

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, 11 March 2024 at 6.30PM.

Gail Connolly PSM
CHIEF EXECUTIVE OFFICER

EMERGENCY EVACUATION DIAGRAM

Level 4 East

2 Civic Place, Parramatta NSW 2150

Evacuation Procedures

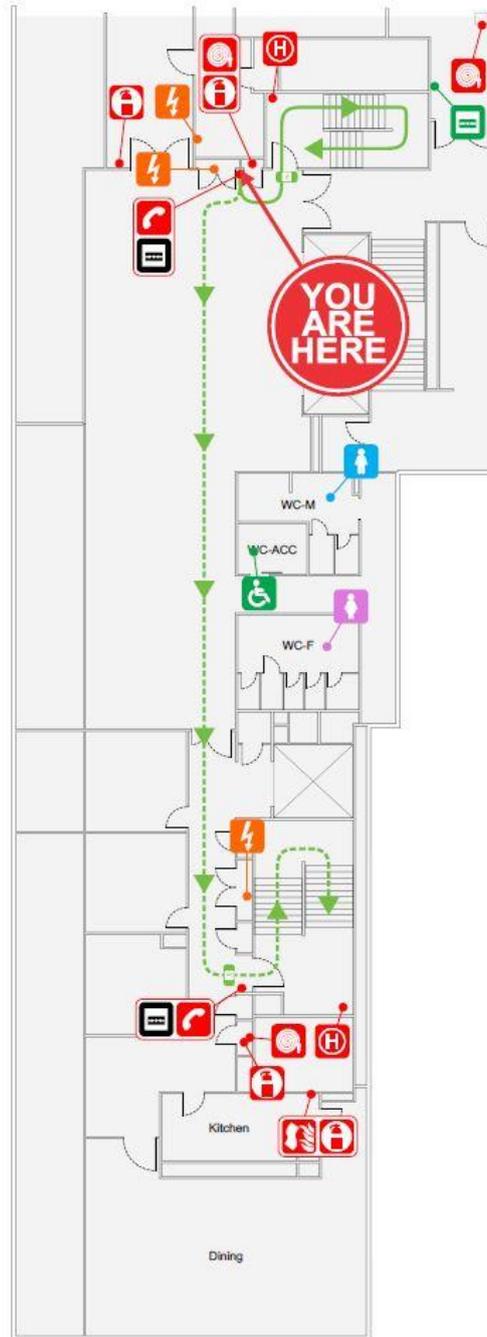
IN CASE OF FIRE

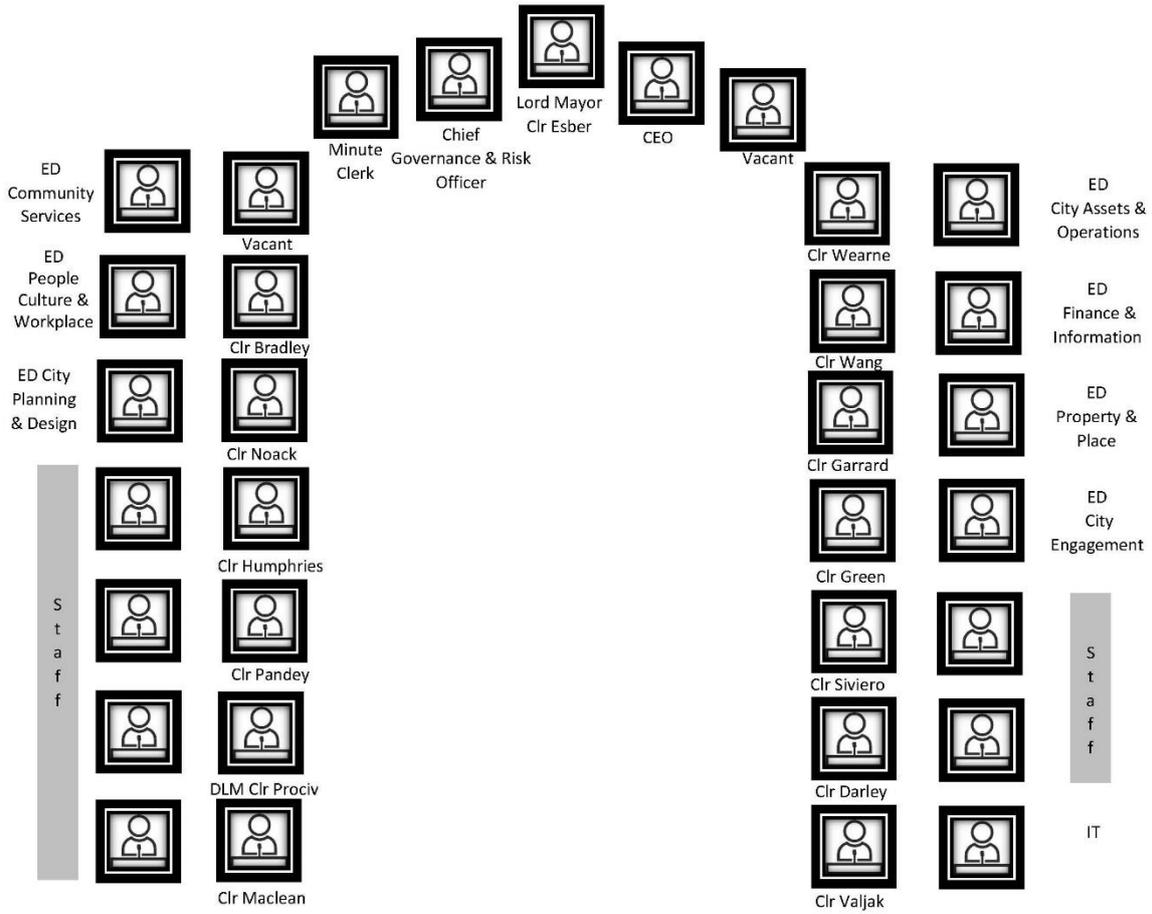
- (R)** REMOVE people from immediate danger
- (A)** ALERT people nearby and raise an alarm (Dial 000)
- (C)** CONFINE fire and smoke (Close doors behind you if safe to do so)
- (E)** EVACUATE via the nearest emergency exit

Legend

Site Plan

Parramatta PHIVE





PUBLIC & PRESS GALLERY

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"> a) At any time during which the matter is being considered or discussed, or b) 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.

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- This report is confidential in accordance with section 10A (2) (d) of the Local Government Act 1993 as the report contains 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.*

17 PUBLIC ANNOUNCEMENT**18 CONCLUSION OF MEETING**



CITY OF PARRAMATTA

MINUTES

**Ordinary Council Meeting
Monday, 26 February 2024**

6.30pm

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

COUNCIL MEMBERS IN ATTENDANCE

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

COUNCIL STAFF IN ATTENDANCE

Chief Executive Officer - Gail Connolly, Executive Director City Engagement and Experience - Angela Jones-Blayney, Executive Director Finance and Information - John Angilley, Executive Director City Planning and Design - Jennifer Concato, Executive Director Community Services - Jonathan Greig, Executive Director City Assets & Operations - George Bounassif, Acting Executive Director People Culture and Workplace - Brendan Clifton, Chief Technology Officer - John Crawford, Chief Governance & Risk Officer - Roxanne Thornton, Chief Financial Officer - Amit Sharma, Chief of Staff - Justin Mulder, Council Secretariat and Policy Officer - Marina Cavar, Group Manager City Strategic Planning - Robert Cologna, Group Manager Infrastructure Planning and Design - Anthony Newland, Group Manager Regulatory Services - Paul Lyth, ICT Strategy and Partnering Manager - Ian Vong.

1. OPENING MEETING

The Lord Mayor, Councillor Esber opened the meeting at 6:36pm

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 public 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 Garrard and Councillor Noack

That an apology on behalf of Councillor Wearne and be accepted and a leave of absence granted.

Record of Voting:

For the Motion: Unanimous

RESOLVED: Councillor Noack and Councillor Bradley

That Councillor Humphries be permitted to attend this meeting by audio-visual link.

Record of Voting:

For the Motion: Unanimous

6. CONFIRMATION OF MINUTES

Minutes of the Council Meeting held on 12 February 2024

RESOLVED: Councillor Noack and Councillor Garrard

That the minutes be taken as read and be accepted as a true record of the Meeting.

Record of Voting:

For the Motion: Unanimous

7. DISCLOSURES OF INTEREST

There were no Declarations of Interest made at this meeting.

PROCEDURAL MOTION DEALING WITH ITEMS BY EXCEPTION

RESOLVED: Councillor MacLean and Councillor Noack

That in accordance with Section 13 of Council's Code of Meeting Practice, the Order of Business be amended to deal with the following items by exception

- Item 12.1 Investment Report for January 2024

- Item 13.2 Status Update on Report – Sponsorships, Corporate Memberships and Memorandum of Understanding
- Item 15.1 QwN Council’s Customer Service and Call Centre Statistics
- Item 15.2 QwN Parramatta Light Rail Stage 2 Bridge Community Reference Group
- Item 15.3 QwN Response to Community Pantry Initiative – Donations as at February 2024
- Item 15.4 QwN LATE REPORT: Questions Taken on Notice at the Ordinary Council Meeting on 12 February 2024
- Item 16.1 QwN myWorkplace – 9 Wentworth Street Project Update

Record of Voting

For the Motion: Unanimous

Note: Item 16.1 QwN myWorkplace – 9 Wentworth Street Project Update was recommitted in closed session for further questions from Councillor Pandey with no alteration to the resolution.

REPORTS TO COUNCIL - FOR NOTATION

- 12.1 **Investment Report for January 2024**
(Report of Tax and Treasury Accountant)

RESOLVED: Councillor MacLean and Councillor Noack

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

Record of Voting:

For the Motion: Unanimous

REPORTS TO COUNCIL - FOR DECISION

- 13.2 **Status Update on Report - Sponsorships, Corporate Memberships and Memorandum of Understanding**
(Report of the Executive Director City Planning and Design)

RESOLVED: Councillor MacLean and Councillor Noack

That the report detailing the current and planned sponsorships, corporate memberships and Memorandums of Understanding be provided to a Council meeting in March 2024.

Record of Voting:

For the Motion: Unanimous

QUESTIONS WITH NOTICE

15.1 Council's Customer Service and Call Centre Statistics (Councillor Kellie Darley)

QUESTIONS WITH NOTICE:

- (a) How many enquiries did Council's Customer Service Centre receive in 2023, broken down by the method of contact (i.e. phone, email, walk-in, online portal, snap send solve, social media)?

Executive Director City Engagement and Experience response:

Please see table below:

	Phone	Email to Customer Contact Centre*	Email to Council Mailbox#	Snap Send Solve	Service Requests created through online portal**	Walk-in (PHIVE)	Social Media
Customer enquiries	136,839	12,738	56,500	4,875	14,392	5,830	N/A

* cteam@cityofparramatta.nsw.gov.au

council@cityofparramatta.nsw.gov.au

** does not include applications, certificates and licence purchases

Note: The social media team monitors direct messages to its accounts and actions if applicable but does not track enquiries as it is not an official customer enquiry platform of Council.

- (b) What was the closure rate, including how many enquiries/requests were closed on first contact as well as other specific/relevant timeframes (e.g. a week, month, 90 days etc)?

Executive Director City Engagement and Experience response:

Council does not have accurate data available on first contact resolution rates. (The new Customer Experience Strategy, which is currently under development, is assessing how to accurately monitor and record closure rates in real-time).

15.2 PLR2 - Bridge Works Community and Stakeholder Reference Group (Councillor Kellie Darley)

QUESTION WITH NOTICE:

- (a) What is the purpose of the PLR2 bridge community reference group and what is Council's role with the group?

Executive Director City Planning and Design response:

The Bridge Works Community and Stakeholder Reference Group is a Transport for NSW (TNSW) Reference Group established in relation to the new bridge and connections from Melrose Park to Wentworth Point, over the Parramatta River.

TNSW describes the purpose of the Group as follows (summarised from the Terms of Reference):

- To provide a forum for the needs of all key stakeholders, both councils, and the community to be represented in the delivery of the Bridge Works.
- To facilitate effective communication between TNSW and representative stakeholder and community groups and provide additional channels through which TNSW can provide information to the broader community.
- To allow another channel for the community to seek information and provide feedback on project matters including the development of new project information or changes to existing information, issues of interest or concern to the community, response to community complaints, community initiatives and programs.
- To allow the Parramatta Light Rail project team to seek feedback and provide proactive responses to matters of interest or concern.
- The Reference Group is not a decision-making body; it performs an advisory and consultative role.

(b) **When and how was the group established?**

Executive Director City Planning and Design response:

TNSW established the Bridge Works Community and Stakeholder Reference Group in October 2023, in response to feedback received from the community during various public consultation activities in 2022-2023.

(c) **Who are the current members?**

Executive Director City Planning and Design response:

Under the TNSW Terms of Reference, the membership comprises a total of 10 organisations (each with two representatives) as shown in Table 1, as well as the TNSW participants shown in Table 2 below.

Table 1 – Membership (Organisations, Community Groups, Landowners)

City of Parramatta Council <i>(Group Manager Infrastructure Planning and Design and community member Shant Ohannessian)</i>	Boating Industry Association	Wentworth Point Peninsula Town Team
City of Ryde Council	Melrose Park Residents Action Group	Holdmark (developer)
NSW Maritime	Waterfront Action Group	Sekisui (developer)

Sydney Olympic Park Authority		
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Table 2 – Transport for NSW Members

Senior delivery staff for the Bridge Works	Contractor representatives (as required)
Members of the Parramatta Light Rail Stage 2 Communication and Engagement Team	Subject matter experts (as determined).

15.3 Response to Community Pantry Initiative - Donations as at February 2024

(Councillor Kellie Darley)

QUESTION WITH NOTICE:

On 4 December 2023, Council resolved “that each Councillor distribute their share of the \$16,500 savings (obtained from not progressing with the increase in the annual Councillor allowance) to a local not-for-profits, to support the provision of food, material aid and petrol vouchers.”

1. How much money has been donated so far and to which emergency relief organisations?

Executive Director, Community Services response:

As at 22 February 2024, the following donations have been made:

Organisation	Amount
Parramatta Mission	\$2,200
Karabi Community and Development Service	\$1,100
Hope Connect	\$1,100
CCA NSW	\$2,200
Parramatta Women’s Shelter	\$2,200
St Ioannis Community Aid (Hellenic Orthodox Church in Australia)	\$1,100
Total	\$9,900

2. Which Councillors are yet to nominate one of the emergency relief organisations to donate their proportion of the savings to?

Executive Director, Community Services response:

As of 22 February 2024, the following Councillors are yet to nominate a local not-for-profit organisation:

1. Clr Garrard

2. Clr Green
3. Clr Siviero
4. Clr Wang
5. Clr Pandey
6. Clr Wearne.

3. What will happen to any unspent funds?

Executive Director, Community Services response:

Councillors are able to donate to a local not-for-profit organisation up until 21 June 2024.

After this time any remaining funds will be returned to the General Reserve as part of the end of financial year process.

15.4 **LATE REPORT: Questions Taken on Notice at the Ordinary Council Meeting on 12 February 2024** (Report of the Council Secretariat & Policy Officer)

QUESTIONS WITH NOTICE

Councillor Pandey asked a question on Item 12.3 Referral of Inspection Reports by Fire and Rescue NSW which was taken on notice.

- Can we find out how many notices have been issued?

Executive Director City Assets and Operations Response:

This information is not available at the time of publication and will be provided under separate cover once information from NSW Fire and Rescue is received.

Councillor Bradley asked a question on Item 12.3 Referral of Inspection Reports by Fire and Rescue NSW.

- Work on flammable cladding in buildings around the City of Parramatta has been done. Can an update report on the progress on remedial work on buildings affected by the cladding recall be provided?

Executive Director City Assets and Operations Response:

This information is not available at the time of publication and will be provided under separate cover once information from NSW Fire and Rescue is received.

Councillor Garrard asked a question on Item 12.4 Delegation of the Lord Mayor and Chief Executive Officer Exercised During the 2023/24 Recess Period

- Can staff provide detailed information on the benefits the position of Lord Mayor gets including the discretionary budget?

Chief of Staff Response:

Expenses and facilities allocated to the Lord Mayor are detailed in the *Councillors Expenses and Facilities Policy*, specifically *Section 9, Additional facilities for the Lord Mayor*.

To access the [Councillors Expenses and Facilities Policy](#).

In 2023/24 the following operational budget was allocated to the Office of the Lord Mayor (with expenditure approved under the delegation of the Chief of Staff):

- Advertising and community messages - \$110,000 per annum
- Catering - \$5,000 per annum
- Presentation and gifts - \$5,000 per annum
- Donations - \$50,000 per annum

Councillor Pandey asked a question on Item 14.1 Proposed Council Submission - Review of Section 83c of the Education Act 1990

- Are there policies and procedures in place for Councillors to be privy to submissions made by staff on behalf of Council?

Executive Director City Planning and Design Response:

Yes, there is an operational procedure for the consideration and preparation of submissions. The purpose of the procedure is to ensure early identification of key submission points and discussion with the Executive Director City Planning and Design and/or CEO to inform a course of action in the making of a submission. Submissions are placed on the Councillor portal (if made by staff under delegation) or reported to Council (if seeking endorsement).

Councillor Garrard asked a question on Item 16.2 LATE REPORT: ITT10-2023 - Supply and Installation of New Multi-Level Carparking Technology and Maintenance Agreement which was taken on notice.

Answer provided in the Confidential Attachment to this report.

Councillor Pandey asked a question on Item 16.2 LATE REPORT: ITT10-2023 - Supply and Installation of New Multi-Level Carparking Technology and Maintenance Agreement

Answer provided in the Confidential Attachment to this report.

Note: Councillor Humphries left the meeting at 6.46pm and did not return.

8. MINUTE OF THE LORD MAYOR

8.1 **International Women's Day 2024** (Lord Mayor Councillor Pierre Esber)

RESOLVED: Lord Mayor Councillor Esber and Councillor Garrard

- (a) That Council notes International Women's Day 2024 is taking place on Friday 8 March, and this year's global United Nations Women theme is "Count Her In: Accelerating Gender Equality Through Economic Empowerment." The day celebrates women's achievements whilst raising awareness about discrimination and progress towards gender parity.
- (b) That Council notes that to celebrate International Women's Day in 2024, the City of Parramatta is running a series of events showcasing women's leadership and influence in our community.
- (c) That Council notes the ongoing work being undertaken by the City of Parramatta to promote gender equality and prevent domestic and family violence.
- (d) That Council considers a suitable way to commemorate the first female alderman to be elected to Parramatta Council, Ms Anne Walker, who served from 1971-74, as well as our first female Lord Mayor, Councillor Lorraine Wearne.
- (e) That Council allocate \$12,000 from the Office of the Lord Mayor and Councillor Support Budget to facilitate International Women's Day 2024 events.
- (f) That the CEO provide information to all Councillors summarising the current activities of Council that promotes and celebrates women in the community and within Council.

Record of Voting:

For the Motion: Unanimous

8.2 **PHIVE achieves 6 Green Star Sustainability As Built Rating**
(Lord Mayor Councillor Pierre Esber)

RESOLVED: Lord Mayor Councillor Esber and Councillor Bradley

That Council note that on 21 February 2024, PHIVE obtained a '6 Green Star' sustainability As Built rating, from the Green Building Council of Australia, placing it in the 'World Class' category.

Record of Voting:

For the Motion: Unanimous

9. PUBLIC FORUM

There were no speakers.

10. PETITIONS

There were no petitions tabled at this meeting.

11. RESCISSION MOTIONS

There were no rescission motions at this meeting.

12. REPORTS TO COUNCIL - FOR NOTATION

12.1 **Investment Report for January 2024**
(Report of Tax and Treasury Accountant)

This item was dealt with earlier in the meeting.

13. REPORTS TO COUNCIL - FOR COUNCIL DECISION

13.1 **Quarterly Budget Review - December 2023**
(Report of the Chief Financial Officer)

RESOLVED: Councillor MacLean and Councillor Pandey

- (a) That Council adopt the December 2023 Quarterly Budget Review Statement (QBRS) and the Responsible Accounting Officer's report on the financial position of the Council (Attachment 1).
- (b) That Council approves the revised budget for the 2023/24 financial year:
 - i) Net operating result (including capital) of \$109.9 million surplus.
 - ii) Net operating result (excluding capital) of \$0.8 million surplus.

- iii) Capital revenue of \$112.7 million.
- iv) Capital expenditure of \$219.2 million.

Record of Voting:

For the Motion: Unanimous

Councillor Bradley asked the following question for Item 13.1 Quarterly Budget Review - December 2023.

- How does Council calculate depreciation?

Councillor Darley asked the following question for Item 13.1 Quarterly Budget Review - December 2023

- Wants an explanation on what projects have been rephased to get to the total of \$91 Million?

13.2 **Status Update on Report - Sponsorships, Corporate Memberships and Memorandum of Understanding**
(Report of the Executive Director City Planning and Design)

This item was dealt with earlier in the meeting.

13.3 **Public Exhibition of Amendment to the Parramatta City Centre Local Infrastructure Contributions Plan - Church Street North Precinct**
(Report of the Land Use Planning Manager)

MOTION: Councillor Garrard and Councillor Wang

- (a) That Council approve an amendment to the Parramatta City Centre Local Infrastructure Contributions Plan, for the purposes of public exhibition, that proposes an increase of the residential development contribution rate for the Church Street North precinct from 3% to 4% while retaining the 3% rate for development which does not include residential accommodation (Option 3 in the report).
- (b) That Council authorises the Chief Executive Officer to amend and publicly exhibit draft Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No 3) in accordance with the Option 3 details contained in this report.
- (c) Further, that the results of the public exhibition and the final plan be reported to Council.

AMENDMENT: Councillor Bradley and Councillor Darley

- (a) That Council approve an amendment to the Parramatta City Centre Local Infrastructure Contributions Plan, for the purposes of public exhibition, that proposes an increase of the residential development contribution rate for the Church Street North precinct from 3% to 4.5% and 3.5% rate for development which does not include residential accommodation.
- (b) That Council authorises the Chief Executive Officer to amend and publicly exhibit draft Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No 3).
- (c) Further, that the results of the public exhibition and the final plan be reported to Council.

Record of Voting:

For the Amendment: Councillors Bradley and Darley

Against the Amendment: Lord Mayor Councillor, Pierre Esber and Deputy Lord Mayor, Patricia Prociv, and Councillors Garrard, Green, MacLean, Noack, Pandey, Siviero, Valjak and Wang

On being PUT to the meeting, voting on the Amendment was two (2) votes FOR and ten (10) votes AGAINST. The Amendment was **LOST**.

RESOLVED: Councillor Garrard and Councillor Wang

- (a) That Council approve an amendment to the Parramatta City Centre Local Infrastructure Contributions Plan, for the purposes of public exhibition, that proposes an increase of the residential development contribution rate for the Church Street North precinct from 3% to 4% while retaining the 3% rate for development which does not include residential accommodation (Option 3 in the report).
- (b) That Council authorises the Chief Executive Officer to amend and publicly exhibit draft Parramatta City Centre Local Infrastructure Contributions Plan (Amendment No 3) in accordance with the Option 3 details contained in this report.
- (c) Further, that the results of the public exhibition and the final plan be reported to Council.

Record of Voting:

For the Motion: Lord Mayor Councillor Esber, Deputy Lord Mayor Councillors Prociv and Councillors Darley, Garrard, Green, MacLean, Noack, Pandey, Siviero, Valjak and Wang

Against the Motion: Councillor Bradley

On being PUT to the meeting, voting was eleven (11) votes FOR and one (1) vote AGAINST. The MOTION was **CARRIED**.

13.4 **Public Exhibition of Civic Link Block 3 Concept Design**

(Report of the Senior Design Manager)

MOTION: Councillor Garrard and Councillor Noack

- (a) That Council approve the draft concept plans (including specifications for the inclusion of phone charging points in all seating) for Civic Link Block 3 (at **Attachment A**) for public exhibition for a minimum period of 28 days to allow for community consideration and feedback on the design.
- (b) Further, that any community feedback and the final concept plan be reported to Council for adoption along with the specifications of the 'smart city' elements.

Record of Voting:

For the Motion: Unanimous

13.5 **Submission on the NSW Government's Low and Mid-Rise Housing Reforms**

(Report of the Group Manager, Strategic Land Use Planning)

RESOLVED: Councillor MacLean and Councillor Noack

- (a) That Council approve the submission at **Attachment 1** (provided under separate cover) to the Department of Planning, Housing and Infrastructure (the Department) in response to the public exhibition of the 'Explanation of Intended Effect: Changes to create low-and mid-rise housing' (reforms) requesting:
 - A. A two-year deferred commencement to enable Council to pursue programmed solutions. Council's justification for this exemption includes:
 - i. Council acknowledging the need to deliver greater housing diversity to assist in addressing national housing supply and affordability issues and Council's strong leadership and collaborative partnerships are critical to meet this challenge.
 - ii. Council has a compelling performance record for determining rezoning applications exceeding the housing target of 23,660 by 1,800 dwellings within the first two-and-a-half years of the 2021-2026 period; and Council is on track to rezone land to permit another 48,000 dwellings (almost 8,000 above the 2026-2036 target).
 - iii. Council planning for further strong housing growth with a number of precinct-scale proposals being considered and has brought forward the programmed 'missing middle'

investigations and rezonings of suitable areas to deliver medium density housing proximate to rapid transport and services, adding this will assist the State Government's to meet the 5-year housing target set by the Federal Government.

- iv. Council has a strong track record for delivering housing is based on quality local planning and design controls that are responsive to the local context that would be strengthened with alternate governance arrangements that increase the City's planning powers to influence city shaping policy changes for both high density precinct-scale developments and infill missing middle housing.

B. Changes to the reforms, to address the following concerns:

- i. The reforms are not reflective of best practice strategic planning that consider changes to planning controls at the precinct level, informed by studies and analysis with community and relevant statutory authority input. These broad-brush reforms are predicated on a 'one-size-fits-all' development assessment-led approach and will destabilise long standing local planning frameworks, particularly where local planning controls will be overridden because they are less permissive than the proposed State controls. Under the reforms, planning controls for a site will now be contained in various state and local statutory instruments and local guidelines, increasing the complexity and confusion for landowners.
- ii. The reforms are intended to address housing supply, however no research or evidence has been presented demonstrating that this approach is an effective method to deliver affordable, low and mid-rise housing types within infill settings, that are appropriate for a range of contexts and environmental constraints.
- iii. The standardised approach to planning controls coupled with the non-refusal development standards do not consider local character or conditions, all of which are necessary to ensure good amenity and design outcomes for both individual dwellings and localities.
- iv. The mismatch between the proposed FSR and height of building controls will result in buildings that are bulky, setbacks to boundaries insufficient for the scale, and significant impacts upon deep soil and tree canopy loss contributing to reduced amenity and heat island effects.
- v. Overriding existing local heritage protections for heritage conservation areas and special character areas by allowing new housing types and greater densities within these precincts will significantly compromise their special character and heritage values and integrity.
- vi. E1 Local Centres and MU1 Mixed Use zoned centres included in the 800 metres walking distance be restricted

- to those containing a full line supermarket of approximately 4,000-4,500m² accompanied by population-serving retail and commercial space, and have access to rapid transport services and adequately serviced by public transport.
- vii. The reforms exacerbate existing infrastructure shortfalls particularly community infrastructure and open space; and a holistic review of local infrastructure provision is required to enable the real cost increases in providing infrastructure to be recognised including the development contribution caps and rates, and stormwater management service levies.
 - viii. Region shaping strategic plans should be released prior to these housing reforms taking effect to enable an examination of the intended outcomes of the reforms in the context of housing and job targets, environmental and liveability directions, and infrastructure and services delivery.
- (b) That in response to the reforms, Council accelerate the Dual Occupancy Codes SEPP Advocacy Project required by parts (d) and (e) of Council's resolution of 22 May 2023 (Minute 4318) by conducting the following in its place:
- ix. The preparation of a submission by the CEO and sent on behalf of Council to the Minister for Planning, the Minister for Fair Trading and NSW Building Commissioner and Government Architects that includes:
 - 1. Requested changes to the Codes SEPP in accordance with the design principles set out in **Attachment 1** (provided under separate cover) that were presented to Council as part of the review of dual occupancy developments during the preparation of the Harmonisation DCP process.
 - 2. Concerns Council has with the Complying Development process.
- (c) Further, that Council with the assistance of the Local Member for Parramatta, Donna Davis MP, seeks a meeting with the Minister for Planning and Minister for Local Government to discuss the two-year deferred commencement request and governance measures that could be put in place to permit Council to work towards making a contribution to the housing capacity required to meet the National Blueprint target in an efficient manner.

Record of Voting:

For the Motion: Lord Mayor Councillor Esber, Deputy Lord Mayor Councillor Prociv and Councillors Bradley, Darley, Garrard, Green, MacLean, Noack, Pandey, Siviero, Valjak and Wang (Unanimous).

14. NOTICES OF MOTION

14.1 Reporting on the Status of Council Resolutions (Councillor Kellie Darley)

MOTION: Councillor Darley and Deputy Lord Mayor, Councillor Prociv

- (a) That the CEO provide Council with a report by 25 March 2024 on the status of each resolution made during this term of Council, including a summary totaling the resolutions by status (i.e. new, completed, in progress, overdue), clear identification of the overdue resolutions with what action has been taken and what is still to be done as well as an updated timeline for when the resolutions will be completed.
- (b) That the CEO also provide Council with a report of outstanding resolutions from the last term of Council, with their current status.
- (c) That a standing progress report be provided monthly on Council's website with the resolutions still to be completed and their status.
- (d) Further, that any additional resources required to monitor and action Council resolutions be reported back to Council and incorporated into the budget and DPOP process for 2024/2025.

AMENDMENT: Councillor Noack and Councillor Wang

- (a) That the CEO report on each resolution made during this term of Council be provided to Council as part of the Council's usual End of Term report.
- (b) Further, that the Council's End of Term report, that has recently been reframed as 'State of our City', be presented to Council in August 2024.

Record of Voting:

For the Amendment: Lord Mayor Councillor Esber, Deputy Lord Mayor Councillor Prociv and Councillors Bradley, Garrard, Green, MacLean, Noack, Pandey, Siviero, Valjak and Wang

Against the Amendment: Councillor Darley

On being Put to the Meeting, voting on the Amendment was eleven (11) votes FOR and one (1) vote AGAINST. The Amendment became the MOTION.

RESOLVED: Councillor Noack and Councillor Wang

- (a) That the CEO report on each resolution made during this term of Council be provided to Council as part of the Council's usual End of Term report.
- (b) Further, that the Council's End of Term report, that has recently been reframed as 'State of our City', be presented to Council in August 2024.

Record of Voting:

For the Motion: Lord Mayor Councillor Esber, Deputy Lord Mayor Councillor Prociv and Councillors Bradley, Garrard, Green, MacLean, Noack, Pandey, Siviero, Valjak and Wang

Against the Motion: Councillor Darley

On being Put to the Meeting, voting on the Motion was eleven (11) votes FOR and one (1) vote AGAINST. The Motion became the **CARRIED**.

14.2 **Report on Council's Domestic Waste Reserve**
(Councillor Kellie Darley)

MOTION: Councillor Darley and Councillor MacLean

- (a) That the CEO prepare a report to Council before the end of April 2024, outlining the plan for Council's Domestic Waste Reserve, including but not limited to funding for:
 - the roll out of FOGO;
 - the opening and future expansion of the Community Recycling Centre:
 - expanded waste education programs;
 - additional Christmas recycling collection;
 - additional council clean-ups and resource recovery;
 - rebates.
- (b) That this report contains a comparison of Council's domestic waste charges with similar Sydney councils as well as outline current levels of waste collection, resource recovery, contamination and community satisfaction with waste services in the Parramatta LGA.
- (c) Further, that a Councillor Workshop be held to discuss other options prior to the report coming back to Council.

AMENDMENT: Councillor Valjak and Councillor Wang

- (a) That the CEO update Councillors regarding the plan for Council's Domestic Waste Reserve at the planned workshop on the Community Recycling Centre (CRC) and FOGO initiatives in March-April 2024.

- (b) That at this workshop, Councillors be provided with the latest insights into waste education, proposed recycling tax clean-up efforts, resource recovery initiatives and an overview of potential rebates and incentives as previously foreshadowed by the CEO at the Councillor Strategic Planning Day and Budget Workshop in late 2023.

Record of Voting:

For the Amendment: :Lord Mayor Councillor Esber, Councillors Garrard, Green, Noack, Pandey, Siviero, Valjak and Wang

Against the Amendment: Deputy Lord Mayor Councillor Prociv, Councillors Bradley, Darley and MacLean

On being PUT to the meeting voting on the AMENDMENT was eight (8) votes FOR and four (4) votes AGAINST the Amendment was **CARRIED**

The Amendment became the MOTION.

RESOLVED: Councillor Valjak and Councillor Wang

- (a) That the CEO update Councillors regarding the plan for Council's Domestic Waste Reserve at the planned workshop on the Community Recycling Centre (CRC) and FOGO initiatives in March-April 2024.
- (b) That at this workshop, Councillors be provided with the latest insights into waste education, proposed recycling tax clean-up efforts, resource recovery initiatives and an overview of potential rebates and incentives as previously foreshadowed by the CEO at the Councillor Strategic Planning Day and Budget Workshop in late 2023.

Record of Voting:

For the Motion: :Lord Mayor Councillor Esber, Councillors Garrard, Green, Noack, Pandey, Siviero, Valjak and Wang

Against the Motion: Deputy Lord Mayor Councillor Prociv, Councillors Bradley, Darley and MacLean

On being PUT to the Meeting voting on the MOTION was eight (8) votes FOR and four (4) votes AGAINST the Motion was **CARRIED**

14.3 **Recognition of Service to Council**

(Councillor Kellie Darley)

MOTION: Councillor Darley and Deputy Lord Mayor, Councillor Prociv

- (a) That Council acknowledge and thank Mr Bruce Mills, former Acting Executive Director of Property and Place and Group Manager of Place Services, for his 15 years of service to Council.
- (b) Further, that Council acknowledge and thank Ms Nicole Carnegie, Director City Strategy, for her 13 years of service to Council.

AMENDMENT: Councillor Garrard and Councillor Siviero

That the CEO recognise all staff for their contributions and service as per the staff Rewards, Recognition and Service program.

Record of Voting:

For the Amendment: Unanimous

The Amendment became the MOTION.

RESOLVED: Councillor Garrard and Councillor Siviero

That the CEO recognise all staff for their contributions and service as per the staff Rewards, Recognition and Service program.

Record of Voting:

For the Motion: Unanimous

15. QUESTIONS WITH NOTICE

15.1	Council's Customer Service and Call Centre Statistics (Councillor Kellie Darley) Item dealt with earlier in the Meeting.
15.2	Parramatta Light Rail Stage 2 Bridge Community Reference Group (Councillor Kellie Darley) Item dealt with earlier in the Meeting.
15.3	Response to Community Pantry Initiative - Donations as at February 2024 (Report by Councillor Kellie Darley) Item dealt with earlier in the Meeting.

15.4	LATE REPORT: Questions Taken on Notice at the Ordinary Council Meeting on 12 February 2024 (Report by Council Secretariat and Policy Officer) Item dealt with earlier in the Meeting.
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PROCEDURAL MOTION MATTER OF URGENCY – CLOSURE OF PCYC

Councillor Garrard requested to raise a Matter of Urgency under clause 9.3(b) of the Code of Meeting Practice, regarding the Closure of Parramatta PCYC

The Lord Mayor considered the matter to be urgent.

MATTER OF URGENCY CLOSURE OF PARRAMATTA PCYC

MATTER OF URGENCY - Closure of Parramatta PCYC

Councillor Michelle Garrard

RESOLVED: Councillor Garrard and Councillor Green

- (a) That Council note the positive contributions made by PCYC to the City of Parramatta, delivered through their broad range of youth and community activities and support;
- (b) That Council supports their objective to find a new permanent home within the Parramatta CBD; and
- (c) That the Lord Mayor write to Donna Davis MP, Andrew Charlton Federal MP The Hon. Yasmin Catley, Minister for the Police and Counter-terrorism, The Hon. Steve Kamper, Minister for Sport and The Hon. Rose Jackson, Minister for Youth advocating they honour the WestInvest funding and to identifying an appropriate, centrally located site within the Parramatta CBD so that urgent planning can progress for a new Parramatta PCYC.

