

## Planning Proposal Request for 459 Merrylands Road, Merrylands

Responsible Division: Environment and Infrastructure  
 Executive Officer: Manager Strategic Planning  
 File Number: HC-23-08-32  
 Delivery Program Code: 5.1.1 Oversee the land use planning, design and compliance framework for managing and facilitating appropriate development.

Proposal Details	
Application lodged	19 April 2016
Applicant / Proponent	Saint Raymond Charities of Hadchite Inc
Owner	Saint Raymond Charities of Hadchite Inc
Description of Land	459 Merrylands Road Merrylands Lot W DP391056
Property Description	Property area of 284m <sup>2</sup> The property has a narrow frontage deep lot adjacent to other shops. The property is developed with a single storey shop fronting the street with residence at the rear.
Existing Zoning	Land use zoning: R3 Medium Density Residential
Proposal Request summary	Request received seeking to enable additional permitted uses on the site, namely <i>'take away food and drink premises'</i> ; <i>'restaurant or café'</i> ; and <i>'business premises'</i> . Additional permitted uses are listed in Schedule 1 of the Holroyd Local Environmental Plan (LEP) 2013.
Recommended outcome	To proceed with only the additional permitted use of <i>"take away food and drink premises"</i> .
Heritage	Not applicable
Disclosure of political donations and gifts	Nil
Previous Considerations	nil

### Summary:

Council has received a Planning Proposal Request to permit three (3) specified additional land uses on the site of 459 Merrylands Road, Merrylands, as Additional Permitted Uses, under the Holroyd Local Environmental Plan 2013 (LEP) Schedule 1. The outcome sought through these additional permitted uses is to allow, with development consent, the continued operation of the existing take away food shop on the property. Council has considered the background to the request and assessed the merit of each of the requested additional permitted uses.

At its meeting of 14 September 2016, the Cumberland Independent Hearing and Assessment Panel (CIHAP) considered a report on the Planning Proposal Request for

459 Merrylands Road, Merrylands. The CIHAP resolved to recommend to Council that a Planning Proposal be prepared for the Additional Permitted Use of “*take away food and drink premises*” only.

The purpose of this report is to formally progress the CIHAP recommendation and seek Council resolution to prepare a Planning Proposal for the recommended (single) Additional Permitted Use on the property which will be forwarded to the Department of Planning and Environment for Gateway Determination.

### **Report:**

#### ***Background***

A Planning Proposal Request was lodged with Council by Saint Raymond Charities of Hadchite Inc, as property owner of the subject land at 459 Merrylands Road Merrylands. The request sought approval for three specified land uses to be listed as Additional Permitted Uses (APU) for the property on Schedule 1 of the Holroyd Local Environmental Plan (LEP) 2013. The three additional uses sought were (i) *take away food and drink premises* (ii) *restaurant or café*, and (iii) *business premises*, per their definitions under the Holroyd LEP 2013.

Under the current R3 Medium Density Residential zoning applicable to the property, the current use of the property for a “*take away food and drink premises*” is prohibited. The inclusion of the additional permitted use/s for this property would enable the current use to be classed as permissible with development consent.

In January 1989 Council issued a Development Consent for the use of the property as pizza shop, including home delivery service, for a trial period of 12 months after which a further application would be required to continue operating the business. Council records do not indicate an application being received for the continuation of the business. The shop is currently open for business and therefore has been operating without consent. As such the property is not considered to have existing use rights.

Council has assessed the request for the three (3) additional permitted land use types, including the background to and current use of the property for a take away food outlet, the merit of each proposed additional use type, the potential traffic, economic and social impacts, and the compatibility of the additional uses with the current residential zoning of the area. Following that assessment, it was considered that the additional use of “*take away food and drink premises*” could be supported, while the two other proposed additional uses were deemed as not appropriate for this specific case.

#### ***Cumberland Independent Hearing & Assessment Panel (CIHAP)***

The Cumberland Independent Hearing & Assessment Panel (CIHAP) (the Panel) has delegation to make recommendations on Planning Proposals for Council’s consideration. As the requested Additional Permitted Use/s would require an amendment to the Holroyd LEP 2013, specifically to its Schedule 1 and maps, a Planning Proposal for that amendment would be required.

