

*The NEW* City of  
**CANTERBURY  
BANKSTOWN**



Agenda for the  
**Ordinary Meeting**

**28 February 2017**



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# ORDER OF BUSINESS

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# **1 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

The following minutes are submitted for confirmation -

1.1 Minutes of the Ordinary Meeting of Council of 6 December 2016.....7



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**MINUTES OF THE  
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**PRESENT:** Administrator – Richard Colley  
Director Planning – Scott Pedder  
Director Corporate – Ken Manoski  
Director Operations – Anthony Vangi  
Director Community Services – Graeme Beattie  
Director City Future – James Carey  
Executive Director – Simon Manoski  
Director People & Performance – Simone Cook  
Manager Governance – Brad McPherson

**APOLOGIES** Nil

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**THE ADMINISTRATOR DECLARED THE MEETING OPEN AT 6.00 PM.**

**REF: CONFIRMATION OF MINUTES**

**(261)**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That the minutes of the Ordinary Council Meeting held on 22 November 2016 be adopted.

**SECTION 2: LEAVE OF ABSENCE**

Nil

**SECTION 3: DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST**

Nil

**SECTION 4: ADMINISTRATOR MINUTES**

Nil

**SECTION 5: PLANNING MATTERS**

**ITEM 5.1 15-33 BRIGHTON AVENUE, CROYDON PARK - PLANNING PROPOSAL**

**(262)**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

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**ITEM 5.4 DRAFT CANTERBURY DEVELOPMENT CONTROL PLAN 2012**

**(265)** MOVED AND RESOLVED BY THE ADMINISTRATOR

That the draft Canterbury Development Control Plan 2012 be adopted and made effective in accordance with the *Environmental Planning and Assessment Regulation 2000*.

**ITEM 5.5 BANKSTOWN DCP 2015 (AMENDMENT NO. 6)**

**(266)** MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council adopt Bankstown Development Control Plan 2015 (Amendment No. 6) as shown in Attachment A and B.
2. Bankstown Development Control Plan 2015 (Amendment No. 6) will come into effect on the date specified in the public notice and will apply to any development applications lodged on or after this date.

**ITEM 5.6 DRAFT MEDIUM DENSITY HOUSING CODE AND DESIGN GUIDE TO EXPAND  
COMPLYING DEVELOPMENT TO INCLUDE MEDIUM DENSITY HOUSING**

**(267)** MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council endorses the submission to the Department of Planning and Environment Draft Medium Density Housing Code and Draft Medium Density Design Guide as shown in Attachment A.

**SECTION 6: REPORT OF THE GENERAL MANAGER**

**ITEM 6.1 STRONGER COMMUNITIES FUND**

**(268)** MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council fund 27 applications totaling \$985,326 recommended by the Assessment Panel under the SCF Community Grant Program.

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2. Council note the progress of the Stronger Communities Fund - Major Projects Program and endorse the shortlisted Major Projects for immediate implementation.
3. Required funding be made available and be reflected in Council's forthcoming Quarterly Budget Review process.

**ITEM 6.2 DRAINAGE RESERVES DISPOSAL POLICY**

**(269)**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. In principle, the Draft Drainage Reserves Disposal Policy be endorsed and placed on public exhibition.
2. A further report be submitted to Council to consider any submissions or alternatively, the Policy be adopted should no submissions be received.

**ITEM 6.3 CODE OF CONDUCT FRAMEWORK - SUPPORTING POLICY**

**(270)**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. In principle, Council adopt the Complaints Management Policy as attached to this report.
2. The Complaints Management Policy be referred to the Independent Commission Against Corruption and the NSW Ombudsman for comment.
3. Following the Independent Commission Against Corruption Commission and NSW Ombudsman's review and subject to there being no suggested changes, the policies be adopted and implemented.
4. Further reports be prepared to consider other subsequent policies that support the Code of Conduct Framework, as required.

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**ITEM 6.4  
(271) FREE CAR PARKING AGREEMENT - WOOLWORTHS CAMPSIE**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council adopt the classification of No. 68 Evaline St, Campsie (Woolworths Supermarket Campsie) as Operational Land in accordance with s.650 of the Local Government Act 1993, only for the purposes of allowing a Free Car Parking Agreement.
2. Council approve entering into a Free Car Parking Agreement as per s.650 (6) of the Local Government Act 1993, with Woolworths Campsie, as per the terms detailed in this Report.
3. Council delegate to the General Manager and Administrator authority to finalise and sign the Free Car Parking Agreement, under the common seal of Council as required.

**ITEM 6.5  
(272) DUNC GRAY VELODROME OPTIONS PAPER**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. The information be noted.
2. Council undertake a broader Landuse and Facility Study of The Crest of Bankstown which would include consideration of the various options for the Dunc Gray Velodrome, as outlined in this report.
3. Once complete, the Landuse and Facility Study be reported back to Council for consideration and when appropriate, exhibited for public comment.
4. Council to continue to discuss the matter, including possible funding options for the facility, with both the Federal and NSW Government.

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**ITEM 6.6                      REQUESTS FOR FINANCIAL ASSISTANCE AND DONATIONS**

**(273)**                      MOVED AND RESOLVED BY THE ADMINISTRATOR

That a donation of \$250.00 be made to Klayton Kilpatrick of Revesby on his selection to the U15's Metro Team (NSW) to compete in the Australian Regional Softball Championship in Brisbane from 15 - 21 January, 2017.

**ITEM 6.7                      MEMBERSHIP OF WESTERN SYDNEY REGIONAL ORGANISATION OF COUNCILS  
(WSROC)**

**(274)**                      MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council ends its membership of Western Sydney Regional Organisation of Councils (WSROC) in accordance with the provisions of the WSROC's Constitution.
2. The General Manager advise WSROC of Council's decision, for the reasons outlined in the report.

**ITEM 6.8                      RELEASE OF EASEMENT FOR OVERLAND FLOW PATH 3.66M WIDE AT 139  
HORSLEY RD, PANANIA.**

**(275)**                      MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council consent to the release of the Easement for Overland Flow Path at 139 Horsley Road, Panania.
2. The Administrator and General Manager be delegated authority to execute all documents, under the common seal of Council, as required.

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**ITEM 6.9 SSROC STREET LIGHTING IMPROVEMENT (SLI) PROGRAM UPDATE**

**(276)**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. The information of the SSROC's Street Lighting Improvement (SLI) Program be noted;
2. The offer by National Carbon Bank Australia (NCBA) for the creation and sale of Energy Saving Certificates on behalf of Council be accepted;
3. Council nominates Option 2a with a repayment period of 10 years for Ausgrid's proposed pricing schedule for new LED luminaires (for residential, intermediate and main roads, including LED main road trial pricing);
4. Council participates in the LED main road lighting trial.

**AT THIS STAGE THE ADMINISTRATOR INDICATED THAT A LATE REPORT ITEM 6.10 – CASH AND INVESTMENT REPORT AS AT 30 NOVEMBER 2016 HAS BEEN SUBMITTED.**

**MATTER OF URGENCY**

**(277)**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That urgency be permitted and Item 6.10 – Cash and Investment Report as at 30 November 2016 be considered.

**ITEM 6.10 CASH AND INVESTMENT REPORT AS AT 30 NOVEMBER 2016**

**(278)**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. The Cash and Investment Report as at 30 November 2016 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

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**SECTION 7: COMMITTEE REPORTS**

**ITEM 7.1 MINUTES OF THE CANTERBURY TRAFFIC COMMITTEE MEETING HELD ON 21 NOVEMBER 2016 AND BANKSTOWN TRAFFIC COMMITTEE MEETING HELD ON 22 NOVEMBER 2016.**

**(279)** MOVED AND RESOLVED BY THE ADMINISTRATOR

That the recommendations contained in the minutes of the Canterbury Traffic Committee meeting held on 21 November 2016 and the Bankstown Traffic Committee meeting held on 22 November 2016, be adopted.

**ITEM 7.2 MINUTES OF THE STRONGER COMMUNITIES FUND SUB-COMMITTEE MEETING HELD ON 16 NOVEMBER 2016**

**(280)** MOVED AND RESOLVED BY THE ADMINISTRATOR

That the minutes of the Stronger Communities Fund Sub-committee meeting held on 16 November 2016 be adopted.

**SECTION 8: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE**

Nil

**SECTION 9: MATTERS FOR INFORMATION**

**ITEM 9.1 DRAFT SOUTH DISTRICT PLAN**

**(281)** MOVED AND RESOLVED BY THE ADMINISTRATOR

That the information be noted.

**SECTION 10: QUESTIONS FOR NEXT MEETING**

Nil

**AT THIS STAGE THE ADMINISTRATOR INDICATED THAT AN ADDITIONAL ITEM 11.23 – ADMINISTRATOR’S MINUTE – LEGAL MATTER HAS BEEN SUBMITTED.**

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**SECTION 11: CONFIDENTIAL SESSION**

**(282)**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That, in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Items 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 11.10, 11.11, 11.12, 11.13, 11.14, 11.15, 11.16, 11.17, 11.18, 11.19, 11.20, 11.21, 11.22, 11.23 in confidential session for the reasons indicated:

Item 11.1 Disposal of Drainage Reserve - 11A Angus Crescent, Yagoona

This report is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Item 11.2 Property Matter - Council Land at 1A, 1Z and Part 1B Donovan Street, Revesby Heights

*This report is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

Item 11.3 Footbridge between East Hills and Voyager Point

*This report is considered to be confidential in accordance with Section 10A(2)(g) of the Local Government Act, 1993, as it relates to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

Item 11.4 Various Property Matters

*This report is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

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Item 11.5 Contract for Illuminated Advertising Signs

*This report is considered to be confidential in accordance with Section 10A(2)(d)(ii) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council.*

*This report is considered to be confidential in accordance with Section 10A(2)(g) of the Local Government Act, 1993, as it relates to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

Item 11.6 EOI 03-16 - Bankstown Occasional Care, 24 Jacobs St Bankstown.

*This report is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

Item 11.7 T71-16 - Tender for Wolli Creek Foreshores Improvement Works in Waterworth Park, Earlwood

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.8 T76-16 - Tender for Rotary Park Stage 2 Civil and Landscape Works at 150 Belmore Road, Riverwood

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.9 T38-16 - On-Call Clean Up Collection Service

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

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Item 11.10 T39-16 - Collection of Garden Organics

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.11 T02-17 - Receipt and Processing of Domestic Garden Organics

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.12 T04-17 Bennett Street Stormwater Drain Upgrade

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.13 T06-17 Provision of Community and Recreational Programs for the Greenacre Community Centre

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.14 T10-17 Picnic Point Bank Stabilisation

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.15 T15-17 Construction of Roundabout at Intersection of Townsend Street and Mitchell Street, Condell Park

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

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**NEW CITY OF CANTERBURY BANKSTOWN**

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Item 11.16 T16-17 Brodie Street and Albury Street Roundabout, Yagoona

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.17 T25-17 Raised Pedestrian Crossing Thresholds at Marco Avenue and Selems Parade, Revesby

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.18 T28-17 Supply and Delivery of Swimming Merchandise and Accessories at Leisure, Aquatic & Fitness Centres

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.19 T29-17 Roundabout and Associated Works at South Terrace and Scott Street - Bankstown

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.20 T32-17 Hector Street Traffic Improvement

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.21 T33-17 Pavement Rejuvenation using Slurry Sealing - Micro Surfacing Treatments

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that*

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*would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.22 Execution of Documents - Riverwood North Project

*This report is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

Item 11.23 Administrator's Minute - Legal Matter

*This report is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

*This report is considered to be confidential in accordance with Section 10A(2)(e) of the Local Government Act, 1993, as it relates to information that would, if disclosed, prejudice the maintenance of law.*

*This report is considered to be confidential in accordance with Section 10A(2)(g) of the Local Government Act, 1993, as it relates to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 6.11 PM AND  
REVERTED BACK TO OPEN COUNCIL AT 6.14 PM.**

**ITEM 11.1  
(283)**

**DISPOSAL OF DRAINAGE RESERVE - 11A ANGUS CRESCENT, YAGOONA**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council agree to the sale of 11A Angus Crescent, Yagoona subject to the conditions as outlined in the report.
2. The Administrator and General Manager be delegated authority to execute all documents under the common seal of Council, as required.

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- ITEM 11.2**                    **PROPERTY MATTER - COUNCIL LAND AT 1A, 1Z AND PART 1B DONOVAN STREET, REVESBY HEIGHTS**
- (284)**                        MOVED AND RESOLVED BY THE ADMINISTRATOR
- That
1. Council decline the request to purchase its land at 1A, 1Z and Part 1B Donovan Street, Revesby Heights.
  2. Council write to the proponent advising them of its decision.
- 
- ITEM 11.3**                    **FOOTBRIDGE BETWEEN EAST HILLS AND VOYAGER POINT**
- (285)**                        MOVED AND RESOLVED BY THE ADMINISTRATOR
- That
1. In consultation with its lawyers, the General Manager be delegated authority to commence the required action with Liverpool City Council, for the repair of defects on the footbridge between East Hills and Voyager Point, as outlined in the report.
  2. Council engage with Liverpool City Council to commence required repairs to the footbridge, as outlined in the report.
  3. Further updates on the progress of this matter be reported to Council.
- 
- ITEM 11.4**                    **VARIOUS PROPERTY MATTERS**
- (286)**                        MOVED AND RESOLVED BY THE ADMINISTRATOR
- That
1. In principle, Council endorse the proposals for further consideration as outlined in the report.
  2. The General Manager be delegated authority to pursue the matters, as outlined in the report.
  3. A further report(s) be provided regarding each matter for Council's consideration.

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**ITEM 11.5  
(287)**

**CONTRACT FOR ILLUMINATED ADVERTISING SIGNS**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council endorse the relevant changes to its existing Claude Outdoor Pty Ltd Contract, as outlined in the report.

**ITEM 11.6  
(288)**

**EOI 03-16 - BANKSTOWN OCCASIONAL CARE, 24 JACOBS ST BANKSTOWN.**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. In accordance with Clause 168(4)(b) of the Local Government (General) Regulation 2005, Council declines to invite tenders from any of the applicants, and accordingly end the Expression of Interest process.
2. Council advise the relevant proponents of Council's decision.

**ITEM 11.7  
(289)**

**T71-16 - TENDER FOR WOLLI CREEK FORESHORES IMPROVEMENT WORKS IN WATERWORTH PARK, EARLWOOD**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tender received from Golf Spectrum Pty Ltd to construct Wolli Creek foreshore improvement works in Waterworth Park, Earlwood for an amount of \$116,596.08 (excluding GST).
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

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**ITEM 11.8                    T76-16 - TENDER FOR ROTARY PARK STAGE 2 CIVIL AND LANDSCAPE WORKS AT  
150 BELMORE ROAD, RIVERWOOD**

**(290)**                    MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tender received from CA&I (Community Assets & Infrastructure) Pty Ltd to construct the Rotary Park Stage 2 civil and landscape works in Rotary Park, Riverwood for an amount of \$794,408.17 (excluding GST).
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

**ITEM 11.9                    T38-16 - ON-CALL CLEAN UP COLLECTION SERVICE**

**(291)**                    MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the proposal T38-16 received from SUEZ Recycling & Recovery Pty Ltd for the On-Call Clean Up Collection Service, for the former Bankstown LGA only, for a period of one year and eight months (20 months), with the option to extend for up to two years, subject to satisfactory performance of the contractor as determined by the General Manager.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful proponent in writing and thank them for their submission.

**NEW CITY OF CANTERBURY BANKSTOWN**

**MINUTES OF THE  
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ON 6 DECEMBER 2016**

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**ITEM 11.10  
(292)**

**T39-16 - COLLECTION OF GARDEN ORGANICS**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the proposal T39-16 received from Cleanaway for the Domestic Garden Organics Collection service, from the former Bankstown LGA only, for a period of one year and eight months (20 months), with the option to extend for up to two years, subject to satisfactory performance of the contractor as determined by the General Manager.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. The General Manager be authorised to adjust the start time of the contract to align with the garbage collection service.
4. Council notifies the unsuccessful proponent in writing and thank them for their submission.

**ITEM 11.11  
(293)**

**T02-17 - RECEIPT AND PROCESSING OF DOMESTIC GARDEN ORGANICS**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tender T02-17 received from Soilco Pty Ltd for the Receipt and Processing of Domestic Garden Organics, collected from the former Bankstown LGA only, for a period of one year and eight months (20 months), with the option to extend for up to two years, subject to satisfactory performance of the contractor as determined by the General Manager.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

**NEW CITY OF CANTERBURY BANKSTOWN**

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**ITEM 11.12                    T04-17 BENNETT STREET STORMWATER DRAIN UPGRADE**

**(294)**                            MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tender received from Civil Constructions Pty Ltd for an amount of up to \$1,857,120 (excluding GST) for T04-17 - Bennett Street Drainage Upgrade subject to access conditions.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

**ITEM 11.13                    T06-17 PROVISION OF COMMUNITY AND RECREATIONAL PROGRAMS FOR THE GREENACRE COMMUNITY CENTRE**

**(295)**                            MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tender received from Greenacre Area Community Centre for a period of five years for the provision of community and recreational programs for the Greenacre Community Centre, as outlined in the report.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderer in writing and thank them for tendering.

**ITEM 11.14                    T10-17 PICNIC POINT BANK STABILISATION**

**(296)**                            MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tender received from Cadifern Civil Pty Ltd for an amount of \$347,280.50 (excluding GST) for the provision of civil works associated with the bank stabilisation of a section of the Georges River located at Carinya Road, Picnic Point.
  2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
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**NEW CITY OF CANTERBURY BANKSTOWN**

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3. Council notifies the unsuccessful tenderers in writing and thanks them for tendering.

**ITEM 11.15 T15-17 CONSTRUCTION OF ROUNDABOUT AT INTERSECTION OF TOWNSEND STREET AND MITCHELL STREET, CONDELL PARK**

**(297)** MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tender received from Planet Civil Pty Ltd for an amount of \$145,394.20 (excluding GST) for the construction of a roundabout at Townsend St and Mitchell St, Condeell Park.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thanks them for tendering.

**ITEM 11.16 T16-17 BRODIE STREET AND ALBURY STREET ROUNDABOUT, YAGOONA**

**(298)** MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tender received from Ally Property Services for an amount of \$128,563.80 (excluding GST) for the construction of a one lane roundabout and associated footpath works at the intersection of Brodie Street and Albury Street, Yagoona.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thanks them for tendering.

**NEW CITY OF CANTERBURY BANKSTOWN**

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**ITEM 11.17                    T25-17 RAISED PEDESTRIAN CROSSING THRESHOLDS AT  
MARCO AVENUE AND SELEMS PARADE, REVESBY**

**(299)**                        MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tender received from Ally Property Services t/a Ally Civil for an amount of \$268,705.72 (excluding GST) for the provision of works associated with the construction of raised pedestrian crossing thresholds at Marco Avenue and Selems Parade, Revesby.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

**ITEM 11.18                    T28-17 SUPPLY AND DELIVERY OF SWIMMING MERCHANDISE AND ACCESSORIES  
AT LEISURE, AQUATIC & FITNESS CENTRES**

**(300)**                        MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tenders received from Speedo Australia and Zoggs Australia for a period of three years, with the option to extend the contract by two further periods each of up to one year in duration, subject to satisfactory performance of the contractor as determined by the General Manager, for the Supply and Delivery of Swimming Merchandise and Accessories at Council's Leisure, Aquatic & Fitness Centres.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thanks them for tendering.