Record of Voting:

For the Motion: Unanimous

PROCEDURAL MOTION ADJOURNMENT OF MEETING

At 9.21pm, The Lord Mayor adjourned the meeting and the following Councillors were present:

Lord Mayor, Councillor Esber and Councillors MacLean, DLM Prociv, Pandey, Noack, Bradley, Wang, Garrard, Green, Siviero, Darley and Valjak.

PROCEDURAL MOTION RECONVENED MEETING

At 9.31pm, the Lord Mayor reconvened the meeting and the following Councillors were present:

Lord Mayor, Councillor Esber, Deputy Lord Mayor Councillor Prociv, Councillors Bradley, Darley, Garrard, Green, MacLean, Noack, Pandey, Valjak and Wang

Note: Councillor Siviero left the meeting during the adjournment.

PROCEDURAL MOTION MOVE TO CLOSED SESSION

RESOLVED: Councillor Noack and Councillor Maclean

That at this time of the meeting, being 9.32pm, the Lord Mayor, Councillor Esber advised that the meeting would move into Closed Confidential Session to allow consideration of matters in Closed Session in accordance with Section 10A of the *Local Government Act 1993*. Accordingly, members of the press and public are excluded from the closed session and access to the correspondence and reports relating to the items considered during the course of the Closed Session will be withheld.

This action is taken to discuss:

16.1 QWN myWorkplace - 9 Wentworth Street Project Update

(Councillor Sameer Pandey)

This report is confidential in accordance with section 10A (2) (c) (d) 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; AND the report contains 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.

16.2 CONFIDENTIAL Determination of Senior Staff Structure – City of Parramatta

(Report by Chief Executive Officer)

This report is confidential in accordance with section 10A (2) (a) of the Local Government Act 1993 as the report contains personnel matters concerning particular individuals.

Record of Voting:

For the Motion: Unanimous

Note: Council moved into closed session at 9.33pm.

ADJOURNMENT OF MEETING

At 9.41pm, The Lord Mayor adjourned the meeting and the following Councillors were present:

Lord Mayor, Councillor Esber and Councillors MacLean, DLM Prociv, Pandey, Noack, Bradley, Wang, Garrard, Green, Darley and Valjak.

RECONVENED MEETING

At 9.58pm, the Lord Mayor reconvened the meeting and the following Councillors were present:

Lord Mayor, Councillor Esber, Deputy Lord Mayor Councillor Prociv, Councillors Bradley, Darley, Garrard, Green, MacLean, Noack, Pandey, Valjak and Wang

ATTENDANCE BY AUDIO-VISUAL LINK BY COUNCILLORS

RESOLVED: Councillor Valjak and Councillor Bradley

That Councillor Siviero be permitted to attend this meeting by audio-visual link.

Record of Voting:

For the Motion: Unanimous

Note: Councillor Siviero returned to the meeting (online) at 10.01pm.

16.2 **Determination of Senior Staff Structure - City of Parramatta**

(Report of the Chief Executive Officer)

MOTION: Councillor Garrard and Councillor Wang

- (a) That Council determine the six senior staff positions within the organisation structure, including the roles and reporting lines, as

shown at **Attachment 1** of this report, pursuant to s332(1) of the Local Government Act 1993.

- (b) That Council note the senior staff positions are the same as those previously determined by Council except for:
- i. The deletion of the role, Executive Director People, Culture and Workplace; and
 - ii. The deletion of the role, Executive Director, Property and Place.
- (c) That Council note the changes to the senior staff structure aim to improve clarity of responsibilities for the relevant functions and to reduce duplication of responsibilities.
- (d) That Council note the changes will reduce the senior staff structure by two (FTE) and reduce senior staff employment costs by an estimated \$750,000 per annum.
- (e) Further that Council note the following title changes to better recognise key functional areas within the scope of responsibility:
- i. Executive Director Community Services to Executive Director Community and Culture; and
 - ii. Change to the name of Directorate from Community Services to Community and Culture to reflect the title change outlined above (i).

AMENDMENT: Councillor Darley and Councillor Bradley

- (a) That Council defer determination of the senior staff positions, and resulting organisational structure, for two weeks so the following information can be provided in writing to Councillors:
- The number of staff who have been made redundant since April 2023;
 - The percentage increase in senior staff salary between March 2023 and July 2023 as well as between March 2023 and December 2023;
 - The number of staff who will have a new line manager as a result of the proposed structure compared to the currently adopted structure;
 - The number of staff who have left since October 2023;
 - The number of vacant positions currently and how many are being filled by contract and temporary personnel; and
 - A summary of coronial inquiries that Council has been involved in throughout the current term of Council.
- (b) Further, that the current interim arrangements remain in place in the meantime

Record of Voting:

For the Amendment: Deputy Lord Mayor Councillor Prociv, Councillors Bradley, Darley MacLean and Pandey

Against the Amendment: Lord Mayor Councillor Esber, Councillors Garrard, Green, Noack, Siviero, Valjak and Wang

On being put to the meeting, voting on the Amendment was five (5) votes FOR and seven (7) votes AGAINST. The Amendment was **LOST**.

RECOMMENDATION: Councillor Garrard and Councillor Wang

- (a) That Council determine the six senior staff positions within the organisation structure, including the roles and reporting lines, as shown at **Attachment 1** of this report, pursuant to s332(1) of the Local Government Act 1993.
- (b) That Council note the senior staff positions are the same as those previously determined by Council except for:
 - iii. The deletion of the role, Executive Director People, Culture and Workplace; and
 - iv. The deletion of the role, Executive Director, Property and Place.
- (c) That Council note the changes to the senior staff structure aim to improve clarity of responsibilities for the relevant functions and to reduce duplication of responsibilities.
- (d) That Council note the changes will reduce the senior staff structure by two (FTE) and reduce senior staff employment costs by an estimated \$750,000 per annum.
- (e) Further that Council note the following title changes to better recognise key functional areas within the scope of responsibility:
 - iii. Executive Director Community Services to Executive Director Community and Culture; and
 - iv. Change to the name of Directorate from Community Services to Community and Culture to reflect the title change outlined above (i).

For the Motion: Lord Mayor, Councillor Esber, Deputy Lord Mayor Councillor Prociv, Councillors Garrard, Green, MacLean, Noack, Pandey, Siviero, Valjak and Wang

Against the Motion: Councillors Bradley and Darley

On being PUT to the Meeting, voting on the Motion was ten (10) votes FOR and two (2) votes AGAINST. The Motion was **CARRIED**.

PROCEDURAL MOTION RECOMMIT ITEM 16.1

Councillor Pandey requested the leave of the Chairperson to recommit the earlier decision of Council in relation to Item 16.1 QWN myWorkplace - 9 Wentworth Street Project Update, as he had a further question to the Question with Notice - The Chairperson granted leave to recommit this item.

RESOLVED: Councillor MacLean and Councillor Bradley

That Item 16.1 QWN myWorkplace - 9 Wentworth Street Project Update be recommitted to allow further questions on this matter.

Record of Voting:

For the Motion: Unanimous

Item 16.1 QWN myWorkplace - 9 Wentworth Street Project Update
(Councillor Sameer Pandey)

Councillor Pandey asked questions on Confidential Item 16.1 QWN myWorkplace - 9 Wentworth Street Project Update which were taken on notice

PROCEDURAL MOTION RETURN TO OPEN SESSION

RESOLVED: Councillor Noack and Councillor Bradley

That Council move into open session.

Record of Voting:

For the Motion: Unanimous

Note: Council Moved to Open Session at 10.51pm.

17. REPORTS OF RESOLUTIONS PASSED IN CLOSED SESSION

RESOLVED: Councillor Noack and Councillor Bradley

That the recommendations in relation to Item:

- **16.2 Determination of Senior Staff Structure - City of Parramatta.** be received and noted as resolutions of Council without any alteration and amendment thereto.

Record of Voting:

For the Motion: Unanimous

16.2 **Determination of Senior Staff Structure - City of Parramatta**

(Report of the Chief Executive Officer)

RESOLVED: Councillor Garrard and Councillor Wang

- (a) That Council determine the six senior staff positions within the organisation structure, including the roles and reporting lines, as shown at **Attachment 1** of this report, pursuant to s332(1) of the Local Government Act 1993.
- (b) That Council note the senior staff positions are the same as those previously determined by Council except for:
 - v. The deletion of the role, Executive Director People, Culture and Workplace; and
 - vi. The deletion of the role, Executive Director, Property and Place.
- (c) That Council note the changes to the senior staff structure aim to improve clarity of responsibilities for the relevant functions and to reduce duplication of responsibilities.
- (d) That Council note the changes will reduce the senior staff structure by two (FTE) and reduce senior staff employment costs by an estimated \$750,000 per annum.
- (e) Further that Council note the following title changes to better recognise key functional areas within the scope of responsibility:
 - v. Executive Director Community Services to Executive Director Community and Culture; and
 - vi. Change to the name of Directorate from Community Services to Community and Culture to reflect the title change outlined above (i).

For the Motion: Lord Mayor, Councillor Esber, Deputy Lord Mayor Councillor Prociv, Councillors Garrard, Green, MacLean, Noack, Pandey, Siviero, Valjak and Wang

Against the Motion: Councillors Bradley and Darley

On being PUT to the Meeting, voting on the Motion was ten (10) votes FOR and two (2) votes AGAINST. The Motion was CARRIED.

18. CONCLUSION OF MEETING

The meeting concluded at 10.55pm.

This page and the preceding 27 pages are the Minutes of the Ordinary/Extraordinary Council Meeting held on Monday, 26 February 2024 and confirmed on Monday, 11 March 2024.

Chairperson

Unconfirmed

REPORTS TO COUNCIL - FOR NOTATION

11 MARCH 2024

12.1 Status Report - Update on Transcription Technology at PHIVE36

REPORTS TO COUNCIL - FOR NOTATION

ITEM NUMBER	12.1
SUBJECT	Status Report - Update on Transcription Technology at PHIVE
REFERENCE	F2024/00282 - D09252332
REPORT OF	Chief Technology Officer

CSP THEME: Accessible

WORKSHOP/BRIEFING DATE: Nil

PURPOSE:

The purpose of this report is to provide an update on technology enhancements undertaken in the Council Chambers over January and February 2024.

RECOMMENDATION

That Council receive and note the report.

BACKGROUND

1. On 24 April 2023, Council resolved to explore options to make the live feed within the Chamber and the livestream of the Council to include transcription services. In addition to look at ways to stream the minutes of Council live and improve the overall quality of both the video and audio streams.
2. Following the above resolution, Council officers also noted ongoing issues with Councillors accessing the Council meeting virtually, with the software in place not offering Councillors and Council Officers a smooth and stable experience when connecting remotely to Council meetings, especially in instances when non-Council assets were utilised.
3. Council officers took immediate steps to improve the quality of the audio within the Council Chamber, and these works were completed by June 2023. Due to the complexities of making changes to the streaming services, and to protect the existing livestream arrangements, the major upgrades workswere delayed until the Council close down period over the 2023/2024 Christmas and New Year period.
4. Council officers worked with Council's Audio-Visual contractor to iimplement a solution to address the concerns raised.

ISSUES/OPTIONS/CONSEQUENCES

5. Council officers successfully implemented the following changes to the Council Chamber in January and February 2024, with the changes going live at the ordinary Council meeting on 12 February 2024:
 - a) **Closed Caption** - Both within the chamber and on the live steam. As the closed caption is done in real time and on a live recording it will not always be 100% accurate. Several factors will contribute to this including how clearly someone speaks into the microphone and the amount of background noise in the

chamber. Prior to the video being uploaded to the website post the Council meeting, steps are taken to improve the accuracy of the closed captions.

- b) **Changes to remote access to Council meetings** - Councillors will now join remotely by Microsoft Teams, meaning a single platform for Council related meetings. This will bring greater stability to remote connections and allow for easier troubleshooting should there be connection issues.
- c) **Automation of Streaming Cameras** - A focus camera on the Councillor with an active microphone and a fixed camera on the Lord Mayor, CEO and Chief Governance and Risk Officer.
- d) **Web Streaming** - The public will now have a view of four screens on the live stream, one showing the Lord Mayor, General Manager and Chief Governance and Risk Officer, one showing the Councillor that is speaking, one showing the live minutes and one that will be capable of being changed from the Parramatta logo to a presentation, should there be a need.
- e) **Video and Audio Upgrades** - Streaming will now be done in 1080p and improvements have been made to the audio input to reduce the echo that was being heard on the live stream.

CONSULTATION & TIMING

Stakeholder Consultation

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

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
6/12/23	Governance	Clarification of the issues being experienced by both Council Officers and Councillors.	Design changes made to ensure that all outstanding issues would be addressed in the solution.	Information Communication Technology

LEGAL IMPLICATIONS FOR COUNCIL

7. There are no legal implications to this report.

FINANCIAL IMPLICATIONS FOR COUNCIL

8. There are no unbudgeted financial implications for Council.

John Crawford
Chief Technology Officer

John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL

REPORTS TO COUNCIL - FOR COUNCIL DECISION

11 MARCH 2024

13.1	Council Policies for Rescission: Stormwater Disposal Policy 2020	40
13.2	Public Exhibition of Draft Regulatory Enforcement Policy	51
13.3	Public Exhibition of Draft Homebush Bay Circuit - Bennelong Parkway Pedestrian and Cyclist Bridge and Paths.....	86
13.4	Public Exhibition of Draft Toongabbie to Westmead Pedestrian and Cyclist Corridor	97
13.5	Public Exhibition of Draft Wilderline to Duck River Pedestrian and Cyclist Paths.....	127

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.1
SUBJECT	Council Policies for Rescission: Stormwater Disposal Policy 2020
REFERENCE	F2024/00282 - D09331217
REPORT OF	Policy Officer

CSP THEME: Fair

WORKSHOP/BRIEFING DATE: Policy Review Committee – 20 February 2024

PURPOSE:

To seek Council's endorsement to rescind policies identified as being no longer required.

RECOMMENDATION

That Council approve the immediate rescission of the Stormwater Disposal Policy 2020 (Policy 340).

BACKGROUND

1. Council's policy portfolio is periodically assessed to identify policies endorsed by Council which have become redundant due to changes in prevailing legislation or other strategic documents. Where other superseding documents will prevail, redundant policies can be rescinded.

ISSUES/OPTIONS/CONSEQUENCES

2. At the Policy Review Committee meeting on 20 February 2024, one Council Policy was supported to be immediately rescinded, for the following reasons:

Title	Last adopted by Council	Reasons to Rescind
340 – Stormwater Disposal Policy	2020	Duplication of prevailing Parramatta Development Control Plan 2023 (DCP). Objectives and criteria from the Policy were incorporated into Part 5.1 Water Management of the DCP. DCP gives legal weight to these requirements. Technical design criteria continue to be available in Council's Development Engineering Design Guidelines.

3. A reference copy of the Policy recommended for rescission can be found at Attachment 1.

CONSULTATION & TIMINGCouncillor Consultation

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

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Responsibility
4 October 2022	Policy Review Committee	Noted that staff would be reviewing ongoing Council's policy portfolio to identify redundant items to retire.	Noted and actioned	Governance
20 February 2024	Policy Review Committee	Supported Stormwater Disposal Policy to be endorsed by Council for immediate rescission.	Noted and actioned	Governance + Group Manager Development & Traffic Services

LEGAL IMPLICATIONS FOR COUNCIL

5. There are no legal implications associated with rescinding the superseded Stormwater Disposal Policy.

FINANCIAL IMPLICATIONS FOR COUNCIL

6. There are no unbudgeted financial implications for Council associated with rescinding the Stormwater Disposal Policy.

Melissa McIsaac
Policy Officer

Mark Leotta
Group Manager - Development and Traffic Services

Jennifer Concato
Executive Director City Planning and Design

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

1   For Information - Stormwater Disposal Policy 2020 8 Pages

REFERENCE MATERIAL



CITY OF PARRAMATTA

Storm Water Disposal

Contents

1. Scope
2. Purpose
3. Policy
4. Procedure
5. Definitions

1. Scope

This Policy applies:

- To the Parramatta Local Government Area
- To all new development that requires consent from Council on private land, and
- That requires On-Site Detention (OSD).

2. Purpose

This policy has been developed in order to clearly communicate Council's requirements for development with respect to:

- When an On Site Detention system is required
- On Site Detention system design, and
- On Site Detention discharge

3. Policy

3.1 Objectives of the Policy

The objectives of this policy are:

- That OSD design and the method of discharge are appropriate to the site and its surroundings and consistent with Council design requirements
- That OSD systems are integrated into the overall design of the development
- That all development sites manage and drain stormwater adequately to avoid or minimise local area flooding and associated damage to downstream properties and Council assets

Stormwater Disposal Policy		
Owner Manager Development & Traffic Services	Area: DTSU	POL No: 340
Date of Commencement: 2015	Approval Authority: Council	Date Approved: 7 December 2020
Amendment 2	Date of Next Review: 2022	Review Period: every 2 years



CITY OF PARRAMATTA

- The long-term viability of stormwater management measures within the Parramatta Local Government Area;
- The long-term viability of natural watercourses, ecosystems and habitats in Parramatta and beyond
- That Council's existing stormwater infrastructure is augmented where necessary
- The maintenance and/or enhancement of the landscape and environment of Parramatta
- An urban environment with a high standard of residential amenity and safety.
- The consistent and timely assessment of development proposals through the lodgement of OSD plans and documentation that are of a high standard and meet all environmental, planning and Council requirements.

3.2 Fundamental Principles of the Policy

- Stormwater management is to be considered in a cumulative and long term context to maintain and improve the flow of stormwater.
- On-site Detention (OSD) of stormwater helps reduce downstream flooding and avoids or minimises adverse impact upon natural and constructed drainage assets.
- Stormwater system design must provide an appropriate balance between engineering, landscaping and general planning amenity principles.
- Stormwater management may determine whether a site can realise development potential.
- Flood affectation and management may affect and determine on site stormwater management.
- Stormwater management must maintain an appropriate level of safety for persons and property.
- Stormwater runoff must not adversely impact surrounding properties and Council infrastructure and assets through the diversion and concentration of flows.
- Overland flow is to be considered and managed in designing an on-site stormwater system.

Stormwater Disposal Policy		
Owner Manager Development & Traffic Services	Area: DTSU	POL No: 340
Date of Commencement: 2015	Approval Authority: Council	Date Approved: 7 December 2020
Amendment 2	Date of Next Review: 2022	Review Period: every 2 years



CITY OF PARRAMATTA

- Where applicable, water sensitive urban design principles are to be integrated into stormwater management and design.
- Stormwater management is a fundamental component of development and must be considered as early as possible by the proponent in the evolution of projects.

3.3 Fundamental Design Principles of the Policy

- On site detention is required for all multi-unit residential development, including dual occupancies, all commercial development and all community focused facilities, such as places of worship, community centres, childcare centres and the like, unless it can be demonstrated that OSD will increase flooding of that site. In these circumstances alternate stormwater management is to be considered in line with Water sensitive Urban Design (WSUD) principles set out in the relevant sections of the relevant Development Control Plan.
- **The location of the On-Site Detention System, WSUD and other water storage facilities shall not impact on the operation, functionality and safety of the proposed development. In this regard On-Site Detention Systems and other water storage facilities shall not be located within the subfloor of any habitable areas of residential dwellings, commercial buildings and childcare facilities. Surcharging, ventilation and access grates of these systems shall not impact upon required play areas for child care facilities.**
- Above ground OSD basins are not allowed for residential development, unless excepted by the provisions below.
- On Site Detention is to be in the form of below ground tanks for all dual occupancy and other forms of multi-unit residential and/or mixed use residential development; however, where circumstances exist which physically prevent all volume being detained in a below ground tank,
 - An OSD system can be a *combination* of above and below ground detention tanks (**not basins**), provided:
 - The below ground tank holds a minimum 60% of the site's required storage volume, and
 - The above ground tank is located behind the front building line and away from rear yard outdoor recreation areas, where the design is as recessive and slimline as possible, and

Stormwater Disposal Policy		
Owner Manager Development & Traffic Services	Area: DTSU	POL No: 340
Date of Commencement: 2015	Approval Authority: Council	Date Approved: 7 December 2020
Amendment 2	Date of Next Review:2022	Review Period: every 2 years



CITY OF PARRAMATTA

- The tank is engineered for a product lifecycle matching that of the dwelling/s on site, and
 - The design parameters set out in Council design and development guidelines are fully complied with, and
 - Storage volume as calculated using the UPRCT On Site Detention Handbook (for areas covered by the Handbook) or, other applicable methodology, is fully achieved, and
 - In addition to that provided for the underground detention tank, any above ground storage tank must include an orifice plate, discharge control pit and overflow and any other design requirements for OSD tanks required under Council design and development guidelines and for applicable areas, the UPRCT OSD Handbook,
 - A registered and experienced hydraulic/civil engineer designs any OSD system, and
 - All relevant LEP and DCP planning and landscaping requirements, including building envelope controls and soft and deep soil coverages are complied with, without exception.
- For residential development on flat sites only, above ground basins up to a maximum depth of 300mm can be considered for ground level drainage. Other detention options set out in this Policy could be considered for flat sites in conjunction with detention basins if needed to achieve appropriate detention volume.
 - Above ground OSD basins can be considered for non-residential developments, provided the ponding depth of any above ground basin does not exceed 300mm.
 - All on Site Detention systems must discharge by gravity to Council's stormwater infrastructure.
 - Stormwater is to be discharged in the general direction as determined by the **pre-development** topography of the site and within its natural catchment/sub-catchment. **Filling of sites to achieve discharge by gravity is not supported.**
 - Where discharge of OSD by gravity to the street frontage of a site is not possible, an inter-allotment drainage easement/s will be required. Where the available drainage point is through Council land and is not permitted by Council due to classification of that land, applications will be assessed on individual merits and environmental constraints.

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- OSD design parameters are to be in accordance with:
- Council design and development guidelines
- For applicable areas, the Upper Parramatta River Catchment Trust Handbook and council design and development guidelines.
- Minimal landform modification, such as excavation (other than for below ground storage) and/or fill, is to be incorporated into any stormwater management system
- Pump out systems cannot be used in lieu of OSD or to drain On-Site Detention systems wholly or in part*
- Absorption trenches or similar cannot be used in lieu of OSD or to drain On-Site Detention systems wholly or in part
- For developments with a total site discharge greater than 30 l/s, discharge must be to Council's piped street system.

***Note:** Pump-out is allowed for the drainage of basements only.

- Discharge of ground water into Council's stormwater system, other than minor seepage, is not permitted.
- The dedicated air space only of rainwater tanks may be considered as a partial offset for detention volume requirements in line with calculations and design requirements under the Upper Parramatta River Catchment Trust Handbook 4th edition.

3.4 Alternatives to the above Policy

In exceptional circumstances and only for an individual development, Council may revise this Policy on a one off basis and require or allow variations to the proposed stormwater management system if it can be shown to Council's satisfaction that:

- implementing the normal requirements for OSD would adversely affect flooding or would cause other environmental harm, or increased risks to persons or property, and/or
- Council has imposed restrictions that prevent normal implementation of OSD policy (such as not permitting construction of a drainage pipeline through a Council reserve).

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- Exceptions will be not considered simply to enable development on site in the absence of demonstrated detrimental stormwater management outcomes through application of this Policy.

In such cases Council may require an alternative approach to the development's stormwater management system based on Water Sensitive Urban Design principles set out in the relevant Development Control Plan and including increased rainwater harvesting and integration of the engineering and landscape designs to improve stormwater outcomes.

3.5 Information to be provided when submitting a Development Application (including s4.55 & s8.3)

- A survey plan prepared and signed by a registered surveyor with all levels to Australian Height Datum and site boundaries defined by survey.
- Concept OSD design submission (including summary and volume calculations) and stormwater drainage design plan in accordance with relevant documentation referred to in this Policy to be prepared by a registered Civil/Hydraulic engineer
- A completed Council stormwater/OSD checklist signed by the design engineer.
- Where a site adjoins Crown land (such as a rail corridor, Sydney Water stormwater channel) and/or proposes discharge to a State owned asset, the approval of the asset owner must be obtained prior to lodgement of a Development Application (incl. s4.55 and s8.3 applications).
- Where an inter-allotment drainage easement/s is required, **written acknowledgement** from the downstream property owner/s, of an easement request must be obtained prior to lodgement of a Development Application (incl. s4.55 and s8.3 applications).

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Definitions

On-Site Detention (OSD) – a stormwater management system designed to collect and detain water before releasing it at a controlled flow rate by gravity to Council’s stormwater infrastructure. The sole purpose of OSD is to reduce flooding.

Upper Parramatta River Catchment Trust (UPRCT) On Site Detention Handbook – a publication of the Trust which specifies the design parameters for calculating storage and design requirements for OSD systems.

OSD tank– the OSD is located in an engineered tank located above or below ground.

Above Ground OSD basins – the OSD system is located above ground in an open basin configuration.

Below Ground OSD tanks – the OSD system is located below ground.

Inter-allotment drainage easement – a reservation of land over public or private downstream property/ies to enable a pipe to be laid to drain OSD by gravity from a development site to Council drainage infrastructure.

Discharge control rate – a rate of water flow measured in litres per second which is calculated based on the site area of an allotment and not the rate at which water is discharged from an OSD system. The Discharge control rate is used to determine the type of connection of the private system to Council’s stormwater system i.e. discharge to kerb or Council pit/pipe.

WSUD – Water Sensitive Urban Design addresses the environmental management of stormwater and may work in conjunction with OSD. WSUD promotes rainwater harvesting, pollution control and integration of landscape and engineering to manage stormwater.

Associated documents

This policy provides further guidance and direction on how On Site Detention systems are to be designed and discharged and is in addition to the following documents which must also be considered and satisfied when designing a site based on site detention system:

- SEPP BASIX
- Any Local Environmental Plans applying to the Parramatta LGA
- Any Development Control Plans applying to the Parramatta LGA
- Australian Rainfall & Runoff

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- Council's Design and Development Guidelines
- Upper Parramatta River Catchment Trust On-Site Detention Handbook editions 3 and 4.

This Policy prevails to the extent of any inconsistency with the Upper Parramatta River Catchment Trust On-Site Detention Handbook.

Footnotes:

Pump-Out Systems

Pump out systems can only be considered for draining driveways and basement car parks. Pump out cannot be used in lieu of OSD or to drain On-Site Detention systems wholly or in part because:

- Pump out is not in line with recognised engineering industry best practice
- Do not work in the advent of power failure
- Prone to circuit mortality
- Require routine maintenance and testing
- Create unacceptable liability for Council
- Implications for Council asset, pipe/pit capacity

Absorption Trenches

In general, absorption trenches cannot be used in lieu of OSD or to drain On-Site Detention systems wholly or in part because:

- They are reliant on appropriate soil conditions and much of Parramatta comprises clay soils
- Result in overland flow
- Have limited longevity and efficacy
- Have limited capacity

Above Ground Tanks

An OSD system comprising of only above ground tanks is not allowed as:

- Above ground tanks can only capture roof area and surface water cannot be captured
- The size of above ground tanks to accommodate the site storage requirements will necessitate large structurally designed tanks located in areas where amenity, site function and landscaping are compromised.

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REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.2
SUBJECT	Public Exhibition of Draft Regulatory Enforcement Policy
REFERENCE	F2024/00282 - D09173357
REPORT OF	Policy Officer

CSP THEME: Fair

WORKSHOP/BRIEFING DATE: Policy Review Committee – 25 October 2023

PURPOSE:

To seek Council's endorsement to place the draft Regulatory Enforcement Policy (Policy 306) on public exhibition.

RECOMMENDATION

- (a) That the draft Regulatory Enforcement Policy be placed on public exhibition for a period of 28 days.
- (b) That Council authorises the Chief Executive Officer to make any necessary editorial and content changes to the draft Regulatory Enforcement Policy for public exhibition to give effect to Council's resolution.
- (c) That officers prepare a report to Council following the exhibition period to present the final Regulatory Enforcement Policy for adoption.

BACKGROUND

1. Council's existing Regulatory Enforcement Policy (Policy 306) was last adopted by Council on 10 July 2017, and is due for periodic review.

ISSUES/OPTIONS/CONSEQUENCES

2. Before adopting the draft Policy, Council must place the document on public exhibition for a period of 28 days. This report is seeking Council's approval to place the draft Regulatory Enforcement Policy on public exhibition. The submission period is likely to close in April 2024.
3. 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 Policy. This document will become effective once it is adopted by Council.

CONSULTATION & TIMINGStakeholder Consultation

4. The following stakeholder consultation has been undertaken in relation to this matter:
 - Executive Team;

- Policy Review Committee (25 October 2023); and
- Councillors (January 2024).

Anticipated time frame

- Council Meeting – 11 March 2024
 - Council endorses the draft Policy for public exhibition.
- Public Exhibition
 - Exhibition dates approximately 18 March to 17 April 2024.
- Council Meeting – 27 May 2024 (pending community feedback)
 - Council adopts the final Policy.

LEGAL IMPLICATIONS FOR COUNCIL

5. The draft Policy was reviewed by Council’s Legal Services Unit, and the Policy recommended for public exhibition does not present any legal concerns.

FINANCIAL IMPLICATIONS FOR COUNCIL

6. 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

Paul Lyth
Group Manager Regulatory Services

George Bounassif
Executive Director City Assets and Operations

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

 1	For Public Exhibition - Draft Regulatory Enforcement Policy 2023	11
 2	For Information - Regulatory Enforcement Policy Review 2023 - Summary of Proposed Changes	1 Page
 3	For Information - Regulatory Enforcement Policy 2017	21
		Pages



Regulatory Enforcement Policy

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1. Scope

1.1 This Policy applies to all areas within the City of Parramatta local government area (LGA), and to City of Parramatta Council (Council) Employees who are authorised to investigate Reports Alleging Unlawful Activity pertaining to matters such as, but not limited to:

- (a) development and building control;
- (b) fire safety;
- (c) swimming pools;
- (d) public health and safety;
- (e) food safety;
- (f) pollution control;
- (g) environmental health;
- (h) animal control;
- (i) tree preservation;
- (j) roads and footpaths;
- (k) parking;
- (l) parks and reserves;
- (m) illegal dumping; and
- (n) water supply and sewerage work.

1.2 This Policy does not apply to the handling of Complaints regarding Council services, the process for which is set out under Council's Complaints Handling Policy.

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2. Purpose

- 2.1 This Policy sets out Council's approach to compliance and Enforcement processes, for regulatory matters as outlined in the Scope. It provides a framework to ensure the investigation and detection of any breach of legislation will be conducted by Council in a fair, lawful, consistent, transparent, and professional manner, and with thorough consideration of all available facts.
- 2.2 This Policy outlines how Council will meet its obligation to duly investigate all Service Requests alleging Unlawful Activity. The Policy provides clear guidelines for an effective Service Request handling system, where staff consistently address Service Requests through a clear and transparent decision-making process.
- 2.3 This Policy further aims to support Regulatory Services Employees in undertaking their duties for safeguarding the built and natural environments in the LGA, with a view to ensuring they are maintained and used in a compliant manner, providing a healthier and safer environment for the community.

3. Policy

Guiding principles for Enforcement

- 3.1 Prior to making a decision to enforce or prosecute, Authorised Persons acting on behalf of Council will give consideration to the following guiding principles:
- 3.1.1 Use of discretion: decide whether to take Enforcement or prosecution action in response to evidence of Unlawful Activity.
- 3.1.2 Procedural fairness: ensure that Council's Enforcement and prosecution processes afford natural justice.
- 3.1.3 Previous conduct: ensure that communication is clear in relation to Council's previous actions and how these actions impact on a specific circumstance, prior to deciding the taking of Enforcement or prosecution action.
- 3.1.4 Nature of the activity: consider the nature and extent of the activity, prior to making a decision to take Enforcement or prosecution action, including:

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- (a) if the breach was of a Trivial or technical nature;
 - (b) if there were any aggravating circumstances; and
 - (c) if there was any third-party harm or serious environmental harm.
- 3.1.5 Delay in taking action: ensure that decisions to take Enforcement or prosecution action are made without undue delay. Notwithstanding, Service Requests with a higher priority of potential risk will be addressed before lower priority matters, when Service Request volumes are high.
- 3.1.6 Public interest: the resulting benefit of taking Enforcement or prosecution action in circumstances where the non-compliance can be easily remedied, or where Council approval could have been obtained, needs to be balanced against the cost of any action.
- 3.1.7 Impartiality: ensure Enforcement decisions will not be influenced by:
- (a) an individual's race, religion, sex, nation of origin or political associations, activities, or beliefs;
 - (b) possible political advantage or disadvantage to Council, or any other party;
 - (c) the possible impact of the decision on the personal or professional circumstances of any party;
 - (d) possible media or community reaction to the decision; or
 - (e) a conflict of interest (real or perceived), as set out by Council's Code of Conduct.
- 3.1.8 Reputation of Council: any decision regarding Enforcement or prosecution action must be made in a sound and ethical manner so as not to damage, harm, or tarnish Council's professional reputation.
- 3.2 Whilst it is intended that the principles in this Policy will have general application, there may be cases where the circumstances justify departure from these principles. Any departures will be subject to the authorisation of Council's Group Manager, Regulatory Services.

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Enforcement methods and considerations

3.3 Council will always seek to achieve voluntary compliance with the legislation it administers, through education, advice, and guidance to individuals and businesses. However, Council will be vigilant in monitoring compliance with applicable legislation, and will take Enforcement action where individuals or businesses are unwilling to comply or deliberately commit an Unlawful Activity. Council has a range of enforcement methods available to address breaches of legislation. The specific enforcement method will be chosen to ensure that the level of regulatory response is proportionate to the level of risk and seriousness of the breach, by employing the following responsive regulation model:

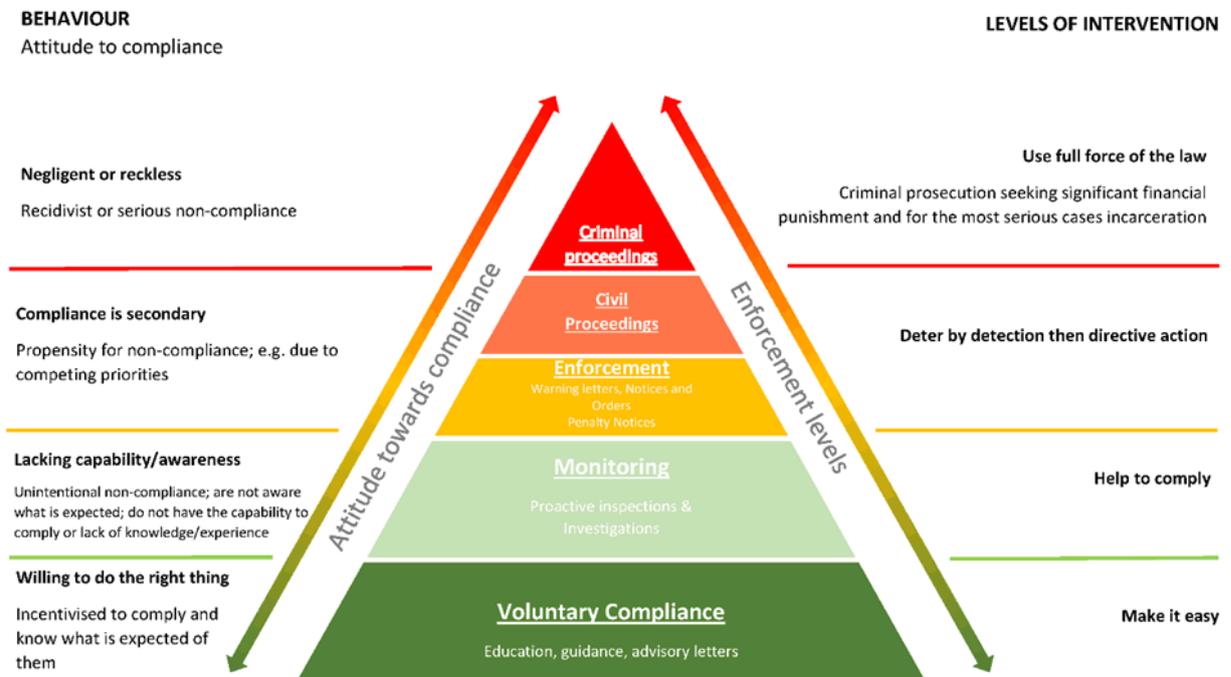


Figure based on Ian Ayres and John Braithwaite, *Responsive Regulation: Transcending the Deregulation Debate* (Oxford University Press, 1992)

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3.4 Where appropriate, the following methods may be used in an escalatory manner, in accordance with clause 3.3 of this Policy:

3.4.1 Non-coercive methods, which may include:

- (a) education, on the requirements of the relevant legislation, Council policies, or codes. This option may be taken for a single minor breach that would not result in risk to life/property/health or the environment; the breach can be rectified immediately; and the Offender has shown contrition and rectified the matter immediately;
- (b) warning letter, to formally advise of the requirements of the relevant legislation, Council policies, or codes. This option may be taken where there are one or more minor breaches that may result in risk to life/property/health or the environment; the breaches may require some time to rectify; and a reinspection is required to confirm compliance;
- (c) formal notices, Orders, or directions, to provide specific details of what work must be undertaken, or that an activity must cease in order to comply with relevant legislation, Council policies, or codes. This option may be taken where a breach is likely to cause risk to life/property/health or the environment; the breach will require time/resources to rectify; and a reinspection is required to confirm compliance; or
- (d) Council carrying out the uncompleted work specified in an Order and recovering the cost of such action from the Offender. This option may be taken when the recipient of an Order/direction from Council has made no attempt to complete the works and/or is incapable of completing the required works and there is a risk to life/property/health or the environment by not completing the works.