At the meeting of 14 September 2016, the Panel considered report C020/16 *Planning Proposal Request for 459 Merrylands Road Merrylands*. The report provided the

background of the existing take away food outlet operating on the site, and the assessment of the three requested additional permitted uses. A copy of this report is provided at Attachment 1.

The CIHAP resolved to recommend to Council that the proposed Additional Permitted Use of *'take away food and drink premises'* only, with limitations on the maximum floor area of the premises, be progressed by way of a Planning Proposal to be forwarded to the Department of Planning and Environment for Gateway Determination. The CIHAP also recommended that Council seek to exercise its plan making delegation for this Planning Proposal. A copy of the minutes relevant to the report is provided at Attachment 2.

#### **Conclusion:**

A Planning Proposal request for 459 Merrylands Road Merrylands has been received by Council. The request seeks to include three Additional Permitted Uses, as an amendment to the Holroyd LEP 2013, to the site to allow the continued operation of the existing take away shop. A merit assessment of the request was undertaken and recommended that only the additional permitted use of *"take away food and drink premises"* be progressed.

The request was reported to the CIHAP on 14 September 2016. The CIHAP resolved to recommend to Council that the additional permitted use of *"take away food and drink premises"* be progressed and to prepare a Planning Proposal for that use to be forwarded to the Department of Planning and Environment for Gateway Determination.

#### **Consultation:**

There are no immediate consultation processes for Council associated with this report. However, following a Gateway Determination from the Department of Planning and Environment to progress the matter, the Planning Proposal and associated documentation would be placed on public exhibition, including community consultation, for four (4) weeks.

#### **Next Steps**

Upon Council resolution of the recommendations of this report, Council will prepare the Planning Proposal for the Additional Permitted Use on the Site and forward that Planning Proposal to the Department of Planning and Environment for Gateway Determination.

#### **Financial Implications:**

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

#### **Policy Implications:**

The finalisation of the Planning Proposal would require an amendment to the Holroyd Local Environmental Plan (LEP) 2013, specifically of Schedule 1 and the Additional Permitted Uses Map.

**Communication / Publications:**

There are no communication / publications implications for Council associated with this report. There would be future publications implications associated with the community consultation of the Planning Proposal following the Gateway Determination.

**Report Recommendation:**

That:

- i) Council forward a Planning Proposal to the Department of Planning and Environment for Gateway Determination to amend Schedule 1 of the Holroyd LEP 2013 by including the following item:

*“17. Use of certain land at 459 Merrylands Road, Merrylands.*

- a) This clause applies to land at 459 Merrylands Road, Merrylands, being Lot W, DP391056, identified as “APU 17” on the Additional Permitted Uses Map.*  
*b) Development for the following purposes is permitted with development consent:*  
*(i) take away food and drink premises.*  
*c) Any development identified in sub clause (2) is limited to a maximum floor area of 100m<sup>2</sup>.”*

- ii) The Additional Permitted Uses map in Holroyd LEP 2013 be amended accordingly.
- iii) Council advise the Department of Planning and Environment that it wishes to exercise its plan making delegations for the planning proposal.
- iv) A further report be provided to Council following the exhibition of the Planning Proposal, post Gateway.

**Attachments:**

4. CIHAP report C020/16 Planning Proposal Request for 459 Merrylands Road, Merrylands for meeting of 14 September 2016.
5. Minutes of CIHAP meeting 14 September 2016 for report C020/16 Planning Proposal Request for 459 Merrylands Road Merrylands.

**Minutes of the Ordinary Council of Cumberland held at Auburn Civic Centre, 1 Susan Street, Auburn on Wednesday, 2 November 2016.**

**PRESENT:**

The Administrator, Viv May PSM

**IN ATTENDANCE:**

Malcolm Ryan – Interim General Manager, Hamish McNulty – Deputy General Manager, Environment & Infrastructure and Shane Wells – Group Manager Media and Communications.