**ITEM 11.19                    T29-17 ROUNDABOUT AND ASSOCIATED WORKS AT SOUTH TERRACE AND SCOTT  
STREET - BANKSTOWN**

**(301)**                        MOVED AND RESOLVED BY THE ADMINISTRATOR

That

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**NEW CITY OF CANTERBURY BANKSTOWN**

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1. Council accepts the tender received from KJ Civil & Paving Pty Ltd for an amount of \$213,515.00 (excluding GST) for the provision of a one lane roundabout and associated works at the intersection of South Terrace and Scott Street, Bankstown.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

**ITEM 11.20  
(302)**

**T32-17 HECTOR STREET TRAFFIC IMPROVEMENT**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tender received from KJ Civil & Paving Pty Ltd for an amount of \$280,551.30 (excluding GST) for the Black Spot Improvements Program (Hector Street Sefton to Bass Hill).
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

**ITEM 11.21  
(303)**

**T33-17 PAVEMENT REJUVENATION USING SLURRY SEALING - MICRO SURFACING TREATMENTS**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That

1. Council accepts the tender received from COLAS West Australia Pty Ltd for an amount of \$744,284.65 (excluding GST) for Pavement Rejuvenation using Slurry Sealing – Micro Surfacing Treatments.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderer in writing and thank them for tendering.

**NEW CITY OF CANTERBURY BANKSTOWN**

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**ITEM 11.22                    EXECUTION OF DOCUMENTS - RIVERWOOD NORTH PROJECT  
(304)**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That In consultation with our Lawyers, the Administrator and the General Manager be delegated authority to execute all relevant documents, under the Common Seal of Council, as required.

**ITEM 11.23                    ADMINISTRATOR'S MINUTE - LEGAL MATTER  
(305)**

MOVED AND RESOLVED BY THE ADMINISTRATOR

That Council engage appropriate legal representation regarding the matter and that relevant funding be addressed through a future Quarterly budget review process.

**THE MEETING CLOSED AT 6.15 PM.**

Minutes confirmed 28 FEBRUARY 2017

.....  
Administrator

**2 LEAVE OF ABSENCE**



**3            DECLARATIONS OF PECUNIARY INTEREST OR NON-  
PECUNIARY CONFLICT OF INTEREST**



## **4 ADMINISTRATOR MINUTES**

The following items are submitted for consideration -

- |     |                               |     |
|-----|-------------------------------|-----|
| 4.1 | Walk for Respect              | 35  |
| 4.2 | Centenary of Milperra Event   | 37  |
| 4.3 | Bass Hill Bronco's Fundraiser | 37A |



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## Administrator Minutes - 28 February 2017

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### ITEM 4.1                      Walk for Respect

Canterbury-Bankstown is one of the most multiculturally diverse communities in Australia, with more than 120 spoken languages. We also host monthly Citizenship Ceremonies where invariably, hundreds of people, who live in Canterbury-Bankstown, take the pledge to officially call Australia home. Council also works very closely with numerous community groups which provide assistance to local migrants.

We are and should be very proud of our diversity and the fact we live in harmony and are acceptable of colour, race and creed. Here in Canterbury-Bankstown, we celebrate it. That's why Council hosted the inaugural World Village Festival late last year, and the Bankstown Bites, Haldon Street and Campsie Food Festivals on a continual basis, where we learn more about cultures through food.

On 31 March, the community is being invited to take part in the Walk for Respect. This event enables participants to further express their support for a modern, multicultural Australia, where diversity is appreciated and where social discourse is respectful.

This event was first held in Lakemba in 2014 and organisers propose to use the same route - starting in Gillies Street, down Haldon Street, concluding at Parry Park where a community picnic will be held.

Council has been requested to support next month's event by providing \$5,000 which will help cover the cost of providing a free BBQ for participants. Council is happy to meet this request and also provide further support by waiving the cost of \$800 for the use of Parry Park for the event. These allocations will be made available from Council's Section 356 Financial Assistance Fund.

While organisers anticipate that hundreds of local residents from Canterbury-Bankstown will take part in this event, similar numbers are expected from other areas of Sydney and beyond. I am confident this will be another positive celebration of our national diversity and wish the organisers all success for the event.



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## **Administrator Minutes - 28 February 2017**

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### **ITEM 4.2                      Centenary of Milperra Event**

The area between Bankstown Airport and the M5, in Milperra contains street names like Bullecourt, Pozieres, Amiens and Fleurbaix. They commemorate battles and significant towns familiar to members of the Australian Imperial Forces (AIF) in World War 1. These street names are the only remaining evidence of one of the first soldier settlements established in the Sydney region.

The Bankstown Soldier Settlement was established in April 1917 and provided some 48 poultry and 8 vegetable farms to help repatriate servicemen who had served overseas. Its aim was to assist men to settle on the land by offering them preferential terms and conditions for repayment both during and after the War and to provide job opportunities for men discharged from the armed forces as medically unfit were limited.

Nearly 38,000 men across Australia and at least 8,500 in New South Wales took up the soldier-settler blocks. The story of Soldier Settlement in NSW has remained largely forgotten and the story of the Bankstown Soldier Settlement represents an important part of that history.

April 2017 will be the Centenary of the Bankstown Soldier Settlement at Milperra and it is proposed that Council partner with the Federal Government and other local organisations to organise celebrations to mark this important part of Bankstown's History.

Council in partnership with Blaxland Federal Labor MP Jason Clare, will celebrate the Centenary of Milperra by hosting a fete CENTENARY OF MILPERRA at Newland Reserve from 11.00am to 2.00pm on Sunday 9 April. The event will mark 100 years since the suburb was established as a soldier settlement - becoming home to servicemen who were medically discharged during World War I.

There will be displays, children's activities, a BBQ, free rides and non-stop entertainment, including performances by the Royal Australian Navy band, which is sure to be a highlight. Local dance schools and vocalists from the Talent Advancement Program will add to the day.

I propose that Council allocate \$5,000 to this event. Council will also request that the Department of Veterans Affairs provide additional funding in support of this worthy commemoration.



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## **Administrator Minutes - 28 February 2017**

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### **ITEM 4.3 Bass Hill Bronco's Fundraiser**

On New Year's Day, fire destroyed the clubhouse in Middleton Park, Yagoona. This Clubhouse was shared by the Bass Hill Bronco's Junior Rugby League Club and the Dragons Soccer Club.

Unfortunately the damage to this important community asset will affect local children and their families partaking in local sporting activities, with the loss of training and match day sporting equipment only compounding the problem.

In order to assist the Clubs, a fundraiser is being held at the High Flyer Hotel on 4 March 2017. Funds raised will contribute towards replacing the damaged sporting equipment.

Sporting clubs play an important role in our community and Council has a proud tradition of providing an extensive network of sporting grounds and facilities to enable community sports clubs to provide opportunities to encourage healthy and active lifestyles.

In recognition of this, I propose that Council donate \$500 towards the fundraiser and these funds be made available from Council's Section 356 Financial Assistance Funds.



## **5 PLANNING MATTERS**

The following items are submitted for consideration -

5.1	Canterbury Road Corridor Review	41
5.2	Council's Submission to the Draft South District Plan and the Draft Amendments to the Metropolitan Plan 'A Plan for Growing Sydney'	45
5.3	15-23 Homer Street, Earlwood: Exhibition of Planning Proposal	49
5.4	702 - 704 Canterbury Road, Belmore: Draft Voluntary Planning Agreement	53
5.5	1 Bennett Street and 107-109 Orchard Road in Chester Hill: Application to rezone the site from Zone IN2 Light Industrial to Zone R4 High Density Residential	57



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## Planning Matters - 28 February 2017

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### **ITEM 5.1**                      **Canterbury Road Corridor Review**

**AUTHOR**                      **Planning**

### **ISSUE**

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This report provides an update on the progress of the Canterbury Road Corridor Review.

### **RECOMMENDATION**

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That the Administrator notes the status of the Canterbury Road Corridor Review as outlined in the report.

### **BACKGROUND**

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The Canterbury Road Corridor is one of the fastest growing areas of mixed use development in the former Canterbury Local Government Area (LGA) and is currently being shaped by many development applications and planning proposals.

The Canterbury Residential Development Strategy 2014 (RDS) sets the planning framework for the corridor, guides the required growth in the former Canterbury Council LGA and meets the NSW government's housing agenda through to 2031. It builds on the vision and direction established in the Canterbury Road Masterplan 2010 – for a revitalised place with quality mixed use development which still provides for the mobility function of the road.

Since 2014, there are numerous examples of development along the corridor that were approved in excess of height and massing controls set by the Canterbury Local Environmental Plan 2012 and Canterbury Development Control Plan 2012, affecting the RDS objectives.

On 26 July 2016, Council resolved to commence a strategic review of the existing policy framework for the corridor (Item 4.1 of Administrator Minutes), to determine how best to incorporate recent developments into a revised framework for the corridor.

Further details regarding this review were set out on 23 August 2016 when Council resolved to:

- Adopt a methodology to guide a strategic review of the corridor; and
- Endorse the establishment of a steering committee comprising representatives from Council, the Department of Planning and Environment, Roads and Maritime Services (RMS), and Transport for NSW (TfNSW).

The corridor review has a broad scope relating to recent development approvals, current planning proposals, the current planning framework, the relationship to the NSW government's Sydenham to Bankstown urban renewal corridor and further analysis and investigation of issues which principally include: traffic and transport, open space and community facilities, built form and design quality and economic factors associated with the mix of existing and potential land uses.

On 22 November 2016, an update report was provided to the Administrator on the progress of the review and Canterbury Road planning proposals. It was acknowledged in that report that proceeding with the planning proposals could exacerbate existing problems along the corridor caused by approving development that exceeds the strategic framework for Canterbury Road. Proceeding would also pre-empt the outcomes of the review of controls that is currently underway and could result in development that is inconsistent with any new vision. In light of this, it was resolved that further progress on 9 of the 12 planning proposals be deferred until the review of the Canterbury Road Corridor has been finalised.

## **REPORT**

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The Canterbury Road Corridor Review is continuing to progress well, a number of important milestones have been achieved and the current program estimates that the review will conclude in the second quarter of 2017.

### **Actions completed**

Actions completed for the review since the last update report include:

#### 2nd Steering Committee meeting on 25 November 2016

The meeting covered a range of matters including acceptance of consultant briefs for an urban design study, economic analysis and transport and traffic study and endorsement of the briefs by the Chair of steering committee.

#### Procurement of Consultants - December 2016/January 2017

Request for quotations from experienced and capable consultancies were made following the endorsement of consultant briefs by the steering committee. Following an evaluation of quotations, Hill Thalys Architecture + Urban Projects (Hill Thalys) and SGS (SGS) Economic and Planning were engaged to undertake the urban design study and economic analysis respectively. Only one quotation was received for the traffic and transport study which far exceeded the \$150,000 threshold for quotations under Council's procurement policy. As a result, Council could not evaluate or accept the quotation and the procurement process was required to recommence. Staff in conjunction with the steering committee revised the brief to reduce the scope of work due to concerns with the overall cost of the study.

#### Procurement of Transport and Traffic Consultants - January to mid-February 2017

On finalisation of the revised transport and traffic study brief, a registration of interest was notified via the NSW Local Government Procurement Service utilising their list of consultants for Professional Consulting Services. A requirement of the brief was that consultants must be prequalified to access the RMS EMME modelling software and data or be willing to address this requirement with a prequalified sub consultant. Eight companies registered their interest acknowledging this requirement and a closed tender process was undertaken with those who registered an interest.

Four submissions were received and an evaluation process was undertaken to determine a successful consultant. GHD has been engaged to undertake the transport and traffic study and have committed to complete the scope of work in 10 weeks.

#### Inception workshop with Urban Designers and Economic Analysts - 19 January 2017

The purpose of the workshop was for Council staff to meet with Hill Thalys and SGS who has been appointed to undertake the urban design study and economic analysis for the review respectively. An introduction to the project was provided by Council staff. Consultants were asked to discuss their scope of work and identify any cross overs to ensure that consultants build on work rather than double up on the work required to complete the project. Following the workshop, Council staff accompanied Hill Thalys on site visits in the Canterbury Road Corridor.

#### Inception meeting with Transport and Traffic Consultants GHD - 17 February 2017

The purpose of the meeting was for Council staff to meet with the consultants appointed to undertake work for the review. An introduction to the project was provided by Council staff. Consultants were asked to discuss their scope of work.

#### 2nd Workshop with Urban Designers and Economic Analysts - 21 February 2017

Hill Thalys ran a studio workshop for the urban design team, SGS and Council staff. The purpose of the workshop was for both Hill Thalys and SGS to present and discuss emerging ideas and findings.

### **Upcoming milestones**

The draft consultant reports for the urban design study and economic analysis are due early March with final reports due end of March. A meeting of the Steering Committee will be held to discuss the findings and directions resulting from this work.

Due to the later engagement of the traffic and transport consultant, GHD, the draft transport and traffic report is due at the end of March and the final transport and traffic report is due end of April.

Work is progressing on the review report that will pull together the findings of the consultant reports and assess and make recommendations in review of the corridor.

## **POLICY IMPACT**

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This report supports the Community Strategic Plan long term goal of Balanced Development.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

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This report has no implications for the Budget

## **RECOMMENDATION**

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That the Administrator notes the status of the Canterbury Road Corridor Review as outlined in the report.

## **ATTACHMENTS**

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Nil

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## Planning Matters - 28 February 2017

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**ITEM 5.2**                      **Council's Submission to the Draft South District Plan and the Draft Amendments to the Metropolitan Plan 'A Plan for Growing Sydney'**

**AUTHOR**                      **Planning**

### **ISSUE**

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This report outlines Council's submission to the Draft South District Plan and the Draft Amendments to the Metropolitan Plan '*A Plan for Growing Sydney*' on exhibition.

### **RECOMMENDATION** That -

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1. Council exhibit the submission (as shown in Attachment A) for a 14 day period.
2. The matter be reported to Council following the exhibition period.

### **BACKGROUND**

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In November 2016, the Greater Sydney Commission commenced the exhibition of Draft Amendments to the Metropolitan Plan '*A Plan for Growing Sydney*' together with Draft District Plans. The intended outcome is to set out the vision, priorities and actions for the six districts that make up the Greater Sydney Region.

Up until November 2016 and prior to the Council mergers, the former Bankstown City Council was part of the West Central District and the former Canterbury City Council was part of the South District.

In an Order published in the Government Gazette of 11 November 2016, Canterbury–Bankstown Council was placed in the South District, together with the Georges River Council and Sutherland Shire Council. Council has until March 2017 to make a submission.

### **REPORT**

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Following a review, Council raises the following key issues that the Greater Sydney Commission should address prior to finalising the Draft South District Plan and the Draft Amendments to the Metropolitan Plan '*A Plan for Growing Sydney*':

1. The Draft South District Plan reads as a traditional land use planning strategy and does not address issues such as creating great places or place making initiatives.

2. Council does not support the proposed housing target for the City of Canterbury–Bankstown (i.e. 13,250 new dwellings in the next five years) without upfront infrastructure support from the State Government.
3. Council does not support the downgrade of Bankstown and the Bankstown Airport / Milperra Specialised Centre in the centres hierarchy, and request that these centres be classified as ‘strategic centres’.
4. The Draft South District Plan and the Draft Amendments to the Metropolitan Plan ‘*A Plan for Growing Sydney*’ do not identify infrastructure improvements to support population growth or the job / housing targets in the City of Canterbury–Bankstown.
5. The Draft South District Plan and the Draft Amendments to the Metropolitan Plan ‘*A Plan for Growing Sydney*’ do not adequately address the need for major north–south transport improvements within the South District and to the West Central District.
6. The Draft South District Plan and the Draft Amendments to the Metropolitan Plan ‘*A Plan for Growing Sydney*’ do not identify how the State Government will guide the planning for the Bankstown Airport / Milperra Specialised Centre.
7. Council does not support the Draft Medium Density Housing Code as a mechanism to increase housing capacity or accelerate the delivery of housing supply in the City of Canterbury–Bankstown.
8. The Draft South District Plan does not provide sufficient details on the delivery of the Affordable Housing Target.
9. The Draft South District Plan should identify resilience as the overarching sustainability priority for the South District and Greater Sydney Region. The resilience of cities is likely to become more important as extreme weather events increase in frequency and impact.
10. The Draft South District Plan should support and expand projects which promote advanced energy and waste management.

Attachment A outlines Council’s submission to the Draft South District Plan and the Draft Amendments to the Metropolitan Plan ‘*A Plan for Growing Sydney*’.

### **Public Comment**

To further inform Council’s submission, it is proposed to make the submission available for public comment for a 14 day period. Following this period, Council would update the submission and report the matter to the March Ordinary Meeting. Council has until 31 March 2017 to make a submission.

### **POLICY IMPACT**

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The Greater Sydney Commission requires Council to consider the Draft South District Plan when preparing planning proposals. The Draft Plan will also inform the State Government’s infrastructure priorities.

As soon as practicable after the South District Plan is made, section 75A1 of the Environmental Planning & Assessment Act 1979 requires Council to review the local environmental plans to give effect to the District Plan. Council will need to monitor the delivery of the housing target and report to the Greater Sydney Commission.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

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At this stage, this matter has no financial implications for Council.

## **RECOMMENDATION** That -

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1. Council exhibit the submission (as shown in Attachment A) for a 14 day period.
2. The matter be reported to Council following the exhibition period.

## **ATTACHMENTS** [Click here for attachment](#)

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- A. Submission to the Draft South District Plan and the Draft Amendments to the Metropolitan Plan 'A Plan for Growing Sydney'



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## Planning Matters - 28 February 2017

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**ITEM 5.3**                      **15-23 Homer Street, Earlwood: Exhibition of Planning Proposal**

**AUTHOR**                      **Planning**

### **ISSUE**

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This report outlines the outcomes of the exhibition process for a revised planning proposal at 15-23 Homer Street, Earlwood and corresponding amendments to Canterbury Development Control Plan 2012.

### **RECOMMENDATION** That -

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1. The Administrator approve the finalisation of the planning proposal for land at 15-23 Homer Street, Earlwood, shown at Attachment A, to be made as a Local Environmental Plan under section 59 of the Environmental Planning and Assessment Act 1979;
2. The plan be finalised in accordance with the delegation issued to Council in the Gateway Determination.
3. The Administrator approve the amendments to Canterbury Development Control Plan 2012, shown at Attachment B and that it be brought into effect in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000 to take effect from the day the Plan is published on the NSW legislation website.

### **BACKGROUND**

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- On 23 August 2016 Council considered a report on the outcome of the exhibition process for a planning proposal at 15-23 Homer Street, Earlwood which sought an increase in height from 10m to 17m to facilitate a high density residential flat building with ground floor commercial use along Homer Street.
- The report recommended the exhibited height of 17m be reduced to 8.5m/10m/14m and that the revised heights be re-exhibited.
- The revised planning proposal was placed on public exhibition between 15 September and 13 October 2016.
- A total of eight submissions were made, including a submission from a planning consultant on behalf of the owners of the site, which is a reduction from the previous exhibition (126 submissions and petition containing 511 signatures).

