

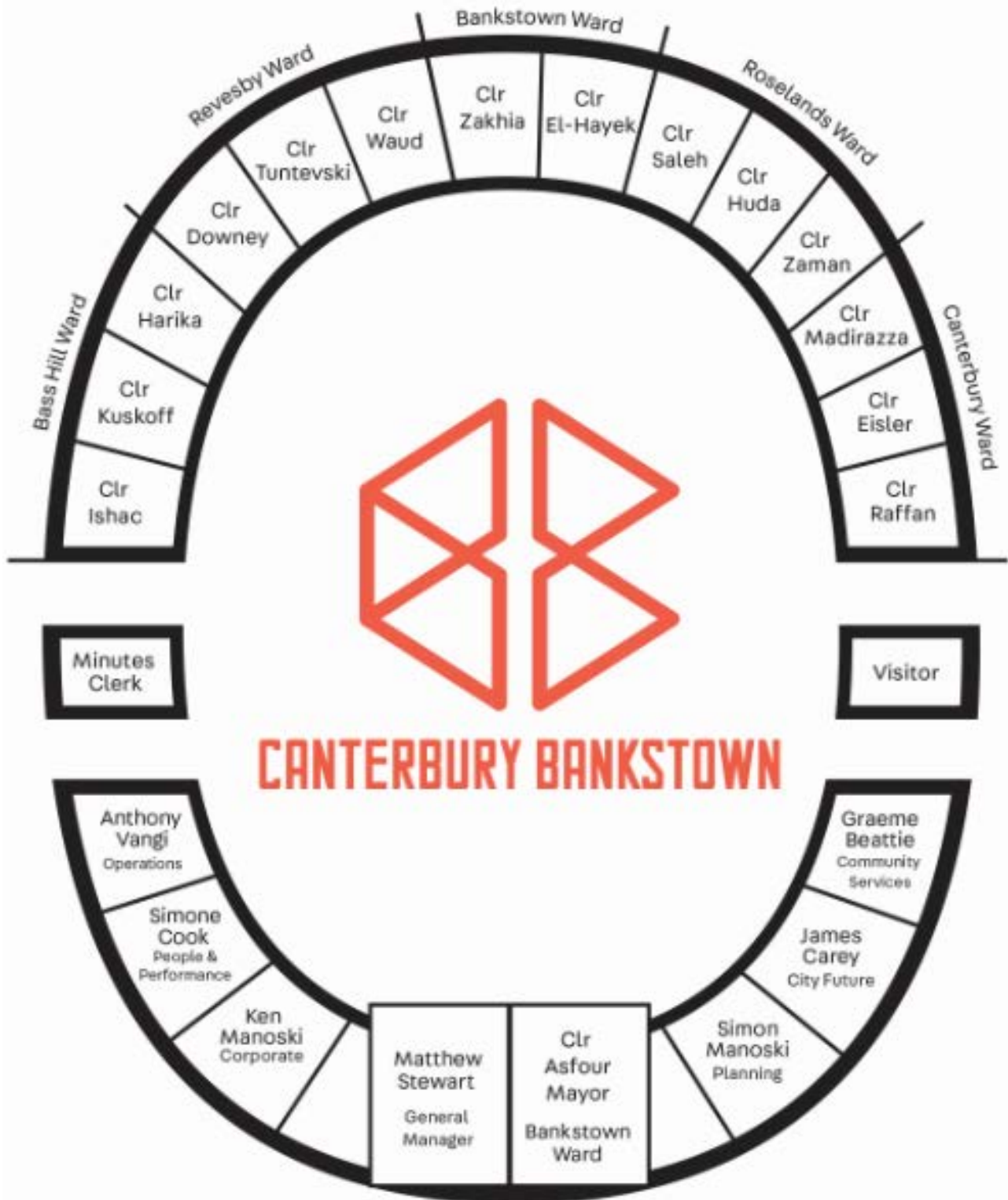


AGENDA FOR THE ORDINARY MEETING

28 November 2017



Gallery



ORDER OF BUSINESS

1	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	5
1.1	Minutes of the Ordinary Meeting of Council of 24 October 2017	7
2	LEAVE OF ABSENCE.....	23
3	DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST.....	25
4	MAYORAL MINUTES	27
4.1	Banksia Road Primary School Tragedy	29
4.2	Community Voice Panels	31
4.3	Setting the Record Straight	33
4.4	Australia Day Awards	35
4.5	Review of Council's Major Events Program	37
4.6	Bangladesh Festival	39
4.7	Zonta Club of Sydney West	41
4.8	St Saviour's Anglican Church Cemetery	43
5	PLANNING MATTERS	45
5.1	Submission on the Sydenham to Bankstown Metro Environmental Impact Statement (Metro EIS)	47
5.2	Submission to the Sydenham to Bankstown Urban Renewal Corridor Strategy	53
5.3	Planning Proposal - Various Amendments to Canterbury Local Environmental Plan 2012	59
5.4	913-925 Punchbowl Road and 21 Canterbury Road, Punchbowl	63
5.5	Exhibition of Bankstown DCP 2015 Part B11 - Tree Management Order and Canterbury DCP Part B3 - Tree Management Order	75
6	POLICY MATTERS.....	83
6.1	Helicopters on Council Land	85
7	GOVERNANCE AND ADMINISTRATION MATTERS	89
7.1	Quarterly Review of the 2017/18 Operational Plan to 30 September 2017 and September 2017 Quarterly Budget Review	91
7.2	Property Matter - Lease - 10 Gascoigne Road, Birrong	103
7.3	Property Matter - Lease Assignment - 2 Maxwell Ave, Milperra	107
7.4	Property Matter - Riverwood North - Library/Cafe, Community Hub and Associated Car Parking Area - Proposed Public Land Classification	111
7.5	Property Matter - Belmore Sportsground - Temporary Licence	115
7.6	Code of Conduct Complaints Report	119
7.7	Cash and Investment Report as at 31 October 2017	121

8	SERVICE AND OPERATIONAL MATTERS	125
8.1	Release of Drainage Easement for 56 William Street, Condell Park and 12 Carson Street, Panania	127
9	COMMITTEE REPORTS	131
10	NOTICE OF MOTIONS & QUESTIONS WITH NOTICE	133
10.1	Questions with Notice	135
10.2	Analysis into Long Term Housing Solutions for Seniors and Disabled	137
10.3	Council Meetings	139
11	QUESTIONS FOR NEXT MEETING.....	141
12	CONFIDENTIAL SESSION.....	143
12.1	T58-17 Bushland Management Services	
12.2	T04-18 Tender for the Supply and Installation of CCTV Cameras at Civic Precinct, Fetherstone Street and The Appian Way, Bankstown	
12.3	T12-18 - Mid Georges River and Prospect Creek Catchments Pipe and Pit Condition Assessment and Reporting	
12.4	Property Matter - Proposed Sale of Drainage Reserve - 819A Canterbury Road, Lakemba	

1 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The following minutes are submitted for confirmation -

1.1 Minutes of the Ordinary Meeting of Council of 24 October 20177

CANTERBURY BANKSTOWN COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2017**

PRESENT: His Worship the Mayor, Councillor Asfour,
Councillors Downey, Eisler, El-Hayek, Harika, Huda, Ishac, Kuskoff, Madirazza,
Raffan, Saleh, Tuntevski, Waud, Zakhia, Zaman

APOLOGIES Nil

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.01 PM.

REF: CONFIRMATION OF MINUTES

(4) CLR. WAUD:/CLR. EL-HAYEK

RESOLVED that the minutes of the Ordinary Council Meeting held on 22 August 2017 be adopted.

- CARRIED

(5) CLR. WAUD:/CLR. EL-HAYEK

RESOLVED that the minutes of the Ordinary Council Meeting held on 26 September 2017 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

Nil

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

Nil

CANTERBURY BANKSTOWN COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2017**

SECTION 4: MAYORAL MINUTES

**ITEM 4.1 COUNCIL'S ROLE IN PLANNING FOR PRIORITY PRECINCTS
(6) CLR. ASFOUR**

RESOLVED that Council write to the Minister in the terms as outlined in the report.

- CARRIED

**ITEM 4.2 ROHINGYA REFUGEES
(7) CLR. ASFOUR**

RESOLVED that Council donate an amount of \$500 to the United Nations Refugee Agency (UNHCR) to assist Rohingya refugees fleeing Myanmar and these funds be made available from the Council's Community Grants and Events Sponsorship budget.

- CARRIED

**ITEM 4.3 RUGBY LEAGUE WORLD CUP
(8) CLR. ASFOUR**

RESOLVED that Council provide support and tournament promotion for the upcoming Rugby League World Cup as outlined in the report.

- CARRIED

**ITEM 4.4 BREAST CANCER AWARENESS MONTH
(9) CLR. ASFOUR**

RESOLVED that Council support the fundraising dinner for BreastScreen NSW by contributing \$2560 towards the booking of two tables each of eight people and these funds to be made available from Council's Community Grants and Events Sponsorship budget

- CARRIED

CANTERBURY BANKSTOWN COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2017**

SUSPENSION OF STANDING ORDERS

(10)

CLR. DOWNEY:/CLR. WAUD

- i) Permission be granted to those people who have made the necessary application to address Council for five minutes.
- ii) Standing Orders be suspended and Items 5.1 and 7.8 be dealt with now.
- iii) Standing Orders then be resumed.

- CARRIED

ITEM 5.1

913-925 PUNCHBOWL ROAD AND 21 CANTERBURY ROAD, PUNCHBOWL

MR MICHAEL GHEORGHIU (APPLICANT/ARCHITECT) ADDRESSED COUNCIL.

(11)

CLR. HUDA:/CLR. TUNTEVSKI

RESOLVED that the matter be deferred for a Councillor briefing and a further report be submitted to the next available Council meeting.

- CARRIED

ITEM 7.8

ESTABLISHMENT OF COUNCIL COMMITTEES AND REFERENCE GROUPS

DR JANE HUNTER (RESIDENT) ADDRESSED COUNCIL

MOTION

CLR. KUSKOFF:/CLR. WAUD

That -

1. Council approve the Advisory Committee structure as detailed in the report.
2. Council adopt the draft Community Advisory Committee/Reference Group Guidelines, Rules and Charters, as attached.
3. Expressions of Interest be sought from community representatives for membership of advisory committees/reference groups, as outlined in the report.
4. The guidelines relating to the General Managers Performance Review Panel stipulate that the Panel does not have the authority to appoint a General Manager and any appointment can only be made by the Council.
5. The Audit and Risk Committee be reconstituted, with relevant remuneration for independent members, as outlined in the report.
6. Relevant funding be made available through the next quarterly budget review process.

CANTERBURY BANKSTOWN COUNCIL

MINUTES OF THE

ORDINARY MEETING OF COUNCIL

HELD IN COUNCIL CHAMBERS

ON 24 OCTOBER 2017

AMENDMENT

CLR. DOWNEY:/CLR. TUNTEVSKI

That -

1. Council approve the Advisory Committee structure as detailed in the report.
2. Council adopt the draft Community Advisory Committee/Reference Group Guidelines, Rules and Charters, as attached.
3. Expressions of Interest be sought from community representatives for membership of advisory committees/reference groups, as outlined in the report.
4. (a) Councillor representatives to the General Managers Review Panel be the Mayor and three Councillors. The General Manager may also nominate two Councillors and the process is to be externally facilitated with the facilitator being appointed by the General Manager in accordance with the guidelines.
(b) The guidelines relating to the General Managers Performance Review Panel stipulate that the Panel does not have the authority to appoint a General Manager and any appointment can only be made by the Council.
5. The Audit and Risk Committee be reconstituted, with relevant remuneration for independent members, as outlined in the report.
6. Relevant funding be made available through the next quarterly budget review process.

THE AMENDMENT ON BEING PUT WAS CARRIED AND BECAME THE MOTION

THE MOTION ON BEING PUT WAS CARRIED

(12)

CLR. DOWNEY:/CLR. TUNTEVSKI

That -

1. Council approve the Advisory Committee structure as detailed in the report.
2. Council adopt the draft Community Advisory Committee/Reference Group Guidelines, Rules and Charters, as attached.
3. Expressions of Interest be sought from community representatives for membership of advisory committees/reference groups, as outlined in the report.
4. (a) Councillor representatives to the General Managers Review Panel be the Mayor and three Councillors. The General Manager may also nominate two Councillors and the process is to be externally facilitated with the facilitator being appointed by the General Manager in accordance with the guidelines.

CANTERBURY BANKSTOWN COUNCIL

MINUTES OF THE

ORDINARY MEETING OF COUNCIL

HELD IN COUNCIL CHAMBERS

ON 24 OCTOBER 2017

(b) The guidelines relating to the General Managers Performance Review Panel stipulate that the Panel does not have the authority to appoint a General Manager and any appointment can only be made by the Council.

5. The Audit and Risk Committee be reconstituted, with relevant remuneration for independent members, as outlined in the report.
6. Relevant funding be made available through the next quarterly budget review process.

- CARRIED

STANDING ORDERS WERE RESUMED

SECTION 5: PLANNING MATTERS

ITEM 5.1 **913-925 PUNCHBOWL ROAD AND 21 CANTERBURY ROAD, PUNCHBOWL**
THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 11 ON PAGE THREE OF THESE MINUTES

ITEM 5.2 **297-299 CANTERBURY ROAD, CANTERBURY - VOLUNTARY PLANNING AGREEMENT**

(13) **CLR. EISLER:/CLR. TUNTEVSKI**

RESOLVED that

1. Council agree to consider entering into a Voluntary Planning Agreement in respect of land at 297-299 Canterbury Road, Canterbury, relating to the dedication of land required for laneway widening in return for an offset from Section 94 Contributions in the amount of \$150,000.
2. Council exhibit the draft Voluntary Planning Agreement as shown in Attachment A, subject to any minor drafting and editorial amendments required by Council's solicitors that do not alter the substance of the Voluntary Planning Agreement.
3. The matter to be reported to Council following the public exhibition.

- CARRIED

For:- Clrs Asfour, Downey, Eisler, El-Hayek, Harika, Huda, Ishac, Kuskoff, Madirazza, Raffan, Saleh, Tuntevski, Waud, Zakhia and Zaman

Against:- Nil

CANTERBURY BANKSTOWN COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2017**

SECTION 6: POLICIES MATTERS

ITEM 6.1 COMMUNITY GRANTS AND EVENT SPONSORSHIP POLICY

(14) CLR. DOWNEY:/CLR. WAUD

RESOLVED that Council adopt the Policy as outlined in this report.

- CARRIED

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 OATH OR AFFIRMATION OF OFFICE BY COUNCILLORS

(15) CLR. EL-HAYEK:/CLR. KUSKOFF

RESOLVED that the information be noted.

- CARRIED

ITEM 7.2 QUARTERLY UPDATE ON THE IMPLEMENTATION OF THE STRONGER COMMUNITIES FUND

(16) CLR. DOWNEY:/CLR. KUSKOFF

RESOLVED that

1. Council note the progress of the implementation of the Stronger Communities Fund.
2. Council endorses the Mayor or his delegate to represent Council on the Stronger Communities Fund Assessment Panel.

- CARRIED

CANTERBURY BANKSTOWN COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2017**

ITEM 7.3 INSTRUMENT OF DELEGATIONS

(17) CLR. DOWNEY:/CLR. ISHAC

RESOLVED that the Instrument of Delegations be adopted.

- CARRIED

ITEM 7.4 PROPOSED LICENCE FOR PORTION OF EDWARDS RESERVE PANANIA

(18) CLR. TUNTEVSKI:/CLR. DOWNEY

RESOLVED that

1. Council confirm its support to enter into a licence with Downer Group to use a portion of Edwards Reserve Panania, as an access-way and construction area for the upgrades to adjoining Panania Railway Station;
2. Council authorise the General Manager to negotiate details of the licence with Downer Group, and
3. The General Manager and Mayor be delegated authority to enter into the licence with Downer Group, as detailed in this Report.

- CARRIED

ITEM 7.5 ALDI CANTERBURY - 73-87 JEFFREY STREET, CANTERBURY – PROPOSED ALTERATION TO EASEMENT FOR PUBLIC CAR PARKING TO ALLOW FOR THE INSTALLATION OF A NEW PASSENGER LIFT

(19) CLR. EISLER:/CLR. MADIRAZZA

RESOLVED that

1. Council agree to vary/modify the easement registered on title on Lot 1 DP 1080044, 73-87 Jeffrey Street, Canterbury, as outlined in this report.
2. The Mayor and General Manager be delegated authority to sign all documentation under the common seal of council, as required.

- CARRIED

CANTERBURY BANKSTOWN COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2017**

**ITEM 7.6
(20) CODE OF MEETING PRACTICE - 2018 SCHEDULE OF MEETINGS
CLR. ISHAC:/CLR. DOWNEY**

RESOLVED that the 2018 Schedule of Council Meetings be adopted.

- CARRIED

**ITEM 7.7
(21) DISCLOSURE OF INTEREST RETURNS 2016/17
CLR. TUNTEVSKI:/CLR. EL-HAYEK**

RESOLVED that the tabling of the Disclosure of Interest Returns for 2016/17 be noted.