3.4.2 Coercive methods, which may include issuing a:

- (a) Penalty Notice, as a fixed financial reprimand for an offence to serve as a deterrent, used when:
 - i. the offence is a minor breach of legislation, where the facts alleged are not complex;
 - ii. the behaviour is isolated and unlikely to be repeated; and/or
 - iii. the Penalty Notice amount is likely to be a sufficient deterrent; or
- (b) Court Attendance Notice, to pursue more extensive fines for breaches, or Court orders to remedy a situation, such as prosecution in the:

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- i. Local Court, used when:
 - a. the amount of any fine imposed is unlikely to exceed the jurisdictional limit of the Local Court;
 - b. the factual circumstances of the offence are not complex;
 - c. a Penalty Notice has previously been issued to the Defendant;
 - d. the offence is one where the environmental harm is considered not serious enough to take it to the Land and Environment Court; and/or
 - e. the matter can be more efficiently dealt with in the Local Court; or
 - ii. Land and Environment Court, used when:
 - a. the monetary penalty imposed is likely to exceed the jurisdictional limit of the Local Court;
 - b. the offence is one that has caused substantial environmental damage or harm;
 - c. the offence is one that has been committed previously by the Defendant and Court action has failed to act as a deterrent; and/or
 - d. the offence is one where Council is, in addition to seeking a monetary penalty, seeking orders requiring the Defendant to undertake remedial work, where allowed by the relevant legislation.
- 3.5 Where Council is not the appropriate regulatory authority under specific legislation, Council will refer the matter to the appropriate agency or forum, including referring the:
- (a) Report Alleging Unlawful Activity to an external agency for further action (e.g., police or the relevant NSW Government Department); or
 - (b) disputing parties to an external mediator (e.g., the Community Justice Centre or NSW Civil and Administrative Tribunal).
- 3.6 Where Council incurs costs in undertaking Enforcement and/or prosecution action, it will recover such costs in accordance with the relevant legislation. For instance, Council may issue compliance costs notices pursuant to section 104 of the *Protection of the Environment Operations Act 1997* (NSW) and section 37 of Schedule 5 to the *Environmental Planning and Assessment Act 1979* (NSW).

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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 This Policy must be read in conjunction with any presiding direction applicable to the matter subject to Council investigation under this Policy, including Council's Local Orders Policy and legislation such as, but not limited to, the:

- (a) *Biosecurity Act 2015* (NSW);
- (b) *Boarding Houses Act 2012* (NSW);
- (c) *Building Professionals Act 2005* (NSW);
- (d) *Companion Animals Act 1998* (NSW);
- (e) *Contaminated Land Management Act 1997* (NSW);
- (f) *Environmental Planning and Assessment Act 1979* (NSW);
- (g) *Fines Act 1996* (NSW);
- (h) *Food Act 2003* (NSW);
- (i) *Local Government Act 1993* (NSW);
- (j) *Privacy and Personal Information Protection Act 1998* (NSW);
- (k) *Protection of the Environment Operations Act 1997* (NSW);
- (l) *Public Health Act 2010* (NSW);
- (m) *Public Spaces (Unattended Property) Act 2021* (NSW);
- (n) *Roads Act 1993* (NSW);
- (o) *Roads Transport Act 2013* (NSW);
- (p) *Rural Fires Act 1997* (NSW); and
- (q) *Swimming Pools Act 1992* (NSW).

- 5.1.1 This Policy must be read in conjunction with Council's Parking Enforcement Policy, which sets out specific Enforcement provisions for parking matters in the LGA.

Service Requests

- 5.2 Council will record all Service Requests raised by the public. The investigation of each Service Request will be conducted on the merits and accuracy of the information provided. Investigation of Service Requests will be on a risk basis, where matters that pose a risk to life/property/health and the environment are investigated as a priority.

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Not every Service Request will require an investigation by Council. Low risk cases may be recorded but no action taken. If the situation in relation to a Service Request changes throughout the investigation, Council may alter the Service Request's priority.

- 5.3 Where the nature of a Service Request also relates to a matter of concern to a State agency or where there is an increase in the number of a particular request type, Council may investigate using a more focused approach. Where this approach is used, all available resources are focused on the resolution of that matter (e.g., unlawful boarding houses).
- 5.4 Members of the public wishing to request Council to investigate a potentially Unlawful Activity can do so by contacting Council's Customer Service Centre on (02) 9806 5050 or 1300 617 058, or by lodging an online request on the Service Portal on Council's website.

Employee and Councillor responsibilities

- 5.5 Employees, where relevant to their role, are expected to:
- effectively participate in training related to implementation of this Policy;
 - report any barriers or concerns relating to implementation of this Policy to their Team Leader, without undue delay;
 - make decisions relating to the investigation of alleged Unlawful Activity, with the support of their Team Leader; and
 - read this Policy in conjunction with any relevant Council standard operating procedures relevant to the regulatory activity they are undertaking.
- 5.6 Team leaders, where relevant to their role, are expected to:
- effectively train, guide, and monitor Employees in implementation of this Policy;
 - effectively respond to reported barriers or concerns related to implementation of this Policy;
 - be an active advocate for effective implementation of this Policy; and
 - review decisions relating to the investigation of alleged Unlawful Activity made by an Authorised Person.
- 5.7 The Group Manager, Regulatory Services, is expected to:

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- (a) effectively respond to reported barriers or concerns related to implementation of this Policy; and
- (b) be an active advocate for effective implementation of this Policy.

5.8 Councillors are expected to:

- (a) not make decisions around the way Unlawful Activities are investigated and/or prosecuted;
- (b) avoid involvement in Council's day-to-day operational and management decisions around Enforcement and prosecution; and
- (c) assist individuals who raise concerns with them to understand Council's policies and procedures.

6. Definitions

Authorised Person	An Employee of Council generally or specially authorised by Council in respect of or whose duty it is to deal with, or to act in regard to, any acts, matters, or things in relation to which the expression is used.
Complaint	An expression of dissatisfaction made about Council services, staff, or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required. For the purposes of this Policy, a complaint does not include: <ul style="list-style-type: none"> (a) a Report Alleging Unlawful Activity; (b) a request for information about a Council policy or procedure; (c) a request for an explanation of actions taken by Council; or (d) a request for internal review of a Council decision.
Court Attendance Notice	Means a Court Attendance Notice issued and filed in accordance with the <i>Criminal Procedure Act 1986</i> (NSW), which may be used to commence summary proceedings in the local court. A Court Attendance Notice specifies the offence and its essential particulars, as well as the address of the court where the matter is to be heard. If a person does not attend court on the day specified in a Court Attendance Notice, a warrant may be issued for the arrest of the person, or the matter may be dealt with in the absence of the person.
Defendant	Means a person who is charged with a criminal offence.

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Employee	A person who is directly employed by Council on a full time, part time, temporary, or casual basis.
Enforcement	Means actions taken in response to serious or deliberate contraventions of laws.
Offender	Means a person who does or is alleged to have done something wrong, causes problems, or commits or is alleged to have committed an illegal act.
Order	An authoritative direction or instruction given by Council.
Penalty Notice	Means a notice issued under a statutory provision to the effect that: <ul style="list-style-type: none"> (a) the person to whom the notice is issued has committed the penalty notice offence specified in the notice, and (b) if the person does not wish to have the matter determined by a court, the person may pay, within the time and to the person specified in the notice, the amount for the offence specified in the notice. <p>A Penalty Notice may be issued to a person personally, or by post, or in an approved electronic manner (as specified in section 4A of the <i>Fines Act 1996</i> (NSW)).</p>
Report Alleging Unlawful Activity	Means an expression of concern or a request for service in relation to alleged Unlawful Activity, where a response or resolution is explicitly or implicitly expected or legally required.
Service Request	For the purposes of this Policy, refers to a Report Alleging Unlawful Activity lodged through Council's Service Request system, via Council Customer Service or the Service Portal on Council's website.
Trivial	Means of little value or importance.
Unlawful Activity	Means any activity or work that has been or is being carried out contrary to the below and/or failure to take required action in order to be compliant with: <ul style="list-style-type: none"> (a) terms or conditions of a development consent, approval, permit, or licence; (b) an environmental planning instrument that regulates the

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	<p>activities or work that can be carried out on particular land;</p> <p>(c) a legislative provision regulating a particular activity or work; or</p> <p>(d) a required development consent, approval, permission, or licence.</p>
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REFERENCES	<p><i>Biosecurity Act 2015 (NSW)</i> <i>Boarding Houses Act 2012 (NSW)</i> <i>Building Professionals Act 2005 (NSW)</i> <i>Companion Animals Act 1998 (NSW)</i> <i>Contaminated Land Management Act 1997 (NSW)</i> <i>Criminal Procedure Act 1986 (NSW)</i> <i>Environmental Planning and Assessment Act 1979 (NSW)</i> <i>Fines Act 1996 (NSW)</i> <i>Food Act 2003 (NSW)</i> Ian Ayres and John Braithwaite, <i>Responsive Regulation: Transcending the Deregulation Debate</i> (Oxford University Press, 1992) <i>Local Government Act 1993 (NSW)</i> <i>Privacy and Personal Information Protection Act 1998 (NSW)</i> <i>Protection of the Environment Operations Act 1997 (NSW)</i> <i>Public Health Act 2010 (NSW)</i> <i>Public Spaces (Unattended Property) Act 2021 (NSW)</i> <i>Roads Act 1993 (NSW)</i> <i>Roads Transport Act 2013 (NSW)</i> <i>Rural Fires Act 1997 (NSW)</i> <i>Swimming Pools Act 1992 (NSW)</i></p>
ASSOCIATED POLICIES	<p>Code of Conduct Complaints Handling Policy Local Orders Policy Parking Enforcement Policy</p>
ATTACHMENTS	Nil

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Regulatory Enforcement Policy Review 2023 – Summary of Proposed Changes

Changes made to the Policy as a result of the review are summarised below:

Type	Description	Reason
Update	<p>The existing Regulatory Enforcement Policy has been entirely refreshed. While the presentation of the content is new, the strategic direction remains largely unchanged.</p> <p>The streamlined content reduces the existing 21-page Policy to 11 pages. This policy approach focuses on clearly setting out the overarching direction for Council's regulatory enforcement activities as is required to be established in a Council Policy level document, while removing extended discussion of administrative processes, and supplementary information on legislation and court proceedings.</p> <p>Administrative and role-specific processes will continue to be separately addressed by supporting internal standard operating procedure documents.</p>	<p>The revised approach to the Regulatory Enforcement Policy will align City of Parramatta with other researched councils, and gives consideration to the NSW Ombudsman's best-practice Model Compliance and Enforcement Policy.</p> <p>The refreshed policy more-clearly communicates Council's direction for taking enforcement action, and is drafted to ensure this presiding direction will be consistently applicable across the range of Council's enforcement activities.</p>
Update	Presented content using current Policy Template branding	To ensure consistent formatting across Council's policy portfolio
Update	Reviewed phrasing and references	To improve clarity, accuracy, and to ensure consistency with applicable Council and legal standards.
Addition	Clause 3.3: Added diagram of responsive regulation model (escalation matrix), to be employed to guide the level of Council's regulatory response to identified breaches.	<p>To ensure that Council's regulatory response to identified breaches will be consistent and proportionate to the level of risk and seriousness.</p> <p>Provides a transparent understanding for stakeholders.</p> <p>Selected responsive regulation model aligns with practices of other researched councils, to ensure Council implements a best-practice approach.</p>



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Regulatory Services Enforcement Policy 306

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1. Scope

This Policy applies to the investigation and enforcement of identified unlawful activity or failure to comply with terms or conditions of approvals, licences and orders. While it is primarily directed at the regulation of development activity, the Policy may also be applied to other matters such as pollution control, regulation of parking and animal control, where applicable.

This Policy applies to Council staff, elected Council and any members of the public who are subject to a provision of this Policy.

2. Purpose

This Policy establishes clear protocols for the exercise of the City's discretion in the context of both proactive regulatory action taken and the investigation and pursuit of complaints relating to allegations of unlawful activity.

The Policy provides a legal and administrative framework to assist Council in making decisions in its enforcement functions and ensures that the enforcement process is conducted in a timely and efficient manner.

The Policy provides information on:

- How staff assess whether complaints alleging unlawful activity require investigation;
- Options available to Council when dealing with unlawful activity; and
- Assisting staff to determine whether enforcement action is warranted and if so what type of enforcement action should be taken relevant to the particular circumstances.

In addition, it provides information to the public about Council's role and Policy on enforcement.

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3. Policy

3.1 Council position

The City of Parramatta is an enforcement authority under an extensive range of legislation. Council staff respond to numerous complaints and allegations of unlawful activity associated with legislative controls administered by Council. Council undertakes proactive measures to identify illegal and unlawful activities through routine and programmed inspections.

Council has a clear obligation to investigate and properly record all complaints. The Policy provides clear guidelines for an effective complaint handling system that allows staff to deal with complaints consistently and effectively, providing a clear and transparent decision making process.

Council is strongly opposed to unlawful activity at any time or under any circumstance.

Council will initiate the appropriate enforcement action in accordance with this Policy. The types of enforcement activity may be; taking no formal action, issuing warnings, providing an educational role, instigating criminal or civil legal action.

3.2 Roles and Responsibilities of Councillors and Staff in Relation to Unlawful Activity

3.2.1 Elected Council

Council's Code of Conduct sets the standard of conduct that is required of Councillors in the exercise of the above described roles. In particular, with respect to any suspected unlawful activity, Councillors must not:

- Direct Council staff other than by giving appropriate direction to the CEO in the performance of Council's functions by way of council or committee resolution or by the Mayor or Administrator exercising their power under section 226 Local Government Act 1993;
- Direct or influence or attempt to direct or influence Council staff at any public or private forum;
- Contact a member of Council staff on Council related business unless in

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accordance with the Policy and procedures governing the interaction of Councillors and Council staff that have been authorised by the Council and the CEO; and

- Contact or issue instructions to any of Council's contractors or tenderers, including Council's legal advisers, unless by the Mayor or Administrator exercising their power under section 226 of the Local Government Act 1993.

3.2.2 Council Authorised Officers

The Chief Executive Officer is responsible for ensuring this Policy is enacted.

The Manager Regulatory Services is responsible to ensure Council Authorised Officers are appropriately carrying out their legislative responsibilities in accordance with this Policy.

All Council staff who deal with unlawful activity are responsible for:

- Implementing this Policy.
- Complying with Council's Code of Conduct
- Applying the principles of procedural fairness at all times
- Always acting within delegations
- Keeping a full and complete record of their actions, including reasons for decisions made in relation to an investigation. The records shall be made in Council computerised record management system.
- Using discretion in an appropriate manner.

3.3 Application of Policy

3.3.1 General

This Policy applies to all compliance and enforcement functions associated with unlawful activity within the City of Parramatta Local Government Area for which Council is the Appropriate Regulatory Authority (ARA).

For the avoidance of doubt, this is not a local orders Policy for the purpose of section 159 of the Local Government Act 1993.

Unless specified in the dictionary within this Policy, all terms used have the same meaning as in the Interpretations Act 1987 and the relevant Acts, Regulations, Environmental Planning Instruments for which Council is the ARA.

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Whilst it is intended that the principles in this Policy will have general application, there may be cases where the particular circumstances justify departure from these principles. Any departures will be subject to the authorisation of the Manager, Regulatory Services.

3.3.2 Identifying Unlawful Activities

Council becomes aware of unlawful activities in a variety of ways, including but not limited to requests from members of the public, customers or dealing with matters as part of Council's general regulatory roles. These roles include proactive measures, acting as the Principal Certifying Authority for development and building works, development enforcement, environmental protection, public health, parking enforcement and any other roles carried out by Council.

Council officers who are not involved directly in enforcement matters may also commonly identify potential unlawful activities and report them for investigation and action pursuant to this Policy. Nevertheless, not all offences are readily discernible and early detection can only be achieved with support and direct advice from our community. As a result of identifying breaches Council officers may initiate a range of actions including but not limited to education, enforcement or legal action in accordance with this Policy and their delegations.

3.3.3 Submitting Complaints or Service Requests

Complaints or service requests alleging unlawful activity can be submitted to Council in writing, verbally or electronically. In all cases the allegation will be recorded in Council's computerised customer service request management (CRM) system and will be allocated a unique reference number.

Anonymous complaints will be accepted and reviewed against the below criteria to determine if the matter requires investigation.

- The seriousness of the complaint issue/s, and whether the complaint is more an inquiry than occurring issue;
- There is sufficient relevant information received to actually investigate the complaint;
- When the unlawful activity was carried out and for how long, including whether the breach is continuing or committed some time ago;
- The harm or potential harm to the environment or public health, safety or

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- amenity caused by the unlawful activity;
- The need for general and specific deterrence;
- It is in the public interest.

The request will be referred to the relevant Council officer to commence any necessary investigation.

Council officers may not investigate complaints where determined by management that:

- The matter has already been investigated and resolved or it has been determined that no further action will be taken in the absence of new information;
- Council has no jurisdiction to investigate the complaint, i.e. dividing fences matters, private strata matters.
- The activity alleged to be unlawful is in fact determined to be lawful.
- The complaint is frivolous, vexatious or trivial in nature.
- Council is not the appropriate regulatory authority.

If a decision is made to investigate a complaint, the service request/investigation will be given a priority based on the following table.

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1	Insignificant	Administration risk - Almost certain to occur in all circumstances	No threat to health and safety or environment, only minor inconvenience to neighbours or public. No reputational threat. Can be dealt with by issuing a caution or PIN	Parking, old unauthorised work, minor unauthorised work (e.g. air-conditioning units, fence etc)
2	Minor	Minimal risk - Likely to occur frequently	Minimal threat to health and safety or environment, some level of inconvenience to the neighbours or public. Minimal reputational risk. Can be dealt with by PINs or Notices and Orders	Non-threatening pollution incidents (air, noise, water), minor non-compliance with DA conditions
3	Moderate	Medium risk, possible to occur at some stage	Moderate risk to health and safety, significant inconvenience to neighbours and/or public. Possible reputational risk extenuating circumstances. Can be dealt with by PINs, Notices and Orders or legal proceedings.	Food safety continual non compliance, works completion with no Occupational Cert or Construction Cert
4	Major	High risk - Unlikely to happen but may occur	Significant risk to health and safety or environment. Financial penalties of >\$250k. Can be dealt with by PINs, Notices and Orders or legal proceedings	Building non compliance to DA (exc minimal extensions such as pagolas), non-friable asbestos contamination (not yet removed)
5	Catastrophic	May occur only in rare and exceptional circumstances	Major risk of health and safety or the environment - Permanent disabling injury, Financial penalties >\$1m. Reputational risk to Council. Can be dealt with by PINs, Notices and Orders or legal proceedings. May require emergency orders.	Swimming pool legislation non compliance, Fire safety, Building non compliance to DA resulting in major risk to public health and safety, friable asbestos contamination.

Complaints received by Council will be assessed and where required investigated in an order of risk priority. Complaints with a higher priority of potential risk will be given preference over lower priority matters when complaint volumes are high.

If the situation in relation to a complaint changes throughout the investigation, Council may alter the complaint's priority.

If a decision is made not to investigate a complaint, this decision must be recorded along with the reasons for that decision. Council officers must notify the complainant of the outcome of Council's investigation.

The name, address and contact details of the person reporting the complaint will also be recorded within the secured CRM System. This information is critical as Council may need to rely on evidence from the complainant to prove any alleged offence and commence enforcement action.

3.3.4 Protecting the Privacy of Complainants

Council will take all reasonable measures to protect the privacy of the person submitting the complaint and generally information on this person will not be

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released. However, Council may be required to disclose this information in a variety of circumstances including the following:

- Access to the information is permitted under legislation, including GIPA or the LGA;
- Access to the information is permitted under another Council Policy;
- Legal proceedings are commenced and the information is disclosed in evidence served; and
- The nature of the allegation otherwise makes it a necessity.

Council will advise any known complainants of the action, if any, taken or the reasons why no action was taken in the circumstances.

3.3.5 Procedural fairness and natural justice

There is an overriding duty on the Council to act fairly and ensure the principles of procedural fairness and natural justice are adhered to. In this regard Council will:

- Provide information on the substance of the complaint to the alleged offender. This may not occur until an appropriate stage in the investigation;
- Provide an opportunity for the alleged offender to put their case. This will not be necessary if there is a serious risk to personal or public safety, risk of serious environmental harm or for parking and road related matters;
- Consider any submission put forward by the parties to the matter;
- Make reasonable inquiries or investigations before making a decision;
- Ensure no person decides a case in which they have an interest;
- Otherwise act fairly and without bias; and
- Act within statutory time frames.

3.3.6 Options for Dealing with Unlawful Activity

Council has discretion in deciding whether to take enforcement action on the basis of the available evidence and the circumstances of the individual case. At the conclusion of an investigation, Council will determine the most appropriate course of action that may include one or more of the following options;

- a) Take no action;
- b) Counsel the alleged offender;

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- c) Issue a formal letter of warning;
- d) Negotiate an undertaking to remedy the situation;
- e) Issue a formal Notice and Order;
- f) Issuing a compliance costs notice (usually in conjunction with an order) that enables recovery of costs associated with investigating unlawful activity and achieving compliance under some legislation;
- g) Commence criminal proceedings or issue of a PIN; and
- h) Commence civil proceedings to remedy or restrain unlawful activity.

Unless urgent action is required (i.e. matters where the health and /or safety of people may be affected or serious environmental harm) a staged approach to obtain compliance will be applied to matters other than parking related offences. That is, in the first instance, offenders will be given the opportunity to discuss and remedy the breach before enforcement action is taken.

Options (a) through to (d) may be all that is required for minor breaches where no serious impacts have occurred. However, where they are ineffective, inappropriate and/or unsuccessful, alternate enforcement action may be warranted and include options (e) to (h).

When Authorised Officers seek to issue a caution or use discretion to not take enforcement action, the Authorised Officer shall consider:

- Enforcement Guidelines for NSW Councils – NSW Ombudsman – December 2015;
- NSW Department of Planning Practice Note – Exercising of Discretion;
- Caution Guidelines under the Fines Act 1996; and
- This and any subordinate Council Policy applicable.

3.3.7 When will Council Commence Enforcement Action?

Council will take enforcement action as soon practical once prima facie evidence has been established. The decision to take action will take into consideration the following points:

- The nature and seriousness of the breach;
- Balancing of public interest and the costs to Council and Community;

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- The available methods of enforcement; and
- The circumstances of each case.

3.3.8 Balancing of Public Interest and Cost to Council

Council will weigh up the public interest or benefits that will be served against the cost to the Council, and therefore to the community in taking enforcement action. In considering the 'public interest' Council will have regard to whether the unlawful activity:

- will impact on a significant number of people;
- will impact on disadvantaged or marginalised groups;
- is indicative of a systemic flaw;
- is individual in nature but often occurs;
- has attracted sustained public attention and no alternative resolution is proposed; and
- flouts Council's authority.

Council will also consider whether more effective means of rectifying an unlawful activity are available before formal legal proceedings are initiated. This may include one or a combination of the following:

- Reporting a breach to a professional association; and
- Use of statutory powers such as:
 - granting consent to a relevant application;
 - making an order under the EPAA, LGA or POEO; or
 - issuing a building certificate under the EPAA.

3.3.9 Decision for Enforcement

If formal proceedings are considered to be the best option, the decision on which to start the proceedings will be informed by considerations such as the following:

- Likely cost of proceedings;
- Prospects of recovery of those costs from the respondent or defendant;
- Remedies available;
- Available methods of enforcement; and
- Circumstances of each case.

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3.3.10 The Circumstances of Each Case

The Council will, in all prosecution and enforcement matters, consider the following;

- a) The seriousness of the breach, including whether the breach is merely technical or "trivial" in nature;
- b) When the unlawful activity was carried out and for how long, including whether the breach is continuing;
- c) The harm or potential harm to the environment, public health, safety or amenity caused by the unlawful activity;
- d) Whether development consent or other approval would have been granted by Council if the appropriate application had been submitted prior to the unlawful activity being undertaken;
- e) Whether the person(s) who committed the breach has shown contrition and, where possible, has remedied the unlawful activity;
- f) Whether the person(s) who committed the breach has made submissions to the Council that provide reasonable grounds for the Council to conclude that the person was under a genuine mistaken belief as to a relevant factual or legal matter;
- g) Whether the person(s) who committed the breach has shown deliberate or wilful conduct in their actions;
- h) Whether the person(s) who committed the breach should have been aware of their obligations because they have:
 - o particular knowledge e.g.: a builder or company that regularly carries out work and is generally aware of the relevant Council or other requirements;
 - o received a previous warning; or
 - o been subject to previous formal legal action.
- i) Whether the unlawful activity was unavoidable;
- j) The need for general and specific deterrence;
- k) Whether the breach can be easily remedied; and
- l) Such other matters that may appear to be relevant to the individual case.

When deciding whether to take enforcement action, Council officers will consider the circumstances of the case.

The specific matters for consideration are contained in Council's internal assessment forms and include:

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- i. Has council created an estoppel situation?
- ii. Is the breach a technical breach only?
- iii. When was the unlawful works carried out?
- iv. How has the unlawful activity affected the natural and built environment and health, safety and amenity of the area?
- v. Would consent have been given if it had been sought?
- vi. Can the breach be easily remedied?
- vii. Does the person in breach show contrition?
- viii. Are there any particular circumstances of hardship affecting the complainant or the person the subject of the complaint?
- ix. Has the person the subject of the complaint received a previous warning or other non-coercive approach or has formal legal action been taken?
- x. Would an educative approach be more appropriate than a coercive approach?
- xi. What are the costs and benefits of taking enforcement action as opposed to taking informal or no action?
- xii. What are the chances of success if the proposed enforcement action was challenged in court?
- xiii. Is there a draft planning instrument on exhibition that would make the unauthorised use legal?
- xiv. What action would be reasonable and proportionate in this case?
- xv. What would be in the public interest?

Prior to taking enforcement action, staff should always turn their mind to the criteria outlined above in undertaking an objective consideration of the evidence that has been gathered during the course of their investigation.

Staff must never allow their actions to be used purely to pursue the agendas of external parties or interest groups.

Enforcement action should never be undertaken by staff purely as a means of appeasing a virulent complainant in circumstances where the application of the criteria in this Enforcement Policy would otherwise indicate that enforcement action should not be taken.

3.4 Deciding on the method of enforcement

3.4.1 Enforcement action

When deciding on the method of enforcement, it is necessary to consider the principles explained above in Section 3.3.6 – 'Options for Dealing with Unlawful Activity' and the outcome being sought.

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There are two main types of enforcement action, Criminal and Civil:

- a) Criminal Proceedings include:
- Issuing a PIN;
 - Prosecuting the offence in the Local Court by issuing a Court Attendance Notice (CAN); and
 - Prosecuting the offence in the Land & Environment Court in its summary jurisdiction (Class 5)
- b) Civil Proceedings include:
- Notices and orders issued by Council pursuant to various legislation;
 - Class 4 proceedings before the Land & Environment Court, seeking an order of the Court to remedy or restrain a breach of the EPAA (Section 123), the LGA (Section 673), the POEO (Sections 252 & 253), or any other Act, if the breach is causing or is likely to cause harm to the environment; and
 - Interlocutory relief for matters causing, or with the reasonable potential to cause, serious environmental harm. In such proceedings it is likely the Council would be required to provide an undertaking as to damages.

3.4.2 PINs

Penalty infringement notices (PINs) are a way of imposing a fine on a person who an Authorised Officer believes is guilty of an offence without commencing criminal proceedings against them. Generally, penalty notices are appropriate where:

- The breach is not serious or ongoing, the degree of harm is low;
- The facts appear incontrovertible;
- The imposition of the penalty is likely to provide a practical and viable deterrent; and
- There are no aggravating factors.

Authorised Officers can issue PINs in accordance with their statutory responsibilities and delegations, this Policy and any guidelines or operating procedures put in place by the manager of the relevant unit.

PINs are not appropriate where the breach is on-going or where the prescribed penalty is not adequate to address the severity of the offence. For example, repeated issuing of PINs is not appropriate where there have been ongoing

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instances of unauthorised activity such as out of hours trading. Council staff should also consider whether it is appropriate to issue a formal caution as an alternative to issuing a penalty notice in appropriate circumstances and in accordance with the Attorney-General's Caution Guidelines.

Where an authorised officer proposes (after conducting an investigation of a complaint and assessing the circumstances of the matter in accordance with the criteria outlined above) to issue a PIN, the issue of that notice should only be in circumstances where the authorised officer is satisfied that there is sufficient evidence to establish that the offence was committed.

PINs should be issued as soon as possible after the conclusion of an investigation and may be used in conjunction with other enforcement action, as permitted by the applicable legislation.

3.4.3 Consents, Orders and Building Certificates

Council recognises that a person who may have carried out unlawful works may apply for a Building Certificate under S149D of the EPAA to formalise the unlawful work. However, such applications should not be encouraged to justify unlawful works.

Consideration will be given to whether a breach can be rectified by a consent or building certificate or whether enforcement can occur by way of an order under the EPAA, LGA, POEO or some similar means.

Given the impact that unauthorised work can have on the neighbouring properties, environment, landscape, streetscape etc., the Regulatory Services Unit must seek planning input regarding the use of the unauthorised work before taking appropriate action to allow for a proper planning assessment to be carried out. Similarly, planning advice must be sought during the assessment phase of every building certificate application. Council's Development and Traffic Services Unit has discretion in deciding if a development application is required or not for the use associated with the unauthorised work however, the decision along with any reasons leading to it, must be communicated in writing to the Regulatory Services Unit. Regulatory Services must include any such advice in their reasons for granting or refusing a building certificate application as well as any regulatory action that may be taken.

For the purpose of deterring unauthorised work within the City of Parramatta Local

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Government Area, in cases where it is determined that a development consent is not required for an unauthorised work but a building certificate is still required, council will charge the full fee as it would have been charged if the work would have been subject to a development consent including any fees associated with the issuing of a construction certificate.

The Orders provisions of the EPAA, LGA and POEO are described as “self-help” provisions that provide Council with a formal cost effective mechanism to direct land owners and occupiers to do or refrain from doing something. They generally operate on the ‘principles of natural justice’ and, where appropriate, should be used prior to the commencement of civil proceedings in the Land & Environment Court.

Irrespective of whether or not a Building Certificate is applied for, Council may take action against a person who carried out unlawful work. Such action may include the issue of a PIN or in conjunction with criminal proceedings, where it is considered appropriate and necessary for punitive action to also be taken, having regard to the restrictions provided under Section 127(7) of the EPAA.

3.4.4 Land & Environment Court Proceedings

Council will give preference to civil proceedings in the Land & Environment Court over criminal prosecution in either the Local Court or the Land & Environment Court where Council requires the offender to do or refrain from doing something, such as comply with a development consent or demolish unauthorised works.

Generally civil proceedings will be preceded by formal notices and/or orders, unless the circumstances warrant the immediate commencement of court proceedings.

The following matters will be considered in determining whether to commence civil or criminal proceedings in the Land and Environment Court:

- Is there a liable Respondent?
- Does Council have sufficient evidence to prove its case either on the "balance of probabilities" (civil) or "beyond reasonable doubt" (criminal)?
- Does Council require an Order from the Court restraining the respondent from doing something or ordering the respondent to remedy the breach?
- Is an injunction required because the unlawful activity is causing serious, or

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has the potential to cause, serious environmental harm?

- Is the matter urgent?
- The severity of the offence;
- Is the respondent a repeat offender?
- The cost of proceedings; and
- Does the development breach non-standard conditions of consent?

3.4.5 Local Court Proceedings

The following matters will be considered in determining whether to commence criminal proceedings in the Local Court:

- Is there a liable defendant?
- Is a monetary penalty all that is required?
- Does Council have sufficient evidence to prove its case "beyond reasonable doubt"?
- Are works proceeding - (is a Court Attendance Notice needed)?
- The severity of the offence;
- Is the defendant a repeat offender? and
- The cost of proceedings

3.5 RECOVERY OF LEGAL COSTS

Council will recover cost where available through legislation requirements such as under the POEO for clean-up notice including administrative charges and the EPAA for investigation of complaints.

The Council's Policy for recovery of its costs in the Land and Environment Court is:

- That the Council will seek to recover its fair and reasonable costs in all matters where costs are recoverable, either by consent or by order of the court;
- The Council will seek to recover the penalty imposed by the court where such penalty is imposed; and
- The Council will adopt the recommendations of its solicitors to accept a lesser amount than the full legal costs incurred by the Council if, in the circumstances, the acceptance of such an offer will result in the Council not incurring further and unnecessary legal costs.

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The Council's Policy for recovery of costs in the Local Court is:

- That the Council will seek to recover its fair and reasonable costs in all matters where costs are recoverable, either by consent or by order of the court; and
- The Council will seek to recover the penalty imposed by the court where such penalty is imposed.

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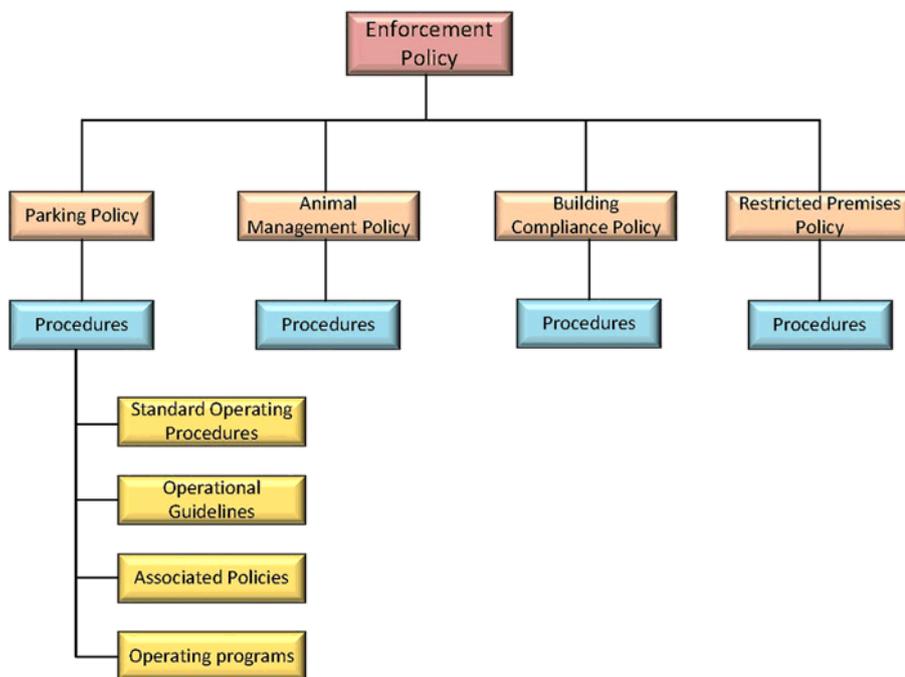
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3.6 Administration

This Policy is based on the 'Model Policy' developed by the NSW Ombudsman and shall be read in conjunction with all relevant Council policies.