### **Council resolution 23 August 2016**

The planning proposal for 15-23 Homer Street which sought an increase in height from 10m to 17m to facilitate a residential flat building with commercial uses along Homer Street was placed on public exhibition from 2 June 2016 to 1 July 2016. The outcome of the exhibition process was considered by Council at the 23 August 2016 meeting. At that meeting, the Administrator resolved:

1. *Council not proceed with the exhibited controls for the site (17m).*
2. *Council adopt the amendments made to the planning proposal and accompanying amendments to Canterbury Development Control Plan 2012 for land at 15-23 Homer Street as shown in the attachments (8.5m/10m/14m).*
3. *The Department of Planning and Environment be informed of the amendments to the planning proposal.*
4. *Council re-exhibit the amended planning proposal and supporting amendments to the Canterbury Development Control Plan 2012.*

In response to the Council resolution, the planning proposal was revised in accordance with condition 2. The Department of Planning and Environment was also notified of the amendments. The revised planning proposal and draft Canterbury Development Control Plan 2012 was placed on public exhibition in accordance with Council's resolution.

## **REPORT**

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### **Public Exhibition**

#### Exhibition Process

Council exhibited the revised planning proposal from 15 September to 13 October 2016. The exhibition included:

- Displays at the Campsie Customer Service Centre and the Council website.
- Public notices in the local newspapers.
- Notification letters to property owners affected by changes to the proposed rezoning.
- Notification letter to public authorities - Transport for NSW, Ausgrid, RMS and Sydney Water, Department of Lands and Primary Industries and Inner West Council.

#### Public exhibition material

The public exhibition material package included the following information:

#### Planning proposal

- Gateway Determination and letter to Council dated March 2015
- Letter to Council – Alteration of Gateway Determination dated February 2016
- Planning proposal dated September 2016
- Attachments
  - Information checklist
  - Council report 13 November 2013
  - Evaluation criteria for delegation of plan
  - Letter from Macroplan Dimasi (advice on viability of commercial floor space)
  - Olsson and Associate Architects Study dated June 2015 (OAA Study)
  - Tree Report by Clouston and Associates

- Acid Sulfate Soils Assessment by Smec Testing services P/L
- Council report dated 23 August 2016
- Draft Development Controls for the site

#### Draft Canterbury Development Control Plan 2012

- Draft CDCP 2012

#### Public exhibition response

A total of eight submissions were received during the exhibition period. Two from public authorities, five individual local residents and one submission from the owner. All of the issues raised in submissions and Council's response are summarised at Attachment C (local resident) and Attachment D (owner).

- **Public authority submissions**  
Submissions from Sydney Water and RMS provided some recommendations for matters to be addressed at the development application stage, however, raised no objections to, or concerns with, the Planning Proposal and draft DCP amendment.
- **Local resident submissions**  
Two of the five submissions expressed support for the revised heights but raised concern with a possible three storey building along the Cooks River frontage.

Other submissions raised concern with loss of views, loss of property value, traffic and parking, setbacks, commercial viability of the ground floor shops and impact from the 14m height building.

- **Submission from Think Planners on behalf of owner**  
A detailed submission was received by Think Planners on behalf of the owner. The submission raised a number of concerns including: the level of detail in the OAA study, recommended heights not practical and should be placed in DCP not LEP, object to the 8.5m/2 storey component, object to the 12m depth and lack of engagement with owners.

Further, an amended position on the planning proposal was also made which requested Council to consider replacing the applicant's proposed 17m height limit across the Homer St frontage to a 14m height limit across the full length of the Homer St frontage for a depth of 18m. This submission has been addressed in detail at Attachment D.

A meeting was held with the proponent and Council Officers in February 2017, at which the proponent elaborated on their written submission. Three key issues were raised including:

- 8.5m height restriction: this control is not required for the purpose of solar access or protection of privacy. The step in the building would result in an unusual presentation to the street. The outcome will be a 'missing tooth' presentation to Homer Street. The existing rug shop building is higher than 8.5m.
- 12m building depth control: proposed building depth is inadequate and would not allow for a flexible apartment layout.
- Commercial viability: proposed controls would make the development unviable.

The concerns raised by the proponents have been considered in detail at Attachment D and they do not warrant any further changes to the planning proposal. More details regarding the proponent's submission is addressed in Attachment D.

### **Next steps and Conclusion**

The matters raised in the submissions including the amended position requested by the owner have been considered, no further amendments are recommended as a result of the submissions. It is recommended the proposed building envelope controls that were re-exhibited be retained.

The amendments to the DCP will be scheduled to take effect when the planning proposal is notified on the NSW legislation website.

Council has received authorisation to make the Plan through the Gateway Determination issued on 16 March 2015. It is recommended the Planning Proposal be approved, for finalisation and making as a Local Environmental Plan under Section 59 of the Environmental Planning and Assessment Act 1979. It is also recommended the amendments to the Canterbury Development Control Plan 2012 be approved and brought into effect in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000 to take effect from the day the Plan is published on the NSW legislation website.

## **POLICY IMPACT**

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There is no policy impact.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

There is no financial impact.

## **RECOMMENDATION** That -

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1. The Administrator approve the finalisation of the planning proposal for land at 15-23 Homer Street, Earlwood, shown at Attachment A, to be made as a Local Environmental Plan under section 59 of the Environmental Planning and Assessment Act 1979;
2. The plan be finalised in accordance with the delegation issued to Council in the Gateway Determination.
3. The Administrator approve the amendments to Canterbury Development Control Plan 2012, shown at Attachment B and that it be brought into effect in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000 to take effect from the day the Plan is published on the NSW legislation website.

## **ATTACHMENTS** [Click here for attachments](#)

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- A. Proposed Height of Building Map
- B. Draft DCP
- C. Summary of Submissions from Residents
- D. Think Planner Submission

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## Planning Matters - 28 February 2017

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**ITEM 5.4**                      **702 - 704 Canterbury Road, Belmore: Draft Voluntary Planning Agreement**

**AUTHOR**                      **Planning**

### **ISSUE**

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The report outlines the background and exhibition of a draft Voluntary Planning Agreement relating to land at 702-704 Canterbury Road, Belmore, to provide for the dedication of land and construction of a laneway on this land to allow for the potential future extension of Timothy Lane. It is recommended that the draft Voluntary Planning Agreement be endorsed by Council.

### **RECOMMENDATION** That -

---

1. The exhibited draft Voluntary Planning Agreement for 702-704 Canterbury Road, Belmore be endorsed, and the necessary steps taken to execute the relevant document.
2. The General Manager also be given delegation to make minor mapping and wording changes to the document that may be required for the purposes of execution, so long as these do not alter the intent or substance of the deed of agreement.

### **REPORT**

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On 12 December 2014 the Land and Environment Court considered an appeal relating to the deemed refusal of a proposed mixed use development at 702-704 Canterbury Road, Belmore.

As part of the Court proceedings, the applicant made an offer to enter into a Voluntary Planning Agreement (VPA) with the former Canterbury City Council. This involved the applicant dedicating land to Council to extend Timothy Lane at the rear of the site.

The Land and Environment Court upheld the appeal, and required that the applicant enter into a VPA with Council to dedicate the above land, as a deferred commencement condition necessary for the consent to become operative.

The applicant advised that the original offer made to the Land and Environment Court has not been able to be found. Since the court case the property has changed ownership, and the current applicant was not part of the original proceedings. The applicant provided a new letter of offer to Council, as required under the Voluntary Planning Agreement Policy of the former Canterbury City Council, and a draft VPA document based on a template prepared by a Council lawyer.

In specific terms the land dedication for the future extension of Timothy Lane measures 6.095m by 6.095m (approximately 37.15m<sup>2</sup> in area). The developer will also construct the laneway on the land in accordance with Council’s specifications. This will potentially enable a connection with Joan Lane to the east and ultimately a continuous vehicular access between Nelson Avenue and Liberty Street. The VPA also requires that Council’s reasonable legal costs (capped at \$3,500 excluding GST) will be met by the developer.

The land involved, and the indicative future laneway extension, is shown on the map below:



The VPA offer and draft VPA document was reported to Council on 6 December 2016 with an assessment of the merits undertaken. Council resolved as follows:

1. The draft Voluntary Planning Agreement for land at 702-704 Canterbury Road, Belmore, be placed on public exhibition in accordance with the Environmental Planning and Assessment Act, 1979.
2. After the conclusion of the public exhibition period the outcomes be reported to Council.

### **Public exhibition of the VPA**

In accordance with the above resolution, the VPA was placed on exhibition from Tuesday 13 December 2016 until Tuesday 31 January 2017. Nearby owners were advised in writing and the VPA exhibition advertised in the Council column. An extended exhibition period above the statutory 28 days took place to take into account the Christmas/New Year period.

No submissions were received during this period.

### **Conclusion**

The draft VPA to dedicate land and construct the laneway on the dedication land at 702-704 Canterbury Road, Belmore for the future extension of Timothy Lane is recommended for endorsement. It will provide “future proofing” of the potential to extend this lane to Joan Lane and create continuous vehicular access between Nelson Avenue and Liberty Street, and as such has the potential to provide future public benefit. The intention of the VPA is that the developer will bear all of the costs of the dedication and works.

## **POLICY IMPACT**

---

There is no policy impact.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

There is no financial impact.

## **RECOMMENDATION** That -

---

1. The exhibited draft Voluntary Planning Agreement for 702-704 Canterbury Road, Belmore be endorsed, and the necessary steps taken to execute the relevant document.
2. The General Manager also be given delegation to make minor mapping and wording changes to the document that may be required for the purposes of execution, so long as these do not alter the intent or substance of the deed of agreement.

## **ATTACHMENTS** [Click here for attachments](#)

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- A. Draft Voluntary Planning Agreement
- B. Draft Voluntary Planning Agreement Annexure A



**ITEM 5.5**                      **1 Bennett Street and 107–109 Orchard Road in Chester Hill:  
Application to rezone the site from Zone IN2 Light Industrial  
to Zone R4 High Density Residential**

**AUTHOR**                      **Planning**

### **ISSUE**

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To consider the application to rezone the site from zone IN2 Light Industrial to Zone R4 High Density Residential.

### **RECOMMENDATION**

---

That the application to rezone the site at Nos. 1 Bennett Street and 107–109 Orchard Road in Chester Hill from Zone IN2 Light Industrial to Zone R4 High Density Residential not be supported.

### **REPORT**

---

Council is in receipt of an application requesting Council to rezone the site at Nos. 1 Bennett Street and 107–109 Orchard Road in Chester Hill from Zone IN2 Light Industrial to Zone R4 High Density Residential under Bankstown Local Environmental Plan 2015.

Based on an assessment, the Council report to the Independent Hearing and Assessment Panel did not support the application as it is inconsistent with the Department of Planning & Environment's guidelines, and state and local strategies.

The Independent Hearing and Assessment Panel considered Council's report on 6 February 2017. In accordance with the Charter, the Panel is to consider planning proposal requests and recommend whether the matter should proceed to a Gateway Determination. The Panel's comments and recommendation are:

*The applicant planner who addressed the Panel noted that this rezoning application would be an "exception to the rule" because it was acknowledged that it was contrary to all the NSW Government and Council policy documents that require this land to remain as industrial land. The owner emphasised the flooding concerns and problems with the site.*

*While the Panel noted the owner's concerns about flooding the Panel is of the opinion that the flooding concerns are secondary to the principal issue of whether this land should be rezoned from industrial to residential. The resolution of the flooding issue could be taken up separately with the Council, irrespective of whether the land is industrial or residential. Also the flooding issue could be addressed as part of an industrial upgrade of the site.*

*The reasons why it is inappropriate to support a rezoning at this time are:*

*(a) Inconsistent with the State and local policies regarding employment land:*

- Greater Sydney Commission's Metropolitan Plan (A Plan for Growing Sydney)*
- Draft South District Plan*
- Council's Employment Land Development Study*
- Council's North West Local Area Plan*

*(b) No state or local strategic planning justification for increased residential density at this location.*

### *IHAP Recommendation*

*The Panel agrees with the Council Staff report recommendation that the application to rezone the site at 1 Bennett Street and 107–109 Orchard Road in Chester Hill from Zone IN2 Light Industrial to Zone R4 High Density Residential not be supported.*

Attached is the Council report to the Independent Hearing and Assessment Panel and the minutes regarding the matter.

## **POLICY IMPACT**

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This matter has no policy implications should Council decide not to support the application.

However, this matter would have policy implications should Council decide to proceed with a planning proposal to rezone the site. This matter is inconsistent with the Department of Planning & Environment's guidelines, and state and local strategies.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

This matter has no financial implications for Council.

## **RECOMMENDATION**

---

That the application to rezone the site at Nos. 1 Bennett Street and 107–109 Orchard Road in Chester Hill from Zone IN2 Light Industrial to Zone R4 High Density Residential not be supported.

## **ATTACHMENTS** [Click here for attachments](#)

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- A. Previous Report to Independent Hearing and Assessment Panel of 6 February 2017
- B. Minutes of the Independent Hearing and Assessment Panel Meeting of 6 February 2017
- C. Assessment Findings
- D. Application (Report) - Under Separate Cover for Administrator

## **6 REPORT OF THE GENERAL MANAGER**

The following items are submitted for consideration -

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6.18	Cash and Investment Report as at 31 January 2017	123

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## Report of the General Manager - 28 February 2017

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**ITEM 6.1**                      **Quarterly Budget Review - Period Ending 31 December 2016**

**AUTHOR**                      **Corporate**

### **ISSUE**

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To provide Council with an overview of Council's budget position as at 31 December 2016.

### **RECOMMENDATION** That -

---

1. Council adopt the December 2016 Quarterly Budget Review, as outlined in the report.
2. Council note the allocation of funding from its New Council Implementation Fund and estimated savings in costs due to the amalgamation, as outlined in the report.

### **BACKGROUND**

---

In accordance with the Local Government (Council Amalgamation) Proclamation 2016, Council has separately adopted corporate budgets for both the former Bankstown and Canterbury Councils for the year ending 30 June 2017.

Where appropriate, Council's individual budgets were adjusted to account for certain income and expenditure movements, particularly to reflect broader corporate items applied to the new council (e.g. corporate subscriptions and levies).

That said, Council's overall financial performance and position must be assessed by combining both budgets and comparing them to that originally planned.

This report provides a summary of Council's budget as at 31 December 2016. This review traditionally looks to reflect major variations and /or omissions.

A more detailed review of income and expenditure categories will be undertaken as a part of the March Quarterly Review process.

This report will focus on providing a summary of Council's consolidated position as at 31 December 2016.

## REPORT

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Following a review of the second quarter's financial performance, Council's broader financial position continues to convey a sound and stable position and generally compares well to its budget estimates.

Having reflected all required adjustments, Council's revised Operating Result is expected to be a surplus of \$26.4M, an increase of \$14.9M to the previously adopted projection. A summary of the major issues, which reflect the adjustment have been noted below.

Council's capital works and acquisition program is now expected to be \$90.6M, having decreased by \$10.2M during the quarter. The adjustment largely relates to the deferral of voted funds relating to projects which are unlikely to be commenced or completed this financial year. This adjustment is part of a continual refinement process which ensures that the capital works and acquisition program reflects the planned pattern of expenditure.

In reflecting our capital works and acquisition program and other adjustments made as a part of this revision, Council's level of cash and equivalents are expected to increase by approximately \$46.5M over the financial year (assuming no further carryovers exist at 30 June 2017).

Having completed the review, Council's major ratios remain at acceptable industry levels.

### CONSOLIDATED FINANCIAL PERFORMANCE – Second Quarter

Council's actual income and expenditure for the quarter generally compares well with its planned forecast and broader budget expectations for the 2016/17 financial year.

In summary, Council's second quarter financial performance is as follows:

	Original	Sept*	Dec	Variance This Quarter	Actual	%
	\$,000	\$,000	\$,000	\$,000	\$,000	
<b>Rates &amp; Annual Charges</b>	206,968	207,613	207,613	-	103,872	50%
<b>Charges /Fee</b>	22,724	22,724	21,290	(1,434)	11,117	52%
<b>Interest</b>	5,146	6,677	7,440	763	4,061	55%
<b>Grants/Contributions</b>	40,243	46,383	60,496	14,113	26,685	44%
<b>Other</b>	15,697	15,784	16,324	540	8,865	54%
<b>Total Revenue</b>	<b>290,779</b>	<b>299,181</b>	<b>313,163</b>	<b>13,982</b>	<b>154,599</b>	<b>49%</b>
<b>Employee Cost</b>	122,079	122,164	120,236	(1,928)	60,311	50%
<b>Materials &amp; Contracts</b>	57,427	62,759	64,616	1,857	26,939	42%
<b>Borrowing Costs</b>	135	135	135	-	80	59%
<b>Depreciation</b>	47,320	48,568	48,568	-	24,298	50%
<b>Other</b>	49,561	54,061	53,247	(814)	24,108	45%
<b>Total Operating Expenditure</b>	<b>276,523</b>	<b>287,687</b>	<b>286,802</b>	<b>(885)</b>	<b>135,736</b>	<b>47%</b>

	Original	Sept*	Dec	Variance This Quarter	Actual	%
<b>Net Operating Result</b>	<b>14,255</b>	<b>11,494</b>	<b>26,361</b>	<b>14,867</b>	<b>18,863</b>	72%
<b>Net Operating Results Before Capital Grants &amp; Contributions</b>	<b>(2,008)</b>	<b>(11,107)</b>	<b>(10,127)</b>	<b>980</b>	<b>5,752</b>	(57)%
<b>Less: Implementation &amp; Stronger Community Fund Expenses</b>	-	6,404	8,232	1,828	1,662	
<b>Net Operating Results before Implementation &amp; Stronger Community Fund Expenses</b>	<b>(2,008)</b>	<b>(4,703)</b>	<b>(1,895)</b>	<b>2,807</b>	<b>7,414</b>	

\* Includes 2015/16 carryovers

Following the adjustments, Council's financial performance to-date is considered sound, with income and expenditure categories trending well when compared to that originally planned.

Whilst Council's budget trends are somewhat based on seasonal and/or specific expenditure patterns, in a broad sense, Council's actuals reflect around 49% of our income budget and 47% for our expenditure budget, which is considered reasonable at this stage of the financial year.

A summary of some of the more pertinent element associated with this quarterly review have been outlined for Councillors' information.

## Revenue

Council's total revenue for the 2016/17 financial year is \$313.2M, \$14.0M more than the previously adopted projection.

A summary of the variations reflected as part of this review are as follows:

Description	Variance \$,000
<b>Grants and Contributions - Net Variation</b>	329
<b>Section 94 Contributions</b>	13,784
<b>Interest Income</b>	763
<b>Other Adjustments</b>	(894)
<b>Net Income Variations</b>	<b>13,982</b>

Explanations of some of the major variations and/or elements noted in the table above are as follows:

- Council is expecting to receive a number of new specific purpose Grants, not known at the time of preparing the original budget. In total, income from Grants and Contributions is expected to increase by \$0.3M.
- The budget for Section 94 contributions for the second quarter includes an estimate of the likely receipts over the remaining six months of the year. This is a change to our previous policy of only recognising s94 income once received, particularly for the Canterbury Branch.