- CARRIED

**ITEM 7.8
ESTABLISHMENT OF COUNCIL COMMITTEES AND REFERENCE GROUPS
THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 12 ON PAGE
FOUR OF THESE MINUTES.**

**ITEM 7.9
(22) LOCAL PLANNING PANELS
CLR. WAUD:/CLR. ZAKHIA**

RESOLVED that

1. Expressions of Interest be called for community representatives to the Canterbury-Bankstown Local Planning Panel, which is an external body of the Council.
2. A further report be provided to Council once further information is provided by the Department of Planning and Environment.

- CARRIED

CANTERBURY BANKSTOWN COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2017**

**ITEM 7.10
(23) CASH AND INVESTMENT REPORT AS AT 31 AUGUST 2017
CLR. ZAKHIA:/CLR. DOWNEY**

RESOLVED that

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

- CARRIED

**ITEM 7.11
(24) CASH AND INVESTMENT REPORT AS AT 30 SEPTEMBER 2017
CLR. DOWNEY:/CLR. ISHAC**

RESOLVED that

1. The Cash and Investment Report as at 30 September 2017 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

**ITEM 7.12
(25) UNAUDITED 2016/17 ANNUAL FINANCIAL REPORT
CLR. TUNTEVSKI:/CLR. MADIRAZZA**

RESOLVED that

1. Council resolves that the attached 2016/2017 Unaudited Annual Financial Reports, covering the period from 13 May 2016 to 30 June 2017 have been prepared in accordance with the relevant sections and parts of the Local Government Act and Regulations, and are submitted to Council for its consideration.
2. The Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer duly sign the Statement of Council's Unaudited Annual Financial Reports on behalf of the Council.

CANTERBURY BANKSTOWN COUNCIL

MINUTES OF THE

ORDINARY MEETING OF COUNCIL

HELD IN COUNCIL CHAMBERS

ON 24 OCTOBER 2017

3. Subject to Item 1 and 2, the Statement and the 2016/17 Unaudited Annual Financial Report be referred to Council's Auditor in finalising the year-end audit process.
4. The General Manager be authorised to set the date for the public meeting and give notice in accordance with the Local Government Act 1993.

- CARRIED

SECTION 8: SERVICE AND OPERATIONAL MATTERS

**ITEM 8.1 ALCOHOL FREE ZONES AND ALCOHOL PROHIBITED AREAS
(26) CLR. DOWNEY:/CLR. EL-HAYEK**

RESOLVED that Council approves the attached Alcohol Free Zone and Alcohol Prohibited Area locations for the manufacture and installation of signage for a period of four years.

- CARRIED

**ITEM 8.2 PROPOSED LICENCE FOR THE COMMUTER CAR PARK AT WILEY PARK RAILWAY
(27) CLR. ZAKHIA:/CLR. ISHAC**

RESOLVED that

1. Council confirm its support to enter into suitable legal arrangements with Rail Corporation New South Wales to use a portion of rail corridor at Wiley Park Railway Station for the use of the proposed commuter carpark.
2. The General Manager be authorised to determine an acceptable form of documentation for this purpose, and to execute such documentation on Council's behalf.

- CARRIED

CANTERBURY BANKSTOWN COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2017**

SECTION 9: COMMITTEE REPORTS

**ITEM 9.1 MINUTES OF THE CANTERBURY BANKSTOWN TRAFFIC COMMITTEE MEETINGS
HELD ON 12 SEPTEMBER 2017 AND 10 OCTOBER 2017**

(28) CLR. MADIRAZZA:/CLR. DOWNEY

RESOLVED that the recommendations contained in the minutes of the Canterbury Branch Traffic Committee and Bankstown Branch Traffic Committee meetings held on 12 September 2017 and Canterbury Bankstown Traffic Committee held on 10 October 2017, be adopted.

- CARRIED

SECTION 10: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

ITEM 10.1 DISABILITY ADVOCACY FUNDING

MOTION CLR. DOWNEY:/CLR. TUNTEVSKI

That Canterbury Bankstown Council calls on the NSW Government to commit to fully funding advocacy, informational and peak representational organisations after the implementation of the NDIS in NSW.

AMENDMENT CLR. WAUD:/CLR. ZAKHIA

That the matter be deferred to allow further information regarding services provided by advocacy groups to be obtained.

- LOST

(29) CLR. EISLER:/CLR. ZAKHIA

RESOLVED that Clr Waud be given an extension of two minutes to address Council.

- CARRIED

THE MOTION WAS THEN PUT

CANTERBURY BANKSTOWN COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2017**

(30) CLR. DOWNEY:/CLR. TUNTEVSKI

RESOVLED that Canterbury Bankstown Council calls on the NSW Government to commit to fully funding advocacy, informational and peak representational organisations after the implementation of the NDIS in NSW.

- CARRIED

ITEM 10.2 E-RENTAL BIKES

(31) CLR. EISLER:/CLR. RAFFAN

RESOLVED that the information be noted.

- CARRIED

SECTION 11: QUESTIONS FOR NEXT MEETING

REF: LIFT ACCESS AT RAILWAY STATIONS

Clr Kuskoff requested the General Manager write to the Minister for Transport highlighting the need for lift access at Chester Hill, Birrong, Yagoona and Punchbowl railway stations.

REF: FIRE RESISTANT CLADDING PRODUCTS

Clr Kuskoff requested information regarding the use of combustible wall cladding in buildings in the Canterbury Bankstown LGA.

The General Manager responded that further information would be provided. He further advised that Council complies with revised State Government guidelines when assessing Development Applications regarding the use of fire resistant cladding products. Council has also written to the State Government recommending that the Building Professional Board should monitor compliance as they are the regulatory body responsible for Private Certifiers.

REF: PAT ROGAN WALKWAY

Clr Downey requested an update on the naming of the proposed "Pat Rogan Walkway" at Padstow.

CANTERBURY BANKSTOWN COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2017**

REF: INTERSECTION OF EDGAR STREET AND ELDRIDGE ROAD, CONDELL PARK - TRAFFIC CONGESTION

Clr Tuntevski requested to be advised if there has been any financial assistance provided by the State Government in the last six years for this intersection or if there are any plans proposed by the State Government or Council to improve traffic flow at this location.

REF: TRAFFIC CALMING – SANDAKAN ROAD, REVESBY HEIGHTS

Clr Waud enquired if any action had been taken to address resident concerns regarding speeding vehicles in Sandakan Road, Revesby Heights.

The Director Operations advised that traffic speed counts would be undertaken in Sandakan Road, Revesby Heights and residents then consulted regarding the implementation of any proposed traffic calming devices.

REF: TRAFFIC CALMING - AMIENS AVENUE, MILPERRA

Clr Waud enquired if traffic calming devices were being considered for Amiens Avenue, Milperra to address speeding vehicles.

The Director Operations advised that a report regarding the installation of traffic calming devices would be submitted to the November 2017 Traffic Committee.

REF: COMPLIANCE WITH CONDITIONS OF CONSENT

Clr Waud enquired what action is taken when members of the public raise concerns regarding non compliance with conditions of consent.

The General Manager advised that any complaints raised by members of the public regarding compliance with development conditions of consent are investigated promptly and appropriate action taken.

REF: DEVELOPMENT MATTERS/ PLANNING PROPOSALS

Clr Waud requested briefing updates on the following matters:

- Development Application - 15-19 Enterprise Avenue, Padstow
- South East and South West Local Area Plans
- UWS Milperra and Riverlands
- Revesby Heights Ex Servicemans Club
- Controls relating to Dual Occupancies and Villas in Narrow Streets

CANTERBURY BANKSTOWN COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2017**

REF: ALLUM PARK, GREENACRE

Clr El-Hayek requested an update regarding the proposed resurfacing of Allum Park, Greenacre.

REF: CHRISTMAS CAROLS - WILEY PARK

Clr Saleh asked if Christmas Carols will be held in Wiley Park this year.

The General Manager advised that Christmas Carols are scheduled for Wiley Park.

REF: ILLEGAL DUMPING - ROSELANDS AREA

Clr Zaman requested that instances of illegal dumping in the Roselands area be monitored and appropriate action be taken.

REF: ABANDONED SHOPPING TROLLEYS

Clr Raffan requested information regarding Councils and Shopping Centres (Managements) responsibility regarding abandoned shopping trolleys.

SECTION 12: CONFIDENTIAL SESSION

(32) CLR. DOWNEY:/CLR. ISHAC

RESOLVED that

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 12.1, 12.2 in confidential session for the reasons indicated:

Item 12.1 Legal Matter

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.

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

CANTERBURY BANKSTOWN COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2017**

to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

Item 12.2 Provision of Temporary Staff - SSROC

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.

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.22 PM AND
REVERTED BACK TO OPEN COUNCIL AT 7.24PM**

ITEM 12.1

LEGAL MATTER

(33)

CLR. TUNTEVSKI:/CLR. EISLER

RESOLVED that

1. Council note the information contained in this report.
2. Council continue with its current legal engagement, as outlined in the report.
3. Council continue to reflect any financial impacts through its quarterly budget review process.
4. The General Manager be authorised to take all necessary steps to administer the matter, as required.
5. Further reports be provided on the matter, as required.

- CARRIED

ITEM 12.2

PROVISION OF TEMPORARY STAFF - SSROC

(34)

CLR. EL-HAYEK:/CLR. DOWNEY

RESOLVED that

1. Council accepts the SSROC preferred panel of contractors list, on a non-exclusive basis, for the provision of temporary staff, for a period of three (3) years with a provision to extend for two by one (2x1) year periods. Any extensions are subject to contractor's performance and approval of the General Manager.

CANTERBURY BANKSTOWN COUNCIL

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2017**

2. The General Manager be authorised to enter into the applicable “Commissioning” agreements with the relevant contractors in accordance with the Council’s resolution above.
3. Council agrees that SSROC notify unsuccessful tenderers of the results of the tender process.

- CARRIED

THE MEETING CLOSED AT 7.25 P.M

Minutes confirmed 28 NOVEMBER 2017

.....
Mayor

2 LEAVE OF ABSENCE

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

4 MAYORAL MINUTES

The following items are submitted for consideration -

4.1	Banksia Road Primary School Tragedy	29
4.2	Community Voice Panels	31
4.3	Setting the Record Straight	33
4.4	Australia Day Awards	35
4.5	Review of Council's Major Events Program	37
4.6	Bangladesh Festival	39
4.7	Zonta Club of Sydney West	41
4.8	St Saviour's Anglican Church Cemetery	43

Mayoral Minutes - 28 November 2017

ITEM 4.1 Banksia Road Primary School Tragedy

I was shocked to hear about the tragic death of two young boys in a recent incident at Banksia Road Primary School. The circumstances and consequences of the incident seemed at the time and continue to be surreal.

I was moved by the way the school community rallied in support of those families directly impacted and others who suffered emotionally in the aftermath. I understand the Education Department is continuing to provide the necessary counselling and other support services, which are vitally important to be maintained.

I would like to take this opportunity to thank and congratulate the Principal of the school and staff, for the way they responded on the day in what would also have been a traumatic experience for them as well. Their actions and support showed leadership, empathy and love for not only their students, but parents and guardians who were frantically trying to determine whether their loved ones were safe.

To the families of the two victims, my sincerest sympathies. No-one can truly understand your personal loss and you remain in our thoughts and prayers. To the 20 other injured children, we wish you a speedy recovery and hope you all will be back at school as soon as possible.

Mayoral Minutes - 28 November 2017

ITEM 4.2 Community Voice Panels

As Mayor of one of the largest and most diverse Councils in Australia, I am committed to ensuring our community is informed and has opportunities to contribute to shaping City projects, plans and decisions. Community engagement that is transparent, representative and builds capacity and one that is fundamental to developing an ongoing relationship based on trust and accountability.

Council already undertakes a diverse range of community engagement activities. These include traditional forms of engagement, such as face-to-face conversations, surveys, advertising and social media. Also, more targeted activities, such as information and drop-in sessions, pop-up engagement events at parks and local shopping centres, the 'Have Your Say' portal, focus groups, Advisory and Reference Groups, Street Meets and our Residents' Panel.

However, more can be done.

Council is currently faced with an unprecedented level of change across the City, as a result of major projects and strategies being driven by the NSW Government, such as the Sydney Metro and the Sydenham to Bankstown Urban Renewal Strategy. These long and technical documents can be difficult for Council to decipher, let alone the community. This has been made sharply evident with the Government's recent release of the Sydney Metro EIS, where the community was provided a very limited time to review more than 5,000 pages and provide a response. I have received a clear message from local residents, they are not happy with the level of engagement undertaken by the Government.

While Council is not responsible for these plans, I am proposing Council introduces 'Community Voice Panels'. These Panels will be a representative sample of the community, within the affected area, who will be given the opportunity to be briefed in detail on the background to the project. As information or decisions are required to be made, the Community Voice Panel members will be consulted and the outcomes of any discussions fed back to Councillors to assist in their decision making.

Its purpose, therefore, is to provide Councillors with another level of community insight that they may otherwise not receive through listening to the vocal interest groups. International best practice has shown, these Panels are most effective when participants are engaged as individual community members, with no formal alignments or allegiances. There are numerous opportunities for organised interest groups to be heard but we must give a voice to the silent majority of our city and to our hard working families that don't often get the time to hear what's going on or time to be heard about what they think and feel.

While these will provide Councillors with feedback on key strategic issues facing the City, they are intended to complement, not replace, existing forms of consultation. Council will continue to work with key interest groups and stakeholders, as well as seek general community feedback. It is proposed, Council trials two 'Community Voice Panels' for the Sydenham to Bankstown Metro and Sydenham to Bankstown Urban Renewal Strategy.

Mayoral Minutes - 28 November 2017

ITEM 4.3 Setting the Record Straight

As the proud Mayor of this great City, I have had the pleasure of both meeting and discussing many community issues with residents and, importantly, gaining an appreciation and understanding of their expectations for our City.

Our community is proud and excited about the future of our new City, sentiments which I similarly share. That said, some residents have also separately raised concerns with me regarding claims Council plans to sell-off important community facilities, such as Council's administration building in Campsie, the former Hurlstone Park Bowling Club site and Canterbury Bowling Club site, without any thought to the broader economic and social needs of the City.

As Council and the community know, we are moving into a period of unprecedented change throughout our City - change presently imposed by the NSW Government without proper planning and community input. Whilst this may be the case, I have made a commitment to the community that Council will strongly advocate on its behalf and stand up to the Government, where the outcomes do not work towards delivery a better City for our residents.

Importantly, any growth in our centres will require improvements to parks and playgrounds, community facilities, vibrant retail spaces and a fundamental increase in State investment in education and health.

Understandably, this requirement to invest in more assets will also mean Council needs to ideally preserve many of the key existing land and facilities, in particular in those areas where there is a deficiency, so as to ensure we can deliver on these outcomes. Any decision otherwise would not be in the public interest and certainly not supported by me.

I reaffirm, Council is not selling the Canterbury Bowling Club site and, once the State Government's Priority Precinct process is complete, we will determine the future of this important piece of land, having thoroughly engaged with the community.

I further reaffirm, the former Hurlstone Park Bowling Club site is critical in the supply of necessary open space for the area. We are currently working with the community to realise a brighter future for the site, which will include a new park.

Finally, I confirm, the Campsie Administration site remains strategically important for service delivery for the new City of Canterbury Bankstown, now and into the future. Any change to this precinct will continue to deliver important open space, community services and activities supporting a prosperous and vibrant City.

I trust all Councillors agree and support me in clearly communicating to the community that Council will not be selling off our City at any price.

Mayoral Minutes - 28 November 2017

ITEM 4.4 Australia Day Awards

I believe it's important we acknowledge the unsung heroes in our community on Australia Day, for their outstanding contribution to the city and its residents.

I am, therefore, encouraging people to nominate those who they believe have made a real difference in our community, in the City of Canterbury Bankstown Australia Day Awards. This year's Award categories are:

- Citizen of the Year;
- Young Citizen of the Year;
- Volunteer of the Year; and
- Community Organisation of the Year

All nominees will receive a certificate of nomination and the recipients will be officially announced at a ceremony on Australia Day, when a group of residents will also proudly become Australian Citizens.

Nominations are now open and will close at 5pm, 22 December 2017.

I encourage residents to nominate someone they know who deserves recognition by:

- Filling out a form at Council's Customer Service Centres or libraries;
- Calling 9707 9535; or
- Visiting cb.city/australiadayawards

Mayoral Minutes - 28 November 2017

ITEM 4.5 Review of Council's Major Events Program

I am very proud of Council's commitment to attracting investment, new businesses and visitors to the City of Canterbury Bankstown, and celebrating our cultural diversity. This is done in a number of ways, including the staging of major community events.

Recently, the Bankstown Bites Food Festival and Haldon Street Festival attracted tens of thousands of people, who visited our City to experience these events first-hand.

We are always looking to ensure our major events remain relevant and attractive to a wide audience, not only local residents. As the largest Council in New South Wales this is an opportunity to position the City as a creative, innovative and dynamic place.

