, Federal Minister for Women; and
 - c. The Hon. Amanda Rishworth MP, Minister for Social Services.
- (e) That Council observes one minute of silence to mourn those tragically killed by domestic and family violence.

Record of Voting:

For the Motion: Unanimous

8.4

Warami Program

(Lord Mayor, Councillor Pierre Esber)

RESOLVED: Lord Mayor, Councillor Esber and Councillor Bradley

- (a) That Council recognise City of Parramatta's Warami program from 26 May-13 July 2024, featuring First Nations focused events and activities held during National Sorry Day (26 May 2024), National Reconciliation Week (27 May-3 June 2024) and NAIDOC Week (7-14 July 2024).
- (b) That Council acknowledge the Stolen Generations on National Sorry Day (26 May 2024) from 10am-2pm at Old Government House, an opportunity to reflect on the stories of the Stolen Generations and acknowledge the complexities of Parramatta's historical interactions with First Nations people.
- (c) That Council celebrate Stories Under the Stars, a new family-friendly event from 3-7pm on 1 June 2024 by the Parramatta River, featuring an outdoor cinema showing a First Nations-

produced film, a glow-in-the-dark artwork installation, storytelling, markets, music and more.

- (d) That Council acknowledge Burrumatta NAIDOC Day, a major outdoor concert and celebration in Parramatta Park on 13 July 2024 from 10am-4pm.
- (e) That Council note City of Parramatta's First Nations Strategy was recently launched on 2 May 2024 at Parramatta Town Hall, a demonstration of Council's commitment to Dharug and other First Nations peoples and its ongoing partnerships to work to achieve meaningful and sustainable outcomes.

Record of Voting:

For the Motion: Unanimous

8.5 Vale John Minns, Father of the Premier of NSW, the Hon. Chris Minns MP

(Lord Mayor, Councillor Pierre Esber)

RESOLVED: Lord Mayor, Councillor Esber and Councillor Bradley

- (a) That Council acknowledge the death of John Minns, former public school teacher of 45 years and father of the Premier of NSW the Hon. Chris Minns MP, on 1 May 2024.
- (b) That Council express its sincere condolences to John Minns' family and friends at this sad time by writing to his son, the Premier of NSW, the Hon. Chris Minns MP.
- (c) That Council observe one minute of silence in recognition of John Minns.

Record of Voting:

For the Motion: Unanimous

8.6 Vale Councillor Tony Bleasdale OAM, Mayor of Blacktown City Council

(Lord Mayor, Councillor Pierre Esber)

RESOLVED: Lord Mayor, Councillor Esber and Councillor xx

- (a) That Council acknowledge the death of Cr Tony Bleasdale OAM, Mayor of Blacktown City Council from 1996-2024 and lifelong advocate for Western Sydney, on 3 May 2024.
- (b) That Council express its sincere condolences to Mayor Bleasdale's family and friends at this sad time.
- (c) That Council note the Lord Mayor's correspondence dated 3 May 2024 conveying Council's deep condolences to Mayor Bleasdale's family.
- (d) That Council observe one minute of silence in recognition of Mayor Bleasdale OAM.

Record of Voting:

For the Motion: Unanimous

8.7 Vale Beryl Engel, Former Parramatta City Councillor

(Lord Mayor, Councillor Pierre Esber)

RESOLVED: Lord Mayor, Councillor Esber and Councillor Bradley

- (a) That Council acknowledge the recent death of Beryl Engel, former Parramatta City Councillor from 1983-1995.
- (b) That Council express its sincere condolences to Beryl Engel's family and friends at this sad time.
- (c) That Council observe one minute of silence in recognition of Beryl Engel.

Record of Voting:

For the Motion: Unanimous

Note: A minute's silence was observed by all those present, in recognition of Items 8.3, 8.5, 8.6 and 8.7.

PROCEDURAL MOTION DEALING WITH ITEMS BY EXCEPTION

RESOLVED: Councillor Garrard and Councillor Noack

That in accordance with Section 13 of Council's Code of Meeting Practice, Council resolve to adopt the following items in accordance with the recommendations as printed, without debate:

Item 12.1: Dog Owners Education Campaign – 'Off Leash Dog Park'

Item 13.1: Adoption of Regulatory Enforcement Policy and Rescission of Superseded Regulatory Services Policies

Item 13.5: Preparation of an Integrated Transport Strategy for City of Parramatta

Item 15.1: Questions Taken on Notice at the 22 April 2024 Council Meeting

Record of Voting:

For the Motion: Unanimous

12.1 **Dog Owners Education Campaign - Off Leash Dog Parks** (Report of Service Manager Ranger and Parking Services)

RESOLVED: Councillor Garrard and Councillor Noack

That Council:

- (a) Note that the number of reported dog attacks in off leash dog parks has decreased from three in 2022, one in 2023 to nil in 2024.
- (b) Note the current process for reporting and responding to dog attacks in the LGA.
- (c) Note current (and future) work undertaken by Council staff to educate the community regarding dog attacks including the installation of signage.

Record of Voting:

For the Motion: Unanimous

13.1 **Adoption of Regulatory Enforcement Policy and Rescission of Superseded Regulatory Services Policies**

(Report of Policy Officer)

RESOLVED: Councillor Garrard and Councillor Noack

- (a) That Council adopt the Regulatory Enforcement Policy 2024 (Policy 306), as attached to this report.
- (b) That Council endorse the immediate rescission of the following Council Policies:
 - i. Policy 316 – Building Compliance Enforcement Policy; and
 - ii. Policy 323 – Restricted Premises Enforcement Policy.

Record of Voting:

For the Motion: Unanimous

13.5 **Preparation of an Integrated Transport Strategy for City of Parramatta**

(Report of Transport Planning Manager)

RESOLVED: Councillor Garrard and Councillor Noack

That Council approves the preparation of an Integrated Transport Strategy for the City of Parramatta, subject to the adoption of the proposed funding in Council's 2024/25 Operational Plan (budget).

Record of Voting:

For the Motion: Unanimous

15.1 **Questions Taken on Notice at the 22 April 2024 Council Meeting**

(Report of Council Secretariat & Policy Officer)

QUESTIONS TAKEN ON NOTICE:

Councillor Garrard asked a question in relation to Item 8.1 Condolence – Bondi Junction Westfield Tragedy.

- [Could Councillors please be provided with the balance of the Lord Mayor's Grants and Donations Budget?](#)

Chief of Staff Response:

The balance of this budget as at 1 May 2024 is \$8,000.

Councillor Garrard asked a question in relation to Item 8.4 Congratulations to Parramatta and District Historical Society for the Hambledon Cottage Bicentenary Event.

- Can Council promote and advertise significant events in the primary community language newspapers?

Executive Director City Engagement and Experience Response:

Council currently promotes certain events and campaigns, where appropriate, in languages other than English. Council staff can include the cost of advertising in our signature events (Parramatta Lanes, Lunar New Year, New Years Eve and Australia Day) for in-language advertising and promotion in newspapers and other channels for the 2024/25 program if required. However, research indicates that it is more cost effective, and better reach into the local community can be achieved, by promoting on local social media pages with direct connections to the Parramatta community. The most appropriate languages will be selected for each campaign but generally include Hindi, Simplified Chinese, Mandarin, Korean and Arabic.

Councillor Darley asked a question in relation to Item 13.1 DEFERRED REPORT FROM OCM 8 APRIL 2024: Public Exhibition of Draft Sportsground Allocation Policy 2024.

- There's been two rounds of funding both at a State and Federal level in regard to improving female teams having access to sports fields and amenities, I'm wondering if we have applied for them? One was a Level the Playing Field in NSW for \$31 million and the other is Play our Way which is a Federal program for \$200 million?

Executive Director City Assets and Operations Response:

NSW Office of Sport's Level the Playing Field Program: applications submitted for Doyle Ground Sports Facility Improvements Stage 2 (\$2m) and Belmore Park Sports Field and Cricket Facility Upgrade Stage 1 (\$2m).

Federal Dept of Health and Aged Care – Play Our Way Program: applications were submitted to Facilities Stream – Parks & Open Space (Doyle Ground Sports Facility Improvements Stage 2 (\$1.5m) and Participation & Equipment Stream – Recreation and Facilities Team (The Daughters and Dads Active and Empower Program (\$123,000).

The outcomes of the grant applications are not yet known.

10. PETITIONS

Petition: 'Dundas Valley Needs a Leads-off Dog Park'

(Report of Council Secretariat & Policy Officer)

RESOLVED: Councillor Garrard and Councillor Noack

That Council:

- i. notes the petition requesting Council install a leads-off dog park in the suburb of Dundas Valley; and
- ii. refers the petition to the Executive Director, City Assets and Operations.

Record of Voting:

For the Motion: Unanimous

11. RESCISSION MOTIONS

Nil

12. REPORTS TO COUNCIL - FOR NOTATION

12.1 **Dog Owners Education Campaign - Off Leash Dog Parks**

(Report of Service Manager Ranger and Parking Services)

This matter was considered earlier in the meeting as detailed in these Minutes.

13. REPORTS TO COUNCIL - FOR COUNCIL DECISION

13.1 **Adoption of Regulatory Enforcement Policy and Rescission of Superseded Regulatory Services Policies**

(Report of Policy Officer)

This matter was considered earlier in the meeting as detailed in these Minutes.

13.2 **Adoption of Councillor Workshops Policy 2024**

(Report of Policy Officer)

RESOLVED: Councillor Garrard and Councillor Wearne

- (a) That Council notes that no submissions were received following re-exhibition of the Councillor Workshops Policy.
- (b) That Council adopts the Councillor Workshops Policy, as attached to this report, with the wording within Clause 5.13 to be reflective of the Resolution of 8 August 2022:

Workshop/briefing session presentations be provided to Councillors a minimum of two (2) days prior to the Workshop/briefing session other than in exceptional circumstances that are approved by the LM.

Record of Voting:

For the Motion: Unanimous

13.4 **Public Exhibition: Draft Kleins Road Pedestrian and Cyclist Corridor Study**

(Report of Senior Project Officer Transport Planning)

RESOLVED: Councillor Garrard and Councillor Valjak

- (a) That Council approve the draft Kleins Road Pedestrian and Cyclist Corridor Study at Attachment 1 for public exhibition for a minimum period of 28 days.
- (b) That the outcomes of public exhibition be reported to Parramatta Traffic Committee and Council.

Record of Voting:

For the Motion: Unanimous

Question Taken on Notice (Clr Bradley) relating to Item 13.4: Public Exhibition: Draft Kleins Road Pedestrian and Cyclist Corridor Study;

- The location of the bridge, is there a reason why the bridge could not be designed to be a little further upstream?

13.5 **Preparation of an Integrated Transport Strategy for City of Parramatta**

(Report of Transport Planning Manager)

This matter was considered earlier in the meeting as detailed in these Minutes.

13.6 **Compulsory Acquisition (by Agreement) of Part of Toongabbie East Public School for a Cycleway**

(Report of Asset Planning Manager)

RESOLVED: Councillor Garrard and Councillor Noack

- (a) That Council proceed with the compulsory acquisition of the land described as Lot 121 in DP1305387 for the purpose of road widening in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
- (b) That Council make an application to the Minister and the Governor for approval to acquire Lot 121 in DP1305387 by compulsory process under 177(2)(b) of the Roads Act 1993.
- (c) That Council request the Minister for Local Government and the Minister for Finance, Services and Property to approve a reduction in the notification period from 90 days to 7 days.
- (d) That following gazettal of the compulsory acquisition, Lot 121 in DP1305387 be dedicated as public road.
- (e) That authority be delegated to the Chief Executive Officer to sign all documents in connection with the acquisition and completion of the project.

Record of Voting:

For the Motion: Unanimous

14. NOTICES OF MOTION

14.1 Procurement of Australian Goods (Councillor Ange Humphries)

RESOLVED: Councillor Noack and Councillor MacLean

That, noting the absence of Councillor Humphries, this item be deferred to the next meeting.

Record of Voting:

For the Motion: Unanimous

14.2 Proposed Epping Town Centre Master Plan (Councillor Cameron MacLean)

MOTION: Councillor MacLean and Councillor Darley

- (a) That Council note the draft DPOP 2024/25 identifies a project to review the Epping Town Centre laneways.
- (b) That Council note the Epping Town Centre has undergone significant change since the introduction of new planning controls by the NSW Government in 2014.
- (c) That the CEO develop a high-level scope for the preparation of a master plan for the Epping Town Centre that considers the following:
 - a. laneways, access, and circulation within the precinct, including between Beecroft Road and Rawson Street and consideration of broader connections to public open space and amenity.
 - b. opportunities to address common issues, such as traffic and accessibility and the interplay with built form and public domain interfaces.
 - c. the potential future role of Council's Rawson Street car park site in achieving Council's objectives and requirements for Epping, such as the provision of affordable housing, commercial uses, community facilities and/or public car parking, and how this sits within the broader town centre context.

- (d) That the high-level scope, including cost and timeframe, be provided to Council for its consideration by the end of August 2024.

AMENDMENT: Councillor Wearne and Councillor Garrard

- (a) That Council note the draft DPOP 2024/25 identifies a project to review the Epping Town Centre laneways.
- (b) That Council review the planning controls related to the Epping Town Centre in light of the new planning controls by the NSW Government in 2014.

Record of Voting:

For the Amendment: Councillors Garrard, Siviero, Valjak, Wang and Wearne.

Against the Amendment: Lord Mayor, Councillor Esber, Deputy Lord Mayor Councillor Proxiv, Councillors Bradley, Darley, MacLean, Noack and Pandey

On being PUT to the Meeting, Voting on this Amendment was five (5) votes FOR and seven (7) votes AGAINST. The Amendment was LOST.

RESOLVED: Councillor MacLean and Councillor Darley

- (a) That Council note the draft DPOP 2024/25 identifies a project to review the Epping Town Centre laneways.
- (b) That Council note the Epping Town Centre has undergone significant change since the introduction of new planning controls by the NSW Government in 2014.
- (c) That the CEO develop a high-level scope for the preparation of a master plan for the Epping Town Centre that considers the following:
 - a. laneways, access, and circulation within the precinct, including between Beecroft Road and Rawson Street and consideration of broader connections to public open space and amenity.
 - b. opportunities to address common issues, such as traffic and accessibility and the interplay with built form and public domain interfaces.
 - c. the potential future role of Council's Rawson Street car park site in achieving Council's objectives and requirements for Epping, such as the provision of affordable housing, commercial uses, community facilities and/or public car

parking, and how this sits within the broader town centre context.

- d. That Officers investigate the potential for the Masterplan to inform a review of the existing planning controls with a view to the scope including costs and programming of the planning controls.

- (d) That the high-level scope, including cost and timeframe, be provided to Council for its consideration by the end of August 2024.

Record of Voting:

For the Motion: Lord Mayor, Councillor Esber, Deputy Lord Mayor Councillor Prociv, Councillors Bradley, Darley, MacLean, Noack and Pandey.

Against the Motion: Councillors Garrard, Siviero, Valjak, Wang and Wearne

On being PUT to the meeting Voting on the Motion was seven (7) votes FOR and five (5) vote AGAINST. The Motion was CARRIED.

14.3 Future Strategic Direction for 38-40 Marion Street, Parramatta
(Deputy Lord Mayor, Councillor Patricia Prociv)

RESOLVED: Deputy Lord Mayor, Councillor Prociv and Councillor Noack

- (a) That Council note:
 - i. 38-40 Marion Street, Parramatta is currently owned by the City of Parramatta Council.
 - ii. It is currently an at-grade commuter car park with approximately 120 spaces, generating a gross income of approximately \$76,000 per annum.
 - iii. The site is 5,425 square metres, zoned MU1 Mixed Use. This permits high rise residential development that could potentially be managed by a Community Housing Provider to provide affordable housing units, consistent with Council's Affordable Housing Action Plan. The site is suitable for affordable housing (including for key workers) given it is 160m walk to Harris Park railway station and 900m walk to Parramatta Interchange.
 - iv. If developed, the site could address community infrastructure needs for Catchment 4, as identified in

Council's adopted Community Infrastructure Strategy 2020, as it is an ideal site for a neighbourhood community and cultural hub that would serve the southern end of the Parramatta CBD.

- v. The site's proximity to Harris Park railway station (160m walk) and CBD (900m walk to the transport interchange) also makes it potentially suitable for a multi-level public car park.
- (b) That the preparation of Council's Property Strategy and the future strategic direction proposed for this site at 38-40 Marion Street, Harris Park be informed by, but not limited to the elements noted above and consideration be given to the provision of affordable housing, community and cultural uses, and public car parking on the site.

Record of Voting:

For the Motion: Unanimous

Note: The Lord Mayor, Councillor Esber vacated the Chair at 10.25pm and the Deputy Lord Mayor, Councillor Procriv assumed the role of Chair.

Note: The Lord Mayor, Councillor Esber resumed the role of Chair at 10.33pm.

14.4 **Investigation - Provision of a Multi-purpose Indoor Sport and Recreation Centre in the Parramatta LGA**
(Councillor Sameer Pandey)

RESOLVED: Councillor Pandey and Councillor Noack

- (a) That the CEO investigate the possibility of building a large, multi-purpose indoor sport and recreation centre within the LGA that could cater for a multitude of indoor sports and recreational activities, with the potential to include community meeting / conference spaces.
- (b) That the CEO prepare a report to Council detailing the demand for such a facility, the existing provisions for indoor sporting centres in Council's contributions plans and community strategies, and possible funding sources, operating costs and construction costs for the facility.

Record of Voting:

For the Motion: Unanimous

14.5 **NSW Environment Protection Legislation Amendment (Stronger Regulation and Penalties) Bill 2024**

(Councillor Phil Bradley)

RESOLVED: Councillor Bradley and Councillor MacLean

- (a) That Council note the NSW Environment Protection Legislation Amendment (Stronger Regulation and Penalties) Bill 2024 has passed in the NSW Parliament on 21 March 2024.
- (b) That Council note the new environmental reforms involve: doubling maximum penalties; raising on-the-spot fines; environmental recall powers; public transparency provisions; strengthened investigations; and environmental protection licence application bans.
- (c) That the CEO prepare a report for a July 2024 Council meeting on how Council can best utilise the new provisions with community environmental education and improved enforcement to assist in reducing littering and dumping, and promoting raised public awareness of the increased penalties for offences in a manner which discourages poor environmental practice and rewards good environmental practice.

Record of Voting:

For the Motion: Unanimous

15. QUESTIONS WITH NOTICE

15.1 **Questions taken on Notice at the 22 April 2024 Council Meeting**

(Council Secretariat and Policy Officer)

This matter was considered earlier in the meeting as detailed in these Minutes.

Note: Councillor Garrard left the meeting at 10.45pm.

PROCEDURAL MOTION DEALING WITH ITEMS BY EXCEPTION

RESOLVED: Councillor Noack and Councillor MacLean

That in accordance with Section 13 of Council's Code of Meeting Practice, Council resolve to adopt the following items in accordance with the recommendations as printed, without debate:

- Item 16.1: Tender ITT 25/2023 - Supply, Installation and Maintenance of New Tech/Software for On-Street Parking
- Item 16.2: LATE REPORT: Status Update on MyWorkplace Project (9 Wentworth Street, Parramatta)

Record of Voting:

For the Motion: Unanimous

16.1 Tender ITT 25/2023 - Supply, Installation and Maintenance of New Tech/Software for On-Street Parking (Report of Project Officer)

RESOLVED: Councillor Noack and Councillor MacLean

- (a) That Council reject tender submissions for ITT 25/2023 as they exceed the project budget and do not meet the total cost of the project budget estimate of \$2,997,750 (GST excluded) and did not demonstrate a fit for purpose solution in response to the tender;
- (b) That Council does not invite fresh tenders for the tender referred to in (a) above because it is considered that re-tendering will not attract additional suitably qualified service providers over and above those who have submitted to this tender;
- (c) That Council enter into direct negotiations with tenderers who submitted a conforming bid, with a view to potentially entering into multiple contracts based on the tenderers' areas of expertise across the five requirements for this tender set out below:
 1. On-street Ticket Machine Upgrade to Pay by Plate
 2. Enforcement Platform Upgrade (By Plate)
 3. ePermit System for Customer Service (By Plate)
 4. Fixed CCTV Monitoring/ Roaming Mobile Licence Plate Recognition (MLPR) Vehicle and/or Inground Sensors (PODS)
 5. Pay by Phone Upgrade and Connected Vehicle Roadmap (Optional)
- (d) That Council delegate authority to the Chief Executive Officer to conduct negotiations referred to in (c) above and enter into

relevant contracts where the proposed prices comply with the project budget and suitability to perform the work is demonstrated; and

- (e) That Council be informed of the outcomes of the negotiations and the execution of any contracts resulting from a successful negotiation process referred to in (c) and (d) above.

Record of Voting:

For the Motion: Unanimous

16.2 **LATE REPORT: Status Update on MyWorkplace Project (9 Wentworth Street, Parramatta)**
(Report Of Chief Financial Officer)

RESOLVED: Councillor Noack and Councillor MacLean

That the report be received and noted.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Garrard returned to the meeting at 10.46pm.

17. CONCLUSION OF MEETING

The meeting concluded at 10.46pm.

This page and the preceding 23 pages are the Minutes of the Ordinary Council Meeting held on Monday, 13 May 2024 and confirmed on Monday, 27 May 2024.

Chairperson

REPORTS TO COUNCIL - FOR NOTATION

27 MAY 2024

12.1	Investment Report for April 2024	34
12.2	Referral of Inspection Reports by Fire and Rescue NSW.....	89
12.3	Library Opening Times - Customer Feedback.....	97
12.4	Minutes of the Traffic Engineering Advisory Group - 24 April 2024	100

REPORTS TO COUNCIL - FOR NOTATION

ITEM NUMBER	12.1
SUBJECT	Investment Report for April 2024
REFERENCE	F2024/00282 - D09386901
REPORT OF	Tax and Treasury Accountant
CSP THEME:	Fair

WORKSHOP/BRIEFING DATE: Nil

PURPOSE:

The purpose of this report is to inform Council of the investment portfolio performance and compliance for the month of April 2024.

RECOMMENDATION

That Council receive and note the Investment Report for April 2024.

BACKGROUND

1. In accordance with clause 212 of the *Local Government (General) Regulation 2021 (the Regulation)*, a report setting out details of all money invested must be presented to Council monthly.
2. The report must include a certificate as to whether the investments have been made in accordance with the *Local Government Act 1993 (the Act)*, the *Local Government (General) Regulation 2021* and Council's Investment Policy.

ISSUES/OPTIONS/CONSEQUENCES

Investment Portfolio Summary

3. The investment portfolio closing balance as of 30 April 2024 was \$583.2m. The average portfolio holdings held throughout the month was \$534.9m.
4. The majority of Council's investment portfolio is in term deposits (62%). The portfolio also includes liquid floating rate notes (FRNs), cash, and the TCorp Long Term Growth Fund (LTGF).
5. Approximately 8.3% of the portfolio comprises of less conservative long-term investments with exposure to credit markets and domestic and international shares. The investment portfolio is well diversified and weighted towards higher-rated institutions.
6. The table below lists the diversified range of investments held by Council as at 30 April 2024.

Table 1: Summary of investment portfolio

Investment Product	000's	% Held	Monthly Return	Annualised Return
Term Deposits	361,050	0.62	0.35	4.38
Floating Rate Notes	74,504	0.13	0.45	5.66
Bonds	42,175	0.07	0.13	1.62
Cash at Call	56,805	0.10	0.37	4.60
31 Day Notice Funds	172	0.00	0.40	4.80
CFS Global Managed Funds (CFS)	15,708	0.03	0.43	5.33
TCorp Long Term Growth Fund (LTGF)	32,738	0.06	-2.67	-28.08
Total Investment Funds	583,152	1.00	0.22	2.69
*COPC Internal Benchmark			0.48	2.12
Ausbond Bank Bill Index Benchmark			0.35	4.37
(Underperformance) / Outperformance > Ausbond BBI				-1.68

***COPC Internal Benchmark returns** - based on Council's individual benchmarks across the various asset classes it invests within its own portfolio. The following individual benchmarks are the measurements, used for each asset class.

Cash: RBA Cash Rate

Term Deposits: based on Council's weighted average duration using multiple ADIs average monthly rate

FRNs: AusBond Credit FRN Index

CFS Global Credit Income Fund: AusBond Credit Index

NSW TCorpIM Long-Term Growth Fund: NSW TCorpIM Internal Benchmark

Investment performance for the month. The investment portfolio reported a monthly actual return of 0.22% for April 2024 (or 2.69% on an annualised basis), underperforming the monthly Ausbond bank bill index by 168 basis points annualised. The TCorp Fund actual negative return of **-2.67%** was the main detractor to performance, as both domestic shares (S&P ASX 200 Accumulation Index -2.94%) and international shares (MSCI World ex-Australia -3.85%) finally gave up some of their recent gains this month. Bonds also fell, contributing to losses yields rose (AusBond Composite Bond Index fell -1.98%).

7. **Historical investment performance.** The table below provides year-to-date and historical investment performance compared to the Ausbond Bank Bill Index.

Table 2: Historical investment portfolio performance

Past and Present Performance	FYTD	1 Year	2 Year	3 Year
Total Portfolio	4.65	4.50	3.45	2.58
Ausbond Bank Bill Index Benchmark	4.35	4.24	3.30	2.19
Outperformance	0.30	0.26	0.15	0.39

8. **Investment Revenue:** As at the end of April 2024, the cumulative actual interest/income earned, was approximately **-\$93k below** the annual budget. This

minor underperformance to YTD budget is due to negative returns on the long-term growth fund in April.

This fund has exposure to both domestic and international equities, as such, going forward for 2023-24 Advisors exercise caution and expect continued volatility. This fund has a long duration view of 7-10 years and cannot be accurately measured for performance in the short term.

Table 3: Cumulative Interest table

Month-End	Cumulative Budget	Cumulative Investment Revenue	Difference (\$)
Jul 2023	\$1,766,667	\$2,157,596	\$390,929
Aug 2023	\$3,533,333	\$3,384,092	-\$149,241
Sep 2023	\$5,300,000	\$4,137,027	-\$1,162,973
Oct 2023	\$7,066,667	\$4,976,807	-\$2,089,860
Nov 2023	\$8,833,333	\$7,682,940	-\$1,150,393
Dec 2023	\$10,600,000	\$10,367,665	-\$232,335
Jan 2024	\$12,366,667	\$12,629,655	\$262,988
Feb 2024	\$14,133,333	\$14,971,968	\$838,635
Mar 2024	\$16,274,999	\$17,419,131	\$1,144,132
Apr 2024	\$18,416,665	\$18,323,716	-\$92,949
May 2024	\$20,558,331		
Jun 2024	\$22,700,000		

Note: Council values all managed funds, Floating rate notes, and bonds on a mark to market basis each month. Any gain or loss in valuation is capitalised to interest income based on actual monthly statements.

Table 4: Managed Fund Valuations Capitalised

Managed Funds Long-Term Investments	Asset Valuation Mar-24	Asset Valuation Apr-24	Value Capitalised Net Return	Monthly Interest Return Actual
TCorp Long Term Growth Fund	\$33,637,135	\$32,738,043	-\$899,092	-2.67%
CFS Global Managed Fund	\$15,641,556	\$15,708,452	\$66,896	0.43%
Total:	\$49,278,691	\$48,446,495	-\$832,196	-1.66%

9. During April, unrealised capital valuations on Managed funds fell by approximately **-\$832k**. This decrease in capital valuation, has been capitalised and is included in the cumulative investment revenue shown in table 3.
10. **The CFS Global Credit fund** accounts for around 2.69% of Council's total investment portfolio. The Fund returned +0.43% (actual) in April, as market valuations in global credit securities increased. With a running yield of 5.25% p.a., advisors recommend Council retains this "grandfathered" Fund given the alternative to invest in cash and deposits are yielding slightly lower.
11. **Maturities and Transactions:** Overall, the portfolio remains well diversified from a maturity perspective, with around 22% of assets directed to medium term (2-5 years).
12. Where liquidity permits, Council advisors recommend new surplus funds be directed towards 1–5-year horizons given this is where the most attractive value can be found.

13. During late April, Council received proceeds from Horwood Place settlement of approximately \$101m. Finance was able to negotiate some market leading term deposit investment rates.

These funds have been investment over various maturity durations ranging from 6 month to 5 years and have an overall weighted average yield of 5.29%.

14. The following Investment transactions occurred during April 2024:

Table 5: Investment Maturities

Type	Issuer	Rating	Principal (\$)	Purchase Date	Maturity Date	Coupon (%)
TD	Auswide Bank	BBB	4,000,000.00	09-Aug-23	04-Apr-24	5.47
FRTD	Westpac	AA-	12,000,000.00	05-Apr-19	05-Apr-24	5.3617
FRTD	Westpac	AA-	3,000,000.00	08-Apr-19	08-Apr-24	5.3629
TD	Australian Military Bank	BBB+	5,000,000.00	13-Apr-21	17-Apr-24	0.76
TD	NAB	AA-	5,000,000.00	13-Apr-21	18-Apr-24	0.77
TD	AMP Bank	BBB	2,000,000.00	20-Apr-23	22-Apr-24	5
TD	Hume Bank	BBB+	4,500,000.00	28-Apr-23	29-Apr-24	4.8
			35,500,000.00			

Table 6: New Investment Purchases

Type	Issuer	Rating	Principal (\$)	Purchase Date	Maturity Date	Coupon (%)	Green Investment
FRN	BOQ	A-	8,260,007.25	30-Apr-24	30-Apr-29	5.69	Yes
Bond	BOQ	A-	7,917,008.00	30-Apr-24	30-Apr-29	5.30	Yes
TD	Rabobank Australia Limited	A	4,500,000.00	29-Apr-24	30-Apr-29	5.39	No
TD	ICBC Sydney Branch	A	4,000,000.00	24-Apr-24	19-Dec-24	5.22	Yes
TD	JUDO BANK	BBB	5,000,000.00	22-Apr-24	24-Oct-24	5.21	Yes
TD	JUDO BANK	BBB	5,000,000.00	22-Apr-24	31-Oct-24	5.21	Yes
TD	ICBC Sydney Branch	A	5,000,000.00	22-Apr-24	23-Jan-25	5.30	Yes
TD	ICBC Sydney Branch	A	5,000,000.00	22-Apr-24	30-Jan-25	5.30	Yes
TD	Arab Bank Australia	Unrated	5,000,000.00	22-Apr-24	24-Apr-25	5.25	Yes
TD	ICBC Sydney Branch	A	5,000,000.00	22-Apr-24	24-Apr-25	5.25	Yes
TD	Rabobank Australia Limited	A	10,000,000.00	22-Apr-24	23-Apr-26	5.10	No
TD	Rabobank Australia Limited	A	10,000,000.00	22-Apr-24	22-Apr-27	5.08	No
TD	Rabobank Australia Limited	A	10,000,000.00	22-Apr-24	27-Apr-28	5.13	No
TD	Rabobank Australia Limited	A	5,000,000.00	22-Apr-24	26-Apr-29	5.20	No
TD	Rabobank Australia Limited	A	5,000,000.00	19-Apr-24	19-Apr-29	5.16	No
TD	P&N Bank	BBB+	2,000,000.00	16-Apr-24	16-Apr-29	5.14	Yes
TD	Move Bank	Unrated	1,000,000.00	12-Apr-24	17-Apr-25	5.20	Yes
TD	Auswide Bank	BBB	3,000,000.00	10-Apr-24	20-Mar-25	5.13	Yes
TD	Auswide Bank	BBB	3,000,000.00	10-Apr-24	03-Apr-25	5.13	Yes
TD	Auswide Bank	BBB	3,000,000.00	10-Apr-24	10-Apr-25	5.13	Yes
			106,677,015.25				

Note: Approximately \$15m for the Horwood Place settlement is yet to be invested as we await Floating Rate Note/Bonds and Managed Fund opportunities. These funds currently earn 4.60% in cash at call and are expected to be reinvested in early May.

15. During the month Council invested \$107m, of which 59% are categorised as green and do not fund fossil fuels.

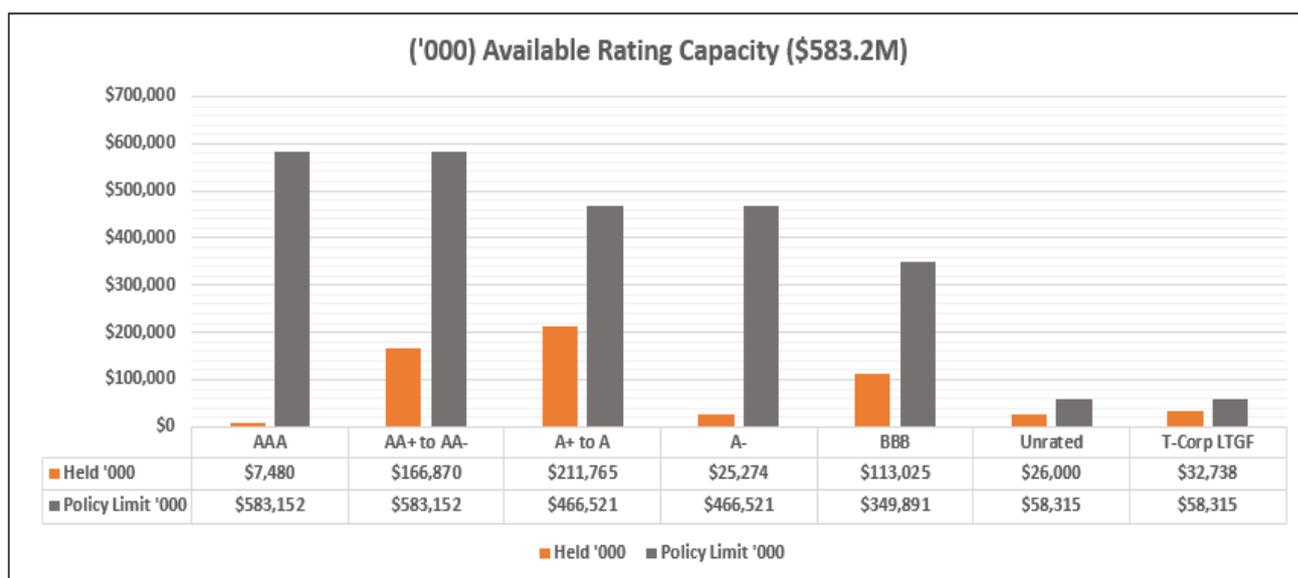
16. Portfolio Maturity Duration

Table 7: Maturity profile

Compliant	Horizon	Invested (\$)	Invested (%)	Min. Limit (%)	Max. Limit (%)	Available (\$)
✓	0 - 365 days	\$337,282,278	57.92%	20%	100%	\$245,058,291
✓	1 – 2 years	\$64,275,308	11.04%	0%	70%	\$343,363,091
✓	2 – 5 years	\$127,367,926	21.87%	0%	60%	\$222,036,416
✓	5 – 10 years	\$53,415,058	9.17%	0%	15%	\$33,936,027
		\$582,340,569	100.00%			

17. The portfolio complies with Council’s Investment Policy limits, with ample investment opportunity still available within all institutional rating, duration, and counterparty limits.

Graph 1: Investment Policy rating capacity.



*BBB-/BBB+ limits combined under Council’s investment policy.

18. **Counterparty Limits.** All individual counterparty limits comply with council’s investment policy, with the following exceptions:

Table 8: Exceptions to counterparty limits

Institution	Policy Limit (\$'000)	Held (\$'000)	Overweight (\$'000)	Reason	Compliance Date
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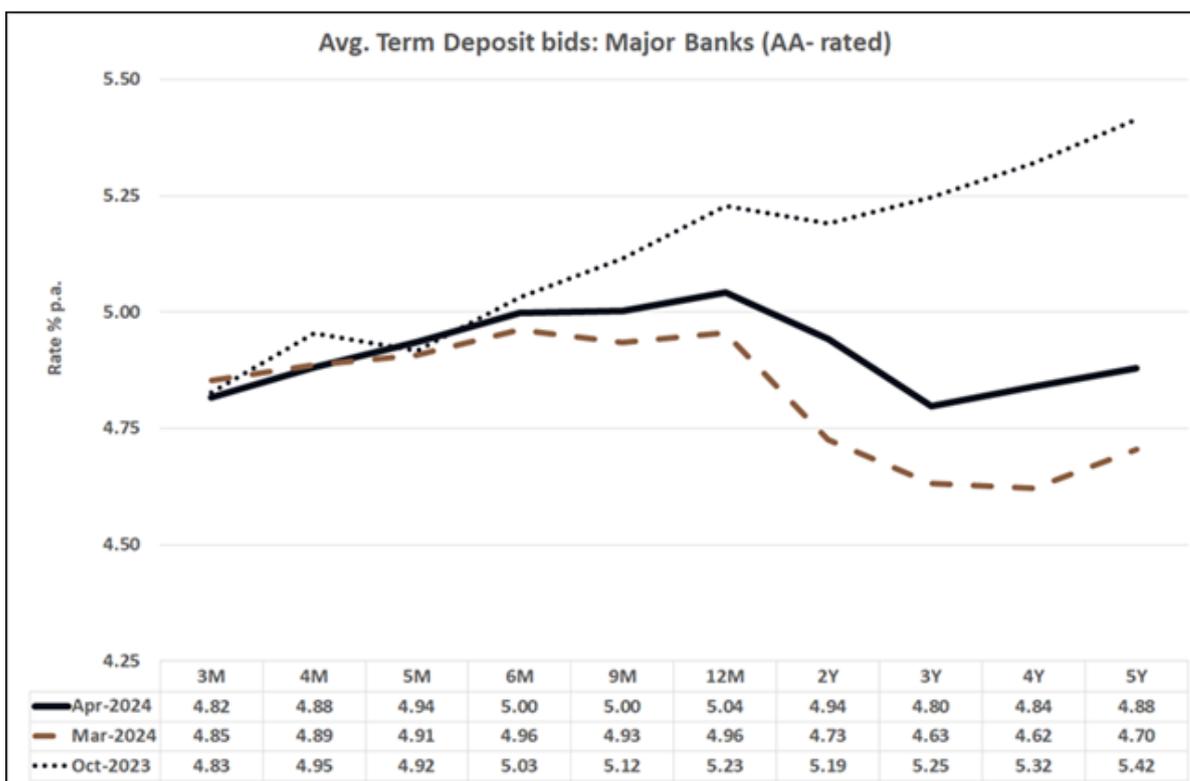
No Exceptions

19. As at the end of April 2024, Council did not have an overweight position to any single ADI. Overall, the portfolio is well diversified across the entire credit spectrum, including some exposure to unrated ADIs.

- 20. A full list of counterparty holdings is available on page 9 of the Arlo Advisory comprehensive report (attachment 2).
- 21. **Current Yields** Councils Floating Rate Notes are currently yielding around 5.66% FYTD with unrealised capital gains of approximately \$464k based on current market valuations.
- 22. **The CFS Global Credit Fund** holds a diverse range of securities across the global credit market. It remains very well diversified by issuer to mitigate default risk. It invests in nearly 600 corporate bonds from issuers in various countries and industry sectors. Any spread contraction going forward allows credit and asset-backed holdings to enjoy significant capital gains. With a running yield of around +5.25% per annum, Council will continue to hold this fund.
- 23. **Council’s term deposit portfolio** (62% of the portfolio) was yielding 4.46% p.a. at month-end, with a weighted average duration of around 392 days or 13 months.

Over April, there was a flattening of the deposit curve at the longer-end, reflective of the movement in global bond yields. Markets have pushed back expectations of the first rate cut to at least late 2024, if not early 2025. On average, major bank deposit rates were around 15-20bp higher at the long-end (2-5 year) part of the curve (compared to March) in response market movements.

Graph 2: Term Deposit Yields



Source: Imperium Markets

- 24. Council engages Arlo Advisory for assistance in all investment matters relating to advice, risk, and portfolio weighting. Arlo monitor the portfolio daily and conduct a monthly health check review. This confirms that Council’s portfolio is

being conducted in accordance with the Act, the Regulation, and the Investment Policy.

25. Detailed investment performance commentary in relation to each investment product /type and counterparty, can be found in the Arlo Advisory comprehensive report attached (**Attachment 2**).

Certification of Investments

26. I hereby certify the investments for the month of April 2024 have been made in compliance with the Act, the Regulations, Council's Investment Policy, and the adviser's recommendations.

John Angilley, Executive Director, Finance & Information

CONSULTATION & TIMING

Stakeholder Consultation

27. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
30 Apr 2024	Arlo Advisory	All Investments are within Policy guidelines and supported by Councils independent advisor. Refer Arlo Comprehensive Report	All Investments are within Policy limits and reconcile to the General Ledger as at 30 Apr 2024	John Angilley Executive Director, Finance & Information Bruce MacFarlane Treasury & Tax Accountant

Councillor Consultation

28. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
N/A	N/A	N/A	N/A	N/A

LEGAL IMPLICATIONS FOR COUNCIL

29. There are no legal implications resulting from this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

30. As of 30 April 2024, cumulative interest income was slightly below the year-to-date budget by approximately **-\$93k**.

Overall actual interest is tracking in line with budget forecasts despite some monthly volatility.

Bruce MacFarlane
Treasury Tax & Accounts Payable Manager

John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

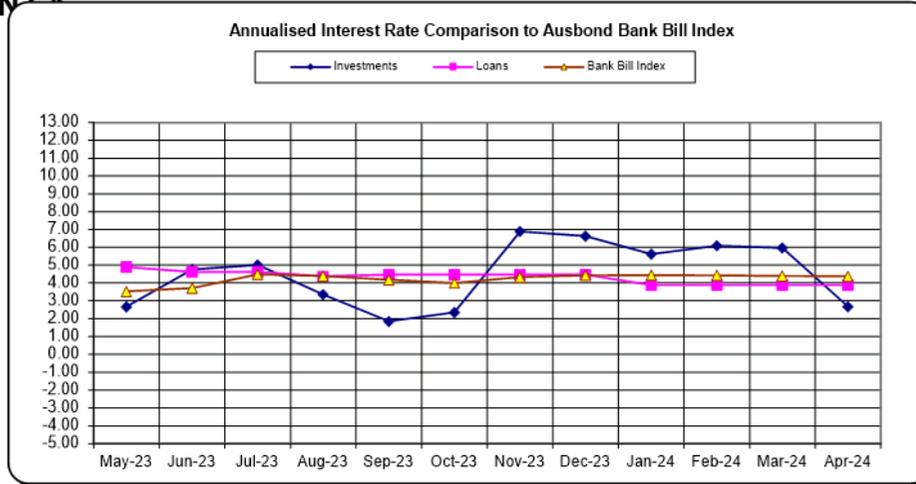
ATTACHMENTS:

- | | | |
|--|--|----------|
| 1  | Investment and Loans Performance Graph April 2024.pdf | 1 Page |
|  | | |
| 2  | Arlo Advisory Comprehensive Investment Report -April 2024 .pdf | 37 Pages |
|  | | |
| 3  | List of Council Investments by maturity April 2024.pdf | 9 Pages |
|  | | |

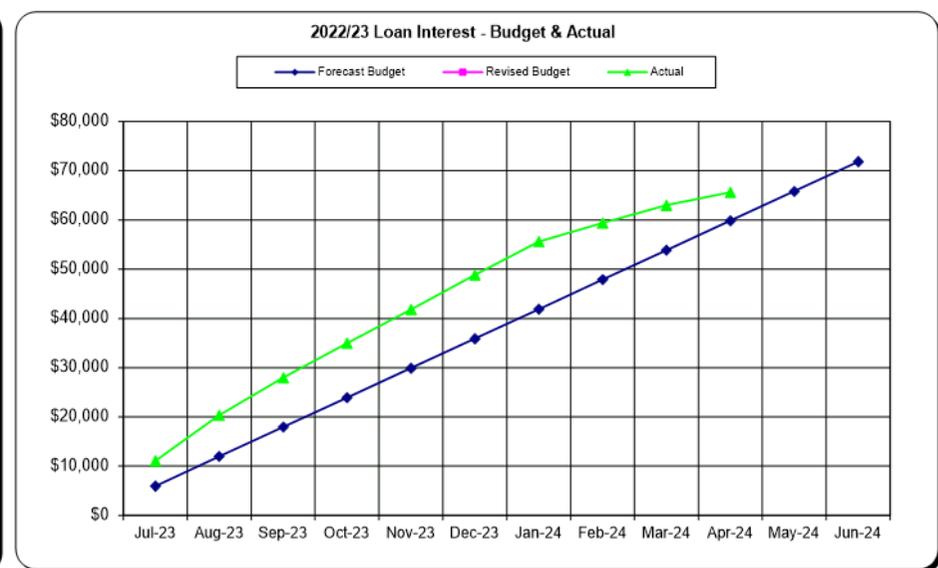
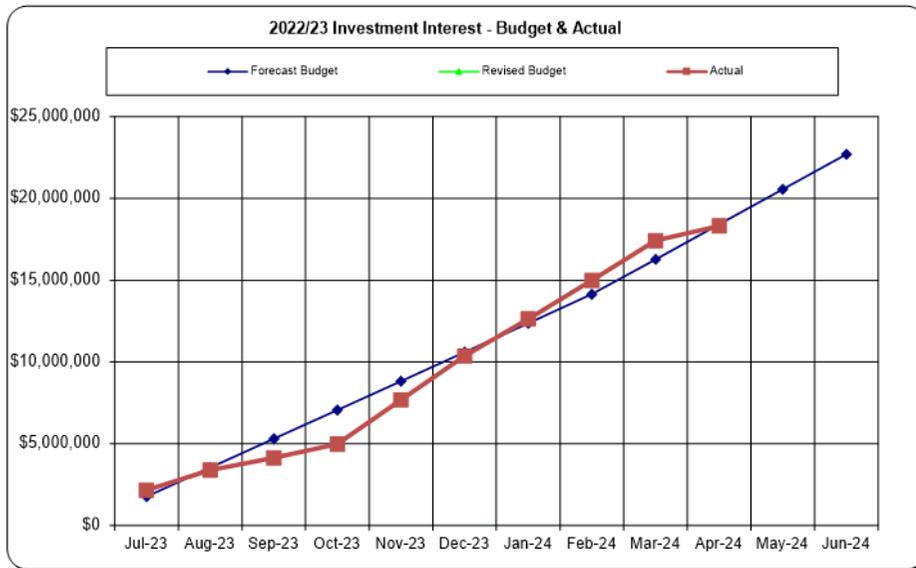
REFERENCE MATERIAL

ATTACHMENT 1

CL..... Governance & Corporate



Investments and Loans Interest - Year to Date Budget Performance





Monthly Investment Review



**CITY OF
PARRAMATTA**

April 2024

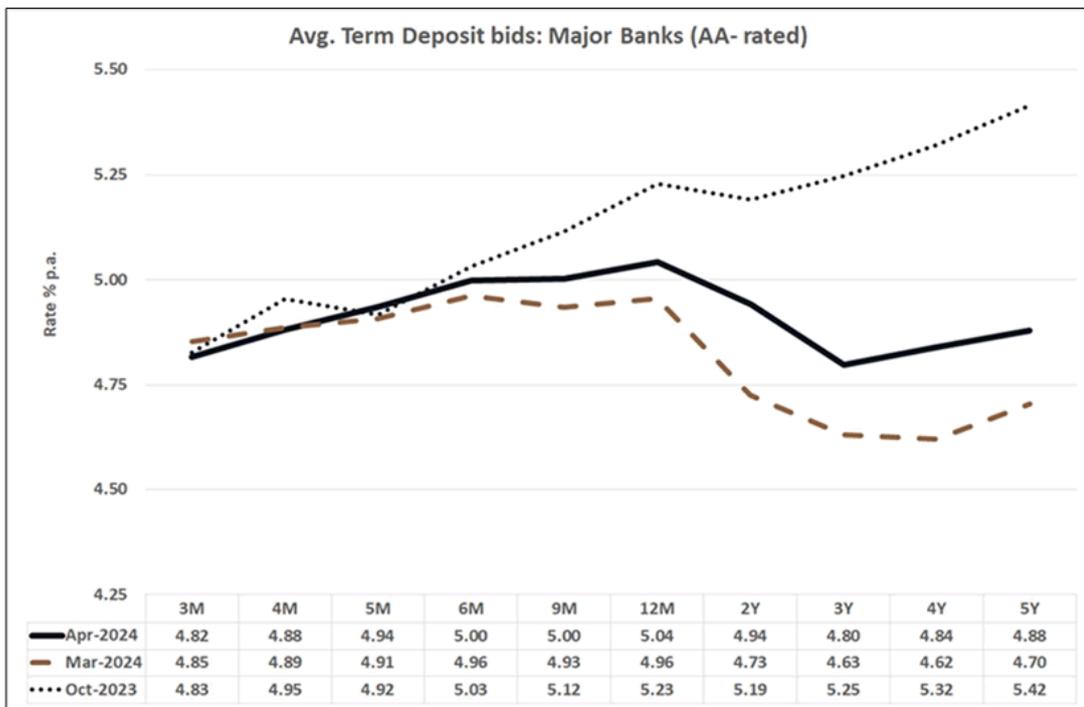
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Market Update Summary

In April, risk assets finally parred back some of their strong gains in recent months. Inflation readings in the US have been higher than anticipated, pushing back the US Fed’s expectations of when interest rates would fall. Bonds were subsequently sold off, with longer-term yields rising significantly.

Over April, there was a flattening of the deposit curve at the longer-end, reflective of the movement in global bond yields. Markets have seemingly pushed back expectations of the first rate cut to at least late 2024, if not early 2025. On average, major bank deposit rates were around 15-20bp higher at the long-end (2-5 year) part of the curve (compared to March) in response market movements.



Source: Imperium Markets

With a global economic downturn and interest rate cuts being priced over the next 12 months, investors should consider diversifying and taking an ‘insurance policy’ against a potentially lower rate environment by investing across 2-5 year fixed deposits, targeting rates above 5% p.a. (small allocation only).



City of Parramatta Council's Portfolio Summary

Term Deposits

Term Deposits (fixed and floating) account for around 62% of the total investment portfolio at month-end. Council's term deposit portfolio was yielding 4.46% p.a. at month-end, with a weighted average duration of around 392 days or ~13 months. Where liquidity permits, we recommend maintaining this duration in the long-run.

Senior FRNs

Council's senior floating rate notes (FRNs) make up around 13% of the total investment portfolio at month-end. The market valuation of Council's FRNs rose around **+0.14% (actual)** in April (or **+\$106,132 in dollar terms**). A total of \$8.25m of new investments were placed with BoQ (A-) during the month.

Summary	March 2024	April 2024	Net Flow (\$)	Monthly Change %
Face Value	\$65,300,000	\$73,550,000	\$8,250,000	+12.74%
Market Value	\$65,588,822	\$73,944,954	\$106,132	+0.14%

We highlight that Council's FRNs are senior ranked assets and high in the bank capital structure. We expect that, if held to maturity, the FRNs will pay back its original face value (\$100.00), along with its quarterly coupons throughout the life of the security. That is, we do not expect Council to lose any capital or interest payments from its current holding in its senior FRNs given all banks continue to maintain high capital buffers as required by APRA.

At month-end, Council's FRNs are now marked at an **unrealised capital gain of +\$395,058** (noting some were purchased at a slight discount to par in the secondary market).

BBB rated senior FRNs

As per all FRNs, we have no issues with Council's investments in "BBB" rated senior FRNs given all counterparties continue to hold robust balance sheets with high levels of capital. On a mark-to-market basis, collectively they rose around **\$11,491 in dollar terms or +0.09% (actual)** for the month.

Summary	March 2024	April 2024	Net Flow (\$)	Monthly Change %
Face Value	\$12,300,000	\$12,300,000	\$0	+0.00%
Market Value	\$12,357,025	\$12,368,516	\$11,491	+0.09%

At month-end, Council's "BBB" rated FRNs are now marked at an **unrealised capital gain of ~\$68,620**.



Senior Bonds

Since September 2020, Council has an outstanding \$27m placed in Northern Territory Treasury Corporation (NTTC) fixed bonds rated AA- (same as the domestic major banks), locking in yields between 0.90%-1.40% p.a. The weighted average yield on these investments was 1.09% p.a., with a current weighted average duration of 1.53 years.

We believe these investments were sensible at the time of investment given the unprecedented low rate environment and the RBA's forward guidance at the time of investment (no rate rises "until at least 2024"). We reiterate that the NTTC bonds are a 'retail' offering and not 'wholesale' issuances. Given the lack of liquidity and high penalty costs if they were to be sold/redeemed prior to the maturity date, they are considered to be a hold-to-maturity investment and will be marked at par value (\$100.00) throughout the term of investment.

During August 2021, Council purchased \$600k in the ING (AAA) covered fixed bond at a yield of 1.16% p.a. This is likely to be held for the entire term given the rate hike cycle over the past two years. Given it is now trading at a significant discount to par, we recommend buying additional units if available, to average-in at a more attractive yield. Separately, recently, Council purchased fixed bonds with BoQ (BBB+) and Judo (BBB-) Bank at discounted values – these are likely to result in capital gains as they mature and were originally purchased at above +5% and +6% yields respectively.

TCorp Long-Term Growth Fund

The NSW TCorp Fund accounts for ~6% of Council's total investment portfolio. **The Fund returned -2.67% (actual) during April.** Domestic and international shares ended their 5 month rally this month, finally giving back some of their gains.

Summary	Mar 2024	Apr 2024	Investment (\$)	Net Return (\$)	Net Return (%)
Market Value	\$33,637,135	\$32,738,043	\$0	-\$899,092	-2.67%

US Federal Reserve Chair Jerome Powell backed away from providing any further guidance on when interest rates may be cut, saying instead that monetary policy needs to be restrictive for longer, further dashing investors' hopes for meaningful reductions in borrowing costs this year. This resulted in the pull-back across equities this month.

The Fund should be looked at with a long-term view, with a minimum holding period of +7 years. Given the exposure to the volatile asset of shares, Council should expect to see, on average, a negative month once every 3 months over a long-term holding period.



CFS Global Credit Income

The CFS Global Credit Income Fund accounts for around 3% of Council's total investment portfolio. **The Fund returned +0.43% (actual) in April**, as the market valuation of the fund's assets in global credit securities increased during the month.

Summary	Mar 2024	Apr 2024	Difference (\$)	Difference (%)
Market Value	\$15,641,556	\$15,708,452	+\$66,896	+0.43%

The Fund holds a diverse range of securities across the global credit market. It remains very well diversified by issuer in order to mitigate default risk. It invests in nearly 600 corporate bonds from issuers in various countries and industry sectors. Any spread contraction going forward allows credit and asset-backed holdings to enjoy significant capital gains.

With a running yield of around +5¼% p.a., we recommend Council retains this "grandfathered" Fund given the alternative to invest in cash and deposits (Council's approval list) are yielding lower.

Cash Accounts

Cash accounts make up around 10% of Council's investment portfolio at month-end. Council's cash accounts are likely to yield up to 0.15% p.a. (at most) above the official cash rate over coming years i.e. yield up to 4.50% p.a. at current yields. Short-dated term deposits will continue to outperform overnight cash accounts in most cases so we recommend keeping cash levels at a bare minimum to meet ongoing liquidity requirements.



Council's Budgeted Income for FY2023-2024

Council's budgeted income for FY2023-2024 has been revised to \$22.7m. Based on an average total investment portfolio size of around \$480m, that equates to a budgeted yield of around 4.73% for the current financial year.

For the financial year to date, the cumulative interest revenue earned was roughly \$93k below the revised budgeted income. In the upcoming financial year, we exercise caution given the volatility from the TCorp Long-Term Growth Fund during any month (fluctuations can be up or down \$1m on any month). In fact, the TCorp fell by around \$900k alone in April.

Month-End	Cumulative Budget	Cumulative Investment Revenue	Difference (\$)
Jul 2023	\$1,766,667	\$2,157,596	\$390,929
Aug 2023	\$3,533,333	\$3,384,092	-\$149,241
Sep 2023	\$5,300,000	\$4,137,027	-\$1,162,973
Oct 2023	\$7,066,667	\$4,976,807	-\$2,089,860
Nov 2023	\$8,833,333	\$7,682,940	-\$1,150,393
Dec 2023	\$10,600,000	\$10,367,665	-\$232,335
Jan 2024	\$12,366,667	\$12,629,655	\$262,988
Feb 2024	\$14,133,333	\$14,971,968	\$838,635
Mar 2024	\$16,274,999	\$17,419,131	\$1,144,132
Apr 2024	\$18,416,665	\$18,323,716	-\$92,949
May 2024	\$20,558,331		
Jun 2024	\$22,700,000		

We remain cautious given that risks remain to the downside, particularly if there is another selloff in equities and/or bonds as the market factors in a global economic downturn.



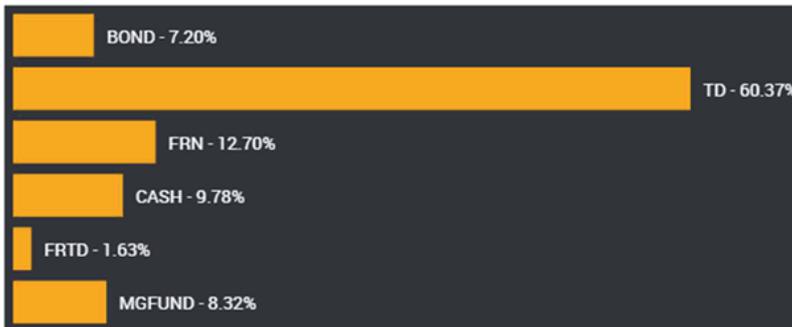
Council’s Portfolio & Compliance

Asset Allocation

As at the end of April 2024, the portfolio was mainly directed to fixed and floating rate term deposits (62%). The remaining portfolio is directed to FRNs (13%), overnight cash accounts (10%), bonds (7%), and the managed funds with CFS Global Credit Income Fund and NSW T-Corp Long Term Growth Fund (8%, combined).

Senior FRNs remain relatively attractive as spreads have generally widened over the past 2 years. New issuances may be considered again on a case by case scenario. In the interim, staggering a mix of fixed deposits between 9–12 months to 3 years remains a more optimal strategy to maximise returns over a longer-term cycle.

With interest rate cuts and a global economic downturn being priced in coming years, investors can choose to allocate a small proportion of longer-term funds and undertake an insurance policy against any potential future rate cuts by investing across 2–5 year fixed deposits, locking in and targeting yields close to or above 5% p.a.





Term to Maturity

Overall, the portfolio remains well diversified from a maturity perspective with around 22% of assets directed to medium-term assets (2-5 years). All minimum and maximum criteria meet within the Policy guidelines:



Where liquidity permits, we recommend new surplus funds be directed to 1-5 year horizons given this is where the most attractive value can be found. We suggest this be allocated to any remaining attractive fixed term deposits or newly issued FRNs (refer to respective sections below).

Compliant	Horizon	Invested (\$)	Invested (%)	Min. Limit (%)	Max. Limit (%)	Available (\$)
✓	0 - 365 days	\$337,282,278	57.92%	20%	100%	\$245,058,291
✓	1 – 2 years	\$64,275,308	11.04%	0%	70%	\$343,363,091
✓	2 – 5 years	\$127,367,926	21.87%	0%	60%	\$222,036,416
✓	5 – 10 years	\$53,415,058	9.17%	0%	15%	\$33,936,027
		\$582,340,569	100.00%			



Counterparty

As at the end of April 2024, Council did not have an overweight position to any single ADI. Overall, the portfolio is well diversified across the entire credit spectrum, including some exposure to the unrated ADIs.

Compliant	Issuer	Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	BoQ Covered	AAA	\$904,400	0.16%	50.00%	\$290,265,885
✓	Bendigo Covered	AAA	\$5,222,888	0.90%	50.00%	\$285,947,397
✓	Suncorp Covered	AAA	\$548,380	0.09%	50.00%	\$290,621,905
✓	ING Covered	AAA	\$804,294	0.14%	50.00%	\$290,365,990
✓	ANZ	AA-	\$12,602,232	2.16%	40.00%	\$220,333,996
✓	CBA	AA-	\$32,403,323	5.56%	40.00%	\$200,532,905
✓	NAB	AA-	\$81,553,535	14.00%	40.00%	\$151,382,693
✓	Northern Territory	AA-	\$30,000,000	5.15%	40.00%	\$202,936,228
✓	Westpac	AA-	\$9,500,000	1.63%	40.00%	\$223,436,228
✓	Citibank NA	A+	\$1,001,668	0.17%	25.00%	\$144,583,474
✓	Macquarie	A+	\$2,437,594	0.42%	25.00%	\$143,147,548
✓	Suncorp	A+	\$20,268,665	3.48%	25.00%	\$125,316,478
✓	UBS AG	A+	\$5,792,728	0.99%	25.00%	\$139,792,414
✓	CFS Global CI	A	\$15,708,452	2.70%	25.00%	\$129,876,690
✓	ICBC	A	\$97,053,372	16.67%	25.00%	\$48,531,770
✓	ING Bank Aus.	A	\$25,002,817	4.29%	25.00%	\$120,582,325
✓	Rabo. Aus.	A	\$44,500,000	7.64%	25.00%	\$101,085,142
✓	BoQ	A-	\$22,151,136	3.80%	25.00%	\$123,434,007
✓	Bendigo-Adelaide	A-	\$3,122,199	0.54%	25.00%	\$142,462,944
✓	AMP Bank	BBB+	\$8,672,068	1.49%	15.00%	\$78,679,018
✓	Aus. Unity Bank	BBB+	\$4,000,000	0.69%	15.00%	\$83,351,085
✓	Bank Australia	BBB+	\$4,220,292	0.72%	15.00%	\$83,130,793
✓	BankVIC	BBB+	\$5,000,000	0.86%	15.00%	\$82,351,085
✓	Bank of Us	BBB+	\$21,000,000	3.61%	15.00%	\$66,351,085
✓	Great Southern	BBB+	\$2,508,097	0.43%	15.00%	\$84,842,988
✓	Heritage	BBB+	\$2,112,390	0.36%	15.00%	\$85,238,695
✓	Newcastle	BBB+	\$1,518,287	0.26%	15.00%	\$85,832,799
✓	P&N Bank	BBB+	\$13,500,000	2.32%	15.00%	\$73,851,085
✓	Police Bank	BBB+	\$4,000,000	0.69%	15.00%	\$83,351,085
✓	QT Mutual Bank	BBB+	\$1,000,702	0.17%	15.00%	\$86,350,383
✓	Auswide Bank	BBB	\$15,000,000	2.58%	15.00%	\$72,351,085
✓	Judo Bank	BBB	\$16,484,260	2.83%	15.00%	\$70,866,825
✓	MyState	BBB	\$3,000,000	0.52%	15.00%	\$84,351,085
✓	QBank	BBB	\$5,008,748	0.86%	15.00%	\$82,342,337
✓	The Mutual	BBB	\$6,000,000	1.03%	15.00%	\$81,351,085



Compliant	Issuer	Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	Arab Bank Aus.	Unrated	\$5,000,000	0.86%	0.86%	\$0
✓	Bank of Sydney	Unrated	\$5,000,000	0.86%	0.86%	\$0
✓	Move Bank	Unrated	\$5,000,000	0.86%	0.86%	\$0
✓	Police CU	Unrated	\$4,000,000	0.69%	0.86%	\$1,000,000
✓	Summerland Bank	Unrated	\$2,000,000	0.34%	0.86%	\$3,000,000
✓	Unity Bank	Unrated	\$5,000,000	0.86%	0.86%	\$0
✓	TCorpIM LTG	Unrated	\$32,738,043	5.62%	10.00%	\$25,496,014
			\$582,340,569	100.00%		

In early April 2024, BoQ and Bendigo-Adelaide were upgraded by S&P from BBB+ to A-. Separately, several other regional banks were upgraded from BBB to BBB+, as well as BBB- to BBB. This has resulted in increased capacity to invest in some of these individual institutions from a counterparty perspective, as well as the aggregate "BBB" rated category (see Credit Quality section).



Domestic versus International

Noting Council's (internationally) demographic ratepayer base, we summarise where its investments are currently placed:

ADI Category by APRA / Country of Region	Amount Invested	Percentage
Australian Owned ADI	\$349,995,109	60.10%
Australia	\$349,995,109	60.10%
Branches of Foreign Bank	\$103,847,768	17.83%
China	\$97,053,372	16.67%
Switzerland	\$5,792,728	0.99%
United States	\$1,001,668	0.17%
Foreign Subsidiary Banks	\$80,051,197	13.75%
Jordan	\$5,000,000	0.86%
Lebanon	\$5,000,000	0.86%
Netherlands	\$70,051,197	12.03%
Global [^]	\$48,446,495	8.32%
International	\$48,446,495	8.32%
Total	\$582,340,569	100.00%

Source: <https://www.apra.gov.au/register-of-authorised-deposit-taking-institutions>

[^]Global: The NSW TCorpIM LTGF and CFS Global Credit Income Fund invests in hundreds of underlying securities globally, from which the portfolio composition is likely to change regularly.

Overall, approximately 60% of Council's total investment portfolio is placed with domestic ADIs, while the remaining 40% is placed with international banks and corporate entities. In response to global financial crisis (GFC), the Financial Stability Board (FSB) came up with a range of financial metrics to ascertain which banks were effectively deemed "too big to fail". A list of Globally Systemic Important Banks (G-SIBs) was developed, in which these banks required to hold much higher levels of capital compared to their smaller peers to ensure their financial stability under various stress test scenarios (e.g. another GFC).

Council's exposure to the international banks are generally with such Globally Systemic Important Banks (G-SIBs), including ICBC (China), ING Bank (Netherlands), UBS (Switzerland) and Citibank (US).

Overall, we have no concerns with Council's exposure to international banks given they are largely considered to be globally systematic important banks that are 'too big to fail'.



Fossil Fuel Investments

What is Council's current exposure to institutions that fund fossil fuels?

Using the following link <http://www.marketforces.org.au/banks/compare>, based on the Council's investment portfolio balance as at 30/04/2024 (\$582.34m), we can roughly estimate that ~51% of the investments have some form of exposure. Council's exposure is summarised as follows:

Counterparty	Credit Rating	Funding Fossil Fuel
BoQ Covered	AAA	Yes
Bendigo Covered	AAA	No
Suncorp Covered	AAA	No
ING Covered	AAA	Yes
ANZ	AA-	Yes
CBA	AA-	Yes
NAB	AA-	Yes
Northern Territory	AA-	Yes
Westpac	AA-	Yes
Citibank NA	A+	Yes
Macquarie	A+	Yes
Suncorp	A+	No
UBS AG	A+	No
CFS Global Credit^^	A	Yes
ICBC	A	No
ING Bank Australia	A	Yes
Rabobank Australia	A	Yes
BOQ	A-	No
Bendigo-Adelaide	A-	No
AMP Bank	BBB+	Yes
Aus. Unity Bank	BBB+	No
Bank Australia	BBB+	No
BankVIC	BBB+	No
Bank of Us	BBB+	No
Great Southern	BBB+	No
Heritage	BBB+	No
Newcastle	BBB+	No
P&N Bank	BBB+	No
Police Bank	BBB+	No
QT Mutual Bank	BBB+	No
Auswide Bank	BBB	No
Judo Bank	BBB	No
MyState	BBB	No
QBank	BBB	No
The Mutual	BBB	No
Arab Bank Aus.	Unrated	No
Bank of Sydney	Unrated	No
Move Bank	Unrated	No
Police CU	Unrated	No
Summerland Bank	Unrated	No
Unity Bank	Unrated	No
T-CorpIM LTG Fund^^	Unrated	Yes

^^The underlying exposure in these managed funds includes the domestic major banks.

Source: <https://www.marketforces.org.au/info/compare-bank-table/>



Summary	Amount	Invested %
Yes	\$297,572,512	51%
No	\$284,768,058	49%
	\$582,340,569	100%

Transition to investments without major exposure to fossil fuels

Council has not made a decision to divest from the current portfolio of investments which have exposure to fossil fuels. To do so would have unfavourable implications to the credit quality, rating and interest income forecasts.

However, where possible, and within the ministerial and policy guidelines, Council will continue to favour newly issued fossil fuel free investment products, providing it does not compromise the risk and return profile.

In time it is Council's intention to move to a more balanced portfolio which has less exposure to fossil fuels, providing it is prudent to do so.

What would be implications on our portfolio credit rating?

By adopting a free fossil fuel policy or an active divestment strategy, this would eliminate the major banks rated "AA-" as well as some other "A" rated banks (Citi, Macquarie and ING). Council would be left with a smaller sub-sector of banks to choose to invest with.

What would be risks and implications on Council's portfolio performance?

Some implications include:

- High concentration risk – limiting Council to a selected number of banks;
- Increased credit/counterparty risk;
- May lead to a reduction in performance (e.g. most of the senior FRN issues are with the higher rated ADIs);
- Underperformance compared to other Councils which could result in a significant loss of income generated – could be in excess of hundreds of thousands of dollars per annum.

It may actually be contrary to Council's primary objective to preserve capital as the investment portfolio's risk would increase (all things being equal). Council may not be maximising its returns – this is one of the primary objectives written in the Investment Policy.



Credit Quality

Following the most recent adopted Policy, all aggregate ratings categories are currently within the Policy limits:

Compliant	Credit Rating	Invested (\$)	Invested (%)	Max. Limit (%)	Available (\$)
✓	AAA Category	\$7,479,963	1%	100%	\$574,860,607
✓	AA Range or Major Banks	\$166,059,089	29%	100%	\$416,281,480
✓	A Category	\$237,038,631	41%	80%	\$228,833,824
✓	BBB Category	\$113,024,844	19%	30%	\$61,677,327
✓	Unrated ADI Category	\$26,000,000	4%	10%	\$32,234,057
✓	TCorpIM Funds	\$32,738,043	6%	25%	\$112,847,100
		\$582,340,569	100.00%		

The portfolio remains well diversified across the entire credit spectrum, including some exposure to the unrated ADI sector. There is high capacity to invest in the higher rated ADIs (A or higher), with some capacity to invest in the “BBB” rated category.



Performance

Council's performance (actual returns) for the month ending April 2024 is summarised as follows:

Performance (Actual)	1 month	3 months	6 months	FYTD	1 year	2 years	3 years
Official Cash Rate	0.35%	1.06%	2.15%	3.54%	4.21%	3.30%	2.22%
AusBond Bank Bill Index	0.35%	1.07%	2.17%	3.62%	4.24%	3.30%	2.19%
PCC Internal Benchmark*	0.17%	1.25%	3.06%	4.42%	5.20%	4.30%	2.95%
PCC Cash Portfolio	0.37%	1.12%	2.27%	3.75%	4.47%	3.53%	2.48%
PCC T/D Portfolio	0.35%	1.06%	2.05%	3.27%	3.77%	2.99%	2.40%
PCC FRN Portfolio	0.45%	1.37%	2.79%	4.70%	5.57%	4.56%	3.55%
PCC Bond Portfolio	0.13%	0.39%	0.76%	1.14%	1.33%	1.22%	1.17%
PCC Credit Fund	0.43%	1.74%	5.15%	7.15%	8.31%	5.75%	3.18%
PCC TCorp Growth Fund	-2.67%	1.97%	10.62%	8.11%	9.85%	6.28%	4.67%
PCC's Total Portfolio	0.22%	1.19%	2.78%	3.87%	4.50%	3.45%	2.58%
Rel. Perf. (BBI)	-0.13%	0.12%	0.60%	0.25%	0.27%	0.15%	0.39%
Rel. Perf. (Int. Bench.)	0.05%	-0.06%	-0.28%	-0.55%	-0.69%	-0.85%	-0.37%

*The Internal Benchmark returns are based on Council's individual benchmarks across the various asset classes it invests within its own portfolio. The following individual benchmarks are used for each asset class that Council invests in:

Cash: RBA Cash Rate

Term Deposits: Deposit benchmark based on Council's weighted average duration using multiple ADIs average monthly rate

FRNs: AusBond Credit FRN Index

CFS Global Credit Income Fund: AusBond Credit Index

NSW TCorpIM Long-Term Growth Fund: Fund's return itself

For the month of April, the total investment portfolio (including cash) provided a return of +0.22% (actual) or +2.69% p.a. (annualised), underperforming the AusBond Bank Bill Index return of +0.35% (actual) or +4.37% p.a. (annualised), whilst outperforming Council's internal benchmark return of +0.17% (actual) or +2.12% p.a. (annualised).

The longer-term outperformance continues to be anchored by the handful of longer-dated deposits, as well as the FRNs locked in at attractive margins, boosted by the strategic sales implemented over the past few years. This is now reflected in the longer-term returns with the FRN portfolio now ahead of fixed term deposits over 1-3 year time periods (also driven recently during the RBA's rate hike cycle).



The annualised returns as of April 2024 are shown in the following table:

Performance (% p.a.)	1 month	3 months	6 months	FYTD	1 year	2 years	3 years
Official Cash Rate	4.35%	4.35%	4.35%	4.25%	4.21%	3.30%	2.22%
AusBond Bank Bill Index	4.37%	4.40%	4.40%	4.35%	4.24%	3.30%	2.19%
PCC Internal Benchmark*	2.12%	5.16%	6.22%	5.32%	5.20%	4.30%	2.95%
PCC Cash Portfolio	4.60%	4.60%	4.60%	4.50%	4.47%	3.53%	2.48%
PCC T/D Portfolio	4.38%	4.37%	4.15%	3.92%	3.77%	2.99%	2.40%
PCC FRN Portfolio	5.66%	5.66%	5.67%	5.65%	5.57%	4.56%	3.55%
PCC Bond Portfolio	1.62%	1.60%	1.52%	1.37%	1.33%	1.22%	1.17%
PCC Credit Fund	5.33%	7.25%	10.60%	8.62%	8.31%	5.75%	3.18%
PCC TCorp Growth Fund	-28.08%	8.25%	22.43%	9.79%	9.85%	6.28%	4.67%
PCC's Total Portfolio	2.69%	4.90%	5.64%	4.65%	4.50%	3.45%	2.58%
Rel. Perf. (BBI)	-1.69%	0.50%	1.24%	0.30%	0.27%	0.15%	0.39%
Rel. Perf. (Int. Bench.)	0.57%	-0.25%	-0.58%	-0.66%	-0.69%	-0.85%	-0.37%



Recommendations for Council

Term Deposits

As at the end of April 2024, Council's **deposit** portfolio was yielding **4.46% p.a.** (up 26bp from the previous month), with a weighted average duration of around 392 days (~13 months).

There is growing belief that interest rate cuts and a global economic downturn maybe delivered in the coming year and so locking in rates close to or above 5% p.a. across 1-5 year tenors may provide some income protection against a lower rate environment over coming years.

We recommend Council maintains the average duration around 12 months (or slightly longer) over the long-term.

Please refer to the section below for further details on the Term Deposit market.

Securities

Primary (new) Senior **FRNs** (with maturities between 3-5 years) continue to be appealing (particularly for those investors with portfolios skewed towards fixed assets) and should be considered on a case by case scenario. Please refer to the section below for further details on the FRN market.

Council FRNs – Recommendations for Sale/Switches

We will inform Council when there is an opportunity to sell out of any future sub-optimal FRNs and switch into a higher yielding complying asset. This strategy has worked very well as Council has ultimately boosted the overall returns of the investment portfolio (up to hundreds of thousands of dollars in previous financial years). There will be an opportunity to switch/sell out of the following FRN(s) in coming months, ideally switching into a newly issued attractive FRN:

Issuer	Rating	Maturity Date	ISIN	Face Value	Trading Margin	Capital Price (\$)	~Unrealised Gain (\$)
Suncorp	AAA	17/10/2025	AU3FN0072617	\$800,000	+48.0bp	\$100.527	\$4,218
Citibank	A+	17/11/2024	AU3FN0051561	\$1,000,000	+51.5bp	\$100.167	\$1,668
BoQ	AAA	14/05/2025	AU3FN0054086	\$900,000	+56.5bp	\$100.480	\$4,323



This strategy has boosted overall returns and will continue to do so going forward. The current financial year's realised gains are shown as follows:

Issuer	Rating	Maturity Date	ISIN	Face Value	Trading Margin	Capital Price (\$)	Realised Gain (\$)
NAB	AA-	21/01/2025	AU3FN0052510	\$2,000,000	+53.0bp	\$100.345	\$6,900
Suncorp	A+	30/07/2024	AU3FN0049144	\$2,000,000	+59.0bp	\$100.192	\$4,800
NAB	AA-	30/05/2025	AU3FN0069373	\$2,000,000	+57.0bp	\$100.548	\$9,316
Suncorp	AAA	24/04/2025	AU3FN0053880	\$700,000	+71.0bp	\$100.498	\$3,486
Bendigo	BBB+	06/09/2024	AU3FN0050019	\$1,750,000	+76.0bp	\$100.151	\$2,642
Total Realised Gains FY2023-2024							\$27,144

Council's Senior Fixed Bonds

Since September 2020, Council placed parcels in NTTC (AA-) fixed bonds as follows:

Investment Date	Maturity Date	Principal	Rate % p.a. [^]	Remaining Term (Yrs)	Interest Paid
24/11/2020	16/12/2024	\$1,000,000	0.90%	0.63	Annually
16/02/2021	16/06/2025	\$1,000,000	0.90%	1.13	Annually
16/02/2021	15/06/2026	\$5,000,000	1.00%	2.13	Annually
12/05/2021	17/06/2024	\$3,000,000	0.80%	0.13	Annually
12/05/2021	16/06/2025	\$3,000,000	1.10%	1.13	Annually
12/05/2021	15/06/2026	\$3,000,000	1.30%	2.13	Annually
20/05/2021	16/06/2025	\$3,500,000	1.10%	1.13	Annually
09/09/2021	16/12/2024	\$2,500,000	0.90%	0.63	Semi-Annually
09/09/2021	15/12/2026	\$5,000,000	1.40%	2.63	Semi-Annually
Totals / Wgt. Avg.		\$27,000,000	1.09%	1.53 yrs	

At the time of investment, these investments were relatively attractive especially after the rate cut delivered in early November 2020 to 0.10% and its subsequent forward guidance on official interest rates (no rate rises "until at least 2024"). The NTTC bonds are a 'retail' offering and not 'wholesale' issuances. Given the lack of liquidity and high penalty costs if they were to be sold/redeemed prior to the maturity date, they are considered to be a hold-to-maturity investment and will be marked at par value (\$100.00) throughout the term of investment.



Separately, Council also purchased into the following fixed bonds. Where attractive, Council may consider purchasing additional units in these securities in the secondary market to 'average-in' a better overall purchase price.

Issuer	Rating	Maturity Date	ISIN	Face Value	Purchase Yield	Current Yield	Unrealised Gain / Loss (\$)
ING	AAA	19/08/2026	AU3CB0282358	\$600,000	1.16%	5.04%	-\$49,058
BoQ	A-	06/09/2024	AU3CB0296168	\$1,500,000	5.45%	5.43%	+\$5,859
BoQ	A-	30/04/2029	AU3CB0308955	\$8,000,000	5.36%	5.54%	-\$62,912
Judo	BBB-	26/09/2025	AU3CB0292480	\$2,000,000	6.60%	6.98%	-\$8,860



CFS Global Credit Income Fund

For the month of April, the CFS Global Credit Income Fund returned +0.43% (actual), outperforming the AusBond Bank Bill Index return of +0.35% (actual), and the AusBond Credit Index return of -0.91% (actual).

As we end the second quarter, the markets and central banks will be viewing data with an eye to decision making on policy rates in the June meetings. With consensus on growth swinging to no landing/soft landing the balance of risk has also shifted, such that any evidence of 'weaker' data, particularly on employment and/or consumer spending could ignite volatility/speculation on recession risks.

Although it has been a relatively volatile environment for credit over the past few years, it has been one of Council's best performing assets over the longer-term. The portfolio continues to accumulate high running-income in excess of the benchmark across all corporate and financial sectors. The Fund holds a diverse range of securities across the global credit market. It remains very well diversified by issuer in order to mitigate default risk. It invests in nearly 600 corporate bonds from issuers in various countries and industry sectors. Any spread contraction going forward allows credit and asset-backed holdings to enjoy significant capital gains.

With a running yield of ~5¼% p.a., we recommend Council to retain this investment given the alternative investments in complying fixed interest products are largely earning below this rate of return.



NSW T-CorpIM Growth Fund

The Growth Fund returned -2.67% (actual) for the month of April. Both domestic shares (S&P ASX 200 Accumulation Index -2.94%) and international shares (MSCI World ex-Australia -3.85%) finally gave up some of their recent gains this month. Bonds also fell, contributing to losses yields rose (AusBond Composite Bond Index fell -1.98%).

US Federal Reserve Chair Jerome Powell backed away from providing any further guidance on when interest rates may be cut, saying instead that monetary policy needs to be restrictive for longer, further dashing investors' hopes for meaningful reductions in borrowing costs this year. This resulted in the pull-back across equities this month.

Asset markets are looking for a lead, either from the economic data or from central banks. This could prove a delicate period of volatility, as neither the data nor central bankers are likely to get clarity for a few months, with markets continuously reacting to updated news.

The markets and central banks will be viewing data with an eye to decision making on policy rates in the June meetings. With consensus on growth swinging to no landing/soft landing the balance of risk has also shifted, such that any evidence of 'weaker' data, particularly on employment and/or consumer spending could ignite volatility/speculation on recession risks.

Whilst inflation is trending lower, the debate is more about if it will settle around 3% or grind toward the 2% central bank target. Services and wages pressures are the focus of concern, but the tentacles of rising oil prices have also been an important factor in recent monthly data. It is hard to see what could drive a sustained rise in inflation in 2024, yet the path to lower inflation looks clouded with uncertainty. With both markets and central bankers likely to react to each piece of inflation data, the key should be to gauge any break in underlying trends.

Overall, we remain cautious on the future performance of the T-Corp Growth Fund given the high volatility associated with a diversified growth fund, which generally allocates a range of 60%-80% in domestic and international shares. Investors are seeking relief from the elevated levels of inflation and remain hopeful that rate cuts will be delivered over the next 12 months.

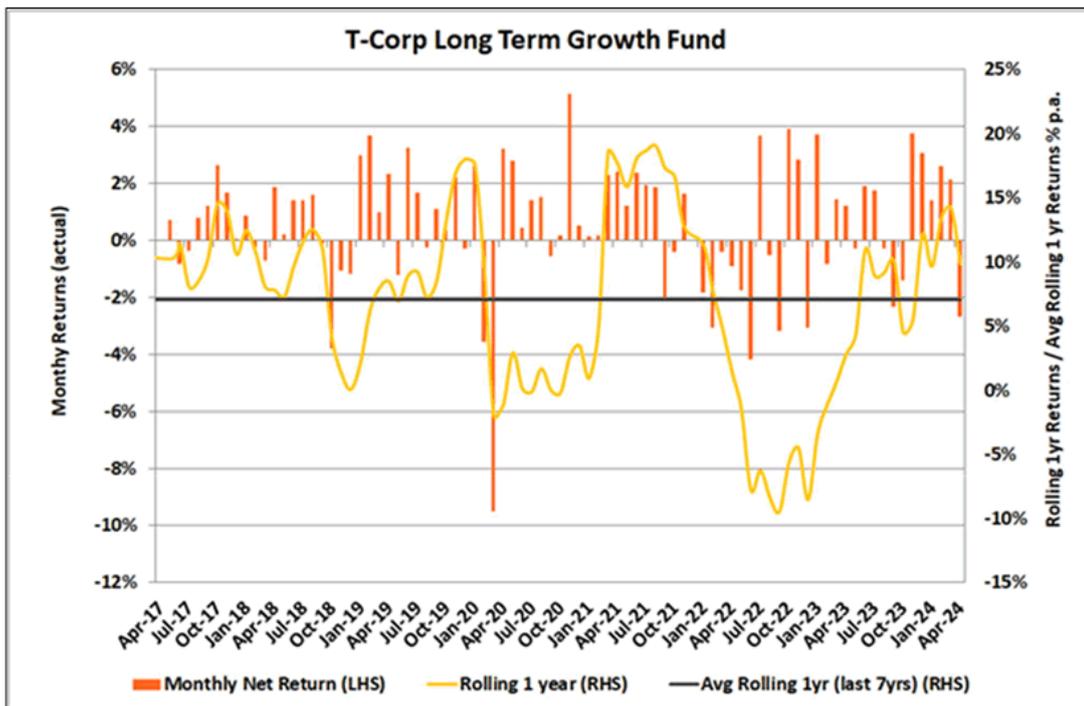
As we mentioned the previous month (March 2024), with shares domestically reaching their all-time highs, and with official rates at or seemingly close to their cyclical peak, investors may choose to partially de-risk their position in the Fund. With complying defensive fixed interest assets such as term deposits (which also does not incur any mark-to-market volatility) still being offered around the 5¼%-5½% level for 5 years from a handful of ADIs, investors may take the opportunity to partially or redeem altogether from the TCorp LTGF noting it's long-term returns has been just under 7% p.a. The risk premium has certainly narrowed coming out of the pandemic period (when official rates were down to emergency levels).

For those willing to hold, the Fund should be looked at with a long-term view, with a minimum holding period of +7 years (some view it as a perpetual long-term investment). Given the exposure to the volatile



asset of shares, Council should expect to see, on average, a negative month once every 3 months over long-term time periods.

Since Inception	T-Corp Long Term Fund
Negative Months	144 (~1 in 3 months)
Positive Months	274
Total Months	418 (34.83 yrs)
Average Monthly Return	+0.65% (actual)
Median Monthly Return	+1.02% (actual)
Lowest 1 year Rolling Return	-21.12% p.a. (Nov 2008)
Highest 1 year Rolling Return	+29.89% p.a. (Jan 1994)







Term Deposit Market Review

Current Term Deposits Rates

As at the end of April, we see value in the following:

ADI	LT Credit Rating	Term	Rate % p.a.
Rabobank	A	5 years	5.35%
Bank of China, Sydney	A	2-3 years	5.35%
Rabobank	A	4 years	5.25%
Westpac	AA-	5 years	5.20%
NAB	AA-	2 years	5.20%
Westpac	AA-	2 years	5.19%
Westpac	AA-	3 years	5.13%
NAB	AA-	3-5 years	5.10%
ING	A	5 years	5.10%
P&N Bank	BBB+	2 years	5.00%

The above deposits are suitable for investors looking to maintain diversification and lock-in a slight premium compared to purely investing short-term.

For terms under 12 months, we believe the strongest value is currently being offered by the following ADIs (we stress that rates are indicative, dependent on daily funding requirements and different for industry segments):



ADI	LT Credit Rating	Term	Rate % p.a.
ICBC	A	12 months	5.35%
BankVIC	BBB+	12 months	5.31%
Westpac	AA-	12 months	5.30%
NAB	AA-	11-12 months	5.25%
Westpac	AA-	11 months	5.23%
Hume Bank	BBB+	12 months	5.21%
NAB	AA-	8-10 months	5.20%
Bendigo-Adelaide	A-	9 months	5.19%
NAB	AA-	6-7 months	5.15%
Westpac	AA-	6 months	5.15%
BoQ	A-	6-12 months	5.15%
Bendigo-Adelaide	A-	12 months	5.14%
ING	A	12 months	5.10%
NAB	AA-	3 months	5.00%

If Council does not require high levels of liquidity and can stagger a proportion of its investments across the longer term horizons (1-5 years), it will be rewarded over a longer-term cycle. Investing a spread of 12 months to 3 year horizons is likely to yield, on average, up to ¼-½% p.a. higher compared to those investors that entirely invest in short-dated deposits (under 6-9 months).

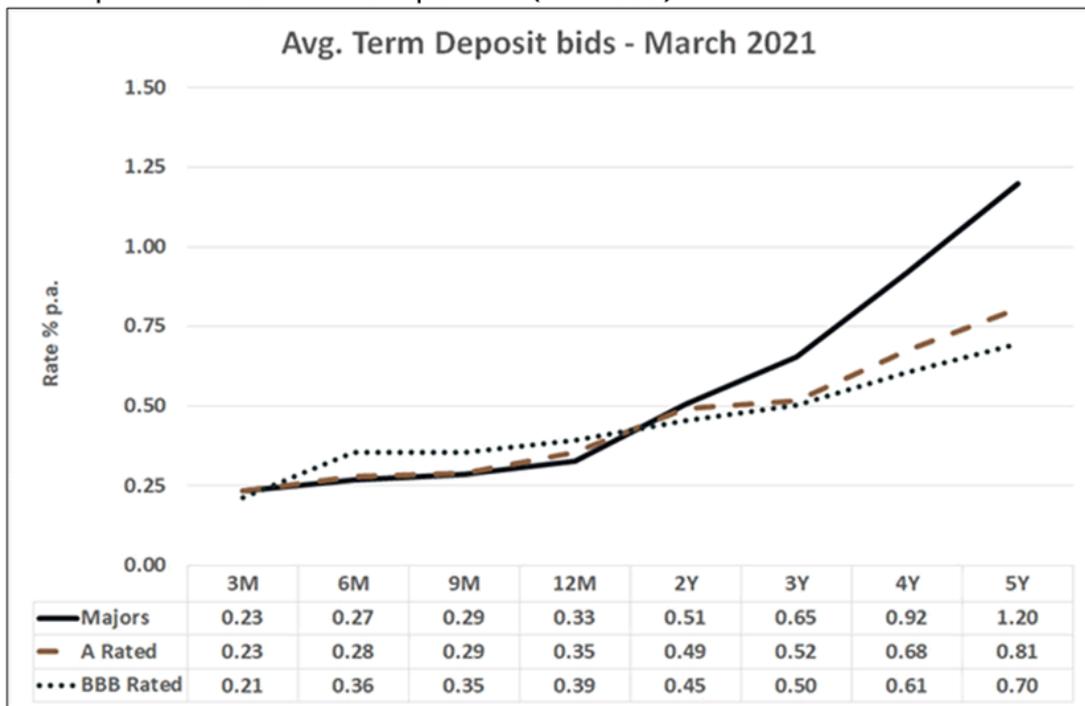
With a global economic slowdown and interest rate cuts being priced over the next 12 months, investors should strongly consider diversifying by allocating some longer term surplus funds and undertake an insurance policy by investing across 2-5 year fixed deposits and locking in rates close to or above 5% p.a. This will provide some income protection with central banks now looking to cut rates by calendar year-end.



Term Deposits Analysis

Pre-pandemic (March 2020), a 'normal' marketplace meant the lower rated ADIs (i.e. BBB category) were offering higher rates on term deposits compared to the higher rated ADIs (i.e. A or AA rated). But due to the cheap funding available provided by the RBA via their Term Funding Facility (TFF) during mid-2020, allowing the ADIs to borrow as low as 0.10% p.a. fixed for 3 years, those lower rated ADIs (BBB rated) did not require deposit funding from the wholesale deposit. Given the higher rated banks had more capacity to lend (as they have a greater pool of mortgage borrowers), they subsequently were offering higher deposit rates. In fact, some of the lower rated banks were not even offering deposit rates at all. As a result, most investors placed a higher proportion of their deposit investments with the higher rated (A or AA) ADIs over the past three years.

Term Deposit Rates – 12 months after pandemic (March 2021)



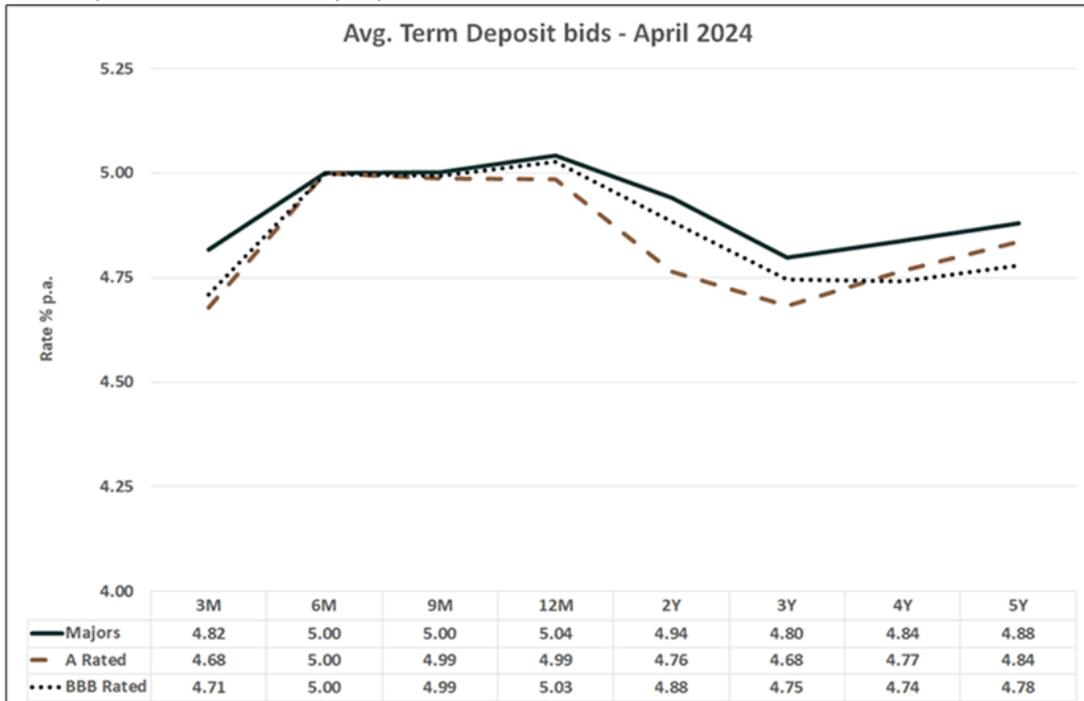
Source: Imperium Markets

The abnormal marketplace experienced during the pandemic is starting to reverse as the competition for deposits slowly increases. In recent months, we have started to periodically see some of the lower rated ADIs (“A” and “BBB” rated) offering slightly higher rates compared to the domestic major banks (“AA” rated) on different parts of the curve (i.e. pre-pandemic environment). Some of this has been attributed to lags in adjusting their deposit rates as some banks (mainly the lower rated ADIs) simply set their rates for the week.



Going forward, Council should have a larger opportunity to invest a higher proportion of its funds with the lower rated institutions (up to Policy limits), from which the majority are not lending to the Fossil Fuel industry or considered 'ethical'. We are slowly seeing this trend emerge, although the major banks always seem to react to volatility more quickly than the rest of the market, as was the case this month:

Term Deposit Rates – Currently (April 2024)



Source: Imperium Markets

Regional & Unrated ADI Sector

Ratings agency S&P has commented that "mergers remain compelling for mutuals lenders" in providing smaller lenders greater economies of scale and assisting them in being able to price competitively and will see "the banking landscape will settle with a small number of larger mutual players". S&P expects that consolidation to continue over the next two years.

We remain supportive of the regional and unrated ADI sector (and have been even throughout the post-GFC period). They continue to remain solid, incorporate strong balance sheets, while exhibiting high levels of capital – typically, much higher compared to the higher rated ADIs. Some unrated ADIs have up to 25-40% more capital than the domestic major banks, and well above the Basel III requirements.

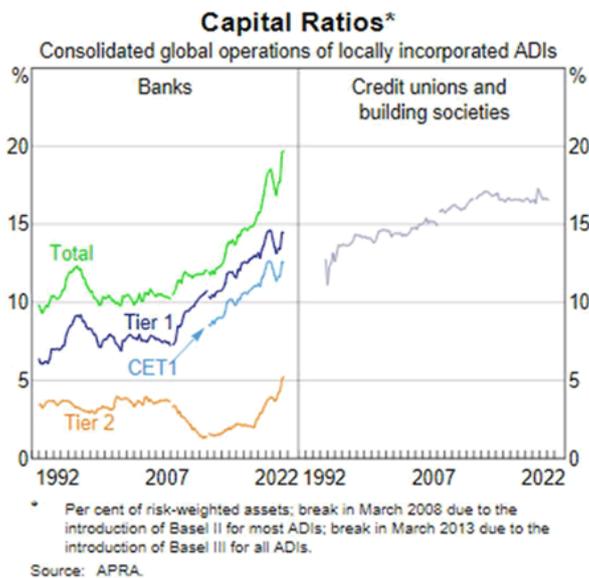
Overall, the lower rated ADIs (BBB and unrated) are generally now in a better financial position than they have been historically (see the Capital Ratio figure below). The financial regulator, APRA has noted that



the Common Equity Tier 1 capital of Australian banks now exceeds a quarter of a trillion dollars. It has increased by \$110 billion, or more than 70%, over the past decade. Over the same time, banks’ assets have grown by 44%. Some of the extra capital is supporting growth in the banking system itself but clearly, there has been a strengthening in overall resilience and leverage in the system is lower.

We believe that deposit investments with the lower rated ADIs should be considered going forward, particularly when they offer ‘above market’ specials. Not only would it diversify the investment portfolio and reduce credit risk, it would also improve the portfolio’s overall returns. The lower rated entities are generally deemed to be the more ‘ethical’ ADIs compared to the higher rated ADIs.

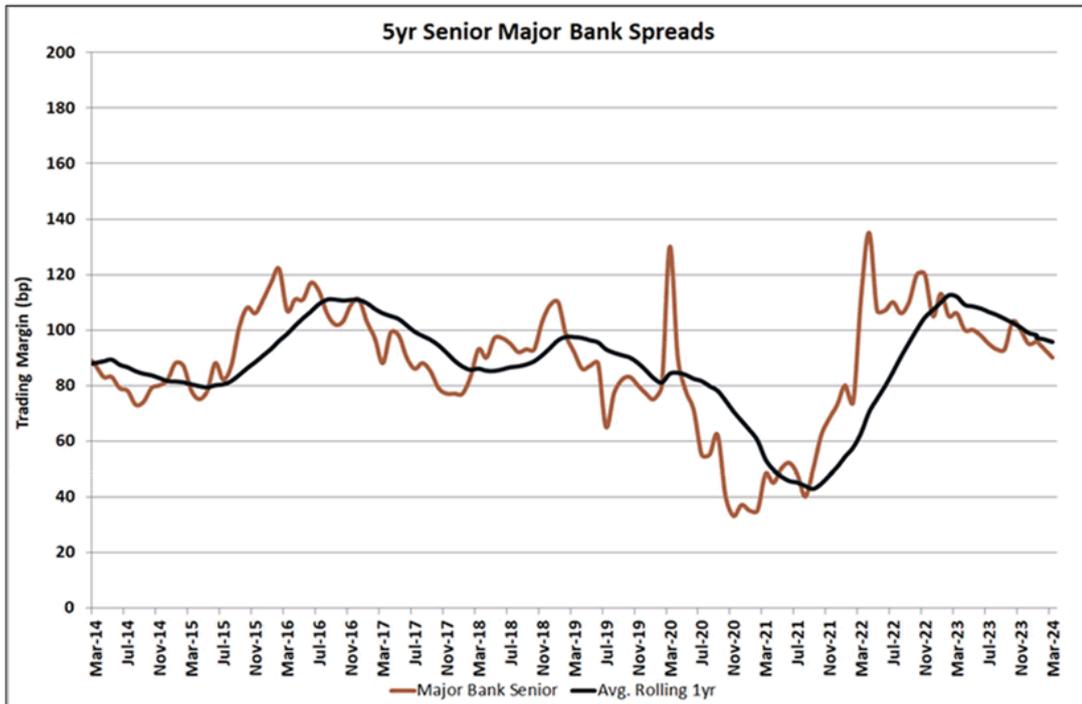
In the current environment of high regulation and scrutiny, all domestic (and international) ADIs continue to carry high levels of capital. There is minimal (if any) probability of any ADI defaulting on their deposits going forward – this was stress tested during the GFC and the pandemic period. APRA’s mandate is to “protect depositors” and provide “financial stability”.





Senior FRNs Market Review

Over April, amongst the senior major bank FRNs, physical credit securities widened by around 2-7bp at the long-end of the curve. Major bank senior securities remain at fair value on a historical basis (5yr margins around +97bp level).



Source: IBS Capital

There was very little notable issuances during the month apart from BoQ's (A-) 5 year senior security at +128bp. Amongst the "A" rated sector, the securities widened by around 5-15bp at the longer-end of the curve, whilst the "BBB" rated sector remained flat at the 3 year part of the curve. Overall, credit securities are looking much more attractive given the widening of spreads over the past 2 years and as more primary issuances become available. FRNs will continue to play a role in investors' portfolios mainly on the basis of their liquidity and the ability to roll down the curve and gross up returns over ensuing years (in a relatively stable credit environment).



Senior FRNs (ADIs)	30/04/2024	28/03/2024
"AA" rated – 5yrs	+97bp	+90bp
"AA" rated – 3yrs	+66bp	+64bp
"A" rated – 5yrs	+115bp	+100bp
"A" rated – 3yrs	+88bp	+83bp
"BBB" rated – 3yrs	+160bp	+160bp

Source: IBS Capital

We now generally recommend switches ('benchmark' issues only) into new primary issues, out of the following senior FRNs that are maturing:

- On or before mid-2026 for the "AA" rated ADIs (domestic major banks);
- On or before mid-2025 for the "A" rated ADIs; and
- Within 6–9 months for the "BBB" rated ADIs (consider case by case).

Investors holding onto the above senior FRNs ('benchmark' issues only) in their last few years are now generally holding sub optimal investments and are not maximising returns by foregoing realised capital gains. In the current challenging economic environment, any boost in overall returns should be locked in when it is advantageous to do so, particularly as switch opportunities become available.



Senior Fixed Bonds – ADIs (Secondary Market)

With global inflation still high by historical standards, this has seen a significant lift in longer-term bond yields over the past 2 years (valuations have fallen) as markets have reacted sharply.

This has resulted in some opportunities in the secondary market. We currently see value in the following fixed bond lines, with the majority now being marked at a significant discount to par (please note supply in the secondary market may be limited on any day):

ISIN	Issuer	Rating	Capital Structure	Maturity Date	~Remain. Term (yrs)	Fixed Coupon	Indicative Yield
AU3CB0278174	UBS	A+	Senior	26/02/2026	1.83	1.10%	5.45%
AU3CB0280030	BoQ	BBB+	Senior	06/05/2026	2.02	1.40%	5.53%
AU3CB0299337	Bendigo	BBB+	Senior	15/05/2026	2.04	4.70%	5.45%
AU3CB0296168	BoQ	BBB+	Senior	27/01/2027	2.75	4.70%	5.52%



Economic Commentary

International Market

In April, risk assets finally parred back some of their strong gains in recent months. Inflation readings in the US have been higher than anticipated, pushing back the US Fed's expectations of when interest rates would fall. Bonds were subsequently sold off, with longer-term yields rising significantly. The ongoing tensions in the Middle East conflict also contributed to financial market volatility during the month.

Across equity markets, the S&P 500 Index fell -4.16% over the month, whilst the NASDAQ lost -4.41%. Europe's main indices also experienced losses, led by Germany's DAX (-3.03%) and France's CAC (-2.69%). UK's FTSE (+2.41%) bucked the global trend, providing a positive return.

The US Core PCE inflation for March came in at +0.32% m/m vs. +0.30% consensus, broadly in line with expectations, despite fears it could print as high as +0.5% m/m. The annual figure was +2.8% y/y, whilst the 6m annualised sits at +3.0% and the 3m annualised more worrying at +4.4%.

US annualised GDP decelerated from +3.4% to +1.6% in Q1, well below market expectations of +2.5%.

The Bank of Canada held official rates at 5.00% as universally expected. Whilst the post-meeting statement says they believed they would be in a position to cut interest rates this year, members apparently disagreed on when inflation would be deemed to have slowed enough to trigger the first move. Employment has weakened in Canada, falling -2.2k in March and the unemployment rate rose from 5.9% to 6.1%.

German inflation fell to +2.3% y/y in March, a tick weaker than expected, following recent data showing falls for France, Italy and Spain. Inflation heading towards target across the region will support the call for the ECB to cut rates in coming months.

UK annual headline and core CPI inflation were +3.2% y/y and +4.2% y/y respectively, which were both slightly above expectations of +3.1% y/y and +4.1% y/y respectively. This "sticky" UK inflation also resulted in markets pushing back the timing of interest rate cuts by the UK central bank.

China's GDP grew by +5.3% in the first quarter, exceeding analysts' expectations of +4.8%, and slightly faster than the +5.2% recorded in the previous three months.

The MSCI World ex-Aus Index fell -3.85% for the month of April:

Index	1m	3m	1yr	3yr	5yr	10yr
S&P 500 Index	-4.16%	+3.92%	+20.78%	+6.39%	+11.32%	+10.33%
MSCI World ex-AUS	-3.85%	+3.24%	+16.83%	+4.13%	+8.83%	+7.15%
S&P ASX 200 Accum. Index	-2.94%	+1.04%	+9.07%	+7.30%	+8.00%	+7.76%

Source: S&P, MSCI



Domestic Market

The RBA Minutes contained little new information on top of Governor Bullock's post-Meeting press conference. The case for a rate hike was not explicitly discussed and balance of risks "had become a little more even".

Australia's unemployment rate increased to 3.8% in March from 3.7% in February as the economy shed 6,600 jobs in March after strong gains of +117,600 in February. The RBA has forecasted the unemployment rate to reach 4.2% by October 2024.

Q1 CPI came in on the high side of expectations, at +1.0% q/q on both the headline and trimmed mean measure. That is stronger than the +0.8% q/q the RBA had pencilled in the February SoMP. On an annual basis, CPI rose to +3.6% to the end of March 2024 (from +3.5% in February).

The most significant contributors to the March quarter rise were education (5.9%), health (2.8%), housing (0.7%), and food and non-alcoholic beverages (0.9%).

Dwelling prices rose +0.6% m/m and +8.8% y/y in March. The +0.6% m/m pace of growth is broadly similar to February, but is certainly a step up on the growth seen in December and January.

The February trade balance narrowed to \$7.3bn, its lowest since August, while surpluses recorded in December and January were revised about \$1bn lower.

The Australian dollar marginally fell by -0.11%, finishing the month at US65.25 cents (from US65.32 cents the previous month).

Credit Market

The global credit indices remained relatively flat in the US and Europe, whilst they widened in Australia. They are now back to their levels in early 2022 (prior to the rate hike cycle from most central banks):

Index	April 2024	March 2024
CDX North American 5yr CDS	52bp	52bp
iTraxx Europe 5yr CDS	55bp	55bp
iTraxx Australia 5yr CDS	73bp	66bp

Source: Markit



Fixed Interest Review

Benchmark Index Returns

Index	April 2024	March 2024
Bloomberg AusBond Bank Bill Index (0+YR)	+0.35%	+0.37%
Bloomberg AusBond Composite Bond Index (0+YR)	-1.98%	+1.12%
Bloomberg AusBond Credit FRN Index (0+YR)	+0.48%	+0.50%
Bloomberg AusBond Credit Index (0+YR)	-0.91%	+0.90%
Bloomberg AusBond Treasury Index (0+YR)	-2.03%	+1.15%
Bloomberg AusBond Inflation Gov't Index (0+YR)	-1.82%	+1.34%

Source: Bloomberg

Other Key Rates

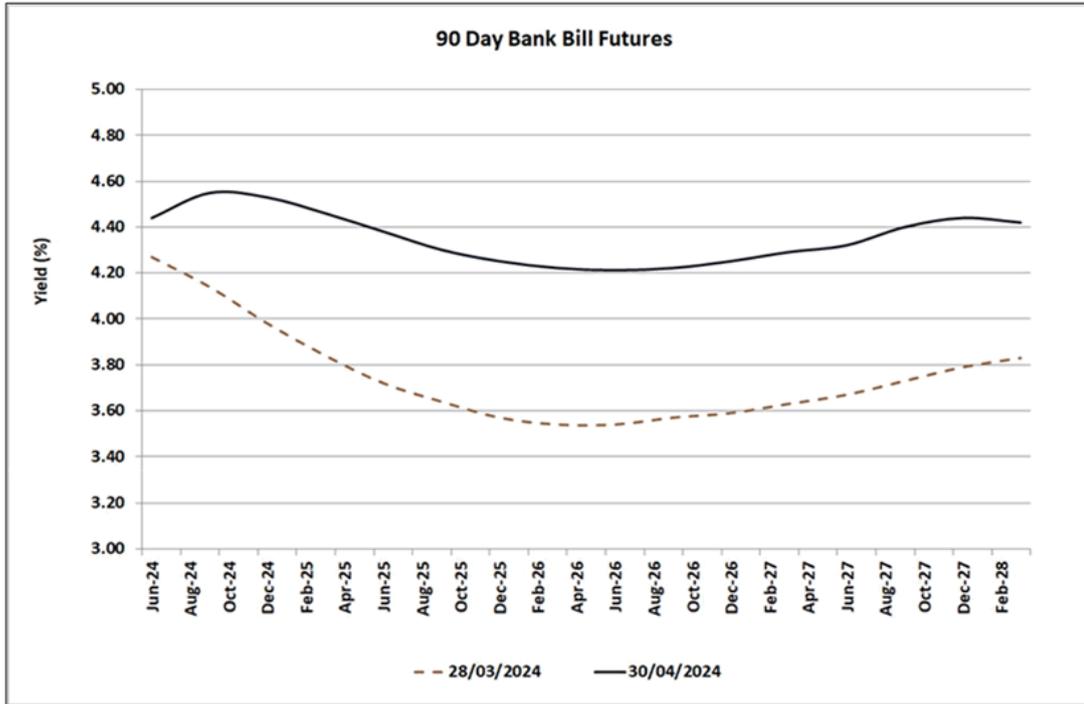
Index	April 2024	March 2024
RBA Official Cash Rate	4.35%	4.35%
90 Day (3 month) BBSW Rate	4.41%	4.34%
3yr Australian Government Bonds	4.03%	3.59%
10yr Australian Government Bonds	4.42%	3.97%
US Fed Funds Rate	5.25%-5.50%	5.25%-5.50%
2yr US Treasury Bonds	5.04%	4.59%
10yr US Treasury Bonds	4.69%	4.20%

Source: RBA, ASX, US Department of Treasury



90 Day Bill Futures

Bill futures significantly rose this month, following the movement in the global bond market. Markets have pushed back their expectations of when the first rate cut will be delivered:



Source: ASX

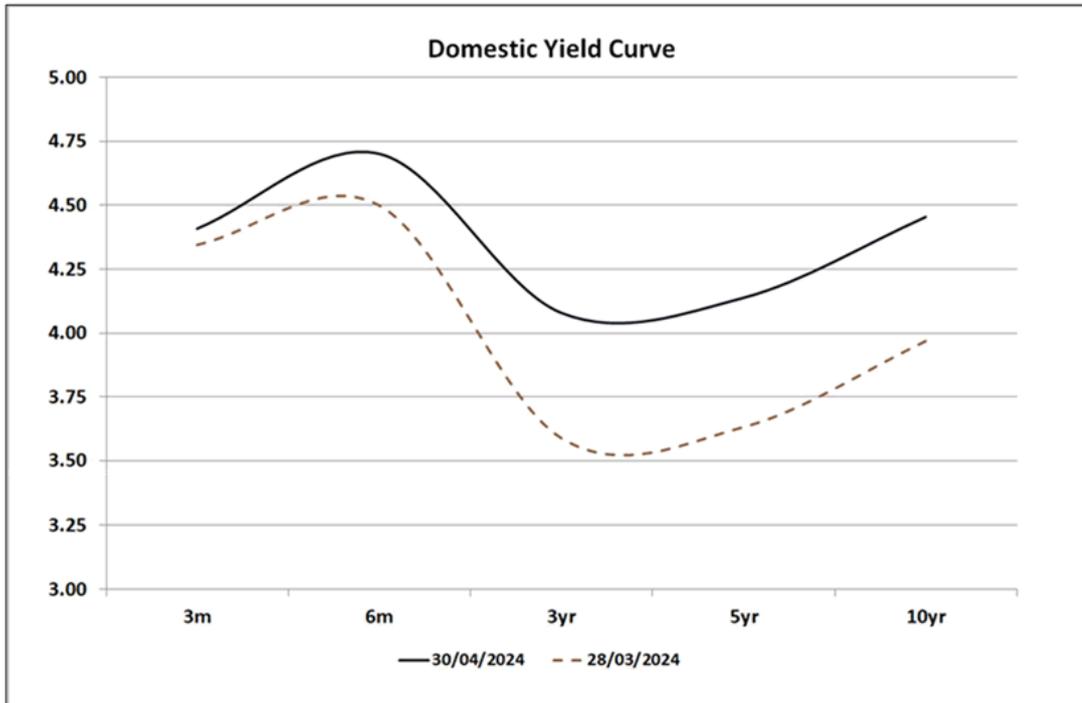


Fixed Interest Outlook

US Fed commentary continued to point towards a cautious FOMC, concerned about the stalling or re-acceleration of inflationary pressures. 10 year Treasury yields hit a year to date high during the month of April, as markets continue to push back expectations for the number and timing of FOMC cuts this year. US Fed pricing for 2024 now stands at around just 34bp of cuts (November 2024 is almost fully priced), noting that at the beginning of April, as much as 67bp was priced.

Domestically, Australian inflation is lagging, but expectations is that the RBA is likely to join once the US Fed finally decides to pull the trigger. The RBA is perceived to adopt a slightly more neutral approach to monetary policy; however, the addition of "the Board is not ruling anything in or out" in its latest policy statement suggests the Board wants to keep the optionality in the event of future shocks. Additional rate rises are now totally not out of the equation if inflation continues to disappoint.

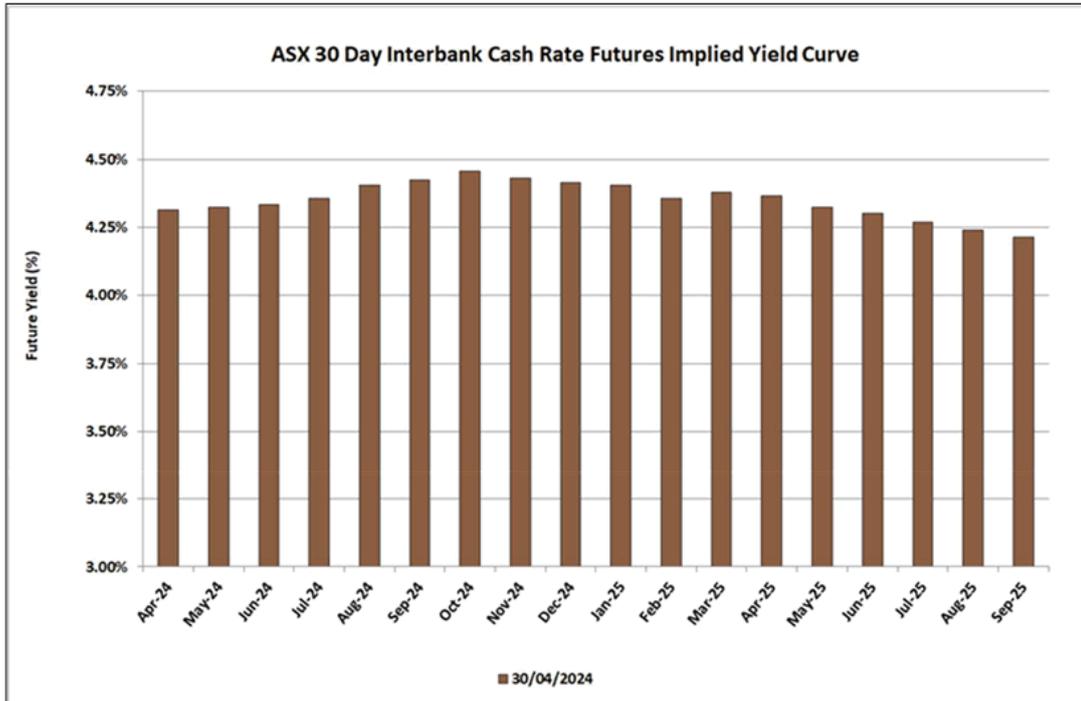
Over the month, longer-term yields rose up to 50bp at the very long end of the curve (remains an inverse yield curve):



Source: ASX, RBA



For the time being, the consensus from the broader market is that we have reached the peak of the interest rate cycle. Financial markets have pushed back their expectations of the first rate cut to early-mid 2025.



Source: ASX

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Investment Report

01/04/2024 to 30/04/2024



Portfolio Valuation as at 30/04/2024

Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
ICBC Sydney Branch	A	TD	GENERAL	Annual	22/04/2022	02/05/2024	3.3400	25,000,000.00	25,000,000.00	20,589.04	20,589.04
Commonwealth Bank	AA-	TD	GENERAL	Semi-Annual	22/04/2022	02/05/2024	3.2600	21,000,000.00	21,000,000.00	226,949.59	56,268.49
BOQ	A-	TD	GENERAL	Annual	03/05/2019	03/05/2024	2.8000	3,500,000.00	3,500,000.00	97,731.51	8,054.79
NAB	AA-	TD	GENERAL	At Maturity	12/05/2021	16/05/2024	0.7600	3,000,000.00	3,000,000.00	67,775.34	1,873.97
ICBC Sydney Branch	A	TD	GENERAL	Annual	20/05/2022	20/05/2024	3.7000	6,000,000.00	6,000,000.00	209,835.62	18,246.58
The Mutual Bank	BBB	TD	GENERAL	At Maturity	26/05/2023	23/05/2024	5.1700	3,000,000.00	3,000,000.00	144,901.64	12,747.95
BankVic	BBB+	TD	GENERAL	At Maturity	24/05/2023	23/05/2024	5.1400	5,000,000.00	5,000,000.00	241,509.59	21,123.29
The Mutual Bank	BBB	TD	GENERAL	At Maturity	29/06/2023	30/05/2024	5.8100	3,000,000.00	3,000,000.00	146,603.01	14,326.03
P&N Bank	BBB+	TD	GENERAL	At Maturity	30/05/2023	30/05/2024	5.1500	4,000,000.00	4,000,000.00	190,197.26	16,931.51
Westpac	AA-	FRTD	GENERAL	Quarterly	30/05/2019	30/05/2024	5.2950	6,000,000.00	6,000,000.00	53,965.48	26,112.33
Westpac	AA-	FRTD	GENERAL	Quarterly	06/06/2019	06/06/2024	5.3333	3,500,000.00	3,500,000.00	28,639.09	15,342.37
Suncorp	A+	TD	GENERAL	At Maturity	19/09/2023	13/06/2024	5.2000	4,000,000.00	4,000,000.00	128,219.18	17,095.89
Northern Territory Treasury	AA-	BOND	GENERAL	Annual	12/05/2021	17/06/2024	0.8000	3,000,000.00	3,000,000.00	21,106.85	1,972.60
Unity Bank	Unrated	TD	GENERAL	At Maturity	21/11/2023	20/06/2024	5.4500	2,500,000.00	2,500,000.00	60,472.60	11,198.63
Unity Bank	Unrated	TD	GENERAL	At Maturity	21/11/2023	27/06/2024	5.4500	2,500,000.00	2,500,000.00	60,472.60	11,198.63
Bank of Us	BBB+	TD	GENERAL	At Maturity	05/12/2023	04/07/2024	5.4500	4,000,000.00	4,000,000.00	88,394.52	17,917.81
Bank of Us	BBB+	TD	GENERAL	At Maturity	05/12/2023	11/07/2024	5.4500	4,000,000.00	4,000,000.00	88,394.52	17,917.81
Bank of Us	BBB+	TD	GENERAL	At Maturity	05/12/2023	18/07/2024	5.4500	4,000,000.00	4,000,000.00	88,394.52	17,917.81





Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Bank of Us	BBB+	TD	GENERAL	At Maturity	05/12/2023	25/07/2024	5.4700	4,000,000.00	4,000,000.00	88,718.90	17,983.56
Auswide Bank	BBB	TD	GENERAL	At Maturity	14/12/2023	01/08/2024	5.4600	3,000,000.00	3,000,000.00	62,378.63	13,463.01
Auswide Bank	BBB	TD	GENERAL	At Maturity	14/12/2023	08/08/2024	5.4600	3,000,000.00	3,000,000.00	62,378.63	13,463.01
JUDO BANK	BBB	TD	GENERAL	At Maturity	15/02/2024	15/08/2024	5.1800	4,500,000.00	4,500,000.00	48,535.89	19,158.90
Commonwealth Bank	AA-	TD	GENERAL	Semi-Annual	11/08/2023	15/08/2024	5.5000	4,000,000.00	4,000,000.00	72,931.51	18,082.19
Commonwealth Bank	AA-	TD	GENERAL	Semi-Annual	16/08/2023	22/08/2024	5.5000	3,000,000.00	3,000,000.00	54,698.63	13,561.64
AMP Bank	BBB+	TD	GENERAL	At Maturity	15/12/2023	05/09/2024	5.2500	2,000,000.00	2,000,000.00	39,698.63	8,630.14
ICBC Sydney Branch	A	TD	GENERAL	Annual	13/09/2022	12/09/2024	4.4000	2,300,000.00	2,300,000.00	64,047.12	8,317.81
Bank of Sydney	Unrated	TD	GENERAL	At Maturity	19/12/2023	19/09/2024	5.4700	3,000,000.00	3,000,000.00	60,244.93	13,487.67
Bank of Sydney	Unrated	TD	GENERAL	At Maturity	19/12/2023	26/09/2024	5.4700	2,000,000.00	2,000,000.00	40,163.29	8,991.78
Suncorp	A+	TD	GENERAL	At Maturity	12/01/2024	03/10/2024	5.1700	4,000,000.00	4,000,000.00	62,323.29	16,997.26
Police Credit Union SA	Unrated	TD	GENERAL	At Maturity	12/01/2024	10/10/2024	5.1800	4,000,000.00	4,000,000.00	62,443.84	17,030.14
AMP Bank	BBB+	TD	GENERAL	Annual	13/10/2022	17/10/2024	4.7500	2,000,000.00	2,000,000.00	52,315.07	7,808.22
ICBC Sydney Branch	A	TD	GENERAL	Annual	21/10/2021	21/10/2024	1.3000	4,000,000.00	4,000,000.00	27,210.96	4,273.97
JUDO BANK	BBB	TD	HORWOOD	At Maturity	22/04/2024	24/10/2024	5.2100	5,000,000.00	5,000,000.00	6,423.29	6,423.29
AMP Bank	BBB+	TD	GENERAL	At Maturity	21/12/2023	24/10/2024	5.1000	1,500,000.00	1,500,000.00	27,665.75	6,287.67
Great Southern Bank	BBB+	FRN	GENERAL	Quarterly	24/10/2019	24/10/2024	5.4905	1,751,944.25	1,750,000.00	1,842.70	1,842.70
ICBC Sydney Branch	A	TD	GENERAL	Annual	29/10/2021	29/10/2024	1.6500	1,000,000.00	1,000,000.00	8,317.81	1,356.16
BOQ	A-	FRN	GENERAL	Quarterly	30/10/2019	30/10/2024	5.5086	1,002,104.00	1,000,000.00	150.92	150.92





Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
JUDO BANK	BBB	TD	HORWOOD	At Maturity	22/04/2024	31/10/2024	5.2100	5,000,000.00	5,000,000.00	6,423.29	6,423.29
Australian Unity Bank	BBB+	TD	GENERAL	At Maturity	16/01/2024	07/11/2024	5.1600	4,000,000.00	4,000,000.00	59,940.82	16,964.38
MyState Bank	BBB	TD	GENERAL	At Maturity	09/11/2023	14/11/2024	5.5600	3,000,000.00	3,000,000.00	79,515.62	13,709.59
ICBC Sydney Branch	A	TD	GENERAL	Annual	15/11/2021	14/11/2024	1.7900	3,000,000.00	3,000,000.00	24,716.71	4,413.70
ICBC Sydney Branch	A	TD	GENERAL	Annual	09/11/2021	14/11/2024	1.6800	3,000,000.00	3,000,000.00	24,026.30	4,142.47
Citibank, N.A.	A+	FRN	GENERAL	Quarterly	15/11/2019	14/11/2024	5.2259	1,001,668.00	1,000,000.00	11,024.50	4,295.26
ICBC Sydney Branch	A	TD	GENERAL	Annual	19/11/2021	21/11/2024	1.7500	4,750,000.00	4,750,000.00	37,121.58	6,832.19
Police Bank	BBB+	TD	GENERAL	At Maturity	16/01/2024	05/12/2024	5.1600	4,000,000.00	4,000,000.00	59,940.82	16,964.38
ICBC Sydney Branch	A	TD	GENERAL	Annual	13/12/2021	12/12/2024	1.8600	3,000,000.00	3,000,000.00	21,402.74	4,586.30
ICBC Sydney Branch	A	TD	GENERAL	Annual	10/12/2021	12/12/2024	1.8200	4,000,000.00	4,000,000.00	28,322.19	5,983.56
Northern Territory Treasury	AA-	BOND	GENERAL	Annual	01/10/2021	16/12/2024	1.0000	3,000,000.00	3,000,000.00	11,342.47	2,465.75
Northern Territory Treasury	AA-	BOND	GENERAL	Semi-Annual	09/09/2021	16/12/2024	0.9000	2,500,000.00	2,500,000.00	8,506.85	1,849.32
Northern Territory Treasury	AA-	BOND	GENERAL	Annual	24/11/2020	16/12/2024	0.9000	1,000,000.00	1,000,000.00	3,402.74	739.73
ICBC Sydney Branch	A	TD	GENERAL	At Maturity	24/04/2024	19/12/2024	5.2200	4,000,000.00	4,000,000.00	4,004.38	4,004.38
AMP Bank	BBB+	TD	GENERAL	At Maturity	20/12/2023	19/12/2024	5.2500	3,000,000.00	3,000,000.00	57,390.41	12,945.21
Suncorp	A+	TD	GENERAL	At Maturity	09/02/2024	09/01/2025	5.1600	4,000,000.00	4,000,000.00	46,369.32	16,964.38
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	12/01/2024	16/01/2025	5.2600	4,000,000.00	4,000,000.00	63,408.22	17,293.15
ICBC Sydney Branch	A	TD	HORWOOD	At Maturity	22/04/2024	23/01/2025	5.3000	5,000,000.00	5,000,000.00	6,534.25	6,534.25





Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	17/01/2024	23/01/2025	5.2600	3,500,000.00	3,500,000.00	52,960.27	15,131.51
ICBC Sydney Branch	A	TD	HORWOOD	At Maturity	22/04/2024	30/01/2025	5.3000	5,000,000.00	5,000,000.00	6,534.25	6,534.25
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	18/01/2024	30/01/2025	5.2600	3,500,000.00	3,500,000.00	52,455.89	15,131.51
ING Bank (Australia) Ltd	A	TD	GENERAL	At Maturity	19/01/2024	06/02/2025	5.2200	4,000,000.00	4,000,000.00	58,921.64	17,161.64
Move Bank	Unrated	TD	GENERAL	Annual	15/03/2024	13/03/2025	5.2500	2,000,000.00	2,000,000.00	13,520.55	8,630.14
Summerland Bank	Unrated	TD	GENERAL	At Maturity	13/03/2024	13/03/2025	5.2000	2,000,000.00	2,000,000.00	13,961.64	8,547.95
Auswide Bank	BBB	TD	GENERAL	At Maturity	10/04/2024	20/03/2025	5.1300	3,000,000.00	3,000,000.00	8,854.52	8,854.52
Move Bank	Unrated	TD	GENERAL	At Maturity	15/03/2024	27/03/2025	5.2500	2,000,000.00	2,000,000.00	13,520.55	8,630.14
Auswide Bank	BBB	TD	GENERAL	At Maturity	10/04/2024	03/04/2025	5.1300	3,000,000.00	3,000,000.00	8,854.52	8,854.52
Auswide Bank	BBB	TD	GENERAL	At Maturity	10/04/2024	10/04/2025	5.1300	3,000,000.00	3,000,000.00	8,854.52	8,854.52
Move Bank	Unrated	TD	GENERAL	At Maturity	12/04/2024	17/04/2025	5.2000	1,000,000.00	1,000,000.00	2,706.85	2,706.85
ICBC Sydney Branch	A	TD	HORWOOD	At Maturity	22/04/2024	24/04/2025	5.2500	5,000,000.00	5,000,000.00	6,472.60	6,472.60
Arab Bank Australia	Unrated	TD	HORWOOD	At Maturity	22/04/2024	24/04/2025	5.2500	5,000,000.00	5,000,000.00	6,472.60	6,472.60
ICBC Sydney Branch	A	TD	GENERAL	Annual	22/04/2022	24/04/2025	3.6800	15,000,000.00	15,000,000.00	13,610.96	13,610.96
BOQ	AAA	FRN	GENERAL	Quarterly	14/05/2020	14/05/2025	5.4159	904,322.70	900,000.00	10,282.79	4,006.28
NAB	AA-	TD	GENERAL	Annual	12/05/2021	15/05/2025	1.0500	3,000,000.00	3,000,000.00	30,636.99	2,589.04
RACQ Bank	BBB+	FRN	GENERAL	Quarterly	23/05/2022	23/05/2025	5.5851	1,000,702.00	1,000,000.00	10,405.12	4,590.49
Northern Territory Treasury	AA-	BOND	GENERAL	Annual	20/05/2021	16/06/2025	1.1000	3,500,000.00	3,500,000.00	33,858.90	3,164.38





Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Northern Territory Treasury	AA-	BOND	GENERAL	Annual	12/05/2021	16/06/2025	1.1000	3,000,000.00	3,000,000.00	29,021.92	2,712.33
Northern Territory Treasury	AA-	BOND	GENERAL	Annual	16/02/2021	16/06/2025	0.9000	1,000,000.00	1,000,000.00	7,915.07	739.73
UBS AG	A+	FRN	GENERAL	Quarterly	30/07/2020	30/07/2025	5.2786	3,256,990.75	3,250,000.00	470.01	470.01
QBANK	BBB	TD	GENERAL	Annual	26/07/2023	31/07/2025	5.8200	2,000,000.00	2,000,000.00	89,293.15	9,567.12
P&N Bank	BBB+	TD	GENERAL	At Maturity	11/08/2023	14/08/2025	5.3000	3,000,000.00	3,000,000.00	115,002.74	13,068.49
QBANK	BBB	TD	GENERAL	Annual	21/08/2023	21/08/2025	5.4100	2,000,000.00	2,000,000.00	75,295.34	8,893.15
ICBC Sydney Branch	A	TD	GENERAL	Annual	24/08/2022	25/08/2025	4.7500	2,000,000.00	2,000,000.00	65,328.77	7,808.22
ICBC Sydney Branch	A	TD	GENERAL	Annual	09/09/2022	11/09/2025	4.5200	3,500,000.00	3,500,000.00	100,987.95	13,002.74
JUDO BANK	BBB	BOND	GENERAL	Semi-Annual	14/12/2023	26/09/2025	6.4000	1,984,260.00	2,000,000.00	12,624.66	10,520.55
Suncorp	AAA	FRN	GENERAL	Quarterly	17/10/2022	17/10/2025	5.2391	804,218.40	800,000.00	1,607.61	1,607.61
Bendigo and Adelaide	AAA	FRN	GENERAL	Quarterly	11/11/2022	11/11/2025	5.2972	4,014,808.00	4,000,000.00	45,860.69	17,415.45
Bank Australia	BBB+	FRN	GENERAL	Quarterly	22/12/2022	24/11/2025	5.9356	1,306,633.90	1,300,000.00	13,741.32	6,342.15
ICBC Sydney Branch	A	FRN	GENERAL	Quarterly	19/01/2023	19/01/2026	5.3925	1,503,372.00	1,500,000.00	2,659.32	2,659.32
Suncorp	A+	TD	GENERAL	Annual	19/01/2024	22/01/2026	5.0500	4,000,000.00	4,000,000.00	57,002.74	16,602.74
Bank of Us	BBB+	TD	GENERAL	Annual	09/02/2024	12/02/2026	4.9700	5,000,000.00	5,000,000.00	55,827.40	20,424.66
NAB	AA-	TD	GENERAL	At Maturity	04/03/2021	05/03/2026	1.3400	3,000,000.00	3,000,000.00	127,098.08	3,304.11
Rabobank Australia Limited	A	TD	HORWOOD	Annual	22/04/2024	23/04/2026	5.1000	10,000,000.00	10,000,000.00	12,575.34	12,575.34
P&N Bank	BBB+	TD	GENERAL	Annual	28/04/2023	28/04/2026	4.8000	4,500,000.00	4,500,000.00	1,183.56	1,183.56





Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
NAB	AA-	TD	GENERAL	Annual	12/05/2021	14/05/2026	1.3000	3,000,000.00	3,000,000.00	37,931.51	3,205.48
Bendigo and Adelaide	A-	FRN	GENERAL	Quarterly	15/05/2023	15/05/2026	5.5976	2,013,508.00	2,000,000.00	23,310.55	9,201.53
NAB	AA-	TD	GENERAL	Annual	20/05/2021	21/05/2026	1.3000	3,500,000.00	3,500,000.00	43,006.85	3,739.73
Northern Territory Treasury	AA-	BOND	GENERAL	Annual	12/05/2021	15/06/2026	1.3000	3,000,000.00	3,000,000.00	34,298.63	3,205.48
Northern Territory Treasury	AA-	BOND	GENERAL	Annual	16/02/2021	15/06/2026	1.0000	5,000,000.00	5,000,000.00	43,972.60	4,109.59
ING Bank (Australia) Ltd	AAA	BOND	GENERAL	Semi-Annual	19/08/2021	19/08/2026	1.1000	549,196.20	600,000.00	1,301.92	542.47
Macquarie Bank	A+	FRN	GENERAL	Quarterly	14/09/2023	14/09/2026	5.1945	2,407,322.40	2,400,000.00	16,394.70	10,246.68
QBANK	BBB	FRN	GENERAL	Quarterly	01/12/2023	01/12/2026	5.9875	1,008,748.00	1,000,000.00	10,006.51	4,921.23
Northern Territory Treasury	AA-	BOND	GENERAL	Semi-Annual	09/09/2021	15/12/2026	1.4000	5,000,000.00	5,000,000.00	26,465.75	5,753.42
Commonwealth Bank	AA-	FRN	GENERAL	Quarterly	14/01/2022	14/01/2027	5.0554	1,300,916.50	1,300,000.00	2,880.89	2,880.89
BOQ	A-	BOND	GENERAL	Semi-Annual	05/10/2023	27/01/2027	4.7000	1,472,094.00	1,500,000.00	17,963.01	5,794.52
Bendigo and Adelaide	A-	FRN	GENERAL	Quarterly	27/01/2023	27/01/2027	5.7611	1,109,577.70	1,100,000.00	347.24	347.24
Heritage and Peoples Choice Limited	BBB+	FRN	GENERAL	Quarterly	08/02/2024	08/02/2027	5.9445	2,112,390.00	2,100,000.00	28,387.02	10,260.37
Great Southern Bank	BBB+	FRN	GENERAL	Quarterly	09/02/2023	09/02/2027	5.9936	756,153.00	750,000.00	10,098.81	3,694.68
Bank Australia	BBB+	FRN	GENERAL	Quarterly	22/02/2023	22/02/2027	5.8873	1,405,572.00	1,400,000.00	15,581.18	6,774.43
ING Bank (Australia) Ltd	A	FRN	GENERAL	Quarterly	22/03/2024	22/03/2027	5.2997	1,002,001.00	1,000,000.00	5,807.89	4,355.92
Rabobank Australia Limited	A	TD	HORWOOD	Annual	22/04/2024	22/04/2027	5.0800	10,000,000.00	10,000,000.00	12,526.03	12,526.03





Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Suncorp	A+	FRN	GENERAL	Quarterly	24/11/2023	24/05/2027	5.4356	1,764,873.25	1,750,000.00	16,939.71	7,818.33
ANZ Bank	AA-	FRN	GENERAL	Quarterly	04/11/2022	04/11/2027	5.5492	4,057,328.00	4,000,000.00	52,299.31	18,243.95
NAB	AA-	FRN	GENERAL	Quarterly	25/11/2022	25/11/2027	5.5356	1,724,512.30	1,700,000.00	16,758.46	7,734.67
Bank Australia	BBB+	FRN	GENERAL	Quarterly	21/02/2024	21/02/2028	6.0326	1,508,086.50	1,500,000.00	17,354.05	7,437.45
ANZ Bank	AA-	FRN	GENERAL	Quarterly	31/03/2023	31/03/2028	5.4042	1,514,341.50	1,500,000.00	7,551.07	6,662.71
Rabobank Australia Limited	A	TD	HORWOOD	Annual	22/04/2024	27/04/2028	5.1300	10,000,000.00	10,000,000.00	12,649.32	12,649.32
Bendigo and Adelaide	AAA	FRN	GENERAL	Quarterly	16/06/2023	16/06/2028	5.5039	1,207,192.80	1,200,000.00	7,961.81	5,428.50
Commonwealth Bank	AA-	FRN	GENERAL	Quarterly	17/08/2023	17/08/2028	5.2900	3,016,494.00	3,000,000.00	31,305.21	13,043.84
ANZ Bank	AA-	FRN	GENERAL	Quarterly	11/09/2023	11/09/2028	5.2756	3,515,648.50	3,500,000.00	25,799.85	15,176.38
NAB	AA-	FRN	GENERAL	Quarterly	16/11/2023	16/11/2028	5.3680	4,133,152.60	4,100,000.00	45,223.56	18,069.42
UBS AG	A+	FRN	GENERAL	Quarterly	24/11/2023	24/11/2028	5.7856	2,535,737.50	2,500,000.00	25,757.81	11,888.22
ING Bank (Australia) Ltd	A	TD	GENERAL	Annual	19/01/2024	19/01/2029	5.1800	4,000,000.00	4,000,000.00	58,470.14	17,030.14
ANZ Bank	AA-	FRN	GENERAL	Quarterly	05/02/2024	05/02/2029	5.3092	3,514,913.50	3,500,000.00	43,782.72	15,273.04
ING Bank (Australia) Ltd	A	TD	GENERAL	Annual	09/02/2024	09/02/2029	5.0500	5,000,000.00	5,000,000.00	56,726.03	20,753.42
Newcastle Greater Mutual Group Ltd	BBB+	FRN	GENERAL	Quarterly	14/02/2024	14/02/2029	6.1959	1,518,286.50	1,500,000.00	19,606.20	7,638.78
Suncorp	A+	FRN	GENERAL	Quarterly	19/03/2024	19/03/2029	5.3285	2,503,867.50	2,500,000.00	15,693.53	10,948.97
NAB	AA-	FRN	GENERAL	Quarterly	22/03/2024	22/03/2029	5.2497	3,507,560.00	3,500,000.00	20,135.84	15,101.88
P&N Bank	BBB+	TD	GENERAL	Annual	16/04/2024	16/04/2029	5.1400	2,000,000.00	2,000,000.00	4,224.66	4,224.66





Issuer	Rating	Type	Allocation	Interest Paid	Purchase Date	Maturity Date	Rate (%)	Capital Value (\$)	Face Value (\$)	Accrued (\$)	Accrued MTD (\$)
Rabobank Australia Limited	A	TD	HORWOOD	Annual	19/04/2024	19/04/2029	5.1600	5,000,000.00	5,000,000.00	8,482.19	8,482.19
Rabobank Australia Limited	A	TD	HORWOOD	Annual	22/04/2024	26/04/2029	5.2000	5,000,000.00	5,000,000.00	6,410.96	6,410.96
BOQ	A-	BOND	HORWOOD	Semi-Annual	30/04/2024	30/04/2029	5.3000	7,917,008.00	8,000,000.00	1,161.64	1,161.64
Rabobank Australia Limited	A	TD	GENERAL	Annual	29/04/2024	30/04/2029	5.3900	4,500,000.00	4,500,000.00	1,329.04	1,329.04
BOQ	A-	FRN	HORWOOD	Quarterly	30/04/2024	30/04/2029	5.6886	8,260,007.25	8,250,000.00	1,285.78	1,285.78
Macquarie Bank	A+	CASH	GENERAL	Monthly	30/04/2024	30/04/2024	4.6000	30,272.06	30,272.06	113.99	113.99
NAB	AA-	CASH	GENERAL	Monthly	30/04/2024	30/04/2024	4.6000	56,688,309.86	56,688,309.86	159,463.99	159,463.99
CFS WGCIF	A	FUND	GENERAL	Monthly	30/06/2016	03/05/2027	0.0000	15,708,452.25	15,708,452.25	-	-
NSWTC IM/LTGF	Unrated	FUND	GENERAL	Annual	31/10/2017	03/05/2029	0.0000	32,738,042.68	32,738,042.68	-	-
AMP Bank	BBB+	CASH	GENERAL	Monthly	30/04/2024	30/04/2024	4.8000	172,067.70	172,067.70	676.26	676.26
Commonwealth Bank	AA-	CASH	GENERAL	Monthly	30/04/2024	30/04/2024	4.6000	85,912.35	85,912.35	327.28	327.28
TOTALS							582,340,569.39	582,123,056.89	5,514,187.28	1,436,052.57	



REPORTS TO COUNCIL - FOR NOTATION

ITEM NUMBER 12.2
SUBJECT Referral of Inspection Reports by Fire and Rescue NSW
REFERENCE F2024/00282 - D09405755
REPORT OF Team Leader Building Compliance

CSP THEME: GREEN

WORKSHOP/BRIEFING DATE: NIL

PURPOSE:

To provide details on the fire safety reports received by Council from Fire and Rescue NSW (FRNSW) in accordance with Schedule 5 Part 8, Clause 17 (2) of the Environmental Planning and Assessment Act 1979 (EP&A Act 1979).