This change is aimed at providing a more realistic indication of the likely income Council will receive during the year. These changes to the budget include restricting the funds received in accordance with Council's Section 94 Plan.

A further detailed assessment of Council's revenues will be conducted as part of the March 2017 Quarterly Budget Review.

### Operating Expenditure

Council's total operating expenditure for the 2016/17 financial year is \$286.8M, a net decrease of \$0.9M to that previously adopted projection.

The following elements make up the major variations as part of this review:

Description	Variance \$000
<b>Employment Cost</b>	(1,928)
<b>Reclassification of the contribution to Padstow Car Park</b>	(1,427)
<b>Implementation Fund expenses</b>	1,828
<b>Canterbury Road Corridor Study</b>	300
<b>Legal expenses</b>	900
<b>Other Net</b>	(557)
<b>Net Expenses Variations</b>	<b>(885)</b>

The reduction in employment costs represents savings largely attributable to adjustments for long-term vacancies and the impact of implementing Council's new Organisational Structure.

The adjustment in relation to Padstow Car Park has no impact on Council's Working Funds as this project is being funded from Council's Property Fund. The funding for this project will reappear as a capital item in due course.

As indicated earlier Council's overall operational expenditure is performing well compared to budget. In total 47% of Council's budget has been expensed, which is as expected at this stage of the financial year.

Council's expenditure will be reassessed in more detail as part of the March 2017 Quarterly Review process.

### **CAPITAL EXPENDITURE (CAPEX)**

As indicated earlier, Council's CAPEX is now expected to be \$90.6M, a net decrease of \$10.1M to the previously adopted projection.

The net decrease primarily represents the deferral of budgeted expenditure where projects will not be completed or commenced within the 2016-17 financial year.

A summary of the major capital adjustments reflected as part of this review are as follows:

Description	Funding	Variance \$000
<b>Grants – Roads</b>	Grant	707
<b>Grants - Other</b>	Grant	281
<b>Deferred -Canterbury Town Centre</b>	Sec 94	(6,250)
<b>Deferred - Lang Road Bridge</b>	Sec 94	(300)
<b>Bennett St Drain</b>	SW Levy/ Reserves	(1,000)
<b>Fleet Motor Vehicle Purchase</b>	MV Replacement Reserve	1,255
<b>Deferred / Amended Projects</b>	Various	(4,889)
<b>Net Variation – December</b>		<b>(10,196)</b>

A review of the former Canterbury Council's fleet operation revealed that there was an economic benefit of approximately \$400k per annum by changing from leasing to purchasing vehicles. An allocation of \$1.4M from the Motor Vehicle Replacement Reserve will be used to purchase the first tranche of vehicles. Future savings in operating costs will be used to replenish this reserve.

In total, \$23.7M has been spent throughout the year-to-date on Council's capital works program.

It should be noted that Council has the financial capacity to fund a large program, which looks to find an equitable balance between asset replacement, renewal and certain initiatives for the community.

Council will continue to review the capital works budget throughout the year and focus on ensuring that project delivery/completion dates are assessed and dedicated budgets are reviewed accordingly so as to accurately reflect planned expenditure. All deferred expenditure will again be considered as part of preparing Council's 2017/18 Budget.

### **LIQUIDITY, RATIOS AND RESTRICTIONS**

Having incorporated all proposed variations as part of this review, Council's ratios for its major financial indicators are expected to be as follows:

Description	Industry Benchmark	Dec Rev
<b>Operating Performance</b>	>0%	(3.66)%
<b>Unrestricted Current</b>	>150%	270%
<b>Debt Service Ratio</b>	<10%	0.55%
<b>Own Source Operating Revenue</b>	>60%	73%
<b>Cash Expense Cover</b>	>3mths	11.43

With the exception of the Operating Performance ratio all other ratios meet or exceed industry benchmarks. It should be noted that Council's normal operations, that is excluding the one-off impact of the Stronger Community Fund and Implementation Fund, exceed the industry benchmark for Operating Performance.

In finalising Council's December 2016 Review, a number of adjustments to specific external/internal restrictions have also been made to comply with certain statutory/policy and/or contractual requirements.

Having incorporate all the relevant adjustments, the following is a summary of the expected balance of major internal restrictions created as part of Council's annual budget process:

Major Restrictions	\$M
<b>Employee Leave Entitlement</b>	18.9
<b>Asset Replacement Reserve</b>	30.6
<b>Building/Holding Deposits</b>	7.8
<b>Land Investment Fund/Property Portfolio</b>	22.6
<b>Developer Contribution</b>	92.6
<b>Stronger Community Fund</b>	9.2
<b>New Council Implementation Fund</b>	2.7
<b>Post Amalgamation Working Fund Improvement</b>	4.5

In total, Council's planned balance of internal and external restrictions as at 30 June 2017 is expected to be \$111.7M and \$107.1M respectively.

Council's Working Funds balance has been set at \$10M which, when combined with the flexibility provided by the level of internal reserves, ensures that Council can fund its day-to-day operations.

### **Stronger Community Fund**

The Stronger Communities Fund (SCF) was established by the NSW Government to provide newly merged Councils with funding to deliver projects that improve community infrastructure and services. The City of Canterbury Bankstown has been allocated \$10M in funding as a result of the two councils merging.

To date an amount of \$1.0M has been released from the fund to account for community grants with a further \$3.6M identified for certain capital projects. These projects will be reflected in Council's 2017/18 Budget. Reports outlining further allocations from the Stronger Community Fund will be provided to Council in due course.

### **New Council Implementation Fund – Amalgamation costs**

The NSW Government also provided \$10M to assist with amalgamation costs. The following funds have been released from this reserve to support amalgamation projects:

<b>Project</b>	<b>\$M</b>
<b>Office Relocation</b>	1.5
<b>Organisational Development</b>	0.4
<b>IT Transition Projects</b>	3.3
<b>Alignment of Microsoft Licencing</b>	0.3
<b>Management Restructure</b>	0.8
<b>Transition Strategy and Project Management</b>	1.0
<b>Stronger Community Fund - Management Cost</b>	0.1
<b>Interest Allocated to the Fund</b>	(0.1)
<b>Total Release from Reserve</b>	<b>7.3</b>

### **Amalgamation Savings**

Council continues to realise a number of savings as a result of the amalgamation. In total, the improvement in Council's working capital attributable to the amalgamation to date is as follows:

<b>Savings</b>	<b>\$M</b>
<b>Councillor related costs</b>	0.8
<b>External Audit Services</b>	0.1
<b>Workers Compensation costs (self-insured)</b>	1.0
<b>Senior Contract and Management staff</b>	2.6
<b>Transfer to Post Amalgamation Working Fund Improvement Reserve</b>	<b>4.5</b>

As Council will note, a number of savings have been achieved across various Governance and Administrative elements. It is envisaged that further savings will be identified as a result of the harmonisation of Council's operations. This harmonization process will require the identification and assessment of current practices and adoption of best practice. This process will enable us to quantify our operational savings.

Amalgamation costs and savings will continue to be reviewed and reported on a quarterly basis.

## **POLICY IMPACT**

---

This report is consistent with the strategic policy and financial commitments outlined in both former Council's Operational Plans and 2016-17 Budgets. The review is submitted to Council in compliance with the requirements of the Local Government Act, 1993.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

The 2016-17 Quarterly Review continues to support a stable and sound financial position. Subject to their approval, all adjustments will be made to Council's 2016/17 budget. A further review will be carried out as part of Council's March 2017 Quarterly Budget Review.

## **RECOMMENDATION** That -

---

1. Council adopt the December 2016 Quarterly Budget Review, as outlined in the report.
2. Council note the allocation of funding from its New Council Implementation Fund and estimated savings in costs due to the amalgamation, as outlined in the report.

## **ATTACHMENTS** [Click here for attachment](#)

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- A. Canterbury Bankstown Council - December 2016 Quarterly Review

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## Report of the General Manager - 28 February 2017

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**ITEM 6.2**                      **2016-17 Integrated Planning Review - 6-Monthly Review to 31st December 2016.**

**AUTHOR**                      **City Future**

### **ISSUE**

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To provide a six month update on the progress of the 2016-17 Operational Plan at 31 December 2016.

### **RECOMMENDATION** That -

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Council endorse the half year review of its 2016/17 Operational Plan, as outlined in the report.

### **BACKGROUND**

---

On 12 May 2016 the NSW Government announced the amalgamation of Bankstown and Canterbury City Councils forming the new City of Canterbury Bankstown. The new Council was required to prepare a single Operational Plan detailing revenue and expenditure for services and infrastructure for the 2016-17 financial year.

Council is required to report six monthly on the implementation of this Plan in accordance with the Integrated Planning and Reporting provisions of the Local Government Act.

Council's financial performance for the half year ending December 2016 has similarly been reviewed and is separately reported as part of this business paper.

### **REPORT**

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Council's 2016-17 Operational Plan and ongoing implementation of its Transition Plan continue to realise a number of improvements throughout the city, such as;

- Enabling residents to return library resources to any local library;
- Enabling residents to pay their rates and lodge development applications at either Customer Service Centre;
- Enabling residents to use their memberships at any leisure and aquatic centre;
- Alignment of waste contracts
- Aligning our local advertising
- Bringing average assessment times for development applications to 37 days (one of the fastest in Sydney), without compromising proper process.

As at 31 December 2016, 86% of all projects identified in the 2016-17 Operational Plan were either complete or on target for completion throughout this financial year. The following is a summary of the key achievements for the period 1 July to 31 December 2016 and more detailed information on the progress of each operational plan item is contained in **Attachment A**.

### **Governance Achievements**

Council delivers a range of governance functions including Leadership, Communication and Engagement, Events and Marketing, Information Technology, Customer Service, Property Management, Regulation and Compliance and Future Planning. Highlights of these Service Areas during the period include:

- The adoption of the 2016-17 Operational Plan, Budget and Schedule of Fees and Charges, a revised Section 94A Plan and establishing Advisory Committees.
- Adoption of a number of key Governance Policies including a new Code of Conduct Framework, which provides a basis for good governance and transparency within Council.
- Acknowledgement of industry excellence:
  - Finalist in this year's Local Government NSW Environment Awards, for its Habitat Box program;
  - Winner of the 2016 Stormwater NSW and Australia Awards for Excellence in Policy or Education, for the Stormwater Audit and Education Program; and
  - Winner of the 2016 Stormwater Australia award for Excellence in Asset Management for the Bankstown Pollution Control Device Cleaning Tender – Next Generation.
- Implementation of the Stronger Communities Fund:
  - Community Grants (total \$1million): 27 local incorporated not-for-profit organisations received a total of \$987,546 to help deliver services, projects and programs for the City.
  - Major Projects (total of \$10 million): Council authorised major projects to the value of \$4.6 million comprising a multipurpose synthetic surface at Jensen Park, an all abilities playground at Bankstown City Gardens, a regional cycleway connection at the Canterbury Road Underpass and parklands renewal at Wiley Park
- Celebration of 70 years of service by the Bankstown Branch Library Services
- Celebration of the golden anniversary of the Meals on Wheels Service with over two million meals delivered over 50 years.
- A Community Satisfaction Survey conducted by the NSW Government, rated Canterbury Bankstown significantly higher on '*overall performance*' when compared with other newly formed councils state-wide.

### **Environment Achievements**

Council delivers a range of environmental functions including Sustainability, Catchment Management, Parks and Open Space, and Waste Recycling and Street Cleaning. Highlights of these Service Areas during the period include:

- Council was selected as one of 640 areas in a nationwide trial program to control wild rabbits.
- Development of a Fox Management Plan.
- Engagement of more than 200 volunteers at National Tree Day, where more than 1,500 plants were installed at Band Hall Reserve, Birrong, and Picken Oval, Croydon Park.

- Participation in the National Carbon Bank Australia (NCBA) Scheme, making it easier to roll out energy efficient street lighting for the City.

### **Economic Development Achievements**

Council delivers a range of economic development functions including Town Centres, Development Services, and Roads and Transport. Highlights of these Service Areas during the period include:

- Council held the *Get Connected@the South West Sydney Business Expo*, where more than 80% of local jobseekers identified a suitable job or training opportunity.
- More than 10,000 people attended the 2016 Bankstown Bites Food Festival in July.
- Completion of major projects in our Town Centres including Buist Street, Bass Hill; Fitzpatrick Street, Revesby; Waterloo Road, Greenacre; Marion Street, Bankstown.

### **Social Achievements**

Council delivers a range of social functions including Community, Libraries, Children's Services, Sport and Recreation, Emergency Management, Leisure and Aquatics, and Arts and Culture. Highlights of these Service Areas during the period include:

- Council partnered with 20 local organisations to deliver the Canterbury Bankstown Cares Wellness Program, and with local bus company Transdev to promote the anti-domestic violence message.
- Commencement of community engagement for the Canterbury Bankstown Disability Inclusion Action Plan.
- Planning for key open spaces, including Masterplans for Gough Whitlam and Waterworth Parks and adopting a new Masterplan for Jim Ring Reserve.
- Commissioning of a study into the long term options for The Crest sporting precinct and prepared an Open Space Strategy for Roselands and Canterbury Wards.
- Attendance of over 550 children and 423 carers at 21 Children's Hub sessions.
- Provision of over \$480,000 in grant funding for community groups to undertake local projects in the Canterbury Bankstown LGA as part of the 2016-17 Community Grants and Events Sponsorship Program and the Financial Assistance Program.
- Works at key community facilities and spaces, including Gosling Park Clubroom, Coleman Park tennis courts (LED lighting trial), Bankstown City Gardens (amenities), Vale of Ah Sportsfield reconstruction, Bankstown CBD (City lights), Apex Park (entry treatment); Campsie Library (additional seating areas, 6 meeting rooms, and improved public access computers, print capabilities and collections); Yagoona Community Centre (25% complete).

The table below contains some key information across a range of Services for the period 1 July to 31 December 2016.

Service Area	Activity	Output
Communications	Website visits	781,875
	Facebook Likes	34,326
Leisure and Aquatics	Visits	370,458
	Learn to Swim	38,874
Library	Visits	568,058
	Active Membership	110,996
Health	Food Inspections	600
	Impounded Animals	312
Development Assessment	No. of DAs	876
	Average Assessment Time	37
Strategic Leadership	Engagement - Have your Say Page visits	11,800
	Engagement - Business and Residents visits	1,331
	Access to Information (GIPAA, Open Access)	49
	Safety - No. of LTIs	11
	Safety - Days Lost through LTIs	220
	Arts Program Participants	11,076
Economic Development	CBBAS Members	390
Environment	Tree Preservation Orders issued	474
	Illegal Dumping Infringements	6
	Illegal Dumping Fines	\$18,500
	Illegal Dumping incidents removed by offender	241
	Domestic Waste Collected – Regular (Tonnes) collected	39,150
	Domestic Waste Collected – Recycling (Tonnes) collected	12,975
	Domestic Waste Collected – Clean Up (Tonnes) collected	5,399
Capital Projects	Completed	124

Council will continue to deliver on the objectives and deliverables as outlined in its operational plan and importantly ensure that it effectively services its community and continues to remain in a sound and financial position.

A complete listing of Council's operational plan is attached for Council's consideration.

## **POLICY IMPACT**

Council's 2016-17 Operational Plan was prepared in accordance with requirements stipulated by the Local Government Act 1993, the Local Government (Council Amalgamations) Proclamation 2016 and guidelines issued by the Department of Premier and Cabinet - NSW.

Council's goal is to continue to provide residents with high quality facilities and services and to position the new City to best capture future opportunities.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

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Provisions have been made within the 2016-17 Budget to accommodate tasks and projects set out in Council's Operational Plans. The 2015- 16 expected results continue to support a stable and sound financial position.

## **RECOMMENDATION** That -

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Council endorse the half year review of its 2016/17 Operational Plan, as outlined in the report.

## **ATTACHMENTS** [Click here for attachment](#)

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- A. 6 Month Progress Report of the 2016-17 Operational Plan at 31 December 2016



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## Report of the General Manager - 28 February 2017

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### ITEM 6.3                      **Appointment of the Auditor-General**

**AUTHOR**                      **Corporate**

#### **ISSUE**

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To advise Council that the Auditor-General of NSW has now been appointed as Council's auditor and that this appointment is effective from 12 May 2016.

#### **RECOMMENDATION** That -

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1. The report be noted.
2. Council write to PWC and thank them for their services to Council.

#### **REPORT**

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On 28 June 2016, Council resolved that, pursuant to clause 28 of the Local Government (Council Amalgamations) Proclamation 2016 (NSW), Council appoint PWC as its External Auditor for a period of six years.

Subsequently, on 22 June 2016, the *Local Government Amendment (Governance and Planning) Bill 2016* was introduced to the Legislative Assembly by the Minister for Local Government, to amend the *Local Government Act 1993* (LG Act).

The Local Government Amendment (Governance and Planning) Act 2016 ("the amending Act") was assented to on 30 August 2016. Amongst a number of changes, the amending Act introduced new audit provisions which mandated that the Auditor-General of NSW be the Auditor for all NSW councils.

Canterbury-Bankstown Council is one of twelve (12) councils who will have their 2016/17 financial reports directly audited by the Audit Office of NSW. The remaining NSW councils will be audited by accredited audit firms under the oversight of the Audit Office.

The Auditor-General's appointment is effective from 12 May 2016. The amending Act also allows for the Auditor-General to revoke the previous audit appointment made by the Administrator.

Whilst PWC is aware of the changes, Council will formally end its contract with PWC given the above and thank them for their services to Council.

## **POLICY IMPACT**

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This report is consistent with legislative requirements and supports Council's commitment to good governance practices.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

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Relevant funding for the service has been made available within Council's 2016/17 Budget.

## **RECOMMENDATION** That -

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1. The report be noted.
2. Council write to PWC and thank them for their services to Council.

## **ATTACHMENTS**

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Nil

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## Report of the General Manager - 28 February 2017

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### **ITEM 6.4                      Adoption of Canterbury Open Space Strategy**

**AUTHOR                      City Future**

### **ISSUE**

To report back to Council following the exhibition of the draft Canterbury Open Space Strategy.

### **RECOMMENDATION**

That Council adopts the Canterbury Open Space Strategy.

### **BACKGROUND**

On 24 September 2015 the Open Space Needs Review was adopted by the former Canterbury Council which included a recommendation to develop a new Open Space Strategy. The new strategy was required to set the strategic direction of open space for the former City and is also informed by the Strategic Recreation Plan Review and Audit 2013.

### **REPORT**

#### **The Strategy**

The Canterbury Open Space Strategy (see attachment A) has been developed to direct the future provision, development and management of all open space across the former City of Canterbury. This strategy forms the vision, principles, goals and objectives for the city's open spaces and will marry with the Bankstown Open Space Strategy to form a single view for the future directions for open space in our city. The document identifies six guiding themes, each with detailed strategic directions. These are:

- **Open Space Provision:** To adopt a proactive and targeted approach to addressing open space gaps and a conservative approach to land divestment.
- **Asset Management:** To enhance the quality and function of open space and related assets through a hierarchy and planned approach.
- **Riverfront and Recreation Destinations:** To provide a spread of accessible quality open spaces and recreation facilities through significant and neighbourhood destinations.
- **Open Space Connections and Corridors:** To achieve a network of corridors, linear parks and streetscapes that increase 'walkability' and connect people to destinations.
- **Natural Areas and Heritage:** To protect and manage nature, heritage and the environment including through community involvement.
- **Sports Complexes and Facilities:** To improve the quality and function of sports complexes and facilities including through partnerships with sports.