For this reason, I am calling for a full review of the existing major events. This review will examine previous events programs and their impact on the community and their success in achieving their stated aims as well as the value of the event to community.

As part of this major events review, I am keen to explore opportunities for Council to embed the Christmas spirit deeper in our City. So, I have requested staff to brief Councillors on potential opportunities and provide recommendations as part of the events review.

In addition I am requesting a review of how Australia Day is celebrated across Sydney, and what activities we should be undertaking to maximize the pride of our City and the pride of our nation in being an Australian.

Until this review is complete Council will continue to deliver its current events program. Upcoming events include:

- Switching on of the lights on the giant 10 metre Christmas tree, in the forecourt of Bankstown Library and Knowledge Centre – 26 November 2017;
- Carols in the Park, at Wiley Park Amphitheatre – 10 December 2017;
- Australia Day, pool parties at Max Parker and Canterbury Leisure and Aquatic Centres – 26 January 2017; and
- Lunar New Year in Bankstown City Plaza.

Mayoral Minutes - 28 November 2017

ITEM 4.6 Bangladesh Festival

On 28 October 2017, the Bangladesh Festival was held in Paul Keating Park.

The Festival was a wonderful celebration of community harmony in Canterbury-Bankstown and an opportunity to ensure the contribution of cultural diversity is celebrated and recognised as an important social and economic resource. By all accounts, the event was very successful with approximately 10,000 people joining in on the day.

The Festival was organised by the Association of Bangladesh Voice Australia, a non-profit organisation based in Lakemba providing community services and cultural activities for the Bangladeshi and broader community.

The Association has written to Council seeking assistance with the cost of ground hire and associated charges. I consider this request worthy of Council's support and recommend that Council provide the requested financial assistance to the value of \$1294 and these funds be made available from Council's Community Grants and Sponsorship budget. .

Mayoral Minutes - 28 November 2017

ITEM 4.7 Zonta Club of Sydney West

The City of Canterbury Bankstown has many talented youth and Council recognises the achievement of young men and women in a number of ways, including through its annual Youth Awards, annual Youth Week activities and its unique Talent Advancement Program.

From time to time, Council also recognises local youth by supporting programs and organisations, which aim to further develop our future leaders. This is mainly through our annual Community Grants Program.

I have recently been approached by the Zonta Club of Sydney West to support its annual awards program, which recognises female school students who shine in the community. I understand these awards are not necessarily linked to academic achievement, but rather the individual's impact on the wider community.

Zonta Club of Sydney West has been running these awards for more than a decade and, in 2018, plans to recognise 13 female Year 10 students. It has, therefore, requested Council to sponsor one of these awards, each valued at \$250.

The award recipients will be recognised for their work in the community and local schools are encouraged to nominate a student who would be considered a worthy recipient.

The awards will be presented at the Zonta Club of Sydney West annual International Women's Day breakfast, scheduled for 8 March 2018.

I believe it is fitting Council supports these awards by donating \$250 to Zonta Club of Sydney West and these funds be made available from Council's Community Grants and Sponsorship budget. I also take this opportunity to thank the Club for its ongoing support of the Canterbury-Bankstown community.

Mayoral Minutes - 28 November 2017

ITEM 4.8 St Saviour's Anglican Church Cemetery

St Saviour's Anglican Church at Punchbowl is this month celebrating its centenary. It is located on Canterbury Road, adjacent to a cemetery which was established by the Anglican Church more than 130 years ago.

The cemetery, which is a local significant heritage item, listed under the Canterbury LEP 2012, has more than 200 grave plots and contains the remains of members of a number of Punchbowl's founding families. From time to time, the cemetery is visited by a number of local schools, as part of their local history curriculum, to learn about the suburb's pioneers.

Up until recent times, the cemetery was being maintained by a church volunteer, however, he has been unable to continue in this role. As a result, I have been approached by the Church's Pastor, the Reverend Greg Inglis, requesting assistance to carry out some maintenance work, which would provide him with time to establish a more permanent maintenance program, carried out by volunteers from his congregation. This one-off clean would include the removal of overgrown shrubbery, long grass and built-up fallen leaf litter.

In lieu of the plight the Pastor currently faces and the historical significance of the site in question, I have requested the General Manager organise for the above work to be undertaken which, I understand, is valued at around \$550 plus GST. These funds will be made available from Council's Community Grants and Events Sponsorship budget.

5 PLANNING MATTERS

The following items are submitted for consideration -

- | | | |
|-----|--|----|
| 5.1 | Submission on the Sydenham to Bankstown Metro Environmental Impact Statement (Metro EIS) | 47 |
| 5.2 | Submission to the Sydenham to Bankstown Urban Renewal Corridor Strategy | 53 |
| 5.3 | Planning Proposal - Various Amendments to Canterbury Local Environmental Plan 2012 | 59 |
| 5.4 | 913-925 Punchbowl Road and 21 Canterbury Road, Punchbowl | 63 |
| 5.5 | Exhibition of Bankstown DCP 2015 Part B11 - Tree Management Order and Canterbury DCP Part B3 - Tree Management Order | 75 |

ITEM 5.1 **Submission on the Sydenham to Bankstown Metro Environmental Impact Statement (Metro EIS)**

AUTHOR **City Future**

PURPOSE AND BACKGROUND

This report details Council's submission on the Sydenham to Bankstown Metro Environmental Impact Statement (EIS) for the Sydenham to Bankstown Metro project.

The Sydenham to Bankstown Metro includes a 13.5km upgrade and conversion of the T3 Bankstown Line to metro standards. It will involve an upgrade to all 11 stations between Sydenham and Bankstown. Converting the T3 Bankstown Line will require temporary suspension of rail services.

The Metro EIS is the application that Transport for NSW (TfNSW) submits to the NSW Department of Planning and Environment (DPE) to address environmental impacts as a result of the project. It is not seeking feedback on the merits of a metro as a decision has already been made by the Government to proceed, and the project is currently out to tender.

ISSUE

The State Government declared the Sydney Metro (City and Southwest) Project to be a State Significant Infrastructure project in December 2015. This effectively means that the project has in principle support from the Government with the tender for the detailed design and construction already released. The next steps in the process is the EIS which provides information on the station designs and measures put in place during construction.

The Metro EIS is a 5,000 page technical description including concept designs for each station and the Temporary Transport Strategy which sets out the alternative travel options for commuters during shutdown periods.

The Metro EIS was on exhibition from 13 September to 8 November. Due to the short time frame Council wrote to the Government seeking an extension which was recently granted, with a revised submission deadline of 1 December. Representatives from the Metro briefed Councillors on the EIS on 15 November.

As a decision has already been made, the submission does not address the merits or otherwise of a metro. The submission provides a response on the design issues of the station and new line and possible impacts as a result of the construction. A three part submission has been prepared documenting feedback.

DPE will review all submissions and refer them to TfNSW. TfNSW are required to prepare a submissions report outlining how the feedback has been considered.

It should be noted, the Metro EIS is not related to the planning changes around the railway prepared by the DPE.

RECOMMENDATION

That Council endorse the submission on the Sydenham to Bankstown Environmental Impact Statement (EIS).

ATTACHMENTS [Click here for attachment](#)

- A. Council Submission - Sydenham to Bankstown Metro EIS

POLICY IMPACT

Existing Council policies and Council's policy position have been considered in the development of the submission. As further details are made available, Council will need to undertake a process of continuous review and provision of comments to continue to reflect Council's adopted position.

FINANCIAL IMPACT

At this stage of the project, this matter does not have financial impact for Council. As the project progresses and further detail becomes available, there will be financial implications that will need to be assessed and reported to Council.

COMMUNITY IMPACT

The Metro EIS project if approved as exhibited would have significant negative impacts on our community. Council is also extremely disappointed with the process and timing of the exhibition of the Metro EIS. In particular:

1. There has been inadequate consultation during the Metro EIS exhibition.
2. There will be significant community impacts during construction.
3. The poor station design and locations will disconnect our centres and reduce activity on our mainstreets.

These matters have been raised in the submission with recommendations on how to mitigate these going forward.

DETAILED INFORMATION

Council's submission on the Metro EIS

Council's submission is comprised of three reports.

Part 1: Sydenham to Bankstown Metro: A succinct description of the 8 high level issues and opportunities Council has identified.

Part 2: Creating Better Places: Opportunities for our Metro centres. An analysis of each centre which responds directly to the concept designs provided in the EIS for each station.

Part 3: Technical Review. A detailed analysis of corridor-wide issues, construction impacts and individual station issues / opportunities.

Below is a summary of the content of the submissions.

Part 1: Sydenham to Bankstown Metro:

Part 1 identifies eight high level issues with the project in its current form.

1. **Equity and value add for Canterbury-Bankstown** – The Canterbury-Bankstown business and residential community deserve greater investment. The current plan ignores significant opportunities for renewal and City-shaping. A major opportunity to increase the serviceability of this part of Sydney by undergrounding at Bankstown Station is not contemplated in the EIS.
2. **Integration with strategic opportunities across Metro Sydney** – The Metro if constructed as released would sterilise the opportunity for transport links to Liverpool, Parramatta and Kogarah identified in the recently released State Government policies.
3. **Realise the potential of Bankstown** – The Metro as planned does not respond to Bankstown's role as a strategic centre and a major transport interchange.
4. **Transport hierarchy and connectivity** – The Metro as planned fails to improve connectivity for pedestrians and cyclists across the rail line and to and from stations and in some cases, makes things worse. There is also a lack of commitment to the delivery of the Active Transport Corridor.
5. **Station design and placemaking** – The removal of existing station entrances ignores their role in activating main streets. The community will lose many trees and several heritage buildings with little justification.
6. **Managing impacts on our community** – The temporary transport plan is poorly considered. Construction works to under and overpasses will affect connectivity across the railway corridor. A strong business support program is needed along with excellence in community engagement during the project to minimise issues. There are impacts to valued open space and community facilities that need clarification.

7. **Inconsistency with Government policy on urban design** – The Metro project does not address TfNSW and State Government Urban Design Policies.
8. **Process after approval** – Council and the community deserve a seat at the table as a decision maker moving forward.

Part 2: Creating Better Places: Opportunities for our Metro centres.

Station opportunities plans were prepared to detail the impacts of the Metro project on local streets and footpaths, open space and landscaping, flooding issues, economic activity, social considerations, noise issues and heritage significance. These adopted an equivalent look and feel to the drawings provided in the EIS to allow simpler side-by-side comparison.

The opportunities plans prepared apply the following urban design and place-making principles:

- Utilising new concourses to improve town centre connectivity;
- Improving pedestrian priority across town centres;
- Establishing a clearer, more consistent transport mode hierarchy;
- Retention of existing station entries to protect existing main street functions;
- Carefully scaled new public spaces activated and surveilled by retail uses;
- Retaining and incorporating existing features that add to the character of our centres such as mature trees, station buildings, heritage items etc;
- Integrating renewal opportunities to link existing centres with new retail in a manner that allows both to thrive;
- Providing continuous weather protection to station entries; and
- Ensuring passive surveillance and CPTED is embedded in all station precinct planning.

Council has used the design principles within the NSW State Government's newly released design policy to measure the Metro Concept Plans.

Part 3: Technical Review

Detailed tables which consider all impacts on each centre and across the corridor in relation to urban design, traffic and transport, biodiversity, flooding and hydrology, noise and vibration, economic and social impacts, construction impacts, heritage, land use, sustainability and waste.

ITEM 5.2 **Submission to the Sydenham to Bankstown Urban Renewal Corridor Strategy**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

This report outlines Council's submission to the Sydenham to Bankstown Urban Renewal Corridor Strategy (the Draft Strategy) as shown in Attachments A–B.

The Department of Planning and Environment exhibited the Draft Strategy from 25 June to 3 September 2017. Council was granted an extension to 1 December 2017. The Draft Strategy forecasts 35,403 additional dwellings to be built around the proposed metro stations between Sydenham and Bankstown by 2036.

ISSUE

Council's position is the Draft Strategy cannot be supported at this time due to the significant number of unresolved issues, particularly concerning infrastructure, open space, urban design and funding.

The Draft Strategy is narrowly focussed on delivering housing, without considering the capacity of the existing and proposed infrastructure required to support it. Critically, the Draft Strategy is inconsistent with the Greater Sydney Commission's Draft Greater Sydney Region Plan and Draft South District Plan.

Prior to finalising the Draft Strategy, Council's submission identifies the need for the Department of Planning and Environment to undertake more detailed studies and analysis to address certain fundamental issues and to review the implementation process. This additional planning work will enable Council to provide more detailed comments on the Draft Strategy in relation to land uses, building envelopes and infrastructure.

RECOMMENDATION That -

1. Council endorse the submission to the Draft Sydenham to Bankstown Urban Renewal Corridor Strategy as outlined in this report.
2. Council seek amendments to the Draft Sydenham to Bankstown Urban Renewal Corridor Strategy as outlined in this report, in particular:
 - (a) The Department of Planning and Environment remove the proposed Ministerial (117) Direction as it will result in ad-hoc planning proposals to implement the Strategy.

- (b) The Department of Planning and Environment commence the planning process for the priority precincts without the presumption of any height controls that have been exhibited to date. The Department also establish a governance structure that ensures the community and councillors have a greater say in the planning process and are given the opportunity to regularly provide direct input into the Project Control Group.
- (c) Council undertake the proposed changes outside the priority precincts, and lead the preparation of planning proposals to implement the Strategy within the balance of the corridor.
- (d) The Department of Planning and Environment commit to funding corridor-wide investigations to address infrastructure funding and delivery, open space, transport and traffic, new schools, hospital upgrades, urban design, heritage, affordable housing and other fundamental issues outlined in this report. These investigations must guide renewal within the Sydenham to Bankstown corridor including the priority precincts.

ATTACHMENTS

[Click here for attachments](#)

- A. Council Submission
- B. Council Submission (Attachment)
- C. Community Issues Report

POLICY IMPACT

Council's current position is to defer planning proposals relying on the Draft Strategy for justification, until the Strategy is finalised.

Once the Strategy is finalised and a clear policy direction is endorsed, the Department of Planning and Environment proposes to issue a Ministerial (117) Direction. This direction will require planning proposals to be consistent with the Strategy.

In the case of the priority precincts (Canterbury, Campsie, Belmore and Lakemba), the preparation of planning proposals to implement the Strategy will be State led. The Department of Planning and Environment will carry out the masterplanning, consultation and rezoning process. This process will revise the Draft Strategy in the future.

In the case of centres outside the priority precincts (Bankstown, Punchbowl, Wiley Park and Hurlstone Park), the preparation of planning proposals to implement the Strategy may be Council led or developer led.

This report recommends that planning proposals are not considered until the priority precincts are completed and the new planning controls are gazetted.

FINANCIAL IMPACT

Should the Draft Strategy proceed, the implementation of the Strategy will have significant financial implications for Council as outlined in this report. This primarily relates to the need to support growth with adequate local infrastructure, services and facilities.

COMMUNITY IMPACT

Should the Draft Strategy proceed, it will bring transformative change to the affected centres and will have wide ranging impacts on the community by way of significant increases in development density and congestion.

DETAILED INFORMATION

Drop-In Sessions

During the exhibition period, Council held four drop-in sessions (Bankstown, Belmore, Campsie and Hurlstone Park) to help residents navigate through the Draft Strategy and to listen to their issues and concerns. Council advertised the drop-in sessions in the local newspapers, and notified community groups and Parliamentary Members.

In summary, most residents do not support the Draft Strategy due to the impact the proposed increased housing will have on local character, amenity, built heritage, traffic and infrastructure. Suggested changes to the Draft Strategy include:

- Providing more infrastructure to support population growth.
- Limiting the extent of the proposed zoning changes to a radius of 400 metres measured from the proposed metro stations.
- Limiting the building heights in centres to a maximum 4–6 storeys, and protecting the 2 storey character of the suburban neighbourhoods.
- Ensuring there are mechanisms to guarantee quality design and heritage protection.
- Providing employment opportunities.

Attachment C summarises the issues raised by residents at the drop-in sessions.

Council's Submission

Council's overall position is the Draft Strategy cannot be supported at this time due to the significant number of unresolved issues, particularly concerning infrastructure, open space, urban design and funding.

More detailed studies and analysis

Prior to finalising the Draft Strategy, Council's submission identifies the need for the Department of Planning and Environment to undertake more detailed studies and analysis in partnership with Council to address the following fundamental issues:

- The Draft Strategy must ensure dwelling growth occurs in sequence with an established and funded infrastructure delivery plan.
- The Draft Strategy must be coordinated across all levels of government. There are significant inconsistencies between the Draft Strategy and adopted government policy.