**ALSO IN ATTENDANCE:**

Monica Cologna, Nalini Datt, Adan Davis, Richard Sheridan and Michael Wearne.

Min. 150      The meeting here opened at 6.00 p.m.

Min. 151      **OPENING PRAYER:** The opening prayer was here read by the Rev. Graham Guy.

Min. 152      **CONFIRMATION OF MINUTES:**

Note: Ms. Margaret Chapman addressed the meeting on this item.

Moved and declared carried by the Administrator that the Minutes of the Ordinary Council Meeting held on 5 October 2016 be confirmed, subject to it being recorded in reference to Minute No. 131, that the first paragraph of the response of the Administrator be deleted.

Min 153      **ADMINISTRATOR'S MINUTE:** Cumberland Council Award Win from the International Association for Public Participation

A Minute was read by the Administrator as follows:

*"I have the great pleasure in advising that Cumberland Council has received its first ever award win.*

*Last week, Cumberland Council's education initiative Refugee Camp in My Neighbourhood was announced as the 'Winner' of the Community Development Award 2016 at the prestigious Community Engagement Australasia 2016 Core Values Awards presented by the International Association for Public Participation.*

*As many are aware, the newly amalgamated Cumberland Council area is one of the most culturally diverse Local Government Areas in Australia with residents from more than 150 countries of origin. The area has one the highest populations of refugees and people seeking asylum in Australia - more than 20,000 refugees have settled in the area over the past 25 years. Cumberland is often a place of first settlement for many new arrivals and has the highest number of people awaiting outcomes of their asylum claims in NSW (approximately 4,624).*

*The Refugee Camp in My Neighbourhood project is a powerful and interactive learning experience run since 2014 by Council in collaboration with over 30 local community organisations. The project delivers a simulated tour of a 'refugee camp' that takes participants on a journey exploring some of the challenges and experiences refugees face in their search for safety and trying to access resettlement in another country. The tour has been designed based on the personal stories and lived experiences of over 100 community members from a range of refugee backgrounds.*

*In August this year, I personally had the great privilege of visiting the Camp along with the Hon. Paul Toole MP, Minister for Local Government. We were both highly impressed with the extraordinary level of innovation, engagement and collaboration displayed by Council working alongside the community in the development and delivery of this project.*

*Core to the project's success has been the ongoing engagement of members from former refugee communities and project partners in all aspects of the project, many of whom are here tonight. On behalf of Council, thank you for your contributions to this important project.*

*Since 2014 the project has employed 54 tour guides from 19 different cultural backgrounds - both former refugees and people currently seeking asylum. This year the project grew even further to attract over 3000 visitors from across Cumberland and Greater Sydney.*

*The project has been an outstanding success on many levels, not only winning a host of local government and community awards, but providing an opportunity for refugees to connect with their community, and offering a personal insight into the experiences of refugees and the importance of creating a tolerant and inclusive community for everyone to enjoy.*

*I would like to thank the many community partners in particular Dooleys, organisations and agencies that have worked alongside Cumberland Council to deliver this project. I would also like to acknowledge and thank Council's highly dedicated Community Development staff who have worked tirelessly on this project.*

*Accordingly, I formally move:*

*That Council acknowledge receipt of the Community Development Award 2016 at the Community Engagement Australasia 2016 Core Values Awards for its Refugee Camp in My Neighbourhood Project and the Community Development staff be congratulated on winning this award and demonstrating ongoing excellence in community engagement."*

*Declared Carried.*

Min 154      ADMINISTRATOR'S MINUTE: Plan of Management for Wyatt Park Precinct

A Minute was read by the Administrator as follows:

*"Since becoming the Administrator for Cumberland Council I have been very conscious of the poor condition of many of the Council facilities in Wyatt Park and the run down condition of the park generally.*

*The park provides very significant and valuable green space and recreational facilities for the local and wider communities.*

*While Council is investing considerable funds at the Auburn Ruth Everuss Aquatic Centre which will become a showpiece for the area, the condition of the Youth Centre, Lidcombe Oval and the Basketball Centre leaves much to be desired.*