Within these six themes there are 36 strategic directions identified for Council to develop and support. These strategies will also determine priority projects for Councils Section 94 Plan.

### **Exhibition**

The Canterbury Open Space Strategy was exhibited from 30 November 2016 to 3 February 2017. Nine submissions were received and acknowledged, these have not resulted in changes to the strategic recommendations of the document. The majority of the comments in the submissions relate to requests for services that will be addressed by other council strategies such as biodiversity, aquatics, signage and active transport. An extensive submission was received from Mr Jihad Dib MP, Member for Lakemba that expressed support for the strategy and requested that thorough community consultation is undertaken by Council in the future planning of Parry and Wiley Parks (see attachment B). A full list of the submissions and Councils responses can be seen in Attachment C.

### **Strategic Priorities**

The strategic priorities identified within the Canterbury Open Space Strategy include:

1. Consider open space recommendations with future Section 94 development.
2. Identify land which may be able to be acquired for new open space in areas identified as target locations.
3. Undertake master plans for identified destinations and hubs.
4. Complete site specific plans of management for identified state and regional parks (including the incorporation of the former Canterbury area within Bankstown Community Land Generic Plan of Management).
5. Complete a sports facilities strategic plan.
6. Implement the playgrounds plan (which will include a review of the former Bankstown area in the plan).

## **POLICY IMPACT**

---

The Canterbury Open Space Strategy and the Bankstown Open Space Strategic Plan will be Council's primary planning documents for public open space within each of the former areas.

The documents are structured consistently to align open space planning objectives for the City of Canterbury Bankstown.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

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There is no financial impact.

## **RECOMMENDATION**

---

That Council adopts the Canterbury Open Space Strategy.

## **ATTACHMENTS** [Click here for attachments](#)

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- A. Canterbury Open Space Strategy
- B. Submission from Mr Jihad Dib, MP, Member for Lakemba
- C. Submission Table Draft Canterbury Open Space Strategy

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## Report of the General Manager - 28 February 2017

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**ITEM 6.5**                      **Code of Conduct Framework - Adoption of Supporting Policies**

**AUTHOR**                      **Corporate**

### **ISSUE**

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To adopt policies in support of Council's Code of Conduct Framework following independent review.

### **RECOMMENDATION** That -

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1. Council adopt the Councillor and Staff Interaction Policy, Gifts and Benefits Policy, Public Interaction and Meeting Disclosures Policy, and Statement of Business Ethics as attached to this report.
2. In principle, Council adopt the Fraud and Corruption Prevention Policy as attached to this report, and that the Policy be referred to the Independent Commission Against Corruption for comment.
3. Following the Independent Commission Against Corruption's review, the Policy be reported back to Council for consideration.
4. Subsequent to Council's adoption of the Supporting Policies within the Code of Conduct Framework, a further review be carried out following organisational implementation, as outlined in the Report.

### **BACKGROUND**

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In accordance with the *Local Government Act 1993*, Council adopted a new Code of Conduct and Procedures for the Administration of the Model Code at the Ordinary Meeting on 25 October 2016. To support its implementation Council developed a Code of Conduct Framework to provide a basis for good governance and transparency within Council, which comprises supporting governance documents on aspects of ethical behaviour.

At the Ordinary Meetings on 22 November 2016 and 6 December 2016, Council endorsed in principle a number of governance policies, which were forwarded to the Independent Commission Against Corruption (ICAC) for independent review, and has received comments on three of these policies.

## **REPORT**

---

This report recommends the adoption of four policies which have had the Commission's comments incorporated and will support Council's Code of Conduct Framework. Separately, the report also proposed to adopt in principle Council's draft Fraud and Corruption Prevention Policy and refer the policy to ICAC for comment.

### **Gifts and Benefits Policy**

The Gifts and Benefits Policy outlines the basis on which Council will manage the offer and acceptance of gifts, hospitality and benefits in accordance with the obligations set out in Council's Code of Conduct.

ICAC recommended the inclusion of a provision on cumulative gifts in the policy to highlight the risks associated with the offer and acceptance of multiple token gifts from a single source.

### **Statement of Business Ethics**

The Statement of Business Ethics outlines the standards of behaviour and ethical business dealings, and provides guidance when conducting business with Council.

Feedback on the draft Statement of Business Ethics from ICAC centred on enhancing the document for external parties wishing to do business with Council.

### **Public Interaction and Meeting Disclosures Policy**

The Public Interaction and Meeting Disclosures Policy complements the legislative requirements Council officials must adhere to, and assists with establishing the method in which the Mayor, Councillors and Council's senior staff interact with the public on matters before Council, unsolicited proposals and requests for Council support in an ethical and transparent manner.

Minor administrative changes were provided by ICAC in regards to clarifying discussion of bribery and attempts to bribe, and expanding the 'related resources' section to include the Statement of Business Ethics.

### **Councillor and Staff Interaction Policy**

The Councillor and Staff Interaction Policy guides Councillors in the exercise of their civic duty by specifically addressing their interaction with and receipt of advice from authorised staff, as nominated and authorised by the General Manager.

Feedback from ICAC suggested the inclusion of examples to assist with illustrating elements of the Policy. This will be implemented into the Code of Conduct training across the organisation.

## **Fraud and Corruption Prevention Policy**

The Fraud and Corruption Prevention Policy outlines Council's commitment to a culture of good governance and ethical behaviour. The Policy outlines the expectations and responsibilities of all Council employees and other people who perform functions on behalf of Council, and provides the mechanism for reporting suspected fraud, misconduct and corrupt conduct. The Policy will be supported by the development and implementation of a Fraud and Corruption Prevention Plan.

Following Council's endorsement, the Fraud and Corruption Prevention Policy will be forwarded to ICAC for independent review.

### **Operation**

Given their endorsement by the ICAC, the abovementioned policies will now be implemented throughout the organisation through standard training programs with all staff.

In addition and as required, a further review of these policies may be undertaken to ensure that their practical implementation within Council is effective and meets the overarching requirements of good governance within Council.

## **POLICY IMPACT**

---

Adoption of the policies subject of this report supplement the provisions of Council's Code of Conduct and ensures compliance with Council's legislative obligations.

Furthermore, these new policies supersede the previous policies adopted by the former Bankstown and Canterbury Councils.

The Fraud and Corruption Prevention Policy will be submitted to the Independent Commission Against Corruption for independent review.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

There are no financial impacts associated with this report.

### **RECOMMENDATION** That -

---

1. Council adopt the Councillor and Staff Interaction Policy, Gifts and Benefits Policy, Public Interaction and Meeting Disclosures Policy, and Statement of Business Ethics as attached to this report.
2. In principle, Council adopt the Fraud and Corruption Prevention Policy as attached to this report, and that the Policy be referred to the Independent Commission Against Corruption for comment.
3. Following the Independent Commission Against Corruption's review, the Policy be reported back to Council for consideration.

4. Subsequent to Council's adoption of the Supporting Policies within the Code of Conduct Framework, a further review be carried out following organisational implementation, as outlined in the Report.

## **ATTACHMENTS** [Click here for attachments](#)

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- A. Gifts and Benefits Policy
- B. Statement of Business Ethics
- C. Public Interaction and Meeting Disclosures Policy
- D. Councillor and Staff Interaction Policy
- E. Fraud and Corruption Prevention Policy

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## Report of the General Manager - 28 February 2017

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### **ITEM 6.6**                      **Voluntary Planning Agreements Policy**

**AUTHOR**                      **Planning**

### **ISSUE**

This report discusses the outcome of the public exhibition of the Draft Voluntary Planning Agreements Policy for the City of Canterbury Bankstown.

### **RECOMMENDATION**

That Council adopt the Voluntary Planning Agreements Policy as shown in Attachment A.

### **BACKGROUND**

At the Ordinary Meeting of 25 October 2016, Council resolved to exhibit the Draft Voluntary Planning Agreements Policy for the City of Canterbury Bankstown and to report the matter to Council following the exhibition.

It is proposed the draft policy will replace the existing voluntary planning agreement policies at the former councils. A copy of the Council Report of 25 October 2016 is attached. (Attachment B)

During the exhibition period of Council's draft policy, the Department of Planning & Environment released the Draft Planning Agreements Practice Note and Draft Ministerial Direction for public consultation. Council's draft policy is consistent with the released material.

### **REPORT**

#### **Public exhibition**

The public exhibition was held from 8 November to 7 December 2016 and included:

- Displays at Council's Customer Service Centres (Bankstown and Campsie branches)
- Display on Council's website
- Public notices in the local newspapers (The Torch and the Express newspapers).

No submissions were received during the exhibition period. Further, Council's Policy Review Sub Committee reviewed the policy and no feedback was received.

## **Department's Draft Planning Agreements Practice Note**

In November 2016, the Department of Planning & Environment released the Draft Planning Agreements Practice Note and the Draft Ministerial Direction for public consultation.

The Draft Practice Note proposes to set the principles for planning agreements and the framework for transparent negotiations.

According to legal advice, Council's Draft Voluntary Planning Agreements Policy is generally consistent with the Draft Practice Note.

## **POLICY IMPACT**

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The Draft Voluntary Planning Agreements Policy proposes to replace the voluntary planning agreement policies of the former Bankstown and Canterbury City Councils.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

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This matter has no financial implications for Council.

## **RECOMMENDATION**

---

That Council adopt the Voluntary Planning Agreements Policy as shown in Attachment A.

## **ATTACHMENTS** [Click here for attachments](#)

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- A. Voluntary Planning Agreements Policy
- B. Council Report - 25 October 2016

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## Report of the General Manager - 28 February 2017

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**ITEM 6.7**                      **Community Strategic Plan - Community Engagement Strategy**

**AUTHOR**                      **City Future**

### **ISSUE**

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A Community Engagement Strategy has been developed to guide engagement of community stakeholders in the development of Council's new Community Strategic Plan.

### **RECOMMENDATION**

---

That Council endorse the Community Engagement Strategy for the new Community Strategic Plan.

### **REPORT**

---

To guide the community consultation process during the development of a new Community Strategic Plan, a Community Engagement Strategy is required. This Strategy must identify the community stakeholder groups to be included in the engagement and outline how Council will engage each of these groups. As a result, a draft Community Engagement Strategy has been prepared.

The main objectives for the Community Engagement Strategy are:

- Increase awareness of the new City of Canterbury Bankstown, including what we do and the services we provide;
- Increase awareness of the Community Strategic Plan;
- Design and roll out targeted engagement activities that ensure meaningful engagement with identified community stakeholder groups and remove barriers to participation;
- Understand community aspirations and priorities for the city to assist in aligning where the community wants to be in ten years time;
- Build confidence in Council's leadership, capability and expertise with the community and stakeholders;
- Measure the effectiveness of community engagement activities for future planning.

The strategy considers and addresses a number of opportunities including:

- The timing of proposed community engagement (April-June 2017) coinciding with the launch of Council's new branding strategy and its roll out;
- The ability to use information collected as part of the recent Community Satisfaction Survey and the development of the Branding Strategy;

- The opportunity to seek community feedback for the implementation of the Stronger Communities Fund – Major Projects Program;
- The ability to use a broad range of formal and informal engagement activities to ensure maximum reach.

The Strategy proposes a range of engagement activities to engage all stakeholders that live, work and play in our city or that support our community. It will use the approach that we will “go where you are” i.e. we will go to the places our community lives, works and plays. The proposed activities (to occur between April and June 2017) include:

- Surveys;
- Digital engagement;
- Mobile engagement kiosks;
- Interviews, forums, focus groups and workshops; and
- A town hall style event.

The results of this engagement will be combined with feedback from the recent Community Satisfaction Survey and the development of the Branding Strategy to produce an issues paper, ready for the development of the new CSP.

## **POLICY IMPACT**

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Attached is Council’s proposed Engagement Strategy supporting the Community Strategic Planning process.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

Council’s 2016/17 Budget incorporates relevant funding to accommodate the process.

## **RECOMMENDATION**

---

That Council endorse the Community Engagement Strategy for the new Community Strategic Plan.

## **ATTACHMENTS** [Click here for attachment](#)

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- A. Community Engagement Strategy

---

## Report of the General Manager - 28 February 2017

---

**ITEM 6.8**                      **Amendments to Fees and Charges**

**AUTHOR**                      **Corporate**

### **ISSUE**

---

To consider amendments to Council's Fees and Charges.

### **RECOMMENDATION** That -

---

1. Council exhibit the fees and charges for the Morris Iemma Indoor Sports Centre and for carrying out private works for a period of 28 days in accordance with the Local Government Act 1993.
2. The matter be reported back to Council at the end of the exhibition period.

### **BACKGROUND**

---

#### **Morris Iemma Indoor Sports Centre**

The Morris Iemma Indoor Sport Centre (MIISC), located at Rotary Park in Riverwood has been managed by the YMCA under a deed of licence agreement with the former Canterbury City Council since the building's construction in 2011. In January 2016, the YMCA notified the former Canterbury Council of its intention to end the licence effective 30 June 2016 citing the reason as their inability to sustain the \$230K in operational losses that the Centre was incurring on an annual basis.

At the June 2016 meeting, Council resolved to enter into an interim arrangement with the YMCA for a period of six months during which time Council would conduct a business review to determine the future management model that will deliver on Council's commitment to provide a competitive, quality fitness product in a financially sustainable manner.

At the Ordinary meeting on 25 October 2016, Council resolved to adopt a combination model for the management of the MIISC. This followed a comprehensive business review of the MIISC, where it was determined that the model that delivered the best outcome for Council was to manage the indoor stadium, kiosk and multipurpose rooms in house and to conduct an open tender process to lease out the gym facilities.

## **Private Works**

Sections 67 and 377 of the Local Government Act 1993 requires that a fee or charge for carrying out works on private land be established by a formal resolution of Council. There is no evidence to show that the former Canterbury City Council resolved to set the charge for private mowing yet the former Canterbury City Council has legacy arrangements in place which have not been reviewed for over 15 years and are carried out outside formal adopted fees and charges.

## **REPORT**

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### **Fees and Charges - MIISC**

With Council assuming management of the facility from 1 April 2017, it is necessary for Council to adopt a set of interim fees and charges that are commensurate with the products and services provided at the Centre.

Based on the current fee structure at the YMCA and after reviewing pricing in like facilities Attachment A shows Council's proposed fee structure.

### **Private Works (former Canterbury City Council)**

The provisions of the Local Government Act provide for Council to carryout services on private land, as determined by Council.

Given the Proclamation, Council was required to adopt two sets of Fees and Charges, as set out for both former councils. The Bankstown branch of Council has in its Fees and Charges a charge for works carried out on private land. The charge is calculated on the actual cost of the work plus a 10% administration fee. It is proposed that a similar charge be included in the Fees and Charges for the Campsie branch, and that the Fees and Charges be publicly exhibited in accordance with the requirements of the Local Government Act.

## **POLICY IMPACT**

---

This matter has no direct policy implications.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

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The estimated revenue that will be generated from the hire of the MIISC multipurpose courts and the community room as well as the food and beverage sales at the kiosk is \$395K per annum.

## **RECOMMENDATION** That -

---

1. Council exhibit the fees and charges for the Morris lemma Indoor Sports Centre and for carrying out private works for a period of 28 days in accordance with the Local Government Act 1993.
2. The matter be reported back to Council at the end of the exhibition period.

**ATTACHMENTS** [Click here for attachment](#)

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- A. 2017 Proposed Fees and Charges for the Morris Iemma Indoor Sports Centre



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## Report of the General Manager - 28 February 2017

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### ITEM 6.9                      Requests for Financial Assistance and Donations

**AUTHOR**                      Corporate

#### **ISSUE**

To consider requests for financial assistance from community groups, local schools and individuals.

#### **RECOMMENDATION** That –

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1. A donation of \$250 be made to Steven Kokokiris of Canterbury on his selection to compete in the 5km swimming event at the Australian Open Water Championships held in Adelaide from 27 to 29 January 2017.
2. A donation of \$1,840 for the yearly hire and use of Paul Keating Park every Tuesday and Thursday evening from 5.00 – 9.00 pm be made to Youth Off The Streets for their Youth Outreach Program. Also an additional donation of \$257.00 for the waiving of the hire fee for the use of Gazzard Park, Yagoona on Tuesday 4 April, 2017 for a Touch Football Competition for Youth Week. A total donation of \$2,097 be made to Youth Off The Streets.
3. A donation of \$599 be made to the Mediterranean Middle Eastern Rugby League Club for the waiving of the hire fee for the use of the Terry Lamb Complex at Chester Hill for the 2016/2017 season.
4. A donation of \$400 (equivalent to the fee waiver for the use of the Riverwood Community Centre) for the 2016 Riverwood Autumn Fair be made to the Riverwood Community Centre.

#### **REPORT**

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##### **Section 1 – Requests from Sporting Individuals/Groups**

- A request for assistance has been received from Nicky Kokokiris of Canterbury regarding her son, Steven who was selected to compete in the 5km swimming event at the Australian Open Water Championships in Adelaide from 27 to 29 January 2017. Steven qualified for Championships through trials, ranking 1st in NSW and 3rd nationally for the event. The cost of each team member is over \$800 including entry fees, travel and accommodation.

The family has lived at the current address for over 17 years and Steven is a member of the Sladen Swim Club based at our Aquatic Centres. Steven is 16 years of age and attends Casimir Catholic College in Marrickville. Previous assistance was provided on 24 September 2015 for the Pacific School Games in Adelaide from 21 to 28 November 2015. It is recommended that a donation of \$250 be made to Steven Kokokiris.

## **Section 2 – Requests from and Donations to Non-Profit Organisations**

- Youth Off The Streets Outreach Program are requesting that Council waive the yearly hire fee of \$1,840 for the use of Paul Keating Park on Tuesday and Thursday evenings from 5.00 – 9.00 p.m. The aim of the program is to provide a safe and engaging environment for young people where they can interact with peers and Youth Workers and participate in a range of free activities such as sports, arts and crafts and educational workshops. Through the program young people are linked in with other service providers such as Mission Australia, Headspace, the Corner Youth Health Service, etc. It is recommended that a donation of \$1,840 be made to Youth Off The Streets.

Youth Off The Streets are hosting a Touch Football Competition for Youth Week on Tuesday, 4 April, 2017 at Gazzard Park, Yagoona and are requesting that Council waive the hire fee of \$257.00 for the use of Gazzard Park. They are expecting between 50 – 100 people at the event.

Therefore a total donation of \$2,097 be made to Youth Off The Street.

- The Mediterranean Middle Eastern Rugby League Club are asking Council to waive the hire fee for the use of the Terry Lamb Complex at Chester Hill for the 2016/2017 season. It is recommended that a donation of \$599 be made to The Mediterranean Middle Eastern Rugby League Club.
- Council received a request from the Riverwood Community Centre asking Council to waive the hire fee of \$400 for the use of the Riverwood Community Centre so that they could host their 2016 Riverwood Autumn Fair. The Festival has been held annually for over 20 years and usually attracts 1,500 people to the event. It is recommended that a donation of \$400 be made to the Riverwood Community Centre.