- The Draft Strategy must deliver quality open spaces and ‘parks of scale’ to support the expected population growth. The only opportunities identified for new open spaces are surplus lands from the Sydney Metro Southwest project, opening school playgrounds to the public, and the Canterbury Racecourse. In many areas, such as Lakemba, Wiley Park and Punchbowl, the Draft Strategy would exacerbate existing open space shortfalls.
- The Draft Strategy must undertake more detailed transport and traffic analysis for each centre and the corridor as a whole. To date, no detailed analysis has been undertaken apart from Council’s investigations along Canterbury Road conducted as part of the Canterbury Road Review.
- The Draft Strategy must accommodate the expected growth in students by identifying appropriate sites for new schools. To date, the Draft Strategy does not identify sites for new schools.
- The Draft Strategy must identify improvements to hospitals and health services to support the expected population growth. It is inappropriate to leave this infrastructure requirement to a later stage.
- The Draft Strategy must recognise Bankstown as an emerging health and education precinct.
- The Draft Strategy must undertake more detailed design analysis for each centre to deliver great places and quality design. It currently proposes transformative change without appropriate consideration of contextual fit, building height transitions, overshadowing, and the requirements of SEPP 65 (Design Quality of Residential Apartment Development).
- The Draft Strategy must reflect the ‘work in progress’ status of the priority precincts (Canterbury, Campsie, Belmore and Lakemba). The decision to show proposed building heights has fuelled intense speculation and created expectations about the outcomes ahead of detailed planning for these centres.
- The Draft Strategy must consider heritage and character in all areas where change is proposed, not just in Hurlstone Park, Canterbury and Belmore.
- The Draft Strategy should mandate an Affordable Rental Housing Target of 5% to 10% of new residential floor space consistent with the Draft Greater Sydney Region Plan.
- The Draft Strategy should ensure the government led masterplan process for the Canterbury Racecourse reflects best practice and that Council is formally part of the planning process.
- The Draft Strategy should consider the strategic intent of the Canterbury Road Review in relation to the creation of additional open spaces and connections.

This additional planning work will enable Council to provide more detailed comments on the Draft Strategy in relation to land uses, building envelopes and infrastructure.

Review the proposed implementation process

Once the Strategy is finalised, the Department of Planning and Environment proposes to issue a Ministerial (117) Direction. This direction will require planning proposals to be consistent with the Strategy.

Council's submission requests the removal of the proposed Ministerial (117) Direction as it will encourage ad-hoc planning proposals to implement the Strategy, and will pre-empt the additional planning work that is required to finalise the priority and non-priority precincts.

In the case of the priority precincts (Canterbury, Campsie, Belmore and Lakemba), it is important for the Department of Planning and Environment to commence the planning process without the presumption of any height controls that have been exhibited to date. The first step is to establish a governance structure that:

- Defines the project scope in partnership with Council.
- Ensures the community and councillors are formally recognised in the planning process and are given the opportunity to regularly provide direct input into the Project Control.
- Ensures there is adequate funding to commission the full range of background studies that is needed to inform the planning process.

Requests to prepare planning proposals in the priority precincts should be deferred until this planning process is finalised and a clear policy direction is endorsed.

In the case of centres outside the priority precincts (Bankstown, Punchbowl, Wiley Park and Hurlstone Park), Council should lead the preparation of planning proposals to implement the Strategy. This would enable Council to refine the proposed zoning changes and built form controls at a 'neighbourhood scale' to achieve the broader vision for the centres. This approach is consistent with the Department of Planning and Environment's Apartment Design Guide, which refers to the need for proposals to consider the 'neighbourhood scale', and the principles of SEPP 65.

Next Steps

The Department of Planning and Environment has advised the Draft Strategy may be finalised in early 2018. This time frame may change should the Department make changes to the Draft Strategy as proposed in this report.

Planning Matters - 28 November 2017

ITEM 5.3 **Planning Proposal - Various Amendments to Canterbury Local Environmental Plan 2012**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

On 27 June 2017 Council resolved to exhibit the revised planning proposal which seeks to make a number of minor amendments to the Canterbury LEP 2012 and that it be reported to council following the exhibition period.

The planning proposal was placed on public exhibition in July/August 2017 and received a submission from the Office of Heritage and Environment.

The report seeks Council's endorsement and approval of the planning proposal for finalisation by the Greater Sydney Commission.

ISSUE

This report outlines the proposed housekeeping amendments to the Canterbury LEP 2012, which was recently exhibited. It recommends the draft plan, as amended, be made in accordance with Section 59 of the Environmental Planning and Assessment Act 1979.

RECOMMENDATION

That the planning proposal to amend the Canterbury LEP 2012, as amended, be approved for finalisation and making as a Local Environmental Plan under Section 59 of the EPA Act, 1979.

ATTACHMENTS [Click here for attachment](#)

- A. Historical notes

POLICY IMPACT

This matter has no policy implications for Council.

FINANCIAL IMPACT

This matter has no financial implications.

COMMUNITY IMPACT

There is no community impact.

DETAILED INFORMATION

Gateway Determination

A planning proposal submission was prepared and forwarded to the Department of Planning and Environment in January 2016. A Gateway Determination was issued on 3 March 2016, allowing council to proceed to public exhibition subject to conditions.

Proposed amendments

The proposed amendments are mostly administrative in nature and involve:

- Adding 'emergency services facility' as a permissible use in the RE1 Public Recreation zone;
- Removing an objective in the B6 zone objective that refers to residential uses as it is a typographical error. Residential accommodation is a prohibited use within the B6 zone.
- Correcting the description of three heritage items at:
 - 260, 260A, 262 Canterbury Road, Canterbury (local)
 - 2-4 Sugar House Road, Canterbury (state)
 - 96A Moorefields Road, Kingsgrove (local).
- Making a number of mapping amendments to correct zoning boundary anomalies at:
 - 102-102A Rogers Street, Roselands
 - 3 Sunbeam Street and 60 Charlotte Street, Clemton Park.
- Updating land reservation and acquisition details to reflect recent land acquisitions by Council at:
 - 46 Fairmount St, Lakemba
 - 15 Wangee St, Lakemba
 - 39 Ludgate St, Roselands
 - 34 Allan Avenue, Belmore

Public Exhibition

The amended planning proposal was placed on public exhibition from 17 July to 14 August 2017. Overall one submission was received.

The submission was received from the Heritage Council which raised concerns about the proposed name change for the 'Canterbury Sugar Mill' to 'Canterbury Sugar Works'.

The Heritage Council advised that their records show the property is known as the '*Old Sugarmill at Canterbury*' and has requested the name be amended to reflect the Heritage Council's records.

Comment

In 2013 Council engaged historians Lesley Muir and Brian Madden to prepare historical notes for a number of heritage items. They advised that the naming of the Canterbury Sugar Mill was incorrect, and its historically correct name was in fact Canterbury Sugar Works. Prior to Canterbury LEP 2012, the name of the item was correctly identified as '*Canterbury Sugar Works*' in LEP 138.

It is also proposed to make a minor change to the exhibited version of the name of the item from 'Canterbury Sugar Works' to 'Canterbury Sugar Works (former)', as the item is no longer in its original use, a reference to it being a former use is appropriate.

Based on the above advice, the Heritage Council was informed of Council's intentions to retain and make a minor change to the name of the item. In response, the Heritage Council raises no further objections to the naming of the Canterbury Sugar Mill proposed by Council, provided that an updated inventory sheet be forwarded to the Heritage Division once the Plan is made.

A copy of the historical notes is shown as attachment A.

Conclusion/ next steps

The Plan will be referred to the Department of Planning and Environment for finalisation and making.

It is recommended the planning proposal, as amended, be approved for finalisation and making as a Local Environmental Plan under Section 59 of the EPA Act, 1979.

Planning Matters - 28 November 2017

ITEM 5.4 **913-925 Punchbowl Road and 21 Canterbury Road, Punchbowl**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

Council received an applicant initiated planning proposal from Club Punchbowl to amend Bankstown Local Environmental Plan 2015 to allow future mixed use development at the properties 913-925 Punchbowl Road and 21 Canterbury Road, Punchbowl with 1.8:1 FSR and maximum building height of 17 metres (5 storeys).

Council's Independent Hearing Assessment Panel has considered the planning proposal and supports the proposal being submitted to the Greater Sydney Commission for a Gateway Determination, subject to the completion of additional studies, and preparation of DCP amendments to support the planning proposal.

At the meeting on 24 October 2017, Council resolved that the matter be deferred for a Councillor briefing and a further report be submitted to the next available Council meeting.

Should Council decide to proceed with the planning proposal, the next step would be to submit a planning proposal to the Greater Sydney Commission. If Council receives a Gateway Determination to proceed, the technical studies outlined in this report would be undertaken and the planning proposal would be exhibited for public comment. Following the exhibition, the matter would be reported back to Council outlining submissions received and seeking a decision on how to proceed.

ISSUE

To consider the application to amend Bankstown Local Environmental Plan 2015 for the properties at 913–925 Punchbowl Road and 21 Canterbury Road, Punchbowl.

RECOMMENDATION That -

1. Council prepare and submit a planning proposal to the Greater Sydney Commission to seek a Gateway Determination that will:
 - (a) Rezone the properties at 913 to 921B Punchbowl Road in Punchbowl from Zone R2 Low Density Residential to Zone B1 Neighbourhood Centre, subject to determining whether any retail or commercial uses are necessary for the area north of the drainage easement section of the site along Punchbowl Road (noting that residential flat buildings are permissible in the B1 zone).
 - (b) Permit a maximum 17 metre building height and a maximum 1.8:1 FSR. This should include a consideration of different height levels across the site, in

association with relevant FSRs across the site (but achieving the same potential yield), including specific treatment of the zone interface between the northern part of the site and the R2 zoning to address adverse amenity impacts.

- (c) Do not apply the Lot Size Map to the properties at 913–921B Punchbowl Road as the Lot Size Map does not apply to Zone B1 Neighbourhood Centre (if the site was to have a residential zoning which allowed residential flat buildings).
- 2. Subject to approval from the Greater Sydney Commission, Council exhibit the planning proposal, and the matter be reported to Council following the exhibition – outlining any submissions received and the way forward.
- 3. Council prepare and exhibit DCP amendments to support the planning proposal, and the matter be reported to Council prior to exhibition.
- 4. Council delegate authority to the General Manager to complete the actions outlined in the recommendations of this report.

ATTACHMENTS [Click here for attachment](#)

- A. Previous Report to Council - 24 October 2017

POLICY IMPACT

This matter has no policy implications for Council.

FINANCIAL IMPACT

This matter has no financial implications for Council.

COMMUNITY IMPACT

Should Council support the submission of the planning proposal, the planning proposal will be prepared to be consistent with the recommendations of this report, which will include the need for additional studies to investigate the following issues after a Gateway Determination is received from the Greater Sydney Commission:

- the zone interface to the north of the site where the zone would change from proposed Zone B1 to Zone R2 Low Density Residential land.
- whether the proposed changes to height and FSR should be more specifically detailed across the site but still achieve the proposed yields, such as development controls to step the building heights back from the property boundary.
- whether retail/commercial is necessary to the north of the easement along Punchbowl Road.
- specific provisions to include affordable housing with any other public infrastructure such as pedestrian access ways.

The Gateway Determination will outline the impact assessment requirements for the planning proposal, including confirmation on whether Council's proposed additional studies are required. The additional studies will inform any potential changes to the planning proposal and the future development controls for the site. The recommendations of the studies and any changes to the planning proposal will be reported to Council prior to the exhibition.

DETAILED INFORMATION

REPORT

Council is in receipt of an application to amend Bankstown Local Environmental Plan 2015 for the site at 913-925 Punchbowl Road and 21 Canterbury Road in Punchbowl to:

Properties	Current zone	Proposed zone	Current building height	Proposed building height	Current floor space ratio	Proposed floor space ratio
913–919 Punchbowl Road	Zone R2	Zone B1	9 metres (2 storeys)	17 metres (5 storeys)	0.5:1	1.8:1
921–921B Punchbowl Road	Zone R2	Zone B1	9 metres (2 storeys)	17 metres (5 storeys)	0.5:1	1.8:1
923–925 Punchbowl Road	Zone B1 & Zone SP2	No change	11 metres (2 storeys plus attic)	17 metres (5 storeys)	1:1	1.8:1
21 Canterbury Road	Zone B1 & Zone SP2	No change	11 metres (2 storeys plus attic)	17 metres (5 storeys)	1:1	1.8:1

A copy of the applicant's planning proposal and supporting documents are available at Attachment C-I.

The Independent Hearing Assessment Panel (IHAP) considered the proposal at its meeting on 4 September 2017 and supports the proposal being submitted to the Greater Sydney Commission for a Gateway Determination, subject to the completion of additional studies post-Gateway, and preparation of DCP amendments to support the planning proposal. A copy of the minutes of the IHAP meeting is available at Attachment B.

Description of the site and local context

The site (20,461m² in area) is located at the corner of Canterbury and Punchbowl Roads in Punchbowl and comprises the following properties:

Property Address	Lot and DP	Area	Zone	Ownership
913 Punchbowl Road	Lot B DP 378634	961m ²	Zone R2 Low Density Residential	Private
915 Punchbowl Road	Lot 2 DP 21524	664 m ²	Zone R2 Low Density Residential	Private
917 Punchbowl Road	Lot 3 DP 21524	651m ²	Zone R2 Low Density Residential	Private
919 Punchbowl Road	Lot 4 DP 21524	651m ²	Zone R2 Low Density Residential	Private
921 Punchbowl Road	Lot 6 DP 5245	3,870m ²	Zone R2 Low Density Residential	Club Punchbowl
921A Punchbowl Road	Lot A DP 378634	3,863m ²	Zone R2 Low Density Residential	Club Punchbowl
921B Punchbowl Road	Lot D DP 382627	1,948m ²	Zone R2 Low Density Residential	Club Punchbowl
923 Punchbowl Road	Lot 15 DP 132440	3,876m ²	Zone B1 Neighbourhood Centre	Club Punchbowl
925 Punchbowl Road	Lot 1 DP 236825	588m ²	Zone B1 Neighbourhood Centre / Zone SP2 Infrastructure (Road Infrastructure Facility)	Club Punchbowl
21 Canterbury Road	Lot 14 DP 132440	3,389m ²	Zone B1 Neighbourhood Centre / Zone SP2 Infrastructure (Road Infrastructure Facility)	Club Punchbowl

The properties at 921–925 Punchbowl Road and 21 Canterbury Road contain a registered club, known as Club Punchbowl. The properties at 913–919 Punchbowl Road contain privately owned dwelling houses.

The site is subject to electricity and drainage easements, road widening reservations, and noise exposure from Canterbury and Punchbowl Roads.

In relation to local context, the site is located 1.2km from the Punchbowl railway station. The low-rise suburban neighbourhood surround the site with some commercial premises to the south and west, and Punchbowl Park to the east.



Figure 1: Site and local context

Justification

The Council Report to the Independent Hearing Assessment Panel as shown in Attachment A provides detailed assessment of the justification of the planning proposal.

In summary, the planning proposal is generally consistent with the recommendations for the site in the adopted North East Local Area Plan (LAP), which was adopted by former Bankstown Council on 11 May 2016. At the time of the adoption of the LAP, Club Punchbowl site did not include the additional residential properties at 913-919 Punchbowl Road. The LAP identifies the Club Punchbowl site as being part of the Canterbury Road Enterprise Corridor with recommendations to rezone Zone R2 Low Density Residential land to Zone B1 Neighbourhood Centre with 1.8:1 for consolidated site, otherwise 1:1 FSR to apply.

The site is currently part of Council's planning proposal for the Local Area Plans, however, the property owner has decided to lodge a separate planning proposal to expedite the process and to include the additional properties at 913-919 Punchbowl Road.

Independent Hearing and Assessment Panel (IHAP)

The Independent Hearing and Assessment Panel (IHAP) considered Council's report on 4 September 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. Council's report to the IHAP included the following recommendation:

1. *That the application to amend Bankstown Local Environmental Plan 2015 should proceed to Gateway subject to the following provisions:*
 - (a) *Rezone the properties at 913–921B Punchbowl Road in Punchbowl from Zone R2 Low Density Residential to Zone B1 Neighbourhood Centre.*
 - (b) *Permit a maximum 17 metre building height and a maximum 1.8:1 FSR.*
 - (c) *Apply a site specific provision to the properties at 913–925 Punchbowl Road and 21 Canterbury Road. This provision will require the properties to consolidate into a single site if development is to achieve the maximum 1.8:1 FSR. Otherwise a maximum 1:1 FSR will apply.*
 - (d) *Do not apply the Lot Size Map to the properties at 913–921B Punchbowl Road as the Lot Size Map does not apply to Zone B1 Neighbourhood Centre.*
2. *Prepare DCP Amendments to support the planning proposal.*

The Panel's comments and recommendation are:

The Panel agrees with the proposed recommendation based on the development potential for the site. However the Panel is concerned that a number of matters be addressed at an early stage including:

- a) *the impacts from future development at the zone interface to the north of the site where the zone would change from proposed B1 to residential;*
- b) *whether the proposed changes to height and FSR should be more specifically detailed to achieve different heights and different FSRs across the site (this would*

also assist in treating the zone interface) but still achieving across the site the proposed yields;

- c) whether retail/commercial is necessary to the north of the easement part of the site along Punchbowl Road;*
- d) specific provisions to include affordable housing along with any other public infrastructure such as pedestrian access ways that the applicant may be considering.*

The Panel has suggested that these matters be included in the recommendation for the gateway determination, so that they are then picked up to be addressed in the further studies that are to follow the gateway review from the Department.