*I am determined to start the process of upgrading the area during my term as Administrator.*

*To that end I have requested that work on the preparation of a plan of management for the Wyatt Park precinct commence as soon as possible to establish the parameters for the development of quality recreation facilities in the area. In addition I have recently become aware of the fact that the majority of the roof of the basketball centre is comprised of asbestos sheeting. I have therefore also requested that work commence on a project to replace the asbestos sheeting and tidy up the exterior of the building.*

*It is my intention that funding for both of these projects be drawn from the funding remaining from the settlement of the Lehman Brothers matter which amounts to around \$430,400.00. Further reports will be provided to Council following the tender process.*

*I so move this Administrator's Minute."*

Declared Carried.

Min. 155 PUBLIC FORUM:

The following Public Forum question/submission was raised by Mr. Martin Salaverri:

*"I would like to ask a question on behalf of the residents of Berala regarding the unused railway land adjacent to Campbell Street, Berala.*

*It is in regards to the creation of a commuter car park for Railway patrons.*

*There are parking issues in the area with congested street parking as there is currently no commuter car park for Berala station and we would like Council to assist us to address those concerns."*

The following response was provided by the Administrator:

*"Thank you for your question, car parking appears to be a major issue across the Cumberland Local Government Area (LGA). Council is making progress in respect to providing the much needed toilet facilities in the Berala Town Centre with Transport NSW. I would like to arrange a site visit with yourself and Council staff as a picture paints a thousand words before I take the matter up. My staff will be in contact with you to make suitable arrangements."*

Min. 156 PUBLIC FORUM:

The following Public Forum question was raised by Mr. Greg Cummings:

*“In relation to each consultant retained by Cumberland Council since 12 May 2016, please advise as follows:*

- 1. The names of the consultants,*
- 2. The date of their retainers,*
- 3. The project scope of the retainers,*
- 4. The estimated dates for completion of their work, and*
- 5. The cost of the retainers.”*

The following response was provided by the Administrator.

*“Council will comply with its statutory obligations.”*

Min. 157 PUBLIC FORUM:

The following Public Forum question was raised by Ms. Margaret Chapman:

*“Could you please advise if the Holroyd Centre will be included in the Rebranding process as per Council’s Minute No. 097 of its 3 August 2016 Meeting?”*

*Could you please give me further information in respect to what happens with the Rebranding process now that the community workshops have been completed and will the community get further input?”*

The following response was provided by the Administrator.

*“I’ll have to take matter on notice and will respond to you directly.”*

Min. 158 PUBLIC FORUM:

The following Public Forum question was raised by Mr. Luke Ahern:

*“I would like to ask a question on behalf of the residents of Berala and the surrounding areas regarding the proposal to privatise waste collection services for our areas as local ratepayers are concerned of the distinct possibility of increased costs associated with this proposal.”*

The following response was provided by the Administrator.

*“I am not going through all this pain to increase costs and I am determined to improve public domain, streetscape and look of the entire area and further, I plan to implement*



*the policy of removal of dumped rubbish within 1 working day and this is all part of my obligations in that regard. Council is still working with the unions on the matter.”*

Min. 159 PUBLIC FORUM:

The following Public Forum question was raised by the Rev. Graham L. Guy:

*“To request Cumberland Council to promote a unified Council and Local suburbs to balance the need to both facilitate the unification of the previous Council whilst meaning a sense of belonging in one’s local suburb.*