## **Section 3 – Requests from Schools**

Nil.

## **POLICY IMPACT**

---

The former Bankstown City Council adopted a revised Grants and Donations Policy in April 2009 with the following funding criteria:

## **Individuals**

- (i) Financial assistance to individuals will be assessed as follows:

\$100 for events held in NSW  
\$250 for events held interstate  
\$500 for events held overseas

## **Not-for-profit Groups and Organisations**

- (i) Financial assistance to not-for-profit groups and organisations for specific projects for programs will be limited to \$750, (\$300 for general school fundraising efforts) with Council having discretion towards a higher amount in special circumstances.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

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This report recommends donations totaling \$3,346 and those funds be made available from Council's Section 356 Financial Assistance Budget.

## **RECOMMENDATION** That –

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1. A donation of \$250 be made to Steven Kokokiris of Canterbury on his selection to compete in the 5km swimming event at the Australian Open Water Championships held in Adelaide from 27 to 29 January 2017.
2. A donation of \$1,840 for the yearly hire and use of Paul Keating Park every Tuesday and Thursday evening from 5.00 – 9.00 pm be made to Youth Off The Streets for their Youth Outreach Program. Also an additional donation of \$257.00 for the waiving of the hire fee for the use of Gazzard Park, Yagoona on Tuesday 4 April, 2017 for a Touch Football Competition for Youth Week. A total donation of \$2,097 be made to Youth Off The Streets.
3. A donation of \$599 be made to the Mediterranean Middle Eastern Rugby League Club for the waiving of the hire fee for the use of the Terry Lamb Complex at Chester Hill for the 2016/2017 season.
4. A donation of \$400 (equivalent to the fee waiver for the use of the Riverwood Community Centre) for the 2016 Riverwood Autumn Fair be made to the Riverwood Community Centre.

## **ATTACHMENTS**

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Nil



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## Report of the General Manager - 28 February 2017

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**ITEM 6.10**                      **Canterbury Bankstown Floodplain Management Committee**

**AUTHOR**                      **City Future**

### **ISSUE**

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Under the NSW Government's Floodplain Risk Management Process, the formation of a Floodplain Management Committee is required to provide assistance to Council in the development and implementation of Flood Studies and Floodplain Risk Management Plans for Council.

### **RECOMMENDATION** That -

---

1. Council establish the Canterbury Bankstown Floodplain Management Committee.
2. Council adopt the Canterbury Bankstown Floodplain Management Committee Charter.
3. The Administrator appoint representatives for the Canterbury Bankstown Floodplain Management Committee as outlined in the report.

### **BACKGROUND**

---

The Canterbury Bankstown Local Government Area (LGA) contains 45 km of river frontage to the Georges River (including Salt Pan Creek) and Cooks River (including Wolli Creek), and is part of three major river systems. Approximately 57% of the LGA drains to the Georges River, 35% drains to the Cooks River and 8% drains to the Parramatta River.

To better understand and address flooding in the catchments, the NSW Governments' Flood Prone Land Policy requires Council to undertake both Flood Studies and Floodplain Risk Management Plans in accordance with the Floodplain Development Manual (FDM). Council Flood Studies and Floodplain Risk Management Studies and Plans have been prepared in accordance of with the Floodplain Risk Management Process documented in the FDM.

Under the Floodplain Risk Management Process, the formation of a Floodplain Management Committee is required. This Committee is advisory in nature and provides assistance to Council in the development and implementation of Flood Studies and Floodplain Risk Management Plans for Council.

Both former Councils of Canterbury and Bankstown had such Committees; these committees were suspended by Council resolution on 24 May 2016. On 23 August 2016, Council endorsed, in-principal, the establishment of the combined Canterbury Bankstown Floodplain Management Committee. Details of the committee, including its mandate, membership and Chair were to be the subject of a future report.

## **REPORT**

---

The proposed Charter for the Canterbury Bankstown Floodplain Management Committee (see Attachment A) has been adapted from the Charters of each former committee. The committee Terms of Reference are to advise and make recommendations to Council regarding management of riverine and stormwater flooding. Specific aims of the committee are to:

- Ensure Floodplain Management studies are carried out in accordance with the FDM;
- Act as an interface between Council and the community regarding flooding, including promoting flood awareness;
- Monitor progress of the studies undertaken as part of the management plan process;
- Identify flood problems and provide information on flood behavior;
- Review and make recommendations on flood hazard and flood risk precincts; and
- Consider and make recommendations on flood management options and controls.

Under the FDM, typical membership of the committee could include elected members of Council, community members, external organisations/agencies and council staff from engineering, planning and environmental disciplines. It is proposed that the membership of the FMC until the election of a new Council consist of:

- Council staff as determined by the General Manager, and include representatives from the Directorates of Planning, Operations and City Future;
- Community representatives of both former Council FMCs to ensure membership continuity (NB At the time of amalgamation, Canterbury Council and Bankstown Council had two and one community representatives, respectively);
- Former representatives of government agencies or as nominated by that agency; and
- Former representatives from neighbouring Councils or as nominated by that Council.

The Chairperson will be the Administrator or delegate.

## **POLICY IMPACT**

---

The Charter for the Canterbury Bankstown Floodplain Management Committee is consistent with Council's Community Advisory Committee guidelines and rules (adopted 25 October 2016).

The Committee will operate in line with Council's adopted Community Advisory Committee guidelines and rules.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

There is no financial impact.

## **RECOMMENDATION** That -

---

1. Council establish the Canterbury Bankstown Floodplain Management Committee.
2. Council adopt the Canterbury Bankstown Floodplain Management Committee Charter.
3. The Administrator appoint representatives for the Canterbury Bankstown Floodplain Management Committee as outlined in the report.

## **ATTACHMENTS** [Click here for attachments](#)

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- A. Charter of the Canterbury Bankstown Floodplain Management Committee



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## Report of the General Manager - 28 February 2017

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### **ITEM 6.11                      Closure of Infant Restraint Scheme**

**AUTHOR                      Community Services**

#### **ISSUE**

Due to falling demand, approval is sought to cease hiring baby capsules and car seats through our Infant Restraint Scheme from 1 March 2017.

#### **RECOMMENDATION** That -

---

1. The hire of baby capsules and car seats service cease from 1 March 2017.
2. Once all baby capsules and car seats have been returned they will be disposed of and the Scheme will cease to operate.
3. Council will notify both relevant Agencies and residents of its decision, as outlined in the report.

#### **BACKGROUND**

---

The Infant Restraint Scheme was established by the former City of Canterbury in 1987 to hire baby capsules and car seats to new parents. Notwithstanding Council's offering, demand for the services continues to decline. Given the continuing drop in demand and availability of alternate providers, this report proposes that Council end the service.

#### **REPORT**

---

At present, all 20 units that are available for hire will reach their use-by date in 2017 and will not be available to hire after that time. There is no budget allocation to replace these units which cost around \$450 each. Similar services operate in Revesby, Auburn and Blacktown. The Blacktown service will take restraints to a resident's home and ensure that it is correctly fitted.

It is proposed to cease hiring capsules and car seats from 14 March 2017. Residents who hired units prior to this date will keep them for the full six month hire period. Correspondence will be sent to Canterbury Hospital and local baby health centres regarding the closure of the service and the availability of alternative services. Notification of the closure will be posted on our website and social media platforms.

Where suitable units are not available for hire, or a request is made on or after 14 March 2017, our staff will assist residents with referral to other services. Once all capsules and seats hired prior to that date are returned they will be disposed of and the Scheme will cease to operate.

## **POLICY IMPACT**

---

There is no policy impact.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

There is no financial impact.

## **RECOMMENDATION** That -

---

1. The hire of baby capsules and car seats service cease from 1 March 2017.
2. Once all baby capsules and car seats have been returned they will be disposed of and the Scheme will cease to operate.
3. Council will notify both relevant Agencies and residents of its decision, as outlined in the report.

## **ATTACHMENTS**

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Nil

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## Report of the General Manager - 28 February 2017

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**ITEM 6.12**                      **Proposed Drainage Easement Over Council Land at 32a Bungalow Road, Roselands**

**AUTHOR**                      **Corporate**

### **ISSUE**

---

This report seeks Council's authority for the granting of an easement for drainage over Council owned land at 32A Bungalow Road, Roselands.

### **RECOMMENDATION** That

---

1. The granting of an easement for drainage over Council owned land at 32A Bungalow Road, Roselands be approved.
2. The Administrator and the General Manager be delegated authority to execute all documents under the common seal of Council, as required.

### **BACKGROUND**

---

A drainage pipe from the adjoining residential property was discovered on Council's land. It was noted it had been there for a considerable amount of time and may have even been installed by a previous owner. It was agreed with the adjoining owner that an easement would be created to formalise the encroachment on Council land.

### **REPORT**

---

This report is to advise of the requirement for the creation of an 11m<sup>2</sup> easement for drainage of water. It burdens Council's property at 32a Bungalow Road and benefits the adjoining residential property at 34 Bungalow Road. Council and the adjoining owner have agreed to the terms of the proposed Easement.

The proposed Easement includes a provision for the termination of the easement if 34 Bungalow Road is redeveloped at any time. The adjoining owner will also bear Council's legal costs.

The Easement was prepared by Council's solicitors and has been executed by the proprietors of 34 Bungalow Road. The document has been referred to Council for approval and execution under Council seal.

The map below shows the location of the properties proposed to be the subject of the easement.



## **POLICY IMPACT**

---

There is no policy impact.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

There is no financial impact.

## **RECOMMENDATION** That

---

1. The granting of an easement for drainage over Council owned land at 32A Bungalow Road, Roselands be approved.
2. The Administrator and the General Manager be delegated authority to execute all documents under the common seal of Council, as required.

## **ATTACHMENTS**

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Nil

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## Report of the General Manager - 28 February 2017

---

**ITEM 6.13**                      **Proposed Drainage Easement over Council Land at 1A  
Calbina Road, Earlwood**

**AUTHOR**                      **Corporate**

### **ISSUE**

---

The report seeks Council's approval to the negotiated terms of a proposed easement for drainage to be created over a Council-owned drainage reserve, required by development consent.

### **RECOMMENDATION** That –

---

1. Council approve the creation of an easement to drain water burdening Council land at 1a Calbina Road, Earlwood in the form as described, and on the terms and conditions as specified, in the report.
2. The Administrator and General Manager be delegated authority to sign all documents under the common seal of Council, as required.

### **BACKGROUND**

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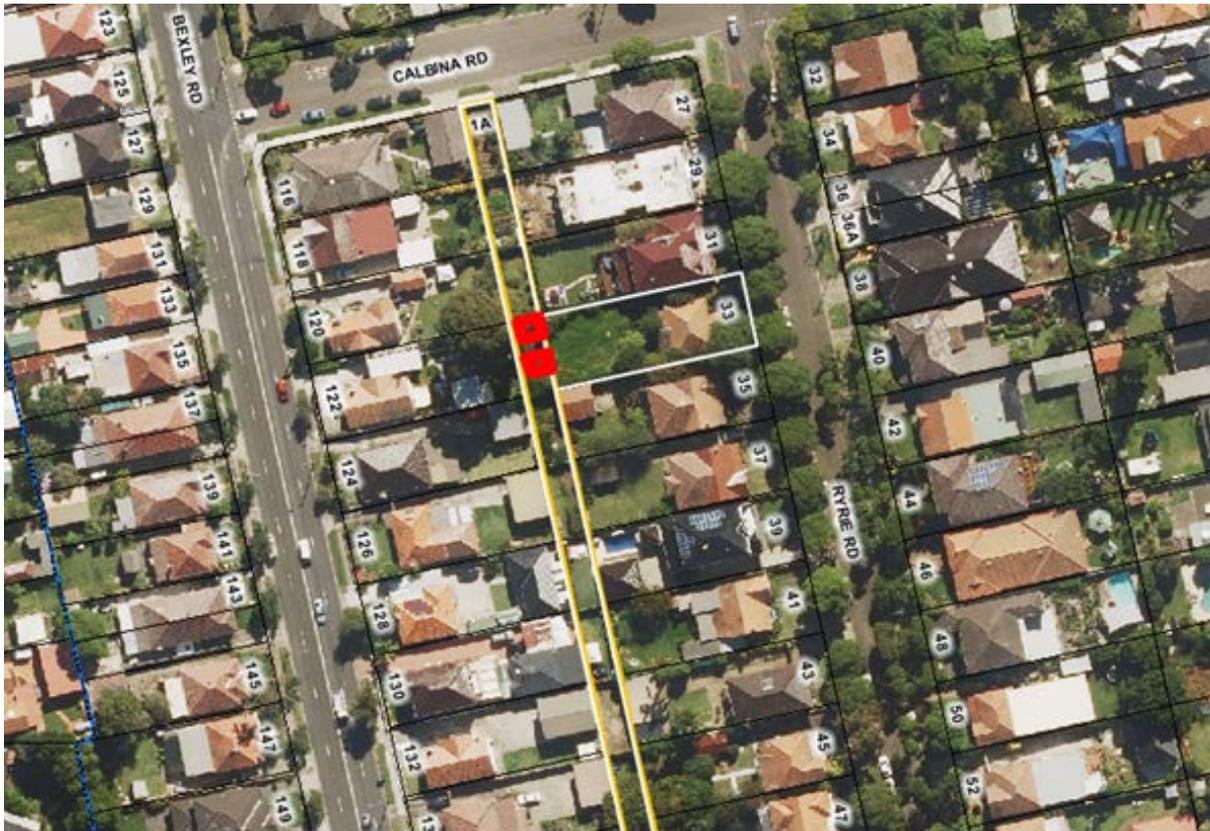
The report below follows an approach from the owner of the property adjoining Council's drainage reserve, in response to a Council-imposed condition of development consent specifically requiring stormwater drainage from the owner's redevelopment to be discharged into a pipe within the adjoining Council-owned drainage reserve.

### **REPORT**

---

The owners of the property 33 Ryrie Road, Earlwood were recently granted a deferred commencement development approval for a redevelopment of their property subject to obtaining an easement for drainage purposes over Council's adjoining land. Following determination of the development application in this way, the owners approached Council seeking approval to the creation of the required easement.

The map below shows the location of the properties proposed to be the subject of the easement.



Negotiations with the owners following their approach based on specifications from relevant Council technical staff, have led to the following terms of provisional (subject to Council-endorsement) agreement with the owners of 33 Ryrie Road, Earlwood.

- The form of the easement is the "Easement to Drain Water", provided for by Part 3 of Schedule 8 of the Conveyancing Act.
- They will each be 1 metre wide and 3.5 metres long, created to burden the drainage reserve 1a Calbina (Lot 110 DP 10987) and to benefit 33 Ryrie (Lot 68 DP 10987).
- All costs associated with the creation of the easement are to be borne by the owners of 33 Ryrie Road, Earlwood, including, all applicable valuation, surveying and legal costs.
- payment of consideration to Council for the transaction based on a registered valuer's-assessed amount (in this case, the nominal sum of \$1,000).

The negotiated and agreed terms are considered reasonable having regard to relevant legislation and the adjoining owners' development consent.

On its registration, the easement will provide the owner of 33 Ryrie Road, Earlwood the ability to connect their stormwater drainage pipe to Council's pipe in accordance with their development consent.

## **POLICY IMPACT**

---

There are no direct policy matters associated with this report.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

All associated costs will be met by the adjoining property owners and the consideration for the grant of the easement, in this case a nominal sum of \$1,000, corresponds with the assessed amount determined, based on relevant circumstances, by a registered valuer.

## **RECOMMENDATION** That –

---

1. Council approve the creation of an easement to drain water burdening Council land at 1a Calbina Road, Earlwood in the form as described, and on the terms and conditions as specified, in the report.
2. The Administrator and General Manager be delegated authority to sign all documents under the common seal of Council, as required.

## **ATTACHMENTS**

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Nil



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## Report of the General Manager - 28 February 2017

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**ITEM 6.14**                      **Proposed Drainage Easement over Council Land at 31a Methuen Parade, Riverwood**

**AUTHOR**                      **Corporate**

### **ISSUE**

---

The report seeks Council's approval to the negotiated terms of a proposed easement for drainage to be created over a Council-owned drainage reserve, required by the development consent.

### **RECOMMENDATION** That -

---

1. Council approve the creation of the easement to drain water burdening Council land at 31a Methuen Parade, Riverwood in the form as described, and on the terms and conditions as specified, in the report.
2. The Administrator and General Manager be delegated authority to sign all documents under the common seal of Council, as required.

### **BACKGROUND**

---

The report below follows an approach from the owner of the property adjoining Council's drainage reserve, in response to a Council-imposed condition of development consent specifically requiring stormwater drainage from the owner's redevelopment to be discharged into a pipe within the adjoining Council-owned drainage reserve.

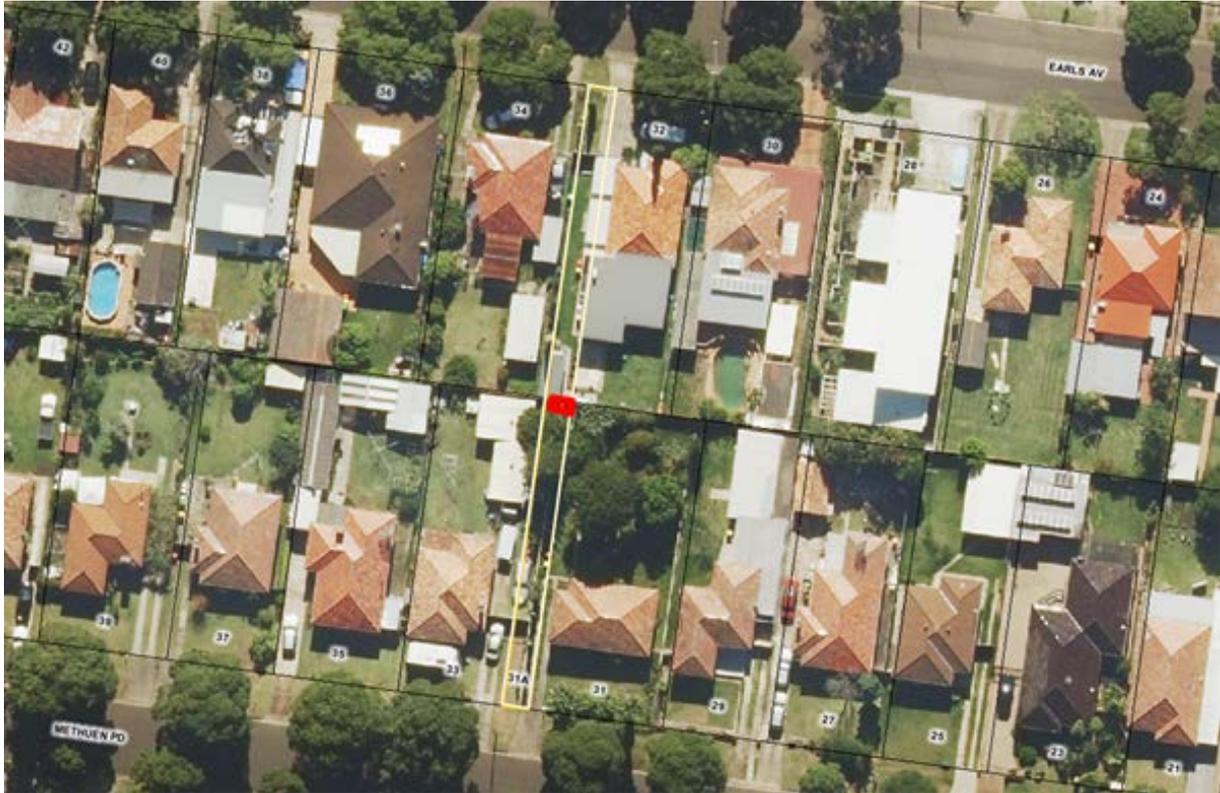
### **REPORT**

---

The owners of the property 31 Methuen Parade, Riverwood were recently granted a deferred commencement development approval for a redevelopment of their property subject to obtaining an easement for drainage purposes over Council's adjoining land.