IHAP Recommendation

The Panel agrees with the Council Staff report subject to the recommendation being amended as follows:

- 1. Amend 1(a) to read as follows:*

“Rezone the properties at 913 to 921B Punchbowl Road in Punchbowl from Zone R2 Low Density Residential to Zone B1 Neighbourhood Centre, subject to determining whether any retail or commercial uses are necessary for the area north of the drainage easement section of the site along Punchbowl Road (noting that residential flat buildings are permissible in the B1 zone).”

- 2. Amend 1(b) to read as follows:*

“Permit a maximum 17 metre building height and a maximum 1.8:1 FSR. This should include a consideration of different height levels across the site, in association with relevant FSRs across the site (but achieving the same potential yield), including specific treatment of the zone interface between the northern part of the site and the R2 zoning to address adverse amenity impacts.”

- 3. Delete 1(c).*

- 4. Amend 1(d) by adding the following words at the end of the sentence “(if the site was to have a residential zoning which allowed residential flat buildings)”.*

The Council report to the Independent Hearing and Assessment Panel and the minutes regarding the matter are shown in Attachments A and B.

Additional studies post-Gateway

The IHAP has recommended changes to the Council officer's recommendation to reinforce the recommendations in Council's report to the IHAP to complete the following additional studies post-Gateway:

A key issue is managing the likely environmental effects as a result of the proposal. An assessment identifies the need for additional information post-Gateway should Council decide to proceed with a planning proposal. The additional information includes:

- *Urban design peer review. The intended outcomes of the peer review are:*
 - *To consider the distribution of the proposed building envelope based on the new site configuration.*
 - *To ensure there are appropriate buffers to busy roads and electricity / drainage easements to achieve a healthy built environment.*
 - *To ensure there is an appropriate built form transition to neighbouring low-rise dwelling houses.*
 - *To assess whether there is appropriate infrastructure to facilitate enhanced walking and cycling to key destinations, namely the Punchbowl Small Village Centre and Punchbowl Park.*
 - *To consider deep soil zones.*
- *Local retail study.*
- *Remediation Action Plan.*
- *Acid sulphate soils assessment.*
- *Consultation with the Roads and Maritime Services.*

In addition to the studies outlined above, the IHAP raised the need to investigate the provision of affordable housing and other community infrastructure, such as pedestrian access way. As such, a community infrastructure investigation and study will be required post-Gateway.

Council will enter into a cost recovery agreement with the property owner to fund the additional studies post-Gateway, in accordance with Council's Fees and Charges.

Briefing sessions

At the meeting on 24 October 2017, Council deferred this matter subject to briefing sessions. Four briefing sessions were held on 31 October, 6 and 8 November 2017 to discuss the planning proposal and the additional studies to be completed following the Gateway Determination. The key issues discussed were:

- Justification will be required to extend Zone B1 Neighbourhood Centre to determine the viability of additional retail space in the area.

This issue will be investigated as part of the proposed local retail study following the Gateway Determination.

- Investigate parameters for the future development on the site to ensure that:
 - the impacts on the adjoining residential properties are managed.
 - there are safe connections from the site to the surrounding services and community facilities, such as Punchbowl Station, Punchbowl Park and schools.
 - the site includes practical communal open spaces.
 - the residential and commercial land uses are separated.
 - there is sufficient setback from the high voltage electricity infrastructure to the future buildings.

These issues will be investigated as part of the proposed urban design peer review following the Gateway Determination in consultation with the electricity infrastructure operator. The recommendations of the study will include development controls to be inserted into the Bankstown Development Control Plan 2015 (DCP). The DCP amendments will be exhibited with the planning proposal.

Next Step

The next step is to submit a planning proposal to the Greater Sydney Commission to seek a Gateway Determination. The planning proposal will request the following amendments to Bankstown Local Environmental Plan 2015:

- Amend the Zoning Map by rezoning the properties at 913–921B Punchbowl Road in Punchbowl from Zone R2 Low Density Residential to Zone B1 Neighbourhood Centre.
- Amend the Floor Space Ratio Map by applying a maximum 1.8:1 FSR to the site.
- Amend the Height of Buildings Map by allowing a maximum 17 metre building height on the site.
- Amend the Lot Size Map by excluding the site as it does not apply to Zone B1 Neighbourhood Centre.

Once the Gateway Determination is received, Council will enter into a cost recovery agreement with the applicant to undertake the additional studies outlined in this report – urban design peer review, affordable housing, community infrastructure needs, local retail needs, remediation action plan, and acid sulfate soils assessment.

Subject to the findings of the additional studies, the appropriate site specific DCP amendments will be prepared and exhibited concurrently with the planning proposal. Following the exhibition, both the planning proposal and the DCP amendments will be reported to Council to decide whether to proceed.

At this time, Council has not received any offer of public benefit from the applicant as part of the planning proposal. However, if the findings of the additional studies requires the provision of affordable housing and community infrastructure, Council officers will negotiate the terms of the public benefit in the form of a draft voluntary planning agreement (VPA) and the draft VPA will be separately reported to Council for consideration.

Planning Matters - 28 November 2017

ITEM 5.5 **Exhibition of Bankstown DCP 2015 Part B11 - Tree Management Order and Canterbury DCP Part B3 - Tree Management Order**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

As part of Council's ongoing process of aligning policies of the former Canterbury and Bankstown Councils, revised tree management policies have been prepared to replace the previous two disparate policies and to effectively administer applications for tree pruning and removal across the City of Canterbury Bankstown.

An extensive review of Bankstown Development Control Plan (DCP) 2015 – Tree Preservation Order and Canterbury Development Control Plan (DCP) 2012 Part B3 – Tree Preservation was carried out to remove inconsistencies between the two documents to avoid confusion and to deliver more efficient administration.

At the Ordinary Meeting on 22 August 2017, Council resolved to exhibit the Draft Bankstown Development Control Plan 2015 – Tree Preservation Order and the draft Canterbury Development Control Plan 2012 Part B3 – Tree Preservation. The Council report (see attachment C) outlines the background to the proposed changes to the policies.

Subsequent to the Council meeting, on 25 August 2017 the State Government released State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017. This SEPP repealed the previous tree preservation provisions of cl 5.9 and 5.9AA of the Standard Instrument – Principal Local Environmental Plan.

ISSUE

To consider submissions received during the exhibition of the Draft Bankstown Development Control Plan (DCP) 2015 Part B11 – Tree Preservation Order and the Draft Canterbury Development Control Plan (DCP) 2012 Part B3 – Tree Preservation.

RECOMMENDATION That -

1. Council adopt Bankstown Development Control Plan 2015 Part B11 – Tree Management Order as shown in Attachment A.
2. Council adopt Canterbury Development Control Plan 2012 Part B3 – Tree Management Order as shown in Attachment B.

ATTACHMENTS

[Click here for attachments](#)

- A. Bankstown DCP 2015 - Part B11
- B. Canterbury DCP 2012 - Part B3
- C. Previous Council Report - TPO Review - 22 August 2017

POLICY IMPACT

The proposed DCPs will supersede the current DCPs and will ensure that the needs of the Canterbury Bankstown Community are consistent with the objectives set out in State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017, the Bankstown LEP and the Canterbury LEP.

FINANCIAL IMPACT

This matter has no financial implications for Council.

COMMUNITY IMPACT

The proposed DCPs will streamline the administration of the Tree Management Order across the community.

DETAILED INFORMATION

Exhibition

Council exhibited Draft Bankstown DCP 2015 Part B11 – Tree Preservation Order and Canterbury Development Control Plan 2012 Part B3 – Tree Preservation from 10 September 2017 to 9 October 2017.

The exhibition included:

- Displays at Council’s customer service centre and corporate website.
- Have Your Say page on Councils website.
- Public notices in the local newspapers that circulate in the area.

Council received one submission from residents and one from the Bankstown Bushland Society in response to the exhibition.

Key Issues	Council response
Issue 1 Include a list of Locally Occurring Indigenous Tree Species in the TPO	No change to the DCPs required. Reason: The importance of preserving remnant indigenous canopy species has already been identified and incorporated in the BDCP in clause 2.3 (b) to (f) and CDCP in clause 3.3 (b) to (e). It is not considered necessary to incorporate an additional species list in the document. A list of locally occurring indigenous tree species is included in the Tree Management Manual available from council’s website.
Issue 2: Aligning the two documents seems appropriate though they seem out of date in context of new Biodiversity Act that has been implemented, and implementing consequences to the full as Trees are becoming fewer within the Canterbury-Bankstown LGA	Minor changes to the DCPs required. The draft DCPs were prepared prior to the <i>Biosecurity Act 2015</i> and the <i>Biodiversity Conservation Act 2016</i> coming into force. It was council’s intent to update the DCPs to reflect the new legislation following the exhibition period, and they have been amended accordingly.

On 25 August, 2017, the State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 – the Vegetation SEPP – came into effect. This SEPP is part of the State Governments suite of land management and biodiversity reforms.

The Vegetation SEPP repealed clause 5.9 and 5.9AA from the Standard Instrument – Principal Local Environmental Plan, and substantially reproduced the effect of those clauses in the Vegetation SEPP. The Vegetation SEPP regulates clearing of native vegetation on urban land and land zoned for environmental / conservation management that does not require development consent under the EP&A Act.

Under the SEPP, the clearing of native vegetation above the Biodiversity Offset Scheme (BOS) threshold will require approval from the Native Vegetation Panel established under the Local Land Services Amendment Act 2016. Clearing of non-native vegetation and native vegetation below the BOS threshold will be regulated by councils through their Development Control Plans (DCP).

Existing DCPs in force at 25 August 2017 are deemed to be a DCP for the purposes of the Vegetation SEPP. In consequence, BDCP 2015 Part B11 and CDCP 2012 Part B3 will continue to have effect, except to the extent that they are inconsistent with the vegetation SEPP, in which case the latter will prevail.

Proposed changes to the DCPs

The DCPs have been amended to incorporate the repeal of the *Noxious Weeds Act 1993* and the *Threatened Species Conservation Act 1995*, and their replacement by the *Biosecurity Act 2015* on 1 July 2017 and the *Biodiversity Conservation Act 2016* on 25 August 2017 respectively.

The DCPs have also been amended to include changes necessitated by the introduction of the Vegetation SEPP.

Therefore following consideration of the submissions received and a final review by Council, it is proposed to adopt the DCPs as exhibited (as shown in Attachments A and B) subject to the following changes:

Title of the DCPs

The wording ‘Tree Preservation’ and ‘Tree Preservation Order’ has been dropped from the title of the DCPs, and replaced with ‘Tree Management Order’. The use of this terminology more accurately reflects the intent and the controls in the DCPs, and reflects recent planning instrument changes.

- **BDCP SECTION 1- INTRODUCTION**

Part B11 of the Bankstown Development Control Plan 2015 contains the controls for tree management in the City of Bankstown. Part B11 is made pursuant to *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* and applies to all land in the City of Bankstown.

- **CDCP B3**

Part B3 of the Canterbury Development Control Plan 2012 contains the controls for tree management in the City of Canterbury. Part B3 is made pursuant to *State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017* and applies to all land in the City of Canterbury.

- **BDCP Development Controls**

The controls in this part apply to the clearing of non-native vegetation and the clearing of native vegetation that does not exceed the biodiversity offset scheme (BOS) threshold.

- **CDCP B3.2.1 Controls**

The controls in this part apply to the clearing of non-native vegetation and the clearing of native vegetation that does not exceed the biodiversity offset scheme (BOS) threshold.

- **BDCP Tree works requiring a Permit**

2.1 A person must not cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy, lop or otherwise remove a substantial part of any prescribed tree defined in clause 2.3 or carry out excavation and earthworks within the tree protection zone except with a permit from Council and subject to any conditions specified in the permit.

- **CDCP B3.2 Tree works requiring a Permit**

C1 A person must not cut down, fell, uproot, kill, poison, ringbark, burn or otherwise destroy, lop or otherwise remove a substantial part of any prescribed tree defined in clause 3.3 or carry out excavation and earthworks within the tree protection zone except with a permit from Council and subject to any conditions specified in the permit.

- **BDCP Prescribed Trees**

2.3 Part B11 applies to the following trees:

(c) All trees, regardless of size, listed as Vulnerable or Endangered or a component of an Endangered Ecological Community listed under the *Biodiversity Conservation Act 2016*; and

(e) All trees, regardless of size, located on lands included on the Terrestrial Biodiversity Map under *Bankstown Local Environmental Plan 2015*; and

- **CDCP B3.3 Prescribed Trees**

Part B3 applies to the following trees:

(d) All trees, regardless of size, listed as Vulnerable or Endangered or a component of an Endangered Ecological Community listed under the *Biodiversity Conservation Act 2016*; and

- **BDCP Exemptions**

2.4 Despite clause 2.3, Part B11 does not apply to:

(c) Plants declared a weed under the Biosecurity Act 2015;

NOTE: Clause 2.4 (g) does not apply to any tree:

- listed as Vulnerable or Endangered or a component of an Endangered Ecological Community listed under the *Biodiversity Conservation Act 2016*; or
- located on lands included on the Terrestrial Biodiversity Map under *Bankstown Local Environmental Plan 2015*; or

- **CDCP B3.4 Exemptions**

Despite clause B3.3, Part B3 does not apply to:

(c) Plants declared a weed under the Biosecurity Act 2015;

NOTE: Clause B3.4 (g) does not apply to any tree:

- listed as Vulnerable or Endangered or a component of an Endangered Ecological Community listed under the *Biodiversity Conservation Act 2016*; or

- **BDCP Section 3 – Definitions**

The following three definitions have been included to help clarify the new development controls under Section 2 – Tree Management.

Biodiversity Offset Scheme (BOS) Threshold: Clearing of native vegetation on land included on the Biodiversity Values Map, or the clearing of an area of native vegetation exceeding the following threshold;

Minimum lot size of land	Area of clearing
Less than 1 hectare	0.25 hectare or more
Less than 40 hectares but not less than 1 hectare	0.5 hectare or more
Less than 1000 hectares but not less than 40 hectares	1 hectare or more
1000 hectares or more	2 hectares or more

Biodiversity Values Map (BVM): The Biodiversity Values Map identifies land with high biodiversity value, as defined by the Biodiversity Conservation Regulation 2017.

Native Vegetation: Any of the following types of plants native (established prior to European settlement) to New South Wales;

- (a) Trees,(including any sapling or shrub or any scrub),
- (b) Understorey plants,
- (c) Groundcover (being any type of herbaceous vegetation),
- (d) Plants occurring in wetland.

Does not include marine vegetation.

The following definition has been amended make it more universal in application.

Line Clearance: Pruning to maintain safety clearances around overhead electricity supply infrastructure.

- **CDCP B3.10 Definitions**

The following three definitions have been included to help clarify the new development controls under B3.2.1 Controls.

Biodiversity Offset Scheme (BOS) Threshold: Clearing of native vegetation on land included on the Biodiversity Values Map, or the clearing of an area of native vegetation exceeding the following threshold;

Minimum lot size of land	Area of clearing
Less than 1 hectare	0.25 hectare or more
Less than 40 hectares but not less than 1 hectare	0.5 hectare or more
Less than 1000 hectares but not less than 40 hectares	1 hectare or more
1000 hectares or more	2 hectares or more

Biodiversity Values Map (BVM): The Biodiversity Values Map identifies land with high biodiversity value, as defined by the Biodiversity Conservation Regulation 2017.

Native Vegetation: Any of the following types of plants native (established prior to European settlement) to New South Wales;

- (a) Trees,(including any sapling or shrub or any scrub),
- (b) Understorey plants,
- (c) Groundcover (being any type of herbaceous vegetation),
- (d) Plants occurring in wetland.

Does not include marine vegetation.

The following definition has been amended make it more universal in application.

Line Clearance: Pruning to maintain safety clearances around overhead electricity supply infrastructure.

6 POLICY MATTERS

The following item is submitted for consideration -

6.1 Helicopters on Council Land

85

ITEM 6.1 Helicopters on Council Land

AUTHOR Corporate

PURPOSE AND BACKGROUND

The former Canterbury City Council had adopted the 'Helicopters on Council Land' Policy. The Policy only grants permission for the Police Air Wing to land helicopters on Council parks and reserves in emergency and urgent situations.

The former Bankstown City Council had taken no formal policy position on this matter, however, would consider applications on their individual merit for community benefit through submission of a Special Events Application Form.

ISSUE

As part of the ongoing process of aligning policies of the former Bankstown and Canterbury Councils, a new approach to helicopter landings on land under the care and control of Canterbury Bankstown Council is required.

In aligning the approaches of the two former Councils, Canterbury-Bankstown Council must take into consideration the proximity of Bankstown Airport and exclusion zones, high density residential areas and the impact of noise on the community, the relevant regulations and controls from CASA and the best management of Council's assets.

Additionally, the Civil Aviation Safety Authority (CASA) has granted standing permission to helicopters that are being used in response to an emergency, Police or Military situation, to operate outside normal procedures, should the circumstances demand; that is, to land on or use public land for any purpose required to exercise the emergency function.