*To request Council to maintain local services / facilities including:*

- *the 5 swimming pools for residents to avail ourselves of nearby pools*
- *maintaining local libraries*
- *maintaining community halls*
- *To maintain and promote Council wide use of the two major parks*
- *Auburn Gardens and Merrylands.*
- *To request Council to consult with the community to develop short and long term traffic solutions in particular widening of bridges over Duck Creek bridges over Woodville Rd other roadworks to facilitate cross Council traffic movement.*
- *To request Council to negotiate the development of cross Council bus services - Lidcombe/ Regents Park - Auburn – Granville - Guildford - Merrylands to suburbs west and north west of Merrylands.*
- *City wide community buses.*
- *To request Council to employ its own garbologists to maintain the level of service currently enjoyed by residents in areas with Council garbage collection.*
- *To maintain Customer Service Centres in Auburn and Merrylands and adopt the previous Newington Model in the Newington Community Centre and establish a Customer Service Desk / Office in the Granville Library.*
- *To facilitate a Council wide inter agency meeting and other Council wide integration noting that at present Cumberland Council encompasses:*
  - *three Police Commands*
  - *more than one Education Department Districts*
  - *at least two Ministers Associations*

*and Council Boundaries do not correlate with State or Federal Electoral Boundaries.*

*In recognising and accommodating these obstacles to integration Council can facilitate integration.*

*It would seem to me that by Cumberland Council providing local libraries, swimming pools, community centres, sporting fields and parks and Council employees collecting garbage and street cleaning, a Cumberland Council essence of pride and identity is attainable.”*

*Matters relating to 1A & 1B Queen St:*

*At the most recent meeting of the JRPP I expressed some concerns and subsequent to the JRPP requesting Council and the developer to negotiate solutions in particular to traffic issues I would ask Council:*

- 1. To maintain the lower Queen St street scape of single or double story development.*
- 2. To negotiate for the building of an extension of Kerr Parade to lower Queen St to join Queen St near the roundabout at Helena Street thereby bypassing Marion St and the problematic intersection of Marion and Queen St.*
- 3. To rezone 1A 1B Queen St to educational and facilitate a land swap for Amity College to move to this more suitable site for a school and for the developer to develop the currently overcrowded Amity College Site which is in the high rise precinct. With the extension of Kerr Pde the school would have much needed school side parking for parents coming for their students after school away from the congestion of Queen St and Kerr Pde where parking is extremely limited.*

*To negotiate with the state government for large commuter car parks in Lidcombe, Auburn, Granville Guildford and Merrylands.”*

The following response was provided by the Administrator.

*“Thank you for your submission and it is refreshing that this forum is being used in such a constructive way.*

*You have covered a lot of territory and I intend to refer what you have said to the General Manager so that the relevant matters can be considered in conjunction with the Councils community strategic planning exercise.*

*By way of observation can I just say that I see one of my major roles in this fledgling organisation is to review all services and hopefully to improve them and that may mean doing things smarter. The observation of the “new blood” that has refreshed the administration is that this is very timely.*

*You would be aware that I was appointed as Interim Administrator at Auburn City prior to this most recent position and in my view the way things are delivered across the new area in many instances are hardly examples of good or best practice.*

*The General Manager and his staff are working hard to address as much of this as possible and whether works, services or infrastructure are delivered by day labour or the*

*market place is hardly relevant - it is the cost, quality and level of service that should interest residents and rate payers alike.*

*Over the coming months you will hear much from me in relation to “respect for public money” – something the people of the new Cumberland should demand from the administration and elected members that serve them.*

*I have no intention of building community expectations without the necessary finance to deliver same and openness and transparency through the appropriate processes and procedures are being put in place to guide the staff now and elected members from September 2017*

*To me it is all about Cumberland - we are working hard to make sure that all our operations are conducted in not only an ethical and equitable way but we are also building a welcoming and tolerate community.”*

Min. 160      ITEM 106/16 – CAMELLIA TO LIDCOMBE POWERLINE PROJECT

Moved and declared carried by the Administrator that Council advise Ausgrid that it does not support the installation of overhead powerlines as part of the Camellia to Lidcombe powerline project and requests that consistent with other projects in the region, underground cables be used for the project and that Council seek the support of the Local Members of Parliament.

Min. 161      ITEM 107/16 – CUMBERLAND COUNCIL PLANNING PROPOSAL NOTIFICATION POLICY

Moved and declared carried by the Administrator that:

- i)     The draft ‘Cumberland Council Planning Proposal Notification Policy’ be exhibited for a period of 28 days.
- ii)    The outcomes of the community consultation be reported back to Council along with the final policy for consideration after the end of exhibition period.