As legislation changes and issues arise policies and procedures will be developed to assist Council in managing the roles and responsibilities within the Regulatory Service Unit

Enforcement Policies Hierarchy



4. Legislation

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The following Acts and Regulations are the guiding legislation for regulatory matters. They include but are not limited to:

Boarding Houses Act 2012 and related Regulations
 Building Professionals Act 2005
 Companion Animals Act 1998 and related Regulations
 Contaminated Land Management Act 1997 and related Regulations
 Environmental Planning & Assessment Act 1979 and related Regulations
 Fines Act 1996 and related Regulations
 Food Act 2003 and related Regulations
 Impounding Act 1993 and related Regulations
 Local Government Act 1993 and related Regulations
 Noxious Weeds Act 1993 and related Regulations
 Privacy and Personal Information Protection Act 1998 and related Regulations
 Protection of Environment Operations Act 1997 and related Regulations
 Public Health Act 2010] and related Regulations
 Roads Act 1993 and related Regulations
 Roads Transport Act 2013 and related Regulations
 Rural Fires Act 1997 and related Regulations
 Swimming Pool Act 1992 and related Regulations

5. Definitions

The following defined terms are used in this Policy:

Action

Means an action taken by a Council staff for the purpose of a service request. Examples of actions that could be taken are:

- Calling a customer to obtain further information,
- Carrying out a site inspection,
- Issuing a Notice, Order or PIN etc.

Authorised Officer

A City of Parramatta staff member with delegated authority under a particular legislation to take certain actions. All Council officers that carry out inspections land for regulatory purposes will:

- Have delegation to enter premises and carry out investigations as specified in Council's Instrument of Delegations and sub delegations;

Regulatory Services Enforcement		
Owner Manager Regulatory Services	Area: Regulatory Services	POL No: 306
Date of Commencement:	Approval Authority: Council	Date Approved: 10 July 2017
Amendment 2	Date of Next Review: 2020	Review period: every 3 years



CITY OF PARRAMATTA

- Carry photographic identification demonstrating authorisation to enter premises and private lands under each specific Act;

Court Attendance Notice (CAN)

Means a court attendance notice issued and filed in accordance with the Criminal Procedure Act 1986. A CAN may be used to commence summary proceedings in the local court. A CAN specifies the offence and its essential particulars as well as the address of the court where the matter is to be heard. If a person does not attend court on the day specified in a CAN, a warrant may be issued for the arrest of the person or the matter may be dealt with in the absence of the person.

Civil Proceedings

Civil Proceeds include:

- Notices and orders issued by Council pursuant to various legislation;
- Class 4 proceedings before the Land & Environment Court, seeking an order of the Court to remedy or strain a breach of the EPAA (Section 123), the LGA (Section 673), the POEO (Sections 252 & 253), or any other Act, if the breach is causing or is likely to cause harm to the environment; and
- Interlocutory relief for matters causing, or with the reasonable potential to cause, serious environmental harm. In such proceedings it is likely the Council would be required to provide an undertaking as to damages.

Criminal Proceedings

Criminal proceedings include:

- Issuing a PIN;
- Prosecuting the offence in the Local Court by issuing a CAN; and
- Prosecuting the offence in the Land & Environment Court in its summary jurisdiction (Class 5)

Defendant

Means the accused person against whom criminal proceedings are brought.

EPAA

Means the *Environmental Planning and Assessment Act 1979*.

Frivolous

Means a matter or action lacking in seriousness, of little weight or importance or having no sound basis (as in fact or law).

GIPA

Regulatory Services Enforcement		
Owner Manager Regulatory Services	Area: Regulatory Services	POL No: 306
Date of Commencement:	Approval Authority: Council	Date Approved: 10 July 2017
Amendment 2	Date of Next Review: 2020	Review period: every 3 years



CITY OF PARRAMATTA

Means *Government Information Public Access Act 2009*.

LGA

Means the *Local Government Act 1993*.

Offender

Means a person that does or it is alleged to have done something wrong, causes problems or commits or it is alleged to have committed an illegal act.

Penalty Infringement Notice (PIN)

An infringement notice is a ticket issued either 'on the spot' or sent via email or post for offences such as speeding, unauthorised work, unauthorised use or any other breaches of the legislation. The infringement notice may only be issued for prescribed offences and the value of the fine is also prescribed by legislation.

The infringement notice contains information about the alleged offence and fine amount

POEO

Means the *Protection of the Environment Operations Act 1997*.

Respondent

Means the party against whom civil proceedings are brought in Land & Environment Court proceedings.

Serious environmental harm

Means:

- environmental harm involving actual or potential harm to the health or safety of human beings that is of high impact or on a wide scale, or
- other actual or potential environmental harm (not being merely an environmental nuisance) that is of high impact or on a wide scale, or
- environmental harm resulting in actual or potential loss or property damage of an amount, or amounts in aggregate, exceeding \$50,000.

Trivial

Means of little value or importance.

Unlawful activity

Regulatory Services Enforcement		
Owner Manager Regulatory Services	Area: Regulatory Services	POL No: 306
Date of Commencement:	Approval Authority: Council	Date Approved: 10 July 2017
Amendment 2	Date of Next Review: 2020	Review period: every 3 years



CITY OF PARRAMATTA

Means any activity or work that has been or is being carried out;

- contrary to a legislative provision regulating a particular activity or work;
- contrary to an environmental planning instrument that regulates the activities or work that can be carried out on particular land;
- without a required development consent, approval, permission, direction, permit or licence; and/or
- contrary to the terms or conditions of a development consent, approval, permit or licence.

Vexatious

Means causing or intending to cause annoyance, frustration, worry or stress.

Authorisation

Adopted by Council 27 April 2010 Minute Number 11420

Review

This Policy will be reviewed every 3 years

Version	Date Adopted	Date Superseded
1	27 April 2010	
2	April 2017	

Owner

Manager Regulatory Services

Regulatory Services Enforcement		
Owner Manager Regulatory Services	Area: Regulatory Services	POL No: 306
Date of Commencement:	Approval Authority: Council	Date Approved: 10 July 2017
Amendment 2	Date of Next Review: 2020	Review period: every 3 years

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.3
SUBJECT	Public Exhibition of Draft Homebush Bay Circuit - Bennelong Parkway Pedestrian and Cyclist Bridge and Paths
REFERENCE	F2024/00282 - D09289762
REPORT OF	Senior Project Officer Transport Planning

CSP THEME: Accessible

WORKSHOP/BRIEFING DATE: Ward Councillors May 2023 and December 2023.

PURPOSE:

This report seeks the endorsement of Council to publicly exhibit the proposed Homebush Bay Circuit - Bennelong Parkway Bridge and Paths in Wentworth Point.

RECOMMENDATION

- (a) That Council approve the draft Homebush Bay Circuit – Bennelong Parkway Bridge and Paths at Attachment 1 for the purposes of public exhibition.
- (b) That the draft plans be placed on exhibition for a minimum period of 28 days.
- (c) That the outcomes of public exhibition of the plan be reported to Parramatta Traffic Committee and Council.

BACKGROUND

1. Council has a strong track record of securing external funding for pedestrian and cyclist projects. Since 2017, with the support of the State and Federal Governments, Council has delivered 8.5km of improved cycling infrastructure to the value of \$53M, with an additional \$135M secured to plan, design and construct a further 20km. A key consideration for funding partners is whether the community has been consulted on a project, as community support is a key consideration in deciding whether to award future funding for capital works. Public exhibition is the first stage of that process.
2. On 25 February 2019 Council endorsed the *Homebush Bay Circuit Wayfinding Strategy and Master Plan* which identified a new pedestrian and cyclist bridge over Haslams Creek and connecting paths as critical to completing the Homebush Bay Circuit (HBC) and making it safer for all users (see Figures 1 and 2 below). Subsequently, Council secured co-funding from Transport or New South Wales (TfNSW) to design both the bridge and paths.

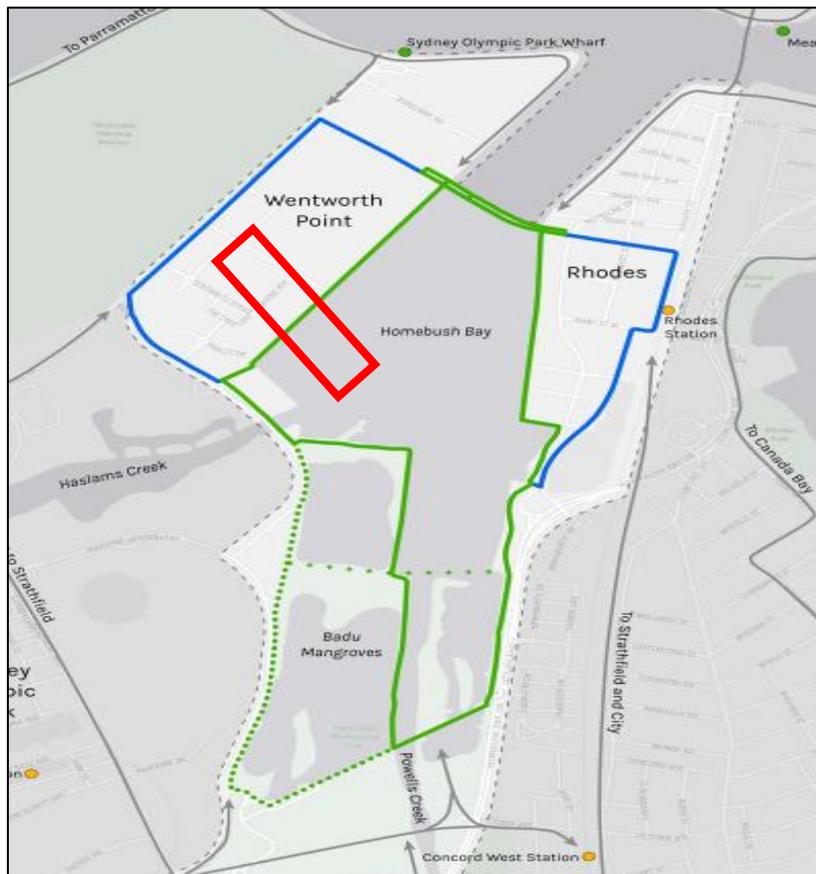


Figure 1: Homebush Bay Circuit (project location in red)

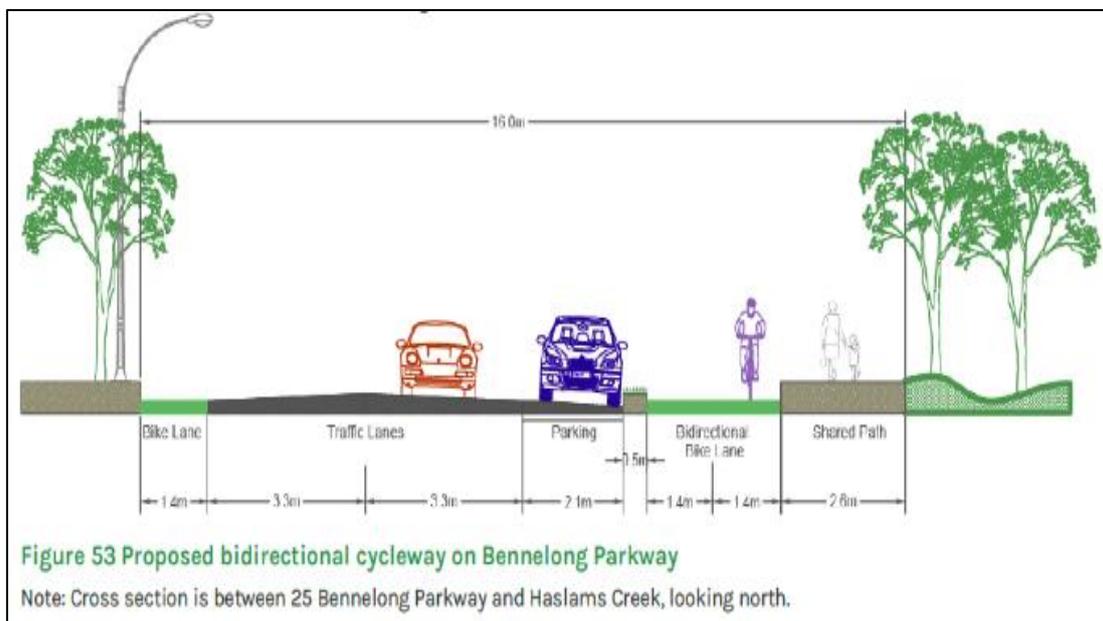


Figure 2: Cross-section of Bennelong Parkway from Master Plan

ISSUES/OPTIONS/CONSEQUENCES

3. A feasibility study into the bridge was completed in 2020 that investigated a new pedestrian and cyclist bridge to the north or south of Bennelong Parkway, or re-purposing the existing bridge for pedestrians and cyclists with a new vehicular bridge to the south. A new pedestrian and cyclist bridge on the north was preferred because it:

- Avoids impacting listed Endangered Ecological Community to the south.
 - Avoids the major utilities to the south.
 - Allows pedestrians and cyclists on the Circuit (30-40,000 people a month) to avoid crossing Bennelong Parkway twice (18,000 vehicles per day).
 - Is a shorter, more direct connection between the Badu Mangroves, Hill Road and the Foreshore Promenade in Wentworth Point.
 - Would be a standalone bridge independent of the existing vehicular bridge, allowing unencumbered maintenance or replacement should it be required in the future.
4. Subsequently, Council and TfNSW co-funded the design of the bridge and connecting paths to the east and west (see Figure 3 and 4 below), the detailed plan is available at **Attachment 1**. The project proposes:
- A new 5m wide (to allow for current and future volumes) pedestrian and cyclist bridge,
 - A separated bike path on the northern verge of Bennelong Parkway between the Badu Mangroves and Hill Road,
 - A wide footpath on the northern verge of Bennelong Parkway between the Badu Mangroves and Foreshore Promenade access path,
 - Two new raised pedestrian and cyclist priority crossings of Bennelong Parkway at the Archery Centre and Wentworth Common,
 - New center median planting,
 - New raised bicycle priority crossing over The Piazza,
 - Re-built roundabout at the intersection of The Piazza and Bennelong Parkway to meet modern standards, improve circulation and reduce vehicle speeds,
 - Retention of westbound bike lane and shared path on southern side of Bennelong Parkway.

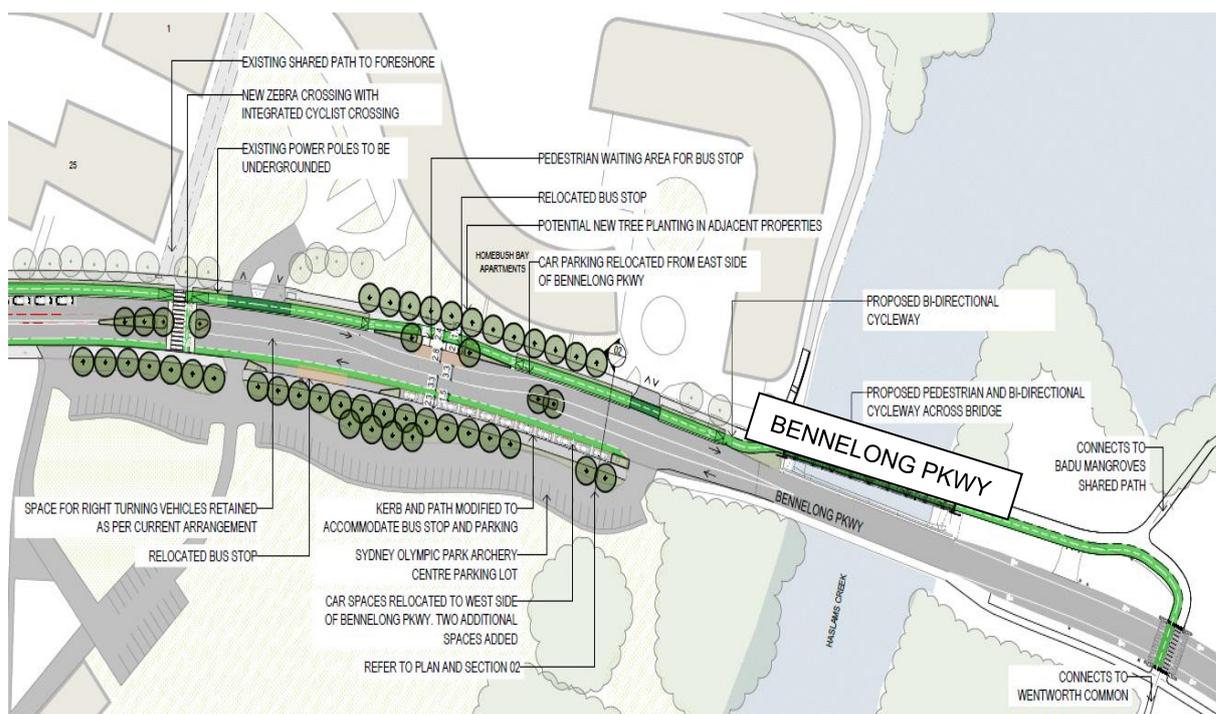


Figure 3: Bridge with connecting paths either side.

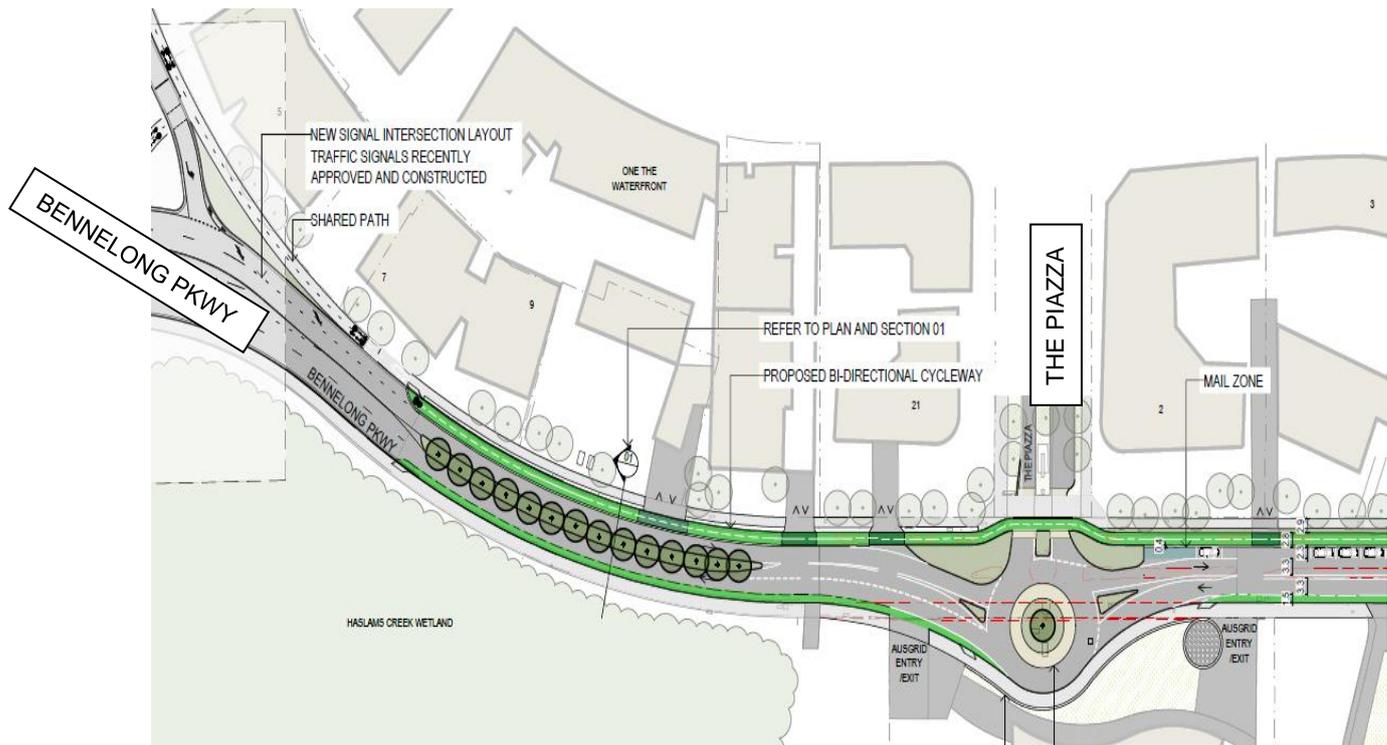


Figure 4: Connecting paths to the west.

5. The existing bus stops are retained along with all existing circulation (left and right turns retained). A turning space is proposed in the center of Bennelong Parkway for the driveways at 29 Bennelong Parkway (Mariners Cove) and the Archery car park that will allow drivers to cross a single lane of traffic when turning right. The quantum of public street parking outside the archery carpark has been increased by switching it to the southern side.
6. As the bridge is within a mapped coastal area and Environmental Impact Statement (EIS) is required for exhibition that identifies the impacts in detail alongside any mitigation measures. The impacts are not significant and mitigation measures can be accommodated within the project scope, budget and timeline. The connecting paths to the west have been prepared to a concept level of detail to allow for community feedback prior to any detail design. The EIS documentation runs over hundreds of pages and therefore is not attached to this Council report, however it is in line with the detailed plan provided at **Attachment 1**. The EIS will be hosted on the NSW Department of Planning, Housing and Infrastructure website with a link from Council's Participate Parramatta page that will host the consultation of the project.
7. In late 2023, Council placed a load limit on the existing Bennelong Parkway road bridge due to concerns about the condition. The temporary load limit will be in place until a repair methodology is developed and implemented. The new pedestrian and cyclist bridge has been designed to be clear of the existing bridge to allow all inspection, maintenance and repair activities to be undertaken.
8. A small portion of land at 29 Bennelong Parkway is required to deliver the bridge. All options have been investigated to avoid acquisition, however the alternatives

(southern side – cross Bennelong Parkway twice and environmental impacts; narrower bridge – 3m is not adequate for current and future volumes; closer to existing bridge – clear zone required for maintenance of existing bridge and Ausgrid cables attached) are not feasible. The adjacent landowner has been advised of the necessity for acquisition and has been consulted on a number of occasions. The acquisition process is currently underway.

CONSULTATION & TIMING

Stakeholder Consultation

9. The following stakeholder consultation has been undertaken in relation to Bennelong Parkway Bridge and Paths:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Resp.
September 2022 - ongoing	Sydney Olympic Park Authority	Bridge and Wentworth Common crossing strongly supported. No objection raised to wider road in locations identified. Concern with lighting affecting fauna. Project should minimise impact to vegetation.	Support noted Support noted Lighting will be the minimum required by standards, however colour and timing of light will be adjusted, feature lighting removed. Project has been designed to minimise impact where possible.	City Strategic Planning / Capital Projects.
7 November 2023	Active Transport Advisory Committee	ATAC were presented with the concept plans and invited comment.	The ATAC will have additional opportunity to comment during exhibition.	City Strategic Planning
6 February 2024	Access Advisory Committee	How will footpath and bike path separation be shown / legible. How much will be shared? Who will have priority where?	Where there is space, there will be a planted buffer. If adjacent will be strong visual contrast. The project will be almost completely separated. Pedestrians and bikes will have priority at	City Strategic Planning

		Will there be signage?	driveways, pedestrians will have priority over bike riders. Signage will be minimized, prefer to rely on the physical street to inform.	
7 June 2023	29 Bennelong Parkway Community Association representatives	See Attachment 2 for detailed list of concerns and responses.		City Strategic Planning
11 October 2023	29 Bennelong Parkway Community Association Strata members			
August 2023 - ongoing	TfNSW	The main concern is ensuring the most appropriate crossing facility at Wentworth Common.	TfNSW and Council have come to an agreed position to exhibit a raised priority crossing rather than a refuge island.	City Strategic Planning / Capital Projects

Councillor Consultation

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

Date	Councillor	Councillor Comment	Council Officer Response	Resp.
14/12/2023 (update email)	Rosehill Ward Clrs	Asked if the information can be shared with the public	Plans will be provided to the community when reporting to Council in early 2024.	City Strategic Planning
May 2023	Rosehill Ward Clrs	Project with 5m width and its location are supported.	Support noted	City Strategic Planning

LEGAL IMPLICATIONS FOR COUNCIL

11. Legal advice was sought on whether Council required landowners consent (from the owners of 29 Bennelong Parkway) for exhibition of the EIS for the Bennelong Parkway Bridge. The *EPA Regulation 2021* Clause 23 states:

Persons who may make development applications

- (1) A development application may be made by—
 (a) the owner of the land to which the development application relates, or

- (b) *another person, with the written consent of the owner of the land.*
- (2) *The consent of the owner of the land is not required for a development application made by a public authority or for public notification development if the applicant complies with subsections (3) and (4).*
- (3) *The applicant must give notice of the application—*
- (a) *to the owner of the land before the application is made, or*
 (b) *by publishing, no later than 14 days after the application is made, a notice in a newspaper circulating in the area in which the development will be carried out.*
- (4) *If the applicant gives notice under subsection (3)(b), the applicant must also, no later than 14 days after the application is made—*
- (a) *if the applicant is a public authority—publish the notice on the public authority’s website, or*
 (b) *for public notification development—arrange for the consent authority to publish the notice on the NSW planning portal.*

12. Legal Services have advised that, as a public authority, Council is exempt from the requirement to obtain landowner consent prior to lodging or assessing/determining the application, however the Regulations do require Council to comply with the requirements of sub-section (3) and (4) as above.

FINANCIAL IMPLICATIONS FOR COUNCIL

13. There are no unbudgeted financial implications for Council’s budget as the EIS, detail design and concept design have been co-funded from an existing grant allocation from TfNSW of \$358,683, and the balance of \$261,000 from Council’s S7.11 contributions. The public exhibition will be funded from the grant allocation.

	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Revenue				
Internal Revenue				
External Revenue				
Total Revenue	N/A	N/A	N/A	N/A
Funding Source				
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result	N/A	N/A	N/A	N/A
Funding Source				
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	N/A	N/A	N/A	N/A

Robert Cologna
Group Manager, Strategic Land Use Planning

Jennifer Concato
Executive Director City Planning and Design

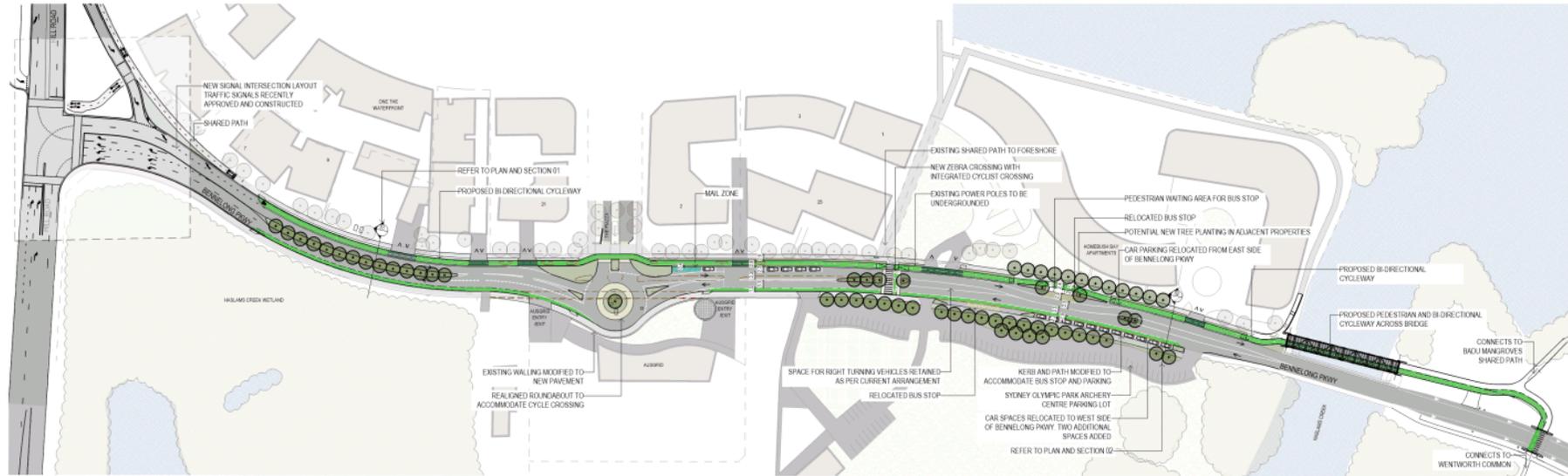
John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

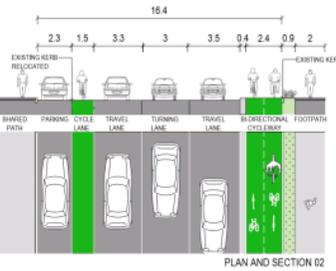
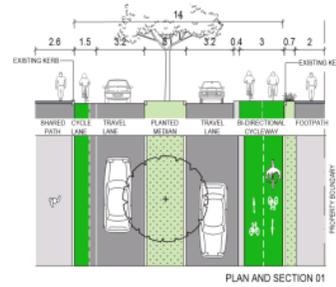
ATTACHMENTS:

- | | | |
|--|--|------------|
| 1  | Homebush Bay Circuit - Bennelong Parkway Bridge and Paths -
 Concept Plans | 1 Page |
| 2  | Bennelong Parkway Bridge - Adjacent Landowner Consultation
 | 2
Pages |

REFERENCE MATERIAL



LEGEND



THE PROJECT

Bennelong Parkway Pedestrian and Cyclist Paths is a key missing link in completing the Homebush Bay Circuit, a completely off-road loop connecting Wentworth Point, Rhodes and Olympic Park.

When combined with the proposed Bennelong Parkway Bridge at Haslams Creek, pedestrians and cyclists will no longer be required to cross busy Bennelong Parkway twice, and will have new connections to the foreshore promenade and safe access across Hill Road at the new traffic signals.

The upgrade of Bennelong Parkway also keeps a cycling facility on each side of the street that will allow road cyclists to continue using Bennelong Parkway much like they do today. New trees are proposed where space and sightlines allow, and crossing Bennelong Parkway will be made easier with raised priority crossings.

The existing bus stops are retained, and though the on-street parking is moved to the southern side, there has been a net increase in the number of spaces.

The roundabout at the Piazza is also proposed to be upgraded to modern standards, helping increase safety and allow a more generous turning space.



PROPOSED BENNELONG PARKWAY PEDESTRIAN PATH AND CYCLEWAY
 WENTWORTH POINT
 11/12/2023
 CONCEPT PLAN



Bennelong Parkway Bridge - adjacent landowner consultation summary			
Date	Meeting	Issues Raised	Response
7/06/2023	On site meeting with heads of Mariners Cove Community Associations	Concern over the ability to turn in and out of driveways whilst giving way to traffic, pedestrians and cyclists.	An informal turning lane is proposed for both driveways and the archery carpark. It will allow drivers a space to wait outside of moving traffic to turn.
		Why isn't the bridge on the southern side of Bennelong Parkway?	The southern side of the existing bridge has a listed Endangered Ecological Community, significant utilities and would require pedestrians and cyclists to cross Bennelong Parkway twice to complete the Homebush Bay Circuit
		Why is the bridge so wide?	A 5m wide bridge will allow for current and future volumes of pedestrians and cyclists. It also allows for visual separation of the two user groups as they travel at different speeds.
		Can bus shelters be provided	Bus shelters can be considered, but it will depend on space and the number of bus customers.
		Can a swing gate be installed instead of re-instatement of u-rails	The foreshore path around Mariners Cove has a requirements to be available to pedestrians. In re-grading the eastern entrance, Council must adhere to DDA requirements that set minimum standards and clearances for people in wheelchairs. A Swing gate is unlikely to meet these requirements.
		Can an arrangement be made with SOPA for parking in the archery carpark	The request has been forwarded to SOPA for their review.
		Do cars have to give way to pedestrians and cyclists.	All turning vehicles, or those entering or exiting a driveway must give way to people on the paths.
		Concern over the ability to turn in and out of driveways whilst giving way to traffic, pedestrians and cyclists.	An informal turning lane is proposed for both driveways and the archery carpark. It will allow drivers a space to wait outside of moving traffic to turn. Additional measures such as signage, mirrors or geometry changes will be considered as the project is designed.
		What will happening with lighting?	Council is required to light crossing points and paths to a certain standard, however on the bridge the colour and nature of the lighting will be carefully considered to minimise impacts to the ecology.
		Concern and support for the bridge on the northern side of Bennelong Parkway?	The bridge on the northern side completes the Homebush Bay Circuit, if the bridge were on the southern side it would require pedestrians and cyclists to cross Bennelong Parkway twice. It would also impact the mapped Endangered Ecological Community on the southern side as well as be closer to the large utilities on that side.
Were other options considered for the bridge?	A smaller clip on structure for both sides was considered, but dismissed early on. Access to the utilities on the northern side would be challenging, and at that stage it was unknown if the road bridge would need renewal. By having a separate structure, it allows either bridge to be replaced independently. Re-use of the existing road bridge for pedestrians and cyclists with a new road bridge to the south was considered in the feasibility, however there were significant cost, utility and ecological impacts.		
Can the electricity supply be upgraded?	The project will underground the power lines, however power upgrades outside of the needs of the project will not be delivered.		
The sightlines are poor coming out of the driveways.	Council has completed a Road Safety Audit of the project that did not identify this as an issue. This will be re-checked during detail design and appropriate mitigation measures will be identified if required.		
Can Council close Bennelong Parkway at Haslams Creek	Council will not close Bennelong Parkway as it is critical to the functioning of Wentworth Point.		
What is happening to the roundabout at the Piazza?	The roundabout is proposed to be replaced with one that meets current standards. The larger size allows for improved circulation for larger vehicles, greater deflection to reduce vehicle speeds, and allow vehicles to store outside of the main circulation whilst pedestrians and cyclists are crossing the entrance to the Piazza.		
Can Holker Street east of Hill Road be opened up to general traffic	Access to Holker Street is not controlled by Council, however Council officers will make enquiries with TfNSW on whether it would be considered.		
Can this section of Bennelong Parkway be signposted for 40km/h	Speed limits are controlled by TfNSW. Council will apply to TfNSW to shift the current 50km/h speed limit east of the Wentworth Common crossing. Council officers will make enquiries with TfNSW on whether a 40km/h speed limited would be considered.		
There will be increased wear and tear on the pedestrian path around the Mariners Cove foreshore	There will likely be an increased number of pedestrians on the foreshore path, however following Bennelong Parkway may be more attractive to some due to good passive surveillance and a sealed surface. The pedestrian path was a condition of the original Mariners Cove consent and must be maintained with public access. This information was registered on the title and would have been available for all unit owners at the time of purchase.		
What does the bridge and paths connect to?	On the east, the paths connect to the Badu Mangroves shared path and boardwalk. On the west, pedestrians can use the Mariners Cove foreshore path, other users can continue to the foreshore promenade cut through, or the Hill Road paths on the far side of Hill Road.		

		<p>There will be more people using Bennelong Parkway with the bridge, can a noise wall be installed on the bridge or approaches to buffer the residents of Mariners Cove?</p> <p>During the Royal Easter Show, it is impossible to turn right out of the driveways due to the volume of traffic, this proposal will make this worse.</p>	<p>It is unlikely that Council would install noise walls on a public street to mask the sound of pedestrians and cyclists. Should it be required, a noise study could be considered that would identify current and future noise levels and whether it poses an acceptable impact on residents. In addition, installation of solid acoustic panels on the bridge would place unacceptable wind loading on the current design, solutions that consider soft landscaping or similar measures will be preferred.</p>
		<p>When will the bridge be built?</p>	<p>The feedback regarding traffic during the Royal Easter Show will be passed on to SOPA and Council's Traffic team for their review and consideration.</p> <p>Should: (1) Council endorse the EIS for public exhibition, (2) the design be substantially the same after exhibition, and (3) construction funding be secured in a timely manner, the bridge could begin construction in 2025.</p>
11/10/2023	Meeting with residents of Mariners Cove	<p>What are the options available to Council and the Community Association regarding securing access to the land</p>	<p>Council could secure access through an Easement (public access secured on title but the Association retains ownership) or Acquisition. In either case, the association will have all reasonable costs covered by Council as well as compensation of the land. Acquiring the land can be through negotiation (Council's preference) or through compulsory acquisition.</p>
17/10/2023		<p>If the existing road bridge is closed to heavy vehicles, does that mean it will now be replaced and there is no need to build the separate pedestrian and cyclist bridge?</p>	<p>The load limit on the existing road bridge is a conservative, precautionary measure by Council's assets team. The detour for buses and heavy vehicles will be in place as they complete a further series of inspections. The outcome and the timing of that outcome is still unknown, but it does not change the need for a pedestrian and cyclist bridge on the northern side. Having a separate pedestrian and cyclist bridge means whatever happens with the current road bridge can be completely independent of completing the Homebush Bay Circuit.</p>
24/10/2023	Subsequent emailed questions	<p>There is already a double pathway between buildings 27 and 25 Bennelong Pkwy. The link-up of your new path should have a clear connection/ continuity with that path. That should be the obvious turn rather than the small one before building 29, which cannot cater for large numbers of walkers, cyclists etc.</p>	<p>Pedestrians are free to choose any of these paths as they are publically accesible, however in the evening are more likely to choose the street and wider path as they include lighting.</p> <p>Cyclists are likely to use a formed path as it is easier, the painted bike path also shows they get space and priority down Bennelong Parkway.</p>

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.4
SUBJECT	Public Exhibition of Draft Toongabbie to Westmead Pedestrian and Cyclist Corridor
REFERENCE	F2024/00282 - D09307783
REPORT OF	Senior Project Officer Transport Planning

CSP THEME: Accessible

WORKSHOP/BRIEFING DATE: Ward Councillors - 18 May 2023 and 30 November 2023.