To formalise this approach, this report proposes a detailed review of Council's position on Helicopters on Council Land, with a policy position to be brought to Council for consideration in 2018. In the interim, it is proposed that any requests be considered on individual merit for community benefit.

RECOMMENDATION That -

1. Council revoke the former Canterbury City Council 'Helicopters on Council Land' Policy.
- 2.
3. A new policy in relation to Helicopter landings be developed and reported to Council in 2018.

3. In the interim, any request for helicopter landings on Council owned and controlled land be considered on individual merit for community benefit.

ATTACHMENTS

Nil

POLICY IMPACT

This report formally revokes the 'Helicopters on Council Land' Policy of the former Canterbury Council. It is proposed that a new policy be developed regarding this matter.

FINANCIAL IMPACT

There is no financial impact as a result of this report.

COMMUNITY IMPACT

The development of a 'Helicopters on Council Land' Policy will minimise the risks to Council, improve public safety and aim to protect Council property assets associated with the landing of helicopters on land owned and controlled by Council.

DETAILED INFORMATION

The former Canterbury City Council had adopted the 'Helicopters on Council Land' Policy. The Policy only grants permission for the Police Air Wing to land helicopters on Council parks and reserves in emergency and urgent situations.

The former Bankstown City Council required a Special Events Application Form to be submitted to Council prior to the proposed landing. The Application requested details of the Company, Helicopter Registration, Pilot name and Licence number.

A copy of the helicopter company's Public Liability Insurance and a risk assessment was also requested. Applications were then assessed at the discretion of Council in relation to the community benefit of the event.

It is recommended that the 'Helicopters on Council Land' Policy of the former Canterbury Council be formally revoked. Helicopters that are being used in response to an emergency, Police or Military situation, are already permitted by the CASA to operate outside normal procedures, which supersedes the former Canterbury Council policy statement.

It is proposed that a new policy be developed that minimises the risks to Council, improves public safety and aims to protect Council property assets associated with the landing of helicopters on and under the care and control of Council. The new policy should consider Council's position on;

- Applications from private groups for helicopter landings on land under the care and control of Council.
- The impact of noise on neighbouring properties and proximity to residential dwellings.
- Minimising public safety risks and aim to protect Council assets.
- Bankstown Airport and existing helicopter operations within the Local Government Area.

The new Policy would apply only to short term/ temporary applications to land helicopters on land under the care and control of Council. All applications for permanent Helicopter Landing Sites are subject to the Development Application process and relevant land use planning controls.

7 GOVERNANCE AND ADMINISTRATION MATTERS

The following items are submitted for consideration -

7.1	Quarterly Review of the 2017/18 Operational Plan to 30 September 2017 and September 2017 Quarterly Budget Review	91
7.2	Property Matter - Lease - 10 Gascoigne Road, Birrong	103
7.3	Property Matter - Lease Assignment - 2 Maxwell Ave, Milperra	107
7.4	Property Matter - Riverwood North - Library/Cafe, Community Hub and Associated Car Parking Area - Proposed Public Land Classification	111
7.5	Property Matter - Belmore Sportsground - Temporary Licence	115
7.6	Code of Conduct Complaints Report	119
7.7	Cash and Investment Report as at 31 October 2017	121

Governance and Administration Matters - 28 November 2017

ITEM 7.1 **Quarterly Review of the 2017/18 Operational Plan to 30 September 2017 and September 2017 Quarterly Budget Review**

AUTHOR **City Future**

PURPOSE AND BACKGROUND

The quarterly review provides a summary of progress on the delivery of Council's 2017/18 Operational Plan, covering the three months from 1 July to 30 September 2017.

Separately, the report also considers the review of Council's financial results and proposed budget adjustments for the September 2017 Quarterly Budget Review period. Being early in the financial year, this review traditionally looks to reflect any major variations and/or omissions, as well as reflect required carryovers commenced throughout 2016/17 but not completed as at 30 June 2017.

ISSUE

The Quarterly Review indicates satisfactory progress for the first quarter of the 2017/18 financial year. The information provided shows that 98% of the 123 line items in the Operational Plan are either complete or on target for completion and that 25% of the 413 projects of the capital program are either complete or under construction at 30 September 2017.

In terms of the Budget, this review confirms that Council's 2017/18 Budget continues to reflect a sound and stable financial position. The report is submitted to Council for information and to adopt required resources to fund Council's operations.

RECOMMENDATION That

1. Council endorse the quarterly review of its 2017/18 Operational Plan to 30 September 2017.
2. Council adopt the September 2017 Quarterly Budget Review, as outlined in the report.

ATTACHMENTS [Click here for attachments](#)

- A. Detailed progress of the 2017/18 Operational Plan at 30 September
- B. Budget 2017-2018 September Revision

POLICY IMPACT

The quarterly review is prepared in accordance with Schedule 1 of the Local Government Amendment (Planning and Reporting) Bill 2009, which requires regular progress reports to be provided to the Council and community.

FINANCIAL IMPACT

The report presents Council's operating result as at 30 September 2017.

COMMUNITY IMPACT

The report provides the community with an understanding of Council's performance in delivering its yearly Operational Plan as well as an update on the financial position as at 30 September 2017.

DETAILED INFORMATION

PART A - Highlights of the 2017/18 Operational Plan

Making the City more liveable

Council took a strong stance regarding the Sydenham to Bankstown South West Metro line, producing a video which outlined an alternate vision for the Bankstown CBD including undergrounding at Bankstown Station. Council also hosted an MP Forum to discuss the lack of infrastructure identified by the NSW Government to support growth along the rail corridor. Council's efforts have received state-wide media coverage and prompted further discussions locally and with Transport for NSW.

Council has also made, or is in the process of making, substantive submissions regarding the Linear Park Strategy, Canterbury Road Corridor Review, Riverwood State Significant Infrastructure Process, and the Sydenham to Bankstown Urban Renewal Corridor Strategy. Our efforts to promote a more liveable city have also resulted in Council winning three major cases in the Land and Environment Court relating to developments along Canterbury Road, which have set state-wide precedents for the observation of proper planning processes.

Council launched user-friendly e-planning forms which assist applicants to lodge planning and building applications, and endorsed a Liveable Centres Program which provides approximately \$3M per year to fund planning and works for 18 town centres across the City to 2021.

Bringing jobs and business to the City

A new outdoor dining program makes it easier to do business with Council and will promote outdoor dining in our town centres. CBCity is one of 6 NSW councils participating in the trial program which is being rolled out in Belfield Town Centre.

Despite the mid-winter timing, over 8,000 people attended Bankstown Bites in July. The event which featured Celebrity Chef's Darren Robertson, and My Kitchen Rules David and Betty, received wide media coverage and promotes the City as a cultural and food destination.

Looking after the environment

Council has joined 30 other Australian councils and pledged to become a 'climate champion' under a new landmark Cities Power Partnership Program; a national initiative which tackles climate change at a local level. The partnership empowers Council to undertake five or more projects to cut emissions, switch to cleaner energy, and build greener, more resilient communities.

Council was successful in obtaining three Green Army Grants, totaling \$27,000 to improve the City's natural habitats including the restoration of Salt Pan Creek at Padstow. The adoption of an aligned Tree Preservation Policy for the whole City will help to preserve native species and the greening of the City.

Promoting safety and well-being

Two new murals improved the public domain and provided meaningful public art for our local urban landscape. The "Think Safe, Be Smart" art mural was unveiled on the rail underpass outside Belmore Sports Ground, and the "Many Hands" mural is located outside the Bankstown Arts Centre.

Nearly 500 people attended arts and cultural events this quarter including NAIDOC Week, the launch of "Intergenerate" for creative ageing, and the annual Talent Advancement Program performance in the Bryan Brown Theatre.

Council hosted 100 local senior students in the "My Life, My Choice" interactive conference on drug, alcohol and mental health in partnership with Youth off the Streets.

Moving around safely and efficiently

For the first time in four years, an extensive road conditioning survey commenced across all Council-owned roads to optimise and prioritise future works. Council has achieved an 80% success ratio on transport grants this year with projects to the value of \$5.7M currently in the design or planning stages.

Promoting healthy, active living

The updated Rotary Park playground was unveiled as part of an \$850,000 upgrade of Rotary Park, Riverwood. The facility now includes water play features, a sandpit with sand diggers, a sensory and agility area, a mini communal seating area, new footpaths, shelters, BBQ amenities, tables, new trees, seating and 55 additional car parking spaces. Children playing in Bankstown City Gardens now have access to a "Magical" app which provides an interactive crossover of the virtual and physical environment to encourage game play for children in a fun motivational way.

Work commenced on a \$150,000 outdoor reading area in Paul Keating Park which will include energy efficient lighting, paving, landscaping and outdoor seating. Council also opened a second "Little Free Library" outside Campsie train station to provide reading materials for commuters.

In a Council first, a new "Scores on Schools" safe food handling and allergen management program was launched for local schools and child care centres. The rating system is based on the successful Scores on Doors program, where food handling outlets are rated according to their level of compliance with safe food handling practices. Local schools and child care centres can now "opt in" to gain a rating.

Being a leading and innovative Council

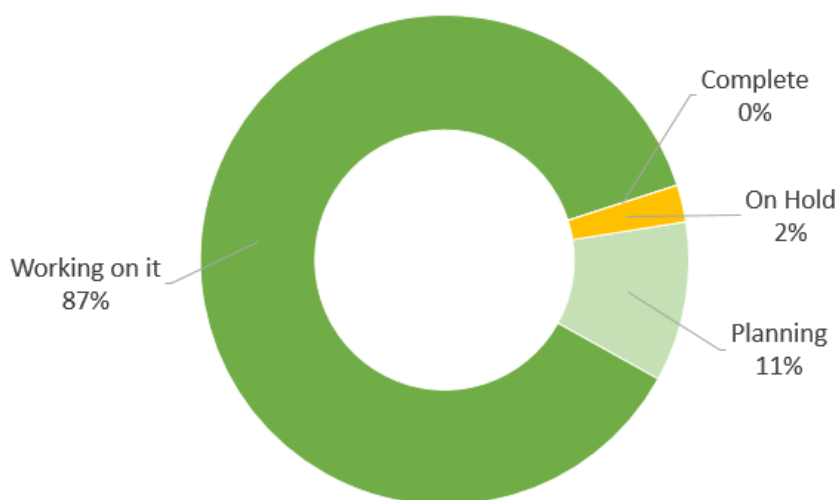
The Mayor Cllr Asfour, Deputy Mayor Cllr Saleh and thirteen other Councillors were elected to the inaugural Council for the City of Canterbury Bankstown in September. This year they will oversee the implementation of the adopted \$302M budget which included a \$72M program of capital works.

The community were also able to “have their say” through Council’s online engagement forum. Top issues of interest this quarter were Council’s People’s Panel formed to consider priorities and strategies for the new 10-year Community Strategic Plan, planning proposals for the Compass Centre, a new Tree Preservation Order for the City, the outdoor dining pilot at Belfield, and a proposed off-leash dog area at Virginius Reserve.

Progress of the Operational Plan and capital works program

The graph below indicates that 98% of the 123 Operational Plan items are either in planning stages or commenced at 30 September 2017.

2017/18 Operational Plan Progress at 30 September 2017 - 123 Items

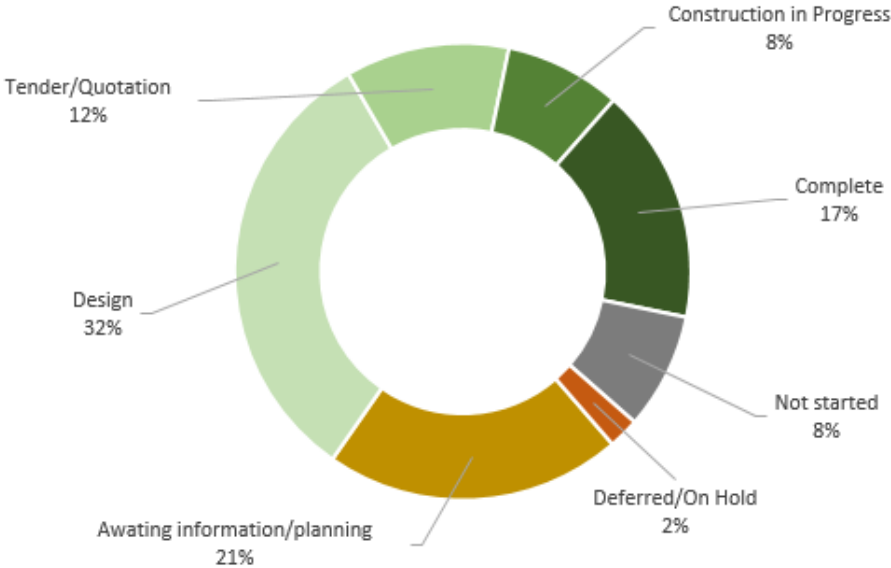


Three items are on hold. They are:

- Stormwater Audit Program which is awaiting recruitment of specialised staff;
- Electronic lodgement of Development Assessments which is awaiting Department of Planning and Environment resolution of technical issues associated with implementing a single system across a number of local government agencies; and
- Electronic works orders, which have already been implemented across a number of operational areas, and await further system alignment to progress.

The graph below indicates that 25% of the capital program is either complete or under construction.

Capital Works Progress - 413 Projects



A total of 67 projects valuing \$6.9M were completed during the quarter including 45 transport projects, 13 building projects and 4 sports and recreation projects. Another 9 projects are either on hold or deferred. They are:

- Occasional Care Centre - Floor Covering - reviewing required works;
- Family Day Care Centre - Floor Covering - reviewing required works;
- Revesby Commuter Car Park retail shop - awaiting rezoning;
- Bowser Renewal at Depot - further investigation required;
- Belmore Sports Ground Drain Improvement - revising concepts;
- Padstow Parade Car Park - awaiting TNSW building management;
- Virginius Reserve - Dog off Leash Area - considering community engagement results;
- Graham Thomas Oval Practice Wickets - reviewing budget; and
- Salt Pan Creek Leachate Treatment Plant Upgrading Works - pending masterplan.

General overview of service levels

The statistics below give an overview of the performance and service levels during the reporting period:

KEY STATISTICS	September 2017
YTD income	\$70.5M
Rates levied (income)	\$54M
Grants and contributions (income)	\$4.9M
YTD expenditure	\$68M
Capital works program	\$58.5M
Number of employees (permanent full-time equivalent FTE) at quarter	1142
Lost time injuries	1
Days lost	1
Development applications assessed	401
Value of development determined	\$437M
Average assessment time – days	44
Requests for Information determined under GIPAA	399

KEY STATISTICS	September 2017
Library visitation	654,126
Library loans	278,732
Active Library members - (activity in last three years)	122,065
Children accessing Children's Services	837
Leisure and aquatic centre visitation	107,029
Bankstown Arts Centre visitation	4,918
Website visits	235,095
Facebook reach	905,034
Environmental health inspections	386
Impounded animals	870
Haveyoursay online forum – "informed" visitors	96
Canterbury Bankstown Business Advisory Service members	410
Native plants distributed to local residents	5000
Incidents of graffiti	332
RID Squad – Sydney – number of investigations	402
RID Squad – Sydney – tonnes removed by offender	109
Illegal dumping fines	\$41,750
Dumped rubbish collected (CBCity) – tonnes	647
Domestic waste collected – tonnes – regular	19,158
Domestic waste collected – tonnes – recycling	10,782
Domestic waste collected – tonnes – clean-up	2,236
Waste diverted from landfill	36%
Customer service calls	61,660
Customer service counter enquiries	15,000
New citizens	478

PART B – September 2017 Quarterly Budget Review

Executive Summary

Following a review of the first 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 \$5.5M, a decrease of \$10.8M to that set as part of the original budget process. 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 \$107.8M, having increased by \$35.4M to that originally proposed. The adjustment largely relates to the need to account for carryovers (2016/17) and additional grant funded projects identified throughout the first quarter.

In reflecting our carryover program and other adjustments made as a part of this revision, Council's level of cash and equivalents are expected to decrease by approximately \$44.3M (assuming no carryovers exist at 30 June 2017).

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

CONSOLIDATED FINANCIAL PERFORMANCE – First Quarter

Council's actual income and expenditure for the quarter generally compares well with its planned forecast and broader budget expectations for the 2017/18 financial year.

In summary, Councils first quarter financial performance is as follows:

	Original Budget \$,000	Sept Revision \$,000	Variance \$,000	Actual \$,000	%
Rates and Annual Charges	216,705	216,705	-	54,457	25
User Charges and Fees	22,741	22,901	160	4,991	22
Interest and Investment Revenue	7,700	7,700	-	2,222	29
Other Revenues	16,591	16,741	150	5,020	30
Grants / Contributions - Operating	22,393	17,905	(4,488)	3,994	18
Grants / Contributions - Capital	15,867	25,772	9,905	8,400	53
Total Revenues	301,997	307,724	5,727	79,083	26
Employee Benefits and On-costs	125,739	126,369	631	29,312	23
Borrowing Costs	45	45	-	12	27
Materials and Contracts	50,657	60,477	9,820	11,659	23
Depreciation	49,320	49,320	-	13,971	28
Other Expenses	64,316	66,047	1,732	13,311	21
Total Expenditure	290,076	302,258	12,183	68,265	24
Net Operating Result	11,922	5,466	(6,455)	10,818	91

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 26% of our income budget and 24% 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 Councillor's information.