RECOMMENDATION

- (a) That Council note the inspection reports from Fire and Rescue NSW (FRNSW), pursuant to Schedule 5, Part 8 of the Environmental Planning and Assessment Act 1979 (EP&A Act).
- (b) That Council notes FRNSW will be advised in due course of the ongoing actions taken by Council officers to address concerns identified by FRNSW.
- (c) That Council note the exercise of powers pursuant to Schedule 5, Part 8 (17) of the EP&A Act, to give fire safety orders addressing fire safety measures to the buildings located at:
 - i. 8 Edwin Flack Avenue, Sydney Olympic Park; and
 - ii. 11 Olympic Boulevard, Sydney Olympic Park,

as outlined in this report and provide further notice of its determination to the Commissioner of FRNSW.

BACKGROUND

1. FRNSW is empowered under the *Environmental Planning and Assessment Act 1979* (EP&A Act) to undertake fire safety inspections of a building. If of the opinion that adequate provision for fire safety has not been made, FRNSW may make recommendations for additional works to be carried out, in a report to Council. Such reports must be tabled at the next meeting of Council.
2. Council is in receipt of two inspection reports issued by FRNSW, pursuant to the EP&A Act, regarding the fire safety of buildings located at:
 - i. 8 Edwin Flack Avenue, Sydney Olympic Park; and
 - ii. 11 Olympic Boulevard, Sydney Olympic Park.

ISSUES/OPTIONS/CONSEQUENCES

3. FRNSW is of the opinion that there are inadequate provisions for fire safety within the buildings identified (*See the attached annexures relevant to each premises*).
4. Council has started an investigation under Service Request No. 642322 for the matter relating to the building located at 8 Edwin Flack Avenue, Sydney Olympic Park.
5. Council has started an investigation under Service Request No. 642341 for the matter relating to the building located at 11 Olympic Boulevard, Sydney Olympic Park.

CONSULTATION & TIMING

6. Consultation is not required for this statutory report.

LEGAL IMPLICATIONS FOR COUNCIL

7. FRNSW is empowered under the EP&A Act to undertake fire safety inspections of a building.
8. Council may instigate legal action to enforce compliance with Orders served relating to fire safety where appropriate.

FINANCIAL IMPLICATIONS FOR COUNCIL

9. Financial impacts may occur dependent on any legal action/s that may need to be instigated if Notices and Orders are not complied with by owners. Regulatory Services has an allocated Legal budget if such action becomes necessary.

Adrian Mihaila
Acting Group Manager Regulatory Services

George Bounassif
Executive Director City Assets and Operations

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

1 	Letter Out - Inspection Report 8 Edwin Flack Avenue, Sydney Olympic Park	3 Pages
2 	Letter Out - Inspection Report 11 Olympic Boulevard, Sydney Olympic Park	3 Pages

REFERENCE MATERIAL

OFFICIAL



File Ref. No: BFS23/5867 (31334)
TRIM Ref. No: D24/014566
Contact: Ryan Maestri

21 February 2024

General Manager
Council of the City of Parramatta
PO Box 32
PARRAMATTA NSW 2124

Email: council@cityofparramatta.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
IBIS BUDGET
8 EDWIN FLACK AVENUE, SYDNEY OLYMPIC PARK (“the premises”)**

Fire and Rescue NSW (FRNSW) received correspondence on 11 October 2023 concerning the adequacy of the provision for fire safety in connection with ‘the premises’.

The correspondence stated that:

- *All internal doors to the fire stairs had towels hanging over them to stop the door closing.*

Pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW inspected ‘the premises’ on 31 January 2024.

On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

1 Amarina Ave
Greenacre NSW 2190

T (02) 9742 7434
F (02) 9742 7483

www.fire.nsw.gov.au

Page 1 of 3

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- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

COMMENTS

Discussions were had with the General Manager on site about the nature of the concern raised. She confirmed that staff had used towels in the past to prevent doors from latching only when the lift had been inoperable so that occupants could get to and from their rooms. This practice is neither ongoing nor regular.

The following items were identified during the inspection:

1. Compartmentation and Separation
 - 1A. The smoke doors located in the common corridor on level 3 do not self-close on deactivation of the magnetic hold-open devices, contrary to the requirements of Clauses C3D15, S11C2 and Specification 12 of the NCC.
2. Egress
 - 2A. Egress from the sole-occupancy units at the southern end of the building requires travel greater than 6 metres to a single exit, contrary to Clause D2D5 of the NCC.
3. Services and Equipment
 - 3A. Automatic Fire Detection and Alarm System
 - A. The Fire Brigade Panel (FBP) indicated two (2) isolations and one (1) fault, which suggests that the system may not operate to provide automatic notification of a fire to the building's occupants.
 - B. The zone block plan at the FBP did not depict all the relevant information regarding the installation required by Clause 3.10 of AS1670.1-2018.
4. Certification
 - 4A. A current Annual Fire Safety Statement was not displayed in a prominent location within the building, contrary to the requirements of Section 89 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.
 - 4B. Smoke doors are not listed on the latest Annual Fire Safety Statement as an Essential Fire Safety Measure despite being in the building. It is unknown whether this measure is listed on the Fire Safety Schedule for the building and, therefore, whether it is regularly maintained.

FRNSW believes that there are inadequate provisions for fire safety within the building.

OFFICIAL**WORKS UNDERTAKEN**

In consultation with the General Manager of the premises, works were undertaken concerning item 3A A above, with the issue being rectified. In this regard, the Council is not presently required to act on item 3A A of this report.

RECOMMENDATIONS

FRNSW recommends that the Council:

- a. Review items 1 to 4 (excluding item 3A A) of this report and conduct an inspection.
- b. Address any other deficiencies identified on "the premises".

Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting. This matter is referred to the Council as the appropriate regulatory authority. FRNSW awaits the Council's advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Please do not hesitate to contact Ryan Maestri of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call (02) 9742 7434 if there are any questions or concerns about the above matters. Please refer to file reference BFS23/5867 (31334) regarding any correspondence concerning this matter.

Yours faithfully



Ryan Maestri
Senior Building Surveyor
Fire Safety Compliance Unit

OFFICIAL



File Ref. No: BFS23/6542 (31933)
TRIM Ref. No: D24/019862
Contact: Ryan Maestri

22 February 2024

General Manager
Council of the City of Parramatta
PO Box 32
PARRAMATTA NSW 2124

Email: council@cityofparramatta.nsw.gov.au

Attention: Manager Compliance/Fire Safety

Dear Sir / Madam

**Re: INSPECTION REPORT
NOVOTEL / IBIS
11 OLYMPIC BOULEVARD, SYDNEY OLYMPIC PARK (“the
premises”)**

Fire and Rescue NSW (FRNSW) received correspondence on 12 November 2023 concerning the adequacy of the provision for fire safety in connection with ‘the premises’.

The correspondence stated that:

- *Access to fire stairs on level 9 of the hotel was blocked by a number laundry trolleys. After alerting staff to my concerns a couple were moved but there was still not clear access.*

Pursuant to Section 9.32(1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act), Authorised Fire Officers from the Fire Safety Compliance Unit of FRNSW inspected ‘the premises’ on 4 January 2024.

On behalf of the Commissioner of FRNSW, the comments in this report are provided under Section 9.32(4) and Schedule 5, Part 8, Section 17(1) of the EP&A Act.

The items listed in the comments of this report are based on the following limitations:

- A general overview of the building was obtained without using the development consent conditions or approved floor plans as a reference.

Fire and Rescue NSW

ABN 12 593 473 110

www.fire.nsw.gov.au

Community Safety Directorate
Fire Safety Compliance Unit

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www.fire.nsw.gov.au

Page 1 of 3

OFFICIAL

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- Details of the Provisions for Fire Safety and Fire Fighting Equipment are limited to a visual inspection of the parts in the building accessed and the fire safety measures observed at the time.

COMMENTS

The following items were identified during the inspection:

1. Essential Fire Safety Measures
 - 1A. Automatic Fire Detection and Alarm System
 - A. The Fire Brigade Panel (FBP) indicated 1 fault relating to the automatic fire detection and alarm system in room 434. The building manager advised that he was aware of the fault and steps were being taken to have it rectified.
 - 1B. Emergency Warning and Intercommunication System (EWIS)
 - A. The EWIS Panel indicated 1 fault relating to the EWIS on level 15 of the "Novotel North" building. The building manager advised that he was aware of the fault and steps were being taken to have it rectified.
 - 1C. Fire Hydrant System
 - A. The internal and external attack fire hydrants did not incorporate Storz couplings, contrary to the requirements of Clause 9.3.1 of AS 2419.1-2021 and Fire and Rescue NSW's Fire Safety Guideline "FRNSW compatible Storz hose connections".
 - B. The fire hydrant booster assembly inlets were offset at an angle greater than 22.5° from forward facing, contrary to the requirements of AS 2419.3-2012. Concerns are raised that the inlet configuration may reduce the available flow, impacting fire-fighting operations.
2. General
 - 2A. A current Annual Fire Safety Statement was not displayed in a prominent location within the building or provided to FRNSW contrary to the requirements of Section 89 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021.

FRNSW believes that there are inadequate provisions for fire safety within the building.

OFFICIAL**RECOMMENDATIONS**

FRNSW recommends that Council:

- a. Review items 1 and 2 of this report and conduct an inspection.
- b. Ensure the fire safety measures serving the premises are being regularly maintained and that an Annual Fire Safety Statement is being provided to both the Council and FRNSW.
- c. Address any other deficiencies identified on "the premises".

Please be advised that Schedule 5, Part 8, Section 17(2) requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting. This matter is referred to Council as the appropriate regulatory authority. FRNSW awaits the Council's advice regarding its determination under Schedule 5, Part 8, Section 17 (4) of the EP&A Act.

Please do not hesitate to contact Ryan Maestri of FRNSW's Fire Safety Compliance Unit at FireSafety@fire.nsw.gov.au or call (02) 9742 7434 if there are any questions or concerns about the above matters. Please refer to file reference BFS23/6542 (31933) regarding any correspondence concerning this matter.

Yours faithfully



Ryan Maestri
Senior Building Surveyor
Fire Safety Compliance Unit

OFFICIAL

REPORTS TO COUNCIL - FOR NOTATION

ITEM NUMBER	12.3
SUBJECT	Library Opening Times - Customer Feedback
REFERENCE	F2024/00282 - D09394783
REPORT OF	Library Services Manager
PREVIOUS ITEMS	13.4 - Review of Library Opening Hours - Council - 05 Dec 2022 6:30pm

CSP THEME: Accessible.

WORKSHOP/BRIEFING DATE: Nil.

PURPOSE:

To report back to Council on the results of a survey on Library opening times conducted from September to October 2023 on the extended opening times that were introduced across all libraries on 30 January 2023.

RECOMMENDATION

That Council receive and note the report.

BACKGROUND

1. Council resolved on 5 December 2022 to increase opening times across all libraries by 40 hours per week, from 319 hours to 359 hours and requested that a report on customer feedback on the revised opening times be provided.
2. Extended opening times that were introduced across all libraries on 30 January 2023.
3. A survey on Library opening times was conducted from September 2023 to October 2023 to elicit customer feedback on the revised opening times.

ISSUES/OPTIONS/CONSEQUENCES

4. A total of 1,604 people responded to the survey. Of those, 54% indicated that they spoke a language other than English at home.
5. Over half of respondents indicated that in relation to the library that they visit most, they visit that library on a daily or weekly basis, with a further third indicating that they visit at least monthly.
6. Overall, 79% of respondents indicated that they viewed the new opening times as being 'good' or 'very good'.
7. 6% of respondents indicated that they viewed the opening times as being 'poor' or 'very poor', including 1% of respondents who viewed the opening times as being 'very poor'.

8. The below table records the responses to that question divided into the branch library that respondents said they attend most regularly:

	Very Poor	Poor	Adequate	Good	Very Good
Carlingford	3%	10%	21%	32%	34%
Constitution Hill	1%	2%	11%	24%	62%
Dundas	0%	6%	20%	34%	40%
Epping	1%	5%	19%	35%	40%
Ermington	2%	7%	19%	35%	37%
Parramatta	0%	4%	14%	25%	57%
Wentworth Point	0%	2%	16%	33%	49%
All Libraries	1%	5%	15%	29%	50%

9. Overall respondents indicated that their preferred time to visit a library in order of preference would be Saturday (54%), weeknights 5.00pm-8.00pm (43%), weekdays 12.00pm-5.00pm, Sunday (38%), and weekdays 9.00am-12.00pm (36%).
10. This pattern of response was largely consistent across the branches, with some variations. Dundas and Ermington branches had a strong preference for weekday mornings and afternoons, with evenings and weekends having a significantly lower response rate than other branches. Sundays received the strongest responses at Parramatta and Wentworth Point, although neither surpassed the popularity of Saturdays. Weekday evenings received significantly stronger responses from Epping and Parramatta branch customers than for other branches.
11. Respondents to the survey expressed an overall positive view of Council's Library facilities and services, with 62% having a 'very good' view and 28% a 'good' view.
12. The results of the survey, together with ongoing customer feedback and use patterns, will be used to inform any future changes to opening times, service levels and budget allocations.

CONSULTATION & TIMING

Stakeholder Consultation

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
September – October 2023	Survey of Library Customers -	1,604 completed. Responses discussed above.	Responses noted. No further changes to hours proposed at this time.	Library Services / Community and Culture

LEGAL IMPLICATIONS FOR COUNCIL

13. There are no legal implications for Council associated with this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

14. Originally, it was anticipated that the extended opening hours would not result in any additional employee costs due to improved rostering and organisational changes.
15. However, since December 2022, there has been an increase in employee costs to provide service coverage. Costs associated with the payment of additional headcount, shifts and overtime to cover (amongst other things) the extended opening hours is approximately \$150,000.
16. The \$150,000 increase in employee costs has been included in the draft 2024/25 budget currently on exhibition.

Paul Scully
Library Services Manager

John Angilley
Executive Director Finance & Information

David Moutou
Acting Executive Director Community and Culture

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL

REPORTS TO COUNCIL - FOR NOTATION

ITEM NUMBER	12.4
SUBJECT	Minutes of the Traffic Engineering Advisory Group - 24 April 2024
REFERENCE	F2024/00282 - D09390466
REPORT OF	Traffic and Transport Manager

CSP THEME: ACCESSIBLE

WORKSHOP/BRIEFING DATE: Nil

PURPOSE:

That Council note the minutes and recommendations of the Traffic Engineering Advisory Group meeting held on 24 April 2024.

RECOMMENDATION

That Council notes the minutes of the Traffic Engineering Advisory Group meeting held on 24 April 2024, as provided in **Attachment 1**, and summarised below:

(a) **ITEM 2404 B1 HILL ROAD, WENTWORTH POINT – UPDATE ON THE PROPOSED IMPROVEMENTS**

This report only provides an update on the proposed traffic improvements and other proposed works on Hill Road and Bennelong Parkway, Wentworth Point and Sydney Olympic Park. Therefore, this report has no financial impact upon Council's budget.

(b) **ITEM 2404 B2 PROJECTS RECENTLY COMPLETED, PROJECTS CURRENTLY FUNDED AND PROJECTS LISTS FOR CONSIDERATION OF FUTURE FUNDING**

The recommendation from the report is only to receive and note information, and to provide further information. Therefore, there are no financial impacts from the report. The report includes details of projects, timing and funding arrangements.

(c) **ITEM 2404 B3 KISSING POINT ROAD, DUNDAS – SAFETY CONCERNS AT THE BUS SHELTER NEAR KIRBY STREET**

There are no financial implications to Council as a result of this report.

BACKGROUND

1. The Traffic Engineering Advisory Group (TEAG) is similar to the Parramatta Traffic Committee, except that it only involves matters that do not invoke the Transport for NSW (TfNSW) delegation to councils. The TEAG does not have the formal voting process that exists in the Parramatta Traffic Committee. It is primarily a technical review committee that advises Council on traffic related matters. TEAG also considers items where TfNSW maintains its control, such as

speed limits, clearways and traffic signals, or items for which TfNSW does not have control such as planning of future projects.

2. The most recent meeting of the TEAG was held on 24 April 2024. The meeting was attended by Councillors Paul Noack (Chairperson), Henry Green and Ange Humphries. The minutes of that meeting and the reports to that meeting are provided at **Attachments 1 and 2** of this report.

ISSUES/OPTIONS/CONSEQUENCES

3. The recommendations from the TEAG meeting are provided below.

ITEM 2404 B1 HILL ROAD, WENTWORTH POINT – UPDATE ON THE PROPOSED IMPROVEMENTS

Recommendation from Traffic Engineering Advisory Group:

1. That the update regarding improvements on Hill Road, Wentworth Point be noted.
2. That Council note that Councillor Noack requested further information regarding funding for the pedestrian cyclist bridge over Haslams Creek on Bennelong Parkway and that a reply be provided directly to Councillor Noack.

Unanimous Support.

ITEM 2404 B2 PROJECTS RECENTLY COMPLETED, PROJECTS CURRENTLY FUNDED AND PROJECTS LISTS FOR CONSIDERATION OF FUTURE FUNDING

Recommendation from Traffic Engineering Advisory Group:

1. That the Projects Lists for proposed traffic works be received and noted.
2. That Ward Councillors be updated when consultation commences for the proposed roundabout at the intersection of North Rocks Road and Loyalty Road, North Rocks.
3. That Council note that Donna Davis MP requested further information on the cost variation for the street lighting component of the raised pedestrian crossing in John Ian Wing Parade, Newington and that a reply be provided directly to Donna Divis MP.

Unanimous Support.

ITEM 2404 B3 KISSING POINT ROAD, DUNDAS – SAFETY CONCERNS AT THE BUS SHELTER NEAR KIRBY STREET

That Council note that Donna Davis MP has requested an update on safety concerns at the bus shelter in Kissing Point Road, Dundas at Kirby Street and that a reply be provided directly to Donna Davis MP.

Unanimous Support.

CONSULTATION & TIMING

LEGAL IMPLICATIONS FOR COUNCIL

5. There are no legal implications for Council associated with any of the items in this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

6. The financial comments for each item are provided below.

ITEM	
2404 B1	This report only provides an update on the proposed traffic improvements and other proposed works on Hill Road and Bennelong Parkway, Wentworth Point and Sydney Olympic Park. Therefore, this report has no financial impact upon Council's budget.
2404 B2	There are no financial implications to Council as a result of this report.
2404 B3	There are no financial implications to Council as a result of this report.

Richard Searle
Traffic and Transport Manager

Jennifer Concato
Executive Director City Planning and Design

John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

1 	TEAG 2404 Minutes for the Traffic Engineering Advisory Group meeting held on 24 April 2024	3 Pages
2 	TEAG 2404 Item Report	12 Pages
3 	TEAG 2404 Attachment 3 Consultation and Timing for Traffic Engineering Advisory Group meeting held on 24 April 2024	3 Pages

REFERENCE MATERIAL

TRAFFIC ENGINEERING ADVISORY GROUP MEETING**WEDNESDAY 24 APRIL 2024****MINUTES****MINUTES OF THE TRAFFIC ENGINEERING ADVISORY GROUP MEETING HELD 24 APRIL 2024 AT 1.30PM. MEETING HELD IN PERSON AT COUNCIL'S ADMINISTRATION BUILDING, 126 CHURCH STREET, PARRAMATTA OR OPTIONAL ATTENDANCE VIA MICROSOFT TEAMS**

The Traffic Engineering Advisory Group Chairperson Councillor Paul Noack declared the meeting open at 1:30pm.

PRESENT:	
NAME:	REPRESENTATIVE OF
Paul Noack	Councillor and Chairperson
Henry Green	Councillor
Ange Humphries	Councillor
Donna Davis MP	State Member for Parramatta
Ed Saloman	Representative for Member for Reid Sally Sitou MP
Sergeant Leonie Abberfield	Ryde Police Area Command (PAC)
LSC William Graham	Cumberland Police Area Command (PAC)
James Duguid	Transit Systems
Michael Perrone	CDC Buses
Pam Kendrick	Representative for the Parramatta Bicycle Committee and Bicycle NSW
Richard Searle	Traffic and Transport Manager, CoPC
Saniya Sharmeen	Traffic and Transport Team Leader, CoPC
Behzad Saleh	Traffic and Transport Executive Engineer, CoPC - Minutes Secretary

APOLOGIES:	
NAME:	REPRESENTATIVE OF
Nazli Tzannes	Transport for NSW (TfNSW)
Sergeant Jack Makhoul	Parramatta Police Area Command (PAC)
Patricia Procriv	Councillor and Representative for Member for Parramatta Donna Davis MP

DECLARATIONS OF CONFLICT OF INTEREST:

There were no declarations of conflict of interest.

CONFIRMATION OF THE MINUTES OF MEETING HELD ON 21 FEBRUARY 2024:

That the report of the Traffic Engineering Advisory Group meeting held on 21 February 2024 be taken as read and confirmed as a true record of the meeting.

BUSINESS ARISING:

SECTION B ITEMS:

ITEM NO 2404 B1 HILL ROAD, WENTWORTH POINT – UPDATE ON THE PROPOSED IMPROVEMENTS

Ward: Rosehill

State Electorate: Parramatta

Recommendation to Traffic Engineering Advisory Group:

That the update regarding improvements on Hill Road, Wentworth Point be noted.

Recommendation from Traffic Engineering Advisory Group:

1. That the update regarding improvements on Hill Road, Wentworth Point be noted.
2. That Council note that Councillor Noack requested further information regarding funding for the pedestrian cyclist bridge over Haslams Creek on Bennelong Parkway and that a reply be provided directly to Councillor Noack.

Unanimous Support.

ITEM NO 2404 B2 PROJECTS RECENTLY COMPLETED, PROJECTS CURRENTLY FUNDED AND PROJECTS LISTS FOR CONSIDERATION OF FUTURE FUNDING

Ward: All

State Electorate: All

Recommendation to Traffic Engineering Advisory Group:

That the Projects Lists for proposed traffic works be received and noted.

Recommendation from Traffic Engineering Advisory Group:

1. That the Projects Lists for proposed traffic works be received and noted.
2. That Ward Councillors be updated when consultation commences for the proposed roundabout at the intersection of North Rocks Road and Loyalty Road, North Rocks.
3. That Council note that Donna Davis MP requested further information on the cost variation for the street lighting component of the raised pedestrian crossing in John Ian Wing Parade, Newington and that a reply be provided directly to Donna Davis MP.

Unanimous Support.

BUSINESS ITEMS:

ITEM NO 2404 B3 KISSING POINT ROAD, DUNDAS – SAFETY CONCERNS AT THE BUS SHELTER NEAR KIRBY STREET

Ward: Dundas

State Electorate: Parramatta

Donna Davis MP advised the Committee that she has written to Council regarding safety concerns at the bus shelter in Kissing Point Road, Dundas near Kirby Street. She asked that an update be provided from Council following an investigation of the concerns raised.

Recommendation from Traffic Engineering Advisory Group:

That Council note that Donna Davis MP has requested an update on safety concerns at the bus shelter in Kissing Point Road, Dundas at Kirby Street and that a reply be provided directly to Donna Davis MP.

The Chairperson closed the meeting at 1:53pm.

**CITY OF PARRAMATTA COUNCIL****Traffic Engineering Advisory Group Agenda Item**

ITEM NO: 2404 B1
SUBJECT: Hill Road, Wentworth Point – Update on the proposed improvements
APPLICANT: City of Parramatta Council
REPORT OF: Traffic and Transport Executive Engineer
WARD: Rosehill
SED: Parramatta

Purpose

The purpose of this report is to provide an update to Council regarding improvements on Hill Road, Wentworth Point as well as other works in the area which may affect traffic. Accordingly, the report provides an update on the following works:

1. Bennelong Bridge Load Limit
2. Traffic Signals at the intersection of Hill Road and Bennelong Parkway
3. Roundabout and pedestrian crossings at the intersection of Hill Road and Burroway Road
4. Pedestrian Refuge Island in Hill Road near Half Street
5. Cyclist bridge at Haslams Creek and crossing facility at Wentworth Commons
6. An update on the Federal Government Funding
7. An update on the Stormwater improvements

OFFICER'S RECOMMENDATIONS:

That the update regarding improvements on Hill Road, Wentworth Point be noted.

Background

Council, at its meeting held on 14 March 2022 considered a report regarding Hill Road and resolved:

1. *That a monthly update be provided to Ward Councillors regarding the status of the Federal Funding application under its Stimulus Program.*
2. *That should the outcomes of the Federal Funding be unsuccessful or not received by end of July 2022, that Council will endeavour to secure alternative funding for the traffic signal upgrade at Hill Road and Bennelong Parkway, to ensure these works are completed in the 2022/23 financial year.*
3. *That Council continue to contact the developer advising of Council's resolution calling for the urgent construction of the planned roundabout and street crossing at the corner of Hill Road and Burroway Road.*

4. Further, that updates on both projects referred to in this report be provided to each meeting of the Parramatta Traffic Committee and included in the minutes reported to Council until the projects are complete.

In addition, an email from Councillor Noack was received on 5 April 2022 requesting the following items also be included within each TEAG agenda:

1. As per Council resolution a report on the work being done on the traffic lights at the corner of Bennelong Parkway and Hill Road
2. As per Council resolution a report on work being done on the roundabout and pedestrian crossing at Hill Road and Burroway Road
3. Update on lighting on Hill Road. This is the change to LED lightning
4. Update on drainage for Hill Road
5. Haslams Creek Bridge Update on Bennelong Road
6. Crossing from Wentworth Common across Bennelong Road

Bennelong Parkway Bridge over Haslams Creek Load Limit

GHD on behalf of Council undertook a structural assessment of the Bennelong Parkway Bridge that crosses Haslams Creek. The assessment found that the bridge has a capacity to cater for a 30T vehicle with a maximum single axle weight of 9T, tandem (double) axle weight of 15T and tri-axle weight of 16T. Accordingly, Council's Civil Assets Team has now updated the signage to advise motorists of the new restriction and temporary Variable Message Signs have been placed to further enforce the restriction.

Repair options for the bridge are currently being investigated by Council staff. It is expected that the detail design of the selected option will be undertaken in the current calendar year. Subject to funding, construction is being targeted for 2025. It is noted that the current load limit restrictions will remain in place until the bridge has been repaired.

Traffic Signals at Bennelong Parkway Intersection

Traffic signals at Bennelong Parkway intersection commenced operation in December 2023. Due to existing utility services, a signalised combined pedestrian and cyclists crossing could not be installed at the originally approved location on the slip lane.

An alternative location for the signalised crossing was previously approved by TfNSW with works scheduled for completion in March 2024. However, upon further review, TfNSW found a noncompliance that required the signal post to be relocated once more and to be installed with a special footing design. The revised plans have now been approved and it is anticipated that the works will be completed in May 2024.

As an interim measure, a marked pedestrian crossing has been installed on the slip lane along with a speed cushion on the approach to the crossing. This facility will be removed once the signalised crossing is installed.



Figure 1: Aerial view of the new signalised intersection of Hill Road and Bennelong Parkway, Wentworth Point

Proposed roundabout and pedestrian crossing at Burroway Road intersection

Construction of the roundabout and pedestrian crossings at the intersection Hill Road and Burroway Road, Wentworth Point has commenced. However, during physical works, the developer uncovered stormwater assets that were not identified during the initial subgrade investigations that were clashing with the approved design. The developer has been working with Council's Stormwater engineers and a solution to this issue has been approved. However, the developer is seeking further amendments to the approved design in other locations for which Council provided comments and requested further information on 15 April 2024.

Subject to Council's approval of the revised design and weather conditions, it is expected that the proposed works will be completed by June 2024.

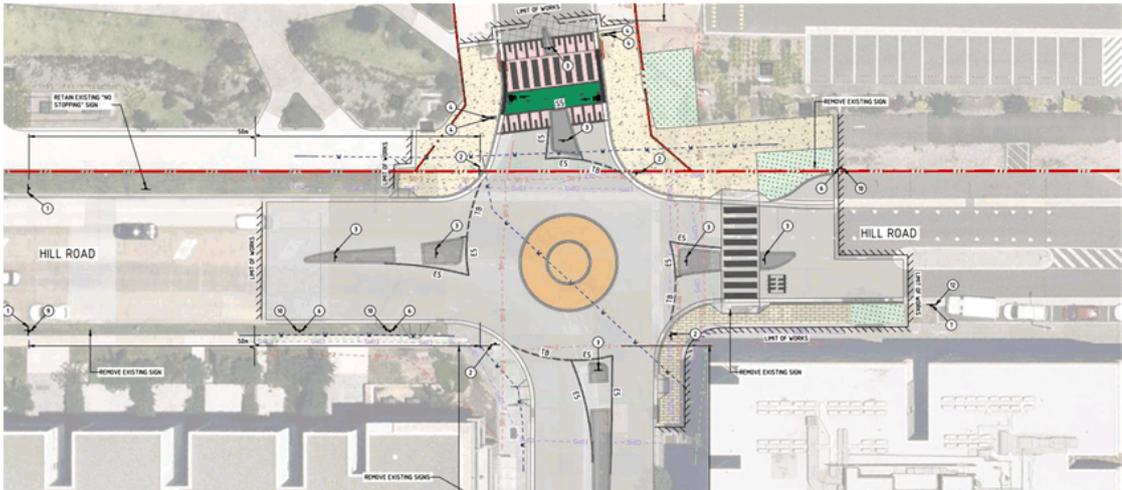


Figure 2: Plan showing the roundabout and pedestrian crossings at the intersection of Hill Road and Burroway Road, Wentworth Point

Pedestrian Refuge Island in Hill Road at Half Street

Council has selected the preferred contractor for the construction of the pedestrian refuge island in Hill Road, Wentworth Point and will be formally engaging them in the coming weeks. It is anticipated that construction will be completed by June 2024. This project is 100% funded by Council from development contribution funds.

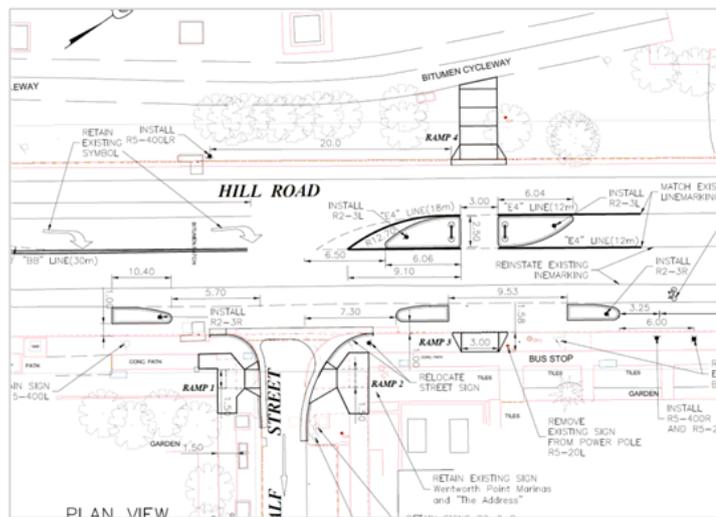


Figure 3: The final design plan of the approved pedestrian refuge island in Hill Road north of Half Street, Wentworth Point

Proposed pedestrian and cyclist bridge at Haslams Creek on Bennelong Parkway and pedestrian crossing in Bennelong Parkway at Wentworth Common

Council has appointed BECA to undertake detail design of a new pedestrian and cyclist bridge over Haslams Creek on the northern side of Bennelong Parkway which has now been completed. The project includes proposed pedestrian and cyclist paths to connect to the

west, and a raised pedestrian and bicycle crossing in Bennelong Parkway at Wentworth Common (subject to Sydney Olympic Park Authority approval).

Council has commenced public exhibition for community feedback and has lodged a Development Application for the bridge. Subject to the results of consultation, development approval and reporting to Council, external grant funding for construction will be sought for works commencing in 2025.

Federal Government Funds

The Federal Government has committed \$8.5 million for the upgrade of Hill Road, Wentworth Point. Council has submitted a funding application to the Department of Infrastructure under the Infrastructure Investment Program and is awaiting final ministerial approval. The works for which funding has been sought are:

1. Traffic signals at the intersection of Hill Road and Bennelong Parkway
2. Lighting and street furniture upgrades in Hill Road
3. Stormwater drainage Works
4. Public domain improvements

Drainage upgrades for Hill Road

Council has engaged a consultant to undertake an initial review of currently available flooding information for the Haslams Creek catchment, which includes Hill Road. This study is expected to be completed by May 2024 and will provide the required basis to undertake the flood modelling of the catchment which is expected to take place in the 2024/25 FY.

Once the modelling has been completed, Council will be able to formulate the concept designs for Hill Road to guide its future upgrade.

FINANCIAL IMPLICATIONS

This report only provides an update on the proposed traffic improvements and other proposed works on Hill Road and Bennelong Parkway, Wentworth Point and Sydney Olympic Park. Therefore, this report has no financial impact upon Council's budget.



Behzad Saleh
Traffic and Transport Executive Engineer
16/04/2024
Attachments – Nil



CITY OF PARRAMATTA COUNCIL

Traffic Engineering Advisory Group Agenda Item

ITEM NO: 2404 B2
SUBJECT: Projects Recently Completed, Projects Currently Funded and Projects Lists for Consideration of Future Funding
APPLICANT: City of Parramatta Council
REPORT OF: Traffic and Transport Engineer
WARD: All
SED: All

Purpose

This report provides information on traffic and pedestrian projects recently completed or currently funded and projects lists that City of Parramatta Council maintains for budget planning purposes.

OFFICER'S RECOMMENDATIONS:

That the Projects Lists for proposed traffic works be received and noted.

Recently Completed Projects

Nil.

Projects to be undertaken in 2023/24

Information regarding the progress on currently funded projects is provided at the start of the attachment to this report.

Future Projects

Traffic projects that are to be considered for future funding are categorised into one of four lists as detailed below:

- *Development Contributions Plan List - outside the Parramatta City Centre*

Council adopted this list on 12 July 2021 as part of the City of Parramatta (Outside Parramatta CBD) Contributions Plan 2021 (refer to Tables 37 and 38 of the Plan via the link <https://cityofparramatta.co/3HaPxLw>). This list is prioritised into three categories; high (5 years), medium (5-10 years) and low (10-20 years). This work is proposed to be funded from Development Contributions, unless grant funding, a Voluntary Planning Agreement, or other source of funding is obtained.

The Development Contributions Plan is reviewed and set approximately every 5 years. Therefore, the lists shown in Tables 37 and 38 of the City of Parramatta (Outside Parramatta CBD) Contributions Plan 2021 would also be set and fixed every 5 years (approximately) at the same time the Development Contributions Plan is approved by Council.

These projects have a range of purposes such as improving pedestrian safety and amenity; improving sight distance (or reducing speed where sight distance is limited); upgrading an existing facility; reducing congestion; guard rail or barriers; and reducing illegal or unsafe driving. The list includes projects that would be on the Black Spot list except they have a low Benefit Cost Ratio and would not attract grant funds. These projects are also considered for grant funding applications including new proposals that would be considered in the next review of the Development Contributions Plan.

- *Traffic Projects List – within the Parramatta City Centre*

This list includes projects that are located within the Parramatta City Centre. These projects will generally be funded from the Parramatta City Centre Developer Contributions Plan.

- *Black Spot Projects List*

This list is for the projects where funding is being or is proposed to be sought, from the State or Federal Government under their Black Spot and Safer Roads Programs.

The Black Spot locations generally have a high number of collisions, and the proposed work is forecast to have a significant reduction on accidents. Projects under Black Spot Program are ranked on Benefit Cost Ratio (BCR); whereas projects under Safer Roads Programs are ranked on Safety Performance Indicator (SPI). The individual funding programs also have different criteria regarding the number of accidents with injuries that have occurred. At present, a minimum of 2 injury accidents over a 5-year period is generally required for a project to be eligible for funding.

- *List of Traffic Projects Supported by Community Petition*

This list includes locations where Council has received requests from at least 50% of households within the street for traffic calming to be installed in the street (or part of the street). This support can be in the form of a petition or letters. Meeting this requirement demonstrates that the local community wants this treatment in the street. These streets often do not have a specific hazard, crash history, or concentration of vulnerable road users such as pedestrians.

Development Contribution Funds are not suitable for these projects as these projects are not related to supporting growth in the area. These projects could be funded from General Revenue. Councillors may wish to use part of the ward initiatives budget to deliver these projects.

FINANCIAL IMPLICATIONS:

External Funding:

- Council has received 100% funding offer under the State Government's FY23/24 Safe Speeds in High Pedestrian Activity and Local Areas program for the design of High Pedestrian Activity Area in Granville by June 2024.
- Council has been offered 100% funding offer under the State Government's Parramatta-Sydney Foreshore Link (Early Delivery Projects) Program for the construction of the following traffic facility project in FY23/24:
 - Brodie Street south of Alan Street, Rydalmere - \$540,500 for the construction of a raised combined pedestrian and cyclist crossing

Internal Funding:

- Council's Delivery Program and Operational Plan generally allocates funding for the delivery of traffic projects using Development Contributions Funds. The traffic projects that are to be funded from the Development Contributions Funds in 2023/24 are listed below:
 - Traffic Signals in Carlingford Road at Hepburn Avenue Carlingford - \$550k for the TfNSW plan checking fees and utility services relocations (Complete Design and Commence Construction). It is intended to complete this project in 2024/25.
 - Raised Pedestrian Crossing in Ray Road at Kent Street Epping - \$340k for design and construction
 - Roundabout in North Rocks Road at Loyalty Road North Rocks - \$70k for design only
 - Roundabout in Fitzwilliam Road at Tucks Road Toongabbie - \$70k for design only



Saniya Sharmeen
Traffic and Transport Team Leader
16/04/2024
Attachments – A. Project Lists

Projects for 2023/24

Location	Treatment Type	Cost	Comments
Ward: Epping; SED: Epping			
Alamein Avenue west of Bardia Road, Carlingford	Construction of a new raised pedestrian crossing	\$264,507.60 (Actual)	Completed in September 2023. This project has received 100% from the State Government's Get NSW Active program
Carlingford Road at Hepburn Avenue, Carlingford	Install traffic control signals - TfNSW plan checking fees and utility services relocations	\$550,000 in 2023/24 with the remainder to be spent in 24/25	Traffic Control Signal (TCS) plan has been approved by TfNSW. This is design is 100% funded by Council.
Orchard Road north of North Rocks Road and Plympton Road, Beecroft	Construction of a new raised pedestrian crossing	\$225,000	Completed in September 2023. This project has received 100% from the State Government's Get NSW Active program.
Ray Road at Kent Street, Epping	Install raised pedestrian crossing (Design and construct)	\$340,000	Community consultation completed. This project was approved through the Parramatta Traffic Committee in March 2024. This is project is 100% funded by Council.
Victoria Street, Epping	Construction of a combined raised pedestrian and cyclist crossing	\$255,541	Completed in December 2023. This project has received 100% from the State Government's Get NSW Active program.
Ward: North Rocks; SED: Epping			
North Rocks Road at Loyalty Road, North Rocks	Install roundabout (Design only)	\$70,000	Design is in progress. This project is 100% funded by Council.
Ward: Parramatta; SED: Winston Hills			
Fitzwilliam Road at Tucks Road, Toongabbie	Install roundabout (Design only)	\$70,000	Design has commenced. This project is 100% funded by Council.

Location	Treatment Type	Cost	Comments
Ward: Rosehill; SED: Granville			
Brodie Street, Rydalmere	Install raised pedestrian crossing	\$540,000	Design approved by Council through the Parramatta Traffic Committee Process in March 2024. This project is 100% funded by the 2023/24 State Government Parramatta to Sydney Foreshore Link Program.
M4 Cycleway at Good Street and Alfred Street, Granville	Construct combined raised pedestrian and cyclists crossing	\$600,000	Completed in December 2023. This project has received 100% from the State Government's Get NSW Active program.
Ward: Rosehill; SED: Parramatta			
Park Parade south side of railway line at pedestrian underpass to Parramatta Park, Westmead	Construct a pedestrian refuge with kerb extension and pedestrian fencing	\$350,000 (Actual)	Completed in September 2023. This project is 100% funded by Council through its 2022/23 Active Transport Program (from Parramatta CBD Development Contributions Plan).
Intersection of High Street at Raymond Street, Parramatta	Install a raised pedestrian crossing in High St (north leg) and speed cushions at other 3 legs.	\$262,000	Completed in September 2023. This project is 100% funded by the 2022/23 Australian Government Black Spot Program.
Ward: Rosehill; SED: Auburn			
Hill Road at Bennelong Parkway, Wentworth Point	Construction of new Traffic Signals	\$4m	Main traffic signals completed in December 2023. Signalised crossing on the slip lane is yet to be constructed. This project is 100% funded by Council.
John Ian Wing Parade, Newington	Construct combined raised pedestrian and cyclists crossing at Louise Savage Pathway	\$240,000	Completed in December 2023 except for street lighting. This project is 100% funded from the State Government's Get NSW Active program.

Black Spot Projects List

BCR	Location	Treatment Type	Estimated Cost	Injury Accidents (over 5-year Period) that can be treated by the treatment	Funding Status	Comments
5.12	Martha Street at Wentworth Street and, Clyde	Install raised thresholds on both approaches to Wentworth Street	\$200,000	7	Not yet funded	Applied for funding under State and Federal Government's 2024/25 Black Spots and Safer Roads Programs.
2.13	Gladstone Street at Buller Street, North Parramatta	Install a roundabout	\$600,000	3	Not yet funded	Applied for funding under State and Federal Government's 2024/25 Black Spots and Safer Roads Programs.
1.88	Redbank Road at Balmoral Road, Northmead	Install raised thresholds with median island	\$142,000	2 out of 4	Not yet funded	Applied for Proactive funding under State and Federal Government's 2024/25 Black Spots and Safer Roads Programs.

Traffic Projects supported by Community Petition

Location	Proposed Treatment	Year Included on List
Ward: Epping;		
Lexington Avenue at Raimonde Road, Eastwood	Concrete median islands	2014
George Street, Epping	Chicanes (2)	2020
Ward: Parramatta		
Ballandella Road between Fitzwilliam Road and Barangaroo Road, Toongabbie	Raised Thresholds or Chicanes (2)	2015
Frances Street, Northmead	Speed humps (3) or chicanes (2)	2021
Harris Street, Constitution Hill	Speed Humps (3)	2015
Ward: North Rocks		
Barnetts Road, Winston Hills	Chicanes	2011
Ward: Rosehill		
Alice Street between Alfred and Arthur Streets	Speed Humps (2)	2020
Deakin Street, Silverwater (between Stubbs Street and the cul-de-sac)	Speed Humps	2018
Albert Street, Granville	Speed humps	2023

Attachment 3**Traffic Engineering Advisory Group meeting held on Wednesday 24 April 2024****Consultation & Timing: Items B1 to B3****ITEM NO 2404 B1 HILL ROAD, WENTWORTH POINT – UPDATE ON THE PROPOSED IMPROVEMENTS****Stakeholder Consultation**

A record of all submissions and responses is provided in the attachments to the Traffic Engineering Advisory Group report and Council report on the matter.

The Traffic Engineering Advisory Group agenda was emailed to the PTC/TEAG mailing list on Thursday, 18 April 2024 and the meeting was held on Wednesday, 24 April 2024. The comments below were received.

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
24 April 2024	TEAG	Support recommendations	Mr Richard Searle	Manager Traffic & Transport

Councillor Consultation

The Traffic Engineering Advisory Group agenda was emailed to the PTC/TEAG mailing list on Thursday, 18 April 2024 and the meeting was held on Wednesday, 24 April 2024. The below Councillor comments were received.

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
24 April 2024	Councillor Noack	Requested further information regarding funding for the pedestrian cyclist bridge over Haslams Creek on Bennelong Parkway and that a reply be provided directly to Councillor Noack	Mr Richard Searle	Manager Traffic & Transport

ITEM NO 2404 B2 PROJECTS RECENTLY COMPLETED, PROJECTS CURRENTLY FUNDED AND PROJECTS LISTS FOR CONSIDERATION OF FUTURE FUNDING**Stakeholder Consultation**

A record of all submissions and responses is provided in the attachments to the Traffic Engineering Advisory Group report and Council report on the matter.

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Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
24 April 2024	Ward Councillors	Ward Councillors to be updated when consultation commences for the proposed roundabout	Mr Richard Searle	Manager Traffic & Transport
24 April 2024	Donna Davis MP	Requested further information on the cost variation for the street lighting component of the raised crossing in John Ian Wing Parade and a reply be provided to Donna Davis MP	Mr Richard Searle	Manager Traffic & Transport

**ITEM NO 2404 B3 KISSING POINT ROAD, DUNDAS – SAFETY CONCERNS AT THE
BUS SHELTER NEAR KIRBY STREET****Stakeholder Consultation**

A record of all submissions and responses is provided in the attachments to the Traffic Engineering Advisory Group report and Council report on the matter.

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
24 April 2024	TEAG	Support recommendation	Mr Richard Searle	Manager Traffic & Transport

Councillor Consultation

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
24 April 2024	Donna Davis MP	Requested an update on safety concerns at the bus shelter in Kissing Point Road and that a reply be provided directly to Donna Davis MP	Mr Richard Searle	Manager Traffic & Transport

REPORTS TO COUNCIL - FOR COUNCIL DECISION

27 MAY 2024

13.1	Quarterly Budget Review - March 2024	122
13.2	Adoption of Debt Management and Hardship Assistance Policy 2024.	140
13.3	Adoption of Media Policy 2024.....	154
13.4	Adoption of Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No 3) - Church Street North Precinct	179
13.5	Approval of Planning Proposal for 8 Lincluden Place, Oatlands	274
13.6	Approval of Civic Link Block 3 Concept Design.....	396
13.7	Public Exhibition of Draft Code of Meeting Practice	422
13.8	Parramatta as a C40 Global City - Application for Membership	559
13.9	Gateway Request: Planning Proposal for North East Parramatta (North-East Planning Investigation Area)	566

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER 13.1
SUBJECT Quarterly Budget Review - March 2024
REFERENCE F2024/00282 - D09389536
REPORT OF Chief Financial Officer

CSP THEME: Fair

WORKSHOP/BRIEFING DATE: Refer Consultation section

PURPOSE:

To present the March 2024 Quarterly Budget Review Statement (QBRs) for adoption.

RECOMMENDATION

- (a) That Council adopt the March 2024 Quarterly Budget Review Statement (QBRs) and the Responsible Accounting Officer's report on the financial position of the Council (Attachment 1).
- (b) That Council approve the revised budget for the 2023/24 financial year:
 - i) Net operating result (including capital) of \$172.6 million surplus (including the loss on asset disposal of \$2.2 million and additional capital revenue of \$83.2 million).
 - ii) Underlying net operating result (excluding capital) of \$91.6 million surplus.
 - iii) Capital expenditure of \$214.2 million.

BACKGROUND

1. Clause 203 of the Local Government (General) Regulation 2021 requires the Responsible Accounting Officer (Chief Finance and Information Officer) to prepare and submit to the Council a Quarterly Budget Review Statement that shows by reference to the estimates of income and expenditure set out in the Operational Plan, a revised estimate of the income and expenditure for the full financial year.
2. The Responsible Accounting Officer is also required to report whether the financial position of the Council is satisfactory, having regard to the original estimate of income and expenditure.

ISSUES/OPTIONS/CONSEQUENCES

3. The attached March 2024 Quarterly Budget Review Statement (QBRs) includes an analysis of the reasons for the major variances from the previously adopted budget. Explanations for major variances are in line with the parameters previously agreed by Council i.e. Budget variations greater than +/- 10% of the current budget or greater than +/- \$100,000 of the current budget. Below is a summary of key variances.

4. Underlying Net Operating Result (excl Capital & Asset Disposals) of \$91.6m*, is \$90.8m above the December Forecast.
5. The Net Operating result (after capital revenue and asset disposal) is forecasted at a Net Surplus of \$172.6m, is \$62.7m above the December Forecast, with the key movements being:

a. Favourable movements to the Budget:

- Other Revenue \$89.9m – compensation of \$90.3m received from Horwood Place litigation*
- Interest Income \$10.9m – Interest income from Horwood Place Litigation of \$10.7m*
- Rates & Annual Charges \$0.4m – additional volume of domestic waste bins \$0.4m

**Note: the Horwood Place compensation is quarantined as it may be subject to a potential Court appeal and Council may have to refund some/all of this compensation.*

b. Unfavourable movements to the Budget:

- Capital Grants & Contributions is (\$29.5m) – rephasing of 8 Parramatta Square Net Lettable Area uplift payment from Walkers (\$16.6m), Norwest T-Way Shared Path (\$8m), George Street East Cycleway (\$3.2m) and Strengthening the Heart of Play (\$1.3m) to FY25.
 - Employee Expenses (\$4.4m) – lower than forecasted vacancies and turnover.
 - Materials & Contracts (\$2.6m) – increase in domestic waste charges due to CPI and waste volumes (\$1.3m) and the reclassification of TechOne SaaS fees from capex to opex (\$1.4m).
 - Other Operating Expenses (\$0.9m) – mainly due to reclassification of ICT costs from capex to opex (\$0.5m) .
 - Operating Grants & Contributions (\$1.1m) - rephasing of Sydney Water Breakthrough work revenue to FY25.
 - Decline in User Charges & Fees by (\$1.4m) – mainly due to reduced development activities (\$1.7m).
6. Capex: Reductions of \$5m from the \$219.2m in the December Forecast to \$214.2m, are driven by delays in the completion of various projects.

CONSULTATION & TIMINGStakeholder Consultation

7. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
March 24 - Apr 24	Business managers and Executives	Feedback has been incorporated in the development of the QBRS document	Report and budgets updated as agreed	Finance

Councilor Consultation

8. The following Councilor consultation has been undertaken in relation to this matter:

Date	Councilor	Councilor Comment	Council Officer Response	Responsibility
8 May 24	Finance Committee	Endorsed by Finance Committee	NA	Finance & Information

LEGAL IMPLICATIONS FOR COUNCIL

9. There are no legal implications for the Council associated with this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

10. If the Council resolves to approve this report in accordance with the recommendation, the financial impacts on the budget are summarised above and detailed in the attached QBRS.

Amit Sharma
Chief Financial Officer

John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

1  Attachment 1 - QBRS March 24 15 Pages

REFERENCE MATERIAL



Contents

Executive Summary 3

Directorate P&L Summary 5

Capital Expenditure Statement 7

Capital Major Works..... 8

Capital Variances..... 9

Reserve Balance Summary..... 11

Tender Contracts Awarded..... 12

External Legal & Consultancy Fees 13

RESPONSIBLE ACCOUNTING OFFICERS REPORT 14

Executive Summary

RECOMMENDATIONS

That Council adopt the March 2024 Quarterly Budget Review Statement and the Responsible Accounting Officer's report on the financial position of the Council.

Underlying Net Operating Surplus (Before Operating Grants) of \$91.6m, is \$90.8m above the December Forecast.

The Net Operating result (after Capital Grants & Asset disposal) is forecasted at a Net Surplus of \$172.6m, is \$62.7m above the December Forecast.

Key Highlights:

- Improvements to the P&L:
 - Other Revenue \$89.9m – compensation of \$90.3m received from Horwood Place Litigation*
 - Interest Income \$10.9m – Interest income from Horwood Place Litigation* \$10.7m
 - Rates & Annual Charges \$0.4m – additional volume of domestic waste bins \$0.4m

- Reductions to the P&L:
 - Capital Grants & Contributions is (\$29.5m) – rephasing of 8 Parramatta Square Net Lettable Area uplift payment from Walkers (\$16.6m), Norwest T-Way Shared Path (\$8m), George Street East Cycleway (\$3.2m) and Strengthening the Heart of Play (\$1.3m) to FY25
 - Employee Expenses (\$4.4m) – lower than forecasted vacancies and attrition savings.
 - Materials & Contracts (\$2.6m) – increase in domestic waste charges due to CPI & volumes (\$1.3m) and the reclassification of TechOne SaaS fees from capex to opex (\$1.4m)
 - Other Operating Expenses (\$0.9m) – mainly due to reclassification of ICT costs from capex to opex (\$0.5m)
 - Operating Grants & Contributions (\$1.1m) - rephasing of Sydney Water Breakthrough work revenue to FY25
 - Decline in User Charges & Fees by (\$1.4m) – mainly due to subdued development activities (\$1.7m).

*Horwood Place Litigation subject to potential refund from any court appeals

MARCH 2024 FINANCIAL STATEMENTS & MOVEMENTS

The City of Parramatta's financial position is reflected in the following pages of the 2023-24 December Quarterly Review.

\$'000s	2023/24 Original Budget	December QR	Proposed Adjustments	March QR	YTD March Actuals
Income					
Rates & Annual Charges	\$220,614	\$222,009	\$444	\$222,453	\$220,978
User Charges & Fees	\$42,962	\$45,008	(\$1,443)	\$43,565	\$32,039
Interest	\$19,910	\$24,033	\$10,945	\$34,978	\$18,455
Other Revenue	\$21,890	\$18,331	\$89,880	\$108,210	\$12,643
Operating Grants & Contributions	\$24,412	\$20,123	(\$1,135)	\$18,988	\$4,302
Capital Grants & Contributions	\$125,346	\$112,720	(\$29,525)	\$83,195	\$64,276
Internal Revenue	\$15,073	\$12,438	(\$586)	\$11,851	\$8,432
Gain on Share in Joint Venture	\$500	\$600	\$0	\$600	\$0
Total Income	\$470,706	\$455,261	\$68,579	\$523,841	\$361,125
Expense					
Employee Costs	\$147,487	\$143,989	(\$4,440)	\$148,429	\$113,559
Borrowing Costs	\$109	\$105	(\$0)	\$105	\$98
Materials & Contracts	\$71,657	\$70,120	(\$2,564)	\$72,684	\$55,004
Depreciation & Amortisation	\$58,497	\$63,387	(\$0)	\$63,387	\$45,239
Other Operating Expenses	\$49,974	\$51,670	(\$912)	\$52,582	\$36,623
Internal Expenses	\$14,658	\$12,438	\$586	\$11,852	\$7,677
Total Expenses	\$342,383	\$341,708	(\$7,330)	\$349,038	\$258,200
Loss/(gain) on asset disposal	\$5,834	\$3,660	\$1,424	\$2,237	(\$296)
Net Operating Surplus/(Deficit) Before Funding	(\$21,849)	(\$19,290)	\$91,910	\$72,620	\$33,592
Net Operating Surplus/(Deficit) After Operating Grants	\$2,563	\$833	\$90,774	\$91,607	\$37,894
Net Operating Surplus/(Deficit) After Capital & Asset Disposal	\$122,489	\$109,893	\$62,673	\$172,566	\$103,221

Directorate P&L Summary

Table 1.2: Operating Result summarises the key movements by revenue & operating expense for each directorate.

	2023/24 Original Budget	December QR	Proposed Adjustments	March QR	YTD March Actuals
\$'000s					
Income					
Corporate Services & Office of LM	\$261,356	\$252,123	\$83,039	\$335,162	\$209,992
City Engagement & Experience	\$147	\$295	\$59	\$354	\$331
City Assets & Operations	\$150,985	\$134,826	(\$14,312)	\$120,514	\$99,974
Community & Culture	\$23,357	\$22,931	\$44	\$22,975	\$16,732
City Planning & Design	\$34,862	\$45,086	(\$251)	\$44,835	\$34,097
Total Income	\$470,706	\$455,261	\$68,579	\$523,841	\$361,125
Expense					
Corporate Services & Office of LM	\$84,953	\$88,690	\$912	\$87,778	\$65,010
City Engagement & Experience	\$21,208	\$21,628	\$23	\$21,604	\$15,768
City Assets & Operations	\$146,587	\$146,168	(\$8,874)	\$155,043	\$117,849
Community & Culture	\$54,425	\$54,013	\$752	\$53,261	\$37,964
City Planning & Design	\$35,210	\$31,210	(\$142)	\$31,353	\$21,650
Total Expenses	\$342,383	\$341,708	(\$7,330)	\$349,038	\$258,241
Loss/(gain) on asset disposal	\$5,834	\$3,660	\$1,424	\$2,237	(\$296)
Net Operating Surplus/(Deficit) Before Funding	(\$21,849)	(\$19,290)	\$91,910	\$72,620	\$33,592
Net Operating Surplus/(Deficit) After Operating Grants	\$2,563	\$833	\$90,774	\$91,607	\$37,894
Net Operating Surplus/(Deficit) After Capital & Asset Disposal	\$122,489	\$109,893	\$62,673	\$172,566	\$103,221

KEY MOVEMENTS BY DIRECTORATE

Favourable movements:

- Corporate Services & Office of LM \$84m: mainly due to proceeds of Horwood Place Litigation* \$101m, partly offset by rephasing of 8 Parramatta Square Net Lettable Area uplift payment from Walkers Pty Ltd (\$16.6m)
- Community & Culture \$0.8m: mainly due to lower spend on Public Domain \$0.5m and lower than forecasted spend on PAC \$0.4m
- City Engagement & Experience is in line with the December forecast.

Unfavourable movements:

- City Assets & Operations (\$23.2m): mainly due to rephasing of Capital grants to FY25 (\$13.8m), for Norwest T-Way Shared Path (\$8m), George Street East Cycleway (\$3.2m) and Strengthening the Heart of Play (\$1.3m) projects. Increase in Materials & Contracts costs by (\$6.7m) mainly due to expenses on regional roads and local grant money received in FY23.
- City Planning & Design (\$0.4m): mainly from subdued DA activities due to lower volume of DA's determined (\$1.7m), partly offset by higher Development contribution income \$1.0m.

*Horwood Place Litigation subject to potential refund from any court appeals

Capital Expenditure Statement

Table 1.3: Summarises the key movements in Capital expenditure by directorate, with corresponding funding source movements.

\$'000s	2023/24 Original Budget	December QR	Proposed Adjustments	March QR	March YTD Actuals
Directorates					
Finance and Information	91,377	26,739	529	26,210	12,070
People Culture and Performance	36,789	35,101	-1,352	36,453	7,328
Office of Lord Mayor and CEO	750	1,924	0	1,924	165
City Assets and Operations	147,882	144,871	6,629	138,242	59,208
Community and Culture	2,319	6,162	-580	6,742	3,076
City Planning and Design	7,809	4,374	-219	4,593	1,796
TOTAL	286,927	219,171	5,007	214,164	83,644
Capex Funding Source					
Transfer from Internally Restricted Reserves	109,164	67,022	2,470	64,551	25,790
Transfer From Grants & Contributions Reserves	93,381	54,279	-2,360	56,639	21,209
General Reserve Funded	50,712	50,074	4,094	45,979	14,101
Transfer from Section 94/7.11	29,305	32,728	372	32,356	14,004
Transfer From Domestic Waste Reserve	2,160	12,338	67	12,271	8,015
Transfer From Stormwater Levy Reserve	1,505	1,637	56	1,581	468
Transfer From Special Rates Reserve	700	1,094	307	787	57
TOTAL	286,927	219,171	5,007	214,164	83,644

Capital Major Works

Key Capital works with Total project cost more than \$10m.

Project	Funding	December QR	Proposed Adjustments	March QR	March YTD Actuals	Project Status	Comment
9 Wentworth St - Bldg Works	Property Reserve	21,633	-1,352	22,985	7,050	On Track	Future workplace is expected to be completed by Jun-24
Fitout 9 Wentworth	Property Reserve	13,469	0	13,469	278	On Track	Future workplace is expected to be completed by Jun-24
Community Recycling Facility	Domestic Waste Management Reserve	12,037	0	12,037	7,404	Delayed	Delayed due to Development Application approval expected completion by June 2025
Pruaip - Fs Garside	Grants Section 94/7.11	11,259	0	11,259	5,425	On Track	Project costing revised in Q3 with expected completion by June 2024, weather permitting. Note, Sydney wide mulch contamination issue was resolved.
Upgrade Of Thetown Hall	Property Reserve Developer contribution	7,991	-2,089	10,080	10,013	Completed	The project is completed, increase is offset with overall project budget (5 Parramatta Square Development)

Capital Variances

Projects with variance of more than \$500k.

Project	December QR	Proposed Adjustments	March QR	March YTD Actuals	Project Status	Comment
5 Parramatta Square Development - New Council Facilities	3,187	2,480	707	-349	Completed	Project costing revised in Q3 with financials recognised by June 24. (offset with Upgrade of Town Hall)
Parramatta Square Public Domain Development	5,532	2,315	3,217	392	Completed	Project costing revised in Q3 with financials recognised by June 24.
Aquatic Centre Parramatta	5,322	1,827	3,495	2,562	Completed	Project costing revised in Q3 with financials recognised by June 24.
Client Technology & Computer Renewal Program	1,203	1,203	0	1,339	Completed	Disposal of the ICT equipment under this project has been completed in Apr-24. Going forward, the ICT equipment will be leased out by Vestone. All YTD expenditures have been reversed out in Apr-24 as a part of the disposal process
Footpaths Construction Program	3,000	1,072	1,928	776	On Track	Program spend revised in Q3 based on prioritisation of other projects.
Plr Tree Offsets	1,376	866	510	272	On Track	Grant funded project from TFNSW. The project is ongoing the project deadline is 2025 June

Roads Renewal Program	9,465	857	8,608	2,825	On Track	Program spend revised in Q3 as Regional and Local Roads Repair Program was prioritised
Ground Floor 9 Wentworth St	1,500	643	857	0	Not yet started	Deliver Council's future workplace the project involves the renovation and expansion of an existing office building, with the aim of creating a modern and sustainable workspace that meets Council's needs and expectations.
Hunts Creek Culvert	3,000	500	2,500	109	Started	Project started late February and expected completion in FY 25 (April 2025).
Brodie Street Priority Crossing	0	-541	541	87	Completed	Grant funded completed in April
WICR305 Riverside Theatres Redevelopment	3,373	-830	4,202	344	On Track	Design Presentation held with Design Jury. And currently preparing a Recommendation for councillors to endorse.
Regional and Local Roads Repair Program	3,401	-3,688	7,089	7,020	Completed	Project was completed in Feb 24, with Q3 reflecting revised accounting treatment of items capitalised

Reserve Balance Summary

The following table provides a forecast of Councils restricted cash (internally and externally restricted reserves) and the forecast movements to and from reserves for the 2023/24 March Forecast.

\$'000	2023/24 Original Budget	December QR	Proposed Adjustments	March QR
Externally Restricted Reserves:				
Domestic Waste Management	46,092	37,751	8,354	46,105
Grants and Contributions	26,432	83,263	22,483	105,746
Developer Contributions	108,153	133,684	(3,431)	130,253
Special Rates	5,934	4,935	(1,128)	3,807
Stormwater Levy	0	927	131	1,058
Cultural Reserve	35,464	33,415	(674)	32,742
Total Externally Restricted Reserves	222,075	293,974	25,735	319,709
Internally Restricted Reserves:				
Employee Leave Entitlements	6,400	6,400	0	6,400
Parking Meters	559	1,049	777	1,827
Property Development Reserve	104,639	125,959	37,006	162,965
CBD Infrastructure	0	32	(106)	(74)
Ward Works	219	0	(221)	(221)
Total Internally Restricted Reserves	111,817	133,440	37,457	170,897
Total Restricted reserves	333,892	427,414	63,192	490,606
Unrestricted cash and investments	83,911	88,586	(4,192)	84,394
Total cash and investments	417,803	516,000	59,000	575,000

Council's cash position estimates an unrestricted balance of \$84.4m as of end of June 2024, against the original budget of \$83.9 million. The unrestricted cash & investments balance will continue to diminish as Council expends it on operational expenses and capital projects.

Tender Contracts Awarded

One tender contract was awarded during the period 1st January 2024 to 31st March 2024.

Contractor	Description	Term	Contract Amount (excl GST)	Council Meeting/Approval	Responsible Unit	Tender Number
Ezy Pave Pty Ltd	Phillip Street Smart Street, Stage 2 Phillip Street, Parramatta	Extent of work	\$2,718,124	11/03/2024	Capital Projects	27/2023

External Legal & Consultancy Fees

The following table provides a total of Legal & Consultancy services to 31st March 2024.

Expenses \$000	Actual YTD Mar	Budget YTD Mar	Budgeted (Y/N)
External Legal Fees	956	1,113	Y
Consultancy Fees	159	149	Y

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high-level specialist or professional advice to assist decision making by management. Generally, it is the advisory nature of the work that differentiates a consultant from other contractors.

Where any expenses for Consultancy or Legal Fees (including Code of Conduct expenses) have not been budgeted for, an explanation is to be given. Report on external expenses only (not internal expenses).

RESPONSIBLE ACCOUNTING OFFICERS REPORT

Responsible Accounting Officer's Statement

Quarterly Budget Review

For the period 1 January 2024 to 31 March 2024

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005:

It is my opinion that the Quarterly Budget Review statement for the City of Parramatta Council for the quarter ended 31/01/2024 indicates that Council's projected financial position at 30/6/2024 will be satisfactory at year-end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

John Angilley
Responsible Accounting Officer

FOR FURTHER INFORMATION

CUSTOMER CONTACT CENTRE

126 Church Street, Parramatta NSW 2150

PO BOX 32, Parramatta NSW 2124

Telephone: (02) 9806 5050

Fax: (02) 9806 5917

Email: council@cityofparramatta.nsw.gov.au

Website: www.cityofparramatta.nsw.gov.au

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.2
SUBJECT	Adoption of Debt Management and Hardship Assistance Policy 2024
REFERENCE	F2024/00282 - D09390081
REPORT OF	Policy Officer

CSP THEME: Fair

WORKSHOP/BRIEFING DATE: Finance Committee – 6 March 2024
Policy Review Committee – 14 March 2024

PURPOSE:

To seek Council's endorsement to adopt the Debt Management and Hardship Assistance Policy (Policy 327).

RECOMMENDATION

- (a) That Council note that no submissions were received following public exhibition of the Debt Management and Hardship Assistance Policy 2024.
- (b) That Council adopt the Debt Management and Hardship Assistance Policy 2024, as attached to this report.

BACKGROUND

- 1. On 8 April 2023, the Council resolved to place the Debt Management and Hardship Assistance Policy on public exhibition.
- 2. The draft Policy was placed on public exhibition from 15 April to 14 May 2023. Submissions on the Policy were invited from members of the public by contacting Council's Governance Team directly or by using Council's Participate Parramatta portal. Printed copies of exhibition materials were also made available for viewing at Council's library branches and Customer Service Centre.

ISSUES/OPTIONS/CONSEQUENCES

- 3. In total the Participate Parramatta page for the Debt Management and Hardship Assistance Policy received 100 views, however, there were no submissions received from members of the public.
- 4. Council officers do not propose any changes to the draft as a result of the public exhibition.
- 5. The Debt Management and Hardship Assistance Policy recommended for adoption is provided at **Attachment 1**.

CONSULTATION & TIMINGStakeholder Consultation

6. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
15 April - 14 May 2023	Public Exhibition	No submissions received during Public Exhibition period.	Noted	Governance

Councillor Consultation

7. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
6 March 2023	Finance Committee	The Committee considered the draft Policy. No amendments were proposed.	Noted	Rates & Receivables
14 March 2023	Policy Review Committee	The Committee considered the draft Policy, and proposed the following amendments: a. Clause 5.1.1: clarify application submission option (c) as being the PHIVE Customer Service Desk.	Proposed amendment for clause 5.1.1 incorporated into the draft for Public Exhibition.	Rates & Receivables + Governance

LEGAL IMPLICATIONS FOR COUNCIL

8. The draft Policy was reviewed by Council's Legal Services Unit, and the Policy recommended for adoption does not present any legal concerns.

FINANCIAL IMPLICATIONS FOR COUNCIL

9. If the Council resolves to approve this report in accordance with the proposed resolution, there are no unbudgeted financial implications for Council associated with adoption of this Policy.

Melissa McIsaac
Policy Officer

Amit Sharma
Chief Financial Officer

John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

1  For Adoption - Debt Management and Hardship Assistance Policy 11
 2024 Pages

REFERENCE MATERIAL



Debt Management and Hardship Assistance Policy

Contents

1. Scope 1

2. Purpose 1

3. Policy 1

4. Delegation 8

5. Procedure 8

6. Definitions 9

1. Scope

1.1 This Policy applies to all City of Parramatta Council (**Council**) Ratepayers and customers who have outstanding Debts with Council, including Rates, Sundry Debts, fees, and all other charges.

2. Purpose

2.1 This Policy sets out a consistent, transparent, and reasonable approach for Council to manage Debts owing to Council, and, where necessary, recover overdue Debts. This Policy will help ensure that Council’s resources are managed with integrity and diligence.

2.2 This Policy further establishes a framework for Council to provide assistance to customers experiencing financial Hardship, in accordance with the *Local Government Act 1993* (NSW) (**LG Act**).

3. Policy

3.1 In accordance with the relevant provisions of the LG Act and the *Local Government (General) Regulation 2021* (NSW) (**LG Regulation**), Council is committed to recovering monies owing to it in a timely, efficient, and effective manner. However, Council may allow flexibility in this approach by recognising and accommodating genuine cases of customer Hardship.

Debt Management and Hardship Assistance Policy		
Owner: Chief Financial Officer	Area: Finance	POL No: 327
Date of Commencement: 2012	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- 3.2 Council encourages all Ratepayers and debtors to meet their payment commitments as they fall due.
- 3.3 Council will employ the follow principles in managing Debt and Rates:
- (a) ensure compliance with statutory requirements set out by the LG Act and associated LG Regulation as well as other applicable legislation that may apply;
 - (b) provide a customer-focused service;
 - (c) ensure a consistent approach to the collection of outstanding Debts;
 - (d) ensure transparency and probity in Debt recovery procedures;
 - (e) ensure that customers experiencing genuine financial difficulties are treated sensitively, and on a case by case basis;
 - (f) assist customers in meeting their Rates and other accounts receivable commitments by providing mutually agreeable alternative repayment plans; and
 - (g) minimise additional costs incurred by customers.

Notification of monies owing

Issue of Rate Notices

- 3.4 Customers will be notified regarding Rates and annual charges as follows:
- 3.4.1 Council will issue its annual Rates notice for the financial year to all properties in the Parramatta local government area (LGA) in July of each year.
 - 3.4.2 Council may, at its discretion, issue Supplementary Rates notices during the year.
 - 3.4.3 Where Ratepayers elect to pay by installments, Council will issue the instalment notice at least one month prior to the due date for the instalment.
 - 3.4.4 Ratepayers are encouraged to elect to receive their Rates notices electronically. Ratepayers may sign up for electronic notices via Council's Website.

Other Debt Notices

- 3.5 Customers will be notified of all other Debts through the issue of invoices as follows:
- 3.5.1 Council will issue invoices at the time they are raised (date of invoice). Invoices will be sent to customers via email where possible.

Debt Management and Hardship Assistance Policy		
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Date of Commencement: 2012	Approval Authority: Council	Date Approved:
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3.5.2 Where accounts have an outstanding balance, Council will issue monthly statements in the first week of the month.

3.5.3 Council will issue reminder notices for outstanding invoices no more than 14 days after the due date.

3.6 Where Debts are overdue and an appropriate payment arrangement has not been made, Council will issue reminder notices for the outstanding amounts via an invoice no more than 14 days after the due date.

3.6.1 Where available and appropriate, Council may use additional channels of communication to remind customers of outstanding Debts. This may include text message reminders, telephone calls, and email communication.

Payment due dates

3.7 Pursuant to section 562 of the LG Act, Rates and annual charges are due as follows:

3.7.1 Rates and annual charges may be paid by a single instalment or by quarterly instalments.

3.7.2 Payments made by single instalment are due by 31 August of each year.

3.7.3 Payments made by quarterly instalments will be due by the following dates, each year:

- (a) first instalment: 31 August;
- (b) second instalment: 30 November;
- (c) third instalment: 28 February; and
- (d) fourth instalment: 31 May.

3.7.4 Where Council levies Rates and annual charges after an instalment was due, the amount payable will be apportioned across the remaining instalments.

3.7.5 A Rates instalment will be considered overdue if it is not paid on or before the due date.

Debt Management and Hardship Assistance Policy		
Owner: Chief Financial Officer	Area: Finance	POL No: 327
Date of Commencement: 2012	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- 3.8 Payment terms for account invoices will be 30 days from the date of issue, unless otherwise stipulated on the invoice. Invoices will be considered overdue if not paid on or before the stipulated trading terms.
- 3.9 Available payment methods will be stipulated on the Rates notice or invoice.

Interest charges

- 3.10 Pursuant to section 566 of the LG Act, interest on overdue Rates and annual charges will be charged on a daily basis. Council will apply the interest rates as determined by the Office of Local Government to be charged on an annual basis.
- 3.11 Overdue Rates and annual charges will attract the interest rate set out in Council's Schedule of Fees and Charges.
- 3.12 A late payment fee may be charged where a reminder letter is issued, where set out in Council's Schedule of Fees and Charges.
- 3.13 Pursuant to section 566 of the LG Act, Ratepayers who enter into a payment arrangement with Council will continue to have interest charged on the outstanding balance.

Legal recovery of Debt

- 3.14 Council will only consider commencing legal recovery proceedings for the collection of overdue Debts in the following circumstances:
- (a) where Rates and charges have at least two instalments outstanding; or
 - (b) where all other invoices are overdue for more than 90 days; and
 - (c) where no payment arrangement has been made between the customer and Council.
- 3.15 Legal proceedings will commence with a Letter of Demand to the Debtor. The Letter of Demand will be issued by Council, or Council's legal recovery representative. Where the Debt remains unpaid notwithstanding the issue of the Letter of Demand, Council will proceed to commence formal legal action by the issue of a Statement of Claim (summons).

Debt Management and Hardship Assistance Policy		
Owner: Chief Financial Officer	Area: Finance	POL No: 327
Date of Commencement: 2012	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- 3.15.1 Council will make best efforts to contact customers prior to issuing a Statement of Claim, with a view to minimising any legal costs that the customer may incur.
- 3.15.2 Council may engage a Mercantile Agent or Law Firm to conduct all or part of any legal proceedings on behalf of Council.
- 3.15.3 Pursuant to section 605 of the LG Act, any reasonable out-of-pocket expenses incurred by Council in connection with legal proceedings will be added to the outstanding account balance.
- 3.15.4 Where legal action in respect of a debt has been completed, and the Debt has been paid in full, Council will not pursue the Debt.

Hardship Assistance

- 3.16 Council recognises that there may be exceptional circumstances where a customer faces difficulty in paying a debt owed to Council. Such factors may include loss of employment or illness. Council will aim to work with customers experiencing Hardship to avoid legal action and, depending on the circumstances, may be able to provide the following assistance options, pursuant to applicable legislation:
- (a) extension of due date;
 - (b) alternative payment arrangements; or
 - (c) write off or reduce accrued interest.
- 3.17 Payment arrangements
- 3.17.1 Where customers experience Hardship and are having difficulty in meeting their payment commitments, they should contact Council as early as possible, to discuss making a suitable payment arrangement in respect of any Debt.
- 3.17.2 Council will work with customers experiencing Hardship to assist them with considering options and making mutually acceptable arrangements for the payment of their outstanding Debts.
- 3.17.3 Pursuant to section 564 of the LG Act, customers may at any time seek to make arrangements with Council to pay off their outstanding Debts by regular payments, subject to the following considerations:

Debt Management and Hardship Assistance Policy		
Owner: Chief Financial Officer	Area: Finance	POL No: 327
Date of Commencement: 2012	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- (a) the amount and frequency of the payments under the arrangement must be acceptable to Council; and
 - (b) arrangements should, where possible, seek to have the outstanding balance cleared by the end of the financial year.
- 3.17.3.1 Council may accept over the telephone payment arrangements within twelve months of the due date, for weekly, fortnightly, or monthly payments, whether monies owing are overdue or not, except for where legal proceedings have commenced against the debtor. Periodical payment arrangements will be confirmed in writing.
- 3.17.3.2 Council may grant requests for extensions of time to pay an overdue Rate installment in full provided the extension will not be greater than 30 days after the due date. Only one extension can be granted to a Ratepayer during an annual rating period. Interest on the overdue balance is still applicable under this arrangement.
- 3.17.3.3 Once legal proceedings have commenced against a debtor, only delegated Council officers can determine any payment arrangement, which must be formalized in writing, subject to the debtor entering into a direct debit arrangement with Council, and the debtor agreeing to pay Council's up-to-date legal costs relating to the proceedings. If a debtor objects to the direct debit arrangement, the debtor must provide reasons for their objection in writing, and propose an alternate payment method. Council will consider the alternate payment method, and will advise the debtor whether the request is accepted or rejected.
- 3.17.4 Where a customer has not honoured a previous payment arrangement, Council may, at its discretion decline to accept a request for a new arrangement, and may continue with further recovery action.
- 3.17.5 Customers aggrieved by clause 3.15.4 of this Policy, may appeal in writing to the Chief Executive Officer or their delegate. The Chief Executive Officer, or their delegate, will consider the appeal within thirty (30) days of it being received by Council and notify the customer of the decision.
- 3.17.6 Where a customer fails to make payment in full under an arrangement and does not notify Council of any financial difficulties, the payment arrangement will be

Debt Management and Hardship Assistance Policy		
Owner: Chief Financial Officer	Area: Finance	POL No: 327
Date of Commencement: 2012	Approval Authority: Council	Date Approved:
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voided, and the total amount outstanding will become payable and will be subject to Council's legal Debt recovery procedures, as set out in this Policy.

3.18 Waiving, reducing, or deferring Debts

3.18.1 Pursuant to section 567 of the LG Act, Council may write off accrued interest on Rates or charges payable by a person if, in Council's opinion, the reasons that the person was unable to pay the Rates or charges when they became due and payable were beyond the person's control, or that the person is unable to pay the accrued interest for reasons beyond their control, or that the payment of the accrued interest would cause the person Hardship.

3.18.2 Council may, at its discretion, write off or reduce accrued interest where a customer complies with their mutually agreed payment arrangement with Council.

3.18.3 Pursuant to section 601 of the LG Act, Ratepayers who incur a Rates increase in the first year following a revaluation of land values may apply to Council for Rates relief, if the increase in the amount of Rates payable would cause them substantial Hardship. In such circumstances, Council may, at its discretion, waive, reduce, or defer payment of the whole or any part of the increase in the amount of the Rates payable for such period, and subject to any conditions that Council deems appropriate.

3.18.3.1 While Council has the discretion to waive, reduce or defer, Council will only offer a revised payment schedule and interest free periods up to three years to ease the financial stress on the ratepayer.

3.18.3.2 Each individual case will be considered on its merits. Council's criteria for consideration Hardship assistance under section 601 of the LG Act will include, but is not limited to:

- (a) the amount of any Rate increase when compared to the average Rate increase for the Rate category;
- (b) the amount of Rates levied compared to the average Rate of the Rate category;
- (c) income from all sources;
- (d) assets owned;
- (e) living expenses;

Debt Management and Hardship Assistance Policy		
Owner: Chief Financial Officer	Area: Finance	POL No: 327
Date of Commencement: 2012	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- (f) reason for financial Hardship;
- (g) length of occupancy; and
- (h) principal place of living.

3.18.4 Council may make a determination to grant a moratorium up to 90 days, where a group or area of Ratepayers or debtors affected by a natural disaster or significant event. Applications for approval of this moratorium must be in writing.

3.18.5 Upon notification of a Ratepayer(s) death, Council will grant a 12-month interest free period to allow for probate or Letters of Administration to be processed. After the 12-month period ends or the property is transferred, whichever comes first, interest will accrue at the prescribed rate.

Pensioner concessions

3.19 Available Rates rebates for Eligible Pensioners are set out by Council's Voluntary Pensioner Rebate Policy.

3.20 Council will not take legal proceedings against Eligible Pensioners to recover Debt. Eligible Pensioners will still be issued with reminder notices and are subject to interest on overdue balances, in accordance with this Policy.

4. Delegation

4.1 There are Administrative and/or Legislative Delegations applicable to this Policy, which are provided for in Council's Delegations Manual(s).

5. Procedure

5.1 Customers seeking consideration of financial Hardship must apply to Council in writing, with supporting evidence, using the Hardship Relief Application form.

5.1.1 Completed Hardship Relief Application forms may be submitted:

- (a) via email, to council@cityofparramatta.nsw.gov.au;
- (b) by mail, to City of Parramatta, PO Box 32, Parramatta NSW 2124; or
- (c) in-person at PHIVE Customer Service Desk.

5.1.2 The application must contain, at a minimum, the following information:

Debt Management and Hardship Assistance Policy		
Owner: Chief Financial Officer	Area: Finance	POL No: 327
Date of Commencement: 2012	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- (a) the address and contact details of the customer; and
- (b) the reason(s) for the financial Hardship, with sufficient information provided as to enable Council to make an informed decision regarding the application.

5.1.3 Where a customer is seeking for Council to consider waiving the interest accrued on a Debt, the following additional information may be required:

- (a) details of all income including wages, benefits, and any other sources of income;
- (b) details of all expenditure;
- (c) details of all bank accounts and balances;
- (d) details of all credit cards and balances;
- (e) details of any other investments; and
- (f) details of last Tax Assessment Notice.

5.1.4 Council may request that any application for consideration of financial Hardship be supported by a statement from a financial advisor or accountant.

5.2 Council may collect the following customer information during the process of establishing any payment arrangements, with this information capable of being used for any Debt recovery process:

- (a) contact phone numbers (including mobile, work, and home);
- (b) employment details; and
- (c) email address.

5.3 Council will provide written confirmation to customers for any agreed payment arrangements.

6. Definitions

Debt	Monies owing to Council as part of its general business activity, including Rates, Sundry Debts, fees, and/or charges owing to Council.
Eligible Pensioner	As defined in the Dictionary to the LG Act and section 134 of the LG Regulation, means: (a) persons who receive a pension, benefit or

Debt Management and Hardship Assistance Policy		
Owner: Chief Financial Officer	Area: Finance	POL No: 327
Date of Commencement: 2012	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



	<p>allowance under Chapter 2 of the <i>Social Security Act 1991</i> of the Commonwealth, or a service pension under Part III of the <i>Veterans' Entitlements Act 1986</i> of the Commonwealth, and who are entitled to a pensioner concession card, issued by or on behalf of the Commonwealth government, or</p> <p>(b) persons who receive a pension from the Commonwealth Department of Veterans' Affairs and who are entitled to a pensioner concession card, issued by or on behalf of the Commonwealth government, or</p> <p>(c) persons who have received a lump sum mentioned in section 234(1)(b) of the <i>Military Rehabilitation and Compensation Act 2004</i> of the Commonwealth or are receiving a weekly amount mentioned in that paragraph, and who are entitled to a pensioner concession card, issued by or on behalf of the Commonwealth government, or</p> <p>(d) persons who receive a general rate of pension adjusted for extreme disablement under section 22(4) of the <i>Veterans' Entitlements Act 1986</i> of the Commonwealth, or a special rate of pension under section 24 of that Act, or</p> <p>(e) persons who receive, or who at some point in their life have been eligible for, a Special Rate Disability Pension under the <i>Military Rehabilitation and Compensation Act 2004</i> of the Commonwealth.</p>
Hardship	Refers to any situation where an individual is having difficulty paying legally owed Debt. This can result from life changes (such as illness, unemployment or changed financial circumstances) and can restrict a person's short-term capacity to pay.
Letter of Demand	Demand letter from Council or Council's legal recovery representative issued in accordance with the Australian Competition and Consumer Commission and the Australian Securities and Investments Commission guidelines
Rates	Refers to all amounts charged in accordance with section 546 of the LG Act.

Debt Management and Hardship Assistance Policy		
Owner: Chief Financial Officer	Area: Finance	POL No: 327
Date of Commencement: 2012	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



Ratepayer	The person/s who are the owner of rateable land or a person/s responsible for a lease where the LG Act provides that a Rate is to be paid to Council.
Sundry Debt	Any Debt owed to Council that is not a Rate or charge which is levied on a property.
Supplementary Rates	Refers to Rates which are issued when there has been a change to the rating record common adjustment, including changes to the land value or how the land is used in relation to the property. Also referred to as a part year rating.
REFERENCES	<i>Local Government Act 1993 (NSW)</i> <i>Local Government (General) Regulation 2021 (NSW)</i> <i>Social Security Act 1991 (Cth)</i>
ASSOCIATED POLICIES	Complaints Handling Policy Privacy Management Policy and Plan Voluntary Pensioner Rebate Policy
ATTACHMENTS	Hardship Relief Application Form

Debt Management and Hardship Assistance Policy		
Owner: Chief Financial Officer	Area: Finance	POL No: 327
Date of Commencement: 2012	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER 13.3
SUBJECT Adoption of Media Policy 2024
REFERENCE F2024/00282 - D09103876
REPORT OF Policy Officer

CSP THEME: Fair

WORKSHOP/BRIEFING DATE: Policy Review Committee – 26 July 2023
 Policy Review Committee – 30 April 2024

PURPOSE:

To consider the submission received during the public exhibition of the Media Policy 2024 (Policy 224), and to seek Council's endorsement to adopt the Policy.

RECOMMENDATION

- (a) That Council receives and notes the submission received during public exhibition of the draft Media Policy 2024.
- (b) That Council adopt the Media Policy 2024 as attached to this report.

BACKGROUND

1. On 14 August 2023, Council resolved to place the draft Media Policy (Policy 224) on public exhibition for a period of 28 days.
2. The draft Policy was placed on public exhibition for a period of 28 days, from 15 August - 12 September 2023. Submissions on the Policy were invited from members of the public by contacting Council's Governance Team directly or by using Council's Participate Parramatta portal. Printed copies of exhibition materials were also made available for viewing at Council's library branches and Customer Service Centre.
3. In total, the draft Media Policy received 119 views on Council's Participate Parramatta page.

ISSUES/OPTIONS/CONSEQUENCES

4. During the public exhibition period, one submission was received, generally in support.
5. The submission is summarised in the table below, with a staff response provided:

Submission Number	Submission Comment	Staff Response
1	Generally supportive of the draft Policy. Additional commentary provided regarding public access to media engagement by public officials.	Noted. Forwarded supplementary commentary to relevant officers for notation.

6. Council officers do not propose any changes to the Media Policy as a result of the public exhibition.
7. Following public exhibition, minor administrative amendments were applied to the draft Policy to address internal feedback and Councillor feedback received during the Councillor Workshop in March 2024 regarding:
 - Updating position titles referenced in the draft to align with the organisational structure;
 - Attaching operational procedures (Media Procedures Guide), as approved by the CEO, to improve clarity, provide further detail and assist with interpretation of the Policy; and
 - Adding references to the operational Media Procedures Guide to support implementation of this Policy.
8. A markup version documenting the administrative amendments applied to the draft post-exhibition is provided at **Attachment 2**.
9. The final Media Policy 2024 recommended for adoption is provided at **Attachment 1**.
10. The operational Media Procedures Guide approved by the CEO is provided for information at **Attachment 3**. It should be noted that the Procedures do not form part of the adopted Policy.

CONSULTATION & TIMING

Stakeholder Consultation

11. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
15 August – 12 September 2023	Public Exhibition	1 submission received, generally in support.	The feedback was noted. No changes have been proposed to the draft resulting from the submission.	Governance

Councillor Consultation

12. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
26 July 2023	Policy Review Committee	The Committee considered the draft Policy. No further changes proposed.	Noted	Corporate Affairs + Governance
4 March 2024	Councillor Workshop	Briefing on legal framework and application of draft Policy. Procedures guide	Noted	City Engagement & Experience

		to be introduced to support implementation		
30 April 2024	Policy Review Committee	The Committee considered the administrative amendments applied post-exhibition. No further changes proposed.	Noted	City Engagement & Experience

LEGAL IMPLICATIONS FOR COUNCIL

- 13. The Policy as presented was prepared using the Office of Local Government’s Model Media Policy as a foundation document.
- 14. The Policy has been reviewed by Council’s Legal Services Unit, and does not present any legal concerns.

FINANCIAL IMPLICATIONS FOR COUNCIL

- 15. If Council resolves to approve this report in accordance with the officer’s recommendation, there are no unbudgeted financial implications for Council associated with adoption of this Policy.

Melissa McIsaac
Policy Officer

Sally White
Group Manager Communications & Customer Engagement

Angela Jones-Blayney
Executive Director City Engagement & Experience

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

- 1  Media Policy 2024 8 Pages
- 2  For Information only - Media Policy Review 2024 - Markup of administrative amendments post-exhibition 8 Pages
- 3  For Information only - Media Procedures Guide 2024 6 Pages

REFERENCE MATERIAL



Media Policy

Contents

1. Scope 1

2. Purpose 1

3. Policy 1

4. Delegation 6

5. Procedure 6

6. Definitions 7

1. Scope

- 1.1 This Policy applies to all City of Parramatta Council (**Council**) Officials, including Councillors and Staff, who engage with the Media.
- 1.2 The Policy applies to all engagement with the Media on Council-related matters, whether face-to-face, online, by phone, any phone messaging system or in writing, and whether acting in an official capacity on behalf of Council or not.
- 1.3 This Policy does not apply to Social Media use, the framework for which is established under Council’s Social Media Policy.
- 1.4 This Policy should be read in conjunction with the Media Procedures Guide which is attached to this Policy as Schedule 1.

2. Purpose

- 2.1 This Policy provides a framework for the administration and management of Council's interactions with the Media.
- 2.2 This Policy aims to ensure Media engagement by Council Officials is consistent, accurate, and professional, and enhances Council's reputation.

3. Policy

Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



Principles

3.1 Council is committed to upholding and promoting the following principles of Media engagement:

Openness	Council will promote an open exchange of information between Council and the Media.
Consistency	Council will ensure consistency by all Councillors and Staff when communicating with the Media in an official capacity.
Accuracy	The information Council shares with the Media will be a source of truth for the community, and Council will endeavour to correct inaccuracies when they occur.
Timeliness	Council will ensure that Media enquiries are responded to in a timely manner.

Administrative Framework for Engagement with the Media

3.2 The Chief Executive Officer (CEO) will appoint a suitably qualified member of Staff to be Council's Media Coordinator.

3.2.1 The CEO may appoint more than one Media Coordinator.

3.3 The Media Coordinator's role is to:

- be the lead point of contact for all Media enquiries, requests for interviews, and requests to film or photograph Council Staff, facilities, or events for news and current affairs purposes;
- be responsible for managing the preparation of Media statements prior to their release;
- liaise with relevant Staff regarding Media enquiries and requests, where appropriate;
- ensure that Media statements are approved by the Lord Mayor and/or CEO prior to their release, as appropriate;
- develop Media training and/or induction to be provided to relevant Staff and Councillors;
- maintain a record of all Media enquiries and responses;

Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- (g) ensure that Media organisations and their representatives are treated by Council professionally, equally, and without bias;
- (h) ensure that Media enquiries are dealt with promptly; and
- (i) ensure that all Media releases are published on Council's website.

Who Can Engage with the Media

3.4 The CEO:

3.4.1 The CEO is the official spokesperson for Council on operational and administrative matters.

3.4.2 The CEO may delegate to other Staff to speak on their behalf where appropriate, such as where the Staff member has professional expertise regarding the subject matter, or where the CEO is unavailable.

3.5 The Lord Mayor:

3.5.1 Pursuant to section 226(c) of the *Local Government Act 1993* (NSW), the Lord Mayor is the principal member and spokesperson of the Governing Body of Council, including representing the views of Council as to its local priorities.

3.5.2 Where the Lord Mayor is unavailable, the Lord Mayor and CEO will determine an appropriate delegate to be the Council's spokesperson.

3.6 Councillors:

3.6.1 As a member of the Governing Body and as a representative of the community, Councillors are free to express their personal views to the Media, subject to the requirements set out in this Policy.

3.6.2 When engaging with the Media, Councillors:

- (a) must not purport to speak for the Council unless authorised to do so;
- (b) must clarify when speaking to the Media that they are expressing their personal views as an individual Councillor and that they are not speaking for Council, unless authorised to do so;

Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- (c) must act in accordance with the attached Media Procedures;
- (d) must uphold and accurately represent the policies and decisions of Council;
- (e) must not disclose Council information, unless authorised to do so; and
- (f) must seek information and guidance from the Group Manager Communications and Customer Engagement where appropriate before providing comment to the Media, to ensure they have the most up-to-date and relevant information and have considered reputational or other risks.

3.6.3 In the interests of promoting a positive, safe, and harmonious organisational culture, Councillors should endeavour to resolve personal differences privately and must not prosecute grievances publicly through the Media.

3.6.4 Where Councillors (including the Lord Mayor) become aware of potential issues that could result in Media interest, they should provide this information to the Group Manager Communications and Customer Engagement.

3.7 Council Staff:

3.7.1 Staff must not speak to the Media about matters relating to Council unless approved as a delegate by the CEO and Lord Mayor, and authorised by the Media Coordinator to do so.

3.7.2 If Staff receive a Media enquiry or are invited to comment to the Media on a matter relating to Council, they must refer the enquiry to the Media Coordinator.

3.7.3 Staff are free to express their personal views to the Media on matters that do not relate to Council, but in doing so, must not make comments that reflect badly on Council or that bring it into disrepute.

3.7.4 If authorised to speak to the Media, Staff:

- (a) must uphold and accurately represent the policies and decisions of Council;
- (b) must not disclose Council information, unless authorised to do so by the Media Coordinator; and
- (c) must seek information and guidance from the Media Coordinator, where appropriate, before providing comment to the Media to ensure they have

Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



the most up-to-date and relevant information and have considered reputational or other risks.

- 3.7.5 Where Staff become aware of potential issues that could result in Media interest, they should provide this information to the Media Coordinator.

Standards of Conduct When Engaging with the Media

- 3.8 All Media engagement by Council Officials must be conducted in a professional, timely, and respectful manner.
- 3.9 Council Officials must comply with Council's Code of Conduct when engaging with the Media in an official capacity, or in connection with their role as a Council Official.
- 3.10 Council Officials must not share information or make comments to the Media, through either direct or indirect mechanisms, that:
- (a) are defamatory, offensive, humiliating, threatening, or intimidating to other Council Officials or members of the public;
 - (b) contains profane language or is sexual in nature;
 - (c) constitutes harassment and/or bullying within the meaning of Council's Code of Conduct, or is unlawfully discriminatory;
 - (d) is contrary to their duties under the *Work Health and Safety Act 2011* (NSW) and their responsibilities under any policies or procedures adopted by Council to ensure workplace health and safety;
 - (e) contains content about the Council, Council Officials, or members of the public that is misleading or deceptive;
 - (f) divulges confidential Council information;
 - (g) breaches the privacy of other Council Officials or members of the public;
 - (h) contains allegations of suspected breaches of Council's Code of Conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*;
 - (i) could be perceived to be an official comment on behalf of Council where they have not been authorised to make such comment;
 - (j) commits Council to any action;
 - (k) violates an order made by a court;
 - (l) breaches copyright; or

Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- (m) advertises, endorses, or solicits commercial products or business.

Use of Media During Emergencies

- 3.11 During emergencies, such as natural disasters or public health incidents, the Group Manager Communications and Customer Engagement will be responsible for coordinating Media releases and statements on behalf of Council.
- 3.12 Council Officials must not provide comment or information to the Media that is inconsistent with official advice issued by Council and any other agency coordinating the emergency response.

Media Engagement in the Lead up to Elections

- 3.13 This Policy does not prevent the Lord Mayor or Councillors who are candidates at a local government or any other election from providing comment to the Media in their capacity as candidates at the election.
- 3.14 Any Media comment provided by the Lord Mayor or Councillors who are candidates at a local government or another election must not be provided in an advertisement, newspaper column, or a radio or television broadcast paid for by Council, or produced by Council or with Council resources.

4. Delegation

- 4.1 There are Administrative and/or Legislative Delegations applicable to this Policy, which are provided for in Council's Delegations Manual.

5. Procedure

- 5.1 Media content created and received by Council Officials acting in their official capacity is a Council record. These records must be managed in accordance with the requirements of the *State Records Act 1998 (NSW)*, and Council's records management policies and procedures.

- 5.1.1 Media content created and received by Council Officials acting in their official capacity may be subject to information access applications made under the *Government Information (Public Access) Act 2009 (NSW)*.

Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- 5.2 Council may provide training to Council Officials who engage or are authorised to engage regularly with the Media.
- 5.2.1 Media engagement training may be provided to Councillors as part of their induction or refresher training, or as part of their ongoing professional development program.
- 5.2.2 Council will ensure a suitably trained media spokesperson is available to represent Council during times of emergency.
- 5.3 Councillors must direct any questions about their obligations under this Policy to the Group Manager Communications and Customer Engagement.
- 5.4 Concerns or complaints about the administration of Council's engagement with the Media should be made to the Media Coordinator in the first instance.
- 5.5 Alleged breaches of this Policy will be dealt with by following the processes set out in Council's Code of Conduct.
6. Definitions

Councillor	A person elected or appointed to civic office as a member of the Governing Body of Council, including the Lord Mayor.
Council Official	Refers to Councillors, members of Staff, and delegates of Council including members of committees
Governing Body	The elected representatives, called Councillors, comprise the Governing Body of City of Parramatta Council.
Media	Refers to print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters. For the purposes of this Policy, Media does not include Social Media.
Media Coordinator	Means a person appointed under clause 3.2 of this Policy
Social Media	Online platforms and applications, such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards, that allow people

Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



	to easily publish, share and discuss content. Examples of Social Media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, WeChat, TikTok, Flickr, and Wikipedia.
Staff	A person who is directly employed by Council on a full time, part time, temporary, or casual basis.

REFERENCES	<i>Government Information (Public Access) Act 2009 (NSW)</i> <i>Local Government Act 1993 (NSW)</i> <i>State Records Act 1998 (NSW)</i> <i>Work Health and Safety Act 2011 (NSW)</i>
ASSOCIATED POLICIES	Code of Conduct Councillor and Staff Interaction Policy Social Media Policy Media Procedures Guide
ATTACHMENTS	Nil

DRAFT

Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



Media Policy

Contents

1. Scope 1

2. Purpose 1

3. Policy 1

4. Delegation 6

5. Procedure 6

6. Definitions 7

1. Scope

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Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



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3.2 The Chief Executive Officer (CEO) will appoint a suitably qualified member of Staff to be Council's Media Coordinator.

3.2.1 The CEO may appoint more than one Media Coordinator.

3.3 The Media Coordinator's role is to:

- (a) be the lead point of contact for all Media enquiries, requests for interviews, and requests to film or photograph Council Staff, facilities, or events for news and current affairs purposes;
- (b) be responsible for managing the preparation of Media statements prior to their release;
- (c) liaise with relevant Staff regarding Media enquiries and requests, where appropriate;
- (d) ensure that Media statements are approved by the Lord Mayor and/or CEO prior to their release, as appropriate;
- (e) develop Media training and/or induction to be provided to relevant Staff and Councillors;
- (f) maintain a record of all Media enquiries and responses;

Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- (g) ensure that Media organisations and their representatives are treated by Council professionally, equally, and without bias;
- (h) ensure that Media enquiries are dealt with promptly; and
- (i) ensure that all Media releases are published on Council's website.

Who Can Engage with the Media

3.4 The CEO:

3.4.1 The CEO is the official spokesperson for Council on operational and administrative matters.

3.4.2 The CEO may delegate to other Staff to speak on their behalf where appropriate, such as where the Staff member has professional expertise regarding the subject matter, or where the CEO is unavailable.

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3.5.1 Pursuant to section 226(c) of the *Local Government Act 1993* (NSW), the Lord Mayor is the principal member and spokesperson of the Governing Body of Council, including representing the views of Council as to its local priorities.

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3.6.1 As a member of the Governing Body and as a representative of the community, Councillors are free to express their personal views to the Media, subject to the requirements set out in this Policy.

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Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



(c) must act in accordance with the attached Media Procedures;

(c)(d) must uphold and accurately represent the policies and decisions of Council;

(d)(e) must not disclose Council information, unless authorised to do so; and

(e)(f) must seek information and guidance from the [Corporate Affairs Group Manager Communications and Customer Engagement](#) where appropriate before providing comment to the Media, to ensure they have the most up-to-date and relevant information and have considered reputational or other risks.

3.6.3 In the interests of promoting a positive, safe, and harmonious organisational culture, Councillors should endeavour to resolve personal differences privately and must not prosecute grievances publicly through the Media.

3.6.4 Where Councillors (including the Lord Mayor) become aware of potential issues that could result in Media interest, they should provide this information to the [Corporate Affairs Group Manager Communications and Customer Engagement](#).

3.7 Council Staff:

3.7.1 Staff must not speak to the Media about matters relating to Council unless approved as a delegate by the CEO and Lord Mayor, and authorised by the [Corporate Affairs Manager Media Coordinator](#) to do so.

3.7.2 If Staff receive a Media enquiry or are invited to comment to the Media on a matter relating to Council, they must refer the enquiry to the [Corporate Affairs Manager Media Coordinator](#).

3.7.3 Staff are free to express their personal views to the Media on matters that do not relate to Council, but in doing so, must not make comments that reflect badly on Council or that bring it into disrepute.

3.7.4 If authorised to speak to the Media, Staff:

(a) must uphold and accurately represent the policies and decisions of Council;

(b) must not disclose Council information, unless authorised to do so by the [Corporate Affairs Manager Media Coordinator](#); and

(c) must seek information and guidance from the [Corporate Affairs Manager Media Coordinator](#), where appropriate, before providing comment

Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



to the Media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks.

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Standards of Conduct When Engaging with the Media

- 3.8 All Media engagement by Council Officials must be conducted in a professional, timely, and respectful manner.
- 3.9 Council Officials must comply with Council's Code of Conduct when engaging with the Media in an official capacity, or in connection with their role as a Council Official.
- 3.10 Council Officials must not share information or make comments to the Media, through either direct or indirect mechanisms, that:
- (a) are defamatory, offensive, humiliating, threatening, or intimidating to other Council Officials or members of the public;
 - (b) contains profane language or is sexual in nature;
 - (c) constitutes harassment and/or bullying within the meaning of Council's Code of Conduct, or is unlawfully discriminatory;
 - (d) is contrary to their duties under the *Work Health and Safety Act 2011* (NSW) and their responsibilities under any policies or procedures adopted by Council to ensure workplace health and safety;
 - (e) contains content about the Council, Council Officials, or members of the public that is misleading or deceptive;
 - (f) divulges confidential Council information;
 - (g) breaches the privacy of other Council Officials or members of the public;
 - (h) contains allegations of suspected breaches of Council's Code of Conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*;
 - (i) could be perceived to be an official comment on behalf of Council where they have not been authorised to make such comment;
 - (j) commits Council to any action;
 - (k) violates an order made by a court;

Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- (l) breaches copyright; or
- (m) advertises, endorses, or solicits commercial products or business.

Use of Media During Emergencies

- 3.11 During emergencies, such as natural disasters or public health incidents, the [Corporate Affairs Manager and Media Team Leader Group Manager Communications and Customer Engagement](#) will be responsible for coordinating Media releases and statements on behalf of Council.
- 3.12 Council Officials must not provide comment or information to the Media that is inconsistent with official advice issued by Council and any other agency coordinating the emergency response.

Media Engagement in the Lead up to Elections

- 3.13 This Policy does not prevent the Lord Mayor or Councillors who are candidates at a local government or any other election from providing comment to the Media in their capacity as candidates at the election.
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4. Delegation

- 4.1 There are Administrative and/or Legislative Delegations applicable to this Policy, which are provided for in Council's Delegations Manual.

5. Procedure

- 5.1 Media content created and received by Council Officials acting in their official capacity is a Council record. These records must be managed in accordance with the requirements of the *State Records Act 1998 (NSW)*, and Council's records management policies and procedures.

Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



- 5.1.1 Media content created and received by Council Officials acting in their official capacity may be subject to information access applications made under the *Government Information (Public Access) Act 2009* (NSW).
- 5.2 Council may provide training to Council Officials who engage or are authorised to engage regularly with the Media.
- 5.2.1 Media engagement training may be provided to Councillors as part of their induction or refresher training, or as part of their ongoing professional development program.
- 5.2.2 Council will ensure a suitably trained media spokesperson is available to represent Council during times of emergency.
- 5.3 Councillors must direct any questions about their obligations under this Policy to the [Corporate Affairs Group Manager Communications and Customer Engagement](#).
- 5.4 Concerns or complaints about the administration of Council's engagement with the Media should be made to the [Corporate Affairs Manager Media Coordinator](#) in the first instance.
- 5.5 Alleged breaches of this Policy will be dealt with by following the processes set out in Council's Code of Conduct.

6. Definitions

Councillor	A person elected or appointed to civic office as a member of the Governing Body of Council, including the Lord Mayor.
Council Official	Refers to Councillors, members of Staff, and delegates of Council including members of committees
Governing Body	The elected representatives, called Councillors, comprise the Governing Body of City of Parramatta Council.
Media	Refers to print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters. For the purposes of this Policy, Media does not include Social Media.

Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



Media Coordinator	Means a person appointed under clause 3.2 of this Policy
Social Media	Online platforms and applications, such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards, that allow people to easily publish, share and discuss content. Examples of Social Media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, WeChat, TikTok, Flickr, and Wikipedia.
Staff	A person who is directly employed by Council on a full time, part time, temporary, or casual basis.

REFERENCES	<i>Government Information (Public Access) Act 2009 (NSW)</i> <i>Local Government Act 1993 (NSW)</i> <i>State Records Act 1998 (NSW)</i> <i>Work Health and Safety Act 2011 (NSW)</i>
ASSOCIATED POLICIES	Code of Conduct Councillor and Staff Interaction Policy Social Media Policy Media Procedures Guide
ATTACHMENTS	Nil

Media Policy		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	POL No: 224
Date of Commencement: 2016	Approval Authority: Council	Date Approved:
Amendment: 3	Date of Next Review:	Review: 4



Schedule 1: Media Procedures Guide

Contents

1. Scope 1

2. Purpose..... 1

3. Policy..... 1

4. Delegation 2

5. Procedure..... 2

6. Definitions 5

1. Scope

- 1.1 This procedure guides Councillors in their interactions with the media as elected officials.
- 1.2 This procedure does not apply to Council staff.

2. Purpose

- 2.1 This procedure guide forms part of the Media Policy as it applies specifically to Councillors.
- 2.2 This procedure aims to ensure clarity for Councillors of their obligations under the Media Policy and that media engagement by Councillors is at all times consistent with Council's approved policies.

3. Policy

Principles

- 3.1 Council is committed to upholding and promoting the following principles of Media engagement:

Media Procedures Guide		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	Procedure No: 20
Parent Policy: Media Policy	Approval Authority: CEO	Date Approved: 02/05/2024



Openness	Council will promote an open exchange of information between Council and the Media.
Consistency	Council will ensure consistency by all Council Officials when communicating with the Media.
Accuracy	The information Council shares with the Media will be a source of truth for the community, and Council will seek to correct inaccuracies when they occur.
Timeliness	Council will ensure that Media enquiries are responded to in a timely manner.

4. Delegation

- 4.1 There are Administrative and/or Legislative Delegations applicable to the Media Policy and this Guide, which are provided for in Council's Delegations Manual.

5. Procedure

- 5.1 Requirement to seek guidance prior to making comment

Councillors are required to seek guidance from the Group Manager Communications and Customer Engagement prior to commenting or committing to an interview. This is to ensure that Councillors are aware of relevant facts and any other comments being provided by Council and have considered reputational or other risks. It does not prevent Councillors from making a comment.

Councillors are not required to seek guidance on media matters purely related to their capacity as candidates at an election including a local government election.

- 5.2 Seeking to be an alternate spokesperson for Council

Under section 3.5 of the Media Policy, the Lord Mayor can delegate their role as Council's spokesperson to other councillors where appropriate (for example, where another councillor is best placed to comment because the issue is within their particular area of expertise or interest).

Media Procedures Guide		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	Procedure No: 20
Parent Policy: Media Policy	Approval Authority: CEO	Date Approved: 02/05/2024



Councillors seeking to be an alternate spokesperson on a matter should make the request in writing to the Lord Mayor via the Group Manager Communications and Customer Engagement. The Lord Mayor will then make a recommendation to the Group Manager and Media Co-ordinator.

Approval will be granted only for one-off interactions with the media.

Approval for all alternate spokespeople will be recorded by a designated Media Co-ordinator in Council's records management system.

5.3 Ensuring clarity on your capacity when making media comment

Councillors must not purport to speak for the Council unless authorised to do so. It is incumbent on Councillors to ensure it is made clear that they are expressing their personal views as an individual Councillor in either written or verbal statements made to media. For example, *"This is my personal view as a Councillor and not that of Council."*

Where expressing a personal view on a decision, Councillors should remain mindful of their obligation to uphold and accurately represent the policies and decisions of Council.

5.4 Use of Council fonts and letterhead

Individual Councillor media releases must not use Council letterhead, crest, font, Councillor headshot or photos or other information that could give the appearance it is an official Council media release, unless the Lord Mayor or CEO has delegated the Councillor to be official spokesperson on the matter. This does not prevent Councillors identifying themselves as Councillors on their media releases.

5.5 Seeking a factual correction on a published item

If Councillors identify a factual error in a published media item, they are encouraged to report the item with an explanation of what is incorrect to the Group Manager Communications and Customer Engagement. The Group Manager will then determine an appropriate course of action which may include approaching the publication to seek a correction or clarification.

Media Procedures Guide		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	Procedure No: 20
Parent Policy: Media Policy	Approval Authority: CEO	Date Approved: 02/05/2024



Where the matter relates to a quote or information provided by a Councillor independently of the Corporate Affairs team and independent of any role as an alternate spokesperson for the Lord Mayor, any follow-up actions are a matter for Councillors.

5.6 Records Management

All information created, sent and received in your official capacity as an elected official is a record of the Council. This includes individual Councillor media releases, correspondence with a media outlet and social media content created, sent or received. These records must be managed in accordance with the requirements of the *State Records Act 1998* and Council's approved records management policies and practices.

Such correspondence may also constitute open access information or be the subject of an application to access information made under the *Government Information (Public Access) Act 2009*.

5.7 Potential media issues

Where Councillors become aware of potential issues that could result in media interest, they should notify the Group Manager Communications and Customer Engagement. This includes being approached for comment on an issue by media even if the offer is declined.

5.8 Complaints management

Complaints relating to Councillors' conduct in the media

Complaints about the conduct of Councillors in the media should be directed to the Chief Executive Officer consistent with the processes outlined in the Code of Conduct. Complaints will be managed as per the Procedures for the Administration of the Code of Conduct 2020.

Complaints relating to the Chief Executive Officer's conduct in the media

Complaints about the conduct of the Chief Executive Officer in engaging with the media should be directed to the Lord Mayor.

Media Procedures Guide		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	Procedure No: 20
Parent Policy: Media Policy	Approval Authority: CEO	Date Approved: 02/05/2024



Complaints relating to Council staff conduct in the media

If Councillors receive a complaint about Council staff engagement with the media, this should be lodged as a Councillor service request.

Complaints from the community made to Councillors

If a community member raises a complaint about media engagement with a Councillor, Councillors should first check if the community members have lodged their complaint or issue with Council already. If not, complaints should be lodged as Councillor service request. All complaints should be managed as per the Complaints Handling Policy.

5.8 Queries

Questions from Councillors relating to their obligations under the Media Policy and Media Procedure Guide or advice on media approaches should be directed to the Group Manager Communications and Customer Engagement.

6. Definitions

Councillor	A person elected or appointed to civic office as a member of the Governing Body of Council, including the Lord Mayor.
Council Official	Refers to Councillors, members of Staff, and delegates of Council including members of committees
Governing Body	The elected representatives, called Councillors, comprise the Governing Body of City of Parramatta Council.
Media	Refers to print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters.
Media Coordinator	Means a person appointed under clause 5.1 of the Media Policy
Social Media	Online platforms and applications, such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards, that allow people to easily publish, share and discuss content. Examples of Social Media platforms include, but are not limited to

Media Procedures Guide		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	Procedure No: 20
Parent Policy: Media Policy	Approval Authority: CEO	Date Approved: 02/05/2024



	Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, WeChat, TikTok, Flickr, and Wikipedia.
Staff	A person who is directly employed by Council on a full time, part time, temporary, or casual basis.

REFERENCES	<i>Government Information (Public Access) Act 2009 (NSW)</i> <i>Local Government Act 1993 (NSW)</i> <i>State Records Act 1998 (NSW)</i> <i>Work Health and Safety Act 2011 (NSW)</i>
ASSOCIATED POLICIES	Code of Conduct Media Policy Social Media Policy
ATTACHMENTS	Nil

Media Procedures Guide		
Owner: Group Manager Communications and Customer Engagement	Area: Corporate Affairs	Procedure No: 20
Parent Policy: Media Policy	Approval Authority: CEO	Date Approved: 02/05/2024

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.4
SUBJECT	Adoption of Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No 3) - Church Street North Precinct
REFERENCE	F2024/00282 - D09421360
REPORT OF	Project Officer

CSP THEME: Innovative

WORKSHOP/BRIEFING DATE: 20 May 2024

PURPOSE:

The purpose of this report is to seek adoption the *Parramatta City Centre Local Infrastructure Contributions Plan 2022 (Amendment No. 3)* and to seek Council authorisation to submit the final Plan to the Department of Planning, Housing and Infrastructure requesting Ministerial approval.

RECOMMENDATION

- (a) That Council note the submissions made during the public exhibition of draft *Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No. 3)* and the officer responses provided at **Attachment 1**.
- (b) That Council adopt the *Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No. 3)* provided at **Attachment 2** to allow the proposed contributions rates – being 4% for development that contains residential accommodation, and 3% for any other development – to be applied to the Church Street North Precinct.
- (c) That Council authorise submission of the approved contributions plan at **Attachment 2** and the supporting Justification Report Supplement at **Attachment 3** to the Department of Planning, Housing and Infrastructure with a request for:
 - i. the Minister of Planning and Public Spaces to amend Section 209 of the Environmental Planning and Assessment Regulation 2021 to apply the new rates specified in the approved contributions plan; and
 - ii. the rates to be applied no later than that 1 July 2023 which is the date that new planning controls for the precinct specified in State Environmental Planning Policy (Church Street North Precinct) 2023 (CSN SEPP) come into force.
- (d) That Council authorise the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during finalisation of *Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No 3)*.
- (a) That Council note that *Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No 3)* will come into effect upon amendment of Section 209 of

the Environmental Planning and Assessment Regulation 2021 by the Minister for Planning and Public Spaces and this will be notified on Council's website.

BACKGROUND

1. The Parramatta City Centre Local Infrastructure Contributions Plan 2022 (the Plan) is a key funding mechanism to enable delivery of local infrastructure within the Parramatta City Centre. The Plan was approved by Council on 14 June 2022 and subsequently approved by the Minister of Planning on 21 September 2022. The Contribution Plan came into effect on 14 October 2022, at the same time as the commencement of Amendment 56 to Parramatta Local Environmental Plan 2011.
2. The Plan enables Council to levy monetary contributions via development application and complying development certificate conditions of consent, with the funds collected used to deliver items specified in the Works Schedule in the Plan.
3. Council at its meeting of [26 February 2024](#), considered a report to publicly exhibit the draft amended Plan (Amendment No. 3) to enable increased contribution rates to be applied to the Church Street North Precinct (see Area B in Figure 1)). Table 1 below outlines the current and proposed contribution rates based on the type of development.

Development Type (where development cost exceeds \$250,000)	Current Rate (Church Street North Precinct)	Proposed Rate (Church Street North Precinct)
Residential accommodation	3%	4%
Mixed-Use development (development including residential accommodation and other land uses)	3%	4%
Other development (excluding residential accommodation)	3%	3%

Table 1: Current and proposed Section 7.12 Development Contribution Rates – Church Street North Precinct

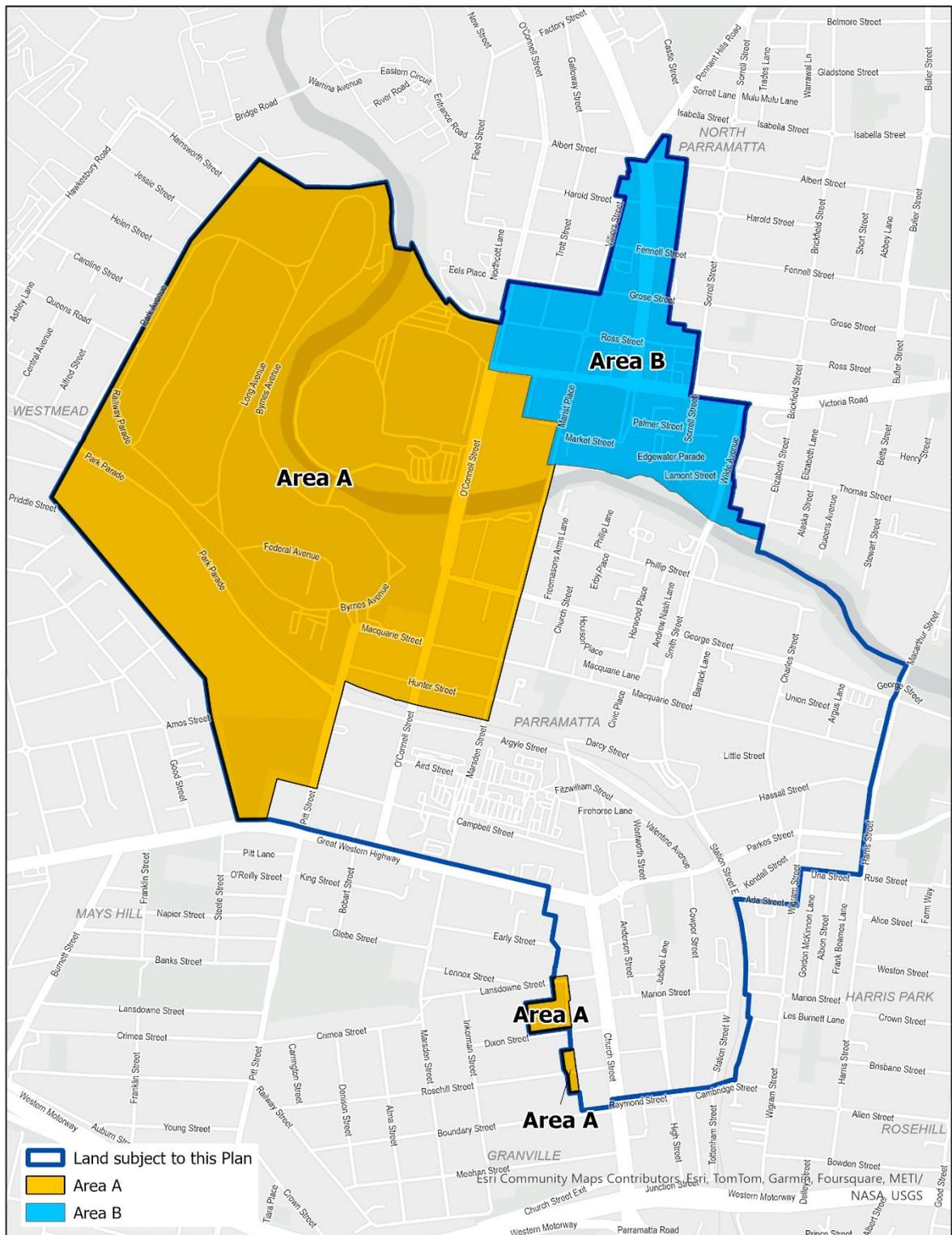


Figure 1 - Location of the Church Street North Precinct (Area B) coloured in blue

4. Amendment 3 to the Plan was prepared in response to a State Government-led rezoning to the Church Street North Precinct that will increase the height and density controls within the Precinct, potentially enabling 1,800 additional dwellings within the Precinct.

5. The new planning controls are to be implemented via [State Environmental Planning Policy \(Church Street North Precinct\) 2023](#) (CSN SEPP) which was published on the NSW Legislation website on 15 December 2023 and comes into effect on 1 July 2024. The deferred commencement enables Council to prepare changes to the contributions plan and development control plan for the Church Street North precinct. Draft changes to the Development Control Plan (DCP) for the Church Street North area were approved by Council for public exhibition on [22 April 2024](#) (and the [exhibition](#) commenced on 29 April 2024).
6. Council resolved at its meeting of 26 February 2024 to publicly exhibit *Draft Parramatta City Centre Local Infrastructure Contributions Plan 2022 (Amendment No. 3)*. This was prioritised and progressed prior to the Draft DCP because of the additional processing time required to get Ministerial approval for the new rates proposed in this contributions plan amendment.

COMMUNITY ENGAGEMENT AND PUBLIC EXHIBITION

7. The draft Plan was publicly exhibited between 18 March and 19 April 2024 for a period of 33 days. Additional exhibition days beyond the 28-day statutory requirement were included to account for the Easter break.
8. The exhibition material was displayed electronically on Council's "Participate Parramatta" page, along with relevant social media notification. Hard copies were also provided at the Parramatta City Centre Library (Phive) and Council's Administration Building. Additionally, a mail-out to landowners within the Church Street North Precinct was undertaken with 1,345 letters sent.
9. A total of eleven (11) submissions were received during the exhibition period by e-mail or on-line submission through the Participate Parramatta site. Of the submissions received, four (4) were in support of the proposed amendment, one (1) was unsure and the remaining six (6) did not support the proposed amendment.

MATTERS RAISED IN SUBMISSIONS

10. Full details and a response to the matters raised in the submissions are provided at **Attachment 1**, with key issues set out below. None of the matters raised within the submissions necessitated changes to the draft Plan as exhibited.
11. Two (2) submissions thought the changes would apply to their Council rates and objected to the proposed change on that basis. In response to those submissions, Council officers advise that the changes do not apply to rates notices as the setting of rates is undertaken through the *Local Government Act 1993*, not the development contributions system under the *Environmental Planning and Assessment Act 1979*.
12. One (1) submission suggested that the boundary of the Plan be expanded beyond the current City Centre boundary. This request is not supported because the increased contributions rates in this precinct and those in the broader CBD are justified and directly linked to the significant increase in density applied under the CBD Planning Proposal Process and the CSN SEPP.

13. One (1) submission, while supportive of Council seeking to increase development contributions in the precinct objected to the proposal on the grounds that the 4% rate was too low for mixed use and residential development and suggested that a minimum 4.5% rate should be applied to assist with the infrastructure funding gap required to deliver necessary infrastructure. The submission states that Council should maintain the higher rates on the grounds that the development industry achieve large windfall gains as a result of such rezoning changes and should therefore adequately contribute to the required infrastructure.
14. In response to the above submission, it is clarified that the current contribution rate within the Church Street North Precinct is 3%. Higher rates of 5% that apply to other parts of the CBD do not apply here. Council is seeking to increase the contribution rate to 4% to ensure that additional contributions will be realised. The reason for not seeking the full 5% rate as applied elsewhere in the CBD is because the planning uplift enabled by the CSN SEPP is less than what was proposed under the original CBD Planning Proposal. The lower contribution rate is proportionally equivalent to the reduced uplift achieved under the CSN SEPP when compared to the CBD Planning Proposal.

RELATIONSHIP TO THE PARRAMATTA CITY CENTRE LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN (AMENDMENT NO. 2)

15. *Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No. 2)* was previously reported to Council on 22 April 2024 following its public exhibition and was adopted by Council. The amendment included a change to the timing of payment of the development contribution from occupation certificate stage to construction certificate stage and other housekeeping amendments. The version of Amendment 3 provided at **Attachment 2** contains those Amendment 2 changes.

FINALISATION OF THE CONTRIBUTIONS PLAN AND AMENDMENT TO THE ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION

16. Upon approval of the Plan by Council, a request will be made to the Department of Planning, Housing and Infrastructure to seek Ministerial approval to amend Section 209 of the Environmental Planning and Assessment Regulation 2021. This step is necessary to enable Council to levy the increased rates to the Church Street North Precinct, otherwise the 3% rates will continue to apply to all development with a cost of work exceeding \$250,000.
17. To assist the Department in their consideration of the higher contribution rates sought, a Justification Report (refer to **Attachment 3**) has been prepared for their assessment. The Justification Report is written in accordance with the 2021 Practice Note "*Section 7.12 fixed development consent levies*" published by the Department, which sets out criteria for councils seeking increases to the maximum percentage rate levies otherwise prescribed under Section 209 of the Regulation. This process was followed as part of the process of implementing the other rates applicable in the remainder of the CBD.
18. Council's justification for the higher contribution rate within the Church Street North Precinct (from 3% to 4% for residential development) is on the basis of

increased infrastructure demand that will be generated from the 1800 potential additional dwellings permitted by *State Environmental Planning Policy (Church Street North Precinct) 2023*. The increased rate is commensurate with what is applied in other parts of the CBD but has been discounted to reflect the proportionate reduction in planning uplift when compared to Council's original CBD Planning Proposal controls for this area.

19. If Amendment 3 to the Plan is not finalised prior to the new planning controls for the Church Street North Precinct coming into effect on 1 July 2024, the existing contributions plan and its current rate of 3% will continue to apply until the Council, and then the Minister approves the higher rates sought and the Regulation is amended to enable the new contributions plan to come into effect.
20. The savings and transitional arrangements for the Plan operate from the time a development application is lodged with Council. Consequently, any delay between approval and implementation of the new rates applying to the Church Street North Precinct beyond 1 July 2024 risk Council not being able to apply the higher rates to development applications in that area and foregoing the additional income anticipated from applying the higher rates.

CONSULTATION & TIMING

Stakeholder Consultation

21. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
18 March to 19 April 2024	Public Exhibition	See Paragraphs 7 to 14 above and Attachment 1	See Paragraphs 7 to 14 above and Attachment 1	Group Manager – City Strategic Planning

Councillor Consultation

22. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
20 May 2024	Briefing - all Councillors invited	Report finalised prior to this briefing	Report finalised prior to this briefing	Group Manager – City Strategic Planning

LEGAL IMPLICATIONS FOR COUNCIL

23. Section 215 of the *Environmental Planning and Assessment Regulation 2021* allows for Council to amend or repeal a contributions plan. If Council resolves to approve *the amended Plan* it will be necessary for the Minister to approve any changes to the rates set out in Section 209 of the Regulation before the amended

Plan will have any effect. Council will request that the Regulation amendment and amended plan take effect concurrently with the implementation of the CSN SEPP controls on 1 July 2024.

FINANCIAL IMPLICATIONS FOR COUNCIL

24. If Council resolves to approve this report in accordance with the recommendation, there are no unbudgeted financial implications for Council's budget.
25. It should be noted that if the amendment to the plan comes into effect along with the changes to the Regulation, an estimated increase in contributions income of \$10M is theoretically possible (increasing from \$30M under the current rates to \$40M under the proposed rates), as discussed in the report from 26 February 2024.

Robert Cologna
Group Manager, Strategic Land Use Planning

Jennifer Concato
Executive Director City Planning and Design

John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

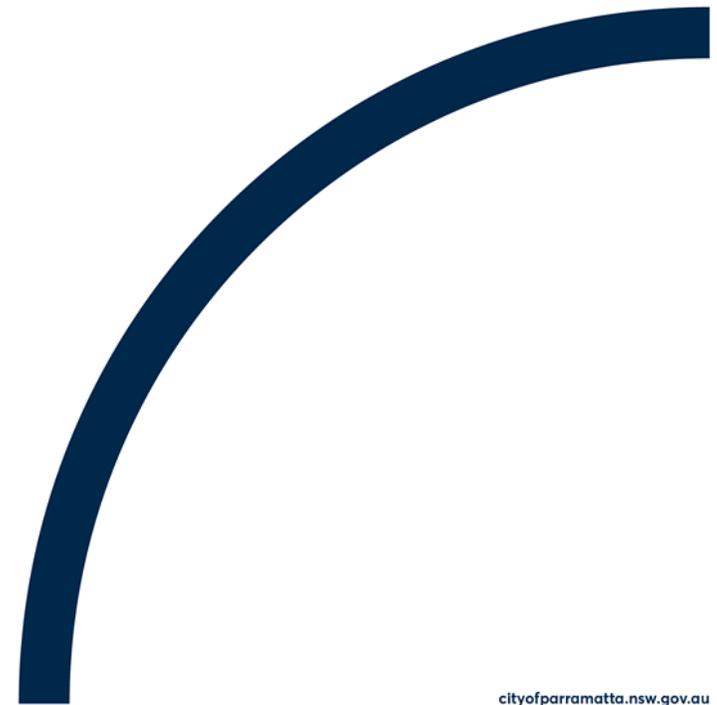
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|---|---------------------------------------|----------|
| 1  | Attachment 1 - Summary of Submissions | 12 Pages |
| 2  | Attachment 2 - Contributions Plan | 56 Pages |
| 3  | Attachment 3 - Justification Report | 22 Pages |

REFERENCE MATERIAL



Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No 3)

Summary of Submissions
May 2024



cityofparramatta.nsw.gov.au



Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No 3)

Summary of Submissions

May 2024

cityofparramatta.nsw.gov.au

CONTENTS

- 1. Executive Summary 2
- 2. On-line form submissions..... 3
- 3. E-mail submissions..... 7

1. Executive Summary

This document sets out matters raised in submissions to the exhibition of the draft Parramatta City Centre Local Infrastructure Contributions Plan 2022 (Amendment No 3) (the "Contributions Plan") between 18 March and 19 April 2024; and the Council officer's response to the matters raised in the submissions.

Submissions in this document are set out based on method of receipt, being:

- on-line form submissions lodged through the Participate Parramatta portal, with 10 submissions received (Section 2);
- submissions received by e-mail, with 1 submission received (Section 3); or
- other method such as mail, with no submissions received (Section 4).

In summary, the sentiment of submissions received are set in the following table:

Sentiment	# Submissions
Support	4
Support in Part	0
Do not support	6
Unsure	1

Table 1 - Sentiment of submissions received

Of the submissions received, none of the matters raised have resulted in recommendations to amend the contributions plan as exhibited.

2. On-line form submissions

This section sets out on-line form submissions received through the **Participate Parramatta** portal.

A total of **10 submissions** were lodged through this service.

Submission No	Summary of submission	Council officer response
01	<p>Do not support –while supportive of Council seeking to increase development contributions in the precinct, objected to the proposal on the grounds that the 4% rate was too low for mixed use and residential development and suggested that a minimum 4.5% rate should be applied to assist with the infrastructure funding gap required to deliver necessary infrastructure.</p> <p>The submission states that Council should maintain the higher rates on the grounds that the development industry achieve large windfall gains as a result of such rezoning changes and should therefore adequately contribute to the required infrastructure.</p> <p>The submission also argued against any exemptions applying to affordable/social housing as the residents of such developments will</p>	<p>Objection noted. In response to this submission, it is clarified that the current contribution rate within the Church Street North Precinct is 3%. Higher rates of 5% that apply to other parts of the CBD do not apply here. Council is seeking to increase the contribution rate to 4% (subject to approval by the Minister) to ensure that additional contributions will be realised. The reason for not seeking the full 5% rate as applied elsewhere in the CBD is because the planning uplift enabled by the CSN SEPP is less than what was proposed under the original CBD Planning Proposal. The lower contribution rate of 4% is proportionally equivalent (i.e. by 20%) to the reduced uplift achieved under the CSN SEPP when compared to the CBD Planning Proposal. As such, the 4% rate is considered appropriate to justify to the Minister.</p> <p>The funding gap in the contribution plan is due to the aspirational nature of the Plan's works program to be delivered over the 40-year lifespan of the Plan. The works program sets out Council's long-term infrastructure needs for the City Centre and allows for a variety of funding sources and delivery methods including, development contributions and delivery of works in-kind formalised through a planning agreement.</p> <p>As set out in the original Council report of 26 February 2024, the proposed changes will actually increase the contribution levy applied in Church Street North Precinct and are anticipated to increase development contributions income by approximately \$10 million compared to the current situation over the 40-year lifespan of the contributions plan.</p> <p>Social and affordable housing is already exempt from development contributions as this is required by existing state government legislation in an attempt to limit the financial burden on providers of this type of housing, which is required to support the broader community. The subject Amendment does not change exemptions relating to affordable or social housing.</p>

Submission No	Summary of submission	Council officer response
	still generate the same demand for infrastructure.	No amendment to the draft contributions plan is recommended from this submission.
02	Do not support – Submitter considers the change premature and anticipates an increase in housing that may or may not occur in the area. Submitter suggests the costs should be borne by businesses as they will benefit more from the increase in population while the impact on residential ambience is likely to decrease because of the increased density. Submitter contends that residents in the area already face discomfort due to construction noise and delays. Submitter suggests the costs should be absorbed by development fees and paid for by developers.	<p>Objection noted. The changes to development contributions levies have been proposed because of a potential increase of 1,800 additional dwellings in the Precinct. This increase in dwelling development potential is anticipated from the changes to planning controls prepared by the State Government which come into effect on 1 July 2024.</p> <p>Changes to the planning controls are a catalyst to enable future development in accordance with those controls. Council cannot require development to occur as this depends on the landowners selling their land and developers undertaking the development in accordance with the controls that apply to the land.</p> <p>The changes do not apply to the calculation or payment of rates by residents as imposition of rates is covered under different legislation.</p> <p>The development contributions will be payable as a condition of any future development consent and will be borne by the Developer.</p> <p>No amendment to the draft contributions plan is recommended from this submission.</p>
03	Support – No further comment.	<p>Support noted.</p> <p>No amendment to the draft contributions plan is recommended from this submission.</p>
04	Do not support – No further comment.	<p>Objection noted.</p> <p>No amendment to the draft contributions plan is recommended from this submission.</p>
05	Support – No further comment.	<p>Support noted.</p> <p>No amendment to the draft contributions plan is recommended from this submission.</p>

Submission No	Summary of submission	Council officer response
06	<p>Support – Submitter suggests the area covered by the plan should be extended. Along Church Street it should be extended especially near the light rail stops. For example, Fennell Street on the east should extend all the way to Sorrell Street.</p>	<p>Support noted. In relation to the suggestion to extend the boundary of the City Centre contributions plan to apply to a larger area, it is noted that the Plan boundary is consistent with the boundary of the Parramatta City Centre as defined in Part 7 of the Parramatta Local Environmental Plan 2023.</p> <p>The City Centre contributions plans (since commencement in 2007) have always aligned with the City Centre boundary from the relevant Local Environmental Plan. Presently, land outside the City Centre is subject to contributions under the <i>City of Parramatta (Outside CBD) Development Contributions Plan 2021</i>.</p> <p>It is not considered appropriate to apply higher rates to properties that have not had an increased in development potential via the Parramatta CBD Planning Proposal or subsequent Departmental changes.</p> <p>If the City Centre boundary in the Local Environmental Plan is amended in future, the boundary for the contributions plan would be expected to be amended accordingly.</p> <p>No amendment to the draft contributions plan is recommended from this submission.</p>
07	<p>Support – Submitter suggests it is vital that increased dwelling numbers in North Parramatta incurs the increased levy to support provision of council facilities in an already dense and oversubscribed area. Submitter also suggests that new construction should be mixed-use and amenity at ground level is considered by increasing provision of appropriate local retail services.</p>	<p>Support noted. Controls within Council's existing Local Environmental Plan and Development Control plan include controls that require mixed use development in certain areas, including ground floor retail /commercial. Other controls relate to protection of amenity of residential use including visual and acoustic privacy, solar access and the like. Council's contribution plan enables Council to receive income from new development to allocate towards the provision of local infrastructure.</p> <p>No amendment to the draft contributions plan is recommended from this submission.</p>

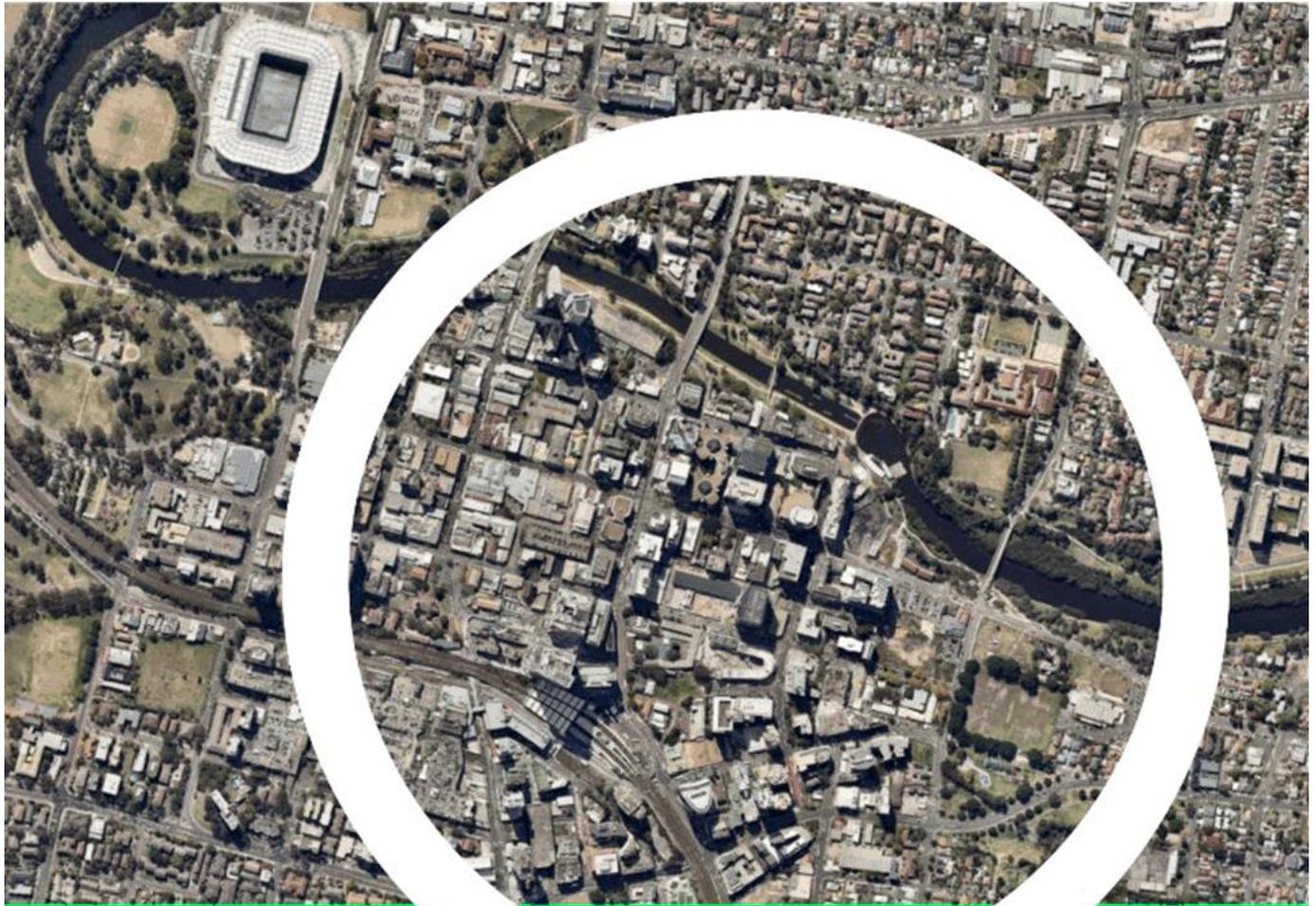
Submission No	Summary of submission	Council officer response
08	<p>Do not support – Submitter suggests given the area has been impeded by construction noise, outages and restricted public and private transport it is unfair to apply a surcharge on a levy where no benefits have occurred.</p>	<p>Objection noted. The proposed changes in the contributions plan do not apply to Council rates, as setting of rates and rates increases are a separate process under Chapter 15 of the <i>Local Government Act 1993</i>.</p> <p>The contributions will be payable by developers not existing residents. Contributions are paid to Council by developers as part of the approval construction process. The changes to the s7.12 levies will apply when development is undertaken in the Church Street North Precinct, and where the development cost is greater than \$250,000. The requirement to pay a contribution is applied as a condition of development consent or a Complying Development Certificate in accordance with Section 7.12 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>No amendment to the draft contributions plan is recommended from this submission.</p>
09	<p>Unsure about support – Approval [of increased levies] should only be applied after Council provides details where the increased parks and green lands will be provided.</p>	<p>The Works Program (Appendix C) and maps (Appendix D) sets out the type of works, such as parks and green spaces, that will be funded from contributions received under the contributions plan. A contributions plan must, by statute, include a Works Program with estimated costs, locations, and timing for the delivery of works.</p> <p>In a long-term plan like the City Centre contributions plan, some works may be subject to change or substitution at periodic reviews, and new works may be added to meet the community needs and expectations in the future.</p> <p>No amendment to the draft contributions plan is recommended from this submission.</p>
10	<p>Do not support – Submitter considers it unfair that already stressed residents/owners will suffer as a result and would spend more on local businesses if rates weren't already so high.</p>	<p>Objection noted. The proposed changes in the contributions plan do not apply to Council rates, as setting of rates and rates increases are a separate process under Chapter 15 of the <i>Local Government Act 1993</i>.</p> <p>The contributions will be payable by developers not existing residents. Contributions are paid to Council by developers as part of the approval construction process. The changes to the s7.12 levies will apply when development is undertaken in the Church Street North Precinct, and where the development cost is greater than \$250,000. The requirement to pay a contribution is applied as a condition of development consent or a Complying Development Certificate in accordance with Section 7.12 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>No amendment to the draft contributions plan is recommended from this submission.</p>

3. E-mail submissions

This section sets out submissions received by e-mail.