Following determination of the development application in this way, the owners approached Council seeking approval to the creation of the required easement.

The map below shows the location of the properties proposed to be the subject of the easement.



Negotiations with the owners following their approach, based on specifications from relevant Council technical staff, have led to the following terms of provisional (subject to Council-endorsement) agreement with the owners of 31 Methuen Parade, Riverwood.

- The form of easement is the "Easement to Drain Water", provided for by Part 3 of Schedule 8 of the Conveyancing Act.
- It will be 1 metre wide and 2 metres long, created such that its northern most boundary is a prolongation of Lot 28 DP 35412's northern (rear) boundary line.
- It will be created to benefit Lot 28 DP 35412 (31 Methuen) and to burden the drainage reserve Lot 164 DP 13717 (31a Methuen)
- All costs associated with the creation of the easement are to be borne by the owners of 31 Methuen Parade including all applicable valuation, surveying and legal costs.
- Payment of consideration to Council for the transaction based on a registered valuer's-assessed amount (in this case, the nominal sum of \$1,000).

The negotiated and agreed terms are considered reasonable having regard to relevant legislation and the adjoining owners' development consent.

On its registration, the easement will provide the owner of 31 Methuen Parade, Riverwood the ability to connect their stormwater drainage pipe to Council's pipe in accordance with their development consent.

## **POLICY IMPACT**

---

There are no direct policy matters associated with this report.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

All associated costs will be met by the adjoining property owners and the consideration for the grant of the easement, in this case the nominal sum of \$1,000, corresponds with the assessed amount determined, based on relevant circumstances by a registered valuer.

## **RECOMMENDATION** That -

---

1. Council approve the creation of the easement to drain water burdening Council land at 31a Methuen Parade, Riverwood in the form as described, and on the terms and conditions as specified, in the report.
2. The Administrator and General Manager be delegated authority to sign all documents under the common seal of Council, as required.

## **ATTACHMENTS**

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Nil



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## Report of the General Manager - 28 February 2017

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**ITEM 6.15**                      **Proposed Drainage Easement over Council Land at 58a Fourth Street, Ashbury**

**AUTHOR**                      **Corporate**

### **ISSUE**

---

The report seeks Council's approval to the negotiated terms of a proposed easement for drainage to be created over a Council-owned drainage reserve, required by the development consent.

### **RECOMMENDATION** That –

---

1. Council approve the creation of an easement to drain water burdening Council land at 58a Fourth Street Ashbury, in the form as described, and on the terms and conditions as specified, in the report.
2. The Administrator and General Manager be delegated authority to sign all documents under the common seal of Council, as required.

### **BACKGROUND**

---

The report below follows an approach from the owner of the property adjoining Council's drainage reserve, in response to a Council-imposed condition of development consent specifically requiring storm water drainage from the owner's redevelopment to be discharged into a pipe within the adjoining Council-owned drainage reserve.

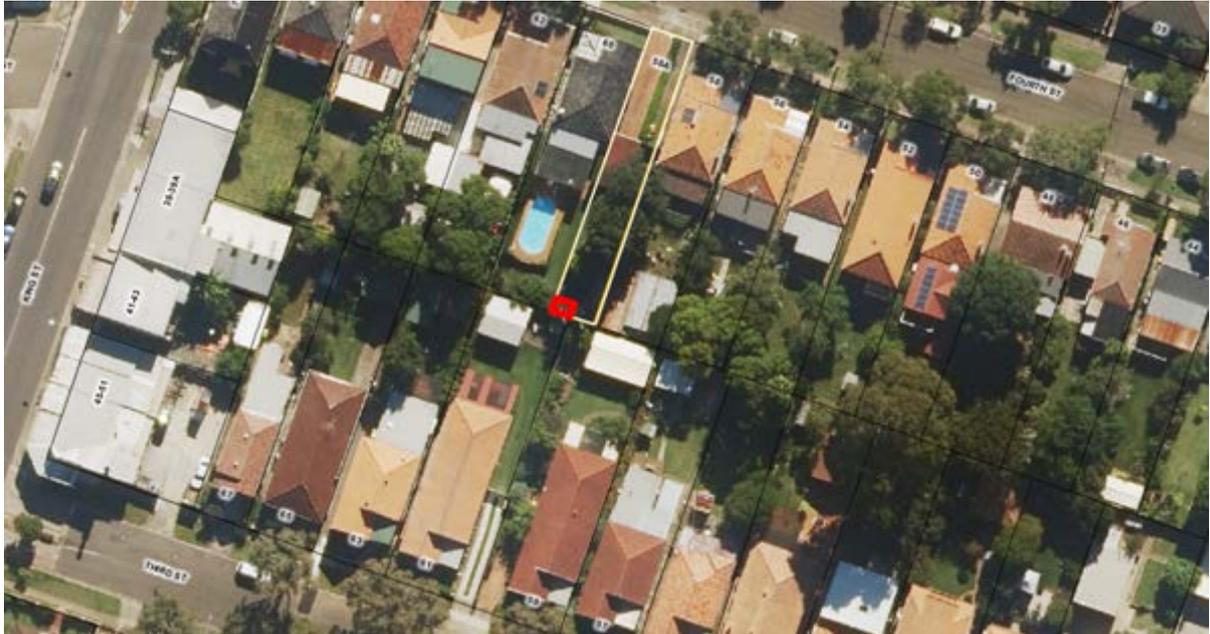
### **REPORT**

---

The owners of the property 60 Fourth Street Ashbury were recently granted a deferred commencement development approval for a redevelopment of their property, subject to obtaining an easement for drainage purposes over Council's adjoining land.

Following determination of the development application in this way, the owners approached Council seeking approval to the creation of the required easement.

The map below shows the location of the properties proposed to be the subject of the easement.



Negotiations with the owners following their approach, based on specifications from relevant Council technical staff, have led to the following terms of provisional (subject to Council-endorsement) agreement with the owners of 60 Fourth Street Ashbury

- The form of easement is the "Easement to Drain Water", provided for by Part 3 of Schedule 8 of the Conveyancing Act.
- It will be 1 metre wide and 2.5 metres long, created such that its southern most boundary is a prolongation of Lot 1 DP 963908's southern (rear) boundary line.
- It will be created to benefit Lot 1 DP 963908 (60 Fourth) and to burden the drainage reserve Lot 3 DP 1206800 (58a Fourth).
- All costs associated with the creation of the easement are to be borne by the owners of 60 Fourth Street including all applicable valuation, surveying and legal costs.
- Payment of consideration to Council for the transaction based on a registered valuer's-assessed amount (in this case, the nominal sum of \$1,000).

The negotiated and agreed terms are considered reasonable having regard to relevant legislation and the adjoining owners' development consent.

On its registration, the easement will provide the owner of 60 Fourth Avenue, Ashbury the ability to connect their stormwater drainage pipe to Council's pipe in accordance with their development consent.

## **POLICY IMPACT**

---

There are no direct policy matters associated with this report.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

All associated costs will be met by the adjoining property owners and the consideration for the grant of the easement, in this case the nominal sum of \$1,000, corresponds with the assessed amount determined, based on relevant circumstances, by a registered valuer.

## **RECOMMENDATION** That –

---

1. Council approve the creation of an easement to drain water burdening Council land at 58a Fourth Street Ashbury, in the form as described, and on the terms and conditions as specified, in the report.
2. The Administrator and General Manager be delegated authority to sign all documents under the common seal of Council, as required.

## **ATTACHMENTS**

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Nil



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## Report of the General Manager - 28 February 2017

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### **ITEM 6.16                      New Lease to Canterbury Community Child Care Centre Incorporated – 50 King Street, Ashbury**

**AUTHOR                      Corporate**

#### **ISSUE**

---

Canterbury Community Child Care Centre Incorporated (CCCCC), lessee of a Council-owned property at 50 King Street, Ashbury, has exercised an option for a further lease of 50 King Street, Ashbury.

#### **RECOMMENDATION    That -**

---

1. Council executes the new lease to Canterbury Community Child Care Centre Incorporated for the Council-owned property known as 50 King Street, Ashbury;
2. The Administrator and the General Manager are delegated authority to sign all documents under the common seal of Council, as required;
3. Council continues to provide Canterbury Community Child Care Centre Incorporated with a subsidy equivalent to 75% of the rent; and
4. Council decline the request to provide Canterbury Community Child Care Centre Incorporated with options for three further leases of five years for reasons outlined in the report.

#### **BACKGROUND**

---

Canterbury Community Child Care Centre Incorporated (CCCCC) occupies 50 King Street, Ashbury by virtue of Lease Registered Number AH233828, which is to expire on 31 May 2017. Clause 37 of the lease provides the lessee with a right to a further term of five years subject to CCCCC providing Council with not less than six months' notice in writing.

The rent payable by CCCCC under the current lease is \$26,475.60 (\$24,068.73 + GST). Council provides CCCCC with a separate but corresponding subsidy equivalent to 75% of the rent.

50 King Street, Ashbury was purchased by the former Canterbury Council in 1948 and converted into a child care centre in 1962. It was occupied until 1979 by the Ashbury Pre-School Kindergarten and has been leased to CCCCC since then. In 1992 Council initially agreed to provide the tenant with the rent subsidy and Council has continued to provide that subsidy ever since.

## REPORT

---

CCCCC exercised its right for a further five year lease by way of a letter to Council dated 22 July 2016. Council is now obliged to enter the new agreement. Execution of the new lease is recommended.

In the letter dated 22 July 2016, in addition to exercising the option for a further term, CCCCC requested that:

1. the subsidy equivalent to 75% of the rent continue; and
2. Council provide the lessee with options in the new lease for three further terms of five years each, which would offer the tenant possible tenure until 2037.

Having considered the request, it is recommended that:

1. The subsidy that has been provided since 1992 be continued for the new lease term for the period 2017 to 2022 because CCCCC is a not-for-profit centre providing a valuable service to local families and the subsidy will; and
2. The request for options for three further five year leases be declined, as Council intends to review the matter as part of a broader review of its Community Facilities Policy. This policy review will include facilities like the Canterbury Community Child Care Centre and how they are managed into the future.

## POLICY IMPACT

---

This report supports Council's Community Plan long term goals of providing land for community based activities, as well as making a small financial return on its asset.

## FINANCIAL IMPACT OF RECOMMENDATIONS

---

The current rental and corresponding 75% subsidy will continue for the next five years.

## RECOMMENDATION That -

---

1. Council executes the new lease to Canterbury Community Child Care Centre Incorporated for the Council-owned property known as 50 King Street, Ashbury;
2. The Administrator and the General Manager are delegated authority to sign all documents under the common seal of Council, as required;
3. Council continues to provide Canterbury Community Child Care Centre Incorporated with a subsidy equivalent to 75% of the rent; and

4. Council decline the request to provide Canterbury Community Child Care Centre Incorporated with options for three further leases of five years for reasons outlined in the report.

## **ATTACHMENTS**

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Nil



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## Report of the General Manager - 28 February 2017

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### **ITEM 6.17                      Lease Renewals for Birrong Sports, Panania Diggers and Revesby Workers Bowling Clubs**

**AUTHOR                      Corporate**

#### **ISSUE**

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To consider Council's ongoing approach associated with three properties currently leased to Birrong Sports, Panania Diggers and Revesby Workers Bowling Club. All three leases are scheduled to expire on 23 September 2017.

#### **RECOMMENDATION    That -**

---

1. In principle, Council agree to enter into a new lease with Birrong Sports Bowling Club and Panania Diggers.
2. The General Manager be authorised to negotiate the terms of the lease as outlined in the report.
3. Subject to item 2, Council publicly exhibit the intended leases in accordance with the Local Government Act 1993.
4. At the conclusion of the above, a further report be provided for Council's consideration and decision.
5. In accordance with the provisions of the lease, Council agree to Revesby Workers Bowling Club continuing with the lease on a month-to-month basis for up to a period of twelve months.
6. A separate report be provided regarding the future use and/or longer term options of Council's site at 22 Homelea Avenue, Panania.

#### **BACKGROUND**

---

In September 1996, Council leased certain land to three local bowling clubs for a period of 21 years. All three leases are set to expire on 23 September 2017.

Both Birrong Sport and Panania Diggers Clubs have indicated that they are interested in negotiating a new lease with Council. Separately, Revesby Workers Club has requested that on expiry of their lease that they remain in the property for up to twelve months while they relocate from the premises.

This Report provides a suggested approach to dealing with the matter.

## **REPORT**

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### **Birrong Sports (Bankstown Sports Club)**

Birrong Sports Club lease Council land at 10 Gascoigne Road, Birrong (Lot 21 DP 866106) for the use as a club house, car park and three bowling greens (See Attachment A Maps).

The Club is a well-established local facility, servicing the broader community. Council's Plan of Management for the site both recognises and supports the Club as a key local facility for bowling and social activities.

The Club has expressed an interest in negotiating a further lease term with Council.

### **Panania Diggers (Panania East Hills RSL Club)**

Panania Diggers lease land at 26A Childs Street, Panania (Lot 20 DP 859405) consisting of a car park and associated tennis courts, to support their Club building on the adjoining land (26 Childs Street, Panania) (See Attachment A Maps).

Similarly, the Club is a well-established local facility, servicing the broader community. Council's Plan of Management for the site both recognises and supports the Club as a key local facility for tennis and social activities.

The Club has also expressed an interest in negotiating a further lease term with Council.

### **Revesby Workers Club**

Revesby Workers Club lease land from Council at 22 Homelea Avenue, Panania (Lot 200 DP 870802). The property consists of a club house, three bowling greens, two tennis courts and car park with over 100 spaces (See Attachment A Maps).

The Club has notified Council that it intends to vacate the property when the lease expires, however they have requested to occupy the premises on a month-to-month basis for up to twelve months whilst they vacate and make-good the site. Council's current lease with the club includes a relevant provision to allow for this.

### **Suggested Approach**

As Council is aware, both Clubs are well-established, family-oriented local facilities providing a range of benefits to our community. From a regulatory perspective, both Club's uses meet Council's adopted Plan of Management requirements.

Given their request and provisions of section 46 and 47 of the Local Government Act, it is proposed that Council agree to allow the General Manager to negotiate with both the Birrong Sports Bowling Club and Panania Diggers with the view to enter into new leases for the relevant properties.

The intended negotiations are to both assess and reflect:

- The broader community benefits intended to be provided by the Club's;
- Commercial terms which are based on an independent valuation for the sites; and
- Compliance with the relevant Plan of Management.

Following its negotiations, Council will in turn carry out the required public exhibition process to consult with the community of its intention and provide it an opportunity to convey any relevant feedback regarding the intended leases.

A further report incorporating the above will again be provided to Council for its consideration and decision.

In terms of Revesby Workers Bowling Club, it is recommended that Council agree to their request to remain onsite on a monthly basis for up to twelve months. Council's current lease provides for this request.

During this period, Council consider its longer term options for the site and provide a separate report to Council on the matter.

## **POLICY IMPACT**

---

This report supports Council's Community Plan long term goals of providing land for community based activities, as well as making a financial return on its assets. This report will not impact on any policy position of Council and supports its actions in managing public land.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

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There is no financial impact as a result of this Report. Further financial details will be provided following the negotiation process.

## **RECOMMENDATION** That -

---

1. In principle, Council agree to enter into a new lease with Birrong Sports Bowling Club and Panania Diggers.
2. The General Manager be authorised to negotiate the terms of the lease as outlined in the report.
3. Subject to item 2, Council publicly exhibit the intended leases in accordance with the Local Government Act 1993.
4. At the conclusion of the above, a further report be provided for Council's consideration and decision.
5. In accordance with the provisions of the lease, Council agree to Revesby Workers Bowling Club continuing with the lease on a month-to-month basis for up to a period of twelve months.

6. A separate report be provided regarding the future use and/or longer term options of Council's site at 22 Homelea Avenue, Panania.

**ATTACHMENTS** [Click here for attachment](#)

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- A. Map of each Bowling Club Site

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## Report of the General Manager - 28 February 2017

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### ITEM 6.18                      Cash and Investment Report as at 31 January 2017

**AUTHOR**                      Corporate

### ISSUE

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This report details Council's cash and investments as at 31 January 2017.

### RECOMMENDATION    That -

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1.     The Cash and Investment Report as at 31 January 2017 be received and noted.
2.     The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

### BACKGROUND

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In accordance with clause 212 of the Local Government (General) Regulation 2005, the Responsible Accounting Officer must provide the council with a written report each month, which sets out the details of all money that council has invested under section 625 of the Local Government Act 1993.

Council's investments continue to be managed in accordance with the former Council's investment policies. The report below provides a consolidated summary of Council's total cash investments.

### REPORT

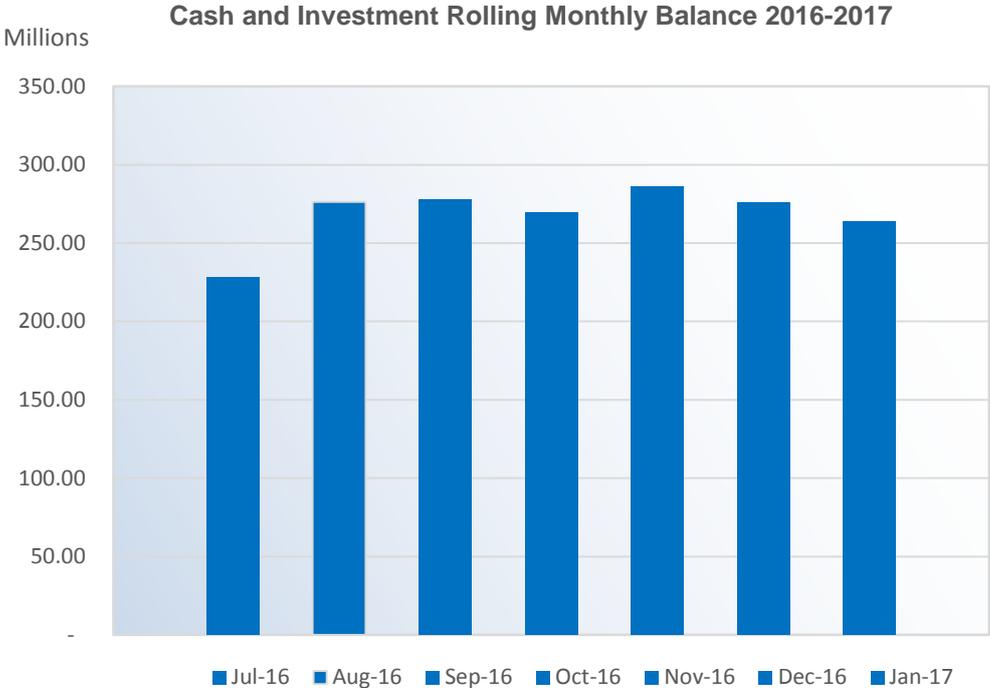
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#### Cash and Investment Summary – as at 31 January 2017

In total, Council's Cash and Investments holdings as at 31 January 2017 is as follows:

<b>Cash and Investments</b>	<b>\$</b>
Cash at Bank	3,186,262
Deposits at Call	34,610,683
Term Deposits	200,263,000
Floating Rate Notes	26,001,485
<b>Total Cash and Investments</b>	<b>264,061,430</b>

Council’s level of cash and investments varies from month to month, particularly given the timing of Council’s rates and collection cycle, its operations and carrying out its capital works program. The following graph outlines Council’s closing cash and investment balance for each month.