Revenue

Council's total revenue for the 2017/18 financial year is \$307.7M, \$5.7M more than originally planned.

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

	000's
Section 94 Contributions	5,000
Financial Assistance Grants	(5,764)
Grants & Contributions - Net	6,181
Other Adjustments	310
Net Income Adjustments	5,727

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 \$6.2M. Of this amount, \$5.3M relates to Grants related to Black Spot, Active Transport & Safer Roads programs.
- Council has also adjusted its expected income from section 94 by a further by a further \$5M to that originally planned. These funds have been restricted and will be held for use in accordance with Council's Section 94 Plan.
- In June 2017, the NSW Government agreed to provide and advance payment of its Financial Assistance Grant to all NSW Councils. The payment was restricted at the time and will be released for use throughout this financial year.

That said, from an accounting perspective, the advance payment will mean that Council's level of income throughout 2017/18 will be lower by the same amount.

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

Operating Expenditure

Council's total operating expenditure for the 2017/18 financial year is \$302.3M, a net increase of \$12.2M to that originally planned.

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

	000's
Carryovers Projects	8,801
Legal Costs	1,750
Council Election Costs	400
Cooks River Alliance Costs	741
Bankstown Complete Streets and Pedestrian Activity Plan	250
Other - Net	259
Net Operating Expenditure Adjustments	12,200

As indicated earlier, it is relatively early on in the financial year, Council's overall operational expenditure is performing well compared to budget. In total 24% of Council's budget has been expensed, which is as expected at this stage of the financial year. The major adjustments for the quarter are as follows:

- One major variation traditionally reflected in each September Quarterly Review is that of funds carried over for specific projects/programs commenced yet not completed throughout the previous year.

- In total \$8.8M of funds, which are separately funded from reserves established as part of the 2016-17 annual financial statements process, has been reflected as part of this budget review process.
- Council has adjusted its budget for planning related legal expenses expected to be incurred through the financial year.
- Council will now be responsible for coordinating on the Cooks River Alliance program for all associated Council's. This additional cost is offset by expected funding from the other Council's. This income has separately been accounted for as a grant in Council's Accounts.

All Operational Expenditure categories are generally trending as expected at this stage of the year and will again be reassessed in more detail as part of the December 2017 Quarterly Review process.

CAPITAL EXPENDITURE (CAPEX)

Council's CAPEX is now expected to be \$107.8M, a net increase of \$35.4M to that originally planned.

The increase is primarily made up of carryovers from 2016/17, new grants received and adjustments for deferred projects.

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

	000's
Capital Carry Overs – previously adopted	23,488
Grant related Road projects	4,068
Grant related Bridge projects	957
Town Centre upgrades	1,149
Property Purchases	1,365
Bankstown Garbage Bin Changeover	2,100
Information Technology Program	664
Tip related projects	470
Belmore Sportsfield Lighting	250
Plant Purchases	485
Other Net	390
Net Adjustments September	35,386

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.

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:

	Industry Benchmark	Sept 2017
Operating Performance	>0%	(7.20)
Debt Service Ratio	<10.0%	0.34
Unrestricted Current	>150%	2.25
Own Source Operating Revenue	>60%	70
Cash Expense Cover	>3 mths	10.88

In finalising Council's September 2017 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:

- Employee Leave Entitlements \$ 18.7M
- Asset Replacement Reserves \$ 30.4M
- Land Investment Fund \$ 21.8M
- Building/Holding Deposits \$ 7.8M
- Section 94/94A \$ 96.5M
- Stronger Community Fund \$ 6.4M

In total, Council's planned balance of internal and external restrictions as at 30 June 2017 is expected to be \$97.5M and \$118.5M respectively.

CONCLUSION

A further detailed assessment of Council's 2017/18 Budget will be carried out as at the end of December 2017. A report will in turn be presented to Council at its February 2018 Ordinary Meeting.

Governance and Administration Matters - 28 November 2017

ITEM 7.2 Property Matter - Lease - 10 Gascoigne Road, Birrong

AUTHOR Corporate

PURPOSE AND BACKGROUND

At its Ordinary Meeting in February 2017, Council resolved, in principle, to enter into a new lease with Birrong Sports Bowling Club (BSBC), subject to negotiating the terms of the lease and required public exhibition, in accordance with the Local Government Act 1993 (report attached).

In summary:

- A Heads of Agreement (HOA), outlining Council's proposed terms and conditions and suggested approach to determining the matter was entered into between BSBC and Council;
- The agreed lease term to apply was set for a period of 21 years;
- Council engaged an independent valuer to provide a market valuation for the site, which was agreed to by BSBC; and
- Following the above, Council proceeded to publicly exhibit the proposed lease in accordance with the Local Government Act 1993. At the conclusion of the exhibition process, no submissions were received on the proposal.

In finalising the process, Council is now required to formally consider and resolve whether to grant the lease to BSBC, based on the agreed terms.

ISSUE

To consider granting a new lease of Council's land at 10 Gascoigne Road Birrong (Lot 21 DP 866106) to Birrong Sports Bowling Club, following the recent public exhibition of the proposed lease.

RECOMMENDATION That -

1. Council grant a lease of Council's land at 10 Gascoigne Road, Birrong to Bankstown Sports Bowling Club, for a period of 21 years.
2. The Mayor and General Manger be authorised to sign all relevant documentation, including affixing the common seal of council, as required.

ATTACHMENTS [Click here for attachment](#)

- A. Council Report - 28 February 2017 Item 6.17

POLICY IMPACT

This report supports Council's longer term objectives for the site, as noted in its Plan of Management whilst also ensuring that Council obtain a fair market return on Council's asset. Separately, the process and lease complies with all elements of the Local Government Act 1993.

FINANCIAL IMPACT

The lease for the site is initially set at \$115,000 +GST adjusted annually by CPI and reviewable at set intervals throughout the term of the lease.

COMMUNITY IMPACT

This land has been occupied by the club, providing a local community hub for social, sporting and recreational activities for an extended period of time, and the granting of the new lease will provide for continuity in the delivery of these services to the local community.

DETAILED INFORMATION

Council has leased out its land in 10 Gascoigne Road Birrong for many decades to the Club, who provide a valuable community asset to the local community. It is recognised that the benefits go far beyond just a location to play bowls, as has been a tradition on the site for many decades. The Club also provides members of the community with a well-managed local meeting place, function centre and place of public recreational activities.

The Club's most recent 21 year lease of the land expired on 23 September 2017. In the lead up to the expiry, Council considered a report in February 2017 where a resolution was carried to proceed with the relevant steps (as detailed in the Local Government Act 1993) to propose a new lease for the site. It is also noted that as the Club is a non-for-profit organisation, Council is not required to tender to market the proposal for a new lease with the Club.

Council met with the Club in early 2017 to discuss the proposal for a new lease, and detailed relevant steps to progress the Club's desire to remain at this location within Birrong. Subsequent to the Council Report, the proposal was publicly exhibited for a period of 30 days from 10 October to 8 November 2017. A public notice was placed in the local newspaper, notification was undertaken to all neighbouring properties and on the Club billboard, Council's Customer Service Centre in Bankstown, and also online at Council's website.

During this exhibition period, Council did not receive any submissions to the proposal. This now enables Council to progress to entering into a new lease for the land, as specified in the Local Government Act 1993.

Council recently engaged the services of an independent valuer to provide a market valuation for the site. The Club has confirmed it is agreeable to pay that specific assessed amount of \$115,000 +GST adjusted annually by CPI and reviewable at set intervals throughout the term of the lease. This annual rental amount acknowledges and has been assessed having regard to the specific lease terms obliging the Club to be fully responsible for all maintenance, repairs and upgrades to the building, as well as all other infrastructure across the site.

Next Steps

Having completed the required statutory requirements, as stipulated in the Local Government Act 1993, it is now proposed that the Mayor and the General Manager be authorised to sign all relevant documentation in entering the lease, as detailed in this report.

Image: Aerial Photo highlighting area of Jim Ring Reserve Birrong for the proposed new Lease (Lot 22 DP 1025078) – 10 Gascoigne Road, Birrong.



Governance and Administration Matters - 28 November 2017

ITEM 7.3 **Property Matter - Lease Assignment - 2 Maxwell Ave, Milperra**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

In June 2017, Council agreed in principle to enter into a new lease for 2 Maxwell Avenue, Milperra with the Ultimate Skirmish Game (TUSG), for a period of up to five years, subject to carrying out the relevant exhibition process required by the Local Government Act 1993.

Following the exhibition (no submissions received), Council agreed to enter into a lease with TUSG, based on a rent independently determined by Council's Valuer.

The Lessee recently approached Council requesting that the Lease be assigned to Heartbreak Ridge Paintball (HRP). The lease provides for the lessee to assign the lease, subject to obtaining Council's consent.

ISSUE

The consent to assign the lease is conditional on Council being satisfied that the intended use and financial resources of the new entity are appropriate/satisfactory, and that the relevant procedures have been applied in dealing with the matter.

In carrying out its due diligence, Council is satisfied that:

- The intended use is consistent with that currently being provided by TUSG;
- An independent assessment of HRP's financial position has confirmed that they have a sound financial capacity to satisfy the terms and conditions of the lease; and
- The relevant procedures, as required by the lease, have been followed by both TUSG and HRP.

TUSG has also agreed to meet all costs associated with the assignment.

Based on the above, it is recommended that Council agree to assign the Lease to HRP, based on the same terms and conditions.

RECOMMENDATION That -

1. In accordance with the relevant provisions, Council consent to assigning its current lease with The Ultimate Skirmish Pty Ltd to Heartbreak Ridge Paintball Pty Ltd, as outlined in the report.

2. The Mayor and General Manager be authorised to sign all relevant documentation, including affixing the common seal of council, as required.

ATTACHMENTS

Nil

POLICY IMPACT

The proposed assignment will not involve a change of use ensuring the property will continue to deliver on the current recreational activities, as required under Council's Plan of Management for the site.

FINANCIAL IMPACT

The assignment will continue to provide the agreed rent and terms and conditions applicable for the lease.

COMMUNITY IMPACT

The report and/or assignment does not alter the current use and/or outcomes for the site.

DETAILED INFORMATION

The Ultimate Skirmish Game Pty Limited (“Ultimate Skirmish”) operates a skirmish paintball business at 2 Maxwell Avenue, Milperra, a Council-owned property, under a three-year lease that commenced on 1 September 2017 and will expire on 31 August 2020. The lease contains an option for the tenant to take a further lease of two years from expiry, subject to the tenant fulfilling certain conditions.

Ultimate Skirmish is in the process of selling its business and has made formal request in line with Clause 10.2 to assign the lease to Heartbreak Ridge Paintball Pty Limited (“Heartbreak Ridge”).

Heartbreak Ridge has operated a paintball business in Western Sydney from 1993 until 2017. The most recent operation, which was based at 829 Richmond Road, Marsden Park closed at the end of August 2017 as the land on which it traded was sold to be developed for residential purposes.

The current lessee has advised that Heartbreak Ridge does not propose to vary the use under the lease. Heartbreak Ridge has proposed to operate the Milperra paintball business with minimal change to that being provided by Ultimate Skirmish. Ultimate Skirmish has agreed to cover Council’s costs to consider the request and, if approved, to prepare and process the required documentation.

Heartbreak Ridge provided financial statements for the last two financial years. Council has had the financial statements independently assessed to ensure that it would be able to both continue to operate the facility and meet its leasing obligations.

The assessment has identified that Heartbreak Ridge has a sound financial capacity to meet its rental and make good obligations, if required.

Governance and Administration Matters - 28 November 2017

ITEM 7.4 Property Matter - Riverwood North - Library/Cafe, Community Hub and Associated Car Parking Area - Proposed Public Land Classification

AUTHOR Corporate

PURPOSE AND BACKGROUND

In accordance with the conditions of a Voluntary Planning Agreement between Council and Payce Communities Pty Ltd (Payce) relating to the Riverwood North Urban Renewal Project, Council accepted a transfer of land, which incorporates Council's new library/café and community hub (including required parking).

In accordance with the Local Government Act 1993, all land owned by Council must be classified as either Operational or Community Land.

At its Ordinary Meeting in July 2017, Council considered a report to classify this site as Operational Land (attached Report). This report is to now consider finalising the process, having exhibited Council's intentions for the site.

ISSUE

Following its consideration in July 2017, Council resolved to:

- Classify the transferred land as Operational Land;
- Carry out the required public exhibition process of Council's intention; and
- A further report be presented to Council at the completion of the exhibition process.

Council carried out the exhibition process and received no submissions. There being no submissions to the matter, it is proposed that Council now proceed to finalise the matter and classify the land as Operational Land.

RECOMMENDATION

That at the completion of the acquisition process, the land at the corner of Washington Avenue and Kentucky Road Riverwood (Lot 2 DP 1228475), being Council's new library/café, community hub and associated car parking component of the "Trinity" building, be classified as Operational Land.

ATTACHMENTS [Click here for attachment](#)

- A. Report - 25 July 2017 - Property Matter - Riverwood North - Library/Cafe, Community Hub and Associated Car Park Area - Proposed Land Classification -

POLICY IMPACT

The recommendation is consistent with existing Council strategies and policies in which other Council property, used for similar purposes, are classified.

FINANCIAL IMPACT

There is no financial impact associated with the recommendation.

COMMUNITY IMPACT

There is no direct community impact resulting from this recommendation.

DETAILED INFORMATION

In accordance with the provisions of a Voluntary Planning Agreement, Council will be provided a new library/café, community hub and associated parking following Payce's completion of the building known as "Trinity".

Council's previous Report on the matter (report attached) considered the proposed classification for the property.

Following consideration of the report, Council resolved to give public notice, in accordance with the requirements of the Local Government Act, of its intention to classify (for the purposes of the Local Government Act's public land management provisions) the land as operational land.

Public notice was duly given of the proposed resolution by means of notices in the Council column of both the Express and Torch newspapers and on Council's website. The notice, appearing over the course of a five week period, invited both enquiries and written submissions.

At the conclusion of the public exhibition period, no submissions had been received.

In the absence of any objection to Council's proposal for the land's classification, it is proposed that Council now finalise the process and classify the land as Operational Land.

Governance and Administration Matters - 28 November 2017

ITEM 7.5 **Property Matter - Belmore Sportsground - Temporary Licence**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

As Councillors would be aware, the Bulldogs largely utilise the Belmore Sportsground complex by way of a long term lease.

By way of a brief background:

- the site is partly owned by Council and the Crown (NSW Government);
- A small component of the stadium was previously utilised by Council, for administrative purposes. The Bulldogs have approached Council requesting to occupy this space for their operations. The expected use will also be of an administrative nature;
- Council is the Reserve Trust Manager for the components of the land owned by the Crown; and
- As Reserve Trust Manager, Council has the discretion to negotiate a temporary licence arrangement for the site, where appropriate.

ISSUE

Council is in the process of commencing a broad master-planning strategy for the entire open space area surrounding the Belmore Sportsground, including Terry Lamb Reserve and Peter Moore Field.

It is envisaged that this process may take up to two years to complete. Naturally, Council will be briefed on the project objectives, including the nature of engagement to be carried out, prior to commencing the work. Given this, Council does not intend to make any significant decisions regarding the site until it finalises this process.

That said, the temporary use requested by the Bulldogs for the suggested space accords with Council's ongoing arrangements for the site.

In its discussions with the Crown, Council has confirmed it has the authority to agree to a short-term/temporary licence (12 months) for the Bulldogs to occupy the space formerly utilised by Council.

Given the above and indeed, subject to its consideration and approval, Council will:

- obtain relevant independent valuation advice to determine an appropriate rent for the temporary use of the space; and
- Require the Bulldogs to meet all of Council's costs associated with the licence.

Based on the above, it is proposed that Council agree to the request.

RECOMMENDATION That

1. Council enter into a short-term licence agreement (12 months) with Bulldogs Rugby League Club Ltd for the vacant office space (Lot 1 DP 1181276) situated at Belmore Sportsground.
2. The General Manager be authorised to negotiate suitable terms and conditions and sign all relevant documentation, as outlined in the report.

ATTACHMENTS

Nil

POLICY IMPACT

The recommendation is not inconsistent with existing Council policies and strategies.

FINANCIAL IMPACT

Council will receive a market rent for the site for the duration of the licence period.

COMMUNITY IMPACT

The recommendation does not result in any significant and/or direct impact on the community.

Governance and Administration Matters - 28 November 2017

ITEM 7.6 Code of Conduct Complaints Report

AUTHOR Corporate

PURPOSE AND BACKGROUND

In accordance with its procedures, Council is required to annually complete and submit relevant complaint statistics to the Office of Local Government.

The reporting period is 1 September 2016 to 31 August 2017.