A total of **1 submission** was lodged by e-mail.

Submission No	Summary of submission	Council officer response
11	Do not support – Submitter assumed that the increase would apply to the next Council rates notice. The submitter requested that a distinction is made between “owner/occupiers” and “investors” and that the contribution rate is left at 3% for “owner/occupiers”.	<p>Objection noted. The proposed changes in the contributions plan do not apply to Council rates, as setting of rates and rates increases are a separate process under Chapter 15 of the <i>Local Government Act 1993</i>.</p> <p>The contributions will be payable by developers not existing residents. Contributions are paid to Council by developers as part of the approval construction process. The changes to the s7.12 levies will apply when development is undertaken in the Church Street North Precinct, and where the development cost is greater than \$250,000. The requirement to pay a contribution is applied as a condition of development consent or a Complying Development Certificate in accordance with Section 7.12 of the <i>Environmental Planning and Assessment Act 1979</i>.</p> <p>No amendment to the draft contributions plan is recommended from this submission.</p>



Parramatta City Centre Local Infrastructure Contributions Plan 2022

Amendment No. 3

(June 2024)



Plan Version	Plan Name	Effective Date	Relationship to other Plans
0	Parramatta City Centre Local Infrastructure Contributions Plan 2022	14 October 2022	Replaces Parramatta CBD Development Contributions Plan 2007 (Amendment No. 5)
1	Parramatta City Centre Local Infrastructure Contributions Plan 2022 – Amendment No. 1	30 June 2023	Replaces Parramatta City Centre Local Infrastructure Contributions Plan 2022
2	Parramatta City Centre Local Infrastructure Contributions Plan 2022 – Amendment No. 2	29 April 2024	Replaces Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No 1)
3	Parramatta City Centre Local Infrastructure Contributions Plan 2022 – Amendment No. 3	To be inserted (commencement of Regulation amendment)	Replaces Parramatta City Centre Local Infrastructure Contributions Plan 2022 (Amendment No 2)

Contents

1. Background	1
1.1 Purpose of this plan	1
1.2 Where this plan applies	1
1.3 Development this plan applies to	2
1.4 Administration	2
2. How to use this plan	5
2.1 Calculating the contribution	5
2.2 Imposing the contribution	7
2.3 Paying the contribution	7
2.4 Registered certifier obligations	8
2.5 Alternatives to monetary contributions	9
Appendix A: Anticipated development	11
Appendix B: Infrastructure strategies	14
Appendix C: Works schedule	22
Appendix D: Works maps	42

Version	Document Control
1	Draft Endorsed by Council on 26 February 2024 for public exhibition
2	Version for approval by Council at the meeting on 27 May 2024 <i>Note: Edits in this document shown in Track Changes are for the purpose of the Council report. Insertions are shown in green underlined text and deletions are shown in red strike-through text</i>

Executive summary

This plan authorises the City of Parramatta Council ('Council') to collect contributions of money, land, or both from development to provide for local infrastructure needed by the relevant development. The plan describes where a contribution is required, what development it applies to, how to calculate the contribution and how to pay the contribution. The key steps applicants need to follow in using this plan are summarised below and at Figure 1.

Demand for local infrastructure

This plan forms part of Council's consolidated Parramatta City Centre Planning Framework to facilitate and strengthen Parramatta City Centre's position as one of the three metropolitan and strategic centres in Greater Sydney. This plan is a key part of Council's strategy to facilitate the funding for infrastructure that will service the demand created by an estimated additional 56,300 jobs and 13,900 dwellings within the Parramatta City Centre over the next 40 years.

Where this plan applies

This plan applies to land within the Parramatta City Centre as shown in **Figure 2**.

Development this plan applies to

This plan applies to development that needs consent, including complying development with a development cost of \$250,000 or more. Certain development specified in [Section 1.4](#) is excluded from the need to pay a contribution under this plan. This includes development listed in this plan's works schedule, undertaken by or on behalf of Council, such as the new City Centre aquatic centre and works at Parramatta Square.

Calculating the contribution

Council will determine the contribution payable for a development in accordance with this plan.

The contribution is calculated as follows:

Development	Percentage Rate for land in "Area A" on Figure 2	Percentage Rate for land in "Area B" on Figure 2	Percentage Rate for all other land
Residential Accommodation where the total development cost is over \$250,000	3%	4%	5%
Mixed-Use development (development including residential accommodation and other land uses) where the total development cost is over \$250,000	3%	4%	5%
Other development (excluding residential accommodation) where the total development cost is over \$250,000	3%	3%	4%

Any development where the development cost is \$250,000 or less	Nil	Nil	Nil
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If the development cost (calculated in accordance with Section 2.1) is over \$200,000, applicants must provide a completed Cost Summary Report with their development application or complying development certificate. This can be downloaded from the development contributions section of the Council's website. Council will use this to determine the development cost and associated contribution required, if any.

The \$200,000 threshold at which the form needs to be completed is slightly less than the \$250,000 threshold at which a contribution is required. This is so the consent authority can verify if the development cost is more or less than \$250,000.

Requiring the contribution

If a contribution is payable, Council will include a condition in the development consent or, in the case of complying development, the registered certifier issuing the complying development certificate must include a condition requiring the payment of a monetary contribution in accordance with this plan.

Council will index the contribution payable for inflation at the time of payment using quarterly updates to the Consumer Price Index (All Groups Index) for Sydney.

Paying the contribution

In the case of a development application, the condition of consent requiring the contribution will require the contribution to be paid prior to the issue of a construction certificate. In the case of a complying development certificate the contribution must be paid before the work authorised by the certificate commences. Payments cannot be deferred beyond this.

Applicants can pay their contribution online or in person at Council's Customer Service centre, by bank cheque and credit card. Applicants can also pay over the phone by calling 9806 5050.

For online payments, applicants should contact Council's Customer Service Line on 1300 617 058 to obtain a six-digit application key.

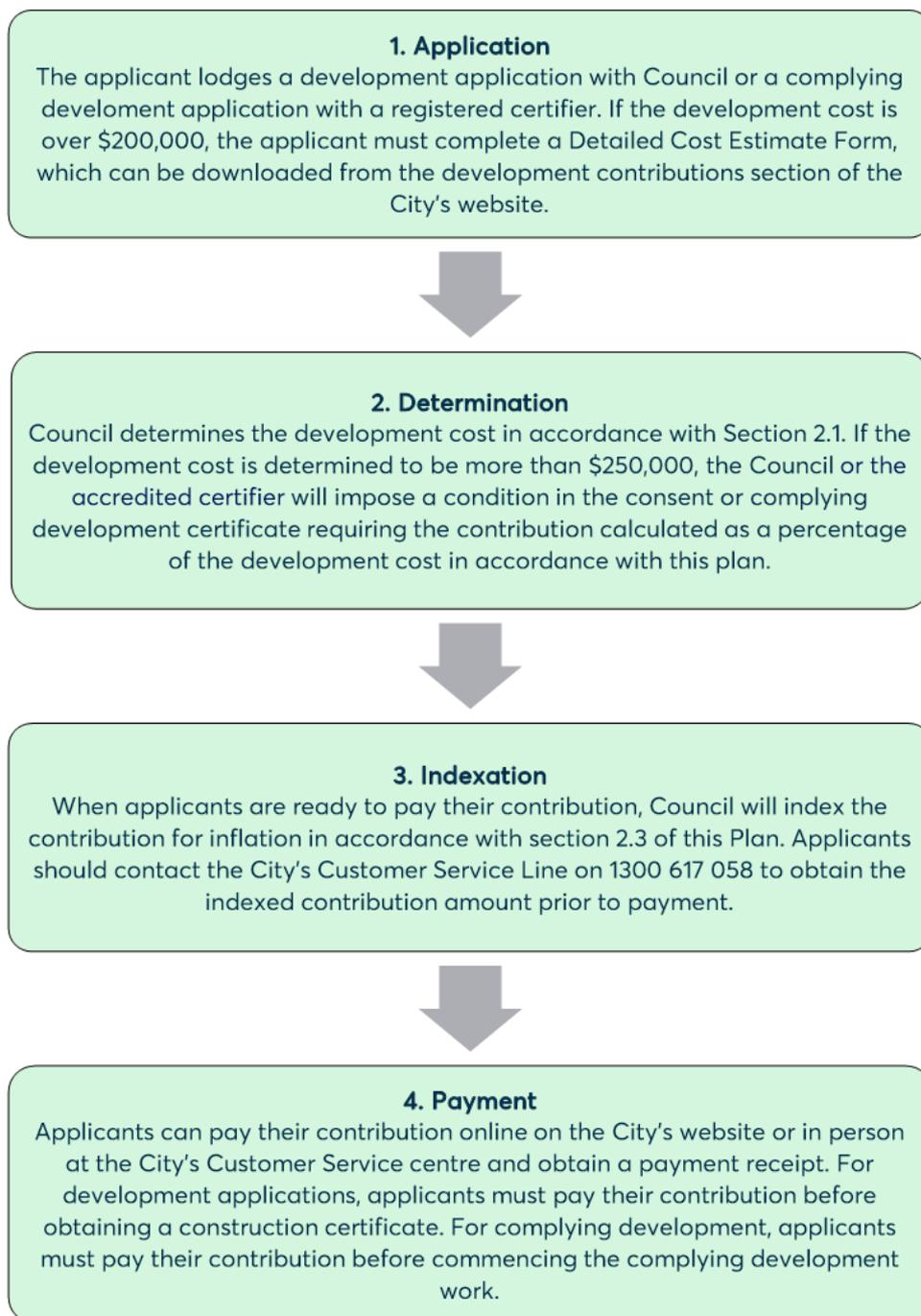
Payment can then be made using Council's online services portal on the Council's website.

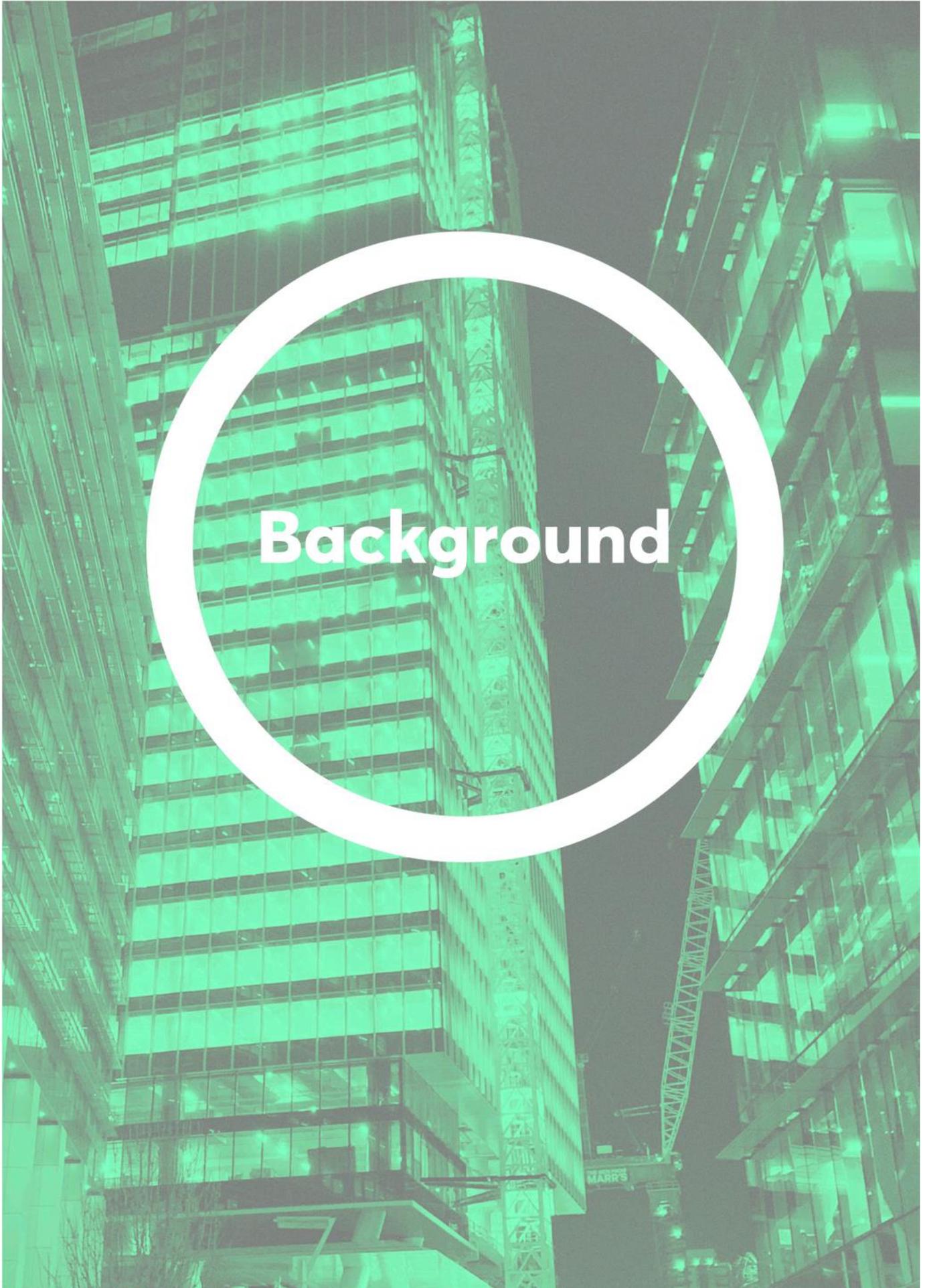
Complying development

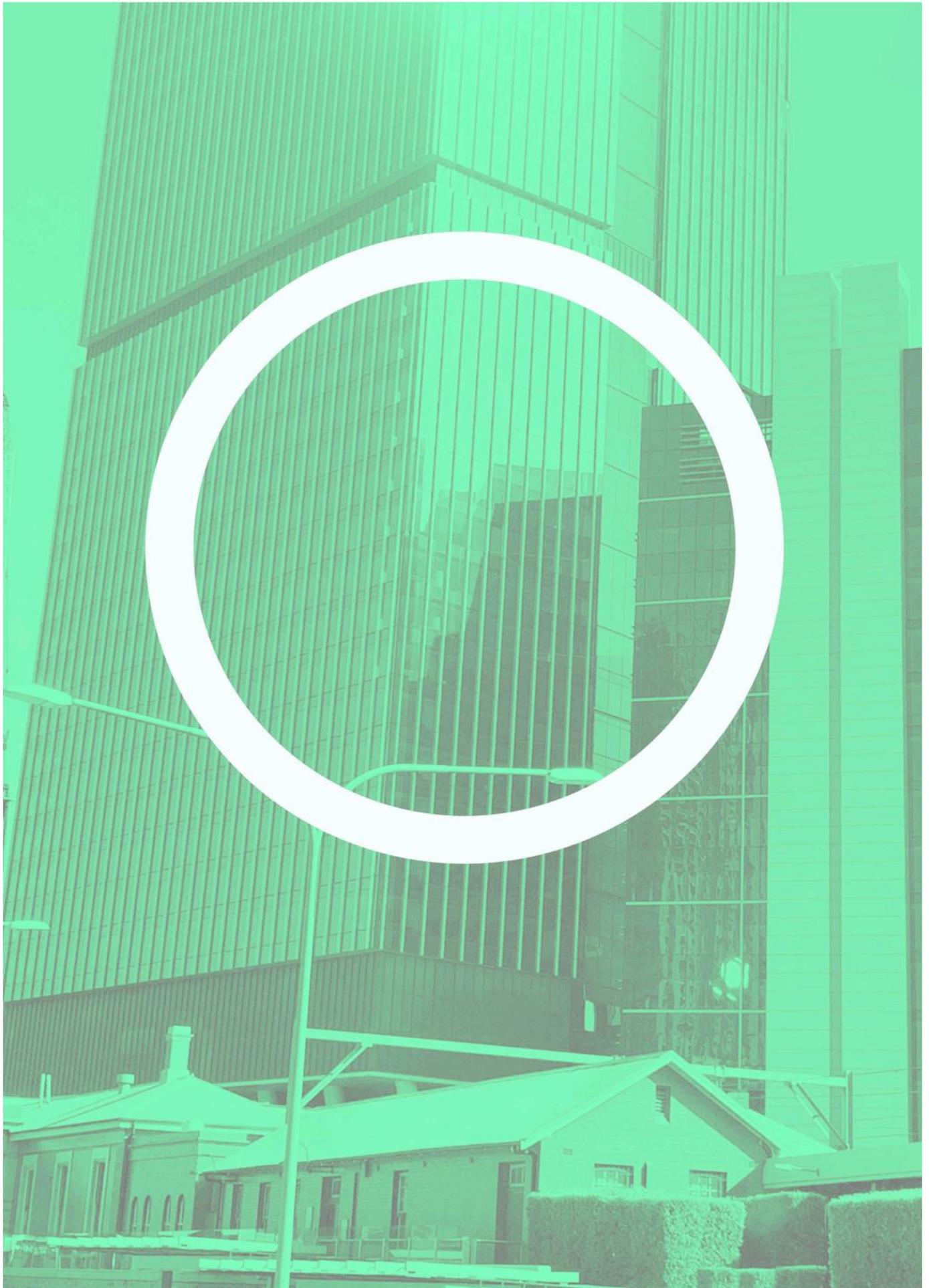
Registered¹ certifiers are responsible for ensuring that a condition is imposed on a complying development certificate in accordance with section 4.28(9) of the *Environmental Planning and Assessment Act 1979* and section 156 *Environmental Planning and Assessment Regulation 2021*. They must notify Council of their determination within two (2) days of making the determination, in accordance with section 141(4) of the *Environmental Planning and Assessment Regulation 2021*. Applicants must pay their contribution before the work authorised by the complying development certificate commences.

¹ The use of the term "registered certifier" also refers to "accredited certifier", "certifier" or the like as referenced in the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulation 2021*.

Figure 1: Key steps in determining and paying the contribution under this Plan







1. Background

This section describes the plan's purpose, where it applies and the development it applies to. It also outlines how Council will use the contributions.

1.1 Purpose of this plan

This plan is called the Parramatta City Centre Local Infrastructure Contributions Plan 2022 (Amendment No 3). It commenced on (**insert new date**). This plan enables Council to collect contributions from development towards infrastructure needed by the people that will live and work in the development.

Parramatta City Centre is currently undergoing a significant transformation. Strategically located within Sydney's Central City and near the geographic centre of metropolitan Sydney, Parramatta City Centre performs key economic, social, and cultural roles, particularly for Western Sydney, which is home to nearly half of Sydney's population. The importance of the Parramatta City Centre will increase as Western Sydney's population grows, and transport improvements connect people faster to the Parramatta City Centre.

The significance of the Parramatta City Centre has been recognised in the State Government's strategic planning framework. The importance of Parramatta City Centre economic function in providing necessary housing, employment, recreation, and cultural opportunities continues to be strengthened by its recognition as the heart of 'Central City' in the Greater Sydney Region Plan.

Since 2013 Council has been engaged in a process to deliver a new planning framework to facilitate and strengthen the Parramatta City Centre's growth. This plan is a key element of the Parramatta City Centre planning framework.

The framework will facilitate the delivery of an estimated additional 56,300 jobs and 13,900 dwellings within the Parramatta City Centre over the next 40 years. In doing so the framework also delivers on key economic, social, and cultural objectives for Western Sydney which is home to over half of Sydney's population.

The incoming resident and worker population of Parramatta City Centre will require a level of infrastructure that corresponds both to the scale of growth, and to the strategic importance of Parramatta City Centre as a metropolitan hub within the centre of the Greater Sydney Region. This plan is a major component of Council's strategy to fund the local infrastructure required to support growth in the Parramatta City Centre.

1.2 Where this plan applies

This plan applies to land in the Parramatta City Centre as shown in **Figure 2** outlined in blue. Applicants undertaking development outside of this area to which this plan applies should refer to the development contributions section of Council's website to determine the applicable development contributions plan.

1.3 Development this plan applies to

This plan applies to development applications and complying development certificates that are located on land to which this plan applies as shown in **Figure 2**; have a development cost of more than \$250,000; and are not excluded as described below.

Development that is excluded

The following development is excluded from the need to pay a development contribution under this plan:

- Development undertaken by or on behalf of Council, including (but not limited to) works listed in the works schedule in Appendix D of this plan
- Development with a development cost of less than \$250,000. Depending on the development cost, applicants must prepare and submit a Cost Summary Report or Quantity Surveyors Report in accordance with section 2.1
- Development excluded from Section 7.12 contributions by a Ministerial direction under section 7.17 of the *Environmental Planning and Assessment Act 1979*
- Affordable housing and social housing where this is delivered by or on behalf of a social housing provider or public authority. If the development is mixed use, only the affordable housing/social housing component will be excluded in the calculation of a development contribution. **Affordable housing as defined in the *Environmental Planning and Assessment Act 1979*. Social housing provider as defined by the *State Environmental Planning Policy (Housing) 2021*.**

1.4 Administration

Relationship to previous plans

This plan amends the Parramatta City Centre Local Infrastructure Contributions Plan 2022 - Amendment No. 2 (the Predecessor Plan) that came into effect on 29 April 2024. This Plan, known as Parramatta City Centre Local Infrastructure Contributions Plan 2022 Amendment No. 3 came into effect on insert new date.

This plan does not affect any conditions of consent referring to the Predecessor Plan or any earlier Plans.

Transitional arrangements

This plan applies to any application lodged on or after the plan's commencement date, being 14 October 2022.

Amendment No. 2 provisions do not apply to any application lodged prior to 29 April 2024.

Amendment No. 3 provisions do not apply to any application lodged prior to insert date.

Use of contributions

The City of Parramatta will allocate contributions received under this plan to infrastructure projects listed in the works schedule in **Appendix C**. Priorities for allocating contributions and delivering the works is as per the works schedule.

Pooling of funds

This plan authorises monetary contributions paid for different purposes in accordance with development consent conditions authorised by this plan and any other contributions plan approved by the Council to be pooled and applied progressively for those purposes.

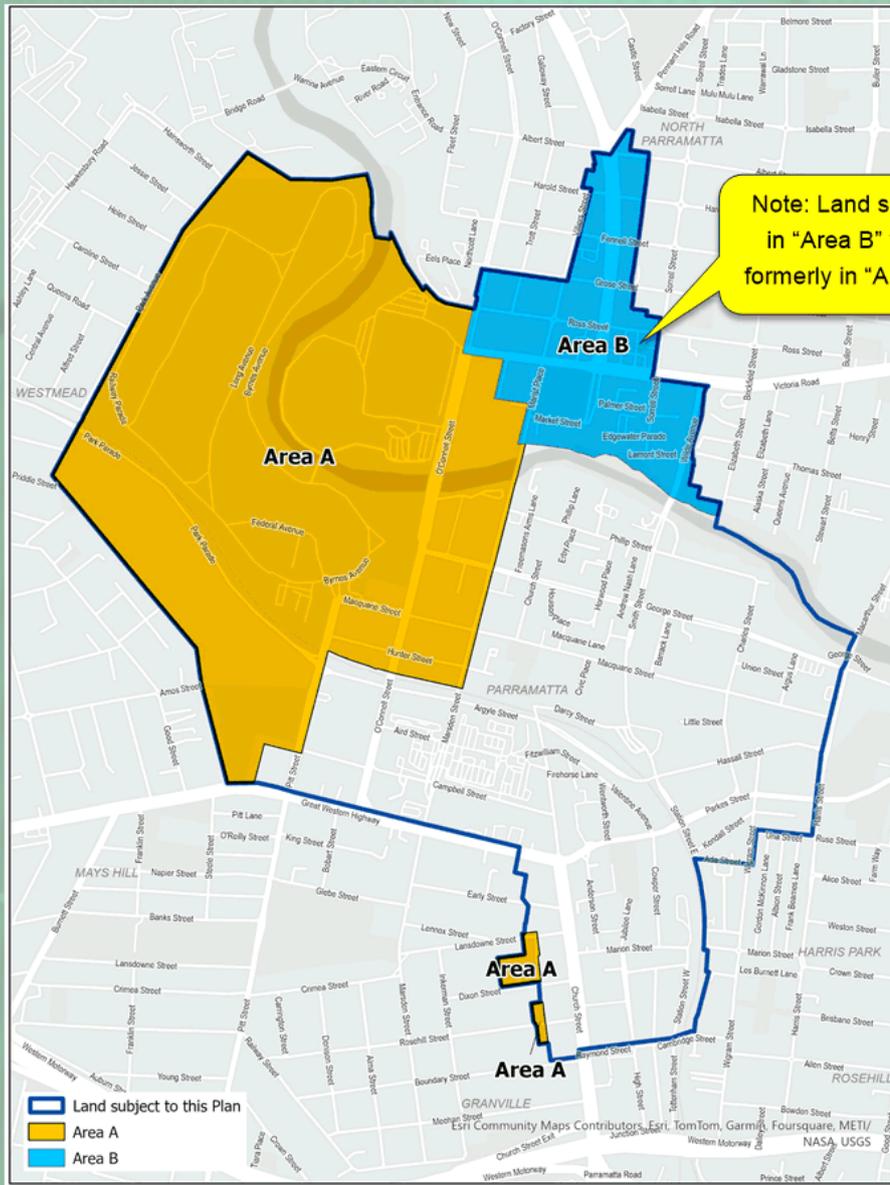
The priorities for the expenditure of pooled monetary contributions under this Plan is the timing of infrastructure provision as set out in the works schedule of this plan in **Appendix C**.

Any monies that were paid and required to be paid under the 2007 Predecessor Plan may be pooled with contributions under this plan and applied to the works schedule in this plan.

Review of this plan

Council will review this plan at least every five years to ensure it addresses community needs, responds to changes in development conditions and reflects Council priorities and relevant legislation.

Figure 2: Land to which this plan applies and the application of s7.12 percentage rate levies under this plan (refer Section 2.1)



How to use

2. How to use this plan

This section describes how to calculate and pay the contribution. This includes how to index the contribution and when it needs to be paid. It also outlines Council's policy where developers offer 'works in kind' instead of a monetary contribution.

2.1 Calculating the contribution

Council will calculate the contribution as follows:

Development	Percentage Rate for land in "Area A" on Figure 2	Percentage Rate for land in "Area B" on Figure 2	Percentage Rate for all other land
Residential Accommodation where the total development cost is over \$250,000	3%	4%	5%
Mixed-Use development (development including residential accommodation and other land uses) where the total development cost is over \$250,000	3%	4%	5%
Other development (excluding residential accommodation) where the total development cost is over \$250,000	3%	3%	4%
Any development where the development cost is \$250,000 or less	Nil	Nil	Nil

Calculating the cost of development

Section 7.12 contributions are calculated as a percentage of the cost of development. Section 208 of the EP&A Regulation 2021 sets out how the proposed cost of carrying out development is determined. An extract of this section, as it existed at the time this plan was made, is shown below for reference purposes.

208 Determination of proposed cost of development—the Act, s 7.12(5)(a)

- (1) *The proposed cost of carrying out development must be determined by the consent authority by adding up all the costs and expenses that have been or will be incurred by the applicant in carrying out the development.*
- (2) *The costs of carrying out development include the costs of, and costs incidental to, the following—*
 - (a) *if the development involves the erection of a building or the carrying out of engineering or construction work—*
 - (i) *erecting the building or carrying out the work, and*
 - (ii) *demolition, excavation and site preparation, decontamination or remediation,*
 - (b) *if the development involves a change of use of land—doing anything necessary to enable the use of the land to be changed,*
 - (c) *if the development involves the subdivision of land—preparing, executing and registering—*
 - (i) *the plan of subdivision, and*
 - (ii) *the related covenants, easements or other rights.*
- (3) *In determining the proposed cost, a consent authority may consider an estimate of the proposed cost that is prepared by a person, or a person of a class, approved by the consent authority to provide the estimate.*

- (4) *The following costs and expenses must not be included in an estimate or determination of the proposed cost—*
- (a) *the cost of the land on which the development will be carried out,*
 - (b) *the costs of repairs to a building or works on the land that will be kept in connection with the development,*
 - (c) *the costs associated with marketing or financing the development, including interest on loans,*
 - (d) *the costs associated with legal work carried out, or to be carried out, in connection with the development,*
 - (e) *project management costs associated with the development,*
 - (f) *the cost of building insurance for the development,*
 - (g) *the costs of fittings and furnishings, including refitting or refurbishing, associated with the development, except if the development involves an enlargement, expansion or intensification of a current use of land,*
 - (h) *the costs of commercial stock inventory,*
 - (i) *the taxes, levies or charges, excluding GST, paid or payable in connection with the development by or under a law,*
 - (j) *the costs of enabling access by people with disability to the development,*
 - (k) *the costs of energy and water efficiency measures associated with the development,*
 - (l) *the costs of development that is provided as affordable housing,*
 - (m) *the costs of development that is the adaptive reuse of a heritage item.*
- (5) *The proposed cost may be adjusted before payment of a development levy, as specified in a contributions plan, to reflect quarterly or annual variations to readily accessible index figures adopted by the plan between the day on which the proposed cost was determined by the consent authority and the day by which the development levy must be paid.*

Example—

A contributions plan may adopt the Consumer Price Index.

- (6) *To avoid doubt, this section does not affect the determination of the fee payable for a development application.*

Note: Section 208 of the Environmental Planning and Assessment Regulation 2021 replaces Clause 25J of the Environmental Planning and Assessment Regulation 2000.

Cost summary reports

Applicants must provide a completed Cost Summary Report with their development application or complying development certificate. This is to enable Council to determine the development cost for the purpose of calculating the contribution required, if any.

The Cost Summary Report must address matters set out in section 208 of the EP&A Regulation, as outlined in the previous subsection. Applicants can download a Cost Summary Report from the development contributions section of the Council's website.

Where the initial estimated development cost is greater than \$200,000 and less than \$3 million, the Cost Summary Report must be completed by a suitably qualified person, such as an architect or project manager. Where the development cost is more than \$3 million, it must be completed by a person registered with the Australian Institute of Quantity Surveyors or a person who can demonstrate an equivalent qualification.

2.2 Imposing the contribution

If a contribution is required for a development, the requirement for the development to contribute a contribution towards the cost of infrastructure included in this plan will be imposed as a condition of development consent or a condition of the complying development certificate.

In the case of a development application, the condition will require payment to Council prior to the issue of any construction certificate. Conditions authorised by this plan are subject to any direction given by the Minister under section 7.17 of the Act. This plan authorises the imposition of conditions in accordance with any such direction.

Discounts and/or credits for existing development are not provided under this plan.

In the case of complying development, payment will be required as a condition of issuing a complying development certificate and will require payment prior to work authorised by the certificate commencing.

If a complying development certificate has been granted to the carrying out of development subject to a condition authorised by this plan, then this plan requires a registered certifier to issue a complying development certificate to which this plan applies subject to a condition requiring the applicant to pay to the Council a contribution in accordance with this plan.

If a Ministerial direction under section 7.17 of the Act is in force, this plan authorises the registered certifier to issue a complying development certificate subject to a condition which is in accordance with that direction.

2.3 Paying the contribution

When to pay

Applicants must pay the contribution required in a development consent or complying development certificate prior to the issue of a construction certificate or, in the case of complying development, prior to the commencement of works authorised by the complying development certificate.

Indexation

At the time of payment, Council will index the contribution in accordance with quarterly updates to the Consumer Price Index (All Groups Index) for Sydney using the formula below. If the current CPI is less than the previous CPI, the current CPI shall be taken as not less than the previous CPI.

<i>Indexed development contribution</i>	C_{payment}	$= \frac{C_{\text{consent}} \times CPI_{\text{payment}}}{CPI_{\text{consent}}}$
<i>Where:</i>	C_{consent}	$=$ <i>the original development contribution required by the development consent</i>
	CPI_{payment}	$=$ <i>is the Sydney All Groups Consumer Price Index as published by the Australian Bureau of Statistics at the time of payment</i>
	CPI_{consent}	$=$ <i>is the Sydney All Groups Consumer Price Index as published by the Australian Bureau of Statistics at the time of consent.</i>

How to pay

In the case of a development application, the condition of consent requiring the contribution will require the contribution to be paid prior to the issue of a construction certificate.

Applicants can pay their contribution online or in person at Council's Customer Service centre by bank cheque and credit card. Applicants can also pay over the phone by calling 9806 5050.

For online payments applicants should contact Council's Customer Service Line on 1300 617 058 to obtain a six-digit application key.

Payment can then be made online at the Council's website by following these steps:

- Visit Council's online services portal at <https://onlineservices.parracity.nsw.gov.au/>
- Navigate to the 'New Payments' under the Payments section on the landing page.
- Select 'Application Payment' as the payment type and click 'next'
- Enter the payment details in the required fields and click 'next' (note Payment Reference is not the alpha numeric application reference number)
- Confirm the payment details and click 'next'
- Enter the required contact details and click 'proceed to payment'
- Enter card details and click 'pay' to finalise payment.

Deferred payment of contributions

Deferred payment of contributions will not be permitted, except (at Council's absolute discretion) where the applicant can demonstrate significant financial hardship and/or other extenuating circumstances which warrant that deferral.

Where a deferred payment is permitted by Council, 50% of the required contribution will be required to be paid prior to the issue of a construction certificate (or complying development certificate or subdivision certificate where relevant). The remaining 50% must be paid prior to the issue of an occupation certificate (interim or final) or as otherwise determined by Council.

Prior to the issue of a construction certificate (or complying development certificate or subdivision certificate where relevant), Council will require the applicant to provide a bank guarantee to Council's satisfaction for the outstanding balance of the contribution. The outstanding balance will continue to be indexed quarterly in accordance with movements in the *Sydney All Groups Consumer Price Index* as published by the Australian Bureau of Statistics.

2.4 Registered certifier obligations

Issuing a Complying Development Certificate under the Environmental Planning and Assessment Regulation 2021

Under section 156 of the Regulation, a complying development certificate must be issued with conditions included that require payment of a section 7.12 levy and that the levy must be paid before any work authorised by the certificate commences.

Under section 158 of the Regulation, as a precondition to works authorised by the complying development certificate commencing, the certifier must ensure that the applicant provides a copy of the payment receipt issued by Council confirming that contributions have been paid in full. Copies of such receipts must be included with copies of the certified plan provided to

the Council in accordance with section 141(4) of the Regulation. Failure to follow this procedure may render such a certificate invalid.

Issuing a construction certificate under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

Under section 20 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, a certifier must not issue a construction certificate for building work under a development consent unless a condition of the development consent, requiring the payment of a section 7.12 monetary contribution or levy has been paid before building work is carried out.

Issuing an Occupation Certificate or Subdivision Certificate under the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021

Under section 67 of the Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021, a principal certifier for building work or subdivision work to be carried out on a site is required to be satisfied — before the principal certifier issues an occupation certificate or subdivision certificate for the work — that any preconditions required by a development consent or complying development certificate to be met for the work before the issue of the occupation certificate or subdivision certificate have been met.

The certifier must ensure that the applicant provides a copy of the payment receipt issued by Council confirming that contributions have been fully paid. Copies of such receipts must be included with copies of the certified plan provided to the Council in accordance with section 39(2) of this Regulation. Failure to follow this procedure may render such a certificate invalid.

Where a development has a proposed cost exceeding \$10 million, the additional matters in section 37(3) also apply.

The only exceptions to the requirement are where Council has agreed to a works-in-kind, material public benefit or dedication of land as alternative to payment of contribution by way of a Planning Agreement. This is discussed in the following subsection.

2.5 Alternatives to monetary contributions

Council may at its discretion accept the dedication of land and/or provision of a material public benefit or works-in-kind in part or full satisfaction of a monetary contribution under this plan.

Generally, only land or works directly associated with the infrastructure included in this plan may be considered as a material public benefit or works-in-kind in satisfaction of the monetary contributions. If Council agrees to an alternative to a monetary contribution, it will accept it under the terms of a planning agreement.



Appendix A: Anticipated development

This appendix describes development anticipated in the Parramatta City Centre. This is a key indicator of development-generated infrastructure demand and cost. This, in turn, informs the infrastructure that will be funded using contributions received under this Plan, as set out in Appendix B and Appendix C.

Parramatta is Sydney's Central City. Located in the heart of the Sydney metropolitan area, the Parramatta CBD performs key economic, social, and cultural roles, particularly for Western Sydney, which is home to nearly half of Sydney's population. The metropolitan importance of the Parramatta City Centre will increase as Western Sydney's population grows and regional transport infrastructure connects people faster to Parramatta.

A new planning framework has been established by Council to facilitate and strengthen the Parramatta City Centre as a metropolitan centre. The new framework is guided by the vision for growth established in the Parramatta City Centre Planning Strategy 2015 and gives effect to the priorities and actions of the Central City District Plan to manage growth in the context of economic, social, and environmental matters and grow a stronger and more competitive Greater Parramatta.

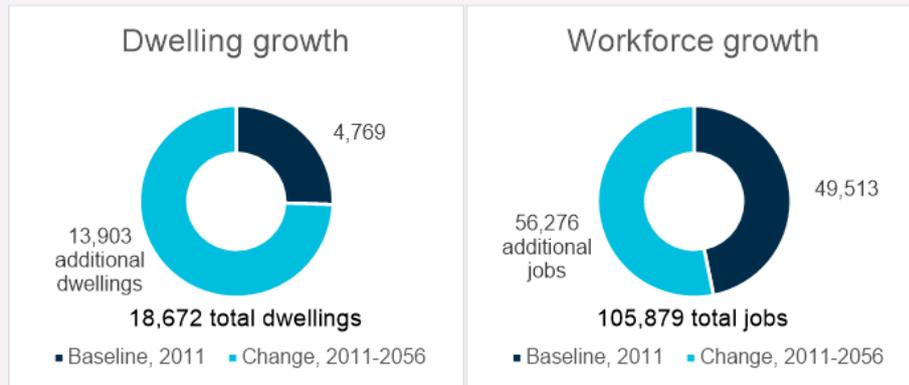
The new framework is expected to drive significant development-generated population growth. Existing and forecast growth is shown in **Table 1** and **Figure 3** below and is based on estimated development yields anticipated from implementing the increases in development capacity contained within the Parramatta City Centre Planning Framework and the associated amendments to Parramatta Local Environmental Plan. The worker population is expected to increase from 49,513 workers in 2011 to 105,879 workers in 2056, an increase of 56,276 workers or 114 per cent. The number of dwellings is expected to increase from 4,769 dwellings in 2011 to 18,672 dwellings in 2056, an increase of 13,903 dwellings or 391 per cent.

This anticipated growth is significant and will generate significant infrastructure demand. The strategies Council will use to address this demand are outlined in **Appendix B**.

Table 1: Anticipated development-generated population growth, 2016-2056²

	Baseline, 2011	Forecast, 2056	Change, 2011-2056	Change, 2011-2056
Dwellings	4,769	18,672	13,903	391%
Workers	49,513	105,879	56,276	114%

Figure 3: Anticipated development-generated population growth, 2016-2056



² Parramatta CBD Planning Proposal, as endorsed by Council for finalisation on 15 June 2021. Updated May 2022 to account for changes made by Amendment 56 to Parramatta Local Environmental Plan 2011. Further updated to include additional 13,020 jobs with reinstatement of unlimited office space in the E2 Commercial Centre zone in October 2022; a further 200 additional dwellings with adoption of revised controls in the Phillip Street block effective from 30 June 2023; and an additional 1,800 dwellings from the revised controls in Church Street North due to come into effect on 1 July 2024.



**Appendix B:
Infrastructure
strategies**

Appendix B: Infrastructure strategies

This appendix outlines the development-generated infrastructure demand, and the infrastructure Council will provide using contributions under this Plan to address that demand.

As outlined in Appendix A, Parramatta City Centre will be the primary focus for economic activity within Sydney's Central City, greater metropolitan Sydney, and NSW; and substantial growth in employment, services and housing in the City Centre is expected.

This new population will use local infrastructure and contribute to demand for its use. This local infrastructure includes:

- community facilities, such as libraries
- open space and recreation facilities
- public domain works
- traffic and transport works.

New residents, workers and visitors to the City Centre will have inadequate levels of service if Council does not provide new or improved public amenities and infrastructure to address development-generated infrastructure demand. The levels of service for the existing residential population and workforce will also decline without adequate public investment.

Development-generated infrastructure demand for the infrastructure categories above and the infrastructure Council will provide using contributions received under this plan to address that demand are outlined in the following subsections. Local infrastructure to be provided acknowledges and will cater to the diversity of cultures comprising the Parramatta City Centre presently and into the future, including our local Dharug community.

A consolidated list of infrastructure works is provided in the works schedule in **Appendix C** while an infrastructure map showing the locations of the individual works items is shown in **Appendix D**.

The total estimated cost of the works included in the works schedule is \$1,980 million (\$1.980 billion). A breakdown of the cost by infrastructure category is shown in **Table 2** below. Council will allocate contributions received under this plan towards these costs.

The demand and cost reasonably attributed (apportioned) to additional development is approximately \$1.20 billion (present value). This plan is forecast to generate approximately \$685 million (present value) in development contributions income over the expected 40-year life of this plan.

The difference or 'gap' between this plan's works schedule total and income forecast under this plan will be funded from other sources including existing planning agreement contributions, existing unspent contributions collected under the existing plan, grants, and committed Council funds. Council may also pool contributions received under this plan to fully fund works items using contributions.

Table 2: Estimated cost of works in the works schedule, by infrastructure category

Category	Estimated cost
Community and cultural facilities	\$736m
Open space and recreation	\$495m
Public domain works	\$573m
Traffic and transport	\$176m
Total	\$1,980m

B.1 Community facilities strategy

Community facilities are vital to the fabric of urban life and how people feel connected to each other. They provide spaces for the City's diverse communities of residents and workers to enjoy entertainment, creative and recreational pursuits, education and training, and rest and respite, in an increasingly dense inner-city environment. Council's recognition of the critical importance of community facilities for supporting city life is embedded in its Community Infrastructure Strategy (2020)³.

The development of Parramatta City Centre for commercial and residential uses will need to be supported by new community facilities to contribute to a socially sustainable future. Flexible, multipurpose community spaces act as gateways to connect people with each other, to services that can provide support and activities for the community.

Council's current community space network within the plan area comprises of community spaces of different types and scales, including the following:

- Community meeting rooms – which are typically a single room that people can hire.
- Community centres – which are places where people from within a local neighbourhood can come together for social events, educational classes, recreational activities or for drop-in support.
- Community halls – multipurpose buildings managed by Council for the community. They provide space and facilities for a range of local activities and community services.
- Community hubs – a larger facility offering a range of spaces suitable for various activities, programs, services, and events which address the social, physical, and emotional wellbeing needs of the local community. It can be a school, a neighbourhood centre or another public space that offers collocated or integrated services such as education, health care and social services. Each hub is as unique as the community it serves.

Council's Community Infrastructure Strategy has identified a need for the following community facilities to meet the demands of growth in the City Centre:

- Civic Centre at 5 Parramatta Square
- Refurbished town hall

³ City of Parramatta Community Infrastructure Strategy, 2020

- Flexible community space
- Youth space
- Low-cost leasable office space
- Homelessness support projects⁴.

Culture is fundamental to realising Council's vision for the City Centre and is what makes a city attractive and worth living in, visiting, and exploring. Arts and culture bring people together and provide the city's population with opportunities to share experiences. Culture is also a key determinant of a city's identity and reputation. Council's Cultural Plan⁵ identifies that for a city to be driven by culture, it requires appropriate spaces and venues where culture can be created, produced, presented, and consumed.

Western Sydney University's Cultural Infrastructure Research Report⁶ provides the necessary research and information to assist Council in determining its strategic priorities regarding the development of cultural infrastructure in the LGA. A key finding from the report is that Council must invest or facilitate investment in a range of cultural facilities to maximise the mixed ecology of cultural production, presentation and consumption found in culturally dynamic cities across the world.

To help address recommendations and findings from Council's Community Infrastructure Strategy and Cultural Plan, Council has developed a program of cultural facility projects that will be partly funded by this plan. These are shown in the works schedule in **Appendix C**. It includes 33 works items with a combined total estimated cost of approximately \$736 million. Council will allocate contributions received under this plan to works items in the works schedule.

Community facilities items include, but are not limited to:

- New Civic Centre at Parramatta Square (\$130.1 million)
- Parramatta Town Hall refurbishment (\$10 million)
- 2 x flexible community spaces in the City Centre (\$46.9 million)
- Knock down and rebuild of the existing Riverside Theatres (\$200 million)
- New Parramatta Art Centre with exhibition and gallery space (\$43 million)
- A live music venue with capacity for 5,000 people (\$80 million).

B.2 Open space and recreation strategy

Open space and recreation facilities are essential to the healthy functioning of the community and its urban environment. They provide a range of benefits including exercise, recreation, relaxation, escape, exploration, contemplation, interaction, connection, celebration, biodiversity, cooling, ventilation, tourism, identity, and community well-being.

Given the constrained urban environment and the high cost of land in the City Centre, it is not feasible to achieve the ideal provision rate or replicate current rates of provision of land for open space uses. Instead, Council's (2020) Community Infrastructure Strategy (CIS) outlines a more reasonable strategy including:

⁴ City of Parramatta Homelessness Policy, 2011

⁵ Culture and Our City: a Cultural Plan for Parramatta's CBD 2017-22, 2017

⁶ Planning Cultural Infrastructure for the City of Parramatta: A Research Report, Institute for Culture and Society, Western Sydney University, 2020

- Upgrading various existing open spaces to increase their capacity to assist with providing for the new population's demand
- Increase the carrying capacity of existing playing fields through upgrades to playing surfaces and/or supporting infrastructure and increased maintenance
- Upgrade existing playgrounds to increase the number of local and district play spaces available and provide a variety of play experiences
- Repurpose parks to accommodate both formal and informal sports
- Develop better connections between open spaces and sports grounds
- Repurpose alternative (non-traditional) spaces for both formal and informal sport and recreation.

The Parramatta City River Strategy⁷ harmonises the CIS aim to repurpose alternative avenues of open space. The Parramatta River is the main topographical feature of Parramatta City Centre that helps define the character of the City Centre and provides opportunities for recreation and landscape amenity. This plan includes works schedule items that aim to showcase the river as the key public recreational space for the City Centre, and to enhance the aesthetic quality and amenity of the river landscape as well as increase the recreational opportunities and access links along the river corridor.

The Parramatta Ways Walking Strategy and the Green Places Guide⁸ published by the Government Architect NSW aim to create a healthier, more liveable, and sustainable urban environment by improving community access to recreation and exercise, supporting walking, and cycling connections, and improving the resilience of urban areas. This plan also provides funding for street upgrade projects which will improve walkability and contribute to a network that is safe, comfortable, and interesting for pedestrians.

Council's priorities for open space and recreation in the City Centre are shown in the open space and recreation works schedule in **Appendix C**. It includes 35 works items with a total combined estimated cost of approximately \$495 million.

Open space and recreation items include, but are not limited to:

- River Square (\$65.2 million)
- Redesign of Charles Street Weir to improve active transport movement, hydraulic flows, and fish passage (\$12.5 million)
- Charles Street Square and ferry terminus upgrade (\$11.5 million)
- Various foreshore upgrade works
- Prince Alfred Square major upgrade (\$8.3 million)
- Parramatta Ways CBD connections (various projects)
- New aquatic and leisure centre (\$77 million)
- River swimming enclosure (\$9.7 million)
- Existing sports field improvements in and near the City Centre (various projects)
- Existing Park upgrades (various projects)
- New local and district play spaces (\$4 million)
- New and upgraded outdoor recreation courts, exercise equipment and other active recreation facilities in and near the City Centre (\$20.7 million)
- Four (4) new multipurpose court indoor recreation facilities (\$16 million).

⁷ Parramatta City River Strategy Design and Activation Plan, 2015

⁸ Greener Places, Government Architect NSW, 2020

B.3 Public domain strategy

This plan provides funding for projects that will facilitate enriching and expanding the public domain and design parameters for streets and key public spaces. The public domain projects are for the provision of new paving, tree planting, lighting, urban furniture, signage, multi-function poles and city ecology. The provision of these facilities and upgrades will bring the public domain of major City Centre streets up to world class city standard. This program of works will be complemented by projects from Council's Smart Cities program⁹.

Parramatta Square is set to become a world-class landmark and destination in the heart of the Parramatta City Centre. The precinct is linked by 6,000sqm of public domain that will serve as an important place to meet, trade, shop, dine, learn, celebrate, and connect. The Parramatta Square public domain will connect the world-class buildings within Parramatta Square and form an important public space for workers and the wider community. Council will facilitate the development of Parramatta Square public domain in accordance with Parramatta Square Urban Design Guidelines¹⁰ using funds collected by this plan.

Parramatta City Centre has an extensive lanes network which benefits the city by enhancing connectivity, servicing, and loading especially through large city blocks. This traditional function of lanes needs to be retained and enhanced when lots are amalgamated and/or blocks redeveloped as Parramatta grows.

This plan will provide funding for projects to develop and improve the City Centre lane network in accordance with the following principles from Parramatta City Centre Lanes Policy¹¹:

- Retaining and extending the existing utilitarian functions of the network including servicing and accessing will support the city and business vitality long term
- A safe lanes network 24/7 will promote pedestrian use throughout the day
- Promoting pedestrian activity will improve safety and liveliness of lanes
- Designing lanes as destinations will increase street level retail and support city visitation
- Incorporating standard Public Domain Guidelines will promote consistent appearance and design and a good image for the city
- Lanes that are designed to express their special history, location and role in the network will improve Parramatta's character and identity
- Lane upgrades should combine improvements in activation as well as improvements in appearance, design, and construction to ensure the lanes are safe and well used to maximise the city's potential and expenditure
- Incorporating lanes as venues for cultural events, art and interpretation programs will help to animate the city and improve street level activity

A significant proportion of the Parramatta City Centre is within the floodplain of the Parramatta River and its tributaries. Flooding within the Parramatta City Centre is typical of flash flood catchments with floodwaters arriving quickly without significant warning, cutting access to areas and buildings, before receding quickly. The key stormwater and flood risk management issue for Council is balancing growth in the City Centre with managing risks to

⁹ Parramatta Smart Cities Masterplan, 2015

¹⁰ Parramatta Square Reference Design & Performance Specification, 2015

¹¹ Parramatta City Centre Lanes Policy, 2011

life and property from flooding. This plan provides funding for key floodplain risk management activities that are identified in Council's Local Strategic Planning Statement.

Public domain works projects to be part funded by this plan are shown in the works schedule in **Appendix C**. It includes 46 works items with a combined total estimated cost of \$573 million. Works items include, but are not limited to:

- Parramatta Square public domain (\$50 million)
- Civic Link public domain (\$40 million)
- Major City Centre streets public domain upgrades including George Street, Macquarie Street, Phillip Street and Church Street, among others (various projects)
- Two new public toilet facilities (\$1 million)
- Drainage improvements across the City Centre to reduce localised flooding and improve stormwater quality and quantity into Parramatta River (\$40 million)
- Large-scale flood mitigation program of works to address flooding from Parramatta River (\$79 million)
- Smart cities projects including CCTV, rationalisation of utilities and multi-function poles for non-major streets (\$24.8 million).

B.4 Traffic and transport strategy

Anticipated development in Parramatta City Centre will generate significant travel demand to and from Parramatta City Centre, placing greater demand on transport infrastructure and services.

Anticipated development will result in a significant increase in transport trips starting or ending in Parramatta City Centre from just over 51,000 trips in the AM peak alone in 2016 to almost 111,000 trips in the AM peak in 2036. Since private vehicle use is currently the preferred mode of travel for commuters in Parramatta City Centre¹², this results in a more congested road network. There is a need to influence and change commuter's mode preferences. A transformation in the City Centre will require a considerable shift in transport planning and delivery to encourage walking, cycling and public transport trips to and from the City Centre.

The Parramatta CBD Strategic Transport Study¹³ identifies several strategies to improve walking and cycling:

- Promote cycling as a means of accessing the City Centre
- Improve the walking experience to help achieve a mind shift towards walking in the City Centre
- Promote active transport trips within a 10-kilometre radius of the City Centre

This is supported by the Parramatta Ways Walking Strategy¹⁴ which seeks to improve walkability across Parramatta and provides a strategic plan to improve active transport, urban greening, recreation, and local centre amenity.

Additionally, the Parramatta Bike Plan¹⁵ aims to support access to jobs, shopping, education, and recreation through a healthy and low-cost alternative transport mode. It aims to enhance

¹² Draft Parramatta Integrated Transport Plan, 2021

¹³ Parramatta CBD Strategic Transport Study, 2016

¹⁴ Parramatta Ways Walking Strategy, 2017

¹⁵ Parramatta Bike Plan, 2017

the liveability for the residents, workers, and visitors of Parramatta, with a target to increase the proportion of people cycling to work from five to ten percent.

Parramatta Integrated Transport Plan provides the following key actions accommodate the transport needs generated by future growth:

- Completing the river foreshore paths on the northern and southern banks
- A north-south physically separated bike path aligned with Marsden Street, Marist Place and Villiers Street
- An east-west physically separated bike path along George Street
- Civic Link: a shared pedestrian cyclist spine from the river to Parramatta interchange
- Upgrading key intersections to improve access to Parramatta City Centre, including Pitt Street/Marsden Street intersection along Great Western Highway, and the Woodville Road, Parramatta Road and Church Street intersection at Granville
- Increase capacity on mass movement corridors such as James Ruse Drive, Victoria Road, Great Western Highway

Council has developed a list of projects that will deliver the on the outcomes of the studies above as well as those from the Draft Integrated Transport Plan. Traffic and transport works to be part funded by this plan are shown in the works schedule in **Appendix C**. It includes 21 works items with a combined total estimated cost of \$176 million. Projects are broadly grouped as follows:

- Pedestrian improvements (\$10.1 million)
- Median islands (\$1.2 million)
- Intersection upgrades (\$13 million)
- City Centre road widenings (\$53 million)
- Bridge improvements (\$39 million)
- City Centre bike plan projects (\$52.9 million)
- Last mile delivery facility (\$3 million)
- Smart parking (\$4 million).



Appendix C: Works schedule

Appendix C: Works schedule

This appendix contains a works schedule listing the works items Council will provide using contributions under this plan, the estimated cost of each item, and when Council will provide them.

Works items are listed in the following tables by infrastructure category:

- Table C1: Community facilities works schedule
- Table C2: Open space and recreation works schedule
- Table C3: Public domain works schedule
- Table C4: Traffic and transport works schedule.

Table C1: Community facilities works

Item / description	Location	Estimated cost	Timing ¹⁶
Civic Centre at 5 Parramatta Square			
1. Civic Centre includes facilities such as new CBD library, meeting rooms, council chamber and an experience centre.	5 Parramatta Square	\$130,100,000	Short
Parramatta Town Hall (PS7)			
2. A refurbished Parramatta Town Hall where residents, workers and visitors will be able to access its larger and smaller community spaces and proposed commercial activation offerings.	7 Parramatta Square / Town Hall.	\$10,000,000	Short
Flexible community space			
3. 6,800 sqm of flexible community space in two facilities in the CBD: one in the north and one in the south.	Split in a facility in the north of the CBD and south of the CBD.	\$46,920,000	Short-long
Youth space			
4. 2,000 sqm of youth space in two facilities in the CBD: one in the north and one in the south.	Split in a facility in the north of the CBD and south of the CBD.	\$13,800,000	Short-long
Low-cost leasable office space			
5. 3,000 sqm of low-cost leasable office space, to allow non-Council community services providers and social enterprises to locate in Parramatta CBD. This would be split between two facilities in the CBD: one in the north and one in the south.	Split in a facility in the north of the CBD and south of the CBD.	\$7,035,000	Short-long
Homelessness support projects			
6. Infrastructure for food provision to disadvantaged members of the community.	Prince Alfred Square	\$500,000	Short
7. Upgraded amenities for homeless – laundry, showers, etc.	Within existing non-profit facilities in CBD	\$100,000	Short
Performing arts facilities			
8. Anchor Facility: Knock down and rebuild of the existing Riverside Theatres to deliver modernised facility that includes rehearsal, presentation, and production spaces.	Existing site on river foreshore.	\$200,000,000	Short

¹⁶ Short = years 1-5 (2021-2025); Medium = years 6-10 (2026-2030); Long = years 11+ (2031-2056).

Item / description	Location	Estimated cost	Timing ¹⁶
9. Riverside Performing Arts Rehearsal and Training Studio (1,000 sqm).	Close to public transport is essential; ideally in City Centre	\$1,720,520	Short
10. Performing Arts Rehearsal and Training Space with capacity to accommodate First Nations Dance and ballet (1,000 sqm).	Close to public transport is essential; ideally in City Centre	\$1,750,520	Medium
Art production and presentation facilities			
11. Anchor Facility: Artist professional production facility with 30 art studios and ancillary supporting facilities (2,485 sqm).	In or near the Civic Link and Parramatta station	\$8,635,375	Short
12. Anchor Facility: Parramatta Art Centre with exhibition and gallery space (4,000 sqm).	Civic Link (fringe commercial core)	\$43,000,000	Medium
13. Anchor Facility: Multimedia Digital and Performance Arts and Access Facility including performance space and production spaces, digital gallery, and supporting ancillary spaces (2,700 sqm).	CBD	\$9,826,000	Short
14. 10 x 500sqm arts education and training provider spaces for music, film, and dance.	Close to public transport is essential; in both CBD and across North Parramatta	\$18,025,000	Medium - Long
15. Artist Run Initiative (ARI) - not for profit artist run gallery (1,500 sqm).	City Centre or fringes; Rydalmere "creative industries precinct"	\$2,557,500	Long
16. Two (1,000 sqm) x art gallery and exhibition spaces.	Close to public transport is essential; ideally in City Centre	\$13,800,000	Medium
17. Rydalmere Parramatta Artist Studios Facility (1,200 sqm).	Rydalmere	\$4,116,000	Short-medium
Aboriginal cultural projects			
18. Indigenous Healing Site and Space to provide for reflection and ceremonies/events (1,350 sqm)	Close to the North Parramatta River	\$3,000,000	Short
19. Aboriginal and Torres Strait Islander Science and Knowledge Centre (800 sqm) to accommodate research on medicinal food, language, and research library and digital resources.	CBD / Westmead / North Parramatta	\$5,520,000	Short

Item / description	Location	Estimated cost	Timing ¹⁶
20. Aboriginal and Torres Strait Islander – 'A Keeping Place' included in 5 Parramatta Square (160 sqm). The space is to store and view objects, and also includes a meeting room.	CBD	\$1,104,000	Short
Creative clusters and industry start up space			
21. Creative Industries Cluster to provide communal space for tenants consisting of creative organisations and multi-artform practitioners (3,600 sqm).	Creative Industries Cluster: Civic Link and/or North Parramatta.	\$9,630,000	Medium
22. North Parramatta Heritage 'Tech-start up' Precinct to provide spaces for innovations and start-ups, and food and drink spaces (2,000 sqm)	North Parramatta Heritage Precinct	\$5,350,000	Short
Music performing and creative spaces to support the local music scene and to accommodate new & established artists.			
23. 3 x live music venues with a capacity of under 250 people (approx. 300sqm each)	Parramatta CBD or North Parramatta	\$12,000,000	Short-Medium
24. One live music venue of 500-person capacity (approx. 600sqm)	Parramatta CBD or North Parramatta	\$8,000,000	Medium
25. One live music venue of 1,200-person capacity (approx. 1,620 sqm)	Parramatta CBD or North Parramatta	\$19,200,000	Medium
26. One live music venue of 2,500-person capacity (approx. 3,375 sqm)	Parramatta LGA or North Parramatta	\$40,000,000	Long
27. One live music venue of 5,000-person capacity (approx. 6,750sqm)	Parramatta LGA or North Parramatta	\$80,000,000	Long
28. Music recording studio offering recording, mixing, song writing rooms, podcasting, and interviewing rooms (2,500 sqm).	Parramatta City Centre	\$8,575,000	Medium
29. Anchor presentation facility for music and events in iconic heritage building, including two multi-purpose presentation spaces and short-term rehearsal facilities with a focus on musicians. Estimate capacity at 800. (approx. 1,080 sqm)	Parramatta City Centre	\$15,530,000	Medium
Informal / adaptable spaces for temporary cultural uses and events			
30. Rooftop Eat Street Carpark 'Pop Up' event venue to host events for 2,000 people.	Eat Street carpark, CBD	\$700,000	Short-Medium
31. Creativity-enabling spaces in the public domain to allow 'mini-events' such as chalk art, temporary public art, planter boxes, and dancing (2,000 sqm total).	Various Locations and sizes across City of Parramatta LGA	\$2,800,000	Short-Medium
32. Use of Parramatta Gaol for event, exhibition, and festivals.	North Parramatta Heritage Precinct	\$3,200,000	Medium-Long

Item / description	Location	Estimated cost	Timing ¹⁶
City Art, Identity, and the Outdoor Museum			
33. The development of contemporary public art and heritage interpretation (17 works - small, medium, and large) enabling their inclusion and integration in the public domain across the city centre as per the Civic Improvement Plan Amendment No.4. Revitalising Parramatta City Centre Plan. Sizes are as follows: (a) Large are approx. 20sqm (which takes into account foundations and landscape surrounds) x 2 = 40sqm; (b) Medium are approx. 10sqm x 5 = 50sqm; (c) Small are approx. 5sqm x 10 = 50sqm.	Civic Link; River Foreshore; Parks and Cultural Landscapes; City Gateways; Laneways; Church Street; Bridges.	\$9,500,000	Medium
		\$735,994,915	

Table C2: Open space and recreation works

Item / description	Location	Estimated cost	Timing ¹⁷
River Square and surrounds			
1. The River Square which is a riverside public space linking directly to Parramatta Square and station through the Horwood Civic Link. It includes Australia's first Water Square, a multi-functional space that can accommodate up to 10,000 people, a floating stage, various event functions, children's play, and riverside swimming.	South Bank between Lennox Bridge and Barry Wilde Bridge	\$65,208,000	Short
2. Riverside Terrace at the Sorrell Street foreshore (located opposite the River Square), which is a public space with an upper level and lower-level plaza along the northern and southern edge of the terraces.	North Bank between Lennox Bridge and Barry Wilde Bridge	\$12,435,500	Short
Parramatta Quay upgrades supporting works			
3. Redesign of Charles Street Weir, including the weir itself and the river crossing to improve active transport movement, hydraulic flows, and fish passage.	Charles Street Weir	\$12,644,500	Short - Medium
4. Charles Street Square and ferry terminus upgrade involving new ramps and stairs, a wide riverfront walk, flood-resilient and sustainable design elements, and more trees.	Surrounding Ferry terminus	\$11,551,799	Short
Parramatta River Foreshore Parcel upgrades			
5. Foreshore East upgrades comprising redesign of the land on the south side of the river from the ferry terminus to Gas Works Bridge to improve accessibility, activate the public space and connection to retail uses, and provide pedestrian plazas.	East of Ferry Terminus to Gas Works Bridge, South side of the river	\$8,987,000	Short-Medium
6. Northern Terrace parcel foreshore upgrade which involves the delivery of accessible and usable public space with a low-level plaza located along the river edge.	Queens Ave Steps to Elizabeth St	\$8,778,000	Short
7. Playground parcel foreshore upgrade.	North bank, east of Barry Wilde Bridge	\$4,389,000	Long
8. Riverside Theatre foreshore upgrade to support the Riverside Theatre and provide a terrace along the river corridor to support a range of outdoor cultural events.	North Bank between Bernie Banton and Lennox Bridges	\$17,974,000	Short

¹⁷ Short = years 1-5 (2021-2025); Medium = years 6-10 (2026-2030); Long = years 11+ (2031-2056).

Item / description	Location	Estimated cost	Timing ¹⁷
9. Southern foreshore parcel upgrade which involves a passive recreational space for the public along the river corridor.	Wilde Ave to Charles St Weir	\$13,167,000	Medium
10. Riverside Southern foreshore upgrade which involves a retained riverside wall and a two-tier deck to support adjacent retail frontages.	South Bank between Bernie Banton and Lennox Bridges	\$16,900,000	Short
11. Justice Precinct parcel foreshore upgrade which includes an active building edge and a network of footpaths that connect the Justice Precinct to the river's edge, Parramatta Park and Riverside Tower.	Foreshore between Marsden St and O'Connell St	\$14,943,500	Short-Medium
12. Kings School parcel foreshore upgrade which includes a multi-purpose ground and public recreation space with terraces, a wetland and network of footpaths to connect to the stadium, Parramatta Park, and the river.	Foreshore between new school and river	\$15,361,500	Long
13. Omitted as work is complete			
Prince Alfred Square major upgrade			
14. Improving facilities for events, protecting heritage assets including significant trees, and improving overall amenity and passive recreational use	Prince Alfred Square	\$8,250,000	Short
Brickfields Creek naturalisation			
15. Naturalising and restoring Brickfields Creek where it intersects with the Parramatta River.	North bank, east of Barry Wilde Bridge	\$2,194,500	Short

Item / description	Location	Estimated cost	Timing ¹⁷
Parramatta Ways links in the CBD - local delivery of Sydney's "Green Grid" and "Greener Places" policies			
16. Southern CBD Green Rail Link upgrade from the M4 to Parramatta Station to improve accessibility across the city and deliver the green grid.	M4 to Parramatta Station. Two options: (a) Along High Street near the M4 through Jubilee Park through to Wentworth Street near Parramatta Station; and (b) Along the western side of the railway corridor from Tottenham Lane/Station Street West near the M4 through to Valentine Avenue near Parramatta Station.	\$7,500,000	Medium
17. Parramatta CBD Ring Road Pedestrian Access and Amenity Upgrades which includes works to the pedestrian network to prioritise the time, safety and amenity of pedestrians and promote walking.	Ollie Webb Reserve to CBD to Elizabeth Farm	\$8,686,167	Medium
18. Clay Cliff Creek Link - CBD Open Space and Heritage Loop	Ollie Webb Reserve to CBD to Elizabeth Farm	\$5,950,000	Medium
Parramatta Ways CBD connections			
19. Street upgrade at Albert Street – to improve walkability and contribute to a network that is safe, comfortable, and interesting for pedestrians.	Parramatta North	\$2,900,000	Medium
20. Street upgrade at Fennel Street	Parramatta North	\$2,450,000	Medium
21. Street upgrade at Grose Street	Parramatta North	\$2,350,000	Medium
22. Street upgrade at Thomas Street	Parramatta North	\$2,400,000	Medium

Item / description	Location	Estimated cost	Timing ¹⁷
23. Street upgrade at Wigram Street	Harris Park	\$2,400,000	Medium
24. Street upgrade at Pitt Street	Parramatta South	\$1,700,000	Medium
25. Street upgrade at Marsden Street, south of Parkes Street	Parramatta South	\$860,000	Medium
Aquatic and leisure centre			
26. New modern aquatics and leisure centre	Parramatta Park (Mays Hill Precinct)	\$77,000,000	Short
River swimming enclosure			
27. City river swim experience to provide amenity and connection to nature for the increasing numbers of CBD residents, workers, and visitors	City River Corridor	\$9,700,000	Short - Medium
Robin Thomas & James Ruse Reserves Upgrade			
28. Implementation of masterplan to provide new and upgraded sporting and recreation facilities to increase capacity for active and passive recreation as well as enhancing overall amenity and Green Grid connectivity	Robin Thomas and James Ruse Reserves	\$11,975,000	Short
Sports fields improvements			
29. Upgrading Council-owned facilities in or near the CBD. Upgrades include works such as increasing the square metres of playing surface, irrigation and drainage works to increase usage, flood lighting, turf improvements, parking, amenities, storage, and access.	Dan Mahoney Reserve; Belmore Park; Barton Park / PH Jeffrey Reserve; Ollie Webb Reserve; Jones Park; Doyle Ground	\$17,387,500	Short-long
30. Non-Council owned i.e. co-located facilities with schools. Upgrade works include improved irrigation/drainage, flood lighting, and turf quality.	Macarthur Girls High School; Parramatta High School	\$4,700,000	Short-long

Item / description	Location	Estimated cost	Timing ¹⁷
Parks			
31. Upgrade the quality of parks in or near the CBD to cater for increased demand and bring up to a world-class city standard	Belmore Park; Erby Place Plaza; Experiment Farm Reserve; Jubilee Park; Mays Hill Reserve; Noller Park; Ollie Webb Reserve; PNUT (OS1-OS4); Queens Wharf Reserve; Railway St Reserve; Ranghou Reserve; Rosella Park; Rosslyn Blay Park; Sherwin Park; Thomas Williams Reserve; Underline (M4); Wallawa Reserve.	\$75,775,000	Short-long
32. Provision of pocket parks or new open spaces on development sites to increase open space within the CBD.	Across sites in the CBD.	\$6,000,000	Short-long
Play spaces			
33. Playspaces: The provision of district and local playspaces in or near the CBD. This includes: - 2 x new 1,500 sqm district playspaces - 10 x new indoor or outdoor (ideally outdoor) 500 sqm local playspaces.	In or near the CBD	\$4,000,000	Short-long
Active recreation facilities (outdoor preference)			
34. Provision of new and upgraded outdoor recreation courts, exercise equipment, and other active recreation facilities. This includes the following facilities: <u>New</u> - 3x indoor or outdoor (ideally, outdoor) 700sqm multipurpose courts - 2 x indoor or outdoor (ideally, outdoor) 100sqm fitness equipment - 3 x Indoor or outdoor (ideally, outdoor) cricket nets (200sqm for 2 lanes). <u>Upgraded</u> - Mays Hill Tennis Courts - PH Jeffrey Tennis Courts	In or near the CBD	\$20,737,500	Short-long

Item / description	Location	Estimated cost	Timing ¹⁷
Indoor recreation facilities			
35. 4 x new multipurpose court indoor recreation facilities (2,000sqm for two courts and ancillary facilities).	Within CBD	\$16,000,000	Short-long
Active city pocket park			
36. Embellishment of the vacant lot at 2 Fitzwilliam St, Parramatta (currently owned by TfNSW) for a new active recreational space, and an activated and green space to meet and wait. The space would also provide opportunity for youth programming.	2 Fitzwilliam St, Parramatta	\$2,000,000	Short
		\$495,255,466	

Table C3 – Public domain works

Item / description	Location	Estimate cost	Timing ¹⁸
Parramatta Square public domain			
1. Parramatta Square public domain – to connect the world-class buildings within Parramatta Square and form an important public space for workers and the wider community.	Parramatta Square	\$50,000,000	Short
Civic Link			
2. Civic Link public domain – to provide a continuous green spine that runs between the River Square and Parramatta Square, prioritising pedestrian, and cyclist movements.	Two blocks from Macquarie St to Phillip St	\$40,000,000	Medium
Major upgrades to bring public domain of major CBD streets up to world class city standard			
3. George Street public domain works – including paving, tree cells and multi-function poles	George St between O'Connell & Harris St	\$23,310,720	Medium
4. Macquarie Street public domain works – including paving, tree cells and multi-function poles	Macquarie St between Pitt & Church St	\$9,815,040	Medium
5. Phillip Street public domain works – including paving, tree cells and multi-function poles	Phillip St between Marsden & Charles St	\$13,904,640	Medium
6. Church Street public domain works – including paving, tree cells and multi-function poles	Church Street, south of Station St	\$17,994,240	Short
7. Victoria Road public domain works – including paving, tree cells and multi-function poles	Victoria Rd between O'Connell & Sorrel St	\$9,664,000	Short
8. Argyle Street public domain works – including paving, tree cells and multi-function poles	Argyle St between Marsden and Church St	\$3,865,600	Medium
9. Smith and Station Streets public domain works – including paving, tree cells and multi-function poles	Smith/Station St between Hassall St & Parramatta River	\$13,916,160	Medium

¹⁸ Short = years 1-5 (2021-2025); Medium = years 6-10 (2026-2030); Long = years 11+ (2031-2056).

Item / description	Location	Estimate cost	Timing ¹⁸
10. Charles Street public domain works – including paving, tree cells and multi-function poles	Charles St between Phillip and Macquarie St	\$5,411,840	Medium
11. Wentworth Street and Valentine Avenue public domain works – including paving, tree cells and multi-function poles	Wentworth St and Valentine Ave	\$10,243,840	Short
12. Hassall Street and Station Street East public domain works – including paving and tree cells	Hassall St between Harris & Station Street East, and Station Street East between Hassall & Parkes St	\$10,967,440	Medium
13. Hunter Street public domain works – including paving and tree cells	Hunter St between Pitt St & St John's Church	\$7,795,040	Long
14. Argyle Street public domain works – including paving and tree cells	Argyle St between Pitt & Marsden St	\$6,344,800	Short
15. Aird Street public domain works – including paving and tree cells	Aird Street between O'Connell St & Marsden St	\$2,719,200	Long
16. Campbell Street public domain works – including paving and tree cells	Campbell Street between O'Connell & Church St	\$8,701,440	Long
17. Anderson Street public domain works – including paving and tree cells	Anderson St between Parkes and Marion St	\$4,532,000	Long
18. Marion Street public domain works – including paving and tree cells	Marion Street between Church St & rail line	\$5,438,400	Long
19. Lane 13 (future street) public domain works – including paving, tree cells and lights. This is to reconfigure the existing laneway that currently goes from Phillip Street to Erby Place car park, to extend it to George Street. This would create a continuous north-south lane from Phillip Street to George Street.	Phillip St to George St through Erby Place	\$3,240,720	Medium

Item / description	Location	Estimate cost	Timing ¹⁸
20. Union Street public domain works – including paving and tree cells	Union St between Charles St & Argus Ln	\$2,356,640	Medium
Develop and Improve CBD Laneway Network (including paving, tree cells and multi-function poles)			
21. Omitted, as this project was originally combined with Item 22 and is superseded by that item.			
22. Freemason Arms public domain works – including paving, tree cells and lights	Freemason Arms	\$2,167,200	Long
23. Palmer Lane public domain works – including paving, tree cells and lights	Palmer Street	\$1,269,360	Long
24. Andrew Nash Lane public domain works – including paving, tree cells and lights	George St between Horwood Pl and Smith St	\$804,960	Long
25. Lane 14 (future service lane) public domain works – including paving, tree cells and lights	Connection between Civic Link and rear of Mayfair Plaza	\$1,190,160	Medium
26. Lane 49 (existing arcade to be redeveloped into pedestrian lane) public domain works – including paving, tree cells and lights	Mayfair Plaza	\$793,440	Medium
27. New Service Lane connecting Lane 14 to Phillip Street public domain works – including paving, tree cells and lights)	In Erby Place block of Civic Link	\$793,440	Medium
28. Lane 16 public domain works – including paving, tree cells and lights	Smith Street to Civic Link & Metro West	\$661,200	Medium
29. George Khattar Lane public domain works – including paving, tree cells and lights	Service Lane connecting Phillip Street to the River Foreshore, adjacent 66 Phillip Street	\$925,680	Medium
30. Phillip Lane public domain works – including paving, tree cells and lights	Phillip Lane	\$793,440	Medium
31. United Lane public domain works – including paving, tree cells, and lights)	United Lane off Macquarie Street	\$774,000	Medium

Item / description	Location	Estimate cost	Timing ¹⁸
32. Barrack Lane public domain works – including paving, tree cells and lights	Between Macquarie Street and George Street	\$2,476,800	Medium
33. Argus Lane public domain works – including paving, tree cells and lights	East end of Union Street between Macquarie Street and George Street.	\$2,244,600	Medium
34. Oyster Lane public domain works – including paving, signage, and lights	Pedestrian lane off Church St, linking to 12 Phillip St	\$247,000	High
35. Unnamed Lane public domain works – including paving, signage, and lights	Pedestrian lane off Phillip St, adjacent to 78 Phillip St	\$213,750	High
36. Unnamed Lane public domain works – including paving, signage, and lights	Council proposed pedestrian lane at Phoenician Restaurant, Church St to MAAS	\$323,000	High
37. Wentworth Car Park Lanes public domain works – including paving, tree cells and lights	Lanes around and through Wentworth Car Park	\$4,892,880	Short
38. Lane N2 Public Domain works – existing property to be redeveloped into pedestrian lane, including paving, tree cells and lights	Church Street to MAAS (El Phoenician site)	\$1,057,920	Medium
Public toilet provision			
39. Design and construction of 2 new public toilet facilities to ensure access to these amenities is available across the CBD.	Prince Alfred Square and additional site within the CBD.	\$1,000,000	Short-Medium
Parramatta Light Rail public domain integration			
40. Public domain works to deliver a quality urban design and streetscape outcome along the Parramatta Light Rail interface with Church Street, if required	Church Street between Victoria Road and Pennant Hills Road	\$13,950,000	Short

Item / description	Location	Estimate cost	Timing ¹⁸
41. Public domain works to deliver a quality urban design and streetscape outcome along the Parramatta Light Rail interface with Macquarie Street, if required	Macquarie Street between Church Street and Harris Street	\$5,250,000	Short
Major program of works responding to CBD flooding issues			
42. Drainage improvements across the CBD to reduce localised flooding and improve stormwater quality and quantity into the Parramatta River.	Throughout CBD	\$40,000,000	Short
43. Large-scale flood mitigation program of works to address flooding from the Parramatta River.	Throughout CBD	\$79,011,000	Medium
Smart cities			
44. CCTV and associated works	Throughout CBD	\$2,200,000	Short
45. Rationalisation of utilities e.g. undergrounding power in Auto Alley and North Parramatta	Throughout CBD	\$20,000,000	Short-Medium
46. Multi-function poles for non-major streets	Throughout CBD	\$2,640,000	Short
Land and floorspace acquisition contingency			
47. Additional aggregate cost component for land and floor space acquisition for local infrastructure broadly across the CBD. This item allows for 1 ha of land and 1 ha of floor space acquisition at market rates where land/floor space acquisition is required on a site and the landowner/developer cannot transfer an equivalent amount of floor space yield allocated for the community infrastructure elsewhere on the development site.	Throughout CBD	\$138,000,000	Short-Medium-Long
		\$573,901,590	

Table C4: Traffic and transport works

Description	Location(s)	Estimated cost	Timing ¹⁹
Pedestrian improvement			
1. Pedestrian and street lighting under Parkes Street rail overbridge	Parkes Street at Railway Bridge	\$100,000	Short
2. Pedestrian safety improvements at a minimum of 10 locations throughout the CBD e.g. George Street, mid-block refuge	Minimum 10 locations throughout CBD	\$10,000,000	Short - Long
CBD Bike Plan projects			
3. North-south CBD cycle route consisting of a physically separated 2-way on-road cycleway along Marsden Street, Marist Place, Villers Street, Harold Street, and Church Street	Marsden Street, Marist Place, Villers Street, Harold Street, and Church Street	\$17,755,100	Short
4. East-West CBD cycle route consisting of a physically separated 2-way on-road cycleway along George Street and Arthur Street	George Street and Arthur Street	\$10,256,700	Short
5. Queens Wharf Reserve cycling link from Alfred Street Rosehill to George St Parramatta, connecting to the western end of the 2-8 River Road West path (Item 6)	Queens Wharf Reserve from Alfred Street to George Street	\$2,094,750	Short
6. Shared cycling and walking link under James Ruse Drive to 10-12 River Road West	James Ruse Drive to 10-12 River Road West	\$1,200,000	Short
7. Shared paths on the western side of Pitt Street between Argyle Street and Macquarie Street and the northern side of Macquarie between Pitt Street and O'Connell Street	West side of Pitt St between Argyle Street and Macquarie Street; and north side of Macquarie Street between Pitt Street and O'Connell Street.	\$472,500	Short
8. Fully lit, 2-way compliant pedestrian and cyclist cycleway from Queens Road to George Street through Parramatta Park providing an east-west connection.	Queens Road to George Street cycleway (through Parramatta Park)	\$20,000,000	Short
9. Cycling links along the western side of Church Street (south of Parkes) from Boundary Street to Parramatta Road	Church Street (south of Parkes) from Boundary Street to Parramatta Road	\$400,000	Short

¹⁹ Short = years 1-5 (2021-2025); Medium = years 6-10 (2026-2030); Long = years 11+ (2031-2056).

Description	Location(s)	Estimated cost	Timing ¹⁹
10. Cycling links along the eastern side of Church Street (south of Parkes) from Parkes Street to Junction Street	Church Street (south of Parkes) from Parkes Street to Junction Street	\$700,000	Medium
11. Cycling links on the north side of Parkes Street between Church Street and Station Street East	Northern side of Parkes Street between Church Street and Station Street East	\$50,000	Short
Median islands			
12. Median island in Marsden Street between Macquarie Street and George Street to ensure driveways are left in/left out – includes kerb realignment and new tree planting on the west side of the street	Marsden Street between Macquarie Street and George Street	\$1,000,000	Long
13. Median island in Parkes Street between Wigram Street and Harris Street to ensure driveways are all left in/left out	Parkes Street between Wigram Street and Harris Street	\$200,000	Long
Intersection upgrades			
14. Intersection upgrades across the Parramatta CBD to accommodate for increased pressure on the road network resulting from growth	10 locations throughout CBD	\$8,000,000	Short - Medium
15. Intersection upgrade and road widening at Harris Street and Parkes Street	Intersection of Harris Street and Parkes Street	\$5,000,000	Medium
CBD road widenings			
16. Road widening for the eastbound right turn bay for traffic turning from Parkes Street into Wigram Street	Intersection of Parkes Street and Wigram Street	\$3,000,000	Medium
17. Other road widenings associated with growth throughout North Parramatta and CBD	Throughout North Parramatta and CBD	\$50,000,000	Medium-Long
Bridge improvements			
18. Duplicate Gasworks Bridge (Macarthur Street) – including a pedestrian and bike path on the western side	Gasworks Bridge	\$30,000,000	Medium
19. Marsden Street Bridge upgrade, including walking and cycling	Marsden Street Bridge	\$9,000,000	Short-Medium
20. Omitted as item already fully funded			

Description	Location(s)	Estimated cost	Timing ¹⁹
Last mile delivery facility			
21. 'Last mile' delivery facility – to allow local deliveries and relieve pressure on CBD road network	To be confirmed. Potential location includes the ground floor of the metro site.	\$3,000,000	Medium
Smart parking			
22. Smart wayfinding, ticketless parking, on street smart metering, and parking data capture	Throughout CBD	\$4,000,000	Medium
		\$176,229,050	

An aerial photograph of a city, likely Auckland, New Zealand, showing a mix of residential and commercial buildings, roads, and green spaces. A large white circle is superimposed over the center of the image, containing the text 'Appendix D: Works maps' in a bold, white, sans-serif font. The background image is tinted with a light green color.

Appendix D: Works maps

Appendix D: Works maps

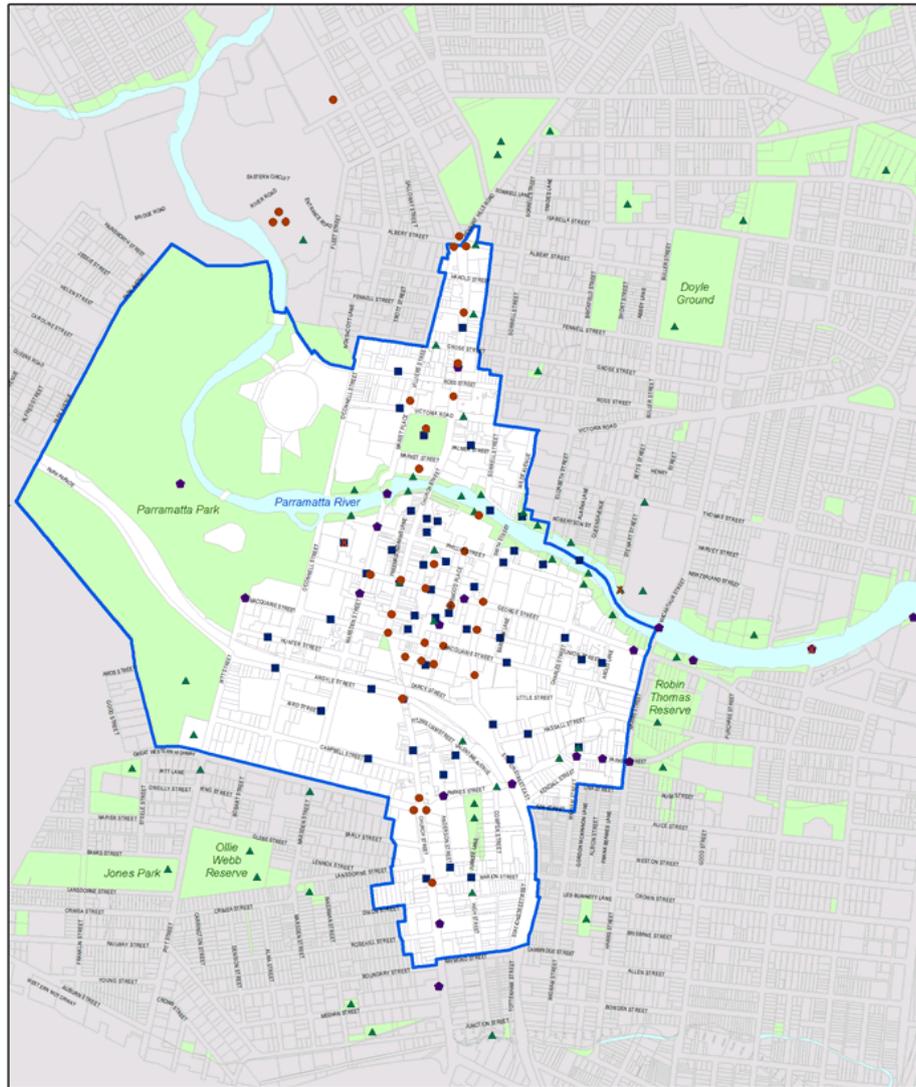
This appendix contains works map showing the locations of works items listed in the works schedule in Appendix C.

Works maps are shown in the following figures on the following pages:

- Figure D1: Summary works map
- Figure D2: Community facilities works
- Figure D3: Open space and recreation works
- Figure D4: Public domain works
- Figure D5: Traffic and transport works.

The numbering for each works item on each map corresponds to the numbering used in the works schedule tables in Appendix C.

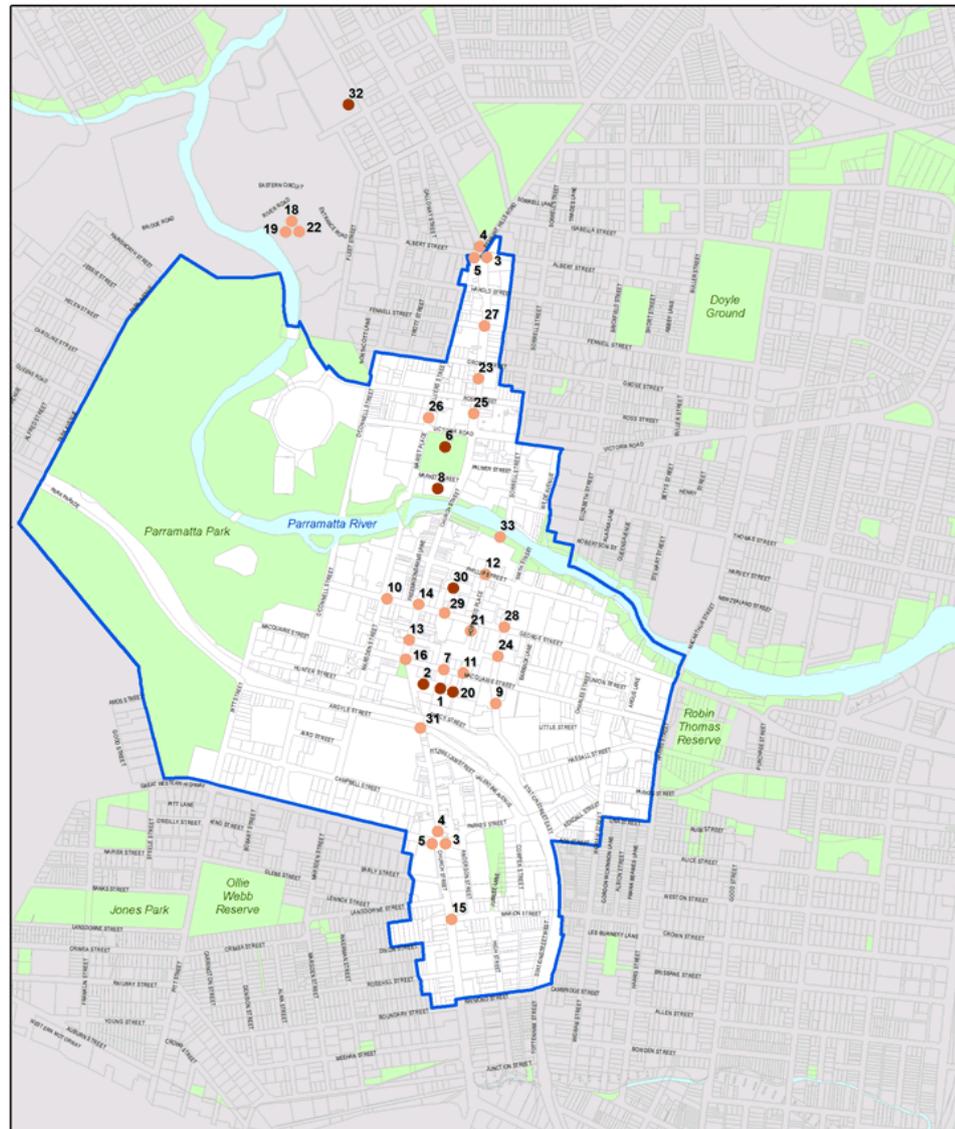
Figure D1 – Summary works map



Summary Works Program

- Community Facilities - See Figure D2
- ▲ Open Space and Recreation - See Figure D3
- Public Domain - See Figure D4
- ◆ Traffic and Transport - See Figure D5
- X Item removed Post-Exhibition
See Figures D3, D4 and D5

Figure D2 – Community facilities works



0 200 400 metres

Community Facilities

- Generalised Location
- Preferred Location

NOTE: Preferred Locations are used where the proposed location of the works item is known with some certainty and is described accordingly in the Works Program.

Generalised Locations are used where the proposed location of the works item is not known or described with certainty, such as items to be delivered in the medium-long term and only a general description of the location is used (e.g. Parramatta CBD)

NOTE: The following item is not shown on the map:
17. Rydalmere Parramatta Artist Studios Facility

Figure D3 – Open space and recreation works

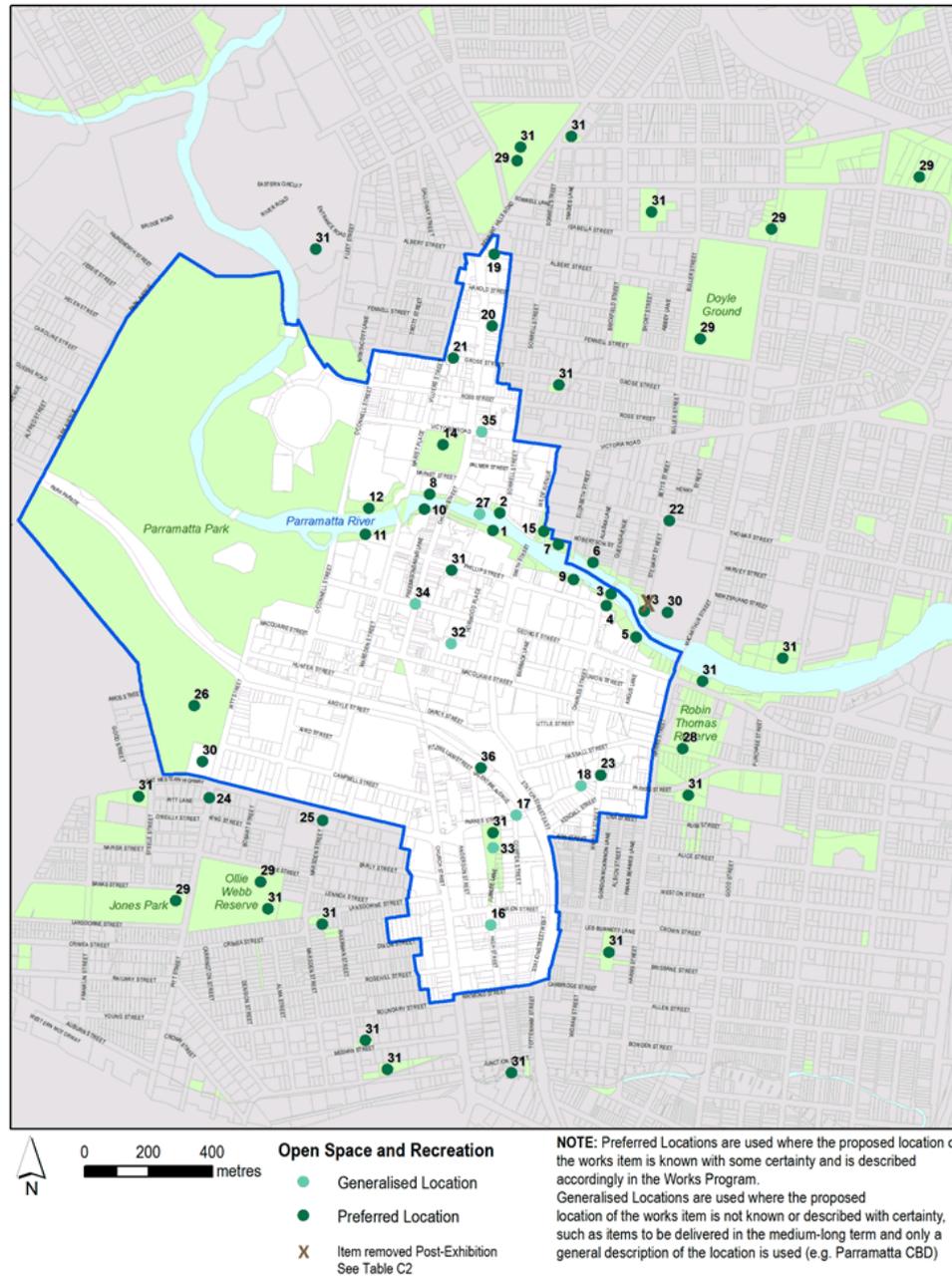
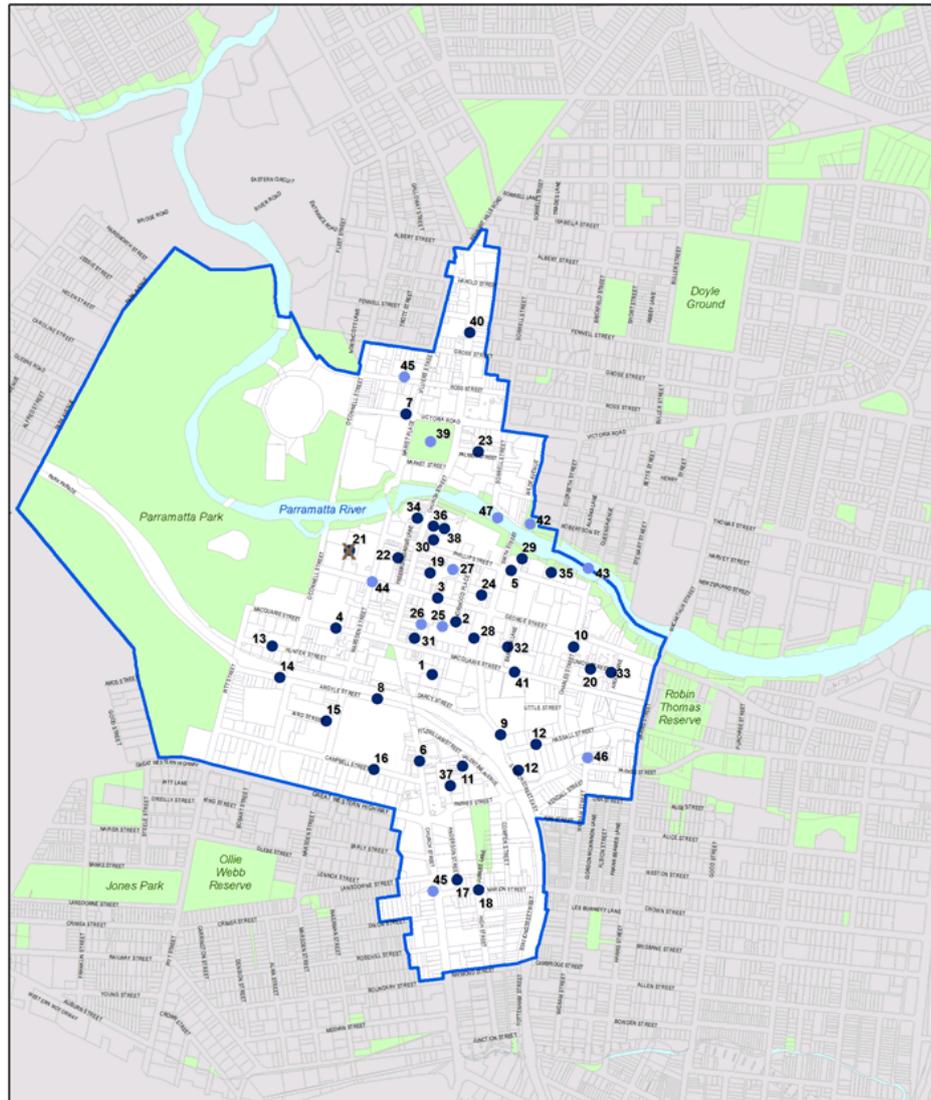


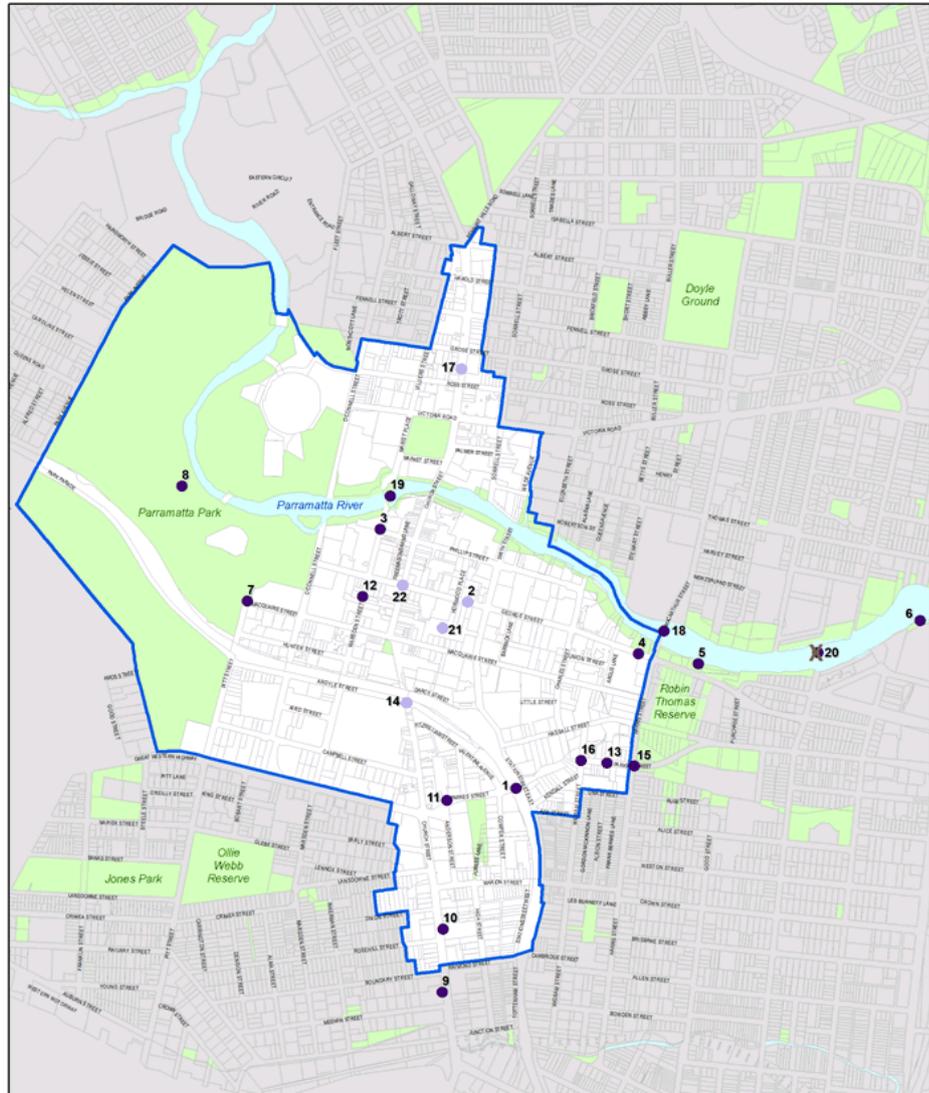
Figure D4 – Public domain works



- Public Domain**
- Generalised Location
 - Preferred Location
 - X Item removed Post-Exhibition
See Table C3

NOTE: Preferred Locations are used where the proposed location of the works item is known with some certainty and is described accordingly in the Works Program. Generalised Locations are used where the proposed location of the works item is not known or described with certainty, such as items to be delivered in the medium-long term and only a general description of the location is used (e.g. Parramatta CBD)

Figure D5 – Traffic and transport works



- Traffic and Transport**
- Generalised Location
 - Preferred Location
 - X Item removed Post-Exhibition See Table C4

NOTE: Preferred Locations are used where the proposed location of the works item is known with some certainty and is described accordingly in the Works Program. Generalised Locations are used where the proposed location of the works item is not known or described with certainty, such as items to be delivered in the medium-long term and only a general description of the location is used (e.g. Parramatta CBD)





Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No 3)

Justification Report
May 2024

cityofparramatta.nsw.gov.au



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CONTENTS

- 1. Executive Summary..... 1
- 2. Background.....3
- 3. Consideration and Justification.....8
- 4. Public Consultation 16
- 5. Conclusion 16
- Appendix – Practice Note Evaluation..... 18

Document Control

Version	Date	Comments
1	01/05/2024	Document as reported to Council on 22 May 2023

1. Executive Summary

Amendment 3 to the Parramatta City Centre Local Infrastructure Contributions Plan 2022 (the contributions plan) seeks to amend the Land Application Map (Figure 2) of the plan to remove "Area A" as it currently applies to land within the City Centre generally north of the Parramatta River (the Church Street North Precinct).

This amendment is being proposed as a consequence of changes to the planning controls applying to the Church Street North Precinct undertaken by the Department of Planning, Housing and Infrastructure (the Department) that have been brought into effect through State Environmental Planning Policy (Church Street North Precinct) 2023 (CSN SEPP), which was published on 15 December 2023. The CSN SEPP controls include changes that result in increases to height and floor space ratio applying to land in the Church Street North Precinct and come into effect on 1 July 2024.

Successful implementation of this amendment and commensurate amendment to the Regulation will ensure consistency and procedural fairness in the operation of the contributions plan by ensuring land that has received uplift through Amendment 56 to Parramatta Local Environmental Plan 2011 or the subsequent State Environmental Planning Policies all are subject to an appropriate increase in contributions percentage rates in respect of s7.12 contributions applying within the City Centre reflective of the increases in development potential and commensurate demand for local infrastructure.

This Justification Report has been undertaken to specifically address the matters pertaining to the changes impacting the Church Street North Precinct. It does not review matters already considered and approved in other parts of the City Centre.

The City of Parramatta is seeking the following changes to s7.12 percentage rates in the Church Street North Precinct:

Development with a cost exceeding \$250,000	Current s7.12 Percentage Rate (Church Street North Precinct)	Requested s7.12 Percentage Rate (Church Street North Precinct)
Residential accommodation and mixed-use developments that incorporate residential accommodation along with other development	3%	4%
Other development that does not provide residential accommodation	3%	3%

Table 1 – Existing and requested maximum percentage rates for the Church Street North Precinct

Crucially, the changes requested, while lower than the majority of the City Centre (excluding land in "Area A"), reflect the differences in development potential when comparing the estimated development yield under the original Parramatta CBD Planning Proposal (CBD Planning Proposal) and the final controls coming into effect under the CSN SEPP. The change in development potential under the final controls is approximately 20% lower than the estimated development potential under the CBD Planning Proposal. Consequently, Council is of the view that maintaining the originally proposed percentage rates of 5% for development that includes residential accommodation and 4% for all other development is unreasonable when considering the reduction in development potential (when compared to the CBD Planning Proposal) and, inferentially the demand for local infrastructure.

It is therefore recommended that the Minister support this amendment to the contributions plan and

approve an amendment to Section 209 of the *Environmental Planning and Assessment Regulation 2021* (the Regulation) to enable Council to apply the higher percentage rates to future development within the Church Street North Precinct.

The draft contributions plan was publicly exhibited between 18 March and 19 April 2024. At the closing of the exhibition on 19 April, eleven (11) submissions were received.

- Four (4) of these supported the amendment.
- One (1) was unsure of their support.
- One (1) requested a change to the boundary of the Plan (out of scope).
- Three (1) objected to the amendment on the grounds that they thought the changes applied to their rates notices (incorrect and out of scope).
- One (1) objected on the grounds that the proposed change represented a decrease in contributions rates (incorrect); and would not address the substantial funding gap between contributions received and the total cost of the works program.
- One (1) objected to the amendment with no further reason supplied.

None of the matters raised in the submissions warranted further changes to the draft contributions plan as exhibited.

2. Background

2.1. Purpose of this Justification Report

This Justification Report has been prepared to assist the Department in considering Council's request to apply higher development contribution percentage rates for the Church Street North Precinct—being land located within the City Centre north of the Parramatta River. The requested rates are set out in Table 2, below; and the land to which the request relates is shown in Figure 1 below coloured blue with the annotation "Area B".

Development with a cost exceeding \$250,000	Current s7.12 Percentage Rate (Church Street North Precinct)	Requested s7.12 Percentage Rate (Church Street North Precinct)
Residential accommodation and mixed-use developments that incorporate residential accommodation along with other development	3%	4%
Other development that does not provide residential accommodation	3%	3%

Table 2 – Existing and requested maximum percentage rates for the Church Street North Precinct

This increase to the s7.12 levies is based on recent changes to planning controls from a State Government-led rezoning to the Church Street North Precinct in Parramatta City Centre.

- The Church Street North Precinct is located within the Parramatta City Centre; and was originally included within the contributions plan to be subject to increased s7.12 levies which took effect in October 2022.
- The new controls brought in by the CSN SEPP will come into effect on 1 July 2024, resulting in increases to development density and building height compared to the current controls. While the increases are not as great as originally mooted under the CBD Planning Proposal, they are anticipated to yield approximately 1,800 additional dwellings in the area (as cited by the Department in their finalisation report) and, consequently, create additional demands for the provision of local infrastructure in the City Centre.
- The reduction in theoretical development potential for the Church Street North Precinct is approximately 20% in terms of Gross Floor Area (GFA) when compared to the CBD Planning Proposal. The percentage rates requested, when compared to increased rates applying in other parts of the City Centre, have been adjusted to reflect that reduction in development potential.

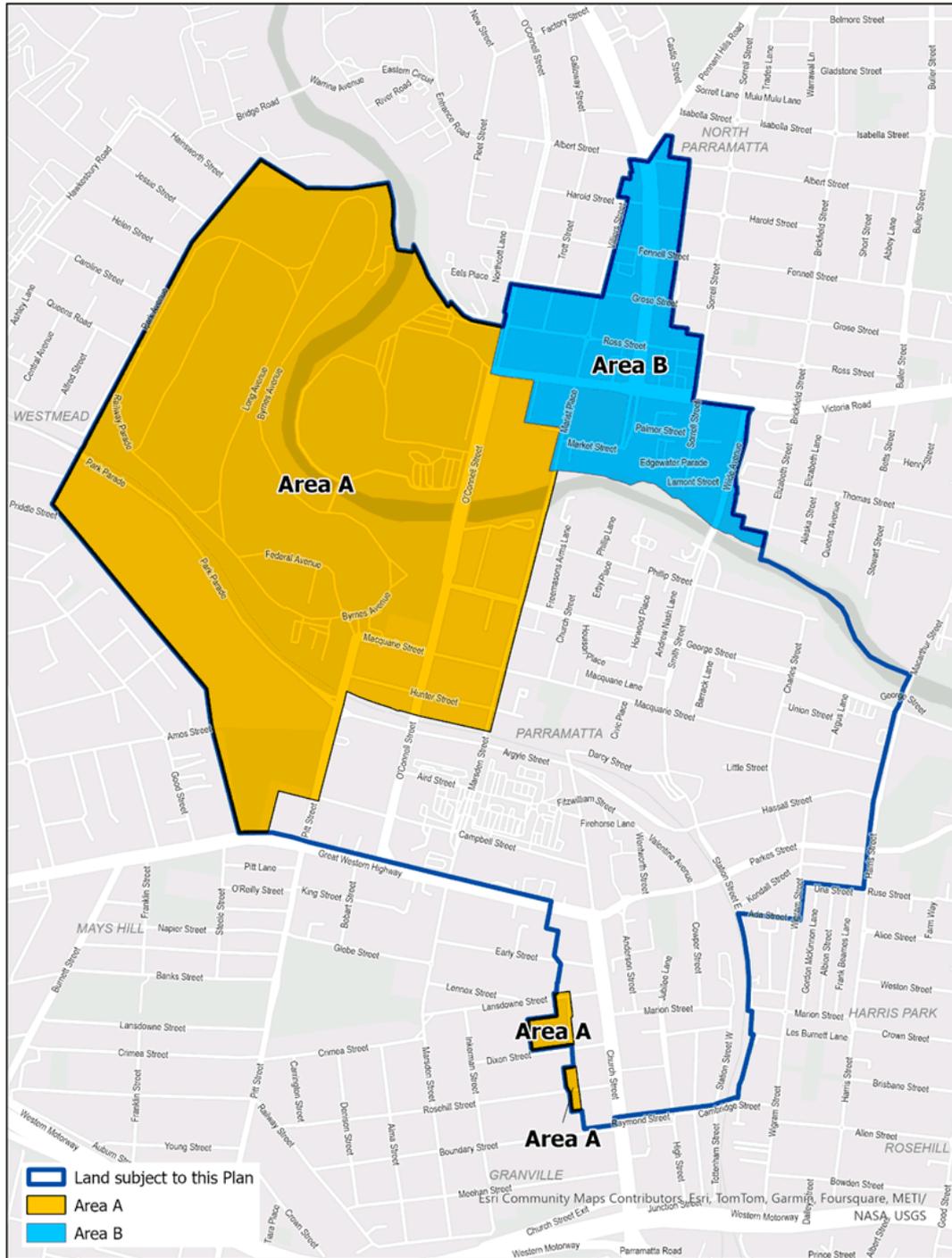


Figure 1 – Proposed Land Application Map for the City Centre Local Infrastructure Contributions Plan. Church Street North Precinct shown in blue and annotated "Area B"

2.2. Timeline

At the time of the original CBD Planning Proposal the entire City Centre was identified to be subject to the increased s7.12 levies. Key events are set out in Table 3, below.

Date	
15 June 2021	<p>Council considered a post-exhibition report to the Parramatta CBD Planning Proposal; and resolved in respect of preparing a new contributions plan:</p> <ul style="list-style-type: none"> • A new Section 7.12 contributions plan is to be prepared within 12 months; and • The plan will include contributions rates higher than the 3% rate, subject to feasibility testing of the levy rate.
26 July 2021	<p>Council considered a report with a draft contributions plan that increased the 3% contributions rates to the following, where the development cost was over \$250,000:</p> <ul style="list-style-type: none"> • Development for the purpose of residential accommodation – 5%. • Mixed-use development (development including both residential accommodation and other land uses) – 5% • Other development (excluding residential accommodation) – 4%. <p>No contribution applied where the development cost is \$250,000 or less. The above rates were to be applied across the entire City Centre and were informed by an independent development feasibility analysis (the Savills' reports).</p>
9 August to 26 September 2021	Draft contributions plan exhibited
25 October 2021	<p>Council resolved to approve the finalisation of the contributions plan with the increased rates and to seek approval of the Minister for Planning and Open Spaces to amend the Regulation to enable the higher rates to be applied. This request was submitted to the Department on 5 November 2021.</p>
May 2022	<p>Council received a letter from the Minister for Planning and Open Spaces to review the contributions plan, which was at the time being considered by the Department. The Minister requested that the review take account of changes to planning controls made by the Department in finalising the Parramatta CBD Planning Proposal (Amendment 56) and consider whether the level and scope of infrastructure contemplated in the contributions plan is necessary given the number of dwellings and floor space had been reduced across the City Centre.</p>

Date	
14 June 2022	Council resolved to amend the approved (but not commenced) contributions plan to apply differential rates across the City Centre. Those areas that had been "deferred" from the planning proposal (i.e. where the existing controls were to continue to apply to the land) retained the 3% development contribution levy – including land at the Phillip Street block and Church Street North Precinct, and other areas north of Parramatta River, and adjacent to the auto alley precinct (western side); while the remainder of the City Centre continued to apply the higher levies previously approved by Council in October 2021. This revised plan was then submitted to the Department to progress their consideration. Council did not make any changes to the Works Program within the contributions plan as part of this review.
21 September 2022	The Minister approved the City Centre Contributions Plan and amended the Regulation that enabled the increased s7.12 levies to apply to the City Centre as per the contributions plan adopted by Council on 14 June 2022 (see Sections 209(1) and 209(6) of the Regulation).
14 October 2022	The City Centre Contributions Plan came into effect, concurrent with the commencement of Amendment 56 to Parramatta Local Environmental Plan 2011.
16 December 2022	The Department published the <i>State Environmental Planning Policy (Parramatta CBD No 2) 2022 (SEPP 2)</i> which further amended controls with the City Centre, in particular the Phillip Street block. These controls come into effect on 30 June 2023; and have been incorporated into Schedule 7 of Parramatta Local Environmental Plan 2023.
13 March 2023	Council considered and resolved to approve for public exhibition Amendment No. 1 to the City Centre contributions plan. This amendment proposed to apply the higher rates to the Phillip Street block, consistent with the remainder of the City Centre, as a result of the changes made by the Department in SEPP 2, above, on 16 December 2022.
27 March to 28 April 2023	Public exhibition of the draft contributions plan (Amendment No. 1).
22 May 2023	Council approved the draft contributions plan (Amendment No. 1), and it was submitted to the Department for consideration and request to the Minister for Planning to amend the Regulation to refer to the updated contributions plan.
30 June 2023	Section 209 of the Regulation to apply the increased rates to the Phillip Street Block amended under the <i>Environmental Planning and Assessment Amendment (NSW Planning Portal) Regulation 2023</i> to refer to the contributions plan adopted by Council on 22 May 2023. This change removed the Phillip Street Block from "Area A" and enabled the higher levies to apply to that area. "Area A" and the lower rates still applied to the Church Street North Precinct in Amendment 1 to the contributions plan.

Date	
15 December 2023	State Environmental Planning Policy (Church Street North Precinct) 2023 published on the NSW Legislation website, which amends controls within Parramatta Local Environmental Plan 2023 to increase heights and floor space ratios within the Church Street North Precinct. These controls will come into effect on 1 July 2024.
26 February 2024	<p>Council resolved to approve for public exhibition Amendment 3 to the City Centre contributions plan. This amendment proposes to apply the following rates to the Church Street North Precinct (where development cost exceeds \$250,000):</p> <ul style="list-style-type: none"> • 4% applying to residential accommodation or a mixed-use development that contains residential accommodation and other land uses. • Retain the current 3% rate applying to development that does not contain residential accommodation.
18 March to 19 April 2024	Public exhibition of the draft contributions plan (Amendment No, 3).
22 April 2024	<p>Council approved Amendment 2 to the City Centre contributions plan and came into effect on 29 April 2024.</p> <p>Amendment 2 was a “housekeeping” change that modified and clarified some of the operational aspects of the contributions plan. It did not change the percentage rates nor where the various percentage rates applied in the City Centre.</p>
27 May 2024*	<p>Council considered a post-exhibition report on Amendment No. 3 and resolved to approve the amendments to the contributions plan and to seek the Minister (via the Department of Planning, Housing and Industry (DPHI)) to increase the s7.12 levies to the Church Street North Precinct by seeking formal amendment to Section 209 of the Regulation.</p> <p>*NOTE FOR COUNCIL – THIS IS THE SUBJECT OF THE COUNCIL MEETING ON 27 MAY 2024 – COUNCIL IS YET TO RESOLVE THE ABOVE AND THE ABOVE TEXT CAN BE AMENDED FOLLOWING ACTUAL COUNCIL RESOLUTION, IF REQUIRED.</p>

Table 3 – Timeline for the City Centre contributions plan review (Amendment no. 3)

3. Consideration and Justification

3.1. Changes to come into effect on 1 July 2024

The changes undertaken through the Church Street North Precinct block **results in increases to development potential on this land that results in approximately a 20% lower gross floor area than originally mooted for the area under the CBD Planning Proposal**. However, the potential increase in demand for local infrastructure is anticipated to be around 1,800 additional dwellings, as cited by the Department in its finalisation report, compared to approximately 2,500 additional dwellings originally proposed under the CBD Planning Proposal. Demand for additional jobs and workplaces is expected to be minimal in the precinct as, unlike other parts of the City Centre, no bonus incentives to provide additional commercial or office space apply in the Church Street North Precinct.

Further growth is also mooted in the North-East Planning Investigation Area (NEPIA) located immediately to the east of the Church Street North Precinct. Growth in the NEPIA is estimated at 541 additional dwellings. However, land within NEPIA is currently located within the *City of Parramatta (Outside CBD) Contributions Plan* and is expected to remain subject to the s7.11 contributions protocols under that plan.

The changes in development potential for land within the Church Street North Precinct range between no increase, and a 250% increase in terms of floor space ratio (FSR) changes, with most sites in the range of 25% to 60% increases (see Figures 2 and 3). Changes in terms of height range between no increase and 260%, with most sites in the range of 180% to 230% increases (see Figures 4 and 5).

A comparison of maximum heights and FSRs is set out in Table 4 below, as sourced from the 26 February Council report. These comparisons include all relevant bonuses, such as amalgamation bonuses and design excellence (DEX) incentives that apply above the FSRs as shown on the maps.

Controls, including applicable bonuses	State-led Church Street North Precinct rezoning	Original CBD Planning proposal (rejected by the Department)
Maximum possible height	88m (inc DEX and amalgamation)	92m (inc DEX)
Maximum possible FSR	6.25:1 (inc DEX and amalgamation)	7.2:1 (inc DEX and High Performing Buildings)
Estimated gross floor area (GFA) at 2/3 take-up	222,070 sqm	280,840 sqm
Estimated additional dwellings	1,800	2,500

Table 4 - Comparison of planning controls for the Church Street North Precinct (source: Council report 26 February 2024)

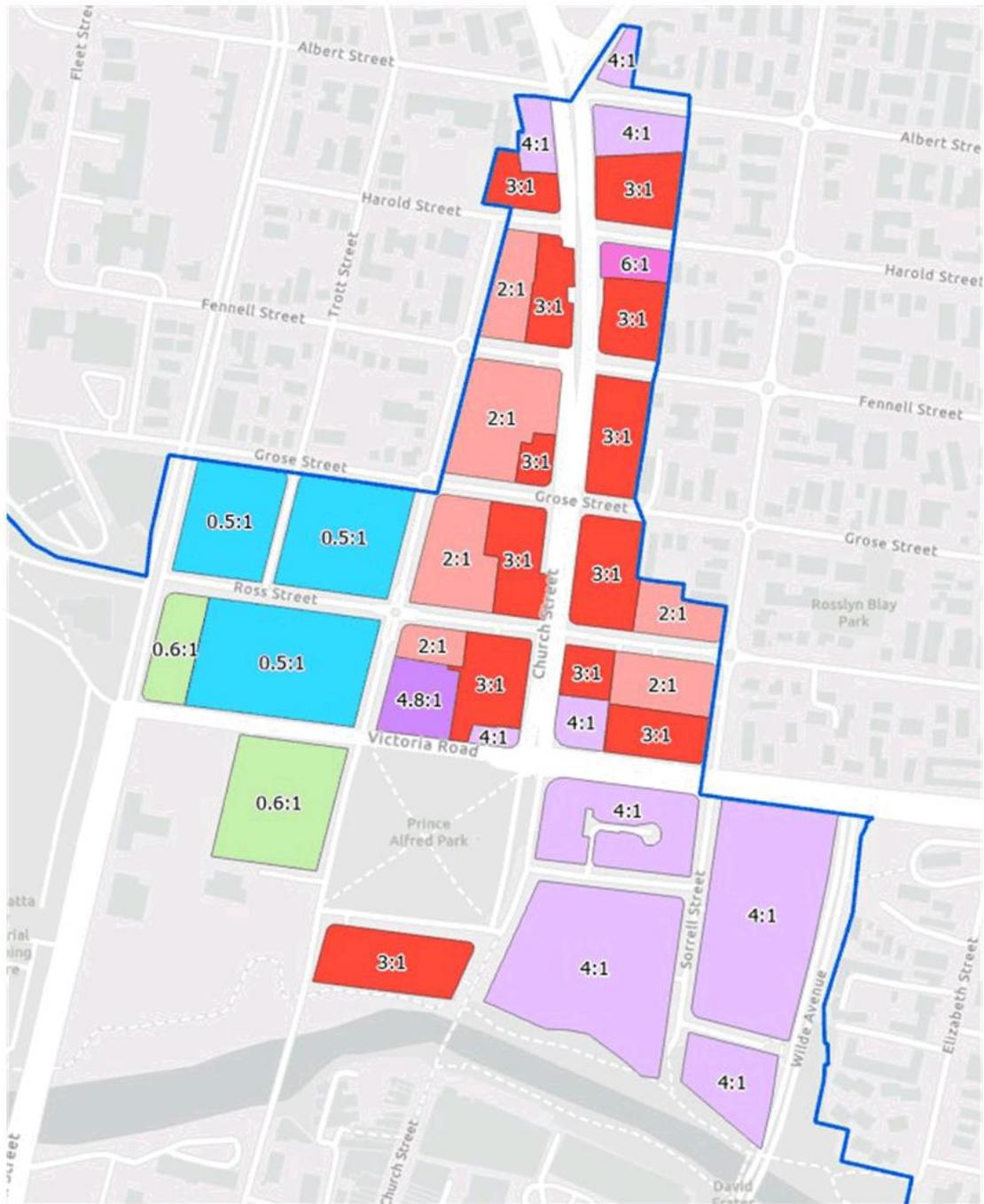


Figure 2 – Church Street North Precinct Current Floor Space Ratio controls

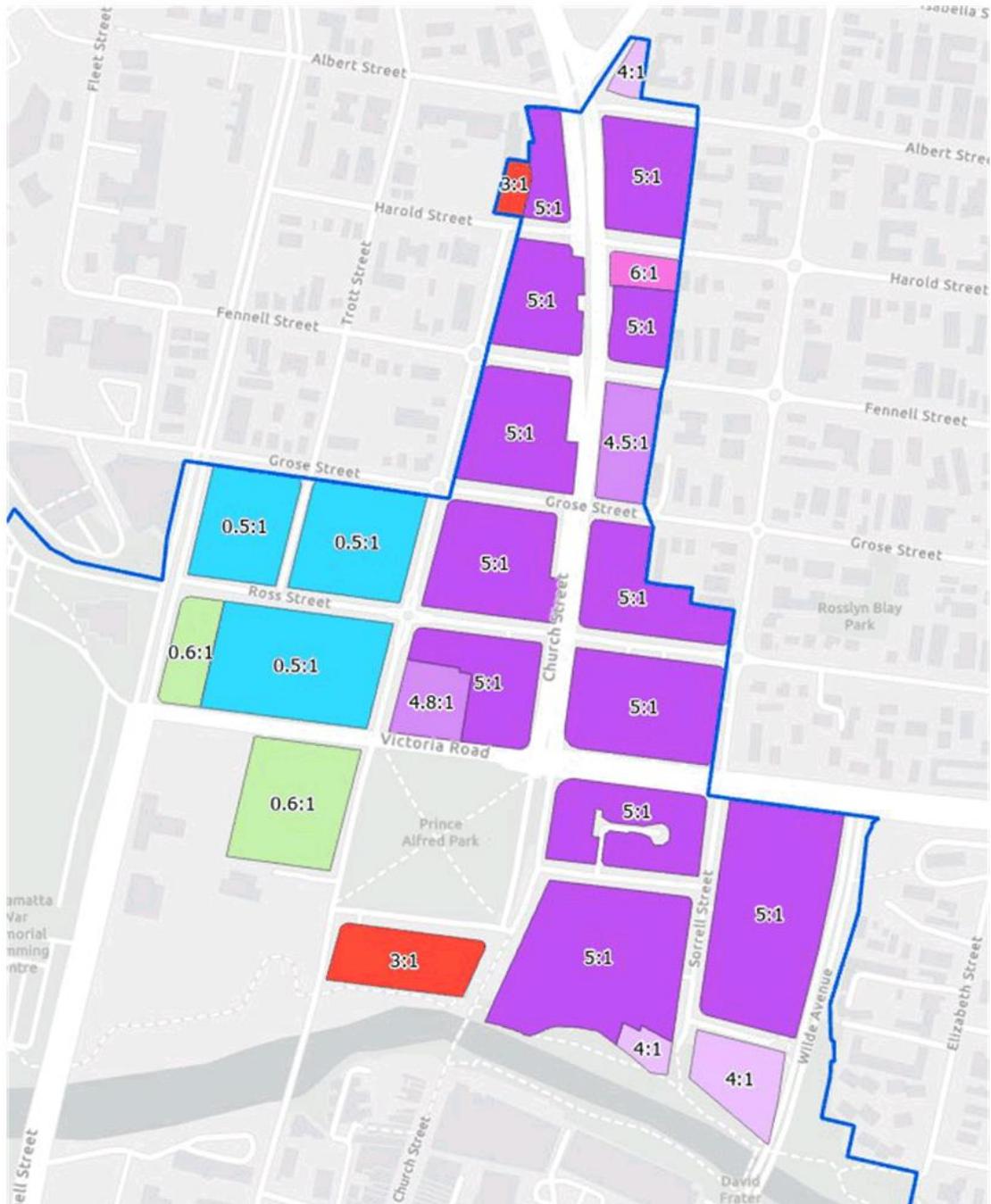


Figure 3 – Church Street North Precinct Floor Space Ratio controls coming into effect on 1 July 2024

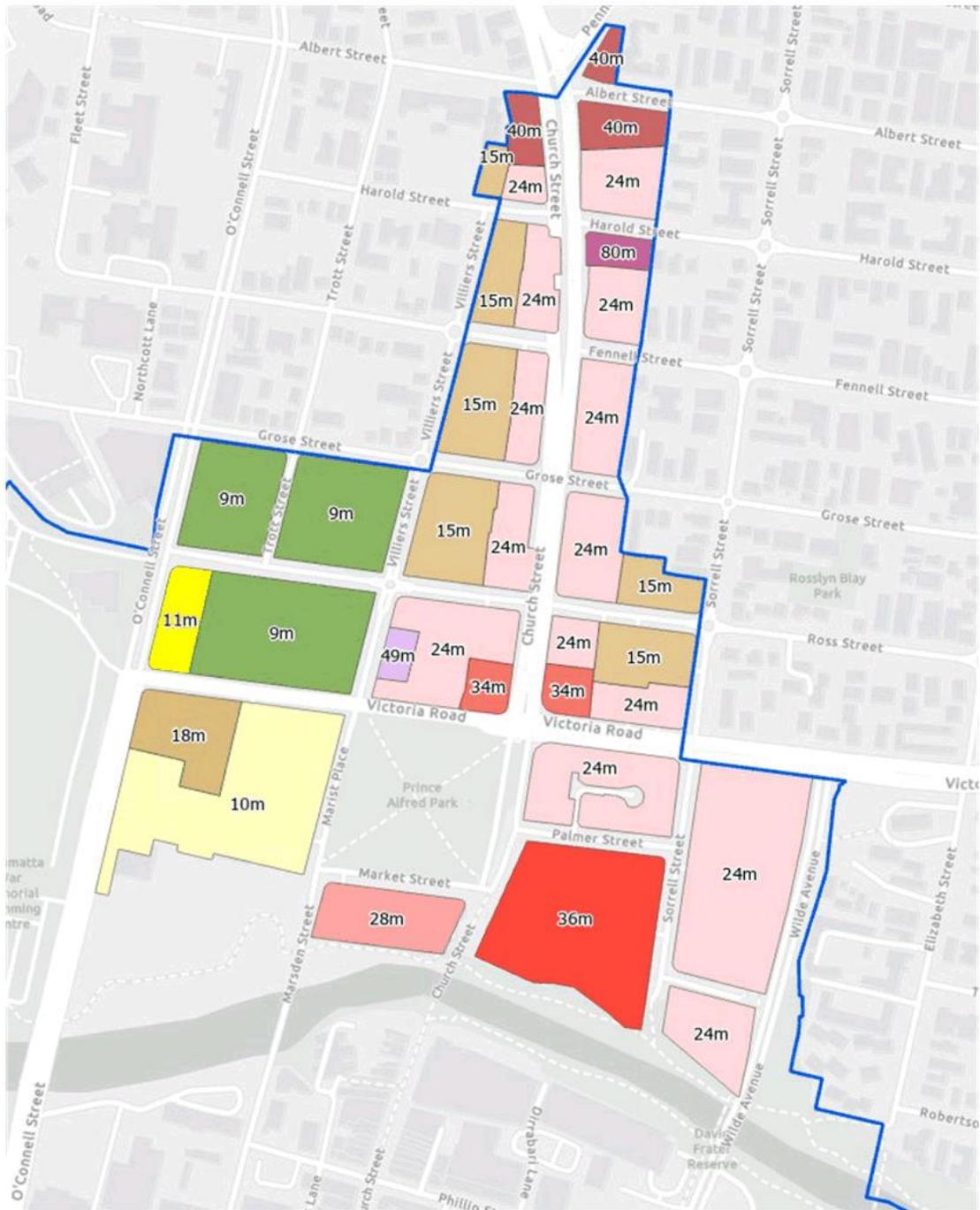


Figure 4 – Church Street North Precinct Current Height of Buildings controls

- Development at an FSR of 7.2:1 could sustain a s7.12 levy of 4.83% for residential or mixed-use development and 4.06% for non-residential development to yield the target Internal Rate of Return (IRR) of 20%.
- Residential development at an FSR of 7.2:1 would return an Internal Rate of Return of 19.97% if the s7.12 levy of 5% was applied, which was considered within acceptable tolerance of the 20% target threshold.

When considering that none of the sites in the Church Street North Precinct will be able to achieve a 7.2:1 FSR (see Table 4 and Figure 3), applying the 5% and 4% s7.12 levies is considered unfeasible based on the findings of the previous analysis. On the basis that development potential is estimated to reduce by about 20% in terms of gross floor area, the increases to the development contribution levies requested for the Church Street North precinct have also been adjusted by 20% and rounded to the nearest whole number (see Table 5).

Component	Original s7.12 levies under CBD Planning Proposal	Adjusted down by 20% for GFA consistency	Proposed levy
Residential accommodation and Mixed-use Development that includes residential accommodation	5%	4%	4%
Other development that does not include residential accommodation	4%	3.2%	3%

Table 5 - Adjusted s7.12 levies for Church Street North Precinct

Approval of Amendment 3 to the Parramatta City Centre Local Infrastructure Contributions Plan ensures procedural fairness in respect of applying s7.12 levies to areas of the City Centre that have received uplift under Amendment 56 to Parramatta Local Environmental Plan and subsequent SEPPs prepared by the Department. The rates sought by this amendment for the Church Street North Precinct reflect the 20% reduction in development potential compared to the original CBD Planning Proposal.

3.2. Updates to income estimates

Previous requests by Council to seek amendments to increase the contributions rates in the City Centre have included breakdowns of estimated income and corresponding funding gaps against the total works program cost. At October 2021, the estimated income of \$642 million over the 40-year planning period resulted in a \$1,338 million (\$1.34 billion) funding gap between the income and total cost of the works program. Further revisions to income estimates up to May 2023 (prior to the commencement of Amendment 1) still indicate a funding gap of approximately \$1,335 million (\$1.335 billion).

Updated income estimates for the Church Street North Precinct have been calculated on development potential from the controls to come into effect on 1 July 2024. These estimates indicate that:

- Approximately \$30M of income would be received if the existing 3% s7.12 rates were retained to the Precinct; or
- Approximately \$40M of income would be received if the revised s7.12 levies requested were approved and applied.

To enable comparison of changes to the funding gaps over time, no adjustments have been made for indexation or inflation of costs/income over the three-year period outlined in Table 6, below.

Component	Amount	Gap to Total Works Program Cost
Total Works Program cost	\$1,980M	
Works cost apportionable to new development (approx. 60%)	\$1,201M	\$779M funding gap
Estimated income based on 5% residential and mixed-use; and 4% non-residential levies applying to the entire City Centre (as of October 2021)	\$642M	\$1,338M funding gap
Revised estimated income based on variable levies – being a mix of 3%, 4% and 5% levies applying across the City Centre (as of 14 June 2022)	\$582M	\$1,398M funding gap
Revised estimated income based on reinstatement of “unlimited office” in the E2 Commercial Centre zone	\$632M (increase of approx. \$50M – see Note 1)	\$1,348M funding gap
Revised estimated income if Phillip Street block is reinstated to have the higher levies applied (as of May 2023)	\$645M (increase of approx. \$13M)	\$1,335M funding gap
Revised estimated income if Church Street North rates are applied as requested	\$685M (increase of approx. \$40M)	\$1,295M funding gap

Table 6 – Assessment of funding gaps under the s7.12 contributions plan

Note 1: The increase in income from reinstatement of the unlimited office incentive in the E2 Commercial Core zone occurred by a State Government-led SEPP. Reinstatement of this incentive has the potential to create approximately 13,020 additional jobs to the core of the City Centre and is calculated at 1 job per 24sqm of GFA (or 312,480sqm of office space) and \$4,000/sqm of development cost at 4% s7.12 levy.

Council accepts that there is a funding gap between the total cost of the works program and the estimated income. This is due to the aspirational and long-term nature of the works program (i.e. operating over a period of 40 years). It is also due to the function of the works program to provide a “long list” of works that can be funded through a variety of sources – including, but not limited to, s7.12 contributions.

Approval of Amendment 3 to the Parramatta City Centre Local Infrastructure Contributions Plan will result in a modest increase of income (estimated at \$40 million) but still leaves a significant funding gap of about \$1,295M between the total cost of the works program and the income anticipated under the contributions plan.

3.3. Consistency with Practice Note

The original Justification Report (October 2021) prepared to support Council's case to seek the higher s7.12 levies set out the consideration of the Practice Note (February 2021). At that time, the land within the Church Street North Precinct was included in the contributions plan to be subject to the higher levies.

Council's position in relation to the assessment criteria and the responses provided in that Justification Report are unchanged in respect of this amendment; and this amendment seeks to apply increased rates to the Church Street North Precinct that recognise the 20% reduction in development potential resulting from the changes undertaken by the Department through the CSN SEPP in December 2023 compared to the original development potential from the Parramatta CBD Planning Proposal that was not supported by the Department in finalising the City Centre controls.

Approval of Amendment 3 to the Parramatta City Centre Local Infrastructure Contributions Plan will apply higher levies to residential and mixed-use development while retaining the 3% levy for non-residential development. This outcome reflects Council's position from 23 June 2022 that retaining the 3% levy is a holding position pending future changes to planning controls either through Council-led or State-led rezonings. The outcome sought by this amendment is still consistent with the assessment criteria and Council's response to those criteria as published in the earlier Justification Report.

4. Public Consultation

4.1. Public Consultation undertaken

Council resolved on 26 February 2024 to exhibit the draft contributions plan (Amendment No. 3)The draft Plan was exhibited between 18 March and 19 April 2024. Engagement included:

- Mail-out to landowners within the Church Street North Precinct (1,345 letters sent);
- Hard copies of the draft contributions plan being made available at Council's Parramatta Library, and offices at 126 Church Street, Parramatta;
- Electronic exhibition on Council's "Participate Parramatta" portal.

4.2. Submissions received and matters raised

The draft contributions plan was publicly exhibited between 18 March and 19 April 2024. At the closing of the exhibition on 19 April, eleven (11) submissions were received.

- Four (4) of these supported the amendment.
- One (1) was unsure of their support.
- One (1) requested a change to the boundary of the Plan (out of scope).
- Three (1) objected to the amendment on the grounds that they thought the changes applied to their rates notices (incorrect and out of scope).
- One (1) objected on the grounds that the proposed change represented a decrease in contributions rates (incorrect); and would not address the substantial funding gap between contributions received and the total cost of the works program.
- One (1) objected to the amendment with no further reason supplied.

None of the matters raised in the submissions warranted further changes to the draft contributions plan as exhibited.

5. Conclusion

The changes undertaken through the CSN SEPP results in increases to development potential, catalysing a growth of 1,800 additional dwellings in the precinct. While the increase in development potential is lower than that originally mooted by the CBD Planning Proposal, the additional dwellings will create demands for the delivery of new local infrastructure and augmentation of existing infrastructure.