Min. 162      ITEM 108/16 – LAND RESERVATION ACQUISITION PLANNING PROPOSAL (FORMER PARRAMATTA CITY COUNCIL)

Moved and declared carried by the Administrator that:

- i)     Council request (in writing) that the City of Parramatta write to the Department of Planning and Environment advising that all five sites that form part of this proposal that are now located within the Cumberland Council area, be removed from the planning proposal, in line with the DP&E’s advice.
- ii)    An analysis of the five subject sites (removed) be undertaken by Council staff, and a report be prepared for consideration by the Cumberland Independent Hearing and Assessment Panel (CIHAP), followed by Council.

Min. 163      ITEM 109/16 – RECENT CHANGES TO DELEGATIONS AND PLAN MAKING FUNCTIONS

Moved and declared carried by the Administrator that:

- i)     The Interim General Manager receive the delegation of the Minister's functions under section 59 of the *EP&A Act 1979*, and section 381 of the *Local Government Act 1993*.
- ii)    For the purpose of clarity, the former Auburn City, Holroyd City and Parramatta City Councils' delegation of the Ministers functions under section 59 of the *EP&A Act 1979*, is rescinded for Cumberland Council.
- iii)   Council write to the Department of Planning and Environment to advise of the change to Council's delegations.

Min. 164      ITEM 110/16 – PLANNING PROPOSAL FOR 53-73 TOONGABBIE ROAD TOONGABBIE – POST EXHIBITION REPORT

Moved and declared carried by the Administrator that:

- i)     The outcomes of the community consultation be noted.
- ii)    The resultant compliance with the conditions of the Department of Planning and Environment's Gateway Determination issued (with delegations) for this Planning Proposal in accordance with section 56(2) of the *Environmental Planning and Assessment Act 1979* be noted.
- iii)   Council proceed with the amendments to the controls affecting the entire subject area of 53-73 Toongabbie Road, Toongabbie as follows:
  - a.    Land use zoning of R4 High Density Residential;
  - b.    Maximum building height of 11m (3 storeys);
  - c.    Floor Space Ratio (FSR) of 1:1; and
  - d.    Minimum subdivision lot size of 900m<sup>2</sup>.
- iv)    Council finalise the LEP amendment in accordance with the delegated authority from the Greater Sydney Commission through the Department.

Min. 165      ITEM 111/16 – PLANNING PROPOSAL REQUEST FOR 459 MERRYLANDS ROAD, MERRYLANDS

Moved and declared carried by the Administrator that:

- i)     Council forward a Planning Proposal to the Department of Planning and Environment for Gateway Determination to amend Schedule 1 of the Holroyd LEP 2013 by including the following item:

“17. Use of certain land at 459 Merrylands Road, Merrylands.

- i. This clause applies to land at 459 Merrylands Road, Merrylands, being Lot W, DP391056, identified as “APU 17” on the Additional Permitted Uses Map.
  - ii. Development for the following purposes is permitted with development consent:
    - (i) take away food and drink premises.
  - iii. Any development identified in sub clause (2) is limited to a maximum floor area of 100m<sup>2</sup>.”
- ii) The Additional Permitted Uses map in Holroyd LEP 2013 be amended accordingly.
  - iii) Council advise the Department of Planning and Environment that it wishes to exercise its plan making delegations for the planning proposal.
  - iv) A further report be provided to Council following the exhibition of the Planning Proposal, post Gateway.

Min. 166      ITEM 112/16 – SEPTEMBER QUARTER 1 PROGRESS REPORT ON THE INTERIM OPERATIONAL PLAN 2016 / 2017

Moved and declared carried by the Administrator that:

- i) The Interim Operational Plan 2016/2017 Quarter 1, July to September 2016 Progress Report for the former Auburn, Holroyd and Parramatta areas be received.
- ii) The Interim Operational Plan Progress Reports for the second and third quarter of 2016/2017 be combined and presented to Council in May 2017.