Council carries out an assessment of all formal complaints received throughout the year, as they relate to Councillors, the General Manager and Administrator.

Where necessary, Council's procedures require certain complaints to be independently assessed (eg. referred to a Conduct Reviewer) and relevant action taken, as determined/required.

The Return is required to report on Code of Conduct complaints relating to Councillors, the General Manager and the Administrator only.

Attached is the required annual return for the preceding reporting period. There were no complaints recorded for the period.

The return will be forwarded to the Office of Local Government as required.

ISSUE

To note the attached Code of Conduct Complaints Statistics Report prepared for the Office of Local Government.

RECOMMENDATION -

That the information be noted.

ATTACHMENTS [Click here for attachment](#)

- A. Code of Conduct Complaints Statistics

POLICY IMPACT

The requirements of the Code of Conduct have been met.

FINANCIAL IMPACT

There is no financial impact.

COMMUNITY IMPACT

There is no community impact.

Governance and Administration Matters - 28 November 2017

ITEM 7.7 **Cash and Investment Report as at 31 October 2017**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

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 are managed in accordance with Council's investment policy. The report below provides a consolidated summary of Council's total cash investments.

ISSUE

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

RECOMMENDATION That -

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

ATTACHMENTS [Click here for attachment](#)

- A. CPG Research & Advisory October 2017 monthly investment report.

POLICY IMPACT

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

FINANCIAL IMPACT

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.

COMMUNITY IMPACT

There is no impact on the community, the environment and the reputation of Canterbury Bankstown.

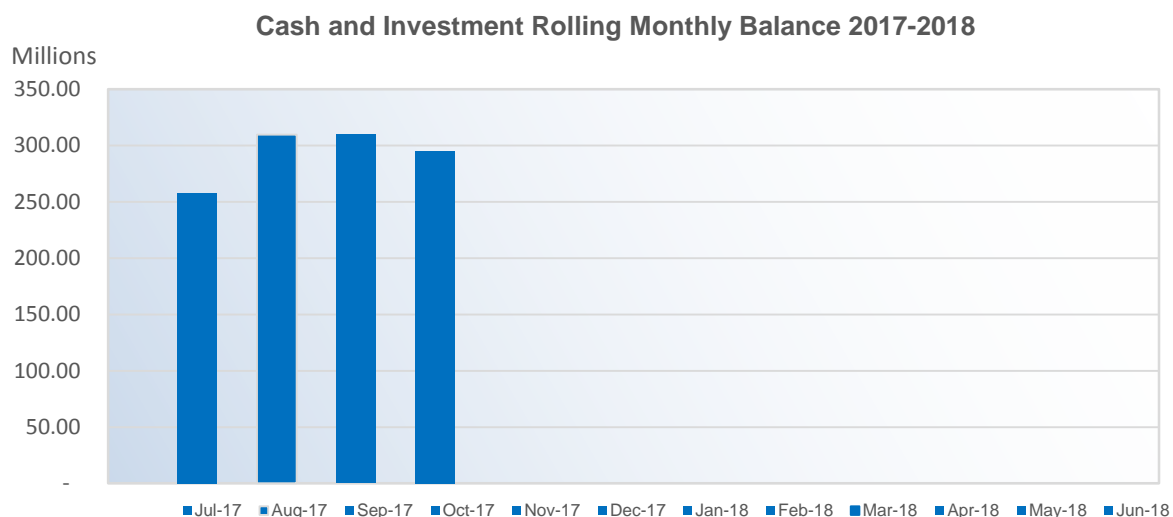
DETAILED INFORMATION

Cash and Investment Summary – as at 31 October 2017

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

Cash and Investments	\$
Cash at Bank	3,400,890
Deposits at Call	31,296,522
Term Deposits	233,263,000
Floating Rate Notes	27,223,980
Total Cash and Investments	295,184,392

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 balances from July to October 2017.



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

Interest Income	October 2017 \$	Year-to-date October 2017 \$
Budget	598,750	2,395,000
Actual Interest	760,844	2,785,570
Variance	162,094	390,570
Variance (%)	27.07%	16.31%

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:

Overall Portfolio Maturity Limits	
	Actual % of Portfolio
Working Capital Funds (0-3 months)	18
Short Term (3-12 months)	26
Short – Medium (1-2 years)	26
Medium (2-5 years)	30
Long Term (5-10 years)	0
Total Cash and Investments	100%

Overall Portfolio by Investment Type	
	Actual % of Portfolio
Cash at Bank	1
Deposits at Call	11
Term Deposits	79
Floating Rate Notes	9
Total Cash and Investments	100%

8 SERVICE AND OPERATIONAL MATTERS

The following item is submitted for consideration -

- 8.1 Release of Drainage Easement for 56 William Street, Condell Park and
12 Carson Street, Panania

127

Service and Operational Matters - 28 November 2017

ITEM 8.1 **Release of Drainage Easement for 56 William Street,
Condell Park and 12 Carson Street, Panania**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

Development Consents (DA 358/2015 and DA 494/2016) for 56 William Street, Condell Park and 12 Carson Street, Panania have been issued for both properties that now require the creation of new easements to drain water as outlined within this report.

ISSUE

Council is required to consent to the release of redundant Easements to Drain Water 2.44m wide at 56 William Street and 1.83m wide at 12 Carson Street, Panania.

RECOMMENDATION That

1. Council consent to the release of the Easement to Drain Water 2.44m wide at 56 William Street, Condell Park and Drainage Easement 1.83m wide at 12 Carson Street, Panania.
2. The Mayor and General Manager be authorised to sign all relevant documentation, under the common seal of council, as required.

ATTACHMENTS [Click here for attachments](#)

- A. Attachment A for 56 William St
- B. Attachment B for 12 Carson St

POLICY IMPACT

This matter has no policy implications.

FINANCIAL IMPACT OF RECOMMENDATIONS

This matter has no financial implications to Council as costs will be covered by the applicants.

COMMUNITY IMPACT

This matter does not impact on the community.

DETAILED INFORMATION

56 William Street Condell Park

Development consent was issued for DA-358/2015 by the former Bankstown Council on 17 July 2015, for the demolition of the existing structures and the Torrens Title subdivision into two allotments, construction of a two storey dwelling on the rear lot, construction of an attached dual occupancy on the front lot with Torrens Title subdivision.

The development was proposed over the existing Easement to Drain Water 2.44m wide, located diagonally through the property, draining the upstream catchment. The developer has applied to Council to relocate the existing pipeline and easement and the construction of a new diversion stormwater pipe within the site. The Council Development Consent granted approval for the developer to remove and relocate the drainage pipeline and required the developer to create a new easement over the new pipeline to benefit the Council.

A new 900mm diameter diversion stormwater pipeline was constructed by the developer. A Works-As-Executed plan was submitted identifying the location of the recently constructed drainage pipe, therefore rendering the existing Easement to Drain Water as redundant. The redundant easement is highlighted in Attachment A.

The developer has proposed to create a new Easement to Drain Water 3.0m wide wide Application SUB-99/2017 submitted to Council for endorsement. This is a requirement of the Development Consent and must be completed prior to any further development of the land. The developer will provide Council with the requisite easement release documents under separate application upon the Council Resolution to do so.

As the existing Easement to Drain Water is now redundant and a new Easement to Drain Water is to be created under Application SUB-99/2017, it is reasonable to proceed with the endorsement of the relevant easement release documents which will release the existing Easement to Drain Water 2.44m wide at the time of application.

12 Carson Street, Panania

Development consent was issued for DA-494/2016 on 18 August 2016, for the Demolition of the existing structures and construction of an attached dual occupancy with front fence and Torrens Title subdivision.

The development was proposed over the existing Easement to Drain Water 1.83m wide, located offset from the southern boundary, through the property, draining the upstream catchment. The developer has applied to Council to relocate the existing pipeline and easement and the construction of a new diversion stormwater pipe within the site. The Council Development Consent granted approval for the developer to remove and relocate the drainage pipeline and required the developer to create a new easement over the new pipeline to benefit the Council.

A new 450mm diameter diversion stormwater pipeline was constructed by the developer. A Works-As-Executed plan was submitted identifying the location of the recently constructed drainage pipe, therefore rendering the existing Easement to Drain Water as redundant. The redundant easement is highlighted in Attachment B.

The developer has proposed to create a new Easement to Drain Water 2.03m wide vide Application SUB-270/2017 submitted to Council for endorsement. This is a requirement of the Development Consent and must be completed prior to any further development of the land. The developer will provide Council with the requisite easement release documents under separate application upon the Council Resolution to do so.

As the existing Drainage Easement is now redundant and a new Easement to Drain Water is to be created under Application SUB-270/2017, it is reasonable to proceed with the endorsement of the relevant easement release documents which will release the existing Easement to Drain Water 1.83m wide at the time of application.

9 COMMITTEE REPORTS

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

10 NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

The following items are submitted for consideration -

10.1 Questions with Notice	135
10.2 Analysis into Long Term Housing Solutions for Seniors and Disabled	137
10.3 Council Meetings	139

Notice of Motions & Questions With Notice - 28 November 2017

ITEM 10.1 **Questions with Notice**

AUTHOR **Corporate**

ISSUE

The attached schedule provides information to questions raised at Council's previous meeting.

RECOMMENDATION

That the information be noted.

ATTACHMENTS [Click here for attachment](#)

A. Questions with Notice Table

Notice of Motions & Questions With Notice - 28 November 2017

ITEM 10.2 Analysis into Long Term Housing Solutions for Seniors and Disabled

I, Councillor Steve Tuntevski hereby give notice that at the next Ordinary Meeting of Council I will move the following motion:-

“That Council undertake an analysis and provide a detailed briefing to Council on opportunities available to improve design standards for people with disabilities and the aged to better prepare and enable our community to age in place and support families and individuals with disabilities.”

BACKGROUND

Many Australians want to grow old at home with family and friends but find it difficult to do so as they age, as most have homes that are inaccessible. Most housing is designed and built long before the buyer comes along. Builders build what has sold in the past and what they think buyers might aspire to in the future. Their experience is that most buyers do not aspire to be old, disabled or frail, so access is not high on their agenda – but it should be.

Without intervention, the community will be forced to deal with the unintended social and cost consequences for the health, aged care and disability budgets.

I want Canterbury – Bankstown City Council to be a sector leader when it comes to housing choice, where people with disabilities, the aged and those living independently or with the support of their loved ones can live prosperously and with dignity. To achieve this outcome, accessible home environments must be created. Accessible homes should be the norm, not the exception, all homes should be easy to live in and for all people to visit, regardless of their mobility level.

An accessible home is all about freedom to move with ease and confidence, having the freedom to access all spaces within the home, and having the freedom to gain this access independently without outside assistance. There is however no easy solution and no one size fits all approach.

The 2016 Census indicated that over 23,000 people or almost 7 percent of the population in the City of Canterbury Bankstown, reported they need assistance in their day-to-day lives (core activities) due to a severe or profound disability.

I am aware there are national, state and local level rules that govern the way we design and build homes, with some control over how we provide housing for seniors and those with a disability, however there is no requirement for freestanding homes to accommodate people living with a disability. This is largely market driven and we should strive for better outcomes with a longer term focus.

I am aware Livable Housing Australia, a lead national not-for profit organisation released its second edition of *Liveable Housing Design Guidelines* which seeks to promote the designing and building of homes across Australia to meet the changing needs of home occupants across their lifetime.

Adding simple features at the design stage is economical and easy to do. One estimate is that it costs between \$200-\$1,000 per dwelling during the construction of a new home to provide:

- An accessible path of travel from the street or parking area to and within the entry level of a dwelling;
- Wider doorways, corridors and living spaces on the entry level which most people can use;
- A bedroom, bathroom, shower and toilet at ground level that most people can use, with reinforcement in the walls for easy installation of grab-rails if required.

A home's design affects people's lives throughout its lifetime, meaning that others bear the secondary costs of inaccessible design. Providing access in a home after it is built is approximately 19 times more expensive than if it was included from the start.

I want to change the way we look at housing to strategically accommodate the needs of our residents for their entire lifecycle and explore how this Guideline can be used to influence our new generation of planning and building controls that we need to deliver as part of a consolidated Canterbury Bankstown Local Environmental Plan and Development Control Plan.

The intention of this analysis is to identify opportunities to:

- identify the need for these homes across the City
- increase the number of homes for the entire lifecycle through existing policies
- improve accessibility for people living with a disability and the aged to get in and move inside their homes
- implement practical , effective and achievable development outcomes where possible
- promote new housing stock for these homes where feasible
- possibly incentivise the construction of these homes (all types and styles of homes)
- outline cost implications
- understand social and economic benefits
- based on the above parameters, provide advice to Council and consider setting targets of new homes.

In this regard, I ask the General Manager to investigate the above and brief Council on what opportunities are available to support long term housing solutions for seniors and disabled residents.

Notice of Motions & Questions With Notice - 28 November 2017

ITEM 10.3 Council Meetings

I, Councillor Clare Raffan hereby give notice that at the next Ordinary Meeting of Council I will move the following motion:-

“That the City of Canterbury Bankstown prepares a feasibility report into holding a set number of Council meetings (to be determined) at Council’s Administration Building in Beamish Street, Campsie. This report should contain the costs and logistics involved in holding said meetings.

It is in the interests of the ratepayers and residents of the former City of Canterbury to have the ability to be able to attend Council meetings in their previous Council area, rather than travel a considerable distance from their locale. On behalf of the almost 75,000 residents in the Canterbury Ward that I was elected to represent.”

BACKGROUND

In the area of Canterbury, Indigenous Australians lived in the area for thousands of years. In 1770, the land along the Cooks River was explored by officers from HM Bark Endeavour. In 1793, the area’s first land grant was made to the chaplain of the First Fleet, the Reverend Richard Johnson, and given the name Canterbury Vale.

Residential development began picking up in the area during the 1880s and was extended to Canterbury in 1895, encouraging further suburban development which led to the area becoming heavily populated. A leading developer at this time was Frederick Gibbes, a Member of Parliament for the seat of Newtown.

After much petitioning of the State Government by local residents, the Municipality of Canterbury was proclaimed on 17 March 1879. The council first met in the home of the first mayor, Alderman John Sproule and premises were then leased in the St Paul’s Church schoolroom at 47-49 Canterbury Road, Canterbury.

The Canterbury Town Hall, located on Canterbury Road between Canton and Howards Streets, was opened in 1889 by the Premier of New South Wales, Sir Henry Parkes. However, over time, Campsie became a more important centre and in recognition of this the city administration moved there in 1963, with the Canterbury Municipal Administration Building, designed by architects Whitehead and Payne, being opened on Beamish Street by the mayor, James S. Scott, on 21 September 1963. The City of Canterbury was proclaimed on 16 November 1993 by the Governor of New South Wales, Rear Admiral Peter Sinclair.

In 1990, the council's Engineering Department produced the logo in everyday usage until 2016, it consisted of two C's in black and white, intersected by a wave in light blue, which represents the Cooks River and is taken from the council arms issued in 1979.

On 12 May 2016 the Minister for Local Government announced that the merger or forced amalgamation with the City of Bankstown would proceed with immediate effect, creating a new council with an area of 72 square kilometres.

It has been made apparent to me that since the forced amalgamation in 2016, Canterbury Ward residents of the City of Canterbury Bankstown feel disengaged with their new local government. It is not an exaggeration to say that these views are mirrored across the Ward throughout the suburbs of Ashbury, Belfield, Campsie, Canterbury, Clemton Park, Croydon Park, Earlwood, Hurlstone Park and Kingsgrove.

The ability for residents in my Ward to participate in and witness the democracy of their local government has been reduced, with most Canterbury Ward residents needing to travel considerable distance to attend Council meetings in Bankstown either by motor vehicle, train, bike or bus. No one could argue that the City of Canterbury Bankstown is a massive local government area, with considerable challenges, and with the forced merger the old Bankstown Council area supersedes that of the old Canterbury Council by sheer size and population. I do not doubt that the City of Canterbury Bankstown wants to be the best council it can for all of its many vibrant and diverse communities and I look forward to the details of the report.

11 QUESTIONS FOR NEXT MEETING

12 CONFIDENTIAL SESSION

12.1 T58-17 Bushland Management Services

12.2 T04-18 Tender for the Supply and Installation of CCTV Cameras at Civic Precinct, Fetherstone Street and The Appian Way, Bankstown

12.3 T12-18 - Mid Georges River and Prospect Creek Catchments Pipe and Pit Condition Assessment and Reporting

12.4 Property Matter - Proposed Sale of Drainage Reserve - 819A Canterbury Road, Lakemba

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 12.1, 12.2, 12.3, 12.4 in confidential session for the reasons indicated:

Item 12.1 T58-17 Bushland Management Services

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 12.2 T04-18 Tender for the Supply and Installation of CCTV Cameras at Civic Precinct, Fetherstone Street and The Appian Way, 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 12.3 T12-18 - Mid Georges River and Prospect Creek Catchments Pipe and Pit Condition Assessment and Reporting

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 12.4 Property Matter - Proposed Sale of Drainage Reserve - 819A Canterbury Road, Lakemba

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.