This amendment to the 2022 contributions plan is administrative in nature and is only being undertaken to ensure procedural fairness to land receiving increases to height and floor space ratio controls within the Church Street North Precinct relative to other land already subject to the higher contributions rates elsewhere in the City Centre. As the growth in the Church Street North Precinct is approximately 20% lower than originally mooted by the CBD Planning Proposal, an adjustment to the levies commensurate with the reduction in development potential is appropriate and reasonable.

Amendment 3 to the contributions plan does not:

- Seek to change the percentage rates applying to development within the City Centre, other than to apply the proposed rates to the Church Street North Precinct; or
- Seek to change the works program.

Given the above, it is recommended that the Minister:

- Support the amendment to the Parramatta City Centre contributions plan to update the land application map (Figure 2) where land within the Church Street North Precinct will be removed from "Area A", be subject to a new "Area B", and be subject to the proposed rates contained within this justification report, being:
 - 4% applied to the development cost of residential accommodation or mixed-use development that includes residential accommodation; and
 - 3% applied to the development cost of any other development that does not include residential accommodation.
- Approve an amendment to Section 209 of the Environmental Planning and Assessment Regulation 2021 to give effect to the first point, above; and amend Section 209(6) of the Regulation to refer to the contributions plan approved by Council on 27 May 2024.

Appendix – Practice Note Evaluation

This Appendix sets out the evaluation against the Practice Note criteria for:

- (a) Seeking an increased levy of more than 1% (Table 1.1); and
- (b) Seeking an increased levy of more than 2% (Table 1.2).

Table 1.1: Councils should demonstrate how an area meets the following criteria for an increased levy of more than 1% on the cost of development

Criteria for Greater Sydney Region Councils
<p>(a) The strategic areas are identified in a regional plan, district plan or respective Local Strategic Planning Statement, as a strategic centre, growth area, local centre or economic corridor.</p>
<p>Consistent. Parramatta CBD is identified as a strategic centre and growth centre in the relevant regional plan, district plan and Local Strategic Planning Statement. The Church Street North Precinct is located within the Parramatta CBD as identified in Council's Local Strategic Planning Statement and the Central City District Plan.</p>
<p>(b) Local planning controls reflect, or are being amended to reflect relevant strategic direction and targets for the centre or defined area.</p>
<p>Consistent. Council amended planning controls for the Parramatta CBD to reflect its strategic importance through the <i>Parramatta CBD Planning Proposal</i>, which came into effect as Amendment 56 to Parramatta Local Environmental Plan 2011. The proposed contribution rates are needed to support the significant uplift enabled by this planning proposal. Controls applying to the Church Street North Precinct was subject to further revision under a State Government-led rezoning. While lower than originally planned under the CBD Planning Proposal, the revised controls still propose to increase development potential within the precinct and deliver an estimated 1,800 additional dwellings.</p>
<p>(c) A requirement for a review every 5 years from the date the new contributions plan comes into force is written into the contributions plan.</p>
<p>Consistent. The Draft Plan states Council will review it at least every 5 years. The Plan has only been in effect since October 2022.</p>
<p>(d) Ongoing consultation with the Department regarding changes to works schedules will be undertaken, otherwise the higher percentage levy will no longer apply.</p>
<p>Consistent. Council Officers had previously consulted extensively with the Department on the <i>Parramatta CBD Planning Proposal</i> and associated infrastructure priorities that became the Works Program to this contributions plan. The Church Street North Precinct amendment does not seek to alter the existing Works Program within the City Centre contributions plan.</p>

(e) The contributions plan should focus on delivering quality place-based community and green infrastructure, and public space improvements that enhance amenity of the centre.

Consistent. The Plan's works program focuses on delivering quality place-based community and green infrastructure, and public space improvements that enhance amenity of the Parramatta CBD including works within and adjacent to Church Street North Precinct.

(f) The centre has been identified by the relevant strategic plan/s to accommodate significant employment growth. An example of this includes facilitating an increase of at least 25% more employment opportunities than currently available in the centre.

Consistent. Parramatta CBD has been identified in the relevant regional plan, district plan and Local Strategic Planning Statement to accommodate significant employment growth as the "Central City" for the Greater Sydney metropolitan area. Under the *Parramatta CBD Planning Proposal*, changes to the planning controls will facilitate the delivery of an extra 56,276 jobs within the Parramatta CBD over the next 40 years. Compared with the baseline of 49,513 jobs in 2011, this represents a 114% increase in employment in the Parramatta CBD. **The Church North Precinct is anticipated to experience modest employment growth due to the lack of incentives to provide commercial and office development applying elsewhere within the City Centre. Consequently, Council does not seek to increase the s7.12 levies applying to non-residential development above the 3% rate currently applying in this area.**

Table 1.2: Councils should demonstrate how an area meets the following criteria for an increased levy of more than 1% on the cost of development

Criteria
<p>(a) The works schedule has been prepared in consultation with the Department. This gives an opportunity for the Department to liaise and coordinate with broader infrastructure agencies in identifying strategic, place-appropriate infrastructure. Additionally, the Department can also help to ensure infrastructure needs are met in the most efficient manner.</p> <p>Consistent. Council has previously consulted extensively with the Department on the <i>Parramatta CBD Planning Proposal</i> and associated infrastructure priorities. Attachment 17c to the <i>Parramatta CBD Planning Proposal</i> included a Draft Infrastructure Needs Analysis (2017), which was in effect an early draft of the works plan schedule. Further, based on the advice of the Department a review of the works plan schedule was undertaken to ensure justification for the higher contribution rates would only be based on that portion of the works program that could be attributable to new development. So, even though the Plan includes approximately \$1.98 billion of local infrastructure works to be provided by Council over the next 40 years, in determining rates, Council officers only considered \$1.201 billion – or about 60% – as being reasonably attributed or 'apportioned' to development-generated infrastructure demand. Amendment 3 to the Plan does not propose any changes to the Works Program.</p>
<p>(b) Financial modelling is provided demonstrating that a maximum 2% levy on the cost of development is insufficient to deliver identified infrastructure in the proposed timeframe..</p> <p>Consistent. Council Officers have prepared financial modelling demonstrating that the current maximum 3% levy on the cost of development is insufficient to deliver identified infrastructure in the proposed timeframe. The higher contribution rates sought for Church Street North Precinct via Amendment No. 3 will provide significant funding towards the development-generated infrastructure demand and cost but will not fully fund this cost.</p>

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.5
SUBJECT	Approval of Planning Proposal for 8 Lincluden Place, Oatlands
REFERENCE	F2024/00282 - D09389645
REPORT OF	Project Officer
APPLICANT	Think Planners
OWNERS	Zaki Property Pty Ltd as Trustee for Zaki Property Trust
CSP THEME	Innovative

APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL

Nil

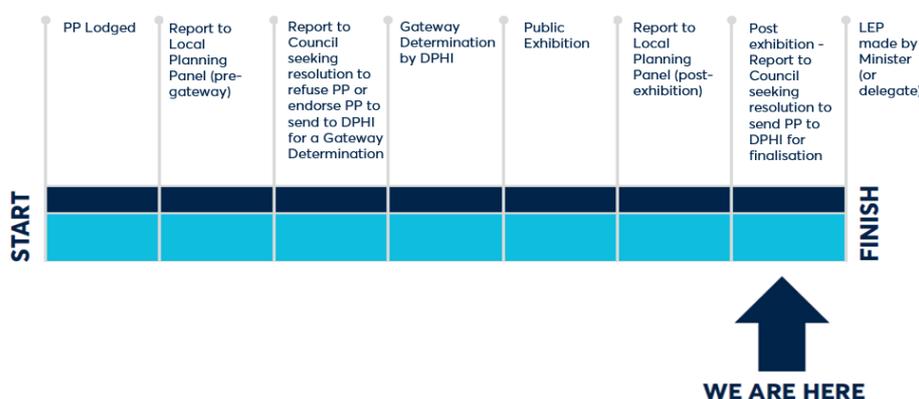
PURPOSE

The purpose of this report is to seek Council’s approval for the finalisation of a Planning Proposal for land at 8 Lincluden Place, Oatlands, and to enter into an associated Planning Agreement.

RECOMMENDATION

- (a) That Council receive and note the submissions made during the exhibition period.
- (b) That Council approve the finalisation of the Planning Proposal, at **Attachment 1**, for land at 8 Lincluden Place, Oatlands.
- (c) That Council enters into the Planning Agreement at **Attachment 2** and delegates authority to the Chief Executive Officer to sign it on behalf of Council.
- (d) That Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan finalisation process relating to the Planning Proposal and Planning Agreement.
- (e) That Council note the advice of the Local Planning Panel at **Attachment 3** is consistent with the Council Officer’s recommendation to support the proposal.

PLANNING PROPOSAL TIMELINE



SITE DESCRIPTION

1. The Planning Proposal applies to the land at 8 Lincluden Place, Oatlands (the site). The site is bound by Gollan Avenue to the north-east, Pennant Hills Road to the north-west and neighbouring properties at 6 and 9 Lincluden Place and 2 Gollan Avenue (refer to **Figure 1**). The site has an area of approximately 4,249sqm.



Figure 1 – Site at 8 Lincluden Place, Oatlands, subject to the Planning Proposal

2. The site contains several existing buildings previously used as a Royal Institute for the Deaf and Blind school (Garfield Barwick School). The site is not currently in use as a school and has been vacant since its sale in 2019.
3. The site is located within the Burnside Homes Heritage Conservation Area under Parramatta Local Environmental Plan 2023 (PLEP 2023) but does not contain any local or State heritage items.

PLANNING PROPOSAL

4. On 5 November 2021, Council received a Planning Proposal for the site seeking to rezone the site from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential.
5. At its meeting on 28 November 2022, Council endorsed the Planning Proposal for submission to the (then) Department of Planning and Environment (DPE) to seek a Gateway determination to place the Planning Proposal on public exhibition with a Planning Agreement to be drafted in accordance with a Letter of Offer that had been submitted (see details in Draft Planning Agreement section below). Council also resolved to request DPE grant the CEO plan-making delegations.
6. On 31 January 2023, DPE issued a Gateway Determination for the Planning Proposal which authorised Council as the local plan-making authority and allowed the public exhibition of the Planning Proposal to proceed.

7. The Gateway Determination required that prior to public exhibition the Planning Proposal be updated to align with controls within PLEP 2023 that was being finalised at the time and that came into effect on 2 March 2023.
8. The Planning Proposal was updated to be consistent with planning provisions applicable to this area under PLEP 2023 and a summary of the existing and proposed controls is included in **Table 1** below. It is noted that given the Planning Proposal will include the same planning provisions already in place in the surrounding R2 Low Density Residential zone, a site specific Development Control Plan is not required.

	Existing	Proposed
Land Use Zoning	Part SP2 Infrastructure (Educational Establishment) and part SP2 Infrastructure (Classified Road)	Part R2 Low Density Residential and part SP2 Infrastructure (Classified Road)
Height of Buildings	9m (2-3 storeys)	No change
Floor Space Ratio	No FSR	0.5:1 consistent with surrounding R2 Low Density Residential land.
Dual Occupancy Subdivision Prohibition	None	Include the site in the Dual Occupancy Prohibition Map (subdivisions) consistent with surrounding R2 Low Density Residential land. It is noted that whilst Dual Occupancies can be developed, this control prohibits the subdivision of such dwellings.
Minimum Lot Size for subdivision	700sqm	No change. The site could potentially accommodate up to 5 residential allotments plus access road with up to 2 low density dwellings per allotment.
Number of dwellings to be accommodated based upon applicant's indicative scheme	None (prohibited within existing zoning)	Potentially 4 x low density residential dwellings based upon the applicant's indicative scheme (2 x dual occupancies or 2 x dwelling houses with granny flats).

Table 1 – Current and proposed planning controls for the site at 8 Lincluden Place, Oatlands

9. The northern portion of the site adjoining Pennant Hills Road is currently zoned SP2 Infrastructure (Classified Road) and is identified on the Land Reservation Acquisition (LRA) Map (this area is identified as “Future Road Widening” in **Figure 2** below). The Planning Proposal retains the land zoned SP2 Infrastructure (Classified Road) and does not propose changes to the LRA Map. As per PLEP 2023, land zoned SP2 Infrastructure and marked Classified Road identifies Transport for NSW as the relevant authority to acquire the land.
10. A Gateway extension has been issued for the Planning Proposal by the Department of Planning, Housing and Infrastructure (DPHI) requiring the LEP to be completed by 1 August 2024.
11. The Planning Proposal application includes an indicative potential subdivision layout for the site that could be lodged under a future development application for subdivision to create two new residential allotments facing Gollan Avenue, and to reuse the existing building as an Educational Establishment (refer to **Figure 2**). It is noted that an Educational Establishment (school) use is also permitted with consent in the R2 Low Density Residential zone and therefore the existing building could still be used for that purpose under the Planning Proposal subject to relevant approvals.

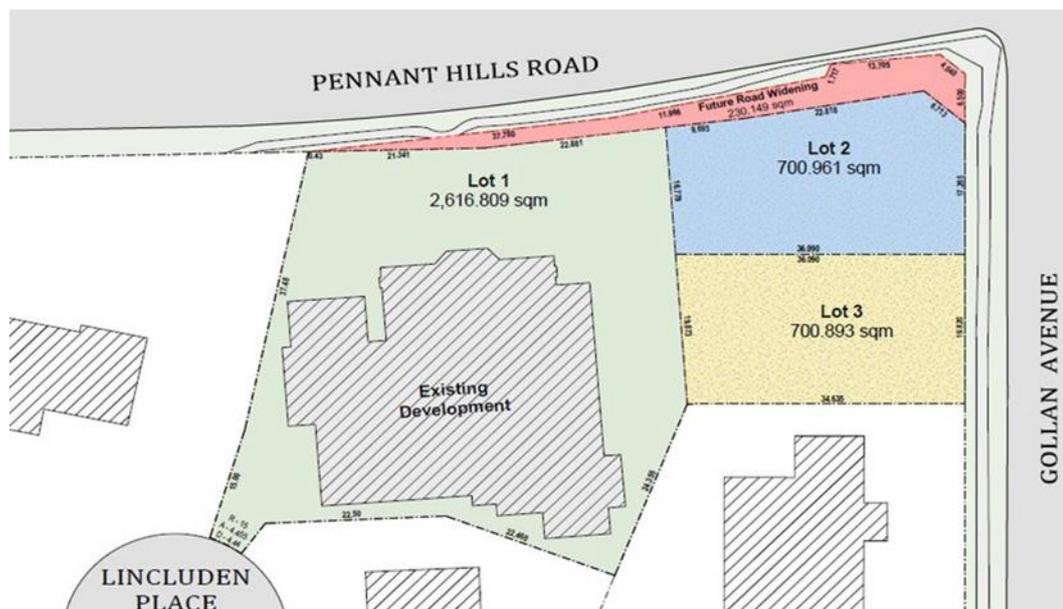


Figure 2 – Indicative subdivision plan for the site at 8 Lincluden Place, Oatlands

12. While the indicative subdivision layout has been provided by the applicant to demonstrate a possible future scenario that could be pursued following rezoning of the land, the applicant has indicated to Council officers that they are considering various options to develop the site under the proposed zoning and have not yet decided what option to pursue.

DRAFT PLANNING AGREEMENT

13. On 29 September 2022, the Proponent provided a Letter of Offer outlining willingness to enter into a Planning Agreement associated with the Planning Proposal that offered, under the base development scenario, to either construct, or provide a monetary contribution towards, footpath upgrades along Pennant Hills Road between Gollan Avenue and Glencoe Avenue. On

28 November 2022, Council resolved to delegate authority to the CEO to draft and negotiate a Planning Agreement in accordance with the Letter of Offer and if a Gateway determination is issued, that the Planning Agreement be placed on public exhibition with the Planning Proposal.

14. The draft Planning Agreement that has subsequently been prepared (**Attachment 2**) has been structured to allow a base development scenario (which is based upon the applicant's indicative subdivision layout providing an additional two residential allotments), and a maximum potential dwelling yield scenario (five residential allotments plus access road accommodating up to a maximum of two low density dwellings per allotment), to allow for flexibility depending on the development scenario pursued. Negotiations between Council officers and the applicant in formulating the Planning Agreement were protracted and therefore a Gateway extension was required to ensure the Planning Proposal and Planning Agreement could proceed in unison.
15. The draft Planning Agreement provides for the following public benefits in accordance with the base development scenario. This public benefit will still be provided should a lesser number of dwellings be accommodated than the base development scenario (e.g. one residential allotment comprising a single dwelling):
 - a) Construction of a shared footpath along Pennant Hills Road, specifically between Gollan Avenue and Glencoe Avenue; or
 - b) A monetary contribution paid by the applicant to deliver this upgrade.
16. The total value of the monetary contribution payable under the base development scenario (or less) is estimated at \$300,000. The Planning Agreement addresses the infrastructure demand generated by the Planning Proposal and benefits the community by improving public amenity within the vicinity of the proposed development.
17. The draft Planning Agreement has been structured so that any development scenario that is over and above the base scenario that introduces additional dwellings (up to the potential maximum of five residential allotments plus access road accommodating up to a maximum of two low density dwellings per allotment) will require a monetary contribution of \$37,500 per additional dwelling, in addition to the \$300,000 monetary contribution or construction of the shared pathway. The Planning Agreement has been drafted so that should a development beyond the base scenario be sought, the monetary contribution can be directed towards another public purpose within the vicinity of the proposed development. This would be determined at the development application stage, but only if such a development is pursued beyond the base scenario.
18. The draft Planning Agreement has however been structured so that if a Development Consent is granted for more than 10 dwellings, or if a future development application is lodged with respect to the land for a different form of development, the applicant is required to renegotiate the Planning Agreement with Council.

19. The Planning Agreement will not exempt the applicant from payment of applicable Section 7.11 development contributions in accordance with the Outside CBD Contributions Plan and will be levied at the development application stage.

EXHIBITION OF THE PLANNING PROPOSAL

20. The Planning Proposal and draft Planning Agreement were publicly exhibited from Monday 11 December 2023 to Friday 9 February 2024.
21. A total of 10 submissions were received, six (6) from individual community members. Four (4) submissions were received from the following State Agencies and service providers:
 - a. Transport for NSW (TfNSW);
 - b. School Infrastructure NSW (SINSW);
 - c. Sydney Water; and
 - d. Endeavour Energy.
22. Of the six community submissions, four raised objections and two supported the proposal to an extent. The following concerns were raised:
 - a. Unknown built form outcome;
 - b. Traffic impacts;
 - c. Parking congestion;
 - d. Safety concerns; and
 - e. Negative impacts on residents during construction.
23. No State Agency or Service Provider submissions raised objections or significant concerns. The comments received from State agencies and the concerns raised in the community submissions can be addressed at the Development Application stage and therefore do not require changes to the Planning Proposal.
24. A detailed summary of the submissions received and Council officer responses to the issues raised, as reported to the Local Planning Panel, are provided at **Attachment 4**.

LOCAL PLANNING PANEL ADVICE

25. The Local Planning Panel considered a detailed assessment report (**Attachment 3**) on 16 April 2024. The Panel unanimously supported the Council officer recommendation made in this report for Council to approve the finalisation of the Planning Proposal and enter into the Planning Agreement. The advice of the Panel in full is included at **Attachment 3**.

CONSULTATION & TIMING

Stakeholder Consultation

26. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
5 November 2021 to 11 December 2023	Applicant	Various comments in relation to finalising the Planning Proposal and Planning Agreement for public exhibition.	Extensive consultation has been undertaken to date with the applicant to develop the draft planning provisions and Planning Agreement. These represent a position endorsed for the purposes of public exhibition by Council on 28 November 2022.	Group Manager Major Projects and Precincts
11 December 2023 to 9 February 2024	Community members State Agencies and Service Providers	A summary of the submissions received is provided at Attachment 4 .	Council officer responses to issues raised is provided at Attachment 4 .	Group Manager Major Projects and Precincts

Councillor Consultation

27. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
21 November 2022 - briefing	All	No matters were raised for further investigation or response	Nil	Group Manager Major Projects and Precincts
28 November 2022 - Council Meeting	All	Planning Proposal approved for Gateway	The Planning Proposal was forwarded to DPHI seeking a Gateway determination	Group Manager Major Projects and Precincts

20 May 2024 - briefing	All	Not known at time of finalising this report	Not known at time of finalising this report	Group Manager Major Projects and Precincts
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LEGAL IMPLICATIONS FOR COUNCIL

28. The legal implications associated with this report relate to the Planning Agreement that is proposed to be entered into between Council and the landowner.
29. Council's legal team were assisted by an external legal advisor in drafting the Planning Agreement that is based upon the Letter of Offer and Council resolution dated 28 November 2022. The draft Planning Agreement is considered appropriate for finalisation.

FINANCIAL IMPLICATIONS FOR COUNCIL

30. A Planning Agreement delivering the public benefits outlined above will be entered into between Council and the landowner.
31. The table below summarises the financial impacts on the budget arising from approval of this report. This table is based on the total value of the monetary contribution payable under the base development scenario (or less), estimated at \$300,000.

	FY 23/24	FY 24/25	FY 25/26
Revenue			
Internal Revenue			
External Revenue	N/A	N/A	\$300,000
Total Revenue			
Funding Source	NIL	NIL	Planning Agreement
Operating Result			
External Costs			
Internal Costs			
Depreciation			
Other			
Total Operating Result	N/A	N/A	N/A
Funding Source	NIL	NIL	NIL
CAPEX			
CAPEX			
External			
Internal			
Other			
Total CAPEX	N/A	N/A	N/A

32. Further, at development application stage, development contributions in keeping with the current rates contained in the City of Parramatta (Outside CBD) Development Contributions Plan 2021 will be applied to the development.

CONCLUSION AND NEXT STEPS

33. It is recommended that Council approve the finalisation of the Planning Proposal, provided at **Attachment 1** for land at 8 Lincluden Place, Oatlands, and that Council enter into the draft Planning Agreement associated with this Planning Proposal at **Attachment 2**.
34. Should Council approve the Planning Proposal, it will be finalised and forwarded to DPHI for publishing. Should Council endorse the Planning Agreement for the site, it will progress through the necessary legal process and be registered on title accordingly.

David Birds
Group Manager, Major Projects and Precincts

Jennifer Concato
Executive Director City Planning and Design

John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

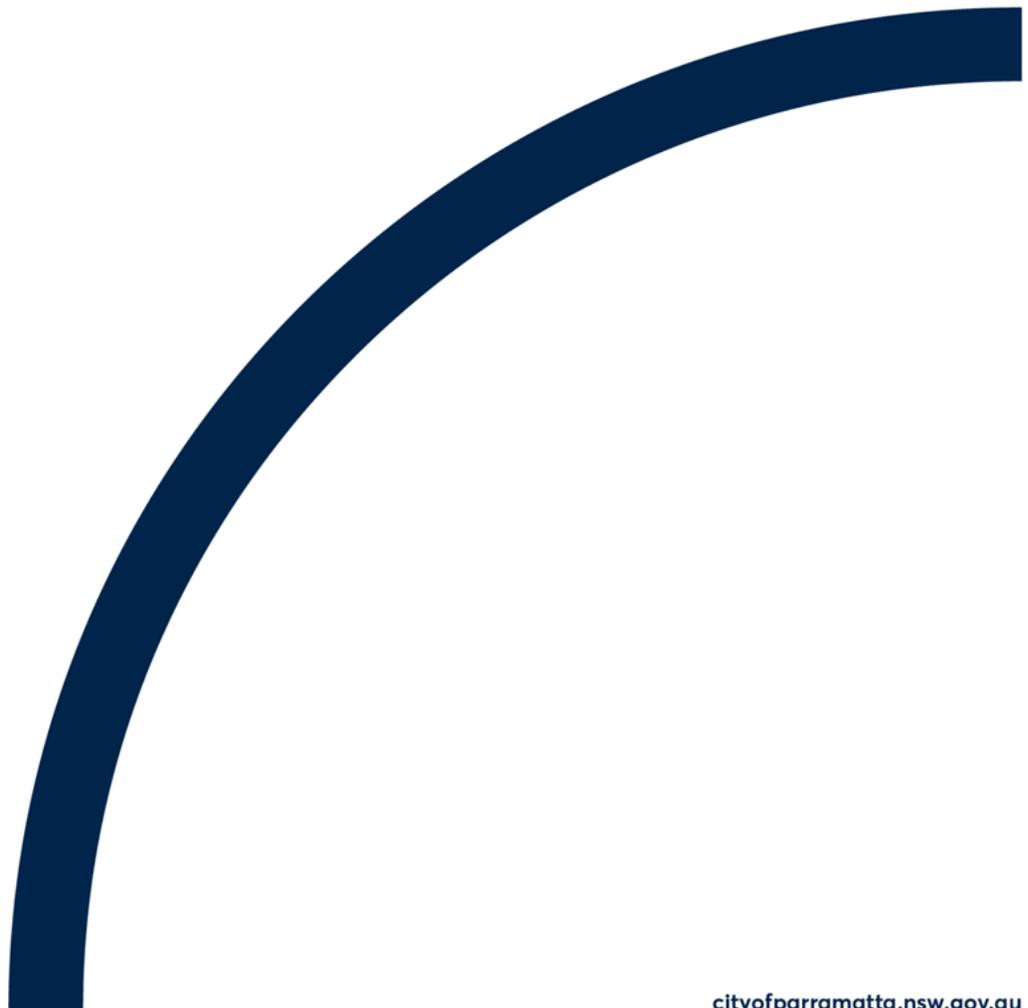
1  	Planning Proposal	42 Pages
2  	Planning Agreement	40 Pages
3  	Local Planning Panel Report and Minutes - 16 April 2024	19 Pages
4  	Submission Summary Table	12 Pages

REFERENCE MATERIAL



PLANNING PROPOSAL

8 LINCLUDEN PLACE, OATLANDS



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TABLE OF CONTENTS

TABLE OF CONTENTS.....	2
INTRODUCTION	4
PART 1 – OBJECTIVES OR INTENDED OUTCOMES.....	8
PART 2 – EXPLANATION OF PROVISIONS.....	9
PART 3 – JUSTIFICATION	10
PART 4 – MAPPING	28
PART 5 – COMMUNITY CONSULTATION	38
PART 6 – PROJECT TIMELINE.....	40
Appendix 1 – Heritage Impact Statement.....	41
Appendix 2 – Traffic Assessment Study	42

Planning Proposal drafts

Proponent versions:

No.	Author	Version
1.	Think Planners	Submitted to Council for assessment – August 2021

Council versions:

No.	Author	Version
1.	City of Parramatta Council	Report to Local Planning Panel and Council on the assessment of Planning Proposal – October 2022 Submission to Department of Planning and Environment seeking Gateway Determination – December 2022
2.	City of Parramatta Council	Amendments updating Planning Proposal following Gateway Determination – December 2023

INTRODUCTION

This planning proposal explains the intended effect of, and justification for, the proposed amendment to *Parramatta Local Environmental Plan 2023*. It has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning and Environment (DPE) guide, 'A Guide to Preparing Local Environment Plans' (December 2021).

Background and context

The Site

On 5 November 2021, Council received a Planning Proposal from Think Planners Pty Ltd on behalf of Zaki Property Pty Ltd ATF Zaki Property Trust relating to the land at 8 Lincluden Place, Oatlands. The site is legally defined as Lot 3 DP 775621 and has a site area of approximately 4,249sqm. The site is currently zoned part SP2 Infrastructure (Educational Establishment) and part SP2 Infrastructure (Classified Road).

The site is located at the northern end of a cul-de-sac with boundaries on Lincluden Place, Gollan Avenue and Pennant Hills Road. The site is shown in **Figure 1**, below.



Figure 1 – Site at 8 Lincluden Place, Oatlands, subject to the Planning Proposal

The site served as an educational facility, the Garfield Barwick School, until its sale in 2019 by the previous owners, the Royal Institute for Deaf and Blind Children, and currently includes an education building, carparking and outdoor play spaces. The existing building on site provides approximately 1320spm of multipurpose floor space, including kitchens, multipurpose rooms, classrooms, offices, and storage. The facility is not currently in use.

The land to the east and southeast is zoned R2 Low Density Residential comprising low density housing. The adjoining property to the west is zoned SP2 Infrastructure (Educational Establishment) and is occupied by the Alan Walker College. Further SP2 Infrastructure (Educational Establishment) zones are located on the northern side of Pennant Hills Road, with Burnside Public School and the grounds of the Kings School directly opposite the site. Tara Anglican School for Girls, and Redeemer Baptist School are also within proximity to the site (refer Figure 2).



Figure 2 – Educational Establishments within the vicinity of the site at 8 Lincluden Place, Oatlands.



Figure 3 – Street view of the site 8 Lincluden Place, Oatlands from Lincluden Place.



Figure 4 – Street view of the site 8 Lincluden Place, Oatlands from Gollan Avenue.



Figure 5 – Street view of the site 8 Lincluden Place, Oatlands from Pennant Hills Road.

Background

Under *Parramatta Local Environmental Plan 2023* the site:

- is zoned part SP2 Infrastructure (Educational Establishment) and part SP2 Infrastructure (Classified Road);
- has a minimum lot size of 700sqm;
- has a maximum building height of 9 metres;
- has no maximum Floor Space Ratio (FSR);
- is located within the Burnside Homes Heritage Conservation Area.

The site is located within the Burnside Homes Heritage Conservation Area, however the building currently on site is not identified as a heritage item.

An extract of each the above maps is provided in Part 4 – Mapping; specifically, Section 4.1 Existing controls.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

The objective of this Planning Proposal is to amend the *Parramatta Local Environmental Plan 2023* to enable the rezoning of the subject site to R2 Low Density Residential to accommodate future low density residential housing.

The intended outcome of the Planning Proposal is to increase the availability of housing, by rezoning the site consistent with the underlying zoning of surrounding properties.

The Planning Proposal seeks to achieve these intended outcomes through an amendment to the *Parramatta Local Environmental Plan 2023*, to rezone the land zoned SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential. In accordance with surrounding properties zoned R2 Low Density Residential, the Planning Proposal will amend *Parramatta Local Environmental Plan 2023* to apply a Floor Space Ratio of 0.5:1 and identify the site as 'S' (subdivisions) on the Dual Occupancy Prohibition map. The Planning Proposed is accompanied by technical studies to support the proposed changes (refer to Appendix 1 and 2).

PART 2 – EXPLANATION OF PROVISIONS

This Planning Proposal seeks to amend *Parramatta Local Environmental Plan 2023* in relation to the zoning, floor space ratio and dual occupancy prohibition controls.

In order to achieve the desired objectives, the following amendments to the *Parramatta Local Environmental Plan 2023* are required:

Amend the zone in the **Land Zoning Map** from part SP2 Infrastructure (Educational Establishment) and part SP2 Infrastructure (Classified Road) to part R2 Low Density Residential and part SP2 Infrastructure (Classified Road). Refer to **Figure 18** in Part 4 of this Planning Proposal.

Amend the maximum floor space ratio in the **Floor Space Ratio Map** from no floor space ratio control to 0.5:1. Refer to **Figure 19** in Part 4 of this Planning Proposal.

Amend the **Dual Occupancy Prohibition Map** to identify the site as 'S' (subdivisions) on the Dual Occupancy Prohibition map. Refer to **Figure 20** in Part 4 of this Planning Proposal.

Notes:

The above planning provisions were updated in accordance with the Gateway determination issued by the Department of Planning and Environment. Condition 1 of the Gateway determination required the Planning Proposal to be updated prior to public exhibition to align with the *Parramatta Local Environmental Plan 2023* that came into effect on 2 March 2023. Subsequently, the Planning Proposal applies controls consistent with the surrounding properties zoned R2 Low Density Residential.

2.1 Other relevant matters

2.1.1 Voluntary Planning Agreement

It is noted that the proponent provided a Letter of Offer on 29 September 2022, outlining willingness to enter into a Planning Agreement associated with the Planning Proposal. The Letter of Offer provides for pedestrian upgrades to address increased infrastructure demand generated by the proposed development. It is intended that the Planning Agreement is structured to allow a base development scenario up to an envisaged maximum development scenario, and triggers for revision of the Planning Agreement should development vary from this.

PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

This part describes the reasons for the proposed outcomes and development standards in the Planning Proposal.

3.1 Section A - Need for the Planning Proposal

This section establishes the need for a Planning Proposal in achieving the key outcome and objectives. The set questions address the strategic origins of the Planning Proposal, and whether amending the LEP is the best mechanism to achieve the intended outcome of the Planning Proposal.

3.1.1 Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?

Local Strategic Planning Statement (LSPS)

Council's adopted Local Strategic Planning Statement (LSPS) provides strategic direction on how the City of Parramatta is planning for the future growth of the city and draws together the needs and aspirations of the community. It identifies priorities for jobs, home and infrastructure. The LSPS contains actions and priorities to help Council achieve the vision of the State Government's Greater Sydney Region Plan and Central City District Plan and highlights its important role as the Central River City.

The LSPS additionally identifies the need to preserve and enhance the low-scale character of suburban Parramatta outside of the Greater Parramatta and Olympic Park (GPOP) area and Epping Strategic Centre through 'Planning Priority 5' which relates to maintaining lower density residential zones in areas outside of identified growth precincts across the city. As Oatlands is not in, or adjacent to, an identified growth precinct, this Planning Proposal is strategically aligned with Planning Priority 5 in the LSPS. This consistency is highlighted in **Table 3**.

Table 3 – Consistency of Planning Proposal with City of Parramatta Local Strategic Planning Statement

Priority/Direction/Action	Response
Planning Priority 5 Policy Direction P17 Maintain lower density residential zones, with a maximum height of 2 storeys, throughout suburban Parramatta.	Consistent. This Planning Proposal is in an area outside of a growth precinct and proposes an R2 Low Density Rezoning that is consistent with surrounding zoning.

Local Housing Strategy (LHS)

The Planning Proposal is consistent with the City of Parramatta Local Housing Strategy (LHS), which provides direction at the local level about when and where future housing growth will occur, and how it aligns with the broader NSW-government strategic planning framework. The LHS identifies that the city will require a small increase of housing stock in areas outside of the identified growth precincts.

3.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The Planning Proposal is the best and most appropriate means of achieving the desired future redevelopment on the site. Accordingly, an amendment to the *Parramatta Local Environmental Plan 2023* to re-zone the site as R2 Low Density Residential, and apply relevant floor space ratio and dual occupancy subdivision prohibition controls, is an appropriate mechanism to achieve consistency with the surrounding land uses for this site.

3.2 Section B – Relationship to strategic planning framework

This section assesses the relevance of the Planning Proposal to the directions outlined in key strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government's Plan for Growing Sydney and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

3.2.1 Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

A Metropolis of Three Cities

In March 2018, the NSW Government released the *Greater Sydney Region Plan: A Metropolis of Three Cities* ("the GSRP") a 20 year plan which outlines a three-city vision for metropolitan Sydney for to the year 2036.

The GSRP is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are 10 directions that each contain Potential Indicators and, generally, a suite of objective/s supported by a Strategy or Strategies. Those objectives and or strategies relevant to this Planning Proposal are discussed below.

Infrastructure and Collaboration

An assessment of the Planning Proposal's consistency with the GSRP's relevant Infrastructure and Collaboration objectives is provided in **Table 4a**, below.

Table 4a – Consistency of Planning Proposal with relevant GSRP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Relevant Objective	Comment
A city supported by infrastructure	<p>O1: Infrastructure supports the three cities</p> <p>O2: Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p>O3: Infrastructure adapts to meet future need</p> <p>O4: Infrastructure use is optimised</p>	This Planning Proposal is supported by a Planning Agreement providing for pedestrian upgrades to address increased infrastructure demand generated by the proposed development. The Planning Agreement is structured to allow a base development scenario up to a maximum development scenario, and triggers for revision of the Planning Agreement should development vary from this.

Liveability

An assessment of the Planning Proposal's consistency with the GSRP's relevant Liveability objectives is provided in **Table 4b**, below.

Table 4b – Consistency of Planning Proposal with relevant GSRP Actions – Liveability

Liveability Direction	Relevant Objective	Comment
A city for people	O6: Services and infrastructure meet communities' changing needs	This Planning Proposal seeks to remove the current SP2 Infrastructure (Educational Establishment) in favour of R2 Low Density Residential zoning. It is noted that the site had previously accommodated a private school and has not been used as an educational establishment since 2019. This zoning change will not have an impact on current educational service in the Oatlands catchment area.
	O7: Communities are healthy, resilient and socially connected	
	O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods	
	O9: Greater Sydney celebrates the arts and supports creative industries and innovation	
Housing the city	O10: Greater housing supply	This Planning Proposal will contribute to greater housing supply. The intended outcome of the Planning Proposal is to increase the availability of housing, by rezoning the site consistent with the underlying zoning of surrounding properties.
	O11: Housing is more diverse and affordable	The rezoning will contribute to the diversity and affordability of low-density housing.
A city of great places	O13: Environmental heritage is identified, conserved and enhanced	The site itself does not contain a heritage item; however, is within the Burnside Homes Heritage Conservation Area. As such, any future Development Applications will be assessed against current heritage controls and will be accompanied by a Statement of Heritage Impact to ensure development is respectful of the Burnside Homes Conservation Area (refer to Appendix 1).

Productivity

An assessment of the Planning Proposal's consistency with the GSRP's relevant Productivity objectives is provided in **Table 4c**, below.

Table 4c – Consistency of Planning Proposal with relevant GSRP Actions – Productivity

Productivity Direction	Relevant Objective	Comment
A well-connected city	O14: The plan integrates land use and transport creates walkable and 30-minute cities	This Planning Proposal is not located in an identified growth precinct and does not contribute to the establishment of a 30-minute city.
	O15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive	N/A This Planning Proposal is not located in the Eastern, GOP or Western Economic Corridors.
Jobs and skills for the city	O19: Greater Parramatta is stronger and better connected O21: Internationally competitive health, education, research and innovation precincts O22: Investment and business activity	N/A This Planning Proposal is related to residential land only. It is noted that the northern portion of this site is currently zoned SP2 Infrastructure (Classified Road), and is identified on the Land

	<p>in centres</p> <p>O23: Industrial and urban services land is planned, retained and managed</p> <p>O24: Economic sectors are targeted for success</p>	Reservation Acquisition Map. This Planning Proposal seeks to retain the land zoned SP2 Infrastructure (Classified Road).
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Sustainability

An assessment of the Planning Proposal's consistency with the GSRP's relevant Sustainability objectives is provided in **Table 4d**, below.

Table 4d – Consistency of Planning Proposal with relevant GSRP Actions – Sustainability

Sustainability Direction	Relevant Objective	Comment
A city in its landscape	<p>O25: The coast and waterways are protected and healthier</p> <p>O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced</p> <p>O28: Scenic and cultural landscapes are protected</p> <p>O29: Environmental, social and economic values in rural areas are protected and enhanced</p> <p>O30: Urban tree canopy cover is increased</p> <p>O31: Public open space is accessible, protected and enhanced</p> <p>O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths</p>	<p>N/A</p> <p>This Planning Proposal is located in an existing urban area and does not impact biodiversity or bushland.</p>
An efficient city	<p>O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p> <p>O34: Energy and water flows are captured, used and re-used</p> <p>O35: More waste is re-used and recycled to support the development of a circular economy</p>	<p>N/A</p> <p>This Planning Proposal does not respond to energy, waste or water efficiencies. Detailed assessment of these issues may be considered at the DA stage.</p>
A resilient city	<p>O36: People and places adapt to climate change and future shocks and stresses</p> <p>O37: Exposure to natural and urban hazards is reduced</p> <p>O38: Heatwaves and extreme heat are managed</p>	<p>The site is not located in a flood prone area.</p>

Implementation

An assessment of the Planning Proposal's consistency with the GSRP's relevant Implementation objectives is provided in **Table 4e**, below.

Table 4e– Consistency of Planning Proposal with relevant GSRP Actions – Implementation

Implementation Direction	Relevant Objective	Comment
Implementation	O39: A collaborative approach to city planning	<p>The Planning Proposal is consistent with the State Government's Planning Proposal process in accordance with the 'A Guide to Preparing Planning Proposals'.</p> <p>The Planning Proposal considers other strategic planning documents including the Central City District Plan and local strategies. This will be further discussed below.</p>

Central City District Plan

In March 2018, the NSW Government released *Central City District Plan* which outlines a 20 year plan for the Central City District which comprises The Hills, Blacktown, Cumberland and Parramatta local government areas.

Taking its lead from the GSRP, the *Central City District Plan* (“CCDP”) is also structured under four themes relating to Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are Planning Priorities that are each supported by corresponding Actions. Those Planning Priorities and Actions relevant to this Planning Proposal are discussed below.

Infrastructure and Collaboration

An assessment of the Planning Proposal’s consistency with the CCDP’s relevant Infrastructure and Collaboration Priorities and Actions is provided in **Table 5a**, below.

Table 5a – Consistency of Planning Proposal with relevant CCDP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
<p>A city supported by infrastructure</p> <p>O1: Infrastructure supports the three cities</p> <p>O2: Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p>O3: Infrastructure adapts to meet future need</p> <p>O4: Infrastructure use is optimised</p>	<p>PP C1: Planning for a city supported by infrastructure</p> <ul style="list-style-type: none"> • A1: Prioritise infrastructure investments to support the vision of <i>A metropolis</i> • A2: Sequence growth across the three cities to promote north-south and east-west connections • A3: Align forecast growth with infrastructure • A4: Sequence infrastructure provision using a place based approach • A5: Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans • A6: Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes to reduce the demand for new infrastructure, supporting the development of adaptive and flexible regulations to allow decentralised utilities 	<p>This Planning Proposal is supported by a Planning Agreement providing for pedestrian upgrades to address increased infrastructure demand that will be generated by future development because of the Planning Proposal. The Planning Agreement is structured to allow a base development scenario up to a maximum development scenario, and triggers for revision of the Planning Agreement should development vary from this.</p> <p>It is noted that the northern portion of the site is currently zoned SP2 Infrastructure (Classified Road) and is identified on the Land Reservation Acquisition Map. This Planning Proposal seeks to retain the land zoned SP2 Infrastructure (Classified Road).</p>
<p>O5: Benefits of growth realized by collaboration of governments, community and business</p>	<p>PP C2: Working through collaboration</p> <ul style="list-style-type: none"> • A7: Identify prioritise and delivery collaboration areas 	<p>N/A</p> <p>This Planning Proposal relates to a single site outside of the growth precincts.</p>

Liveability

An assessment of the Planning Proposal’s consistency with the CCDP’s relevant Liveability Priorities and Actions is provided in **Table 5b**, below.

Table 5b – Consistency of Planning Proposal with relevant CCDP Actions – Liveability

Liveability Direction	Planning Priority/Action	Comment
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<p>A city for people O6: Services and infrastructure meet communities' changing needs</p>	<p>PP C3: Provide services and social infrastructure to meet people's changing needs</p> <ul style="list-style-type: none"> • A8: Deliver social infrastructure that reflects the need of the community now and in the future • A9: Optimise the use of available public land for social infrastructure 	<p>This Planning Proposal seeks to remove the current SP2 Infrastructure (Educational Establishment) in favour of R2 Low Density Residential zoning.</p> <p>It is noted that the previous school was private, and the site has not been used as an educational establishment since 2019. This zoning change will not have an impact on current educational service in the Oatlands catchment area.</p>
<p>O7: Communities are healthy, resilient and socially connected O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods O9: Greater Sydney celebrates the arts and supports creative industries and innovation</p>	<p>PP C4: Working through collaboration</p> <ul style="list-style-type: none"> • A10: Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by (a-d). • A11: Incorporate cultural and linguistic diversity in strategic planning and engagement. • A12: Consider the local infrastructure implications of areas that accommodate large migrant and refugee populations. • A13: Strengthen the economic self-determination of Aboriginal communities by engagement and consultation with Local Aboriginal Land Council's. • A14: Facilitate opportunities for creative and artistic expression and participation, wherever feasible with a minimum regulatory burden including (a-c). • A15: Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places 	<p>N/A</p> <p>This Planning Proposal is related to residential land only.</p>
<p>Housing the city O10: Greater housing supply O11: Housing is more diverse and affordable</p>	<p>PP C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</p> <ul style="list-style-type: none"> • A16: Prepare local or district housing strategies that address housing targets [abridged version] • A17: Prepare Affordable Rental housing Target Schemes 	<p>This Planning Proposal will contribute to greater housing supply. The intended outcome of the Planning Proposal is to increase the availability of housing, by rezoning the site consistent with the underlying zoning of surrounding properties.</p>
<p>A city of great places O12: Great places that bring people together O13: Environmental heritage is identified, conserved and enhanced</p>	<p>PP C6: Creating and renewing great places and local centres, and respecting the District's heritage</p> <ul style="list-style-type: none"> • A18: Using a place-based and collaborative approach throughout planning, design, development and management deliver great places by (a-e) • A19: Identify, conserve and enhance environmental heritage by (a-c) • A20: Use place-based planning to support the role of centres as a focus for connected neighbourhoods • A21: In Collaboration Areas, Planned Precincts and planning for centres (a-d) 	<p>The site itself does not contain a heritage item; however, it is within the Burnside Homes Heritage Conservation Area. As such, any future Development Applications will be assessed against heritage controls and will be accompanied by a Statement of Heritage Impact to ensure development is respectful of the Burnside Homes Conservation Area (refer to Appendix 1).</p>

	<ul style="list-style-type: none"> • A22: Use flexible and innovative approaches to revitalise high streets in decline. 	
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Productivity

An assessment of the Planning Proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in **Table 5c**, below.

Table 5c – Consistency of Planning Proposal with relevant CCDP Actions – Productivity

Productivity Direction	Planning Priority/Action	Comment
<p>A well-connected city</p> <p>O19: Greater Parramatta is stronger and better connected</p>	<p>PP C7: Growing a stronger and more competitive Greater Parramatta</p> <ul style="list-style-type: none"> • A23: Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy [abridged] • A24: Revitalise Hawkesbury Road so that it becomes the civic, transport, commercial and community heart of Westmead • A25: Support the emergency services transport, including helicopter access • A26: Prioritise infrastructure investment [abridged] • A27: Manage car parking and identify smart traffic management strategies • A28: Investigate opportunities for renewal of Westmead East as a mixed use precinct 	<p>N/A</p> <p>This Planning Proposal is not located in the Eastern, GOP or Western Economic Corridors, and does not impact infrastructure. Detailed assessment of these issues may be considered at the DA stage</p>
<p>Jobs and skills for the city</p> <p>O15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive</p>	<p>PP C8: Delivering a more connected and competitive GOP Economic Corridor</p> <ul style="list-style-type: none"> • A29: Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the GOP Economic Corridor • A30: Prioritise transport investments that enhance access to the GOP between centres within GOP • A31: Co-locate health, education, social and community facilities in strategic centres along the GOP Economic Corridor. 	<p>N/A</p> <p>This Planning Proposal is not located in the Eastern, GOP or Western Economic Corridors, and does not contribute to the establishment of a 30 minute city.</p>
<p>O14: The plan integrates land use and transport creates walkable and 30 minute cities</p>	<p>PP C9: Delivering integrated land use and transport planning and a 30-minute city</p> <ul style="list-style-type: none"> • A32: Integrate land use and transport plans to deliver a 30-minute city • A33: Investigate, plan and protect future transport and infrastructure corridors • A34: Support innovative approaches to the operation of business, educational and institutional establishments to improve the performance of the transport network • A35: Optimise the efficiency and effectiveness of the freight handling and logistics network by (a-d) • A36: Protect transport corridors as appropriate, including the Western Sydney Freight Line, North South train link from Schofields to WS Airport as well as Outer Sydney Orbital and Bells Line of Road-Castlereagh connections 	<p>This Planning Proposal is not located in an identified growth precinct and does not contribute to the establishment of a 30 minute city.</p>
<p>O23: Industrial and urban services land is planned, retained and managed</p>	<p>PP C10: Growing investment, business opportunities and jobs in strategic centres</p> <ul style="list-style-type: none"> • A37: Provide access to jobs, goods and services in centres [abridged] • A38: Create new centres in accordance with the principles for Greater Sydney's centres 	<p>N/A</p> <p>This Planning Proposal is not located in the Eastern, GOP or Western</p>

	<ul style="list-style-type: none"> • A39: Prioritise strategic land use and infrastructure plans for growing centres, particularly those with capacity for additional floorspace 	Economic Corridors.
O23: Industrial and urban services land is planned, retained and managed	<p>PP C11: Maximising opportunities to attract advanced manufacturing and innovation in industrial and urban services land</p> <ul style="list-style-type: none"> • A49: Review and manage industrial and urban service land, in line with the principles for managing industrial and urban services land, in the identified local government area • A51: Facilitate the contemporary adaption of industrial and warehouse buildings through increased floor to ceiling heights • A52: Manage the interfaces of industrial areas, trade gateways and intermodal facilities by land use activities (a-e) and transport operations (f-g) [abridged] 	N/A This Planning Proposal is related to residential land only.
O24: Economic sectors are targeted for success	<p>PP C12: Supporting growth of targeted industry sectors</p> <ul style="list-style-type: none"> • A53: Facilitate health and education precincts by (a-d) [abridged] • A54: Provide a regulatory environment that enables economic opportunities created by changing technologies • A55: Consider the barriers to the growth of internationally competitive trade sectors, including engaging with industry and assessing regulatory barriers • A56: Protect and support agricultural production and mineral resources by preventing inappropriate dispersed urban activities • A57: Consider opportunities to implement place-based initiatives to attract more visitors, improve visitor experience and ensure connections to transport at key tourist attractions • A58: Consider opportunities to enhance the tourist and visitor economy in the district, including a coordinated approach to tourism activities, events and accommodation • A59: When preparing plans for tourism and visitation consider (a-g) [abridged] 	N/A This Planning Proposal is related to residential land only.

Sustainability

An assessment of the Planning Proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in **Table 5d**, below.

Table 5d – Consistency of Planning Proposal with relevant CCDP Actions – Sustainability

Sustainability Direction	Planning Priority/Action	Comment
<p>A city in its landscape</p> <p>O25: The coast and waterways are protected and healthier</p>	<p>PP C13: Protecting and improving the health and enjoyment of the District's Waterways</p> <ul style="list-style-type: none"> • A60: Protect environmentally sensitive areas of waterways • A61: Enhance sustainability and liveability by improving and managing access to waterways and foreshores for recreation, tourism, cultural events and water based transport 	N/A This Planning Proposal is located in an existing urban area and does not face onto sensitive waterways. Stormwater management on the site will be assessed at DA stage.

	<ul style="list-style-type: none"> • A62: Improve the health of catchments and waterways through a risk based approach to managing the cumulative impacts of development including coordinated monitoring of outcomes • A63: Work towards reinstating more natural conditions in highly modified urban waterways 	
<p>O26: The coast and waterways are protected and healthier</p>	<p>PP C14: Creating a Parkland City urban structure and identity, with South Creek as a defining spatial element</p> <ul style="list-style-type: none"> • A64: Implement South Creek Corridor Project and use the design principles for South Creek to deliver a cool and green Western Parkland City 	<p>N/A</p> <p>This Planning Proposal is not located in the South Creek Corridor Project area.</p>
<p>O27: Biodiversity is protected, urban bushland and remnant vegetation is enhanced</p> <p>O28: Scenic and cultural landscapes are protected</p>	<p>PP C15: Protecting and enhancing bushland, biodiversity and scenic and cultural landscapes</p> <ul style="list-style-type: none"> • A65: Protect and enhance biodiversity by (a-c) [abridged] • A66: Identify and protect scenic and cultural landscapes • A67: Enhance and protect views of scenic and cultural landscapes from the public realm 	<p>This site has been largely developed and so does not contain areas of biodiversity that would warrant protection.</p> <p>A preliminary assessment (audit) of existing trees on the site has identified six (6) trees rated as 'high significance'* for retention, and zero (0) trees recommended for removal in response to this Planning Proposal and the indicative subdivision scheme.</p> <p>Additionally, the preliminary assessment demonstrates that there is adequate room to construct new residential dwellings, and space between existing trees on the site to accommodate the development of future driveways should the indicative subdivision application be progressed. As such, any future Development Applications will be assessed against the in-force DCP.</p> <p>*Significance of a Tree, Assessment Rating System (STARS) – Institute of Australian Consulting Arboriculturists 2010)</p>
<p>O30: Urban tree canopy cover is increased</p> <p>O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths</p>	<p>PP C16: PP C16: Increasing urban tree canopy cover and delivering Green grid connections</p> <ul style="list-style-type: none"> • A68: Expand urban tree canopy in the public realm • A69: progressively refine the detailed design and delivery of (a-c) [abridged] • A70: Create Greater Sydney green Grid connections to the Western Sydney Parklands 	<p>A preliminary assessment (audit) of existing trees on the site has identified six (6) trees rated as 'high significance'* for retention, and zero (0) trees recommended for removal in response to this Planning Proposal and the indicative subdivision scheme.</p> <p>Additionally, the preliminary assessment demonstrates that there is adequate room to construct new residential dwellings, and space between existing trees on the site to accommodate the development of future driveways should the indicative subdivision application be progressed. As such, any future Development Applications will be assessed against the in-force DCP.</p> <p>*Significance of a Tree, Assessment Rating System (STARS) – Institute of Australian Consulting Arboriculturists 2010)</p>

<p>O31: Public open space is accessible, protected and enhanced</p>	<p>PP C17: Delivering high quality open space</p> <ul style="list-style-type: none"> • A71: Maximise the use of existing open space and protect, enhance and expand public open space by (a-g) [abridged] 	<p>N/A</p> <p>This Planning Proposal is located in an existing urban area and does not impact public open space.</p>
<p>An efficient city</p> <p>O33: A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change</p> <p>O34: Energy and water flows are captured, used and re-used</p> <p>O35: More waste is re-used and recycled to support the development of a circular economy</p>	<p>PP C19: Reducing carbon emissions and managing energy, water and waste efficiently</p> <ul style="list-style-type: none"> • A75: Support initiatives that contribute to the aspirational objectives of achieving net-zero emissions by 2050 • A76: Support precinct-based initiatives to increase renewable energy generation and energy and water efficiency • A77: Protect existing and identify new locations for waste recycling and management • A78: Support innovative solutions to reduce the volume of waste and reduce waste transport requirements • A79: Encourage the preparation of low carbon, high efficiency strategies to reduce emissions, optimise the use of water, reduce waste and optimising car parking provisions where an increase in total floor in 100,000sqm 	<p>N/A</p> <p>This Planning Proposal does not respond to energy, waste or water efficiencies. Detailed assessment of these issues may be considered at the DA stage.</p>
<p>O36: People and places adapt to climate change and future shocks and stresses</p> <p>O37: Exposure to natural and urban hazards is reduced</p> <p>O38: Heatwaves and extreme heat are managed</p>	<p>PP C20: Adapting to the impacts of urban and natural hazards and climate change</p> <ul style="list-style-type: none"> • A81: Support initiatives that respond to the impacts of climate change • A82: Avoid locating new urban development in areas exposed to natural and urban hazards and consider options to limit the intensification of development in existing areas most exposed to hazards • A83: Mitigate the urban heat island effect and reduce the vulnerability to extreme heat • A84: Respond to the direction for managing flood risk in Hawkesbury-Nepean Valley • A85: Consider strategies and measures to manage flash flooding and safe evacuation when planning for growth in Parramatta CBD 	<p>The site is not located in a flood prone area.</p>

3.2.2 Will the Planning Proposal give effect to a Council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

The following local strategic planning documents are relevant to the Planning Proposal.

Parramatta 2038 Community Strategic Plan

Parramatta 2038 is a long term Community Strategic Plan for the City of Parramatta and links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the city and the region.

The Planning Proposal is considered to meet the strategies and key objectives identified in the plan including:

- **Fair:** The site is located within close proximity of four (4) educational institutions (refer to **Figure 2**).
- **Accessible:** The site is located within close access to two Transport for NSW (TfNSW) bus services running between Parramatta Station and Pennant Hills Station, and Parramatta Station and Macquarie Park via Epping Station. Additionally, the site is adjacent to existing Parramatta Ways walking strategy pathways, and to two proposed cycling route connections.
- **Welcoming:** The Planning Proposal is in keeping with the surrounding built form, and proposes development in keeping with the existing character of the suburb. The site is not identified as containing a heritage item, however it is located in the Burnside Homes Conservation Area. Any future development applications at the site would require a Statement of Heritage Impact to ensure development is respectful of the Burnside Homes Conservation Area.

Parramatta Local Strategic Planning Statement

Refer to Section 3.1.1 of this Planning Proposal.

Parramatta Local Housing Strategy

Refer to Section 3.1.1 of this Planning Proposal.

3.2.3 Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

There are no State or regional studies or strategies which relate to the site for this Planning Proposal.

3.2.4 Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?

The following State Environmental Planning Policies (SEPPs) are of relevance to the site (refer to **Table 6** below).

Table 6 – Consistency of Planning Proposal with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP No 1 Development Standards	N/A	This SEPP is not relevant to the proposed amendment.
SEPP 4 – Development Without Consent and Miscellaneous Exempt and Complying Development	N/A	This SEPP is not relevant to the proposed amendment.
SEPP 60 – Exempt and Complying Development	N/A	This SEPP is not applicable to the subject land under Clause 1.9 of the Parramatta LEP 2023 given the site is within a Heritage Conservation Area.
SEPP No 65 Design Quality of Residential Flat Development	✓	This SEPP is not relevant to the proposed amendment.
SEPP (BASIX) 2004	N/A	Detailed compliance with SEPP (BASIX) will be demonstrated at the time of making a Development Application for the site facilitated by this Planning Proposal.
SEPP (Exempt and Complying Development Codes) 2008	✓	This SEPP is not relevant to the proposed amendment. May apply to future development of the site.
SEPP (Housing) 2021	✓	Detailed compliance with SEPP (Housing) 2021 will be demonstrated at the time of making an application for the site facilitated by this Planning Proposal, noting that this SEPP permits Boarding Houses without consent on this site.
SEPP (Resilience and Hazards) 2021	N/A	This SEPP is not relevant to the proposed amendment.
SEPP (Industry and Employment) 2021	✓	This SEPP is not relevant to the proposed amendment. May apply to future development of the site.
SEPP (Transport and Infrastructure) 2021	✓	This SEPP is not relevant to the proposed amendment. May apply to future development of the site.
SEPP (Biodiversity and Conservation) 2021	N/A	The proposed development is not located directly on the Sydney Harbour Catchment foreshore. Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at Development Assessment (DA) stage.
SEPP (Planning Systems) 2021	N/A	This SEPP is not relevant to the proposed amendment.
SEPP (Precincts – Central River City) 2021	N/A	This SEPP is not relevant to the proposed amendment.

3.2.5 Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 directions)

In accordance with Clause 9.1 of the *EP&A Act 1979* the Minister issues directions for the relevant planning authorities to follow when preparing Planning Proposals for new LEPs. The directions are listed under nine focus areas:

1. Planning Systems and Planning Systems – Place Based
2. Design and Place (This Focus Area was blank when the Directions were made)

- 3. Biodiversity and Conservation
- 4. Resilience and Hazards
- 5. Transport and Infrastructure
- 6. Housing
- 7. Industry and Employment
- 8. Resources and Energy
- 9. Primary production

The following directions are considered relevant to the subject Planning Proposal.

Table 7 – Consistency of Planning Proposal with relevant Section 9.1 Directions

Relevant Direction	Comment	Compliance
1. Planning Systems and Planning Systems – Place Based		
Direction 1.1 – Implementation of Regional Plans The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	The Planning Proposal is consistent with the vision, land use strategy, goals, directions and actions contained in the GSRP, as described above in Tables 4b and 4d .	Yes
Direction 1.3 – Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.	Yes
Direction 1.4 – Site Specific Provisions The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	The Planning Proposal does not introduce any site specific provisions	Yes
2. Design and Place		
This Focus Area was blank at the time the Directions were made.		
3. Biodiversity and Conservation		
Direction 3.1 – Conservation Zones The objective of this direction is to protect and conserve environmentally sensitive areas.	The Planning Proposal is consistent with this direction, in that it does not apply to environmentally sensitive areas or alter provisions for land in a conservation zone.	Yes
Direction 3.2 – Heritage Conservation The objective of this direction is to protect and conserve environmentally sensitive areas.	The site is located within the Burnside Homes Conservation Area; it does not contain any Heritage items. Future development on the site will be assessed against current heritage controls and accompanied by a Statement of Heritage Impact at DA stage to ensure protection and conservation required within the Burnside Homes Conservation Area (refer to Appendix 1).	Yes
Direction 3.5 – Recreation Vehicle Areas The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.	The Planning Proposal is consistent with this direction, in that it: is not proposing to enable land to be developed for the purpose of a recreation vehicle area.	Yes
4. Resilience and Hazards		

<p>Direction 4.1 – Flooding</p> <p>The objectives of this direction are to:</p> <p>(a) Ensure that development of flood prone land is consistent with the NSW Government’s Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and</p> <p>(b) Ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.</p>	<p>The site is not flood prone and is above the 1:100 year (1% Annual Exceedance Probability) flood level.</p> <p>Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage. This will also include any design detail required to ensure compliance with Council’s water management controls within the <i>Parramatta Development Control Plan 2023</i>.</p>	Yes
<p>Direction 4.3 Planning for Bushfire Protection</p> <p>The objectives of this direction are to:</p> <p>(a) Protect life, property and the environment from bush fire hazards, by discouraging the establishment of incompatible land uses in bush fire prone areas, and</p> <p>(b) Encourage sound management of bush fire prone areas.</p>	<p>The site is not identified as bush fire prone land under Section 10.3 of the Environmental Planning and Assessment Act.</p>	Yes
<p>Direction 4.4 – Remediation of Contaminated Land</p> <p>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by Planning Proposal authorities.</p>	<p>The site is not within an investigation area within the meaning of the Contaminated Land Management Act 1997 and has not been subject to development as described in Table 1 of the contaminated land planning guidelines.</p>	Yes
<p>Direction 4.1 - Acid Sulfate Soils</p> <p>The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.</p>	<p>The site is not identified on the Acid Sulfate Soils Map in <i>Parramatta LEP 2023</i>.</p>	Yes
5. Transport and Infrastructure		
<p>Direction 5.1 – Integrating Land Use and Transport</p> <p>The objective of this direction is to ensure that development reduces dependence on cars, increases the choice of available transport and improves access to housing, jobs and services by walking, cycling and public transport.</p>	<p>The Planning Proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> Will provide new dwellings in proximity to existing public transport links Is located along existing Parramatta Ways walking strategy pedestrian routes and identified future cycle network routes. Makes more efficient use of space and infrastructure by allowing new residential development on an underutilised site. 	Yes
<p>Direction 5.2 – Reserving Land for Public Purposes</p> <p>The objectives of this direction are to facilitate the provision of public services and facilities by reserving land for public purposes and facilitate the removal of reservations where the land is no longer required for acquisition.</p>	<p>The Planning Proposal does not include the identification of, or removal of, land required for acquisition.</p>	Yes
6. Housing		
<p>Direction 6.1 – Residential Zones</p> <p>The objectives of this direction are to encourage a variety and choice of housing types, make efficient</p>	<p>The Planning Proposal is consistent with this direction, in that it:</p> <ul style="list-style-type: none"> Facilitates additional housing by allowing new residential development on an underutilised site, in keeping 	Yes

use of existing infrastructure and services and minimise the impact of residential development.	with the land uses of the surrounding area. <ul style="list-style-type: none"> Provides residential development in an existing urban area that is currently fully serviced by existing infrastructure. 	
7. Industry and Employment		
<p>Direction 7.1 – Business and Industrial Zones</p> <p>The objectives of this direction are to:</p> <ul style="list-style-type: none"> (a) Encourage employment growth in suitable locations, (b) Protect employment land in business and industrial zones; and (c) Support the viability of identified centres. 	The Planning Proposal is consistent with this direction, in that it does not apply to business or industrial zones or alter provisions for land in a business or industrial zone.	Yes

3.3 Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

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

The site has previously been used as a private educational facility and has been largely developed, therefore it is unlikely to contain critical habitat or threatened species, populations or ecological communities, or their habitats.

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

The main potential environmental impacts to be examined in detail with any future development proposal for the site are:

Heritage

The subject site is located in the Burnside Homes Conservation Area as identified in the *Parramatta DCP 2023* (refer to **Figure 6**). The site itself does not contain a heritage item and is not adjacent to any listed heritage items.

As discussed above, the proposed rezoning from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential is not considered to have a significant impact to the heritage significance of the area and will be consistent with adjoining zoning and land uses.

Any future DA would need to include a Statement of Heritage Impact to ensure that any development is completed in a manner that is sympathetic to, and does not detract from, the identified significance of the Burnside Homes Conservation Area.

Any applications should be referred to the NSW Environment, Energy and Science and Heritage NSW prior to any works commencing for assessment of potential relics on the site and their conservation.



Figure 6 – Heritage item map, Parramatta LEP 2023 for the site at 8 Lincluden Place, Oatlands

Urban Design and Built Form

This Planning Proposal proposes to rezone the site from part SP2 Infrastructure (Educational Establishment) and part SP2 Infrastructure (Classified Road) to part R2 Low Density Residential and part SP2 Infrastructure (Classified Road). In accordance with surrounding properties zoned R2 Low Density Residential, the Planning Proposal will amend *Parramatta Local Environmental Plan 2023* to apply a Floor Space Ratio of 0.5:1 and identify the site as 'S' (subdivision) on the Dual Occupancy Prohibition map.

The maximum development potential of this site provides two development scenarios:

- (1) Lot subdivision to 5 x residential lots at 700m² each, with dual occupancy dwellings (total 10 new dwellings)
- (2) Lot subdivision to 5 x residential lots at 700m² each, with a Boarding House of up to 12 rooms (permitted without consent under the SEPP (Housing) 2021)

This Planning Proposal is supported by a Planning Agreement providing for pedestrian upgrades to address increased infrastructure demand generated by the proposed development. The Planning Agreement is structured to allow a base development scenario, and triggers for revision of the Planning Agreement should development vary from the proposed base development scenario, effectively building a level of flexibility into the Planning Agreement to accommodate different development scenarios.

Transport and Accessibility

The proposed R2 Low Density Residential zones can accommodate low density forms of residential accommodation and can also accommodate an educational facility as per current zoning. As stated in the submitted traffic report, no significant additional traffic load will be generated as a result of the proposed rezoning (refer to **Appendix 2**). Additional traffic studies may be required at the DA assessment stage.

Future DAs would be assessed against the in-force DCP at the time of application and may require an additional traffic study to be undertaken.

The site is served by the two Transport for NSW (TfNSW) bus services running between Parramatta Station and Pennant Hills Station, and Parramatta Station and Macquarie Park via Epping Station.

The site has active transport connections and is adjacent to existing pathways in the Parramatta Ways walking network (refer to **Figure 7**). Additionally, there are two proposed cycle ways along both Pennant Hills Road and Gollan Avenue (refer to **Figure 8**). Further investigations to identify local infrastructure requirements, particularly to with regard to upgraded active transport network connections to support the increased development, would be required.



Figure 7 – Existing Parramatta Ways walking network routes and footpath locations.



Figure 8 – Proposed future cycle network connections along Pennant Hills Road and Gollan Avenue.

3.3.3 How has the Planning Proposal adequately addressed any social and economic effects?

The site and existing buildings have not been used as an educational establishment since the current owners purchased the site in 2019. Council officers consider that the loss of SP2 Infrastructure (Educational Establishment) zoned land will have no impacts on access to education facilities as these are permitted uses in an R2 Low Density Residential zone regardless (refer to **Figure 2**).

Further, the potential loss of the existing play spaces is considered a minor impact to the local community as is located within close proximity to existing, Council managed, open space and recreation areas (refer to **Figure 9**). Furthermore, the site is privately owned and was not open to the public to use the associated facilities. Any future application to re-establish an educational facility on the site would be required to meet the Education and Care Services National Regulations under the SEPP (Transport and Infrastructure).

The Applicant may seek to continue to use the existing buildings as an education facility. It is noted that the educational facility could re-commence operations in accordance with the existing development consent BA/84233 issued 5 July 1988 by the then Baulkham Hills Shire Council. If, however, the Applicant pursues the indicative subdivision, the existing development consent would need to be surrendered before any development consent is issued for subdivision. Any future DA seeking to establish a new education facility in these buildings will be required to demonstrate the ability to meet the Education and Care Services National Regulations as described in Part 3.3 of the SEPP (Transport and Infrastructure) 2021.



Figure 9 – Existing, Council managed, open space and recreation areas within the vicinity of the site at 8 Lincluden Place, Oatlands.

3.4 Section D – State and Commonwealth Interests

3.4.1 Is there adequate public infrastructure for the Planning Proposal?

Further investigations will be required with regards to the potential impact on the existing active transport network as a result of this Planning Proposal.

3.4.2 What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with the State and Commonwealth public authorities will be undertaken once the Gateway determination has been issued.

PART 4 – MAPPING

This section contains the mapping for this Planning Proposal in accordance with the DP&E's guidelines on LEPs and Planning Proposals. **Existing controls**

This section illustrates the current *Parramatta Local Environmental Plan 2023* controls which apply to the site. **Figure 10** illustrates the existing part SP2 Infrastructure (Educational Establishment) and part SP2 Infrastructure (Classified Road) zone for the site at 8 Lincluden Place, Oatlands.

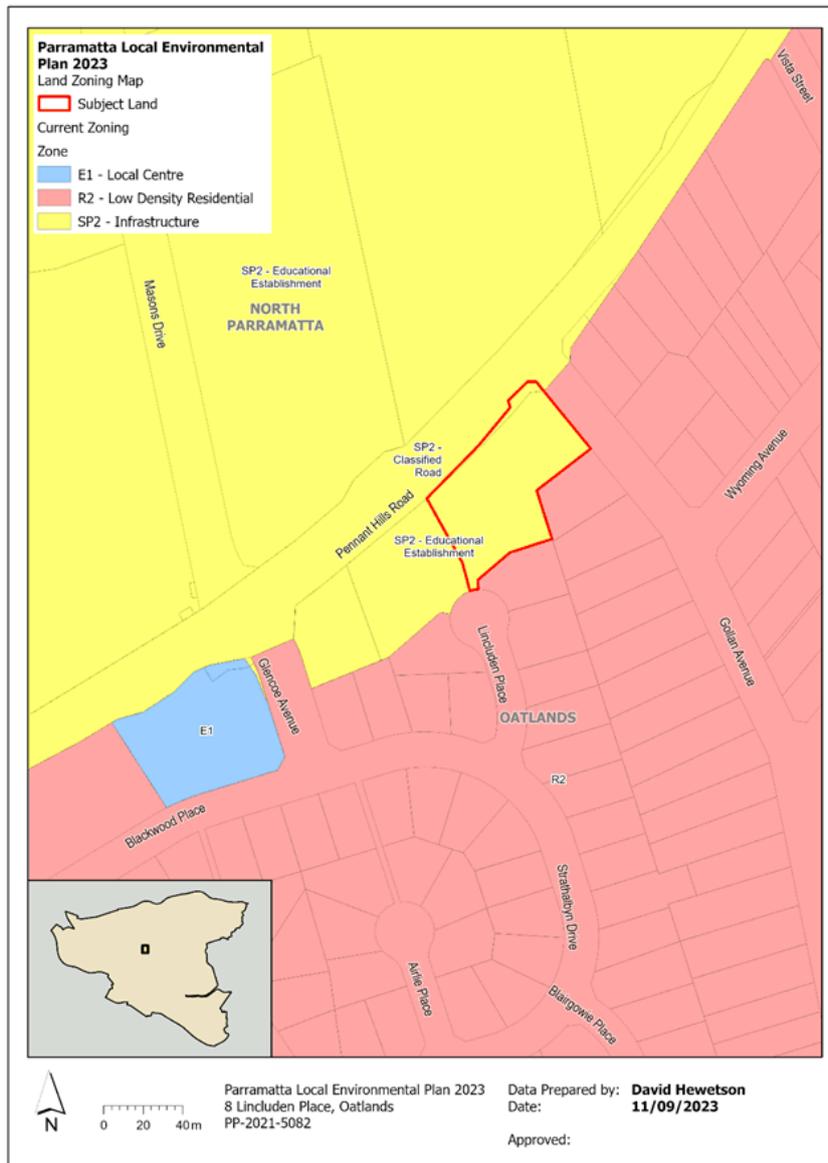


Figure 10 – Existing zoning extracted from *Parramatta Local Environmental Plan 2023* Land Zoning Map

Figure 11 illustrates the existing Height of Buildings controls for the site at 8 Lincluden Place, Oatlands.



Figure 11 – Existing Height of Buildings extracted from Parramatta Local Environmental Plan 2023 Height of Buildings Map

Figure 12 illustrates the existing Floor Space Ratio controls for the site at 8 Lincluden Place, Oatlands.

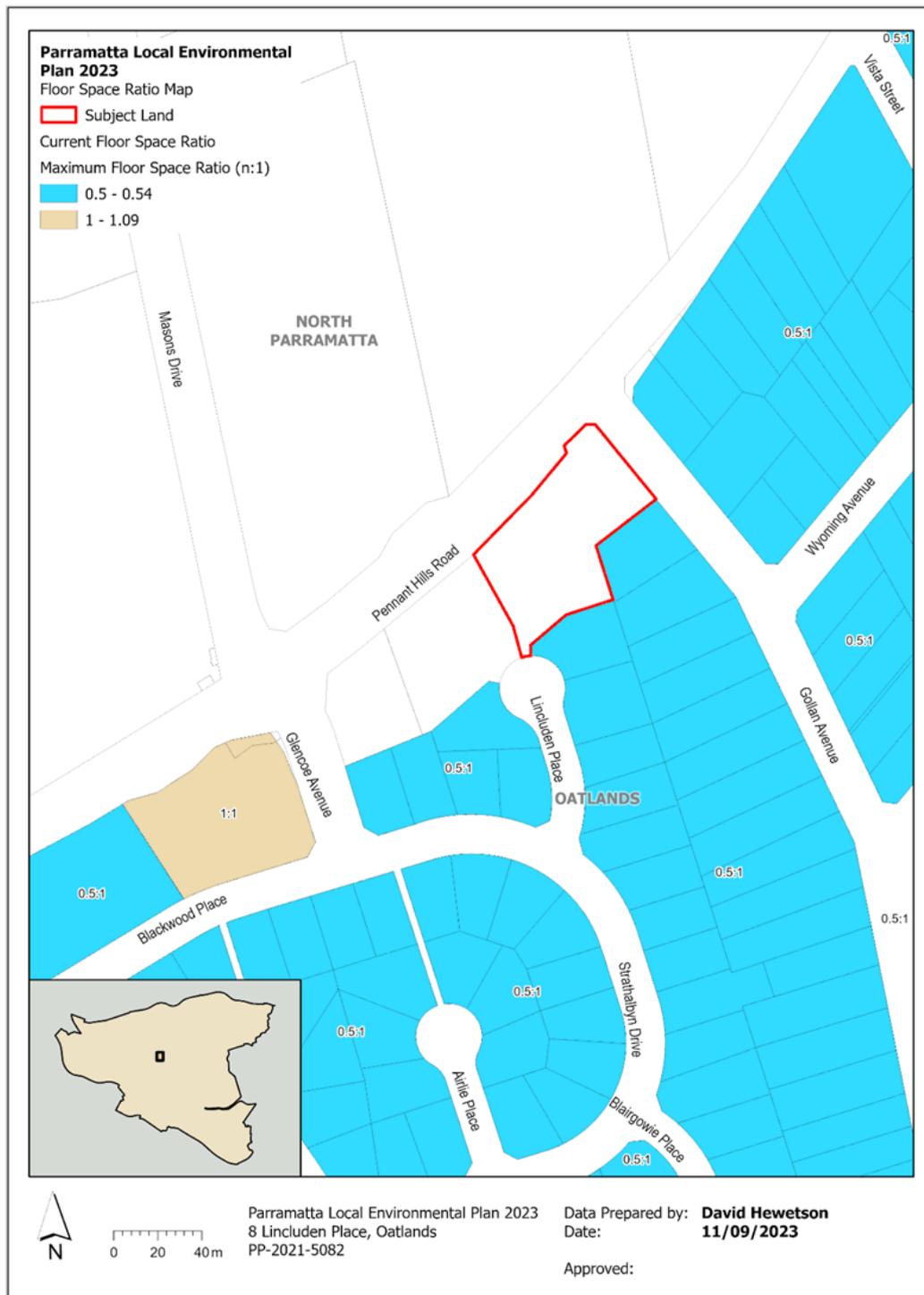


Figure 12 – Existing Floor Space Ratio controls extracted from *Parramatta Local Environmental Plan 2023* Floor Space Ratio Map

Figure 14 illustrates the minimum lot size for the site at 8 Lincluden Place, Oatlands.

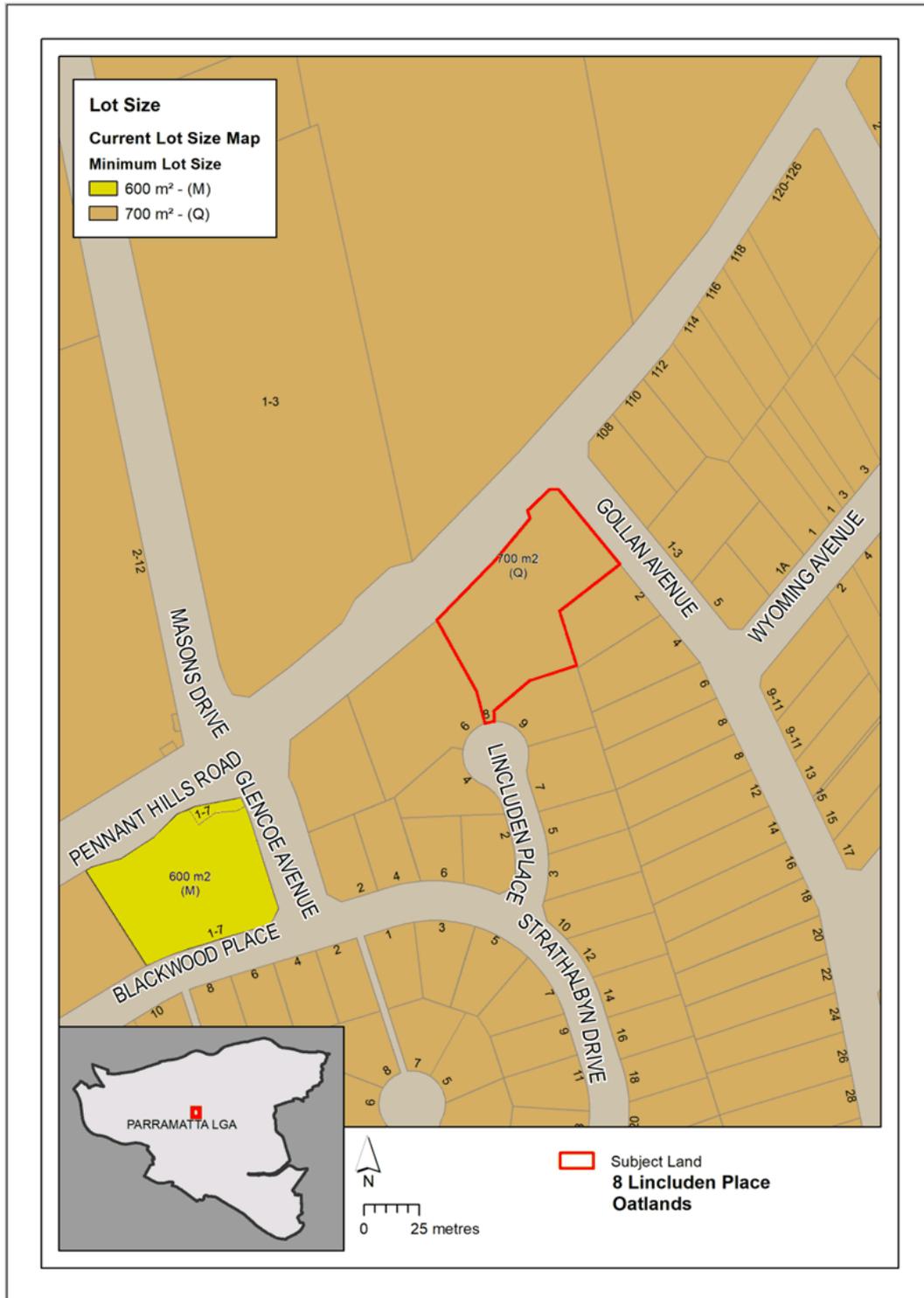


Figure 14 – Existing minimum lot sizes extracted from Parramatta Local Environmental Plan 2023 Lot Size Map

Figure 15 illustrates the flooding extent in the vicinity of the site at 8 Lincluden Place, Oatlands.

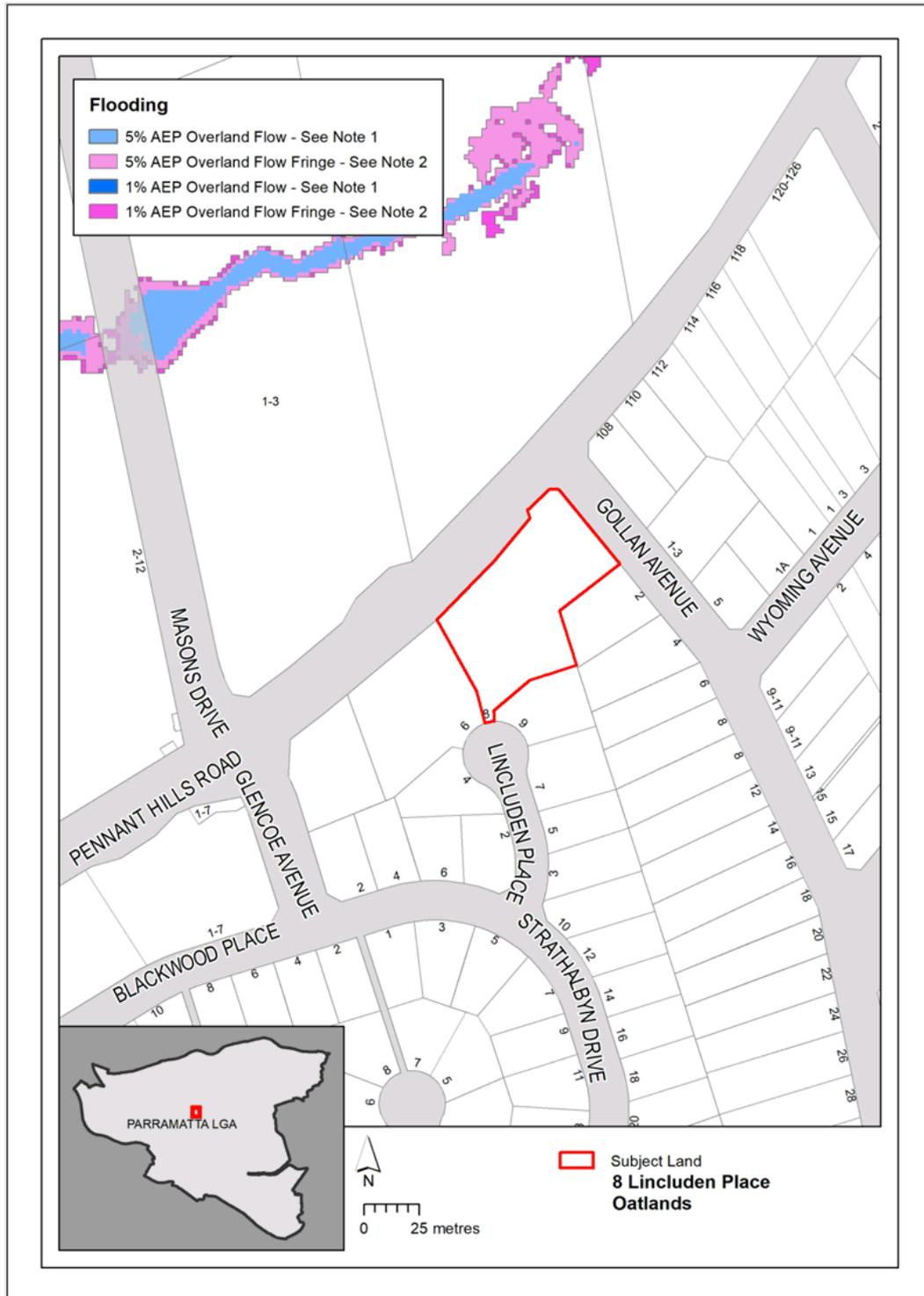


Figure 15 – Existing flooding extent extracted from Parramatta Local Environmental Plan 2023 Flooding Map

Figure 16 illustrates the existing Land Reservation and Acquisition zones for the Classified Road, Pennant Hills Road.

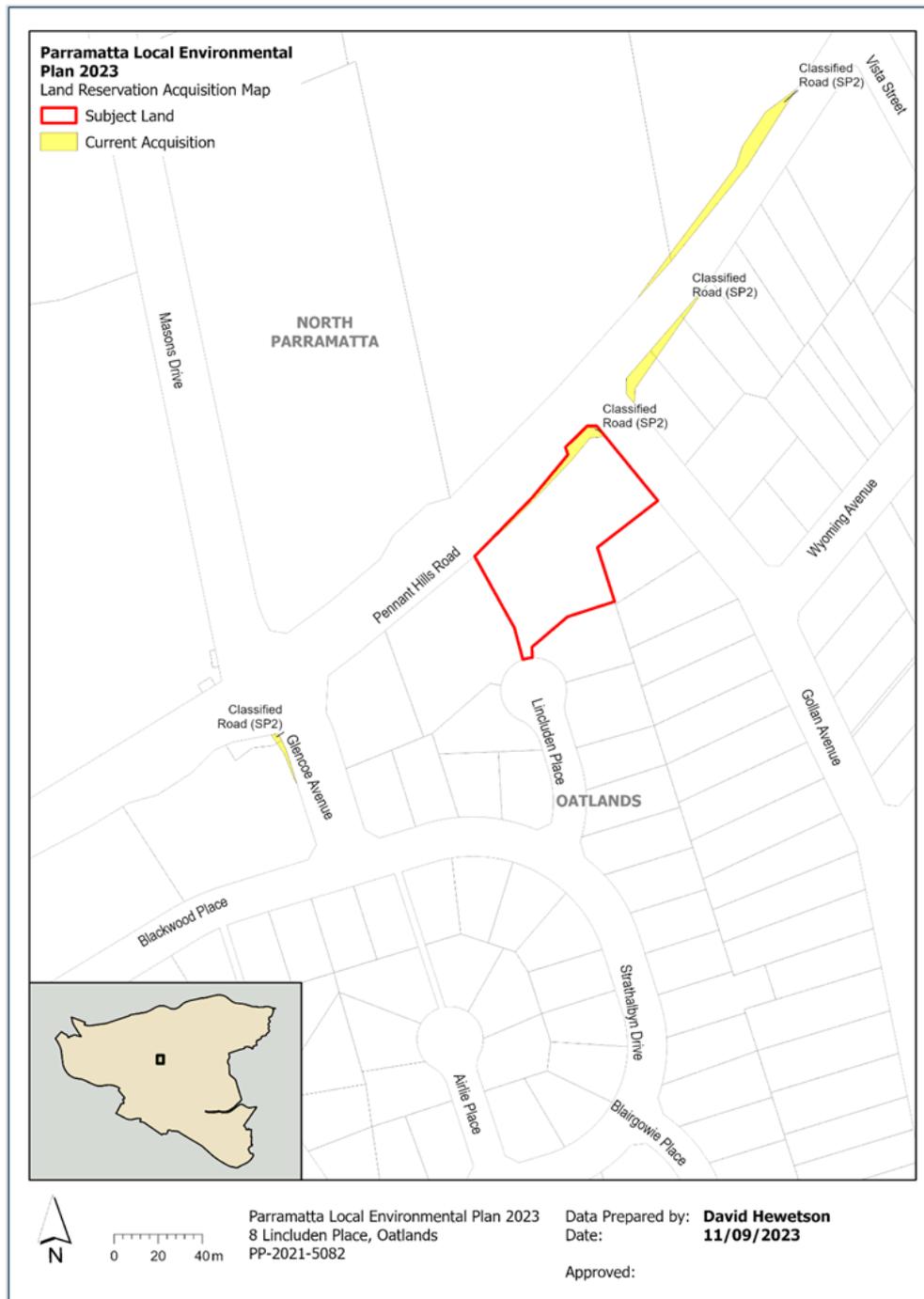


Figure 16 – Existing SP2 Infrastructure Classified Road land reservation and acquisition extracted from Parramatta Local Environmental Plan 2023 Land Reservation and Acquisition Map

Figure 17 illustrates the existing Dual Occupancy Prohibition controls for the site at 8 Lincluden Place, Oatlands.

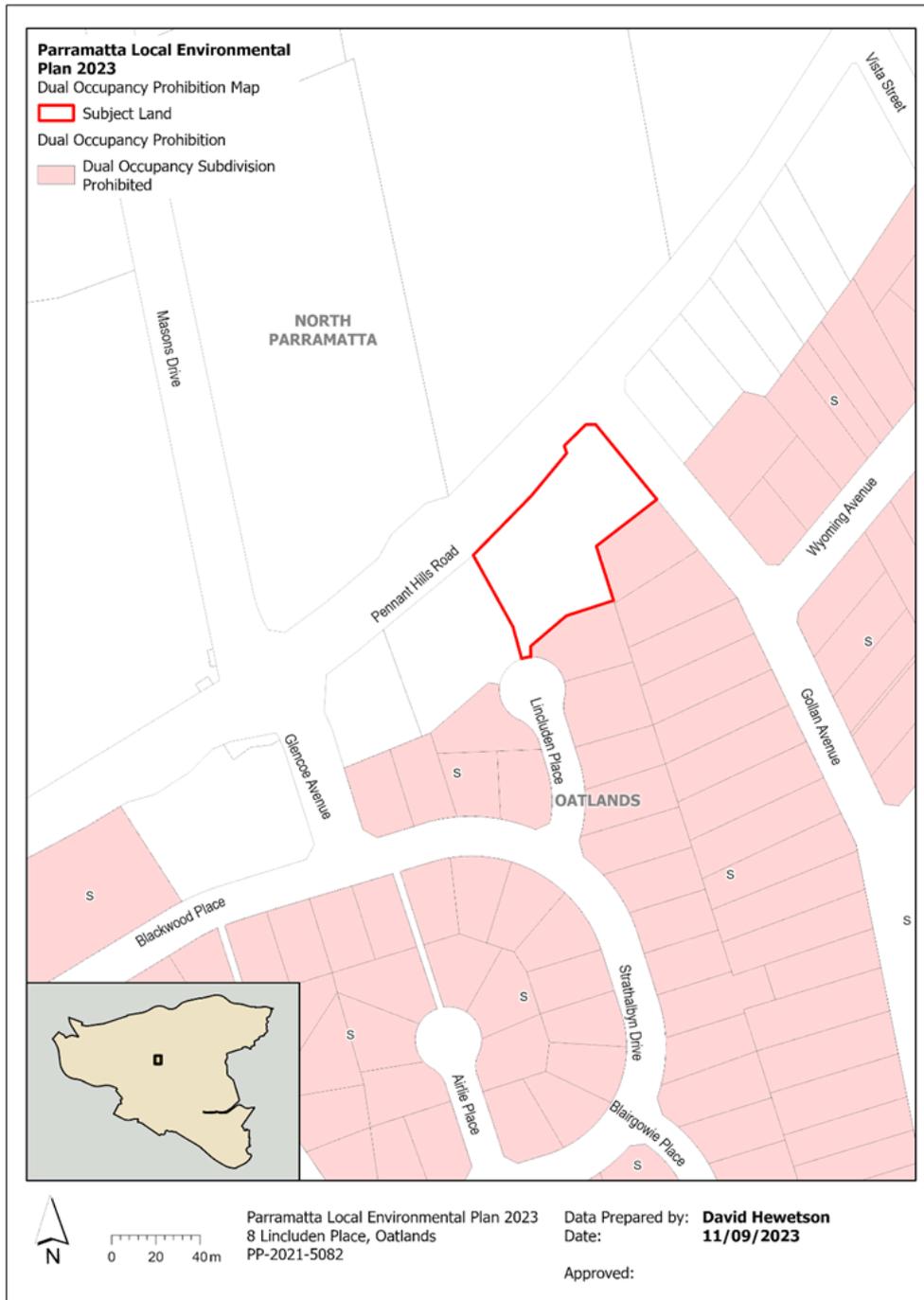


Figure 17 – Existing Dual Occupancy Prohibition controls extracted from *Parramatta Local Environmental Plan 2023*.

4.2 Proposed controls

The figures in this section illustrate the proposed Land Use Zone map as a result of the assessment and recommendations for the Planning Proposal. In accordance with surrounding properties zoned R2 Low Density Residential, the Planning Proposal will amend *Parramatta Local Environmental Plan 2023* to apply a Floor Space Ratio of 0.5:1 and identify the site as 'S' on the Dual Occupancy Prohibition map.

Figure 18 illustrates proposed part R2 Low Density Residential and part SP2 Infrastructure (Classified Road) zoning for the site at 8 Lincluden Place, Oatlands.

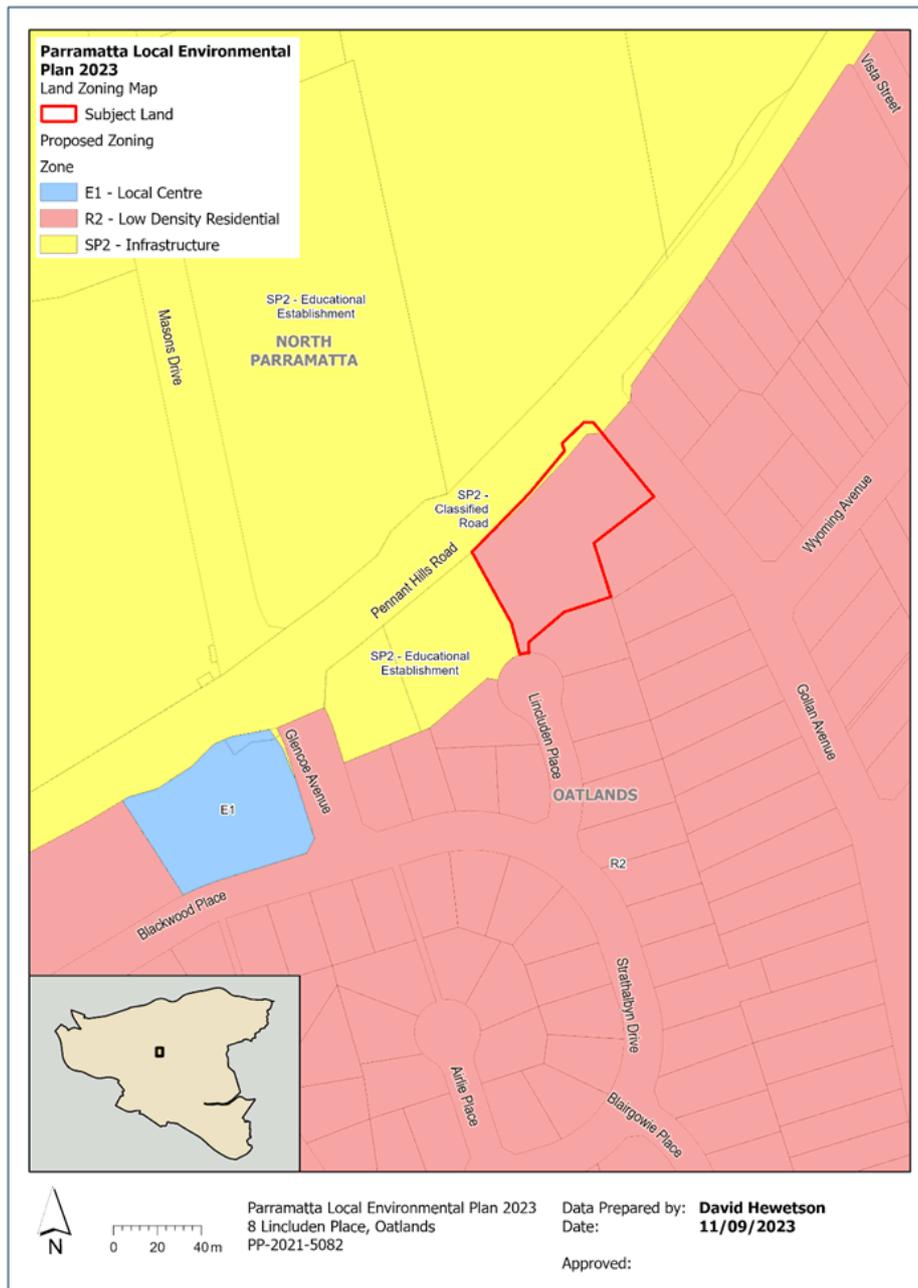


Figure 18 – Proposed amendment to the *Parramatta Local Environmental Plan 2023* Zoning Map.

Figure 20 illustrates proposed Dual Occupancy Prohibition controls for the site at 8 Lincluden Place, Oatlands.

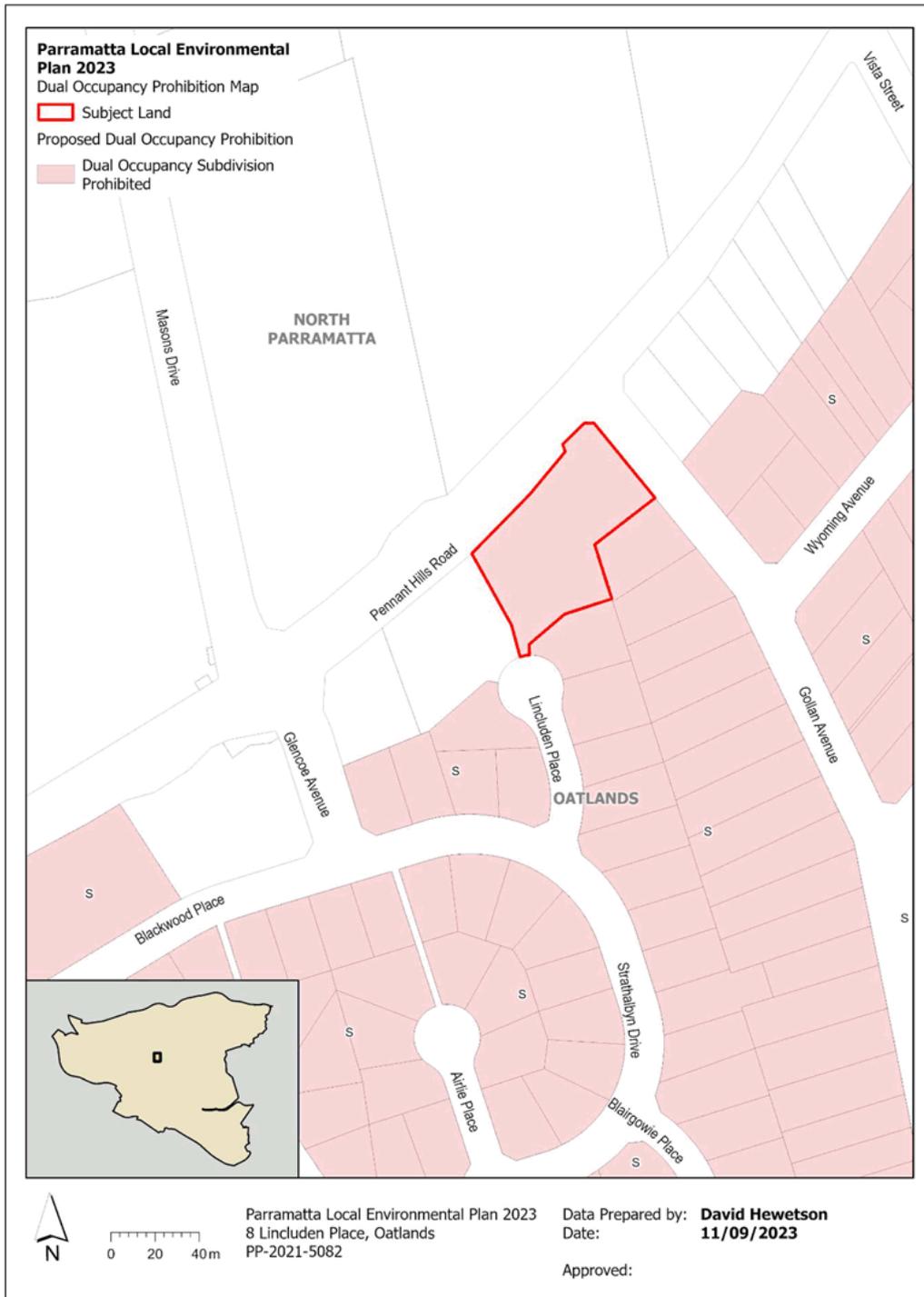


Figure 20 – Proposed amendment to the Parramatta Local Environmental Plan 2023 Dual Occupancy Prohibition Map.

PART 5 – COMMUNITY CONSULTATION

The Planning Proposal (as revised to comply with the Gateway determination) is to be publicly available for community consultation.

Public exhibition is likely to include:

- display at Council's Customer Service centre;
- display at Carlingford and Dundas libraries;
- display on the Council's website; and
- written notification to adjoining landowners.

The Gateway determination will specify the level of public consultation that must be undertaken in relation to the Planning Proposal including those with government agencies.

Consistent with sections 3.34(4) and 3.34(8) of the *EP&A Act 1979*, where community consultation is required, an instrument cannot be made unless the community has been given an opportunity to make submissions and the submissions have been considered.

PART 6 – PROJECT TIMELINE

Once the Planning Proposal has been referred to the Minister for review of the Gateway Determination and a Gateway determination is received, the anticipated project timeline will be further refined, including at each major milestone throughout the Planning Proposal's process.

Table 7 below outlines the anticipated timeframe for the completion of the Planning Proposal.

Table 7 – Anticipated timeframe to Planning Proposal process

MILESTONE	ANTICIPATED TIMEFRAME
Report to LPP on the assessment of the PP	October 2022
Report to Council on the assessment of the PP	November 2022
Referral to Minister for review of Gateway determination	December 2022
Date of issue of the Gateway determination	January 2023
Date of issue or revised Gateway determination (if relevant)	N/A
Commencement and completion dates for public exhibition period	December 2023 – February 2024
Commencement and completion dates for government agency notification	December 2023 – February 2024
Consideration of submissions	March 2024
Consideration of Planning Proposal post exhibition and associated report to Local Planning Panel	April 2024
Consideration of Planning Proposal post exhibition and associated report to Council	May 2024
Submission to the Department to finalise the LEP	June 2024
Notification of instrument	July 2024

Appendix 1 – Heritage Impact Statement

[Weir Phillips Heritage and Planning 2021]

Appendix 2 – Traffic Assessment Study

[TTPP Transport Planning 2021]

Voluntary Planning Agreement

For exhibition

City of Parramatta Council

ABN 49 907 174 773

Zaki Property Pty Ltd ATF Zaki Property Trust

ABN 85 020 549 690

Contents

Parties	1
Background	1
Operative provisions	2
1 <i>Definitions</i>	2
2 <i>Interpretation</i>	5
3 <i>Planning Agreement under the Act</i>	6
4 <i>Application of this agreement</i>	7
5 <i>Operation of this agreement</i>	7
6 <i>Staged provision of Contributions</i>	7
7 <i>Proposed Development Application</i>	7
7.1 Requirement of Voluntary Planning Agreement	7
7.2 Lodgement of Development Application	7
8 <i>Contributions to be made under this agreement</i>	8
8.1 Material Public Benefit	8
8.2 Contribution Values	10
9 <i>Overdue payments</i>	11
9.1 Interest on overdue money	11
9.2 Compounding	11
9.3 Interest on liability merged in judgment or order	11
10 <i>Application of s 7.11, s 7.12 and s 7.24 of the Act to the Development</i>	11
11 <i>Amendment to Parramatta Local Environmental Plan</i>	12
12 <i>Registration of this agreement</i>	12
12.1 Landowner Interest	12
12.2 Registration of this agreement	12
12.3 Removal from Register	13
12.4 Caveat	13
13 <i>Review of this agreement</i>	14
14 <i>Dispute Resolution</i>	14
14.1 Reference to Dispute	14
14.2 Notice of Dispute	14
14.3 Representatives of Parties to Meet	14
14.4 Further Notice if Not Settled	14
14.5 Mediation	15

14.6	Expert determination	16
14.7	Litigation	16
14.8	No suspension of contractual obligations	16
15	<i>Enforcement</i>	17
15.1	Default	17
15.2	General Enforcement	17
16	<i>Assignment and Dealings</i>	17
16.1	Assignment	17
16.2	Transfer of Land	Error! Bookmark not defined.
16.3	Right to transfer Strata Lots	Error! Bookmark not defined.
16.4	Exempt Transfers	Error! Bookmark not defined.
17	<i>Approvals and consents</i>	17
18	<i>No fetter</i>	18
18.1	Discretion	18
18.2	No fetter	18
18.3	Planning Certificates	18
19	<i>Notices</i>	18
19.1	Notices	18
19.2	Notices sent by email:	19
19.3	Receipt of Notices sent by email	20
16.4	<i>Notices sent by email generally</i>	20
20	<i>Release and Discharge</i>	20
21	<i>General</i>	20
21.1	Relationship between parties	20
21.2	Landowner Obligations	21
21.3	Time for doing acts	21
21.4	Further assurances	21
21.5	Joint and individual liability and benefits	21
21.6	Variations and Amendments	21
21.7	Counterparts	21
21.8	Legal expenses and stamp duty	21
21.9	Entire agreement	22
21.10	Representations and warranties	22
21.11	Surrender of right of appeal	22
21.12	Severability	22

21.13	Invalidity	23
21.14	Waiver	23
21.15	GST	23
21.16	Governing law and jurisdiction	23

Agreement

Date 2023

Parties

Council

Name City of Parramatta Council (**Council**)
ABN 49 907 174 773
Address 126 Church Street, Parramatta
Contact Manager, Land Use Planning
Telephone (02) 9806 5050

Applicant

Name Zaki Property Pty Ltd ATF Zaki Property Trust
(Applicant, Developer and Landowner)
ABN 85 020 549 690
Address Suite 1.04, Level 1, Quad 1, 8 Parkview Drive,
 Sydney Olympic Park
Contact Veselin Krajcic
Telephone 0424 518 955

Background

- A. The Applicant is the Developer and Landowner of the Land.
- B. The Land is zoned SP2 Infrastructure (Educational Establishment) pursuant to the *Parramatta Local Environmental Plan 2023* and has an area of approximately 4,249m².
- C. On 5 November 2021, the Developer submitted a Planning Proposal to Council seeking the rezoning of the Land to R2 Low Density Residential.
- D. On 18 October 2022, Parramatta Local Planning Panel endorsed the rezoning of the Land from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential and amending the Land Zoning Map (Sheet LZN_002) to reflect this change.
- E. The land zoned SP2 Infrastructure and marked Classified Road per the Land Reservation Acquisition map is proposed to be acquired by Transport for NSW (pursuant to clause 5.1 of the *Parramatta Local Environmental Plan 2023*). This will be subject to a separate process and is separate to this Agreement.
- F. The changes are sought for the purpose of making Development Applications to the Council for Development Consent to carry out the Development on the Land.

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- G. On 28 November 2022, Council endorsed the Planning Proposal for the purposes of seeking a Gateway determination from the NSW Department of Planning and Environment.
- H. On 31 January 2023, the Gateway Determination was issued.
- I. The Applicant has offered to enter into this Agreement to make contributions for public purposes in connection with the Planning Proposal and the Proposed Development Consent.

Operative provisions

1 Definitions

In this Agreement, unless the context indicates a contrary intention:

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

Address means a party's address set out in the Notices clause of this Agreement;

Applicant means Zaki Property Pty Ltd ATF Zaki Property Trust;

Approval means any certificate, licence, consent, permit, approval or other requirement of any Authority having jurisdiction in connection with the activities contemplated by this Agreement;

Associated Entity has the same meaning as in section 50AAA of the *Corporations Act 2001* (Cth);

Authority means any government, semi-governmental, statutory, administrative, fiscal or judicial body, department, commission, authority, tribunal, public or other person;

Bank Guarantee means an irrevocable and unconditional undertaking that is not limited in time and does not expire by one of the following trading banks:

- (a) Australia and New Zealand Banking Group Limited,
- (b) Commonwealth Bank of Australia,
- (c) Macquarie Bank,
- (d) National Australia Bank,
- (e) St George Bank Limited,
- (f) Westpac Banking Corporation, or
- (g) Other financial institution approved by the Council,

to pay an amount or amounts of money to the Council on demand and containing terms and conditions reasonably acceptable to the Council;

Bond means an insurance bond provided by an insurer licensed by the Australian Prudential Regulatory Authority (APRA) to operate in Australia or has an investment grade rating from an industry recognised rating agency such as Moody's, Standard & Poors or Bests, or a cash bond;

Business Day means a day on which banks are open for general banking business in Sydney, excluding Saturdays and Sundays;

Claim means any claim, loss, liability, damage, proceeding, order, judgment or expense arising out of the operation of this Agreement;

Construction Certificate means a construction certificate as defined under section 6.4 of the Act;

Contribution and **Contribution Item** means the contribution provided by the Applicant as outlined at clause 8 of this Agreement and being an item from the Contributions Table;

Contributions Plan has the same meaning as under the Act;

Contributions Table means the table at Schedule 1;

Council means Parramatta City Council;

CPI means the All Groups Consumer Price Index applicable to Sydney published by the Australian Bureau of Statistics;

Damages means all liabilities, losses, damages, costs and expenses, including legal fees and disbursements and costs of investigation, litigation, settlement, judgment, interest and penalties;

Dealing, in relation to the Land, means, without limitation, selling, transferring, assigning, mortgaging, charging, encumbering or otherwise dealing with the Land;

Development Application means each 'Development Consent' as that term is defined in the Act;

Development Consent means each 'Development Consent' as that term is defined in the EPA Act or an approval under Part 4 of the Act for the Development or any part of it and includes any modification granted with respect to the Development Consent;

Dispute means a dispute or difference between the Parties under or in relation to the Agreement.

Explanatory Note means the explanatory note in Schedule 4 of this Agreement and prepared under s 205 of the Regulation;

Future Development Consent means any development applications lodged with respect to the Land after determination of the Proposed Development Consent.

GST has the meaning it has in the A New Tax System (Goods and Services Tax) Act 1999 (Cth);

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

Insolvent means, in relation to a party:

- (a) that party makes an arrangement, compromise or composition with, or assignment for, the benefit of its creditors or a class of them;
- (b) a receiver, receiver and manager, administrator, provisional liquidator, trustee, controller, inspector or analogous person is appointed in relation to, or over, all or any part of that party's business, assets or securities;
- (c) a presumption of insolvency has arisen under legislation because of the party's failure to comply with a statutory demand or analogous process;
- (d) an application for the winding up of, or for the appointment of a receiver to, that party, other than winding up for the purpose of solvent reconstruction or re

amalgamation, is presented and not withdrawn or dismissed within 21 days (or such longer period agreed to by the parties), or an order is made or an effective resolution is passed for the winding up of, or for the appointment of a receiver to, that party, or any analogous application is made or proceedings initiated;

- (e) any shareholder or director of that party convenes a meeting for the purpose of considering or passing any resolution for the winding up or administration of that party;
- (f) that is an individual, a creditor's petition or a debtor's petition is presented to the Official Receiver or analogous authority in relation to that party;
- (g) an execution or analogous process is levied or enforced against the property of that party;
- (h) that party ceases or suspends, or threatens to cease or suspend, the conduct of all or a substantial part of its business;
- (i) that party disposes of, or threatens to dispose of, a substantial part of its assets;
- (j) that party stops or suspends, or threatens to stop or suspend, payment of all or a class of its debts; or
- (k) that party is unable to pay the party's debts as and when they become due and payable.

Land means the land comprised in Lot 3 in Deposited Plan 775621 and known as 8 Lincluden Place, Oatlands, and includes any lot created by the consolidation or subdivision of the lot from time to time;

Law means:

- (a) any law applicable including legislation, ordinances, regulations, by-laws and other subordinate legislation;
- (b) any Approval, including any condition or requirement under it; and
- (c) any fees and charges payable in connection with the things referred to in paragraphs (a) and (b);

LEP means the *Parramatta Local Environmental Plan 2011*, and subsequently amended to *Parramatta Local Environmental Plan 2023*;

Modification Application means any application to modify the Development Consent under section 4.55 of the Act;

Monetary Contribution means monetary contribution payable by the Applicant, calculated in accordance with the mechanisms detailed in this Agreement and as outlined at clause 8 of this Deed.

Occupation Certificate means an occupation certificate as defined under section 6.4 of the Act and includes Occupation Certificate for a part of a building;

Offer means the offer made on behalf of the Applicant (in the form of a letter dated 29 September 2022) to enter into this Agreement and which is included under Schedule 2 of this Agreement.

Planning Proposal means the document proposing amendments to the LEP, being the Planning Proposal lodged by the Developer with Council on 5 November 2021, and which is included under Schedule 3 of this Agreement

Proposed Development Consent means the Development Consent with respect to the application for development approval to be lodged with Council regarding the future development of the Land.

Public Purpose means the public purpose to which the Contribution will be applied, being the provision of a shared path which can be used by the public or a portion of the public, subject to clause 8 of this Deed, to provide public pedestrian access.

Public Reserve has the same meaning as in the *Local Government Act 1993*;

Public Road has the same meaning as in the *Roads Act 1993*;

Register means the Torrens title register maintained under the *Real Property Act 1900* (NSW);

Regulation means the *Environmental Planning and Assessment Regulation 2021*;

Related Body Corporate has the meaning given to that term in s 9 of the *Corporations Act 2001* (Cth);

Shared Pathway means the pathway shown on the plan included at Schedule 5 of this Agreement and described at clause 8.1(a)(ii) of this Agreement..

TfNSW means Transport for NSW or any other successor constituted under the Transport Administration Act 1988.

Total Contribution Value means the total value of all Contributions to be provided under this Agreement as specified in the Contributions Table, as adjusted, where necessary, for CPI.

2 Interpretation

In this Agreement, unless the context indicates a contrary intention:

- (a) **(documents)** a reference to this agreement or another document includes any document which varies, supplements, replaces, assigns or novates this agreement or that other document;
- (b) **(references)** a reference to a party, clause, paragraph, schedule or annexure is a reference to a party, clause, paragraph, schedule or annexure to or of this agreement;
- (c) **(headings)** clause headings and the table of contents are inserted for convenience only and do not affect interpretation of this agreement;
- (d) **(person)** a reference to a person includes a natural person, corporation, statutory corporation, partnership, the Crown and any other organisation or legal entity and their personal representatives, successors, substitutes (including persons taking by novation) and permitted assigns;
- (e) **(party)** a reference to a party to a document includes that party's personal representatives, executors, administrators, successors, substitutes (including persons taking by novation) and permitted assigns;
- (f) **(president, CEO, general manager or managing director)** the president, CEO, general manager or managing director of a body or Authority includes any person acting in that capacity;

- (g) **(requirements)** a requirement to do any thing includes a requirement to cause that thing to be done, and a requirement not to do any thing includes a requirement to prevent that thing being done;
- (h) **(including)** including and includes are not words of limitation, and a list of examples is not limited to those items or to items of a similar kind;
- (i) **(corresponding meanings)** a word that is derived from a defined word has a corresponding meaning;
- (j) **(singular)** the singular includes the plural and vice-versa;
- (k) **(gender)** words importing one gender include all other genders;
- (l) **(parts)** a reference to one or more things includes each part and all parts of that thing or group of things but nothing in this clause implies that part performance of an obligation constitutes performance of that obligation;
- (m) **(rules of construction)** neither this agreement nor any part of it is to be construed against a party on the basis that the party or its lawyers were responsible for its drafting;
- (n) **(legislation)** a reference to any legislation or provision of legislation includes all amendments, consolidations or replacements and all regulations or instruments issued under it;
- (o) **(time and date)** a reference to a time or date in connection with the performance of an obligation by a party is a reference to the time and date in Sydney, Australia, even if the obligation is to be performed elsewhere;
- (p) **(joint and several)** an agreement, representation, covenant, right or obligation:
 - (i) in favour of two or more persons is for the benefit of them jointly and severally; and
 - (ii) on the part of two or more persons binds them jointly and severally;
- (q) **(writing)** a reference to a notice, consent, request, approval or other communication under this agreement or an agreement between the parties means a written notice, request, consent, approval or agreement;
- (r) **(replacement bodies)** a reference to a body (including an institute, association or Authority) which ceases to exist or whose powers or functions are transferred to another body is a reference to the body which replaces it or which substantially succeeds to its power or functions;
- (s) **(Australian currency)** a reference to dollars or \$ is to Australian currency;
- (t) **(month)** a reference to a month is a reference to a calendar month; and
- (u) **(year)** a reference to a year is a reference to twelve consecutive calendar months.

3 Planning Agreement under the Act

- (a) The parties agree that this Agreement is a planning agreement within the meaning of section 7.4 of the Act.

- (b) Schedule 4 of this Agreement, being the Explanatory Note, summarises the requirements for planning agreements under section 7.4 of the Act and the way this Agreement addresses those requirements.
- (c) The parties acknowledge and agree that, in accordance with section 4.15 of the Act, the terms of this Agreement must be considered by any consent authority when determining a Development Application for the Development, or any part of the Development.

4 Application of this Agreement

This Agreement applies to:

- (a) the Planning Proposal; and
- (b) any Proposed Development Consent and Future Development Consent;; and
- (c) the Land.

5 Operation of this Agreement

- (a) This Agreement commences on and from the date it is executed by all parties.
- (b) For the avoidance of doubt, the obligations to deliver contributions under clause 8 do not take effect until the Planning Proposal is approved and the amendment to the LEP has been published on the NSW legislation website, and are payable in the manner as set in Contributions Schedule.

6 Staged provision of Contributions

- (a) Subject to clause 6(b), below, each Contribution Item must be delivered by no later than the timeframe specified in the Contributions Table. However, the Developer may complete and deliver a Contribution Item earlier than the timeframe specified in the Contributions Table.
- (b) Council may, at its sole discretion, agree to the delayed delivery of a Contribution Item, provided security is provided by the Developer to the Council's satisfaction. Council's decision regarding the delayed delivery of a Contribution Item may not be the subject of a dispute under this Agreement.

7 Proposed Development Application

7.1 Requirement of Voluntary Planning Agreement

- (a) The Applicant, pursuant to its Offer dated 29 September 2022, has expressed its interest in developing the Land by constructing residential dwellings, which are not permitted by the current zoning of the Land being SP2 Infrastructure (Educational Establishment).

7.2 Lodgement of Development Application

- (a) Once the amendment to the LEP has been published on the NSW Legislation website, the Applicant is to lodge a development application with Council for the proposed development of the Land (**Proposed Development Consent**).

- (b) The Material Public Benefit provided by the Applicant will depend on the dwelling yield of the Proposed Development Consent and is particularised below:
 - (i) The base dwelling yield for the Proposed Development Consent which is covered by this Agreement is a maximum of three (3) allotments, including the continued use of the existing educational facility on the Land (**Base Dwelling Yield**). The Base Dwelling Yield for the Proposed Development Consent which is covered by this Agreement is inclusive of any development that may accommodate less dwellings than the maximum allowance under the Base Dwelling Yield.
 - (ii) The maximum dwelling yield for the Proposed Development Consent which is covered by this Agreement is no more than five (5) allotments, accommodating up to a maximum of two (2) low density dwellings per allotment (up to ten (10) low density dwellings in total) on the Land (**Maximum Dwelling Yield**).
 - (iii) If the Proposed Development Consent approves development for more than ten (10) dwellings, or if a Future Development Consent is lodged with respect to the Land for a different form of development, a condition of consent will be imposed on the Proposed Development Consent or Future Development Consent, whereby the Applicant is to submit a new Letter of Offer to enter into a new voluntary planning agreement. (**Exceeding Maximum Dwelling Yield**).
- (c) Nothing in this Agreement relieves the Applicant of its statutory obligations under the Act to obtain the necessary development consent/s for any such future redevelopment of the Land.
- (d) Nothing in this Agreement fetters Council's discretion under the Act in assessing and determining as it sees fit any future development applications for a future redevelopment of the Land.

8 Contributions to be made under this Agreement

8.1 Material Public Benefit

- (a) Subject to clause 7.2(b), clause 8.2 and Schedule 1, the Applicant agrees to either:
 - (i) Make payment of a monetary contribution to Council in accordance with the Contributions Table (**Monetary Contribution**); OR
 - (ii) Construct a shared pathway upgrade along Pennant Hills Road, specifically between Gollan Avenue and Glencoe Avenue (**Shared Pathway**).
- (b) The Applicant must provide Council with written confirmation of their election in Clause 8.1 by no later than three (3) months following the submission of the Proposed Development Consent. This written notification must be addressed to Manager, Land Use Planning and council@cityofparramatta.nsw.gov.au.
- (c) In the event that the Applicant does not lodge with Council a development application for the Proposed Development Consent within twelve (12) months of the amendment to the LEP being registered on the NSW Legislation Website, the

Applicant must construct the Shared Pathway in accordance with clause 8.1(a)(ii), 8.3 and Schedule 5 of this Deed.

- (d) Prior to any sale of the Land by the Applicant, and if a Material Public Benefit has not yet been provided by the Applicant, the Applicant must make payment in accordance with the Base Dwelling Yield development scenario outlined in clause 7.2(b)(i) and clause 8.2(b). Payment must be made prior to any settlement of the transfer of Land.

8.2 Monetary Contribution

- (a) This Agreement includes a calculation for how monetary contributions will be derived, but the final monetary amount will be calculated once actual yield is ascertained and approved by Council.
- (b) If the Proposed Development Consent reflects the Base Dwelling Yield or less than the number of dwellings that can be accommodated under the Base Dwelling Yield, then the Applicant must make a monetary contribution of \$300,000.
- (c) If the Proposed Development Consent reflects the Maximum Dwelling Yield, then the Applicant must make a monetary contribution in accordance with the following formula (the figures in the following formula may be increased but not decreased and all monetary contributions will be indexed to CPI):

$$\begin{array}{l} \text{Monetary} \\ \text{Contribution} \\ \text{payable} \end{array} = \$300,000 + \$37,500 \times \begin{array}{l} \text{dwelling that is in addition to} \\ \text{the Base Dwelling Yield} \end{array}$$

- (d) If the Applicant elects to make payment of a Monetary Contribution in accordance with clause 8.1(a)(i), then the following conditions apply:
 - (i) The Applicant must pay Council the Monetary Contribution calculated by Council following the determination of the Proposed Development Consent and once actual yield is ascertained. The figures may be increased but not decreased in accordance with the following formula:

$$\begin{array}{l} \text{Monetary} \\ \text{Contribution} \\ \text{payable} \end{array} = \begin{array}{l} \text{Monetary} \\ \text{Contribution} \\ \text{Calculated in} \\ \text{accordance with} \\ \text{Clause 8.2(c)} \end{array} \times \frac{\begin{array}{l} \text{The CPI at the time of payment} \end{array}}{\begin{array}{l} \text{The CPI at the date of this} \\ \text{agreement} \end{array}}$$

- (i) The Monetary Contribution must be paid by way of bank cheque in favour of Council or by deposit by means of electronic funds transfer into an account specified by Council.
- (ii) The Monetary Contribution will be taken to have been made when the Council notifies the Applicant in writing that the bank cheque has been

received and cleared funds or electronic funds have been deposited in the Council's bank account.

- (iii) The parties agree and acknowledge that the Monetary Contribution will be used by the Council towards the Public Purpose.
 - (iv) Despite clause 8.2(d)(iii), the Council may apply the Monetary Contribution towards any other public purpose which satisfies section 7.4(2) of the Act, other than the Public Purpose, if the Council reasonably considers that the public interest would be better served by applying the Contribution towards that other public purpose.
 - (v) In the event the Council directs the Contribution to another public purpose, the Applicant in paying the Contribution has fulfilled its obligations pursuant to this Agreement.
- (e) The Contribution is to be paid to Council in one instalment with payment to be made within 14 days of the earlier of:
- (i) the issue of a valid tax invoice for the Contribution in the name of the Applicant; or
 - (ii) receipt by the Applicant of the Construction Certificate for the Proposed Development Application.

8.3 Shared Pathway

- (a) If the Applicant elects to construct a shared pathway upgrade in accordance with clause 8.1(a)(ii) and Schedule 5, then the following conditions apply:
- (i) Construction must be in accordance with the plan annexed at Schedule 5 and to Council's satisfaction;
 - (ii) Must be constructed within twelve (12) months of the date of election pursuant to clauses 8.1(a) and (b) of this Agreement, subject to obtaining necessary approvals from TfNSW and or any other consent authority; and
 - (iii) Must be, in the reasonable opinion of Council, satisfactory.
- (b) If the Applicant elects to construct a Shared Pathway pursuant to clause 8.3, or is required to construct a Shared Pathway pursuant to clause 8.1(c), then:
- (i) The Applicant must obtain all necessary approvals from TfNSW or any other consent authority within twelve (12) months; and
 - (ii) If the Applicant does not receive all necessary approvals within twelve months, they must provide evidence of the application and or correspondence with the consent authority to Council within seven (7) days of Council's request.

8.4 Contribution Values

The parties acknowledge and agree that the contribution values set out in the Contributions Table and clauses 8.2(b) and (c) will be adjusted based on the dwelling yield pursuant to the Proposed Development Consent and according to the CPI formula provided in clause 8.2(d) only and:

- (a) the Applicant assumes all cost and risk in relation to the provision and the making of the Contribution, and

- (b) All Parties acknowledge and agree that the costs outlined in the Contributions Table is the complete amount payable to the Council.

9 Overdue payments

9.1 *Interest on overdue money*

- (a) The Applicant agrees to pay interest to the Council on any amount payable by it under this Agreement from when it becomes due for payment, during the period that it remains unpaid, on demand or at times determined by the Council, calculated on daily balances. The rate to be applied to each daily balance is the Interest Rate.

9.2 *Compounding*

- (a) Interest which is not paid when due for payment may be capitalised by the Council at intervals which the Council determines from time to time or, if no determination is made, then on the first day of each month. Interest is payable on capitalised interest at the rate and in the manner referred to in this Clause 9.

9.3 *Interest on liability merged in judgment or order*

- (a) If a liability under this Agreement becomes merged in a judgment or order, then the Applicant agrees to pay interest to the Council on the amount of that liability as an independent obligation. This interest accrues from the date the liability becomes due for payment both before and after the judgment or order until it is paid, at a rate that is the higher of the rate payable under the judgment or order and the rate referred to in this Clause 8.
- (b) For the avoidance of doubt, if a liability under this Agreement becomes merged in a judgment or order then the Developer will only be required to pay either interest payable under the judgment or order or interest calculated under this Clause 8 but not both.

10 Application of s 7.11, s 7.12 and s 7.24 of the Act to the Development

- 10.1 This Agreement does not exclude the application of section 7.11 of the Act to the Development.
- 10.2 This Agreement does not exclude the application of section 7.12 of the Act to the Development.
- 10.3 This Agreement does not exclude the application of section 7.24 of the Act to the Development.
- 10.4 The benefits under this Agreement are not to be taken into consideration in determining a development contribution under section 7.11 of the Act.

11 Amendment to Parramatta Local Environmental Plan

- 11.1 Since 28 November 2022, being the date of the Gateway Determination, the Parramatta Local Environmental Plan 2012 has been repealed and the provisions were transferred into the new Parramatta Local Environmental Plan 2023.
- 11.2 Pursuant to s 30A(2) of the Interpretation Act 1987, where provisions are transferred, the "transfer does not affect the operation (if any) or meaning of the provision, and accordingly the provision is to be construed as if it had not been so transferred."

12 Registration of this Agreement

12.1 Landowner Interest

The Landowner, being the registered proprietor of the Land at the time of execution of this Agreement, acknowledges that Council requires the registration of this Agreement on the folio of the Land under section 7.6 of the Act and that, on registration by the Registrar-General, this Agreement will be binding on and enforceable against the registered proprietor of the Land from time to time as if each registered proprietor for the time being had entered into this Agreement.

12.2 Registration of this Agreement

- (a) The Landowner agrees to procure the registration of this Agreement under the *Real Property Act 1900* (NSW) in the relevant folios of the Register of the Land in accordance with section 7.6 of the Act.
- (b) The Landowner, at its own expense, must:
- (i) procure the lodgement of this Agreement with the Registrar-General as soon as reasonably practicable after this Agreement comes into operation, but in any event, no later than 10 Business Days after that date;
 - (ii) procure the registration of this Agreement by the Registrar-General in the relevant folios of the Register for the Land as soon as reasonably practicable after this Agreement is lodged for registration; and
 - (iii) provide documentary evidence that the registration of this Agreement has been completed to Council within 5 Business Days of receiving confirmation that the registration has occurred.
- (c) The Landowner must at its own expense take all practical steps, and otherwise do anything that the Council reasonably requires to procure:
- (i) the consent of each person who:
 - (A) has an estate or interest in the relevant Land registered under the *Real Property Act 1900* (NSW); or
 - (B) is seized or possessed of an estate or interest in the Land,
 - (ii) an acceptance of the terms of this Agreement and an acknowledgement in writing from any existing mortgagee in relation to the relevant land that the mortgagee will adhere to the provisions of this Agreement if it takes possession of the land as mortgagee in possession,
 - (iii) the execution of any documents; and

- (iv) the production of the relevant duplicate certificates of title, to enable the registration of this Agreement in accordance with this clause 12.2.
- (d) The Landowner consents to the registration of the Agreement in accordance with this clause 12.2.

12.3 *Removal from Register*

- (a) The Council will provide a release and discharge of this Agreement so that it may be removed from the folios of the Register for the Land (or any part of it) provided the Council is satisfied the Developer has duly fulfilled its obligations under this Agreement, and is not otherwise in default of any of the obligations under this Agreement. This release and discharge is to take place within 30 days of the Developer receiving the Occupation Certificate.
- (b) For the avoidance of doubt, the Council will provide a release and discharge allowing removal of this Agreement from the folios of the Register for any part of the Land to be subdivided into Residential Lots, provided that the Developer has fulfilled any obligations under this Agreement that, in accordance with the Contributions Table, will be due at the time an Occupation Certificate is to be issued for those Residential Lots to be released.

13 *Caveat*

13.1 *Caveatable interest*

The Applicant acknowledges that the rights under this Agreement give Council a caveatable interest in the Land and consents to the Council registering such a caveat.

13.2 *Restriction on dealings*

- (a) The Applicant (being the registered proprietor at the time of execution of this Agreement) is not to:
 - (i) sell or transfer the Land or any part of it, or
 - (ii) assign the Applicant's rights or obligations under this Agreement, or novate this Agreement,
 to any person unless:
 - (i) the Applicant has, at no cost to the Council, first procured the execution by the person to whom the Land, or part thereof, is to be sold or transferred or the Applicant's rights or obligations under this Agreement are to be assigned or novated, of a Agreement in favour of the Council on terms reasonably satisfactory to the Council, and
 - (ii) the Council has given written notice to the Applicant or the Landowner (as the case may be) stating that it reasonably considers that the
 - (iii) purchaser, transferee, assignee or novatee, is reasonably capable of performing its obligations under this Agreement, and
 - (iv) the Applicant or the Landowner (as the case may be) is not in breach of this Agreement, and
 - (v) the Council otherwise consents to the transfer, assignment or novation, such consent not to be unreasonably withheld.
- (b) Subject to clause 1.1(c), the Applicant and the Landowner (as the case may be) acknowledges and agrees that it remains liable to fully perform its

obligations under this Agreement unless and until it has complied with its obligations under clause 13.2(a).

- (c) Clause 13.2(a) does not apply in relation to any sale or transfer of the Land if this Agreement is registered on the title to the Land at the time of the sale.

14 Review of this Agreement

- (a) This Agreement may be reviewed or modified. Any review or modification of this Agreement will be conducted in the circumstances and in the manner determined by the parties.
- (b) No modification or review of this Agreement will be of any force or effect unless it is in writing and signed by the parties to this Agreement.
- (c) A party is not in breach of this Agreement if it does not agree to an amendment to this Agreement requested by a party in, or as a consequence of, a review.

15 Dispute Resolution

15.1 Reference to Dispute

If a Dispute arises between the parties in relation to this Agreement, the parties must not commence any court proceedings relating to the dispute unless the parties have complied with this clause, except where a party seeks urgent interlocutory relief.

15.2 Notice of Dispute

The party wishing to commence the dispute resolution process must give written notice (**Notice of Dispute**) to the other parties of:

- (a) The nature of the Dispute,
- (b) The alleged basis of the Dispute, and
- (c) The position which the party issuing the Notice of Dispute believes is correct.

15.3 Representatives of Parties to Meet

- (a) The representatives of the parties must promptly (and in any event within 20 Business Days of the Notice of Dispute) meet in good faith to attempt to resolve the notified Dispute.
- (b) The parties may, without limitation:
 - (i) resolve the Dispute during the course of that meeting,
 - (ii) agree that further material or expert determination in accordance with clause 15.6 about a particular issue or consideration is needed to effectively resolve the Dispute (in which event the parties will, in good faith, agree to a timetable for resolution); or
 - (iii) agree that the parties are unlikely to resolve the dispute and, in good faith, agree to a form of alternative dispute resolution (including expert determination, arbitration or mediation) which is appropriate for the resolution of the relevant dispute.

15.4 Further Notice if Not Settled

If the dispute is not resolved within 10 Business Days after the nominated representatives have met, either party may give to the other a written notice calling for

determination of the dispute (**Determination Notice**) by mediation under clause 15.5 or by expert determination under clause 15.6.

15.5 Mediation

- (a) This clause applies to any Dispute arising in connection with this Agreement other than a Dispute to which clause 15.5 applies.
- (b) Such a Dispute is taken to arise if one Party gives another Party a notice in writing specifying particulars of the Dispute (**Determination Notice**).
- (c) If a Determination Notice is given under clause 15.5(b), the parties must agree in good faith to the terms of reference of the mediation within 15 Business Days of the receipt of the Determination Notice (the terms shall include a requirement that the mediation rules of the Institute of Arbitrators and Mediators Australia (NSW Chapter) apply);
- (d) The mediator will be agreed between the parties, or failing agreement within 15 Business Days of receipt of the Determination Notice, either Party may request the President of the Institute of Arbitrators and Mediators Australia (NSW Chapter) to appoint a mediator;
- (e) The mediator appointed pursuant to this clause 15.5 must:
 - (i) Have reasonable qualifications and practical experience in the area of the dispute; and
 - (ii) Have no interest or duty which conflicts or may conflict with his or her function as a mediator he or she being required to fully disclose any such interest or duty before his or her appointment;
- (f) The mediator shall be required to undertake to keep confidential all matters coming to his or her knowledge by reason of his or her appointment and performance of his or her duties;
- (g) The parties must within 15 Business Days of receipt of the Determination Notice notify each other of their representatives who will be involved in the mediation (except if a resolution of the Council is required to appoint a representative, the Council must advise of the representative within 5 Business Days of the resolution);
- (h) If the parties agree to resolve the Dispute is resolved by mediation, then the parties agree to be bound by a mediation settlement and may only initiate judicial proceedings in respect of a dispute which is the subject of a mediation settlement for the purpose of enforcing that mediation settlement; and
- (i) In relation to costs and expenses:
 - (i) Each party will bear its own professional and expert costs incurred in connection with the mediation; and
 - (ii) The costs of the mediator will be shared equally by the parties unless the mediator determines that a party has engaged in vexatious or unconscionable behaviour in which case the mediator may require the full costs of the mediation to be borne by that party.

15.6 *Expert determination*

If the Dispute is not resolved under clause 15.3 or clause 15.5, or the parties otherwise agree that the dispute may be resolved by expert determination, the parties may refer the dispute to a qualified expert if the Parties to the Dispute agree that it can be so determined, in which event:

- (a) A Dispute to which this clause applies, must be determined by an independent expert in the relevant field:
 - (i) Agreed upon and appointed jointly by the parties; and
 - (ii) In the event that no agreement is reached or no appointment is made within 20 Business Days of the agreement to refer the dispute to an expert, appointed on application of a party by the then President of the Law Society of New South Wales;
- (b) The expert must be appointed in writing and the terms of the appointment must not be inconsistent with this clause;
- (c) The determination of the dispute by such an expert will be made as an expert and not as an arbitrator and will be in writing and contain the reasons for the determination;
- (d) The expert will determine the rules for the conduct of the process but must conduct the process in accordance with the rules of natural justice;
- (e) Each party will bear its own costs in connection with the process and the determination by the expert and will share equally the expert's fees and costs; and
- (f) Any determination made by an expert pursuant to this clause is final and binding upon the parties except unless:
 - (i) Within 20 Business Days of receiving the determination, a party gives written notice to the other party that it does not agree with the determination and commences litigation; or
 - (ii) The determination is in respect of, or relates to, termination or purported termination of this Agreement by any party, in which event the expert is deemed to be giving a non-binding appraisal.

15.7 *Litigation*

If the dispute is not *finally* resolved in accordance with this clause 15, then either party is at liberty to litigate the dispute.

15.8 *No suspension of contractual obligations*

Subject to any interlocutory order obtained under clause 15.1, the referral to or undertaking of a dispute resolution process under this clause 15.1 does not suspend the parties' obligations under this Agreement.

16 Enforcement

16.1 Default

- (a) In the event a party considers another party has failed to perform and fulfil an obligation under this Agreement, it may give notice in writing to the other party (**Default Notice**) giving all particulars of the matters in respect of which it considers default has occurred and by such notice require the default to be remedied within a reasonable time not being less than 21 days.
- (b) In determining a reasonable time, regard must be had to both the nature of the default and the work or other action required to remedy it and whether or not the continuation of the default constitutes a public nuisance or raises other circumstances of urgency or emergency, imposes an undue delay on performance of this Agreement, or imposes upon the Developer additional financial burdens.
- (c) If a party disputes the Default Notice it may refer the dispute to dispute resolution under clause 11 of this Agreement.

16.2 General Enforcement

- (a) Without limiting any other remedies available to the parties, this Agreement may be enforced by any party in any Court of competent jurisdiction.
- (b) Nothing in this Agreement prevents:
 - (i) a party from bringing proceedings in the Land and Environment Court to enforce any aspect of this agreement or any matter to which this agreement relates; and
 - (ii) the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Agreement or any matter to which this Agreement relates.

17 Assignment and Dealings

17.1 Assignment

- (a) A party must not assign or deal with any right under this agreement without the prior written consent of the other parties, which must not be unreasonably withheld.
- (b) Any change of ownership or control (as defined in section 50AA of the *Commonwealth Corporations Act 2001*) of a party (excluding the Council) shall be deemed to be an assignment of this Agreement for the purposes of this clause.
- (c) Any purported dealing in breach of this clause is of no effect.

18 Approvals and consents

Except as otherwise set out in this Agreement, and subject to any statutory obligations, a party may give or withhold an approval or consent to be given under this Agreement in that party's absolute discretion and subject to any conditions determined by the party. A party is not obligated to give its reasons for giving or withholding consent or for giving consent subject to conditions, provided that the withholding is reasonable, fair, and the issue attaching to it can be reasonably remedied by the parties, and

- (a) Where the parties can reasonably remedy the underlying issue(s), it is agreed among the parties that the matter is to be negotiated in good faith.

19 No fetter

19.1 Discretion

This Agreement is not intended to operate to fetter, in any manner, the exercise of any statutory power or discretion of the Council, including, but not limited to, any statutory power or discretion of the Council relating to the Development Application or any other application for Development Consent (all referred to in this Agreement as a "**Discretion**").