PURPOSE:

This report seeks the endorsement of Council to publicly exhibit the proposed Toongabbie to Westmead Pedestrian and Cyclist Corridor.

RECOMMENDATION

- (a) That Council approve the draft Toongabbie to Westmead Pedestrian and Cyclist Corridor at Attachment 1 for the purposes of public exhibition.
- (b) That the draft plan be placed on exhibition for a minimum period of 28 days.
- (c) That the outcomes of public exhibition of the plan be reported to Parramatta Traffic Committee and Council.

BACKGROUND

1. Council has a strong track record of securing external funding for pedestrian and cyclist projects. Since 2017, with the support of the State and Federal Governments, Council has delivered 8.5km of improved cycling infrastructure to the value of \$53M, with an additional \$135M secured to plan, design and construct a further 20km. A key consideration for funding partners is whether the community has been consulted on a project, as community support is a key consideration in deciding whether to award future funding for capital works. Public exhibition is the first stage of that process.
2. State (*TfNSW Strategic Cycleways Corridors and Green Grid*) and Council (*Bike Plan 2017* and *Parramatta Ways*) policies identify the Western Line from Toongabbie to Parramatta CBD as a high priority pedestrian and cyclist link. A feasibility study and concept design for the corridor has been prepared as per Figure 1 below.

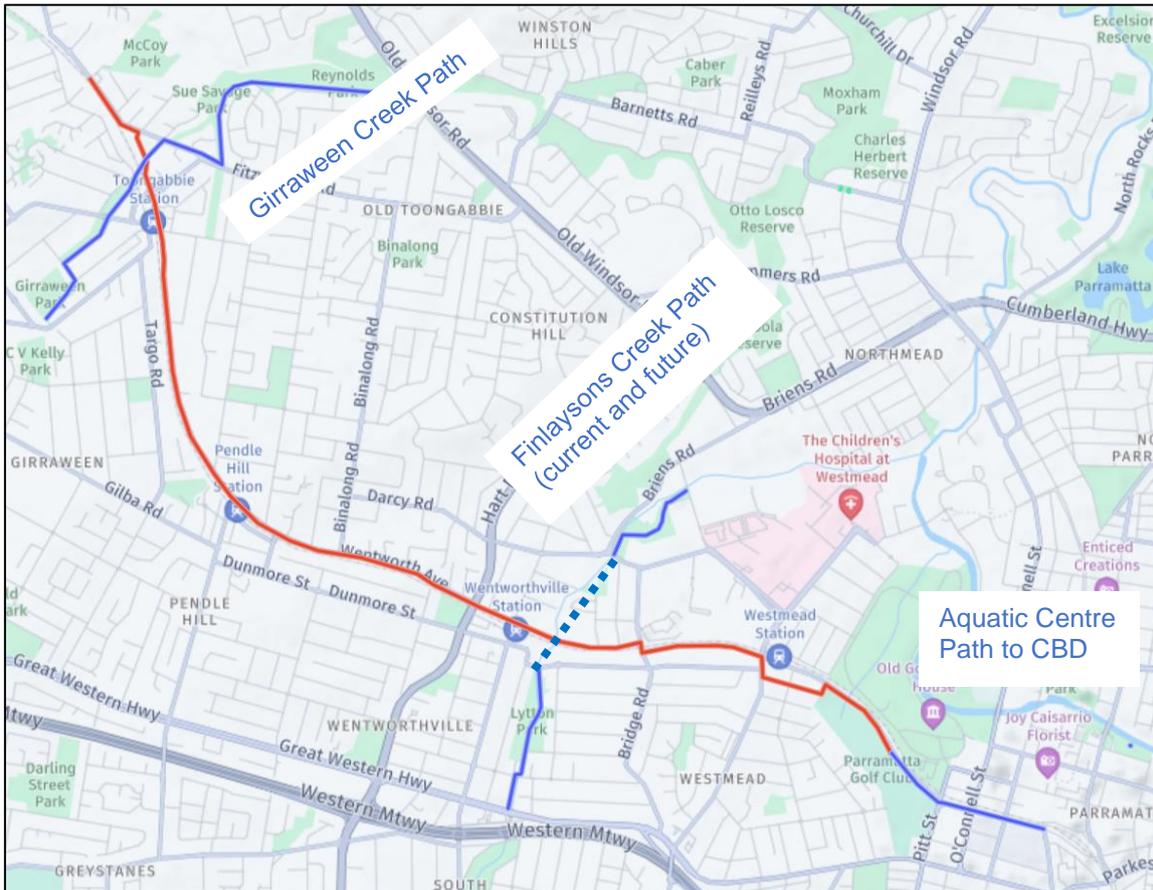


Figure 1: Toongabbie to Westmead Corridor (RED), existing paths (BLUE)

ISSUES/OPTIONS/CONSEQUENCES

3. The Toongabbie to Westmead (T2W) pedestrian and cyclist corridor looks to vastly improve pedestrian and cyclist safety, travel time and amenity whilst minimising impacts to other users and the environment. The overall corridor study identifies the spatial requirements and impacts of walking and cycling upgrades (see example below at Figure 2, the Community Information Package is available at **Attachment 1**).

Station Road

- Raise existing painted crossing
- Public domain improvements at shops
- 5 parking spaces (peak use 2) on south near Premier Street re-purposed, ample parking available on Premier around the corner.

Premier Street

- 50 available spaces
- Peak of 16 @ 3pm
- Proposing to remove 3 spots to enable access to Girraween Creek

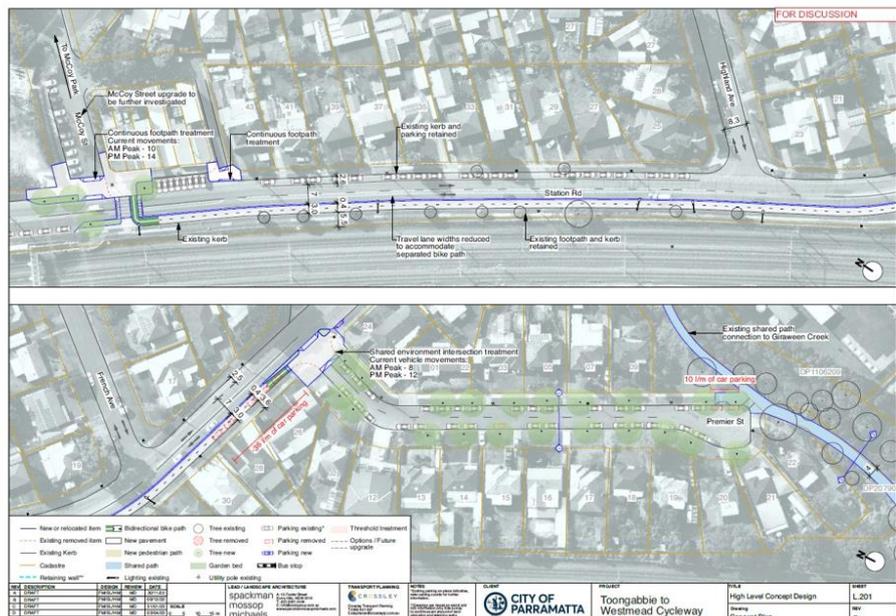


Figure 2: Example spatial study and impacts summary

4. At key locations and at stations, the project proposes separated pedestrian and cyclist paths where space allows. Outside of these precincts the western / southern parking lane of Wentworth Avenue is proposed to be re-purposed for a separated bike path. In these locations the parking lane against the rail line is only sparsely utilised. Where parking is in high demand it is proposed to retain enough parking to meet existing requirements. A summary of the parking impacts is provided at Table 1 below, demonstrating that before and after the project there will be a significant surplus of parking spaces along the alignment.

Table 1: Parking Spaces along corridor

Location	Spaces	Peak use	Future spaces	Surplus	Notes
Station Road (southern side)	5	2	0	0	Vehicles can park off street, east of Premier Street, or in Premier Street.
Premier Street	50	16	47	31	3 spaces removed to improve access to Girraween Creek path.
Toongabbie Station Precinct	326	202	311	109	10-15 spaces removed on Wentworth Avenue: - On western side, between station and Wentworth Ave overbridge. - On eastern side between Postmistress and Barangaroo. 12 spaces are currently timed parking. 2P, 1/4P, Accessible, Kiss and Ride on Wentworth Ave and side streets can be expanded to support local businesses.
Toongabbie to Pendle Hill	322	97	141	44	Western parking lane occupied by bike path.
Pendle Hill Station	106	102	106	4	Commuter parking converted to parallel, extended by 120m to retain current number.
Pendle Hill to Cumberland Hwy	167	29	79	50	Western parking lane occupied by bike path.
Wentworthville (Wentworth Ave only)	174	125	129	4	Southern parking lane, east of Finlaysons where parking is least utilised, replaced by bike path (45 spaces).
Wentworthville (excl. Wentworth, Lydbrook and Byrne)	258	185	258	73	Lydbrook and Byrne excluded as they are unlikely to be affected.
Park Parade	0	0	11	11	11 additional spaces through more efficient use of the road corridor.
Totals	1408	758	1082	326	

5. The corridor study included two feasibility studies that tested two structures that would have significant benefits for pedestrians and cyclists both regionally and locally. These studies looked at:
 - a pedestrian and cyclist underpass of Wentworth Avenue in the rail corridor (Sydney Trains have issued conditional approval),
 - a pedestrian and cyclist overbridge of the Cumberland Highway that is partially within the rail corridor (Sydney Trains have issued conditional approval).

6. In addition, the area immediately west of Bridge Street was studied to determine whether Wentworth Avenue between Reid Avenue and Bridge Street could be one way westbound. The reason for this is there is insufficient space for two vehicle lanes and the proposed paths in this part of Wentworth Avenue. The study determined it was feasible with two minor upgrades that would be funded as part of the project.

7. The T2W corridor was also developed in collaboration with Cumberland Council as it includes a 1.1km section between Bridge Road and Parramatta Park that is located in that LGA. Cumberland Council have exhibited their portion of the corridor in late 2023 as part of the *Westmead South draft Master Plan*, available at Figure 3 below and <https://haveyoursay.cumberland.nsw.gov.au/westmead-south-masterplan-2023>.

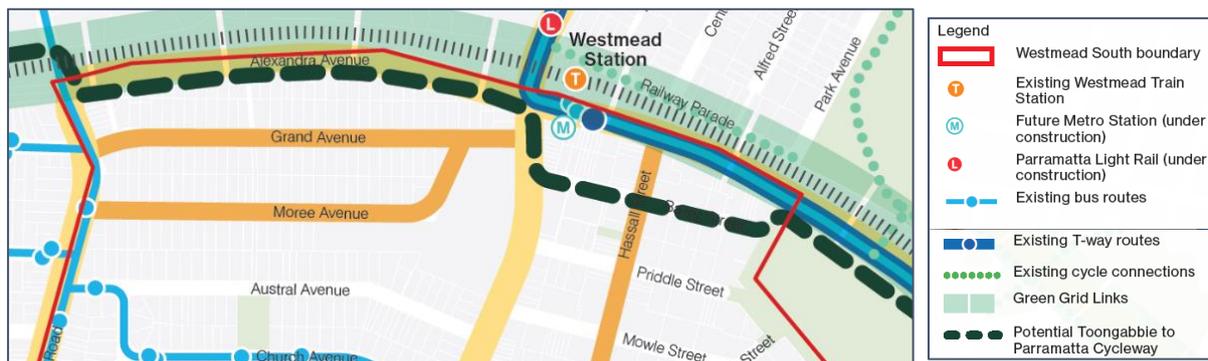


Figure 3: Cumberland Council exhibition of T2W Corridor in late 2023.

8. Throughout the development of the project the alignment was consistent with the Greater Sydney Parklands (GSP) Mays Hill Masterplan. However, after further discussion, GSP has requested the section through the Park be deferred until Mays Hill is re-master planned. Therefore the 40m of path in the park between Bailey Street and Park Parade will only be considered pending further consultation with and approval by GSP.

CONSULTATION & TIMING

Stakeholder Consultation

9. The following stakeholder consultation has been undertaken in relation to the Toongabbie to Westmead Corridor Study:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Resp.
------	-------------	---------------------	--------------------------	-------

7 November 2023	Active Transport Advisory Committee	ATAC were presented with the concept plans and invited comment.	The ATAC will have additional opportunity to comment during exhibition.	City Strategic Planning
6 February 2024	Access Advisory Committee	<p>McCoy Park is popular, could lane around shops be one way.</p> <p>Consider retaining disabled parking as parallel as it is better for disabled users.</p> <p>The vegetation along the rail line is important to local groups.</p> <p>How will you access on a bike from Binnalong Road?</p> <p>How will shared path / separated path be clear / legible?</p> <p>How long will it take to be delivered.</p>	<p>Noted, one way will be investigated in detail design.</p> <p>Noted, this will be included as an objective in detail design.</p> <p>The project has been designed to minimise impact on vegetation.</p> <p>There will be a break in the kerb for access.</p> <p>There will be physical or visual separation. In shared paths it will have blue educational paint.</p> <p>It will likely be staged over a number of years with the priorities informed by the community and based on funding availability.</p>	City Strategic Planning
25/1/2024	Blacktown Council Officers	Preferred alignment west of Girraween Ck to Blacktown is on south of Rail line.	Noted, upgrade of Girraween Creek path will be required along with ongoing collaboration.	City Strategic Planning
September 2022 - ongoing	Cumberland Council officers	Alexandria/Hawkesbury /Bailey Cumberland preferred alignment. Future connections across rail line supported.	Alignment incorporated as baseline. Noted in plans.	City Strategic Planning
July 2023 - Ongoing	TfNSW	The proposal is on Council-controlled streets and TfNSW raises no objection.	Noted	City Strategic Planning
July and August 2023	Sydney Trains	Sydney Trains raises no objections and has	Noted	City Strategic Planning

		granted conditional Gate 0 approval.		
November and December 2023	TfNSW - Buses	It is preferred that bus (though infrequent) routes are retained on Wentworth Avenue west of Pendle Hill.	Need for diversion to be tested with full survey in detail design. Diversion turning paths tested for largest bus.	City Strategic Planning
September 2022 - ongoing	Greater Sydney Parklands (GSP)	During the investigation process their position went from support for alignment, to seeking that any decision on the connection be deferred and considered in a potential new Mays Hill master planned.	Note added for exhibition and in Council report that this 40m section is draft unless advised otherwise by GSP.	

Councillor Consultation

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

Date	Councillor	Councillor Comment	Council Officer Response	Resp.
30/11/2023 (update email)	Parramatta Ward Clrs	No comments	Noted	
May 2023	Parramatta Ward Clrs	Project supported Concern regarding parking being re-purposed at stations. A bridge at Cumberland is supported given the past pedestrian death.	Support noted. Where parking is needed that quantum is retained in the proposal. Support noted	

LEGAL IMPLICATIONS FOR COUNCIL

11. There are no legal implications foreseen arising from public exhibition of the proposed plan.

FINANCIAL IMPLICATIONS FOR COUNCIL

12. There are no unbudgeted financial implications for Council's budget as the concept design has been funded from an existing grant allocation from TfNSW of \$197,000. The public exhibition will be funded from the grant allocation.

	FY 22/23	FY 23/24	FY 24/25	FY 25/26
Revenue				
Internal Revenue				
External Revenue				
Total Revenue	N/A	N/A	N/A	N/A
Funding Source				
Operating Result				
External Costs				
Internal Costs				
Depreciation				
Other				
Total Operating Result	N/A	N/A	N/A	N/A
Funding Source				
CAPEX				
CAPEX				
External				
Internal				
Other				
Total CAPEX	N/A	N/A	N/A	N/A

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  Toongabbie to Westmead Corridor Study - Community Information 23
 Package Pages

REFERENCE MATERIAL



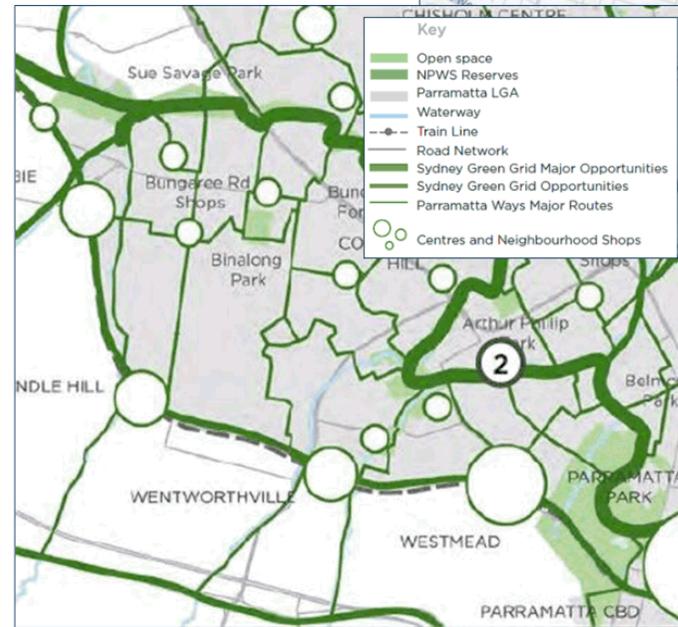
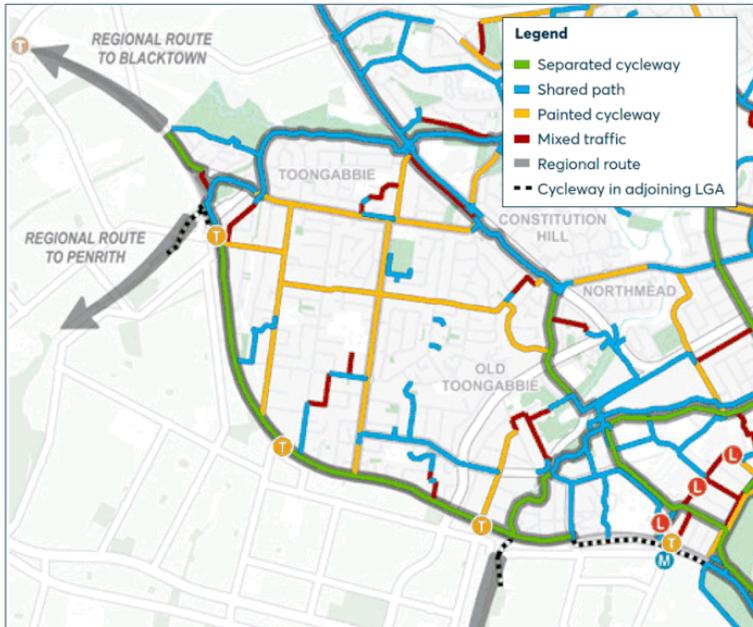
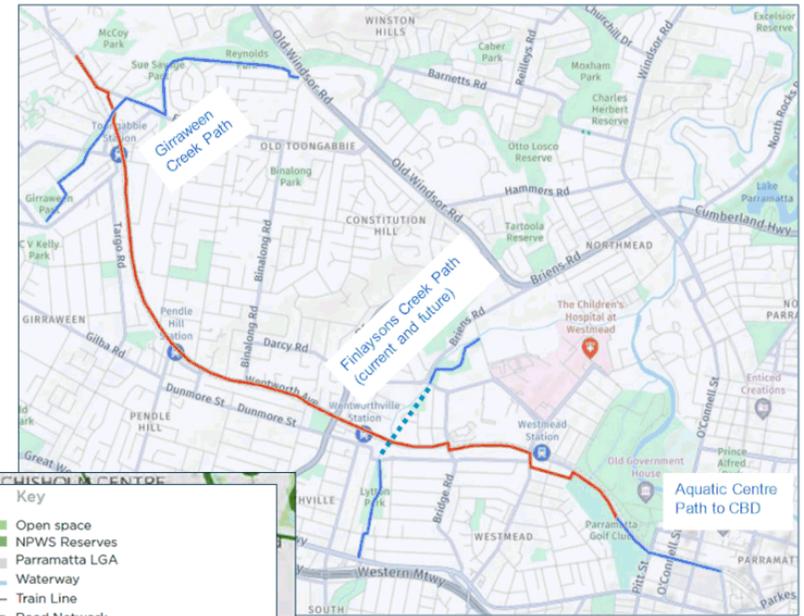
Toongabbie to Westmead Pedestrian and Cyclist Corridor Study Community Information Package

Background



Strategic Context - Council

- Identified in Bike Plan 2024 and Parramatta Ways 2017
- Connects Girraween Creek (existing) to Finlaysons Creek (existing south of Rail line and Milson Park, plans for connecting the two), then into Westmead, Westmead Metro and Parramatta Aquatic Centre.

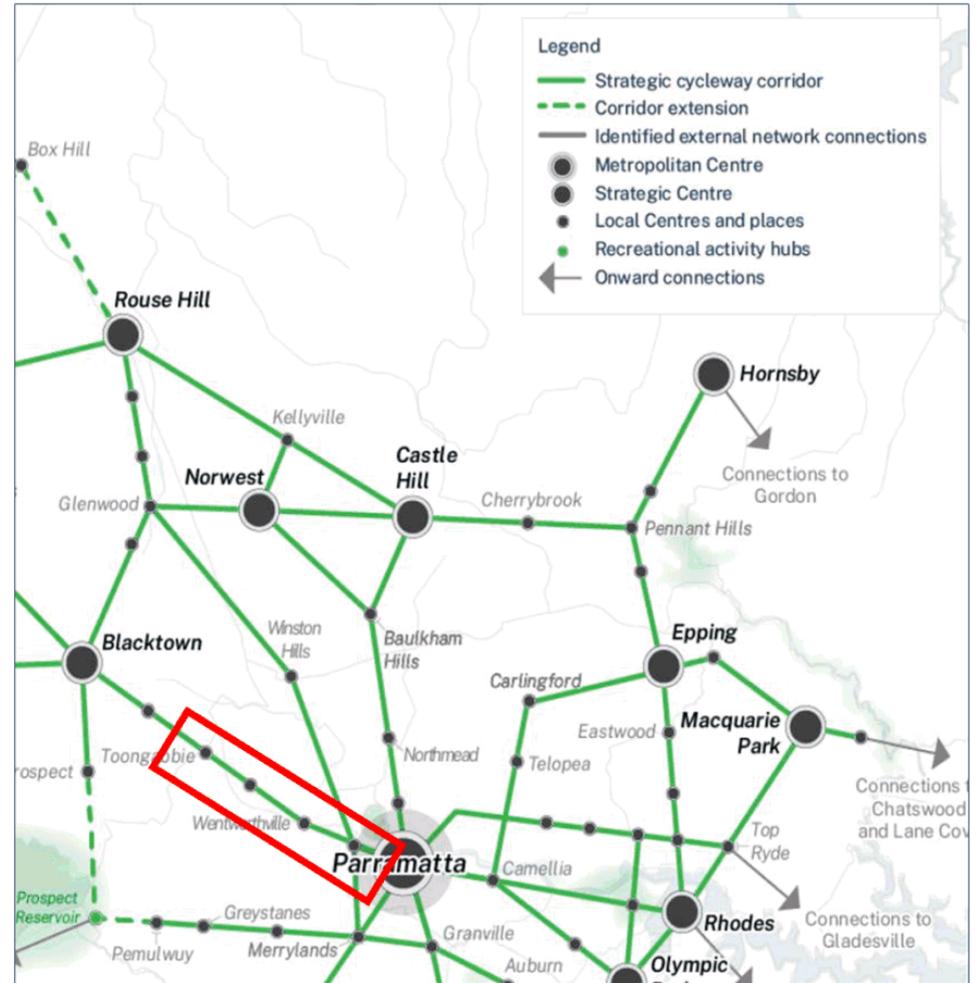
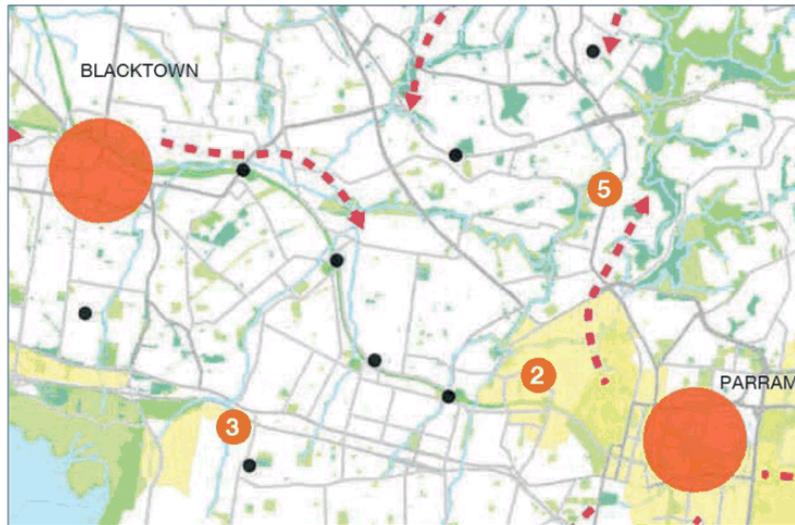


Strategic Context – NSW Government

- Transport for NSW (TfNSW) Strategic Cycleways Corridors
 - One of 5 "immediate opportunities" in the Central City



- Regional Green Grid
 - Blacktown Creek and Rail Corridor





Corridor Study Detailed Analysis

What is a Pedestrian and Cyclist Corridor?

- The corridor is a long, regional pedestrian and cyclist route that also services local walking and riding trips.
- Infrastructure is proposed that will prioritise the time, safety and amenity of pedestrians and cyclists, this can include:
 - Paths (pedestrian, cyclist, shared), bridges and boardwalks,
 - Raised priority crossings, refuge islands, missing pedestrian legs at intersections,
 - Landscaping, water fountains, bike parking and other supporting infrastructure.

Parameters

- Must meet TfNSW objectives, Austroads guidance and Australian Standards.
- Separate pedestrians and cyclists where possible on the main alignment.
- Where possible retain parking spaces where they are used by the community, especially at stations.
- Retain existing trees where possible and identify opportunities for new trees.
- Minimise kerb, utilities and stormwater adjustments.
- Retain existing traffic circulation where possible.
- Increase permeability to, and across rail corridor.
- Be a net positive contributor to the public domain.
- Retain heavy vehicle access between Burrabogee and Cumberland Highway.
- Propose mutually beneficial and self-reinforcing Local Area Traffic Management solutions.
- Work collaboratively with Cumberland Council.

Concept Plans



Sections

The corridor is almost 6.5km long and varies greatly in space and character.

The corridor can be broken down into the following typologies.

- McCoy – local in nature, local shops and low density residential.
- Stations – busy activity centres, parking in higher demand.
- Between Stations – low density residential.
- Bridge Road – high density, very narrow street.
- Alexandra Ave / Bailey Street (Cumberland Council see <https://haveyoursay.cumberland.nsw.gov.au/westmead-south-masterplan-2023>)
- Parramatta Park – park edge, busy street with large proportion of buses.



McCoy

Station Rd

- Raise existing painted crossing.
- Potential public domain improvements at shops.
- 5 parking spaces (peak use 2) on south near Premier St re-purposed, parking available to the east and on Premier St around the corner.
- Additional planting between footpath and bike path.

Premier St

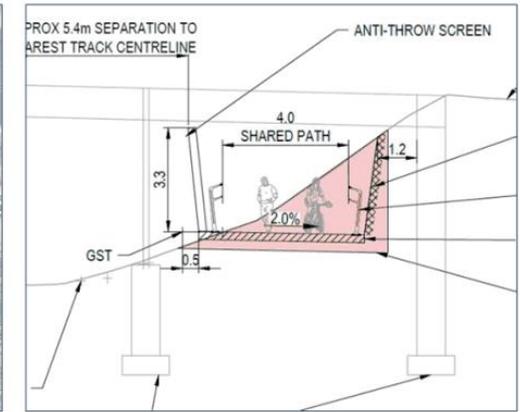
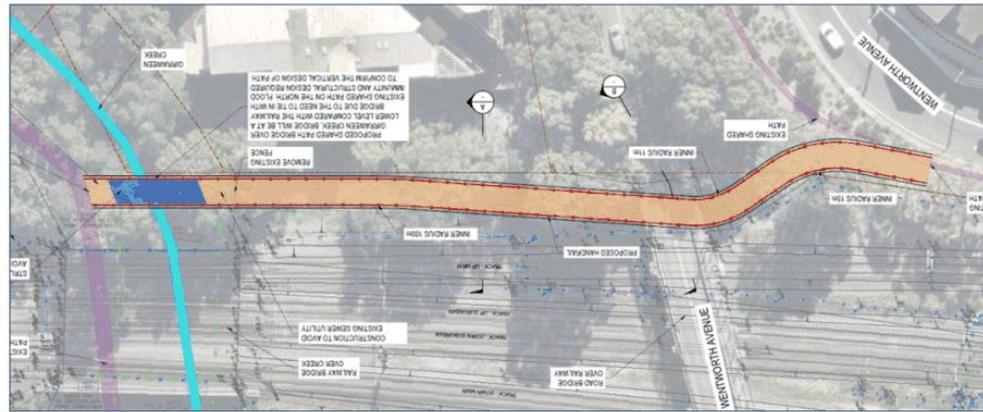
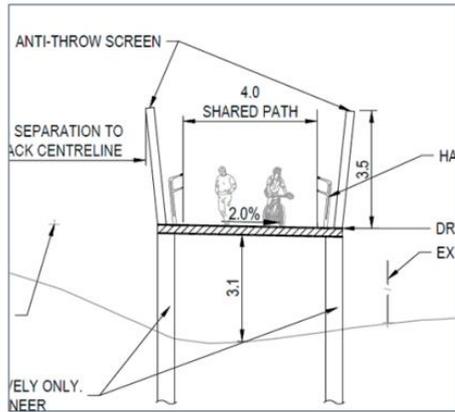
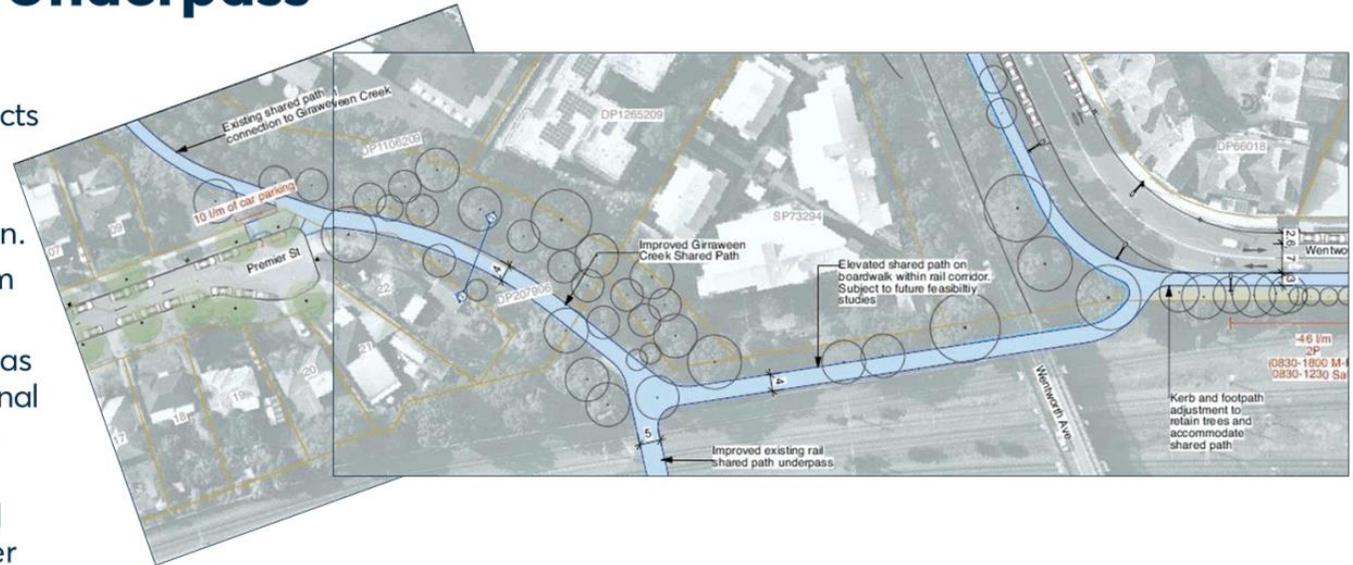
- 50 available spaces.
- Greatest use is 16 @ 3pm.
- Proposing to re-purpose 3 spots to improve access to Girraween Creek.



Wentworth Avenue Underpass

Wentworth Ave

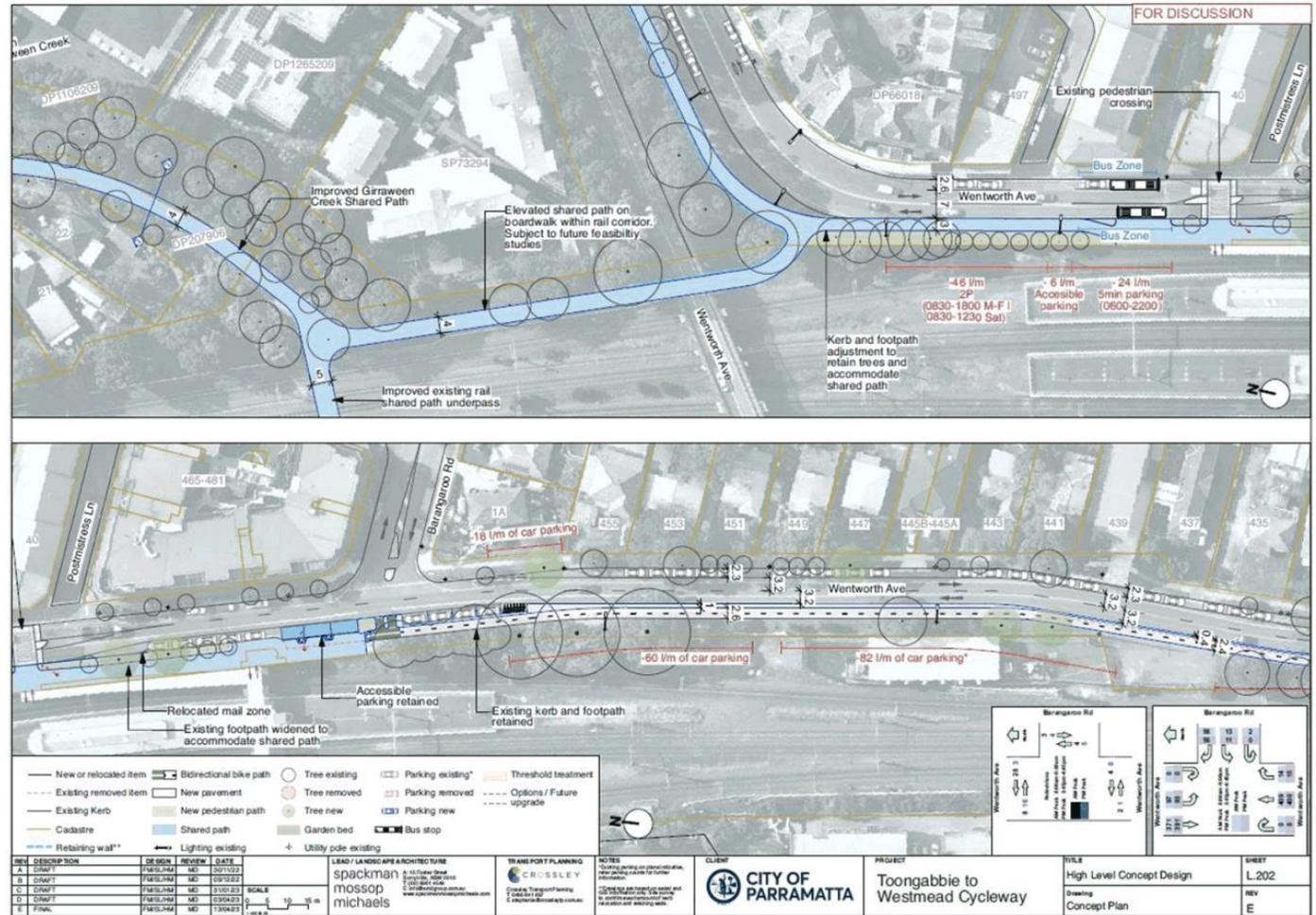
- Underpass within rail corridor, connects to Girraween Creek path.
- Girraween Creek path will need upgrade as regional link to Blacktown.
- Avoids 600m diversion via Fitzwilliam Rd roundabout.
- Significant benefit for rail customers as well as shorter distance for recreational / commuter pedestrians and cyclists.
- 2 options were investigated, and Sydney Trains has issued conditional Gate 0 approval for boardwalk as per below.