Min. 167      ITEM 113/16 – CUMBERLAND SOCIAL IMPACT ASSESSMENT POLICY

Moved and declared carried by the Administrator that this matter be referred to the Cumberland Independent Hearing and Assessment Panel (CIHAP) for further consideration, and subject to their concurrence, the matter be placed on Public Exhibition in line with the recommendation, viz:

- i) That Council repeal the former Holroyd City and Parramatta City Social Impact Assessment policies that apply to the Cumberland LGA, subject to the agreement of the CIHAP
- ii) That the DCPs which apply to the Cumberland Council LGA be amended to specify which development applications require the submission of a Social Impact Assessment Report.
- iii) That in the interim a Social Impact Assessment report be submitted with development applications for:
  - a) Pubs, registered clubs and small bars
  - b) Sex service premises and restricted premises
  - c) Hospitals and drug rehabilitation centres

- d) Correctional centres
- iv) That a Social Impact Assessment report be submitted with requests for Major Significant Planning Proposals.
- v) That a scope of social impacts be required as part of the planning report submitted with requests for all other Planning Proposals except Minor Planning Proposals.

Min. 168      ITEM 114/16 – ANNUAL FINANCIAL STATEMENTS OF THE FORMER AUBURN CITY COUNCIL AND HOLROYD FOR THE FINANCIAL YEAR ENDED 12 MAY 2016

Moved and declared carried by the Administrator:

- i) That Council hereby confirms that it is of the opinion that:-
  - a) the 2015/2016 General Purpose Financial Statements for both former Councils have been prepared in accordance with:
    - the Local Government Act 1993 (as amended) and the Regulations made thereunder.
    - the Australian Accounting Standards and professional pronouncements.
    - the Local Government Code of Accounting Practice and Financial Reporting.
  - b) these Statements present fairly former Councils' operating results and financial positions for the year.
  - c) these Statements accord with former Councils' accounting and other records.
  - d) It is not aware of any matters that would render these Statements false or misleading in any way.
- ii) That Council hereby confirms that it is of the opinion that:-
  - a. the 2015/2016 Special Purpose Financial Statements for both former councils have been prepared in accordance with:
    - NSW Government Policy Statement "Application of National Competition Policy to Local Government".
    - Division of Local Government Guidelines "Pricing and Costing for Council Business: A Guide to Competitive Neutrality".
    - the Local Government Code of Accounting Practice and Financial Reporting.
  - b. these Statements present fairly the operating results and financial positions for each of the former Council's declared Business Activities for the year.
  - c. these Statements accord with the former Councils' accounting and other records.
  - d. It is not aware of any matters that would render the reports false or misleading in any way.

- iii) That the Administrator, Interim General Manager and the Responsible Accounting Officer be authorised to sign the Statements by Councillors and Management;
- iv) That Council present its audited Financial Statements for the year ended 12 May 2016 together with the Auditor's Report at its Extraordinary Council Meeting of 30 November 2016;
- v) That Public Notice be given of the date of this meeting; and
- vi) That Council's Auditor be requested to attend the Extraordinary Council Meeting on 30 November 2016 at which the audited Financial Statements are presented.

Min. 169      ITEM 115/16 – FUNDING PROVIDED BY GRANTS PROGRAMS AND COUNCILLOR FUNDED INITIATIVES

The matter was withdrawn from consideration.

Min. 170      ITEM 116/16 – HOLROYD TRAFFIC COMMITTEE MEETING MINUTES

Moved and declared carried by the Administrator that the minutes of the Holroyd Traffic Committee meeting held on 12 July 2016 be received and the recommendations contained therein, subject to the recommendation in Item 1607/03 being amended to include that all costs associated with the works be funded by the applicant.

Min. 171      ITEM 117/16 – INVESTMENT PORTFOLIO REPORT – SEPTEMBER 2016

Moved and declared carried by the Administrator that Council receive this report and note that all investments have been made in accordance with the requirements of section 625 of the Local Government Act 1993 and directions from the Minister for Local Government, including Ministerial Investment Orders and Council's Investment Policy.

Min. 172      The meeting terminated at 7.30 p.m.

Signed:

Administrator