19.2 No fetter

No provision of this Agreement is intended to constitute any fetter on the exercise of any Discretion. If, contrary to the operation of this clause, any provision of this Agreement is held by a court of competent jurisdiction to constitute a fetter on any Discretion, the parties agree:

- (a) They will take all practical steps, including the execution of any further documents, to ensure the objective of this clause is substantially satisfied,
- (b) In the event that (a) cannot be achieved without giving rise to a fetter on the exercise of a Discretion, the relevant provision is to be severed and the remainder of this Agreement has full force and effect, and
- (c) To endeavour to satisfy the common objectives of the parties in relation to the provision of this Agreement which is to be held to be a fetter on the extent that is possible having regard to the relevant court judgment.

19.3 Planning Certificates

The Developer acknowledges that Council may, at its discretion, include advice on any planning certificate issued under section 10.7 of the Act that this Agreement affects the Land.

20 Notices

20.1 Notices

Any notice given under or in connection with this Agreement (**Notice**):

- (a) must be in writing and signed by a person duly authorised by the sender;
- (b) must be addressed as follows and delivered to the intended recipient by hand, by prepaid post or by email at the address below, or at the address last notified by the intended recipient to the sender after the date of this Agreement:
- (i) to City of Parramatta Council: PO Box 32, Parramatta, NSW 2124
Email: ackovski@cityofparramatta.nsw.gov.au
Attention: Senior Development Manager, Property Development Group
- (ii) to Zaki Property Pty Ltd ATF Zaki Property Trust: Suite 1.04, Level 1, Quad 1, 8 Parkview Drive, Sydney Olympic Park
Email: veselin@littlezaks.com.au
Attention: Veselin Krajcic, Development Director

- (c) is taken to be given or made:
 - (i) in the case of hand delivery, when delivered;
 - (ii) in the case of delivery by post, three Business Days after the date of posting (if posted to an address in the same country) or seven Business Days after the date of posting (if posted to an address in another country); and
 - (iii) in the case of an email, when the sender receives an email acknowledgement from the recipient's information system showing the email has been delivered to the email address for the recipient stated in clause 20.1(b); and
- (d) if under clause (c) a Notice would be taken to be given or made on a day that is not a Business Day in the place to which the Notice is sent, or later than 4.00 pm (local time), it is taken to have been given or made at the start of business on the next Business Day in that place.

20.2 Notices sent by email:

- (a) A party may serve a Notice by email if the Notice:
 - (i) includes a signature block specifying:
 - (A) the name of the person sending the Notice; and
 - (B) the sender's position within the relevant party;
 - (ii) states in the body of the message or the subject field that it is sent as a Notice under this Agreement;
 - (iii) contains an express statement that the person sending the Notice has the authority to serve a Notice under this Agreement;
 - (iv) is sent to the email address below or the email address last notified by the intended recipient to the sender:
 - (A) to City of Parramatta Council: Attention: Senior Development Manager, Property Development Group
acrkovski@cityofparramatta.nsw.gov.au
 - (B) to Zaki Property Pty Ltd ATF Zaki Property Trust: Attention: Veselin Krajcic, Development Director
veselin@littlezaks.com.au
- (b) The recipient of a Notice served under this clause 20.2 must:
 - (i) promptly acknowledge receipt of the Notice; and
 - (ii) keep an electronic copy of the Notice,
- (c) Failure to comply with clause 20.2 does not invalidate service of a Notice under this clause.

20.3 *Receipt of Notices sent by email*

- (a) A Notice sent under clause 20.2 is taken to be given or made:
 - (i) when the sender receives an email acknowledgement from the recipient's information system showing the Notice has been delivered to the email address stated above;
 - (ii) when the Notice enters an information system controlled by the recipient; or
 - (iii) when the Notice is first opened or read by the recipient,
 whichever occurs first.
- (b) If under clause 20.3 a Notice would be taken to be given or made on a day that is not a Business Day in the place to which the Notice is sent, or later than 4.00 pm (local time), it will be taken to have been given or made at the start of business on the next Business Day in that place.

16.4 *Notices sent by email generally*

- a) Parties agree that Notices served under sections 16.2 and 16.3 have effect only as related to the communication between the Parties listed on the cover page; and
- b) For the avoidance of doubt, clauses 16.2 and 16.3 do not exclude the requirements of Service as stipulated in New South Wales, and where applicable, Commonwealth law.

21 Release and Discharge

The Council will promptly notify the Developer and the Landowner in writing that they are released and discharged from their obligations under this Agreement if any of the following occur:

- (a) The amendment to the LEP is declared void or invalid by a Court of competent jurisdiction and all opportunities for appeal have been exhausted.
- (b) The Developer and Landowner have fulfilled all of their obligations under this Agreement to the Council's reasonable satisfaction.
- (c) The parties agree in writing to terminate the Agreement on the basis that the performance of the Agreement has been frustrated by an event outside the control of the parties to this Agreement.
- (d) A decision is made by the NSW Government to not make the amendment to the LEP and communicated to the parties in writing, and Council (acting reasonably) is satisfied that the amendment to the LEP will not be made.

22 General

22.1 *Relationship between parties*

- (a) Nothing in this Agreement:
 - (i) constitutes a partnership between the parties; or
 - (ii) except as expressly provided, makes a party an agent of another party for any purpose.

- (b) A party cannot in any way or for any purpose:
 - (i) bind another party; or
 - (ii) contract in the name of another party.
- (c) If a party must fulfil an obligation and that party is dependent on another party, then that other party must do each thing reasonably within its power to assist the other in the performance of that obligation.

22.2 Landowner Obligations

Any clause of this Agreement that requires the Developer to do any thing or imposes an obligation on the Developer, constitutes a requirement for the Landowner to procure that thing to be done or that obligation to be met, either by the Landowner, the Developer or another entity as requested by the Developer, so far as the requirement or obligation applies to that part of the Land owned by the Landowner.

22.3 Time for doing acts

- (a) If the time for doing any act or thing required to be done or a notice period specified in this Agreement expires on a day other than a Business Day, the time for doing that act or thing or the expiration of that notice period is extended until the following Business Day.
- (b) If any act or thing required to be done is done after 5.00 pm on the specified day, it is taken to have been done on the following Business Day.

22.4 Further assurances

Each party must promptly execute all documents and do all other things reasonably necessary or desirable to give effect to the arrangements recorded in this Agreement.

22.5 Joint and individual liability and benefits

Except as otherwise set out in this Agreement, any agreement, covenant, representation or warranty under this agreement by two or more persons binds them jointly and each of them individually, and any benefit in favour of two or more persons is for the benefit of them jointly and each of them individually.

22.6 Variations and Amendments

A provision of this Agreement can only be varied by a later written document executed by or on behalf of all parties and in accordance with the provisions of the Act.

22.7 Counterparts

This Agreement may be executed in any number of counterparts. All counterparts taken together constitute one instrument.

22.8 Legal expenses and stamp duty

- (a) The Developer must pay Council's legal costs and disbursements in connection with the negotiation, preparation, execution, carrying into effect, enforcement and release and discharge of this Agreement, including the reasonable costs of obtaining any legal advice in connection with this Agreement, no later than 10 Business Days after receiving a demand from the Council to pay such costs.

- (b) The Developer agrees to pay or reimburse the costs and expenses incurred by Council in connection with the advertising and exhibition of this Agreement in accordance with the Act.
- (c) The Developer agrees to pay Council any administrative fees as required by Council, acting reasonably, in connection with the administration of this Agreement.

22.9 Entire Agreement

The contents of this Agreement constitute the entire agreement between the parties and supersede any prior negotiations, representations, understandings or arrangements made between the parties regarding the subject matter of this Agreement, whether orally or in writing,

- (a) A sole exception to clause 18.9 is the Voluntary Planning Agreement Letter of Intent Version 5 dated 2 June 2021.

22.10 Representations and warranties

The parties represent and warrant that they have the power and authority to enter into this Agreement and comply with their obligations under the agreement and that entry into this Agreement will not result in the breach of any law.

22.11 Surrender of right of appeal

The Applicant is not to commence or maintain, or to cause or procure the commencement or maintenance, of any proceedings in any court or tribunal or similar body appealing against, or questioning the validity of this Agreement in so far as the subject-matter of the proceedings relates to this Agreement.

22.12 No waiver

The failure, delay or omission by a party to exercise, or to partially exercise, a right, power or remedy under this Agreement does not operate as a waiver of that right, power or remedy. A party which exercises, or partially exercises, a right, power or remedy maintains its right to further exercise the same right, power or remedy or to exercise another right, power or remedy. A party waives a right, power or remedy only by explicitly doing so in a written notice to the other party and the waiver is strictly limited to the matters specified in the notice.

22.13 Severability

If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected;

- (a) Unless the severed clause was a material incentive for a party to enter into this Agreement. If so, clause 17(c) may be applicable at the first instance.

22.14 Invalidity

- (a) A word or provision must be read down if:
 - (i) this Agreement is void, voidable, or unenforceable if it is not read down;
 - (ii) this Agreement will not be void, voidable or unenforceable if it is read down; and
 - (iii) the provision is capable of being read down.
- (b) A word or provision must be severed if:
 - (i) despite the operation of clause (a), the provision is void, voidable or unenforceable if it is not severed; and
 - (ii) this Agreement will be void, voidable or unenforceable if it is not severed.
- (c) The remainder of this Agreement has full effect even if clause 22.14(b) applies.

22.15 Waiver

- (a) A right or remedy created by this Agreement cannot be waived except in writing signed by the party entitled to that right. Delay by a party in exercising a right or remedy does not constitute a waiver of that right or remedy, nor does a waiver (either wholly or in part) by a party of a right operate as a subsequent waiver of the same right or of any other right of that party.
- (b) The fact that a party fails to do, or delays in doing, something the party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another party. A waiver by a party is only effective if it is in writing. A written waiver by a party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

22.16 GST

- (a) Words and expressions which are not defined in this Agreement but which have a defined meaning in GST Law have the same meaning as in the GST Law.
- (b) Unless otherwise expressly stated, all prices or other sums payable or consideration to be provided under this Agreement are exclusive of GST.
- (c) If GST is imposed on any supply made under or in accordance with this Agreement, the Developer must pay the GST or pay to the Council an amount equal to the GST payable on or for the taxable supply, whichever is appropriate in the circumstances.
- (d) If the Council is obliged to pay any GST on any supply made under or in accordance with this Agreement, the Developer indemnifies the Council for the amount of any such payment is required to make.

22.17 Governing law and jurisdiction

- (a) The laws applicable in New South Wales govern this Agreement.
- (b) The parties submit to the non-exclusive jurisdiction of the courts of New South Wales and any courts competent to hear appeals from those courts.

Schedule 1 - Contributions Table

No.	Item	Public Purpose	Type of Contribution	Scope	Timing of Provision	Timing for provision of Bank Guarantee	Estimated Amount / Value of Item
1.	Monetary Contribution OR Construction of Shared Pathway	The provision of a shared path which can be used by the public or a portion of the public	Cheque or Electronic Bank Transfer.	If the Proposed Development Consent reflects the Base Dwelling Yield or any development scenario that can accommodate dwellings less than the Base Dwelling Yield.	If the Applicant elects to make a Monetary Contribution, this Monetary Contribution is payable within fourteen (14) days the earlier of: (i) the issue of a valid tax invoice for the Contribution in the name of the Applicant; or (ii) receipt by the Applicant of the Construction Certificate for the Proposed Development Application. If the Applicant elects to construct a Shared Pathway, this Shared Pathway must be constructed within twelve (12) months of the date of election.	N/A	\$300,000 plus GST OR Construction of Shared Pathway

No.	Item	Public Purpose	Type of Contribution	Scope	Timing of Provision	Timing for provision of Bank Guarantee	Estimated Amount / Value of Item
2.	Monetary Contribution.	The provision of a shared path which can be used by the public or a portion of the public	Cheque or Electronic Bank Transfer.	If the Proposed Development Consent reflects the Maximum Dwelling Yield	This Monetary Contribution is payable within fourteen (14) days the earlier of: (i) the issue of a valid tax invoice for the Contribution in the name of the Applicant; or (ii) receipt by the Applicant of the Construction Certificate for the Proposed Development Application.	N/A	\$300,000 plus GST plus \$75,000 x additional dwelling (from the Base Dwelling Yield)
TOTAL OF CONTRIBUTION TO BE DETERMINED ONCE DWELLING YIELD ASCERTAINED (excluding Maintenance)							

Schedule 2 – Letter of Offer



Zaki Property Pty Ltd T/As Zaki Property Trust
PO Box 1026
Meadowbank NSW 2114
Ph. (02) 8036 8390

ABN: 85 020 549 690

29 September 2022

General Manager,
City of Parramatta Council,

Initial Voluntary Planning Agreement Letter of Offer: 8 Lincluden Place, Oatlands.

Zaki Property Pty Ltd ATF Zaki Property Trust offers to enter into discussions regarding a Planning Agreement to be negotiated with Council under Section 7.4 of the *Environmental Planning and Assessment Act 1979* in connection with a Planning Proposal for 8 Lincluden Place, Oatlands.

The Planning Proposal seeks to alter the zoning from SP2 to R2 low density and the proposal will facilitate additional development potential on the site. The current architectural concepts show 2 additional dwellings on Gollan Avenue and retention of the existing buildings associated with the prior Educational Establishment. Discussions have occurred regarding a Rehabilitation Centre through adaptative re-use and alterations and additions to that part of the site. The final development outcome is not known however we acknowledge that local infrastructure demand will increase arising from the uplift that is sought by the Planning Proposal. The base outcome would be the creation of 2 dwellings and the retention of the educational establishment on the land.

This letter confirms the proponent's willingness to enter a Planning Agreement to support the Planning Proposal. The proponent would agree to enter discussions regarding a contribution to the footpath upgrades along Pennant Hills Road between Gollan and Glencoe Avenue. We note and agree that the exact amount of the contribution to be delivered will be determined through ongoing consultation with Council and be progressed if and when Gateway Determination is achieved.

This could be delivered either by way of a cash contribution or material public benefit (i.e. land dedication and physical works- or a combination of the two (2).

We also note that suitable valuations would be necessary to determine the cost of any infrastructure works and the value of any land dedication to ensure that a suitable 'value' is placed on such items if that is the way that the Planning Agreement is structured.

Yours faithfully

A handwritten signature in black ink, appearing to read "Maged Zaki".

Maged Zaki
Director and Authorised Officer
Zaki Property Pty Ltd ATF Zaki Property Trust

Schedule 3 – Planning Proposal

Schedule 4 – Explanatory Note

EXPLANATORY NOTE

DRAFT PLANNING AGREEMENT FOR 8 LINCLUDEN DRIVE, OATLANDS

Environmental Planning and Assessment Regulation 2021

(clause 205)

1. Introduction

The purpose of this Explanatory Note is to provide a plain English summary to support the exhibition of a proposed draft planning agreement (the **Planning Agreement**) prepared under section 7.4(1) of the *Environmental Planning and Assessment Act 1979* (the **Act**).

2. Parties

The parties to the Planning Agreement are City of Parramatta Council ABN 49 907 174 773 (**the Council**) and Zaki Property Pty Ltd ATF Zaki Property Trust ABN 85 020 549 690 (**the Applicant**).

This explanatory note has been prepared jointly by the parties.

3. Description of Subject Land

The Planning Agreement applies to the land legally known as Lot 3 in Deposited Plan 775621 and known as 8 Lincluden Place, Oatlands (**the Land**).

Zaki Property Pty Ltd ATF Zaki Property Trust is the owner of the Land.

4. Description of the Proposed Development

The Applicant is seeking to redevelop the Land with residential dwellings pursuant to its Proposed Development Application.

The Planning Proposal seeks to rezone the Land zoned SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential under *Parramatta Local Environmental Plan 2023*. It is noted that the portion of Land currently zoned SP2 Infrastructure (Classified Road) is to be retained. The portion of land identified within the Land that is proposed to be acquired, as per the Land Reservation Acquisition map, will be subject to a separate process.

The Planning Agreement does not permit the Proposed Development to be carried out and the Applicant will be required to seek and obtain the necessary development consent/s under the Act to do so.

5. Summary of Objectives, Nature and Effect of the Planning Agreement

The Applicant has offered to enter into the Planning Agreement with the Council.

The Planning Agreement provides that the Applicant will provide either:

1. Monetary contribution to Council to be determined once the Proposed Development

Application has been lodged and dwelling yield has been ascertained; OR

2. Construct a shared pathway upgrade along Pennant Hills Road, specifically between Gollan Avenue and Glencoe Avenue.

(The Applicant's Contribution)

Any monetary contribution provided by the Applicant will go towards providing a shared pathway along Pennant Hills Road, specifically between Gollan Avenue and Glencoe Avenue.

This is so the current SP2 Infrastructure (Educational Establishment) zoning of the land is varied to be R2 Low Density Residential under *Parramatta Local Environmental Plan 2023*.

6. Assessment of Merits of Planning Agreement

(1) The Planning Purpose of the Planning Agreement

The Planning Agreement will benefit the public by providing the framework for the efficient and equitable collection of Monetary Contributions towards the provision of a shared pathway along Pennant Hills Road, specifically between Gollan Avenue and Glencoe Avenue that is generated by the rezoning of the Land.

(2) How the Planning Agreement Promotes the Public Interest

The Planning Agreement promotes the public interest by providing either:

- i. Shared pathway along Pennant Hills Road, specifically between Gollan Avenue and Glencoe Avenue; OR
- ii. Providing monetary contributions for the recoupment of cost required to construct a shared pathway along Pennant Hills Road, specifically between Gollan Avenue and Glencoe Avenue.

This is generated by the rezoning of the Land to meet the community's needs.

(3) How the Planning Agreement Promotes the Objects of the Act

The Planning Agreement promotes the following objects of the Act:

- i. to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
- ii. to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- iii. to promote the orderly and economic use and development of land.

In addition to the above, the Planning Agreement will not be inconsistent with any of the other objects of the Act.

(4) How the Planning Agreement Promotes Elements of the Local Government Act 1993 and the Guiding Principles for Councils

The Planning Agreement promotes the guiding principles for council under section 8A of the Local Government Act 1993 by assisting Council to:

- i. Carry out functions in a way that provides the best possible value for residents and ratepayers;

- ii.* Manage lands and other assets so that current and future local community needs can be met in an affordable way;
- iii.* Work with others to secure appropriate services for local community needs.
- iv.* Recognise diverse local community needs and interests;
- v.* Consider the long term and cumulative effects of actions on future generations;
- vi.* Apply the principles of ecologically sustainable development;
- vii.* Invest in responsible and sustainable infrastructure for the benefit of the local community; and
- viii.* Identify and prioritise key local community needs and aspirations and consider regional priorities.

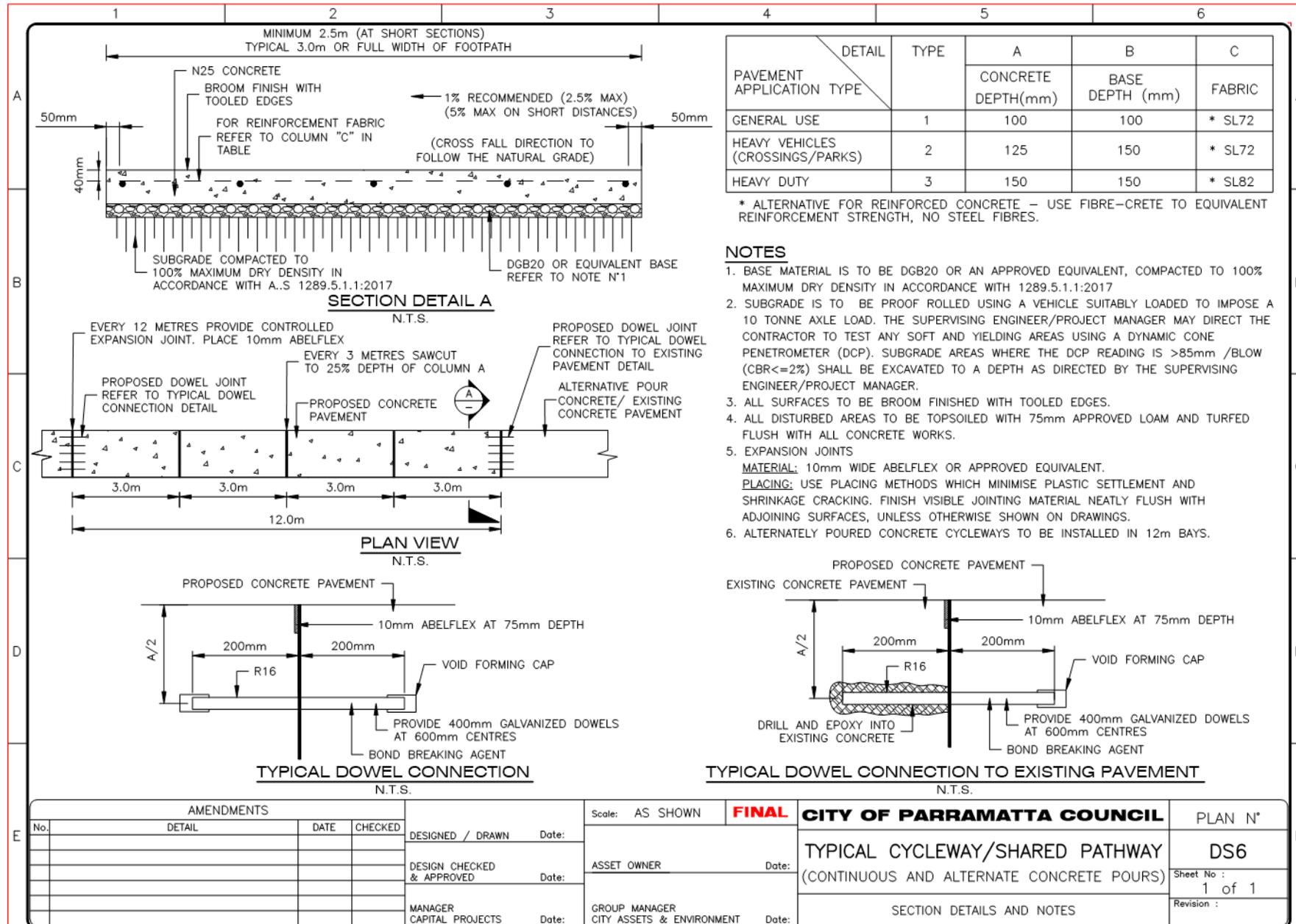
(5) How the Planning Agreement Promotes Council's Capital Works Program

The planning agreement assists the capital works program by providing funds sourced from the proposed development. These funds facilitate works that support growth within the Parramatta centre.

(6) Requirements relating to Construction and Occupation Certificates

If the Applicant elects to construct the shared pathway, it must be, in the reasonable opinion of Council, satisfactory. If the Applicant elects to provide Monetary Contributions, these are to be paid prior to the issue of the Occupation Certificate.

Schedule 5 – Construction requirements for Shared Pathway



Executed as an agreement

Signed on behalf of **City of Parramatta Council** (ABN 49 907 174 773) by its authorised delegate pursuant to section 377 of the *Local Government Act 1993* in the presence of:

Signature of witness

Signature of authorised delegate

Name of witness

Name of authorised delegate

Address of witness

Position of authorised delegate

Executed by **Zaki Property Pty Ltd** as trustee for Zaki Property Trust in accordance with section 127 of the *Corporations Act 2001*:

Signature of Director

Signature of Director

Name of Director

Name of Director

Executed by **Zaki Property Trust**

Signature of Director

Signature of Director

Name of Director

Name of Director

Local Planning Panel 16 April 2024

Item 6.1

PLANNING PROPOSAL

ITEM NUMBER	6.1
SUBJECT	Post Exhibition Report - Planning Proposal for land at 8 Lincluden Place, Oatlands
REFERENCE	RZ/3/2021 -
APPLICANT/S	Think Planners
OWNERS	Zaki Property Pty Ltd as Trustee For Zaki Property Trust
REPORT OF	Project Officer

DEVELOPMENT APPLICATIONS CONSIDERED BY SYDNEY CENTRAL CITY PLANNING PANEL Nil**PURPOSE**

The purpose of this report is to seek Local Planning Panel advice to Council on a recommendation to support finalisation of a Planning Proposal for land at 8 Lincluden Place, Oatlands.

RECOMMENDATION

The Parramatta Local Planning Panel consider the following Council Officer recommendation in its advice to Council:

- (a) That Council receives and notes the submissions made during the exhibition period.
- (b) That Council approve the finalisation of the Planning Proposal, provided at **Attachment 1** for land at 8 Lincluden Place, Oatlands.
- (c) That Council enters into the Planning Agreement at **Attachment 2** and delegates authority to the Chief Executive Officer to sign it on behalf of Council.
- (d) That Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan finalisation process relating to the Planning Proposal and Planning Agreement.

PLANNING PROPOSAL TIMELINE



SITE DESCRIPTION

1. The Planning Proposal applies to the land at 8 Lincluden Place, Oatlands (the site). The site is bound by Gollan Avenue to the north-east, Pennant Hills Road to the north-west and neighbouring properties at 6 and 9 Lincluden Place and 2 Gollan Avenue (refer to **Figure 1**). Current vehicular access to the site is via Gollan Avenue and Lincluden Place to the south. The site has an area of approximately 4,249sqm.
2. The site contains several existing buildings previously used as a Royal Institute for the Deaf and Blind school (Garfield Barwick School – private). The site is not currently in use as a school and has been vacant since its sale in 2019.
3. The adjacent site to the west (Alan Walker College) is attached to the United Theological College. The remaining sites on Lincluden Place, and the neighbouring sites on Gollan Avenue comprise low density dwellings.



Figure 1 – Site at 8 Lincluden Place, Oatlands, subject to the Planning Proposal

Local Planning Panel 16 April 2024

Item 6.1

4. Under the *Parramatta Local Environment Plan (PLEP) 2023*, the site is subject to the following controls:
 - Zoned part SP2 Infrastructure (Educational Establishment) and part SP2 Infrastructure (Classified Road);
 - Minimum lot size of 700sqm;
 - Maximum building height of 9 metres;
 - No maximum Floor Space Ratio (FSR);
 - Located within the Burnside Homes Heritage Conservation Area.
5. The site does not contain a local or State heritage item.

PLANNING PROPOSAL

6. On 5 November 2021, Council received a Planning Proposal for the site.
7. The Planning Proposal previously sought to amend the *Parramatta (former The Hills) LEP 2012*, since superseded by the *Parramatta LEP 2023 (PLEP 2023)*, to rezone the site from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential. Further detail outlining the proposed changes to planning controls can be found at **Table 1** below.
8. The Planning Proposal application includes an indicative potential subdivision layout for the site that could be lodged under a future development application for subdivision to create two new residential allotments facing Gollan Avenue, in addition to reusing the existing building as a future Educational Establishment (refer to **Figure 2**). It is noted that an Educational Establishment (school) use is also permitted with consent in the R2 Low Density Residential zone and therefore the existing building could still be used for that purpose subject to relevant approvals.
9. The applicant has indicated to Council officers that they are considering various options to develop the site under the proposed zoning but have not yet decided what option to pursue. The indicative subdivision layout has been provided by the applicant to demonstrate a possible future scenario that could be pursued following rezoning of the land.

Local Planning Panel 16 April 2024

Item 6.1

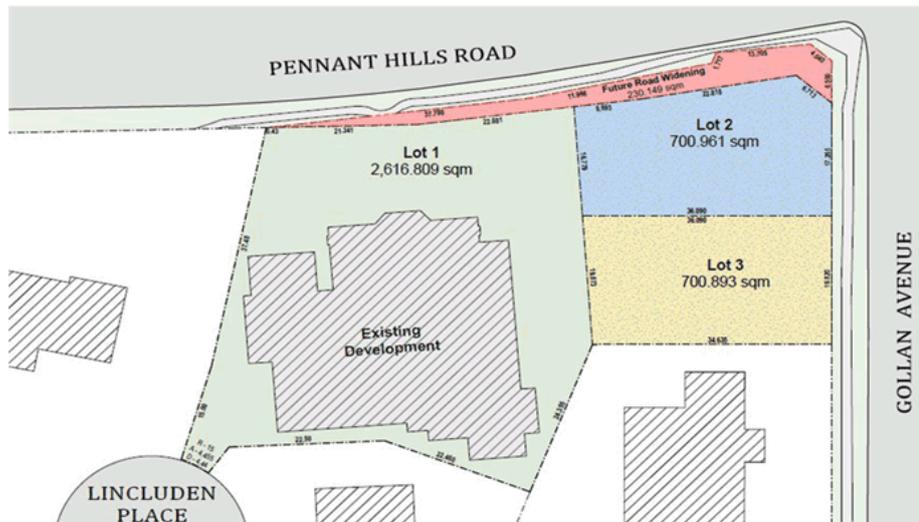


Figure 2 – Indicative subdivision plan for the site at 8 Lincluden Place, Oatlands

10. On 29 September 2022, the Proponent provided a Letter of Offer outlining willingness to enter into a Planning Agreement associated with the Planning Proposal.
11. The Planning Proposal was considered and unanimously supported by the LPP at the meeting of 18 October 2022. The LPP advice was that Council approve the Planning Proposal for the purposes of seeking a Gateway determination from the (then) Department of Planning and Environment (DPE).
12. At its meeting on 28 November 2022, Council endorsed the Planning Proposal for submission to the DPE to seek a Gateway determination to place the Planning Proposal on public exhibition. Council also resolved to request the former DPE grant the CEO plan-making delegations.
13. On 31 January 2023, the DPE issued a Gateway Determination for the Planning Proposal which authorised Council as the local plan-making authority and allowed the public exhibition of the Planning Proposal to proceed.
14. The Gateway Determination required that prior to public exhibition the Planning Proposal be updated to include discussion and review of the alignment with proposed controls for the new Parramatta LEP 2023 (PLEP 2023) that was being finalised at the time.
15. The PLEP 2023 came into effect on 2 March 2023. Therefore, in addition to the proposed rezoning of the site to R2 Low Density Residential, the Planning Proposal was updated to align with the PLEP 2023 in accordance with the Gateway determination to:
 - apply a maximum Floor Space Ratio (FSR) control of 0.5:1 consistent with surrounding R2 Low Density Residential land; and

- include the site on the PLEP Dual Occupancy Prohibition Map to be consistent with the surrounding R2 Low Density Residential land by prohibiting the subdivision of dual occupancies on the Planning Proposal site.

	Existing	Proposed
Land Use Zoning	Part SP2 Infrastructure (Educational Establishment) and part SP2 Infrastructure (Classified Road)	Part R2 Low Density Residential and part SP2 Infrastructure (Classified Road)
Height of Buildings	9m (2-3 storeys)	No change
Floor Space Ratio	No FSR	0.5:1 consistent with surrounding R2 Low Density Residential land.
Dual Occupancy Subdivision Prohibition	None	Include the site in the Dual Occupancy Prohibition Map (subdivisions) consistent with surrounding R2 Low Density Residential land. It is noted that whilst Dual Occupancies can be developed, this control prohibits the subdivision of such dwellings.
Minimum Lot Size for subdivision	700sqm	No change. The site could potentially accommodate up to 5 residential allotments plus access road with up to 2 low density dwellings per allotment, noting that subdivision of dual occupancy dwellings is prohibited.
Number of Dwellings to be accommodated based upon applicant's indicative scheme	None (prohibited within existing zoning)	Potentially 4 x low density residential dwellings based upon the applicant's indicative scheme (2 x dual occupancies or 2 x dwelling houses with granny flats), noting that subdivision of dual occupancy dwellings is prohibited.

Table 1 – Current and proposed planning controls for the site at 8 Lincluden Place, Oatlands

- The northern portion of the site is currently zoned SP2 Infrastructure (Classified Road) and is identified on the Land Reservation Acquisition (LRA) Map. This Planning Proposal seeks to retain the land zoned SP2 Infrastructure (Classified Road) and does not propose changes to the LRA Map. As per *Parramatta Local Environmental Plan 2023*, land zoned SP2

Infrastructure and marked Classified Road identifies Transport for NSW as the relevant authority to acquire the land.

17. A Gateway extension has been issued for the Planning Proposal by the Department of Planning, Housing and Infrastructure (DPHI) requiring the LEP to be completed by 1 August 2024.

DRAFT PLANNING AGREEMENT

18. The draft Planning Agreement has been structured to allow a base development scenario (which is based upon the applicant's indicative subdivision layout – refer to Site Description section above), and a maximum potential dwelling yield scenario (five residential allotments plus access road accommodating up to a maximum of two low density dwellings per allotment), to allow for flexibility depending on the development scenario pursued. It is noted that whilst Dual Occupancies can be developed, the subdivision of them would be prohibited.
19. The draft Planning Agreement provides for the following public benefits in accordance with the base development scenario. This public benefit will still be provided should a lesser number of dwellings be accommodated than the base development scenario (e.g. one residential allotment comprising a single dwelling):
 - a) Construction of a shared footpath along Pennant Hills Road, specifically between Gollan Avenue and Glencoe Avenue; or
 - b) A monetary contribution paid by the applicant to deliver this upgrade.
20. The total value of the monetary contribution payable under the base development scenario (or less) is estimated at \$300,000. The Planning Agreement addresses the infrastructure demand generated by the Planning Proposal and benefits the community by improving public amenity within the vicinity of the proposed development.
21. The draft Planning Agreement has been structured so that any development scenario that is over and above the base scenario that introduces additional dwellings (up to the potential maximum of five residential allotments plus access road accommodating up to a maximum of two low density dwellings per allotment) will require a monetary contribution of \$37,500 per additional dwelling, in addition to the \$300,000 monetary contribution or construction of the shared pathway. The monetary contribution would be utilised for the embellishment of public amenity within the vicinity of the proposed development.
22. The draft Planning Agreement has been structured so that if a Development Consent is granted for more than 10 dwellings, or if a future development application is lodged with respect to the land for a different form of development, the applicant is required to submit a new Letter of Offer to enter into a new Planning Agreement with Council.
23. The portion of land currently zoned SP2 Infrastructure (Classified Road) is

to be retained. Should the portion of land identified in the Land Reservation Acquisition map be proposed to be acquired, this will be subject to a separate process and is not address within the draft Planning Agreement.

24. The Planning Agreement will not exempt the Applicant from payment of applicable Section 7.11 development contributions in accordance with the Outside CBD Contributions Plan and will be levied at the development application stage.

EXHIBITION OF THE PLANNING PROPOSAL

25. The Planning Proposal and draft Planning Agreement were publicly exhibited from Monday 11 December 2023 to Friday 9 February 2024. Stakeholders and community members were notified through the following engagement mechanisms:
 - a. Letters to neighbouring landowners and occupiers;
 - b. A notice in Parra News published on Tuesday 23 January 2024;
 - c. Relevant material shared on City of Parramatta's corporate website and community engagement platform, Participate Parramatta; and
 - d. Hard copy materials distributed at PHIVE, Dundas Library, and Carlingford Library.
26. A total of 10 submissions were received, six (6) from individual community members. Four (4) submissions were received from the following State Agencies and service providers:
 - a. Transport for NSW (TfNSW);
 - b. School Infrastructure NSW (SINSW);
 - c. Sydney Water; and
 - d. Endeavour Energy.
27. Of the six community submissions, four raised objections and two supported the proposal to an extent. The following concerns were raised:
 - a. Unknown built form outcome;
 - b. Traffic impacts;
 - c. Parking congestion;
 - d. Safety concerns; and
 - e. Negative impacts on residents during construction.
28. The built form outcome will need to be consistent with what is achievable on the surrounding R2 Low Density Residential land and to be compliant with related local planning controls. Council's Traffic Engineers do not raise concerns regarding the traffic impacts of the Planning Proposal, noting that the surrounding road network has capacity to accommodate additional low-density dwellings on the land. The concerns raised in the community submissions can be addressed at the Development Application stage and therefore do not require changes to the Planning Proposal.
29. No State Agency or Service Provider submissions raised objections or

Local Planning Panel 16 April 2024

Item 6.1

significant concerns. Comments from State Agencies and Service Providers included:

- a. Recommendations against the planting of deep-rooted trees near electricity infrastructure;
 - b. That future access from Pennant Hills Road will not be permitted, and for all new access to the site be from Lincluden Place only;
 - c. That adjustments may be required regarding water and wastewater servicing; and
 - d. That consideration be given to potential future impacts in relation to traffic management and active transport for future usage of the site.
30. The comments received from State agencies does not require changes to the Planning Proposal and can be addressed at the Development Application stage.
31. A detailed summary of the submissions received and Council officer responses to the issues raised are provided at **Attachment 3**.
32. Council previously resolved to allow the CEO to exercise plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012. Plan-making delegation means that the CEO is responsible for the finalisation of the Local Environment Plan amendment, rather than the DPHI. It should be noted that councils are unable to exercise plan-making delegations in the case that there is an unresolved objection from a public authority. In this instance, no State Agency or Service Provider submissions raised objections to the Planning Proposal.

FINANCIAL IMPLICATIONS FOR COUNCIL

33. The finalisation of the Planning Proposal would be undertaken by Council officers and therefore within the existing City Planning and Design budget. Should this matter progress, a Planning Agreement delivering the public benefits outlined above will be entered into between Council and the applicant.

CONCLUSION AND NEXT STEPS

34. It is recommended that the Local Planning Panel support the Council officer recommendation for Council to approve the finalisation of the Planning Proposal, provided at Attachment 1 for land at 8 Lincluden Place, Oatlands.
35. Following Local Planning Panel consideration of the recommendations of this report, the matter will be reported to an upcoming Council meeting.

Grace Haydon
Project Officer

Michael Rogers
Land Use Planning Manager

Local Planning Panel 16 April 2024

Item 6.1

David Birds
Group Manager, Major Projects and Precincts

Jennifer Concato
Executive Director City Planning and Design

ATTACHMENTS:

- | | | |
|---|--------------------------|----------|
| 1 | Planning Proposal | 42 Pages |
| 2 | Planning Agreement | 40 Pages |
| 3 | Submission Summary Table | 12 Pages |

REFERENCE MATERIAL



MINUTES

**Parramatta Local Planning Panel
Tuesday, 16 April 2024
3.30pm**

**Level 3, PHIVE
Parramatta Square, Parramatta**

City of Parramatta – Local Planning Panel – 16 April 2024

PANEL MEMBERS

Julie Walsh (Chairperson)
 Steve Driscoll (Expert Member)
 Michael Evesson (Expert Member)
 Darshini Bhatt (Community Member)

STAFF MEMBERS

Development Assessment Manager – Claire Stephens, Team Leader, Development Assessment - Sara Smith, Team Leader, Development Assessment - Jonathan Cleary, Senior Development Assessment Officer – Najeeb Kobeissi, Development Assessment Officer - Nina Salvador, Senior Heritage Officer - Andrea Guisa, Group Manager Major Projects and Precincts - David Birds, Land Use Planning Manager – Janelle Scully, Land Use Planning Manager – Michael Rogers, Senior Project Officer - Grace Haydon, Team Leader Land Use Planning - Issa Trad, Governance Officer (minute secretary) – Neeli Sharma

1. ACKNOWLEDGEMENT TO TRADITIONAL OWNERS OF LAND

The Chairperson, acknowledged the Burrumattagal people of The Dharug Nation as the traditional land owners of land in Parramatta and paid respect to their ancient culture and to their elders past, present and emerging.

2. WEBCASTING ANNOUNCEMENT

The Chairperson advised that this public meeting is being recorded. The recording will be archived and made available on Council's website.

3. APOLOGIES

There were no apologies made to this Local Planning Panel.

4. DECLARATIONS OF INTEREST

There were no declarations of interest made to this Local Planning Panel.

4A. PUBLIC SPEAKERS

The meeting commenced at 3.30 pm. The Chair invited registered speakers to address the Parramatta Local Planning Panel ('the Panel') on the item listed below:

Speaker	Item number	Title
Laurence Lee	5.3	25 Chester Street, EPPING NSW 2121 (Lot 22, DP 262348)
John Taylor	5.3	25 Chester Street, EPPING NSW 2121 (Lot 22, DP 262348)
Sophie Xin Wang	5.3	25 Chester Street, EPPING NSW 2121 (Lot 22, DP 262348)

City of Parramatta – Local Planning Panel – 16 April 2024

Felipe Cunha	5.3	25 Chester Street, EPPING NSW 2121 (Lot 22, DP 262348)
Brad Inwood	5.3	25 Chester Street, EPPING NSW 2121 (Lot 22, DP 262348)
Martin Xue	5.3	25 Chester Street, EPPING NSW 2121 (Lot 22, DP 262348)
Claire Zheng	5.3	25 Chester Street, EPPING NSW 2121 (Lot 22, DP 262348)
Rodney Sheaves	5.3	25 Chester Street, EPPING NSW 2121 (Lot 22, DP 262348)

5. REPORTS - DEVELOPMENT APPLICATIONS

5.1 SUBJECT 47-49 Park Road RYDALMERE NSW 2116 (Lot 5 DP 38557, Lot 6 DP 38557)

DESCRIPTION Section 4.55(2) Modification to the approved DA/544/2021 for Demolition, tree removal and construction of a three storey residential flat building containing 18 units over basement car parking. Modifications include proposed addition of lower ground 1 bedroom apartment within built envelope and second floor apartment over part of roof top terrace.

APPLICANT/S A Scotti

OWNERS Rydalmere Holdings Pty LTD; FMH Custodians Pty Ltd; FMH Nominees Pty Ltd; Jaami Holdings Pty Ltd

REPORT OF Group Manager Development and Traffic Services

PANEL DECISION

- (a) That the Parramatta Local Planning Panel exercising the functions of Council as the consent authority, modify development consent DA/544/2021 on land at 47-49 Park Road Rydalmere, for a period of five (5) years from the date on the **original** Notice of Determination, subject to the following modifications:
1. Amend Condition Nos. 1, 14, 81 & 100 to reflect the updated plans and documents.
 2. All other conditions of DA/544/2021 remain unchanged.
- (b) That the Parramatta Local Planning Panel approve the modification notwithstanding the non-compliance with the floor space ratio control in Clause 13 Floor Space Ratio of the State Environmental Planning Policy (Affordable rental Housing) 2009

City of Parramatta – Local Planning Panel – 16 April 2024

as there are sufficient environmental planning grounds to justify the variation.

- (c) That the Parramatta Local Planning Panel approve the modification notwithstanding the non-compliance with the height of building control in Clause 4.3 Height of Buildings of the Parramatta Local Environmental Plan 2023 as there are sufficient environmental planning grounds to justify the variation.

REASONS

1. The proposed modification is substantially the same development as that which was approved.
2. The proposed modification is permissible within the R4 High Density Residential zone and results in a development which is suitable for the context of the site and locality.
3. The proposed modification to increase the building height and floor space of the site is supported as there is no substantial change in the bulk and scale of the building and the changes are not discernible from the streetscape.
4. The proposed modification results in reasonable impacts to adjoining and surrounding properties, is suitable for the site, and is in the public interest.

VOTING

Unanimous

5.2 SUBJECT 16 Gowan Brae Avenue, OATLANDS NSW 2117 (Lot 10 DP 396505)

DESCRIPTION Section 4.55(2) Modification to DA/380/2017 for the tree removal and construction of a part 2 and part 3 storey dwelling and swimming pool. The modification is for the reconfiguration of the front entry, internal layouts, balconies, window placement, pool location, feature roof form and basement extent.

APPLICANT/S Rothshire Pty Ltd

OWNERS O J Kim, E J Kim

REPORT OF Group Manager Development and Traffic Services

PANEL DECISION

Pursuant to Section 4.16 of the Environmental Planning and Assessment Act, 1979:

City of Parramatta – Local Planning Panel – 16 April 2024

- (a) That the Parramatta Local Planning Panel exercising the functions of Council as the consent authority, modify development consent DA/380/2017 on land at 16 Gowan Brae Avenue, Oatlands, for a period of five (5) years from the date on the **original** Notice of Determination, subject to the following modifications:

1. Amend Condition Nos. 1, 45, and 51 to reflect the updated plans and documents.
2. After condition 1, insert Conditions 1A (set out below) and 1B.

Condition 1A

The following planting shall be undertaken (in addition to the planting required by any approved landscape plan).

- a) The provision of one (1) suitable species of tree shall be planted in the front and the provision of one (1) suitable species of tree shall be planted in the rear of the property. The trees are required to be provided in a minimum 45 litre container, reach a minimum mature height of 5m and be planted at a minimum distance of two (2) metres from any drainage line and a minimum 3.5m setback to the outside of any legally constructed building. Suitable species include (but are not limited to) the following:

- *Backhousia citriodora* (Lemon-scented Myrtle)
- *Tristaniopsis laurina* (Water Gum)
- *Corymbia ficifolia* (Flowering Gum)
- *Elaeocarpus eumundi* (Eumundi Quondong)
- *Buckinghamia celsissima* (Ivory Curl)
- *Corymbia eximia* (Yellow Bloodwood)
- *Magnolia* 'Little Gem'

Condition 1B

The existing covered BBQ area is to be replaced with a 1m wide garden bed which extends the length of the rear northeastern and southeastern boundaries (Excluding pool area) to provide privacy and amenity. Screen hedge planting must be provided in a minimum 200mm containers, be able to reach a minimum 1.8m height at maturity and be planted at maximum distances of 1 (one) metre between trunk centres. Suitable species include (but are not limited to) the following:

- *Syzygium australe* 'Pinnacle' (Lilly Pilly)
- *Photinia x fraseri* 'Red Robin' (Red Robin)
- *Camellia sasanqua* (Sasanqua Camellia)
- *Callistemon viminalis* 'Slim' (Bottlebrush)
- *Acmena smithii* 'Firescreen' (Lilly Pilly)

Garden beds shall have defined paved, steel or timber edge to delineated from turf area. Garden beds shall be mulched to a depth of 75mm.

Reason: To ensure implementation of appropriate landscaping and tree replenishment.

3. All other conditions of DA/380/2017 remain unchanged.

City of Parramatta – Local Planning Panel – 16 April 2024

- (b) That the Parramatta Local Planning Panel approve the proposal notwithstanding the non-compliance with the height of building control in Clause 4.3 Height of Buildings of the Parramatta Local Environmental Plan 2023 as there are sufficient environmental grounds to justify the variation.
- (c) That the Parramatta Local Planning Panel approve the proposal notwithstanding the non-compliance with the floor space ratio control in Clause 4.4 Floor Space Ratio of the Parramatta Local Environmental Plan 2023 as there are sufficient environmental grounds to justify the variation.

REASONS

1. The proposed modification is substantially the same development which was approved.
2. The proposed modification is permissible within the R2 low Density Residential zone and results in a development which is suitable for the context of the site and locality.
3. The proposed modification to increase the building height and floor space of the site is supported as there is no substantial change in the bulk and scale of the building.
4. The proposed modification results in reasonable impacts to adjoining and surrounding properties, is suitable for the site, and is not contrary to the public interest.
5. The panel is concerned at the extend of hard surface area in the front setback area and the increase in site coverage. Additional conditions have been imposed to address this.

VOTING

Unanimous

5.3	<p>SUBJECT 25 Chester Street, EPPING NSW 2121 (Lot 22, DP 262348)</p> <p>DESCRIPTION Demolition of existing dwelling including tree removal and construction of single storey dwelling with attic. The site is within East Epping Conservation Area pursuant to clause 5.10 of the Parramatta Local Environmental Plan 2023.</p> <p>APPLICANT/S Planning Solutions</p> <p>OWNERS F Xue & Ms W C Zheng</p> <p>REPORT OF Group Manager Development and Traffic Services</p>
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City of Parramatta – Local Planning Panel – 16 April 2024

PANEL DECISION

- (a) That the Parramatta Local Planning Panel exercising the functions of Council as the consent authority, grant development consent to DA/643/2023 on land at 25 Chester Street Epping, for a period of five (5) years within which physical commencement is to occur from the date on the Notice of Determination, subject to conditions of consent in **Attachment 1** modified as follows:

- The addition of the following condition 1A:

Condition 1A

The final Landscape Plan must be consistent with the plan prepared by Plumgrove Landscapes (Brad Inwood) numbered 1345-01 to 1345-04 together with any additional criteria Required by the Development Consent to the satisfaction of the Certifying Authority addressing the following requirements:

- a) Screening between properties along the eastern boundary of the front setback provide privacy and amenity is required. A minimum 1m wide garden bed containing hedge screening plants to be provided in minimum 200mm containers and must be able to grow to a minimum mature height of 1.8m. Suitable species include (but are not limited to) the following:
 - *Syzygium australe* 'Pinnacle' (Lilly Pilly)
 - *Photinia x fraseri* 'Red Robin' (Red Robin)
 - *Camellia sasanqua* (Sasanqua Camellia)
 - *Callistemon viminalis* 'Slim' (Bottlebrush)
 - *Acmena smithii* 'Firescreen' (Lilly Pilly)
- b) Front boundary garden bed depth shall be increased to 2m and vegetated with additional indigenous shrub planting.
- c) All landscape plans are to be prepared by a professionally qualified Landscape Architect.

Reason: To ensure restoration of environmental amenity.

- The addition of the following condition 10A:

Driveway Material Finishes

Condition 10A

Prior to the issue of Construction Certificate, the amended plans are to be submitted to the satisfaction of the Private Certifier demonstrating the driveway and turning bay are of a light beige honed concrete.

Reason: To comply with the heritage character of the area.

- (b) That submitters are advised of the decision.

REASONS

1. The development is permissible in the R2 Low Density Residential zone and generally satisfies the requirements of the applicable planning controls.

City of Parramatta – Local Planning Panel – 16 April 2024

2. The development will be compatible with the East Epping Heritage Conservation Area and will not detract from the nearby heritage items.
3. The panel has added conditions to improve the landscaping and the treatment of the driveway and turning area in the front setback area as it presents to the street.
4. For the reasons given above, approval of the application is in the public interest.

VOTING
Unanimous

6. REPORTS - PLANNING PROPOSALS

6.1 SUBJECT Post Exhibition Report - Planning Proposal for land at 8 Lincluden Place, Oatlands

APPLICANT/S Think Planners

OWNERS Zaki Property Pty Ltd as Trustee For Zaki Property Trust

REPORT OF Project Officer

PANEL ADVICE

The Parramatta Local Planning Panel recommends:

- (a) That Council receives and notes the submissions made during the exhibition period.
- (b) That Council approve the finalisation of the Planning Proposal, provided at **Attachment 1** to the Council report, for land at 8 Lincluden Place, Oatlands.
- (c) That Council enters into the Planning Agreement at **Attachment 2** to the Council report and delegates authority to the Chief Executive Officer to sign it on behalf of Council.
- (d) That Council delegate authority to the Chief Executive Officer to make any minor amendments and corrections of a non-policy and administrative nature that may arise during the plan finalisation process relating to the Planning Proposal and Planning Agreement.

REASONS

The panel generally agrees with the Council Officer's report.

City of Parramatta – Local Planning Panel – 16 April 2024

VOTING
Unanimous

6.2 SUBJECT Request for Gateway and public exhibition: Planning Proposal for North-East Planning Investigation Area

APPLICANT/S City of Parramatta

OWNERS N/A

REPORT OF Team Leader Land Use Planning

PANEL ADVICE

The Parramatta Local Planning Panel recommends:

- (a) That Council approve:
- i) The Planning Proposal at **Attachment 1** to the Council report, for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure, for the land identified as the North East Planning Investigation Area which seeks the following changes to the Parramatta Local Environmental Plan 2011:
 - a. Increase the Maximum Floor Space Ratio from 0.8:1 to a range between 2:1 and 3.6:1.
 - b. Increase the Maximum Height of Building from 11m to a range between 24m and 40m (approximately 6 – 12 storeys).
 - ii) The supporting draft DCP amendments at **Attachment 2** to the Council report, applying to the land in the North East Planning Investigation Area for the purposes of public exhibition.
- (b) That Council advise the Department of Planning, Housing and Infrastructure that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.
- (c) That Council authorise the CEO if the Gateway determination is issued by the Department, that the draft DCP amendments are placed on public exhibition concurrently with the Planning Proposal.
- (d) That Council delegates authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.

City of Parramatta – Local Planning Panel – 16 April 2024

REASONS

The Paramatta Local Planning Panel generally agrees with the Council Officer's report.

VOTING

Unanimous

The meeting terminated at 4.42pm.



Chairperson

**ATTACHMENT 4 – 8 LINCLUDEN PLACE, OATLANDS
SUBMISSION SUMMARY TABLE AND OFFICER RESPONSES**

STATE AGENCY AND SERVICE PROVIDER SUBMISSIONS

Submission Summary	Officer Response
<p>1. Endeavour Energy</p> <ul style="list-style-type: none"> • Submission notes that the applicant will need to engage an Accredited Service Provider (ASP) of an appropriate level and class of accreditation to assess the electricity load and the proposed method of supply for the development, to ensure an adequate connection. • Submission notes that an extension or augmentation of the existing electricity distribution network may be required. • Submission states that all new cabling/reticulation infrastructure must be of an underground construction type. • Submission states that the low voltage service conductor and customer connection point must comply with the 'Service and Installation Rules of NSW'. • Submission notes that the planning proposal shows a future subdivision application to create two (2) residential allotments facing Gollan Avenue and that there is currently no existing low voltage electricity connection to the Gollan Avenue frontage of the site. • Submission opposes the planting of deep rooted trees near electricity infrastructure and recommends that existing trees of low ecological significance in proximity of electrical infrastructure be removed and, if necessary, replaced by an alternative smaller planting. 	<p>Submission providing comments on the proposal is noted.</p> <ul style="list-style-type: none"> • No built form is proposed as part of the Planning Proposal. At this stage, Council officers are assessing the proposed change in land zoning, from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential. The Planning Proposal seeks to align the zoning of the site with the surrounding R2 Low Density Residential zone so that residential uses might then be considered on the site. • Should the rezoning be supported, any future residential land use that is permitted in the R2 Low Density Residential zone might then be proposed. Any such future use will require a separate Development Application to be prepared and lodged with Council for detailed assessment to ensure that the future development complies with applicable planning controls. • Matters relating to electricity distribution and load shall be addressed at the Development Application(s) stage.

Submission Summary	Officer Response
<ul style="list-style-type: none"> Submission notes that the landscape designer will need to ensure any planting near electricity infrastructure achieves Endeavour Energy's vegetation management requirements. 	
2. Transport for NSW (TfNSW)	
<ul style="list-style-type: none"> Submission requests that TfNSW's comments are satisfactorily addressed prior to Council finalising the planning proposal. Submission notes that if the Applicant continues with the indicative subdivision consent for an Educational Establishment will have to be relinquished prior to the development consent being granted for the subdivision. Therefore, an updated Traffic Impact Assessment will be required to be undertaken and submitted with any future development applications. Submission states that any shared pathway, as well as active transport facilities, are to be designed according to Australian Standards and Guidelines and submitted to TfNSW for review prior to any work being undertaken. Submission states that any request for future access from Pennant Hills Road will not be permitted and all new access to the site is to be from Lincluden Place only. Submission notes that the subject property is affected by a road proposal (approved 21/06/1989) and, therefore, there should be no building on any SP2 land that is dedicated or reserved for roads. 	<p>Submission providing comments on the proposal is noted.</p> <ul style="list-style-type: none"> Traffic impacts associated with the Planning Proposal have been assessed by Council's Traffic and Transport Engineers, who have indicated that the potential traffic impacts of the rezoning can be accommodated within the existing road network, subject to further detailed analysis should a Development Application(s) be submitted. Detailed matters relating to traffic shall be considered should a future Development Application be lodged for this site. It is noted that an updated Traffic Impact Assessment will be required to be undertaken and submitted with any future Development Application(s) on this site, in accordance with TfNSW's recommendation. Should a future Development Application(s) for this site propose an Educational Establishment, an updated Traffic Impact Assessment would be required to ensure access to the site is manageable. It is noted that no built form is proposed as part of the Planning Proposal and that an Educational Establishment is already permissible on the site. To support the Planning Proposal (which only seeks to rezone the site to allow what is also permissible within the adjoining R2 Low Density Residential zone), the Applicant submitted an indicative subdivision plan as an example to illustrate what a possible future Development Application could propose, should the land be rezoned.

Submission Summary	Officer Response
	<ul style="list-style-type: none"> • The indicative subdivision plan does not propose access vehicular from Pennant Hills Road. • The northern portion of the site is currently zoned SP2 Infrastructure (Classified Road) and is identified on the Land Reservation Acquisition (LRA) Map. This Planning Proposal seeks to retain the land zoned SP2 Infrastructure (Classified Road) and does not propose changes to the LRA Map. • As per <i>Parramatta Local Environmental Plan 2023</i>, land zoned SP2 Infrastructure and marked Classified Road identifies Transport for NSW as the relevant authority to acquire the land. Should the portion of land identified as per the Land Reservation Acquisition map be acquired, this acquisition will be subject to a separate process.
<p>3. School Infrastructure NSW (SINSW)</p>	
<ul style="list-style-type: none"> • Submission considers that there is minimal impact from the subject proposal. • Submission requests that consideration be given to potential future impacts in relation to traffic management and active transport for future usage of the site. • Submission requests that transport planning for the proposal be guided by the NSW Government’s Movement and Place Framework (MAPF) and Built Environment Performance Indicators, as these indicators are based on qualities that contribute to a well-designed built environment and should therefore be used by proponents in the formulation of transport concepts. • Submission identifies the following as examples of effective transport planning measures which address the above indicators: <ul style="list-style-type: none"> ○ Provision of active and public transport infrastructure 	<p>Submission providing comments on the proposal is noted.</p> <ul style="list-style-type: none"> • Traffic impacts associated with the Planning Proposal have been assessed by Council’s Traffic and Transport Engineers, who have indicated that the potential traffic impacts of the rezoning can be accommodated within the existing road network, subject to further detailed analysis should a Development Application(s) be submitted. • Detailed matters relating to traffic shall be considered should a future Development Application be lodged for this site. It is noted that an updated Traffic Impact Assessment will be required to be undertaken and submitted with any future Development Application(s) on this site, in accordance with TfNSW’s recommendation. • Should a future Development Application(s) for this site propose an Educational Establishment, an updated Traffic Impact

Submission Summary	Officer Response
<ul style="list-style-type: none"> ○ Physical separation between pedestrian, cyclists and heavy vehicles ○ Access for all ages and abilities such as ambulant disabilities and prams ○ Kerb outstands and refuges crossings (particularly around schools). ○ Pedestrian legs on all approach to intersections. ○ Weather- protected bus departure zones ○ For local roads: lower vehicle speeds to 15km/h in High Pedestrian Activity Areas or 40km/h within School Zones. 	<p>Assessment would be required to ensure access to the site is manageable. It is noted that no built form is proposed as part of the Planning Proposal and that an Educational Establishment is already permissible on the site.</p>
4. Sydney Water	
<ul style="list-style-type: none"> ● Submission states that drinking water and wastewater servicing should be available to the site. ● Submission states that amplifications, adjustments, and/or minor extensions may be required regarding water and wastewater servicing. ● Submission notes that Sydney Water does not reserve or hold capacity for proposed developments, regardless of whether the area has been rezoned or not, and it is best to approach Sydney Water for an updated capacity assessment, especially if the approval letter is over 12 months old. 	<p>Submission providing comments on the proposal is noted.</p> <ul style="list-style-type: none"> ● No built form is proposed as part of the Planning Proposal. At this stage, Council officers are assessing the proposed change in land zoning, from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential. The Planning Proposal seeks to align the zoning of the site with the surrounding R2 Low Density Residential zone so that residential uses might then be considered on the site. ● Should the rezoning be supported, any future residential land use that is permitted in the R2 Low Density Residential zone might then be proposed. Any such future use will require a separate Development Application to be prepared and lodged with Council for detailed assessment to ensure that the future development complies with applicable planning controls. ● Matters relating to water and wastewater servicing shall be addressed at the Development Application(s) stage.

INDIVIDUAL COMMUNITY MEMBER SUBMISSIONS

No.	Submission Summary	Officer Response
<p>1.</p> <p>Submitter from Strathalbyn Drive, Oatlands</p>	<p>Submitter objects the proposal.</p> <ul style="list-style-type: none"> • Submitter opposes the planning proposal and draft planning agreement. • Submitter raises concerns about not being able to ascertain what structures are planned and their proposed occupancy. • Submitter raises concerns that if entry to the site is via Lincluden Place and not Gollan Ave, the proposal will make movement in and out of Strathalbyn Drive and Lincluden Place 'extremely difficult', not only during construction, but upon completion due to increased traffic flow. • Submitter states that there is only one entry and exit to Pennant Hills Road, which, with additional traffic, would make their home and all the others in Burnside Gardens 'virtually land locked'. • Submitter notes that on mornings and afternoons on school days parking is allowed on Glencoe Avenue, reducing the two lanes to one. • Submitter notes that despite clear signage forbidding it, cars frequently make illegal U-turns at the corner of Glencoe Avenue, Strathalbyn Drive and Blackwood Place 	<p>Submission objecting the proposal is noted.</p> <ul style="list-style-type: none"> • No built form is proposed as part of the Planning Proposal. At this stage, Council officers are assessing the proposed change in land zoning, from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential. The Planning Proposal seeks to align the zoning of the site with the surrounding R2 Low Density Residential zone so that residential uses might then be considered on the site. • Should the rezoning be supported, any future residential land use that is permitted in the R2 Low Density Residential zone might then be proposed. Any such future use will require a separate Development Application to be prepared and lodged with Council for detailed assessment to ensure that the future development complies with applicable planning controls. • Any future Development Application will also be publicly exhibited and therefore, surrounding residents will have an opportunity to review any plans for the site and make a submission for consideration. • To support the Planning Proposal (which only seeks to rezone the site to allow what is also permissible within the adjoining R2 Low Density Residential zone), the Applicant submitted an indicative subdivision plan as an example to illustrate what a possible future Development Application could propose, should the land be rezoned. • The future land use for this site would need to comply with applicable development controls and will be subject to a future detailed planning assessment process. • Traffic impacts associated with the Planning Proposal have been assessed by Council's Traffic and Transport Engineers, who have

No.	Submission Summary	Officer Response
	<p>making it dangerous not only for motorists but also pedestrians, many of whom are school children or local residents going on their daily walk.</p> <ul style="list-style-type: none"> • Submitter raises concerns about not knowing the size, type of buildings and occupancy of proposed structures as they strongly feel that any proposed structures should be sympathetic to the heritage building currently on the site, and to those on Pennant Hills Road between Glencoe Avenue and James Ruse Drive. • Submitter requests details regarding the proposed structures and occupancy. 	<p>indicated that the potential traffic impacts of the rezoning can be accommodated within the existing road network, subject to further detailed analysis should a Development Application(s) be submitted.</p> <ul style="list-style-type: none"> • Detailed matters relating to traffic shall be considered should a future Development Application be lodged for this site. It is noted that an updated Traffic Impact Assessment will be required to be undertaken and submitted with any future Development Application(s) on this site, in accordance with TfNSW's recommendation. • Should a future Development Application(s) for this site propose an Educational Establishment, an updated Traffic Impact Assessment would be required to ensure access to the site is manageable. It is noted that no built form is proposed as part of the Planning Proposal and that an Educational Establishment is already permissible on the site.
<p>2.</p> <p>Submitter from Lincluden Place, Oatlands</p>	<p>Submitter objects the proposal.</p> <ul style="list-style-type: none"> • Submitter considers that the proposal offers 'a smorgasbord of options' to residents without any clarity of what may be approved. • Submitter notes that a school and two houses is completely different to a boarding house, a group home, four or five residences, some with granny flats, and dual occupancy, which each having unique benefits and drawbacks. • Submitter is concerned about not knowing which possible option to comment on. 	<p>Submission objecting the proposal is noted.</p> <ul style="list-style-type: none"> • No built form is proposed as part of the Planning Proposal. At this stage, Council officers are assessing the proposed change in land zoning, from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential. The Planning Proposal seeks to align the zoning of the site with the surrounding R2 Low Density Residential zone so that residential uses might then be considered on the site. • Should the rezoning be supported, any future residential land use that is permitted in the R2 Low Density Residential zone might then be proposed. Any such future use will require a separate Development Application to be prepared and lodged with Council for detailed assessment to ensure that the future development complies with applicable planning controls.

No.	Submission Summary	Officer Response
	<ul style="list-style-type: none"> • Submitter raises concerns that the original letter appeared to imply a 2-3 storey building would occupy the site, Council's website did not provide significant detail on the full implications of the proposal, and information provided at the library was not made more widely available. • Submitter questions whether the whole site is being rezoned or only a part of it. • Submitter is concerned about increased traffic and reduced safety in Lincluden Place, a short, narrow cul-de-sac. • Submitter notes that motorists travelling south on Pennant Hills Road who wish to turn right at Masons Drive use Lincluden Place as a turning circle during school pick up and drop off times, for the three schools located along Mason Drive. • Submitter objectisto the conclusion in the traffic section that there would be a 'negligible' effect on traffic in the area if a school with 104 students and two houses are allowed on Gollan Avenue without access to the school from Gollan Avenue. • Submitter notes that previously, only staff at the school used Lincluden Place to access the parking area under the building, and parents and students utilised 	<ul style="list-style-type: none"> • Any future Development Application will also be publicly exhibited and therefore, surrounding residents will have an opportunity to review any plans for the site and make a submission for consideration. • To support the Planning Proposal (which only seeks to rezone the site to allow what is also permissible within the adjoining R2 Low Density Residential zone), the Applicant submitted an indicative subdivision plan as an example to illustrate what a possible future Development Application could propose, should the land be rezoned. • The future land use for this site would need to comply with applicable development controls and will be subject to a future detailed planning assessment process. • The Planning Proposal and draft Planning Agreement were publicly exhibited from Monday, 11 December 2023 to Friday, 9 February 2024. Stakeholders were notified through letters, a notice in Parra News, relevant material shared on City of Parramatta's corporate website and Participate Parramatta, and hard copy materials were available at PHIVE, Dundas Library and Carlingford Library. All information that was available at the libraries in hard copy was accessible for online access. • The Planning Proposal does not propose to amend the height of buildings control applying to the site. • The northern portion of the site is currently zoned SP2 Infrastructure (Classified Road) and is identified on the Land Reservation Acquisition (LRA) Map. This Planning Proposal seeks to retain the land zoned SP2 Infrastructure (Classified Road) and does not propose changes to the LRA Map. • Traffic impacts associated with the Planning Proposal have been assessed by Council's Traffic and Transport Engineers, who have indicated that the potential traffic impacts of the rezoning can be

No.	Submission Summary	Officer Response
	<p>Gollan Avenue. Submitter raises concerns that if the site becomes a school and two houses, traffic and parking would be 'chaotic' in Lincluden Place.</p> <ul style="list-style-type: none"> • Submitter queries whether cars would be allowed to park on both sides of the street, noting it is narrow at the bottom of the hill and there have been many near-miss accidents. • Submitter notes that the building is in a heritage conservation area. Submitter requests to be kept informed about the impact that may have on the design of the site. 	<p>accommodated within the existing road network, subject to further detailed analysis should a Development Application(s) be submitted.</p> <ul style="list-style-type: none"> • Detailed matters relating to traffic shall be considered should a future Development Application be lodged for this site. It is noted that an updated Traffic Impact Assessment will be required to be undertaken and submitted with any future Development Application(s) on this site, in accordance with TfNSW's recommendation. • Should a future Development Application(s) for this site propose an Educational Establishment, an updated Traffic Impact Assessment would be required to ensure access to the site is manageable. It is noted that no built form is proposed as part of the Planning Proposal and that an Educational Establishment is already permissible on the site. • The Planning Proposal does not seek to alter any heritage provisions applying to the site. Any future Development Application (DA) for the site will be assessed against the applicable planning controls including Parramatta DCP 2023, and be accompanied by suitable justification (e.g. a Statement of Heritage Impact) to ensure any future development is respectful of the Burnside Homes Conservation Area.
<p>3.</p> <p>Submitter from Lincluden Place, Oatlands</p>	<p>Submitter objects the proposal.</p> <ul style="list-style-type: none"> • Submitter identifies several areas of concern to be carefully considered prior to approval being granted. • Submitter states that the details on Council's website about this proposal are unclear and more information is needed before residents can make an informed 	<p>Submission objecting the proposal is noted.</p> <ul style="list-style-type: none"> • The Planning Proposal and draft Planning Agreement were publicly exhibited from Monday, 11 December 2023 to Friday, 9 February 2024. Stakeholders were notified through letters, a notice in Parra News, relevant material shared on City of Parramatta's corporate website and Participate Parramatta, and hard copy materials were available at PHIVE, Dundas Library and Carlingford Library. All information that was available at the libraries in hard copy was accessible for online access.

No.	Submission Summary	Officer Response
	<p>decision about whether or not the proposal is acceptable.</p> <ul style="list-style-type: none"> • Submitter raises particular concerns about the potential impact of traffic on Lincluden Place, stating it is crucial to understand how the proposed development may alter traffic patterns and access points in order to ensure the safety and convenience of the local community. • Submitter raises concerns that Lincluden Place already experiences traffic congestion around school hours and that this would be exacerbated with the addition of more cars and/or construction vehicles, creating further challenges for residents. • Submitter raises concerns that details on access to the proposed three dwellings are not clearly outlined and further information is needed before residents can evaluate the potential impacts on their neighbourhood. • Submitter raises concerns that the documentation provided does not clearly define the types of dwellings proposed for the development and further information is required before residents can decide whether the proposal is acceptable. 	<ul style="list-style-type: none"> • Traffic impacts associated with the Planning Proposal have been assessed by Council's Traffic and Transport Engineers, who have indicated that the potential traffic impacts of the rezoning can be accommodated within the existing road network, subject to further detailed analysis should a Development Application(s) be submitted. • Detailed matters relating to traffic shall be considered should a future Development Application be lodged for this site. It is noted that an updated Traffic Impact Assessment will be required to be undertaken and submitted with any future Development Application(s) on this site, in accordance with TfNSW's recommendation. • Should a future Development Application(s) for this site propose an Educational Establishment, an updated Traffic Impact Assessment would be required to ensure access to the site is manageable. It is noted that no built form is proposed as part of the Planning Proposal and that an Educational Establishment is already permissible on the site. • No built form is proposed as part of the Planning Proposal. At this stage, Council officers are assessing the proposed change in land zoning, from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential. The Planning Proposal seeks to align the zoning of the site with the surrounding R2 Low Density Residential zone so that residential uses might then be considered on the site. • Should the rezoning be supported, any future residential land use that is permitted in the R2 Low Density Residential zone might then be proposed. Any such future use will require a separate Development Application to be prepared and lodged with Council for detailed assessment to ensure that the future development complies with applicable planning controls. • Any future Development Application will also be publicly exhibited and therefore, surrounding residents will have an opportunity to

No.	Submission Summary	Officer Response
	<ul style="list-style-type: none"> • Submitter raises significant concerns about access to existing residences during construction as it is unclear whether construction vehicles would be using Lincluden Place as an entry point to the proposed development during construction, which would make it difficult for residents to access their homes. Submitter requests clarity on this issue. • Submitter suggests that concerns be addressed and reviewed. • Submitter considers that it would be beneficial for the community, especially direct neighbours, to have the opportunity to provide feedback and comments before any building works commence. 	<p>review any plans for the site and make a submission for consideration.</p> <ul style="list-style-type: none"> • To support the Planning Proposal (which only seeks to rezone the site to allow what is also permissible within the adjoining R2 Low Density Residential zone), the Applicant submitted an indicative subdivision plan as an example to illustrate what a possible future Development Application could propose, should the land be rezoned. • The future land use for this site would need to comply with applicable development controls and will be subject to a future detailed planning assessment process. • Any matters relating to construction shall be addressed at the Development Application(s) stage. • The Planning Proposal does not seek to alter any heritage provisions applying to the site. Any future Development Application (DA) for the site will be assessed against the applicable planning controls including Parramatta DCP 2023 and be accompanied by suitable justification (e.g. a Statement of Heritage Impact) to ensure any future development is respectful of the Burnside Homes Conservation Area.
4. Submitter from Lincluden Place, Oatlands	<p>Submitter supports the proposal, to an extent.</p> <ul style="list-style-type: none"> • Submitter requests for cars to not be permitted to park along the kerb of Lincluden Place and should only park in the parking area of the building, with drop-offs to occur at Gollan Avenue. 	<p>Submission supporting the proposal to an extent is noted.</p> <ul style="list-style-type: none"> • Traffic impacts associated with the Planning Proposal have been assessed by Council's Traffic and Transport Engineers, who have indicated that the potential traffic impacts of the rezoning can be accommodated within the existing road network, subject to further detailed analysis should a Development Application(s) be submitted. • Detailed matters relating to traffic shall be considered should a future Development Application be lodged for this site. It is noted that an updated Traffic Impact Assessment will be required to be undertaken

No.	Submission Summary	Officer Response
	<ul style="list-style-type: none"> Submitter notes that the residents in Burnside Garden only have one exit, via Glencoe Avenue. 	<p>and submitted with any future Development Application(s) on this site, in accordance with TfNSW's recommendation.</p>
<p>5.</p> <p>Submitter from Lincluden Place, Oatlands</p>	<p>Submitter supports the proposal, to an extent.</p> <ul style="list-style-type: none"> Submitter requests that traffic for construction, deliveries, residents and staff are to be from Gollan Avenue, with no parking of workmen and staff vehicles to be allowed in Lincluden Place at any time. 	<p>Submission supporting the proposal to an extent is noted.</p> <ul style="list-style-type: none"> Traffic impacts associated with the Planning Proposal have been assessed by Council's Traffic and Transport Engineers, who have indicated that the potential traffic impacts of the rezoning can be accommodated within the existing road network, subject to further detailed analysis should a Development Application(s) be submitted. Detailed matters relating to traffic shall be considered should a future Development Application be lodged for this site. It is noted that an updated Traffic Impact Assessment will be required to be undertaken and submitted with any future Development Application(s) on this site, in accordance with TfNSW's recommendation.
<p>6.</p> <p>Submitter from Strathalbyn Drive, Oatlands</p>	<p>Submitter objects the proposal.</p> <ul style="list-style-type: none"> Submitter states that a development of this nature would increase traffic flow in and out of Lincluden Place significantly. Submitter notes that there are already a number of drivers making illegal U-turns at the corner of Lincluden Place and Strathalbyn Drive during school pick up and drop off times and signage should be put in place to ban this. Submitter states it is unclear what the rezoning would permit the developer to 	<p>Submission objecting the proposal is noted.</p> <ul style="list-style-type: none"> Traffic impacts associated with the Planning Proposal have been assessed by Council's Traffic and Transport Engineers, who have indicated that the potential traffic impacts of the rezoning can be accommodated within the existing road network, subject to further detailed analysis should a Development Application(s) be submitted. Detailed matters relating to traffic shall be considered should a future Development Application be lodged for this site. It is noted that an updated Traffic Impact Assessment will be required to be undertaken and submitted with any future Development Application(s) on this site, in accordance with TfNSW's recommendation. Should a future Development Application(s) for this site propose an Educational Establishment, an updated Traffic Impact Assessment would be required to ensure access to the site is manageable. It is

No.	Submission Summary	Officer Response
	<p>achieve on the site and whether an amendment could be submitted for increased density.</p> <ul style="list-style-type: none"> • Submitter states there is currently traffic congestion at the entrance to Burnside Estate, on Glencoe Avenue, with parents parking on the lefthand side of the entry to the estate, which would be exacerbated with the proposed development, presenting traffic hazards and potentially causing accidents. • Submitter notes that currently many drivers disregard the 'no U-turn' signage at the end of 'Glencoe Place', resulting in traffic congestion and safety hazards to pedestrians in the area. • Submitter states that the existing heritage building along Pennant Hills Road should remain in its location. • Submitter reiterates opposition to this proposal but suggests, if it were to go ahead, that all traffic be redirected via Gollan Avenue and not Lincluden Place. 	<p>noted that no built form is proposed as part of the Planning Proposal and that an Educational Establishment is already permissible on the site.</p> <ul style="list-style-type: none"> • No built form is proposed as part of the Planning Proposal. At this stage, Council officers are assessing the proposed change in land zoning, from SP2 Infrastructure (Educational Establishment) to R2 Low Density Residential. The Planning Proposal seeks to align the zoning of the site with the surrounding R2 Low Density Residential zone so that residential uses might then be considered on the site. • Should the rezoning be supported, any future residential land use that is permitted in the R2 Low Density Residential zone might then be proposed. Any such future use will require a separate Development Application to be prepared and lodged with Council for detailed assessment to ensure that the future development complies with applicable planning controls.

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.6
SUBJECT	Approval of Civic Link Block 3 Concept Design
REFERENCE	F2024/00282 - D09363109
REPORT OF	Senior Design Manager

CSP THEME: Thriving

WORKSHOP/BRIEFING DATE: 6 May 2024

PURPOSE:

This report seeks Council's approval for an amended concept design for Civic Link Block 3 (Horwood Place) to progress to detailed design, planning and technical approvals and documentation for tendering of the works.

RECOMMENDATION

- (a) That Council note the results of the public exhibition and community engagement of the draft concept design for Civic Link Block 3.
- (b) That Council approve the refined concept design as shown in Attachment 3, for progression to detailed design, planning and technical approvals, and documentation for tender.
- (c) That Council note the range of 'smart city' infrastructure inclusions specified in the project design as detailed in this report and shown in Attachment 3.

BACKGROUND**Civic Link Block 3**

1. Civic Link is a long-held aspiration for the City of Parramatta, established through strategic studies and statutory planning including the 2017 Civic Link Framework Plan, the 2017 Parramatta CBD Public Domain Plan, and the 2021 Parramatta City Development Control Plan.
2. The vision for Civic Link Block 3 is the creation of a green, culturally activated pedestrian spine on Horwood Place between George St and Phillip St. In line with the 'garden square' theme for this block as described in the 2017 framework plan, the aim is to create a calm, comfortable and social place for the community to enjoy in the heart of the city.
3. Civic Link Block 3 will create a vibrant public space, a welcoming, accessible connection between the river and the city, and a memorable pedestrian experience that links the public transport amenity of the rail, light rail, Metro, and buses arriving at Parramatta Square to the new Powerhouse Museum and the Parramatta River.

4. As reported to Council in February 2024, key features of the project include:
 - a. Closure of Horwood Place to traffic between Phillip Street and Auctioneer Lane, with retention of a single lane each way from George Street to access Auctioneer Lane and the Erby Place (Eat Street) carpark.
 - b. New wide paved boulevards, creating a generous pedestrian and cyclable route within the city with raised and marked priority pedestrian and cycling crossings located at Phillip Street, George Street and Auctioneer Lane.
 - c. A central green spine of tree canopy and shrub understorey, established in the fully pedestrianised northern section. To the south, new kerbside tree planting sits adjacent to the narrowed and paved road carriageway.
 - d. New abundant seating through creation of interesting and varied seating options, moments for play and interaction opportunities through the expression of an edge treatment described as the 'Ribbon'.
 - e. Water Sensitive Urban design (WSUD) expressing the 'water story' as part of the greater 'river story' of Parramatta River and the Parramatta CBD.
 - f. Integration of the interpretive elements, playful elements and potentially, public artwork (further discussed within this report to Council).
 - g. Improved accessibility on a challenging steep pathway with rest stops incorporated into the green spine.
5. Incorporating initial input and feedback from local businesses, Councillors, Dharug Cultural Custodians and Council staff, the draft concept design was endorsed for public exhibition and exhibited for a 5-week period from 11 March – 15 April 2024.

CONSULTATION UNDERTAKEN

6. A broad range of communication and engagement activities using various channels were undertaken during the public exhibition period of the draft concept plan for Civic Link Block 3:
 - a. Council's engagement portal 'Participate Parramatta' with comprehensive project information and on-line survey – with more than 7561 page views, 156 document downloads, 52 surveys taken, 91 polls taken, and 5 submissions received.
 - b. Two (2) community drop-in sessions with on-site display boards at Horwood Place and Parramatta Square, where more than 100 face to face engagements were undertaken. Postcard flyers were distributed to interested passers-by.
 - c. Personal door-knock approach to all business operators within precinct of Horwood Place, and immediately adjacent into George and Phillip Streets to inform of project and pending exhibition (June and December 2023, prior to exhibition)

- d. Project information letters mailed to 83 local property owners and occupiers.
 - e. A stakeholder briefing meeting with property manager of 80 George Street.
 - f. Distribution of project postcards and project brochures at Phive Customer Service Centre and Parramatta Local Library branches, and available online at Participate Parramatta.
 - g. Youth engagement sessions with Parramatta YMCA with 10 participants and Arthur Phillip High School with 34 participants.
7. These engagement activities were also further promoted through:
- a. Material on Council's website, including home page hero image ribbon, and Participate Parramatta.
 - b. Advertisements in ParraNews on five (5) occasions 12 March – 9 April 2024, inclusive of statutory requirement for Traffic (TfNSW) purposes.
 - c. Council's Lord Mayor's Column on 12 March 2024.
 - d. Corflute A2 posters on site at Horwood Place promoting exhibition and submission details.
 - e. Adhesive floor decals, 500mm dia., at 30 key pedestrian points within Parramatta CBD, promoting the QR code link to the exhibition page.
 - f. Corflute A1 posters for display at engagement pop-ups with artist's impression and draft Concept Plan.
 - g. Approx 200 postcards distributed by hand at council facilities and at engagement pop-ups.
 - h. Social media promotion through Facebook, X (Twitter)
8. Overall, more than 128,000 people across the LGA and beyond had the opportunity to provide input to the Civic Link Block 3 Project. The Community Engagement Summary Report is included as Attachment 1.
9. Council polled the support for the draft concept design, with the question framed 'Do you support the draft concept design?' Responses were 60 Yes, 24 Yes to an extent, 3 Unsure, and 4 No.
10. Overwhelmingly the open-fielded survey responses were positive and supportive of the proposed design. Of 52 survey respondents, 27 wrote positive comments, 23 offered supportive comments and suggestions and 2 voiced negative comment. One of the 'negative' reasons was that the design looked like every other Council streetscape design and those of other local government areas.
11. The five (5) most frequently mentioned **positive comments** were:
- I. the green spine and shade provision, including deciduous trees;
 - II. that the proposal was vibrant and interesting;

- III. liked the proposal for a multi-generational and child-friendly space that was also inviting to youth as a hang-out space;
 - IV. supportive of night-time activity with artistic lighting for safety and activation; and
 - V. liked the interactive play elements and wanted to see that enhanced.
12. Comments that **expressed concern** were most frequently focused on:
- I. potential pedestrian and cyclist conflict on the shared pathway,
 - II. wanting separated cycleway, and
 - III. wanting full removal of cars and pedestrianisation now.
13. A Key Findings Summary is included in Attachment 2.

Youth Engagement

14. Council engaged purposefully with youth in two dedicated sessions, the first at Parramatta YMCA on 11 March 2024 and Arthur Phillip High School 19 March 2024. In addition, one of two survey questions also focused on designing for youth in the public domain. Key messages heard included a variety of types of seating and hang-out spaces where youth were welcomed, spaces to discretely 'people-watch', warm lighting and quiet, permeability through the green spine, and access to Wi-Fi and device chargers. Many referenced creativity, art, games and 'fun', including music, karaoke and an 'ideas showcase wall'. Youth Engagement is included in Key Findings Summary in Attachment 2.

Written Submissions

15. The five (5) written submissions were received from the following stakeholders:
- a. Sydney MetroWest has engaged regularly with Council through the development of the draft concept plan. Metro wants to ensure coordination of the George St interface and proposed pedestrian crossing on George St to align with the Metro opening in 2032.
 - b. Bicycle NSW was strongly supportive of the project and wanted to ensure works on George St did not prevent future dedicated cycleway works per the adopted Parramatta Bike Plan 2021. They recommended ensuring appropriate geometry at key entry / exit points to the shared user paths.
 - c. SES NSW were supportive of the plan and thanked Council for engaging with SES NSW in the concept design development.
 - d. Manager of 80 George St met with Council officers to discuss the plan and become more familiar with construction timeframes, boundary interfaces, and to highlight that the building has surplus private carparking accessed off Andrew Nash Lane. They expressed an interest in being included in future digital or wayfinding signage that indicated available carparking to assist preventing congestion.
 - e. Paper Plane Café (2 Horwood Place) was very supportive of the project and wanted further information on public and private waste collection, construction timing, and affectation to outdoor dining during construction (discussed further below). The business also requested an additional

loading zone in addition to 2 existing on George St which was assessed as unfeasible by the Council Traffic Team due to steep road camber/ crossfall and awning conflict.

ISSUES/OPTIONS/CONSEQUENCES

Civic Link Block 3

16. As a consequence of the feedback received, a number of refinements have been incorporated to better manage the shared use of the corridor for walking and cycling:
 - a. A dedicated cycle lane will not be provided due to the amount of space that would be required to create bi-directional cycle lanes - which conflicts with Council's vision for Civic Link as a generous green pedestrian spine. However it is proposed to designate the wider western boulevard for shared use, with cycling on the eastern side not permitted. After closure, Horwood Place will remain classified as a road and therefore under the NSW Roads Act (1993) cyclists are not permitted on the footpath unless signposted otherwise.
 - b. 'Green' line marking on the raised marked crossings separates cyclists and pedestrians and highlights the dedicated crossing facility to motorists. The design for the raised marked crossing at Auctioneer Lane will be adjusted to relocate the green linemarking to the western side to slow cyclists, whilst allowing pedestrians to proceed along the direct desire line.
 - c. Shared path advisory pavement signs (decals) will be utilised full length of Civic Link to guide behaviour and direction, clearly highlighting a slow speed environment and need to give way to pedestrians. Cycle shared user path decals will also be utilised in Phillip St to ensure cyclists turn left towards Dirrabarri Lane and dismount to turn right to enter Powerhouse site.

17. As a consequence of the emphasis and positive feedback received on a number of items, in the next stage of design for the project, the following will be incorporated:
 - a. Increase in the incidental interactive playful elements incorporated within the 'Ribbon' to ensure children and adults have opportunity to discover stories and layers of history specific to the site, thereby making the space more interesting and captivating.
 - b. Ensure The 'Ribbon' encourages inter-generational and incidental social opportunities through a variety of settings, including a series of small seating nooks designed to create conversation hubs, variable tables at different heights, depths and configurations to encourage inter-generational and incidental social opportunities.
 - c. Incorporate decorative, warm-toned lighting to enhance the atmosphere for night-time activity and for increased safety.

18. The refined Civic Link Block 3 concept design notating minor changes and design development commitments described above is provided at Attachment 3.
19. The project will incorporate a range of ICT infrastructure to enhance the experience of the City and assist with the management and operation of the space described below and noted on plan in Attachment 3:
 - a. Public Wi-Fi – as an extension of planned coverage of Parramatta Square.
 - b. Closed Circuit surveillance – as an extension of the City Centre’s CCTV network
 - c. Digital screens - to display transport, event, and wayfinding information as an extension of the current display in Parramatta Square
 - d. Monitoring/Counters – Ped, bike, vehicle counters - count and dwell
 - e. Sensors (soil moisture) to automate efficient irrigation regimes.
 - f. Smart furniture - usb + usb-c, induction chargers
 - g. Online interpretation- links to digital platform to enhance cultural content
 - h. Dynamic lighting that responds to different uses in the space and different times of the day (for example less bright during eating hours, brighter late into night, once trading ceases)

Managing the business impacts of construction

20. Outdoor dining license holders raised concerns regarding the impact on outdoor dining use both during construction and ongoing. The concept design allows for the continuation of outdoor dining in the current locations and maintains the opportunity for new licenses to be established in future where local conditions meet the Outdoor Dining Guidelines under the Council Street Activity Policy.
21. Council officers are cognisant of the disruption construction works can have on businesses trading. Council is experienced in working with business proprietors to mitigate these impacts, built on an understanding of how each business operates, customers, opening hours, delivery times and waste collection times.
22. As Council officers develop the contracts for construction there are several measures which can be included to mitigate impacts:
 - a. Ensuring the construction contractor always has an approachable liaison officer on-site so that businesses have a point of contact to raise concerns, and a regular notification of anticipated construction activities is disseminated to businesses and residents;
 - b. Construction works are staged to ensure only sections of the overall street are opened for construction at any one time;

- c. Night works are implemented to pour concrete and lay unit paving, thereby allowing access the following day over newly poured concrete by bridging and temporary carpet overlays;
 - d. Night works managed so that noise from construction activities do not impact local residents;
 - e. Concrete pours directly in front of a business can be done half-width at a time;
 - f. Construction works that are impactful from noise or dust to be shut down during a lunch break period;
 - g. Notification of work tasks to be clearly communicated in advance to ensure business proprietors can plan ahead;
 - h. Temporary Loading zones may need to be established for the businesses on the south-western side for both delivery and waste management services.
 - i. Positive and engaging signage messaging that businesses are open, in addition to maintaining visually open and accessible temporary pathways.
23. It is acknowledged that outdoor dining licenses (currently in place with three (3) businesses in Horwood Place) will be impacted by construction. Specific proposals to mitigate this impact and provide flexibility to utilise outdoor dining during the construction period are being investigated.

CONSULTATION AND TIMING

24. The results of the stakeholder consultation for the draft concept plan are summarised above together with the refinements of the draft concept plan. These and other community feedback are further expanded within the engagement 'Key Findings Summary' in Attachment 2.
25. The following Councillor consultation has been undertaken in relation to this matter:

Date/	Councillor	Councillor Comment	Council Officer Response	Responsibility
2 May 2022 Briefing workshop advising Civic Link update	All Councillors invited	NIL	NIL	Executive Director City Planning and Design
7 December 2022 Briefing workshop advising update overview, Metro advocacy, delivery timeframes	All Councillors invited	NIL	NIL	Executive Director City Planning and Design
5 May 2023 Briefing note advising update of	All Councillors	NIL	NIL	Executive Director City Planning and Design

Date/	Councillor	Councillor Comment	Council Officer Response	Responsibility
progress of Civic Link Block 3 Project				
7 June 2023 Briefing note advising commencement of property owner, resident and business engagement	All Councillors	NIL	NIL	Executive Director City Planning and Design
6 December 2023 Briefing workshop advising concept design development	All Councillors	Key concerns included Loading Zone, tree planting and sustainability, toilet amenity, heritage, archaeology and interpretation	Key concerns addressed in concept design, and Youth community engagement sessions held	Executive Director City Planning and Design
26 February 2024 Ordinary Report to Council seeking endorsement for public exhibition of draft concept design	All Councillors	ICT/ SMART City elements to be included in design; Youth to be specifically consulted.	Youth community engagement sessions held.	Executive Director City Planning and Design
06 May 2024 Briefing re Civic Link Block 3 Concept Design public exhibition feedback	All Councillors invited	Cycling provision and route	No dedicated cycleway is proposed. If a designation is not put in place then cycling is not permitted on the footpath under the NSW Roads Act 1993. Designation of shared path only on western side is proposed	Executive Director City Planning and Design

FUTURE CONSULTATION AND TIMING

26. A further opportunity for the community and stakeholders to provide feedback for the Civic Link Block 3 Project will be during the exhibition of the developed design and Review of Environmental Factors later in 2024.
27. The key project milestones and target dates for Civic Link Block 3 are tabled below. An early works package has been developed in the project delivery plan to enable early completion of works in Phillip Street to minimise the impacts of the project's construction and to facilitate access to Powerhouse Parramatta, forecast to open in Spring 2025.
28. The Civic Link Block 3 Project is a \$21,163,007 project which is matched funded by a grant from the State Government (AIF3) to the value of \$10,563,007 which requires the project to be delivered in 2026. This project must therefore comply with the grant approved work program below:

Milestone	Completion Date
Concept Design Verification	May-24
Stormwater and Flooding Investigations	May-24
Design Development	Jul-24
Early Works Doc and Procurement	Dec-24
Detailed Design Documentation (Main Works)	Jan-24
Early Works Construction	Jan-25
Tender for main works construction	May-25
Main works construction	Jun-26

LEGAL IMPLICATIONS FOR COUNCIL

29. Council has used the draft concept design public exhibition period to satisfy the statutory requirements that are defined under the NSW Roads Act (1993) and required by Transport for NSW (TfNSW) to (in part) satisfy conditions for the road closure of Horwood Place. Public consultation is required for a period of 28 days, and results of this consultation form part of the report submitted to TfNSW.
30. There are no other legal implications for Council associated with this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

31. There are no unbudgeted financial implications associated with the endorsement of the Civic Link Block 3 Concept Design.

Jennifer Concato
Executive Director City Planning and Design

John Angilley
Executive Director Finance & Information

George Bounassif
Executive Director City Assets and Operations

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

- 1   Attachment 1 - Community Engagement Summary Report
- 2   Attachment 2 - Key Findings Summary
- 3   Attachment 3 Refined Concept Plan

REFERENCE MATERIAL



Civic Link – Public Exhibition of Block 3 Concept Design

Engagement Evaluation Report

April 2024

cityofparramatta.nsw.gov.au

CONTENTS

1. Introduction.....	2
2. Engagement Evaluation	4

1. Introduction

Council, in partnership with the NSW Government, is working to transform the heart of Parramatta with our Civic Link.

When completed, Civic Link will be a green and activated pedestrian spine running from Parramatta Square to the Parramatta River.

This transformational project is being delivered in four phases – one phase for each block:

1. Block 1: Parramatta Square – Already delivered by Council
2. Block 2: Sydney Metro West – To be delivered by NSW Government
3. **Block 3: Horwood Place – the focus of the public exhibition period**
4. Block 4: Powerhouse Museum – To be delivered by the NSW Government

Following consultation with local businesses and stakeholders, Council developed a draft concept design for Block 3. The design draws inspiration from Parramatta's history and connection with the river, to create a space that inspires calm and tranquillity as people move through the heart of our City.

The current iteration of the draft concept design for Civic Link Block 3 will enable people to walk and cycle comfortably through the city, with wide pedestrian boulevards shaded by a green tree canopy.

The community was invited to provide feedback on the draft concept design for a 5-week period from Monday 11 March until 5pm on Monday 15 April 2024.

In the process of providing feedback, the community was asked to consider:

- Their level of support for the design
- Opportunities to create a 'youth-friendly' space, and
- If they had further comment for Council

The community were given the opportunity to provide feedback through the following methods:

- Via email or post
- At one of two in-person pop-ups
- Using an online submission form or quick poll hosted on Participate Parramatta

A verbal submission form was also offered on the Participate Parramatta project page for community members who could not provide or may have found it difficult to provide a written submission.

To assist with the accessibility of the engagement, the community were provided with the following on the Participate Parramatta page:

- A video flythrough of the anticipated space when completed
- Before and after photos/renders
- The draft concept design as a PDF under the 'Resources' section and as an interactive element on the project page
- Details of the different methods to provide feedback
- Answers to frequently asked questions
- Information around how to access additional support

2. Engagement Evaluation

This section provides a summary of the communications and engagement channels undertaken between Monday 11 March and Monday 15 April 2024 to promote the feedback opportunity.

Numerous channels were engaged to reach community members and direct them to the project page on Participate Parramatta to provide feedback.

Overall, **approximately 128,000 people*** saw the opportunity to share feedback based on the data captured from the following communications and engagement channels.

This resulted in a total of **188 contributions** over the exhibition period:

- **91 quick poll** responses were received via the Participate Parramatta project page;
- **52 completed survey** responses were received via the Participate Parramatta project page; and
- **5 submissions received directly** via email and post;
- More than **100 people** spoken to and handed a project postcard at the **pop-ups**;
- Approximately **44 young people engaged over 2 x youth sessions**.

**Note: this number is only an approximate as it is highly likely that engaged community members have subscribed to more than one method of communications with Council. It also does not count the visitors to Participate Parramatta.*

2.1. Participate Parramatta

The Civic Link Block 3 project page on Participate Parramatta was **viewed 7,668 times** by **3,979 unique visitors** during the public exhibition period.

This resulted in:

- **3,755 aware stakeholders on the page** (*number of unique visitors who have viewed the project page, minus any visitors who have undertaken any activity e.g.: downloaded a document, viewed a video, completed a survey etc.*)
- **137 informed stakeholders on the page** (*any unique visitor who has viewed a latest news item, viewed a document, viewed a video, viewed a FAQ minus any user that has engaged e.g.: completed a poll, survey, ideas wall, interactive mapping, interactive document, forum*)

- **137 engaged stakeholders on the page** (any unique visitor who has completed a poll, survey, ideas wall, interactive mapping, interactive document, forum)

Other statistics to note in relation to the Participate Parramatta page include:

	Unique visitors	Interactions
Image gallery (found on the sidebar of the Participate Parramatta page)	95	176
Resources section (found on the sidebar of the Participate Parramatta page)	98	141
Video flythrough (hosted on YouTube and embedded on the Participate Parramatta page)	Data not available	963

2.2. Electronic Direct Mail

The feedback opportunity and the broader project was promoted through the following EDMs:

- **Your City News** (the main City of Parramatta Council EDM) on Tuesday 2 April to approximately 30,361 subscribers. It was opened by 39% of recipients and 116 people clicked on the link directing them to the Civic Link project page on Participate Parramatta. On Friday 5 April, the same edition of Your City News was sent out again to the 19,248 people who did not open the initial email. It had an open rate of 13% and 32 people proceeded to click on the link directing them to the project page.
- **City of Parramatta Business News** was sent out on Tuesday 26 March to 26,704 subscribers. This resulted in 34% of recipients opening the email.
- **The Participate Parramatta Community newsletter** went out to 17,379 subscribers on Tuesday 12 March 2024. The Civic Link Block 3 project was the featured project at the top of this newsletter. Of the recipients, 6,754 people (39%) opened the email. Of the people that opened the email, 344 people clicked on the link directing them to the project page on Participate Parramatta.
- **The Participate Parramatta Community newsletter** was sent to 17,569 subscribers on Tuesday 26 March 2024. The project was displayed in the body of the newsletter. Of the recipients, 6,907 people (40%)

opened the email and 75 clicked on the link directing them to the Civic Link Block 3 project page on Participate Parramatta. On Wednesday 3 March, this edition was sent again to the 10,799 people who didn't open the initial email. This resulted in a further 1,757 (16%) opening the email and 10 people clicking the link to the project page.

- **The Community Connective EDM** went out to approximately 1,400 subscribers on Monday 11 March 2024.

2.3. Social Media

The project was promoted across Council's social media channels through both paid advertisements campaigns and organic posts.

City of Parramatta Facebook – Paid Campaign

The following results were achieved via the City of Parramatta paid campaign:

- Reach: 27,361
- Link clicks: 2,124
- Cost per click: \$0.38
- Amount spent: \$798.63

The table below compares the campaign results against Council benchmarks.

Metric	Campaign Result	Benchmark
Spend	\$798.63	n/a
Reach	27,361	n/a
Impressions	85,796	n/a
Frequency (no. times ad seen p/p)	3.14	2-3
Link clicks	2,124	n/a
CPC (cost per click)	\$0.38	\$0.50-\$1
CTR (click through rate)	2.48%	More than 1%
Post engagements	5,938	n/a
Engagement rate (ER)	6.9%	More than 2%

Top performing ads

<p>1,047 Link Clicks, \$0.38 CPC</p>	<p>713 Link Clicks, \$0.36 CPC</p>	<p>364 Link Clicks, \$0.41 CPC</p>

The paid social campaign achieved fantastic results, surpassing all benchmarks. The results were driven by the eye catching and highly engaging content.

Out of all the visual assets provided, the video was the least effective and least engaged with. The City of Parramatta Social Media team suspects the reason for this is the video ratio, noting it was not 1:1 (the recommended size for videos on social media).

City of Parramatta Social Media – Organic Campaign

The following results were achieved via the City of Parramatta organic campaign:

Metric	Campaign Result	Benchmark
Number of Posts	6	n/a
Engagements	802	n/a
Impressions	17,939	n/a
Link Clicks	73	n/a
Engagement Rate	4.5%	2-3%

The organic social media campaign performed well with strong levels of engagement on organic posts.

The social media team noted that this is likely due to the provision of strong visual assets, with the community responding well to assets that display the anticipated/final delivery of the project.

The LinkedIn content performed best, followed by Instagram, then Facebook.

Participate Parramatta Facebook – Organic Posts

The following results were achieved by the organic post shared on the Participate Parramatta Facebook page.

Organic posts	
Reach	158
Engagements	8
Link clicks	2

2.4. City of Parramatta Webpage Banner Item

The project and the feedback opportunity for the draft concept design of Civic Link Block 3 was also advertised as a banner item on the CoP corporate website from Saturday 16 March 2024 until Monday 15 April 2024.

In this period, there were 6,920 views by 2,498 visitors to the CoP external website page. Of these, 44 people clicked on the link directing them to the Participate Parramatta page.

2.5. Parra News Advertisements

The feedback opportunity was promoted via Parra News (a local Parramatta newspaper) on the following dates:

- Tuesday 12 March 2024 – Creative Ad promoting feedback opportunity
- Tuesday 19 March 2024 – Creative Ad promoting feedback opportunity and news article to meet legal requirements
- Tuesday 26 March 2024 – Creative Ad promoting feedback opportunity

Civic Link Block 3 was also promoted via the Lord Mayor's Column in Parra News on Tuesday 12 March 2024.

The project was also advertised via Parra News' social media channels and via their EDM.

2.6. Digital Screens

The public exhibition of the draft concept design for Civic Link Block 3 was also promoted on a series of Council owned screens including:

- Screens in Phive
- Screens in Parramatta Square
- Screens at the Wentworth Point Community Centre and Library
- Screens at the other branch libraries

2.7. Calendly

The community were provided the opportunity to book 15-minute phone chats with the project team via the Calendly booking system. The link to the booking system was embedded in the Participate Parramatta project page.

2.8. Pop-ups

Two pop-ups were delivered during the public exhibition period for the Civic Link Block 3 draft concept design. It was an opportunity to promote the project, as well as interact with businesses and users of the space.

For pop-up details, see below:

1. *Horwood Place*

Time: 9am – 11am

Date: Saturday 23rd March 2024

People interacted with: More than 50 postcards given away to people moving through the space and visiting the local cafes for breakfast/brunch.

Comments received: General support for the project, wanting to know timeframe, enjoyed and wanted to continue to support existing cafes and outdoor dining, were pleased the carpark was not being removed.

2. *Parramatta Square*

Time: 11am – 1pm

Date: Wednesday the 27th of March 2024

People interacted with: Mostly corporate professionals on lunch break in Parramatta Square. 50 Postcards given away to people 'on the move'.

Comments received: Generally positive, wanted to be high-quality like Parramatta Square, although a couple mentioned that wanted 'less grey'.

2.9. Mail-out

Immediately impacted properties (residents and business owners) were notified about the public exhibition of the draft concept design for Civic Link Block 3 via letterbox drop. 83 letters were mailed out as part of the process.

2.10. On-site signage

To notify exiting users of the space and the community of the public exhibition, on-site signage was installed in the form of footpath decals and corflutes.

- 30 decals were installed on-site and throughout the Parramatta CBD.
- 7 corflutes were installed along Horwood Place.

2.11. Youth Sessions

To capture the breadth of community and ensure the presence of the youth voice in this project, local schools and youth groups were contacted.

This resulted in the delivery of two youth sessions, one with the Y and another with a local school. For more details, see below.

1. *The Y*

Time: 3-4:30pm

Date: Monday 11th of March 2024

Young people interacted with: 10

2. *Arthur Philip High School*

Time: 12 - 1:30pm

Date: Tuesday 19th of March 2024

Young people interacted with: 34

For the feedback received during these sessions, please refer to the respective write-ups in the Key Findings Report Appendix B.

Attachment B: Key Findings Summary Table

SURVEY GENERAL COMMENTS AND PROJECT RESPONSES

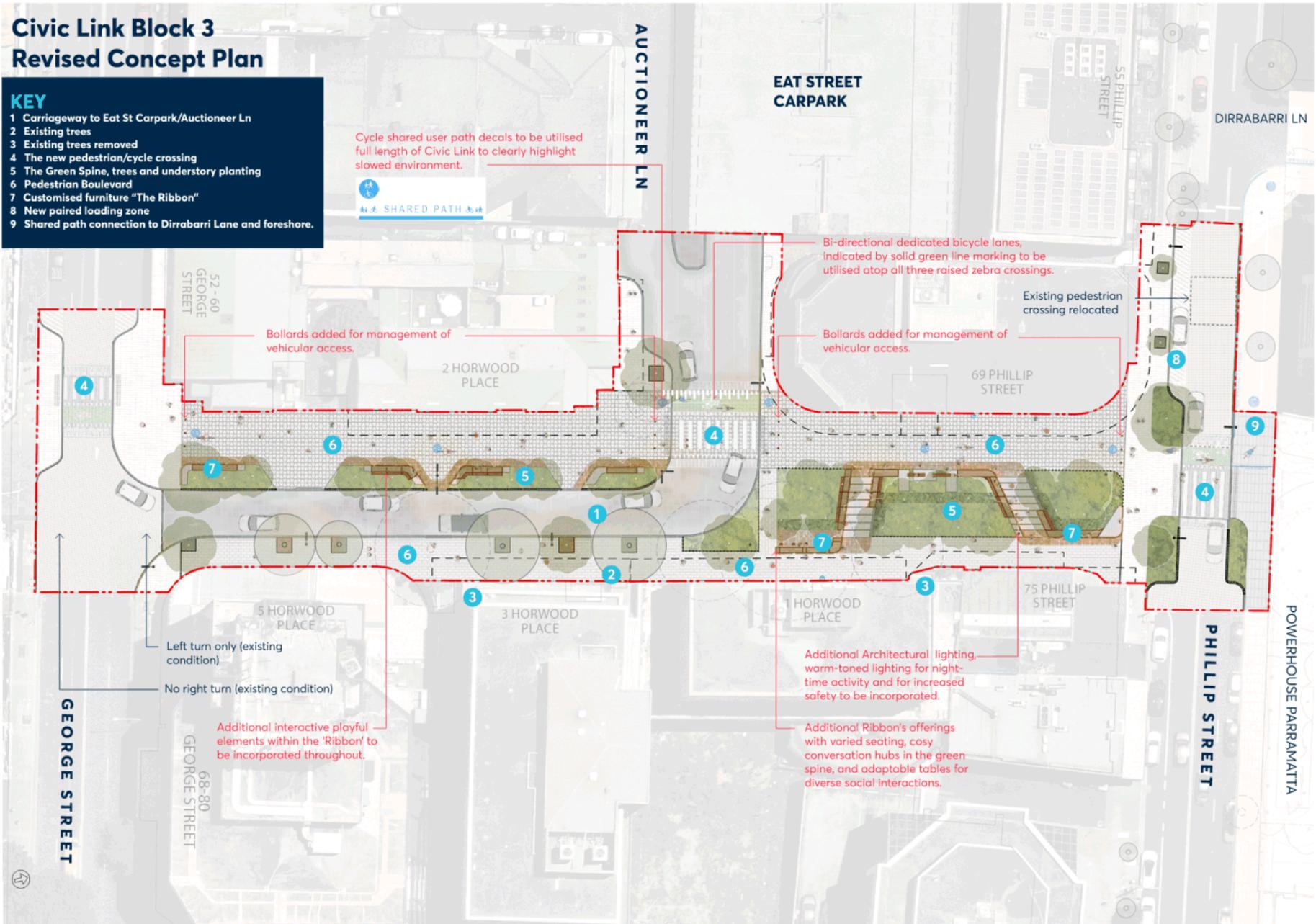
	Key Community Comments and Project Manager (PM) Response
1.General Positive Support	Comments were welcoming of the project and overwhelmingly positive with statements including 'vibrant', 'interesting', 'multi-generational and child-friendly', and that it would be 'the city's living room'. Additionally, 5 expressed that they would like to see the removal of vehicles to allow 100% pedestrianisation occur immediately.
<i>Project Manager Response</i>	<i>PM: Noted. No response required.</i>
2.Green Spine, Shade, Include deciduous trees	9 comments centred positively around the proposed green spine, green space, addition of shade, greenery, and a request to include deciduous trees to allow winter sun. 2 comments were specific to wanting WSUD and environmental considerations, an permeability across the green spine was supported. 1 youth suggested we name plants used for educational purposes.
<i>Project Manager Response</i>	<i>PM: Whilst proposed to be predominantly a mix of native species, deciduous trees are intended as part of mixed canopy. The shrub and ground cover layers are mixed with WSUD incorporated in a centre swale bridged over in the northern section.</i>
3.Multi-Generational/ Child-Friendly	6 comments stated it would be a multi-generational and child-friendly space, 4 supported youth hang-out space, 3 an interactive recreational space, and seating, activity, games and access to informal gathering were all mentioned once. 1 submitter thought there was too much seating.
<i>Project Manager Response</i>	<i>PM: Noted. The 'Ribbon' will be designed to offer incidental play opportunities, variable seating options and different opportunities for passive recreation/ eating/ gathering.</i>
4.Lighting, Artistic Lighting, Night-time Activation	4 submitters were positive around the inclusion of improved lighting, and artistic effect lighting which could support nighttime activation. Warm white lights were specifically mentioned by youth in favour of sterile white, coloured/ changeable and strobing effect lighting. Tree uplighting was also mentioned once.
<i>Project Manager Response</i>	<i>PM: Improved lighting is part of the proposed plan. The crossings and carriageway are required to meet a specific 'V' category (Australian Standards), and softer under-bench lighting wash is proposed in the 'Ribbon'. Tree uplighting is also being investigated detailed design phase.</i>
5.Safety/ CCTV	3 submitters raised the question of CCTV inclusion and general safety
<i>Project Manager Response</i>	<i>PM: CCTV is included across the entire length. General safety will be improved with improved lighting, support of the night-time economy, and greater activation with more people walking through. Hostile vehicle protection from carefully positioned bollards, raised crossings and linemarking will ensure safer pedestrian and cyclist awareness.</i>
6.Young People/ Youth Spaces	Youth sessions raised a number of engaging ideas, including youth hang out spaces that had the following attributes: Charging stations and power, in-ground and water-proof; weather protection from sun and rain; retractable tables with a movable centre (for access); more private alcoves for gathering of 2-5 people; spaces to rest, lie, lean back; variable height and depth seating, some with armrests; movable seating; water station; inter-actin with nature and garden beds. Unwelcoming spaces included hostile architecture, smoking and vaping, and religious and political campaigning.
<i>Project Manager Response</i>	<i>PM: Noted. All comments are considered and addressed where possible in design-decisions</i>
7. Parking Loss/ Traffic Circulation	1 submission lamented the loss of car parking, and 1 the loss of ability for cars to circumnavigate the block. Loss of parking generally in the Parramatta CBD was also raised as an issue with 1 business in Phillip St. It was noted that parking is difficult especially if there are events on.

Project Manager Response	PM: 'No Parking' is maintained on George St and at Auctioneer Lane entry due to capacity for motorists to stand whilst remaining within 3m of car, and reduced likelihood of miss-use by motorists illegally parking. Maintaining existing ½ hour spaces on George and Phillip Streets ensures parking turn-over and reduces overstay and all-day parking of motorists. A total loss of 30 parking spaces is proposed, and relocation of a 2-car length Loading Zone into Phillip St. The capacity to circle the block is eliminated.
8. Pedestrian / Cycling Conflict	Potential pedestrian and cyclist conflict was the biggest concern with 6 comments raised. 3 submitters wanted a dedicated cycleway, 1 wanted secure bicycle parking, 1 wanted smooth pathways, and 2 supported larger/ widened crossings. 1 supported cycling on western boulevard only and prohibition on the eastern side.
Project Manager Response	PM: The design proposes a shared use pathway on the wider western boulevard only and prohibits cycling on the eastern side. 'Green' linemarking on the widened raised pedestrian crossings separates cyclists and pedestrians and prioritises cyclists over cars. Specific 'Blue' information decals will guide cyclist behaviour and direction, and kerb cut-out/ geometry will allow cyclists to move on to the Horwood Place carriageway should they choose to avoid the boulevard between George St and mid-block.
9. Want 100% Pedestrianisation/ Fewer Cars	6 submitters wanted fewer cars and/ or full pedestrianisation immediately.
Project Manager Response	PM: Horwood Place will be narrowed to one lane in and one lane out of Auctioneer Lane and Erby St Carpark, thereby making this a significantly quieter street. The removal of cars and potential significant redevelopment of the block will follow in time.
10. Playground/ Play elements	4 submitters wanted a playground or play elements, 1 wanted exercise equipment, and 1 a water feature
Project Manager Response	PM: The proposed design includes interpretive playful elements, within the 'Ribbon', encouraging discovery and incidental play. No water feature is proposed, however the WSUD will contribute to the water story interpretation. Formal playground and exercise equipment are not part of the Civic Link vision.
11. Outdoor Dining	3 businesses were concerned that outdoor dining would be affected and/ or not allowed during construction. 3 submitters wanted a better food offer, 1 wanted the precinct to be a breakfast/ brunch/ lunch weekend hub, 1 wanted better retail offer generally. Youth were concerned that seating would also be available for food purchased elsewhere.
Project Manager Response	PM: Outdoor dining is supported for existing and future users. It is anticipated that additional food premises will follow once Powerhouse is open.
12. Creative and Artistic Elements/ Curated Events	Art murals, wall for arts and creative ideas showcase and free drawing, a Parramatta history wall, little library, free Wi-Fi and music station were all mentioned once in submissions and workshop. 1 request for curated events such as Parramatta Lanes.
Project Manager Response	PM: The design proposes 3-phase and GPOs plus access to water thereby facilitating future inclusion for curated events including Parramatta Lanes. Interpretive elements are to be developed during detailed design phase, incorporating stories of local heritage and history. Public art opportunities will be explored as part of separate project for inclusion into the Civic Link Block 3.
13. Accessible Toilet Amenity	2 submissions requested accessible toilet amenity.
Project Manager Response	PM: Accessible toilet amenity is supported within nearby Block 2 and is not part of Block 3 design proposal
14. Other miscellaneous	Heritage/ History (2), 'Kids will be discouraged', Noise, Construction (2), Elderly/ Access, Boring, bins and waste, additional south-end loading zone, more east-west crossings, additional George St crossing, and parking compliance were all mentioned.
Project Manager Response	PM: All comments are considered and addressed where possible in design-decisions

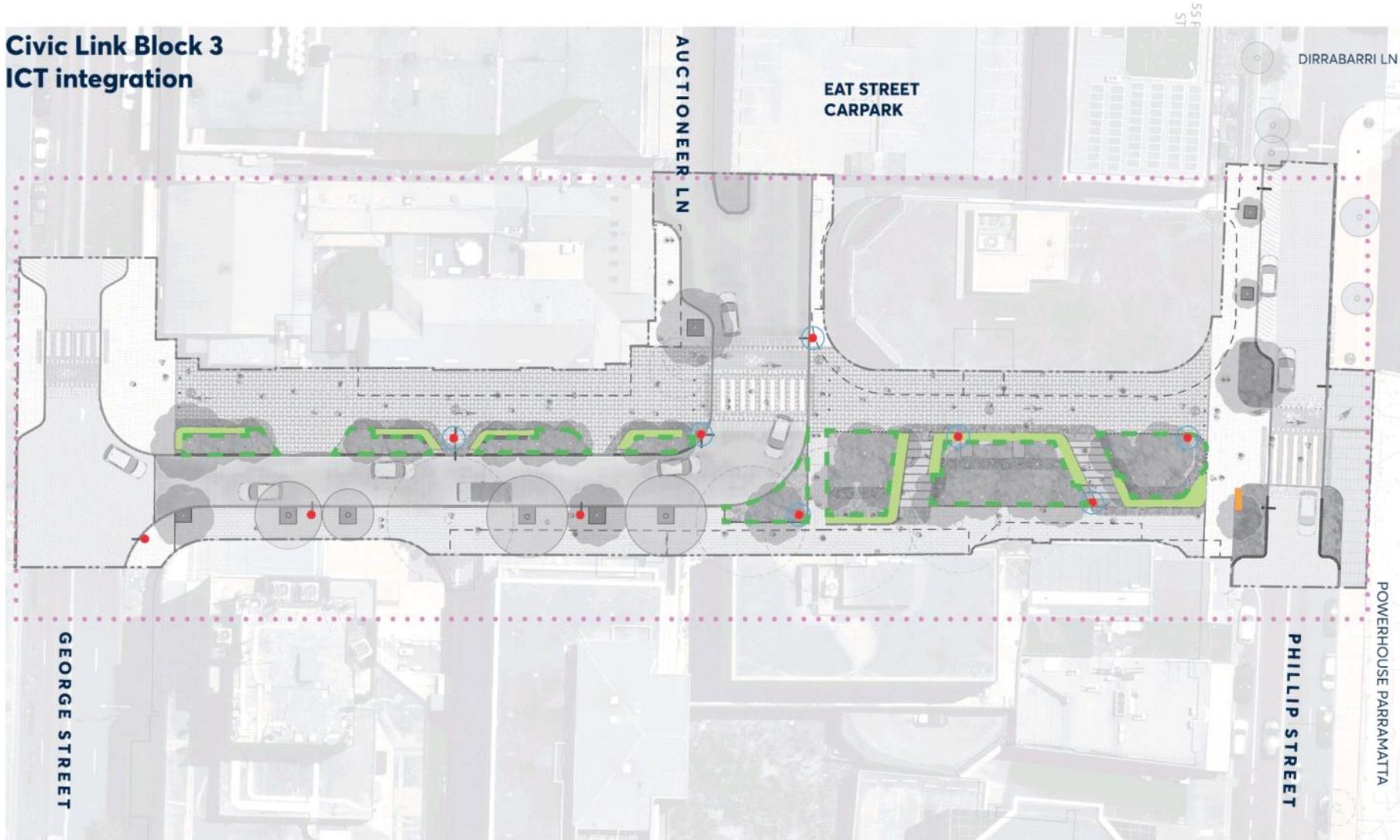
Civic Link Block 3 Revised Concept Plan

KEY

- 1 Carriageway to Eat St Carpark/Auctioneer Ln
- 2 Existing trees
- 3 Existing trees removed
- 4 The new pedestrian/cycle crossing
- 5 The Green Spine, trees and understorey planting
- 6 Pedestrian Boulevard
- 7 Customised furniture "The Ribbon"
- 8 New paired loading zone
- 9 Shared path connection to Dirrabarri Lane and foreshore.



**Civic Link Block 3
ICT integration**



Project Inclusions NOTE: INDICATIVE LOCATIONS, TO BE RESOLVED IN DETAILED DESIGN.

-

Public wifi – as an extension of coverage to Parramatta Square
- Digital screens - to display transport information, events, wayfinding
- Monitoring/Counters – Ped, bike, vehicle counters - count and dwell
- Sensors (soil moisture) to automate efficient irrigation regimes.
- Smart furniture - usb + usb-c, induction chargers
Online interpretation - Links to digital platform to enhance cultural content.
- Lightpoles incorporating CCTV and Dynamic lighting that responds to different uses in the space and different times of the day (less bright during eating hours, brighter once

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.7
SUBJECT	Public Exhibition of Draft Code of Meeting Practice
REFERENCE	F2024/00282 - D09400748
REPORT OF	Policy Officer

CSP THEME: Fair

WORKSHOP/BRIEFING DATE: Policy Review Committee – 30 April 2024

PURPOSE:

To seek Council's endorsement to place the draft Code of Meeting Practice (Policy 291) on public exhibition.

RECOMMENDATION

- (a) That the draft Code of Meeting Practice be placed on public exhibition for the prescribed period of 42 days.
- (b) That Council authorises the Chief Executive Officer to make any necessary editorial and content changes to the draft Code of Meeting Practice for public exhibition to give effect to Council's resolution.
- (c) That following public exhibition, officers submit the final Code of Meeting Practice to Council for adoption.

BACKGROUND

1. Council's existing Code of Meeting Practice (Policy 291) was last adopted by Council on 27 June 2022.
2. At the April 2024 Policy Review Committee meeting, the Committee reviewed the draft Code of Meeting Practice and recommended the following amendments:

Table 1 – Amendments Recommended by the Policy Review Committee to the draft Code of Meeting Practice

Clause #	Amendment to the Clause	Clause Exhibited
2.5	Delete the words 'for any matter'.	Council may, by resolution in December each year, delegate joint authority to the Lord Mayor and the Chief Executive Officer all powers, duties and functions of the Council which cannot reasonably be deferred to the first Ordinary Meeting of Council following the recess period.
3.6	Delete 'seven (7)' and insert 'ten (10)'.	The Chief Executive Officer must send to each Councillor, at least three (3) days before each meeting of the Council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting. City of Parramatta Council has resolved that Councillors will

		receive the agenda of an Ordinary Council Meeting at least ten (10) days prior to the meeting.
4.7	Delete clause 4.7	
4.9	Delete the words 'five (5)' and insert the words 'three (3)'. Delete the words 'four (4)' and insert the words 'two (2)'. Delete the words 'twenty-five (25)' and insert the words 'fifteen (15)'.	Each speaker will have a maximum of three (3) minutes to address Council on a Public Forum item. After two (2) minutes a warning bell will sound indicating they have one (1) minute remaining. After the allocated speaking time, the Chief Executive Officer or a nominated officer may provide a response or right of reply. A total of up to fifteen (15) minutes will be allocated for the entire consideration of Public Forum. Speakers will be contacted by the morning of the meeting and notified if their request to speak in Public Forum has been granted.
5.37	Delete the words '(b) as soon as practicable after the meeting' and insert the words '(b) on the Friday following the meeting'.	The recording of a meeting is to be made publicly available on the Council's website: (a) at the same time as the meeting is taking place, or (b) on the Friday following the meeting.
5.38	Delete the words 'a minimum of 12 months'.	The recording of a meeting is to be made publicly available on the Council's website for seven (7) years after the meeting.
9.27	Delete clause 9.27	
13.5	Delete clause 13.5	
14.17	Delete the words 'five (5)' and insert 'three (3)'. Retain total of up to fifteen (15) minutes to be allocated for consideration of Public Forum.	In line with Public Forum provisions, as per clause 4.9, each speaker will be allowed three (3) minutes (excluding staff response, if any) to make representations, and this time limit is to be strictly enforced by the Chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.
17.17	Delete clause 17.17	

3. Staff have revised the draft Code and included the above amendments in the document in response to this feedback.
4. Staff have further recommended the deletion of clauses 17.18 - 17.20 as they become obsolete with the deletion of clause 17.17. These clauses relate back to clause 17.17 and are not consistent with the Office of Local Government's Model Code of Meeting Practice for Local Councils in NSW 2021 (the 'Model Code').

ISSUES/OPTIONS/CONSEQUENCES

5. Pursuant to section 361 of the *Local Government Act 1993* (NSW), Council must provide a period of at least 42 days to make submissions before seeking to adopt a Code of Meeting Practice. This report is seeking Council's approval to place the draft Code of Meeting Practice on public exhibition for the prescribed period.
6. Once submissions have closed a further report will be presented to Council incorporating any public comment at the next available meeting, where Council will be required to adopt the final Code of Meeting Practice. This document will become effective once it is adopted by Council.

CONSULTATION & TIMING

Stakeholder Consultation

7. The following stakeholder consultation has been undertaken in relation to this matter:
 - Executive Team;
 - Policy Review Committee (30 April 2024).

Anticipated timeframe

- Public Exhibition
 - Exhibition dates approximately 3 June to 16 July 2024.
- Council Meeting – 12 August 2024 (pending community feedback)
 - Council adopts the final Code of Meeting Practice.

LEGAL IMPLICATIONS FOR COUNCIL

8. The amendments to the draft Code of Meeting Practice are not considered to be inconsistent with the Model Code.

FINANCIAL IMPLICATIONS FOR COUNCIL

9. If Council resolves to approve this report in accordance with the proposed resolution, there are no unbudgeted financial implications for Council associated with the exhibition and adoption of this Policy.

Melissa McIsaac
Policy Officer

Roxanne Thornton
General Manager Office of the Lord Mayor and CEO

John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

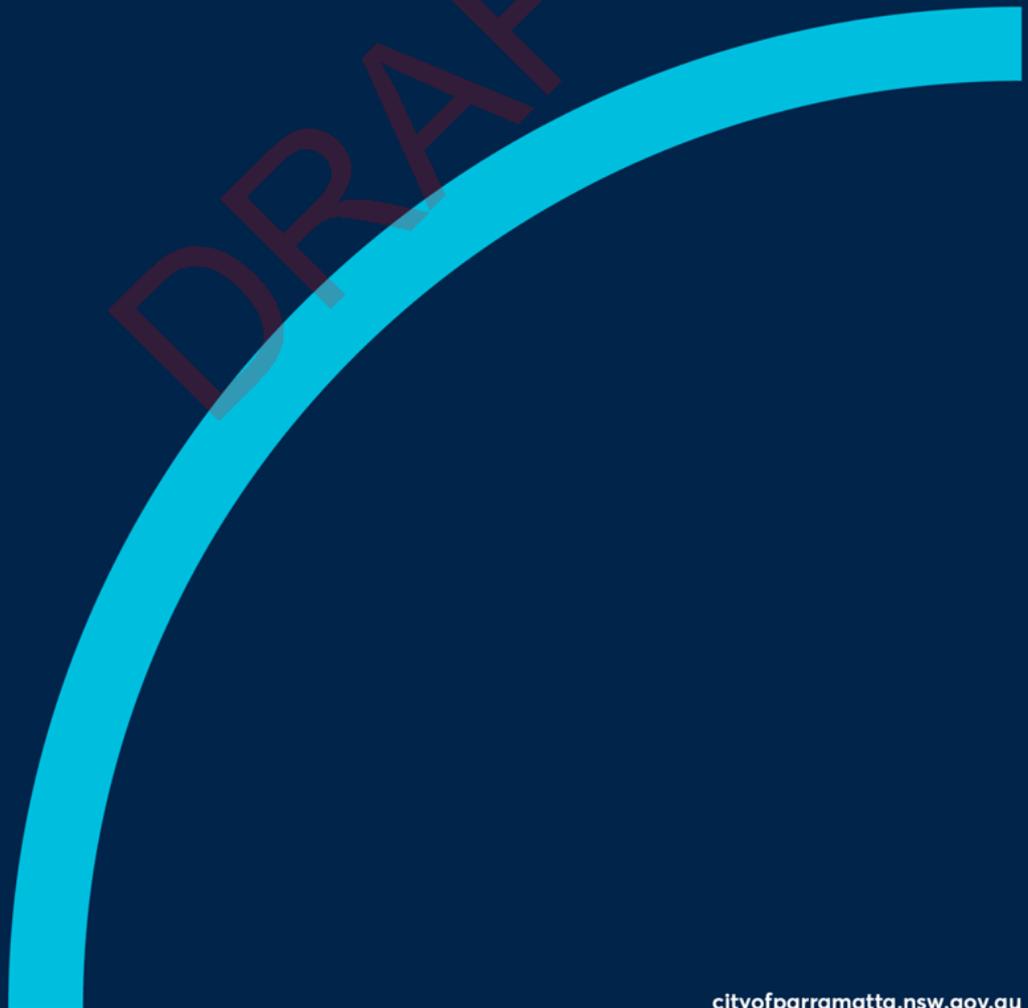
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|---|---|---|---------|
| 1 | ↓ | For Public Exhibition - Draft Code of Meeting Practice May 2024 | 62 |
| | |  | Pages |
| 2 | ↓ | For Information - Code of Meeting Practice Review May 2024 - | 5 Pages |
| | |  Summary of Proposed Changes | |
| 3 | ↓ | For Information - Code of Meeting Practice Review May 2024 - | 66 |
| | |  markup of proposed changes | Pages |

REFERENCE MATERIAL



Code of Meeting Practice

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CONTENTS

1.	INTRODUCTION.....	3
2.	MEETING PRINCIPLES	4
3.	BEFORE THE MEETING.....	6
4.	PUBLIC FORUMS.....	12
5.	COMING TOGETHER	12
6.	THE CHAIRPERSON.....	22
7.	MODES OF ADDRESS.....	24
8.	ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS	25
9.	CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS	26
10.	RULES OF DEBATE.....	29
11.	VOTING	33
12.	COMMITTEE OF THE WHOLE	35
13.	DEALING WITH ITEMS BY EXCEPTION	36
14.	CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC	37
15.	KEEPING ORDER AT MEETINGS.....	42
16.	CONFLICTS OF INTEREST	46
17.	DECISIONS OF THE COUNCIL.....	47
18.	TIME LIMITS ON COUNCIL MEETINGS.....	50
19.	AFTER THE MEETING.....	51
20.	COUNCIL COMMITTEES	53
21.	IRREGULARITIES	57
22.	DEFINITIONS	58
23.	INDEX	59

Revision History

Version	Date	Change	Ref
1	23 October 2006	Update	Minute No. 8791
2	24 September 2007	Update	Minute No. 9464
3	25 February 2008	Update	
4	7 October 2008	Update	Minute No. 10198
5	28 June 2010	Update	Minute No. 11571
6	26 July 2010	Update	Minute No. 11636
7	27 June 2011	Update	Minute No. 12453
8	25 August 2014	Update	
9	23 May 2016	Update in line with Proclamation	
10	28 November	Update	Minute No. 339
11	13 November	Amendment of Part 2 Clause 10(4)	Minute No. 884
12	11 December 2017	Amendment to Part 2 Clause 22 (1-2) and internal timings	
13	April 2019	Draft Document for exhibition in line with changes to model code of meeting practice	
14	11 June 2019	Adoption of the 2019 City of Parramatta Code of Meeting Practice	
15	27 June 2022	Draft Document for exhibition in line with changes to Model Code of Meeting Practice	Minute No. 3857
16	April/May/June 2024	Update	XXXX

1. INTRODUCTION

The City of Parramatta Code of Meeting Practice is based on the Model Code of Meeting Practice for Local Councils in NSW. The Model Code of Meeting Practice for Local Councils in NSW (the Model Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulations).

This Code of Meeting Practice applies to all meetings of Council and Committees of Council of which all the members are Councillors ('Committees of Council'). Council Committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise.

Councils must adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Model Code.

A Council's adopted Code of Meeting Practice may also incorporate the non-mandatory provisions of the Model Code and other supplementary provisions. However, a Code of Meeting Practice adopted by a Council must not contain provisions that are inconsistent with the mandatory provisions of the Model Code.

A Council and a Committee of Council of which all the members are Councillors must conduct its meetings in accordance with the Code of Meeting Practice adopted by the Council.

2. MEETING PRINCIPLES

2.1 Council and Committee of Council meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that Councillors and staff act ethically and make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect. Councillors and staff are also bound by the obligations in relation to meetings as set out in the Council's Code of Conduct (clauses 3.19 to 3.22).

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

Council Decisions Prior to a Local Government Election (Caretaker Period)

2.2 The Council, Chief Executive Officer, or any other delegate of the Council must not exercise certain functions during a Caretaker period.

2.3 The Caretaker Period means the period of four (4) weeks preceding the date of a Local Government Election.

Note: Clauses 2.2 and 2.3 reflect clause 393B of the *Local Government (General) Regulation 2021* (the Regulations).

Council Decisions During Recess Period

2.4 Council meetings are held each month of the calendar year, except in January, where no meetings are held. The period from the final meeting of the year to the first meeting of the new year is known as the Recess Period.

2.5 Council may, by resolution in December each year, delegate joint authority to the Lord Mayor and the Chief Executive Officer all powers, duties and functions of the Council which cannot reasonably be deferred to the first Ordinary Meeting of Council following the recess period.

- 2.6 Any decision made under joint delegated authority is taken to be a decision of the Council.

- 2.7 The Chief Executive Officer is to provide a report to the first meeting of the Council in the new year, detailing all decisions made under joint delegated authority during the recess period.

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3. BEFORE THE MEETING

Timing of Ordinary Council Meetings

- 3.1 Ordinary meetings of the Council will start at 6:30pm and will be held on the second and fourth Monday of the month (except for in January, where no meetings are held).

Note: Under section 365 of the Act, Councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a Council is required to meet each year under section 365A.

Extraordinary Meetings

- 3.2 If the Lord Mayor receives a request in writing, signed by at least two (2) Councillors, the Lord Mayor must call an extraordinary meeting of the Council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The Lord Mayor can be one of the two Councillors requesting the meeting.

Note: Clause 3.2 reflects section 366 of the Act.

Notice to the Public of Council Meetings

- 3.3 The Council must give notice to the public of the time, date and place of each of its meetings, including Extraordinary Meetings and of each meeting of Committees of Council.

Note: Clause 3.3 reflects section 9(1) of the Act.

- 3.4 For the purposes of clause 3.3, notice of a meeting of the Council and of a Committee of Council is to be published before the meeting takes place. The notice must be published on the Council's website, and in such other manner that the Council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.5 For the purposes of clause 3.3, notice of more than one (1) meeting may be given in the same notice.

Notice to Councillors of Ordinary Council Meetings

- 3.6 The Chief Executive Officer must send to each Councillor, at least three (3) days before each meeting of the Council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting. City of Parramatta Council has resolved that Councillors will receive the agenda of an Ordinary Council Meeting at least ten (10) days prior to the meeting.

Note: Clause 3.6 reflects section 367(1) of the Act.

- 3.7 The notice and the agenda for, and the business papers relating to, the meeting may be given to Councillors in electronic form, but only if all Councillors have facilities to access the notice, agenda and business papers in that form. Councillors will have access to notice of the meeting, agenda and business papers via their individually nominated means (hard copy or electronic or both).

Note: Clause 3.7 reflects section 367(3) of the Act.

Notice to Councillors of Extraordinary Meetings

- 3.8 Notice of less than three (3) days may be given to Councillors of an Extraordinary Meeting of the Council in cases of emergency. The Lord Mayor and the Chief Executive Officer will determine if the matter/s proposed to be considered are of emergency/urgency which cannot reasonably wait to the next ordinary meeting of Council.

Note: Clause 3.8 reflects section 367(2) of the Act.

Giving Notice of Business to be Considered at Council Meetings

- 3.9 A Councillor may give notice of any business they wish to be considered by the Council at its next Ordinary Meeting by way of a Notice of Motion. To be included on the agenda of the meeting, the Notice of Motion must be in writing and must be submitted by 10:00am on the Wednesday two weeks before the meeting is to be held.
- 3.10 A Councillor may, in writing to the Chief Executive Officer, request the withdrawal of a Notice of Motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.11 If the Chief Executive Officer considers that a Notice of Motion submitted by a Councillor for consideration at an Ordinary Meeting of the Council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the Chief Executive Officer may prepare a report in relation to the Notice of Motion for inclusion with the business papers for the meeting at which the Notice of Motion is to be considered by the Council.
- 3.12 A Notice of Motion for the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the Notice of Motion. If the Notice of Motion does not identify a funding source, the Chief Executive Officer must either:
- (a) include as a staff response to the Notice of Motion to be considered by the Council, a note on the availability of funds for implementing the Motion if adopted by the Council, or

- (b) include as a staff response to the Notice of Motion that the matter be deferred for the preparation of a report to Council which will address the availability of funds for implementing the Motion if adopted by Council.

Questions With Notice

- 3.13 A Councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the Chief Executive Officer about the performance or operations of the Council.
- 3.14 A Councillor is not permitted to ask a Question With Notice under clause 3.13 that comprises a complaint against the Chief Executive Officer or a member of staff of the Council, or a question that implies wrongdoing by the Chief Executive Officer or a member of staff of the Council.
- 3.15 Each Councillor is limited to submitting one (1) Question with Notice per Council meeting.
- 3.16 The Chief Executive Officer or their nominee may respond to a Question With Notice submitted under clause 3.13 by way of a report included in the business papers for the relevant meeting of the Council or orally at the meeting.

Agenda and Business Papers for Ordinary Meetings

- 3.17 The Chief Executive Officer must cause the agenda for a meeting of the Council or a Committee of Council to be prepared as soon as practicable before the meeting.
- 3.18 The Chief Executive Officer must ensure that the agenda for an Ordinary Meeting of the Council states:
 - (a) all matters to be dealt with arising out of the proceedings of previous meetings of the Council, and
 - (b) if the Lord Mayor is the Chairperson – any matter or topic that the Chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.9.
- 3.19 Nothing in clause 3.18 limits the powers of the Lord Mayor to put a Lord Mayoral Minute to a meeting under clause 9.7.
- 3.20 The Chief Executive Officer must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the Chief Executive Officer, the business is, or the implementation of the business would be, unlawful. The Chief Executive Officer must report, without giving details of the item of business, any such exclusion to the next meeting of the Council.

- 3.21 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the Chief Executive Officer, is likely to take place when the meeting is closed to the public, the Chief Executive Officer must ensure that the agenda of the meeting:
- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
 - (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.21 reflects section 9(2A)(a) of the Act.

- 3.22 The Chief Executive Officer must ensure that the details of any item of business which, in the opinion of the Chief Executive Officer, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to Councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a Councillor or by any other person to another person who is not authorised to have that information.

Statement of Ethical Obligations

- 3.23 Business papers for all Ordinary and Extraordinary Meetings of the Council and Committees of Council must contain a statement reminding Councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

Availability of the Agenda and Business Papers to the Public

- 3.24 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the Council and Committees of Council, are to be published on the Council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the Council, at the relevant meeting and at such other venues determined by the Council, including Council libraries, seven (7) days prior to the meeting.

Note: Clause 3.24 reflects section 9(2) and (4) of the Act.

- 3.25 Clause 3.24 does not apply to the business papers for items of business that the Chief Executive Officer has identified under clause 3.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.25 reflects section 9(2A)(b) of the Act.

- 3.26 For the purposes of clause 3.24, copies of agendas and business papers must be published on the Council's website and made available to the public at a time that is as close as possible to the time they are available to Councillors.

Note: Clause 3.26 reflects section 9(3) of the Act.

- 3.27 A copy of an agenda, or of an associated business paper made available under clause 3.24, may in addition be given or made available in electronic form.

Note: Clause 3.27 reflects section 9(5) of the Act.

Agenda and Business Papers for Extraordinary Meetings

- 3.28 The Chief Executive Officer must ensure that the agenda for an Extraordinary Meeting of the Council deals only with the matters stated in the notice of the meeting.
- 3.29 Despite clause 3.28, business may be considered at an Extraordinary Meeting of the Council, even though due notice of the business has not been given, if:
- (a) a Motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the Chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled Ordinary Meeting of the Council.
- 3.30 A Motion moved under clause 3.29(a) can be moved without notice but only after the business notified in the agenda for the Extraordinary Meeting has been dealt with.
- 3.31 Despite clauses 10.22 and 10.25-10.34, only the mover of a Motion moved under clause 3.29(a) can speak to the Motion before it is put.
- 3.32 A Motion of Dissent cannot be moved against a ruling of the Chairperson under clause 3.29(b) on whether a matter is of great urgency.

Pre-Meeting Briefing Sessions

- 3.33 Prior to each Ordinary Meeting of the Council, the Chief Executive Officer may arrange a pre-meeting briefing session to brief Councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for Extraordinary Meetings of the Council and meetings of committees of the Council.
- 3.34 Pre-meeting briefing sessions are to be held in the absence of the public.
- 3.35 Pre-meeting briefing sessions may be held by audio-visual link.
- 3.36 The Chief Executive Officer or a member of staff nominated by the Chief Executive Officer is to preside at pre-meeting briefing sessions.
- 3.37 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal Council or committee meeting at which the item of business is to be considered.

- 3.38 Councillors (including the Lord Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a Council or committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the Councillor who made the declaration.