Toongabbie

Toongabbie Station

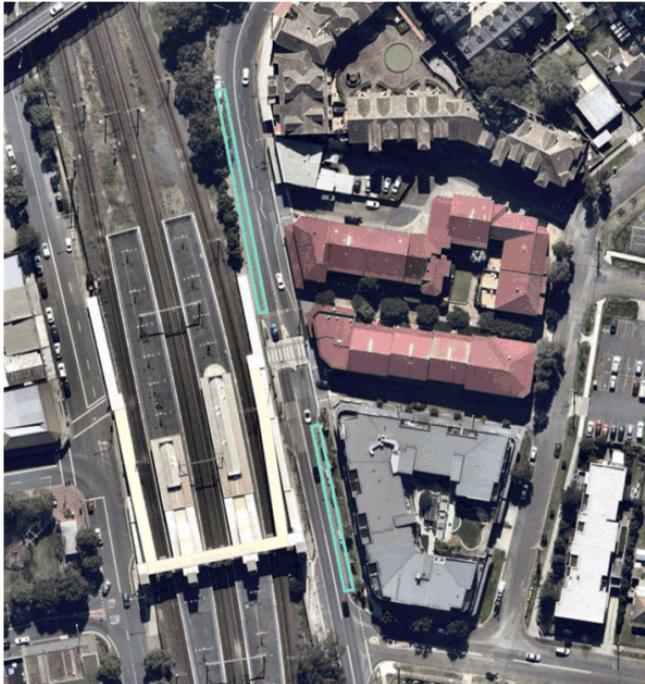
- Wide shared path between bridge and station retains stand of large trees.
- South of Barangaroo Rd bike path on west, footpath on east.
- Disabled parking retained.
- Outside of station, path on south-west side replaces 1 lane of parking on Wentworth Ave, (re-purpose approx 15 spaces.
- Parking retained on east between station and bridge.
- Parking retained on west between Postmistress Ln and Barangaroo Rd.
- Demand is for 200 unrestricted spaces in the area, approx 300 are retained in proposal (see detail next page).
- 2P, 1/4P, Accessible, Kiss and Ride on Wentworth Ave and side streets could be expanded to support local businesses.



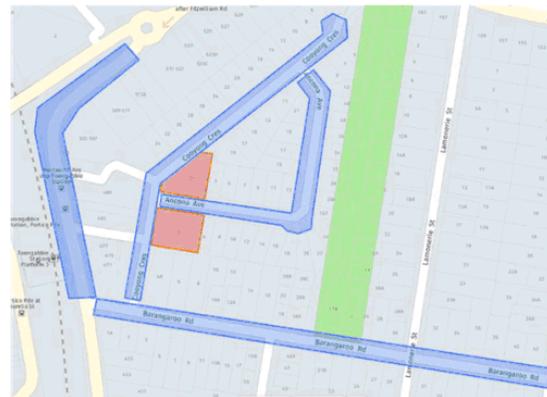
Toongabbie Station parking

Parking

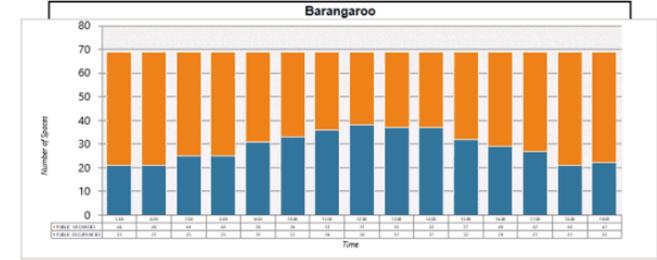
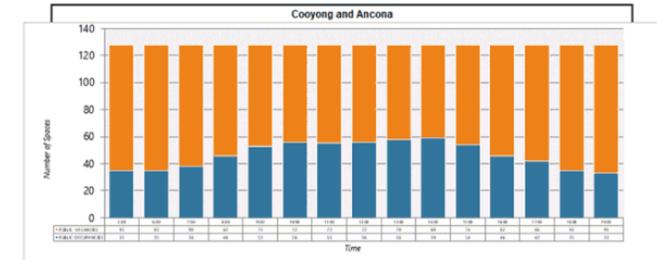
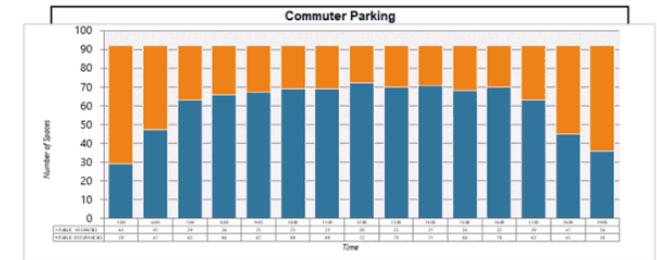
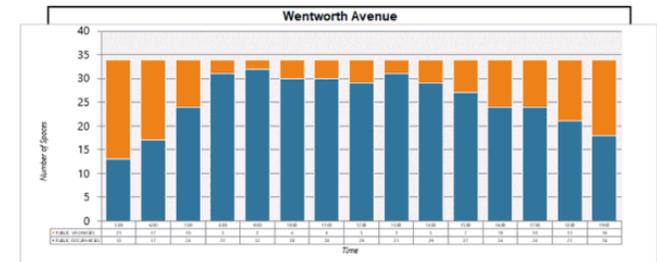
- 326 spaces available in the precinct
- Peak use of 202 @ early afternoon
- Proposing to re-purpose the following spaces (highlighted in green below)
 - Between pedestrian crossing and the bend (west), night ride bus to stop in lane.
 - Between Postmistress Ln and Barangaroo Rd (east)



Parking survey locations



Current parking utilisation



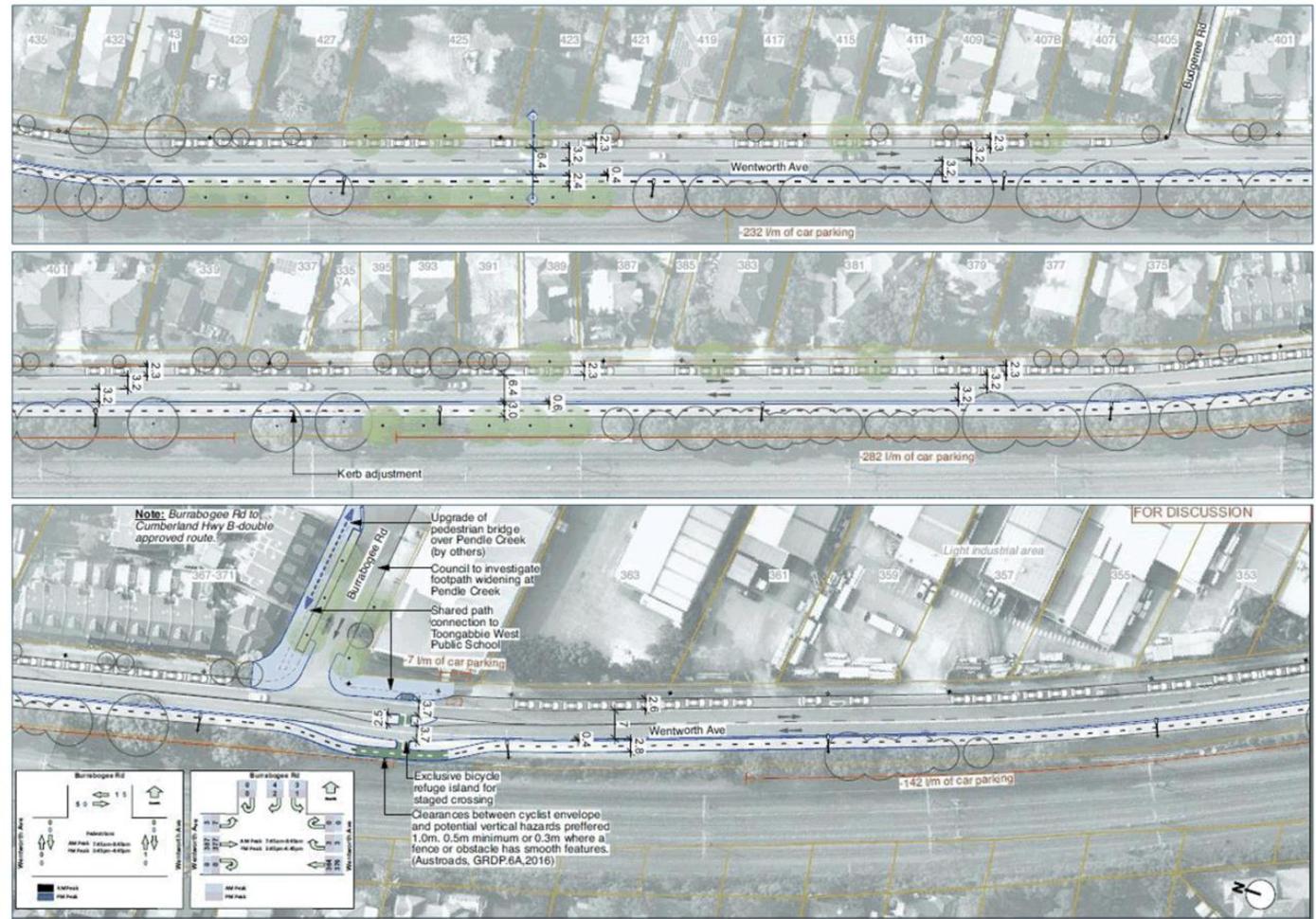
Between Stations (Toongabbie to Pendle Hill)

Wentworth Ave (Barangaroo Rd to Pendle Hill commuter parking)

- Uses predominantly empty western parking lane.
- 322 available spaces (141 east, 181 west).
- Greatest use is 97 @ 2pm.
- A majority of the kerb and gutter is retained along with mature trees.

Burrabogee Rd

- Refuge crossing of Wentworth Ave.
- Shared path for connection to Toongabbie West Public.



Pendle Hill

Wentworth Ave

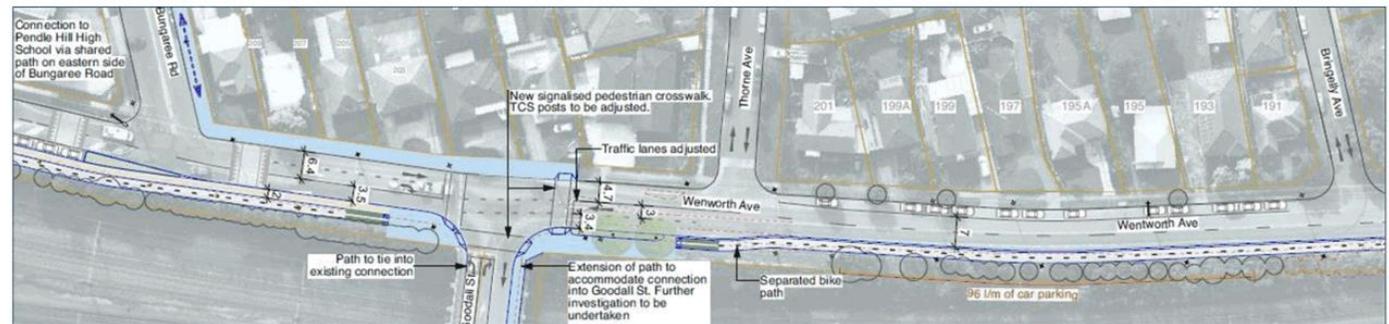
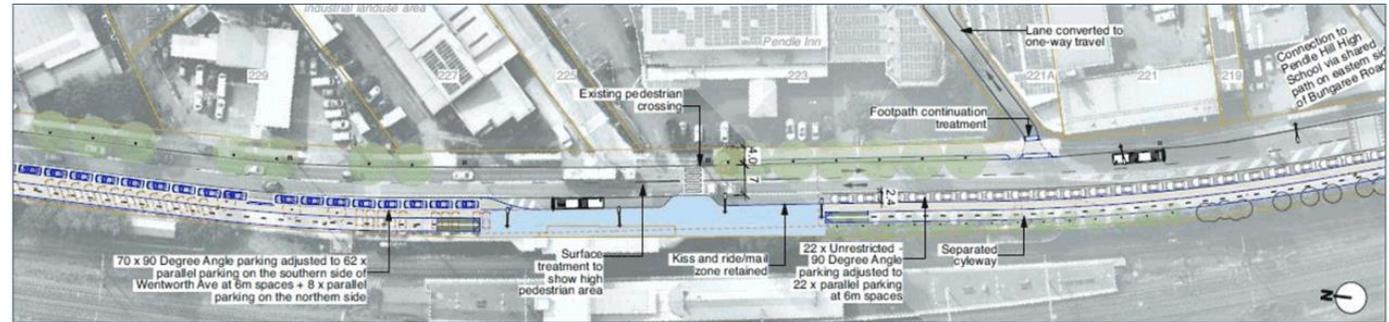
- Commuter parking retained by switching to parallel.
- Separate pedestrian/bike path on rail side.
- Some power pole adjustments.

Bungaree Rd

- Shared path on eastern side for connection to Pendle Hill High.

Goodall St

- Eastern leg added to signals.
- Potential to improve connection over rail line in the future.
- South-east of lights, footpath on north, bike path on south.



Between Stations (Pendle Hill to Cumberland Highway)

Wentworth Ave (Goodall St to Cumberland Hwy)

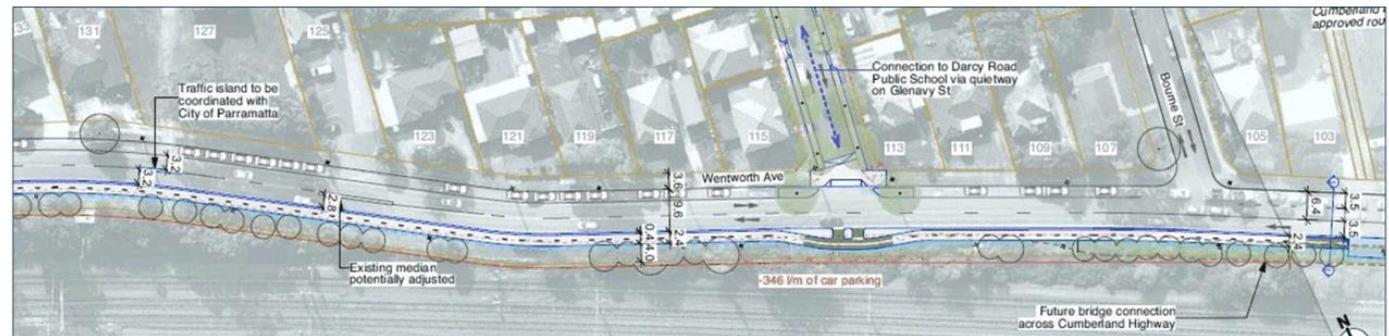
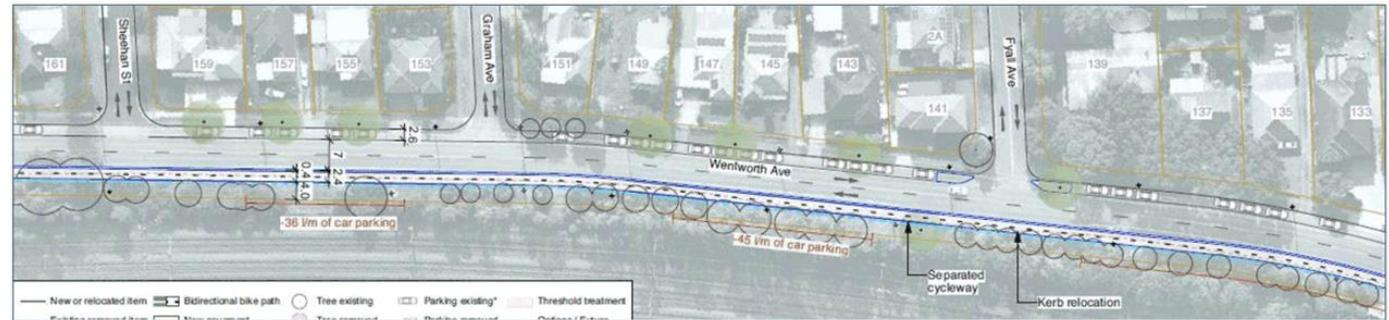
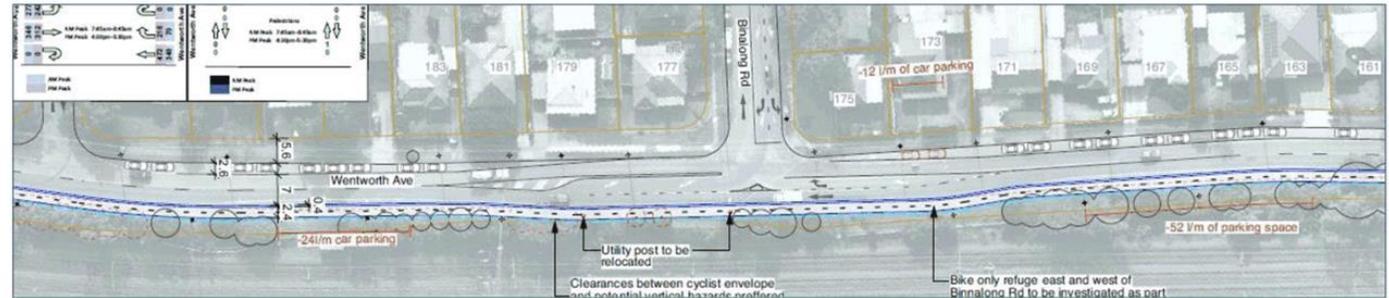
- Uses predominantly empty southern parking lane.
- 167 available spaces (79 north, 88 south).
- Greatest use is 29 @ 2pm.

Binnalong Rd

- By-passes intersection, retains current layout.

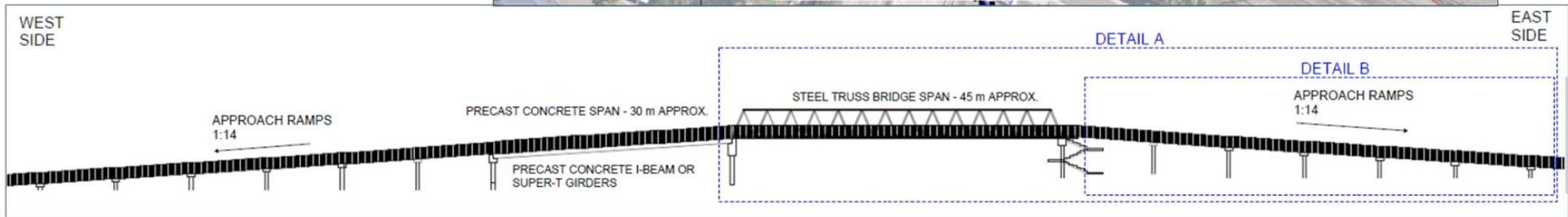
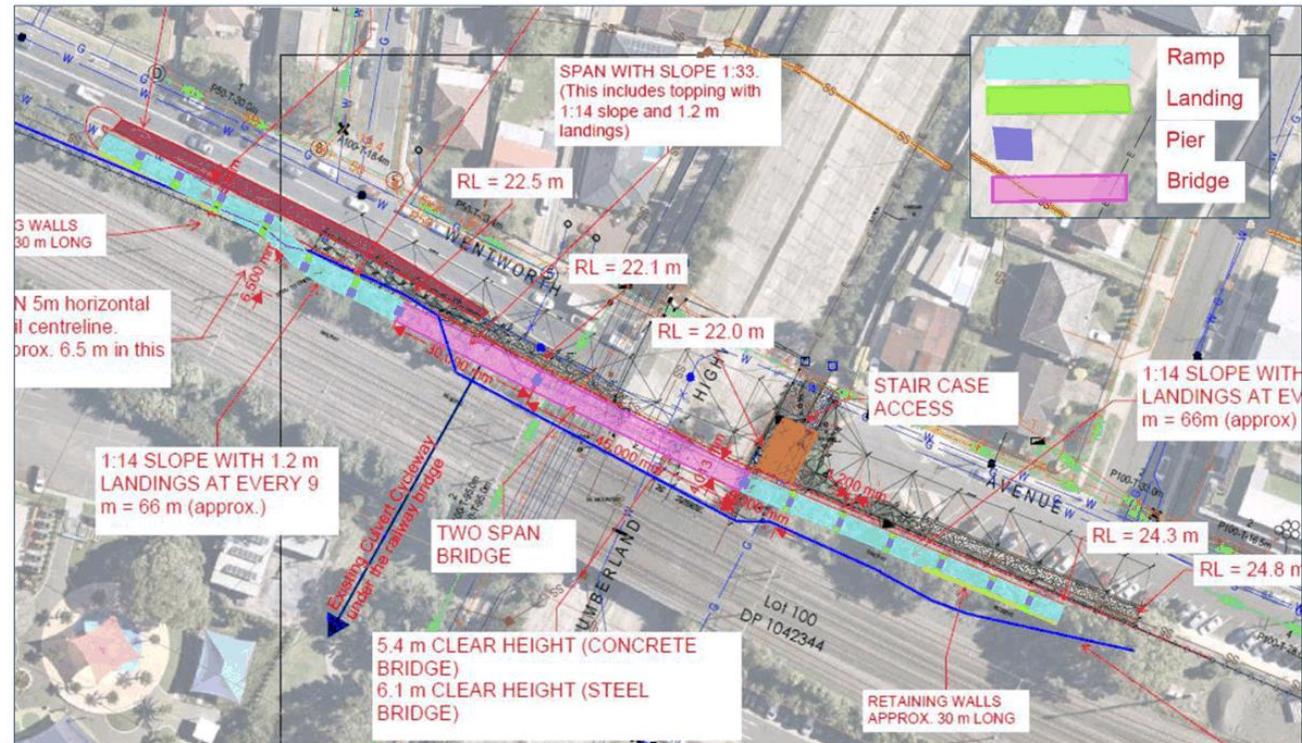
Glenavy St

- Quiet local street to connect to Darcy Street Public.



Cumberland Highway Overbridge

- Pedestrian and cyclist bridge proposed due to challenging access, amenity, safety and time.
- 4m wide due to Sydney Trains requirements.
- Single 45m span over Cumberland Hwy and creek culvert.
- Back span over path culvert.
- Concrete approach ramps each side.
- Potential additional stair access on eastern side.
- Sydney Trains has issued conditional Gate 0 approval for this concept design.

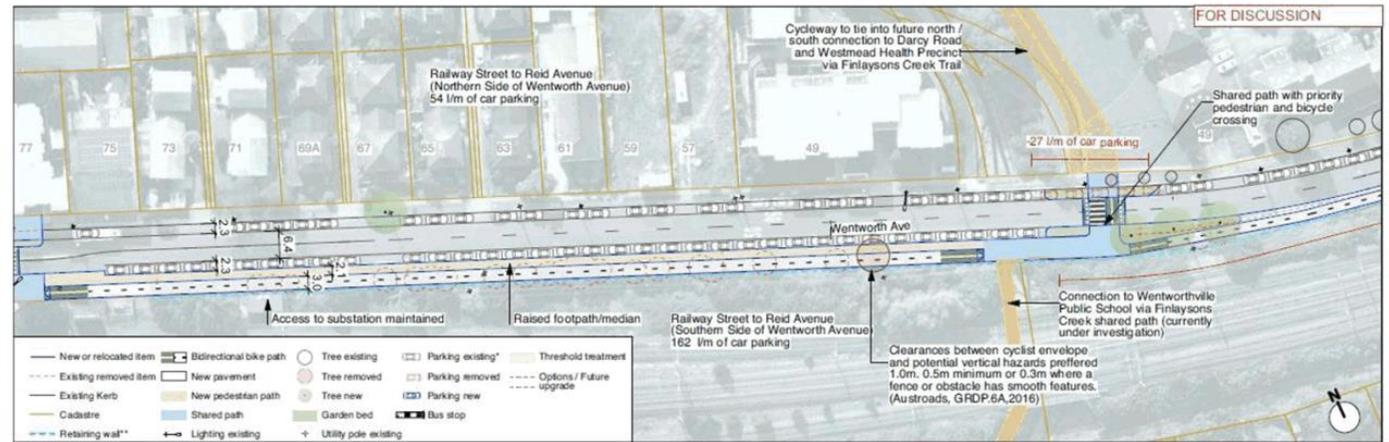
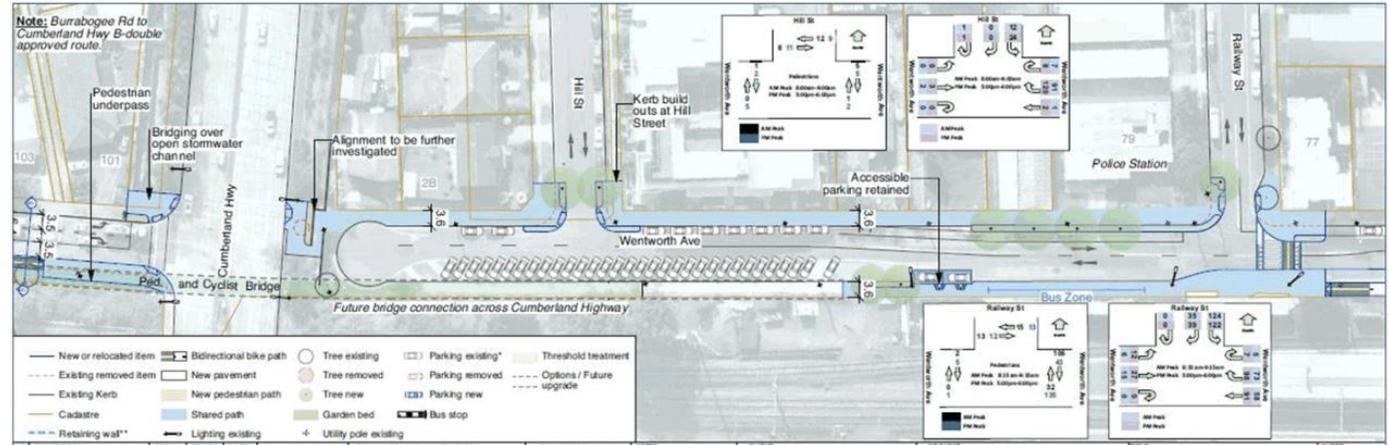


Wentworthville Station

Wentworth Ave

- 174 available spaces.
- 73 north, 101 south.
- Greatest use is 127 @ early evening.
- Re-purposing 45 spots (majority east of Finlaysons Creek).
- Current occupancy allows for spaces to be re-purposed as adjacent streets have additional 75 surplus spaces where vehicles can park.

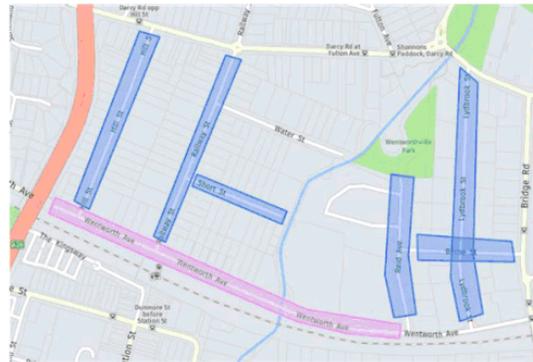
NOTE: parking removal within 1km of Wentworthville Station will require approval by TfNSW.



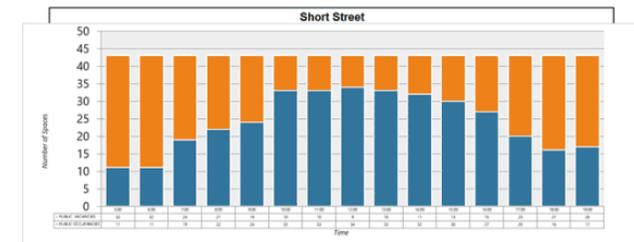
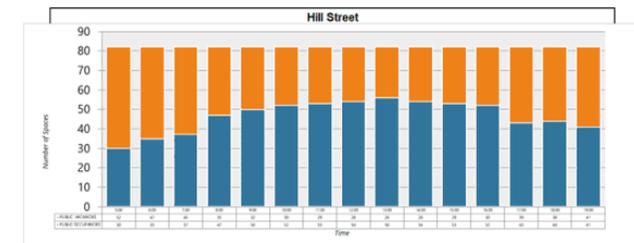
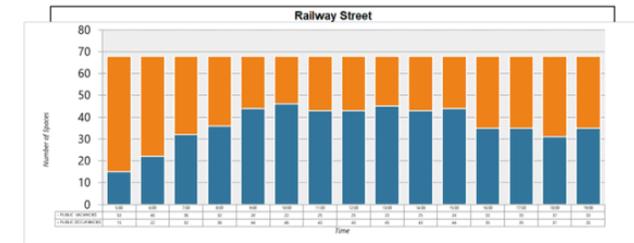
Wentworthville Station parking – Part 1

Parking

- 367 spaces west of Reid Ave – 328 are unrestricted.
- Only Wentworth Ave (32 spaces) and Railway St (7 spaces) have time limited spots.
- Greatest use is 259 @ early afternoon
- On each street, the peak utilisation is
 - Wentworth Ave – 125 out of 174
 - Railway St - 46 out of 68
 - Hill St - 54 out of 82
 - Short St - 34 out of 43.



Current parking utilisation

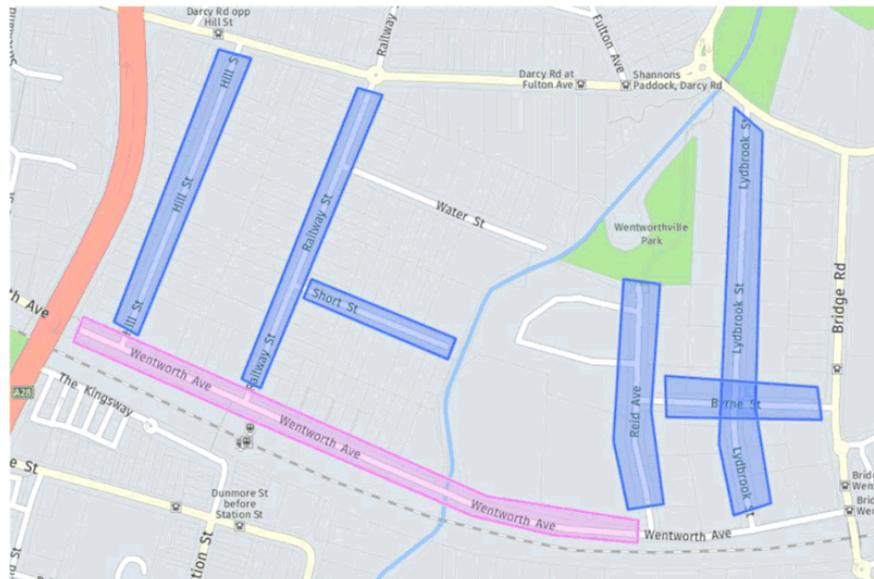


Area	Street	Restriction	Time													
			6:00	7:00	8:00	9:00	10:00	11:00	12:00	13:00	14:00	15:00	16:00	17:00	18:00	
North	Barrier to Hill	Unrestricted	2	2	2	2	2	2	2	2	2	2	2	2	2	
		2P (0800-1800 M-F)	9	3	3	2	7	8	6	7	6	5	5	7	9	10
	Hill to Railway	1/2P	5	1	1	1	4	4	2	1	2	3	3	6	3	5
		No Stopping (Police Vehicles)	0	2	2	1	1	0	1	2	2	1	1	2	0	0
Railway to Reid	1/4P (0800-1800 Mon-Sat)	1	0	0	3	1	1	2	1	1	1	1	1	3	0	
	2P (0830-1800 M-F 0830-1230)	9	4	3	4	7	5	5	6	8	6	6	5	7	8	
	Unrestricted	47	19	23	26	27	25	30	32	30	26	26	28	21	19	
South	Barrier to Railway	Unrestricted	30	8	20	30	30	30	30	30	30	30	30	30	28	22
		Handicap Parking	2	0	0	0	0	1	1	1	1	1	2	2	2	2
	Railway to Reid	Handicap Parking	2	0	0	0	1	1	1	1	1	0	1	2	1	1
		No Stopping (Kiss n Ride)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		2P (0830-1800 M-F 0830-1230)	7	2	4	6	6	4	6	4	7	6	6	7	6	6
	Unrestricted	60	16	18	30	30	30	31	30	32	29	30	33	23	21	
	Total	174	57	76	105	116	111	117	117	122	110	113	125	105	96	
	Unoccupied	117	98	69	58	63	57	57	52	64	61	49	69	78		
	Percentage Occupied		33%	44%	60%	67%	64%	67%	67%	70%	63%	65%	72%	60%	55%	

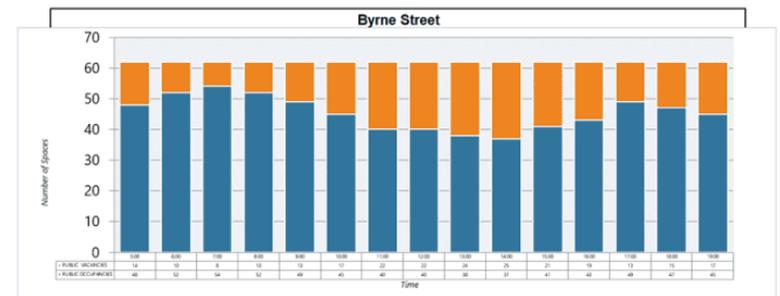
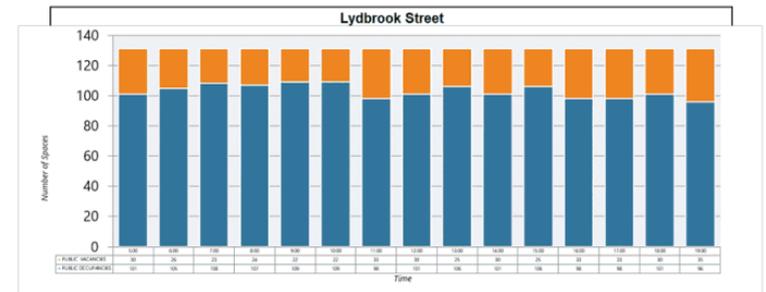
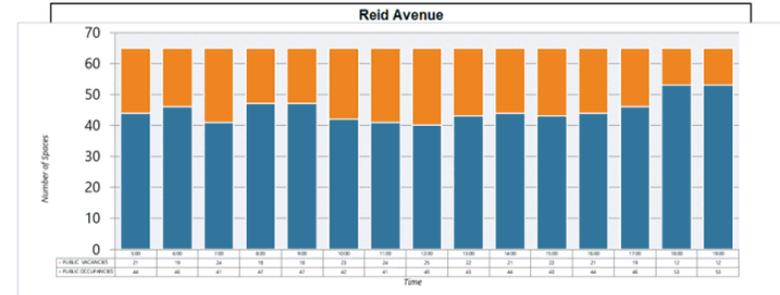
Wentworthville Station parking – Part 2

Parking

- 258 spaces east of (and inclusive of) Reid Ave, all unrestricted.
- Peak parking demand varies across the day, but is 200-220 in the morning and afternoon.
- On each street, the peak utilisation is
 - Reid Ave - 53 out of 65
 - Lydbrook St - 109 out of 131
 - Byrne St - 54 out of 62



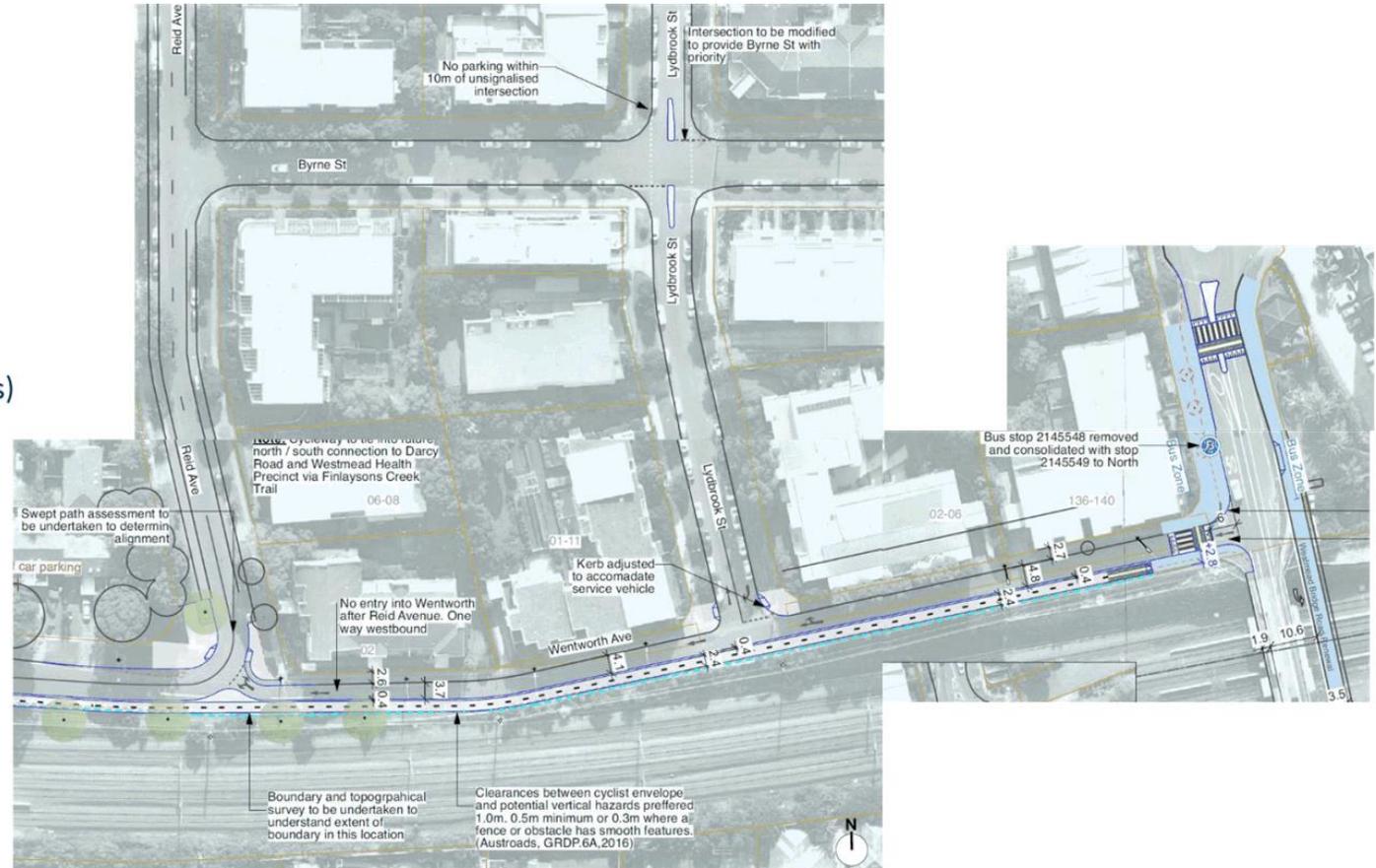
Current parking utilisation



Bridge Road

East of Reid Ave

- Not enough space for two-way traffic and active transport in Wentworth Ave.
- Proposal is for one-way traffic west, with eastern diversion via Byrne St.
- Requires:
 - Intersection improvements at Byrne St / Lydbrook St
 - Intersection improvements at Reid Ave / Wentworth Ave.
- Bridge Rd bridge upgrade (by others) will introduce a footpath on the western side. Shared path on east.
- Priority crossing over Bridge Rd just south of roundabout.