A summary of Council’s investment interest income earned for the period to 31 January 2017 is as follows:

Interest Income	January 2017 \$	Year-to-date Jan 2017 \$
<b>Budget</b>	513,501	3,594,509
<b>Actual Interest</b>	685,667	4,502,296
<b>Variance</b>	172,166	907,787
<b>Variance (%)</b>	33.53%	25.25%

Year to date investment interest is tracking well above budget. This is mainly due to higher than anticipated cash and investment balances and achieving higher than budgeted portfolio returns each month. The full year budget has therefore been amended as a part of the December quarterly budget review which will also be considered by council at this meeting.

Council is also required to ensure that its portfolio has an appropriate level of diversification and maturity profile. This is to ensure that funds are available when required and where possible to minimise any re-investment risk.

The tables below outline Council's portfolio by maturity limits and investment type:

<b>Overall Portfolio Maturity Limits</b>	
	<b>Actual % of Portfolio</b>
<b>Portfolio % &lt;= 1 Year</b>	55
<b>Portfolio % &gt;1 Year &lt;=3 Years</b>	29
<b>Portfolio % &gt;3 Years &lt;=5 Years</b>	16
<b>Portfolio % &gt;5 Years</b>	-
<b>Total Cash and Investments</b>	100%

<b>Overall Portfolio by Investment Type</b>	
	<b>Actual % of Portfolio</b>
<b>Cash at Bank</b>	1
<b>Deposits at Call</b>	13
<b>Term Deposits</b>	76
<b>Floating Rate Notes</b>	10
<b>Total Cash and Investments</b>	100%

At present, the former Council's existing Investment Strategies and Policies continue to apply. In December 2016 a single investment adviser CPG Research and Advisory (CPG) was appointed for the amalgamated Council as a result of a quotation process. CPG will be providing investment advice and reporting to both Canterbury and Bankstown Branches. A Cash and Investment Policy is being developed and it is anticipated to be presented to Council at the next Council meeting.

A detailed analysis of each former Councils (Branches) Cash and Investments is attached for your information.

## **CERTIFICATION OF INVESTMENTS - RESPONSIBLE ACCOUNTING OFFICER**

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The Responsible Accounting Officer certifies that the cash and investments detailed in this report have been invested in accordance with Section 625 of the Local Government Act 1993, Clause 212 of the Local Government (General) Regulation 2005, the Minister's Investment Order, the Division of Local Government's Investment Policy Guidelines and the former Council's Cash Investments Policy.

## **POLICY IMPACT**

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Council's investments are maintained in accordance with legislative requirements and its Cash and Investment Policy's.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

Interest earned for this period has been reflected in Council's financial operating result for this financial year. Council's annual budget will be reviewed, having regard to Council's actual returns, as required.

### **RECOMMENDATION** That -

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1. The Cash and Investment Report as at 31 January 2017 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

### **ATTACHMENTS** [Click here for attachments](#)

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- A. Canterbury Branch Cash & Investments Report January 2017
- B. Bankstown Branch Cash & Investments Report January 2017
- C. CPG Research & Advisory Bankstown Branch Cash & Investments Report January 2017
- D. CPG Research & Advisory Canterbury Branch Cash & Investment Report January 2017
- E. CPG Research & Advisory Bankstown Branch Cash & Investments Report December 2016
- F. CPG Research & Advisory Canterbury Branch Cash & Investment Report December 2016

## **7 COMMITTEE REPORTS**

The following item is submitted for consideration -

- 7.1 Minutes of the Canterbury Branch and Bankstown Branch Traffic Committee meetings held on 14 February 2017 129



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## Committee Reports - 28 February 2017

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**ITEM 7.1**                      **Minutes of the Canterbury Branch and Bankstown Branch Traffic Committee meetings held on 14 February 2017**

**AUTHOR**                      **Operations**

### **ISSUE**

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Recommendations of the Canterbury Branch and Bankstown Branch Traffic Committee meetings.

### **RECOMMENDATION**

---

That the recommendations contained in the minutes of the Canterbury Branch Traffic Committee and Bankstown Branch Traffic Committee meetings held on 14 February 2017, be adopted.

### **BACKGROUND**

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Attached are the minutes of the Canterbury Branch Traffic Committee and Bankstown Branch Traffic Committee meetings held on 14 February 2017.

The Committees have been constituted to advise and make recommendations in relation to traffic activities. They have, however, no delegated authority and cannot bind Council.

The recommendations of the Committees are in line with the objectives of the Committees and with established practices and procedures.

### **FINANCIAL IMPACT OF RECOMMENDATIONS**

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Potential costs arising out of recommendations of the Traffic Committees are detailed in future Works Programs for Roadworks/Traffic Facilities.

### **RECOMMENDATION**

---

That the recommendations contained in the minutes of the Canterbury Branch Traffic Committee and Bankstown Branch Traffic Committee meetings held on 14 February 2017, be adopted.

## **ATTACHMENTS**

[Click here for attachments](#)

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- A. Minutes of the Bankstown Branch Traffic Committee meeting held on 14 February 2017
- B. Minutes of the Canterbury Branch Traffic Committee meeting held on 14 February 2017

## **8 NOTICE OF MOTIONS & QUESTIONS WITH NOTICE**

There were no items submitted for this section at the time the Agenda was compiled.



## **9 MATTERS FOR INFORMATION**

The following items are submitted for consideration -

- |     |  |     |
|-----|--|-----|
| 9.1 | Matters Determined under Delegated Authority - 7 December 2016 to 27 February 2017   | 135 |
| 9.2 | Minutes of the SSROC Meeting of 17 November, 2016 and Minutes of the Annual General Meeting of 17 November, 2016   | 137 |
| 9.3 | Minutes of the WSROC Board Meeting of 8 December 2016  | 139 |
| 9.4 | Report on Development Applications and Section 96 Applications Determined and to advise of the status of various DA related legal matters related for December 2016 and January 2017 | 141 |
| 9.5 | SSROC Street Lighting Improvement (SLI) Program Update   | 143 |



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## Matters For Information - 28 February 2017

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**ITEM 9.1**                    **Matters Determined under Delegated Authority - 7  
December 2016 to 27 February 2017**

**AUTHOR**                    **Corporate**

### **ISSUE**

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The provision of a brief summary of matters determined under Delegated Authority by the Administrator and the General Manager for the period 7 December 2016 to 27 February 2017.

### **RECOMMENDATION**

---

That the information be noted.

## **SUMMARY OF MATTER DETERMINED**

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**ITEM 1**                    **2017 Submission – Local Government Remuneration Tribunal**

### **Determination**

That Council's submission to the Local Government Remuneration Tribunal be endorsed.

### **RECOMMENDATION**

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That the information be noted.

### **ATTACHMENTS**                    [Click here for attachment](#)

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A.    2017 Submission - Local Government Remuneration Tribunal



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## Matters For Information - 28 February 2017

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**ITEM 9.2**                      **Minutes of the SSROC Meeting of 17 November, 2016 and Minutes of the Annual General Meeting of 17 November, 2016**

**AUTHOR**                      **Corporate**

### **ISSUE**

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To receive the minutes of the Joint SSROC Meeting and the minutes of the Annual General Meeting.

### **RECOMMENDATION** That -

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1. The minutes of the SSROC Meeting held on 17 November 2016 be noted.
2. The minutes of the SSROC Annual General Meeting held on 17 November 2016 be noted.

### **BACKGROUND**

---

SSROC provides a forum for the exchange of ideas between member councils, and an interface between governments, other councils and key bodies on issues of common interest.

The organisation acts as a facilitator of joint activities between councils which provide benefits through economies of scale. Member councils can reduce the costs of procurement, share the costs of engaging external assistance if needed, and can expose their staff and councilors to a wide network of expertise and views.

The organisation is a means of resolving issues and challenges that cross municipal boundaries, such as the environment and transport.

### **REPORT**

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The minutes of the SSROC meeting are attached.

The minutes of the SSROC Annual General meeting are attached.

### **POLICY IMPACT**

---

This matter has no direct policy implications

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

There is no financial impact.

## **RECOMMENDATION** That -

---

1. The minutes of the SSROC Meeting held on 17 November 2016 be noted.
2. The minutes of the SSROC Annual General Meeting held on 17 November 2016 be noted.

## **ATTACHMENTS** [Click here for attachments](#)

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- A. Minutes of the SSROC Meeting of 17 November, 2016
- B. Minutes of the SSROC Annual General Meeting of 17 November 2016.

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## Matters For Information - 28 February 2017

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**ITEM 9.3**                      **Minutes of the WSROC Board Meeting of 8 December 2016**

**AUTHOR**                      **Corporate**

### **ISSUE**

---

To receive the Minutes of the WSROC Board Meeting held on 8 December 2016.

### **RECOMMENDATION**

---

That the Minutes of the WSROC Board Meeting held on 8 December 2016 be noted.

### **BACKGROUND**

---

WSROC provides a forum for the exchange of ideas between member councils, and an interface between governments, other councils and key bodies on issues of common interest.

The organisation acts as a facilitator of joint activities between councils which provide benefits through economies of scale. The organisation is a means of resolving issues and challenges that cross municipal boundaries, such as the environment and transport.

### **REPORT**

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The Minutes of the WSROC Board Meeting are attached.

### **POLICY IMPACT**

---

There is no policy impact associated with this report.

### **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

There is no financial impact.

### **RECOMMENDATION**

---

That the Minutes of the WSROC Board Meeting held on 8 December 2016 be noted.

### **ATTACHMENTS**                      [Click here for attachment](#)

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A.     Minutes of the WSROC Board Meeting of 8 December 2016.



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## Matters For Information - 28 February 2017

---

**ITEM 9.4**                      **Report on Development Applications and Section 96 Applications Determined and to advise of the status of various DA related legal matters related for December 2016 and January 2017**

**AUTHOR**                      **Planning**

### **ISSUE**

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This report has been prepared to provide Council with the following information:

- (1) the number of development applications and Section 96 applications (amendments to approved development applications) determined for December 2016 and January 2017; and
- (2) to advise of the status of various development application related legal matters.

### **RECOMMENDATION**

---

That the report be noted.

#### ***Development Applications and Section 96 Applications***

The attached report shows that in the months of December 2016 and January 2017, a total of 338 Development Applications and 63 Section 96 applications were determined\*.

The gross median determination time for the processing of development applications for the combined Campsie and Bankstown branches was 43 days in December 2016 and 38 days in January 2017. The total value of the construction work determined in that period was \$143,339,869.

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\* Note: This is the number of applications determined. The table included as Attachment B to this report also includes withdrawn and cancelled applications. Accordingly, the total determinations listed in the Attachment April and May differ from the figure quoted in this report.

### ***Legal Matters for October 2016***

A schedule of legal cases related to Development Applications as at the end of January 2017 is included at Attachment D to this report.

### **POLICY IMPACT**

---

This report has no policy implications.

### **FINANCIAL IMPACT OF RECOMMENDATIONS**

---

This report has no financial implications.

### **RECOMMENDATION**

---

That the report be noted.

### **ATTACHMENTS** [Click here for attachments](#)

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- A. Graph of Assessment Times
- B. List of Determined Applications for December 2016 and January 2017 (Bankstown)
- C. List of Current Court Appeals as of end January 2017
- D. List of Determined Applications for December 2016 and January 2017 (Canterbury)

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## Matters For Information - 28 February 2017

---

**ITEM 9.5**                      **SSROC Street Lighting Improvement (SLI) Program Update**

**AUTHOR**                      **Operations**

### **ISSUE**

To advise Council of street lighting improvement initiatives coordinated through the SSROC's Street Lighting Improvement Program.

### **RECOMMENDATION**

That the report be noted.

### **BACKGROUND**

Canterbury Bankstown Council is a member of the SLI Program (with 35 member councils prior to council amalgamations), which is sponsored by Southern Sydney Regional Organisation of Councils (SSROC). The Program encompasses more than 95% of all the street lights in the Ausgrid region and 40% of street lights in NSW.

Council's initiatives through the SLI Program have remained focused on cost savings, reduction in greenhouse gas emissions and improved street lighting service provision. In recent years, the deployment of long-life, less-maintenance-intensive and proven street lighting technologies is considered the best way to achieve these multiple objectives.

### **REPORT**

#### **LED Pricing Update**

On 23 January, Ausgrid's street lighting team submitted an LED pricing paper to its Executive Committee for approval. The paper recommended that LED pricing be based on a ten year capital cost recovery period and that Ausgrid pricing include all key technical risks (Option 2a in its proposal to councils). This recommendation was based on responses from the majority of councils including Canterbury Bankstown.

SSROC understands that Ausgrid's Executive Committee has now approved the proposed pricing approach and Ausgrid is expected to now confirm this with councils in a letter and also make revised proposals about twin fluorescent 20w (TF2\*20) replacements and main road LED trials.

## **New Ausgrid Owners, Board and CEO**

The acquisition of 50.4% of Ausgrid by Australian Super and IFM Investors has now been completed. A new Board and CEO, were appointed in December. There have not as yet been any structural changes affecting street lighting but SSROC understands that a major restructuring of the company is planned for March and will let councils know of any changes affecting them.

## **SSROC Submission to AER on 2019-2024 Pricing Review Approach**

The Australian Energy Regulatory (AER) has begun the process of setting electricity distribution pricing for 2019-2024. In the first step of this process, the AER has been considering whether to revise the classification of any services including public lighting. SSROC made a short submission to remind the AER of why councils wanted public lighting pricing regulated in previous reviews and that nothing has changed in terms of contestability or competition. The AER has subsequently decided that it intends to revise the Framework & Approach for the 2019-24 determination and will commence consultation on a revised approach in March 2017. The SSROC SLI Program intends to actively participate at all stages of the pricing review.

## **Submission on Draft Plan to Save NSW Energy and Money**

The Draft Plan to Save NSW Energy and Money contains policy proposals related to public lighting and these were expanded on in a further paper released just a few days before submissions were due on 16 December. In summary, the NSW government is considering opening up street lighting contestability, setting a minimum efficacy level for street lighting, proposing grants to deal with high residuals and provide specialist support to councils to manage upgrades. SSROC generally supports these initiatives and has made a submission accordingly.

## **Energy Savings Scheme Certificate Creation**

To date, 17 councils (including Canterbury Bankstown) in the Ausgrid region have agreed on arrangements with National Carbon Bank Australia (NCBA) to allow NSW Energy Savings Scheme certificates to be created on their behalf from street lighting replacements. A further 9 councils are currently finalising participation. Ausgrid is assisting NCBA to meet all IPART requirements and has begun providing monthly data on street lighting replacements. The first claim from street lights replaced by Ausgrid in October to December 2016 is currently being processed by NCBA.

## **POLICY IMPACT**

---

The information and actions proposed by the SLI Program in this report are consistent with Council's Public Lighting Strategy.

## **FINANCIAL IMPACT OF RECOMMENDATIONS**

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There is no financial impact from this report.

## **RECOMMENDATION**

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That the report be noted.

## **ATTACHMENTS**

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Nil



**10        QUESTIONS FOR NEXT MEETING**



## **11 CONFIDENTIAL SESSION**

- 11.1 Q12-17 Floodlighting Upgrade at Vale Of Ah Reserve Milperra
- 11.2 T20-17 Construction of Raised Thresholds - The Mall at The Appian Way and Jacobs Street, Bankstown
- 11.3 T26-17 Chapel Road Rehabilitation - Macauley Avenue to Dellwood Street, Bankstown
- 11.4 T34-17 Lake Gillawarna Playground Improvement - Stage 2
- 11.5 T39-17 Update on the Tender for the BLaKC Cafe'
- 11.6 T72-16 - Tender for the Wagener Oval Field Improvement and Lighting Upgrade Works
- 11.7 T83-16 - Tender for Civil Construction Works - Part of Unwin Street, Earlwood (Stage 1)
- 11.8 Extension of the Canterbury Branch Security Contract
- 11.9 T43-17 – Tender for the Provision of Fitness and related Services for the Morris Iemma Indoor Sports Centre
- 11.10 Organisational Structure

# **General Manager's Statement**

## **Confidentiality**

Councillors and staff are reminded of their obligations in respect to the need for confidentiality and not disclose or otherwise misuse the information which is about to be discussed, failure to do so could result in a reference to the NSW Civil and Administrative Tribunal and/or result in a prosecution in accordance with Sec. 664 of the Act for which the maximum penalty is \$5,500.

## CONFIDENTIAL SESSION

Section 10A(2) of the Local Government Act, 1993 provides that Council may, by resolution, close to the public so much of its meeting as comprises the receipt or discussion of matters as listed in that section, or for any matter that arises during the course of business during the meeting that should be treated as confidential in accordance with Section 10(2) of the Act.

Council's Agenda for this meeting contains reports that meet the criteria specified in Section 10A(2) of the Act. To consider these reports in confidential session, Council can adopt the following recommendation:

### RECOMMENDATION

That, in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Items 11.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 11.10 in confidential session for the reasons indicated:

#### Item 11.1 Q12-17 Floodlighting Upgrade at Vale Of Ah Reserve Milperra

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

#### Item 11.2 T20-17 Construction of Raised Thresholds - The Mall at The Appian Way and Jacobs Street, Bankstown

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

#### Item 11.3 T26-17 Chapel Road Rehabilitation - Macauley Avenue to Dellwood Street, Bankstown

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

#### Item 11.4 T34-17 Lake Gillawarna Playground Improvement - Stage 2

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.5 T39-17 Update on the Tender for the BLaKC Cafe'

*This report is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

Item 11.6 T72-16 - Tender for the Wagener Oval Field Improvement and Lighting Upgrade Works

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.7 T83-16 - Tender for Civil Construction Works - Part of Unwin Street, Earlwood (Stage 1)

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.8 Extension of the Canterbury Branch Security Contract

*This report is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

Item 11.9 T43-17 – Tender for the Provision of Fitness and related Services for the Morris lemma Indoor Sports Centre

*This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.*

Item 11.10 Organisational Structure

*This report is considered to be confidential in accordance with Section 10A(2)(a) of the Local Government Act, 1993, as it relates to personnel matters concerning particular individuals.*