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4. PUBLIC FORUMS

- 4.1 To speak at a Public Forum, a person must first make an application to the Council via the approved application form. A verbatim (word by word) text of the question, comment or statement must be lodged in writing with the name and contact details of the speaker prior to 4.00pm on the Thursday prior to the Council meeting by either an email, presented to the Customer Contact Centre at 126 Church Street Parramatta or online on Council's website. The application must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item.
- 4.2 A person may only apply to speak on any item listed on the agenda of the Council meeting.
- 4.3 A person may apply to speak on no more than one item of business on the agenda of the Council meeting.
- 4.4 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.
- 4.5 Acceptance of Public Forum submissions will not be confirmed until after the deadline before the Council Meeting.
- 4.6 A maximum of one (1) speaker 'for' and one (1) speaker 'against' each item of business on the agenda for the Council meeting.
- 4.7 In total, Council will permit no more than five (5) Public Forum speakers per Council meeting.
- 4.8 The Chief Executive Officer or their delegate may refuse an application to speak at a Public Forum.
- 4.9 Each speaker will have a maximum of three (3) minutes to address Council on a Public Forum item. After two (2) minutes a warning bell will sound indicating they have one (1) minute remaining. After the allocated speaking time, the Chief Executive Officer or a nominated officer may provide a response or right of reply. A total of up to fifteen (15) minutes will be allocated for the entire consideration of Public Forum. Speakers will be contacted by the morning of the meeting and notified if their request to speak in the Public Forum has been granted.
- 4.10 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the Chief Executive Officer or their delegate in consultation with the Lord Mayor, may increase the number of speakers permitted to speak on an item of business, where

they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business.

- 4.11 The Chief Executive Officer or their delegate is to determine the order of speakers at the Public Forum.
- 4.12 Speakers at the Public Forum must not digress from the item on the agenda of the Council Meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.
- 4.13 Public Forums previously raised cannot be raised again by the same speaker unless there is new information or it has been 12 months since the matter was first raised.
- 4.14 Speakers at Public Forums cannot ask questions of the Council, Councillors or Council staff.
- 4.15 Where an address made at a Public Forum raises matters that require further consideration by Council staff, the Chief Executive Officer may recommend that the Council defer consideration of the matter pending the preparation of a further report on the matter.
- 4.16 When addressing the Council, speakers at the Public Forum must comply with this Code and all other relevant Council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the Council's Code of Conduct or making other potentially defamatory statements.
- 4.17 If the Chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.16, the Chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the Chairperson's request, the Chairperson may immediately require the person to stop speaking.
- 4.18 Clause 4.17 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at the public forums in accordance with the provisions of Part 15 of this Code.
- 4.19 Where a speaker engages in conduct of the type referred to in clause 4.16, the Chief Executive Officer or their delegate may refuse further applications from that person to speak at public forums for such a period as the Chief Executive Officer or their delegate considers appropriate.
- 4.20 Councillors (including the Lord Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a Council or committee meeting. The Council is to maintain a written record of all conflicts of interest declarations

made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.

- 4.21 Council will not accept any Public Forum submissions that clearly target political parties.
- 4.22 Public Forums may be held by audio-visual link.

Note: Public Forums held as part of a Council or Committee meeting must be conducted in accordance with the other requirements of this Code relating to the conduct of Council and Committee meetings.

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5. COMING TOGETHER

Attendance by Councillors at Meetings

- 5.1 All Councillors must make reasonable efforts to attend meetings of the Council and of Committees of Council of which they are members.

Note: A Councillor may not attend a meeting as a Councillor (other than the first meeting of the Council after the Councillor is elected or a meeting at which the Councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 A Councillor cannot participate in a meeting of the Council or of a Committee of Council unless personally present at the meeting, unless permitted to attend the meeting by audio-visual link under this Code.

- 5.3 Where a Councillor is unable to attend one or more Ordinary Meetings of the Council, the Councillor should request that the Council grant them a leave of absence from those meetings prior to any period of leave or at the meeting concerned. This clause does not prevent a Councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this Code and the Act.

- 5.4 A Councillor's request for leave of absence from Council Meetings should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent and the grounds upon which the leave of absence is being sought. Councillors seeking an extended period of leave may request such leave be mentioned in Confidential session to protect their privacy. Then, at successive meetings it should be noted in open session the leave of absence has been previously granted.

- 5.5 A Councillor applying for a leave of absence from a meeting of Council does not need to make the application in person, and the Council may grant such leave in the absence of that Councillor.

Note: Clause 5.5 reflects section 234(2) of the Act.

- 5.6 If a Councillor attends an Ordinary Meeting of Council or an Extraordinary Meeting of Council, despite having been granted a leave of absence, the leave of absence is taken to have been rescinded.

Note: Clause 5.6 reflects section 234(3) of the Act.

- 5.7 The Council must act reasonably when considering whether to grant a Councillor's request for a leave of absence.

- 5.8 A Councillor's civic office will become vacant if the Councillor is absent from three (3) consecutive Ordinary Meetings of the Council without prior leave of the Council, or leave granted by the Council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the Council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.8 reflects section 234(1)(d) of the Act.

- 5.9 A Councillor who intends to attend a meeting of the Council despite having been granted a leave of absence should, if practicable, give the Chief Executive Officer at least two (2) days' notice of their intention to attend.

The Quorum for a Meeting

- 5.10 The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office at that time and are not suspended from office.

Note: Clause 5.10 reflects section 368(1) of the Act.

- 5.11 Clause 5.10 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the Council.

Note: Clause 5.11 reflects section 368(2) of the Act.

- 5.12 A meeting of the Council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.

- 5.13 In either case, the meeting must be adjourned to a time, date, and place fixed:

- (a) by the Chairperson, or
- (b) in the Chairperson's absence, by the majority of the Councillors present, or
- (c) failing that, by the Chief Executive Officer.

- 5.14 The Chief Executive Officer must record in the Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the Council, together with the names of the Councillors present.

- 5.15 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of Councillors, Council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the Lord Mayor may, in consultation with the Chief Executive Officer and, as far as is practicable, with each Councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the Council's website and in such other manner that the Council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.16 Where a meeting is cancelled under clause 5.15, the business to be considered at the meeting may instead be considered, where practicable, at the next Ordinary Meeting of the Council or at an Extraordinary Meeting called under clause 3.2.

Meetings Held by Audio-Visual Link

- 5.17 A meeting of the Council or a Committee of Council may be held by audio-visual link where the Lord Mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The Lord Mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of Councillors and staff at risk. The Lord Mayor must make a determination under this clause in consultation with the Chief Executive Officer and, as far as is practicable, with each Councillor.
- 5.18 Where the Lord Mayor determines under clause 5.17 that a meeting is to be held by audio-visual link, the Chief Executive Officer must:
- (a) give written notice to all Councillors that the meeting is to be held by audio-visual link, and
 - (b) take all reasonable steps to ensure that all Councillors can participate in the meeting by audio-visual link, and
 - (c) cause a notice to be published on the Council's website and in such other manner the Chief Executive Officer is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.19 This Code applies to a meeting held by audio-visual link under clause 5.17 in the same way it would if the meeting was held in person.

Note: Where a Council holds a meeting by audio-visual link under clause 5.17, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by Councillors at Meetings by Audio-Visual Link

- 5.20 Councillors may attend and participate in meetings of the Council and Committees of Council by audio-visual link with the approval of the Council or the relevant committee.
- 5.21 A request by a Councillor for approval to attend a meeting by audio-visual link must be made in writing to the Chief Executive Officer prior to the meeting in question and must provide reasons why the Councillor will be prevented from attending the meeting in person.
- 5.22 Councillors may request approval to attend more than one meeting by audio-visual link. Where a Councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.21.
- 5.23 The Council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a Councillor to attend a meeting by audio-visual link.
- 5.24 A Councillor who has requested approval to attend a meeting of the Council or a Committee of Council by audio-visual link may participate in the meeting by audio-visual link until the Council or committee determines whether to approve their request and is to be taken as present at the meeting. The Councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.25 A decision whether to approve a request by a Councillor to attend a meeting of the Council or a committee of the Council by audio-visual link must be made by a resolution of the Council or the committee concerned. The resolution must state:
- (a) the meetings the resolution applies to, and
 - (b) the reason why the Councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.
- 5.26 If the Council or committee refuses a Councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.27 A decision whether to approve a Councillor's request to attend a meeting by audio-visual link is at the Council's or the relevant committee's discretion. The Council and committees of the Council must act reasonably when considering requests by Councillors to attend meetings by audio-visual link. However, the Council and committees of the Council are under no obligation to approve a Councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the Councillor to attend the meeting by these means.

- 5.28 The Council and Committees of Council may refuse a Councillor's request to attend a meeting by audio-visual link where the Council or committee is satisfied that the Councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this Code on one or more previous occasions they have attended a meeting of the Council or a Committee of Council by audio-visual link.
- 5.29 This Code applies to a Councillor attending a meeting by audio-visual link in the same way it would if the Councillor was attending the meeting in person. Where a Councillor is permitted to attend a meeting by audio-visual link under this Code, they are to be taken as attending the meeting in person for the purposes of the Code and will have the same voting rights as if they were attending the meeting in person.
- 5.30 A Councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The Councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this Code.
- 5.31 A Councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the Council or the committee into disrepute.

Entitlement of the Public to Attend Council Meetings

- 5.32 Everyone is entitled to attend a meeting of the Council and Committee of Council. The Council must ensure that all meetings of the Council and Committees of Council are open to the public.

Note: Clause 5.32 reflects section 10(1) of the Act.

- 5.33 Clause 5.32 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.34 A person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or a committee of the Council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.34 reflects section 10(2) of the Act.

Note: Clauses 15.15 and 15.16 confer a standing authorisation on all Chairpersons of meetings of the Council and committees of the Council to expel persons from meetings. Clause 15.15 authorises Chairpersons to expel any person, including a Councillor, from a Council or committee meeting. Clause 15.16 authorises Chairpersons to expel persons other than Councillors from a Council or committee meeting.

Webcasting of Meetings

- 5.35 Each meeting of the Council or a Committee of Council is to be recorded by means of an audio or audio-visual device.
- 5.36 At the start of each meeting of the Council or a Committee of Council, the Chairperson must inform the persons attending the meeting that:
- (a) the meeting is being recorded and made publicly available on the Council's website, and
 - (b) persons attending the meeting should refrain from making any defamatory statements.
- 5.37 The recording of a meeting is to be made publicly available on the Council's website:
- (a) at the same time as the meeting is taking place, or
 - (b) on the Friday following the meeting.
- 5.38 The recording of a meeting is to be made publicly available on the Council's website for seven (7) years after the meeting.
- 5.39 Clauses 5.37 and 5.38 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.
- Note: Clauses 5.35 – 5.39 reflect section 236 of the Regulation.**
- 5.40 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.
- 5.41 Access to webcasts/recordings of Council and Committee of Council Meetings are available to view on Council's website for personal and non-commercial use. All webcasts/recordings of Council or Committee of Council Meetings are subject to copyright under the *Copyright Act 1968* and cannot be reused or reproduced in any way without the permission of Council.
- 5.42 Whilst Council will take all reasonable efforts to ensure webcasting/recordings is available for meetings, there may be situations where, due to technical difficulties beyond Council's control, webcasting/recordings of a meeting may not be available. Council takes no responsibility for and accepts no liability in the event that webcasting/recording on Council's website is unavailable.

Attendance of the Chief Executive Officer and Other Staff at Meetings

5.43 The Chief Executive Officer is entitled to attend, but not to vote at, a meeting of the Council or a meeting of a Committee of Council of which all of the members are Councillors.

Note: Clause 5.43 reflects section 376(1) of the Act.

5.44 The Chief Executive Officer is entitled to attend a meeting of any other Committee of Council and may, if a member of the committee, exercise a vote.

Note: Clause 5.44 reflects section 376(2) of the Act.

5.45 The Chief Executive Officer may be excluded from a meeting of the Council or a Committee of Council while the Council or Committee deals with a matter relating to the standard of performance of the Chief Executive Officer or the terms of employment of the Chief Executive Officer.

Note: Clause 5.45 reflects section 376(3) of the Act.

5.46 The attendance of other Council staff at a meeting, (other than as members of the public) shall be with the approval of the Chief Executive Officer.

5.47 The Chief Executive Officer and other Council staff may attend meetings of the Council and Committees of Council by audio-visual-link. Attendance by Council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the Chief Executive Officer.

6. THE CHAIRPERSON

The Chairperson at Meetings

6.1 The Lord Mayor, or at the request of or in the absence of the Lord Mayor, the Deputy Lord Mayor (if any) presides at meetings of the Council.

Note: Clause 6.1 reflects section 369(1) of the Act.

6.2 If the Lord Mayor and the Deputy Lord Mayor (if any) are absent, a Councillor elected to chair the meeting by the Councillors present presides at a meeting of the Council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the Chairperson in the Absence of the Lord Mayor and Lord Deputy Mayor

6.3 If no Chairperson is present at a meeting of the Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a Chairperson to preside at the meeting.

6.4 The election of a Chairperson must be conducted:

- (a) by the Chief Executive Officer or, in their absence, an employee of the Council designated by the Chief Executive Officer to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the Chief Executive Officer nor a designated employee is present at the meeting, or if there is no Chief Executive Officer or designated employee.

6.5 If, at an election of a Chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the Chairperson is to be the candidate whose name is chosen by lot.

6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

6.7 The candidate whose name is on the drawn slip is the candidate who is to be the Chairperson.

6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to Have Precedence

- 6.9 When the Chairperson rises or speaks during a meeting of the Council:
- (a) any Councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
 - (b) every Councillor present must be silent to enable the Chairperson to be heard without interruption.

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7. MODES OF ADDRESS

- 7.1 If the Chairperson is the Lord Mayor, they are to be addressed as "Lord Mayor".
- 7.2 Where the Chairperson is not the Lord Mayor, they are to be addressed as "Chairperson"
- 7.3 A Councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A Council Officer is to be addressed by their official designation or by their surname.

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8. ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 The general order of business for an Ordinary Meeting of the Council shall be:

- 01 Opening meeting
- 02 Acknowledgement of the Traditional Owners of Land
- 03 Webcasting Announcement
- 04 General recording of meeting announcement
- 05 Apologies and applications for a leave of absence or attendance by audio-visual link by Councillors
- 06 Confirmation of minutes
- 07 Disclosures of interests
- 08 Minutes of the Lord Mayor
- 09 Items by Exception
- 10 Public Forums
- 11 Items Raised in Public Forum
- 12 Petitions
- 13 Rescission Motions
- 14 Reports to Council – For Notation
- 15 Reports to Council – For Council Decision
- 16 Notices of Motions
- 17 Questions with Notice
- 18 Questions Taken on Notice at the previous Council meeting
- 19 Confidential Matters
- 20 Announcement of Resolutions made in Closed Session
- 21 Conclusion of the Meeting

Note: Petitions will be handled in accordance with relevant Council policies.

8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the Council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: Part 13 allows Council to deal with items of business by exception.

8.3 Despite clauses 10.22 and 10.25-10.34, only the mover of a motion referred to in clause 8.2 may speak to the Motion before it is put.

9. CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that Can Be Dealt with at a Council Meeting

- 9.1 The Council must not consider business at a meeting of the Council:
- (a) unless a Councillor has given notice of the business, as required by clause 3.9, and
 - (b) unless notice of the business has been sent to the Councillors in accordance with clause 3.6 in the case of an ordinary meeting or clause 3.8 in the case of an Extraordinary Meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the Council, or
 - (b) is the election of a Chairperson to preside at the meeting, or
 - (c) subject to clause 9.11, is a matter or topic put to the meeting by way of a Lord Mayoral Minute, or
 - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a Committee of Council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the Council even though due notice of the business has not been given to the Councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the Chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled Ordinary Meeting of the Council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.22 and 10.25-10.34, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 9.3(b).
- 9.6 A separate motion and establishment of urgency is required for each new item of proposed business under clause 9.3.

Lord Mayoral Minutes

- 9.7 Subject to clause 9.11, if the Lord Mayor is the Chairperson at a Meeting of the Council, the Lord Mayor may, by minute signed by the Lord Mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the Council, or of which the Council has official knowledge.
- 9.8 A Lord Mayoral Minute, when put to a meeting, takes precedence over all business on the Council's agenda for the meeting. The Chairperson (but only if the Chairperson is the Lord Mayor) may move the adoption of a Lord Mayoral Minute without the motion being seconded.
- 9.9 In the tabling of a Lord Mayoral Minute, the Lord Mayor will read the Minute for the purposes of webcasting. A copy of the minute is to be made available to the gallery and the press. The full content of any Lord Mayoral Minute not already included in a published agenda or business paper will be included in the Council minutes.
- 9.10 A recommendation made in a Lord Mayoral Minute put by the Lord Mayor is, so far as it is adopted by the Council, a resolution of the Council.
- 9.11 A Lord Mayoral Minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the Council before the next scheduled Ordinary Meeting of the Council.
- 9.12 Where a Lord Mayoral Minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the Lord Mayoral Minute does not identify a funding source, the Council must defer consideration of the matter, pending a report from the Chief Executive Officer on the availability of funds for implementing the recommendation if adopted.

Petitions

- 9.13 A Petition will be tabled at the Council meeting at the relevant point in the order of business.
- 9.14 Petitions are not to be debated.
- 9.15 Petitions will be handled in accordance with Council's Petitions Policy.
- 9.16 As a matter of practice, the petition will be referred to the relevant Council officer/s, and a copy of the petition will be distributed to all Councillors.

Staff Reports

- 9.17 A recommendation made in a staff report is, so far as it is adopted by the Council, a resolution of the Council.

Reports of Committees of Council

- 9.18 The recommendations of a Committee of Council are, so far as they are adopted by the Council, resolutions of the Council.
- 9.19 If in a report of a Committee of Council distinct recommendations are made, the Council may make separate decisions on each recommendation.

Questions

- 9.20 A question must not be asked at a meeting of the Council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.9 and 3.13.
- 9.21 A Councillor may, through the Chairperson, put a question to another Councillor about a matter on the agenda.
- 9.22 A Councillor may, through the Chief Executive Officer, put a question to a Council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the Chief Executive Officer at the direction of the Chief Executive Officer.
- 9.23 A Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a Councillor or Council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the Council.
- 9.24 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.25 The Chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a Councillor or Council employee.
- 9.26 Responses to any questions by either Councillors or Council staff should be made through the Chairperson. Should the Council staff wish to comment upon any matter before the Council, the Council staff should seek the leave of the Chairperson to do so.

10. RULES OF DEBATE

Motions to be Seconded

- 10.1 Unless otherwise specified in this Code, a Motion or an Amendment cannot be debated unless or until it has been seconded.

Notices of Motion

- 10.2 A Councillor who has submitted a Notice of Motion under clause 3.9 is to move the motion the subject of the Notice of Motion at the meeting at which it is to be considered.
- 10.3 If a Councillor who has submitted a Notice of Motion under clause 3.9 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to Councillors, the Councillor may request the withdrawal of the Motion when it is before the Council.
- 10.4 In the absence of a Councillor who has placed a Notice of Motion on the agenda for a meeting of the Council:
- (a) any other Councillor may, with the leave of the Chairperson, move the Motion at the meeting, or
 - (b) the Chairperson may defer consideration of the Motion until the next meeting of the Council.

Chairperson's Duties with Respect to Motions

- 10.5 It is the duty of the Chairperson at a meeting of the Council to receive and put to the meeting any lawful Motion that is brought before the meeting.
- 10.6 The Chairperson must rule out of order any Motion or amendment to a Motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a Motion or an amendment to a Motion under clause 10.6, the Chairperson is to give the mover an opportunity to clarify or amend the Motion or Amendment.
- 10.8 Any Motion, Amendment, or other matter that the Chairperson has ruled out of order is taken to have been lost.

Motions Requiring the Expenditure of Funds

- 10.9 A Motion or an amendment to a Motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the Motion. If the Motion does not identify a funding source, the Council must defer consideration of the matter, pending a report from the Chief Executive Officer on the availability of funds for implementing the Motion if adopted.

Amendments to Motions

- 10.10 An amendment to a Motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a Motion must relate to the matter being dealt with in the original Motion before the Council and must not be a direct negative of the original Motion. An amendment to a Motion which does not relate to the matter being dealt with in the original Motion, or which is a direct negative of the original Motion, must be ruled out of order by the Chairperson.
- 10.12 The mover of an Amendment is to be given the opportunity to explain any uncertainties in the proposed Amendment before a seconder is called for.
- 10.13 If an Amendment has been lost, a Further Amendment can be moved to the Motion to which the lost amendment was moved, and so on, but no more than one (1) Motion and one (1) proposed Amendment can be before Council at any one time.
- 10.14 While an Amendment is being considered, debate must only occur in relation to the Amendment and not the original Motion. Debate on the original Motion is to be suspended while the Amendment to the original Motion is being debated.
- 10.15 If the Amendment is carried, it becomes the Motion and is to be debated. If the Amendment is lost, debate is to resume on the original Motion.
- 10.16 An Amendment may become the Motion without debate or a vote where it is accepted by the Councillor who moved the original Motion.
- 10.17 Any variation to a Motion or to an Amendment or for a fresh Motion/ Amendment shall be provided to the Council Secretariat in writing where possible.
- 10.18 Councillors are asked, where they propose to move an amendment to a staff recommendation, a committee recommendation, a Notice of Motion or any recommendation printed in the business paper, to provide copies of the proposed amendment to the Chief Executive Officer at, or prior to, the start of the meeting, for circulation to relevant staff.

Foreshadowed Motions

- 10.19 A Councillor may propose a Foreshadowed Motion in relation to the matter the subject of the original Motion before the Council, without a seconder during debate on the original Motion. The Foreshadowed Motion is only to be considered if the original Motion is lost or withdrawn and the Foreshadowed Motion is then moved and seconded. If the original Motion is carried, the Foreshadowed Motion lapses.
- 10.20 Where an amendment has been moved and seconded, a Councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the Council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.21 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the Number and Duration of Speeches

- 10.22 A Councillor who, during a debate at a meeting of the Council, moves an original Motion, has the right to speak on each Amendment to the Motion and a right of general reply to all observations that are made during the debate in relation to the Motion, and any Amendment to it at the conclusion of the debate before the Motion (whether amended or not) is finally put.
- 10.23 No new arguments or material should be introduced during the "right of reply".
- 10.24 A Councillor must declare whether they intend to speak 'for' or 'against' a Motion. Once a Councillor has declared their intent, the Chairperson may rule them out of order if they speak contrary to their intention.
- 10.25 A Councillor, other than the mover of an original Motion, has the right to speak once on the Motion and once on each Amendment to it.
- 10.26 A Councillor must not, without the consent of the Council, speak more than once on a Motion or an Amendment, or for longer than five (5) minutes at any one time. The Council may resolve to extend the allocated time of a Councillor to speak by up to one (1) minute. Time taken to ask and answer questions of staff and other Councillors will not be included in a Councillor's allocated time to speak.
- 10.27 Despite clause 10.26, the Chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a Motion or an amendment, and for longer than five (5) minutes on that Motion or Amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.

- 10.28 Despite clause 10.26, the Council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.29 Despite clauses 10.22 and 10.25, a Councillor may move that a Motion or an amendment be now put:
- (a) if the mover of the Motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it, or
 - (b) if at least two (2) Councillors have spoken in favour of the Motion or amendment and at least two (2) Councillors have spoken against it.
- 10.30 The Chairperson must immediately put to the vote, without debate, a Motion moved under clause 10.29. A seconder is not required for such a Motion.
- 10.31 If a Motion that the original Motion or an Amendment be now put is passed, the Chairperson must, without further debate, put the original Motion or Amendment to the vote immediately after the mover of the original Motion has exercised their right of reply under clause 10.22.
- 10.32 If a Motion that the original Motion or an Amendment be now put is lost, the Chairperson must allow the debate on the original Motion or the Amendment to be resumed.
- 10.33 All Councillors must be heard without interruption and all other Councillors must, unless otherwise permitted under this Code, remain silent while another Councillor is speaking.
- 10.34 Once the debate on a matter has concluded and a matter has been dealt with, the Chairperson must not allow further debate on the matter.

Procedural Motions

A Procedural Motion is a Motion that refers to the conduct of a meeting.

- 10.35 Procedural Motions are not subject to the Notice of Motion requirements in clause 3.9.
- 10.36 For the purposes of this Code, a Procedural Motion requires a seconder.
- 10.37 For the purposes of this Code, there is no debate allowed on a Procedural Motion.
- 10.38 A Procedural Motion has precedence over substantive Motions and must be put to the meeting for a decision.

11. VOTING

Voting Entitlements of Councillors

11.1 Each Councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Act.

11.2 The person presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Act.

11.3 Where the Chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at Council Meetings

11.4 A Councillor who is present at a meeting of the Council but who fails to vote on a Motion put to the meeting is taken to have voted against the Motion.

11.5 If a Councillor who has voted against a Motion put at a Council meeting so requests, the Chief Executive Officer must ensure that the Councillor's dissenting vote is recorded in the Council's minutes.

11.6 The decision of the Chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) Councillors rise and call for a division.

11.7 When a division on a Motion is called, the Chairperson must ensure that the division takes place immediately. The Chief Executive Officer must ensure that the names of those who vote for the Motion and those who vote against it are recorded in the Council's minutes for the meeting.

11.8 When a division on a Motion is called, any Councillor who fails to vote will be recorded as having voted against the Motion in accordance with clause 11.4 of this Code.

11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the Council may resolve that the voting in any election by Councillors for Lord Mayor or Deputy Lord Mayor is to be by secret ballot.

11.10 All voting at Council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of Councillors who voted for and against each Motion or Amendment, (including the use of the casting vote), being recorded.

Voting on Planning Decisions

- 11.11 The Chief Executive Officer must keep a register containing, for each planning decision made at a meeting of the Council or a Council committee (including, but not limited to a Committee of Council), the names of the Councillors who supported the decision and the names of any Councillors who opposed (or are taken to have opposed) the decision.
- 11.12 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the Council or a Council committee.
- 11.13 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.14 Clauses 11.11–11.13 apply also to meetings that are closed to the public.

Note: Clauses 11.11–11.14 reflect section 375A of the Act.

Note: The requirements of clause 11.11 may be satisfied by maintaining a register of the minutes of each planning decision.

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12. COMMITTEE OF THE WHOLE

12.1 The Council may resolve itself into a committee to consider any matter before the Council.

Note: Clause 12.1 reflects section 373 of the Act.

12.2 All the provisions of this Code relating to meetings of the Council, so far as they are applicable, extend to and govern the proceedings of the Council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.22 and 10.25-34 limit the number and duration of speeches.

12.3 The Chief Executive Officer or, in the absence of the Chief Executive Officer, an employee of the Council designated by the Chief Executive Officer, is responsible for reporting to the Council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.

12.4 The Council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the Council's minutes. However, the Council is not taken to have adopted the report until a motion for adoption has been made and passed.

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13. DEALING WITH ITEMS BY EXCEPTION

- 13.1 The Council or a Committee of Council may, at any time resolve to adopt multiple items in accordance with the recommendation as printed, by way of a single resolution.
- 13.2 Should a Councillor request to debate an item, they are to request the item be withdrawn for debate.
- 13.3 The Council or Committee of Council must not resolve to adopt any item of business under clause 13.1 that a Councillor has identified as being one they intend to debate.
- 13.4 A motion to adopt multiple items of business under clause 13.1 must identify the items of business to be adopted and state that they are to be adopted as recommended in the business paper.
- 13.5 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the Council's Code of Conduct.

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14. CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which Meetings can be Closed to the Public

- 14.1 The Council or a Committee of Council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than Councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the Council, Councillors, Council staff or Council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of the Council's Code of Conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The Council or a Committee of Council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

Matters to be Considered when Closing Meetings to the Public

- 14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:
- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
 - (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

- 14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:
- (a) are substantial issues relating to a matter in which the Council or committee is involved, and
 - (b) are clearly identified in the advice, and
 - (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

- 14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

- 14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:
- (a) a person may misinterpret or misunderstand the discussion, or
 - (b) the discussion of the matter may:
 - (i) cause embarrassment to the Council or committee concerned, or to Councillors or to employees of the Council, or
 - (ii) cause a loss of confidence in the Council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

- 14.7 In deciding whether part of a meeting is to be closed to the public, the Council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of Likelihood of Closure Not Required in Urgent Cases

- 14.8 Part of a meeting of the Council, or of a committee of the Council, may be closed to the public while the Council or committee considers a matter that has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the Council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by Members of the Public

- 14.9 The Council, or a Committee of Council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.
- 14.11 Where the matter has been identified in the agenda of the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the Council in the approved form. Applications must be received by 4pm on the Thursday prior to the day of the meeting at which the matter is to be considered.
- 14.12 The Chief Executive Officer (or their delegate) may refuse an application made under clause 14.11. The Chief Executive Officer or their delegate must give reasons in writing for a decision to refuse an application.

- 14.13 No more than five (5) speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the Chief Executive Officer or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the Council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the Chief Executive Officer or their delegate is to determine who will make representations to the Council.
- 14.15 The Chief Executive Officer (or their delegate) is to determine the order of speakers.
- 14.16 Where the Council or a committee of the Council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause 3.21 as a matter that is likely to be considered when the meeting is closed to the public, the Chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The Chairperson is to permit no more than five (5) speakers to make representations in such order as determined by the Chairperson.
- 14.17 In line with Public Forum provisions, as per clause 4.9, each speaker will be allowed three (3) minutes (excluding staff response, if any) to make representations, and this time limit is to be strictly enforced by the Chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.
- 14.18 Specialist advisors may be invited to attend closed meetings. In such instances, the names of these specialists are to be recorded and shown in the minutes of the meeting.

Expulsion of Non-Councillors from Meetings Closed to the Public

- 14.19 If a meeting or part of a meeting of the Council or a Committee of Council is closed to the public in accordance with section 10A of the Act and this Code, any person who is not a Councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.20 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Obligations of Councillors Attending Meetings by Audio-Visual Link

- 14.21 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be Disclosed in Resolutions Closing Meetings to the Public

- 14.22 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.22 reflects section 10D of the Act.

Resolutions Passed at Closed Meetings to be made Public

- 14.23 If the Council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.24 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the Chairperson, Chief Executive Officer or their delegate under clause 14.23 during a part of the meeting that is webcast.

15. KEEPING ORDER AT MEETINGS

Points of Order

- 15.1 A Councillor may draw the attention of the Chairperson to an alleged breach of this Code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The Chairperson must suspend the business before the meeting and permit the Councillor raising the point of order to state the provision of this Code they believe has been breached. The Chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of Order

- 15.4 The Chairperson, without the intervention of any other Councillor, may call any Councillor to order whenever, in the opinion of the Chairperson, it is necessary to do so.
- 15.5 A Councillor who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the Chairperson to the matter.
- 15.6 The Chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the Council.
- 15.7 The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of Dissent

- 15.8 A Councillor can, without notice, move to dissent from a ruling of the Chairperson on a point of order or a question of order. If that happens, the Chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this Code, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of Disorder

- 15.11 A Councillor commits an act of disorder if the Councillor, at a meeting of the Council or a Committee of Council:
- (a) contravenes the Act, the Regulation or this Code, or
 - (b) assaults or threatens to assault another Councillor or person present at the meeting, or
 - (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or the committee, or addresses or attempts to address the Council or the committee on such a motion, amendment or matter, or
 - (d) insults, makes unfavourable personal remarks about, or imputes improper motives to any other Council official, or alleges a breach of the Council's Code of Conduct, or
 - (e) uses indecent languages, or
 - (f) constant interjections whilst another Councillor is addressing the Chair, or
 - (g) uninvited commenting, shouting or being disruptive, or
 - (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or the committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation.

- 15.12 The Chairperson may require a Councillor:
- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a), (b), or (e), or
 - (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
 - (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation.

How Disorder at a Meeting May be Dealt With

- 15.13 If disorder occurs at a meeting of the Council, the Chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the Chair. The Council, on reassembling, must, on a question put from the Chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.

Expulsion from Meetings

- 15.14 All Chairpersons of meetings of the Council and Committees of Council are authorised under this Code to expel any person, including any Councillor, from a Council or committee meeting, for the purposes of section 10(2)(b) of the Act.
- 15.15 Clause 15.14, does not limit the ability of the Council or a Committee of Council to resolve to expel a person, including a Councillor, from a Council or committee meeting, under section 10(2)(a) of the Act.
- 15.16 A Councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for having failed to comply with a requirement under clause 15.12. The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned.

Note: Clause 15.16 reflects section 233(2) of the Regulation.

- 15.17 In addition to Clause 15.15, a Councillor who commits an act of disorder may be subject to the provision of the Code of Conduct.
- 15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.19 Where a Councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.20 If a Councillor or a member of the public fails to leave the place where a meeting of the Council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the Councillor or member of the public from that place and, if necessary, restrain the Councillor or member of the public from re-entering that place for the remainder of the meeting.

How Disorder by Councillors Attending Meetings by Audio-Visual Link May be Dealt With

- 15.21 Where a Councillor is attending a meeting by audio-visual link, the Chairperson or a person authorised by the Chairperson may mute the Councillor's audio link to the meeting for the purposes of enforcing compliance with this Code.
- 15.22 If a Councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the Chairperson of the meeting or a person authorised by the Chairperson, may terminate the Councillor's audio-visual link to the meeting.

Use of Mobile Phones and the Unauthorised Recording of Meetings

- 15.23 Councillors, Council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the Council and Committees of Council.
- 15.24 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording or take photographs of the proceedings of a meeting of the Council or a Committee of Council without the prior authorisation of the Council or the committee.
- 15.25 Without limiting clause 15.18, a contravention of clause 15.24 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.24, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.26 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16. CONFLICTS OF INTEREST

- 16.1 All Councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the Council and Committees of Council in accordance with the Council's Code of Conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the Council's Code of Conduct. Where a Councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the Councillor's audio-visual link to the meeting must be suspended or terminated and the Councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the Council or committee, or at any time during which the Council or committee is voting on the matter.

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17. DECISIONS OF THE COUNCIL

Council Decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the Council at which a quorum is present is a decision of the Council.

Note: Clause 17.1 reflects section 371 of the Act.

- 17.2 Decisions made by the Council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering Council decisions

- 17.3 A rescission motion is to be moved by the first signatory to the motion and failing that person being in attendance, the second signatory to move same and so on.

- 17.4 A resolution passed by the Council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.9.

Note: Clause 17.4 reflects section 372(1) of the Act.

- 17.5 A Notice of Motion to rescind a resolution must be in writing and must be submitted by 2.00pm on the business day following the Council meeting or Committee of Council meeting.

- 17.6 If a Notice of Motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause 17.6 reflects section 372(2) of the Act.

- 17.7 All rescission motions will be listed on the next available Council Meeting agenda for consideration.

- 17.8 If a Motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.9.

Note: Clause 17.7 reflects section 372(3) of the Act.

- 17.9 A Notice of Motion to alter or rescind a resolution, and a Notice of Motion which has the same effect as a Motion which has been lost, must be signed by three (3) Councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause 17.9 reflects section 372(4) of the Act.

- 17.10 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause 17.10 reflects section 372(5) of the Act.

- 17.11 The provisions of clauses 17.8-17.10 concerning lost motions do not apply to motions of adjournment.

Note: Clause 17.11 reflects section 372(7) of the Act.

- 17.12 A Notice of Motion submitted in accordance with clause 17.5 may only be withdrawn under clause 3.10 with the consent of all signatories to the notice of motion.

- 17.13 A motion to alter or rescind a resolution of the Council may be moved on the report of a Committee of Council and any such report must be recorded in the minutes of the meeting of the Council.

Note: Clause 17.13 reflects section 372(6) of the Act.

- 17.14 Subject to clause 17.10, in cases of urgency, a motion to alter or rescind a resolution of the Council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a Notice of Motion signed by three Councillors is submitted to the Chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the Chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

- 17.15 A motion moved under clause 17.14(b) can be moved without notice. Despite clauses 10.22 and 10.25-10.34, only the mover of a motion referred to in clause 17.14(b) can speak to the motion before it is put.

- 17.16 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 17.14(c).

Recommitting Resolutions to Correct an Error

- 17.17 Despite the provisions of this Part, a Councillor may, with the leave of the Chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the Council's resolution, or

- (b) to confirm the voting on the resolution.
- 17.18 In seeking the leave of the Chairperson to move to recommit a resolution for the purposes of clause 17.17(a), the Councillor is to propose alternative wording for the resolution.
- 17.19 The Chairperson must not grant leave to recommit a resolution for the purposes of clause 17.17(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.
- 17.20 A motion moved under clause 17.17 can be moved without notice. Despite clauses 10.22 and 10.25-34, only the mover of a motion referred to in clause 17.17 can speak to the motion before it is put.
- 17.21 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 17.17.
- 17.22 A motion moved under clause 17.17 with the leave of the Chairperson cannot be voted on unless or until it has been seconded.

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18. TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the Council and committees of the Council are to conclude no later than 11:00pm.
- 18.2 If the business of the meeting is unfinished at 11:00pm, the Council or the committee may, by resolution, extend the time of the meeting by one extension to 11:30pm to complete the business of the Council or Committee of Council.
- 18.3 If the business of the meeting is unfinished at 11:00pm, and the Council does not resolve to extend the meeting, the Chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the Council, or
 - (b) adjourn the meeting to a time, date and place fixed by the Chairperson.
- 18.4 Clause 18.3 does not limit the ability of the Council or a Committee of Council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the Chief Executive Officer must:
- (a) individually notify each Councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the Council's website and in such other manner that the Chief Executive Officer is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19. AFTER THE MEETING

Minutes of Meetings

19.1 The Council is to keep full and accurate minutes of the proceedings of meetings of the Council.

Note: Clause 19.1 reflects section 375(1) of the Act.

19.2 At a minimum, the Chief Executive Officer must ensure that the following matters are recorded in the Council's minutes:

- (a) The names of Councillors attending a Council meeting and whether they attended the meeting in person or by audio-visual link,
- (b) details of each motion moved at a Council meeting and of any amendments moved to it,
- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost,
- (e) such other matters specifically required under this Code,
- (f) additional information supplied by a Council officer which has not been included in the report before Council and which could be viewed as material for Council's consideration of the matter,
- (g) where required, the names of the Councillors in favour of or opposed to the Motion/ Amendment, and
- (h) the names of Councillors who request that their name be recorded as being opposed to a resolution.
- (i) Where questions are taken on notice, a statement stipulating "Questions were taken on notice by Council staff for this item" for each item where questions on notice are taken.

19.3 The minutes of a Council meeting must be confirmed at a subsequent meeting of the Council.

Note: Clause 19.3 reflects section 375(2) of the Act.

19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

- 19.7 The confirmed minutes of a Council meeting must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Note: Section 12 of the Local Government Act confers a right (restricted in the case of closed parts of meetings) to inspect the minutes of a Council meeting. Council has its open minutes electronically displayed during the meetings and on its website on the Friday following the meeting. The community is able to access the minutes in this way, by contacting Council, or by viewing at all libraries.

Access to Correspondence and Reports Laid on the Table at, or Submitted to, a Meeting

- 19.8 The Council and Committees of Council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

- 19.10 Clause 19.8 does not apply if the Council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of Decisions of the Council

- 19.12 The Chief Executive Officer is to implement, without undue delay, lawful decisions of the Council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20. COUNCIL COMMITTEES

Application of this Part

20.1 This part only applies to committees of the Council whose members are all Councillors.

Council Committees whose Members are all Councillors

20.2 The Council may, by resolution, establish such committees as it considers necessary.

20.3 A Committee of Council is to consist of the Lord Mayor and such other Councillors as are elected by the Councillors or appointed by the Council.

20.4 The quorum for a meeting of a Committee of Council is to be:

- (a) such number of members as the Council decides, or
- (b) if the Council has not decided a number – a majority of the members of the committee.

Functions of Committees

20.5 The Council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Notice of Committee Meetings

20.6 The Chief Executive Officer must send to each Councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at Committee Meetings

20.8 A committee member (other than the Lord Mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or

- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

20.9 Clause 20.8 does not apply if all of the members of the Council are members of the committee.

Non-Members Entitled to Attend Committee Meetings

20.10 A Councillor who is not a member of a committee of the Council is entitled to attend, and to speak at a meeting of the committee. However, the Councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Chairperson and Deputy Chairperson of Council Committees

20.11 The Chairperson of each committee of the Council must be:

- (a) the Lord Mayor, or
- (b) if the Lord Mayor does not wish to be the Chairperson of a committee, a member of the committee elected by the Council, or
- (c) if the Council does not elect such a member, a member of the committee elected by the committee.

20.12 The Council may elect a member of a committee of the Council as Deputy Chairperson of the committee. If the Council does not elect a Deputy Chairperson of such a committee, the committee may elect a Deputy Chairperson.

20.13 If neither the Chairperson nor the Deputy Chairperson of a committee of the Council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting Chairperson of the committee.

20.14 The Chairperson is to preside at a meeting of a committee of the Council. If the Chairperson is unable or unwilling to preside, the Deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the Deputy Chairperson is able or willing to preside, the acting Chairperson is to preside at the meeting.

Procedure in Committee Meetings

- 20.15 Subject to any specific requirements of this code, each Committee of Council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the Council unless the Council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the Chairperson of the committee is to have a casting vote as well as an original vote unless the Council or the committee determines otherwise in accordance with clause 20.15.
- 20.17 Voting at a Council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of Committee Meetings to the Public

- 20.18 The provisions of the Act and Part 14 of this Code apply to the closure of meetings of committees of the Council to the public in the same way they apply to the closure of meetings of the Council to the public.
- 20.19 If a committee of the Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the Chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the Council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the Chairperson under clause 20.19 during a part of the meeting that is webcast.

Disorder in Committee Meetings

- 20.21 The provisions of the Act and this Code relating to the maintenance of order in Council meetings apply to meetings of committees of the Council in the same way as they apply to meetings of the Council.

Minutes of Council Committee Meetings

- 20.22 Each committee of the Council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) The names of Councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
 - (b) details of each motion moved at a meeting and of any amendments moved to it,

- (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost, and
 - (e) such other matters specifically required under this Code.
- 20.23 All voting at meetings of committees of the Council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of Councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.
- 20.24 The minutes of meetings of each Committee of Council must be confirmed at a subsequent meeting of the committee.
- 20.25 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.
- 20.26 Council has its minutes electronically displayed during the meetings and on its website following the meeting. The public are able to access the minutes online on the Friday following the meeting, by contacting Council directly, or by viewing the minutes at Council's libraries.
- 20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.
- 20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.
- 20.29 The confirmed minutes of a meeting of a Committee of Council must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of meetings of committees of the Council on its website prior to their confirmation.

21. IRREGULARITIES

- 21.1 Proceedings at a meeting of a Council or a Committee of Council are not invalidated because of:
- (a) a vacancy in a civic office, or
 - (b) a failure to give notice of the meeting to any Councillor or committee member, or
 - (c) any defect in the election or appointment of a Councillor or committee member, or
 - (d) a failure of a Councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a Council or committee meeting in accordance with the Council's Code of Conduct, or
 - (e) a failure to comply with this Code.

Note: Clause 21.1 reflects section 374 of the Act.

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22. DEFINITIONS

The Act	means the <i>Local Government Act 1993</i>
Act of Disorder	means an act of disorder as defined in clause 15.11 of this code
Amendment	in relation to an original motion, means a motion moving an amendment to that motion
Audio Recorder	any device capable of recording speech
Audio-Visual Link	means a facility that enables audio and visual communication between persons at different places
Business Day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
Chairperson	in relation to a meeting of the Council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
This Code	means the Council's adopted code of meeting practice
Committee of the Council	means a committee established by the Council in accordance with clause 20.2 of this code (being a committee consisting only of Councillors) or the Council when it has resolved itself into committee of the whole under clause 12.1
Council Official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
Day	means calendar day
Division	means a request by two Councillors under clause 11.6 of this code requiring the recording of the names of the Councillors who voted both for and against a motion
Foreshadowed Amendment	means a proposed amendment foreshadowed by a Councillor under clause 10.20 of this code during debate on the first amendment
Foreshadowed Motion	means a motion foreshadowed by a Councillor under clause 10.19 of this code during debate on an original motion
Open Voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
Planning Decision	means a decision made in the exercise of a function of a Council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
Performance Improvement Order	means an order issued under section 438A of the Act
Quorum	means the minimum number of Councillors or committee members necessary to conduct a meeting
The Regulation	means the <i>Local Government (General) Regulation 2021</i>
Webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
Year	means the period beginning 1 July and ending the following 30 June
Roles of the Lord Mayor, Deputy Lord Mayor, Councillors & General Manager (Chief Executive Officer)	The <i>Local Government Act 1993</i> provides clauses explaining the roles of the Lord Mayor (refer s226), the Deputy Lord Mayor (refer s231), Councillors (refer s232) and the functions of the Chief Executive Officer (refer s335).

23. INDEX

PART 1 – INTRODUCTION	p.3
PART 1 – MEETING PRINCIPLES	p.4
Council Decisions Prior to a Local Government Election (Caretaker Period)	p.4
Council Decisions During Recess Period	p.4-5
PART 3 – BEFORE THE MEETING	p.6-11
Timing of Ordinary Council Meetings	p.6
Extraordinary Meetings	p.6
Notice to the public of Council meetings	p.6
Notice to Councillors of ordinary meetings	p.6-7
Notice to Councillors of extraordinary meetings	p.7
Giving notice of business to be considered at Council meetings	p.7
Questions with notice	p.8
Agenda and business papers for ordinary meetings	p.8-10
Statement of ethical obligations	p.9
Availability of the agenda and business papers to the public	p.9-10
Agenda and business papers for extraordinary meetings	p.10
Pre-meeting briefing sessions	p.10-11
PART 4 – PUBLIC FORUMS	p.12-14
PART 5 – COMING TOGETHER	p.15-21
Attendance by Councillors at meetings	p.15-16
The quorum for a meeting	p.16-17
Meetings held by audio-visual link	p.17
Attendance by Councillors at meetings by audio-visual link	p.18-19
Entitlement of the Public to Attend Council Meetings	p.19
Webcasting of meetings	p.20
Attendance of the CEO and other staff at meetings	p.21
PART 6 – THE CHAIRPERSON	p.22-23
The Chairperson at meetings	p.22
Election of the Chairperson in the absence of the Lord Mayor and Lord Deputy Mayor	p.22
Chairperson to have precedence	p.23
PART 7 – MODES OF ADDRESS	p.24
PART 8 – ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS	p.25
PART 9 – CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS	p.26-28
Business that can be dealt with at a Council meeting	p.26
Lord Mayoral Minutes	p.27
Petitions	p.27
Staff reports	p.28
Reports of committees of Council	p.28
Questions	p.28
PART 10 – RULES OF DEBATE	p.29-32
Motions to be seconded	p.29
Notices of Motion	p.29
Chairperson's duties with respect to motions	p.29
Motions requiring the expenditure of funds	p.30
Amendments to motions	p.30
Foreshadowed motions	p.31
Limitations on the number and duration of speeches	p.31-32
Procedural motions	p.32
PART 11 – VOTING	p.33-34
Voting entitlements of Councillors	p.33
Voting at Council meetings	p.33
Voting on planning decisions	p.34
PART 12 – COMMITTEE OF THE WHOLE	p.35
PART 13 – DEALING WITH ITEMS BY EXCEPTION	p.36
PART 14 – CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC	p.37-41

Grounds on which meetings can be closed to the public	p.37
Matters to be considered when closed meetings to the public	p.38-39
Notice of likelihood of closure not required in urgent cases	p.39
Representations by members of the public	p.39-40
Expulsion of non-Councillors from meetings closed to the public	p.40
Obligations of Councillors attending meetings by audio-visual link	p.41
Information to be disclosed in resolutions closing meetings to the public	p.41
Resolutions passed at closed meetings to be made public	p.41
PART 15 – KEEPING ORDER AT MEETINGS	p.42-45
Points of order	p.42
Questions of order	p.42
Motions of dissent	p.42
Acts of disorder	p.43
How disorder at a meeting may be dealt with	p.44
Expulsion from meetings	p.44
How disorder by Councillors attending meetings by audio-visual link may be dealt with	p.45
Use of mobile phones and the unauthorised recording of meetings	p.45
PART 16 – CONFLICTS OF INTEREST	p.46
PART 17 – DECISIONS OF THE COUNCIL	p.47-49
Council decisions	p.47
Rescinding or altering Council decisions	p.47-49
Absence of a mover and seconder from original motion	p.49
Recommitting resolutions to correct an error	p.49
PART 18 – TIME LIMITS ON COUNCIL MEETINGS	p.50
PART 19 – AFTER THE MEETING	p.51-53
Minutes of meetings	p.51-52
Access to correspondence and reports laid on the table at, or submitted to, a meeting	p.52
Implementation of decisions of the Council	p.53
PART 20 – COUNCIL COMMITTEES	p.54-57
Application of this part (Council committees)	p.54
Council committees whose members are all Councillors	p.54
Functions of committees	p.54
Notice of committee meetings	p.54
Attendance at committee meetings	p.54-55
Non-members entitled to attend committee meetings	p.55
Chairperson and Deputy Chairperson of Council committees	p.55
Procedure in committee meetings	p.56
Closure of committee meetings to the public	p.56
Disorder in committee meetings	p.56
Minutes of Council committee meetings	p.56-57
PART 21 – IRREGULARITIES	p.58
PART 22 – DEFINITIONS	p.59

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Code of Meeting Practice Review April 2024 – Summary of Proposed Changes

Changes made to the Policy as a result of the review are summarised below:

Part	Type	Description	Reason
	Update	<p>Throughout the document applied minor administrative corrections, including:</p> <ul style="list-style-type: none"> As the CoMP applies to Council Meetings and Committees of Council Meetings (not Advisory Committees or Statutory Committees), general updates have been made for clarity. Corrected reference to "Committees of Council". Applied capitalisation of defined terms. Minor phrasing clarification. Renumbered clauses when clauses as added or deleted. 	
Part 2 – Meeting Principles			
2	Update	<p>Deleted former clauses 2.6 to 2.10:</p> <p>2.6 <i>A Delegated Authority Meeting will be held for any matter to be considered under joint delegation.</i></p> <p>2.7 <i>Notice of a Delegated Authority Meeting will be provided to all Councillors at least three (3) days prior to the meeting being held.</i></p> <p>2.8 <i>If the Lord Mayor or Chief Executive Officer receives a referral signed by two (2) or more Councillors of any matter to be considered at a Delegated Authority Meeting, the matter will be referred to a full Ordinary Meeting of the Council.</i></p> <p>2.9 <i>Clause 2.6 does not prevent the calling of an Extraordinary Meeting of Council in accordance with clause 3.2 of this Code of Meeting Practice.</i></p> <p>2.10 <i>Minutes of a Delegated Authority Meeting will be reported to the first Council Meeting of the following year.</i></p> <p>Added new clause 2.7:</p> <p>2.7 <i>The Chief Executive Officer is to provide a report to the first meeting of the Council in the new year, detailing all decisions made under joint delegated authority during the recess period.</i></p>	<p>It is recommended to delete these clauses as they are mostly superfluous. For all intents and purposes, a 'Delegated Authority Meeting' is the same as an Extraordinary Meeting of Council.</p> <p>Clause 2.7 added to ensure the reporting of any/all decisions made in the recess period.</p>
Part 3 – Before the meeting			
3	Update	<p>Clause 3.7: Regarding the option to receive hard copy or electronic format of the Agenda, addition of the words "or both".</p>	<p>By adding the words 'or both' clarifies that Councillors can opt to have both a printed copy and an electronic copy of the agenda and business paper.</p>
3	Update	<p>Clause 3.8: Regarding notice to Councillors or Extraordinary Meetings, deleted sentence, <i>"The Lord Mayor and the Chief Executive Officer will determine the situation of emergency"</i>.</p> <p>Replaced with the sentence,</p>	<p>Redrafted to provide clarity of the purpose of this clause.</p>

		"The Lord Mayor and the Chief Executive Officer will determine if the matter/s proposed to be considered are of emergency/urgency which cannot reasonably wait to the next ordinary meeting of Council".	
3	Update	Clause 3.12: Regarding Notices of Motion for the expenditure of funds, applied minor phrasing amendments, and for sub-clause (b), replaced "[which] identifies the funding source to implement [the Motion]" with "[which] will address the availability of funds for implementing".	Recommendation to update wording for clarification. It is important to make the distinction between IDENTIFYING the funding (in essence, confirming that the funds are available) and addressing the AVAILABILITY of funding (is there funding or not).
3	Addition	Clause 3.15: Regarding Questions with Notice, addition of a new requirement, 3.15 <i>Each Councillor is limited to submitting one (1) Question With Notice per Council meeting.</i>	With consideration to effective and efficient use of staff time and Council resources, it is recommended by staff to limit the number of Questions With Notice that can be asked by each Councillor at each meeting. It is recommended to limit each Councillor to one (1) Question With Notice.
3	Update	Clause 3.24: Regarding making the Agenda available to the public, change timeframe to make the Agenda available from "by 9:00am on the Tuesday prior to an Ordinary/Extraordinary Meeting of Council" to "seven (7) days prior to the meeting".	It is recommended by staff that Council consider changing the publication of Council meeting business papers, to seven (7) days prior to the meeting (not the Tuesday prior, as currently stipulated for public agenda documents).
Part 4 – Public Forums			
4	Deletion	Clause 4.1: Regarding Public Forum, deletion of the sentence, <i>"Matters relating to the business paper will get preference."</i>	It is recommended by staff to delete this sentence. In doing so, it removes the ability for people to speak on anything. People should only be able to register to speak on matters listed on the agenda. This is best practice. Sentence not part of Model Code, provision was unique to City of Parramatta.
4	Addition	Clause 4.2: Regarding Public Forum, addition of a new clause, 4.2 <i>A person may only apply to speak on any item listed on the agenda of the Council meeting.</i>	It is recommended by staff to include a new clause - clarifying that a person can only register to speak on matters listed on the agenda. This is best practice.
4	Addition	Clause 4.3: Regarding Public Forum, addition of a new clause, 4.3 <i>A person may apply to speak on no more than one item of business on the agenda of the Council meeting.</i>	It is recommended by staff to include a new clause - clarifying that people can only register to speak on one (1) item on the agenda per Council meeting. This is best practice. Model Code establishes that councils should specify the maximum.
4	Deletion	Clause 4.5: Regarding acceptance of Public Forum submissions, deletion of the words, "and consideration will be given to the urgency of each of the submissions by the Lord Mayor or his delegate".	It is recommended by staff to remove the discretionary power of the Lord Mayor to review the applications for Public Forum. To not remove this could be seen to be having an improper influence on the matters being heard (or likely to be heard) in the Public Forum of the Council Meetings. All other reviews and approvals associated with Public Forum are the responsibility of the CEO. Update will align with the Model Code, which puts this discretionary power with the CEO.
4	Update	Clauses 4.6 and 4.7: Regarding Public Forum submissions, deleted sentences, "a particular comment or statement will be accepted on a single matter and any groups are required to nominate a representative to speak on their behalf" and "If the speakers are not able to agree on whom to nominate to address the Council, the Chief Executive Officer or their delegate is to	The proposed changes are simply separating the information to provide clarity and to align more to the Model Code of Meeting Practice.

		determine who will address the Council at the public forum.	
4	Deletion	Clause 4.10: Regarding consultation with the Lord Mayor to consider increasing the number of Public Forum speakers on an item of business, deleted statement, "or the Lord Mayor's nominated Chairperson".	This statement has the potential to contradict the clause 4.10, if the CEO (in consultation with the LM) increases the number of speakers permitted to speak on an issue.
4	Addition	Clause 4.13: Regarding handling submission of Public Forums previously raised, added "[cannot be raised again] by the same speaker [unless there is new information of it has been 12 months since the matter was first raised]".	'By the same speaker' has been added to clarify that different people can speak to the same item throughout a 12 month period, but the same person is limited to only speaking once on the same matter in any 12 month period.
4	Deletion	Clause 4.13: Regarding handling submission of Public Forums previously raised, deleted statement, "Matter not previously raised will get preference".	It is recommended to delete this sentence. Provision not included in Model Code.
4	Addition	Clause 4.22: Added provision, <i>4.22 Public Forums may be held by audio-visual link.</i>	It is recommended to allow audio-visual Public Forum participation, to increase the accessibility of Council meetings.
Part 5 – Coming together			
5	Update	Clauses 5.41 and 5.42: For clarification, added reference to "recordings", in addition to webcasts.	Updated slightly to reference 'webcasting/recordings' to cover both offerings. Webcasting refers to the live streaming of the Council meeting, where recordings relates to the ongoing video recording available on the website.
Part 6 – The Chairperson <i>No further changes proposed</i>			
Part 7 – Modes of address <i>No further changes proposed</i>			
Part 8 – Order of business for ordinary Council meetings			
8	Addition	Clause 8.1: Regarding the general order of business for an Ordinary Council Meeting, added standing Agenda sections for: <ul style="list-style-type: none"> • "09 Items by Exception" • "11 Items Raised in Public Forum", and • "18 Questions Taken on Notice at the previous Council meeting" Re-named Item 20 from Public Announcement to "Announcement of Resolutions made in Closed Session".	<p>Model Code establishes that councils are to set an order of business to meet their needs.</p> <p>Addition of standing Agenda section "Items by Exception": While Part 13 of the CoMP already allows for Council to resolve to adopt multiple items of business by way of a single resolution (Items by Exception), it is proposed to include a new standing item to ensure Council is routinely offered an opportunity to deal with items by exception at each meeting. Further, it is proposed to list 'Items by Exception' following the Lord Mayoral Minutes, as the LMM are to take precedence over all other matters on the agenda/business paper.</p> <p>Addition of standing Agenda section "Items Raised in Public Forum": It is proposed to include a new standing item to ensure Council is routinely offered the opportunity to change the order of business, and bring forward the consideration of any item that has been raised/discussed in Public Forum. It is proposed to list this item immediately following the Public Forum.</p> <p>Addition of standing Agenda section "Questions Taken on Notice at the previous Council meeting": It is proposed to separate the existing section 'Questions With Notice'</p>

			<p>from 'Questions Taken on Notice at the previous meeting'.</p> <p>Update of section title "Announcement of Resolutions made in Closed Session": Public Announcement' didn't clarify what the item was. It is proposed to be updated to 'Announcement of Resolutions made in Closed Session'. This is the part of the meeting when the Council returns to open session, and the CEO currently reads the resolutions aloud to the meeting and the webcast/recording. This is further detailed in clause 14.23 and 14.24.</p>
Part 9 – Consideration of business at Council meetings			
9	Update	Clause 9.9: Regarding minuting Lord Mayoral Minutes, added specification that "[the full content] of any Lord Mayoral Minutes not already included in a published agenda or business paper [will be included in the Council minutes]".	Lord Mayoral Minutes are published prior to the Council Meeting. It is not necessary to include in the Minutes. It is good practice however to include any late/emergency Lord Mayoral Minutes that have not yet been included in a published agenda or business paper.
9	Update	Clause 9.15: Replaced operational direction "Petitions tabled at a Council meeting require a summary of the purpose of the petition to be read out by the Councillor tabling the petition", with "Petitions will be handled in accordance with Council's Petitions Policy".	To ensure alignment with Petitions Policy, which has been adopted since the Code of Meeting Practice was last drafted.
Part 10 – Rules of debate			
10	Deletion	Clause 10.18: Regarding circulating proposed amendments to be moved by Councillors, deleted requirement to circulate the proposed amendment "to all Councillors". Retained requirement to circulate to CEO and relevant staff.	This is not practical. When a Councillor has an Amendment, they quite often do not wish to share the Amendment words to the other Councillors. Provision is not required under the Model Code.
Part 11 – Voting			
<i>No further changes proposed</i>			
Part 12 – Committee of the whole			
<i>No further changes proposed</i>			
Part 13 – Dealing with items by exception			
13	Addition	<p>Clauses 13.4: Regarding dealing with items by exception, added Model Code provisions,</p> <p>13.4 A Motion to adopt multiple items of business under clause 13.1 must identify the items of business to be adopted and state that they are to be adopted as recommended in the business paper.</p>	It is recommended to include these two (2) new clauses to clarify how items moved by exception are recorded in the Minutes. This is best practice, as established under the Model Code.
Part 14 – Closure of Council meetings to the public			
14	Addition	Clause 14.24: Added provision that resolutions passed during closed session may be announced by the "Chief Executive Officer or their delegate", as an alternate to the Chairperson.	Operational improvement proposed by staff
Part 15 – Keeping order at meetings			
<i>No further changes proposed</i>			
Part 16 – Conflicts of interest			
<i>No further changes proposed</i>			
Part 17 – Decisions of the Council			
17	Addition	<p>Clause 17.5: Regarding rescinding or altering Council decisions, added provision that,</p> <p>17.5 A Notice of Motion to rescind a resolution must be in writing and must be submitted by 2.00pm on the business day following the Council meeting or Committee of Council meeting.</p>	The Model Code establishes that councils may establish a deadline to receive. It is recommended to introduce a deadline for the submission of rescission motions.

17	Deletion	<p>Former clauses 17.16-17.19: Regarding Rescission Motions, deleted operational directives,</p> <p>17.6 Councillors must use the <i>pro forma</i> Notice of Rescission Motion form, ensure that 3 Councillors have signed it and hand it to the Chief Executive Officer prior to the meeting being closed. If the Chair does not deem it to be urgent, the resolution will not be carried into effect until the Motion is dealt with at the next Council meeting.</p> <p>17.17 If the Notice of Rescission Motion is handed to the Chief Executive Officer after the meeting has closed, then it will not stop the resolution from being carried into effect until such time that it is considered at the next meeting of Council.</p> <p>17.18 Prior to the closure of the meeting, the Chairperson will announce those rescission motions already received by the Chief Executive Officer. Failure of the Chairperson to do this, however, does not invalidate those already received, nor does it prevent a resolution from being carried into effect if the rescission motion is submitted after the close of the meeting.</p> <p>17.19 If a Notice of Rescission Motion is submitted after the meeting, then there is nothing in any legislation or guides that prevent any Councillors, not in attendance at the meeting at which the decision was taken to subsequently sign such a rescission motion.</p>	Recommended operational improvement by the Policy Review Committee (provisions not required under the Model Code).
Part 18 – Time limits on Council meetings			
No further changes proposed			
Part 19 – After the meeting			
19	Deletion	Clause 19.2: Regarding which matters must be recorded in the Minutes, deleted former sub-clause (g), "the addresses to Council by members of the public and any given response".	This is not required as the written submissions of each approved Public Forum speaker is published in the Supplementary B Agenda. Not a requirement under the Model Code.
Part 20 – Council Committees			
No further changes proposed			
Part 21 – Irregularities			
No further changes proposed			



Code of Meeting Practice



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CONTENTS

1.	INTRODUCTION.....	4
2.	MEETING PRINCIPLES	5
3.	BEFORE THE MEETING.....	7
4.	PUBLIC FORUMS.....	14
5.	COMING TOGETHER	14
6.	THE CHAIRPERSON.....	24
7.	MODES OF ADDRESS.....	26
8.	ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS	27
9.	CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS	28
10.	RULES OF DEBATE.....	32
11.	VOTING	36
12.	COMMITTEE OF THE WHOLE	38
13.	DEALING WITH ITEMS BY EXCEPTION	39
14.	CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC	40
15.	KEEPING ORDER AT MEETINGS.....	46
16.	CONFLICTS OF INTEREST	50
17.	DECISIONS OF THE COUNCIL.....	51
18.	TIME LIMITS ON COUNCIL MEETINGS.....	54
19.	AFTER THE MEETING.....	55
20.	COUNCIL COMMITTEES	58
21.	IRREGULARITIES	62
22.	DEFINITIONS	63
23.	INDEX	64

Revision History

Version	Date	Change	Ref
1	23 October 2006	Update	Minute No. 8791
2	24 September 2007	Update	Minute No. 9464
3	25 February 2008	Update	
4	7 October 2008	Update	Minute No. 10198
5	28 June 2010	Update	Minute No. 11571
6	26 July 2010	Update	Minute No. 11636
7	27 June 2011	Update	Minute No. 12453
8	25 August 2014	Update	
9	23 May 2016	Update in line with Proclamation	
10	28 November	Update	Minute No. 339
11	13 November	Amendment of Part 2 Clause 10(4)	Minute No. 884
12	11 December 2017	Amendment to Part 2 Clause 22 (1-2) and internal timings	
13	April 2019	Draft Document for exhibition in line with changes to model code of meeting practice	
14	11 June 2019	Adoption of the 2019 City of Parramatta Code of Meeting Practice	
15	27 June 2022	Draft Document for exhibition in line with changes to Model Code of Meeting Practice	Minute No. 3857
16	April/May/June 2024	Update	XXXX

1. INTRODUCTION

The City of Parramatta Code of Meeting Practice is based on the Model Code of Meeting Practice for Local Councils in NSW. The Model Code of Meeting Practice for Local Councils in NSW (the Model Code) is prescribed under section 360 of the *Local Government Act 1993* (the Act) and the *Local Government (General) Regulation 2021* (the Regulations).

This Code of Meeting Practice applies to all meetings of Council and ~~committees~~ Committees of Councils of which all the members are Councillors (~~committees~~ 'Committees of Council'). Council Committees whose members include persons other than Councillors may adopt their own rules for meetings unless the Council determines otherwise.

Councils must adopt a ~~code of meeting practice~~ Code of Meeting Practice that incorporates the mandatory provisions of the Model ~~Meeting~~ Code.

A Council's adopted Code of Meeting Practice may also incorporate the non-mandatory provisions of the Model ~~Meeting~~ Code and other supplementary provisions. However, a Code of Meeting Practice adopted by a Council must not contain provisions that are inconsistent with the mandatory provisions of the Model ~~Meeting~~ Code.

A Council and a ~~committee~~ Committee of ~~the~~ Council of which all the members are Councillors must conduct its meetings in accordance with the Code of Meeting Practice adopted by the Council.

2. MEETING PRINCIPLES

2.1 Council and ~~committee~~Committee of Council meetings should be:

Transparent: Decisions are made in a way that is open and accountable.

Informed: Decisions are made based on relevant, quality information.

Inclusive: Decisions respect the diverse needs and interests of the local community.

Principled: Decisions are informed by the principles prescribed under Chapter 3 of the Act.

Trusted: The community has confidence that Councillors and staff act ethically and make decisions in the interests of the whole community.

Respectful: Councillors, staff and meeting attendees treat each other with respect. Councillors and staff are also bound by the obligations in relation to meetings as set out in the Council's Code of Conduct (clauses 3.19 to 3.22).

Effective: Meetings are well organised, effectively run and skilfully chaired.

Orderly: Councillors, staff and meeting attendees behave in a way that contributes to the orderly conduct of the meeting.

Council Decisions Prior to a Local Government Election (Caretaker Period)

2.2 The Council, Chief Executive Officer, or any other delegate of the Council must not exercise certain functions during a Caretaker period.

2.3 The Caretaker Period means the period of four (4) weeks preceding the date of a Local Government Election.

Note: Clauses 2.2 and 2.3 reflect clause 393B of the *Local Government (General) Regulations 2021* ~~(the Regulations)~~.

Council Decisions During Recess Period

2.4 Council meetings are held each month of the calendar year, except in January, where no meetings are held. The period from the final meeting of the year to the first meeting of the new year is known as the Recess Period.

2.5 Council may, by resolution in December each year, delegate joint authority to the Lord Mayor and the Chief Executive Officer all powers, duties and functions of the Council which cannot reasonably be deferred to the first Ordinary Meeting of Council following the recess period.

- ~~2.6 — A Delegated Authority Meeting will be held for any matter to be considered under joint delegation.~~
- ~~2.7 — Notice of a Delegated Authority Meeting will be provided to all Councillors at least three (3) days prior to the meeting being held.~~
- ~~2.8 — If the Lord Mayor or Chief Executive Officer receives a referral signed by two (2) or more Councillors of any matter to be considered at a Delegated Authority Meeting, the matter will be referred to a full Ordinary Meeting of the Council.~~
- ~~2.9 — Clause 2.6 does not prevent the calling of an Extraordinary Meeting of Council in accordance with clause 3.2 of this Code of Meeting Practice.~~
- ~~2.10 — Minutes of a Delegated Authority Meeting will be reported to the first Council Meeting of the following year.~~
- 2.611 Any decision made under joint delegated authority is taken to be a decision of the Council.
- ~~2.7 — The Chief Executive Officer is to provide a report to the first meeting of the Council in the new year, detailing all decisions made under joint delegated authority during the recess period.~~

3. BEFORE THE MEETING

Timing of Ordinary Council Meetings

- 3.1 Ordinary meetings of the Council will start at 6:30pm and will be held on the second and fourth Monday of the month (except for in January, where no meetings are held).

Note: Under section 365 of the Act, Councils are required to meet at least ten (10) times each year, each time in a different month unless the Minister for Local Government has approved a reduction in the number of times that a Council is required to meet each year under section 365A.

Extraordinary Meetings

- 3.2 If the Lord Mayor receives a request in writing, signed by at least two (2) Councillors, the Lord Mayor must call an extraordinary meeting of the Council to be held as soon as practicable, but in any event, no more than fourteen (14) days after receipt of the request. The Lord Mayor can be one of the two Councillors requesting the meeting.

Note: Clause 3.2 reflects section 366 of the Act.

Notice to the Public of Council Meetings

- 3.3 The Council must give notice to the public of the time, date and place of each of its meetings, including Extraordinary Meetings and of each meeting of **committees** **Committees** of the Council.

Note: Clause 3.3 reflects section 9(1) of the Act.

- 3.4 For the purposes of clause 3.3, notice of a meeting of the Council and of a **committee** **Committee** of Council is to be published before the meeting takes place. The notice must be published on the Council's website, and in such other manner that the Council is satisfied is likely to bring notice of the meeting to the attention of as many people as possible.

- 3.5 For the purposes of clause 3.3, notice of more than one (1) meeting may be given in the same notice.

Notice to Councillors of Ordinary Council Meetings

- 3.6 The Chief Executive Officer must send to each Councillor, at least three (3) days before each meeting of the Council, a notice specifying the time, date and place at which the meeting is to be held, and the business proposed to be considered at the meeting. City of Parramatta Council has resolved that Councillors will receive the agenda of an Ordinary Council Meeting at least ten (10) days prior to the meeting.

Note: Clause 3.6 reflects section 367(1) of the Act.

- 3.7 The notice and the agenda for, and the business papers relating to, the meeting may be given to Councillors in electronic form, but only if all Councillors have facilities to access the notice, agenda and business papers in that form. Councillors will have access to notice of the meeting, agenda and business papers via their individually nominated means (hard copy or electronic or both).

Note: Clause 3.7 reflects section 367(3) of the Act.

Notice to Councillors of Extraordinary Meetings

- 3.8 Notice of less than three (3) days may be given to Councillors of an Extraordinary Meeting of the Council in cases of emergency. ~~The Lord Mayor and the Chief Executive Officer will determine the situation of emergency.~~ The Lord Mayor and the Chief Executive Officer will determine if the matter/s proposed to be considered are of emergency/urgency which cannot reasonably wait to the next ordinary meeting of Council.

Note: Clause 3.8 reflects section 367(2) of the Act.

Giving Notice of Business to be Considered at Council Meetings

- 3.9 A Councillor may give notice of any business they wish to be considered by the Council at its next Ordinary Meeting by way of a Notice of Motion. To be included on the agenda of the meeting, the Notice of Motion must be in writing and must be submitted by 10:00am on the Wednesday two weeks before the meeting is to be held.
- 3.10 A Councillor may, in writing to the Chief Executive Officer, request the withdrawal of a Notice of Motion submitted by them prior to its inclusion in the agenda and business paper for the meeting at which it is to be considered.
- 3.11 If the Chief Executive Officer considers that a Notice of Motion submitted by a Councillor for consideration at an Ordinary Meeting of the Council has legal, strategic, financial or policy implications which should be taken into consideration by the meeting, the Chief Executive Officer may prepare a report in relation to the Notice of Motion for inclusion with the business papers for the meeting at which the Notice of Motion is to be considered by the Council.
- 3.12 A Notice of Motion for the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the ~~notice of motion~~ Notice of Motion. If the Notice of Motion does not identify a funding source, the Chief Executive Officer must either:
- (a) include as a staff response to the Notice of Motion to be considered by the Council, a note that identifies on the availability of funds for implementing the Notice of Motion if adopted by the Council, or

- (b) include as a staff response to the Notice of Motion that the matter be deferred for the preparation of a report to Council which identifies the funding source to implement will address the availability of funds for implementing the Notice of Motion if adopted by Council.

Questions With Notice

- 3.13 A Councillor may, by way of a notice submitted under clause 3.9, ask a question for response by the Chief Executive Officer about the performance or operations of the Council.
- 3.14 A Councillor is not permitted to ask a ~~question with notice~~Question With Notice under clause 3.13 that comprises a complaint against the Chief Executive Officer or a member of staff of the Council, or a question that implies wrongdoing by the Chief Executive Officer or a member of staff of the Council.
- ~~3.15 Each Councillor is limited to submitting one (1) Question with Notice per Council meeting.~~
- ~~3.1615~~ The Chief Executive Officer or their nominee may respond to a Question With Notice submitted under clause 3.13 by way of a report included in the business papers for the relevant meeting of the Council or orally at the meeting.

Agenda and Business Papers for Ordinary Meetings

- ~~3.1716~~ The Chief Executive Officer must cause the agenda for a meeting of the Council or a ~~committee of the~~Committee of Council to be prepared as soon as practicable before the meeting.
- ~~3.1817~~ The Chief Executive Officer must ensure that the agenda for an Ordinary Meeting of the Council states:
- (a) all matters to be dealt with arising out of the proceedings of previous meetings of the Council, and
 - (b) if the Lord Mayor is the Chairperson – any matter or topic that the Chairperson proposes, at the time when the agenda is prepared, to put to the meeting, and
 - (c) all matters, including matters that are the subject of staff reports and reports of committees, to be considered at the meeting, and
 - (d) any business of which due notice has been given under clause 3.9.
- ~~3.1918~~ Nothing in clause ~~3.173.18~~ limits the powers of the Lord Mayor to put a Lord Mayoral Minute to a meeting under clause 9.7.
- ~~3.2019~~ The Chief Executive Officer must not include in the agenda for a meeting of the Council any business of which due notice has been given if, in the opinion of the Chief Executive Officer, the business is, or the implementation of the business would be, unlawful. The Chief Executive Officer must report, without giving details of the item of business, any such exclusion to the next meeting of the Council.

3.2120 Where the agenda includes the receipt of information or discussion of other matters that, in the opinion of the Chief Executive Officer, is likely to take place when the meeting is closed to the public, the Chief Executive Officer must ensure that the agenda of the meeting:

- (a) identifies the relevant item of business and indicates that it is of such a nature (without disclosing details of the information to be considered when the meeting is closed to the public), and
- (b) states the grounds under section 10A(2) of the Act relevant to the item of business.

Note: Clause 3.203.21 reflects section 9(2A)(a) of the Act.

3.2221 The Chief Executive Officer must ensure that the details of any item of business which, in the opinion of the Chief Executive Officer, is likely to be considered when the meeting is closed to the public, are included in a business paper provided to Councillors for the meeting concerned. Such details must not be included in the business papers made available to the public and must not be disclosed by a Councillor or by any other person to another person who is not ~~authorized~~ ~~authorised~~ to have that information.

Statement of Ethical Obligations

3.2322 Business papers for all Ordinary and Extraordinary Meetings of the Council and ~~committees of the~~ ~~Committees of~~ Council must contain a statement reminding Councillors of their oath or affirmation of office made under section 233A of the Act and their obligations under the Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

Availability of the Agenda and Business Papers to the Public

3.2423 Copies of the agenda and the associated business papers, such as correspondence and reports for meetings of the Council and ~~committees~~ ~~Committees~~ of Council, are to be published on the Council's website, and must be made available to the public for inspection, or for taking away by any person free of charge at the offices of the Council, at the relevant meeting and at such other venues determined by the Council, including Council libraries, ~~seven (7) days prior to the meeting~~ ~~by 9:00am on the Tuesday prior to an Ordinary/ Extraordinary Meeting of Council.~~

Note: Clause 3.233.24 reflects section 9(2) and (4) of the Act.

3.2524 Clause 3.233.24 does not apply to the business papers for items of business that the Chief Executive Officer has identified under clause 3.203.21 as being likely to be considered when the meeting is closed to the public.

Note: Clause 3.243.25 reflects section 9(2A)(b) of the Act.

3.2625 For the purposes of clause 3.233.24, copies of agendas and business papers must be published on the Council's website and made available to the public at a time that is as close as possible to the time they are available to Councillors.

Note: Clause 3.253.26 reflects section 9(3) of the Act.

3.2726 A copy of an agenda, or of an associated business paper made available under clause 3.233.24, may in addition be given or made available in electronic form.

Note: Clause 3.263.27 reflects section 9(5) of the Act.

Agenda and Business Papers for Extraordinary Meetings

3.2827 The Chief Executive Officer must ensure that the agenda for an Extraordinary Meeting of the Council deals only with the matters stated in the notice of the meeting.

3.2928 Despite clause 3.273.28, business may be considered at an Extraordinary Meeting of the Council, even though due notice of the business has not been given, if:

- (a) a Motion is passed to have the business considered at the meeting, and
- (b) the business to be considered is ruled by the Chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled Ordinary Meeting of the Council.

3.3029 A Motion moved under clause 3.28(a)3.29(a) can be moved without notice but only after the business notified in the agenda for the Extraordinary Meeting has been dealt with.

3.3130 Despite clauses 10.22 and 10.25-10.34, only the mover of a Motion moved under clause 3.28(a)3.29(a) can speak to the Motion before it is put.

3.3231 A Motion of Dissent cannot be moved against a ruling of the Chairperson under clause 3.28(b)3.29(b) on whether a matter is of great urgency.

Pre-Meeting Briefing Sessions

3.3332 Prior to each Ordinary Meeting of the Council, the Chief Executive Officer may arrange a pre-meeting briefing session to brief Councillors on business to be considered at the meeting. Pre-meeting briefing sessions may also be held for Extraordinary Meetings of the Council and meetings of committees of the Council.

3.3433 Pre-meeting briefing sessions are to be held in the absence of the public.

- | 3.3534 Pre-meeting briefing sessions may be held by audio-visual link.
- | 3.3635 The Chief Executive Officer or a member of staff nominated by the Chief Executive Officer is to preside at pre-meeting briefing sessions.
- | 3.3736 Councillors must not use pre-meeting briefing sessions to debate or make preliminary decisions on items of business they are being briefed on, and any debate and decision-making must be left to the formal Council or committee meeting at which the item of business is to be considered.
- | 3.3837 Councillors (including the Lord Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of a briefing at a pre-meeting briefing session, in the same way that they are required to do so at a Council or committee meeting. The Council is to maintain a written record of all conflict of interest declarations made at pre-meeting briefing sessions and how the conflict of interest was managed by the Councillor who made the declaration.

4. PUBLIC FORUMS

- 4.1 To speak at a ~~public forum~~Public Forum, a person must first make an application to the Council via the approved application form. A verbatim (word by word) text of the question, comment or statement must be lodged in writing with the name and contact details of the speaker prior to 4.00pm on the Thursday prior to the Council Meeting ~~meeting by~~ either ~~via an~~ email, ~~or~~ presented to the Customer Contact Centre at 126 Church Street Parramatta ~~or online on Council's website. Forms can be found on Council's website for more information.~~The application must identify the item of business on the agenda of the Council meeting the person wishes to speak on, and whether they wish to speak 'for' or 'against' the item. ~~Matters relating to the business paper will get preference.~~
- ~~4.2 A person may only apply to speak on any item listed on the agenda of the Council meeting.~~
- ~~4.3 A person may apply to speak on no more than one item of business on the agenda of the Council meeting.~~
- ~~4.4 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.~~
- 4.52 Acceptance of Public Forum submissions will not be confirmed until after the deadline before the Council Meeting ~~and consideration will be given to the urgency of each of the submissions by the Lord Mayor or his delegate.~~
- 4.63 A maximum of one (1) speaker ~~in favour 'for'~~ and one (1) speaker 'against' ~~each item of business on the agenda for the Council meeting, a particular comment or statement will be accepted on a single matter and any groups are required to nominate a representative to speak on their behalf.~~
- ~~4.7 If the speakers are not able to agree on whom to nominate to address the Council, the Chief Executive Officer or their delegate is to determine who will address the Council at the public forum. In total, Council will permit no more than five (5) Public Forum speakers per Public Forum Council meeting.~~
- ~~4.4 Legal representatives acting on behalf of others are not to be permitted to speak at a public forum unless they identify their status as a legal representative when applying to speak at the public forum.~~
- 4.85 The Chief Executive Officer or their delegate may refuse an application to speak at a ~~public forum~~Public Forum.

- 4.69 Each speaker will have a maximum of three (3) minutes to address Council on a Public Forum item. After two (2) minutes a warning bell will sound indicating they have one (1) minute remaining. After the allocated speaking time, the Chief Executive Officer or a nominated officer may provide a response or right of reply. A total of up to fifteen (15) minutes will be allocated for the entire consideration of Public Forum. Speakers will be contacted by the morning of the meeting and notified if their request to speak in the ~~Public Forum~~ has been granted.
- 4.710 If more than the permitted number of speakers apply to speak 'for' or 'against' any item of business, the Chief Executive Officer or their delegate in consultation with the Lord Mayor ~~or the Lord Mayor's nominated Chairperson~~, may increase the number of speakers permitted to speak on an item of business, where they are satisfied that it is necessary to do so to allow the Council to hear a fuller range of views on the relevant item of business.
- 4.811 ~~The Chief Executive Officer or their delegate is to determine the order of speakers at the public forum~~Public Forum.
- 4.912 Speakers at the ~~public forum~~Public Forum must not digress from the item on the agenda of the Council Meeting they have applied to address the Council on. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.
- 4.130 Public Forums previously raised cannot be raised again ~~by the same speaker~~ unless there is new information or it has been 12 months since the matter was first raised. ~~Matter not previously raised will get preference.~~
- 4.141 Speakers at ~~public forums~~Public Forums cannot ask questions of the Council, Councillors or Council staff.
- 4.152 Where an address made at a ~~public forum~~Public Forum raises matters that require further consideration by Council staff, the Chief Executive Officer may recommend that the Council defer consideration of the matter pending the preparation of a further report on the matter.
- 4.163 When addressing the Council, speakers at the ~~public forum~~Public Forum must comply with this Code and all other relevant Council codes, policies and procedures. Speakers must refrain from engaging in disorderly conduct, publicly alleging breaches of the Council's ~~code of conduct~~Code of Conduct or making other potentially defamatory statements.
- 4.174 If the Chairperson considers that a speaker at a public forum has engaged in conduct of the type referred to in clause 4.1317, the Chairperson may request the person to refrain from the inappropriate behaviour and to withdraw and unreservedly apologise for any inappropriate comments. Where the speaker fails to comply with the Chairperson's request, the Chairperson may immediately require the person to stop speaking.

4.185 Clause 4.1814 does not limit the ability of the Chairperson to deal with disorderly conduct by speakers at the public forums in accordance with the provisions of Part 15 of this Code.

4.1619 Where a speaker engages in conduct of the type referred to in clause 4.1713, the Chief Executive Officer or their delegate may refuse further applications from that person to speak at public forums for such a period as the Chief Executive Officer or their delegate considers appropriate.

4.20217 Councillors (including the Lord Mayor) must declare and manage any conflicts of interest they may have in relation to any item of business that is the subject of an address at a public forum, in the same way that they are required to do so at a Council or committee meeting. The Council is to maintain a written record of all conflicts of interest declarations made at public forums and how the conflict of interest was managed by the Councillor who made the declaration.

4.21218 Council will not accept any Public Forum submissions that clearly target political parties.

4.22 Public Forums may be held by audio-visual link.

Note: Public Forums held as part of a Council or ~~committee~~ Committee meeting must be conducted in accordance with the other requirements of this ~~Code~~ code relating to the conduct of Council and ~~committee~~ Committee meetings.

5. COMING TOGETHER

Attendance by Councillors at Meetings

- 5.1 All Councillors must make reasonable efforts to attend meetings of the Council and of ~~committees of the~~**Committees of** Council of which they are members.

Note: A Councillor may not attend a meeting as a Councillor (other than the first meeting of the Council after the Councillor is elected or a meeting at which the Councillor takes an oath or makes an affirmation of office) until they have taken an oath or made an affirmation of office in the form prescribed under section 233A of the Act.

- 5.2 A Councillor cannot participate in a meeting of the Council or of a ~~committee of~~**theCommittee of** Council unless personally present at the meeting, ~~or~~ unless permitted to attend the meeting by audio-visual link under this ~~code~~**Code**.

- 5.3 Where a Councillor is unable to attend one or more Ordinary Meetings of the Council, the Councillor should request that the Council grant them a leave of absence from those meetings prior to any period of leave or at the meeting concerned. This clause does not prevent a Councillor from making an apology if they are unable to attend a meeting. However, the acceptance of such an apology does not constitute the granting of a leave of absence for the purposes of this Code and the Act.

- 5.4 A Councillor's request for leave of absence from Council Meetings should, if practicable, identify (by date) the meetings from which the Councillor intends to be absent and the grounds upon which the leave of absence is being sought. Councillors seeking an extended period of leave may request such leave be mentioned in Confidential session to protect their privacy. Then, at successive meetings it should be noted in open session the leave of absence has been previously granted.

- 5.5 A Councillor applying for a leave of absence from a meeting of Council does not need to make the application in person, and the Council may grant such leave in the absence of that Councillor.

Note: Clause 5.5 reflects section 234(2) of the Act.

- 5.6 If a Councillor attends an Ordinary Meeting of Council or an Extraordinary Meeting of Council, despite having been granted a leave of absence, the leave of absence is taken to have been rescinded.

Note: Clause 5.6 reflects section 234(3) of the Act.

- 5.7 The Council must act reasonably when considering whether to grant a Councillor's request for a leave of absence.

- 5.8 A Councillor's civic office will become vacant if the Councillor is absent from three (3) consecutive Ordinary Meetings of the Council without prior leave of the Council, or leave granted by the Council at any of the meetings concerned, unless the holder is absent because they have been suspended from office under the Act, or because the Council has been suspended under the Act, or as a consequence of a compliance order under section 438HA.

Note: Clause 5.8 reflects section 234(1)(d) of the Act.

- 5.9 A Councillor who intends to attend a meeting of the Council despite having been granted a leave of absence should, if practicable, give the Chief Executive Officer at least two (2) days' notice of their intention to attend.

The Quorum for a Meeting

- 5.10 The quorum for a meeting of the Council is a majority of the Councillors of the Council who hold office at that time and are not suspended from office.

Note: Clause 5.10 reflects section 368(1) of the Act.

- 5.11 Clause 5.10 does not apply if the quorum is required to be determined in accordance with directions of the Minister in a performance improvement order issued in respect of the Council.

Note: Clause 5.11 reflects section 368(2) of the Act.

- 5.12 A meeting of the Council must be adjourned if a quorum is not present:
- (a) at the commencement of the meeting where the number of apologies received for the meeting indicates that there will not be a quorum for the meeting, or
 - (b) within half an hour after the time designated for the holding of the meeting, or
 - (c) at any time during the meeting.

- 5.13 In either case, the meeting must be adjourned to a time, date, and place fixed:

- (a) by the Chairperson, or
- (b) in the Chairperson's absence, by the majority of the Councillors present, or
- (c) failing that, by the Chief Executive Officer.

- 5.14 The Chief Executive Officer must record in the Council's minutes the circumstances relating to the absence of a quorum (including the reasons for the absence of a quorum) at or arising during a meeting of the Council, together with the names of the Councillors present.

- 5.15 Where, prior to the commencement of a meeting, it becomes apparent that a quorum may not be present at the meeting, or that the health, safety or welfare of Councillors, Council staff and members of the public may be put at risk by attending the meeting because of a natural disaster or a public health emergency, the Lord Mayor may, in consultation with the Chief Executive Officer and, as far as is practicable, with each Councillor, cancel the meeting. Where a meeting is cancelled, notice of the cancellation must be published on the Council's website and in such other manner that the Council is satisfied is likely to bring notice of the cancellation to the attention of as many people as possible.
- 5.16 Where a meeting is cancelled under clause 5.15, the business to be considered at the meeting may instead be considered, where practicable, at the next Ordinary Meeting of the Council or at an Extraordinary Meeting called under clause 3.2.

Meetings Held by Audio-Visual Link

- 5.17 A meeting of the Council or a ~~committee of the~~Committee of Council may be held by audio-visual link where the Lord Mayor determines that the meeting should be held by audio-visual link because of a natural disaster or a public health emergency. The Lord Mayor may only make a determination under this clause where they are satisfied that attendance at the meeting may put the health and safety of Councillors and staff at risk. The Lord Mayor must make a determination under this clause in consultation with the Chief Executive Officer and, as far as is practicable, with each Councillor.
- 5.18 Where the Lord Mayor determines under clause 5.17 that a meeting is to be held by audio-visual link, the Chief Executive Officer must:
- (a) give written notice to all Councillors that the meeting is to be held by audio-visual link, and
 - (b) take all reasonable steps to ensure that all Councillors can participate in the meeting by audio-visual link, and
 - (c) cause a notice to be published on the Council's website and in such other manner the Chief Executive Officer is satisfied will bring it to the attention of as many people as possible, advising that the meeting is to be held by audio-visual link and providing information about where members of the public may view the meeting.
- 5.19 This Code applies to a meeting held by audio-visual link under clause 5.17 in the same way it would if the meeting was held in person.

Note: Where a Council holds a meeting by audio-visual link under clause 5.17, it is still required under section 10 of the Act to provide a physical venue for members of the public to attend in person and observe the meeting.

Attendance by Councillors at Meetings by Audio-Visual Link

- 5.20 Councillors may attend and participate in meetings of the Council and ~~committees of the Committees of~~ Council by audio-visual link with the approval of the Council or the relevant committee.
- 5.21 A request by a Councillor for approval to attend a meeting by audio-visual link must be made in writing to the Chief Executive Officer prior to the meeting in question and must provide reasons why the Councillor will be prevented from attending the meeting in person.
- 5.22 Councillors may request approval to attend more than one meeting by audio-visual link. Where a Councillor requests approval to attend more than one meeting by audio-visual link, the request must specify the meetings the request relates to in addition to the information required under clause 5.21.
- 5.23 The Council must comply with the Health Privacy Principles prescribed under the *Health Records and Information Privacy Act 2002* when collecting, holding, using and disclosing health information in connection with a request by a Councillor to attend a meeting by audio-visual link.
- 5.24 A Councillor who has requested approval to attend a meeting of the Council or a ~~committee of the~~Committee of Council by audio-visual link may participate in the meeting by audio-visual link until the Council or committee determines whether to approve their request and is to be taken as present at the meeting. The Councillor may participate in a decision in relation to their request to attend the meeting by audio-visual link.
- 5.25 A decision whether to approve a request by a Councillor to attend a meeting of the Council or a committee of the Council by audio-visual link must be made by a resolution of the Council or the committee concerned. The resolution must state:
- (a) the meetings the resolution applies to, and
 - (b) the reason why the Councillor is being permitted to attend the meetings by audio-visual link where it is on grounds other than illness, disability, or caring responsibilities.
- 5.26 If the Council or committee refuses a Councillor's request to attend a meeting by audio-visual link, their link to the meeting is to be terminated.
- 5.27 A decision whether to approve a Councillor's request to attend a meeting by audio-visual link is at the Council's or the relevant committee's discretion. The Council and committees of the Council must act reasonably when considering requests by Councillors to attend meetings by audio-visual link. However, the Council and committees of the Council are under no obligation to approve a Councillor's request to attend a meeting by audio-visual link where the technical capacity does not exist to allow the Councillor to attend the meeting by these means.

- 5.28 The Council and ~~committees of the~~Committees of Council may refuse a Councillor's request to attend a meeting by audio-visual link where the Council or committee is satisfied that the Councillor has failed to appropriately declare and manage conflicts of interest, observe confidentiality or to comply with this Code on one or more previous occasions they have attended a meeting of the Council or a ~~committee of the~~Committee of Council by audio-visual link.
- 5.29 This Code applies to a Councillor attending a meeting by audio-visual link in the same way it would if the Councillor was attending the meeting in person. Where a Councillor is permitted to attend a meeting by audio-visual link under this Code, they are to be taken as attending the meeting in person for the purposes of the Code and will have the same voting rights as if they were attending the meeting in person.
- 5.30 A Councillor must give their full attention to the business and proceedings of the meeting when attending a meeting by audio-visual link. The Councillor's camera must be on at all times during the meeting except as may be otherwise provided for under this Code.
- 5.31 A Councillor must be appropriately dressed when attending a meeting by audio-visual link and must ensure that no items are within sight of the meeting that are inconsistent with the maintenance of order at the meeting or that are likely to bring the Council or the committee into disrepute.

Entitlement of the Public to Attend Council Meetings

- 5.32 Everyone is entitled to attend a meeting of the Council and ~~committees of the~~Committee of Council. The Council must ensure that all meetings of the Council and ~~committees of the~~Committees of Council are open to the public.

Note: Clause 5.32 reflects section 10(1) of the Act.

- 5.33 Clause 5.32 does not apply to parts of meetings that have been closed to the public under section 10A of the Act.

- 5.34 A person (whether a Councillor or another person) is not entitled to be present at a meeting of the Council or a committee of the Council if expelled from the meeting:

- (a) by a resolution of the meeting, or
- (b) by the person presiding at the meeting if the Council has, by resolution, authorised the person presiding to exercise the power of expulsion.

Note: Clause 5.34 reflects section 10(2) of the Act.

Note: Clauses 15.15 and 15.16 confer a standing authorisation on all Chairpersons of meetings of the Council and committees of the Council to expel persons from meetings. Clause 15.15 authorises Chairpersons to expel any person, including a Councillor, from a Council or committee meeting. Clause 15.16 authorises

Chairpersons to expel persons other than Councillors from a Council or committee meeting.

Webcasting of Meetings

- 5.35 Each meeting of the Council or a ~~committee of the~~Committee of Council is to be recorded by means of an audio or audio-visual device.
- 5.36 At the start of each meeting of the Council or a ~~committee of the~~Committee of Council, the Chairperson must inform the persons attending the meeting that:
- (a) the meeting is being recorded and made publicly available on the Council's website, and
 - (b) persons attending the meeting should refrain from making any defamatory statements.
- 5.37 The recording of a meeting is to be made publicly available on the Council's website:
- (a) at the same time as the meeting is taking place, or
 - (b) on the Friday following the meeting.
- 5.38 The recording of a meeting is to be made publicly available on the Council's website for seven (7) years after the meeting.
- 5.39 Clauses 5.37 and 5.38 do not apply to any part of a meeting that has been closed to the public in accordance with section 10A of the Act.

Note: Clauses 5.35 – 5.39 reflect section 236 of the Regulation.

- 5.40 Recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.
- 5.41 Access to webcasts/~~recordings~~ of Council and ~~Committee~~Committee of Council Meetings are available to view on Council's website for personal and non-commercial use. All webcasts/~~recordings~~ of Council or ~~Committee~~Committee of Council Meetings are subject to copyright under the *Copyright Act 1968* and cannot be reused or reproduced in any way without the permission of Council.
- 5.42 Whilst Council will take all reasonable efforts to ensure webcasting/~~recordings~~ is available for meetings, there may be situations where, due to technical difficulties beyond Council's control, webcasting-~~of~~/~~recordings~~ of a meeting may not be available. Council takes no responsibility for and accepts no liability in the event that webcasting/~~recording~~ on Council's website is unavailable.

Attendance of the Chief Executive Officer and Other Staff at Meetings

5.43 The Chief Executive Officer is entitled to attend, but not to vote at, a meeting of the Council or a meeting of a ~~committee of the~~Committee of Council of which all of the members are Councillors.

Note: Clause 5.43 reflects section 376(1) of the Act.

5.44 The Chief Executive Officer is entitled to attend a meeting of any other ~~committee of the~~Committee of Council and may, if a member of the committee, exercise a vote.

Note: Clause 5.44 reflects section 376(2) of the Act.

5.45 The Chief Executive Officer may be excluded from a meeting of the Council or a ~~committee~~Committee of Council while the Council or ~~committee~~Committee deals with a matter relating to the standard of performance of the Chief Executive Officer or the terms of employment of the Chief Executive Officer.

Note: Clause 5.45 reflects section 376(3) of the Act.

5.46 The attendance of other Council staff at a meeting, (other than as members of the public) shall be with the approval of the Chief Executive Officer.

5.47 The Chief Executive Officer and other Council staff may attend meetings of the Council and ~~committees of the~~Committees of Council by audio-visual-link. Attendance by Council staff at meetings by audio-visual link (other than as members of the public) shall be with the approval of the Chief Executive Officer.

6. THE CHAIRPERSON

The Chairperson at Meetings

6.1 The Lord Mayor, or at the request of or in the absence of the Lord Mayor, the Deputy Lord Mayor (if any) presides at meetings of the Council.

Note: Clause 6.1 reflects section 369(1) of the Act.

6.2 If the Lord Mayor and the Deputy Lord Mayor (if any) are absent, a Councillor elected to chair the meeting by the Councillors present presides at a meeting of the Council.

Note: Clause 6.2 reflects section 369(2) of the Act.

Election of the Chairperson in the Absence of the Lord Mayor and Lord Deputy Mayor

6.3 If no Chairperson is present at a meeting of the Council at the time designated for the holding of the meeting, the first business of the meeting must be the election of a Chairperson to preside at the meeting.

6.4 The election of a Chairperson must be conducted:

- (a) by the Chief Executive Officer or, in their absence, an employee of the Council designated by the Chief Executive Officer to conduct the election, or
- (b) by the person who called the meeting or a person acting on their behalf if neither the Chief Executive Officer nor a designated employee is present at the meeting, or if there is no Chief Executive Officer or designated employee.

6.5 If, at an election of a Chairperson, two (2) or more candidates receive the same number of votes and no other candidate receives a greater number of votes, the Chairperson is to be the candidate whose name is chosen by lot.

6.6 For the purposes of clause 6.5, the person conducting the election must:

- (a) arrange for the names of the candidates who have equal numbers of votes to be written on similar slips, and
- (b) then fold the slips so as to prevent the names from being seen, mix the slips and draw one of the slips at random.

6.7 The candidate whose name is on the drawn slip is the candidate who is to be the Chairperson.

6.8 Any election conducted under clause 6.3, and the outcome of the vote, are to be recorded in the minutes of the meeting.

Chairperson to Have Precedence

- 6.9 When the Chairperson rises or speaks during a meeting of the Council:
- (a) any Councillor then speaking or seeking to speak must cease speaking and, if standing, immediately resume their seat, and
 - (b) every Councillor present must be silent to enable the Chairperson to be heard without interruption.

7. MODES OF ADDRESS

- 7.1 If the Chairperson is the Lord Mayor, they are to be addressed as "Lord Mayor".
- 7.2 Where the Chairperson is not the Lord Mayor, they are to be addressed as "Chairperson"
- 7.3 A Councillor is to be addressed as 'Councillor [surname]'.
- 7.4 A Council Officer is to be addressed by their official designation or by their surname.

8. ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS

8.1 The general order of business for an Ordinary Meeting of the Council shall be:

- 01 Opening meeting
- 02 Acknowledgement of the Traditional Owners of Land
- 03 Webcasting Announcement
- 04 General recording of ~~Meeting~~ ~~meeting~~ ~~Announcement~~ ~~announcement~~
- 05 Apologies and applications for a leave of absence or attendance by audio-visual link by Councillors
- 06 Confirmation of minutes
- 07 Disclosures of interests
- 08 Minutes of the Lord Mayor
- ~~09~~ ~~Items by Exception~~
- ~~10~~~~09~~ Public Forums
- ~~11~~ ~~Items Raised in Public Forum~~
- ~~12~~~~10~~ Petitions
- ~~13~~~~11~~ Rescission Motions
- ~~14~~~~12~~ Reports to Council – For Notation
- ~~15~~~~13~~ Reports to Council – For Council Decision
- ~~16~~~~14~~ Notices of Motions
- ~~17~~~~15~~ Questions with Notice
- ~~18~~ ~~Questions Taken on Notice at the previous Council meeting~~
- ~~19~~~~16~~ Confidential Matters
- ~~20~~~~17~~ ~~Public Announcement~~ ~~Announcement of Resolutions made in Closed Session~~
- ~~21~~~~18~~ Conclusion of the Meeting

*Note: Petitions will be handled in accordance with **any** relevant Council policies.*

8.2 The order of business as fixed under clause 8.1 may be altered for a particular meeting of the Council if a motion to that effect is passed at that meeting. Such a motion can be moved without notice.

Note: Part 13 allows Council to deal with items of business by exception.

8.3 Despite clauses 10.22 and 10.25-10.34, only the mover of a motion referred to in clause 8.2 may speak to the Motion before it is put.

9. CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS

Business that Can Be Dealt with at a Council Meeting

- 9.1 The Council must not consider business at a meeting of the Council:
- (a) unless a Councillor has given notice of the business, as required by clause 3.9, and
 - (b) unless notice of the business has been sent to the Councillors in accordance with clause 3.6 in the case of an ordinary meeting or clause 3.8 in the case of an Extraordinary Meeting called in an emergency.
- 9.2 Clause 9.1 does not apply to the consideration of business at a meeting, if the business:
- (a) is already before, or directly relates to, a matter that is already before the Council, or
 - (b) is the election of a Chairperson to preside at the meeting, or
 - (c) subject to clause 9.11, is a matter or topic put to the meeting by way of a ~~mayoral minute~~Lord Mayoral Minute, or
 - (d) is a motion for the adoption of recommendations of a committee, including, but not limited to, a ~~committee of the~~Committee of Council.
- 9.3 Despite clause 9.1, business may be considered at a meeting of the Council even though due notice of the business has not been given to the Councillors if:
- (a) a motion is passed to have the business considered at the meeting, and
 - (b) the business to be considered is ruled by the Chairperson to be of great urgency on the grounds that it requires a decision by the Council before the next scheduled Ordinary Meeting of the Council.
- 9.4 A motion moved under clause 9.3(a) can be moved without notice. Despite clauses 10.22 and 10.25-10.34, only the mover of a motion referred to in clause 9.3(a) can speak to the motion before it is put.
- 9.5 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 9.3(b).
- 9.6 A separate motion and establishment of urgency is required for each new item of proposed business under clause 9.3.

Lord Mayoral Minutes

- 9.7 Subject to clause 9.11, if the Lord Mayor is the Chairperson at a Meeting of the Council, the Lord Mayor may, by minute signed by the Lord Mayor, put to the meeting without notice any matter or topic that is within the jurisdiction of the Council, or of which the Council has official knowledge.
- 9.8 A Lord Mayoral Minute, when put to a meeting, takes precedence over all business on the Council's agenda for the meeting. The Chairperson (but only if the Chairperson is the Lord Mayor) may move the adoption of a Lord Mayoral Minute without the motion being seconded.
- 9.9 In the tabling of a Lord Mayoral Minute, the Lord Mayor will read the Minute for the purposes of webcasting. A copy of the minute is to be made available to the gallery and the press. The full content of any Lord Mayoral Minute not already included in a published agenda or business paper will be included in the Council minutes.
- 9.10 A recommendation made in a Lord Mayoral Minute put by the Lord Mayor is, so far as it is adopted by the Council, a resolution of the Council.
- 9.11 A Lord Mayoral Minute must not be used to put without notice matters that are routine and not urgent or matters for which proper notice should be given because of their complexity. For the purpose of this clause, a matter will be urgent where it requires a decision by the Council before the next scheduled Ordinary Meeting of the Council.
- 9.12 Where a Lord Mayoral Minute makes a recommendation which, if adopted, would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan, it must identify the source of funding for the expenditure that is the subject of the recommendation. If the Lord Mayoral Minute does not identify a funding source, the Council must defer consideration of the matter, pending a report from the Chief Executive Officer on the availability of funds for implementing the recommendation if adopted.

Petitions

- 9.13 A Petition will be tabled at the Council meeting at the relevant point in the order of business.
- 9.14 Petitions are not to be debated.
- 9.15 Petitions tabled at a Council meeting require a summary of the purpose of the petition to be read out by the Councillor tabling the petition. Petitions will be handled in accordance with Council's Petitions Policy.
- 9.16 As a matter of practice, the petition will be referred to the relevant Council officer/s, and a copy of the petition will be distributed to all Councillors.

Staff Reports

- 9.17 A recommendation made in a staff report is, so far as it is adopted by the Council, a resolution of the Council.

Reports of Committees of Council

- 9.18 The recommendations of a ~~committee of the~~ Committee of Council are, so far as they are adopted by the Council, resolutions of the Council.
- 9.19 If in a report of a ~~committee of the~~ Committee of Council distinct recommendations are made, the Council may make separate decisions on each recommendation.

Questions

- 9.20 A question must not be asked at a meeting of the Council unless it concerns a matter on the agenda of the meeting or notice has been given of the question in accordance with clauses 3.9 and 3.13.
- 9.21 A Councillor may, through the Chairperson, put a question to another Councillor about a matter on the agenda.
- 9.22 A Councillor may, through the Chief Executive Officer, put a question to a Council employee about a matter on the agenda. Council employees are only obliged to answer a question put to them through the Chief Executive Officer at the direction of the Chief Executive Officer.
- 9.23 A Councillor or Council employee to whom a question is put is entitled to be given reasonable notice of the question and, in particular, sufficient notice to enable reference to be made to other persons or to information. Where a Councillor or Council employee to whom a question is put is unable to respond to the question at the meeting at which it is put, they may take it on notice and report the response to the next meeting of the Council.
- 9.24 Councillors must put questions directly, succinctly, respectfully and without argument.
- 9.25 The Chairperson must not permit discussion on any reply to, or refusal to reply to, a question put to a Councillor or Council employee.
- 9.26 Responses to any questions by either Councillors or Council ~~employees~~ staff should be made through the Chairperson. Should the Council ~~employee~~ staff wish to comment upon any matter before the Council, the Council ~~employee~~ staff should seek the leave of the Chairperson to do so.

10. RULES OF DEBATE

Motions to be Seconded

- 10.1 Unless otherwise specified in this Code, a Motion or an Amendment cannot be debated unless or until it has been seconded.

Notices of Motion

- 10.2 A Councillor who has submitted a Notice of Motion under clause 3.9 is to move the motion the subject of the Notice of Motion at the meeting at which it is to be considered.
- 10.3 If a Councillor who has submitted a Notice of Motion under clause 3.9 wishes to withdraw it after the agenda and business paper for the meeting at which it is to be considered have been sent to Councillors, the Councillor may request the withdrawal of the Motion when it is before the Council.
- 10.4 In the absence of a Councillor who has placed a Notice of Motion on the agenda for a meeting of the Council:
- (a) any other Councillor may, with the leave of the Chairperson, move the Motion at the meeting, or
 - (b) the Chairperson may defer consideration of the Motion until the next meeting of the Council.

Chairperson's Duties with Respect to Motions

- 10.5 It is the duty of the Chairperson at a meeting of the Council to receive and put to the meeting any lawful Motion that is brought before the meeting.
- 10.6 The Chairperson must rule out of order any Motion or amendment to a Motion that is unlawful or the implementation of which would be unlawful.
- 10.7 Before ruling out of order a Motion or an amendment to a Motion under clause 10.6, the Chairperson is to give the mover an opportunity to clarify or amend the Motion or Amendment.
- 10.8 Any Motion, Amendment, or other matter that the Chairperson has ruled out of order is taken to have been lost.

Motions Requiring the Expenditure of Funds

- 10.9 A Motion or an amendment to a Motion which if passed would require the expenditure of funds on works and/or services other than those already provided for in the Council's current adopted operational plan must identify the source of funding for the expenditure that is the subject of the Motion. If the Motion does not identify a funding source, the Council must defer consideration of the matter, pending a report from the Chief Executive Officer on the availability of funds for implementing the Motion if adopted.

Amendments to Motions

- 10.10 An amendment to a Motion must be moved and seconded before it can be debated.
- 10.11 An amendment to a Motion must relate to the matter being dealt with in the original Motion before the Council and must not be a direct negative of the original Motion. An amendment to a Motion which does not relate to the matter being dealt with in the original Motion, or which is a direct negative of the original Motion, must be ruled out of order by the Chairperson.
- 10.12 The mover of an Amendment is to be given the opportunity to explain any uncertainties in the proposed Amendment before a seconder is called for.
- 10.13 If an Amendment has been lost, a Further Amendment can be moved to the Motion to which the lost amendment was moved, and so on, but no more than one (1) Motion and one (1) proposed Amendment can be before Council at any one time.
- 10.14 While an Amendment is being considered, debate must only occur in relation to the Amendment and not the original Motion. Debate on the original Motion is to be suspended while the Amendment to the original Motion is being debated.
- 10.15 If the Amendment is carried, it becomes the Motion and is to be debated. If the Amendment is lost, debate is to resume on the original Motion.
- 10.16 An Amendment may become the Motion without debate or a vote where it is accepted by the Councillor who moved the original Motion.
- 10.17 Any variation to a ~~motion~~Motion or to an ~~amendment~~Amendment or for a fresh ~~motion~~Motion/ ~~amendment~~Amendment shall be provided to the Council Secretariat in writing ~~where possible~~.
- 10.18 Councillors are asked, where they propose to move an amendment to a staff recommendation, a committee recommendation, a Notice of Motion or any recommendation printed in the business paper, to provide copies of the proposed amendment to the Chief Executive Officer at, or prior to, the start of the meeting, for circulation to ~~all Councillors and~~ relevant staff.

Foreshadowed Motions

- 10.19 A Councillor may propose a Foreshadowed Motion in relation to the matter the subject of the original Motion before the Council, without a seconder during debate on the original Motion. The Foreshadowed Motion is only to be considered if the original Motion is lost or withdrawn and the Foreshadowed Motion is then moved and seconded. If the original Motion is carried, the Foreshadowed Motion lapses.
- 10.20 Where an amendment has been moved and seconded, a Councillor may, without a seconder, foreshadow a further amendment that they propose to move after the first amendment has been dealt with. There is no limit to the number of foreshadowed amendments that may be put before the Council at any time. However, no discussion can take place on foreshadowed amendments until the previous amendment has been dealt with and the foreshadowed amendment has been moved and seconded.
- 10.21 Foreshadowed motions and foreshadowed amendments are to be considered in the order in which they are proposed. However, foreshadowed motions cannot be considered until all foreshadowed amendments have been dealt with.

Limitations on the Number and Duration of Speeches

- 10.22 A Councillor who, during a debate at a meeting of the Council, moves an original Motion, has the right to speak on each Amendment to the Motion and a right of general reply to all observations that are made during the debate in relation to the Motion, and any Amendment to it at the conclusion of the debate before the Motion (whether amended or not) is finally put.
- 10.23 No new arguments or material should be introduced during the "right of reply".
- 10.24 A Councillor must declare whether they intend to speak 'for' or 'against' a Motion. Once a Councillor has declared their intent, the Chairperson may rule them out of order if they speak contrary to their intention.
- 10.25 A Councillor, other than the mover of an original Motion, has the right to speak once on the Motion and once on each Amendment to it.
- 10.26 A Councillor must not, without the consent of the Council, speak more than once on a Motion or an Amendment, or for longer than five (5) minutes at any one time. The Council may resolve to extend the allocated time of a Councillor to speak by up to one (1) minute. Time taken to ask and answer questions of staff and other Councillors will not be included in a Councillor's allocated time to speak.
- 10.27 Despite clause 10.26, the Chairperson may permit a Councillor who claims to have been misrepresented or misunderstood to speak more than once on a Motion or an amendment, and for longer than five (5) minutes on that Motion or Amendment to enable the Councillor to make a statement limited to explaining the misrepresentation or misunderstanding.

- 10.28 Despite clause 10.26, the Council may resolve to shorten the duration of speeches to expedite the consideration of business at a meeting.
- 10.29 Despite clauses 10.22 and 10.25, a Councillor may move that a Motion or an amendment be now put:
- (a) if the mover of the Motion or amendment has spoken in favour of it and no Councillor expresses an intention to speak against it, or
 - (b) if at least two (2) Councillors have spoken in favour of the Motion or amendment and at least two (2) Councillors have spoken against it.
- 10.30 The Chairperson must immediately put to the vote, without debate, a Motion moved under clause 10.29. A seconder is not required for such a Motion.
- 10.31 If a Motion that the original Motion or an Amendment be now put is passed, the Chairperson must, without further debate, put the original Motion or Amendment to the vote immediately after the mover of the original Motion has exercised their right of reply under clause 10.22.
- 10.32 If a Motion that the original Motion or an Amendment be now put is lost, the Chairperson must allow the debate on the original Motion or the Amendment to be resumed.
- 10.33 All Councillors must be heard without interruption and all other Councillors must, unless otherwise permitted under this Code, remain silent while another Councillor is speaking.
- 10.34 Once the debate on a matter has concluded and a matter has been dealt with, the Chairperson must not allow further debate on the matter.

Procedural Motions

A Procedural Motion is a Motion that refers to the conduct of a meeting.

- 10.35 Procedural Motions are not subject to the Notice of Motion requirements in clause 3.9.
- 10.36 For the purposes of this Code, a Procedural Motion requires a seconder.
- 10.37 For the purposes of this Code, there is no debate allowed on a Procedural Motion.
- 10.38 A Procedural Motion has precedence over ~~Substantive-substantive~~ Motions and must be put to the meeting for a decision.

11. VOTING

Voting Entitlements of Councillors

11.1 Each Councillor is entitled to one (1) vote.

Note: Clause 11.1 reflects section 370(1) of the Act.

11.2 The person presiding at a meeting of the Council has, in the event of an equality of votes, a second or casting vote.

Note: Clause 11.2 reflects section 370(2) of the Act.

11.3 Where the Chairperson declines to exercise, or fails to exercise, their second or casting vote, in the event of an equality of votes, the motion being voted upon is lost.

Voting at Council Meetings

11.4 A Councillor who is present at a meeting of the Council but who fails to vote on a Motion put to the meeting is taken to have voted against the Motion.

11.5 If a Councillor who has voted against a Motion put at a Council meeting so requests, the Chief Executive Officer must ensure that the Councillor's dissenting vote is recorded in the Council's minutes.

11.6 The decision of the Chairperson as to the result of a vote is final unless the decision is immediately challenged and not fewer than two (2) Councillors rise and call for a division.

11.7 When a division on a Motion is called, the Chairperson must ensure that the division takes place immediately. The Chief Executive Officer must ensure that the names of those who vote for the Motion and those who vote against it are recorded in the Council's minutes for the meeting.

11.8 When a division on a Motion is called, any Councillor who fails to vote will be recorded as having voted against the Motion in accordance with clause 11.4 of this Code.

11.9 Voting at a meeting, including voting in an election at a meeting, is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system). However, the Council may resolve that the voting in any election by Councillors for Lord Mayor or Deputy Lord Mayor is to be by secret ballot.

11.10 All voting at Council meetings, (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of Councillors who voted for and against each Motion or Amendment, (including the use of the casting vote), being recorded.

Voting on Planning Decisions

- 11.11 The Chief Executive Officer must keep a register containing, for each planning decision made at a meeting of the Council or a Council committee (including, but not limited to a ~~committee of the~~ Committee of Council), the names of the Councillors who supported the decision and the names of any Councillors who opposed (or are taken to have opposed) the decision.
- 11.12 For the purpose of maintaining the register, a division is taken to have been called whenever a motion for a planning decision is put at a meeting of the Council or a Council committee.
- 11.13 Each decision recorded in the register is to be described in the register or identified in a manner that enables the description to be obtained from another publicly available document.
- 11.14 Clauses 11.11–11.13 apply also to meetings that are closed to the public.

Note: Clauses 11.11–11.14 reflect section 375A of the Act.

Note: The requirements of clause 11.11 may be satisfied by maintaining a register of the minutes of each planning decision.

12. COMMITTEE OF THE WHOLE

12.1 The Council may resolve itself into a committee to consider any matter before the Council.

Note: Clause 12.1 reflects section 373 of the Act.

12.2 All the provisions of this Code relating to meetings of the Council, so far as they are applicable, extend to and govern the proceedings of the Council when in committee of the whole, except the provisions limiting the number and duration of speeches.

Note: Clauses 10.22 and 10.25-34 limit the number and duration of speeches.

12.3 The Chief Executive Officer or, in the absence of the Chief Executive Officer, an employee of the Council designated by the Chief Executive Officer, is responsible for reporting to the Council the proceedings of the committee of the whole. It is not necessary to report the proceedings in full, but any recommendations of the committee must be reported.

12.4 The Council must ensure that a report of the proceedings (including any recommendations of the committee) is recorded in the Council's minutes. However, the Council is not taken to have adopted the report until a motion for adoption has been made and passed.

13. DEALING WITH ITEMS BY EXCEPTION

- 13.1 The Council or a ~~committee of the~~Committee of Council may, at any time resolve to adopt multiple items in accordance with the recommendation as printed, ~~allowing for minor changes without debate~~by way of a single resolution.
- 13.2 Should a Councillor request to debate an item, they are to request the item be withdrawn for debate.
- 13.3 The Council or ~~committee~~Committee of Council must not resolve to adopt any item of business under clause 13.1 that a Councillor has identified as being one they intend to debate.
- ~~13.4 A motion to adopt multiple items of business under clause 13.1 must identify the items of business to be adopted and state that they are to be adopted as recommended in the business paper.~~
- 13.64 Councillors must ensure that they declare and manage any conflicts of interest they may have in relation to items of business considered together under clause 13.1 in accordance with the requirements of the Council's Code of Conduct.

14. CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC

Grounds on which Meetings can be Closed to the Public

- 14.1 The Council or a ~~committee of the~~ Committee of Council may close to the public so much of its meeting as comprises the discussion or the receipt of any of the following types of matters:
- (a) personnel matters concerning particular individuals (other than Councillors),
 - (b) the personal hardship of any resident or ratepayer,
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business,
 - (d) commercial information of a confidential nature that would, if disclosed:
 - (i) prejudice the commercial position of the person who supplied it, or
 - (ii) confer a commercial advantage on a competitor of the Council, or
 - (iii) reveal a trade secret,
 - (e) information that would, if disclosed, prejudice the maintenance of law,
 - (f) matters affecting the security of the Council, Councillors, Council staff or Council property,
 - (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege,
 - (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land,
 - (i) alleged contraventions of the Council's Code of Conduct.

Note: Clause 14.1 reflects section 10A(1) and (2) of the Act.

- 14.2 The Council or a ~~committee of the~~ Committee of Council may also close to the public so much of its meeting as comprises a motion to close another part of the meeting to the public.

Note: Clause 14.2 reflects section 10A(3) of the Act.

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Matters to be Considered when Closing Meetings to the Public

14.3 A meeting is not to remain closed during the discussion of anything referred to in clause 14.1:

- (a) except for so much of the discussion as is necessary to preserve the relevant confidentiality, privilege or security, and
- (b) if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret – unless the Council or committee concerned is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest.

Note: Clause 14.3 reflects section 10B(1) of the Act.

14.4 A meeting is not to be closed during the receipt and consideration of information or advice referred to in clause 14.1(g) unless the advice concerns legal matters that:

- (a) are substantial issues relating to a matter in which the Council or committee is involved, and
- (b) are clearly identified in the advice, and
- (c) are fully discussed in that advice.

Note: Clause 14.4 reflects section 10B(2) of the Act.

14.5 If a meeting is closed during the discussion of a motion to close another part of the meeting to the public (as referred to in clause 14.2), the consideration of the motion must not include any consideration of the matter or information to be discussed in that other part of the meeting other than consideration of whether the matter concerned is a matter referred to in clause 14.1.

Note: Clause 14.5 reflects section 10B(3) of the Act.

14.6 For the purpose of determining whether the discussion of a matter in an open meeting would be contrary to the public interest, it is irrelevant that:

- (a) a person may misinterpret or misunderstand the discussion, or
- (b) the discussion of the matter may:
 - (i) cause embarrassment to the Council or committee concerned, or to Councillors or to employees of the Council, or
 - (ii) cause a loss of confidence in the Council or committee.

Note: Clause 14.6 reflects section 10B(4) of the Act.

- 14.7 In deciding whether part of a meeting is to be closed to the public, the Council or committee concerned must consider any relevant guidelines issued by the Departmental Chief Executive of the Office of Local Government.

Note: Clause 14.7 reflects section 10B(5) of the Act.

Notice of Likelihood of Closure Not Required in Urgent Cases

- 14.8 Part of a meeting of the Council, or of a committee of the Council, may be closed to the public while the Council or committee considers a matter that has not been identified in the agenda for the meeting under clause [3.213-20](#) as a matter that is likely to be considered when the meeting is closed, but only if:
- (a) it becomes apparent during the discussion of a particular matter that the matter is a matter referred to in clause 14.1, and
 - (b) the Council or committee, after considering any representations made under clause 14.9, resolves that further discussion of the matter:
 - (i) should not be deferred (because of the urgency of the matter), and
 - (ii) should take place in a part of the meeting that is closed to the public.

Note: Clause 14.8 reflects section 10C of the Act.

Representations by Members of the Public

- 14.9 The Council, or a ~~committee of the~~ **Committee of** Council, may allow members of the public to make representations to or at a meeting, before any part of the meeting is closed to the public, as to whether that part of the meeting should be closed.

Note: Clause 14.9 reflects section 10A(4) of the Act.

- 14.10 A representation under clause 14.9 is to be made after the motion to close the part of the meeting is moved and seconded.

- 14.11 Where the matter has been identified in the agenda of the meeting under clause [3.213-20](#) as a matter that is likely to be considered when the meeting is closed to the public, in order to make representations under clause 14.9, members of the public must first make an application to the Council in the approved form. Applications must be received by 4pm on the Thursday prior to the day of the meeting at which the matter is to be considered.

- 14.12 The Chief Executive Officer (or their delegate) may refuse an application made under clause 14.11. The Chief Executive Officer or their delegate must give reasons in writing for a decision to refuse an application.

- 14.13 No more than five (5) speakers are to be permitted to make representations under clause 14.9.
- 14.14 If more than the permitted number of speakers apply to make representations under clause 14.9, the Chief Executive Officer or their delegate may request the speakers to nominate from among themselves the persons who are to make representations to the Council. If the speakers are not able to agree on whom to nominate to make representations under clause 14.9, the Chief Executive Officer or their delegate is to determine who will make representations to the Council.
- 14.15 The Chief Executive Officer (or their delegate) is to determine the order of speakers.
- 14.16 Where the Council or a committee of the Council proposes to close a meeting or part of a meeting to the public in circumstances where the matter has not been identified in the agenda for the meeting under clause ~~3.213-20~~ as a matter that is likely to be considered when the meeting is closed to the public, the Chairperson is to invite representations from the public under clause 14.9 after the motion to close the part of the meeting is moved and seconded. The Chairperson is to permit no more than five (5) speakers to make representations in such order as determined by the Chairperson.
- 14.17 In line with Public Forum provisions, as per clause ~~4.94-6~~, each speaker will be allowed three (3) minutes (excluding staff response, if any) to make representations, and this time limit is to be strictly enforced by the Chairperson. Speakers must confine their representations to whether the meeting should be closed to the public. If a speaker digresses to irrelevant matters, the Chairperson is to direct the speaker not to do so. If a speaker fails to observe a direction from the Chairperson, the speaker will not be further heard.
- 14.18 Specialist advisors may be invited to attend closed meetings. In such instances, the names of these specialists are to be recorded and shown in the minutes of the meeting.

Expulsion of Non-Councillors from Meetings Closed to the Public

- 14.19 If a meeting or part of a meeting of the Council or a ~~committee of the~~Committee of Council is closed to the public in accordance with section 10A of the Act and this Code, any person who is not a Councillor and who fails to leave the meeting when requested, may be expelled from the meeting as provided by section 10(2)(a) or (b) of the Act.
- 14.20 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary restrain that person from re-entering that place for the remainder of the meeting.

Obligations of Councillors Attending Meetings by Audio-Visual Link

- 14.21 Councillors attending a meeting by audio-visual link must ensure that no other person is within sight or hearing of the meeting at any time that the meeting is closed to the public under section 10A of the Act.

Information to be Disclosed in Resolutions Closing Meetings to the Public

- 14.22 The grounds on which part of a meeting is closed must be stated in the decision to close that part of the meeting and must be recorded in the minutes of the meeting. The grounds must specify the following:
- (a) the relevant provision of section 10A(2) of the Act,
 - (b) the matter that is to be discussed during the closed part of the meeting,
 - (c) the reasons why the part of the meeting is being closed, including (if the matter concerned is a matter other than a personnel matter concerning particular individuals, the personal hardship of a resident or ratepayer or a trade secret) an explanation of the way in which discussion of the matter in an open meeting would be, on balance, contrary to the public interest.

Note: Clause 14.22 reflects section 10D of the Act.

Resolutions Passed at Closed Meetings to be made Public

- 14.23 If the Council passes a resolution during a meeting, or a part of a meeting, that is closed to the public, the Chairperson must make the resolution public as soon as practicable after the meeting, or the relevant part of the meeting, has ended, and the resolution must be recorded in the publicly available minutes of the meeting.
- 14.24 Resolutions passed during a meeting, or a part of a meeting, that is closed to the public must be made public by the Chairperson, Chief Executive Officer or their delegate under clause 14.23 during a part of the meeting that is webcast.

15. KEEPING ORDER AT MEETINGS

Points of Order

- 15.1 A Councillor may draw the attention of the Chairperson to an alleged breach of this Code by raising a point of order. A point of order does not require a seconder.
- 15.2 A point of order cannot be made with respect to adherence to the principles contained in clause 2.1.
- 15.3 A point of order must be taken immediately it is raised. The Chairperson must suspend the business before the meeting and permit the Councillor raising the point of order to state the provision of this Code they believe has been breached. The Chairperson must then rule on the point of order – either by upholding it or by overruling it.

Questions of Order

- 15.4 The Chairperson, without the intervention of any other Councillor, may call any Councillor to order whenever, in the opinion of the Chairperson, it is necessary to do so.
- 15.5 A Councillor who claims that another Councillor has committed an act of disorder, or is out of order, may call the attention of the Chairperson to the matter.
- 15.6 The Chairperson must rule on a question of order immediately after it is raised but, before doing so, may invite the opinion of the Council.
- 15.7 The Chairperson's ruling must be obeyed unless a motion dissenting from the ruling is passed.

Motions of Dissent

- 15.8 A Councillor can, without notice, move to dissent from a ruling of the Chairperson on a point of order or a question of order. If that happens, the Chairperson must suspend the business before the meeting until a decision is made on the motion of dissent.
- 15.9 If a motion of dissent is passed, the Chairperson must proceed with the suspended business as though the ruling dissented from had not been given. If, as a result of the ruling, any motion or business has been rejected as out of order, the Chairperson must restore the motion or business to the agenda and proceed with it in due course.
- 15.10 Despite any other provision of this Code, only the mover of a motion of dissent and the Chairperson can speak to the motion before it is put. The mover of the motion does not have a right of general reply.

Acts of Disorder

15.11 A Councillor commits an act of disorder if the Councillor, at a meeting of the Council or a ~~committee of the~~Committee of Council:

- (a) contravenes the Act, the Regulation or this Code, or
- (b) assaults or threatens to assault another Councillor or person present at the meeting, or
- (c) moves or attempts to move a motion or an amendment that has an unlawful purpose or that deals with a matter that is outside the jurisdiction of the Council or the committee, or addresses or attempts to address the Council or the committee on such a motion, amendment or matter, or
- (d) insults, makes unfavourable personal remarks about, or imputes improper motives to any other Council official, or alleges a breach of the Council's Code of Conduct, or
- (e) uses indecent languages, or
- (f) constant interjections whilst another Councillor is addressing the Chair, or
- (g) uninvited commenting, shouting or being disruptive, or
- (e) says or does anything that is inconsistent with maintaining order at the meeting or is likely to bring the Council or the committee into disrepute.

Note: Clause 15.11 reflects section 182 of the Regulation.

15.12 The Chairperson may require a Councillor:

- (a) to apologise without reservation for an act of disorder referred to in clauses 15.11(a), (b), or (e), or
- (b) to withdraw a motion or an amendment referred to in clause 15.11(c) and, where appropriate, to apologise without reservation, or
- (c) to retract and apologise without reservation for any statement that constitutes an act of disorder referred to in clauses 15.11(d) and (e).

Note: Clause 15.12 reflects section 233 of the Regulation.

How Disorder at a Meeting May be Dealt With

- 15.13 If disorder occurs at a meeting of the Council, the Chairperson may adjourn the meeting for a period of not more than fifteen (15) minutes and leave the Chair. The Council, on reassembling, must, on a question put from the Chairperson, decide without debate whether the business is to be proceeded with or not. This clause applies to disorder arising from the conduct of members of the public as well as disorder arising from the conduct of Councillors.

Expulsion from Meetings

- 15.14 All Chairpersons of meetings of the Council and ~~committees of the~~Committees of Council are authorised under this Code to expel any person, including any Councillor, from a Council or committee meeting, for the purposes of section 10(2)(b) of the Act.
- 15.15 Clause 15.14, does not limit the ability of the Council or a ~~committee of the~~Committee of Council to resolve to expel a person, including a Councillor, from a Council or committee meeting, under section 10(2)(a) of the Act.
- 15.16 A Councillor may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for having failed to comply with a requirement under clause 15.12. The expulsion of a Councillor from the meeting for that reason does not prevent any other action from being taken against the Councillor for the act of disorder concerned.

Note: Clause 15.16 reflects section 233(2) of the Regulation.

- 15.17 In addition to Clause 15.15, a Councillor who commits an act of disorder ~~is also~~may be subject to the provision of the Code of Conduct.
- 15.18 A member of the public may, as provided by section 10(2)(a) or (b) of the Act, be expelled from a meeting of the Council for engaging in or having engaged in disorderly conduct at the meeting.
- 15.19 Where a Councillor or a member of the public is expelled from a meeting, the expulsion and the name of the person expelled, if known, are to be recorded in the minutes of the meeting.
- 15.20 If a Councillor or a member of the public fails to leave the place where a meeting of the Council is being held immediately after they have been expelled, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the Councillor or member of the public from that place and, if necessary, restrain the Councillor or member of the public from re-entering that place for the remainder of the meeting.

How Disorder by Councillors Attending Meetings by Audio-Visual Link May be Dealt With

- 15.21 Where a Councillor is attending a meeting by audio-visual link, the Chairperson or a person authorised by the Chairperson may mute the Councillor's audio link to the meeting for the purposes of enforcing compliance with this Code.
- 15.22 If a Councillor attending a meeting by audio-visual link is expelled from a meeting for an act of disorder, the Chairperson of the meeting or a person authorised by the Chairperson, may terminate the Councillor's audio-visual link to the meeting.

Use of Mobile Phones and the Unauthorised Recording of Meetings

- 15.23 Councillors, Council staff and members of the public must ensure that mobile phones are turned to silent during meetings of the Council and ~~committees of the~~Committees of Council.
- 15.24 A person must not live stream or use an audio recorder, video camera, mobile phone or any other device to make a recording or take photographs of the proceedings of a meeting of the Council or a ~~committee of the~~Committee of Council without the prior authorisation of the Council or the committee.
- 15.25 Without limiting clause 15.18, a contravention of clause 15.24 or an attempt to contravene that clause, constitutes disorderly conduct for the purposes of clause 15.18. Any person who contravenes or attempts to contravene clause 15.24, may be expelled from the meeting as provided for under section 10(2) of the Act.
- 15.26 If any such person, after being notified of a resolution or direction expelling them from the meeting, fails to leave the place where the meeting is being held, a police officer, or any person authorised for the purpose by the Council or person presiding, may, by using only such force as is necessary, remove the first-mentioned person from that place and, if necessary, restrain that person from re-entering that place for the remainder of the meeting.

16. CONFLICTS OF INTEREST

- 16.1 All Councillors and, where applicable, all other persons, must declare and manage any conflicts of interest they may have in matters being considered at meetings of the Council and ~~committees of the~~**Committees of** Council in accordance with the Council's Code of Conduct. All declarations of conflicts of interest and how the conflict of interest was managed by the person who made the declaration must be recorded in the minutes of the meeting at which the declaration was made.
- 16.2 Councillors attending a meeting by audio-visual link must declare and manage any conflicts of interest they may have in matters being considered at the meeting in accordance with the Council's Code of Conduct. Where a Councillor has declared a pecuniary or significant non-pecuniary conflict of interest in a matter being discussed at the meeting, the Councillor's audio-visual link to the meeting must be suspended or terminated and the Councillor must not be in sight or hearing of the meeting at any time during which the matter is being considered or discussed by the Council or committee, or at any time during which the Council or committee is voting on the matter.

17. DECISIONS OF THE COUNCIL

Council Decisions

- 17.1 A decision supported by a majority of the votes at a meeting of the Council at which a quorum is present is a decision of the Council.

Note: Clause 17.1 reflects section 371 of the Act.

- 17.2 Decisions made by the Council must be accurately recorded in the minutes of the meeting at which the decision is made.

Rescinding or altering Council decisions

- 17.3 A rescission motion is to be moved by the first signatory to the motion and failing that person being in attendance, the second signatory to move same and so on.

- 17.4 A resolution passed by the Council may not be altered or rescinded except by a motion to that effect of which notice has been given under clause 3.9.

Note: Clause 17.4 reflects section 372(1) of the Act.

- ~~17.5~~ A Notice of Motion to rescind a resolution must be in writing and must be submitted by 2.00pm on the business day following the Council meeting or Committee of Council meeting.

- 17.65 If a Notice of Motion to rescind a resolution is given at the meeting at which the resolution is carried, the resolution must not be carried into effect until the motion of rescission has been dealt with.

Note: Clause ~~17.6~~17.5 reflects section 372(2) of the Act.

- 17.76 All rescission motions will be listed on the next available Council Meeting agenda for consideration.

- 17.87 If a Motion has been lost, a motion having the same effect must not be considered unless notice of it has been duly given in accordance with clause 3.9.

Note: Clause ~~17.7~~17.6 reflects section 372(3) of the Act.

- 17.98 A Notice of Motion to alter or rescind a resolution, and a Notice of Motion which has the same effect as a Motion which has been lost, must be signed by three (3) Councillors if less than three (3) months has elapsed since the resolution was passed, or the motion was lost.

Note: Clause ~~17.9~~17.7 reflects section 372(4) of the Act.

17.109 If a motion to alter or rescind a resolution has been lost, or if a motion which has the same effect as a previously lost motion is lost, no similar motion may be brought forward within three (3) months of the meeting at which it was lost. This clause may not be evaded by substituting a motion differently worded, but in principle the same.

Note: Clause ~~17.1017.8~~ reflects section 372(5) of the Act.

17.110 The provisions of clauses ~~17.8-17.1017.7-17.9~~ concerning lost motions do not apply to motions of adjournment.

Note: Clause ~~17.109~~ reflects section 372(7) of the Act.

17.121 A Notice of Motion submitted in accordance with clause ~~17.817.5~~ may only be withdrawn under clause 3.10 with the consent of all signatories to the notice of motion.

17.132 A motion to alter or rescind a resolution of the Council may be moved on the report of a ~~committee of the Committee of~~ Council and any such report must be recorded in the minutes of the meeting of the Council.

Note: Clause ~~17.12-13~~ reflects section 372(6) of the Act.

17.143 Subject to clause 17.109, in cases of urgency, a motion to alter or rescind a resolution of the Council may be moved at the same meeting at which the resolution was adopted, where:

- (a) a Notice of Motion signed by three Councillors is submitted to the Chairperson, and
- (b) a motion to have the motion considered at the meeting is passed, and
- (c) the Chairperson rules the business that is the subject of the motion is of great urgency on the grounds that it requires a decision by the Council before the next scheduled ordinary meeting of the Council.

17.154 A motion moved under clause ~~17.13(b)17.14(b)~~ can be moved without notice. Despite clauses 10.22 and 10.25-10.34, only the mover of a motion referred to in clause ~~17.13(b)17.14(b)~~ can speak to the motion before it is put.

17.165 A motion of dissent cannot be moved against a ruling by the Chairperson under clause ~~17.13(e)17.14(c)~~.

~~17.16 Councillors must use the pro-forma Notice of Rescission Motion form, ensure that 3 Councillors have signed it and hand it to the Chief Executive Officer prior to the meeting~~

being closed. If the Chair does not deem it to be urgent, the resolution will not be carried into effect until the Motion is dealt with at the next Council meeting.

17.17 — If the Notice of Rescission Motion is handed to the Chief Executive Officer after the meeting has closed, then it will not stop the resolution from being carried into effect until such time that it is considered at the next meeting of Council.

17.18 — Prior to the closure of the meeting, the Chairperson will announce those rescission motions already received by the Chief Executive Officer. Failure of the Chairperson to do this, however, does not invalidate those already received, nor does it prevent a resolution from being carried into effect if the rescission motion is submitted after the close of the meeting.

Absence of a Mover and Secunder from Original Motion

17.19 — If a rescission motion Notice of Rescission Motion is submitted after the meeting, then there is nothing in any legislation or guides that prevent any Councillors, not in attendance at the meeting at which the decision was taken to subsequently sign such a rescission motion.

Recommitting Resolutions to Correct an Error

17.1720 Despite the provisions of this Part, a Councillor may, with the leave of the Chairperson, move to recommit a resolution adopted at the same meeting:

- (a) to correct any error, ambiguity or imprecision in the Council's resolution, or
- (b) to confirm the voting on the resolution.

17.1821 In seeking the leave of the Chairperson to move to recommit a resolution for the purposes of clause 17.2017(a), the Councillor is to propose alternative wording for the resolution.

17.1922 The Chairperson must not grant leave to recommit a resolution for the purposes of clause 17.2017(a), unless they are satisfied that the proposed alternative wording of the resolution would not alter the substance of the resolution previously adopted at the meeting.

17.203 A motion moved under clause 17.2017 can be moved without notice. Despite clauses 10.22 and 10.25-34, only the mover of a motion referred to in clause 17.2017 can speak to the motion before it is put.

17.214 A motion of dissent cannot be moved against a ruling by the Chairperson under clause 17.2017.

17.225 A motion moved under clause 17.2017 with the leave of the Chairperson cannot be voted on unless or until it has been seconded.

18. TIME LIMITS ON COUNCIL MEETINGS

- 18.1 Meetings of the Council and committees of the Council are to conclude no later than 11:00pm.
- 18.2 If the business of the meeting is unfinished at 11:00pm, the Council or the committee may, by resolution, extend the time of the meeting by one extension to 11:30pm to complete the business of the Council or ~~committee~~ Committee of Council.
- 18.3 If the business of the meeting is unfinished at 11:00pm, and the Council does not resolve to extend the meeting, the Chairperson must either:
- (a) defer consideration of the remaining items of business on the agenda to the next ordinary meeting of the Council, or
 - (b) adjourn the meeting to a time, date and place fixed by the Chairperson.
- 18.4 Clause 18.3 does not limit the ability of the Council or a ~~committee of the~~ Committee of Council to resolve to adjourn a meeting at any time. The resolution adjourning the meeting must fix the time, date and place that the meeting is to be adjourned to.
- 18.5 Where a meeting is adjourned under clause 18.3 or 18.4, the Chief Executive Officer must:
- (a) individually notify each Councillor of the time, date and place at which the meeting will reconvene, and
 - (b) publish the time, date and place at which the meeting will reconvene on the Council's website and in such other manner that the Chief Executive Officer is satisfied is likely to bring notice of the time, date and place of the reconvened meeting to the attention of as many people as possible.

19. AFTER THE MEETING

Minutes of Meetings

- 19.1 The Council is to keep full and accurate minutes of the proceedings of meetings of the Council.

Note: Clause 19.1 reflects section 375(1) of the Act.