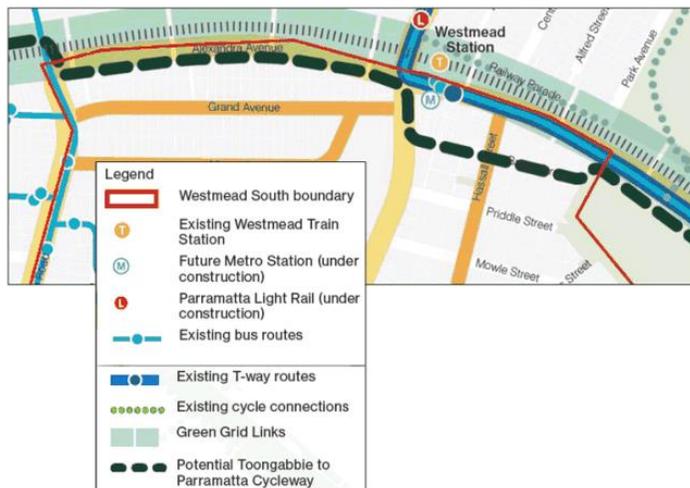


Alexandra Avenue / Bailey Street

Within Cumberland Council

Alexandria Ave – Hawkesbury Rd – Bailey St is the Cumberland preferred connection through Westmead for a separated cycleway.

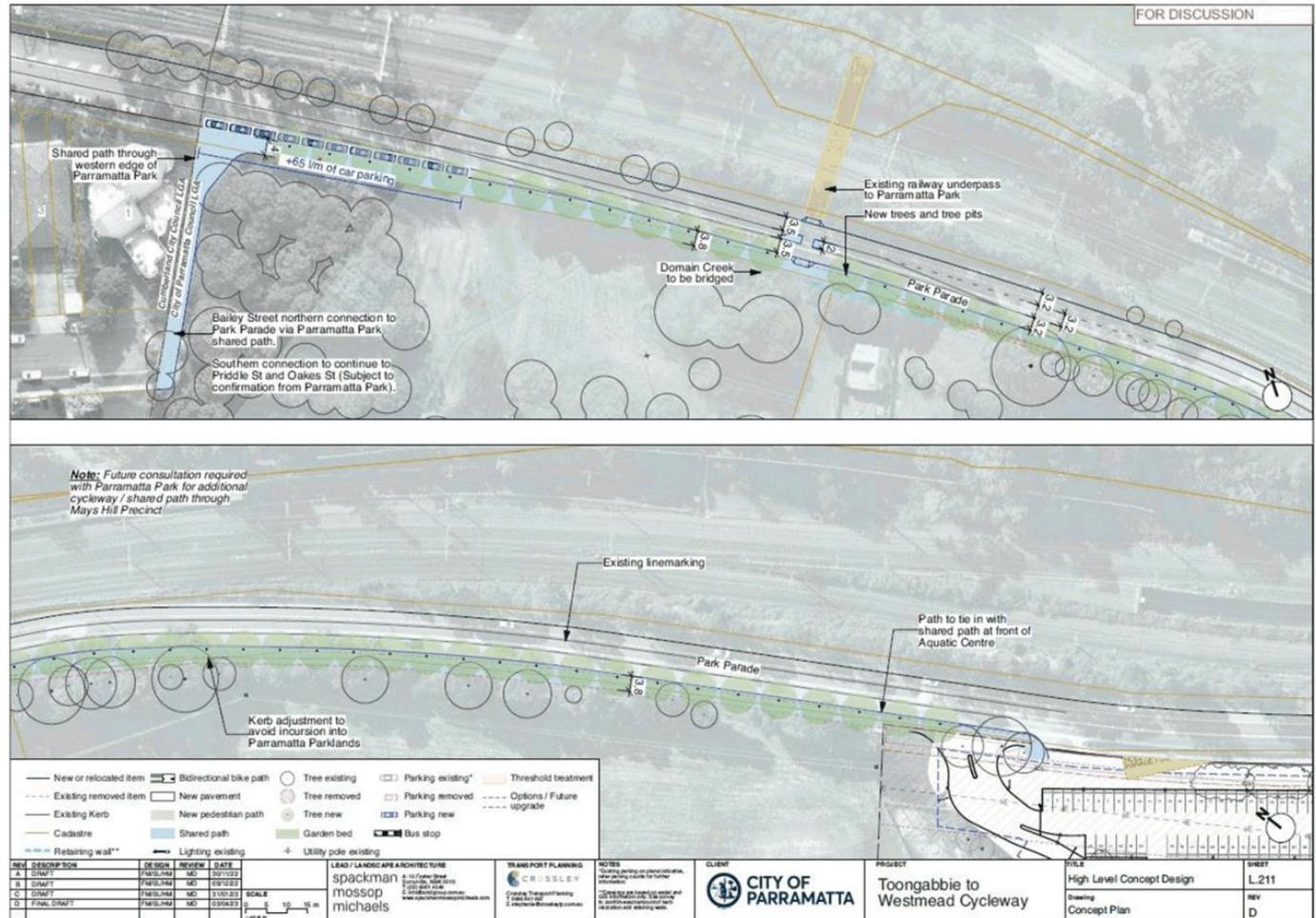
Snapshot of Cumberland exhibition materials below, see <https://haveyoursay.cumberland.nsw.gov.au/westmead-south-masterplan-2023>



Parramatta Park

Park Parade

- Formalise path from Bailey St (existing worn down desire line).
- Path along southern edge of Park Pde and avoid intrusion into Park property.
- Connect to proposed new refuge at Domain Creek.
- Connect to PAC path.
- Adding 11 car parking spots through more efficient use of road space.



Parking Summary

- There are a number of changes proposed to parking arrangement along the corridor.
- Where parking has a demonstrated high demand, enough is retained to meet current needs.
- Between activity centres where parking demand is low, it is re-purposed on the rail side for pedestrian and cyclist paths.
- A summary is provided below for each section, demonstrating there is a surplus of hundreds of spaces along the corridor.

Street	Spaces	Peak use	Future spaces	Surplus	Notes
Station Road	26	2 (on south)	21	N/A	5 spaces (peak use 2) on south can be accommodated in Premier.
Premier Street	50	16	47	31	3 spaces removed to improve access to Girraween Creek path.
Toongabbie Station Precinct	326	202	311	109	10-15 spaces removed on Wentworth Avenue. On western side, between station and Wentworth Ave overbridge. On eastern side between Postmistress and Barangaroo. 12 spaces are timed parking, location and type of timed parking can be re-distributed to better support businesses and short-term / kiss & ride requirements of Station.
Toongabbie to Pendle Hill	322	97	141	44	Western parking lane occupied by bike path.
Pendle Hill Station	106	102	106	4	Commuter parking converted to parallel, extended by 120m to the west to retain current number.
Pendle Hill to Cumberland Hwy	167	29	79	50	Western parking lane occupied by bike path.
Wentworthville (Wentworth Ave only)	174	125	129	4	Southern parking lane, east of Finlaysons where parking is least utilised, replaced by bike path (45 spaces).
Wentworthville (excl Wentworth, Lydbrook and Byrne)	258	185	258	73	Lydbrook and Byrne excluded as they are unlikely to be affected.
Park Parade	0	0	11	11	11 additional spaces.
	1408	758	1082	326	

REPORTS TO COUNCIL - FOR COUNCIL DECISION

ITEM NUMBER	13.5
SUBJECT	Public Exhibition of Draft Wilderline to Duck River Pedestrian and Cyclist Paths
REFERENCE	F2024/00282 - D09307791
REPORT OF	Senior Project Officer Transport Planning

CSP THEME: Accessible

WORKSHOP/BRIEFING DATE: Ward Councillors - September 2023 and December 2023

PURPOSE:

This report seeks the endorsement of Council to publicly exhibit the proposed Wilderline to Duck River Path (Granville and Clyde).

RECOMMENDATION

- (a) That Council approve the draft Wilderline to Duck River Path at Attachment 1 for the purposes of public exhibition.
- (b) That the draft plan be placed on exhibition for a minimum period of 28 days.
- (c) That the outcomes of public exhibition of the plan be reported to Parramatta Traffic Committee and Council.

BACKGROUND

1. Council has a strong track record of securing external funding for pedestrian and cyclist projects. Since 2017, with the support of the State and Federal Governments, Council has delivered 8.5km of improved cycling infrastructure to the value of \$53M, with an additional \$135M secured to plan, design and construct a further 20km. A key consideration for funding partners is whether the community has been consulted on a project, as community support is a key consideration in deciding whether to award future funding for capital works. Public exhibition is the first stage of that process.
2. Since the closure of the T6 Heavy Rail line to enable Parramatta Light Rail (PLR), Council has long advocated for the disused line to be used by pedestrians and cyclists alongside significant re-vegetation – The Wilderline. The T6 forms part of a regional scale link connecting the PLR Active Transport Link (ATL) from Carlingford to Camellia, and onwards Duck River south via Clyde Station, see Figure 1 below.
3. Recent work by the Department of Planning, Housing and Infrastructure (DPHI) on the *Camellia-Rosehill Place Strategy* identified the T6 for active transport, and Sydney Metro West have been conditioned to extend the Wilderline from the PLR ATL to around A'Beckett's Creek in Clyde. A feasibility study and concept design

has been prepared for the section between A'Beckett's Creek and Clyde Station, along with associated connections.

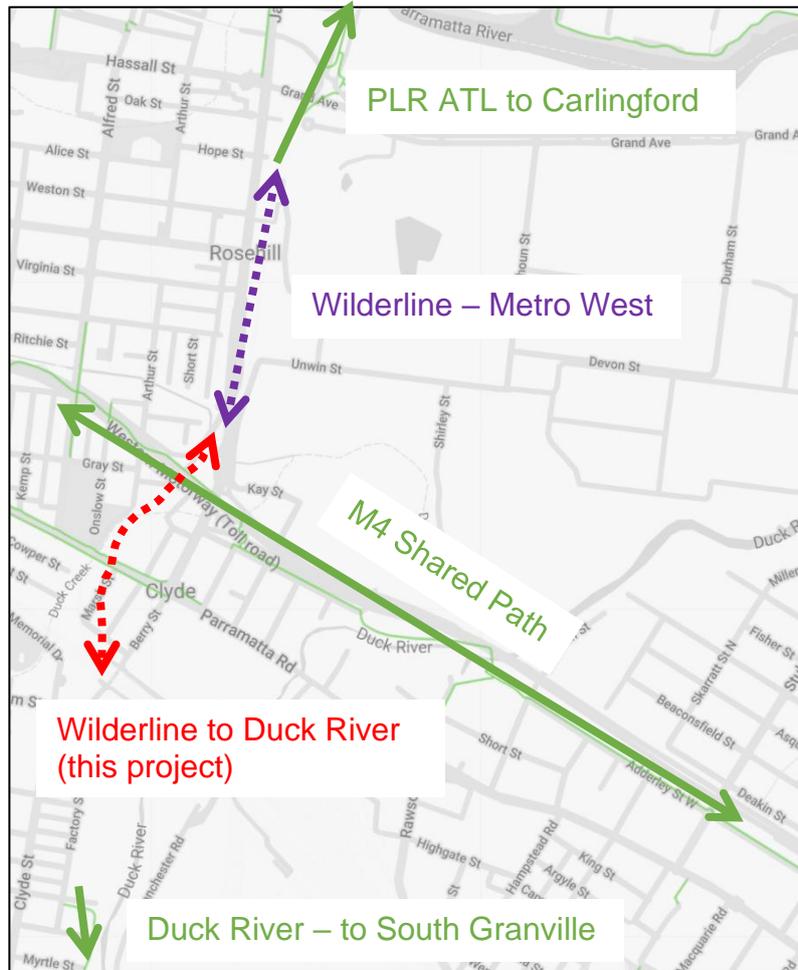


Figure 1: Wilderline within regional context (TfNSW Cycleways Finder basemap).

- As per Figure 2 below, there is only one feasible route to connect the Metro West Wilderline at A'Beckett's Ck to Parramatta Road. Similarly, the only step-free access to the M4 Shared Path (the main east-west route in this area) is via Hamilton Street and Arthur Street in Granville. There are a number of streets Between Parramatta Road and Clyde Station, therefore 6 options were tested.

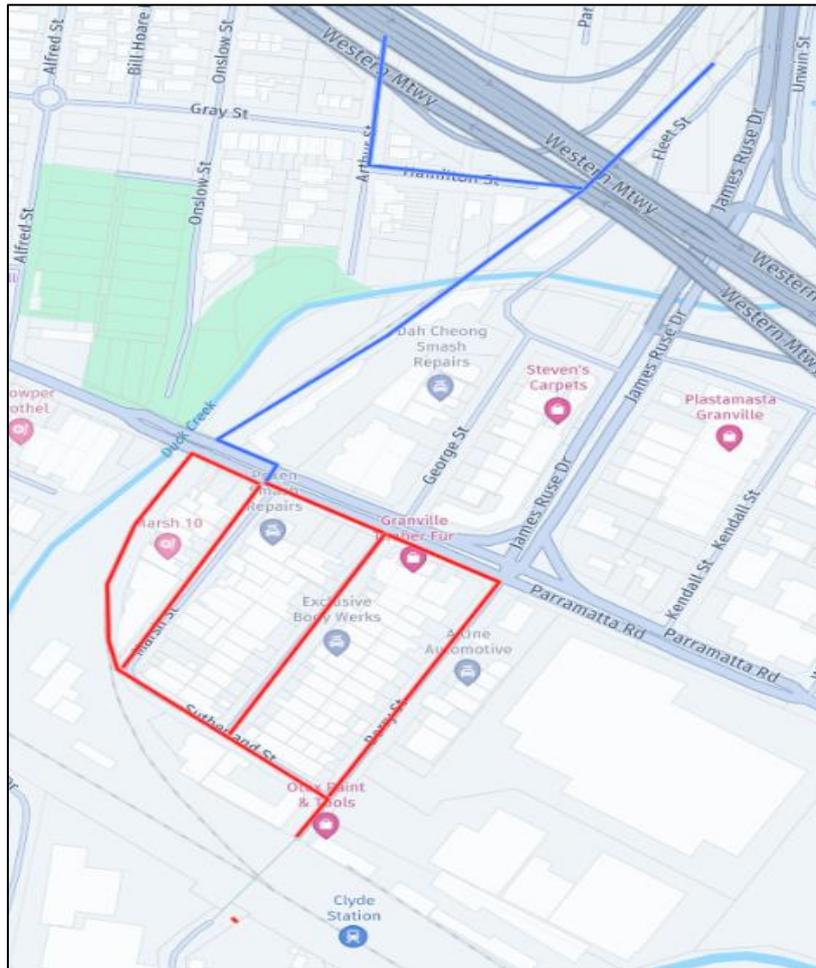


Figure 2: Scope of Wilderline to Duck River (BLUE is concept design, RED is feasibility options)

5. The T6 between A'Beckett's Creek and Parramatta Road is currently unused and left untended. The proposed 6m wide shared path would include lighting and potential landscaping as per Figure 3 below.



Figure 3: Artist's impression of Wilderline (existing and proposed) looking north from Parramatta Road

6. Between the M4 Shared Path and the T6, the only route that would be step free is along Arthur and Hamilton Street. It is proposed to re-purpose unused car parking spaces on Arthur Street to deliver high quality pedestrian and cyclist paths as per Figure 4. According to comprehensive parking surveys within 100m of the project, there are 108 available spaces with a peak use of 55. Therefore the 28 spaces on Arthur Street proposed to be re-purposed can be easily

accommodated. The three houses that front the proposed paths all have off street parking with garages. Detailed plans are available at **Attachment 1**.



Figure 4: Arthur Street and Hamilton Street.

7. Between Parramatta Road and the ramps of Clyde Station there were 6 possible alignments. This precinct is highly constrained, the most significant challenges are:
 - The narrow streets with approval for 25m B-doubles,
 - Road access is solely via Parramatta road with two signalled intersections allowing right turns: Berry Street (in) and Marsh street (out).
 - The need for local businesses to provide parking for their customers and conduct their business.

8. A total of 6 routes were tested:
 - The rail corridor
 - Marsh Street (west)
 - 3 options on George Street (east / west / west with indented for additional parking)
 - Berry Street (west)

9. A detailed analysis of the impacts and customer outcomes is provided at **Attachment 2**. The feasibility study identified the Rail line and Berry Street as the only plausible routes, however the Rail line had more risks (Sydney Trains approvals, greater impact on business parking, turning paths at Sutherland / Marsh corner). Therefore a detailed concept was prepared for exhibition using Berry Street as per Figure 5 (a higher resolution is provided at **Attachment 1**) as

10. The following stakeholder consultation has been undertaken in relation to Wilderline to Duck River:

Date	Stakeholder	Stakeholder Comment	Council Officer Response	Resp.
23 February 2023	DPHI and TfNSW (Corridors)	No objection is raised to Council investigating and exhibiting the Wilderline.	Noted	City Strategic Planning
7 November 2023	Active Transport Advisory Committee	ATAC were presented with the concept plans and invited comment.	The ATAC will have additional opportunity to comment during exhibition.	City Strategic Planning
6 February 2024	Access Advisory Committee	Questions about contamination.	The project assumes the area will be contaminated and will be delivered by building up with minimal excavation.	City Strategic Planning

Councillor Consultation

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

Date	Councillor	Councillor Comment	Council Officer Response	Resp.
18/12/2023 (update email)	Rosehill Ward Clrs	No comments	Noted	City Strategic Planning
13/9/2023 (meeting)	Rosehill Ward Clrs	Not ideal to re-purpose parking, but there is surplus Berry Street as the preferred alignment is supported.	Noted	City Strategic Planning

LEGAL IMPLICATIONS FOR COUNCIL

12. There are no legal implications foreseen arising from public exhibition of the proposed plan.

FINANCIAL IMPLICATIONS FOR COUNCIL

13. There are no unbudgeted financial implications for Council's budget as the concept design has been funded from an existing grant allocation from TfNSW of \$78,250. The public exhibition will be funded from the grant allocation.

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 |  | Wilderline to Duck River - Concept Plans | 6 Pages |
| 2 |  | Wilderline to Duck River - Community Information Package | 15 Pages |

REFERENCE MATERIAL



Fig. 2
 City of Parramatta Council
 10 Resident Street Chippendale NSW 2008
 P. 02 9561 9000
 E. info@completeurban.com.au
 AIN - 64 100 037 912

REVISIONS		Drawn	Date
Issue	Revisions/Descriptions		
E	REVISED CONCEPT DESIGN	SM	23.01.24
D	REVISED CONCEPT DESIGN	SM	18.01.24
C	CONCEPT DESIGN	MJ	05.12.23
B	CONCEPT DESIGN	MJ	24.10.23
A	CONCEPT DESIGN	MJ	10.10.23

SURVEY DATA		
Horiz. Datum	Vertical Datum	Level Block

Scale: A1 - Scales before reduction

Dimensions shown in metres except where shown otherwise

COUNCIL APPROVAL

Approved by: _____

(FOI)

Date: _____

Drawing Status: **CONCEPT DESIGN**

COMPLETE

COMPLETE URBAN
10 RESIDENT STREET CHIPPENDALE NSW 2008
P. 02 9561 9000
E. INFO@COMPLETEURBAN.COM.AU
AIN - 64 100 037 912

Revit issue by

sim

Sparkman Moseop Michaels
15 Foster Street
Sydney NSW 2010
02 9561 4548
info@simgroup.com.au

CITY OF PARRAMATTA COUNCIL
DUCK RIVER, CLYDE
M4 BIKE PATH TO NEW
GLASGOW PARK
CONCEPT DESIGN

Drawn	Name	Date
SM	MJ	05.12.23
Disigned	MJ	05.12.23
Checked	NP	05.12.23
Project No.	Drawing No.	Rev.
3517	C-C-001	E



File: C:\Users\parramatta\Documents\Projects\Wilderline to Duck River\Concept Design\CD\CD-002-001 CONCEPT DESIGN.Plan 05.12.23
 10/10/23 10:10:23 AM

Concrete Pavement	Shared Zone	Tree Proposed
Asphalt Pavement	Existing Car Space Retained	Tree Existing
Unit Paver	Existing Car Space Removed	Tree Removed
Garden Bed	Existing Streetlight	

REVISIONS		Drawn	Date
E	REVISED CONCEPT DESIGN	SMM	23.01.24
D	REVISED CONCEPT DESIGN	SMM	18.01.24
C	CONCEPT DESIGN	MJO	05.12.23
B	CONCEPT DESIGN	MJO	24.10.23
A	CONCEPT DESIGN	MJO	10.10.23

SURVEY DATA

Horiz. Datum	Vertical Datum	Level	Block

Scale: A1 - Scales before reduction

Scale: 0 2 4 6 8 10 12 120

Dimensions shown in metres except where shown otherwise

COUNCIL APPROVAL

Approved By: _____

(FOI) _____

Date: _____

CONCEPT DESIGN

COMPLETE

COMPLETE URBAN
10 REDENT STREET CHIPPENDALE NSW 2008
P: 02 9628 9000
E: INFO@COMPLETEURBAN.COM.AU
ABN: 64 100 037 912

Revised Issue by

Simm

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info@simmgp.com.au

CITY OF PARRAMATTA COUNCIL
DUCK RIVER, CLYDE
M4 BIKE PATH TO NEW
GLASGOW PARK
CONCEPT DESIGN

Name	Date
Drawn: MJO	05.12.23
Designed: MJO	05.12.23
Checked: NP	05.12.23
Project No. 3517	Drawing No. C-C-002
	Rev. E





Fig. 2
 M4 Bike Path to New Glasgow Park
 Prepared by: M4 Design
 Date: 10/10/23

Concrete Pavement	Shared Zone	Tree Proposed
Asphalt Pavement	Existing Car Space Retained	Tree Existing
Unit Paver	Existing Car Space Removed	Tree Removed
Garden Bed	Existing Streetlight	

REVISIONS		
Issue	Revisions/Descriptions	Date
E	REVISED CONCEPT DESIGN	23.01.24
D	REVISED CONCEPT DESIGN	18.01.24
C	CONCEPT DESIGN	06.12.23
B	CONCEPT DESIGN	24.10.23
A	CONCEPT DESIGN	10.10.23

SURVEY DATA		
Horizontal Datum	Vertical Datum	Level
		Block

Scale: 1:250



COUNCIL APPROVAL

Approved by: _____

(FOI)

Date: _____

Drawing Status: **CONCEPT DESIGN**

COMPLETE

COMPLETE URBAN
 10 REDENT STREET CHIPPENDALE NSW 2008
 P: 02 9638 9000
 E: INFO@COMPLETEURBAN.COM.AU
 ABN: 64 100 037 812

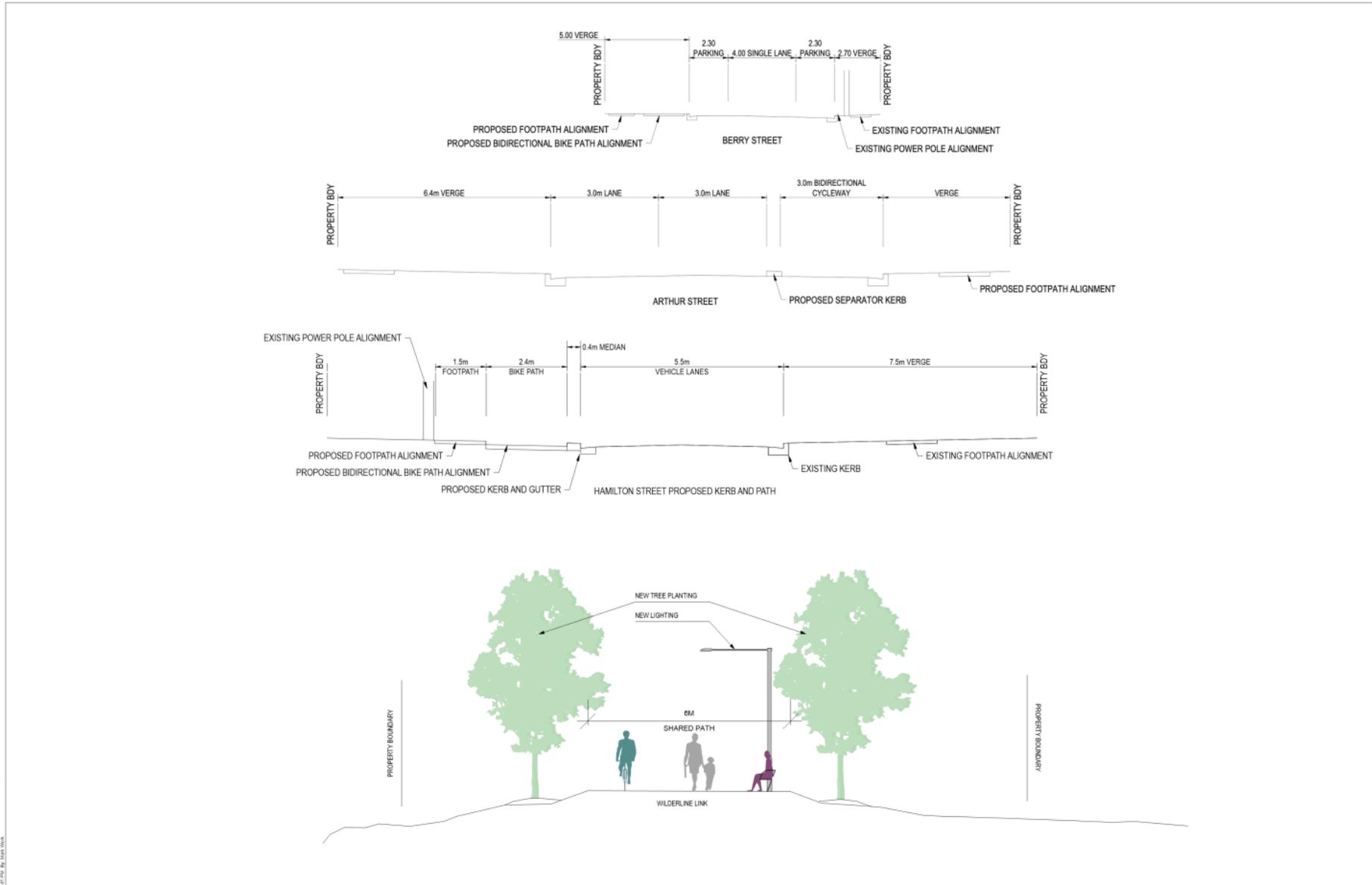
Revised Issue by

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 Sydney Hills 2010
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CITY OF PARRAMATTA COUNCIL
 DUCK RIVER, CLYDE
 M4 BIKE PATH TO NEW
 GLASGOW PARK
 CONCEPT DESIGN

Name	Date
Drawn: MJO	05.12.23
Designed: MJO	05.12.23
Checked: NP	05.12.23
Project No. 3517	Drawing No. C-C-005
	Rev. E



File 2
 C:\p\2017\135 Duck River\Design\135-C-010-001 CONCEPT DESIGN.dwg Plotted 23/08/18 4:12:52 PM by 1351111

REVISIONS		SURVEY DATA		COUNCIL APPROVAL		COMPLETE		sim		CITY OF PARRAMATTA COUNCIL DUCK RIVER, CLYDE M4 BIKE PATH TO NEW GLASGOW PARK	
Issue	Revisions/Descriptions	Drawn	Date	Horiz. Datum	Vertical Datum	Level Book	Approved by		Spartan Mascop Michaels 15 Fowler Street Sunny Hills 2010 02 9061 4548 info@simgroup.com.au		Name
E	REVISED CONCEPT DESIGN	SMM	23.01.24				Date:		Project No.		Date
D	REVISED CONCEPT DESIGN	SMM	18.01.24				(FOI)		Drawing No.		Date
C	CONCEPT DESIGN	MJO	05.12.23				Date:		Rev.		Date
B	CONCEPT DESIGN	MJO	24.10.23				Date:		3517 C-C-010		Date
A	CONCEPT DESIGN	MJO	10.10.23				Date:		E1		Date



Wilderline to Duck River Community Information Package

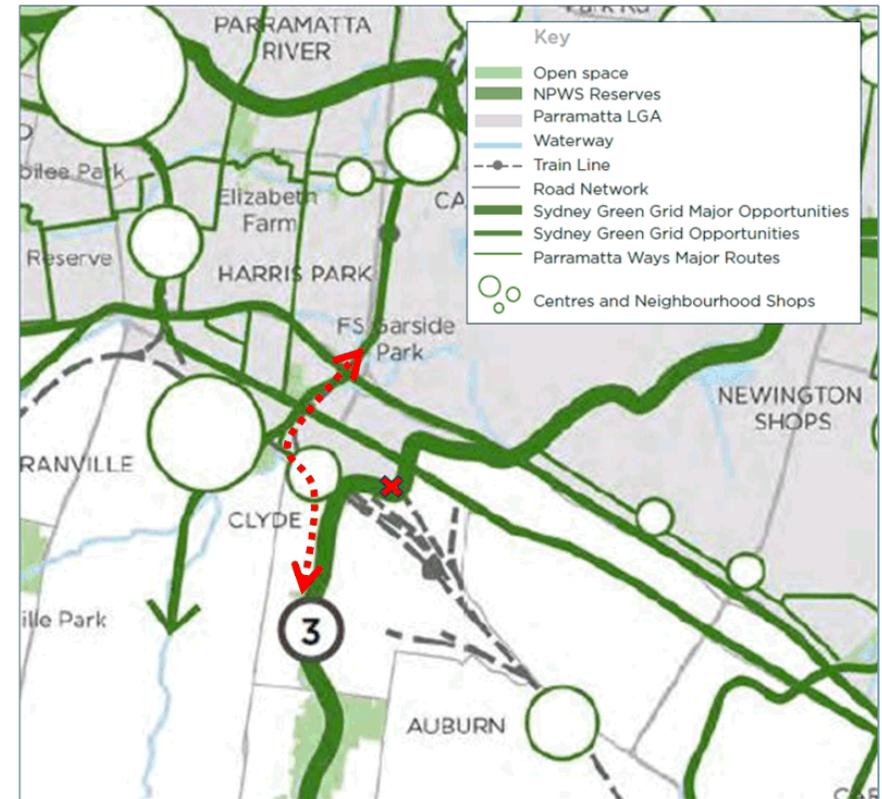
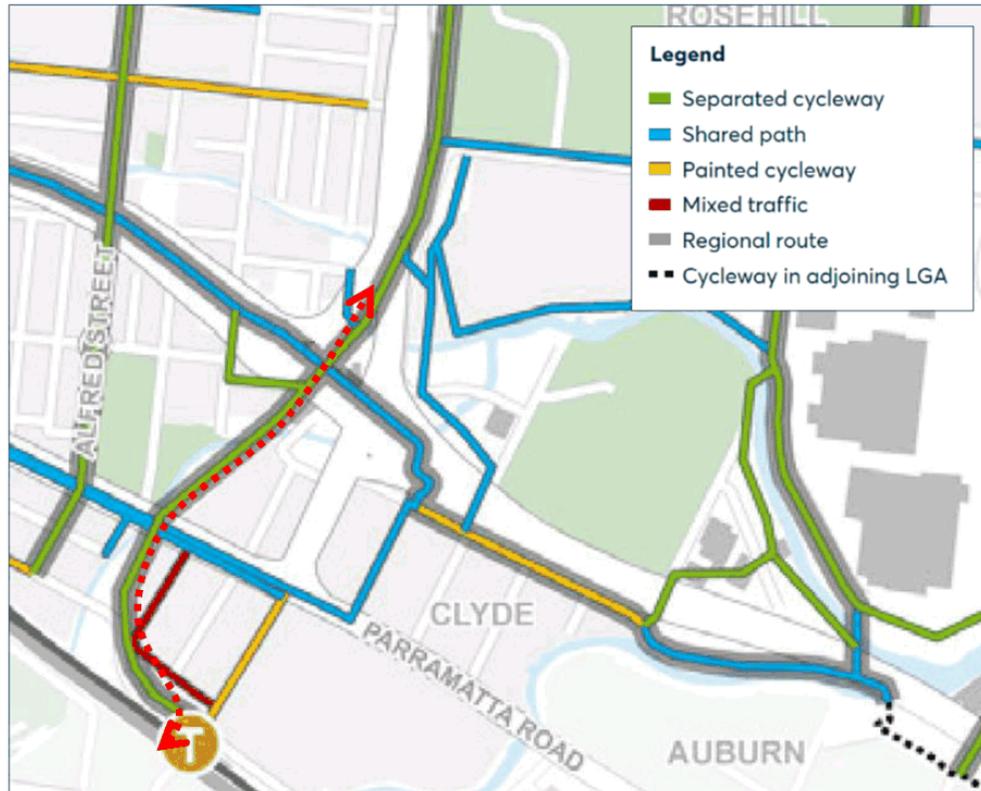
Strategic Context

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Strategic Context - Local

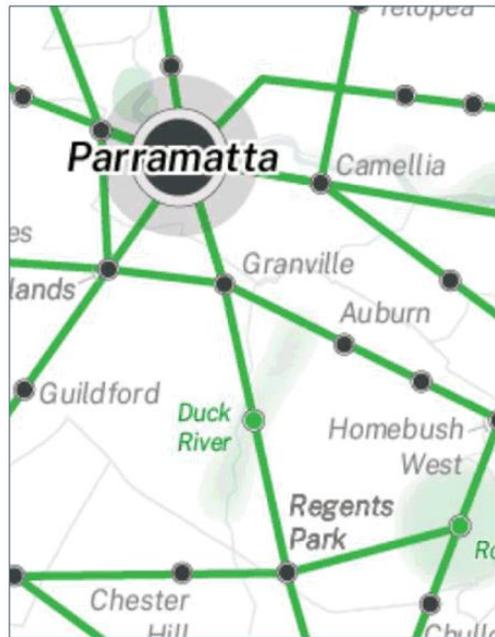
- Draft Bike Plan 2023 and Parramatta Ways

Note that Duck River from the M4 to the Rail line (as shown on Parramatta Ways) is currently impassible



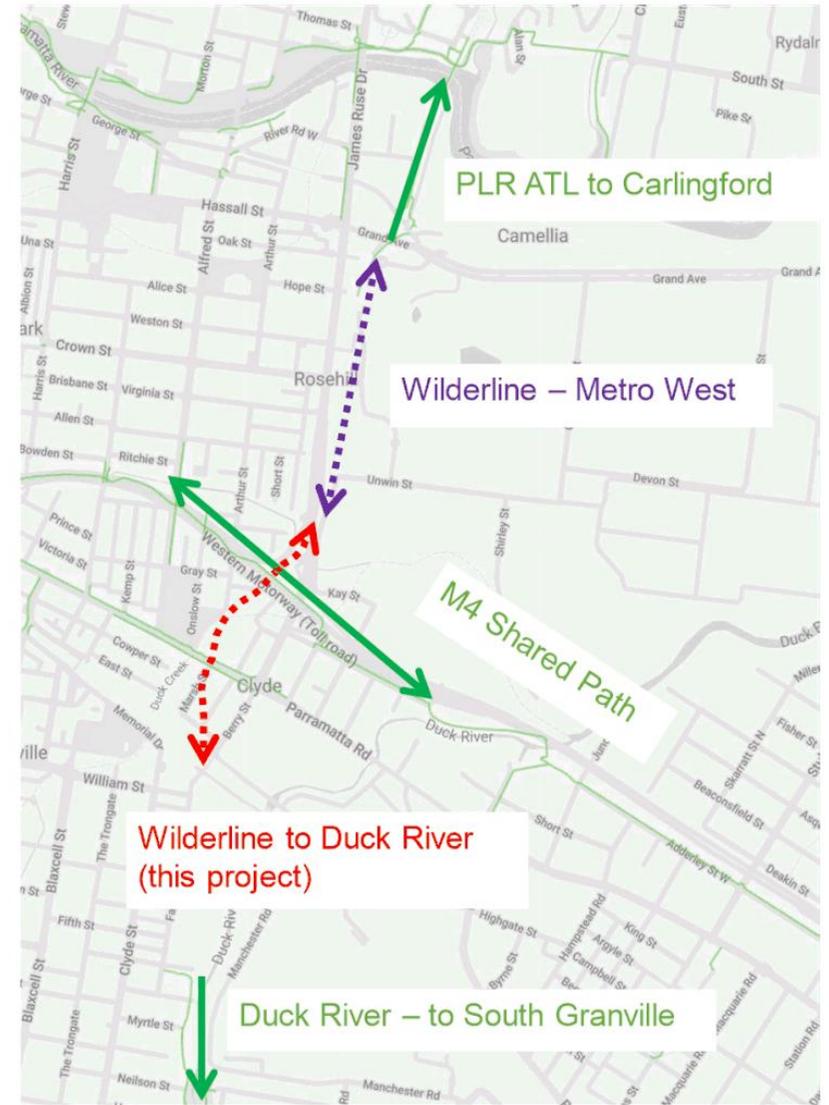
Strategic Context - State

- Regional Cycling Corridor and Regional Green Grid.
- Connects Wilderline (T6) to M4 Shared Path and onwards to Duck River South (Cumberland).



2. DUCK RIVER CORRIDOR

The Duck River tributary flows from Bankstown north to the Parramatta River. The floodplain is occupied by large amounts of open space and provides a number of sporting facilities for the neighbouring communities in Granville, Auburn and Bankstown. This projects aims to build on the existing open space assets along Duck River to establish the corridor as a regional destination with improved recreational open space, ecological enhancement and stormwater treatment. It will also create a continuous walking and cycling link north-south connecting Parramatta, Camellia and Olympic Park to Granville, Auburn, Chullora, Regents Park, Sefton and Bankstown.



Parameters

- Must meet TfNSW objectives, Austroads guidance and Australian Standards.
- Separate pedestrians and cyclists where possible on the main alignment.
- Where possible retain parking spaces, particularly when they are used by local businesses.
- Retain existing trees where possible and identify opportunities for new trees.
- Minimise kerb, utilities and stormwater adjustments.
- Retain existing traffic circulation where possible.
- Be a net positive contributor to the public domain.
- Retain current heavy vehicle access to Clyde precinct.
- Propose mutually beneficial and self-reinforcing Local Area Traffic Management solutions.

Concept Plans



Northern Section - Wilderline

- Asphalt path with steel edging
- Lighting
- Amenity planting and landscaping – exact scope TBC contamination investigation.



Northern Section - Wilderline to M4 Shared Path

Arthur Street

- Raised priority crossing for M4 Shared Path.
- New footpath in eastern verge.
- Re-purpose parking for bike path.

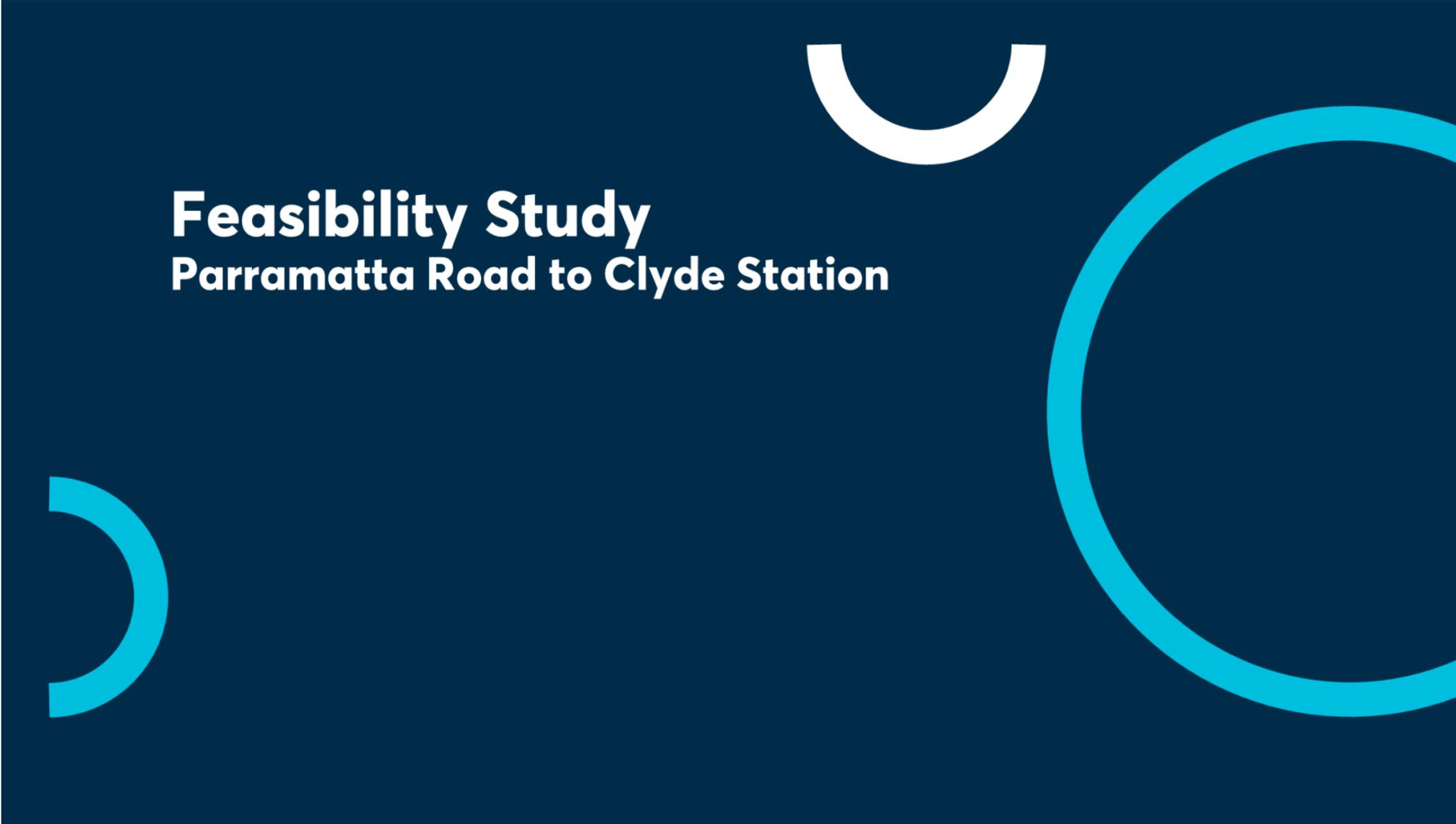
Hamilton Street

- Footpath and bike path wholly within verge.

Parking Counts

- Total of 108 spaces available within 100m.
- Peak use is 54 on weekday, 58 on weekend.
- Peak use on Arthur Street is 43 out of 77.
- Proposing to re-purpose 28 spaces on Arthur Street for path.
- Enough capacity with 49 remaining on Arthur Street (exclusive of any other street).



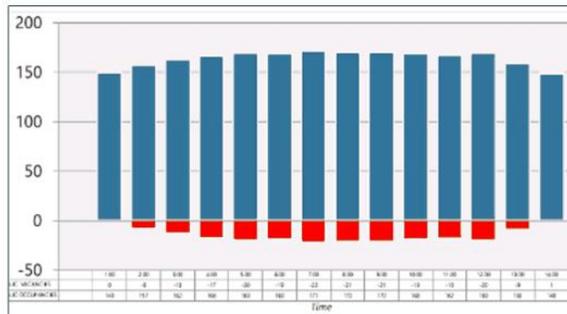


Feasibility Study

Parramatta Road to Clyde Station

Clyde

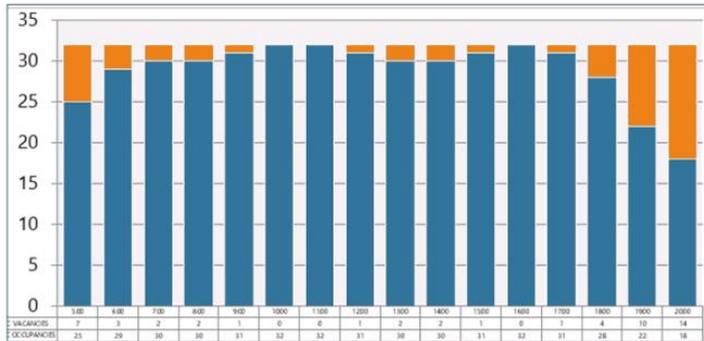
- Narrow streets.
- Variable lots.
- Parking and verge frequently parked out by vehicles.
- Constrained access (Berry in, Marsh out, no right turns at George / Parramatta).
- Multiple alignments tested.
- Approved B-double route Berry -> Sutherland -> Marsh.
- Limited opportunities for amenity planting



Parking utilisation in the precinct

Rail line – feasible – but not preferred

- No street crossings.
- Doubles back at Parramatta Road, but coherent alignment.
- Would need special exemption from Sydney Trains due to proximity to tracks.
- Likely raised boardwalk, squeezed to 2.5m at south.
- Corner of Sutherland / Marsh may be too tight for B-doubles.
- Requires re-purposing parking on Sutherland entirely (15 spaces), or make one way westbound Berry to George (only remove 8 spaces).

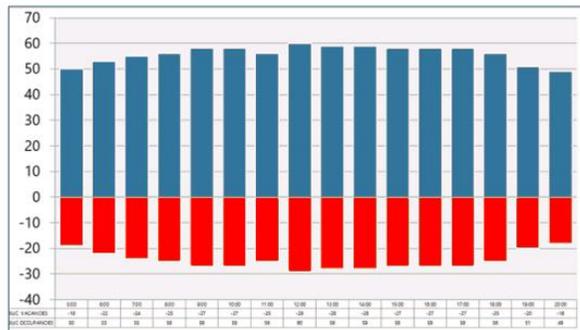


Sutherland Street parking utilisation



Marsh Street – not feasible

- Most coherent route for pedestrians and cyclists to follow.
- No street crossings.
- Greatest scale of verge parking.
- High vehicle volumes as all vehicles must exit at Marsh St.
- Corner of Sutherland / Marsh may be too tight for B-doubles.
- Marsh would need the following changes:
 - one way northbound and remove parking on one side (15 spaces).
 - And remove parking (15 spaces) on Sutherland, or make one way westbound Berry – George (8 spaces).
- Alternative is a shared path in verge of Marsh but numerous parked cars, no space for amenity planting.

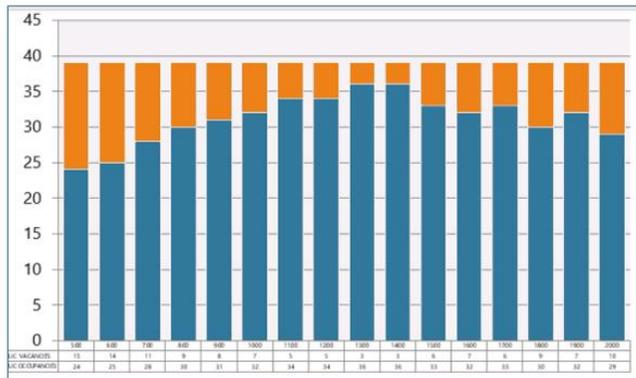


Parking utilisation on Marsh Street



George Street- not feasible

- Very narrow verges.
- George cannot be made one way due right turn restrictions at Parramatta Road.
- Would need to remove one side of parking (19 spaces – less for indented option) and even then travel lanes will be too narrow.
- Least coherent for pedestrians and cyclists with no 'line of sight' to destination in the middle of the route.
- Limited opportunities for amenity planting.
- If Sutherland retained two way, will be parking impacts.
- If Sutherland one way between Berry Street and George Street, parking loss will be limited.

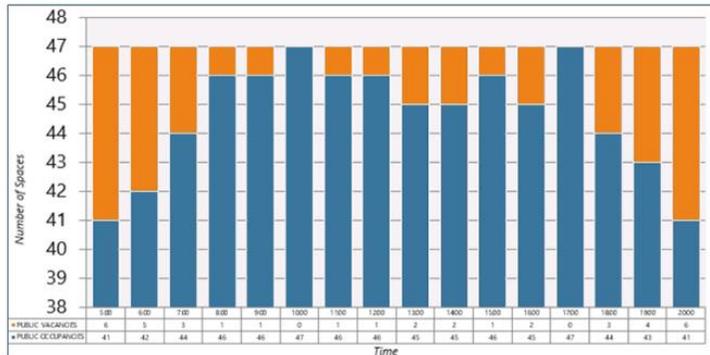


George Street parking utilisation

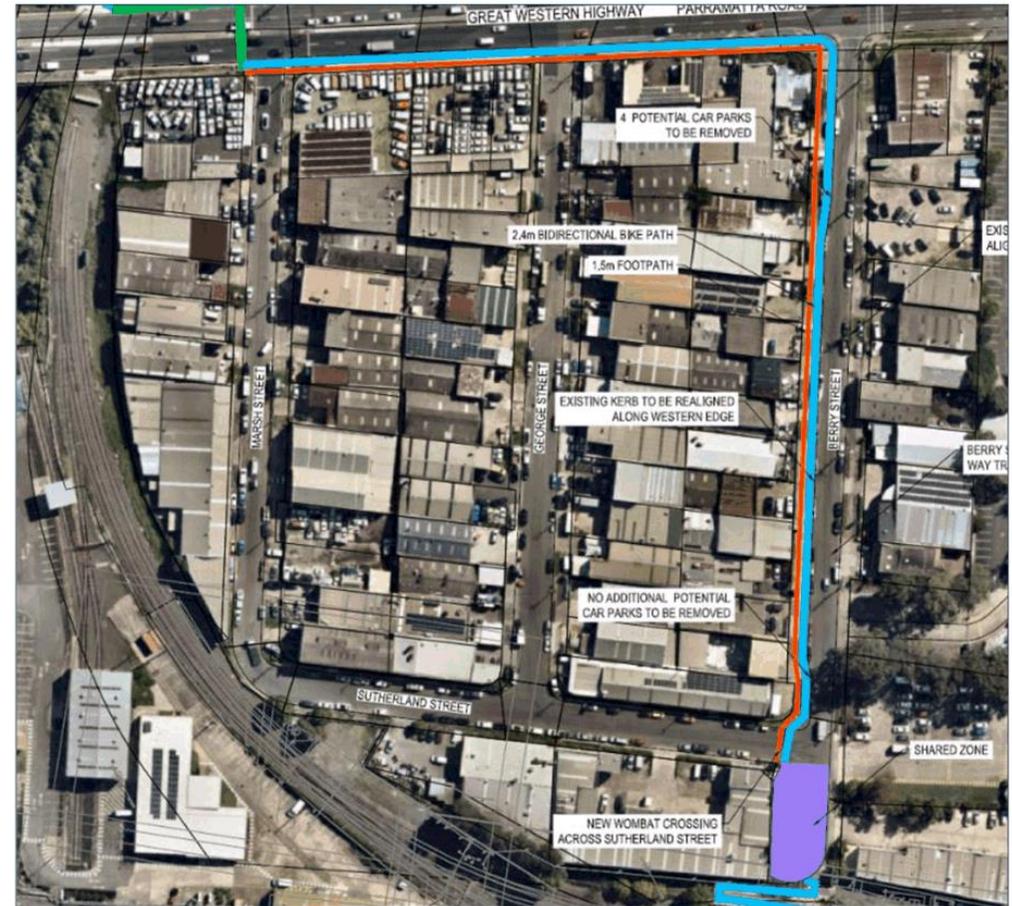


Berry Street – feasible – preferred alignment

- Most road crossings (3).
- Aligns with existing M4 connection to Kendall Street on north-east.
- Less vehicles parked on the kerb.
- Two parking spaces removed at south to allow for large vehicle access to warehouses.
- One parking space on Sutherland removed for no stopping adjacent to priority crossing.
- Western property boundary very consistent
- Currently one way southbound, therefore existing circulation could be retained along with parking both sides most of the length.

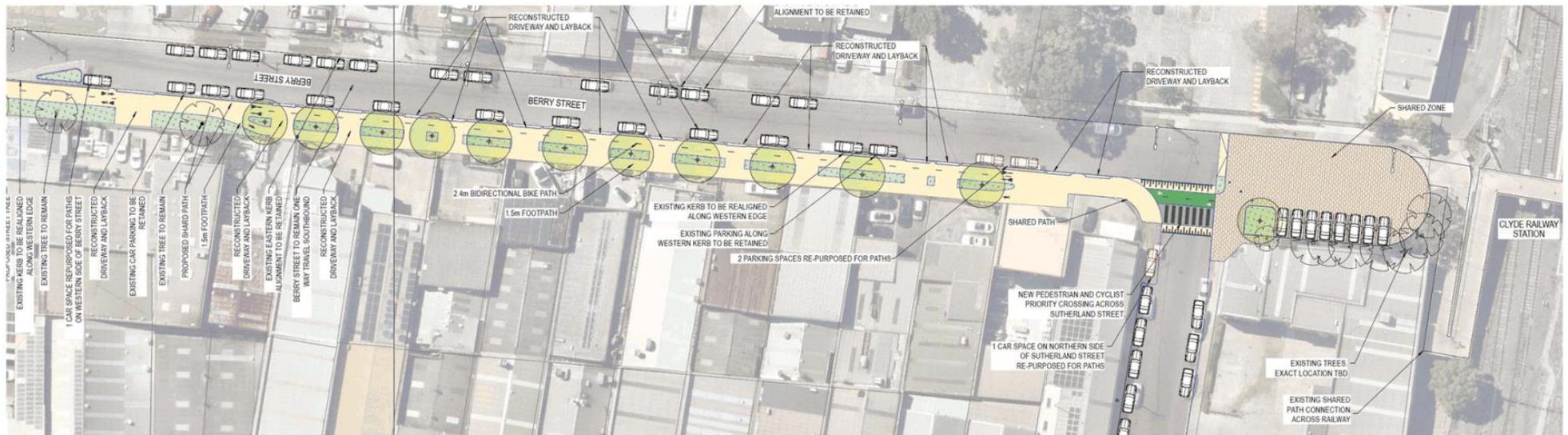


Berry Street parking utilisation



Berry Street – Preferred - Detailed Concept Plan

- Two spaces re-purposed at south for B-double access to warehouses.
- Two vehicles could park in shadow of blister at north, now one.
- One sapce re-purposed on Sutherland Street to meet no stopping requirements for crossing.
- Bottom end of Berry Street converted to shared zone and existing parking spaces retained.



NOTICES OF MOTION

11 MARCH 2024

14.1	Report on Council's Community Spaces.....	156
14.2	Unsolicited Proposal by the Australian Turf Club - Proposed Sale and Redevelopment of Rosehill Racecourse	160

NOTICE OF MOTION

ITEM NUMBER	14.1
SUBJECT	Report on Council's Community Spaces
REFERENCE	F2024/00282 - D09340520
FROM	Councillor Kellie Darley

MOTION

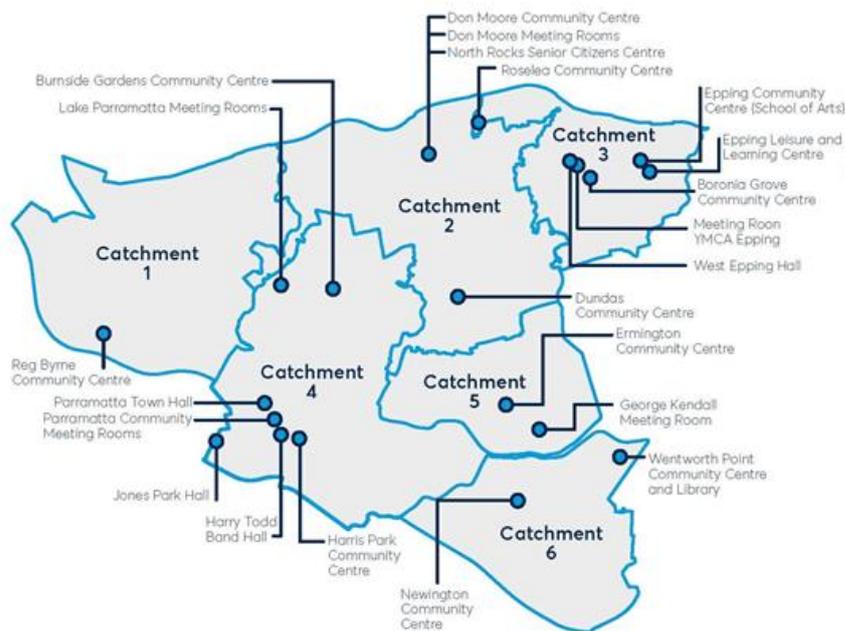
- (a) That the CEO prepare a report for Council on the current provision, utilisation and condition of community spaces (halls, meeting rooms and centres) provided by Council as well as outline plans to increase the amount of community space to meet the benchmark for our population and improve the quality of current community spaces, including but not limited to:
- Current comparison of the provision of community space (m2 per 1,000 people) by City of Parramatta Council compared with other similar Councils,
 - Average number of hours each community space is booked and vacant on weekdays and weekends,
 - Utilisation rates of Council's community spaces by regular or one-off bookings,
 - Accessibility levels at each of Council's community spaces,
 - Level of IT facilities at each of the community spaces,
 - Availability of a baby change table that can be accessed by men and women at each of the community spaces.
- (b) That the CEO investigate the creation of a community space grants program whereby community organisations and groups can apply for the hire fee to be waived or further discounted, including what other local Council's offer, and provide options and recommendations to Council.

BACKGROUND

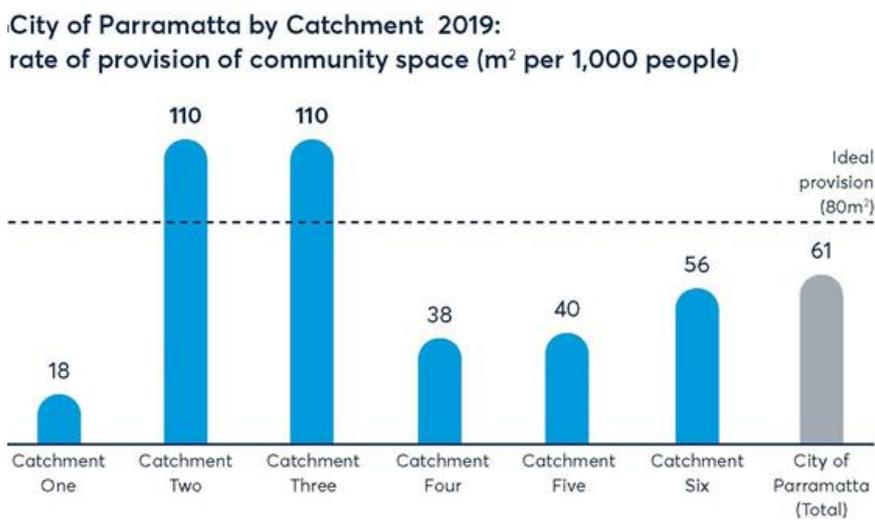
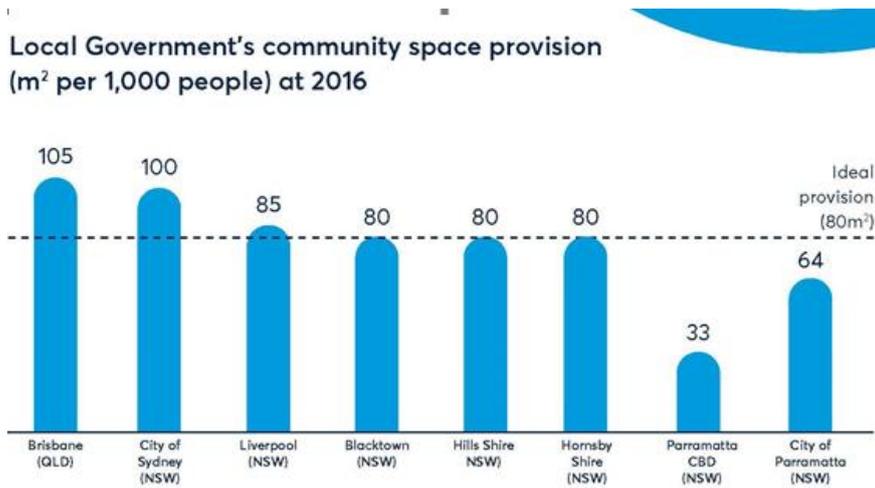
1. Flexible, multipurpose community spaces act as gateways to connect people with each other as well as to services that can provide support and activities that provide fulfilment. They are known as 'third spaces'* that offer safe places for people to gather together and are responsive to the needs of local communities. On top of supporting community connectedness and cohesion, community spaces promote positive health and well-being by providing formal and informal opportunities for community use.
2. Given City of Parramatta is home to an increasingly diverse community, Council's flexible community spaces also play an important role as soft entry points, helping welcome new members of our community.
3. There are different types and scales of community space:
 - Community meeting room: Typically a single room that people can hire to meet their needs.
 - Community centre: A place where people from within a local neighbourhood can come together for social events, educational classes, recreational activities or for drop-in support.

- Community hall: Multipurpose buildings managed by Council for the community. They provide space and facilities for a range of local activities and community services.
 - Community hub: 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 co-located or integrated services such as education, health care and social services. Each hub is as unique as the community it serves.
4. This Notice of Motion focuses on the first three types - community meeting rooms, centres and halls provided by Council across the Parramatta LGA.

2019 City of Parramatta Council Community Space Network



5. In 2020, Council endorsed a Community Infrastructure Strategy which identified that provision of community space fell short of the benchmark for Parramatta's population in 2019 by 6,656m². It also showed that the provision of community space in the Parramatta LGA was below that provided by other Councils, unevenly distributed across our LGA and wasn't necessarily located to match population density.



Community Infrastructure Strategy 2020 129

6. Utilisation rates and the condition of the community halls, meeting rooms and centres appears to vary greatly across the network of 20+ community spaces.
7. Feedback received by community organisations and groups indicates that current pricing of Council's community spaces is price prohibitive and there also seems to be a lack of awareness of the availability of community halls, meeting rooms and centres for hire.

STAFF RESPONSE

8. A response will be provided in a Supplementary Agenda prior to the meeting.

FINANCIAL AND RESOURCE IMPLICATIONS

9. A response will be provided in a Supplementary Agenda prior to the meeting.

Kellie Darley
Councillor

Jon Greig
Executive Director Community Services

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.

NOTICE OF MOTION

ITEM NUMBER	14.2
SUBJECT	Unsolicited Proposal by the Australian Turf Club - Proposed Sale and Redevelopment of Rosehill Racecourse
REFERENCE	F2024/00282 - D09340470
FROM	Councillor Michelle Garrard

MOTION

- (a) That the Lord Mayor or Chief Executive Officer write to the Australian Turf Club (ATC), the NSW Premier, the Hon Chris Minns MP, the Minister for Planning and Public Spaces, the Hon Paul Scully MP, and the Member for Parramatta Donna Davis MP, outlining the City of Parramatta's opposition to the proposed sale of Rosehill Racecourse for the redevelopment of more than 25,000 new homes.
- (b) That the Lord Mayor or Chief Executive Officer write to the Australian Turf Club (ATC), the NSW Premier, the Hon Chris Minns MP, the Minister for Planning and Public Spaces, the Hon Paul Scully MP, and the Member for Parramatta Donna Davis MP, outlining that the City of Parramatta welcomes continuing to work on the Camellia-Rosehill Place Strategy as adopted in August 2022.

BACKGROUND

1. Camellia also is planned to deliver more than 10,000 new homes, the State Government's 25,000 new homes for Rosehill is on top of the 10,000 already planned in the area meaning a total of 35,000 homes planned. Refer to the Camellia-Rosehill Place Strategy.
2. Rosehill Racecourse aka Rosehill Gardens should be heritage listed. Rosehill Gardens should be protected and should not be sacrificed for urban development.
3. Land at Rosehill had been purchased by John Bennett in 1883 with the view to building a racecourse. He set up the Rosehill Racing Club (RRC), which later became the Rosehill Racecourse Company. By 1885 the racecourse at Rosehill was finished, built at a total cost of £17,000.
4. Taken from the online petition:
Historical Significance: Rosehill Gardens is not merely a racecourse; it is a living archive of Australia's racing history. Closing its gates would erase a significant chapter of our cultural heritage, leaving future generations devoid of the profound experiences that this venue has provided.
Community Heart: Beyond racing events, Rosehill Gardens serves as a vibrant community hub, fostering social connections and shared experiences. Its closure would create a void in our local community, impacting businesses and diminishing the quality of life for residents.
Economic Impact: Rosehill Gardens contribute substantially to the local economy, supporting jobs, businesses, and tourism. The loss of this historic venue would not only affect the racing industry but also have far-reaching consequences for various sectors intertwined with its events.

Cultural Symbol: Rosehill Gardens stands as a cultural symbol, uniting people from diverse backgrounds in the shared passion for horse racing. The demolition of this venue would represent the loss of a unifying force that has brought joy and excitement to countless individuals.

5. **Camellia-Rosehill Place Strategy**

[Camellia-Rosehill | Planning \(nsw.gov.au\)](#)

The Camellia-Rosehill Place Strategy has been finalised and will guide renewal of the precinct over the next 20 years.

The draft Place Strategy was exhibited for public comment from 17 December 2021 to 4 March 2022.

We've responded to exhibition feedback by making a number of changes, including increasing the amount of public open space and making it easier to get to.

Find out more about how we have responded to feedback by reading the Finalisation Report. You can see all the final documents on the [NSW Planning Portal](#).

The Place Strategy is a plan for:

- a thriving town centre with an 18-hour entertainment precinct
 - up to 15,400 jobs
 - 10,000 new homes supported by infrastructure and new public open spaces
 - improved transport connections including light rail, road upgrades and cycling and pedestrian paths
 - opening up the Parramatta River foreshore and making it a centre of community activity
 - enabling a new urban services precinct and retention of heavy industrial land that will ensure Camellia-Rosehill advances in its role as an employment powerhouse for Sydney and NSW.
6. The Place Strategy does not rezone land. A Ministerial Direction requires any future planning proposals for the precinct to be consistent with the Place Strategy.



Artist Impression from Place Strategy

STAFF RESPONSE

1. A response will be provided in a Supplementary Agenda prior to the meeting.

FINANCIAL AND RESOURCE IMPLICATIONS

2. A response will be provided in a Supplementary Agenda prior to the meeting.

Michelle Garrard
Councillor Garrard

Jennifer Concato
Executive Director City Planning and Design

John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.

QUESTIONS WITH NOTICE

11 MARCH 2024

- 15.1 Funds and Voluntary Planning Agreements Remitted to Council After the 2016 Council Amalgamations - Wentworth Point 164
- 15.2 Questions taken on Notice at the 26 February 2024 Council Meeting.. 165

QUESTIONS WITH NOTICE

ITEM NUMBER	15.1
SUBJECT	Funds and Voluntary Planning Agreements Remitted to Council After the 2016 Council Amalgamations - Wentworth Point
REFERENCE	F2024/00282 - D09340234
FROM	Deputy Lord Mayor Clr Dr Patricia Prociv

QUESTIONS

1. What Voluntary Planning Agreements for Wentworth Point, if any, were transferred from Auburn Council to the City of Parramatta Council at amalgamation?
2. Did Council receive from the State Government any monetary contributions or assets for Wentworth Point?
3. Please provide the value of the monetary (or other) contributions, how they were spent, and the assets delivered for Questions 1 and 2 above.

Executive Director, City Planning & Design and Executive Director, Finance & Information response:

A response will be provided in a Supplementary Agenda prior to the meeting.

Patricia Prociv
Deputy Lord Mayor Clr Dr Patricia Prociv

Jennifer Concato
Executive Director City Planning and Design

John Angilley
Executive Director Finance & Information

Gail Connolly
Chief Executive Officer

ATTACHMENTS:

There are no attachments for this report.

QUESTIONS WITH NOTICE

ITEM NUMBER	15.2
SUBJECT	Questions taken on Notice at the 26 February 2024 Council Meeting
REFERENCE	F2024/00282 - D09345241
REPORT OF	Council Secretariat & Policy Officer

QUESTIONS TAKEN ON NOTICE

The questions taken on notice at the 26 February 2024 Council Meeting, and the staff response to the questions will be provided in a Supplementary Agenda prior to the meeting.

ATTACHMENTS:

There are no attachments for this report.

REFERENCE MATERIAL