- 19.2 At a minimum, the Chief Executive Officer must ensure that the following matters are recorded in the Council's minutes:
- (a) The names of Councillors attending a Council meeting and whether they attended the meeting in person or by audio-visual link,
 - (b) details of each motion moved at a Council meeting and of any amendments moved to it,
 - (c) the names of the mover and seconder of the motion or amendment,
 - (d) whether the motion or amendment was passed or lost,
 - (e) such other matters specifically required under this Code,
 - (f) additional information supplied by a Council officer which has not been included in the report before Council and which could be viewed as material for Council's consideration of the matter,

~~(g) — the addresses to Council by members of the public and any given response,~~

~~(h)(g)~~ where required, the names of the Councillors in favour of or opposed to the Motion/ Amendment, and

~~(i)(h)~~ the names of Councillors who request that their name be recorded as being opposed to a resolution.

~~(j)(i)~~ Where questions are taken on notice, a statement stipulating "Questions were taken on notice by Council staff for this item" for each item where questions on notice are taken.

- 19.3 The minutes of a Council meeting must be confirmed at a subsequent meeting of the Council.

Note: Clause 19.3 reflects section 375(2) of the Act.

- 19.4 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

- 19.5 When the minutes have been confirmed, they are to be signed by the person presiding at the subsequent meeting.

Note: Clause 19.5 reflects section 375(2) of the Act.

- 19.6 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

- 19.7 The confirmed minutes of a Council meeting must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of its meetings on its website prior to their confirmation.

Note: Section 12 of the Local Government Act confers a right (restricted in the case of closed parts of meetings) to inspect the minutes of a Council meeting. Council has its open minutes electronically displayed during the meetings and on its website on the Friday following the meeting. The community is able to access the minutes in this way, by contacting Council, or by viewing at all libraries.

Access to Correspondence and Reports Laid on the Table at, or Submitted to, a Meeting

- 19.8 The Council and ~~committees of the~~Committees of Council must, during or at the close of a meeting, or during the business day following the meeting, give reasonable access to any person to inspect correspondence and reports laid on the table at, or submitted to, the meeting.

Note: Clause 19.8 reflects section 11(1) of the Act.

- 19.9 Clause 19.8 does not apply if the correspondence or reports relate to a matter that was received or discussed or laid on the table at, or submitted to, the meeting when the meeting was closed to the public.

Note: Clause 19.9 reflects section 11(2) of the Act.

- 19.10 Clause 19.8 does not apply if the Council or the committee resolves at the meeting, when open to the public, that the correspondence or reports are to be treated as confidential because they relate to a matter specified in section 10A(2) of the Act.

Note: Clause 19.10 reflects section 11(3) of the Act.

- 19.11 Correspondence or reports to which clauses 19.9 and 19.10 apply are to be marked with the relevant provision of section 10A(2) of the Act that applies to the correspondence or report.

Implementation of Decisions of the Council

19.12 The Chief Executive Officer is to implement, without undue delay, lawful decisions of the Council.

Note: Clause 19.12 reflects section 335(b) of the Act.

20. COUNCIL COMMITTEES

Application of this Part

20.1 This part only applies to committees of the Council whose members are all Councillors.

Council Committees whose Members are all Councillors

20.2 The Council may, by resolution, establish such committees as it considers necessary.

20.3 A ~~committee of the~~Committee of Council is to consist of the Lord Mayor and such other Councillors as are elected by the Councillors or appointed by the Council.

20.4 The quorum for a meeting of a ~~committee of the~~Committee of Council is to be:

- (a) such number of members as the Council decides, or
- (b) if the Council has not decided a number – a majority of the members of the committee.

Functions of Committees

20.5 The Council must specify the functions of each of its committees when the committee is established but may from time to time amend those functions.

Notice of Committee Meetings

20.6 The Chief Executive Officer must send to each Councillor, regardless of whether they are a committee member, at least three (3) days before each meeting of the committee, a notice specifying:

- (a) the time, date and place of the meeting, and
- (b) the business proposed to be considered at the meeting.

20.7 Notice of less than three (3) days may be given of a committee meeting called in an emergency.

Attendance at Committee Meetings

20.8 A committee member (other than the Lord Mayor) ceases to be a member of a committee if the committee member:

- (a) has been absent from three (3) consecutive meetings of the committee without having given reasons acceptable to the committee for the member's absences, or

- (b) has been absent from at least half of the meetings of the committee held during the immediately preceding year without having given to the committee acceptable reasons for the member's absences.

20.9 Clause 20.8 does not apply if all of the members of the Council are members of the committee.

Non-Members Entitled to Attend Committee Meetings

20.10 A Councillor who is not a member of a committee of the Council is entitled to attend, and to speak at a meeting of the committee. However, the Councillor is not entitled:

- (a) to give notice of business for inclusion in the agenda for the meeting, or
- (b) to move or second a motion at the meeting, or
- (c) to vote at the meeting.

Chairperson and Deputy Chairperson of Council Committees

20.11 The Chairperson of each committee of the Council must be:

- (a) the Lord Mayor, or
- (b) if the Lord Mayor does not wish to be the Chairperson of a committee, a member of the committee elected by the Council, or
- (c) if the Council does not elect such a member, a member of the committee elected by the committee.

20.12 The Council may elect a member of a committee of the Council as Deputy Chairperson of the committee. If the Council does not elect a Deputy Chairperson of such a committee, the committee may elect a Deputy Chairperson.

20.13 If neither the Chairperson nor the Deputy Chairperson of a committee of the Council is able or willing to preside at a meeting of the committee, the committee must elect a member of the committee to be acting Chairperson of the committee.

20.14 The Chairperson is to preside at a meeting of a committee of the Council. If the Chairperson is unable or unwilling to preside, the Deputy Chairperson (if any) is to preside at the meeting, but if neither the Chairperson nor the Deputy Chairperson is able or willing to preside, the acting Chairperson is to preside at the meeting.

Procedure in Committee Meetings

- 20.15 Subject to any specific requirements of this code, each ~~committee of the~~Committee of Council may regulate its own procedure. The provisions of this code are to be taken to apply to all committees of the Council unless the Council or the committee determines otherwise in accordance with this clause.
- 20.16 Whenever the voting on a motion put to a meeting of the committee is equal, the Chairperson of the committee is to have a casting vote as well as an original vote unless the Council or the committee determines otherwise in accordance with clause 20.15.
- 20.17 Voting at a Council committee meeting is to be by open means (such as on the voices, by show of hands or by a visible electronic voting system).

Closure of Committee Meetings to the Public

- 20.18 The provisions of the Act and Part 14 of this Code apply to the closure of meetings of committees of the Council to the public in the same way they apply to the closure of meetings of the Council to the public.
- 20.19 If a committee of the Council passes a resolution, or makes a recommendation, during a meeting, or a part of a meeting that is closed to the public, the Chairperson must make the resolution or recommendation public as soon as practicable after the meeting or part of the meeting has ended, and report the resolution or recommendation to the next meeting of the Council. The resolution or recommendation must also be recorded in the publicly available minutes of the meeting.
- 20.20 Resolutions passed during a meeting, or a part of a meeting that is closed to the public must be made public by the Chairperson under clause 20.19 during a part of the meeting that is webcast.

Disorder in Committee Meetings

- 20.21 The provisions of the Act and this Code relating to the maintenance of order in Council meetings apply to meetings of committees of the Council in the same way as they apply to meetings of the Council.

Minutes of Council Committee Meetings

- 20.22 Each committee of the Council is to keep full and accurate minutes of the proceedings of its meetings. At a minimum, a committee must ensure that the following matters are recorded in the committee's minutes:
- (a) The names of Councillors attending a meeting and whether they attended the meeting in person or by audio-visual link,
 - (b) details of each motion moved at a meeting and of any amendments moved to it,

- (c) the names of the mover and seconder of the motion or amendment,
- (d) whether the motion or amendment was passed or lost, and
- (e) such other matters specifically required under this Code.

20.23 All voting at meetings of committees of the Council (including meetings that are closed to the public), must be recorded in the minutes of meetings with the names of Councillors who voted for and against each motion or amendment, (including the use of the casting vote), being recorded.

20.24 The minutes of meetings of each ~~committee of the~~ **Committee of** Council must be confirmed at a subsequent meeting of the committee.

20.25 Any debate on the confirmation of the minutes is to be confined to whether the minutes are a full and accurate record of the meeting they relate to.

20.26 Council has its minutes electronically displayed during the meetings and on its website following the meeting. The public are able to access the minutes online on the Friday following the meeting, by contacting Council directly, or by viewing the minutes at Council's libraries.

20.27 When the minutes have been confirmed, they are to be signed by the person presiding at that subsequent meeting.

20.28 The confirmed minutes of a meeting may be amended to correct typographical or administrative errors after they have been confirmed. Any amendment made under this clause must not alter the substance of any decision made at the meeting.

20.29 The confirmed minutes of a meeting of a ~~committee of the~~ **Committee of** Council must be published on the Council's website. This clause does not prevent the Council from also publishing unconfirmed minutes of meetings of committees of the Council on its website prior to their confirmation.

21. IRREGULARITIES

21.1 Proceedings at a meeting of a Council or a ~~Council committee~~Committee of Council are not invalidated because of:

- (a) a vacancy in a civic office, or
- (b) a failure to give notice of the meeting to any Councillor or committee member, or
- (c) any defect in the election or appointment of a Councillor or committee member, or
- (d) a failure of a Councillor or a committee member to declare a conflict of interest, or to refrain from the consideration or discussion of, or vote on, the relevant matter, at a Council or committee meeting in accordance with the Council's Code of Conduct, or
- (e) a failure to comply with this Code.

Note: Clause 21.1 reflects section 374 of the Act.

22. DEFINITIONS

The Act	means the <i>Local Government Act 1993</i>
Act of Disorder	means an act of disorder as defined in clause 15.11 of this code
Amendment	in relation to an original motion, means a motion moving an amendment to that motion
Audio Recorder	any device capable of recording speech
Audio-Visual Link	means a facility that enables audio and visual communication between persons at different places
Business Day	means any day except Saturday or Sunday or any other day the whole or part of which is observed as a public holiday throughout New South Wales
Chairperson	in relation to a meeting of the Council – means the person presiding at the meeting as provided by section 369 of the Act and clauses 6.1 and 6.2 of this code, and in relation to a meeting of a committee – means the person presiding at the meeting as provided by clause 20.11 of this code
This Code	means the Council's adopted code of meeting practice
Committee of the Council	means a committee established by the Council in accordance with clause 20.2 of this code (being a committee consisting only of Councillors) or the Council when it has resolved itself into committee of the whole under clause 12.1
Council Official	has the same meaning it has in the Model Code of Conduct for Local Councils in NSW
Day	means calendar day
Division	means a request by two Councillors under clause 11.6 of this code requiring the recording of the names of the Councillors who voted both for and against a motion
Foreshadowed Amendment	means a proposed amendment foreshadowed by a Councillor under clause 10.20 of this code during debate on the first amendment
Foreshadowed Motion	means a motion foreshadowed by a Councillor under clause 10.19 of this code during debate on an original motion
Open Voting	means voting on the voices or by a show of hands or by a visible electronic voting system or similar means
Planning Decision	means a decision made in the exercise of a function of a Council under the <i>Environmental Planning and Assessment Act 1979</i> including any decision relating to a development application, an environmental planning instrument, a development control plan or a development contribution plan under that Act, but not including the making of an order under Division 9.3 of Part 9 of that Act
Performance Improvement Order	means an order issued under section 438A of the Act
Quorum	means the minimum number of Councillors or committee members necessary to conduct a meeting
The Regulation	means the <i>Local Government (General) Regulation 2021</i>
Webcast	a video or audio broadcast of a meeting transmitted across the internet either concurrently with the meeting or at a later time
Year	means the period beginning 1 July and ending the following 30 June
Roles of the Lord Mayor, Deputy Lord Mayor, Councillors & General Manager (Chief Executive Officer)	The <i>Local Government Act 1993</i> provides clauses explaining the roles of the Lord Mayor (refer s226), the Deputy Lord Mayor (refer s231), Councillors (refer s232) and the functions of the Chief Executive Officer (refer s335).

23. INDEX

PART 1 – INTRODUCTION	p.3
PART 1 – MEETING PRINCIPLES	p.4
Council Decisions Prior to a Local Government Election (Caretaker Period)	p.4
Council Decisions During Recess Period	p.4-5
PART 3 – BEFORE THE MEETING	p.6-11
Timing of Ordinary Council Meetings	p.6
Extraordinary Meetings	p.6
Notice to the public of Council meetings	p.6
Notice to Councillors of ordinary meetings	p.6-7
Notice to Councillors of extraordinary meetings	p.7
Giving notice of business to be considered at Council meetings	p.7
Questions with notice	p.8
Agenda and business papers for ordinary meetings	p.8-10
Statement of ethical obligations	p.9
Availability of the agenda and business papers to the public	p.9-10
Agenda and business papers for extraordinary meetings	p.10
Pre-meeting briefing sessions	p.10-11
PART 4 – PUBLIC FORUMS	p.12-14
PART 5 – COMING TOGETHER	p.15-21
Attendance by Councillors at meetings	p.15-16
The quorum for a meeting	p.16-17
Meetings held by audio-visual link	p.17
Attendance by Councillors at meetings by audio-visual link	p.18-19
Entitlement of the Public to Attend Council Meetings	p.19
Webcasting of meetings	p.20
Attendance of the CEO and other staff at meetings	p.21
PART 6 – THE CHAIRPERSON	p.22-23
The Chairperson at meetings	p.22
Election of the Chairperson in the absence of the Lord Mayor and Lord Deputy Mayor	p.22
Chairperson to have precedence	p.23
PART 7 – MODES OF ADDRESS	p.24
PART 8 – ORDER OF BUSINESS FOR ORDINARY COUNCIL MEETINGS	p.25
PART 9 – CONSIDERATION OF BUSINESS AT COUNCIL MEETINGS	p.26-28
Business that can be dealt with at a Council meeting	p.26
Lord Mayoral Minutes	p.27
Petitions	p.27
Staff reports	p.28
Reports of committees of Council	p.28
Questions	p.28
PART 10 – RULES OF DEBATE	p.29-32
Motions to be seconded	p.29
Notices of Motion	p.29
Chairperson's duties with respect to motions	p.29
Motions requiring the expenditure of funds	p.30
Amendments to motions	p.30
Foreshadowed motions	p.31
Limitations on the number and duration of speeches	p.31-32
Procedural motions	p.32
PART 11 – VOTING	p.33-34
Voting entitlements of Councillors	p.33
Voting at Council meetings	p.33
Voting on planning decisions	p.34
PART 12 – COMMITTEE OF THE WHOLE	p.35
PART 13 – DEALING WITH ITEMS BY EXCEPTION	p.36
PART 14 – CLOSURE OF COUNCIL MEETINGS TO THE PUBLIC	p.37-41

Grounds on which meetings can be closed to the public	p.37
Matters to be considered when closed meetings to the public	p.38-39
Notice of likelihood of closure not required in urgent cases	p.39
Representations by members of the public	p.39-40
Expulsion of non-Councillors from meetings closed to the public	p.40
Obligations of Councillors attending meetings by audio-visual link	p.41
Information to be disclosed in resolutions closing meetings to the public	p.41
Resolutions passed at closed meetings to be made public	p.41
PART 15 – KEEPING ORDER AT MEETINGS	p.42-45
Points of order	p.42
Questions of order	p.42
Motions of dissent	p.42
Acts of disorder	p.43
How disorder at a meeting may be dealt with	p.44
Expulsion from meetings	p.44
How disorder by Councillors attending meetings by audio-visual link may be dealt with	p.45
Use of mobile phones and the unauthorised recording of meetings	p.45
PART 16 – CONFLICTS OF INTEREST	p.46
PART 17 – DECISIONS OF THE COUNCIL	p.47-49
Council decisions	p.47
Rescinding or altering Council decisions	p.47-49
Absence of a mover and seconder from original motion	p.49
Recommitting resolutions to correct an error	p.49
PART 18 – TIME LIMITS ON COUNCIL MEETINGS	p.50
PART 19 – AFTER THE MEETING	p.51-53
Minutes of meetings	p.51-52
Access to correspondence and reports laid on the table at, or submitted to, a meeting	p.52
Implementation of decisions of the Council	p.53
PART 20 – COUNCIL COMMITTEES	p.54-57
Application of this part (Council committees)	p.54
Council committees whose members are all Councillors	p.54
Functions of committees	p.54
Notice of committee meetings	p.54
Attendance at committee meetings	p.54-55
Non-members entitled to attend committee meetings	p.55
Chairperson and Deputy Chairperson of Council committees	p.55
Procedure in committee meetings	p.56
Closure of committee meetings to the public	p.56
Disorder in committee meetings	p.56
Minutes of Council committee meetings	p.56-57
PART 21 – IRREGULARITIES	p.58
PART 22 – DEFINITIONS	p.59

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.8
SUBJECT	Parramatta as a C40 Global City - Application for Membership
REFERENCE	F2024/00282 - D09210321
REPORT OF	Manager Sustainability & Waste; Acting Manager Environmental Sustainability

CSP THEME: Green

WORKSHOP/BRIEFING DATE: 1 MAY 2024

PURPOSE:

To seek Council's endorsement for the City of Parramatta to become a C40 Global City.

RECOMMENDATION

- (a) That Council authorise the CEO to apply to join the C40 Global City program as an "Innovator" member, by submitting an expression of interest through the official channels.
- (b) That Councillors be notified of the outcome of the expression of interest.

BACKGROUND

1. At the Council meeting of 26 June 2023, Council resolved (Bradley/Noack):

That the CEO provide a report to Council prior to November 2023, regarding the feasibility of the City of Parramatta becoming a global C40 City. The report should include, amongst other things:

- i. The benefits and opportunities for our City;*
 - ii. The process for being recognised as a C40 City;*
 - iii. How the accreditation will integrate with Council's existing strategic plans;*
 - iv. Appropriate membership types;*
 - v. Potential partners and collaborators to support Council's bid; and*
 - vi. An outline of the likely costs of preparing the bid and ongoing membership costs should Council be successful.*
2. C40 is a global network of nearly 100 Mayor of the world's leading cities that are united in action to enhance climate leadership and build resilient cities and sustainable communities.

3. Mayors of C40 cities are committed to using an inclusive, science-based and collaborative approach to cut emissions in half by 2030, helping the world limit global heating to 1.5°C, and to build healthy, equitable, and resilient communities.

ISSUES/OPTIONS/CONSEQUENCES

Strategic Alignment

4. C40 membership will align with Council's adopted Community Strategic Plan (CSP), in particular:
 - a) *G.3.1: Transition to net zero carbon emissions solutions in the city and community.*
 - b) *G.4.1: Embed city resilience and climate change adaptation, by preparing for key climate hazards such as flooding and urban heat.*

Benefits

5. Membership of C40 will support Council in using an inclusive, science-based, and collaborative approach to cut its emissions. Being a C40 city comes with several benefits, including:
 - a) Access to Knowledge and Resources: C40 cities have access to a wealth of information, best practices, and resources to help accelerate climate actions and responses, avoid mistakes and delays, and implement fairer and more impactful action. Access to resources to contribute to Climate Adaptation and Resilience Plan, actioned in ESS 2023.
 - b) Networking Opportunities: C40 provides a platform for city leaders to connect with peers from around the world, fostering collaboration and the exchange of ideas.
 - c) Technical Support: Member cities receive technical assistance and guidance in implementing sustainable initiatives and reducing carbon emissions.
 - d) Visibility and Recognition: C40 cities gain global recognition for their commitment to combating climate change, which can attract investment and tourism.
 - e) Access to Funding: Some C40 initiatives and programs offer funding opportunities for sustainable projects and initiatives.
 - f) Mayoral engagement: C40 mayor is committed to advancing high-impact actions and inspired by other mayors. C40 hosts the World Mayors Summit. Leadership Standards encourage cities to achieve zero-carbon future, establish coalitions, and set global model for other cities to follow.
 - g) Influence on Global Policies: C40 cities collectively advocate for urban climate action, which can influence national and international policies related to climate change.

Membership Process and Requirements

6. To be considered for C40 Cities membership, cities must comply with the C40 Leadership Standards 2021-2024, centred around producing and implementing a Climate Action Plan (CAP) with C40 Cities assisting in the writing/reviewing process.
7. The process of becoming a recognised C40 city typically involves the following steps:
 - a) Expression of Interest: Cities interested in joining C40 typically express their interest by contacting C40 leadership or through official channels.
 - b) Assessment: C40 evaluates a city's commitment to climate action, including its greenhouse gas reduction goals, policies, and initiatives related to sustainability.
 - c) Invitation: If a city meets the criteria and aligns with C40's mission, they may receive an invitation to become a member.
 - d) Commitment and Action: Once invited, the city commits to specific climate goals and initiatives aligned with C40's agenda.
 - e) Active Participation: Member cities actively engage in C40 initiatives, share their progress, and collaborate with other cities.
8. The C40 Leadership Standards 2021-2024 include:
 - a) Plan: City has adopted a resilient and inclusive climate action plan aligned with the 1.5°C ambition of the Paris Agreement, and updates it regularly;
 - b) Deliver: In 2024, city remains on track to deliver its climate action plan, contributing to increased resilience, equitable outcomes and halving C40's overall emissions by 2030;
 - c) Mainstream: City uses the necessary financial, regulatory and other tools at their disposal to address the climate crisis and mainstreams their equitable climate targets into the most impactful city decision-making processes;
 - d) Innovate: City innovates and starts taking inclusive and resilient action to address emissions beyond the direct control of the city government, such as associated with goods and services consumed in their city;
 - e) Lead: Mayor and the city demonstrate global climate leadership and inspire others to act in support of the Paris Agreement.
9. C40's Climate Action Planning (CAP) program supports cities around the world to create and implement climate action plans in line with the 1.5°C target of the Paris Agreement. Key components of CAP are:
 - a) Emissions neutrality: Developing a pathway to become an emissions neutral city by 2050 at the latest, and setting an ambitious interim goal and/or carbon budget (e.g. 2030 targets).

- b) Resilience to climate hazards: Demonstrating how the city will adapt and improve its resilience to the climate hazards that may impact the city now and in future climate change scenarios.
 - c) Inclusivity and benefits: Engaging with the community to inform the plan, outline the social, environmental and economic benefits expected from implementing the plan, and establish ways to ensure equitable distribution of these benefits to the city's population.
 - d) Governance and collaboration: Detailing the city's governance structure, powers, and capacity, as well as identifying the partners who need to be engaged in order to accelerate the delivery of the city's mitigation targets and resilience goals.
10. The C40 cities membership aligns with the Council's commitment to sustainable development and will provide access to valuable resources, knowledge sharing, and collaborative opportunities with other leading cities globally to address climate change challenges, including City of Sydney and City of Melbourne.
11. Whilst the C40 initiative aims to promote sustainability and address climate-related challenges, there are several potential issues associated with the mandatory standards that may need to be considered before the Council decides to become a member:
- a) Mandatory standards may not accommodate the diverse local conditions and challenges that the City of Parramatta faces. A one-size-fits-all approach might not be effective in addressing the unique circumstances and priorities of the City of Parramatta within the C40 network.
 - b) Ensuring strict adherence to mandatory standards may be challenging, especially without a robust enforcement mechanism.
 - c) Development of the Climate Action Planning (CAP) and implementing mandatory standards may place additional resourcing burdens on Council staff.
12. The Council would be categorized as an "Innovator" within the C40 Cities hierarchy according to current and 2030 projected populations being below 3 million people. Another option would be for Council to follow a phased approach and start as an "observer" and evaluate the impact and assess the benefits and challenges before committing to full membership. **Table 1** below lists membership criteria including cities in each membership category.
13. It should be noted that the City of Sydney and Melbourne currently have Megacity status based on a whole of metropolitan population forecast by 2030.

Table 1: Membership Categories

Membership Category	Requirements	Member Cities
Megacity	Cities that show exceptional climate leadership at the global level, and have an urban population that currently/is expected to exceed 3 million or more people by 2030.	Abidjan; Accra; Addis Ababa; Ahmedabad; Athens; Bangkok; Barcelona; Bengaluru; Berlin; Bogotá; Boston; Buenos Aires; Cape Town; Chengdu; Chennai; Chicago; Ciudad de México; Curitiba; Dakar; Dar es Salaam; Dubai; Durban (eThekweni); Ekurhuleni; Fuzhou; Guadalajara; Guangzhou; Hangzhou; Hanoi; Ho Chi Minh City; Hong Kong, China; Houston; Istanbul; Jakarta; Johannesburg; Kuala Lumpur; Lagos; Lima; Lisbon; London; Los Angeles; Madrid; Medellín; Melbourne ; Miami; Milan; Montréal; Mumbai; Nairobi; Nanjing; New York City; Paris; Philadelphia; Phoenix; Qingdao; Quezon City; Quito; Rio de Janeiro; Rome; Salvador; San Francisco; São Paulo; Seattle; Seoul; Shenzhen; Sydney ; Tokyo; Toronto; Tshwane; Warsaw; Washington DC; Wuhan; Yokohama; Zhenjiang.
Innovator	Cities that show exceptional climate leadership at the global level, but do not meet the population/size criteria of a Megacity	Amsterdam; Auckland ; Austin; Copenhagen; Freetown; Heidelberg; New Orleans; Oslo; Portland; Rotterdam; Stockholm; Vancouver.
Observer	Cities that are eligible for Megacity or Innovator city status based on their climate leadership, but require further approval to participate in those categories due to local regulatory or procedural reasons.	Beijing; Shanghai; Singapore.
Inactive	Member cities that do not meet the requirements of the C40 Leadership Standards for 12 consecutive months are	Amman; Dalian; Delhi NCT; Dhaka; Karachi; Kolkata; Santiago; Tel Aviv-Yafo.

	categorised as temporarily Inactive. C40 works with Inactive cities to encourage renewed engagement and support participation; where cities persistently fail to comply with the C40 Leadership Standards, their membership is reviewed and revoked as appropriate	
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Support for Bid

14. C40 membership does not require an initial or ongoing membership fee. Council's Environmental Sustainability Strategy and Carbon Neutrality Public Disclosure Statement already cover substantial targets, measures and actions relating to both corporate and community emissions reductions and align to the targets under the Program. However, future costs may arise when preparing and updating our Climate Action or Emissions Reduction Plan, together with acceleration of evidence-based transformational actions. These costs would ordinarily be incurred through our regular review process and update of Council's Strategy and Statement.
15. Joining other networks could add value to Council's application. Examples of networks include: Global Covenant of Mayors (GCoM); ICLEI – Local Governments for Sustainability; and Carbon Neutral Cities Alliance (CNCA). These are all similar networks to C40 Cities that do not require Council to have a Climate Action Plan for admission for membership. ICLEI has a small membership fee, while GCoM and CNCA do not require membership payments.
16. A C40 World Summit of mayors is held annually with the host city rotated between members. Membership provides opportunity for councils to collaborate on a range of global city issues, beyond just emissions reduction and resilience to natural hazards. The annual Summit also bring significant economic benefits to the host city through tourism and investment by member cities and their delegates.

CONSULTATION & TIMING

Stakeholder Consultation

17. The following stakeholder consultation has been undertaken in relation to this matter:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
August – Dec 23	Internal - City Strategy and tother teams	Supported and assisted with research.	Noted	Group Manager Environment & Sustainability

Councillor Consultation

18. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
24/11/2023	Clr Bradley	Support for recommendation	Noted	Group Manager Environment & Sustainability
01/05/2024	Workshop	Councillors queried membership costs (nil) and whether any increased/new climate targets would be required to attain membership (no - existing targets comply).	The Workshop was provided to give greater understanding to both the direct and indirect benefits of global city and Mayor collaboration.	Group Manager Environment & Sustainability

LEGAL IMPLICATIONS FOR COUNCIL

19. There are no legal implications for the Council associated with this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

20. C40 membership is **free** and does not require an initial or ongoing fee.

21. However, should Council decide to update our existing Emissions Reduction Plan and join other networks to strengthen the city's application, additional costs could be incurred. These costs can be met by existing resources and budgets.

Anthony Collins
Manager Sustainability & Waste

George Bounassif
Executive Director City Assets and Operations

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.9
SUBJECT	Gateway Request: Planning Proposal for North East Parramatta (North-East Planning Investigation Area)
REFERENCE	F2024/00282 - D09389629
REPORT OF	Team Leader Land Use Planning
CSP THEME:	Innovative

WORKSHOP/BRIEFING DATE: 18 March 2024

**APPLICATIONS CONSIDERED BY
SYDNEY CENTRAL CITY PLANNING PANEL:**

11 April 2024 – Site Specific Planning Proposal Review – 23-27 Harold Street & 53 Sorrell Street, Parramatta

PURPOSE:

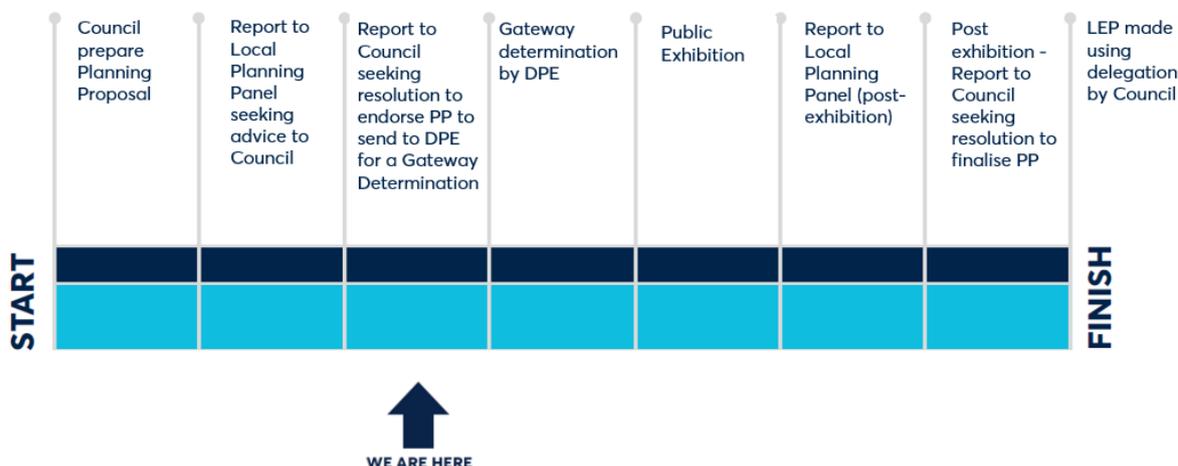
To seek Council's approval to forward the Planning Proposal for the land identified as the North-East Planning Investigation Area to the Department of Planning, Housing and Infrastructure for a Gateway Determination and to exhibit a supporting Development Control Plan.

RECOMMENDATION

- (a) That Council approve:
- i. The Planning Proposal at **Attachment 1** for the purposes of it being forwarded to the Department of Planning, Housing and Infrastructure to request the issuing of a Gateway Determination for the land identified as the North-East Planning Investigation Area which seeks the following changes to the *Parramatta Local Environmental Plan 2023*:
 - a. Increase the Maximum Floor Space Ratio from 0.8:1 to a range between 2:1 and 3.6:1; and
 - b. Increase the Maximum Height of Building from 11m to a range between 24m and 40m (approximately 6 – 12 storeys).
 - ii. The supporting draft DCP amendments at **Attachment 2** applying to the land in the North-East Planning Investigation Area for the purposes of public exhibition.
- (b) That Council advise the Department of Planning, Housing and Infrastructure that the CEO will be seeking to exercise her plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.
- (c) That Council authorise the CEO, if the Gateway determination is issued by the Department, to place the draft DCP amendments on public exhibition concurrently with the Planning Proposal.

- (d) That Council note the Parramatta Local Planning Panel’s (LPP) advice to Council (refer to **Attachment 4**) is consistent with Council officers’ recommendation in the report.
- (e) That Council delegate authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.

PLANNING PROPOSAL TIMELINE



SUMMARY

1. The Planning Proposal seeks to amend Parramatta Local Environmental Plan 2023 (LEP) and Parramatta Development Control Plan 2023 (DCP) to enable an appropriate response to the changes to the planning controls that come into effect on 1 July 2024 for the Church Street North Precinct that were made by the State Government through a State Environmental Planning Policy (SEPP).
2. The proposed LEP and DCP amendments for the North-East Planning Investigation Area (NEPIA) respond to matters raised in the SEPP (Church Street North) 2023 (CSN SEPP) Finalisation Report and the outcomes from the NEPIA Planning Strategy exhibition providing a transition in heights and density from the Church Street North Precinct to the Sorrell Street Heritage Conservation Area to the east.
3. The Planning Proposal forms part of ‘Phase 1’ of the work program endorsed by Council on [20 November 2023](#) to review the planning controls for the ‘Planning Investigation Areas’ adjacent to the Parramatta City Centre.
4. The Planning Proposal for the NEPIA seeks to amend the FSR and HOB Maps of the LEP as per **Table 1** below. Supporting DCP controls are also proposed as outlined below and detailed in **Attachment 2**. The proposed controls for the NEPIA consider the CSN SEPP and feedback from community submissions made to the exhibition of the NEPIA Planning Strategy in 2021. The mapped changes are discussed further below in this report.

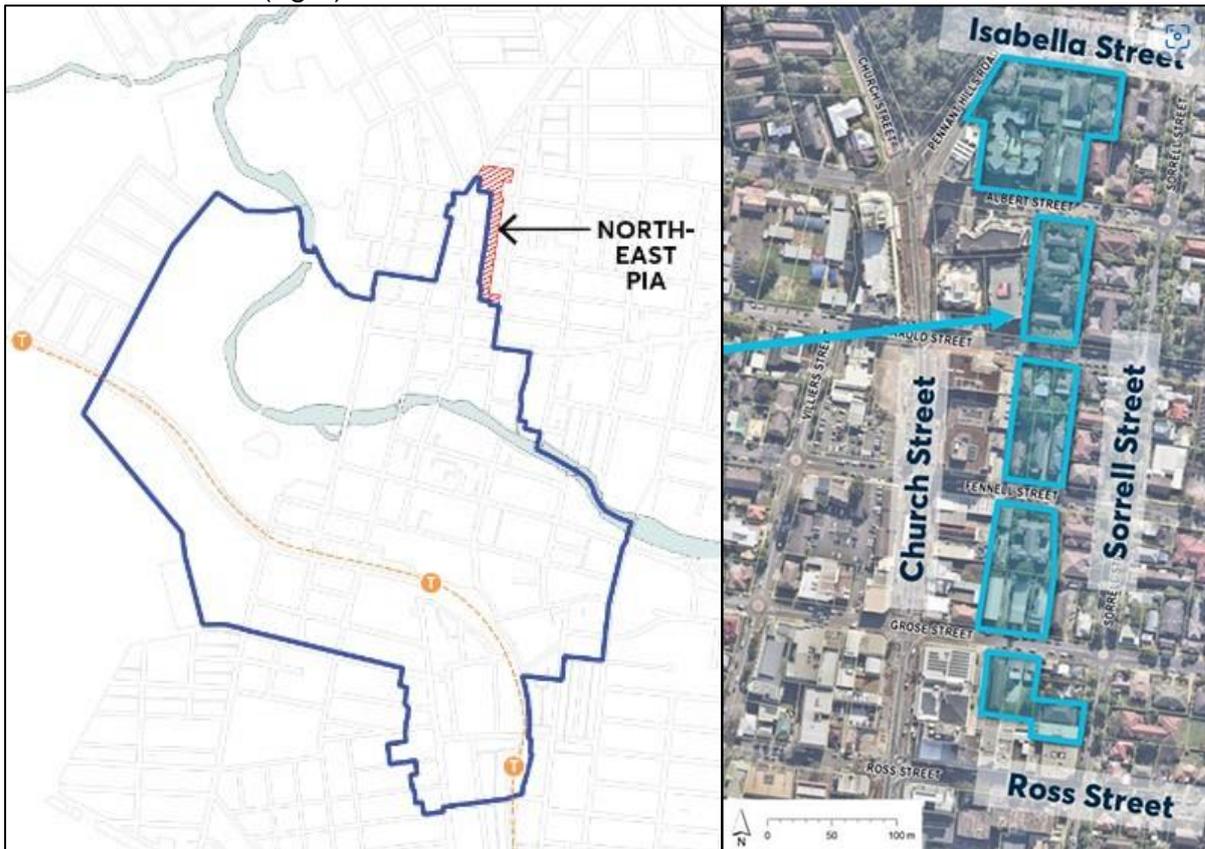
Table 1: Existing and proposed LEP controls for the NEPIA

Controls	Current	Proposed
Land Zoning	R4	No Change (R4)
Floor Space Ratio	0.8:1	2:1, 3:1, 3.6:1
Height of Buildings	11m	24m (6 storeys), 40m (12 storeys)

SITE DESCRIPTION

5. The North-East Planning Investigation Area (NEPIA) is a collection of 25 sites in the suburb of Parramatta adjacent to the east of the City Centre boundary as shown in **Figure 1** below.

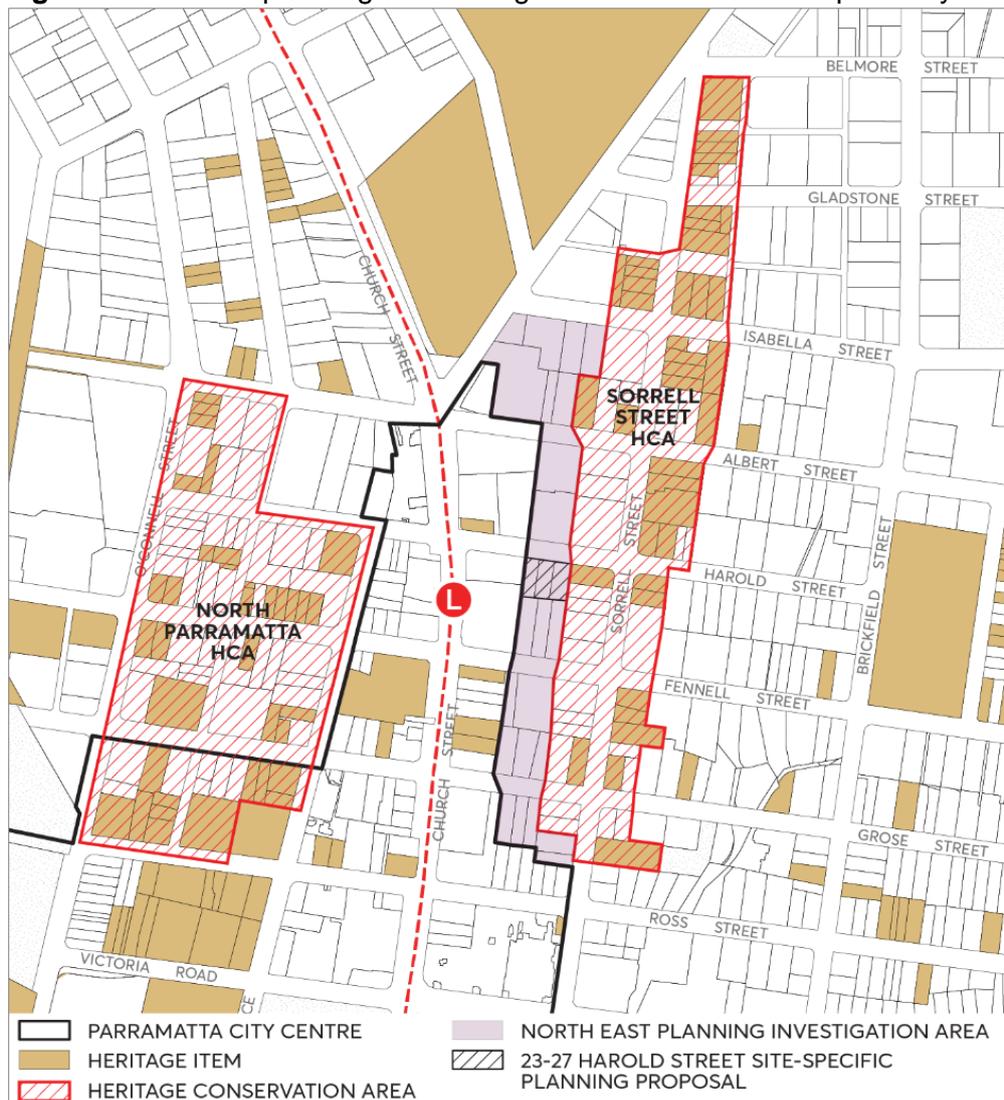
Figure 1: Parramatta City Centre (left) and the North-East Planning Investigation Area Boundaries (right)



6. The sites included are:

- 17, and 36, 38 and 40 Albert Street
- 1, 9, 11 and 17 Isabella Street
- 20, 23, 25 and 27 Harold Street
- 32, 33, 34, 34A and 37 Fennell Street
- 35, 36, 37, 38, 39 and 40 Grose Street
- 25 and 29 Sorrell Street

7. No sites within the NEPIA are heritage listed; however, as shown in **Figure 2** below, the NEPIA is adjacent to several heritage items and the Sorrell Street Heritage Conservation Area under Schedule 5 of the PLEP 2023.

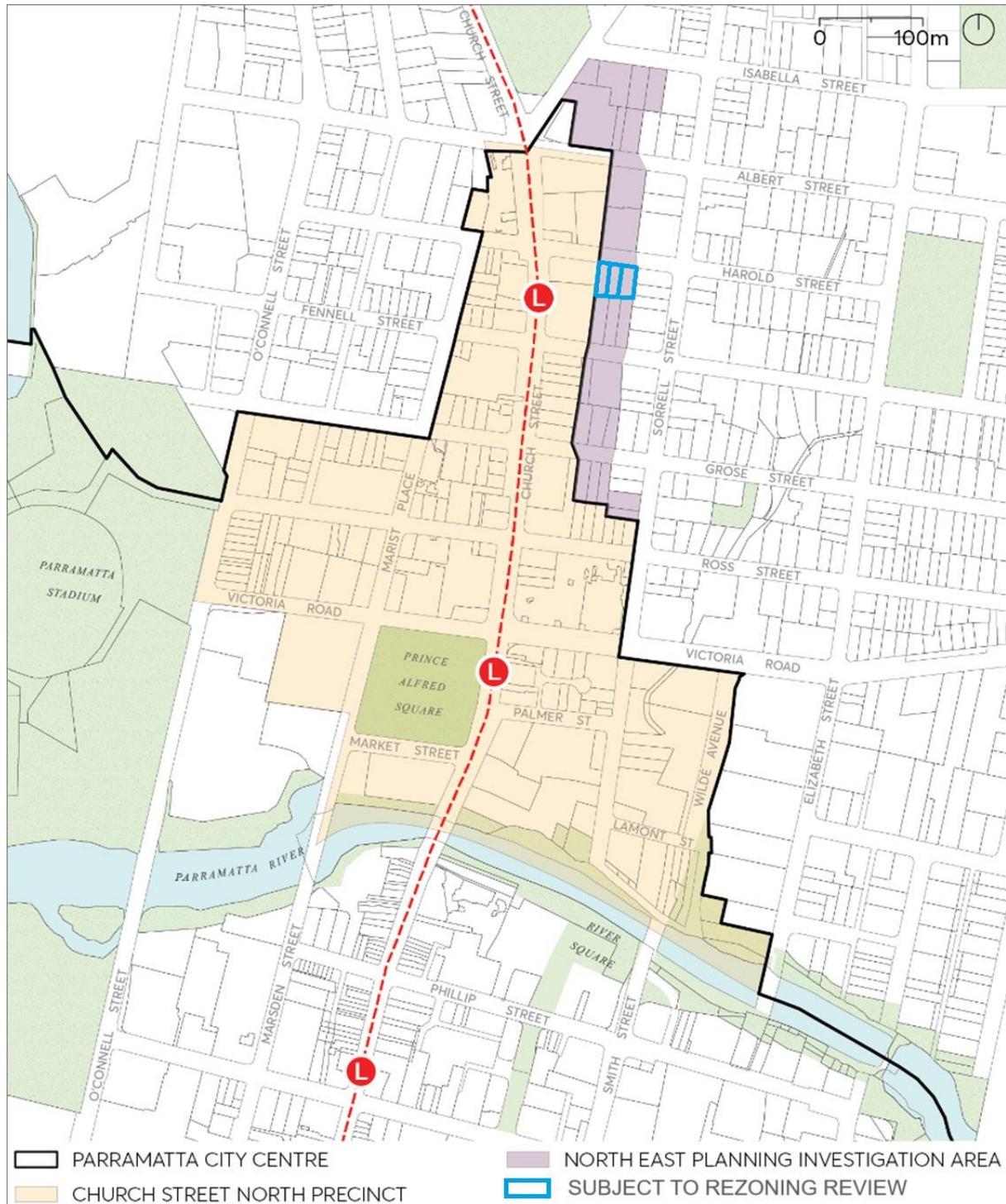
Figure 2: Relevant planning and heritage considerations within proximity of the NEPIA.

BACKGROUND

8. On 20 November 2019, Council considered a report on the Parramatta CBD Planning Proposal (CBD PP) and resolved to defer a number of areas, including the NEPIA from the broader CBD PP Planning Proposal it was considering at that time. This area was deferred to allow further options to be considered.
9. In June 2020, Council resolved to prepare a Planning Strategy for the NEPIA in response to a number of planning proposals that were submitted for parcels in the area. Public exhibition of the Planning Strategy occurred from March to April in 2021 and an overview of submissions received, and Council officer's responses are detailed in **Attachment 3**.
10. In finalising the CBD PP now formally known as *Parramatta Local Environmental Plan 2011 (Amendment No 56)*, the Department removed the area north of the Parramatta River (known as Church Street North Parramatta (refer to **Figure 3**)) from the CBD PP to undertake a State-led *planning process*.
11. In December 2023, the Department finalised a State Environmental Planning Policy (Church Street North Precinct) ('CSN SEPP') for the land north of the river that was previously removed from the CBD PP. As shown in **Figure 3**, the NEPIA

is not subject to planning work by the State Government and thus Council can re-commence planning and technical investigation for the NEPIA.

Figure 3: Relationship between the forthcoming Parramatta City Centre boundary, the Department's Church Street North Precinct (as per the SEPP); as well as the North East Planning Investigation Area



OTHER RELEVANT PLANNING MATTERS

12. The western boundary of the NEPIA adjoins the Church Street North Precinct. The Department prepared [SEPP \(Church Street North Precinct\) 2023](#) (CSN SEPP) which introduces new planning controls for the land north of the river (refer to **Figure 3**) and is set to commence on 1 July 2024. A separate process is currently underway to progress amendments to the DCP to provide appropriate DCP controls that respond to, and correlate with, the CSN SEPP amendments.
13. Additionally, a proponent led site-specific planning proposal located within the NEPIA at 23-27 Harold Street (and 53 Sorrell Street), Parramatta (see blue area in **Figure 3**) was subject to a gateway review. This planning proposal sought to amend the current planning controls by increasing the floor space ratio (FSR) from 0.8:1 to 5:1 and increasing the maximum building height from 11m to 60m. These controls exceed those proposed in the North East Planning Investigation Area (NEPIA) which is the subject of this report.
14. The Strategic Planning Panel of the Sydney Central City Planning Panel considered the rezoning review at a meeting on [11 April 2024](#), and determined that the proposal should proceed to Gateway determination, but only subject to the proposal being amended to align with the draft NEPIA proposal which recommends a maximum FSR of 3.6:1 and maximum height of 40m (12 storeys) for the site. The Panel also required the removal of No. 53 Sorrell Street, Parramatta from the proposal as it is located outside of the NEPIA boundary.

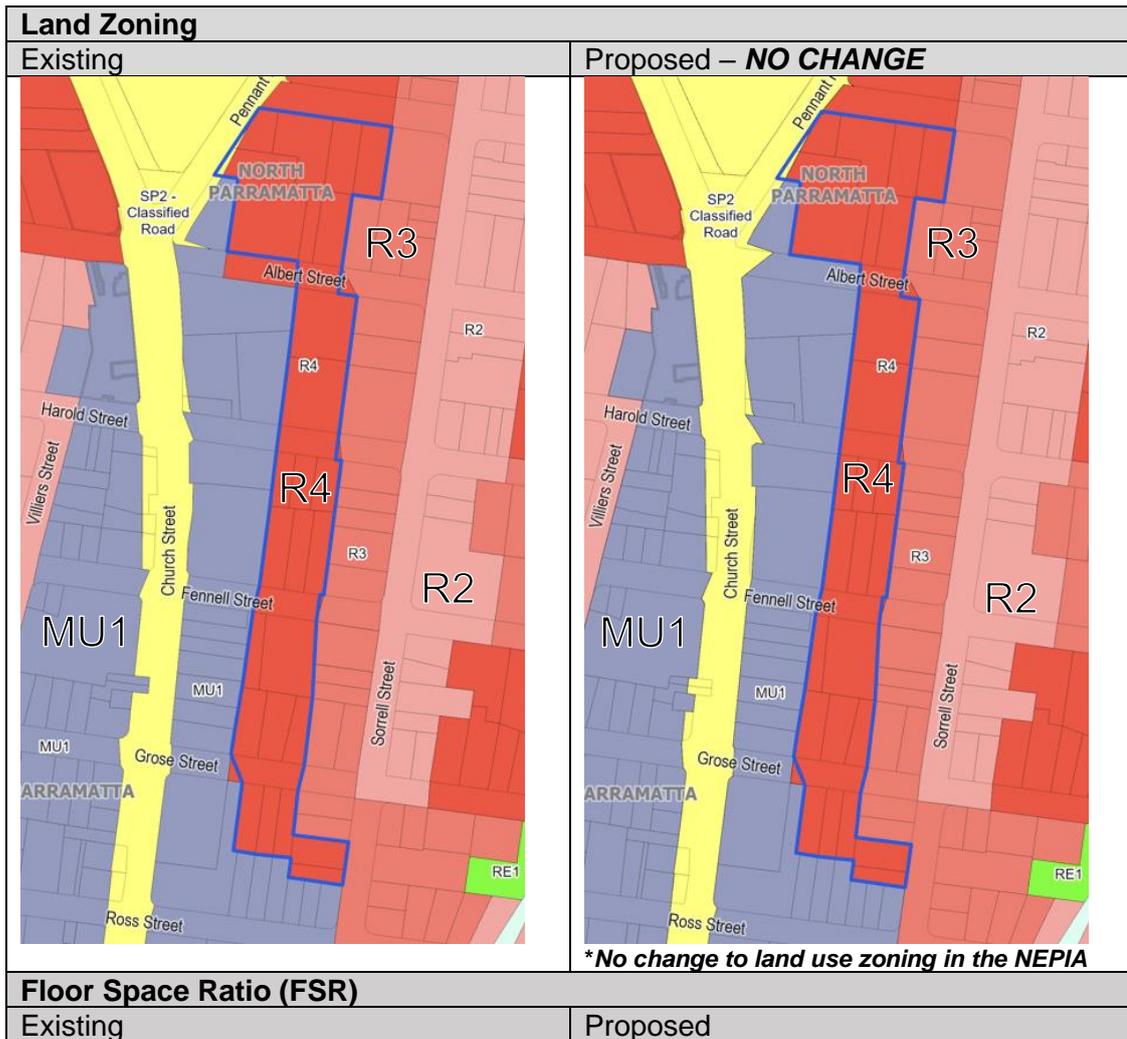
NEPIA Planning Strategy

15. As referred to above, Council endorsed a Planning Strategy for the NEPIA which sought feedback from the community on six built form options. A total of 194 submissions were received in response to the public exhibition.
16. Key themes in the submissions included heritage impacts, scale and density, infrastructure pressures, traffic/ parking, character and overshadowing. **Attachment 3** provides an analysis of the submissions and Council officer responses to the key themes.

DESCRIPTION OF PLANNING PROPOSAL

17. The Planning Proposal (**Attachment 1**) seeks the following amendments to the LEP:
 - Increase the Maximum Floor Space Ratio from 0.8:1 to a range between 2:1 and 3.6:1
 - Increase the Maximum Height of Building from 11m to a range between 24m and 40m
18. No change is proposed to the land use zoning controls for the NEPIA.
19. The mapped amendments to land zoning, floor space ratio and height of buildings from existing to proposed are shown below.

Figure 4: Current and proposed amendments to PLEP 2023 maps





Height of Buildings (HOB)

Existing

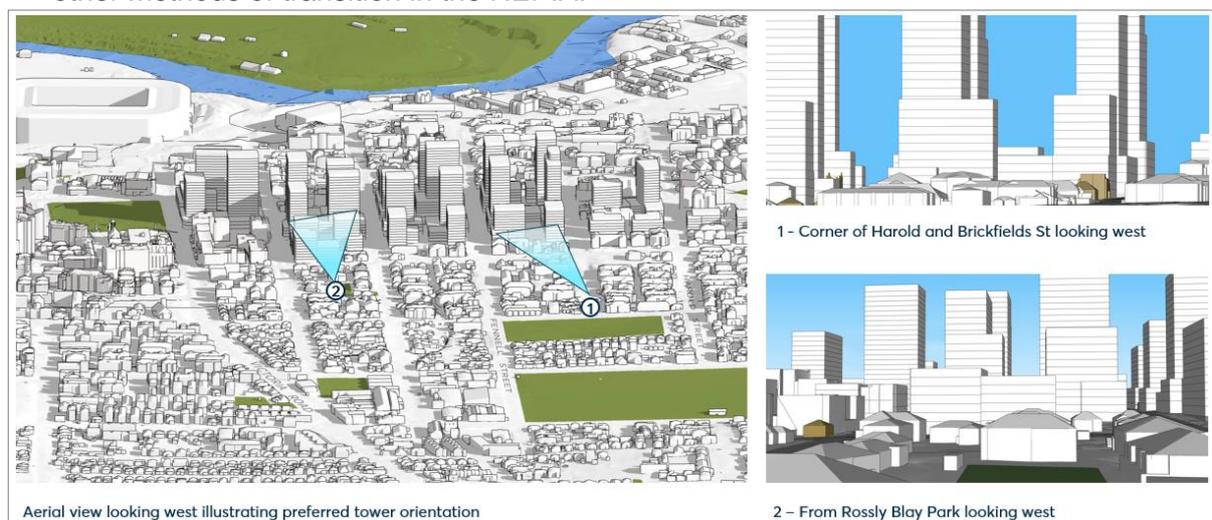
Proposed



20. The recommended height of building controls for the NEPIA are based on:

- the 'viewshed' approach detailed in the Department-commissioned consultant study that informed mapped building heights in the CSN SEPP. Applying a 60-degree field of view sightline, views to sky are maintained above buildings providing a transition in height and protecting the setting of the heritage conservation area.
- creating a mapped skyline strategy which steps down from the concentrated height on Church Street towards the Sorrell Street HCA, but also northwards towards the surrounding low-scale residential areas of North Parramatta, as per **Figures 5 and 6**.
- an acknowledgement of sites within the CSN Precinct north of Harold Street that are unlikely to redevelop due to large, 6- to 8-storey residential strata subdivisions.

Figure 5: Council officer modelling showing how the stepped height of buildings as well as the inter building separation with views to sky creates the transition between the Church Street North Precinct and the sites within the NEPIA. Note that sites on Church Street North have been modelled to include potential design excellence and place based bonuses. View 1 and 2 are taken from the public domain using 60 degree human view cone and illustrate that when bonuses are applied, the tops of towers can no longer be perceived. This reinforces the importance of combining principles of height transition with other methods of transition in the NEPIA.



21. The recommended FSR controls for the NEPIA are based on:

- Achieving workable FSRs that align with the proposed height of building controls.
- Reinforcing the height transition through inter building setbacks, street setbacks, building orientation, and location of landscape areas (see **Figure 7**).
- Creating workable residential floor plates within a slender tower form and podium, with space for deep soil and communal open space.

AMENDMENTS TO THE DCP

22. To support the proposed amendments to the LEP outlined above, amendments are proposed to Part 8, Section 8.3 Neighbourhood Precincts in *Parramatta DCP 2023*.
23. New controls under Section 8.3.10 North-East Parramatta have been drafted regarding desired future character, minimum site requirements, building envelope, residential apartment design quality, deep soil and landscaping, heritage relationships and transition, parking design and vehicular access and floodplain risk management. Detailed controls can be found in **Attachment 2**.
24. The proposed controls in the draft DCP include the introduction of a maximum parking rate for the NEPIA in accordance with Council's Integrated Transport Plan 2021, further details can be found in **Attachment 1**.
25. The controls as drafted for the DCP, are needed for future development to consider heritage sensitivities and provide transition between the Sorrell Street HCA and forthcoming new LEP controls for the Church Street North precinct.

Figure 6: Area specific DCP controls are proposed to achieve the Structure Plan for the North East PIA (buildings coloured red) and part of the Church Street North precinct (buildings coloured yellow).





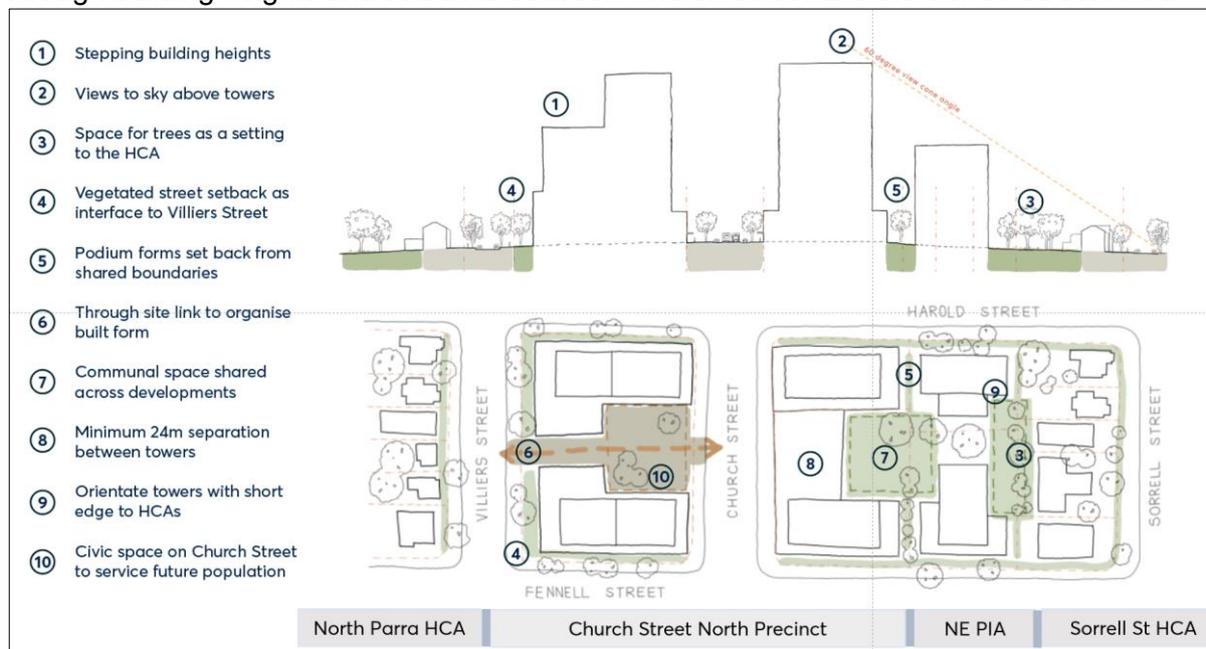
26. Given the NEPIA consists only of R4 High Density Residential zoned land, the following Parts of the DCP will continue to apply in addition to the new site-specific provisions proposed under Part 8: Part 2: Design in Context, Part 3: Residential Development, Part 5: Environmental Management, Part 6: Traffic and Transport and Part 7: Heritage and Archaeology.
27. Although the proposed amendments were considered holistically with the Church Street North Precinct, the proposed LEP and DCP controls have been drafted so that they apply independently of the CSN SEPP area.

PLANNING PROPOSAL ASSESSMENT

28. The Planning Proposal in **Attachment 1** has been prepared in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the Department's *A Guide to Preparing Planning Proposals*. The Planning Proposal demonstrates consistency against the relevant local strategic plans, State planning policies and Ministerial Directions.
29. The LPP report in **Attachment 4** includes Council Officers' assessment of the Planning Proposal based on strategic merit and site-specific planning issues. The LPP report specifically addresses the following considerations in detail:
 - Urban Design and Heritage Matters (including discussion on the CSN SEPP and how the Department's CSN *Finalisation Report 2023* informed the recommended design principles and strategies for the Planning Proposal).
 - Transport
 - Traffic, Parking and Access
 - Flooding
30. Previous Council commissioned heritage studies (as discussed in the [NEPIA Planning Strategy](#)) are superseded by the SEPP process for the Church Street North Precinct and the recommended principles and strategies in the Department's *Finalisation Report 2023* developed by specialist urban design and heritage input.

31. The recommendations for NEPIA are based on **comprehensive approach to transition** as required by the Department that includes a combination of both building height and site planning. The method for transition includes stepping in building height from Church Street properties to the Sorrell Street HCA, but also includes further design principles (see **Figure 7**) detailed in the LPP Report in **Attachment 4**.

Figure 7: Methods for achieving transition and unifying development across the precinct through building heights and setbacks between Church Street and the Sorrell Street HCA.



PARRAMATTA LOCAL PLANNING PANEL

32. The matter was considered by the Parramatta Local Planning Panel (LPP) at its meeting on 16 April 2024 (report and minutes in **Attachment 4**) and the LPP provided the following recommendation to Council:

a) *That Council approve:*

- i) *The Planning Proposal at **Attachment 1** for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure, for the land identified as the North East Planning Investigation Area which seeks the following changes to the Parramatta Local Environmental Plan 2011:*

- Increase the Maximum Floor Space Ratio from 0.8:1 to a range between 2:1 and 3.6:1.*
- Increase the Maximum Height of Building from 11m to a range between 24m and 40m (approximately 6 – 12 storeys).*

- ii) *The supporting draft DCP amendments at **Attachment 2** applying to the land in the North East Planning Investigation Area for the purposes of public exhibition.*

b) *That Council advise the Department of Planning, Housing and Infrastructure that the CEO will be seeking to exercise its plan-making*

delegations for this Planning Proposal, as authorised by Council on 26 November 2012.

- c) *That Council authorise the CEO if the Gateway determination is issued by the Department, that the draft DCP amendments are placed on public exhibition concurrently with the Planning Proposal.*
- d) *That Council delegates authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.*

33. The Panel's advice to Council is consistent with the Council Officer's recommendation in this report.

PLAN MAKING DELEGATIONS

34. Plan making delegations were announced by the then Minister for Planning and Infrastructure in October 2012 allowing councils to make LEPs of local significance. On 26 November 2012, Council resolved to accept the delegation for plan making functions, and for these functions be delegated to the Chief Executive Officer.

35. It is recommended that Council request to the Department to exercise its plan making delegations for this Planning Proposal. This means that after the Planning Proposal has received a Gateway Determination, complied with any conditions (including any requirements for public exhibition), Council officers can deal directly with the Parliamentary Counsel on the legal drafting and finalisation of the amendment to the LEP facilitated by this Planning Proposal.

PROPOSED ENGAGEMENT APPROACH

36. Once the draft DCP controls are endorsed by Council for exhibition purposes, and Gateway has been issued by the Department, the proposed draft DCP controls will be exhibited concurrently with the Planning Proposal.

37. The proposed engagement approach for the exhibition of the proposed controls is as follows:

- a 28-day exhibition period, consistent with Council's Engagement Strategy 2022-2024, the *Environmental Planning and Assessment Act 1979* and *Environmental Planning Regulations 2021*.
- Frequently asked questions,
 - i. Include in the exhibition documentation and visual representation of the height and FSR that may be achieved under the State Government's exhibited Low- and Mid-Rise Housing Reforms as per Councillor suggestion during workshop,
- Public notice and social media,
- Webpage promotion via Participate Parramatta,
- Letters to landowners situated within the precinct,
- Notification email to identified stakeholders that have made submissions or shown interest in the CBD PP/DCP or the SEPP (Church Street North) 2023 during development and finalisation stages,

- Online submission portal and formal submission process.

CONSULTATION & TIMING

Councillor Consultation

38. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Officer Response	Responsibility
18 March 2024	Councillor briefing -all invited	In relation to the NEPIA, include in the exhibition documentation and visual representation of the height and FSR that may be achieved under the State Government's exhibited Low and Mid Rise Housing Reforms.	Council's website which includes FAQs that form the NEPIA notification will include the required information.	Group Manager – City Strategic Planning

LEGAL IMPLICATIONS FOR COUNCIL

39. There are no legal implications for Council associated with this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

40. If Council resolves to endorse this report in accordance with the proposed recommendations, there are no unbudgeted financial implications for Council's budget. Costs associated with the public exhibition of the Planning Proposal and the DCP will be funded from existing Strategic Land Use Planning budget allocations.

CONCLUSION AND NEXT STEPS

41. Council officers recommend Council approve the Planning Proposal at **Attachment 1** to:
- ensure the necessary planning controls are in place to allow an uplift in density in the NEPIA more suitable for the R4 High Density Residential zoning in proximity to transport infrastructure and the City Centre;
 - provide an appropriate transition between the Sorrell Street HCA and the forthcoming LEP controls in the Church Street North Precinct;
 - complete 'Phase 1' of the Planning Investigation Areas work program as endorsed by Council.

42. This report additionally recommends that if the Planning Proposal at **Attachment 1** is endorsed, Council approves the DCP amendment at **Attachment 2** for public exhibition concurrent with the Planning Proposal.
43. It is recommended that Council forward the Planning Proposal at **Attachment 1** to the Department for a Gateway Determination.

Robert Cologna
Group Manager, Strategic Land Use Planning

Jennifer Concato
Executive Director City Planning and Design

John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

1 	North-East Planning Investigation Area Planning Proposal	47 Pages
2 	Proposed DCP Amendments	17 Pages
3 	NEPIA Planning Strategy Community Engagement Report	11 Pages
4 	Local Planning Panel Minutes and Report	22 Pages

REFERENCE MATERIAL



PLANNING PROPOSAL

North-East Planning Investigation Area
Amendment to the Parramatta LEP 2023



cityofparramatta.nsw.gov.au



PLANNING PROPOSAL

North-East Planning Investigation Area
Amendment to the Parramatta LEP 2023

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TABLE OF CONTENTS

TABLE OF CONTENTS	1
Planning Proposal drafts	1
INTRODUCTION.....	2
Background and context.....	2
PART 1 – OBJECTIVES AND INTENDED OUTCOMES.....	7
PART 2 – EXPLANATION OF PROVISIONS	8
Other relevant matters	8
PART 3 – JUSTIFICATION	9
3.1 Section A - Need for the Planning Proposal.....	9
3.2 Section B – Relationship to strategic planning framework.....	9
3.3 Section C – Environmental, social and economic impact.....	24
3.4 Section D – State and Commonwealth Interests	32
PART 4 – MAPS	33
4.1 Existing controls.....	33
4.2 Proposed controls.....	40
PART 5 – COMMUNITY CONSULTATION	43
PART 6 – PROJECT TIMELINE	44

PLANNING PROPOSAL – North-East Planning Investigation Area

Planning Proposal drafts

Council versions:

No.	Author	Version
1.	City of Parramatta Council	Report to Local Planning Panel and Council on the assessment of Planning Proposal

PLANNING PROPOSAL – North-East Planning Investigation Area

INTRODUCTION

This Planning Proposal explains the intended effect of, and justification for, the proposed amendment to the *Parramatta Local Environmental Plan 2023* (LEP) relating to the land identified as the North-East Planning Investigation Area (NEPIA) in the City of Parramatta.

The proposal has been prepared in accordance with Section 3.33 of the *Environmental Planning and Assessment Act 1979* and the Department of Planning, Housing and Infrastructure's (the Department) *Local Environmental Plan Making Guideline* (August 2023).

Background and context

The Planning Investigation Areas (PIAs) were originally identified as possible expansions to the City Centre in the *Parramatta CBD Planning Strategy* (2015). Strategic work associated with the PIAs have been subject to numerous Council resolutions that have impacted the boundaries between 2015 and 2021. These changes have influenced the progression of strategic planning work for the NEPIA.

Summary of the key decisions related to the NEPIA are outlined below in **Table 1**:

Table 1: Summary of the key decisions related to the NEPIA

Date of decision	Key outcome
April 2015	The Parramatta CBD Planning Strategy was adopted by Council.
April 2016	Council endorsed the Parramatta CBD Planning Proposal (CBD PP) which included the NEPIA for forwarding to the Department seeking Gateway Determination, the CBD PP proposed potential investigation for expansion of boundaries to the City Centre boundary.
December 2018	Gateway Determination for the Parramatta CBD Planning Proposal (CBD PP) was issued by the Department which included the NEPIA.
November 2019	Council resolved to defer a number of areas from the CBD PP, including the NEPIA.
November 2020	Council resolved to prepare a Planning Strategy for the NEPIA, Council's response is detailed further below in this report and in Attachment 3.
October 2022	The Department removed the area north of the Parramatta River (known as North Parramatta) from the CBD PP.
October 2023	The Department committed to pursue planning controls for the area identified as Church Street North.
November 2023	Council resolved to endorse a work program from the 'Planning Investigation Areas', with the NEPIA forming 'Phase 1'.
December 2023	The Department finalised the State Environmental Planning Policy (Church Street North Precinct) ('CSN SEPP') to commence on 1 July 2024.

Figure 1 illustrates the context of the NEPIA and its relationship to the Parramatta City Centre.

The *Parramatta LEP 2011 (Amendment No 56)* was notified on the NSW Legislation website on 6 May 2022 which came into effect on 14 October 2022. *Parramatta LEP 2023* as finalised by the Department deferred the area north of the CBD.

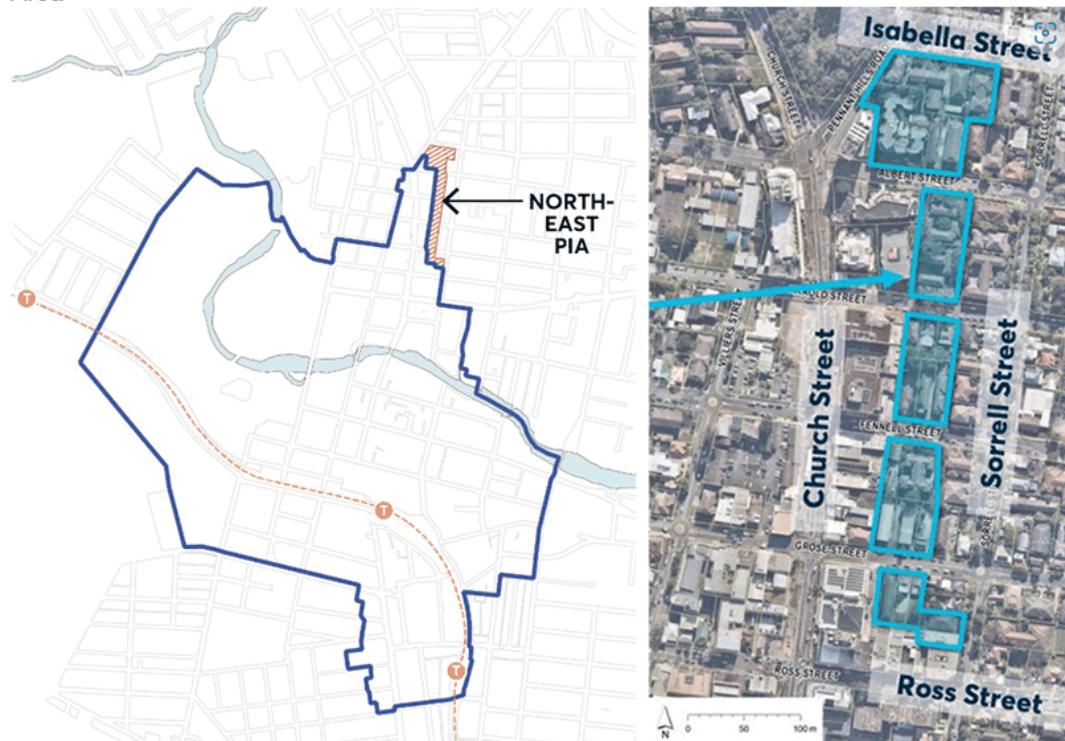
Council resolved to progress a phased work program to review the planning controls for the planning investigation areas that were excised from the CBD PP with this Planning Proposal forming the first phase to commence in early 2024.

PLANNING PROPOSAL – North-East Planning Investigation Area

The Area identified by this Planning Proposal

The subject area of this planning proposal is known as the North-East Planning Investigation Area identified in **Figure 2** which includes twenty-five (25) allotments in the suburb of Parramatta comprising of the following parcels of land shown below.

Figure 1: Left - The North-East Planning Investigation Area adjoins the Parramatta City Centre to the west and south; Right – The subject sites that form the North-East Planning Investigation Area

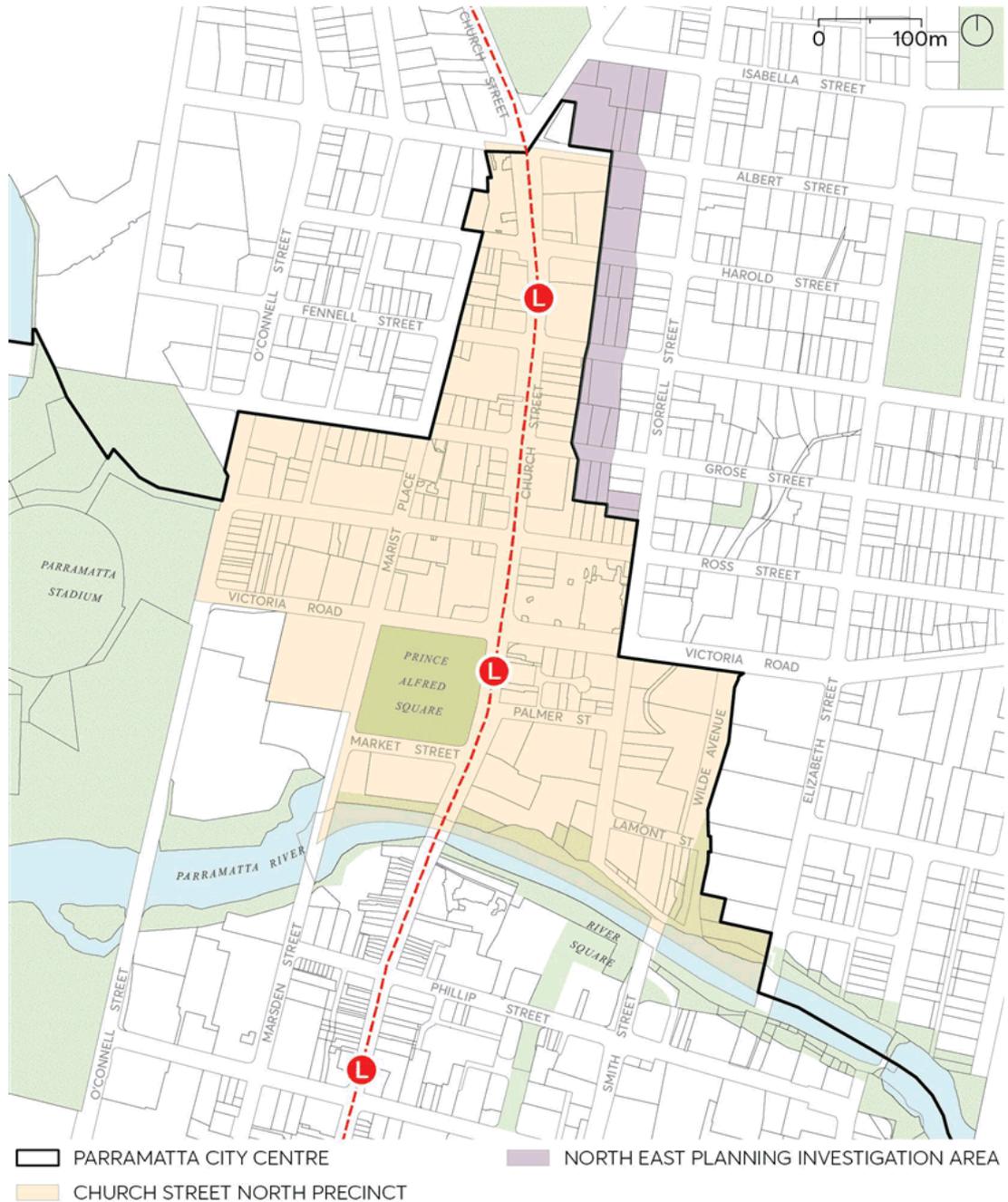


The sites included are,

- 17, and 36, 38 and 40 Albert Street
- 1, 9, 11 and 17 Isabella Street
- 20, 23, 25 and 27 Harold Street
- 32, 33, 34, 34A and 37 Fennell Street
- 35, 36, 37, 38, 39 and 40 Grose Street
- 25 and 29 Sorrell Street

PLANNING PROPOSAL – North-East Planning Investigation Area

Figure 2: Map showing the relationship between the NEPIA, CSN Precinct and City Centre Boundary



The properties making up the NEPIA are located between the land parcels fronting Church Street to the west and the Sorrell Street Heritage Conservation Area (HCA) (displayed in **Figure 3** below) and extends from Isabella Street in the north to Ross Street in the south.

As outlined above, in [June 2020](#), Council resolved to prepare a Planning Strategy for the NEPIA in response to a number of planning proposals that were submitted in the area.

PLANNING PROPOSAL – North-East Planning Investigation Area

In November 2020, the NEPIA Planning Strategy was endorsed by Council for exhibition which sought feedback from the community on six built form options for the area. Public exhibition of the Planning Strategy occurred from 16 March to 15 April in 2021 and an overview of submissions received, and Council's response is discussed in **Attachment 3** to the Local Panel Report.

A total of 194 submissions were received in response to the public exhibition with a stakeholder breakdown of:

- **Landowners, Residents and Individuals:** 181 Submissions
- **Planning Consultants:** 5 Submissions
- **Public Authorities, Institutions and Interest Groups:** 8 Submissions

Table 2: Submitter preferred NEPIA Planning Strategy Options

Option	FSR and height proposed in Option for the entire NEPIA	Number in support	Percentage
Option 1	(0.8:1, 11m)	94	46.1%
Option 2	(2:1, 28m)	17	8.3%
Option 3	(3:1, 40m)	6	2.9%
Option 4	(4:1, 54m)	1	0.5%
Option 5	(5:1, 67m)	4	2.0%
Option 6	(6:1, 80m)	34	16.7%
Not Indicated	N/A	48	23.5%
Total		204	100%

Note: The total number of preferred options (204) is larger than the number of submissions (194) due to recording submitters who expressed their support for more than one option.

Key themes in the submissions included heritage impacts, scale and density, infrastructure pressures, traffic/ parking, character and overshadowing. **Attachment 3** to the Local Planning Panel Report dated 16 April 2024 provides an analysis of the submissions and Council officer responses to the key themes.

The themes and issues raised in the submissions to this non-statutory exhibition were used to inform the key design aspects of the proposed changes to the NEPIA.

Current Planning Controls

The following provisions of the *Parramatta Local Environmental Plan 2023* (LEP) apply:

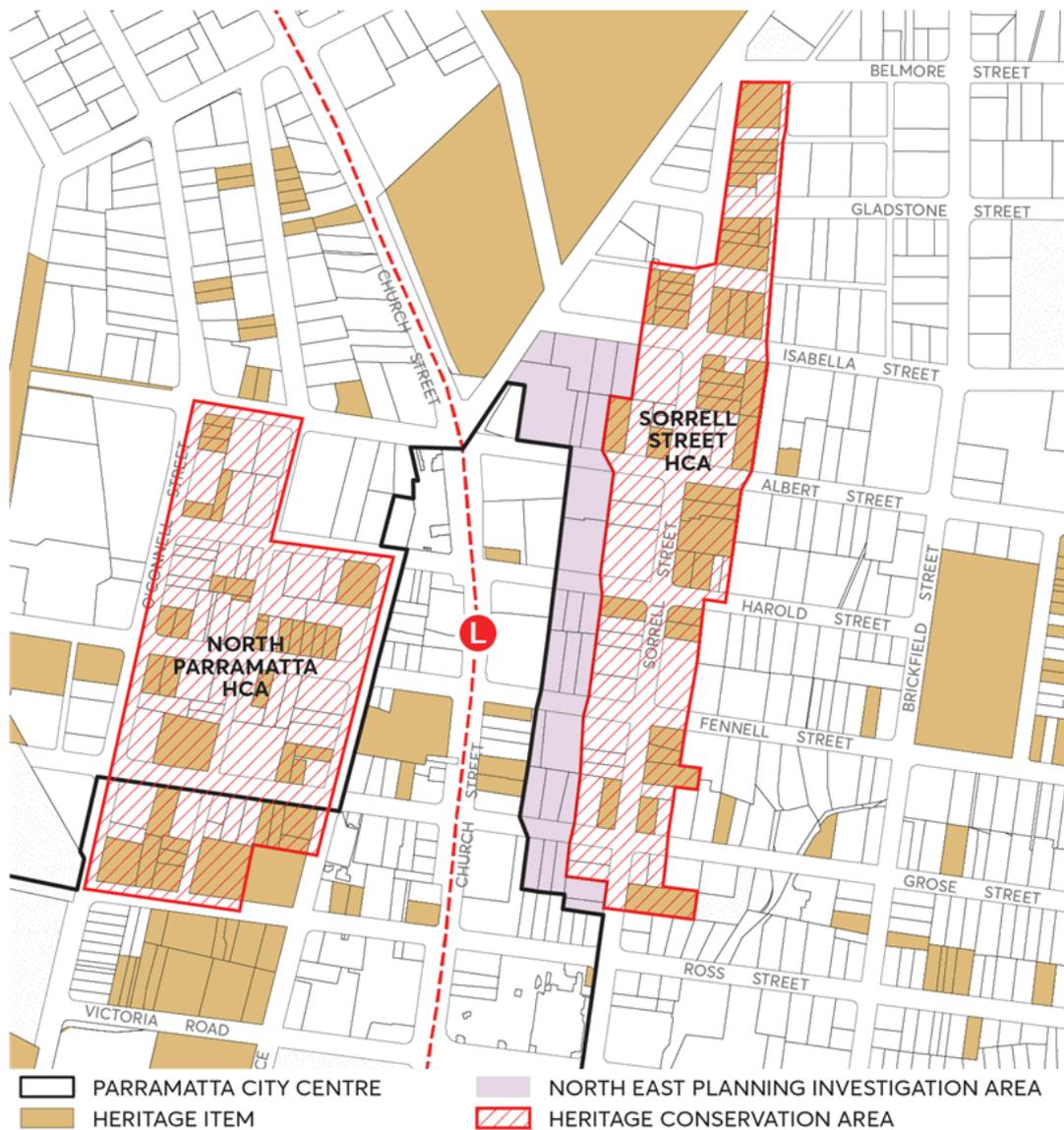
- R4 High Density Residential zone;
- Maximum building height of 11 metres; and
- Maximum floor space ratio (FSR) of 0.8:1;

Heritage context and site surrounds

No sites within the NEPIA are heritage listed; however, as shown in **Figure 3** below, the NEPIA is adjacent to several heritage items and the Sorrell Street Heritage Conservation Area under Schedule 5 of the PLEP 2023.

PLANNING PROPOSAL – North-East Planning Investigation Area

Figure 3: NEPIA Heritage Relationships



Previous Council commissioned heritage studies (as discussed in the [NEPIA Planning Strategy](#)) are superseded by the SEPP process for the Church Street North precinct and the recommended principles and strategies in the Department’s *Finalisation Report 2023* developed by specialist urban design and heritage input. For the NEPIA the relevant principles and strategies include responding to the adjoining HCAs and low scale residential uses by transitioning building heights downwards towards them and protecting view corridors.

PLANNING PROPOSAL – North-East Planning Investigation Area

PART 1 – OBJECTIVES AND INTENDED OUTCOMES

The objective of this Planning Proposal is to amend the *Parramatta LEP 2023* to provide for the North-East Planning Investigation Area the appropriate development standards that allows redevelopment to respond to CSN SEPP recently introduced by the State Government. The proposed changes to the development standards for the NEPIA align with the Department's *Finalisation Report for Church Street North 2023* and the outcomes from the NEPIA Planning Strategy exhibition, providing a transition in heights and density from the Church Street North Precinct to the Sorrell Street Heritage Conservation Area to the east.

The objectives of the Planning Proposal are to:

- Provide diverse and increased dwellings in high density residential apartments that are within walking distance of major transport infrastructure;
- Enhance heritage values by facilitating renewal and maintaining the existing character of North Parramatta;
- Integrate benefits to productivity and sustainability within North Parramatta and the wider LGA by proposing increased density alongside the Parramatta Light Rail and setting maximum rates for private vehicle parking;
- Provide dwellings closer to employment opportunities and services;

The intended outcomes of the Planning Proposal are to:

- Increase housing diversity and availability of housing within the precinct (approximately 540 dwellings);
- Expand the supply and offerings of housing within an existing high density residential zone;
- Reinforce the NEPIA as a distinct precinct that interfaces with key residential, commercial and heritage areas;
- Provide certainty around future development within the NEPIA and to ensure the impacts upon the surrounding built form and heritage are minimised;
- Respond to the Department's *Finalisation Report 2023* and related State Environmental Planning Policy (Church Street North Precinct)
- Complete 'Phase 1' of Council's Planning Investigation Areas phased work program.

The review of planning controls is in accordance Council's resolution from [November 2023](#), a phased work program was reported to Council and subsequently endorsed a continuation of the Planning Investigation Areas which came out of the Parramatta CBD Planning Framework. The Planning Proposal forms part of 'Phase 1' of the work program.

The planning controls that should apply to the NEPIA have been a matter under consideration by Council since the inception of the Parramatta CBD Planning Review. The finalisation of the State Environmental Planning Policy (Church Street North Precinct) 2023 ('CSN SEPP') by the State Government and will commence on 1 July 2024 now allows Council to determine the appropriate transition between Church Street and the Sorrell Street HCA. The controls outlined in this planning proposal will respond to the surrounding area by emphasising the preservation of heritage conservation areas, view corridors, reducing bulk and creating appropriate transitions from Church Street down to the existing HCA.

The Planning Proposal seeks to achieve these intended outcomes through amendments to the LEP Floor Space Ratio Map and to the Height of Buildings Map as detailed below.

PLANNING PROPOSAL – North-East Planning Investigation Area

PART 2 – EXPLANATION OF PROVISIONS

This Planning Proposal seeks to amend *Parramatta Local Environmental Plan 2023 (LEP)* in relation to the height and floor space ratio controls for land known as the North-East Planning Investigation Area (NEPIA) which is a collection of 25 sites in the suburb of Parramatta (see **Figure 1** above).

In order to achieve the desired objectives, the following amendments to the *PLEP 2023* would need to be made:

1. The **Floor Space Ratio (FSR) Map** be amended from 0.8:1 to apply a range between 2:1 and 3.6:1. Refer to **Figure 10 & 15** in Part 4 of this Planning Proposal.
2. The **Height of Buildings (HOB) Map** be amended from 11m to apply a combination of heights of 24m and 40m which equate to approximately 6 and 12 storeys respectively. Refer to **Figure 11 & 16** in Part 4 of this Planning Proposal.

The increase in FSR and HOB is to facilitate an uplift in density in the NEPIA more suitable for the R4 High Density Residential zoning in proximity to transport infrastructure and the City Centre; and to provide a transition between the Sorrell Street HCA and the forthcoming LEP controls in the Church Street North Precinct.

Other relevant matters

Draft DCP

Amendments to the DCP are proposed to provide area specific controls for the NEPIA to be inserted into the existing DCP. These controls respond to the outcomes intended for the Church Street North precinct and site conditions exclusive to the NEPIA including heritage, flooding, traffic, parking and other matters guided through DCP provisions. The intention of this Planning Proposal is to amend Part 8 of the DCP by inserting a new section called 8.3.10 North-East Parramatta in 8.3 Neighbourhood Precincts.

PLANNING PROPOSAL – North-East Planning Investigation Area

PART 3 – JUSTIFICATION

This part describes the reasons for the proposed outcomes and development standards in the Planning Proposal.

3.1 Section A - Need for the Planning Proposal

This section establishes the need for a Planning Proposal in achieving the key outcomes and objectives. The set questions address the strategic origins of the proposal and whether amending the LEP is the best mechanism to achieve the aims on the proposal.

3.1.1. Is the Planning Proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes

This Planning Proposal is an outcome from the Parramatta CBD PP planning framework and the State Environmental Planning Policy (Church Street North Precinct) (CSN SEPP). Finalisation report. The Planning Proposal interlinked with numerous Council resolutions, proponent-initiated Planning Proposals and State and Local strategic plans starting from 2015 through to 2023, see 'Introduction' above for more detail.

The most recent and relevant Council resolution resulting in the preparation of this Planning Proposal was the 20 November 2023 resolution to progress with a phased work program of the Planning Investigation Areas that were excised from the CBD PP. This Planning Proposal additionally builds upon the work that was exhibited in 2021 for the draft North-east Planning Investigation Area Planning Strategy.

This Planning Proposal is consistent with the planning changes that have occurred in the area adjacent to the NEPIA which were introduced by the State Government through the CSN SEPP. The heritage technical studies carried out for the CBD PP have been superseded by the studies carried out as part of the CSN SEPP process. The studies carried out to inform the CSN SEPP have informed this Planning Proposal.

3.1.2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes

This Planning Proposal is necessary to amend the HOB and FSR controls in the *Parramatta LEP 2023* and responds to Council's resolution from November 2023 to review the planning controls for the NEPIA as 'Phase 1' of the Planning Investigation Areas work program. It is also to ensure compatibility with the finalised controls of the CSN SEPP.

The finalisation of the CSN SEPP reinforces the built form outcomes approach for the NEPIA, which is to provide a 'transition' from the higher density Church Street Spine to the low-density Sorrell Street HCA. A Planning Proposal is required to amend the LEP to enable Council to guide the built form to respond appropriately to achieve the desired outcome. This provides certainty around future development within the NEPIA and also ensures the impacts upon the Sorrell Street HCA are minimised.

3.2. Section B – Relationship to strategic planning framework

This section assesses the relevance of the Planning Proposal to the directions outlined in key

PLANNING PROPOSAL – North-East Planning Investigation Area

strategic planning policy documents. Questions in this section consider state and local government plans including the NSW Government’s Plan for Growing Sydney and subregional strategy, State Environmental Planning Policies, local strategic and community plans and applicable Ministerial Directions.

3.2.1. Will the Planning Proposal give effect to the objectives and actions of the applicable regional, or district plan or strategy (including any exhibited draft plans or strategies)?

This Planning Proposal has strategic merit with both State and local planning frameworks. Amending the controls in the NEPIA supports Parramatta as Greater Sydney’s second city by leveraging recent infrastructure projects, such as the Parramatta Light Rail, Sydney Metro and the recent planning changes made to the Church Street North Precinct.

Housing Crisis

Recent communication from the State Government regarding the current ‘housing crisis’ identifies the need to factor housing delivery into planning decisions including when assessing Planning Proposals. The subject proposal will facilitate the delivery of an estimated 540 dwellings contributing toward the overall goal of housing delivery.

A Metropolis of Three Cities

In March 2018, the NSW Government released the *Greater Sydney Region Plan: A Metropolis of Three Cities* (“the GSRP”) a 20 year plan which outlines a three-city vision for metropolitan Sydney for the year 2036.

The GSRP is structured under four themes: Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are 10 directions that each contain potential indicators and, generally, a suite of objective/s supported by a Strategy or Strategies. This planning proposal is consistent with the vision and directions of the GSRP.

The controls proposed as part of this Planning Proposal address numerous Directions from the GSRP in relation to:

- Providing an increase in diverse dwelling supply in a high-density residential setting that is within walking distance of major transport infrastructure;
- Enhancing heritage values by facilitating renewal and maintaining the existing character of North Parramatta; and
- Integrating benefits to productivity and sustainability within North Parramatta and the wider LGA by proposing increased density alongside the Parramatta Light Rail and setting maximum rates for private vehicle parking.

The uplift that will be provided by this Planning Proposal will expand the supply and offerings of housing within an existing high density residential zone. It will additionally reinforce the NEPIA as a distinct precinct that interfaces with key residential, commercial and heritage areas proximate to the Parramatta City Centre.

Infrastructure and Collaboration

An assessment of the Planning Proposal’s consistency with the GSRP’s relevant Infrastructure and Collaboration objectives is provided in Table 3, below.

Table 3 – Consistency of Planning Proposal with relevant GSRP Actions – Infrastructure and Collaboration

PLANNING PROPOSAL – North-East Planning Investigation Area

Infrastructure and Collaboration Direction	Relevant Objective	Comment
A city supported by infrastructure	<p>O1: Infrastructure supports the three cities</p> <p>O2: Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p>O3: Infrastructure adapts to meet future need</p> <p>O4: Infrastructure use is optimised</p>	<p>The Planning Proposal aligns with these objectives by facilitating an increase in residential dwellings within proximity to transport infrastructure, employment opportunities and existing services in Parramatta City Centre.</p> <p>The resultant increase in density makes use of existing State Government infrastructure investment including the nearby Parramatta Light Rail with two stations within proximity to the NEPIA. Connections to the City Centre and alternative modes of transport allows for the NEPIA to easily access other town centres putting it in line with the Region Plan.</p> <p>The resultant development from the provision of higher FSR and HOB will be subject to the 'Outside CBD s7.11 Development Contributions Plan 2021 – Amendment No.1'. This will provide for the capacity to fund more local infrastructure in accordance with the Community Strategic Plan (CSP), ensuring the community continues to be serviced by an adequate level of infrastructure which supports the intended growth.</p>

Liveability

An assessment of the Planning Proposal's consistency with the GSRP's relevant Liveability objectives is provided in Table 4, below.

Table 4 – Consistency of Planning Proposal with relevant GSRP Actions – Liveability

Liveability Direction	Relevant Objective	Comment
A city for people	<p>O6: Services and infrastructure meet communities' changing needs</p> <p>O7: Communities are healthy, resilient and socially connected</p> <p>O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods</p> <p>O9: Greater Sydney celebrates the arts and supports creative industries and innovation</p>	<p>The Planning Proposal enables utilisation of rapid transit that has been implemented as part of the Parramatta Light Rail. The Light Rail will provide residents with an efficient and accessible public transport option connected to key destinations such as the Westmead Health Precinct and the Parramatta CBD.</p> <p>Provisions are contained in the DCP to provide for Lot amalgamation and desirable lot configuration to facilitate opportunities for maximising open green space to residents.</p> <p>The changes proposed by this Planning Proposal are to enhance the liveability of North Parramatta with greater consideration to its existing character and its relationship with adjoining areas. The proposed amendments will promote heritage-compatible redevelopment to maintain the historic significance of North Parramatta.</p> <p>The NEPIA will contribute towards the urban renewal of the precinct which will provide a transition to the Sorrell Street HCA and provide a vibrant place for residents to live near a high level of services.</p>
Housing the city	O10: Greater housing supply	The Planning Proposal enables additional scale and density to be achieved whilst maintaining a transition to

PLANNING PROPOSAL – North-East Planning Investigation Area

A city of great places	O11: Housing is more diverse and affordable	the Sorrell Street HCA and higher density spine on Church Street in North Parramatta. The proposed plan leverages the existing R4 High Density zoning making provisions for better built form outcomes of larger scale buildings to accommodate more dwellings within proximity to the City Centre. The proposal intends to provide approximately 540 residential dwellings within the precinct. Increasing the planning controls to 3:1 and 40m heights in general in conjunction with a DCP requirement for lot amalgamation will facilitate potential for increased dwelling numbers boosting housing supply. The proposed height and FSR controls will also increase the potential for creative designs and diverse housing.
	O12: Great places that bring people together	Parramatta Light Rail is within 80m to 350m walking distance from all sites within the NEPIA.
	O13: Environmental heritage is identified, conserved and enhanced	The Planning Proposal recognises the NEPIA's proximity to the adjoining Sorrell Street HCA and other key heritage listed sites. The importance of heritage to the NEPIA and North Parramatta is a consistent theme of this Planning Proposal informing the proposed controls. One of the primary objectives of this Planning Proposal is to emphasise the NEPIA's role as a transition area for the built form from Church Street to the Sorrell Street HCA and vice versa. Using the 'viewshed' approach detailed in the Department-commissioned consultant study that informed mapped building heights in the CSN SEPP, The Planning Proposal seeks to protect heritage views as well as maintaining views to sky above buildings providing a transition in height and protecting the setting of the heritage conservation area.

Productivity

An assessment of the Planning Proposal's consistency with the GSRP's relevant Productivity objectives is provided in Table 5, below.

Table 5 – Consistency of Planning Proposal with relevant GSRP Actions – Productivity

Productivity Direction	Relevant Objective	Comment
A well-connected city	O14: The plan integrates land use and transport creates walkable and 30 minute cities	Increases to density from this Planning Proposal aligns with the GSRP's objective of a 30-minute city. The NEPIA is within walking distance to the Parramatta Light Rail which will offer services between 7am to 7pm and there will be light rail every 7.5 minutes. Frequent light rail connections to and from the CBD will promote modal shifts from private vehicle use to public transport and improve connectivity to other economic corridors within Greater Sydney.
	O15: The Eastern, GOP and Western Economic Corridors are better connected and more competitive	Furthermore, these additional transport connections to heavy rail and the future Parramatta Metro station improve connectivity to other parts of Greater Sydney. Stage 2 of the Parramatta Light Rail will further improve connectivity to the eastern part of the LGA allowing for public connections to other major

PLANNING PROPOSAL – North-East Planning Investigation Area

precincts such as Melrose Park, Wentworth Point and Sydney Olympic Park.

Sustainability

An assessment of the Planning Proposal’s consistency with the GSRP’s relevant Sustainability objectives is provided in Table 6, below.

Table 6 – Consistency of Planning Proposal with relevant GSRP Actions – Sustainability

Sustainability Direction	Relevant Objective	Comment
A city in its landscape	O28: Scenic and cultural landscapes are protected	The Planning Proposal seeks to provide a transition down in scale from the higher density on Church Street to the HCA and low-scale residential areas of North Parramatta by using the viewshed analysis described above, and a mapped skyline strategy as can be seen in Figure 5 . This approach mitigates environmental impacts on heritage items and the HCA and protects the existing character of North Parramatta.
	O31: Public open space is accessible, protected and enhanced	<p>The Planning Proposal aligns with this objective and maximises the use of existing open space. The NEPIA is located within 200-800m walking distance to</p> <ul style="list-style-type: none"> - The Parramatta River, which includes cycleway links east and west, - Doyle Ground which includes a play ground and sporting facilities - Rosslyn Blay Park which includes a children’s play ground - Belmore Park which includes sporting facilities and amenities - Sherwin park which includes children’s play ground, - CommBank Stadium which hosts major sporting events and has outdoor gym equipment and courts, <p>The proposed amendments through this Planning Proposal provide for more dwellings within established public open spaces, existing walking and cycling links, and sporting and recreational facilities.</p>

Implementation

An assessment of the Planning Proposal’s consistency with the GSRP’s relevant Implementation objectives is provided in Table 7, below.

Table 7 – Consistency of Planning Proposal with relevant GSRP Actions – Implementation

Implementation Direction	Relevant Objective	Comment
Implementation	O39: A collaborative approach to city planning	This Planning Proposal aims to facilitate carefully planned outcomes that are compatible with surrounding area and respond to the recent State Government led changes to the Church Street North Precinct. The Planning Proposal will take into consideration its proximity to heritage conservation areas, mass transit and the City Centre to deliver the goals of the '30-minute city' objective within the GSRP.

Central City District Plan

In March 2018, the NSW Government released *Central City District Plan* which outlines a 20 year plan for the Central City District which comprises The Hills, Blacktown, Cumberland and Parramatta local government areas.

Taking its lead from the GSRP, the *Central City District Plan* (“CCDP”) is also structured under four themes relating to Infrastructure and Collaboration, Liveability, Productivity and Sustainability. Within these themes are Planning Priorities that are each supported by corresponding Actions. Those Planning Priorities and Actions relevant to this Planning Proposal are discussed below.

Infrastructure and Collaboration

An assessment of the Planning Proposal’s consistency with the CCDP’s relevant Infrastructure and Collaboration Priorities and Actions is provided in Table 8, below.

Table 8 – Consistency of Planning Proposal with relevant CCDP Actions – Infrastructure and Collaboration

Infrastructure and Collaboration Direction	Planning Priority/Action	Comment
<p>A city supported by infrastructure</p> <p>O1: Infrastructure supports the three cities</p> <p>O2: Infrastructure aligns with forecast growth – growth infrastructure compact</p> <p>O3: Infrastructure adapts to meet future need</p> <p>O4: Infrastructure use is optimised</p>	<p>PP C1: Planning for a city supported by infrastructure</p> <ul style="list-style-type: none"> A3: Align forecast growth with infrastructure A4: Sequence infrastructure provision using a place based approach A6: Maximise the utility of existing infrastructure assets and consider strategies to influence behaviour changes to reduce the demand for new infrastructure, supporting the development of adaptive and flexible regulations to allow decentralised utilities 	<p>The changes to the Church Street North Precinct by the NSW Government, which aims to increase the supply of housing that is supported by nearby public transit.</p> <p>This Planning Proposal would enable approximately 540 additional dwellings to access the newly developed Parramatta Light Rail infrastructure improving the areas access to both the Parramatta CBD and other locations along the railway line from Westmead to Carlingford through the Parramatta CBD and Camellia with a 2-way track spanning 12 kilometres.</p> <p>Local attractions and key sites such as the Parramatta CBD, Westmead Health Precinct, Parramatta Park and Western Sydney University will all be easily accessible for people utilising the Light Rail from the NE PIA.</p> <p>Additionally, the Sydney Metro West project which has recently resumed development by the NSW Government will accommodate the transport needs of people within the NE PIA.</p>

Liveability

An assessment of the Planning Proposal’s consistency with the CCDP’s relevant Liveability Priorities and Actions is provided in Table 9, below.

Table 9 – Consistency of Planning Proposal with relevant CCDP Actions – Liveability

Liveability Direction	Planning Priority/Action	Comment
<p>A city for people</p> <p>O6: Services and infrastructure meet</p>	<p>PP C3: Provide services and social infrastructure to</p>	<p>This Planning Proposal provides additional housing capacity for the City of Parramatta and is located within close proximity of the Parramatta Light Rail. This allows for people</p>

PLANNING PROPOSAL – North-East Planning Investigation Area

<p>communities' changing needs</p>	<p>meet people's changing needs</p> <ul style="list-style-type: none"> • A8: Deliver social infrastructure that reflects the need of the community now and in the future • A9: Optimise the use of available public land for social infrastructure 	<p>of all ages and abilities to access public transport infrastructure in addition to being able to access their employment centres and other lifestyle amenity services.</p> <p>The minimisation of impacts on heritage are also essential to developing a City that values the retention of heritage and the character of the precinct.</p> <p>The urban design outcomes outlined in the Planning Proposal aim to preserve as much open space as possible which maintains tree canopy and green space as key forms of environmental and social infrastructure.</p> <p>This NEPIAs proximity to the Parramatta Light Rail reflects the delivery of infrastructure that provides for the needs of residents in North Parramatta.</p> <p>The Community Infrastructure Strategy outlines requirements for community infrastructure in Parramatta CBD that is provided within private developments, and ensures the infrastructure will support the needs of residents and help meet the demand for local community. The controls proposed as part of this PP aim to expand and maintain the existing green space and canopy cover existing within NEPIA and ensure adequate access to green spaces for residents.</p>
<p>O7: Communities are healthy, resilient and socially connected</p> <p>O8: Greater Sydney's communities are culturally rich with diverse neighbourhoods</p> <p>O9: Greater Sydney celebrates the arts and supports creative industries and innovation</p>	<p>PP C4: Working through collaboration</p> <ul style="list-style-type: none"> • A10: Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by (a-d). • A15: Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places 	<p>This PP intends to provide walkable places at a human scale with an active street life and an appropriate response to the surrounding heritage context. It also prioritises opportunities for people to walk, cycle and use public transport due to its proximity to the Parramatta Light Rail and City Centre.</p> <p>The area subject to this PP was identified as a potential extension of the Parramatta City Centre boundary and the initial intention was to include it as part of the City Centre and its resultant function as part of the CBD. As a result, this PP aims to continue this with a detailed approach to planning its relationship to the CBD, the Sorrell Street HCA and North Parramatta holistically.</p>
<p>Housing the city</p> <p>O10: Greater housing supply</p> <p>O11: Housing is more diverse and affordable</p>	<p>PP C5: Providing housing supply, choice and affordability, with access to jobs, services and public transport</p> <ul style="list-style-type: none"> • A16: Prepare local or district housing strategies that address housing targets [abridged version] 	<p>The Planning Proposal intends to amend the LEP for higher FSR and HOB controls. The majority of the NEPIA will experience an uplift in planning controls up to a maximum FSR of 3.6:1 and maximum height of 40m. Considering this higher development potential and desired lot amalgamation pattern Planning Proposal will also facilitate increases to housing diversity.</p> <p>In combination with the R4 zoning within the area, the capacity for new dwellings will increase provisioning for contributions to increased housing supply.</p>

PLANNING PROPOSAL – North-East Planning Investigation Area

<p>A city of great places O12: Great places that bring people together O13: Environmental heritage is identified, conserved and enhanced</p>	<p>PP C6: Creating and renewing great places and local centres, and respecting the District’s heritage</p> <ul style="list-style-type: none"> • A19: Identify, conserve and enhance environmental heritage by (a-c) 	<p>There are no heritage listed sites within the NEPIA boundary. However, heritage is a primary consideration of this Planning Proposal due to its interface with the Sorrell Street HCA. The proposed controls will facilitate a ‘transition’ from the Church Street spine eastward to the Sorrell Street HCA and nearby heritage items.</p> <p>Amendments to the Parramatta DCP 2023 will accompany this Planning Proposal to achieve appropriate built form outcomes to ensure compatibility between the NEPIA, the CBD and the Sorrell Street HCA. The DCP will contain controls relating to the minimisation of overshadowing to heritage sites.</p>
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Productivity

An assessment of the Planning Proposal’s consistency with the CCDP’s relevant Productivity Priorities and Actions is provided in Table 10, below.

Table 10 – Consistency of Planning Proposal with relevant CCDP Actions – Productivity

Productivity Direction	Planning Priority/Action	Comment
<p>A well-connected city O19: Greater Parramatta is stronger and better connected</p>	<p>PP C7: Growing a stronger and more competitive Greater Parramatta</p> <ul style="list-style-type: none"> • A23: Strengthen the economic competitiveness of Greater Parramatta and grow its vibrancy [abridged] • A26: Prioritise infrastructure investment [abridged] 	<p>The Parramatta Light Rail allows for easy travel from North Parramatta to both the Westmead Health District and the Parramatta CBD. This reduces the use of private vehicles and creates opportunities for economic activity along the corridor.</p> <p>The Planning Proposal leverages the Light Rail as a key transport node improving connectivity across key centres of Parramatta. Stage 2 of the Parramatta Light Rail will further improve connectivity to the east towards precincts such as Melrose Park, Wentworth Point and Sydney Olympic Park.</p>
<p>Jobs and skills for the city O15: The Eastern, GOPP and Western Economic Corridors are better connected and more competitive</p>	<p>PP C8: Delivering a more connected and competitive GOPP Economic Corridor</p> <ul style="list-style-type: none"> • A29: Prioritise public transport investment to deliver the 30-minute city objective for strategic centres along the GOPP Economic Corridor • A30: Prioritise transport investments that enhance access to the GOPP between centres within GOPP 	<p>The Planning Proposal intends to make use of the Parramatta Light Rail to connect priority precincts within the GOPP.</p> <p>The NEPIA will be able to access the Parramatta Light Rail to travel to key destinations such as the Westmead Health and Education Precinct and the Parramatta CBD.</p> <p>Usage of the PLR will encourage modal shifts from private vehicles to public transport.</p>
<p>O14: The plan integrates land use and transport creating walkable and 30-minute cities</p>	<p>PP C9: Delivering integrated land use and transport planning and a 30-minute city</p> <ul style="list-style-type: none"> • A32: Integrate land use and transport plans to deliver a 30-minute city 	<p>The PLR Stage 1 provides an accessible method of public transport for people in the NEPIA to reach the Parramatta CBD within 30 minutes. The nearest Light Rail stations at Fennell Street and Prince Alfred Square are both within walking distance (within 400m) to all locations in the NEPIA.</p> <p>Furthermore, the PLR connects to major transport nodes with connections to Parramatta Railway Station and the Bus</p>

Interchange. The future Parramatta Metro connection will further increase the NEPIA's connectivity in the 30-minute city.

Sustainability

An assessment of the Planning Proposal's consistency with the CCDP's relevant Productivity Priorities and Actions is provided in Table 11, below.

Table 11 – Consistency of Planning Proposal with relevant CCDP Actions – Sustainability

Sustainability Direction	Planning Priority/Action	Comment
<p>A city in its landscape O27: Scenic and cultural landscapes are protected</p>	<p>PP C15: Protecting and enhancing bushland, biodiversity and scene and cultural landscapes</p> <ul style="list-style-type: none"> • A66: Identify and protect scenic and cultural landscapes • A67: Enhance and protect views of scenic and cultural landscapes from the public realm 	<p>The Planning Proposal makes recommendations based on a comprehensive approach to transition as required by the Department that includes a combination of both building height and site planning.</p> <p>This includes maximising separation between towers where increased views to sky can be observed from the HCA and encouraging slender built forms and finer grain street wall typologies compatible with the lower scale context of North Parramatta. These proposed changes can protect and enhance scenic landscapes and views to the sky.</p>
<p>A city in its landscape O30: Urban tree canopy cover is increased O32: The Green grid links Parks, open spaces, bushland and walking and cycling paths</p>	<p>PP C16: PP C16: Increasing urban tree canopy cover and delivering Green grid connections</p> <ul style="list-style-type: none"> • A68: Expand urban tree canopy in the public realm 	<p>The Planning Proposal seeks to retain vegetated corridors and encourage large tree plantings to improve canopy amidst the increase to density in the NEPIA.</p> <p>Design principles from the NEPIA DCP will introduce amalgamation patterns that maintain existing canopy cover and encourage tree plantings.</p>
<p>O31: Public open space is accessible, protected and enhanced</p>	<p>PP C17: Delivering high quality open space</p> <ul style="list-style-type: none"> • A71: Maximise the use of existing open space and protect, enhance and expand public open space by (a-g) [abridged] 	<p>The Planning Proposal and its amendments to the Parramatta DCP 2023 will provide controls to include open green space between lots following amalgamated development patterns.</p> <p>View lines are to be protected through the proposed planning controls at a human scale from HCAs and surrounding areas.</p>

3.2.2. Will the Planning Proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

The following local strategic planning documents are relevant to the Planning Proposal.

Parramatta 2038 Community Strategic Plan

Parramatta 2038 is a long term Community Strategic Plan (CSP) for the City of Parramatta and it links to the long-term future of Sydney. The plan formalises several big and transformational ideas for the City and the region.

PLANNING PROPOSAL – North-East Planning Investigation Area

The Planning Proposal is considered to meet the strategies and key objectives identified in the plan including:

- Supporting the delivery of housing within Parramatta
- Connecting housing to well-designed integrated transport networks
- Enhancing connectivity within Parramatta to key destinations such as the CBD and Westmead Innovation Precinct
- Respecting and protecting the history and heritage of North Parramatta
- Promote modal shift from private vehicles to public transport

Parramatta Local Strategic Planning Statement

The Parramatta Local Strategic Planning Statement (LSPS) came into effect on 31 March 2020, becoming the primary strategic planning document for guiding and monitoring Council's long term vision for land use and infrastructure provision within the LGA. The LSPS outlines considerations for housing, economic growth, heritage protection, local character whilst ensuring sustainable growth within Parramatta and its role as Greater Sydney's Central City.

The progression of this Planning Proposal is consistent with the priorities described within the LSPS with particular focus on the following:

- Encouraging a more diverse range of housing, focusing on medium density housing for new growth and defining areas that meet the criteria to be a Housing Diversity Precinct.
- Provide for a diversity of housing types and sizes to meet community needs into the future.
- Enhance Parramatta's heritage and cultural assets to maintain our authentic identity and deliver infrastructure to meet community needs.
- Protect and enhance our trees and green infrastructure to improve liveability and ecological health.

Parramatta Local Housing Strategy

The Parramatta Local Housing Strategy (LHS) was adopted by Council in July 2020 and approved by the Secretary of the Department of Planning, Industry and Environment on 29 July 2021.

The proposed controls as part of this Planning Proposal aims to target the LHS objectives in relation to:

- Encouraging a more diverse range of housing, focusing on medium density housing for new growth.
- Housing growth is supported by the local infrastructure needed to service that growth.
- The City of Parramatta's residential neighbourhoods retain their character, provide housing diversity and preserve future housing opportunity.

This Planning Proposal is consistent with the objectives of the LHS in addition to increasing housing supply by approximately 540 extra dwellings.

Parramatta CBD Planning Strategy

Council adopted the "Parramatta CBD Planning Strategy" at its meeting of 27 April 2015. The Strategy is the outcome of detailed technical studies which reviewed the current planning framework and also a significant program of consultation with stakeholders and the community. The objectives of the Strategy are as follows:

1. To set the vision for the growth of the Parramatta CBD as Australia's next great city.

PLANNING PROPOSAL – North-East Planning Investigation Area

2. To establish principles and actions to guide a new planning framework for the Parramatta CBD.
3. To provide a clear implementation plan for delivery of the new planning framework for the Parramatta CBD.

This Planning Proposal is a result of the Parramatta CBD Planning Strategy and its original identification of the Planning Investigation Areas with subsequent changes made to the PIAs through Council resolutions and the finalisation of the CBD PP.

The intended outcomes of this Planning Proposal are to finalise the planning work required from the identification of the PIAs in the Parramatta CBD Planning Strategy to determine appropriate planning controls for the NEPIA.

Parramatta CBD Planning Proposal (endorsed 20 November 2019)

On 20 November 2019, Council resolved to remove three areas zoned R4 High Density Residential from the Parramatta CBD Planning Proposal and that these areas be included in the future work on the 'Planning Investigation Areas' as per the Parramatta CBD Planning Strategy. This resolution removed the NEPIA from the City Centre boundary and was to be progressed as a separate Planning Proposal.

This Planning Proposal provides updated controls that respond to the current planning and environmental context. Progressing with this Planning Proposal is consistent with the objectives of the CBD PP and other related Council resolutions to plan for a key interface area between the Parramatta CBD and North Parramatta.

Parramatta CBD Planning Proposal (as finalised by DPE on 6 May 2022)

In finalising the CBD Planning Proposal (CBD PP) now formally known as Parramatta Local Environmental Plan 2011 (Amendment No 56), the Department removed the area north of the Parramatta River (known as the Church Street North Parramatta from the CBD PP to undertake a State-led planning process. The Department's finalisation report for the CBD PP cited the need for suitable controls that balance heritage values, the protection of open space and the proximity to the Parramatta Light Rail as the reasons for the removal of the CSN area.

As a result, the Council planning work for the NEPIA was put on hold and the controls for the NEPIA remained at a maximum FSR of 0.8:1 and the HOB control remained at a maximum of 11m. In December 2023, the Department finalised a State Environmental Planning Policy (Church Street North Precinct) ('CSN SEPP') for the land north of the river that was previously removed from the CBD PP. The NEPIA is not subject to planning work by the State Government and thus Council can re-commence planning and technical investigation for the NEPIA.

This PP proposes controls which are more akin to the R4 High Density Residential zone within proximity to a City Centre and suitable infrastructure to accommodate a higher density.

3.2.3. Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

This Planning Proposal is consistent with the State and Regional strategic planning framework. Further discussion is provided below.

State Environmental Planning Policy (Church Street North Precinct)

The State Environmental Planning Policy (Church Street North Precinct) (CSN SEPP) was

PLANNING PROPOSAL – North-East Planning Investigation Area

finalised in December 2023 and set to commence on 1 July 2024. The land associated with the NEPIA is not subject to the CSN SEPP, however it must respond appropriately to the changes proposed by the SEPP.

The CSN SEPP will change the maximum heights along Church Street to 63m and the floor space ratio at 5:1 with the possibility of additional bonuses to height and FSR. These controls will allow for relatively large built forms along Church Street in North Parramatta and has informed the design principles of this Planning Proposal for the NEPIA to function as a transition to the nearby Sorrell Street HCA.

3.2.4. Is the Planning Proposal consistent with the applicable State Environmental Planning Policies?

The following State Environmental Planning Policies (SEPPs) are of relevance to the site (refer to Table 12 below).

Table 12 – Consistency of Planning Proposal with relevant SEPPs

State Environmental Planning Policies (SEPPs)	Consistency: Yes = ✓ No = x N/A = Not applicable	Comment
SEPP No 1 Development Standards	✓	This Planning Proposal does not contain provisions that contradict or would hinder the application of these SEPPs.
SEPP (Exempt and Complying Development Codes) 2008	✓	May apply to future developments on the site.
SEPP (Sustainable Buildings) 2022	✓	Detailed compliance with SEPP (Sustainable Buildings) will be demonstrated at the time of making a development application for any site facilitated by this Planning Proposal.
SEPP (Housing) 2021	✓	For developments that provide at least 10% of GFA as affordable housing, Chapter 2 of SEPP (Housing) will apply providing developments with additional FSR and HOB bonuses. Detailed compliance with Chapter 4 of SEPP (Housing) will be demonstrated at the time of making a development application for the site facilitated by this Planning Proposal. During the design development phase, detailed testing of the requirements in Chapter 4 and the Residential Flat Design Code was carried out, and the indicative scheme is capable of demonstrating compliance with the SEPP.
SEPP (Resilience and Hazards) 2021	N/A	Consistent. This planning proposal does not contain provisions that contradict or would hinder the application of this SEPP. The existing residential zoned sites which make up the NEPIA are not mapped as contaminated sites.
SEPP (Industry and Employment) 2021	N/A	Not relevant to proposed amendment.
SEPP (Transport and Infrastructure) 2021	✓	May apply to future development of the site.
SEPP (Biodiversity and Conservation) 2021	N/A	Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage.
SEPP (Planning Systems) 2021	✓	This Planning Proposal does not contain provisions that contradict or would hinder the application of the SEPP.
SEPP (Precincts – Central River City) 2021	N/A	Not relevant to the proposed amendments as the site is not contained in one of the precincts of the SEPP.

PLANNING PROPOSAL – North-East Planning Investigation Area

3.2.5. Is the Planning Proposal consistent with applicable Ministerial Directions (s9.1 Directions)

In accordance with Clause 9.1 of the *EP&A Act 1979* the Minister issues directions for the relevant planning authorities to follow when preparing Planning Proposals for new LEPs. The directions are listed under nine focus areas:

1. Planning Systems and Planning Systems – Place Based
2. Design and Place (This Focus Area was blank when the Directions were made)
3. Biodiversity and Conservation
4. Resilience and Hazards
5. Transport and Infrastructure
6. Housing
7. Industry and Employment
8. Resources and Energy
9. Primary production

The following directions are considered relevant to the subject Planning Proposal.

Table 13 – Consistency of Planning Proposal with relevant Section 9.1 Directions

Relevant Direction	Comment	Compliance
1. Planning Systems and Planning Systems – Place Based		
Direction 1.1 – Implementation of Regional Plans The objective of this direction is to give legal effect to the vision, land use strategy, goals, directions and actions contained in Regional Plans.	The Planning Proposal applies to land within Sydney's Central City. The Planning Proposal is consistent with the goals, directions and actions contained in the Greater Sydney Region Plan as discussed in Section 3.2.1 and 3.2.2 of this Planning Proposal, respectively.	Yes
Direction 1.3 – Approval and Referral Requirements The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.	The Planning Proposal does not introduce any provisions that require any additional concurrence, consultation or referral.	Yes
Direction 1.4 – Site Specific Provisions The objective of this direction is to discourage unnecessarily restrictive site specific planning controls.	The Planning Proposal does not introduce any site specific provisions.	Yes
2. Design and Place		
This Focus Area was blank at the time the Directions were made.	This Direction was blank when made.	
3. Biodiversity and Conservation		
Direction 3.1 – Conservation Zones The objective of this direction is to protect and conserve environmentally sensitive areas.	The Planning Proposal is consistent with this direction, in that it does not apply to environmentally sensitive areas or alter provisions for land in a conservation zone.	Yes

PLANNING PROPOSAL – North-East Planning Investigation Area

Direction 3.2 – Heritage Conservation

The objective of this direction is to protect and conserve environmentally sensitive areas.

The new height of building and FSR controls in this Planning Proposal respond to the adjoining HCA and low scale residential uses by transitioning building heights downwards and protecting view corridors. This is consistent with the principles and strategies in the Department's Finalisation Report 2023 for the Church Street North precinct and were determined using the 'viewshed' approach detailed in the Department-commissioned consultant study that informed mapped building heights in the CSN SEPP.

New area specific site planning DCP controls for the NEPIA are also proposed in addition to building height to support a comprehensive approach to transition.

In this regard, the Planning Proposal is deemed to have minimal impact on the heritage significance of adjacent local and state heritage items and heritage conservation areas.

Yes

Direction 3.5 – Recreation Vehicle Areas

The objective of this direction is to protect sensitive land or land with significant conservation values from adverse impacts from recreation vehicles.

The Planning Proposal is consistent with this direction, in that it is not proposing to enable land to be developed for the purpose of a recreation vehicle area.

Yes

4. Resilience and Hazards**Direction 4.1 – Flooding**

The objectives of this direction are to:

- (a) Ensure that development of flood prone land is consistent with the NSW Government's Flood Prone Land Policy and the principles of the Floodplain Development Manual 2005, and
- (b) Ensure that the provisions of an LEP that apply to flood prone land are commensurate with flood behaviour and includes consideration of the potential flood impacts both on and off the subject land.

The current adopted flood maps indicate that the land within the NEPIA is not affected by the 100 year Annual Recurrence Interval (ARI) flood and the Probable Maximum Flood (PMF).

The draft Parramatta River Flood study 2023 shows that the majority of the NEPIA is unaffected by flooding except for a part of Fennell Street and Sorrell Street which are subject to increased risk of Probable Maximum Flood (PMF) and increased hazard risk, compared to current flood information.

Potential for lot amalgamation and existing access to public roads with rising access outside the PMF significantly reduces the impact of flooding within the NEPIA.

Any potential impacts as a result of development on the site, such as stormwater runoff, will be considered and addressed appropriately at DA stage.

Impacts from flooding are to be mitigated through the application of Standard Clause 5.1 in PLEP 2023 and the provisions in Parramatta DCP 2023.

Yes

Direction 4.3 Planning for Bushfire Protection

The objectives of this direction are to:

- (a) Protect life, property and the environment from bush fire hazards, by

The land is not identified as bush fire prone land under Section 10.3 of the Environmental Planning and Assessment Act.

Yes

PLANNING PROPOSAL – North-East Planning Investigation Area

- discouraging the establishment of incompatible land uses in bush fire prone areas, and
- (b) Encourage sound management of bush fire prone areas.

Direction 4.4 – Remediation of Contaminated Land

The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by Planning Proposal authorities.

The land is not within an investigation area within the meaning of the Contaminated Land Management Act 1997 and has not been subject to development as described in Table 1 of the contaminated land planning guidelines.

Yes

Direction 4.1 – Acid Sulfate Soils

The objective of this direction is to avoid significant adverse environmental impacts from the use of land that has a probability of containing acid sulfate soils.

The site is identified as Class 5 on the Acid Sulfate Soils Map in Parramatta Local Environmental Plan 2023. Acid sulfate soils are generally not found in Class 5 areas however this will be addressed further at the development application stage. In any event, PLEP 2023 cl. 6.1 appropriately addresses acid sulfate soils.

Yes

5. Transport and Infrastructure**Direction 5.1 – Integrating Land Use and Transport**

The objective of this direction is to ensure that development reduces dependence on cars, increases the choice of available transport and improves access to housing, jobs and services by walking, cycling and public transport.

The Planning Proposal is not directly providing any new development of infrastructure although it is located within proximity to the Parramatta Light Rail and frequent bus services.

Yes

The proximity to light rail infrastructure will provide an alternative mode of transport to private car usage and reduce the dependency on cars for access to housing, jobs and services with the residents being serviced by the stations Prince Alfred Square and Fennell Street.

The light rail will also be extended via the Parramatta Light Rail Stage 2 which will open up more transport and accessibility options across the LGA. The planning proposal is considered consistent with this Direction as it delivers integrated land use and transport outcomes.

Supporting DCP controls also include reduced car parking provision as part of development sites.

Direction 5.2 – Reserving Land for Public Purposes

The objectives of this direction are to facilitate the provision of public services and facilities by reserving land for public purposes and facilitate the removal of reservations where the land is no longer required for acquisition.

The Planning Proposal does not require any identification of or removal of any land for the purposes of acquisition. It does not require the reservation of land for acquisition of any land for public purposes.

Yes

Direction 5.3 – Development Near Regulated Airports and Defence Airfields

This planning proposal is not next to any existing or proposed regulated airport or known defence airfield and does not include provisions which permit towers greater than 100m or more above ground.

Yes

The proposed controls do not provide for development that would need to be reported to Civil Aviation Safety Authority (CASA) as a 'tall

PLANNING PROPOSAL – North-East Planning Investigation Area

structure' as per '[Reporting of tall structures](#)'
CASA advisory circular December 2021.

6. Housing

Direction 6.1 – Residential Zones

The objectives of this direction are to encourage a variety and choice of housing types, make efficient use of existing infrastructure and services and minimise the impact of residential development.

The Planning Proposal is consistent with this direction, in that it aims to retain the R4 High Density Residential zoning whilst increasing housing yield through increasing maximum FSR to 3.6:1 and HOB to 40m.

The area's proximity to the Parramatta Light Rail and connection to other forms of rapid transit (Sydney buses, Sydney Trains and Sydney Metro West) makes it well placed to utilise nearby infrastructure that will provide critical services for the population increase.

Yes

7. Industry and Employment – not applicable

8. Resources and Energy – not applicable

9. Primary Production – not applicable

3.3. Section C – Environmental, social and economic impact

This section considers the potential environmental, social and economic impacts which may result from the Planning Proposal.

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

No, the site is located within a highly urbanised environment, and is not mapped to contain critical habitat or threatened species, populations or ecological communities, or their habitats. The site is unlikely to impact on any threatened flora or fauna species or threatened habitats. The NEPIA site does not coincide with any land identified as "Biodiversity" on the Natural Resources Map in the PLEP 2023.

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

The main potential environmental impacts to be examined in detail with any future development proposal for the site are:

- Heritage impacts
- Urban Design and Built Form
- Flooding
- Transport, Traffic, Accessibility and Parking

Heritage impacts

Previous heritage studies commissioned by Council for the CBD PP that at the time included the NEPIA have been superseded by the SEPP process for the Church Street North Precinct. The Department's *Finalisation Report 2023* recommended strategies and principles developed by input from urban design and heritage specialists. For the NEPIA the relevant principles and strategies include responding to the adjoining HCAs and low scale residential uses by transitioning building heights downwards towards them and protecting view corridors.

The recommendations that have been applied by this Planning Proposal are based on a comprehensive approach to transition as required by the Department using a combination of height of building and FSR controls in the LEP and site planning controls in the (draft) DCP controls for the precinct. Stepped building heights and building alignment controls are utilised to provide for a design method to maintain and enhance existing heritage values. Furthermore, the NEPIA will enhance surrounding heritage value through framing the Sorrell Street HCA with large deep soil zones and vegetated setbacks to accommodate canopy tree plantings and allowing the landscape to act as a backdrop to heritage buildings.

Design Response and Built Form

The Planning Proposal seeks an amended to the LEP Height of Buildings Map and to the Floor Space Ratio Map to provide an increase in height from 11m to a range of 24m to 40m and an increase in FSR from 0.8:1 to a range of 2:1 to 3.6:1. The proposed increase is considered an appropriate transition in the context of concentrated height on Church Street towards the Sorrell Street HCA.

The recommended height of building controls for the NEPIA were determined using the 'viewshed' approach detailed in the Department-commissioned consultant study that informed mapped building heights in the CSN SEPP; as well as a mapped skyline strategy and acknowledgement of sites within the CSN precinct north of Harold Street that are unlikely to redevelop due to large 6- to 8-storey residential strata subdivisions.

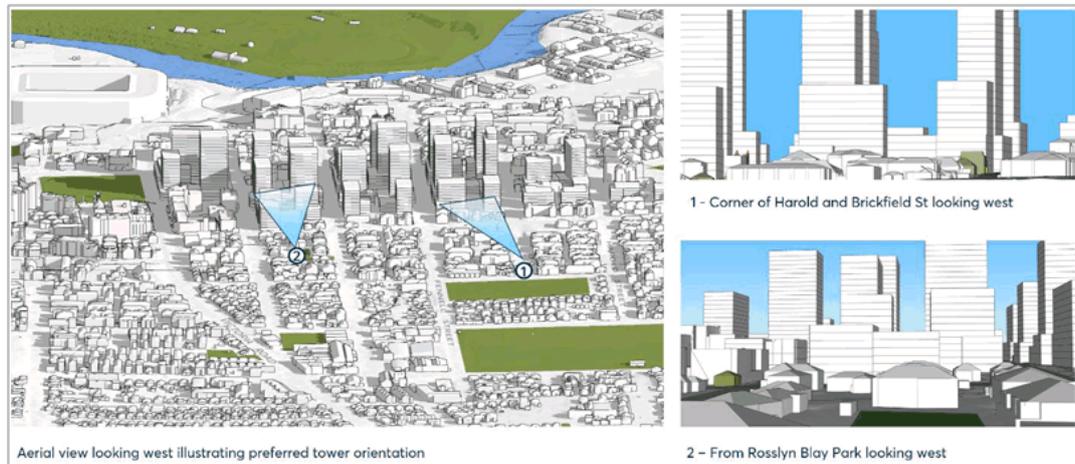
The recommended FSR controls for the NEPIA are based on achieving workable FSRs that align with the proposed height of building controls and creating workable residential floor plates within a slender tower form and podium, with space for deep soil and communal open space.

The recommended FSR and height limit for the site at 23-27 Harold Street, Parramatta (which is currently subject to a rezoning review), was determined using the same built form principles and outcomes-based approach for the NEPIA. The maximum FSR of 3.6:1 and a 40m height limit is proposed for the site noting this slightly higher FSR reflects the efficiencies of a smaller sized site.

Figure 4: Council officer modelling showing how the stepped height of buildings as well as the inter building separation with views to sky creates the transition between the Church Street North precinct and the sites within the NEPIA. Note that sites on Church Street North have been modelled to include potential design excellence and place based bonuses. View 1 and 2 are taken from the public domain using 60 degree human view cone and illustrate that when bonuses are applied, the tops of towers can no

PLANNING PROPOSAL – North-East Planning Investigation Area

longer be perceived. This reinforces the importance of combining principles of height transition with other methods of transition in the NEPIA.



Associated Development Control Plan (DCP)

To support the proposed amendments to the LEP outlined above, amendments are proposed to Part 8, Section 8.3 Neighbourhood Precincts in Parramatta DCP 2023.

Area specific DCP controls are considered necessary for the NEPIA primarily due to the heritage sensitivities and need to provide transition between the HCA and forthcoming new LEP controls for the Church Street North precinct. This new section of the Parramatta DCP is recommended to include objectives and controls for:

- The desired future character of the area, with consideration for existing context and how this precinct will redevelop incrementally over time,
- Minimum site requirements and preferred site amalgamation to ensure the objectives of future development in the area can be met,
- Heritage transition achieved through specified setbacks, street wall heights and building orientation,
- Deep soil and landscaping requirements for future amenity and to create a vegetated heritage setting,
- Consistent street setbacks that maintain heritage items as the dominant features of the streetscape and enable large canopy tree planting within the front setback zone,
- Tower separation to enable views to sky when observed from the Sorrell Street HCA (east), and
- Bespoke car parking rates that respond to the proximity to the City Centre and light rail infrastructure (see further discussion below).

PLANNING PROPOSAL – North-East Planning Investigation Area

Figure 5: Area specific DCP controls are proposed to achieve the Structure Plan for the North East PIA (buildings coloured red) and part of the Church Street North precinct (buildings coloured yellow).



Given the NEPIA consists only of R4 High Density Residential zoned land, the following Parts of the DCP will continue to apply in addition to the new site specific provisions proposed in Part 8: Part 2: Design in Context, Part 3: Residential Development, Part 5:

PLANNING PROPOSAL – North-East Planning Investigation Area

Environmental Management, Part 6: Traffic and Transport and Part 7: Heritage and Archaeology.

Design Context

The design process for the NEPIA has been carried out concurrent with the drafting of DCP controls for part of the Church Street North precinct where new LEP controls will soon take effect. Consequently, these precincts and their surrounds have been treated as a whole to determine a recommended outcome. Based on a spatial analysis of the area, several key design objectives have been established to guide the design approach. These are related to:

- Creating continuity between the City Centre from south of the river, northwards along the Church.
- Considering a more residential focus for future development outcomes in North Parramatta.
- Providing transition to heritage conservation areas to be achieved through both stepped building heights and space between buildings through setbacks and building separation.
- Maintaining the highly vegetated character of North Parramatta for tree canopy within street setbacks and rear gardens at mid-block.
- Establishing building alignments that respond to the prevailing alignment of heritage items in the area.
- Responding to the landscape and river setting with a skyline that follows the topography along the ridge.

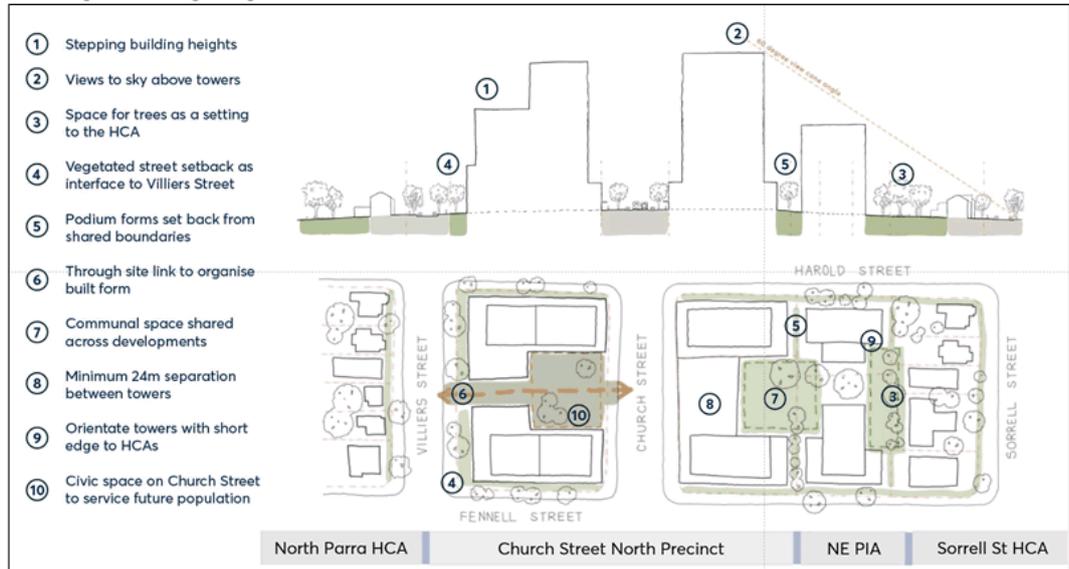
Although the design objectives and principles were developed for the whole area, the proposed LEP and DCP controls for the NEPIA are drafted so that they apply independently of the CSN SEPP area.

The recommendations for NEPIA are based on **comprehensive approach to transition** as required by the Department in the Church Street North SEPP Finalisation Report that includes a combination of both building height and site planning. The method for transition includes stepping in building height from Church Street properties to the Sorrell Street HCA, but also includes:

- Utilising detached buildings to mediate between perimeter block, podium tower development along Church Street and existing apartments and houses within the HCA,
- Locate vegetated setbacks and communal open space on the ground to provide landscape space as a frame/backdrop to heritage buildings and the HCA,
- Supporting deep soil zones on development sites, which enables canopy tree planting to be a setting to heritage,
- Ensuring any future development is setback from the prevailing heritage alignment on the street and that front setback zones support large canopy tree planting,
- Orientating the short edge of towers towards the HCA to minimise the bulk of towers perceived from the HCA,
- Maximising separation between towers where it can increase views to sky when observed from the HCA, and
- Encouraging slender tower forms and finer grain street wall typologies to tie into the surrounding lower scale context of North Parramatta.

This multifaceted approach to transition that has been applied to NEPIA sites is illustrated in **Figure 6** below.

Figure 6: Methods for achieving transition and unifying development across the precinct through building heights and setbacks between Church Street and the Sorrell Street HCA.



Flooding

Preparation of this Planning Proposal has considered the current adopted flooding maps for the NEPIA, and the Council endorsed exhibition draft of the Parramatta River Flood Study (2023).

The current adopted flood maps indicate that the land within the NEPIA is not affected by the 100 year Annual Recurrence Interval (ARI) flood and the Probable Maximum Flood (PMF).

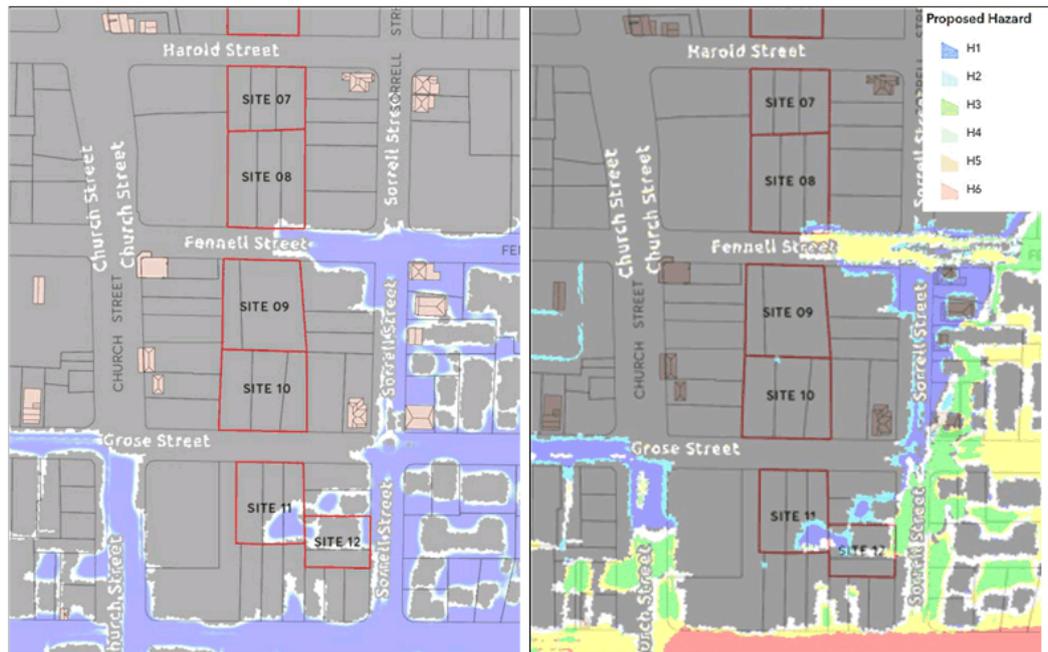
The draft Parramatta River Flood study shows that the majority of the NEPIA is unaffected by flooding except for a part of Fennell Street and Sorrell Street which are subject to increased risk of Probable Maximum Flood (PMF) and increased hazard risk (see Figure 7), compared to current flood information as shown in Section 4.1.

Any future development on the site will need to respond to the Flood Risk Development Manual and the relevant controls contained within the PLEP 2023 and the Parramatta Development Control Plan 2023.

Figure 7: Extract of the NEPIA consolidation/structure plan showing the sites under the draft Parramatta Flood Study 2023 affected by the PMF and the hazard affectation.

PMF	Hazard
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PLANNING PROPOSAL – North-East Planning Investigation Area



Transport, Traffic, Accessibility and Parking

Preparation of this Planning Proposal has considered Council's Integrated Transport Plan 2021 (ITP) which at the time included the NEPIA. The ITP considered growth as a result of the CBD PP and modelled residential parking rates delineating the difference between locations that are within 800m or a 10-minute walk approximately from Parramatta train station (Category A) and other locations at the CBD fringes considered remote from heavy rail (Category B) as shown in **Figure 8**.

At the time of writing, a separate Planning Proposal is being prepared to request a Gateway to implement the recommendations of the ITP, and specifically applying the 'Category B' parking rates as outlined in **Table 14** to part of the adjacent Church Street North precinct.

While not within the 'City Centre' boundary, the Category B car parking rates are recommended by Council to be applied to the NEPIA via an area specific DCP control for the following reasons:

- the areas proximity to the City Centre and existing and future public transport and generally subject to the same traffic conditions as the Church Street precinct; and
- anticipated development typology (tower and podium with basement car parking) is the same as Church Street.

There are no other transport, traffic, accessibility and parking issues as a result of this Planning Proposal.

PLANNING PROPOSAL – North-East Planning Investigation Area

Figure 8: Parramatta Residential Parking Rate Categories (Source: [Parramatta Integrated Transport Plan 2021](#)), the NEPIA is within the red circle.

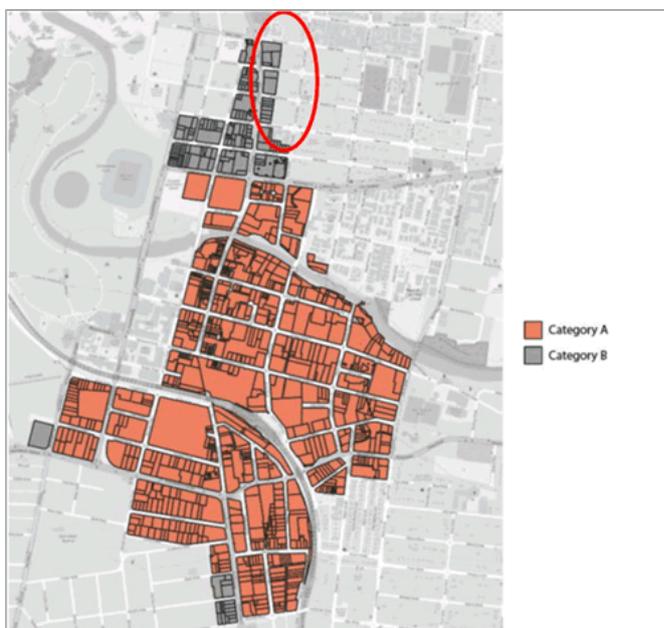


Table 14: Comparison of number of car parking space requirements

Residential Parking Rate	Parramatta DCP current general controls that apply to the NEPIA – Minimum required number of spaces	ITP ‘Category A’ controls in PLEP 2023 Part 7 City Centre – Maximum required number of spaces	ITP ‘Category B’ recommended controls for inclusion in PDCP 2023 Part 8 precinct controls for the NEPIA– Maximum required number of spaces (proposed)
Studio	0.6	0.1	0.2
1 bedroom	0.6	0.3	0.4
2 bedroom	0.9	0.7	0.8
3+ bedroom	1.4	1.0	1.1

3.3.3. Has the Planning Proposal adequately addressed any social and economic effects?

Council’s Community Infrastructure Strategy identifies a new community hub to be delivered as part of redevelopment of the area to service the north of the Parramatta CBD, close by to a light rail stop, including approximately 1,500m² of multi-purpose community space that can be used for a range of programs and activities.

City of Parramatta’s Development Contributions Plan will be used to manage any required contributions as part of any future development for the delivery of any community infrastructure. Increased dwelling numbers will assist with improved social outcomes providing people with housing and access to public transport, education services, open space, health services, community services, employment and recreational facilities.

PLANNING PROPOSAL – North-East Planning Investigation Area

3.4. Section D – State and Commonwealth Interests

3.4.1. Is there adequate public infrastructure for the Planning Proposal?

The PIA is within proximity to the Parramatta Light Rail Stage 1 with the closest stations being Prince Alfred Square and Fennell Street.

Additional connections from Parramatta's CBD to Sydney Olympic Park via Camellia, Rydalmere, Melrose Park and Wentworth Point will be delivered through the Parramatta Light Rail Stage 2 which has recently been expedited to begin construction in 2025.

The State Government has recommitted to the Sydney Metro West, a 24km underground railway that will connect Greater Parramatta and the Sydney CBD with stations confirmed at Westmead, Parramatta, Sydney Olympic Park, North Strathfield, Burwood North, Five Dock, The Bays, Pyrmont and Hunter Street in the Sydney CBD. After a recent independent review into Sydney Metro, scoping studies were prepared for up to two potential stations locations west of Sydney Olympic Park including one at Rosehill Gardens.

Both projects will further increase the site's accessibility via public transport from the Sydney CBD to Greater Parramatta.

The PIA is also within walking distance from local schools, shopping centres and public open space.

3.4.2. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

Consultation with the State and Commonwealth public authorities will be undertaken once the gateway determination has been issued.

PLANNING PROPOSAL – North-East Planning Investigation Area

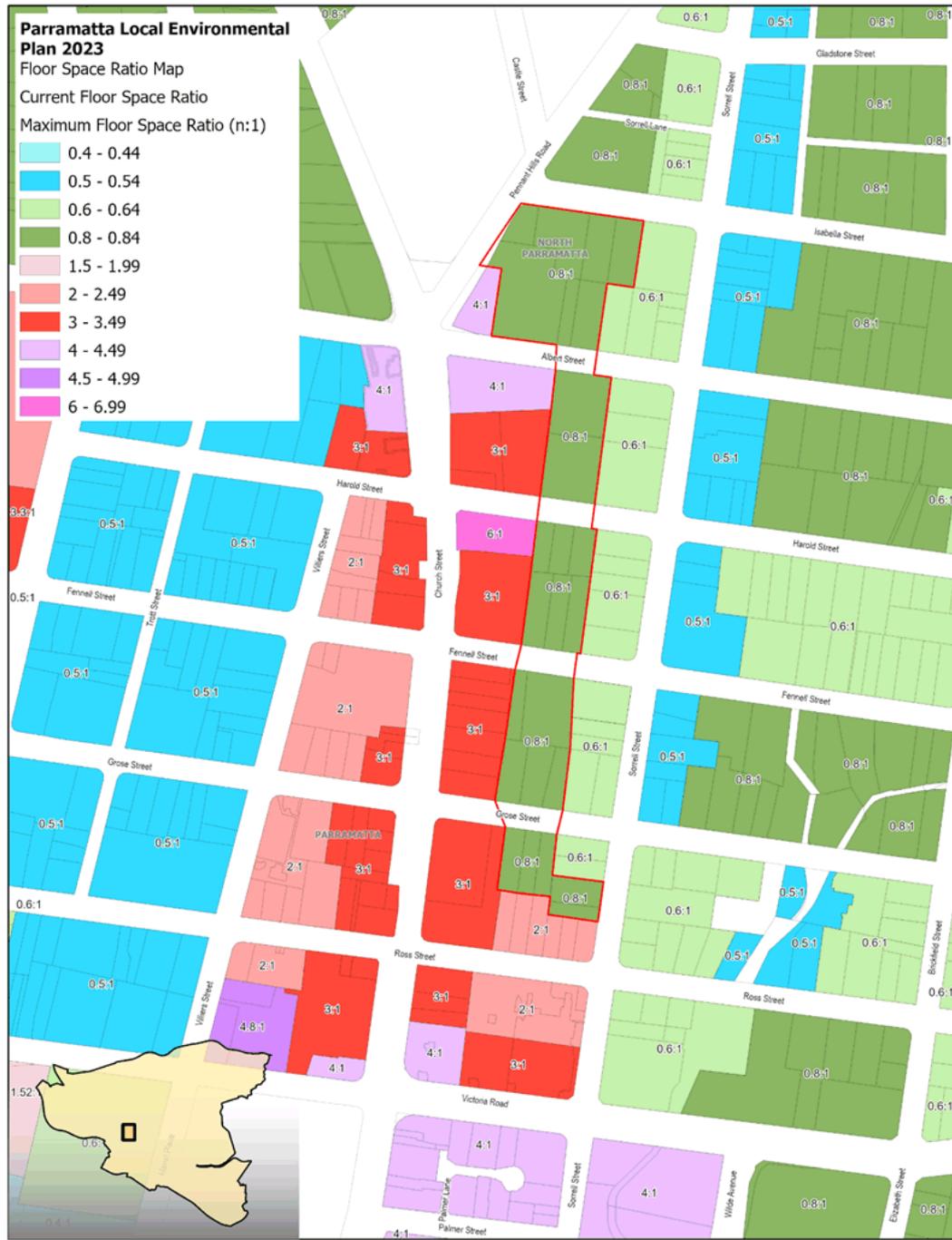
PART 4 – MAPS

This section contains the mapping for this Planning Proposal in accordance with the DP&E's guidelines on LEPs and Planning Proposals. **Existing controls**

The following section illustrates the current *PLEP 2023* controls which apply to the site. The following maps are provided:

- Land Use Zoning Map
- Floor Space Ratio Map
- Height of Buildings Map
- Heritage Map
- Acid Sulfate Soils Map
- Flooding

PLANNING PROPOSAL – North-East Planning Investigation Area



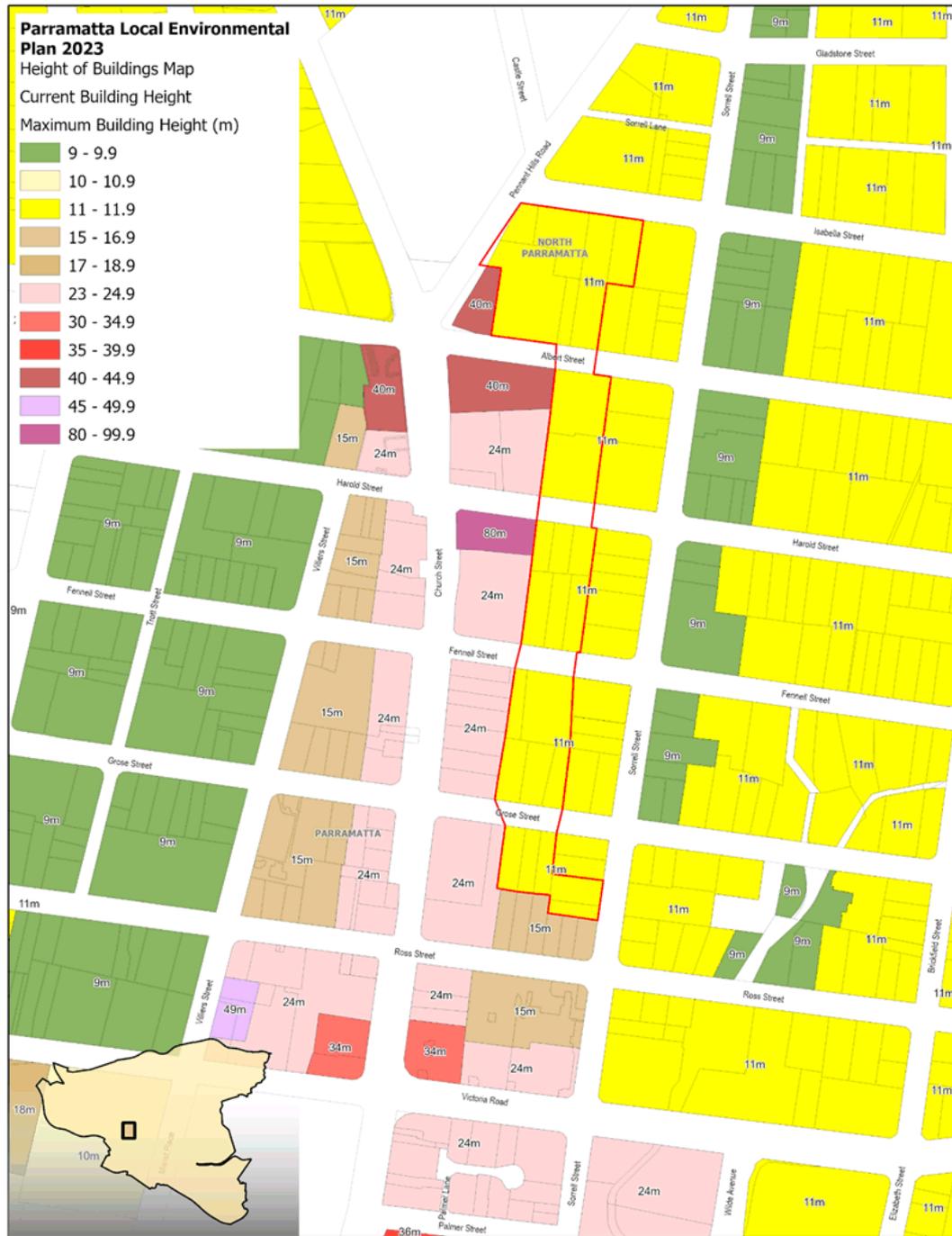
Parramatta Local Environmental Plan 2023
North-East Planning Investigation Area

Data Prepared by: **David Hewetson**
Date: **22/03/2024**

Approved:

Figure 10 illustrates the existing Floor Space Ratio (FSR) controls for the NEPIA with a consistent 0.8:1 across the site.

PLANNING PROPOSAL – North-East Planning Investigation Area



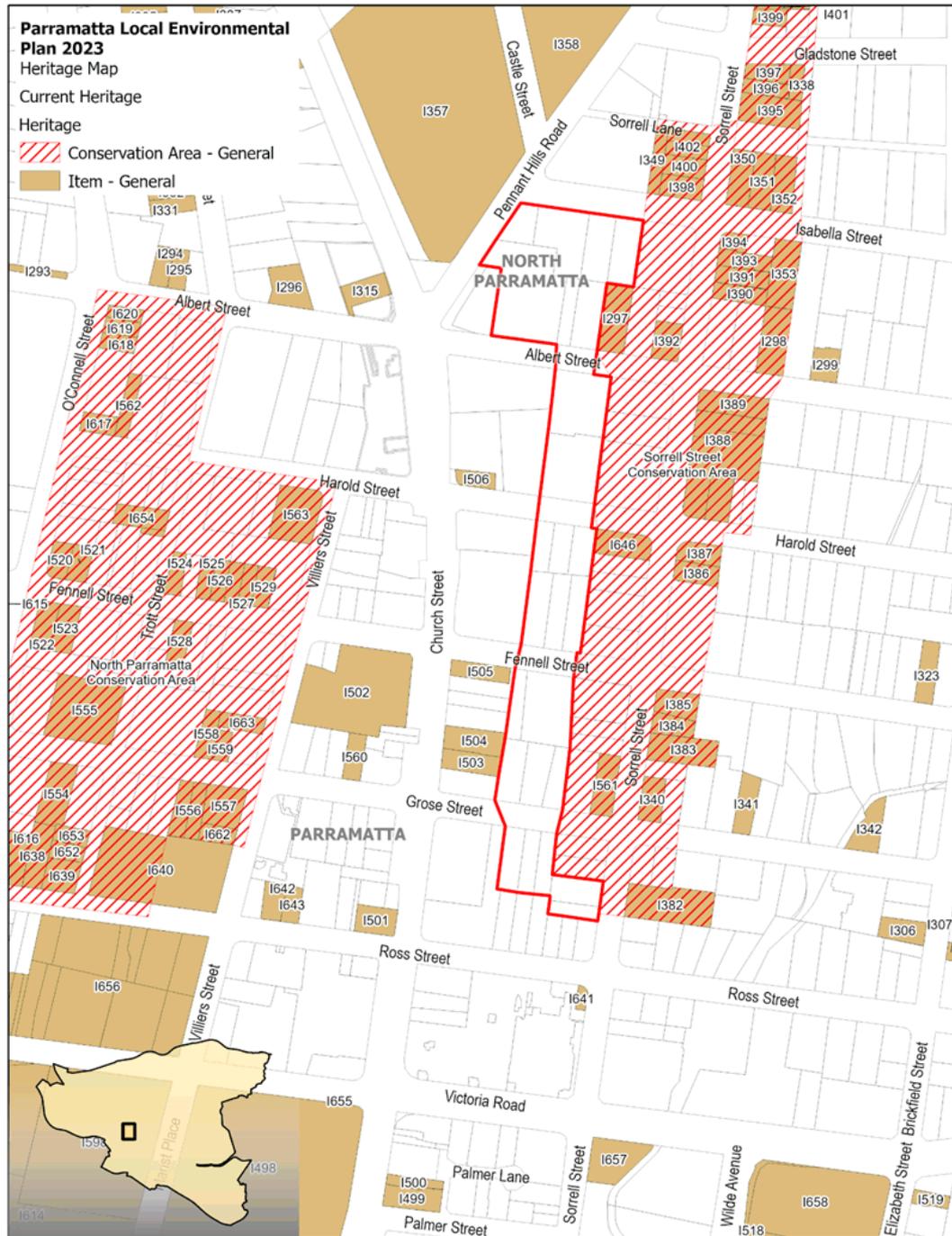
Parramatta Local Environmental Plan 2023
North-East Planning Investigation Area

Data Prepared by: **David Hewetson**
Date: **22/03/2024**

Approved:

Figure 11 illustrates the existing Height of Buildings (HOB) control for the NEPIA with a consistent 11m across the site.

PLANNING PROPOSAL – North-East Planning Investigation Area



Parramatta Local Environmental Plan 2023
North-East Planning Investigation Area

Data Prepared by: **David Hewetson**
Date: **03/04/2024**

Approved:

Figure 12 illustrates the existing Parramatta LEP 2023 heritage items and conservation areas in and proximate to the NEPIA.

PLANNING PROPOSAL – North-East Planning Investigation Area



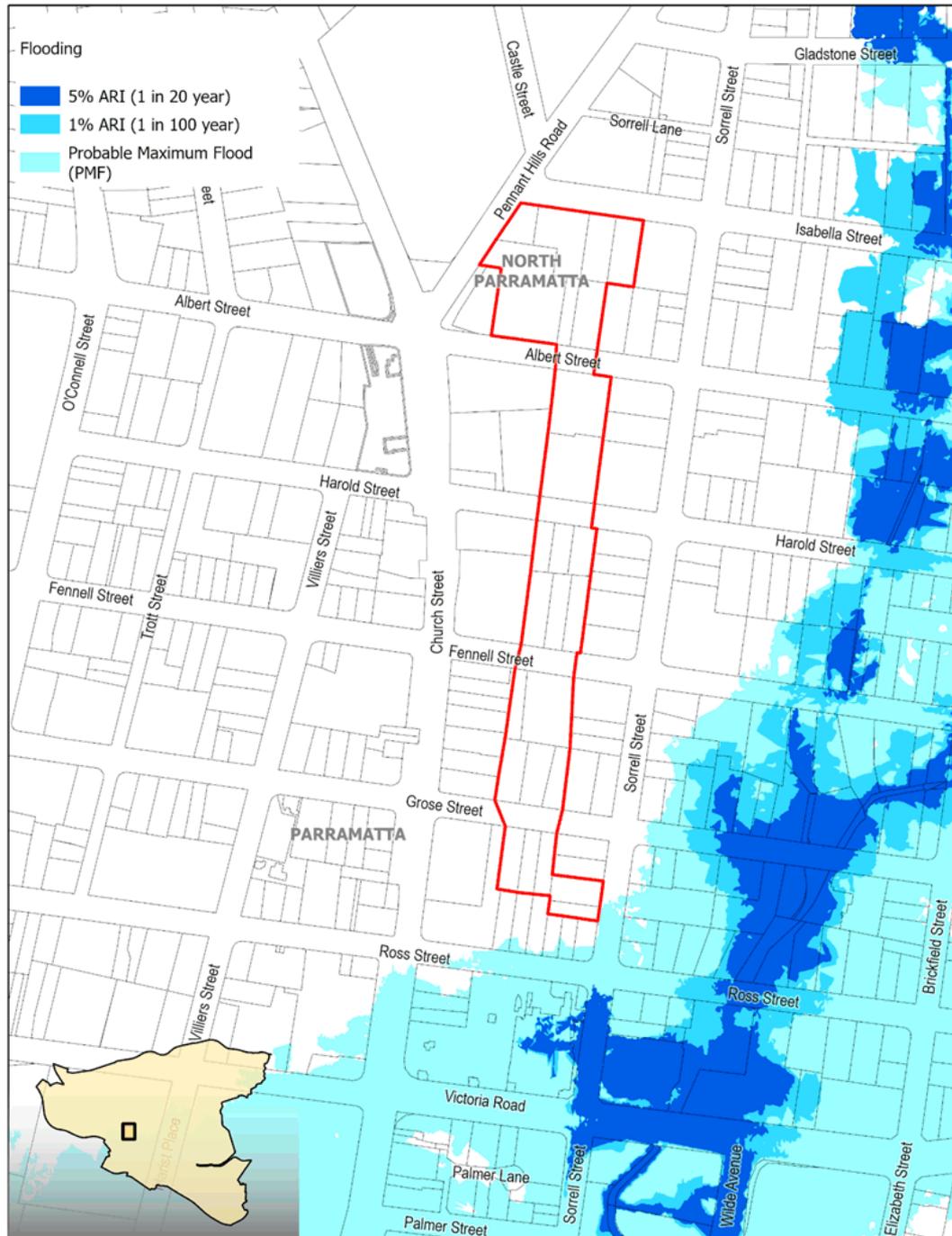
Parramatta Local Environmental Plan 2023
 North-East Planning Investigation Area

Data Prepared by: **David Hewetson**
 Date: **03/04/2024**

Approved:

Figure 13 illustrates the existing Acid Sulfate Soils classification for the NEPIA with a consistent Class 5 of land across the site.

PLANNING PROPOSAL – North-East Planning Investigation Area



Parramatta Local Environmental Plan 2023
North-East Planning Investigation Area

Data Prepared by: **David Hewetson**
Date: **03/04/2024**

Approved:

Figure 14 illustrates Council's existing flood mapping for the NEPIA displaying the affected areas for 5% and 1% Average Recurrence Intervals and the Probable Maximum Flood.

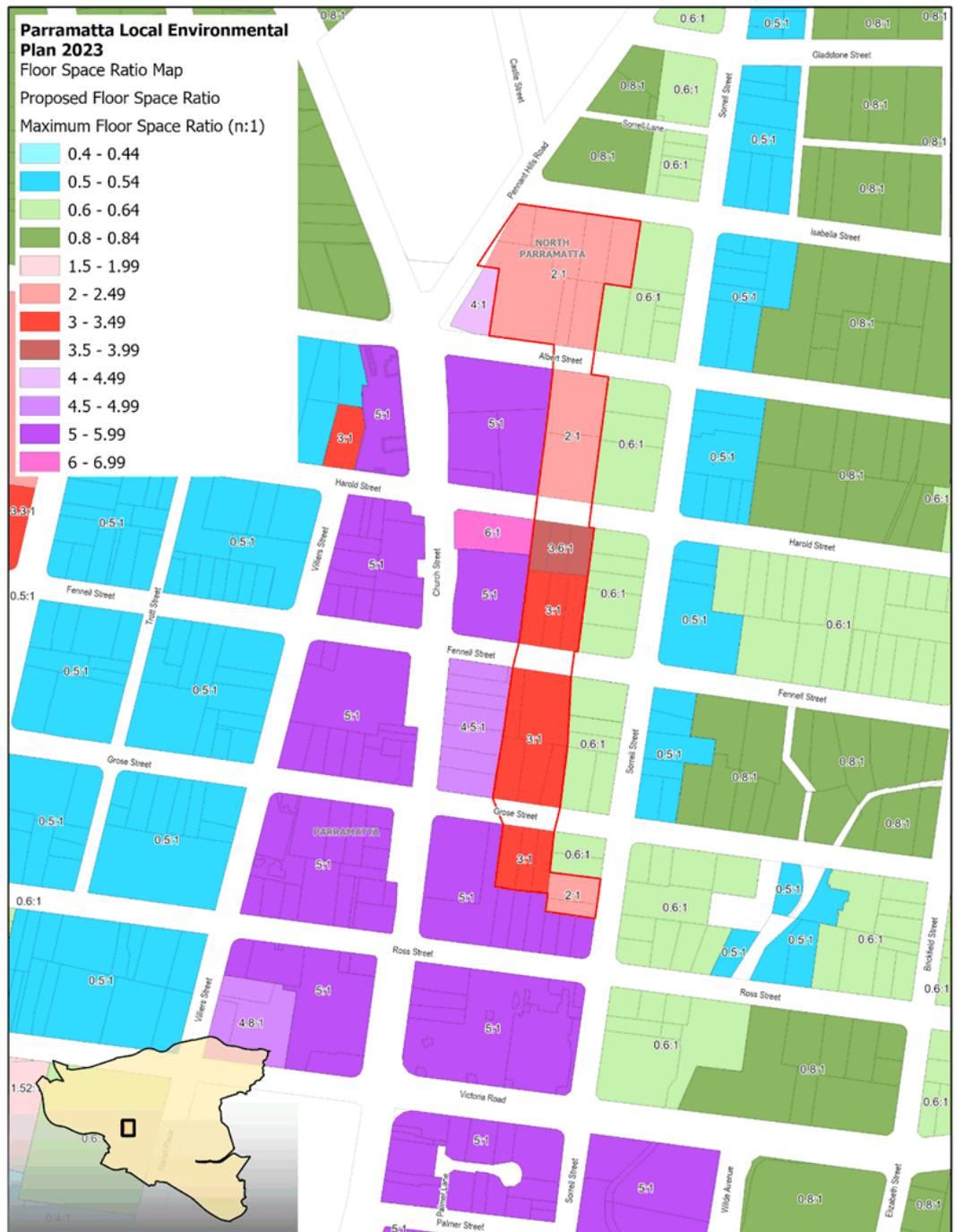
PLANNING PROPOSAL – North-East Planning Investigation Area

4.2 Proposed controls

The figures in this section illustrate the proposed amendments to the following maps:

- Floor Space Ratio Map
- Height of Buildings Map

PLANNING PROPOSAL – North-East Planning Investigation Area



Parramatta Local Environmental Plan 2023
 North-East Planning Investigation Area

Data Prepared by: **David Hewetson**
 Date: **22/03/2024**

Approved:

Figure 15 illustrates the proposed Floor Space Ratio (FSR) controls as recommended for the NEPIA from this Planning Proposal.

PLANNING PROPOSAL – North-East Planning Investigation Area

PART 5 – COMMUNITY CONSULTATION

The Planning Proposal (as revised to comply with the Gateway determination) is to be publicly available for community consultation.

Public exhibition is likely to include:

- newspaper advertisement;
- display on the Council's web-site; and
- written notification to affected landowners.

The gateway determination will specify the level of public consultation that must be undertaken in relation to the Planning Proposal including those with government agencies.

Consistent with sections 3.34(4) and 3.34(8) of the *EP&A Act 1979*, where community consultation is required, an instrument cannot be made unless the community has been given an opportunity to make submissions and the submissions have been considered.

PLANNING PROPOSAL – North-East Planning Investigation Area

PART 6 – PROJECT TIMELINE

Once the Planning Proposal has been referred to the Minister for review of the Gateway Determination and received a Gateway determination, the anticipated project timeline will be further refined, including at each major milestone throughout the Planning Proposal's process.

Table 15 below outlines the anticipated timeframe for the completion of the Planning Proposal.

Table 15 – Anticipated delivery of the Planning Proposal

Milestone	Anticipated Timeframe
Report to LPP on the assessment of the PP	April 2024
Report to Council on the assessment of the PP	May 2024
Referral to Minister for review of Gateway determination	May 2024
Date of issue of the Gateway determination	June 2024
Commencement and completion dates for public exhibition period	July 2024
Consideration of submissions	July - August 2024
Consideration of Planning Proposal post exhibition and associated report to Council	September 2024
Submission to the Department to finalise the LEP	October 2024
Notification of instrument	November 2024

Attachment 2 - Council report on the Draft DCP for the North-East Planning Investigation Area

The purpose of this Attachment is to illustrate the proposed amendments to Section 8.3 of Parramatta Development Control Plan 2023

Parramatta Development Control Plan 2023, Part 8: Centres, Precincts, Special Character Areas & Specific Sites

cityofparramatta.nsw.gov.au/sites/council/files/2023-12/PDCP-2023-Part-8.pdf

Section of the DCP being amended	Changes
Section 8.3 Neighbourhood Precincts	Amendment to Land Application Map
Section 8.3.10 North-East Parramatta	New controls

NEIGHBOURHOOD PRECINCTS

Explanatory note: Amend diagram 8.3.1 Neighbourhood Precincts in Part 8.3 to include North-East Planning Investigation Area as below.

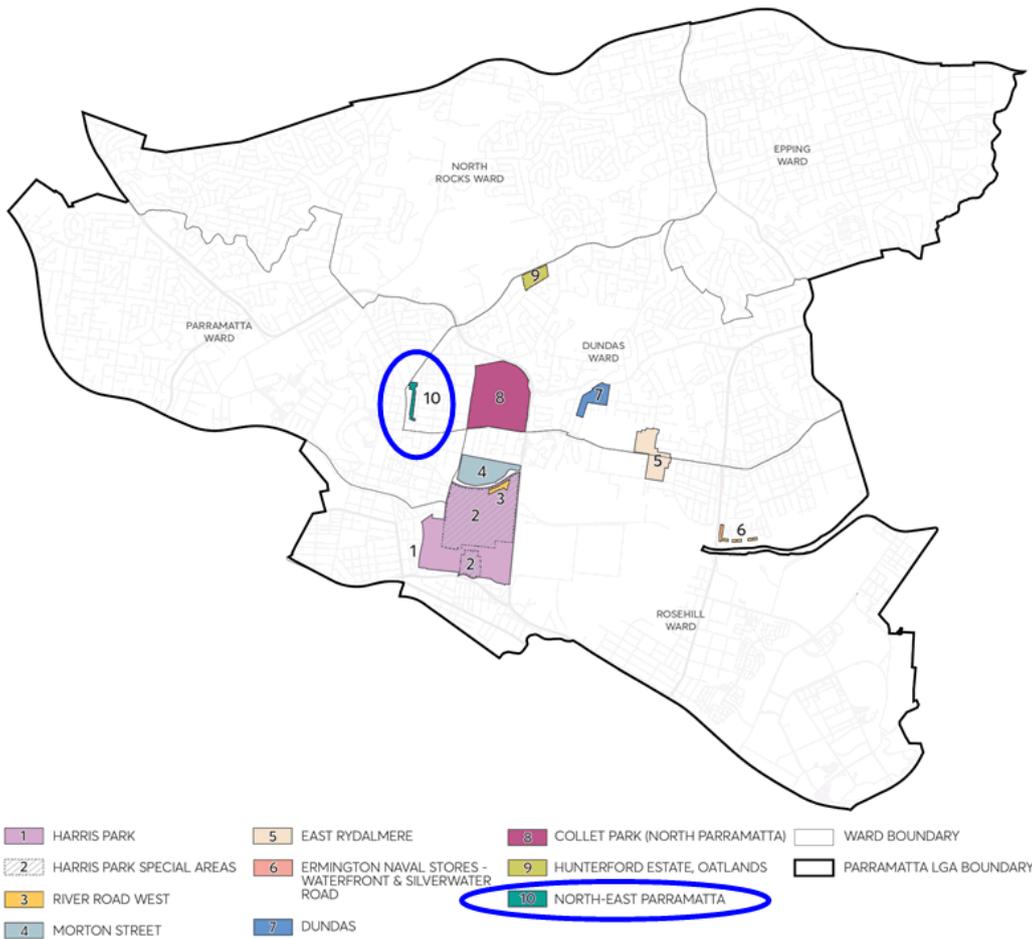


Figure 8.3.1 – Neighbourhood Precincts

NORTH-EAST PARRAMATTA PRECINCT

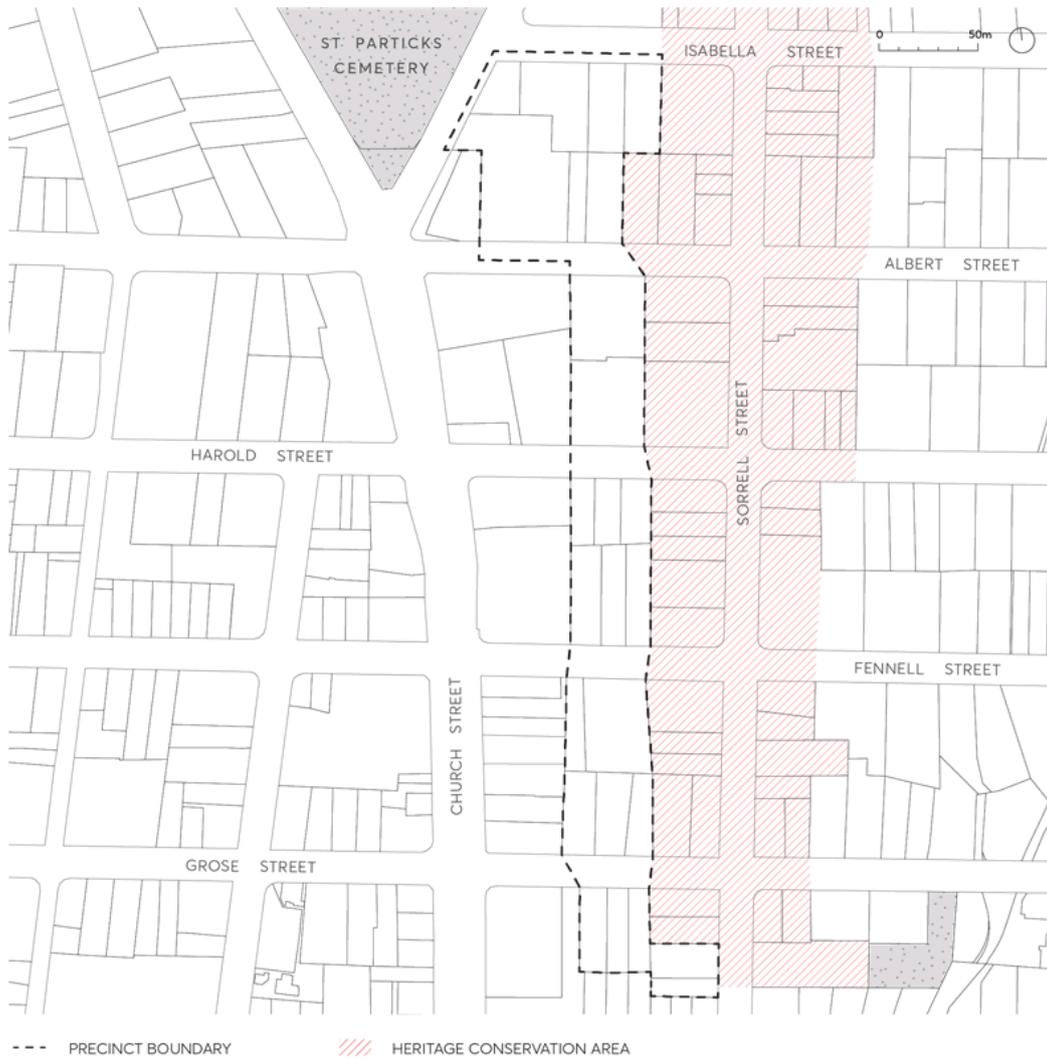


Figure 8.3.10.1 – North-East Parramatta Precinct

8.3.10.1 DESIRED FUTURE CHARACTER

The North-East Parramatta Precinct applies to land that sits between the northern periphery of the Parramatta City Centre and Sorrell Street Heritage Conservation Area (HCA). The adjacent Sorrell Street HCA is a residential precinct comprised mainly of 3- to 4-storey apartment buildings interspersed with smaller heritage houses. Established streetscapes where apartments have greater street setbacks and often mature tree planting, frame views of smaller heritage houses along the street. Historic buildings exist mostly on corners and in rows, with an important role in marking intersections and permitting views west up to the ridge of Church Street. Future development in this precinct is to respond to this prevalent heritage siting by ensuring that no building is built forward of well-established heritage alignments.

Future development within the North-East Parramatta Precinct will play a critical part in creating a transitional edge between larger scale development along the Church Street spine and the Sorrell Street HCA. Methods for transition include a combination of stepped building height, mid-block courtyards with tree planting, mid-block views to sky between towers along Church Street and upper-level setbacks in proximity to Sorrell Street properties. Transition ensures future built form is in response to both the existing and potential future context. The materiality and definition of podiums contribute to the streetscape, create human scale street edge and frame lower scale heritage buildings.

The wider context of North Parramatta is characterised by mature, large canopy trees within both the private and public domain. Future development should enhance this vegetated character and preserve trees on site as a priority.

The following controls acknowledge this is a precinct with a well-established residential character that will change over time. Controls are designed to recognise the potential higher density residential development within the North-East Parramatta Precinct and maximise opportunities for communal courtyards at ground that are collocated with deep soil, tree planting and increased canopy cover. Building podiums and towers are proportioned for residential uses with generous tower separation.

The specific objectives and controls for this precinct detailed below are to be applied in conjunction with the general objectives and controls in Part 2, 3, 5, 6 and 7 of this DCP. Where there is any inconsistency with any other part of the DCP, the objectives and controls of this section will prevail.

Objectives

- O.01 Transition building forms and types to mediate between the future context of towers along the Church Street spine and the low scale residential neighbourhood within the Sorrell Street Heritage Conservation Area.
- O.02 Define the visual setting of the heritage conservation area by ensuring views of sky from Sorrell Street over buildings within the North-East Parramatta Precinct and between towers.
- O.03 Orientate building forms to create consistent spacing between towers that align with tower development along Church Street increasing views to sky.
- O.04 Utilise building materiality and form to accentuate the lower levels of buildings in proximity to heritage buildings and along streets.
- O.05 Enhance the vegetated character of North Parramatta through consistent setbacks that preserve existing trees and enable further large canopy tree planting in the street, front setback, and rear setback zones.
- O.06 Ensure deep soil spaces with large canopy trees are delivered in a location where they also function as a background setting to the Sorrell Street Heritage Conservation Area.
- O.07 Allow heritage items to be the dominant features of the streetscape, forward of any future development.
- O.08 Support detached residential apartment buildings with good amenity.



Figure 8.3.10.2 – North-East Parramatta Precinct Setbacks & Built Form

NOTE: The building envelopes are indicative only and will be subject to further analysis and design refinement relating to flooding, overshadowing, heritage transition and the like.

8.3.10.2 MINIMUM SITE REQUIREMENTS

Objectives

- O.01 Ensure sites are of sufficient width to achieve:
 - a) The necessary standard of amenity in relation to privacy, solar access, ventilation, outlook, deep soil, and landscaped area,
 - b) Desired tower alignment and orientation to create space between buildings and views to sky,
 - c) Adequate building separation in accordance with this section of the DCP,
 - d) A sense of address and passive surveillance of the street, and
 - e) Safe and efficient access and servicing.
- O.02 Ensure development does not isolate or compromise the amenity or development potential on adjacent sites.

Controls

C.01 Site consolidation must comply with **Figure 8.3.10.3 – Preferred Lot Amalgamation for Redevelopment** to meet all of the objectives of the **8.3.10 North-East Parramatta Precinct**.



Figure 8.3.10.3 – Preferred Lot Amalgamation for Redevelopment

- C.02 A development lot must have a minimum site frontage width of 40 metres, except for development lots identified as site 04 and site 12 in Figure 8.3.10.3 – Preferred Lot Amalgamation for Redevelopment.
- C.03 Lots identified as site 04 and site 12 in Figure 8.3.10.3 – Preferred Lot Amalgamation for Redevelopment must have a minimum site frontage width of 24 metres.
- C.04 Where a site has the minimum frontage width or more, it must nonetheless be demonstrated that objective O.01 and O.02 of this control can be satisfied.

8.3.10.3 THE BUILDING ENVELOPE

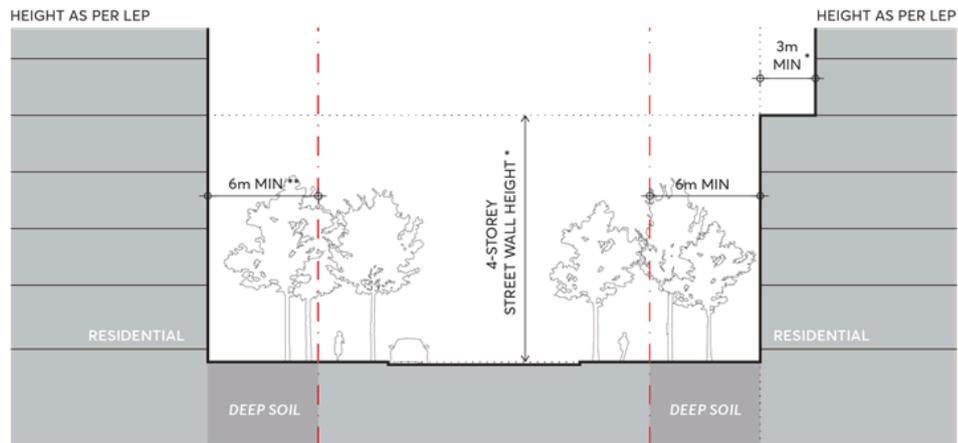
Objectives

- O.01 Provide space for landscape amenity and canopy tree planting that also contributes to the public domain.
- O.02 Align and orientate future development in a way that creates space between towers that align with tower development along Church Street and enables views to sky when observed from the Sorrell Street Heritage Conservation Area.
- O.03 Provide adequate privacy, access to light, air and outlook for the occupants of buildings, neighbouring properties and future buildings.
- O.04 Ensure building form achieves comfortable public domain conditions for pedestrians, with adequate daylight, appropriate scale and mitigation of urban heat and wind effects of tower buildings.
- O.05 Utilise building form and site layout to achieve a transitional relationship between Church Street properties and properties within the Sorrell Street Heritage Conservation Area.

Controls

BUILDING SETBACKS

- C.01 Development within the precinct must comply with the setbacks and envelope controls specified in Figure 8.3.10.2 – North-East Parramatta Precinct Setbacks and Built Form.
- C.02 All building setbacks must be measured perpendicular to the boundary and extend to the outer faces of the building including balconies, sunscreens and the like.
- C.03 For sites with a 40m height limit as per the Parramatta LEP 2023, buildings must be set back a minimum of 6 metres from the street boundary as shown in Figure 8.3.10.4. Tower setbacks must comply with Figure 8.3.10.2 – North-East Parramatta Precinct Setbacks and Built Form.
- C.04 For sites with a 40m height limit, the street wall must be designed to be of predominantly masonry character and articulated with depth, relief and shadow on the street façade. Where no upper level setback is required by Figure 8.3.10.2 - North-East Parramatta Precinct Setbacks and Built Form, the lower 4 storeys of the development must still be designed with the same materiality and character as the street wall, and be clearly distinct from the tower element.



* WHERE AN UPPER LEVEL SETBACK HAS BEEN SPECIFIED BY FIGURE 8.3.10.2
 ** WHERE NO UPPER LEVEL SETBACK HAS BEEN SPECIFIED BY FIGURE 8.3.10.2

Figure 8.3.10.4 – Street setbacks and street wall height for sites with a 40m height limit

- C.05 For sites with a 24m height limit as per the Parramatta LEP 2023, buildings must be set back a minimum of 6 metres from the street boundary, and upper level set back a minimum of 3m from the street wall, as shown in **Figure 8.3.10.5**. The lower 5 storeys must be designed to be of predominantly masonry character and articulated with depth, relief and shadow on the street façade.

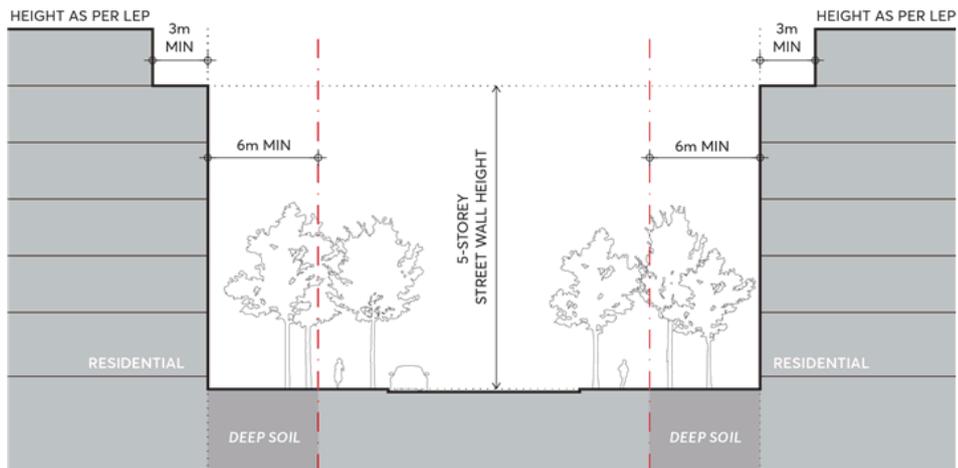
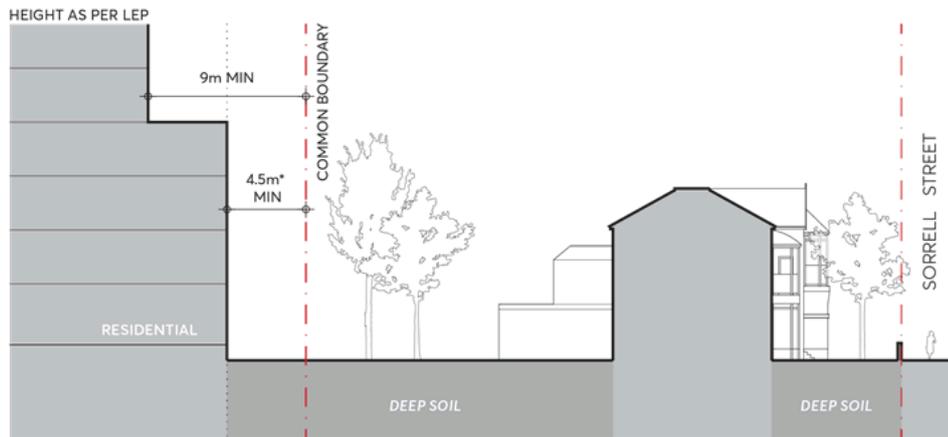


Figure 8.3.10.5 – Street setbacks and street wall height for sites with a 24m height limit

- C.06 A 1 metre articulation zone is permitted forward of the street setback, in which building elements may occupy a maximum of one third of the area of the façade. Services or lift shafts are not permitted in the articulation zone.
- C.07 For sites with a 40m height limit, buildings must provide a minimum 4.5 metres setback from the common boundary shared with any lot in the Sorrell Street Heritage Conservation Area and towers set back a minimum of 9 metres from the common boundary, as per Figure 8.3.10.6.



* UNLESS OTHERWISE SPECIFIED BY FIGURE 8.5.10.3

Figure 8.3.10.6 – Setback to properties within the Sorrell Street Heritage Conservation Zone

- C.08 Buildings on site 05, site 06 and site 12 must provide a minimum 6 metres setback from the common boundary shared with any lot in the Sorrell Street Heritage Conservation Area and the upper level must be set back a minimum of 9 metres from the common boundary.
- C.09 Buildings on site 01, site 02 and site 04 must provide a minimum 4.5 metre setback from side boundaries and the upper level must be set back a minimum of 9 metres from side boundaries.
- C.10 Development site 05, site 06, site 09 and site 10 must provide a minimum of 6 metres setback from the common boundary shared with lots fronting Church Street, as per Figure 8.3.10.7. Towers/upper levels must be set back a minimum of 3 metres from the podium, subject to building separation requirements.

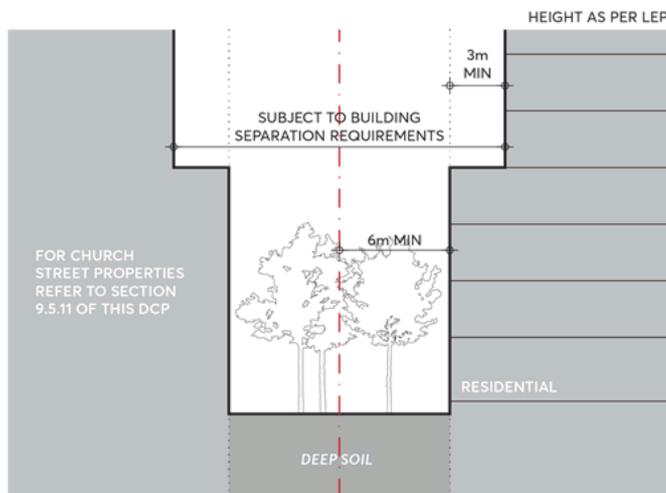


Figure 8.3.10.7 – Setbacks and separation with properties fronting Church Street (site 05, site 06, site 09, and site 10)

- C.11 Development on site 07, site 08, and site 11 must provide a minimum of 4.5 metre setback from the common boundary shared with lots fronting Church Street, as per **Figure 8.3.10.8**.

Towers must be set back a minimum of 4.5 metres from the podium, subject to building separation requirements.

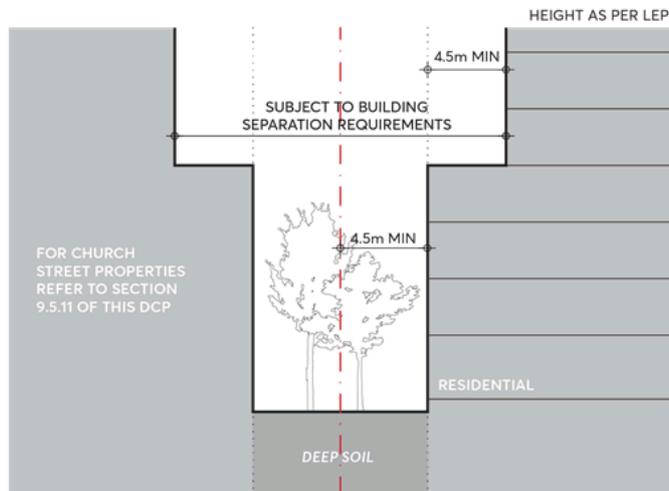


Figure 8.3.10.8 – Setbacks and separation with properties fronting Church Street (site 07, site 08 and site 11)

- C.12 The rear setback to any part of the building up to 4 storeys must be a minimum of 6 metres. For any part of the building above 4 storeys, the rear setback must be a minimum of 20% of the site length or 12 metres, whichever is greater.
- C.13 Only one step in the built form between the street wall and tower is permissible.
- C.14 Basements must be contained within the building envelope and not encroach into minimum setback zones.

BUILDING SEPARATION

- C.15 For all sites with a 40m height limit as per the Parramatta LEP 2023, towers must have a minimum separation of:
 - a) 18 metres between lots in the North-East Parramatta Precinct and lots on Church Street for any part of the development over 4 storeys.
 - b) 24 metres between lots in the North-East Parramatta Precinct for any part of the development over 4 storeys.

Refer to Figure 8.3.10.9 – Tower Separation.
- C.16 Any existing adjacent building, including heritage listings, cannot be used to justify reduced separation or setbacks.
- C.17 Separation between each of the buildings should enable generous views to sky from the Sorrell Street Heritage Conservation Area towards Church Street, as per Figure 8.3.10.10 and Figure 8.3.10.11.

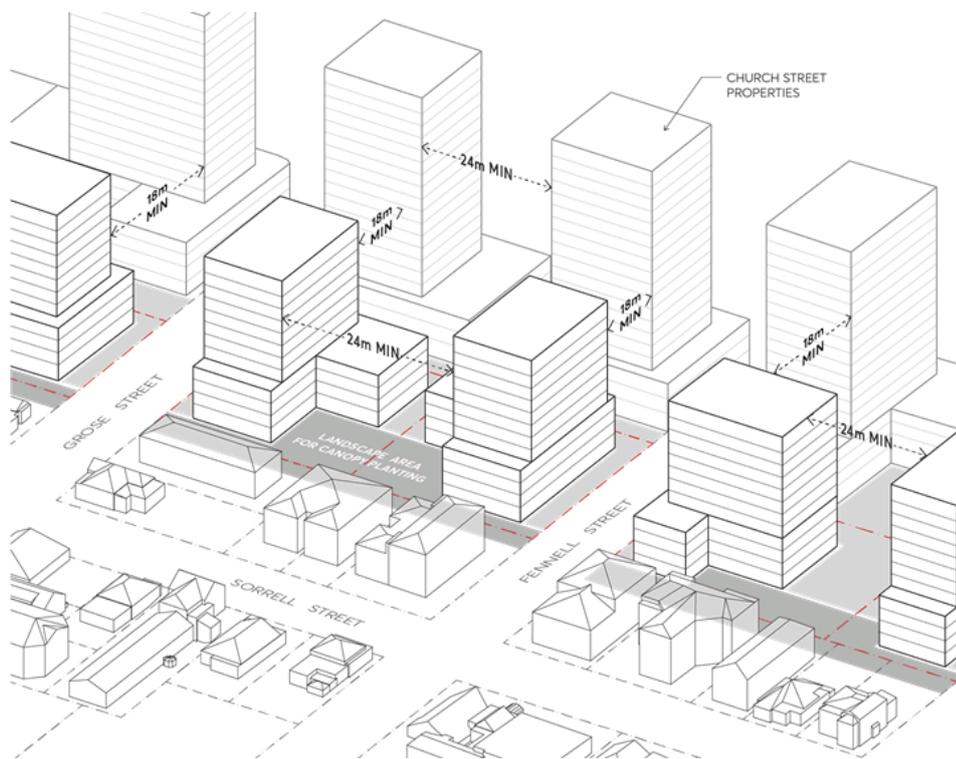


Figure 8.3.10.9 – Tower Separation

BUILDING PROPORTION AND HEIGHT

- C.18 Height of new buildings are to ensure positive and cohesive relationships with other buildings both on the site and off the site and are to respond to the scale and character of the Sorrell Street Heritage Conservation Area.
- C.19 The maximum number of storeys permitted within the height limit specified by the Parramatta LEP 2023 must be consistent with the table below:

Height in metres	Height in storeys
24 metres	6 storeys
40 metres	12 storeys

- C.20 The maximum floorplate length for any tower must be 35 metres and maximum floorplate area for any tower must be 800 square metres.
- C.21 Where possible, buildings should be designed so that the short edge of towers may be orientated to the Sorrell Street Heritage Conservation Area to create generous views to sky between towers when observed from the HCA, as per Figure 8.3.10.10 and Figure 8.3.10.11.



Figure 8.3.10.10 – Aligned spaces between towers to enable views to sky

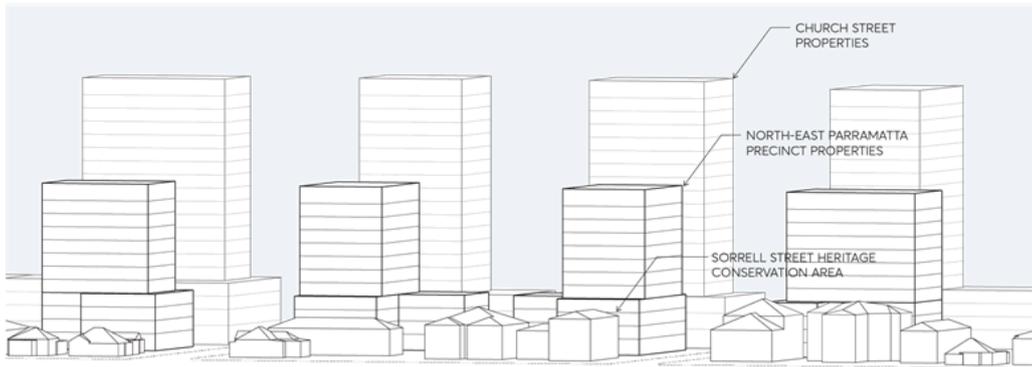


Figure 8.3.10.11 – Views to sky between towers

8.3.10.4 RESIDENTIAL APARTMENT DESIGN QUALITY

Objectives

- O.01 Provide for the amenity, interest and liveliness of the street environment.
- O.02 Appropriately define and design the street edge and setback area to achieve amenity and privacy for residents as well as engagement with and passive surveillance of the street.
- O.03 Ensure development achieves good amenity standards for residents in relation to daylight, ventilation, outlook, and privacy.

Controls

- C.01 Buildings are to be designed to ensure that solar access and cross ventilation requirements of the Apartment Design Guide and Part 3: Residential Development of this DCP are achieved for residential development both on and off the site.
- C.02 Solar access must be reasonably provided and retained within the existing and future public domain areas and on adjoining sites.
- C.03 The minimum floor to floor height must be 3.5m for the ground floor level and 3.1m for any level above the ground floor level as per Figure 8.3.10.11 – Ground floor interface and floor to floor heights.
- C.04 High level windows must not be used as the primary source of light, ventilation and outlook for habitable rooms.
- C.05 Daylight and natural ventilation must be provided to all common circulation spaces and windows must be visible from any lift core, as well as the ends of corridors.
- C.06 To balance privacy and street activation, ground floor apartment levels must be a minimum of 500mm and maximum of 900mm above footpath level as per Figure 8.3.10.11 – Ground floor interface and floor to floor heights.

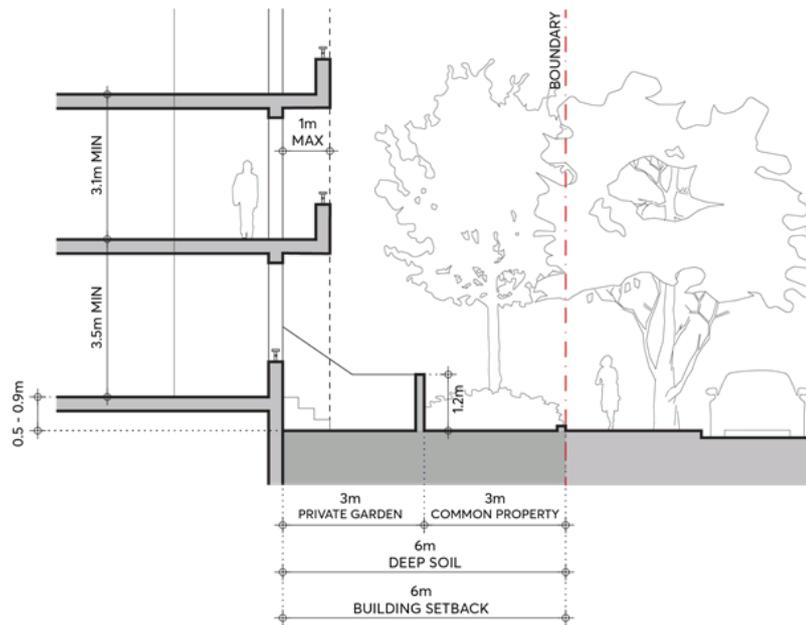


Figure 8.3.10.11 – Ground floor interface and floor to floor heights

- C.07 The setback area must allocate the front 3 metres adjacent to the footpath as common property for landscaping. Canopy trees must be planted in this area, a minimum 3.5 metres from any structure, to enable a tree with greater than 13 metres mature height and spread, at the rate of 1 canopy tree for every 15 lineal metres of frontage.
- C.08 A wall set back 3 metres from the street boundary must articulate the front areas in private ownership. The wall must be a maximum 1.2 metres high and of masonry construction, integrated with dividing masonry walls for private open spaces.
- C.09 Where individual apartment entries from the street serve as a primary address, a ground floor balcony space between the entry and private garden, and a hinged front door with a distinct entry space within the apartment, must be provided. Sliding glass doors for ground floor apartments fronting the street are discouraged. If the entries are only for the use of residents they must be understated, with post boxes and street numbers located at the common entry.
- C.10 All stairs and ramps providing access to lobbies must be internalised where necessary to ensure the street interface is not compromised.
- C.11 A fully illustrated and co-ordinated ground floor design, showing all the necessary levels and detail, must accompany development applications. Drawings must include:
- C.12 A detailed ground level plan and sections as part of the architectural submission which illustrates the relationships between the interior and the exterior spaces of the setback area, including the landscape and hydraulic detail, and extends into the public domain.
- C.13 Any required services must be discreetly integrated into the design.
- C.14 The architectural drawings must be fully co-ordinated with the landscape and hydraulic drawings.

- C.15 Elevations and sections at minimum 1:50 scale of all built elements in the setback area must be provided.

8.3.10.5 DEEP SOIL AND LANDSCAPING

Objectives

- O.01 Provide space for landscape amenity and canopy tree planting that also contributes to the public domain.
- O.02 Ensure communal open spaces facilitate opportunities for recreational and social activities, passive amenity, landscaping, and deep soil planning.
- O.03 Create contiguous deep soil networks across lots to support large canopy tree communities and unobstructed groundwater movement.

Controls

- C.01 A minimum 30% of the total site area is to be provided as deep soil. All deep soil zones must have a minimum dimension of 4 metres x 4 metres.
- C.02 Where green coloured areas are shown in Figure 8.3.10.2 – North-East Parramatta Precinct Setbacks and Built Form, these areas be used as a courtyard and/or landscaped area.
- C.03 Buildings must provide communal open space to meet the requirements of Section 3D of the Apartment Design Guide, and should be located to be:
- a) Highly visible and directly accessible to the maximum number of dwellings, and
 - b) Integrated with deep soil to provide a landscape setting with opportunities for large and medium size tree planting.
- C.04 Roof gardens may be permitted on top of podiums; however, these must provide adequate visual and acoustic privacy to other buildings within the development and on adjoining sites.
- C.05 Impervious surface at ground level must be minimised on the site.

8.3.10.6 HERITAGE RELATIONSHIPS AND TRANSITION

Objectives

- O.01 Ensure new development is situated alongside heritage listed sites in a way that is respectful, appropriate and will enhance the heritage values of the place.
- O.02 Protect and enhance the setting of heritage items and conservation areas, including the contribution of items to the broader context including views, immediate setting and heritage value.
- O.03 Create appropriate relationships between new development, heritage items and the Sorrell Street Heritage Conservation Area.

Controls

- C.01 C.01 Development must not be designed to step away from heritage buildings like a zigurat but have vertical walls that create well defined space around a heritage item.

- C.02 The parts of development that form the backdrop to a heritage item must be designed so the visual prominence of a heritage item is retained and enhanced.
- C.03 A deep soil area adjoining the common boundary of a lot containing a heritage building must be delivered to allow canopy tree planting to form an immediate backdrop to heritage items.
- C.04 Development must not adversely affect the amenity of buildings within the Sorrell Street HCA, such as overlooking or overshadowing.

8.3.10.7 PARKING DESIGN AND VEHICULAR ACCESS

Objectives

- O.01 Minimise the impact of on-site parking on the design quality of the building and the public domain.
- O.02 Minimise the amount of vehicular traffic generated in relation to development.

Controls

- C.01 The maximum number of car parking spaces, including any existing car parking spaces, must be consistent with the following rates:
 - a) 0.2 space for each studio apartment
 - b) 0.4 space for each 1-bedroom apartment
 - c) 0.8 space for each 2-bedroom apartment
 - d) 1.1 space for each apartment with 3- or more bedrooms
- C.02 The following rates may be provided, in addition to the rates contained in C.01 above, as maximum visitor parking spaces (calculated cumulatively):
 - a) For each dwelling up to 30 dwellings – 0.167 spaces
 - b) For each dwelling more than 30 and up to 70 dwellings – 0.1 spaces
 - c) For each dwelling more than 70 dwellings – 0.05 spaces
- C.03 Bicycle parking spaces must be provided at a rate of 1 space per dwelling.
- C.04 All car parking is to be provided at basement level to ensure that the visual appearance of car parking structures does not dominate the street frontage or impact the ability to provide landscape at ground level.
- C.05 Pedestrian and vehicle conflict are to be minimised with limited vehicle crossings to the public domain. Design must demonstrate compliance with Council's 'Public Domain Guidelines'.
- C.06 Provision of loading bays or service vehicle areas, building service/plant areas, and building services (such as substation) must be adequately screened from any public domain areas, including the street or through site links.

8.3.10.8 FLOODPLAIN RISK MANAGEMENT

Objectives

- O.01 Allow development in the floodplain that is appropriate to the flood hazard and risk at a particular location.
- O.02 Ensure early site planning and consideration of flood conditions to achieve an integrated flood response that manages flood risk and provides optimum development design outcomes to provide adequate amenity on and off site, and interface with the public domain.

Controls

- C.01 Site consolidation patterns outlined in **Figure 8.3.10.2** – *Preferred Lot Amalgamation for Redevelopment* must be achieved to ensure access and egress to buildings is maintained without transversing public roads affected by the Probable Maximum Flood (PMF) level, where access to a road not affected by the PMF is accessible.
- C.02 Development must comply with the requirements in Part 5.1.1 Flooding and Part 9.7 Flood Risk Management to Council's satisfaction.



North-East Planning Investigation Area Draft Planning Strategy

Community Engagement Report

April 2024

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CONTENTS

1. Introduction	1
2. How did we consult?	2
3. Feedback from the exhibition of the Planning Strategy	3
4. Review of submissions	4

1. Introduction

1.1. Purpose of this Report

This Community Engagement Report has been prepared to summarise and respond to themes raised in feedback received during the public exhibition of the draft North-East Parramatta Investigation Area Planning Strategy (Planning Strategy).

The Engagement Report is an attachment to a report for the Parramatta Local Planning Panel (LPP) seeking their advice on amendments to the planning controls for the North-East Planning Investigation Area (NEPIA). At the time of writing, this report was scheduled for the LPP meeting on 16 April 2024. The Engagement Report is also an attachment to a Council report on the same proposed planning amendments scheduled for 13 May 2024 at the time of writing.

1.2. Background

On 9 November 2020, Council resolved to endorse a draft Planning Strategy for the purposes of public exhibition to seek feedback from the community and stakeholders on six built form options for the NEPIA presented in the Planning Strategy.

The draft Planning Strategy for the NEPIA was exhibited for 31 days in 2021 commencing on March 16 and ending on 15 April as part of a non-statutory exhibition process. The six built-form options are summarised in **Table 1** below. A webpage link to the Planning Strategy is [here](#).

Since this time the Department of Planning, Housing and Industry (the Department) led a review of planning controls in the wider area of North Parramatta. This work was finalised in December 2023 with the State Environmental Planning Policy (Church Street North Precinct) 2023 ('CSN SEPP') being made. A webpage link to the CSN SEPP is [here](#).

The changes to the planning controls by the Department for the Church Street North Precinct did not include the NEPIA; however, in the [Department's Finalisation Report](#) to the CSN SEPP opportunity for the NEPIA to provide a transition in scale from the higher density tower forms from the Church Street North Spine to the lower density dwellings in the Sorrell Street Heritage Conservation Area (HCA) to the east was recognised.

Table 1: The Floor Space Ratio's and building heights of the six (6) built form options in the exhibited draft Planning Strategy for the NEPIA

Option	Building height	Maximum Height achievable with Design Excellence	Floor space ratio (FSR)
Option 1 'No change'	11m (as per current height in PLEP 2023*)	N/A	0.8:1 (as per current FSR in PLEP 2023*)
Option 2	28m (8 storeys)	N/A	2:1
Option 3	40m (12 storeys)	46m (14 storeys)	3:1 plus Design Excellence
Option 4	54m (17 storeys)	62.1m (20 storeys)	4:1 plus Design Excellence
Option 5	67m (20 storeys)	77.1m (23 storeys)	5:1 plus Design Excellence
Option 6	80m (25 storeys)	92m (29 storeys)	6:1 plus Design Excellence

Note. When the Planning Strategy was being exhibited, the relevant planning instrument was Parramatta LEP 2011. This has now been superseded by Parramatta LEP 2023 (LEP); but the LEP and FSR controls for the NEPIA did not change.

2. How did we consult?

The Planning Strategy was exhibited for a four-week period from 16 March to 15 April 2021. Whilst there is no statutory requirement under the *Environmental Planning and Assessment Act 1979* and *Environmental Planning Regulations 2021* to exhibit a Planning Strategy, its exhibition is consistent with the community participation requirements contained in Council's Community Engagement Strategy.

2.1. Engagement mechanisms

The following community engagement mechanisms were utilised for the purposes of the exhibition of the Planning Strategy consistent with the resolution of Council (weblink available [here](#)).

- Notification letters to landowners and occupiers (including owners and occupiers of individual apartments within strata buildings) inside the NEPIA boundary and landowners and occupiers within a 200m buffer of the NEPIA boundary.
- Participate Parramatta [webpage](#).
- Exhibition material included:
 - Frequently Asked Questions
 - Draft Planning Strategy
 - Community Flyer
 - Background documents:
 - Council Report 9 November 2020;
 - Council Resolution of 9 November 2020;
 - Corresponding Heritage Study (2015) by Urbis;
 - Corresponding Heritage Study of Interface Areas (2017) by Hector Abraham Architects
 - Peer Review of Heritage Interface Area (2018) by GML
 - NEPIA - Map
 - Video comprising a narrated slideshow on the project website
 - Hard copy of exhibition documents made available at Council's Customer Service Centre and Parramatta Library
- Online submission portal.
- Project email address to receive submissions.
- Consultation with Council's Heritage Advisory Committee.
- Consultation with relevant public authorities, including the (then) Department of Planning, Industry and Environment (DPIE), Transport for NSW and the NSW Heritage Office
- Public notice on City of Parramatta's corporate website and Participate Parramatta portal.
- Phone-a-planner sessions during the period of exhibition.

3. Feedback from the exhibition of the Planning Strategy

A total of **194 submissions** were received during the exhibition period which was received via the project email address or the online submission portal.

Submitters fall into one of the following categories:

- **Landowners, Residents and Individuals:** 181 submissions which represents 93.3% of the total submissions received. Of the 181 submissions, 111 submissions came from residents within the Parramatta LGA which represents 94% of the total submissions received.
- **Planning Consultants on behalf landowners:** 5 Submissions which represents 2.6% of the total submissions received.
- **Public Authorities, Institutions and Interest Groups:** 8 Submissions which represents 4.1% of the total submissions received, from Heritage NSW, Transport for NSW, School Infrastructure NSW, Parramatta Female Factory Friends, North Parramatta Residents Action Group, National Trust of Australia, Parramatta Heritage Advisory Committee and Urban Taskforce.

As the proposed LEP and DCP amendment progresses (as detailed in the LPP and Council Report), the community, stakeholders and public agencies that provided submissions on the draft Planning Strategy will again be consulted. Consultation will be undertaken in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning Regulations 2021* as well as with the community participation requirements contained in Council's Community Engagement Strategy and any conditions of a Gateway determination issued by the Department (should Council resolve to seek this).

The feedback received during the public exhibition period for the Planning Strategy in 2021 is provided to ensure there is a complete record of the consultation; and to show how the feedback has informed the recommended planning controls in the Planning Proposal, DCP and Council Report, as well as the changing planning position.

4. Review of submissions

4.1. Overview of submissions

The preferred option from nearly half of respondents (46.1%) indicated support for option 1 which is that no change should occur to the existing planning controls. This means maintaining the current 11 metre building height (3 storeys) and 0.8:1 FSR.

The second most preferred option representing 16% of respondents was for option 6 which proposed an 80 metre building height and a 6:1 FSR (excluding a design excellence bonus).

24.7% of respondents did not explicitly indicate a preference for any of the six (6) options presented in the Planning Strategy. However, these respondents indirectly indicated their preference in their written comments.

- 13.9% of respondents were concerned at the introduction of “high density residential flat building development” into the area. The current zoning for the NEPIA in the LEP is R4 High Density Residential and the controls permit three storey residential flat buildings. Therefore, it is assumed that these submitters preference lies with option 1 ‘No change to the existing controls’.
- 2% of respondents indicated a preference for high-rise development. Since options 2 to 6 include higher density forms (ie greater than 3 storeys), it is assumed that these submitters’ preferences lie with options 2 to 6.
- 8.8% of respondents did not provide sufficient commentary for Council Officers to ascertain a preferred option or option range.

Table 2: Summary of submissions on preferred option

Preferred Option	Number of submitters	Percentage
Option 1 - ‘No change’	94	46.1%
Option 2	17	8.3%
Option 3	6	2.9%
Option 4	1	0.5%
Option 5	4	2.0%
Option 6	34	16.7%
Not Indicated	48	23.5%
Total	204	100%

Note: The total number of preferred options (204) exceeds the number of submissions received (194) due to some submitters expressing their support for more than one option.

4.2. Key themes identified in the feedback

Respondents concerned at the high-rise density options (who leaned towards options 1 or 2) tended to raise issues which cover the following themes:

- Heritage, overshadowing and character
- Scale & density
- Local infrastructure
- Traffic and parking and public transport
- Environmental

Respondents supporting the high-rise density options (who leaned towards option 6 as well as options 2 to 5) tended to raise issues which cover the following themes:

- Development feasibility and design quality
- Previous resolved position of Council

4.3. Examination of key themes and Council Officer responses

Detailed discussion of these themes and a response is provided below. This response includes a comment about how the recommended new draft controls seek to address each theme. The draft controls are detailed in Attachments 1 and 2 of the LPP and Council reports (see Section 1.1 above).

1. Heritage, overshadowing and character

Seventy-six submissions (76) out of the ninety-four (94) that supported option 1 expressed concern with the built form options and the potential impact on heritage. These submissions raised concerns that related to bulk, scale and density in that high-rise buildings would negatively impact the adjoining heritage areas. Submitters also raised concerns that high-rise buildings would overshadow heritage sites and the HCA. The retention of the heritage character as a defining aesthetic factor was a key reason for support for option 1.

Submitters also shared concerns with high-rise development forms being incompatible with the character of surrounding area and the potential for tall buildings to overtake the current environmental context of the NEPIA. These notions were categorised under loss of character.

Transitioning down in height from the higher-density built form in Church Street North to the Sorrell Street HCA was suggested by some submitters.

Alternative views to the above were expressed from respondents supporting the higher density options. These views came from both residents and a planning consultant. For instance, some submitters were of the view that the area's heritage could be retained through the careful use of materials, interface treatments, setbacks and appropriate transitions from towers to heritage areas/items. Additionally, a planning consultancy representing seven (7) landowners within the NEPIA argued that a 'hard' transition from tall towers to low scale heritage sites would emphasise and reinforce the heritage precinct.

In its submission, Heritage NSW saw that any new planning controls for the NEPIA *considers the protection of the cultural significance and heritage values of state and locally listed heritage items and the locally listed Sorrell Street HCA.*

Council Officer response: The Department's Finalisation Report for the CSN SEPP included principles and strategies for responding to the adjoining HCAs and low scale residential uses by transitioning building heights downwards towards them and protecting view corridors. The recommended height controls for the NEPIA in the LPP and Council Reports are based on the 'viewshed' approach detailed in the consultant study commissioned by the Department (refer to Section 1.2 of the [Church Street North Urban Design Study](#), p. 60). This design approach is to protect the setting of Sorrell Street Heritage Conservation Area.

The principle of transition is also recommended to be applied to 'space' between buildings through setbacks, building separation and orientation. Orientating the short edge of towers towards the HCA and requiring vegetated seeks to minimise the bulk of towers perceived from the HCA and provide landscape space as a frame/backdrop to heritage buildings and the HCA. Maximising separation between towers where it can increase views to sky when observed from the HCA and encouraging slender tower forms and finer grain street wall typologies to tie into the surrounding lower scale context of North Parramatta also aim to achieve a transition and unify development across the precinct. The proposed DCP controls (Attachment 2 to the Local Planning Panel Report) requires new development consider overshadowing with specific reference to impacts on the adjacent Sorrell Street HCA (e.g. proposed control **C.04** in **Section 8.3.10.6**). The Department discusses alternative controls as part of the CSN SEPP in contrast to the CBD Planning Proposal's controls to limit the impacts of overshadowing on surrounding heritage sites.

Mitigation of overshadowing impacts are also proposed to be addressed through design principles established for the CSN SEPP via stepped building heights, space between buildings through setbacks and building separation. The draft DCP controls for the NEPIA

define how the Church Street North Precinct design principles will be upheld.

Controls related to heritage relationships and transition can be found in **Section 8.3.10.6** of Attachment 2 to the Local Planning Panel Report, the draft amendments to the Parramatta DCP 2023.

2. Scale and density

Impacts on heritage, overshadowing and loss of character from the scale and density were key concerns respondents that supported maintaining the current controls were concerned that the attractiveness and values of North Parramatta would be affected negatively by larger scale and more dense development, particularly around:

- Visual impacts and liveability
- Sorrell Street's "charm"
- Increase overshadowing impacts on both North Parramatta and Sorrell Street HCAs
- Impact on street trees (lack of space for plantings and overshadowing)
- Impacts on heritage with strong contrasts between the zones
- Incompatibility with the surrounding area

These submitters also shared a desire to maintain the unique quietness and existing amenity of the precinct in line with low-scale density provided by the existing built environment. However, supporters of the higher density options, including option 6 saw higher densities aligning with the principles of growth for the area's proximity to the City Centre.

Council Officer response: See above response to '1. Heritage, overshadowing and character'.

3. Local infrastructure

Some submitters were concerned that overdevelopment of the area with high-rise buildings would place unreasonable demands on local infrastructure, particularly open space areas and parks, schools and sports facilities.

Transport for NSW suggests in its submission that Council could amend its Local Infrastructure Contributions Plan by including public work improvements to existing active transport paths, connections and crossing facilities to encourage use of active transport modes.

Council Officer response: New development will be subject to the 'Outside CBD s7.11 Development Contributions Plan 2021 – Amendment No.1'. This will provide for the capacity to fund more local infrastructure in accordance with the Community Strategic Plan (CSP), ensuring the community continues to be serviced by infrastructure which supports the intended growth. New development resulting from the recommended planning controls will also make use of State infrastructure including the Parramatta Light Rail and Sydney Metro. With regards to school infrastructure, Schools Infrastructure NSW's submission of April 2021 expressed concerns on the potential impacts on the operation of Parramatta North Public School, Bayanami Public, Northmead Creative and Performing Arts High School from the proposed options, particularly the high-rise options and the potential population increases. It proposed additional consultation be undertaken prior to finalisation of the draft Strategy. Schools Infrastructure will be consulted on the Planning Proposal (if endorsed by Council).

4. Traffic and parking and public transport

Traffic was raised as an issue, predominantly from residents within the NEPIA with any increases in

density being perceived to compound the effect of traffic and parking issues that exist in the area.

However, supporters of the higher density options (including option 6) see the State Government's investment in transport infrastructure in the area, such as Sydney Metro and the Parramatta Light Rail, being aligned with the higher density options. Reference was also made in some submissions to a site-specific proposal in Harold Street proposing at that time a maximum height of 80 metres and an FSR of 6:1. These submitters were of the view that these controls could be applied across the NEPIA as a logical and viable future for the precinct and owing to the area's proximity to the Parramatta Light Rail and Sydney Metro rail system.

A number of respondents (approximately 11% of total respondents) were of the view that because the NEPIA has proximity to the Parramatta Light Rail, this was sufficient justification for increases to densities in the range of Options 3 to 6.

As a principle, Transport for NSW supports high density development that has proximity to public transport. However, Transport for NSW recommends transport impact assessment be undertaken prior to the finalisation of the Planning Strategy to identify the potential impacts to the traffic and transport network from the proposed built form options (1 – 6), including the ability of the adjacent networks to adequately accommodate the trip demand of the built forms and identify any potential negative impacts to the light rail journey time along Church Street.

Council Officer response: In May 2021, after the exhibition of the Planning Strategy, the Department took over the planning process for the Church Street North Precinct. As part of that process, the Department undertook its own consultation with key State agencies and other parties including Transport for NSW, some 18 months after Council received Transport for NSW's submission on the Planning Strategy. It means that the currency of Transport for NSW's submission on the Planning Strategy may be somewhat outdated. This process led to the forthcoming CSN SEPP which will introduce new LEP controls for the Church Street spine and as described above the Department's view of the NEPIA being a transition between the higher density on Church Street and the HCA's low scale residential areas.

The Department's Finalisation Report for the CSN SEPP also states, *In light of the evolving housing crisis...the department has...prepared a rezoning to provide certainty and accelerate housing delivery along the Parramatta Light Rail corridor* (p. 4).

The NEPIA is generally subject to the same traffic conditions as the Church Street North Precinct and its proximity to existing public transport makes use of State infrastructure, services and facilities in the City centre and wider area.

Access to public transport options will encourage a mode shift from private vehicles and this is being further supported by recommended new car parking rates for future development.

Proposed parking rates in the DCP controls for the NEPIA (contained in Attachment 2 to the Local Planning Panel Report) are maximum rates to mitigate parking overflow and reduce dependencies on kerbside parking. These respond to the Integrated Transport Plan (ITP) undertaken for the CBD Planning Proposal which established parking rates for Parramatta City Centre and are being recommended as a framework for determining parking rates within the NEPIA. The NEPIA's anticipated development typology (podium and tower with basement) is further justification for the application of maximum parking rates.

Adopting these recommendations are a response to the key points raised in the submissions regarding parking. Applying *maximum* parking rates for the NEPIA will address car dependency and demand for parking spaces. These controls can be found in **Section 8.3.10.7** of the draft DCP.

5. Environmental matters

- Some respondents expressed concern about potential environmental impacts such as wind tunnelling and heat stress from hard surfaces and removal of trees associated with extending high-rise building forms from the Church Street spine into the NEPIA.

Council Officer response: The recommended draft LEP and DCP controls for the NEPIA allow for 'viewsheds' which provide for a break between buildings extending from the Church Street sites to the NEPIA area. These also enable blue sky views from Sorrell Street. As well, the recommended building footprints in the draft DCP controls seek to provide larger contiguous deep soil areas for planting large trees, which will assist with mitigating wind tunnelling and heat stress impacts.

6. Economic viability and design quality of buildings

Ten (10) (approximately 5%) of respondents expressed that the 6:1 FSR option was the only economically viable option that could adequately fund the turning over of existing development in the NEPIA. These respondents were concerned that where existing buildings provide for less density, these will need to be demolished and replaced with denser buildings that 'make better use' of sites that are proximate to transport infrastructure and the City Centre.

Council Officer response: The respondents of this position did not support their submissions with any economic evidence, the issue of proximity to the city and transport is addressed above.

7. Council endorsement of option 6

Some submitters raised that because Council had previously endorsed a 6:1 FSR for the NEPIA (on 25 November 2019) and because this is a formal position of Council, that it is sufficient for this FSR to be formalised through an LEP amendment.

Council Officer response: Since the exhibition of the Planning Strategy in 2021, further technical urban design and policy work (SEPP) has been undertaken by the Department which is summarised in the Department's Finalisation Report for the CSN SEPP. This work has identified that the NEPIA should form a transition area between the higher density Church Street spine situated within the Parramatta City Centre to the west, and to the Sorrell Street HCA and corresponding R3 Medium Density Residential and R2 Low Density Residential zoned land situated to the east, with the 'viewshed' approach determining this transition height.

Conclusion

As the proposed LEP and DCP amendment progresses (as detailed in the LPP and Council Report), the community, stakeholders and public agencies that provided submissions on the draft Planning Strategy will again be consulted. Consultation will be undertaken in accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning Regulations 2021* as well as with the community participation requirements contained in Council's Community Engagement Strategy and any conditions of a Gateway determination issued by the Department (should Council resolve to seek this).



MINUTES AND LOCAL PLANNING PANEL REPORT

**Parramatta Local Planning Panel
Tuesday, 16 April 2024
3.30pm**

**Level 3, PHIVE
Parramatta Square, Parramatta**

City of Parramatta – Local Planning Panel – 16 April 2024

1.1	<p>SUBJECT Request for Gateway and public exhibition: Planning Proposal for North-East Planning Investigation Area</p> <p>APPLICANT/S City of Parramatta</p> <p>OWNERS N/A</p> <p>REPORT OF Error! No document variable supplied.</p> <p>PANEL ADVICE</p>
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The Parramatta Local Planning Panel recommends:

- (a) That Council approve:
 - i) The Planning Proposal at **Attachment 1** to the Council report, for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure, for the land identified as the North East Planning Investigation Area which seeks the following changes to the Parramatta Local Environmental Plan 2011:
 - a. Increase the Maximum Floor Space Ratio from 0.8:1 to a range between 2:1 and 3.6:1.
 - b. Increase the Maximum Height of Building from 11m to a range between 24m and 40m (approximately 6 – 12 storeys).
 - ii) The supporting draft DCP amendments at **Attachment 2** to the Council report, applying to the land in the North East Planning Investigation Area for the purposes of public exhibition.
- (b) That Council advise the Department of Planning, Housing and Infrastructure that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.
- (c) That Council authorise the CEO if the Gateway determination is issued by the Department, that the draft DCP amendments are placed on public exhibition concurrently with the Planning Proposal.
- (d) That Council delegates authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.

City of Parramatta – Local Planning Panel – 16 April 2024

REASONS

The Paramatta Local Planning Panel generally agrees with the Council Officer's report.

VOTING

Unanimous

The meeting terminated at 4.42pm.

Chairperson

Local Planning Panel 16 April 2024

Item 6.2

PLANNING PROPOSAL

ITEM NUMBER	6.2
SUBJECT	Request for Gateway and public exhibition: Planning Proposal for North-East Planning Investigation Area
REFERENCE	F2022/03176 -
APPLICANT/S	City of Parramatta
OWNERS	N/A
REPORT OF	Team Leader Land Use Planning

PURPOSE

The purpose of this report is to seek the Parramatta Local Planning Panel's advice to Council on a request to the Department of Planning, Housing and Infrastructure for a Gateway Determination for a Planning Proposal for the land identified as the North-East Planning Investigation Area.

RECOMMENDATION

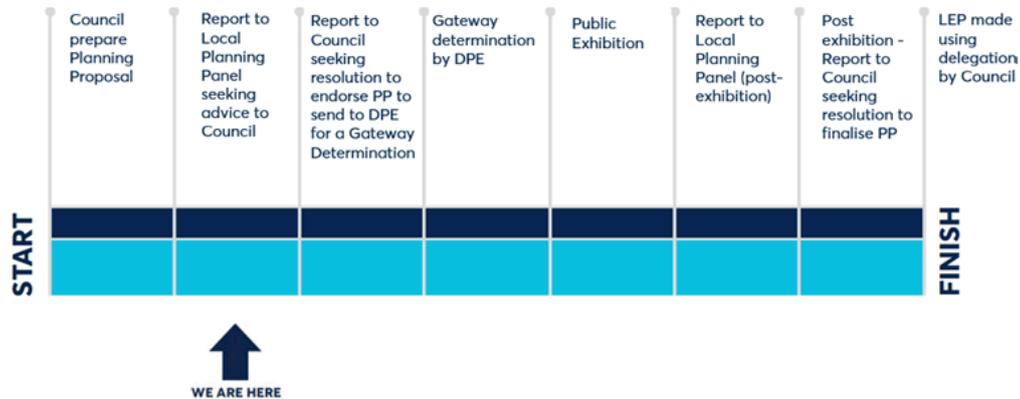
The Parramatta Local Planning Panel consider the following Council Officer recommendation in its advice to Council:

- (a) That Council approve:
 - i) The Planning Proposal at **Attachment 1** for the purposes of seeking a Gateway Determination from the Department of Planning, Housing and Infrastructure, for the land identified as the North East Planning Investigation Area which seeks the following changes to the Parramatta Local Environmental Plan 2011:
 - a. Increase the Maximum Floor Space Ratio from 0.8:1 to a range between 2:1 and 3.6:1.
 - b. Increase the Maximum Height of Building from 11m to a range between 24m and 40m (approximately 6 – 12 storeys).
 - ii) The supporting draft DCP amendments at **Attachment 2** applying to the land in the North East Planning Investigation Area for the purposes of public exhibition.
- (b) That Council advise the Department of Planning, Housing and Infrastructure that the CEO will be seeking to exercise its plan-making delegations for this Planning Proposal, as authorised by Council on 26 November 2012.
- (c) That Council authorise the CEO if the Gateway determination is issued by the Department, that the draft DCP amendments are placed on public exhibition concurrently with the Planning Proposal.
- (e) That Council delegates authority to the CEO to correct any minor anomalies of a non-policy and administrative nature that arise during the plan-making process.

Local Planning Panel 16 April 2024

Item 6.2

PLANNING PROPOSAL TIMELINE



SUMMARY

1. This report seeks the advice of the Parramatta Local Planning Panel on a Planning Proposal for land identified as the North-East Planning Investigation Area for the purposes of seeking a Gateway Determination from the Department Planning, Housing and Infrastructure.
2. The Planning Proposal seeks to amend Parramatta Local Environmental Plan (LEP) 2023 and Parramatta Development Control Plan (DCP) 2023 to enable an appropriate response to the changes to the planning controls that come into effect on 1 July 2024 for the Church Street North Precinct that were made by the State Government through a State Environmental Planning Policy (SEPP).
3. The proposed LEP and DCP amendments for the North-East Planning Investigation Area respond to matters raised in the Church Street North SEPP Finalisation Report and the outcomes from the NEPIA Planning Strategy exhibition providing a transition in heights and density from the Church Street North Precinct to the Sorrell Street Heritage Conservation Area to the east.
4. The Planning Proposal forms part of 'Phase 1' of the work program endorsed by Council on 20 November 2023 to review the planning controls for the 'Planning Investigation Areas' adjacent to the Parramatta City Centre.

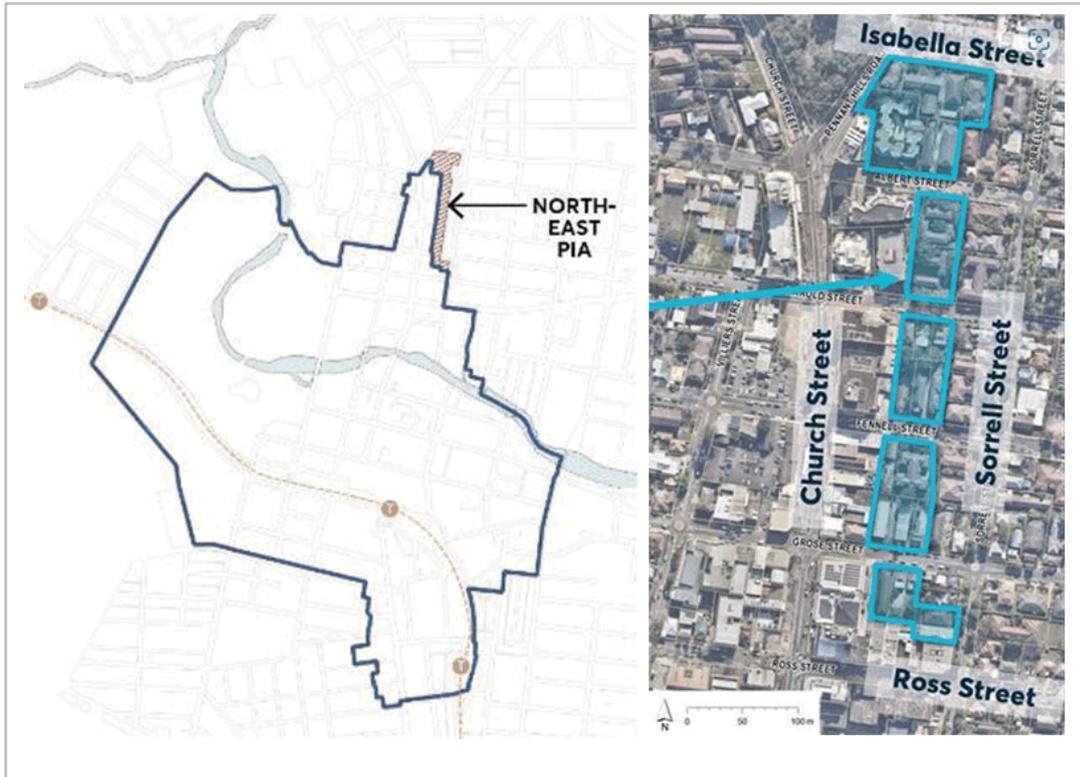
SITE DESCRIPTION

5. The North-East Planning Investigation Area (NEPIA) is a collection of 25 sites in the suburb of Parramatta adjacent to the east of the City Centre boundary as shown in **Figure 1** below.

Local Planning Panel 16 April 2024

Item 6.2

Figure 1: Parramatta City Centre (left) and the North-East Planning Investigation Area Boundaries (right)



6. The sites included are:
- 17, and 36, 38 and 40 Albert Street
 - 1, 9, 11 and 17 Isabella Street
 - 20, 23, 25 and 27 Harold Street
 - 32, 33, 34, 34A and 37 Fennell Street
 - 35, 36, 37, 38, 39 and 40 Grose Street
 - 25 and 29 Sorrell Street

CURRENT PLANNING CONTROLS

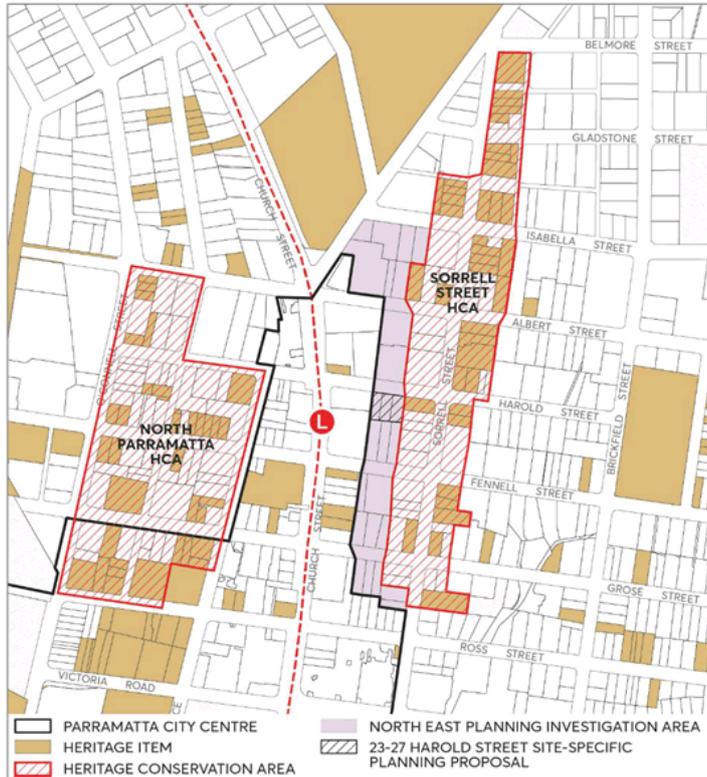
7. The current *Parramatta LEP 2023* controls that apply to the NEPIA are:
- Zoning R4 High Density Residential
 - Maximum Height of Building control of 11 metres; and
 - Maximum Floor Space Ratio (FSR) of 0.8:1.
8. No sites within the NEPIA are heritage listed; however, as shown in **Figure 2** below, the NEPIA is adjacent to several heritage items and the Sorrell Street Heritage Conservation Area under Schedule 5 of the PLEP 2023.

Local Planning Panel 16 April 2024

Item 6.2

9. The general DCP controls that apply to all R4 High Density Residential precincts in the LGA apply to this Precinct. There are no precinct specific controls.

Figure 2: Relevant planning and heritage considerations within proximity of the NEPIA.



OTHER RELEVANT PLANNING MATTERS

10. The western boundary of the NEPIA adjoins the Church Street North Precinct. The Department prepared [SEPP \(Church Street North Precinct\) 2023](#) which introduces new planning controls for the land north of the river (refer to **Figure 4**) and is set to commence on 1 July 2024. A separate process is currently underway to progress amendments to Parramatta DCP 2023 to provide appropriate DCP controls that respond to, and correlate with, the Church Street North SEPP amendments, and anticipated to be reported to Council in the coming weeks.
11. Additionally, a proponent led site-specific planning proposal located within the NEPIA at 23-27 Harold Street, Parramatta (see black hatched area in **Figure 2**) is currently subject to a rezoning review. At the time of writing this report, the outcome of this review was not known to Council Officers.

BACKGROUND

12. On 20 November 2019, Council considered a report on the Parramatta CBD Planning Proposal (CBD PP) and resolved to defer a number of areas,

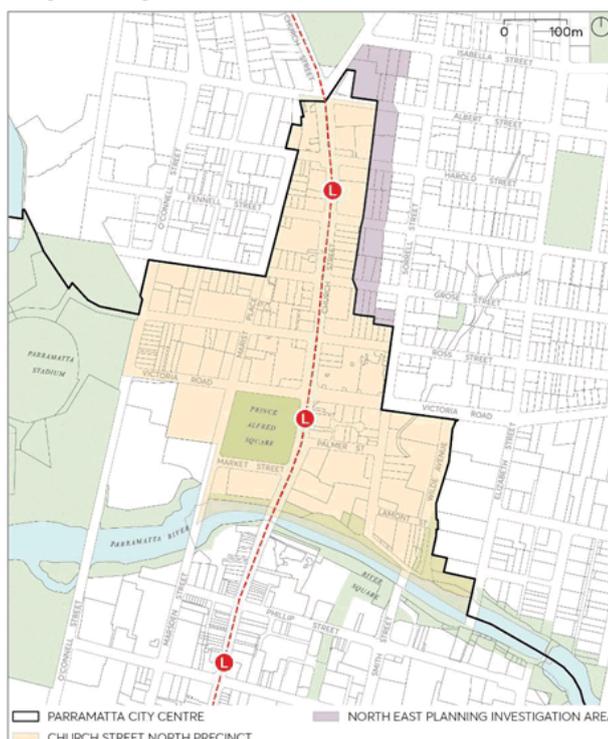
Local Planning Panel 16 April 2024

Item 6.2

including an area known as the North-East Planning Investigation Area from the broader CBD PP Planning Proposal it was considering at that time. This precinct was deferred to allow further options to be considered.

13. In June 2020, Council resolved to prepare a Planning Strategy for the NEPIA in response to a number of planning proposals that were submitted for parcels in the area. Public exhibition of the Planning Strategy occurred from March to April in 2021 and an overview of submissions received, and Council's response is detailed further below in this report and in **Attachment 3**.
14. In finalising the CBD Planning Proposal (CBD PP) now formally known as *Parramatta Local Environmental Plan 2011 (Amendment No 56)*, the Department removed the area north of the Parramatta River (known as the Church Street North Parramatta (refer to **Figure 4**)) from the CBD PP to undertake a State-led *planning process*.
15. In December 2023, the Department finalised a State Environmental Planning Policy (Church Street North Precinct) ('CSN SEPP') for the land north of the river that was previously removed from the CBD PP. As shown in **Figure 3**, the NEPIA is not subject to planning work by the State Government and thus Council can re-commence planning and technical investigation for the NEPIA.

Figure 3: Relationship between the forthcoming Parramatta City Centre boundary, the Department's Church Street North Precinct (as per the SEPP); as well as the North East Planning Investigation Area.



NEPIA Planning Strategy

16. As discussed above Council endorsed a Planning Strategy for the NEPIA which sought feedback from the community on six built form options. A total

Local Planning Panel 16 April 2024

Item 6.2

of 194 submissions were received in response to the public exhibition with a stakeholder breakdown of:

- **Landowners, Residents and Individuals:** 181 Submissions
- **Planning Consultants:** 5 Submissions
- **Public Authorities, Institutions and Interest Groups:** 8 Submissions

17. **Table 1** below displays a breakdown of the options preferred by submitters:

Table 1: Submitter preferred NEPIA Planning Strategy Options

Option	FSR and height proposed in Option for the entire NEPIA	Number in support	Percentage
Option 1	(0.8:1, 11m)	94	46.1%
Option 2	(2:1, 28m)	17	8.3%
Option 3	(3:1, 40m)	6	2.9%
Option 4	(4:1, 54m)	1	0.5%
Option 5	(5:1, 67m)	4	2.0%
Option 6	(6:1, 80m)	34	16.7%
Not Indicated	N/A	48	23.5%
Total		204	100%

Note: The total number of preferred options (204) is larger than the number of submissions (194) due to recording submitters who expressed their support for more than one option.

18. Key themes in the submissions included heritage impacts, scale and density, infrastructure pressures, traffic/ parking, character and overshadowing. **Attachment 3** provides an analysis of the submissions and Council officer responses to the key themes.
19. The themes and issues raised in the submissions were used to inform the key design aspects of the proposed changes to the NEPIA.

DESCRIPTION OF THE PLANNING PROPOSAL

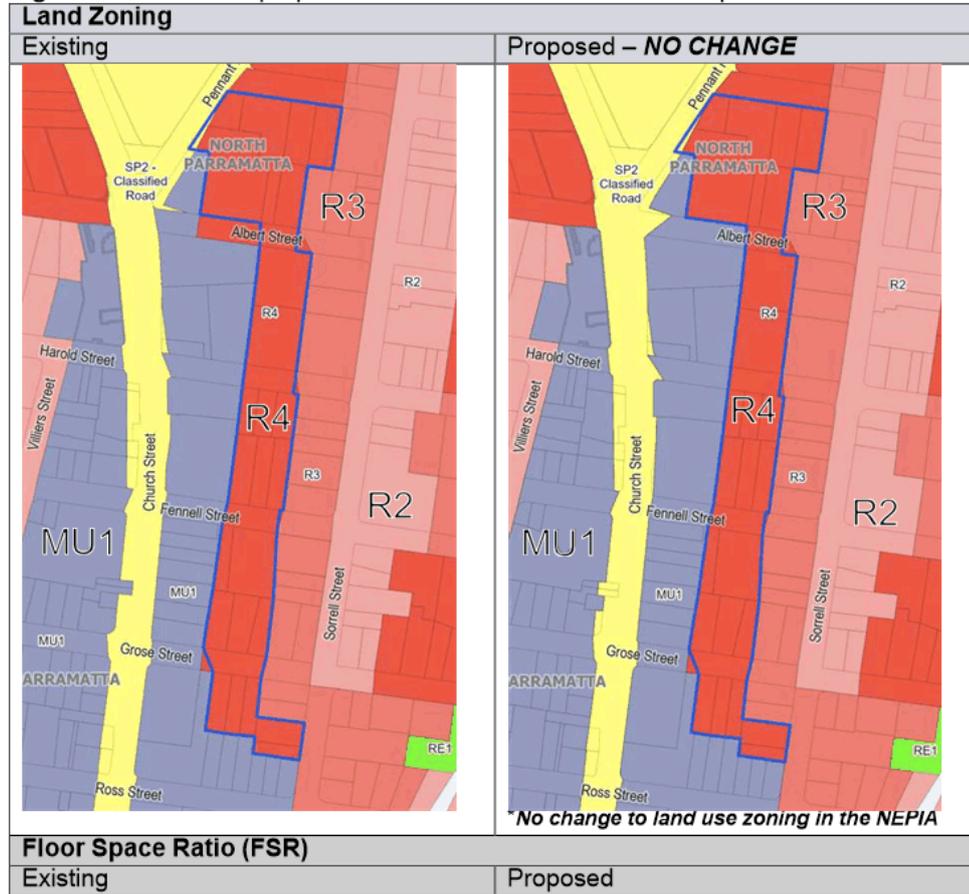
20. The Planning Proposal for the NEPIA seeks to amend the FSR and HOB Maps of the Parramatta LEP 2023 as per **Table 2** below. Supporting DCP controls are also proposed as outlined below and detailed in **Attachment 2**. The proposed controls for the NEPIA consider the CSN SEPP and feedback from community submissions made to the exhibition of the NEPIA Planning Strategy in 2021.

Table 2: Existing and proposed LEP controls for the NEPIA

Controls	Current	Proposed
Land Zoning	R4	No Change (R4)
Floor Space Ratio	0.8:1	2:1, 3:1, 3.6:1
Height of Buildings	11m	24m (6 storeys), 40m (12 storeys)

The following section details the mapped changes between existing and proposed PLEP 2023 controls for the NEPIA.

Figure 4: Current and proposed amendments to PLEP 2023 maps



Local Planning Panel 16 April 2024

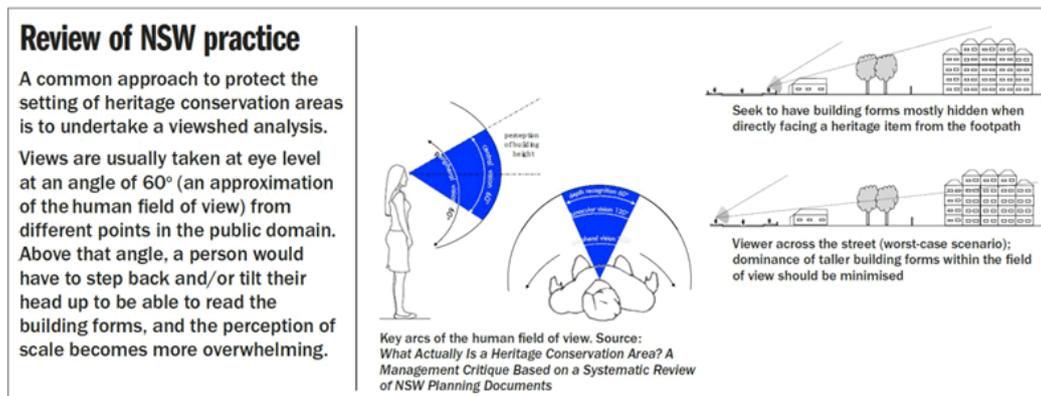
Item 6.2

Determining the height of building control and FSR for the NEPIA

21. The recommended height of building controls for the NEPIA are based on:

- the 'viewshed' approach detailed in the Department-commissioned consultant study that informed mapped building heights in the CSN SEPP. Applying a 60-degree field of view sightline, views to sky are maintained above buildings providing a transition in height and protecting the setting of the heritage conservation area. An extract from the consultant study on the viewshed approach is provided in **Figure 5**.
- creating a mapped skyline strategy which steps down from the concentrated height on Church Street towards the Sorrell Street HCA, but also northwards towards the surrounding low-scale residential areas of North Parramatta, as per **Figures 6 and 7**.
- an acknowledgement of sites within the CSN precinct north of Harold Street that are unlikely to redevelop due to large, 6- to 8-storey residential strata subdivisions.

Figure 5: Extract from the consultant report explaining the field of view sightline application (Source: [Church Street North Urban Design Study](#))



22. The recommended FSR controls for the NEPIA are based on:

- Achieving workable FSRs that align with the proposed height of building controls.
- Reinforcing the height transition through inter building setbacks, street setbacks, building orientation, and location of landscape areas (see **Figure 8**).
- Creating workable residential floor plates within a slender tower form and podium, with space for deep soil and communal open space.

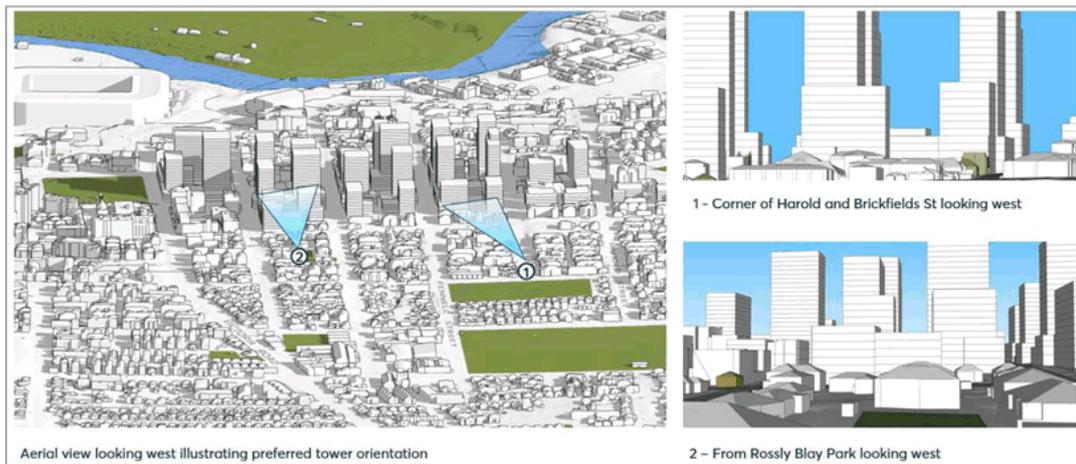
23. The recommended FSR and height limit for the site at 23-27 Harold Street, Parramatta (which is also currently subject to a rezoning review), was determined using the same built form principles and outcomes-based approach for the NEPIA. The maximum FSR of 3.6:1 and a 40m height limit is proposed for site noting this slightly higher FSR reflects the efficiencies of a

Local Planning Panel 16 April 2024

Item 6.2

smaller sized site (see **Figure 4**). Further details are contained in **Attachment 1**.

Figure 6: Council officer modelling showing how the stepped height of buildings as well as the inter building separation with views to sky creates the transition between the Church Street North precinct and the sites within the NEPIA. Note that sites on Church Street North have been modelled to include potential design excellence and place based bonuses. View 1 and 2 are taken from the public domain using 60 degree human view cone and illustrate that when bonuses are applied, the tops of towers can no longer be perceived. This reinforces the importance of combining principles of height transition with other methods of transition in the NEPIA.



Amendments to the Parramatta DCP 2023

24. To support the proposed amendments to the LEP outlined above, amendments are proposed to Part 8, Section 8.3 Neighbourhood Precincts in Parramatta DCP 2023.
25. Area specific DCP controls are considered necessary for the NEPIA primarily due to the heritage sensitivities and need to provide transition between the HCA and forthcoming new LEP controls for the Church Street North precinct. This new section of the Parramatta DCP will include objectives and controls for:
 - The desired future character of the area, with consideration for existing context and how this precinct will redevelop incrementally over time,
 - Minimum site requirements and preferred site amalgamation to ensure the objectives of future development in the area can be met,
 - Heritage transition achieved through specified setbacks, street wall heights and building orientation,
 - Deep soil and landscaping requirements for future amenity and to create a vegetated heritage setting,
 - Consistent street setbacks that maintain heritage items as the dominant features of the streetscape and enable large canopy tree planting within the front setback zone,

Local Planning Panel 16 April 2024

Item 6.2

- Tower separation to enable views to sky when observed from the Sorrell Street HCA (east), and
- Bespoke car parking rates that respond to the proximity to the City Centre and light rail infrastructure (see further discussion below).

Figure 7: Area specific DCP controls are proposed to achieve the Structure Plan for the North East PIA (buildings coloured red) and part of the Church Street North precinct (buildings coloured yellow).



26. Given the NEPIA consists only of R4 High Density Residential zoned land, the following Parts of the DCP will continue to apply in addition to the new site specific provisions proposed in Part 8: Part 2: Design in Context, Part 3: Residential Development, Part 5: Environmental Management, Part 6: Traffic and Transport and Part 7: Heritage and Archaeology. The details of these changes can be found in **Attachment 2**.

Local Planning Panel 16 April 2024

Item 6.2

PLANNING PROPOSAL ASSESSMENT**Strategic Merit**

27. A summary of how the subject Planning Proposal is consistent with the relevant policies is provided below, with **Attachment 1** providing a full assessment of the Proposal's consistency against relevant State Planning Policies and Ministerial Directions.

Greater Sydney Region Plan (GSRP) and Central City District Plan (CCDP)

28. The Planning Proposal is generally consistent with relevant state policies and planning strategies including the Greater Sydney Region Plan, Central City District Plan, and Ministerial Directions under Clause 9.1 of the Environmental Planning and Assessment Act 1979.

Local Strategies

29. The NEPIA falls just outside of the Parramatta CBD growth precinct identified within the LSPS and the LHS. The LSPS aims to encourage a more diverse range of housing, focusing on medium density housing for new growth and defining areas that meet the criteria to be a Housing Diversity Precinct. The NEPIA satisfies this diversity criteria and, with the proposed LEP controls in this Planning Proposal, can contribute to the delivery of a diversity of housing within Parramatta.

Site-Specific MeritUrban design and heritage matters

30. Previous Council commissioned heritage studies (as discussed in the [NEPIA Planning Strategy](#)) are superseded by the SEPP process for the Church Street North precinct and the recommended principles and strategies in the Department's *Finalisation Report 2023* developed by specialist urban design and heritage input. For the NEPIA the relevant principles and strategies include responding to the adjoining HCAs and low scale residential uses by transitioning building heights downwards towards them and protecting view corridors.
31. The design process for the NEPIA has been carried out concurrent with the drafting of the Church Street North DCP. Consequently, these precincts and their surrounds have been treated as a whole to determine a recommended outcome. Based on a spatial analysis of the area, several key design objectives have been established to guide the design approach. These are related to:
- Creating continuity between the City Centre from south of the river, northwards along the Church.
 - Considering a more residential focus for future development outcomes in North Parramatta.
 - Providing transition to heritage conservation areas to be achieved through both stepped building heights and space between buildings through setbacks and building separation.

Local Planning Panel 16 April 2024

Item 6.2

- Maintaining the highly vegetated character of North Parramatta for tree canopy within street setbacks and rear gardens at mid-block.
- Establishing building alignments that respond to the prevailing alignment of heritage items in the area.
- Responding to the landscape and river setting with a skyline that follows the topography along the ridge.

Although the design objectives and principles were developed for the whole area, the proposed LEP and DCP controls for the NEPIA are drafted so that they apply independently of the CSN SEPP area.

32. The recommendations for NEPIA are based on **comprehensive approach to transition** as required by the Department that includes a combination of both building height and site planning. The method for transition includes stepping in building height from Church Street properties to the Sorrell Street HCA, but also includes:

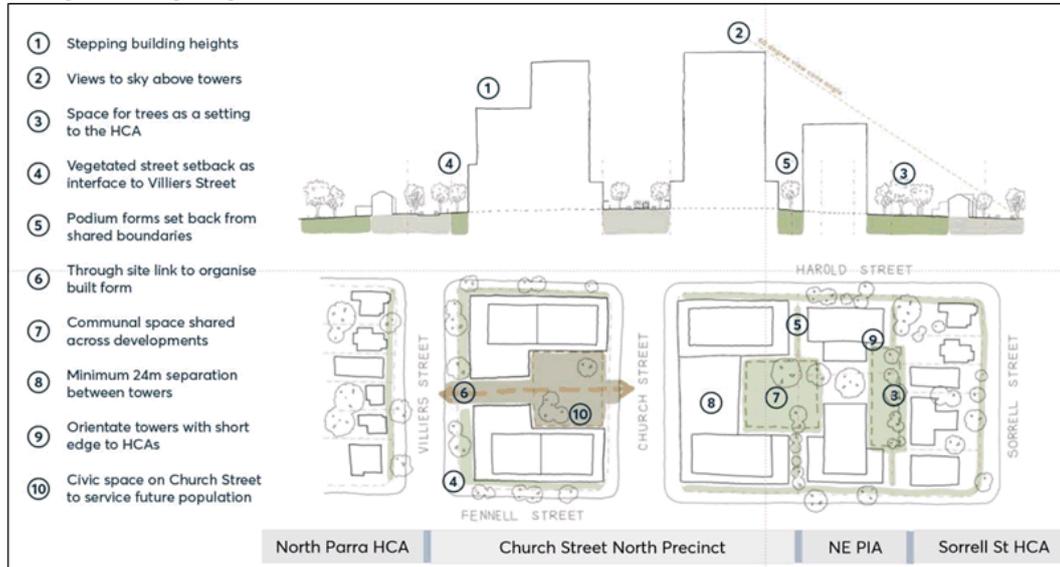
- Utilising detached buildings to mediate between perimeter block, podium tower development along Church Street and existing apartments and houses within the HCA,
- Locate vegetated setbacks and communal open space on the ground to provide landscape space as a frame/backdrop to heritage buildings and the HCA,
- Supporting deep soil zones on development sites, which enables canopy tree planting to be a setting to heritage,
- Ensuring any future development is setback from the prevailing heritage alignment on the street and that front setback zones support large canopy tree planting,
- Orientating the short edge of towers towards the HCA to minimise the bulk of towers perceived from the HCA,
- Maximising separation between towers where it can increase views to sky when observed from the HCA, and
- Encouraging slender tower forms and finer grain street wall typologies to tie into the surrounding lower scale context of North Parramatta.

This multifaceted approach to transition that has been applied to NEPIA sites is illustrated in **Figure 8** below.

Local Planning Panel 16 April 2024

Item 6.2

Figure 8: Methods for achieving transition and unifying development across the precinct through building heights and setbacks between Church Street and the Sorrell Street HCA.



Potential impacts from State Government Reforms

33. If the **Department's proposed Low- and Mid-Rise Housing Reforms** exhibited in late 2023 were to come into effect, the FSR and height of building control that would apply to the NEPIA and the Sorrell Street HCA are 3:1 and 21m, as both areas are within 400 metres of a transport node.
34. This does not include any additional density possible under the **Housing SEPP's 30% FSR and height bonus for affordable housing** and was not factored into the Department's Low- and Mid-Rise Housing Reforms. The impact of this on the CSN precinct and NEPIA is difficult to predict.
35. What is known is that for the NEPIA, the planning controls under the Reforms and as recommended in this report, would both result in approximately 500 dwellings; however, under the reforms because of the mismatch between the proposed FSR and height as identified in Council's 26 February 2024 [submission on the reforms](#), the following impacts are likely: Buildings will be bulky and setbacks to boundaries insufficient for the scale, with significant impacts upon deep soil and tree canopy loss contributing to reduced amenity and heat island effects.
36. In the Finalisation Report for CSN, the Department referred to the housing crisis and the need to provide certainty and accelerate housing delivery along the Parramatta light rail corridor. The proposed controls recommended by this Planning Proposal for the NEPIA demonstrate to the Department Council's willingness to provide for additional density in areas well serviced by public transport and in a way that can respond sensitively to the heritage issues consistent with the principles and strategies in the Department's Finalisation Report 2023.

Local Planning Panel 16 April 2024

Item 6.2

Transport

37. The NEPIA is considered suitable for higher density residential development due to its proximity to the City Centre, accessibility to transport and employment opportunities. The site is located within a range of 100m to 350 metres walking distance to the Parramatta Light Rail stop and existing bus services; and highly accessible to pedestrian pathways and cycleways.

Traffic, Parking and Access

38. Council's Integrated Transport Plan (ITP) considered growth as a result of the CBD PP and modelled residential parking rates delineating the difference between locations that are within 800m or a 10-minute walk approximately from Parramatta train station (Category A) and other locations at the CBD fringes considered remote from heavy rail (Category B) as shown in **Figure 9**.
39. Currently, Category A car parking rates apply to the City Centre (including the Church Street North precinct) via the LEP and are a *maximum*. Car parking rates for most areas outside the City Centre including the NEPIA are contained in PDCP 2023 and are a *minimum*. See **Table 3** for a comparison of the car parking rates.
40. Work is currently underway to implement recommendations of the ITP, and Officers are recommending the 'Category B' ITP parking rates as outlined in **Figure 9** as part of progressing the CBD PP 'orange matters'. A separate LPP report on the CBD PP 'orange matters', will soon be reported to the Local Planning Panel.

Figure 9: Parramatta Residential Parking Rate Categories (taken from the Parramatta Integrated Transport Plan), the NEPIA is within the red circle.

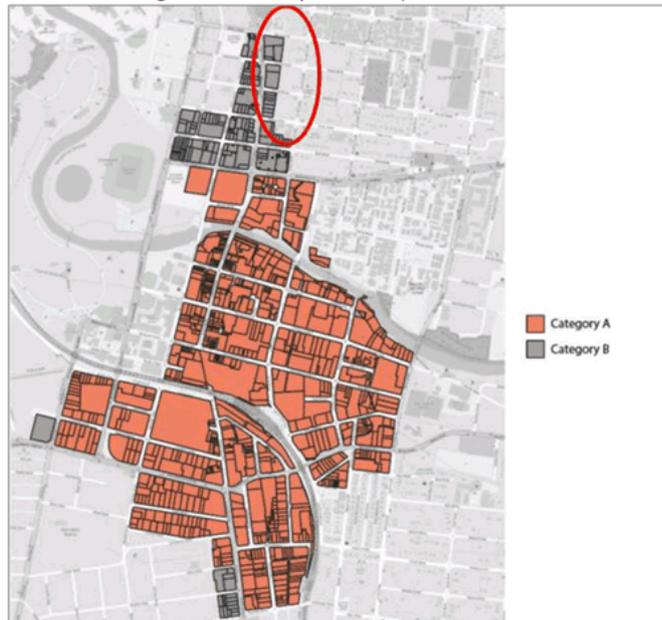


Table 3: Comparison of number of car parking space requirements

Residential Parking Rate	Parramatta DCP current general controls that apply to the NEPIA – Minimum required number of spaces	ITP 'Category A' controls in PLEP 2023 Part 7 City Centre – Maximum required number of spaces	ITP 'Category B' recommended controls for inclusion in PDCP 2023 Part 8 precinct controls for the NEPIA – Maximum required number of spaces (proposed)
Studio	0.6	0.1	0.2
1 bedroom	0.6	0.3	0.4
2 bedroom	0.9	0.7	0.8
3+ bedroom	1.4	1.0	1.1

41. This report recommends applying the Category B parking rates to the NEPIA as a DCP control (see **Attachment 2**) for the following reasons:
- proximate to the City Centre and light rail, and generally subject to the same traffic conditions as the Church Street precinct, and
 - the anticipated development typology (podium and tower) is the same as Church Street.

Flooding

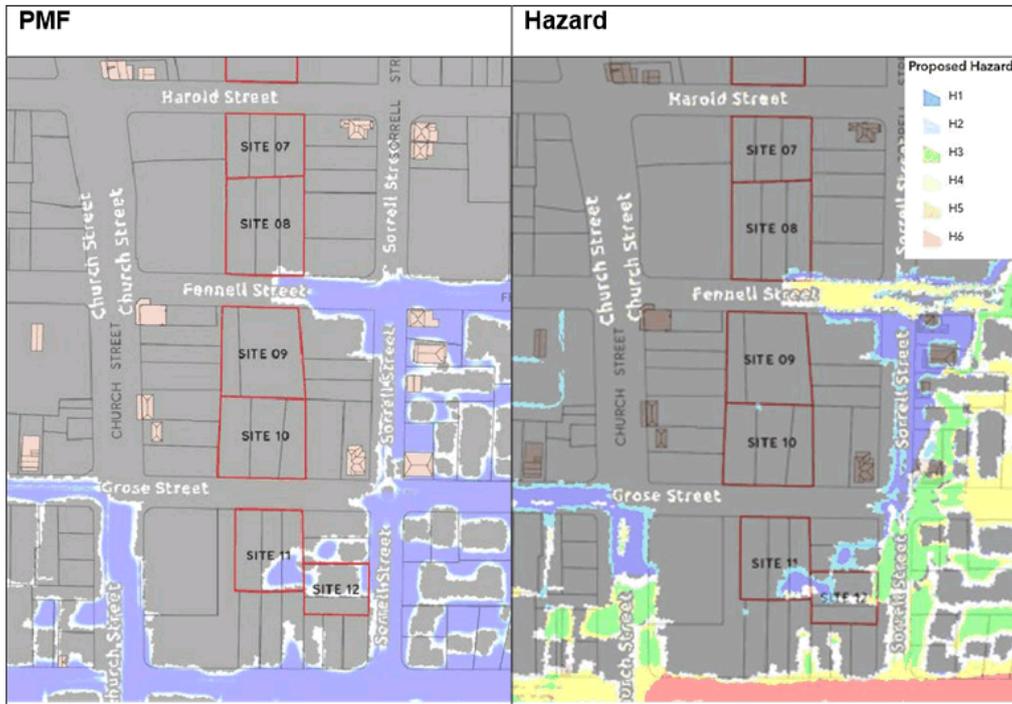
42. Council has more recently exhibited the draft Parramatta River Flood Study 2023 and while the draft study is yet to be endorsed by Council, it is prudent for Council to assess the Planning Proposal against this updated Study. The Planning Proposal is also required to address Local Planning Direction 4.1 – Flooding, issued by the Minister for Planning under Section 9.1(2) of the *EP&A Act 1979*. Planning Proposals are required to demonstrate that they are consistent with the Direction and any inconsistency is required to be justified.
43. The draft Parramatta River Flood study shows that the majority of the NEPIA is unaffected by flooding except for a part of Fennell Street and Sorrell Street which are now subject to increased risk of Probable Maximum Flood (PMF) and increased hazard risk (see **Figure 10**), compared to current flood information.
44. For the affected sites in Fennell Street, the recommended pattern of lot consolidation as proposed in the area specific DCP controls for the NEPIA (**Attachment 2**) means egress to an unaffected part of the street with rising road access outside PMF is possible. For the affected sites in Sorrell Street, even with the recommended pattern of lot consolidation, horizontal egress is not a safe option. In this case, vertical evacuation would be required with the specific requirements able to be managed at the Development Application stage.

Local Planning Panel 16 April 2024

Item 6.2

45. Any future development on the site will need to respond to the Flood Risk Development Manual and the relevant controls contained within the PLEP 2011 and the Parramatta Development Control Plan 2011.

Figure 10: Extract of the NEPIA consolidation/ structure plan showing the sites under the draft Parramatta Flood Study 2023 affected by the PMF and the hazard affectionation.



46. Infrastructure, social, economic and environmental impacts are considered minimal and discussed in the Planning Proposal at **Attachment 1**.

PLAN MAKING DELEGATIONS

47. Plan making delegations were announced by the then Minister for Planning and Infrastructure in October 2012 allowing councils to make LEPs of local significance. On 26 November 2012, Council resolved to accept the delegation for plan making functions, and for these functions be delegated to the Chief Executive Officer.
48. It is recommended that Council request to the Department of Planning, Housing and Infrastructure to exercise its plan making delegations for this Planning Proposal. This means that after the Planning Proposal has received a Gateway Determination, complied with any conditions (including any requirements for public exhibition), Council officers can deal directly with the Parliamentary Counsel on the legal drafting and finalisation of the amendment to the LEP facilitated by this Planning Proposal.

FINANCIAL IMPLICATIONS FOR COUNCIL

- 49. If Council resolves to endorse this report in accordance with the recommendation, there are no unbudgeted financial implications for Council’s budget. Costs associated with the public exhibition of the Planning Proposal and the DCP will be funded from existing Strategic Land Use Planning budget allocations.
- 50. The table below summarises the financial impacts on the budget arising from approval of this report.

	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Revenue				
Internal Revenue				
External Revenue				
Total Revenue	NIL	NIL	NIL	NIL
Funding Source	NIL	NIL	NIL	NIL
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result	NIL	NIL	NIL	NIL
Funding Source	NIL	NIL	NIL	NIL
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	NIL	NIL	NIL	NIL

CONSULTATION AND TIMING

Councillor Consultation

- 51. The following Councillor consultation has been undertaken in relation to this matter:

Date	Councillor	Councillor Comment	Council Response	Officer	Responsibility
18 March 2024	Standard briefing session prior to Council meeting	In relation to the NEPIA, include in the exhibition documentation an explanation and visual representation of the height and FSR that may be achieved under the State Government’s exhibited Low and	Council’s website which includes FAQs that form the NEPIA notification will include the required information.		Group Manager – City Strategic Planning

Local Planning Panel 16 April 2024

Item 6.2

		Mid Rise Housing Reforms.	
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CONCLUSION AND NEXT STEPS

52. This report recommends Council endorse and forward the Planning Proposal at **Attachment 1** to the Department with a request for a Gateway Determination, and that Council endorse the DCP amendment at **Attachment 2** for public exhibition concurrently with the Planning Proposal.
53. Community consultation will be undertaken as required by the Gateway Determination.

Issa Trad
Team Leader Land Use Planning

Janelle Scully
Land Use Planning Manager

Robert Cologna
Group Manager, Strategic Land Use Planning

Jennifer Concato
Executive Director City Planning and Design

ATTACHMENTS:

- | | | |
|---|--|----------|
| 1  | North-East Planning Investigation Area Planning Proposal | 47 Pages |
| 2  | Proposed DCP Amendments | 17 Pages |
| 3  | NEPIA Planning Strategy Community Engagement Report | 11 Pages |

REFERENCE MATERIAL

NOTICES OF MOTION

27 MAY 2024

14.1	DEFERRED OCM 13 May 2024, Procurement of Australian Goods....	680
14.2	Safety of e-Bikes	682
14.3	Establishment of a Heritage Facility in Fleet Street Precinct.....	685
14.4	Proposed Establishment of an Entrepreneur Grant Program.....	687

NOTICE OF MOTION

ITEM NUMBER	14.1
SUBJECT	DEFERRED OCM 13 May 2024, Procurement of Australian Goods
REFERENCE	F2024/00282 - D09447608
FROM	Councillor Ange Humphries

MOTION

- (a) That this Council always prefers the use of Australian supplies, manufacturers, goods and services.
- (b) That an audit to be completed outlining how many projects are currently awaiting overseas procurement.

BACKGROUND

1. In early April 2024, the lions head at the John Wearne Reserve was decapitated. The advice from staff is that there will be a timeline of 8-9 months to get this restored. I note that parts of the PAC tile installations are also made overseas.
2. What is the program for completing these projects and how we can reduce the lead-time in the future? Jobs and equipment made in Australia generally have shorter procurement timelines.

STAFF RESPONSE

3. Council supports local suppliers which is reflected in Council's Procurement Policy:

“Clause 3.6 - Council will conduct its Procurement practices in accordance with the following guiding principles:

- (a) Supporting the establishment of a diverse supply chain, with consideration for entities that have potential to deliver local social, economic, and/or environmental benefits.*
- (b) Supporting Australian-owned suppliers and/or suppliers who manufacture in Australia, where doing so is appropriate and permissible by law, with consideration given to local supplier options.*
- (c) Supporting First Nations' owned businesses.*
- (d) Supporting suppliers and industry groups that develop and/or apply innovative responses in relation to sustainability issues.*

Clause 3.6.1 - To meet these guiding principles, where Council calls for tenders, it will require, as a tender selection criterion, that suppliers receive a 5% local supplier scoring bonus, if their Main Business Location is within the:

- (a) City of Parramatta Local Government area; or*
- (b) boundary radiating 5 kilometres from the Parramatta Central Business District, as determined by Council.”*

4. Although preference for local suppliers and products is given during the evaluation process, there are circumstances where locally manufactured products are not available and therefore Council is required to utilise imported products or elements of the overall contract.

5. Notwithstanding, most of Council's construction materials are locally manufactured such as road base, concrete and other building materials.
6. Given the large number of projects currently in procurement, significant resources would be required to review each project in detail to determine whether they are waiting for overseas elements.
7. This would take more than 6 months of work to review all projects within Council's capital expenditure and require the services of an external consultant to compile the audit at an estimated cost of \$60,000, in addition to internal resources reallocated to manage the project.

FINANCIAL AND RESOURCE IMPLICATIONS

8. If Council resolves to approve this Motion, the financial impacts on the budget would be in the order of \$60,000 which is not currently budgeted.

Ange Humphries
Councillor

George Bounassif
Executive Director City Assets and Operations

John Angilley
Executive Director Finance & Information

Roxanne Thornton
Chief Governance & Risk Officer

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

NOTICE OF MOTION

ITEM NUMBER	14.2
SUBJECT	Safety of e-Bikes
REFERENCE	F2024/00282 - D09389143
FROM	Deputy Lord Mayor Clr Dr Patricia Prociv

MOTION:

- (a) That Council note:
- i. The influx of delivery riders riding electric power-assisted bikes (e-bikes) in the City of Parramatta Local Government Area.
 - ii. Some CBD delivery drivers currently ride e-bikes that have a larger than normal legally permitted motors, allowing speeds in excess of the legally permitted speed limit of 25kmh.
 - iii. E-bike delivery riders currently ride on the Light Rail tracks.
 - iv. With the commencement of Light Rail services, e-bike delivery riders servicing cafes and restaurants on the Light Rail route may illegally share footpaths with pedestrians and wheelchair users.
- (b) That Council recognises the importance of the safety of all active transport users in the City of Parramatta Local Government Area, pedestrians, wheelchair users, bicycle riders etc.
- (c) That Council write to the Minister for Transport, the Hon. Jo Haylen MP, the Minister for Roads, the Hon. John Graham MLC, the Minister for Police and Counter-Terrorism, the Hon. Yasmin Catley MP, the Minister for Work Health and Safety , the Hon. Sophie Cotsis MP and the Minister for Better Regulation and Fair Trading, the Hon. Anoulack Chanthivong MP and the State Member for Parramatta, Ms Donna Davis MP:
- i. Expressing concern about the un-safe conditions and conflict between active transport footpath users and e-bike delivery riders; and
 - ii. Advocating for compliance enforcement with NSW Road Rules - Bicycle among e-bike delivery riders including consideration for requiring occupational licenses for e-bike delivery riders and/or the platforms that assign them work.

BACKGROUND**Bicycle riders**

1. A bicycle is considered a vehicle in NSW and must follow the same road rules as other vehicles. There are also some special road rules that only apply to bicycle riders.

Where can you ride?

2. You can ride a bike on shared paths. You must keep left and give way to pedestrians on shared paths.

3. You must ride in a bicycle lane if it's marked on the road and has bicycle lane signs, unless it's impracticable to do so. Cars may use them for no more than 50 metres to enter or leave the road at a driveway or intersection.
4. You can ride in transit lanes, truck lanes and bus lanes, but not tram only or bus only lanes.
5. You can ride in bus lanes. Be aware of other vehicles using the lane, especially when coming up to intersections as all vehicles can travel in a bus lane if they're turning left. When riding in a bus lane, you must follow the main traffic lights. You can't go on the green 'B' bus signal and must wait for the main traffic light green signal.
6. You can't ride in tram only or bus only lanes. These are marked by 'Trams Only' or 'Buses Only' on signs or lane markings.
7. If you're 16 years or older and not supervising a child under 16 years riding a bike, you can't ride on the footpath.

Rules for bicycle riders

8. You can ride side-by-side another bike, but no more than 1.5 metres apart.
9. You must use the marked bike lane in your direction if there is one, unless it's impractical to do so.
10. You must give a hand signal when turning right or merging to the right lane. You should do this for about 30 metres before you turn, or change lanes or lane position. You don't need to give a left or stop signal, or signal when making a hook turn but it's strongly recommended you do.
11. You can overtake 2 other bicycle riders who are riding side by side.
12. You can overtake on the left of stopped and slow-moving vehicles.
13. You can ride to the left of a continuous white edge line.
14. You can turn right from the left lane of a roundabout, but you must give way to any vehicle leaving the roundabout.
15. You must not ride on a pedestrian crossing. Instead, walk your bike across. You can ride across if there's a bicycle crossing signal. You must obey the signals at crossings.
16. You must not be towed by or hold onto another moving vehicle.
17. You must keep left of oncoming bicycle riders or pedestrians on a footpath, shared path or separated path.
18. You must not carry more people than the bike is designed for. If carrying a passenger, they must be wearing an approved, fitted and fastened helmet.

19. You must face forward on the rider's seat, with one leg on each side and at least one hand on the handlebars.

STAFF RESPONSE

1. 1. Council staff can prepare the letters within existing resources.

FINANCIAL AND RESOURCE IMPLICATIONS

2. If Council resolves to approve this Motion, there is no financial impact on the budget.

Patricia Prociv

Deputy Lord Mayor Cllr Dr Patricia Prociv

Jennifer Concato

Executive Director City Planning and Design

Roxanne Thornton

Chief Governance & Risk Officer

Gail Connolly

Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.

NOTICE OF MOTION

ITEM NUMBER	14.3
SUBJECT	Establishment of a Heritage Facility in Fleet Street Precinct
REFERENCE	F2024/00282 - D09449828
FROM	Councillor Georgina Valjak

MOTION

That the CEO provide a report to Council on the potential establishment of a stand-alone heritage facility in the Fleet Street Precinct, including estimated capital and operational costs, potential funding sources and opportunities to partner with relevant State agencies and local stakeholders.

BACKGROUND

1. Given that the Phive has been in operation, it's popularity and high level of usage generating income from the meeting rooms necessitates the requirement for a standalone venue dedicated to our heritage. In the transition to PHIVE, the standalone Heritage facility at the Lennox Bridge was closed. This was an important repository and focal point of community interest in heritage investigations and resources. The transition was not achieved without significant impacts upon its records and resources particularly being a dedicated location for this area being endowed with such a large variety of significant heritage and cultural assets in the area. This is particularly relevant due to an increase in site excavations of early Colonial and Aboriginal sites.
2. If the outcome of that review indicated that growth in demand and variety, could cause operational issues to satisfying the community needs, therefore a possible solution could be the relocation of the heritage resources within the Phive Library into a stand-alone site within the Fleet Street Precinct in North Parramatta (either to the East or West side of the river).
3. Given that the area is NSW government site which has other dedicated heritage facilities, sites, and business it would be an ideal addition to the area. In addition, the Council could potentially negotiate a long-term lease of a building suitable for its needs at a possible peppercorn rent or by making an unsolicited bid for the location for community space and usage.
4. This would provide additional traffic and usage of the soon to be operating Light Rail nearby.
5. It would also generate interest and promotion of the area, leading to the creation of employment and business opportunities.

STAFF RESPONSE

1. Extensive stakeholder engagement to inform the drafting of Council's forthcoming Cultural Strategy identified that Parramatta's unique heritage (built and intangible) and histories are an important and valued part of the City's cultural identity to be preserved and shared.
2. The draft Cultural Strategy is currently in development and articulates the opportunity for the City to promote Parramatta's heritage, rich complex

histories, and diverse communities, within the current and future cultural infrastructure portfolio of facilities owned and/or operated by Council.

3. As an action of the City's Cultural Strategy, it is anticipated that Council will explore ways to increase access to Council owned and operated infrastructure and precincts. From this action, a cultural infrastructure assessment will be conducted including a needs analysis to ascertain gaps and opportunities in Parramatta, inclusive of existing heritage assets, facilities and precincts..

FINANCIAL AND RESOURCE IMPLICATIONS

4. The report can be prepared utilising Council's existing staff resources.

Georgina Valjak
Councillor Georgina Valjak

David Moutou
Acting Executive Director Community Services

Roxanne Thornton
Chief Governance & Risk Officer

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.

NOTICE OF MOTION

ITEM NUMBER 14.4
SUBJECT Proposed Establishment of an Entrepreneur Grant Program
REFERENCE F2024/00282 - D09450792
FROM Councillor Sameer Pandey

MOTION:

- (a) That Council gives 28 days public notice, pursuant to s356 of the Local Government Act 1993, of its intention to establish a new Financial Assistance Program to be titled 'Entrepreneur Grant Program' which will support aspiring entrepreneurs in the City of Parramatta.
- (b) That following the establishment of the new financial assistance grant program, the inaugural round be funded with \$50,000 from the current Parramatta Ward Initiative budget.
- (c) That other ward Councillors be encouraged to contribute towards this financial assistance grant program from their ward initiatives budget.

BACKGROUND

1. Not yet provided.

STAFF RESPONSE

2. A staff response will be provided in the Supplementary Agenda.

Sameer Pandey
Councillor

David Moutou
Acting Executive Director Community Services

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.

QUESTIONS WITH NOTICE

27 MAY 2024

15.1 Questions Taken on Notice at the 13 May 2024 Council Meeting690

QUESTIONS WITH NOTICE

ITEM NUMBER	15.1
SUBJECT	Questions Taken on Notice at the 13 May 2024 Council Meeting
REFERENCE	F2024/00282 - D09453892
REPORT OF	Council Secretariat & Policy Officer

QUESTIONS TAKEN ON NOTICE:

Councillor Garrard asked two questions in relation to Item 13.3 – LATE REPORT: Public Exhibition: 'Parramatta 2050' - A Long Term Strategic Vision for the City;

- How much has the work that has already been undertaken cost to date?
- There is no mention of consultation with youth?

Executive Director City Planning and Design Response:

A staff response will be provided in a Supplementary Agenda.

Councillor Bradley asked a question in relation to Item 13.4: Public Exhibition: Draft Kleins Road Pedestrian and Cyclist Corridor Study;

- The location of the bridge, is there a reason why the bridge could not be designed to be a little further upstream?

Executive Director City Planning and Design Response:

A staff response will be provided in a Supplementary Agenda.

<Section 4>

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL