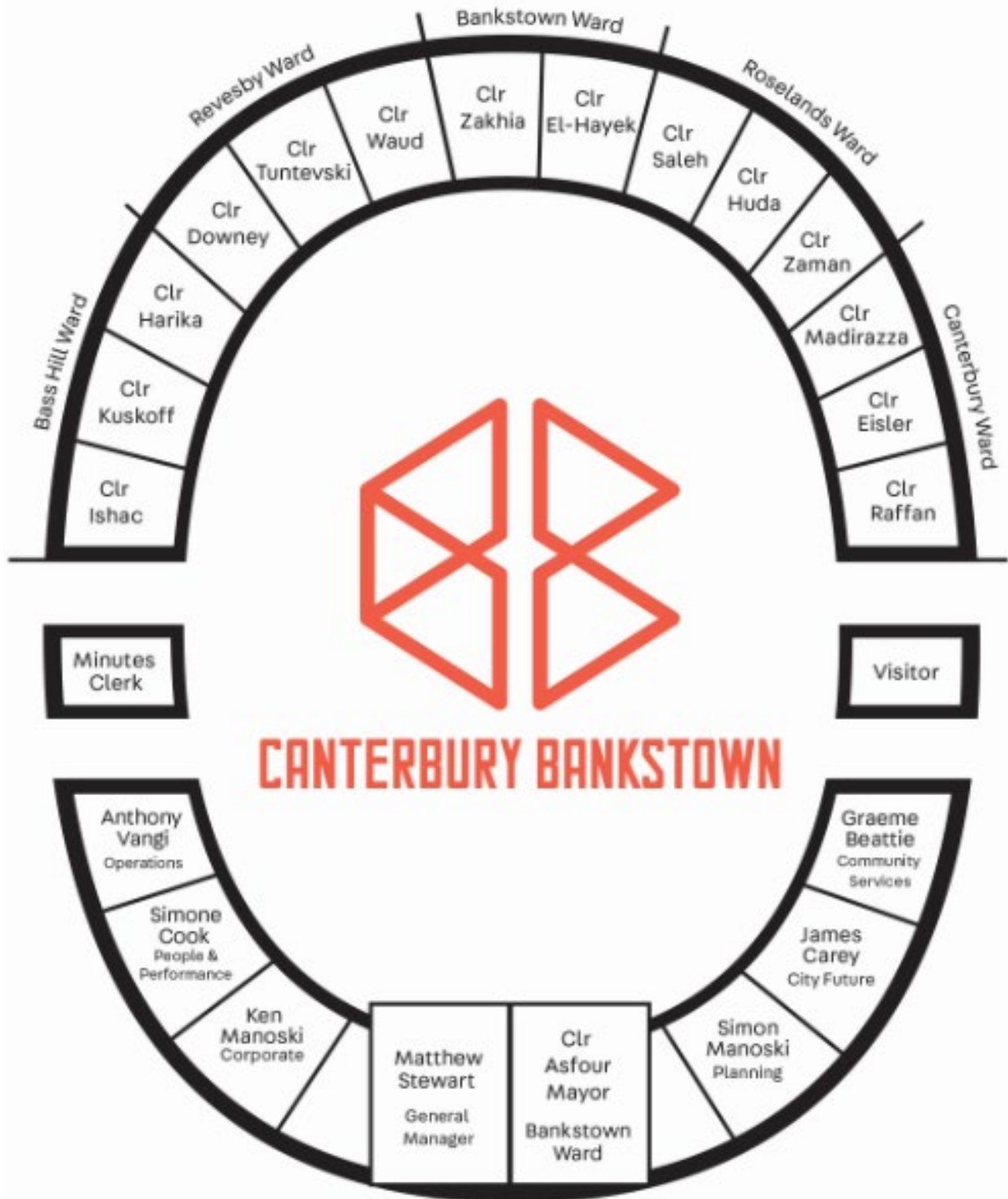




# AGENDA FOR THE ORDINARY MEETING

11 December 2018

# Gallery



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## ORDER OF BUSINESS

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|          |   |           |
|----------|---|-----------|
| <b>1</b> | <b>CONFIRMATION OF MINUTES OF PREVIOUS MEETING .....</b>  | <b>5</b>  |
| 1.1      | Minutes of the Ordinary Meeting of Council of 27 November 2018  | 7         |
| <b>2</b> | <b>LEAVE OF ABSENCE.....</b>  | <b>23</b> |
| <b>3</b> | <b>DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST.....</b>  | <b>25</b> |
| <b>4</b> | <b>MAYORAL MINUTES .....</b>  | <b>27</b> |
| 4.1      | Sydenham to Yagoona Metro   | 29        |
| 4.2      | Local SES Award Night Function  | 31        |
| 4.3      | Local Community Based Donations   | 33        |
| <b>5</b> | <b>PLANNING MATTERS .....</b>   | <b>35</b> |
| 5.1      | Planning Proposal: 353–355 Waterloo Road in Greenacre   | 37        |
| 5.2      | Planning Proposal: 167 Hume Highway in Greenacre  | 47        |
| 5.3      | Draft Amendment to the Voluntary Planning Agreement for the Former Riverlands Golf Course Site in Milperra  | 57        |
| 5.4      | Draft Housekeeping Amendments to Bankstown DCP 2015 and Canterbury DCP 2012   | 65        |
| 5.5      | Submission to the Draft Bankstown Airport Masterplan and Draft South West Precinct Major Development Plan   | 71        |
| 5.6      | Reporting of (1) Performance for Processing of Development Applications for the First quarter of the 2018/19 Financial year, (2) Development Applications Approved with a Clause 4.6 Variation for the Period 1 July to 30 September 2018, and (3) Current Planning Related Appeals Currently Before the Land and Environment Court | 79        |
| <b>6</b> | <b>POLICY MATTERS.....</b>  | <b>83</b> |
| 6.1      | Local Orders Policy   | 85        |
| <b>7</b> | <b>GOVERNANCE AND ADMINISTRATION MATTERS .....</b>  | <b>89</b> |
| 7.1      | Stronger Communities Fund - Quarterly Progress Report   | 91        |
| 7.2      | Smart Cities Week Legacy Project (Hackathon)  | 95        |
| 7.3      | Smart Cities and Suburbs Funding  | 103       |
| 7.4      | Road Renaming - Section of Chapel St, Lakemba   | 107       |
| 7.5      | Cash and Investment Report as at 30 November 2018   | 113       |
| 7.6      | Compulsory Acquisition of 15 Close Street Canterbury for the Purpose of a Construction Lease for the Sydney Metro City and Southwest Project  | 117       |
| 7.7      | Sydenham to Bankstown Metro   | 121       |

|           |  |            |
|-----------|--|------------|
| <b>8</b>  | <b>SERVICE AND OPERATIONAL MATTERS .....</b>   | <b>125</b> |
| 8.1       | Footbridge Across Georges River between East Hills and Voyager Point   | 127        |
| 8.2       | Sefton Community Engagement  | 133        |
| 8.3       | Public Lighting for Band Hall Reserve Dog Off Leash Area   | 137        |
| 8.4       | Jensen Park Synthetic Field Project  | 141        |
| <b>9</b>  | <b>COMMITTEE REPORTS .....</b>   | <b>149</b> |
| 9.1       | Minutes of the Traffic Committee Meeting<br>held on 27 November 2018   | 151        |
| 9.2       | Minutes of the Liveable City Advisory Committee Meeting held on 15<br>November 2018                              | 153        |
| 9.3       | Minutes of the Prosperity & Innovation Advisory Committee Meeting<br>held on 26 November 2018                    | 155        |
| 9.4       | Minutes of the Social Inclusion Advisory Committee Meeting held on 28<br>November 2018                           | 157        |
| <b>10</b> | <b>NOTICE OF MOTIONS &amp; QUESTIONS WITH NOTICE .....</b>   | <b>159</b> |
| 10.1      | Notice of Motions and Questions with Notice  | 161        |
| <b>11</b> | <b>QUESTIONS FOR NEXT MEETING.....</b>   | <b>163</b> |
| <b>12</b> | <b>CONFIDENTIAL SESSION.....</b>   | <b>165</b> |
| 12.1      | Classification of Drainage Reserves  |            |
| 12.2      | Request for Proposal for the Provision of Family and Child Related Services<br>at 24-26 Jacobs Street, Bankstown |            |

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

The following minutes are submitted for confirmation -

1.1    Minutes of the Ordinary Meeting of Council of 27 November 2018 .....7



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

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

Councillor Waud was not present in the Chamber at the commencement of the meeting.

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**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.05 PM.**

**REF:** **CONFIRMATION OF MINUTES**  
**(422)** **CLR. ZAKHIA:/CLR. DOWNEY**

RESOLVED that the minutes of the Ordinary Council Meeting held on 16 October 2018 be adopted.

- CARRIED

**SECTION 2:** **LEAVE OF ABSENCE**

Nil

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

In respect of Item 4.4 – Local Community Based Donations, Clr Saleh declared a significant, Non Pecuniary Conflict of Interest as she is a member of the Organising Committee for the “No Excuse for Abuse March” who have requested financial assistance and she will vacate the Chamber taking no part in consideration of the matter.

In respect of Item 4.4 – Local Community Based Donations, Clr El-Hayek declared a significant, Non Pecuniary Conflict of Interest as he is a member of the Organising Committee for the “No Excuse for Abuse March” who have requested financial assistance and he will vacate the Chamber taking no part in consideration of the matter.

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**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

---

**SECTION 4: MAYORAL MINUTES**

**ITEM 4.1 NSW GOVERNMENT RATES FREEZE POLICY - DELIVERING FURTHER CUTS TO SERVICES THROUGHOUT OUR COMMUNITY**

**(423) CLR. ASFOUR**

RESOLVED that Council write to local State Members of Parliament and the NSW Premier requesting they advocate on Council's behalf and recognise IPART's recommendation regarding rate freeze and overturn the Minister for Local Government's decision regarding rate freeze.

- CARRIED

**ITEM 4.2 SAVE OUR RECYCLING CAMPAIGN**

**(424) CLR. ASFOUR**

RESOLVED that Council

1. Support the campaign by the NSW local government sector and Local Government NSW and call on all political parties to commit to the reinvestment of 100% of the Waste Levy collected each year by the NSW Government into waste management, recycling and resource recovery.
2. Inform our community of this gross over reach by the NSW Government.

- CARRIED

**ITEM 4.3 LOCAL GOVERNMENT MAYORAL TASKFORCE SUPPORTING PEOPLE SEEKING ASYLUM**

**(425) CLR. ASFOUR**

RESOLVED that Council

1. Joins the Local Government Mayoral Taskforce Supporting People Seeking Asylum and writes to the City of Greater Dandenong, Australian Refugee Action Network and Mums4Refugees to advise them of Council's decision.
2. Write to The Hon. David Coleman MP, Minister for Immigration, advising him of Council's decision and calling on him to reverse this decision to rob support from some of our most vulnerable within the community.

- CARRIED



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

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**ITEM 4.4**

**LOCAL COMMUNITY BASED DONATIONS**

IN RESPECT OF ITEM 4.4 – LOCAL COMMUNITY BASED DONATIONS, CLR SALEH DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS SHE IS A MEMBER OF THE ORGANISING COMMITTEE FOR THE “NO EXCUSE FOR ABUSE MARCH” WHO HAVE REQUESTED FINANCIAL ASSISTANCE AND SHE WILL VACATE THE CHAMBER TAKING NO PART IN CONSIDERATION OF THE MATTER.

IN RESPECT OF ITEM 4.4 – LOCAL COMMUNITY BASED DONATIONS, CLR EL-HAYEK DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HE IS A MEMBER OF THE ORGANISING COMMITTEE FOR THE “NO EXCUSE FOR ABUSE MARCH” WHO HAVE REQUESTED FINANCIAL ASSISTANCE AND HE WILL VACATE THE CHAMBER TAKING NO PART IN CONSIDERATION OF THE MATTER.

CLR SALEH AND EL-HAYEK TEMPORARILY VACATED THE CHAMBER AT 6.15 PM.

**(426)**

**CLR. ASFOUR**

RESOLVED that

1. Council support the request from the organiser of the “No Excuse for Abuse March” and waive the \$2,300 fee for removing four telegraph poles and reinstatement after the event.
2. Council purchase nine sets of poetic works titled “The Promise of Life and Poetry” by Sayed Michael for each of our libraries at a cost of \$900.
3. Council support the request from Kobita Bikel Australia for the Bangla Fest held in Wiley Park on 10 November and waive the ground hire fee of \$230.50.
4. Council support the request from the Canterbury Bankstown Tennis Association who will be launching a book at the Bryan Brown Theatre Foyer on the history of the Association over the last near century and waive the hire and audio visual fees totalling \$1,530.

- CARRIED

CLR SALEH AND EL-HAYEK RETURNED TO THE CHAMBER AT 6.17 PM.

**SUSPENSION OF STANDING ORDERS**

**(427)**

**CLR. TUNTEVSKI:/CLR. ISHAC**

1. Standing Orders be suspended and Item 7.1 be dealt with now.
2. Standing Orders then be resumed.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

---

**ITEM 7.1                    2017/18 ANNUAL FINANCIAL REPORTS**

MS REIKY JIANG – AUDIT OFFICE OF NSW ADDRESSED COUNCIL.

CLR WAUD ARRIVED AT 6.27 PM.

**(428)                    CLR. ISHAC:/CLR. MADIRAZZA**

RESOLVED that

1. Council note the 2017/18 Annual Financial Reports and Auditors Report.
2. Any submissions received and proposed actions relating to those submissions will be reported back to Council at the next Ordinary Meeting, if required.
3. Copies of all submissions received will be referred to Council's External Auditor

- CARRIED

**STANDING ORDERS WERE RESUMED.**

**SECTION 5:                    PLANNING MATTERS**

**ITEM 5.1                    APPLICATION TO AMEND CANTERBURY LEP 2012:194-198 LAKEMBA STREET,  
LAKEMBA AND 56-57 RAILWAY PARADE, LAKEMBA**

**(429)                    CLR. ZAKHIA:/CLR. ISHAC**

RESOLVED that

1. The Planning Proposal not proceed at this stage until further development and direction has been developed for the site and the area.
2. The proposal be reconsidered by Council when a vision for the Lakemba Town Centre has been established and Council and the Department of Planning and Environment have reached agreement on the approach to managing planning proposals in the corridor.
3. When the proposal is further considered the applicant should clearly indicate how Site C (56-57 Railway Parade, Lakemba) could be dedicated to the Council as part of the reserve within the planning proposal.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

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

**Against:-** Nil

**ITEM 5.2**                      **BANKSTOWN COLLABORATION AREA**  
**(430)**                              **CLR. ISHAC:/CLR. ZAKHIA**

RESOLVED that

1. Council endorse the priorities for the Greater Bankstown Collaboration Area as outlined in the report.
2. Council be updated on the progress of the Collaboration Area process as required.

- CARRIED

**ITEM 5.3**                      **UPDATE ON PROPOSED CHANGES TO PLANNING CONTROLS FOR BOARDING HOUSES**  
**(431)**                              **CLR. TUNTEVSKI:/CLR. EL-HAYEK**

RESOLVED that

1. Council exhibit the draft Canterbury DCP 2012 (Amendment 5) at Attachment A.
2. Council note that a Gateway Certificate has been issued to amend Canterbury LEP to strengthen planning controls for boarding houses and the draft LEP amendments will be exhibited together with the DCP amendments as outlined in this report.
3. A further report be submitted to Council at the conclusion of the exhibition period outlining submissions received and way forward.
4. Council write to applicants of current development applications advising of proposed changes to the DCP and LEP.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

---

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

**Against:-** Nil

**SECTION 6:** **POLICY MATTERS**  
Nil

**SECTION 7:** **GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 7.1** **2017/18 ANNUAL FINANCIAL REPORTS**

THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 428 ON PAGE FOUR OF THESE MINUTES.

**ITEM 7.2** **QUARTERLY PERFORMANCE REPORT - JULY TO SEPTEMBER 2018**  
**(432)** **CLR. KUSKOFF:/CLR. ZAKHIA**

RESOLVED that

1. Council notes the quarterly performance report ending 30 September 2018.
2. Council adopt the September 2018 Quarterly Budget Review as outlined in this report.

- CARRIED

**ITEM 7.3** **CODE OF CONDUCT COMPLAINTS REPORT**  
**(433)** **CLR. WAUD:/CLR. MADIRAZZA**

RESOLVED that the information be noted.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

---

**ITEM 7.4                      SPECIAL INTEREST WORKING GROUP REPORT**

**(434)                      CLR. ZAMAN:/CLR. ISHAC**

RESOLVED that

1. Council note the priority issues and opportunities out of the Panel and the independent report.
2. Councillors consider this feedback as part of their future decision making on the Sydenham to Bankstown corridor.

- CARRIED

**ITEM 7.5                      RESILIENT SYDNEY STRATEGY**

**(435)                      CLR. TUNTEVSKI:/CLR. SALEH**

RESOLVED that

1. Council endorse, in principal the *Resilient Sydney: A strategy for city resilience 2018*, as attached.
2. Council commit to continuing to build capacity and understanding to manage vulnerabilities, interdependencies and risks for a more resilient City as outlined in the report.
3. Council support the identification of appropriate elements in the Resilient Sydney Strategy be incorporated into the CB Resilience Action Plan (currently under development).

- CARRIED

**ITEM 7.6                      PUBLIC EXHIBITION OF DEEPWATER AND KELSO PARKLANDS DRAFT PLAN OF MANAGEMENT**

**(436)                      CLR. TUNTEVSKI:/CLR. WAUD**

RESOLVED that

1. Council endorse the public exhibition of the Deepwater and Kelso Parklands draft Plan of Management, as outlined in the report.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

---

2. A further report is presented to Council at the conclusion of the public exhibition period.
3. Council proceed to carry out the proposed actions, as outlined in the report.
4. The General Manager be delegated authority to carry out and administer the required statutory process and sign all relevant documentation, as required.

- CARRIED

**ITEM 7.7**                      **CASH AND INVESTMENT REPORT AS AT 31 OCTOBER 2018**  
**(437)**                              **CLR. ZAKHIA:/CLR. MADIRAZZA**

RESOLVED that

1. The Cash and Investment Report as at 31 October 2018 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

**SECTION 8:**                      **SERVICE AND OPERATIONAL MATTERS**

**ITEM 8.1**                      **LEISURE AND AQUATIC STRATEGIC PLAN**  
**(438)**                              **CLR. EISLER:/CLR. SALEH**

RESOLVED that

1. Council endorse the draft Leisure and Aquatic Strategic Plan for public exhibition.
2. A further report be prepared following the close of the exhibition period to consider any submissions received.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

---

**ITEM 8.2**                      **INVESTIGATION INTO UPGRADING CAMPSIE CHAMBERS**  
**(439)**                         **CLR. RAFFAN:/CLR. ZAMAN**

RESOLVED that

1.     The information be noted.
2.     Council implement the proposed actions, as outlined in the report.

- CARRIED

**ITEM 8.3**                      **SSROC STREET LIGHTING IMPROVEMENT PROGRAM (SLI) PROGRAM UPDATE**  
**(440)**                         **CLR. EISLER:/CLR. HUDA**

RESOLVED that the information of the SSROC's Street Lighting Improvement (SLI) Program be noted.

- CARRIED

**SECTION 9:                      COMMITTEE REPORTS**

**ITEM 9.1**                      **MINUTES OF THE ENVIRONMENTAL SUSTAINABILITY ADVISORY COMMITTEE**  
**(441)**                         **MEETING HELD ON 6 NOVEMBER 2018**  
**CLR. ZAKHIA:/CLR. EISLER**

RESOLVED that the minutes of the Environmental Sustainability Advisory Committee meeting held on 6 November 2018, be endorsed.

- CARRIED

**ITEM 9.2**                      **MINUTES OF THE INTEGRATED TRANSPORT ADVISORY COMMITTEE MEETING**  
**(442)**                         **HELD ON 5 NOVEMBER 2018**  
**CLR. ZAKHIA:/CLR. EISLER**

RESOLVED that the minutes of the Integrated Transport Advisory Committee meeting held on 5 November 2018, be endorsed.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

---

**SECTION 10: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE**

**ITEM 10.1 NOTICE OF MOTIONS AND QUESTIONS WITH NOTICE**  
**(443) CLR. EL-HAYEK:/CLR. KUSKOFF**

RESOLVED that the information be noted.

- CARRIED

**ITEM 10.2 CHRISTMAS HAMPERS FOR THE CITY'S VULNERABLE**  
**(444) CLR. SALEH:/CLR. HUDA**

RESOLVED that Council work with appropriate community organisations to create and distribute Christmas Hampers to vulnerable families to a maximum value of \$5000.

- CARRIED

**ITEM 10.3 EXPANDING OUR LIGHT POLE STREET BANNERS**  
**(445) CLR. TUNTEVSKI:/CLR. DOWNEY**

RESOLVED that Council investigates the expansion of its Bankstown CBD Light Pole Street Banner Program into other town centres in Canterbury Bankstown and that the results of this investigation be considered as part of the 2019/20 Operational Plan.

- CARRIED

**ITEM 10.4 ENCOURAGING LIFE THROUGH FOOD TRUCKS**  
**(446) CLR. HARIKA:/CLR. TUNTEVSKI**

RESOLVED that Council investigate ways to promote and encourage food trucks setting up in Canterbury-Bankstown as a way to activate our public spaces and support the local night time economy.

- CARRIED



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

---

**ITEM 10.5**  
**(447)**

**CHRISTMAS TOY DRIVE**

**CLR. EL-HAYEK:/CLR. HARIKA**

RESOLVED that Council run a “donate a Christmas Toy” drive and distribute those presents collected through the Salvation Army.

- CARRIED

**ITEM 10.6**  
**(448)**

**HIGHLIGHTING SMOKE ALARM REPLACEMENT**

**CLR. ZAKHIA:/CLR. ZAMAN**

RESOLVED that Council promotes Fire and Rescue NSW’s *Home Fire Safety Checks Program* through its established communication channels.

- CARRIED

**SECTION 11:           QUESTIONS FOR NEXT MEETING**

**REF:    DOWNES STREET, BELFIELD - CARPARK**

Clr Raffan requested that Council investigate improved carparking configuration and lighting at the Downes Street, Belfield carpark.

**REF:    REVESBY SAFETY IMPROVEMENTS**

Clr Waud enquired if the Local Area Commander had confirmed he would be briefing Council on local crimes issues and rates in February 2019.

The General Manager responded that a briefing was anticipated for February 2019.

**REF:    PANANIA SHOPPING CENTRE - PARKING**

Clr Tuntevski requested that the provision of 3 hour parking zones be investigated at the Panania Shopping Centre.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

---

**REF: MOBILITY MAPS**

Clr Tuntevski requested that the provision of Mobility Maps currently available for Campsie and Lakemba Town Centres also be provided for other Town Centres in the Local Government Area.

**REF: JOB VACANCY PAGE**

Clr Tuntevski requested that Council investigate developing a “Local Job Vacancy” page on Council’s website.

**REF: FAULTY STREETLIGHTS**

Clr Tuntevski provided locations of faulty streetlights and requested that Ausgrid be requested to undertake repairs.

**REF: QUALITY OF WATERWAYS**

Clr Downey provided details of a study being undertaken by local universities to improve the quality of local waterways and requested that Council consider the research for its waterways.

**REF: TRAFFIC ISSUE - ALMA ROAD AND CHAMBERLAIN ROAD, PADSTOW**

Clr Downey requested that Council investigate the provision of a roundabout at the intersection of Alma Road and Chamberlain Road, Padstow and if warranted investigate new technology ie “Rubber Roundabout” be considered.

**REF: YERAMBA LAGOON**

Clr Downey requested information concerning further clearing of Yeramba Lagoon and that the State and Federal Governments be requested to provide additional funds to undertake the clearing, if required.

**REF: TRAFFIC ISSUE - PEDESTRIAN CROSSING IN REVESBY**

Clr Downey requested that the location of pedestrian crossings in Revesby be investigated to see if they are restricting the flow of vehicular traffic.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

---

**REF: TRAFFIC ISSUE - SPEED CAMERAS**

Clr Kuskoff asked if Council received any remuneration or funding from RMS from speed cameras positioned on Council's nature strips.

The General Manager responded that Council receives no fees or funding and that RMS have authority to position the cameras as required.

**REF: STREET LIGHTING - MARDEN STREET, GEORGES HALL**

Clr Ishac requested that tree pruning in Marden Street, Georges Hall be undertaken to improve street lighting.

**REF: JENSEN PARK**

Clr Ishac requested an update on use of fields at Jensen Park.

The General Manager advised that Council was in the process of determining field allocations at Jensen Park.

**SECTION 12: CONFIDENTIAL SESSION**

**(449) CLR. KUSKOFF:/CLR. HARIKA**

RESOLVED 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 T79-18 - Waste and Resource Recovery Processing and Disposal 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 T02-19 - Provision of Asphalt 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.*

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

---

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.15 PM AND  
REVERTED BACK TO OPEN COUNCIL AT 7.24 PM.**

**ITEM 12.1                    T79-18 - WASTE AND RESOURCE RECOVERY PROCESSING AND DISPOSAL  
SERVICES**

**(450)                    CLR. ISHAC:/CLR. DOWNEY**

RESOLVED that

1. In accordance with Clause 178 (1) (a) of the Local Government (General) Regulation 2005, Council accepts the tenders received from:
  - (i) Veolia for the receipt and disposal of general waste, for a period of five years;
  - (ii) Soilco for the receipt and processing of organics, for a period of seven years, with the option to extend the contract by up to three years, subject to satisfactory performance of the contractor as determined by the General Manager; and
  - (iii) Veolia for the receipt and processing of bulky waste, for a period of seven years, with the option to extend the contract by up to three years, subject to satisfactory performance of the contractor as determined by the General Manager.
2. The General Manager be authorised to enter into the contracts listed in item 1 above and sign all documentation in accordance with Council's resolution, as required.
3. In accordance with Clause 178 (1) (b) of the Local Government (General) Regulation 2005, Council declines to accept any of the tenders received for the recyclables component of the tender.
4. In accordance with Clause 178 (3) (e) of the Local Government (General) Regulation 2005, Council enters into negotiations with the two proponents that submitted tenders, being Visy Pty Ltd and IQ Renew Pty Ltd, for the recyclables component of the tender with a view to entering into a contract in relation to the subject matter, as outlined in the report.
5. Pursuant to Clause 178(4) of the Regulation, Council declines to invite fresh tenders and determines to enter into negotiations with the two Proponents on the basis that:
  - a) Having regard to all the circumstances, neither submission was assessed as satisfying all of the objectives/requirements in the Request for Tender,

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

---

- b) All Proponents demonstrated that they have the potential to meet Council's objectives and requirements under the Request for Tender, and
  - c) Given the advanced nature of this procurement process and the details provided in each submission, it is considered that Council can achieve the desired outcome for the service through negotiations.
6. The General Manager be authorised to carry out the relevant negotiations with the two proponents and enter into a contract with one of the proponents for the receipt and processing of recyclables services.
7. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

**ITEM 12.2**  
**(451)**

**T02-19 - PROVISION OF ASPHALT SERVICES**  
**CLR. ZAKHIA:/CLR. EL-HAYEK**

RESOLVED that

1. Council accepts the tenders received from State Asphalt Services Pty Ltd (as the primary supplier) and Fulton Hogan Industries Pty Ltd (as the secondary supplier) for Supply Deliver and Lay of Asphaltic Concrete and Profiling Services, based on the condition as outlined in the report. The contracts be for a period of three years with option to extend the contracts by two further periods each of up to twelve months in duration, subject to satisfactory performance of the contractor as determine by the General Manager.
2. Council accepts the tenders received from Stateline Asphalt Pty Ltd (as the primary supplier) and NA Group Pty Ltd (as the secondary supplier) for Asphalt Road Pavement Restoration works, based on the condition as outlined in the report. The contracts be for a period of three years with option to extend the contracts by two further periods each of up to twelve months in duration, subject to satisfactory performance of the contractor as determine by the General Manager.
3. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
4. In accordance with Clause 178 (1) (b) of the Local Government (General) Regulation 2005 Council declines to accept any of the tenders received for the supply of ex-bin asphalt service category of this tender.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

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5. In accordance with Clause 178 (3) (a) of the Local Government (General) Regulation 2005 Council cancel the supply of ex-bin asphalt service category of this tender and use the existing LGP contract for this service.
6. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

**THE MEETING CLOSED AT 7.25 PM.**

Minutes confirmed 11 DECEMBER 2018

.....  
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 | Sydenham to Yagoona Metro       | 29 |
| 4.2 | Local SES Award Night Function  | 31 |
| 4.3 | Local Community Based Donations | 33 |



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## Mayoral Minutes - 11 December 2018

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### ITEM 4.1                      Sydenham to Yagoona Metro

Late in November, media outlets broke the news that Transport for NSW were allegedly considering extending the Sydenham to Bankstown metro to Yagoona. The claim was that Bankstown was geographically unsuitable and that designing the interchange at Bankstown may be too difficult.

This Government has proven time and time again that cogent, coherent planning for infrastructure is not their preferred method, instead going for planning on the run; this is why I am not surprised that we are already seeing signs of significant change to the proposal presented in the Preferred Infrastructure Report.

We are now entering the festive season. The community are focusing on time with their families, holidays, children and grandchildren. It is a time for us all to rest, recharge and get ready for another busy year, but I am concerned that we may well see the Government take advantage of this to drive through “consultation” on a formal change to the Metro ahead of caretaker mode early next year. As far as I am concerned, any attempt to engage with the community on such a significant piece of infrastructure during the Festive Season is disingenuous at best and contemptuous at worst.

I note that in the article published by the Sydney Morning Herald on 20 November, a Transport for NSW spokesperson committed to “further community consultation and a separate planning process” if there were any changes to the project. And while I am comforted by this, we are all aware of the shortcomings in their previous consultation.

We need clarity and we need a fair chance to consider and respond to any proposed changes to the Metro, as do our community.

The Environmental Impact Statement is flawed. I am advised that support packages for affected businesses have not been detailed. Schools and P&Cs have been left in the dark. The process so far has been a shambles, but that would be no excuse to continue along this path and rob our community of a genuine opportunity to have a say in this city making, or city breaking, infrastructure.

I call on the Minister to put to bed the rumours by categorically stating the extent of the current proposal, confirming the Sydenham to Bankstown Metro, not the Sydenham to Yagoona Metro.



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## Mayoral Minutes - 11 December 2018

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### ITEM 4.2

### Local SES Award Night Function

Australia is known for its volunteering spirit. Indeed its volunteer emergency services are some of the biggest in the world, despite our relatively small population. These men and women give up their family, social and work time to help their fellow Australians in their greatest time of need, often at great personal risk.

One such service is the State Emergency Service (SES) and our local units have a long history of helping our community through floods, storms and fires. Every year the Canterbury and Bankstown units have taken the opportunity to recognise exceptional effort and achievement through an Annual Awards Night. The future of these, however, are now under threat.

I have been informed that the units will not be permitted to fund these awards nights from their operational budgets and that no funding will be provided from the State Office, effectively ending the award night. In response, the units have attempted to reach a compromise by combining their events and consideration has been given to holding it every two years to save money.

This has been very disappointing to hear, especially given the sizeable contribution Council makes to these units' operational budgets. Last year Council's contribution was \$558,000 to the SES and we donated funds for the holding of a Community Safety Expo. But the Government can't find or permit a few thousand dollars every second year to recognise our volunteers?

It appears that recent changes to the Natural Disaster Relief and Recovery Arrangements, the arrangements between the Federal, State and Local Governments for funding relief and recovery from natural disasters, may provide substantial savings for the NSW Government at the expense of councils. I would have thought that some of these savings could be returned to look after the wellbeing of and recognise volunteers and the priceless contribution they make to our society.

I call on the NSW Government to reconsider their decision on this matter.





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## Mayoral Minutes - 11 December 2018

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### ITEM 4.3

### Local Community Based Donations

The following community based organisations have approached Council for financial assistance.

#### **Movember**

Following Council's resolution from its 16 October meeting, a total of 89 staff and two Councillors took part in Movember. The total amount raised was \$4,650. This is a terrific outcome and I am proud of our organisation for putting Men's Health on the radar.

I am now formally putting \$4,650 as a donation from the Community Grants and Event Sponsorship Program Budget.

#### **Padstow Community Care Hampers**

Padstow Community Care have requested a donation to their annual Christmas Hamper drive. Their aim is to deliver 400 hampers to those in need within the Padstow and surrounding community.

This is an initiative worthy of Council's support and I move that \$500 be donated to their Christmas Hamper drive.

#### **Maronite Catholic Society of Australia**

The Maronite Catholic Society is welcoming the renowned sculptor, painter and poet Rudy Rahme from Lebanon next year for a series of events, including an exhibition at the Bankstown Arts Centre from 27 February 2019 through to 3 March 2019. The exhibition will feature 20 sculptures and is expected to be well attended. Given the logistics involved in preparing for this exhibition and the potential benefits to our City, I propose that Council donate \$2,000 towards the Rudy Rahme exhibition.

#### **Fight for Finn Foundation**

Duchenne Muscular Dystrophy (DMD) is a degenerative, terminal disease which affects young boys, with 1 in 3,500 boys born with DMD. The Fight for Finn Foundation was initially established in 2017 to support 7 year old Panania boy, Finn O'Donovan, following his diagnosis with DMD. Through the Foundation, the O'Donovan family also hope to raise awareness and support others whose lives are affected by the disease.

Their next fundraiser is the 2019 Ironman event in Port Macquarie on 5<sup>th</sup> May 2019 and Council has been approached to provide sponsorship. This request is worthy of Council's support and I recommend that Council donate \$2,000.

### **RECOMMENDATION**

I propose that Council provide the financial assistance as outlined above and that these funds be made available from the Community Grants and Event Sponsorship Program Budget.



## **5 PLANNING MATTERS**

The following items are submitted for consideration -

|     |   |    |
|-----|---|----|
| 5.1 | Planning Proposal: 353–355 Waterloo Road in Greenacre   | 37 |
| 5.2 | Planning Proposal: 167 Hume Highway in Greenacre  | 47 |
| 5.3 | Draft Amendment to the Voluntary Planning Agreement for the Former Riverlands Golf Course Site in Milperra  | 57 |
| 5.4 | Draft Housekeeping Amendments to Bankstown DCP 2015 and Canterbury DCP 2012   | 65 |
| 5.5 | Submission to the Draft Bankstown Airport Masterplan and Draft South West Precinct Major Development Plan   | 71 |
| 5.6 | Reporting of (1) Performance for Processing of Development Applications for the First quarter of the 2018/19 Financial year, (2) Development Applications Approved with a Clause 4.6 Variation for the Period 1 July to 30 September 2018, and (3) Current Planning Related Appeals Currently Before the Land and Environment Court | 79 |



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## Planning Matters - 11 December 2018

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**ITEM 5.1**                      **Planning Proposal: 353–355 Waterloo Road in Greenacre**

**APPLICANT**                **Henroth Pty Limited**

**OWNER**                    **Henroth Pty Limited**

**AUTHOR**                  **Planning**

### **PURPOSE AND BACKGROUND**

This report considers an application to amend the building height controls for the site at 353–355 Waterloo Road in Greenacre, known as the Chullora Marketplace.

### **ISSUE**

Council is in receipt of an application to prepare a planning proposal for the site at 353–355 Waterloo Road in Greenacre. The application seeks to amend Bankstown Local Environmental Plan 2015 by increasing the maximum building height from 11 metres (three storeys) to 14–20 metres (four–six storeys), and rezone the site at 353 Waterloo Road (house site) from R2 Low Density Residential to B2 Local Centre. No change is proposed to the zoning of the current Chullora Market Place site at 355 Waterloo Street Greenacre, this site will remain zoned as B2 Local Centre.

Council's assessment indicates the proposal has strategic merit subject to implement the recommendations of an independent urban design peer review. The assessment also identifies the need for additional information as part of the Gateway process to manage the likely effects of the proposal, namely a Social Impact and Community Needs Assessment, revised Traffic Study for the purposes of consultation with the Roads & Maritime Services, Heritage Study and Economic Impact Study.

The Local Planning Panel considered Council's report on 19 November 2018. The Panel endorsed the report's recommendation to proceed to Gateway.

### **RECOMMENDATION** That -

1. Council prepare and submit a planning proposal to the Greater Sydney Commission to seek a Gateway Determination for the following amendments to Bankstown Local Environmental Plan 2015:
  - (a) For the site at 355 Waterloo Road in Greenacre (Chullora Marketplace):
    - (i) Apply a maximum 0.65:1 FSR for the purposes of residential development, while retaining the existing 1:1 FSR for the site.

- (ii) Permit a maximum building height of 11 metres (three storeys) along the southern boundary, 14 metres (four storeys) along the eastern and western boundaries, and 20 metres (six storeys) for the remainder of the site, as shown in Attachment A.
- (b) For the site at 353 Waterloo Road in Greenacre (house site):
  - (i) Rezone the site to Zone B2 Local Centre.
  - (ii) Permit a maximum 1:1 FSR for the site. Within the 1:1 FSR envelope, apply a maximum 0.65:1 FSR for the purposes of residential development.
  - (iii) Permit a maximum building height of 14 metres (four storeys).
  - (iv) Do not apply the Lot Size Map as the Lot Size Map does not apply to Zone B2 Local Centre.
- 2. The Gateway process should require the following additional information:
  - (a) Social Impact and Community Needs Assessment
  - (b) Heritage Study for the site at 355 Waterloo Road in Greenacre
  - (c) Revised Traffic Study for the purposes of consultation with the Roads & Maritime Services
  - (d) Economic Impact Study to analyse the potential impacts on the Greenacre Small Village Centre as a result of the proposal.
- 3. Council seek authority from the Greater Sydney Commission to exercise the delegation in relation to the plan making functions under section 3.36(2) of the Environmental Planning & Assessment Act 1979.
- 4. Subject to the issue of a Gateway Determination, Council exhibit the planning proposal.
- 5. Council prepare and concurrently exhibit DCP amendments to support the planning proposal, and the matter be reported to Council following the exhibition.

## **ATTACHMENTS**

[Click here for attachments](#)

- 
- A. Proposed amendments to the FSR Map and Height of Buildings Map
  - B. Urban Design Peer Review
  - C. Local Planning Panel–Council Report
  - D. Local Planning Panel–Minutes

## **POLICY IMPACT**

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This matter is consistent with the Greater Sydney Commission's Greater Sydney Region Plan and South District Plan. These Plans identify Chullora as a local centre which is well connected to the road network and bus services. These Plans also identify Chullora as an appropriate location for mixed use commercial / residential development provided the local centre's primary role to provide employment, goods and services is protected.

## **FINANCIAL IMPACT**

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This matter has no financial implications for Council. The requirement for local infrastructure upgrades would be borne by the developer as part of any development approval. A requirement to augment or improve local community facilities could be considered as part of a voluntary planning agreement between Council and the proponent.

## **COMMUNITY IMPACT**

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The application indicates possible public domain improvements to be undertaken by the proponent, including the upgrade of the playground at Norfolk Reserve and a pedestrian crossing on the northern side of the Norfolk Road / Waterloo Road intersection. These works could be delivered by way of conditions of development consent or via the proponent entering a voluntary planning agreement with Council.

This report identifies the need for a Social Impact and Community Needs Assessment prior to finalising an assessment of the public benefits. Council may need a mechanism with the proponent to deliver the public benefits in a timely manner. This may involve a planning agreement to legally capture the public benefits. If a planning agreement is required, it would be separately reported to Council.

## DETAILED INFORMATION

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### Site Description

The site at 353–355 Waterloo Road in Greenacre comprises the following properties as shown in Figures 1 and 2:

| Property Address  | Property Description | Current Zone                    | Site Area            |
|-------------------|----------------------|---------------------------------|----------------------|
| 353 Waterloo Road | Lot 9, DP 10945      | Zone R2 Low Density Residential | 696m <sup>2</sup>    |
| 355 Waterloo Road | Lot 41, DP 1037863   | Zone B2 Local Centre            | 56,304m <sup>2</sup> |

The Chullora Marketplace shopping centre at 355 Waterloo Road is single storey (24,600m<sup>2</sup> floor area) with on-site parking for approximately 860 cars. The site was formerly the Liebentritt Pottery site and is listed as a local heritage item of archaeological significance. The site at 353 Waterloo Road contains a dwelling house.

The site adjoins the Malik Fayed Islamic School to the north, low density residential development to the south, and Norfolk Reserve to the east. According to Council's Community Land Generic Plan of Management, Norfolk Reserve contains endangered ecological communities. The southern edge of the reserve contains a playground and allows for informal pedestrian access to the shopping centre from the surrounding residential streets.

In relation to local context, the nearby Greenacre Small Village Centre is located approximately 2km south of the site. The site is serviced by bus services, with connections to Bankstown and Liverpool.





Figure 1: Site Map

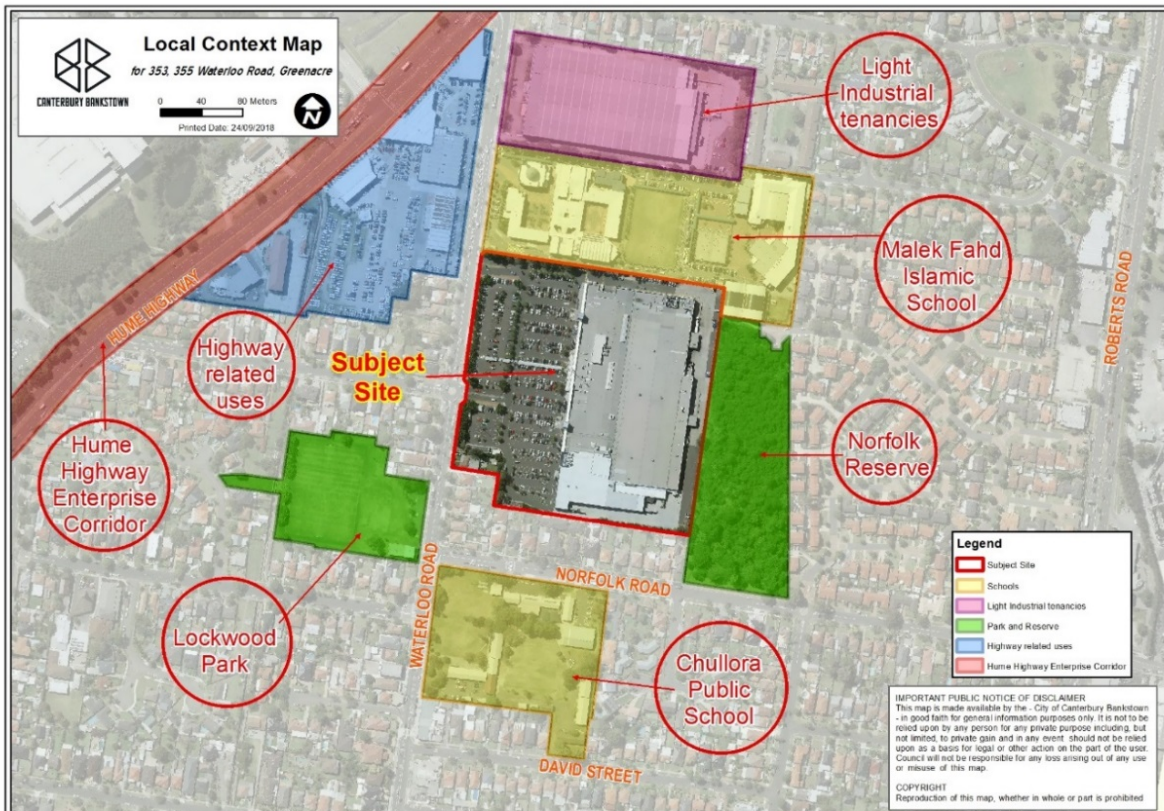


Figure 2: Locality Map

## Proposal

In May 2018, Council received an application to amend Bankstown Local Environmental Plan 2015 as follows:

| 355 Waterloo Road (Chullora Marketplace site) | Current controls           | Proposed controls  |
|---|----------------------------|--|
| Maximum building height                       | 11 metres (3 storeys)      | 14–20 metres (4–6 storeys)   |
| 353 Waterloo Road (house site)                | Current controls           | Proposed controls  |
| Zone  | R2 Low Density Residential | B2 Local Centre  |
| Maximum FSR                                   | 0.5:1                      | 1:1  |
| Maximum building height                       | 9 metres (2 storeys)       | 14 metres (4 storeys)  |
| Minimum subdivision lot size                  | 450m <sup>2</sup>          | Do not apply the Lot Size Map as the Lot Size Map does not apply to Zone B2 Local Centre |

The application includes an indicative concept plan, which proposes mixed use development (3–6 storeys) with shop top housing and associated parking (1,294 spaces) within podium levels (refer to Figures 3 and 4). The key feature is a central roadway and plaza area with active frontages to enhance a ‘sense of place’ and provide community space.

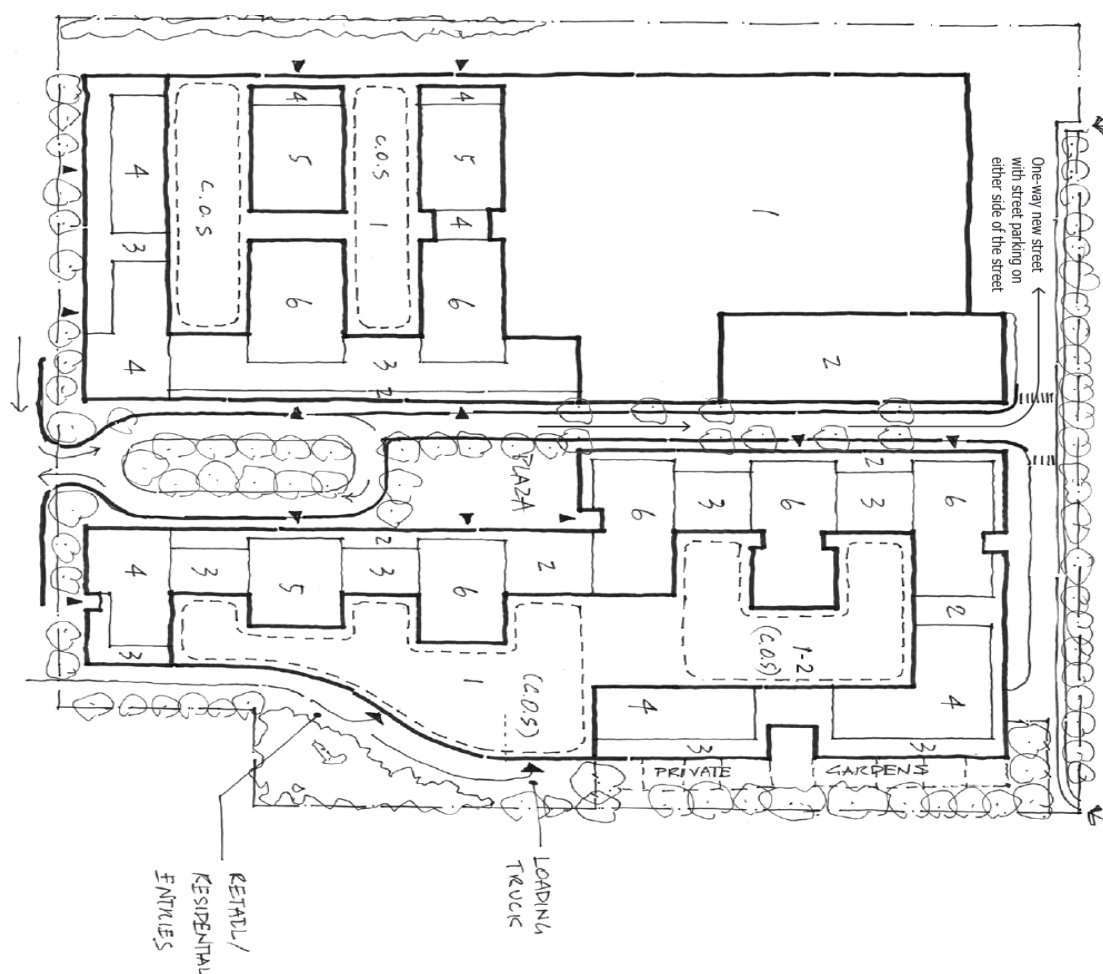


Figure 3: Application's indicative concept plan



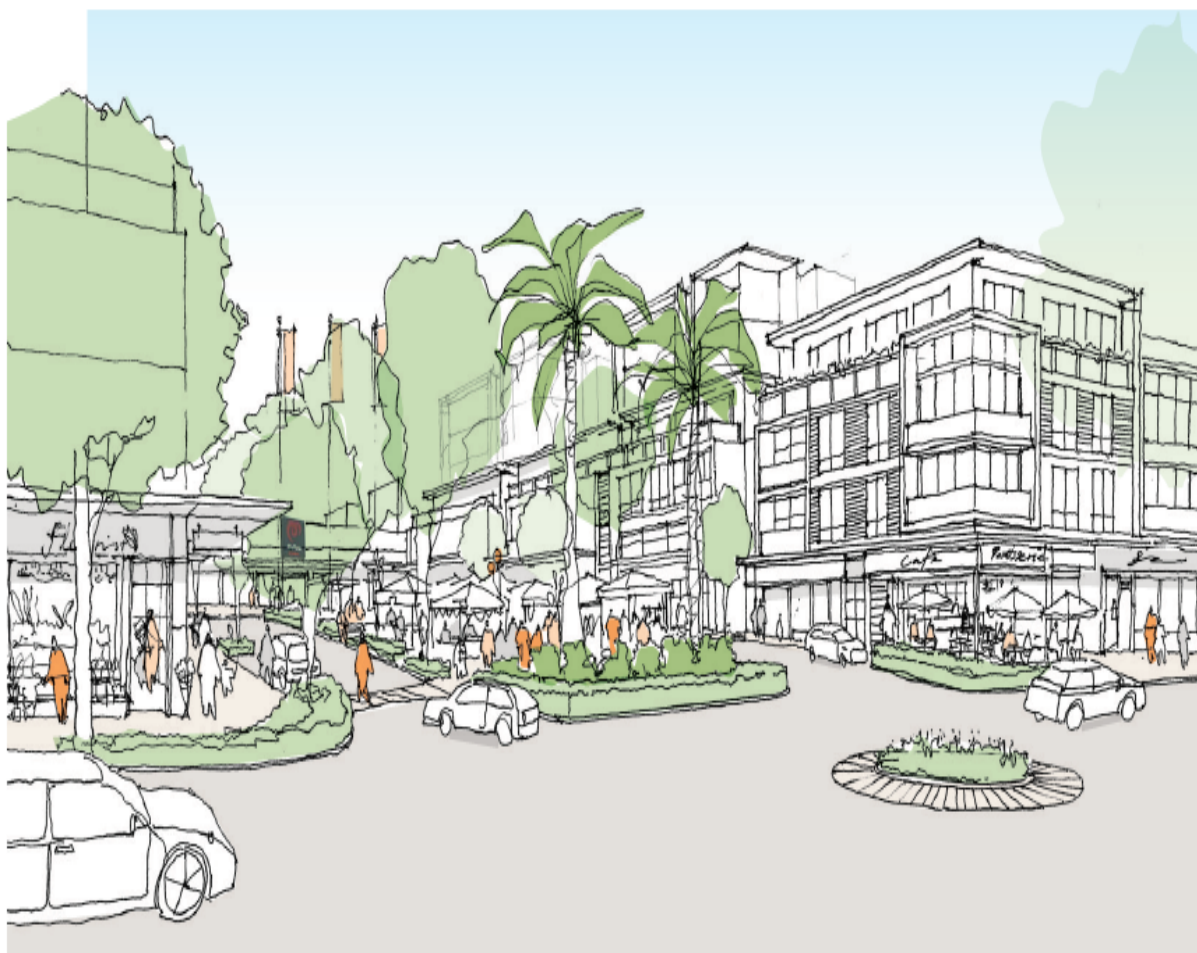


Figure 4: Application's indicative concept plan showing the new central piazza from Waterloo Road

### Local Planning Panel

Council carried out an assessment of the application and commissioned an urban design peer review for the purposes of reporting the matter to the Local Planning Panel. In accordance with the Department of Planning & Environment's Direction, the Panel is to consider planning proposal requests and recommend whether the matter should proceed to a Gateway Determination.

Council's assessment indicates the proposal has strategic merit subject to implement the recommendations of the urban design peer review to:

- Provide a built form that is compatible with the surrounding context.
- Reinforce the commercial function of the local centre.

The assessment also identifies the need for additional information to manage the likely effects of the proposal, namely a Social Impact and Community Needs Assessment, revised Traffic Study for the purposes of consultation with the Roads & Maritime Services, Heritage Study and Economic Impact Study.

The urban design peer review is shown in Attachment B and Council's assessment report is shown in Attachment C.

The Local Planning Panel considered the assessment report and urban design peer review on 19 November 2018. As shown in Attachment D, the Panel's comments and recommendation are:

*The Panel has considered the submissions and those made on behalf of the Applicant at the meeting.*

*It has been brought to the Panel's attention that there is a typographical error on page 151 of the officer's report and 1(a)(i) should say: "Rezone the site to Zone B2 Local Centre."*

*The Panel notes that the concept plans propose reducing the commercial parking and allocating additional parking for the residential units. This would be a matter for the Development Application stage, however the Panel is of the opinion that this should not occur, given the stand alone nature of this commercial site, and the full component of parking be allocated to the Commercial premises in accordance with Council's DCP.*

*It is noted that the Applicant raised no issue with the residential limit of 0.65:1 for residential component on the subject site.*

#### **CBLPP Recommendation**

*The Panel endorses the Council Officer's report with minor amendments shown in bold and the panel recommends to the Council adoption of the recommendation to proceed to Gateway as follows:*

1. *The application to amend Bankstown Local Environmental Plan 2015 should proceed to Gateway subject to the following:*
  - (a) *For the site at 353 Waterloo Road Greenacre:*
    - (i) **Rezone the site to Zone B2 Local Centre.**
    - (ii) *Permit a maximum 1:1 FSR for the site. Within the 1:1 FSR envelope, apply a maximum 0.65:1 FSR for the purposes of residential development.*
    - (iii) *Permit a maximum building height of 14 metres (four storeys).*
    - (iv) *Do not apply the Lot Size Map as the Lot Size Map does not apply to Zone B2 Local Centre.*
  - (b) *For site at 355 Waterloo Road Greenacre:*
    - (i) *Apply a maximum 0.65:1 FSR for the purposes of residential development, while retaining the existing 1:1 FSR for the site.*
    - (ii) *Permit a maximum height of 11 metres (three storeys) along the southern boundary, 14 metres (four storeys) along the eastern and western boundaries, and 20 metres (six storeys) for the remainder of the site, as shown in Figure 11 of this report.*
2. *The Gateway process should require the following additional information:*
  - (a) *Social Impact and Community Needs Assessment*
  - (b) *Heritage Study for the site at 355 Waterloo Road Greenacre*
  - (c) *Revised Traffic Study for the purposes of consultation with the Roads & Maritimes services*

- (d) *Economic Impact Study to analyse potential impacts on the Greenacre Small Village Centre as a result of the proposal.*
3. *Council should seek authority from the Greater Sydney Commission to exercise the delegation in relation to the plan making functions under section 3.36(2) of the Environmental Planning & Assessment Act 1979.*
4. *Council prepare a site specific DCP Amendment.*

**Panel Reason**

*Given the location and context of this large site the panel agrees with the Officer's recommendation of the need for a site specific DCP and the provision of additional information that must be provided to ensure orderly development of the site.*

Following the Panel Meeting, the proponent sought to clarify a comment made by the Local Planning Panel. In relation to parking, *'the proponent notes the Local Planning Panel's comments about a reduction in commercial parking and wishes to make it clear that the planning proposal does not propose any reduction in commercial car parking requirements. It also does not propose any change to the amount of commercial or residential floor area permitted under the current controls. The intention of the planning proposal is primarily to improve the quality of the centre through a modest increase in building height centrally within the site that will enable an improved public domain for the local community'*. This comment by the proponent is noted.

**Next Steps**

The next step is to prepare and submit a planning proposal to the Greater Sydney Commission to seek a Gateway Determination. The planning proposal would request amendments to Bankstown Local Environmental Plan 2015 and additional studies in accordance with the Local Planning Panel's recommendation. It is also proposed to prepare draft DCP amendments to support the planning proposal.

Following the exhibition of the planning proposal and draft DCP amendments, the outcomes would be reported to Council.



**ITEM 5.2**                      **Planning Proposal: 167 Hume Highway in Greenacre**

**APPLICANT**                **Iris Capital**

**OWNER**                    **Palms (Chullora) Pty Limited**

**AUTHOR**                  **Planning**

### **PURPOSE AND BACKGROUND**

This report considers an application to amend the building envelope controls for the site at 167 Hume Highway in Greenacre, known as the Palms Hotel.

### **ISSUE**

Council is in receipt of an application to prepare a planning proposal for the site at 167 Hume Highway in Greenacre, which forms part of the Hume Highway Enterprise Corridor. The application seeks to increase the maximum floor space ratio from 1:1 to 1.5:1, increase the maximum building height from 14 metres (four storeys) to 17 metres (five storeys), and reduce the minimum highway setback for dwellings from 20 metres to 10 metres.

Council's assessment indicates the proposal has strategic merit subject to implementing the recommendations of an independent urban design peer review. The assessment also identifies the need for additional information as part of the Gateway process to manage the likely effects of the proposal, namely a Social Impact and Community Needs Assessment, Air Quality and Noise Impact Study, and consultation with the Roads & Maritime Services.

The Local Planning Panel considered Council's report on 19 November 2018. The Panel endorsed the report's recommendation to proceed to Gateway subject to setting a minimum 0.25:1 FSR for non-residential purposes within a maximum 1.25:1 FSR for the whole site, and requiring further economic investigation and analysis. In considering the above issues, it is recommended that the proposal proceed to Gateway in accordance with the Local Planning Panel's recommendation.

### **RECOMMENDATION** That -

1. Council prepare and submit a planning proposal to the Greater Sydney Commission to seek a Gateway Determination for the following amendments to Bankstown Local Environmental Plan 2015:
  - (a) Permit a minimum floor space ratio of 0.25:1 for non-residential purposes within a maximum FSR for the whole site of 1.25:1.
  - (b) Permit a maximum building height of 17 metres (five storeys) to the north of the site, 14 metres (four storeys) in the centre of the site, and 11 metres (three storeys) along the southern boundary, as shown in Attachment A.

- (c) Reduce the depth of the 11 metre building height control along the Hume Highway for residential purposes from 20 metres to 12 metres or alternative provided there is appropriate amenity protection (noise and air quality) for future residents.
  - (d) For consistency, the change recommended in (c) also be applied to adjoining sites at 165 and 185 Hume Highway in Greenacre.
- 2. The Gateway process should require the following additional information:
  - (a) Social Impact and Community Needs Assessment
  - (b) Air Quality and Noise Impact Study
  - (c) Consultation with the Roads & Maritime Services
  - (d) An economic investigation and analysis for the non-residential land uses proposed for the site that is a Hotel and Serviced Apartments, to explore the ratio of employees to FSR. The economic study is to also canvas the possibility of other commercial uses with a high ratio of employees that may be appropriate for the site.
- 3. Council seek authority from the Greater Sydney Commission to exercise the delegation in relation to the plan making functions under section 3.36(2) of the Environmental Planning & Assessment Act 1979.
- 4. Subject to the issue of a Gateway Determination, Council exhibit the planning proposal.
- 5. Council prepare and concurrently exhibit DCP amendments to support the planning proposal, and the matter be reported to Council following the exhibition.

## **ATTACHMENTS**

[Click here for attachments](#)

---

- A. Proposed amendments to the FSR Map and Height of Buildings Map
- B. Urban Design Peer Review
- C. Local Planning Panel–Council Report
- D. Local Planning Panel–Minutes



## **POLICY IMPACT**

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This matter is consistent with Council's North East Local Area Plan and therefore raises no policy implications for Council.

## **FINANCIAL IMPACT**

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A Social Impact and Community Needs Assessment is recommended to investigate social infrastructure needs arising from the proposal. Findings from this investigation would be considered as a basis to be negotiated with the proponent.

## **COMMUNITY IMPACT**

---

The recommendations of this report are considered to appropriately manage amenity impacts such as overshadowing, noise and air quality impacts.

## DETAILED INFORMATION

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### Site Description

The site at 167 Hume Highway in Greenacre (Lot 402, DP 631754) is 11,750m<sup>2</sup> in area as shown in Figures 1 and 2.

The site is within Zone B6 Enterprise Corridor under Bankstown Local Environmental Plan 2015. The zone permits highway related land uses such as hotel or motel accommodation, business and office premises and light industries subject to consent. The zone also permits certain residential uses (residential flat buildings, seniors housing and multi dwelling housing) only if the uses form part of a mixed use development.

The site is currently occupied by the Palms Hotel and three other associated buildings used for accommodation, storage and a separate restaurant. The site is constrained by noise and air quality due to its interface to the Hume Highway. A small section of the site sits within the medium stormwater flood risk precinct. The site falls by approximately 5 metres from north to south.

The site adjoins a single storey commercial building to the north, low density residential development to the south, and Peter Reserve (Zone RE1 Public Recreation) to the east.

In relation to local context, the site forms part of the Hume Highway Enterprise Corridor, which generally consists of industrial development on the northern side of the Hume Highway. The southern side of the Hume Highway consists of a mix of highway related businesses and low density residential development, predominantly houses. The nearest shopping centre is Chullora Marketplace (1.2km) to the north-east. Public transport is limited to bus services along the Hume Highway.



Figure 1: Site Map

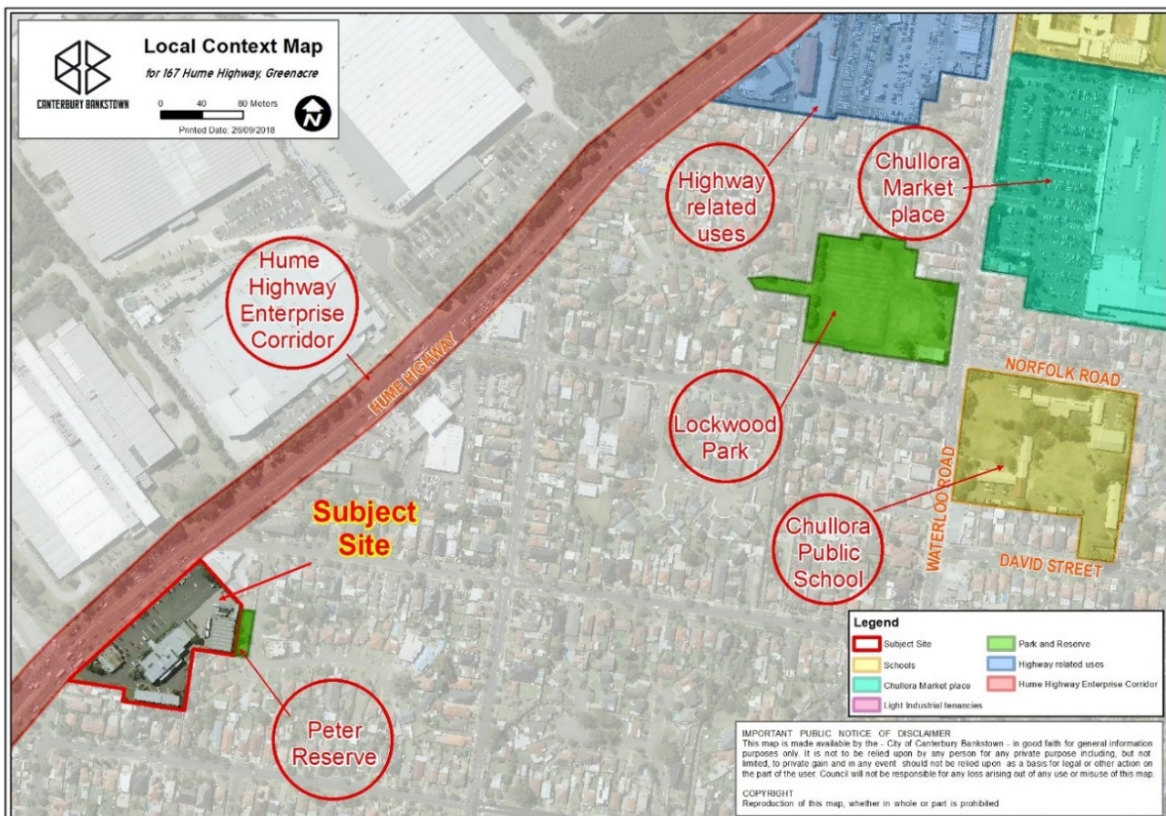


Figure 2: Locality Map

## Proposal

In response to Council's decision of 24 July 2018 to not proceed with the implementation of the North East Local Area Plan, the proponent submitted an application to increase the building envelope on the site at 167 Hume Highway in Greenacre, generally consistent with the recommendations of the North East Local Area Plan as follows:

| 167 Hume Highway                      | Current controls              | Proposed controls             |
|---------------------------------------|-------------------------------|-------------------------------|
| Zone                                  | B6 Enterprise Corridor        | No change                     |
| Maximum FSR                           | 1:1                           | 1.5:1                         |
| Maximum building height               | 11–14 metres<br>(3–4 storeys) | 14–17 metres<br>(4–5 storeys) |
| Minimum highway setback for dwellings | 20 metres                     | 10 metres                     |

The application proposes a concept design for a mixed use development consisting of a commercial building (Block A) and three residential flat buildings (Block B, C, and D) to accommodate approximately 167 dwellings (refer to Figures 3 and 4). The concept design also includes 413 basement parking spaces (comprising 84 commercial spaces, 294 residential spaces, and 35 visitor spaces). A landscape strategy includes a 5–7 metre landscape buffer along the Hume Highway and principal areas of communal open space.



Figure 3: Application's indicative concept plan



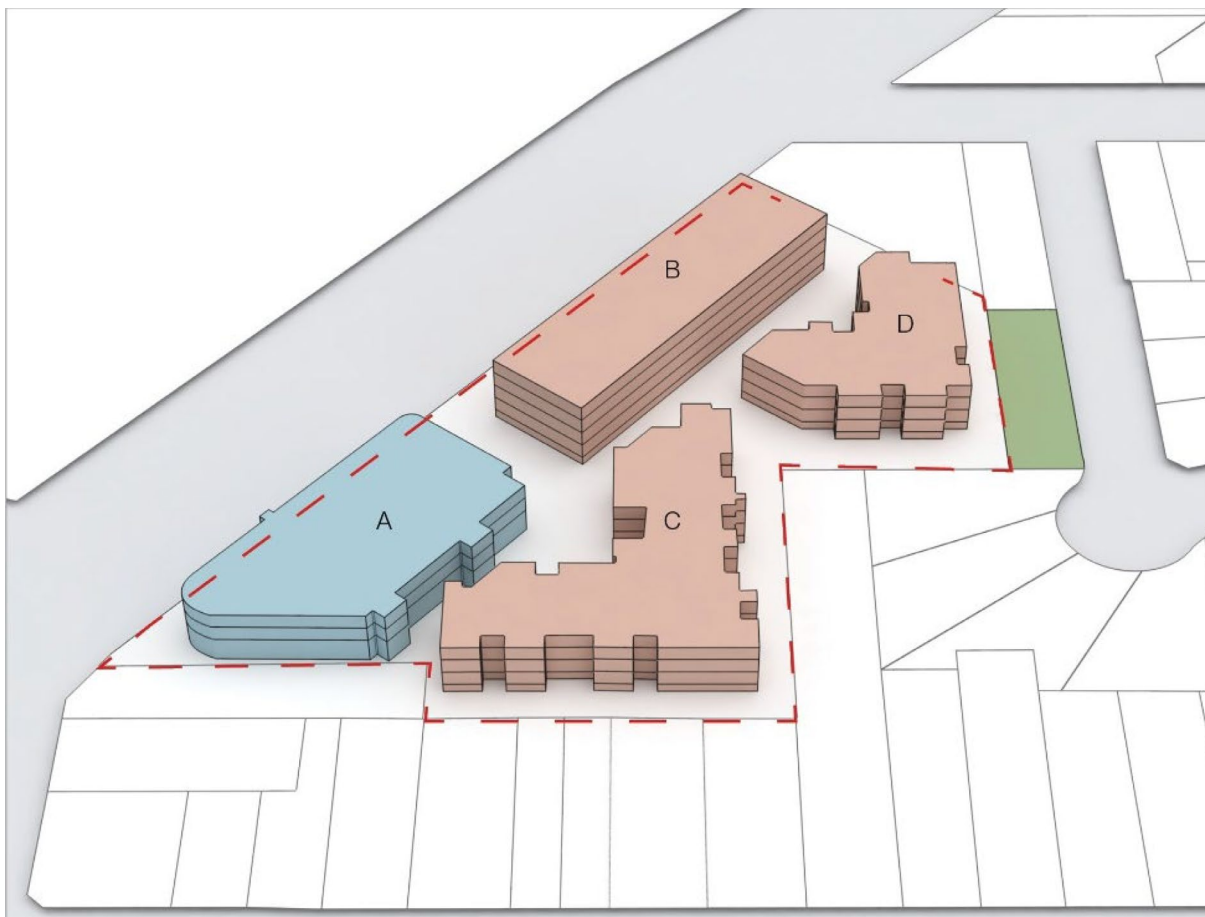


Figure 4: Image of the application's indicative concept plan (source: urban design peer review)

### Local Planning Panel

Council carried out an assessment of the application and commissioned an urban design peer review for the purposes of reporting the matter to the Local Planning Panel. In accordance with the Department of Planning & Environment's Direction, the Panel is to consider planning proposal requests and recommend whether the matter should proceed to a Gateway Determination.

The assessment indicates the proposal has strategic merit subject to implementing the recommendations of the urban design peer review to:

- Reinforce the mixed use objective of Zone B6 Enterprise Corridor.
- Provide a built form that is compatible with the surrounding context.
- Protect future residential amenity.

It is noted that the assessment is proposing a maximum 1.25 FSR for the site, which varies from the 1.5:1 FSR initially recommended in the North East Local Area Plan. The reason is the urban design peer review provides a more detailed analysis and testing of the site compared to the high level review commissioned by Council to inform the North East Local Area Plan.

The assessment also identifies the need for additional information to manage the likely effects of the proposal, namely a Social Impact and Community Needs Assessment, Air Quality and Noise Impact Study, and consultation with the Roads & Maritime Services.

The urban design peer review is shown in Attachment B and Council's assessment report is shown in Attachment C.

The Local Planning Panel considered the assessment report and urban design peer review on 19 November 2018. As shown in Attachment D, the Panel's comments and recommendation are:

*The Panel has considered the submissions made on behalf of the applicant and also has the benefit of the site inspection and the Council officer's report and recommendation.*

*The Panel expressed concern that the objectives of the B6 enterprise zone contained in the LEP must be considered as a focus in the decision to amend the LEP. The Applicant submitted that the type of commercial use proposed, that is serviced apartments with a hotel, will provide for a greater intensity of employment than many other commercial uses, for example; bulky goods and retail premises. The Panel, however, notes that there is no evidence to this effect or information provided by the Applicant to justify the extent of departure as requested and this analysis should be undertaken by the Applicant.*

*On balance the Panel also recommends it would be more appropriate to provide for a minimum non-residential area that must be provided on the site as opposed to providing a maximum for the residential use. This would also provide for flexibility in the future use of the site, having regard to changing markets.*

#### CBLPP Recommendation

*The Panel recommends to the Council for its consideration the adoption of the Council Officer's recommendation with the following changes and additions in bold:*

1. *The application to amend Bankstown Local Environmental Plan 2015 for the site at 167 Hume Highway Greenacre should proceed to Gateway subject to the following provisions:*
  - (a) **Permit a minimum floor space ratio of 0.25:1 for non-residential purposes within a maximum FSR for the whole site of 1.25:1.***
  - (b) Permit a maximum building height of 17 metres (five storeys) to the north of the site, 14 metres (four storeys) in the centre of the site, and 11 metres (three storeys) along the southern boundary, as shown in Figure 11 of this report.*
  - (c) Reduce the depth of the 11 metre building height control along the Hume Highway from 20 metres to 12 metres.*
  - (d) For consistency, the change recommended in (c) should also apply to the adjoining sites at 165 and 185 Hume Highway in Greenacre.*
2. *The Gateway process should require the following additional information:*
  - (a) Social Impact and Community Needs Assessment*
  - (b) Air Quality and Noise Impact Study*
  - (c) Consultation with the Roads & Maritime Services*
  - (d) **An economic investigation and analysis for the non-residential land uses proposed for the site that is a Hotel and Serviced Apartments, to explore the ratio of employees to FSR. The economic study is to also canvas the possibility of other commercial uses with a high ratio of employees that may be appropriate for the site.***

3. *Council should seek authority from the Greater Sydney Commission to exercise the delegation in relation to the plan making functions under section 3.36(2) of the Environmental Planning & Assessment Act 1979.*
4. *Council prepare a site specific DCP Amendment.*

**Panel Reason**

*To ensure the B6 zone fulfils its purpose of employment generation*

It is noted that the Local Planning Panel amended the Council's report recommendation by setting a minimum 0.25:1 FSR for non-residential purposes within a maximum 1.25:1 FSR for the whole site, and requiring further economic investigation and analysis. Following a review by Council officers, these amendments are supported as it ensures the proposal is consistent with the Zone B6 objectives.

It is also noted that following the Panel Meeting, the proponent indicated their support for the overall recommendation of the Local Planning Panel provided the delivery of the additional information occurs post-Gateway, and there is an opportunity to demonstrate that a 10 metre highway setback for dwellings could work effectively. The Gateway process would consider these issues.

**Next Steps**

The next step is to prepare and submit a planning proposal to the Greater Sydney Commission to seek a Gateway Determination. The planning proposal would request amendments to Bankstown Local Environmental Plan 2015 and additional studies in accordance with the Local Planning Panel's recommendation. It is also proposed to prepare draft DCP amendments to support the planning proposal.

Following the exhibition of the planning proposal and draft DCP amendments, the outcomes would be reported to Council.





### **ITEM 5.3                      Draft Amendment to the Voluntary Planning Agreement for the Former Riverlands Golf Course Site in Milperra**

**AUTHOR                      Planning**

#### **PURPOSE AND BACKGROUND**

The property owners of the former Riverlands Golf Course site in Milperra have requested an extension of time to complete some of the public benefit works under an existing Voluntary Planning Agreement (VPA). The purpose of this report is to seek Council's approval to amend the VPA in response to this request.

#### **ISSUE**

In 2015, Council adopted a planning proposal to rezone part of the former Riverlands Golf Course site and to enter into a VPA offered by the property owner to provide the following public benefits:

- public foreshore walkway and land along the Georges River
- bank stabilisation works along the Georges River
- riparian corridor along the Georges River
- vegetation rehabilitation along the Milperra Drain
- road improvements on Keys Parade, Raleigh Road and Pozieres Avenue.

In October 2016, the Department of Planning & Environment approved the rezoning of the Riverlands site to R2 Low Density Residential. The VPA came into effect with the gazettal of the LEP amendment.

The property owners have requested an extension of time to deliver some of the VPA works as outlined in Attachment A.

#### **RECOMMENDATION    That -**

1. Council prepare and exhibit a Deed of Variation to the Voluntary Planning Agreement for the former Riverlands Golf Course site in Milperra.
2. Following the exhibition period, Council adopt the Deed of Variation to the Voluntary Planning Agreement provided there are no submissions.
3. The General Manager be granted delegated authority to make wording changes to the Deed of Variation to the Voluntary Planning Agreement, necessary to satisfy legal necessities so long as these do not alter the intent or substance of the deed.
4. The Mayor and General Manager be authorised to sign the Deed of Variation to the Voluntary Planning Agreement.

## **ATTACHMENTS**

[Click here for attachment](#)

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- A. Request by the property owners

## **POLICY IMPACT**

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This matter has no policy implications for Council.

## **FINANCIAL IMPACT**

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This matter has no financial implications for Council.

## **COMMUNITY IMPACT**

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This matter has no community impact as all the works including public amenity and environmental improvements agreed to as part of the original planning agreement will continue to apply.

## DETAILED INFORMATION

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### Background

At the Ordinary Meeting of 23 June 2015, Council adopted a planning proposal to rezone part of the site at 56 Prescott Parade in Milperra (known as the former Riverlands Golf Course site) as shown in Figures 1 and 2.

Council also resolved to enter into a Voluntary Planning Agreement (VPA) offered by the property owner to provide the following public benefits:

- public foreshore walkway and land along the Georges River
- bank stabilisation works along the Georges River
- riparian corridor along the Georges River
- vegetation rehabilitation along the Milperra Drain
- road improvements on Keys Parade, Raleigh Road and Pozieres Avenue.

A VPA is a legal agreement between a property owner and Council to provide public benefit works to support a planning proposal. The VPA came into effect on 7 October 2016 with the gazettal of the LEP amendment.



Figure 1: Former Riverlands Golf Course site in Milperra

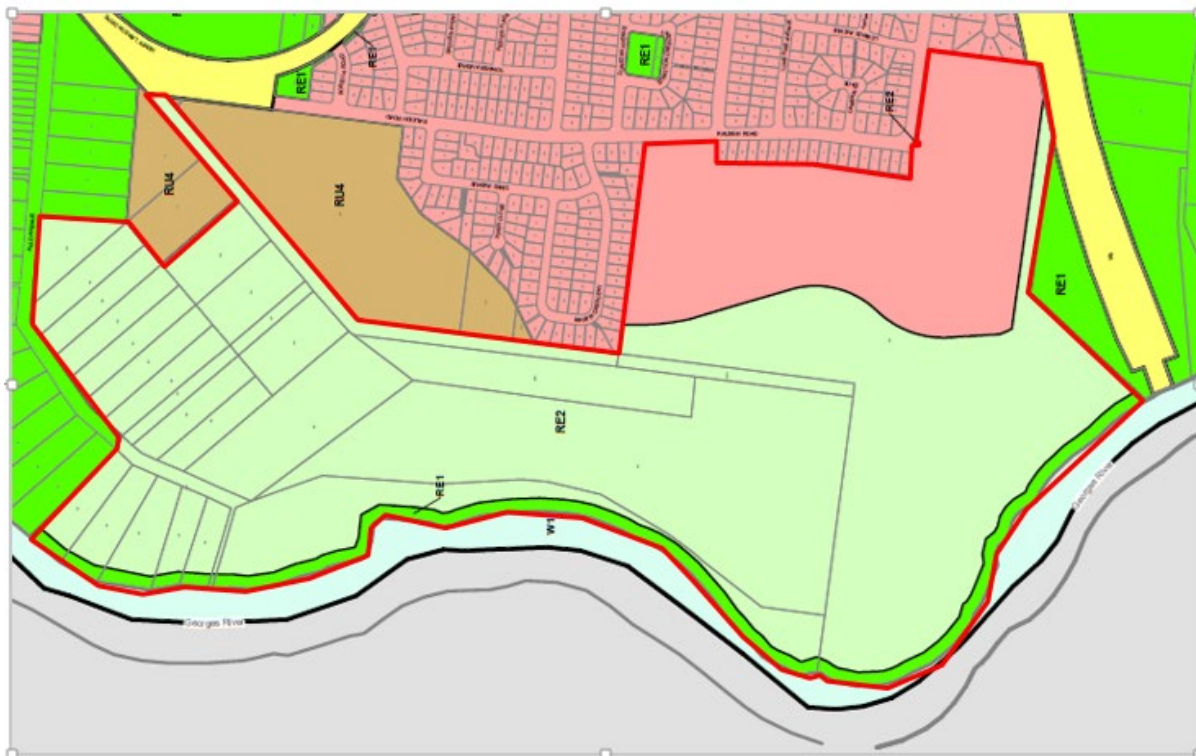


Figure 2: Current Zoning Map

### **Request by the property owners to amend the timing of some works**

The VPA requires the following works to be completed within 12 months of the VPA coming into effect:

- Bank stabilisation works on Site E73
- Bank stabilisation works on Site E74
- Land dedication of a 20 metre wide public foreshore land

These works are shown in Figures 3 and 4.

The property owners have requested an extension of two years to complete the above works. The reason for the extension of time is the property owners require more time to obtain finance for the VPA works given there is currently no DA consent on the area of the site zoned for residential purposes. The request by the property owners is shown in Attachment A.

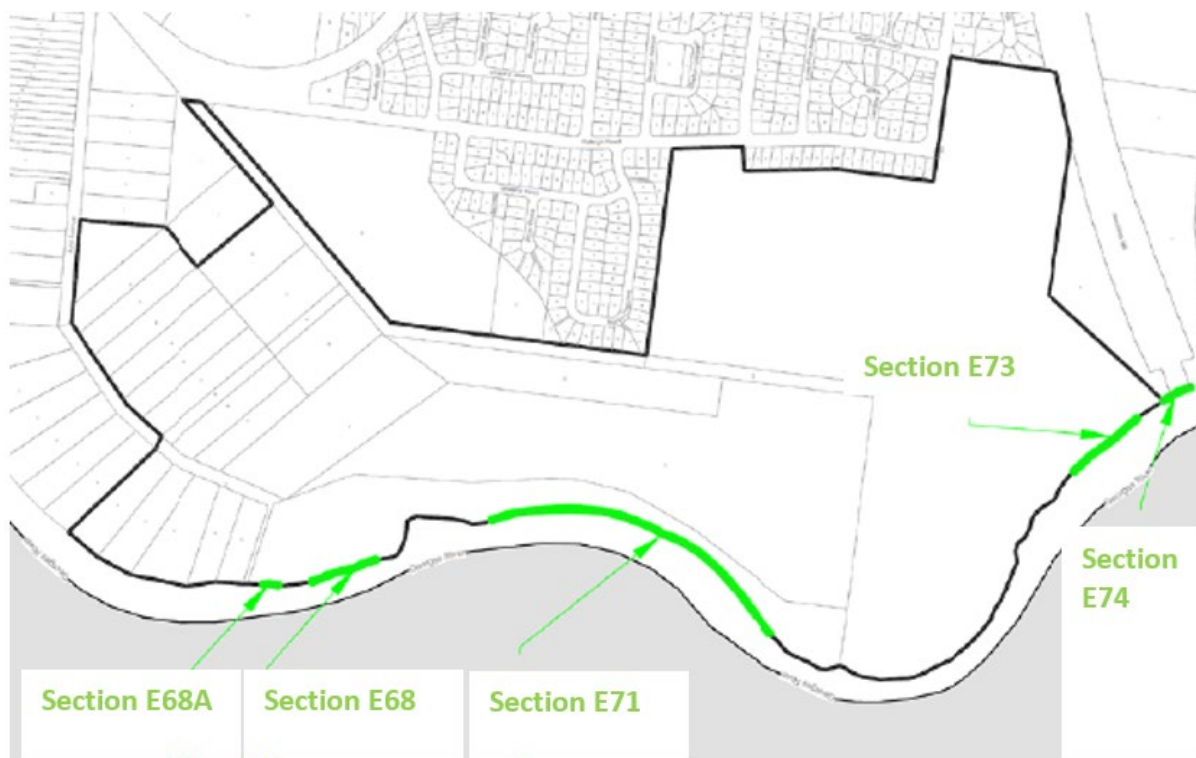


Figure 3: Bank Stabilisation Works



Figure 4: Land dedication of a 20 metre wide public foreshore land

## **Proposed Deed of Variation to the Voluntary Planning Agreement**

In considering the request by the property owners, it is considered appropriate to grant an extension of time to complete the bank stabilisation works (sites E73 and E74) and the land dedication of a 20 metre wide public foreshore land.

It is proposed that that the works are to be completed prior to the issuance of the following certificates (whichever comes first):

- A Construction Certificate for any part of the Zone R2 Low Density Residential land of the Riverlands site.
- A Subdivision Certificate for any part of the Zone R2 Low Density Residential land of the Riverlands site.

In amending the VPA, it is proposed to align the timing of these works to key development stages of the residential land, rather than specific calendar dates. The proposed amendment provides the property owners with the opportunity to obtain the necessary finance, whilst continuing to provide certainty that the VPA works will occur prior to the completion of the redevelopment of the residential land.

The proposed amendment does not impact on the delivery of the remaining works in the VPA.

### **Next steps**

According to Council's Voluntary Planning Agreements Policy, VPAs can be amended by agreement between the parties. An amendment will generally occur by means of a Deed of Variation to the VPA in a form acceptable to Council.

Should Council agree to amend the VPA, the next steps are:

- Council to seek legal advice on the drafting of the Deed of Variation to the VPA.
- The Deed of Variation to the VPA would be exhibited for a minimum 28 days.
- Following the exhibition period, Council adopt the Deed of Variation to the VPA provided there are no submissions, and the Mayor and General Manager be authorised to sign the Deed of Variation.





### **ITEM 5.4                      Draft Housekeeping Amendments to Bankstown DCP 2015 and Canterbury DCP 2012**

**AUTHOR                      Planning**

#### **PURPOSE AND BACKGROUND**

This report proposes draft housekeeping amendments to Bankstown Development Control Plan 2015 and Canterbury Development Control Plan 2012.

#### **ISSUE**

The Development Control Plan (DCP) is a planning document, which supports the Local Environmental Plan by providing additional objectives and development controls to enhance the function, appearance and amenity of development. The development controls include storey limits, setbacks, building design, landscaping and parking requirements.

Bankstown DCP 2015 came into effect in March 2015 and applies to development in the former City of Bankstown. Canterbury DCP 2012 came into effect in January 2013 and applies to development in the former City of Canterbury. Council continues to periodically review the DCPs to ensure the development controls reflect current best practice and market trends, and are consistent with changes to relevant legislation. At the same time, Council continues to investigate ways to streamline the development assessment process without compromising quality.

This report proposes to exhibit draft housekeeping amendments to the DCPs, with a further report to Council following the exhibition period.

#### **RECOMMENDATION    That -**

1.     Council exhibit the draft amendments to Bankstown Development Control Plan 2015 and Canterbury Development Control Plan 2012 as shown in Attachment A.
2.     The matter be reported to Council following the exhibition period.

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

- A.     Draft Housekeeping Amendments to the DCPs

## **POLICY IMPACT**

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Whilst this matter has no policy implications for Council, the intended outcome of the draft housekeeping amendments to the DCPs is to continue to deliver high quality development whilst facilitating a simpler and faster development assessment process.

## **FINANCIAL IMPACT**

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This matter has no financial implications for Council.

## **COMMUNITY IMPACT**

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Council is currently preparing a new comprehensive, citywide Local Environmental Plan and Development Control Plan as part of the Accelerated Local Environmental Plan Program, however this project is expected to be completed in 2020. In the interim, there is a need to undertake the proposed housekeeping amendments to ensure Council's development controls remain contemporary and relevant to successfully manage development across the city.

## DETAILED INFORMATION

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This periodic review of Bankstown DCP 2015 and Canterbury DCP 2012 identifies a number of draft housekeeping amendments to:

- Streamline the development assessment process by ensuring the DCPs are consistent with recent changes to the Environmental Planning & Assessment Act 1979 and certain state environmental planning policies.
- Continue to deliver high quality development consistent with current best practice and market trends.
- Align some key controls from the Canterbury DCP with those in the Bankstown DCP.

The tables below summarise the key draft housekeeping amendments. Attachment A provides a more detailed explanation of the draft housekeeping amendments.

Table 1: Key Draft Housekeeping Amendments to Bankstown DCP 2015

| Development controls               | Summary of Key Draft Housekeeping Amendments to Bankstown DCP 2015  |
|------------------------------------|---|
| Off-street parking                 | Update the off-street parking requirements for boarding houses and child care centres to be consistent with changes to state environmental planning policies.   |
| Dwelling houses on battle-axe lots | Reinstate a provision from the former Bankstown Council's LEP to ensure battle-axe lots provide adequate space for dwelling houses, setbacks to adjoining residential land, landscaped areas, open space, driveways, vehicle manoeuvring areas and the like.  |
| Secondary dwellings                | <p>Introduce a minimum lot size of 450m<sup>2</sup> for secondary dwellings in the R2 Low Density Residential zone.</p> <p>Currently, there is no minimum lot size requirement for secondary dwellings. As a result, Council is receiving development applications proposing dual occupancies and secondary dwellings on 250m<sup>2</sup> lot sizes (post-subdivision). The issue is this small lot size is found to be insufficient in accommodating two dwellings on the same lot together with the required setbacks, private open space, landscaped areas and off-street parking.</p> <p>To address this issue, it is proposed to introduce a minimum lot size of 450m<sup>2</sup> for secondary dwellings in the R2 Low Density Residential zone. This amendment is consistent with the minimum lot size required for secondary dwellings under the State Environmental Planning Policy (Affordable Rental Housing) 2009, and ensures development is compatible with the prevailing character and amenity of the suburban neighbourhood.</p> |

Table 2: Key Draft Housekeeping Amendments to Canterbury DCP 2012

| Development controls                         | Summary of Key Draft Housekeeping Amendments to Canterbury DCP 2012   |
|--|---|
| Solar access for residential development     | <p>The Bankstown DCP currently requires residential development to receive 3 hours of sunlight between 8.00am and 4.00pm at the mid–winter solstice. The Canterbury DCP requires 2 hours of sunlight between 9.00am to 3.00pm on 21 June.</p> <p>The review identified the need to align these controls due to the different standards for solar access between the former Councils. It is proposed to adopt the Bankstown DCP’s solar access requirements for consistency purposes.</p>  |
| Parking rates for medical centres            | <p>No parking rates are provided for medical centres in the Canterbury DCP. The review identified the need to include a parking rate for this land use. The Bankstown DCP currently requires 1 space per 25m<sup>2</sup> for medical centres. For consistency purposes, it is proposed to adopt Bankstown’s parking rate for medical centres.</p>   |
| Mixed use development and shop top housing   | <p>The relevant controls that apply to mixed use developments and shop top housing are clarified through this amendment.</p> <p>The review of the DCP has identified:</p> <ul style="list-style-type: none"> <li>• The application of the Business chapter for shop top housing is not consistent in the DCP. The amendment will fix this anomaly by ensuring the controls for shop top housing are consistent throughout the DCP.</li> <li>• The lack of control for mixed use development involving a commercial component. The amendment will address this issue by applying the relevant controls for these forms of development, as was originally intended.</li> </ul>  |
| Setbacks for B5 and B6 zones                 | <p>The review identified an error for the front setbacks applying to B2 and B6 zoned land along Canterbury Road. The front setback for these developments should be 3 metres not 9 metres as stated in the DCP.</p> <p>Additional secondary setback controls for the B2, B5 and B6 zones have been added. The review identified the need to apply the setbacks for sites on corner lots as this often resulted in secondary street frontage walls built to the boundary, which results in poor development outcomes.</p>  |
| Site frontage for land along Canterbury Road | <p>The minimum frontage control in the Business Chapter that applies to the B5 zone currently reads: <i>Where redevelopment is proposed in the B5 zone, the minimum site frontage is 30m. This control is to be applied to Canterbury Road frontages and only when the consolidation of the B5 Business Development and B6 Enterprise Corridor zones are gazetted within the Canterbury Local Environmental Plan 2012 as resolved by Council on 31 October 2013.</i></p> <p>It is proposed to clarify this control to remove reference to a council resolution not proceeded with as the consolidation of the B5 and B6 zone were not supported by the Department of Planning and Environment. It is proposed to amend the control to require a minimum 30 metre frontage to apply to land along Canterbury Road.</p> |

|                               |  |
|-------------------------------|--|
| Setbacks for shop top housing | <p>The setbacks for the B5 zone in the Shop Top Housing chapter currently reads: <i>A minimum side boundary setback of 4.5m is required for the residential component in the B5 zone. SEPP 65 separation requirements will apply for buildings with height of 4 storeys and above.</i></p> <p>It is proposed to delete reference to the residential component as this setback should apply to all developments in the B5 zone.</p> |
|-------------------------------|--|

### Next Steps

Should Council support the recommendations of this report, the next step is to exhibit the draft housekeeping amendments for public comment. Council will receive a further report following the exhibition period.



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## Planning Matters - 11 December 2018

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### **ITEM 5.5                      Submission to the Draft Bankstown Airport Masterplan and Draft South West Precinct Major Development Plan**

**AUTHOR                      Planning**

### **PURPOSE AND BACKGROUND**

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This report outlines Council's submission to the Draft Bankstown Airport Masterplan and the Draft South West Precinct Major Development Plan.

### **ISSUE**

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In accordance with the Commonwealth Airports Act 1996, Bankstown Airport Limited is exhibiting two draft documents: Draft Bankstown Airport Masterplan and Draft South West Precinct Major Development Plan.

Following a review of the draft plans, Council raises a number of concerns, namely:

- The draft plans propose to change the ANEF contours, which would affect an additional 2,200 homes in relation to aircraft noise impacts.
- The draft plans do not address cumulative flood impacts, cumulative traffic impacts on the surrounding road network, and site contamination issues.
- The draft plans propose to introduce out-of-centre retail precincts that would compete with existing shopping centres.

### **RECOMMENDATION    That -**

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1. Council endorse the contentions raised in this report in response to the Draft Bankstown Airport Masterplan and the Draft South West Precinct Major Development Plan.
2. A submission be prepared and submitted based on the issues outlined in this report.

### **ATTACHMENTS**

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Nil

## **POLICY IMPACT**

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This matter has policy implications as the Draft Bankstown Airport Masterplan and the Draft South West Precinct Major Development Plan are currently inconsistent with the Greater Sydney Commission's Greater Sydney Region Plan and South District Plan. In particular, the draft plans are inconsistent with the vision for the airport site as a 'trade gateway', and the need to ensure infrastructure aligns with forecast growth.

Prior to the determination of the Draft Bankstown Airport Masterplan and the Draft South West Precinct Major Development Plan by the Commonwealth Government, it is important for the draft plans to align with the current Bankstown CBD–Bankstown Airport collaboration area planning process being led by the Greater Sydney Commission. The intended outcomes of the collaboration area are to align growth with infrastructure and to coordinate infrastructure delivery by government and key stakeholders to satisfactorily meet the increased demands of the site associated with increasing jobs and activity at the site.

## **FINANCIAL IMPACT**

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This matter has no financial implications for Council.

## **COMMUNITY IMPACT**

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The Draft Bankstown Airport Masterplan sets the vision for the aviation activities and development of the site. It currently does not include strategies, mitigation measures or improvement works to address the flood impacts both upstream and downstream for localised, regional and cumulative impacts.

The proposal to expand the current ANEF contours and associated aircraft noise will affect approximately 2,200 additional residential properties in Condell Park, Georges Hall, Milperra and Revesby. Although the revised ANEF contours will increase noise exposure to current residents, existing residential developments are not required to be retrofitted with ameliorative methods. However, new developments will be required to address a higher standard of noise amelioration to satisfy the Australian Standards which the current controls are built on.

Further, the development of the airport site over the next 20 years will need to consider the impacts of additional traffic at the Milperra Road / Henry Lawson Drive intersection and surrounding road network. The draft plans do not commit funding to improve road infrastructure if the surrounding road network is to support this growth.



## DETAILED INFORMATION

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### BACKGROUND

Bankstown Airport is a Commonwealth owned site that is leased to a consortium that operates under Bankstown Airport Limited. The airport is 313 hectares in area and is located adjacent to the Milperra Road / Henry Lawson Drive intersection.

In terms of aviation, it is a hub for general aviation, aviation related manufacturing and pilot training schools. The site also accommodates emergency service providers such as the ambulance, police and Rural Fire Services.

Approximately 130 hectares of the site is zoned for non-aviation developments such as the Bunnings Warehouse, fast food outlets (KFC, Hungry Jacks and McDonalds), Georges River Grammar School, Pickles Auction, service station (BP) and supermarkets (Aldi and IGA).

The Commonwealth Airports Act 1996 governs the land uses and operation of the airport site. Under this arrangement, state and local planning policies do not apply.

### OVERVIEW OF THE DRAFT BANKSTOWN AIRPORT MASTERPLAN

Bankstown Airport is currently subject to a masterplan, which sets out the 20 year vision for aviation activities and land use strategy on the airport site. The Commonwealth Airports Act 1996 requires the airport lessee company to review the masterplan every five years.

The Draft Bankstown Airport Masterplan outlines the land to be used for aviation and non-aviation purposes as shown in Figure 1. The masterplan also proposes to increase flight numbers over the next 20 years, to amend the ANEF contours and to prepare strategies to manage environmental impacts. The exhibition of the Draft Bankstown Airport Masterplan concludes on 25 January 2019.

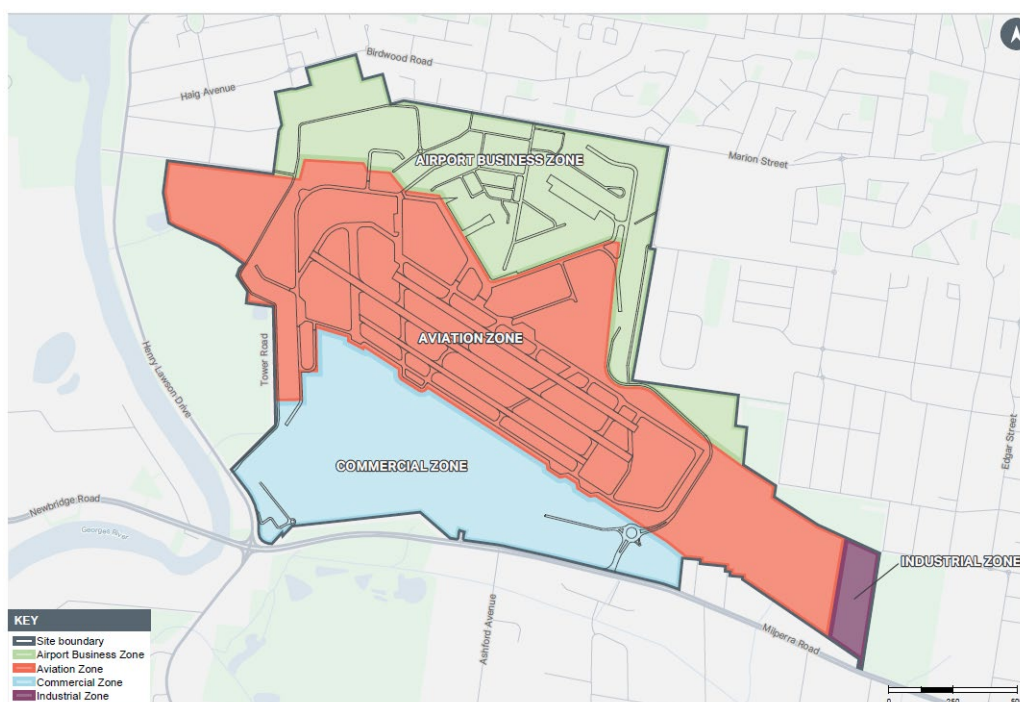


Figure 1: Proposed Zones (Source: Draft Bankstown Airport Masterplan)

## OVERVIEW OF THE DRAFT SOUTH WEST PRECINCT MAJOR DEVELOPMENT PLAN

The Commonwealth Airports Act 1996 requires an airport lessee company to prepare a Major Development Plan if a proposed development is estimated to cost more than \$20 million. The intent of the Major Development Plan is to outline a specific development proposal that identifies and responds to the environmental impacts.

A Major Development Plan is required to be exhibited before it is submitted to the Federal Minister for Infrastructure, Transport and Regional Development for approval.

The Draft South West Precinct Major Development Plan proposes a predominantly industrial estate development at a vacant site known as the South West Precinct, which is approximately 46 hectares in area (refer to Figure 2). The site is situated in the Georges River floodplain and the Milperra Drain floodplain.

The site was subject to a previous proposal by LEDA Holdings to develop a major retail hub with industrial warehouses, known as the Bankstown Business Estate. However, the Bankstown Business Estate proposal did not proceed.

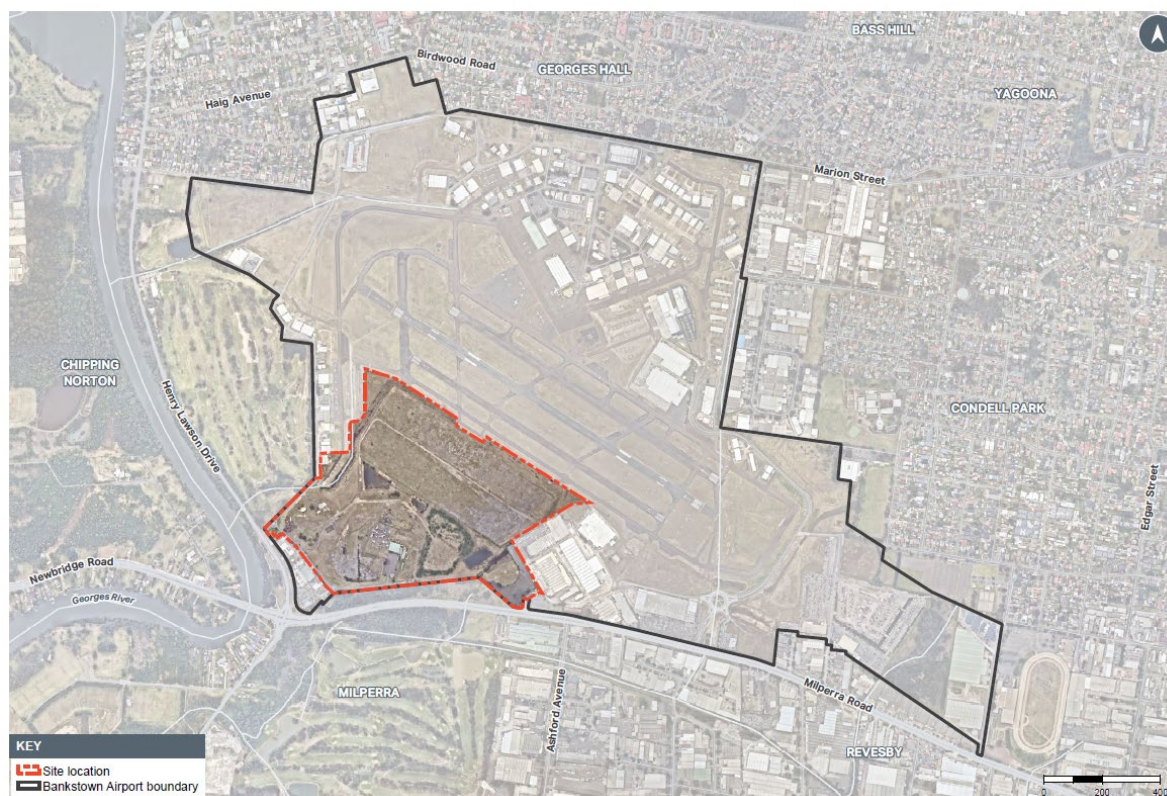


Figure 2: South West Precinct

More specifically, the draft major development plan seeks to develop the following:

- Create five allotments, where Lots 1–4 will be used for industrial warehouse use and Lot 5 will be used for retail/commercial purposes. Developments on Lots 2–5 is not the subject of the major development plan.
- Develop a warehouse building on Lot 1 – 35,000sqm in internal area.
- Construct a new internal spine road for the precinct connecting Milperra Road and Tower Road.

- Enhance the existing signalised intersection at Murray Jones Drive and Milperra Road as the main access to the precinct.
- Earthworks to raise the site above the 1 in 100 year flood level, where the finished floor levels of buildings will increase by approx. 1.3m–1.7m above the existing ground level.
- Create five on-site detention basins, totalling 50,000sqm in area.

The exhibition of the Draft South West Precinct Major Development Plan concludes on 21 December 2018.

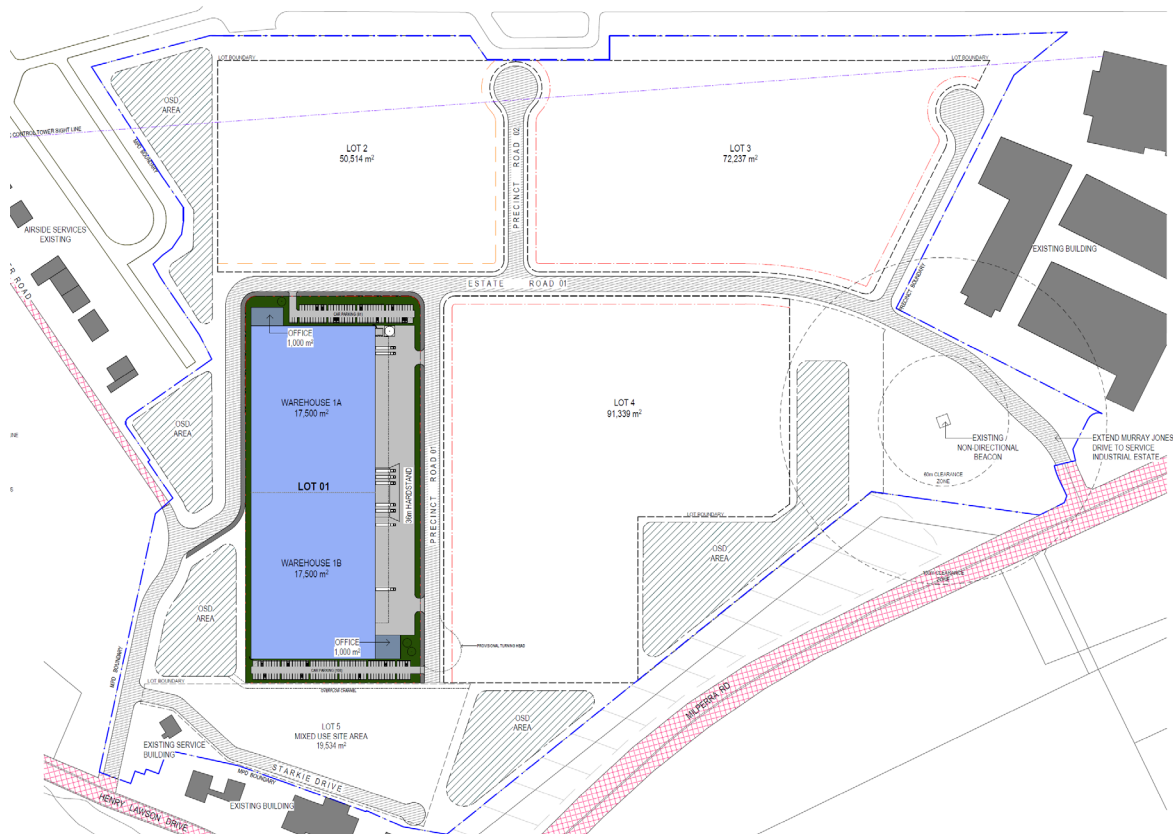


Figure 3: Proposed works in the South West Precinct

## KEY ISSUES IN RELATION TO THE DRAFT BANKSTOWN AIRPORT MASTERPLAN AND DRAFT SOUTH WEST PRECINCT MAJOR DEVELOPMENT PLAN

A review of the Draft Bankstown Airport Masterplan and the Draft South West Precinct Major Development Plan raises a number of serious planning, development and environmental concerns, which will form the basis of Council's submission. These concerns are outlined below.

### Issue 1: Retain the current aircraft noise intrusion contours

Serious concern is raised with the proposal to expand the Australian Noise Exposure Forecast (ANEF) contours for the next 20 years. The ANEF is a planning tool which identifies the areas impacted by aircraft noise.



The Draft Bankstown Airport Masterplan proposes to expand the current ANEF contours and associated aircraft noise further into the suburbs of Condell Park, Georges Hall, Milperra and Revesby (refer to Figure 4).

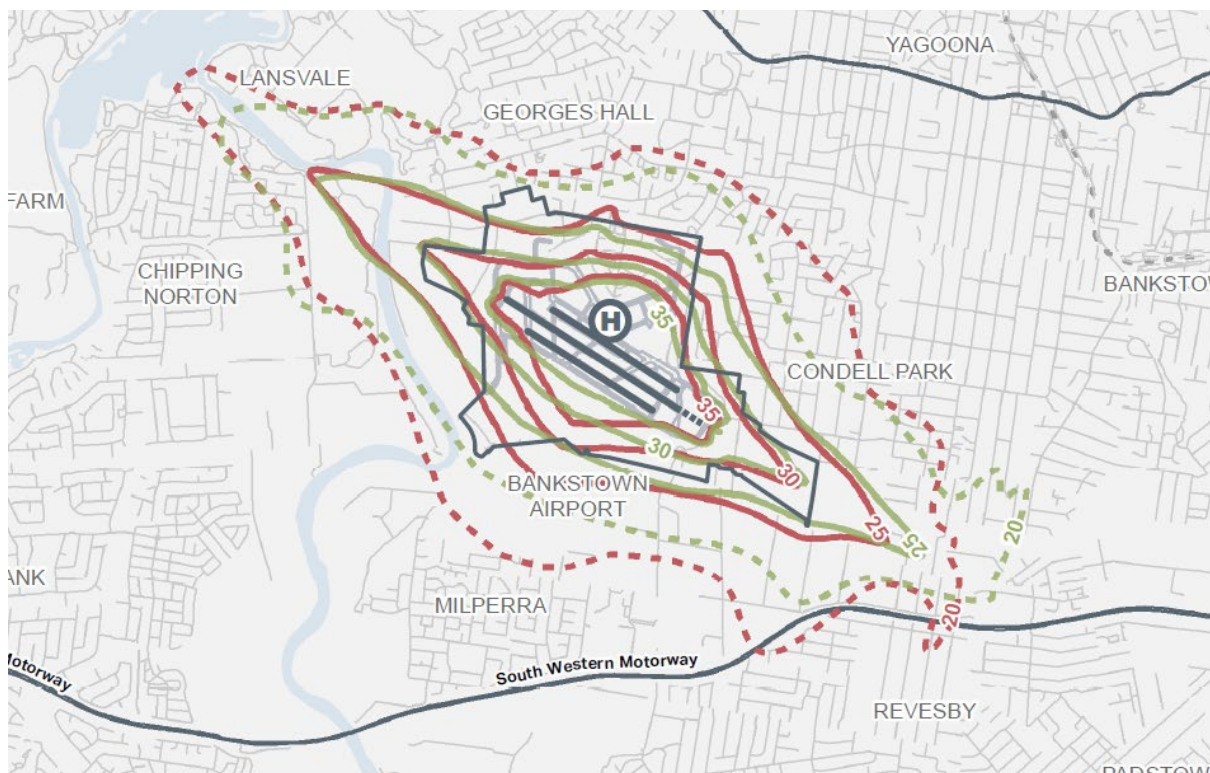


Figure 4: Comparison of existing ANEF 2033/34 and proposed draft ANEF 2039

The implication is:

- Approximately 20 additional residential properties will be affected by the ANEF 25–30 contour. Under the Masterplan, sensitive land uses such as dual occupancies and child care centres would be made prohibited in this area.
- Approximately 2,200 additional residential properties will be affected by the ANEF 20–25 contour. Under the Masterplan, future residential development on these properties would need to incorporate noise insulation measures (e.g. double glazed windows) to mitigate aircraft noise intrusion.

However, the Draft Bankstown Airport Masterplan does not present any justification for the proposed change to the ANEF contours. The concern is any expansion to the ANEF contours would impact on the construction costs for affected properties and for some properties, reduce the development potential. This also appear inconsistent with trends at other airports where noise impacts seek to be further restricted through the introduction of quieter aircrafts and new airport technology that enables a more concentrated flight path into and out of the airport.

As a minimum, the Draft Bankstown Airport Masterplan should retain the current ANEF contours.

## **Issue 2: Minimise off-site flood impacts**

The airport site is located within the Georges River and Milperra Drain floodplains. Most of the South West Precinct sits within the medium to high flood risk precinct in the Georges River floodplain.

Overall, the Draft Major Development Plan states that it is proposing more cut than fill, however, it does not take into account the existing fill on the site from the past works.

There is concern that future development enabled under the Draft Bankstown Airport Masterplan and Draft South West Precinct Major Development Plan will rely additional fill being introduced into an already flood prone area, demonstrating a disregard for localised and more regional upstream and downstream impacts on flooding and draining affecting the surrounding locality.

As a minimum, the draft plans must include a cumulative impact assessment of all imported fill since the privatisation of the airport to understand and adequately plan for flood related impacts to enable the airport to set appropriate management measures in place.

## **Issue 3: Improve the management of site contamination**

In 2008, Bankstown Airport Limited approved significant landfill in the South West Precinct from imported and recycled fill from other parts within the airports site. The Draft South West Precinct Major Development Plan confirms the presence of asbestos in landfill from 2008.

There is concern there has been an inconsistent approach to managing contaminated soil on the site. Based on past experience, Council seeks a mechanism to require the engagement of independent experts to oversee the remediation of contaminated land for all development applications at the airport site.

As a minimum, an independent expert should be appointed to oversee site contamination issues at the airport site to ensure adequate remediation is undertaken as a precaution for every development on the site.

## **Issue 4: Avoid the creation of out-of-centre retail precincts**

The NSW Government and Council's growth strategies seek to concentrate retail activities (e.g. supermarkets and fashion outlets) in existing shopping centres close to residents, services and good public transport. The benefit of this strategy is to create viable shopping centres and promote sustainable travel patterns.

There is concern the Draft Bankstown Airport Masterplan is proposing a neighbourhood shopping centre in the South West Precinct with bulky goods retail, retail, food, hotel and supermarket uses which will all be permitted under the Masterplan. This new centre is likely to significantly impact on the centres hierarchy and have substantial negative economic impacts on existing centres.

The Draft Bankstown Airport Masterplan should therefore avoid the creation of out-of-centre retail precincts by limiting retail uses on the airport site to convenience retailing that support the needs of airport users and workers.

### **Issue 5: Manage traffic demand and improve road infrastructure around the airport site**

The Milperra Road / Henry Lawson Drive intersection is currently operating beyond capacity. Although there are plans by RMS to duplicate the lanes on Henry Lawson Drive from the M5 Motorway to Milperra Road, the additional traffic proposed at the airport site over the next 20 years will contribute to ongoing congestion at this intersection.

There is also concern the proposed development of the northern precincts of the airport site will add pressure to the performance of the Milperra Road / Edgar Road intersection and the Haig Avenue / Henry Lawson Drive intersection. The Draft Bankstown Airport Masterplan and Draft South West Precinct Major Development Plan do not commit additional infrastructure to manage these issues.

As a minimum, the draft plans must provide funding commitments to improve road infrastructure if the surrounding road network is to support the additional traffic proposed at the airport site over the next 20 years.

### **Issue 6: Other issues**

Other issues to be raised in Council's submission include:

- The draft plans should include place making principles to develop the desired future character of the airport precincts.
- The draft plans should protect threatened species and other sensitive environmental areas within and surrounding the airport site.
- The draft plans should incorporate the outcomes of the collaboration area planning process led by the Greater Sydney Commission.
- The draft plans should include infrastructure to improve active transport connectivity to the surrounding area such as improved pedestrian connections and cycleways.

### **NEXT STEPS**

The exhibition of the Draft Bankstown Airport Masterplan concludes on 25 January 2019, and the exhibition of the Draft South West Precinct Major Development Plan concludes on 21 December 2018. The next step is to prepare a submission based on the issues outlined in this report.

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## Planning Matters - 11 December 2018

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**ITEM 5.6**                      **Reporting of (1) Performance for Processing of Development Applications for the First quarter of the 2018/19 Financial year, (2) Development Applications Approved with a Clause 4.6 Variation for the Period 1 July to 30 September 2018, and (3) Current Planning Related Appeals Currently Before the Land and Environment Court**

**AUTHOR**                      **Planning**

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### **PURPOSE AND BACKGROUND**

The purpose of this report is to inform Council in relation to :

1.     Performance for processing of development applications for the first quarter of the 2018/19 financial year;
2.     Development applications approved with a Clause 4.6 Variation for the first quarter of the 2018/19 financial year; and
3.     Current planning related appeals currently before the Land and Environment Court.

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### **RECOMMENDATION**

That the contents of this report be noted.

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

- A.     Clause 4.6 Register for July to September 2018
- B.     List of planning related Court appeals as of November 2018

## **POLICY IMPACT**

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This report has no policy implications.

## **FINANCIAL IMPACT**

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This report has no financial implications.

## **COMMUNITY IMPACT**

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This report has no impacts on the local community.



## **DETAILED INFORMATION**

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### **Processing of development applications for the financial year**

For the first quarter of the 2018/19 financial year, Council determined 347 development applications and 139 Section 4.55 applications (applications to modify a development consent), with a total capital investment value of \$259,804,873.47. The median gross determination times for all development applications over the first quarter of the 2018/19 financial year was 40 days.

### **Reporting of development applications which involved a Clause 4.6 submission**

On 21 February 2018, the NSW Government's Department of Planning and Environment issued Planning System Circular PS 18-003 Variation to Development Standards. The Circular requires that a report of all variations approved under delegation from a Council must be provided to a meeting of the Council at least once each quarter.

During the first quarter of the 2018/19 financial year, a total of 5 variations were approved to an environmental planning instrument. This represents less than 2% of the total number of development applications determined during this period.

The attached report (Attachment A) is the required report for the July to September 2018 quarter.

### **Current planning related appeals before the New South Wales Land and Environment Court**

Attachment B to this report provides details of the appeals currently before the New South Wales Land and Environment Court, as of November 2018.

As at December 2017, Council had 37 active planning related legal matters although some of these were awaiting finalisation of judgements or Section 34 agreements. This figure has substantially reduced to 20 active current planning appeals.

The active matters relate to refused development applications, or "deemed refused" matters, where Council has requested modifications to a proposal to bring about an acceptable development and the applicant has sought approval through the Court rather than amend the development.



## **6            POLICY MATTERS**

The following item is submitted for consideration -

6.1    Local Orders Policy

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## Policy Matters - 11 December 2018

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**ITEM 6.1**                      **Local Orders Policy**

**AUTHOR**                      **Corporate**

### **PURPOSE AND BACKGROUND**

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To adopt the Local Orders Policy as required under the *Local Government Act 1993*.

### **ISSUE**

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At its meeting held on 16 October 2018, Council resolved to publicly exhibit the draft Local Orders Policy and consider any submissions prior to its adoption. As required by the *Local Government Act 1993*, Council exhibited the Policy for a period of 28 days with a 42 day submission period which concluded on 27 November 2018.

The draft policy was displayed on the “Have your Say” page on Council’s website, the Bankstown and Campsie Customer Service Centres with notification of the draft Policy advertised in Council’s ‘Have your say column’ in local newspapers.

### **RECOMMENDATION** That -

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1. Council adopt the Local Orders Policy.
2. Public Notice of the adopted policy be displayed in local newspapers and Council’s web page.

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

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- A. Local Orders Policy and Schedule

## **POLICY IMPACT**

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The adoption of the Local Orders Policy provides a framework for Council in managing its responsibilities in regard to animal management, public health and environmental management and ensuring compliance with Council's legislative requirements. Council's Policy Register will be updated to reflect the adopted policy position.

## **FINANCIAL IMPACT**

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Funding required to administer this policy is available from existing operational budgets.

## **COMMUNITY IMPACT**

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The Local Orders Policy ensures the manner in which Council deals with the issuing of orders is consistent and fair, by issuing a clear set of formal criteria. The Policy also establishes a framework for Council to meet community standards regarding health and safety of land and premises.

## DETAILED INFORMATION

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The Local Orders Policy assists Council in managing its responsibilities in regard to animal management, public health and environmental protection by providing the criteria that Council will take into consideration when determining whether to issue an Order pursuant to Section 124 of the *Local Government Act 1993*. Section 124 of the Act lists the actions and circumstances which enable Council to issue Orders for rectification and abatement works. The Policy's intention is to ensure safe and healthy living conditions and communities.

It should be noted there are other Notices, Orders and Directions that are issued under other Acts as part of Council's Compliance Programs, for example the *Environmental Planning and Assessment Act 1979*; the *Protection of the Environment Operations Act 1997*; and the *Swimming Pools Act 1992*. These Acts however are not subject to the provisions of a Local Orders Policy.

Three public submissions were received during the exhibition period. Two of the comments related to domestic cats with the third more a general comment about the resident's interest in the scope of the Policy. A summary of the submissions is included below.

| Submission Number | Comment   | Council's Response  |
|-------------------|---|---|
| Submission 1      | Suggestion that Council stipulates that unaccompanied domestic animals, including cats, must be confined to private property. | While Council understands concerns relating to unaccompanied domestic cats, the <i>Companion Animals Act 1998</i> specifies the circumstances under which cats may be seized. On this basis, it is not intended to make any changes to the Policy in this regard.   |
| Submission 2      | Concern regarding domestic and stray cats that aren't desexed.  | While Council understands concerns relating to unaccompanied domestic cats, the <i>Companion Animals Act 1998</i> specifies the circumstances under which cats may be seized. Council will continue to implement the provisions of the Act as identified below. On this basis, it is not intended to make any changes to the Policy in this regard. |
| Submission 3      | Interested to note that the scope of the Local Orders Policy.   | No action required.   |

Under the *Companion Animals Act 1998*, which Council enforces, there is no specific legislation relating to stray/feral cats in urban areas other than the general seizure and destruction provisions. The Act specifies the circumstances under which cats may be seized. These include:

- *Section 30*: The cat was in a public place prohibited under the Act (e.g. Food preparation/consumption area or wildlife protection area)
- *Section 32*: It was necessary to seize the cat for the protection of any person or animal from injury or death.

The Companion Animals Act requires mandatory registration of cats and owners are responsible to control their cats to prevent them from becoming a nuisance. In circumstances where the health and welfare of a cat is of concern, the RSPCA is the most appropriate authority to manage such instances.

While on exhibition, a minor administrative change was made to Order 18(3) Keeping of Dogs in order to clarify the most appropriate method for disposal of waste material.

Council is of the view that this amendment is not considered substantial, nor does it alter the intent of the Policy that was previously on public exhibition. As such, further exhibition of the Policy is not required. It is recommended that this Policy and Schedule be adopted as attached. In accordance with the Act, Council is required to give Public Notice of an adopted Local Policy.



## **7            GOVERNANCE AND ADMINISTRATION MATTERS**

The following items are submitted for consideration -

|     |  |     |
|-----|--|-----|
| 7.1 | Stronger Communities Fund - Quarterly Progress Report  | 91  |
| 7.2 | Smart Cities Week Legacy Project (Hackathon)   | 95  |
| 7.3 | Smart Cities and Suburbs Funding   | 103 |
| 7.4 | Road Renaming - Section of Chapel St, Lakemba  | 107 |
| 7.5 | Cash and Investment Report as at 30 November 2018  | 113 |
| 7.6 | Compulsory Acquisition of 15 Close Street Canterbury for the Purpose of a Construction Lease for the Sydney Metro City and Southwest Project | 117 |
| 7.7 | Sydenham to Bankstown Metro  | 121 |



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## Governance and Administration Matters - 11 December 2018

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### ITEM 7.1 Stronger Communities Fund - Quarterly Progress Report

**AUTHOR** City Future

#### **PURPOSE AND BACKGROUND**

The Stronger Communities Fund (SCF) was established by the NSW Government to provide newly merged Councils with funding to kick start the delivery of projects that improve community infrastructure and services. The City of Canterbury Bankstown was allocated \$10 million funding as a result of the two councils merging. Councils were required to consult with their community to allocate the SCF through two programs:

- A Community Grants Program – Allocating up to \$1 million in grants of up to \$50,000 to incorporated not-for-profit community groups, for projects that build more vibrant, sustainable and inclusive local communities; and
- A Major Projects Program – Allocating all remaining funding to larger scale priority infrastructure and services projects that deliver long term economic and social benefits to communities.

The SCF is overseen by an Assessment Panel, the role of which is to assess and recommend projects for funding. As per the Department of Premier and Cabinet (DPC) Guidelines for the SCF, the Panel is made up of the Mayor or delegate, State Members of Parliament, a representative from DPC, and an independent probity advisor.

#### **ISSUE**

In accordance with SCF Guidelines developed by the Department of Premier and Cabinet (DPC), Council is required to provide quarterly progress reports to an Ordinary Council meeting on the expenditure and outcomes of the SCF. This report covers the period September – November 2018.

#### **RECOMMENDATION**

That Council note the progress report of the implementation of the Stronger Communities Fund.

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

- A. SCF Community Grants Program Report

## **POLICY IMPACT**

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This report has been prepared in accordance with SCF Guidelines developed by the Department of Premier and Cabinet.

## **FINANCIAL IMPACT**

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In total, \$987,546 of the \$1 million provided for the Community Grants Program has been allocated. It is proposed that the remaining \$12,454 be allocated through council's annual community grant program.

All funding under the Major Projects Program has been allocated.

## **COMMUNITY IMPACT**

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The delivery of programs and projects funded under the SCF will deliver social, cultural, economic or environmental benefits to the community. The Major Projects will result in the delivery of new or improved infrastructure or services to the community. Community engagement was compulsory, and close to 11,000 residents had their say on the big ideas or their priorities for the City.

## DETAILED INFORMATION

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In line with the Stronger Community Fund (SCF) Guidelines, Council is required to table progress reports at least quarterly to an Ordinary Council Meeting on the expenditure and outcomes of the SCF.

In addition, Councils must also provide six monthly reports each year by 31 July and 31 January to the Office of Local Government on projects selected for funding, delivery progress and expenditure to date.

This report provides an update for the period September – November 2018.

### Community Grants Program

Following the guidelines issued by the DPC, and a community workshop and application process, projects funded under the SCF Community Grants Program was endorsed at the December 2016 Council meeting. A ceremony was held to recognise the recipients of the Community Grants, where a total of \$987,546 was presented to 27 different community groups.

All projects funded under this Program were required to have been completed and final reports submitted by 30 November 2018. There have been 6 requests for extensions. The attached report (Attachment A) provides an update and outlines the key outcomes for each of the projects.

### Major Projects Program - Stage 1

In December 2016, Council endorsed four high priority projects totalling \$3.6 million for funding under the Major Projects Program. Work has been steadily progressing on the delivery of these projects. A highlight this quarter was the completion and official opening of the All Abilities Playground.

An update on the status of Stage 1 projects is as follows:

| Project   | Progress  |
|---|---|
| Regional Sports Framework – Multipurpose synthetic surface at Jensen Park | Works commenced in July 2018. Rain delays were experienced in August & September 2018. As a result, completion is now anticipated in late January 2019.   |
| All Abilities Playground – Bankstown City Gardens Stage 2                 | This project is complete and was officially opened on 28 September 2018. Additional and extended shade sail to be provided, and permanent PECs signage was installed late November 2018.                                  |
| Regional Cycleway Connection – Canterbury Road Underpass                  | Detail design 100% complete. Licence agreement with various land holders is in progress.  |
| Parkland upgrade and renewal – Master planning and works at Wiley Park    | Options for the upgrade and renewal of Wiley Park have been prepared and community engagement on the options is complete. Draft concepts for the site will be presented to Council in the New Year for public exhibition. |

## Major Projects Program – Stage 2

Stage 2 projects under the Major Projects Program were endorsed by Council at the March 2018 meeting with the remaining \$5.4 million in funding allocated for the below projects. Work has commenced on a number of these and their progress is outlined below:

| Project  | Progress  |
|--|---|
| Changing Places portable facility for community events | Internal Project Control Group formed and meetings scheduled. EOI successful with   |
| Community Engagement vehicle                           | Vehicle purchased. Mobile engagement program to commence roll out.  |
| Cooks River interactive litter capture device          | Continued collating background research into suitable devices and draft project plan being developed.   |
| Enhanced play experience at Greenacre                  | Site analysis of two sites and research of other examples complete. Roberts Park chosen as preferred location. Draft concept masterplan prepared for community engagement as part of the scheduled engagement for the draft Leisure and Aquatics Strategy.  |
| Parry Park upgrade and renewal                         | Design due to start January to March 2019 (Quarter 3).  |
| Red Chair Movement                                     | Internal Project Control Group formed and meetings scheduled.   |
| Smart Cities, kick start of the City's journey         | Council's Smart CBCity Roadmap was endorsed by Council for public exhibition with consultation beginning in November for the Smart Cities Week Hackathon. Council was also successful in winning a grant for the Smart Cities and Suburbs Round 2 funding to the sum of \$1,047,455.  |
| Solar Microgrid  | Phase One continues with the major geotechnical constraints identified. The models and options for delivery of operational solar farm and electricity offtake have been examined and prioritised, with a preferred method identified. Development of specifications have commenced to inform the planning and delivery phase and maximise the potential of the identified site. |

### ITEM 7.2                      Smart Cities Week Legacy Project (Hackathon)

**AUTHOR**                      City Future

#### **PURPOSE AND BACKGROUND**

The purpose of this report is to provide Councillors with an update on the outcomes of the Smart City Week Legacy Project (Hackathon) which was endorsed by Council at the October Council meeting.

On 29 October 2018, Canterbury-Bankstown Council hosted the Smart Cities Week Legacy Project (Hackathon). The event saw more than 40 people representing Council, community groups, school students, charity, government and non-government organisations come together to co-create with some of the best and brightest smart cities minds.

The hackathon event was sponsored by Deloitte with the day's program facilitated by Deloitte staff. There were a number of expert facilitators from Wellington City Council, Neighbourlytics, Altometer BI and Council's in-house Community Engagement, Community Development and Smart City teams.

Council and conference organisers received overwhelmingly positive feedback from the hackathon participants and the Smart Cities Council has since approached Council with an invitation to run a similar activity again at next year's Smart Cities Week conference.

#### **ISSUE**

The goal for the Hackathon was to identify opportunities for using technology and data applications to engage marginalised community groups. The workshop focused on two marginalised groups:

- Young Translators; and
- The Homeless.

The Legacy Project was an effort to advance work, build skills and consult with relevant stakeholders to develop strategies at the intersection of technology, data analytics, social equity and economic prosperity. Participants worked tirelessly over 6 hours to co-create a series of potential solutions and strategies to engage with our two identified marginalised groups through technology, data and intelligent design.

#### **RECOMMENDATION** That -

1. Council notes the findings of the 2018 Smart Cities Legacy Project (Hackathon) and endorse the solutions pitched at the hackathon for further investigation.
2. Council accept the Smart Cities Council invitation to host the Legacy Project again in 2019.

## **ATTACHMENTS**

[Click here for attachment](#)

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- A. Invitation from Smart Cities Council to participate in Smart Cities Week 2019



## **POLICY IMPACT**

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The work completed as a result of this activity will support the efforts and engagement of the Smart CBCity Roadmap.

## **FINANCIAL IMPACT**

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In-kind support was offered during 2018 for this activity, however there are no direct financial impacts as a result of the Legacy Project (Hackathon).

## **COMMUNITY IMPACT**

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The Smart CBCity Roadmap has been open to public comment since June 2018 and will be on formal exhibition until June 2019. This extended public consultation period is a deliberate effort by the City of Canterbury Bankstown Council to be truly consultative and ensure no one is left behind in our journey to becoming a Smart City. Activities such as the hackathon provide valuable insight into the comfort level of our community when interacting with technology and its policy, furthermore this activity provided significant consultation from relevant stakeholders in developing smart solutions for the community.

## DETAILED INFORMATION

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The goal of the Hackathon was to identify opportunities for using technology and data applications to engage marginalised groups (particularly young translators and the homeless) in the City's upcoming smart city roadmap consultation process. Two rounds of ideation were facilitated to identify potential strategies. The results from the participants are presented in the following pages.

### Young translators

#### Context:

The largest council in New South Wales, the City of Canterbury-Bankstown is also one of the most culturally diverse communities in Australia.

Of the 360,000 people who live in the local government area, 44 per cent were born overseas. Council estimates that more than 150 nationalities are represented in the community and 200-plus languages are spoken.

#### The problem:

More than 47,000 locals speak very little or no English –that's 13.1 per cent of the population, compared with 5.8 per cent for the Greater Sydney area. The percentage of homes where English is the only language spoken is as low as 15 per cent in some suburbs.

As a result, CALD families rely heavily on their children to communicate with mainstream services such as Centrelink, housing, health and education services. In many cases, very young children are thrown into this situation. Children are often removed from school to attend meetings and appointments, which has a direct impact on their schooling and educational opportunities.

In addition, children may be required to understand complex adult issues –financial or legal challenges, health problems or domestic violence for example –that can leave them with a psychological burden and susceptible to mental health issues.

#### The question:

How can smart cities thinking support young translators in Canterbury-Bankstown's community?

#### Opportunities identified to support our young translators:

##### 1. *The Connection: A single point of contact*

A host of technological solutions to support translators –from Google Translate to the Australian Government's Translating and Interpreting Service (TIS) –already exist. The challenge is not the lack of technology but access to technology. The Connection would be a single point of contact, or hub, where young translators could go with their families to access technological solutions and ongoing support.

Much like the Sustainable Schools Network, The Connection could be hosted in schools, as educators already have the skills and understanding of many issues facing young translators. The Connection would foster dialogue, evaluate issues and solutions in real time, and not only support young translators, but also help build parents' skills.

2. *Ask CB: A multilingual chatbot*

This multilingual advanced chatbot, or Siri for translation services, would provide access to information, allow people to "ask a question, get an answer and take action". The web-based app would also make suggestions, helping people who "don't even know where to look". This may be booking swimming lessons or an appointment with a doctor, navigating online services or understanding a form. The technology –both the interface and the software –would be co-designed with the community to ensure it meets the community's needs.

3. *Universal audio forms*

This would build on the existing database of translated forms by creating audio versions of each. A pilot program would commence with the top three languages within the local government area. In much the same way that MyGov and other government services use voice authentication, these forms could be authenticated with an audio signature, eliminating the need for young people to complete forms for their parents. Accessibility issues would be addressed by ensuring computers are freely available in libraries and community facilities.

4. *Community interpreter support network: Connecting communities through language*

This physical and digital network of interpreters from all generations and backgrounds – whether retirees or university students, refugees or community housing tenants –would connect through events, activities, food and freebies. The network would provide young translators with support, recognition and leadership training, and foster connections with others with shared experiences and common understanding. Corporate sponsors and Council support would get the network off the ground, with connections with universities and local schools spreading the word.

5. *Language Uber: Translation app*

This smart phone app books translators rather than rides. People can book a phone translation service or a one-on-one appointment to gain quick and easy access to translation services, whether that's understanding a document or attending an appointment. The free service would be supported by volunteers, with Council providing incentives ("Help 10 people in a year and receive a free ticket to the local swimming pool; help 50 and receive two cinema tickets; help 100 and meet the Mayor at the Mayoral Ball).

## Results:

The overwhelming majority of participants voted for one key strategy idea -Language Uber – which was considered the most feasible and innovative idea with the potential for the greatest impact.

## **The Homeless**

### Context:

On any given night one in 200 Australians, or 116,000 people are homeless. Around two per cent of people in the Canterbury-Bankstown local government area, or 2,344 people, are homeless each night. And this problem is increasing.

The traditional image of homelessness is of someone sleeping rough; but they only make up seven per cent of all homeless people in Australia.

### The problem:

People who are experiencing homelessness experience a range of living situations: improvised dwelling, tents or sleeping out (7%); supported accommodation, such as refuges (10%); other temporary accommodation like couch surfing (15%); boarding houses and other temporary lodgings (15%); or living in severely overcrowded dwellings (44%).

The reasons for homelessness are complex, but the top five are: domestic and family violence (24%); financial difficulties (20%); inability to access housing (16%); inappropriate or inadequate dwellings (11%) and other relationship issues (8%).

People experiencing homelessness face significant challenges accessing and using technology. Access to technology requires two things that homeless people don't have: a power supply and money.

Nearly half of those on welfare payments, especially those living alone and older people, do not have home internet access. While rates of mobile phone ownership are high, low income groups routinely run out of credit sooner than expected and experience 'bill shock'.

### The question:

How can smart cities thinking support homeless people in Canterbury-Bankstown's community?

### Opportunities identified to support the homeless:

#### *1. Recharge Me*

A mobile unit, such as a bus or caravan, Recharge Me would provide free Wi-Fi and charging stations so that people experiencing homelessness can maintain their mobile phones. This service could also be accommodated in a purpose-built facility, and would provide access out of hours. The unit would also feature shower facilities, access to health and food services, and information from Council.

## 2. *HomieHub*

Not just for homeless people, this service would be targeted at people on the street, those below the poverty line or people doing it tough. The HomieHub would provide phone recharge facilities, access to services, such as printers, work wear for interviews and an Airtasker jobs board. The 'HomieLoop' bus service would take people to Centrelink, the Salvos and other services. Volunteers would be on hand to help with advice and support.

## 3. *Mobile Home Hub*

This mobile venue would be a place for homeless people to take a shower, recharge their phone, access Wi-Fi and laundry, and change their clothes ready for an interview or important appointment. The hub would have volunteers and professional staff on hand to guide people to services and long-term solutions. The Home Hub Digital would build a network of volunteers. Meanwhile, the 'Adopt a phone' social enterprise would share second-hand phones with people in need.

## 4. *CBCity on the Go*

Addressing common themes of hygiene, housing and employment, CBC on the Go is a vehicle, repurposed from current Council fleet, which would give people access to power, Wi-Fi and services. In partnership with other service providers, this pilot program would provide people with human connections and self-confidence. Council would connect with local schools as part of their social justice programs.

## 5. *City Charge*

How do we ensure people experiencing homelessness can easily and safely charge their phones? Council could fit its buildings with external lockers, accessible 24/7, where people can charge a phone securely. Screens in-built into each locker would provide access to Skype so people can connect with friends and family. Meanwhile, a device sharing scheme would provide the "latest and greatest applications" and could be tracked to understand how people used them.

## 6. *H.E.L.P – Homeless Emergency Locating Point*

Providing safe and urgent access to support services for people in need. Council could develop physical outlets similar to ATMs or develop wearable devices with GPS trackers whereby people suffering the impacts or threat of an unsafe or potentially violent homeless situation can access safety whilst they wait for help. A single button location which has the capacity to lock down or mitigate risk through the use of technology, provides immediate access to safety for people experiencing crisis. Features include GPS tracking, a safe point to wait for access to services, a video conferencing system for access to on-call support with the potential to link people with police, service stations, healthcare services, and 24 hour shops (Kmart), schools, train stations, outreach workers, community services and more.

### Results:

The overwhelming majority of participants voted for one key strategy idea –H.E.L.P (Homeless Emergency Locating Point – which was considered the most innovative and impactful idea.

### **Conclusion:**

The solutions presented at the Legacy Project (Hackathon) were fast-formed and simplified ideas which presents an opportunity for council to explore further. While these ideas may not become fully developed, there was significant value in the exercise by getting people together to understand the real and significant issues facing our community. The hackathon gave the community an opportunity to engage with their Council in a unique and different way, it presented an opportunity for staff to develop skills which can be utilised day-to-day as they work to serve our community, and it presented an opportunity for Smart City experts across the globe to assist local government is solving real problems.

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## Governance and Administration Matters - 11 December 2018

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### ITEM 7.3 Smart Cities and Suburbs Funding

**AUTHOR** City Future

#### **PURPOSE AND BACKGROUND**

The purpose of this report is to provide Councillors with an update about the *Closing the Loop on Waste* project and recommend actions required in order to commence the project.

On 22 May, Council endorsed a recommendation for an application to be submitted under the Smart Cities and Suburbs program aimed at reimagining our waste and cleansing service and the importance of delivering an effective, customer orientated waste and cleansing service to our community, noting that if successful in the funding application 50% of eligible costs need to be contributed by Council.

Council has been awarded \$1,047,455 for the *Closing the Loop on Waste* project. The program saw 102 applications for funding with only 32 projects funded. Canterbury Bankstown is 1 of only 6 Councils in Australia to be awarded more than \$1M in funding through the program and 1 of only 11 Council's in NSW awarded funds for the program.

#### **ISSUE**

Waste management is one of 21 key service lines delivered by Council to the community and is both the largest expense in Council's budget (21% of expenditure) and the largest source of feedback from residents (30% of all customer interactions). City cleanliness is a source of civic pride and a large contributor to perceptions of our commercial centres and suburbs.

Council's waste management challenge is influenced by behaviours and preferences, the number of people to service and recent decisions relating to the export of waste, in particular China's approach to change its importation policies for recyclable material.

The goal of the *Closing the Loop* program is to put people at the centre of Council's delivery of services. Our initial purpose prioritises improvements to waste management through customer focused product development and process reforms.

#### **RECOMMENDATION** That -

1. Council note the information provided in this report.
2. Council allocate required funding from the Domestic Waste Fund as part of the appropriate quarterly review.

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

- A. Mayoral Minute - Reimagining our Waste and Cleansing Service

## **POLICY IMPACT**

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The *Closing the Loop on Waste* project involves the collection, storage and analysis of data. To enable this Council will need to develop a data governance framework providing guidance on issues relating to device interoperability, accessibility, integration and openness. The data governance framework will also identify decision making protocols and a roadmap to improve the smart city policy capabilities of Council.

The importance of developing a data governance framework including but not limited to a cyber-security and data management policy or protocol has been mapped in our Smart CBCity Roadmap as a foundation project, but will now be escalated in priority to support the delivery of this program.

## **FINANCIAL IMPACT**

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The total project budget is \$2,114,910 which will be funded by contributions from the City of Canterbury-Bankstown of \$1,027,455 and its partners UTS (\$15,000), WSU (\$15,000) and Blue Chilli (\$10,000). These contributions represent 50% of total project costs. The remainder of the required funds has been awarded by the Commonwealth Government through an investment of \$1,047,455, representing the remaining 50% of project costs.

Investment in this project will be leveraged to deliver engagement solutions across the remaining 20 service lines within Council, influencing all of Council's operation an enterprise that invests \$316M on municipal service provision on behalf of the community. Investment will be leveraged further in the waste management sector with councils across Australia invited to use the learnings, documentation and technology associated with this project to close the loop on waste across the local government sector.

## **COMMUNITY IMPACT**

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Waste is a significant service offering for our community, and we need to ensure our community is effectively engaged when designing solutions to improve the service.

To effectively close the loop on customer requests, enquiries and feedback, Council must understand the communication preferences of the community. It has been established that waste management is a high impact (21% of Council's budget), high interest (30% of all feedback) issue for the community and elected Council. Reducing these figures is a priority of Council and a driver behind the motivation to prioritise this project over others.



## DETAILED INFORMATION

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### Summary:

The *Closing the Loop on Waste* project will develop new technologies, data, tools and processes, to improve services for residents and visitors to Canterbury-Bankstown. Waste management is the most significant and most costly service of Council (21% of its budget) and will be used as the test case to help build these tools. The main outcome of this project is to deliver improvements in customer service and organisation efficiency in waste management, through the use of data analytics and data products to integrate communication with residents with the management of service delivery.

The project has four major milestones:

1. Build strong relationships with customers, partners, universities and community groups;
2. Develop data products using newly deployed devices such as cameras and LIDAR to collect information on dumped waste, and contamination;
3. Collect and provide data to measure, benchmark and enable future service improvements; and
4. Innovate in conjunction with universities and other partners develop new products.

Examples of technologies include:

- Cameras mounted on Council vehicles allowing automated incident reporting;
- Improved efficiency through Fleet Management Platform;
- Use of data to enable a Community Self Service Platform;
- A new open data platform to enable future development of products and services.

### Using smart technology and open data:

This project will explore the use of technology to reform the way customers are able to provide and receive communication on waste management issues such as:

- Real time access to information provided through visualisation tools and a web-based interface to improve and inform the delivery of better services;
- Advanced analytics to capture and analyse data using image recognition algorithms to detect contamination in waste bins, when bins have been missed and anomalies in the streetscape that could relate to illegal dumping;
- A Fleet Management Platform to provide information on real time locations, scheduling and planned routes via the platform and confirm when daily work runs are complete through the use of geospatial information;
- GPS data to optimise collection routes and investigate potential solutions such as the development of on-demand solutions for waste and cleansing through an innovation challenge;
- Self-service portal for citizens to request services or report incidents. These data platforms will be responsive in real time, in a suitable, customisable format that can take into account the diversity of the community and the communications preferences of its citizens;

- Interactive online booking function to provide notifications when a job is complete via feedback from Council staff using iPads in the field to receive and manage jobs and report back to resident;
- Street sweeping data mapped on the website along with clean up service bookings;
- Ability to upload images of dumped rubbish, which can be assessed for size and composition before removal;
- Photo and video records from vehicles to be kept for incident verification and integrated with the website and other devices;
- LIDAR images taken along a vehicle route to detect issues with the incident report generated by the solution data delivered to the central data storage facility for further processing;

Council's diverse and changing demographic profile offers an opportunity to research, design, test and develop engagement techniques that can be scaled across the country. This extends to considering solutions for customers that don't have access to the skills or devices necessary to take advantage of the benefits of this technology driven project.

Council's innovation challenge will open existing and new data sets to the innovation community and invite them to develop solutions to the dual challenges of the efficient collection of scheduled council clean-ups and the identification and management of illegal dumping.

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## Governance and Administration Matters - 11 December 2018

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### ITEM 7.4                      Road Renaming - Section of Chapel St, Lakemba

**AUTHOR**                      Corporate

#### **PURPOSE AND BACKGROUND**

A report was tabled at the June Council meeting presenting several issues with the property numbering on a section of Chapel St, Lakemba.

Council endorsed the following recommendations:

1. In accordance with Council's Naming Policy and the Geographic Names Board, Council in principle, agree to name the section of Chapel Street, Lakemba being the section from Chalmers Street roundabout to the T-intersection of Chapel Street and Leylands Parade, to Pithers Street, as outline in the report.
2. Council carryout the required regulatory requirements/process, including public exhibition, in addressing the matter.
3. At the Conclusion of the exhibition period, a further report(s) be submitted to Council, as required.

This report is to provide Councillors with the outcome of the public exhibition process.

#### **ISSUE**

In accordance with Council's Naming Policy, it is proposed to rename a section of Chapel Street that stretches between Lakemba and Belmore attributable largely to:

- Ongoing urban infill along the current road has resulted in the creation of a convoluted house numbering series, causing complexity for property owners, residents, Australia Post and Emergency services.
- The likely situation of a number of properties that will be developed and further compound the numbering concerns along the street
- Council has received numerous requests from concerned residents regarding the current numbering issue; and
- The current numbering series does not conform to the Geographical Names Board of NSW's naming convention.

#### **RECOMMENDATION**

That Council proceed to re-name the section of Chapel Street, Lakemba to Pithers Street, and allocate Street Numbering in accordance with Council's Naming Policy and the Geographical Names Board Guidelines.

## **ATTACHMENTS**

[Click here for attachment](#)

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- A. Proposed Street Section Rename - Chapel Street

## **POLICY IMPACT**

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The proposal to rename Chapel Street, Lakemba is consistent with Council's adopted Naming Policy and the guideline provided by the Geographical Names Board.

## **FINANCIAL IMPACT**

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The report has no financial implications

## **COMMUNITY IMPACT**

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The renaming of this section of Chapel Street, Lakemba will allow consistent property numbering and addressing to improve navigational access for emergency and delivery services. It also provides for the future development needs of the street.

## DETAILED INFORMATION

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Community consultation occurred over the months of September and October in several forms:

1. An initial door knock and letter drop to five directly affected properties on the 5 September 2018;
2. Three static displays were placed in strategic positions along Chapel Street, Moreton Street and Leylands Parade, Lakemba, respectively on the 11 September 2018;



3. Community Engagement staff went out on the 11 September 2018 to the proposed site and letter box dropped to 60 properties along the site and neighbouring streets (Leylands Parade, Moreton Street and York Street);
4. Community Engagement staff, went out again on the 17 September 2018 to the proposed site and letter box dropped another 20 letters (totalling 80 letters informing residents about the renaming proposal).
5. The proposal was placed on Council's "Have Your Say" website. The "Have Your Say" website is the main point of contact for residents with the Community Engagement team. The advertisement was placed on the 11 September 2018 and was made available until the 9 October 2018.

There were a total of five submissions and overall support for the proposed renaming. The main feedback from the "Have Your Say" advertisement included:

- Possible use of an Indigenous name;
- Ensuring the suburb boundary does not change, and;
- Road and traffic issues (referred to the Traffic Team).

The use of an Indigenous name was raised with the Aboriginal & Torres Strait Islander (A&TSI) Reference Group committee.

The following conclusion from this meeting was:

1. That a consensus was reached by the A&TSI Reference Group that the re-naming of a small section of Chapel Street did not present a significant opportunity for an Indigenous name at this point of time;
2. The A&TSI Reference Group has no objections to assigning a non-Indigenous name to this section of Chapel Street;
3. The A&TSI Reference Group undertakes to work towards the development of clear guidelines on how to allocate Indigenous names in the future.

It is also noted that a revision of Street Numbering will be necessary because the main reasons for renaming this section of Chapel Street was to resolve Street Numbering issues. All renumbering shall be in line with the NSW Addressing User Manual.





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## Governance and Administration Matters - 11 December 2018

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### ITEM 7.5                      Cash and Investment Report as at 30 November 2018

**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 30 November 2018.

#### **RECOMMENDATION**    That -

1.    The Cash and Investment Report as at 30 November 2018 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 Monthly Investment Report November 2018

## **POLICY IMPACT**

---

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

## **FINANCIAL IMPACT**

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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**

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

## DETAILED INFORMATION

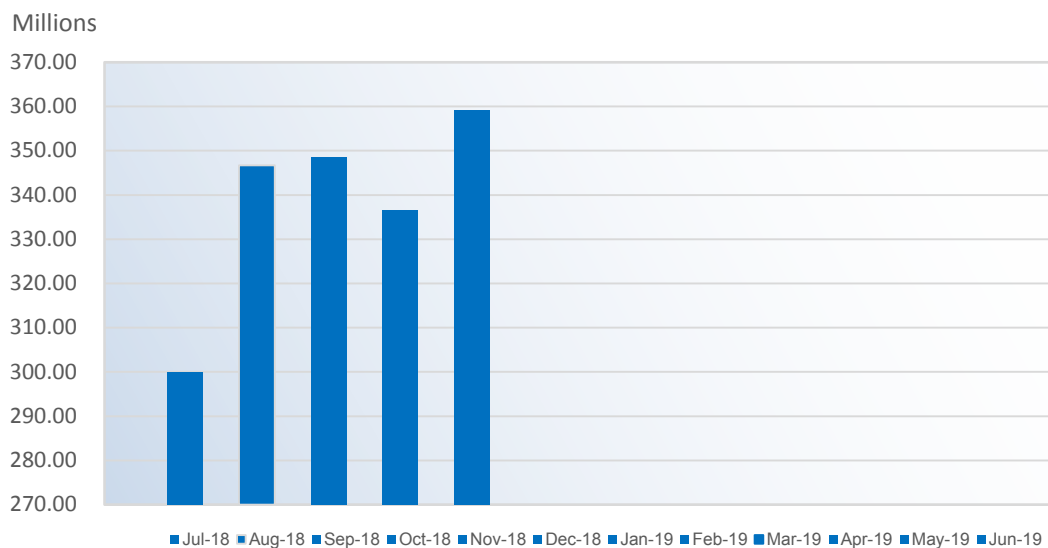
### Cash and Investment Summary – as at 30 November 2018

In total, Council's Cash and Investments holdings as at 30 November 2018 is as follows:

| Cash and Investments              | \$                 |
|-----------------------------------|--------------------|
| Cash at Bank                      | 6,742,258          |
| Deposits at Call                  | 49,387,858         |
| Term Deposits                     | 258,230,000        |
| Floating Rate Notes               | 44,855,621         |
| <b>Total Cash and Investments</b> | <b>359,215,737</b> |

Council's level of cash and investments varies from month to month, particularly given the timing of Council's rates and collection cycle, its operations and carrying out its capital works program. The following graph outlines Council's closing cash and investment balances from July 2018 to June 2019.

Cash and Investment Rolling Monthly Balance 2018-2019



A summary of Council's investment interest income earned for the period to 30 Nov 2018 is as follows:

| Interest Income | Nov 2018<br>\$ | Year-to-date<br>Nov 2018<br>\$ |
|-----------------|----------------|--------------------------------|
| Budget          | 718,750        | 3,593,750                      |
| Actual Interest | 826,396        | 4,071,281                      |
| Variance        | 107,646        | 477,531                        |
| Variance (%)    | 14.98%         | 13.29%                         |

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

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

| <b>Maturity Profile</b>                    |                              |                        |
|--|------------------------------|------------------------|
|  | <b>Actual % of Portfolio</b> | <b>Policy Limits %</b> |
| <b>Cash</b>                                | 15                           | 100                    |
| <b>Working Capital Funds ( 0-3 months)</b> | 3                            | 100                    |
| <b>Short Term ( 3-12 months )</b>          | 31                           | 100                    |
| <b>Short – Medium ( 1-2 years )</b>        | 17                           | 70                     |
| <b>Medium ( 2-5 years )</b>                | 34                           | 50                     |
| <b>Long Term ( 5-10 years )</b>            | 0                            | 5                      |
| <b>Total Cash and Investments</b>          | 100%                         |                        |

| <b>Portfolio Allocation</b>       |                              |
|-----------------------------------|------------------------------|
|                                   | <b>Actual % of Portfolio</b> |
| <b>Cash at Bank</b>               | 2                            |
| <b>Deposits at Call</b>           | 14                           |
| <b>Term Deposits</b>              | 72                           |
| <b>Floating Rate Notes</b>        | 12                           |
| <b>Total Cash and Investments</b> | 100%                         |

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## Governance and Administration Matters - 11 December 2018

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### **ITEM 7.6                      Compulsory Acquisition of 15 Close Street Canterbury for the Purpose of a Construction Lease for the Sydney Metro City and Southwest Project**

**AUTHOR                      City Future**

### **PURPOSE AND BACKGROUND**

This report provides an update on the proposed compulsory acquisition of 15 Close Street, Canterbury (the old Canterbury Bowling Club site) by Transport for NSW for the purposes of construction of the Sydenham to Bankstown Metro.

### **ISSUE**

In 2017 Transport for NSW (TfNSW) notified Council its intention to acquire 15 Close Street for a period up to 5 years for the construction of the Sydenham to Bankstown Metro. As a result Council approved the General Manager to negotiate terms of this agreement. Subsequently, in August 2018 Council resolved to withdraw from negotiation and that it require TfNSW to undertake compulsory acquisition.

TfNSW has now informed Council that it will now pursue other options between Sydenham to Bankstown that provide suitable construction lay down areas. As a result it is assumed that the compulsory acquisition process has also ended.

### **RECOMMENDATION    That -**

1. Council note the withdrawal of Sydney Metro from utilising 15 Close Street.
2. No further change or use of the site occur until such time as the broader planning for the precinct occurs.

### **ATTACHMENTS**

Nil

## **POLICY IMPACT**

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This report does not have any policy impacts.

## **FINANCIAL IMPACT**

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This report has no financial impact as a result of the recommendation.

## **COMMUNITY IMPACT**

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The termination of acquisition means that the site will no longer be used as a construction compound for the Metro. As a result it will continue to be licensed out under the current arrangements.

## DETAILED INFORMATION

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The former Canterbury Council at its meeting on 25 June 2015, resolved to rezone 15 Close Street, Canterbury (the old Canterbury Bowling Club site) from RE1 to R4 High Density Residential and to reclassify from community to operational land. The planning proposal was referred to the Minister and as a result, in November 2017 the Plan was made. While the rezoning has occurred this does not mean Council has made any decision to formally progress with any changes to the land use on the site.

At the June 2017 Council meeting, Council considered a report on a request from Transport for NSW (TfNSW) to acquire a construction lease for the purpose of establishing a compound site at 15 Close Street, Canterbury. The purpose was to facilitate the construction of the Sydney Metro City & Southwest Project. As a result, Council resolved that the General Manager be delegated authority to negotiate the acquisition by agreement.

Following extensive discussions with both Sydney Metro and the Council the matter was further considered at the August 2018 Council meeting. At the meeting the Council resolved to withdraw from negotiations with Transport for NSW for the leasehold acquisition of land at 15 Close Street, Canterbury and that the Government be required to undertake compulsory leasehold acquisition.

Following the meeting, Council staff notified TfNSW of the Council decision. TfNSW responded on 11 September 2018 advising that *it would now pursue other options between Sydenham to Bankstown that provide suitable construction lay down areas, however if Council's position changes regarding the potential to commercially lease the former bowls club, to let them know.*

This implied that they have also ended the compulsory acquisition process.

While the land was originally rezoned by the former Canterbury Council, more recently it has been recognised that further work is required to determine what future community facilities and open space is required as part of any future changes to the centre.

Notwithstanding the rezoning there is no intent or decision to develop the site at this point. The future use of this site will be dependent on strategic planning to be undertaken for the broader Canterbury Planned Precinct. Council will continue to work with the Department of Planning to define a new planning process that will confirm a long term land use and infrastructure strategy for planned precincts along the Sydenham to Bankstown corridor. Any decision on the future use of the site will be subject to further reports and a decision of Council. In the interim the current licence arrangements will remain in place.





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## Governance and Administration Matters - 11 December 2018

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### **ITEM 7.7                      Sydenham to Bankstown Metro**

**AUTHOR                      Office of General Manager**

#### **PURPOSE AND BACKGROUND**

Following consideration of a Mayoral Minute on 24 July 2018, Council obtained legal advice on options available to it to legally stop the Metro project. Further, Council sought to frustrate the Metro Project further by resolving at its meeting on 28 August 2018 to withdraw from negotiations with Transport for NSW for the leasehold acquisition of land at 15 Close Street, Canterbury. The NSW Government wanted to use the land for access to and stabling adjacent the Metro line. This matter is the subject of a report to this Council meeting.

In summary, Council does not have the power of challenge to the NSW Government exercising its power to build or renew rail infrastructure on its land. However, Council Officers have been reviewing the NSW Government's actions in the making of the Environmental Impact Statement (EIS) and the declaration of the land as Critical State Infrastructure to ensure that it is following proper processes.

#### **ISSUE**

To provide Council with an update on investigations into the Metro Project and the review of the EIS process.

#### **RECOMMENDATION    That -**

The Mayor and General Manager be delegated authority to initiate legal proceedings, as outlined in the report.

#### **ATTACHMENTS**

Nil

## **POLICY IMPACT**

---

The report has no policy implications.

## **FINANCIAL IMPACT**

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Support of the report's recommendation may lead to additional legal costs being incurred. These costs can be met by existing budget allocations, and any additional funding required will be reported at the appropriate quarterly review.

## **COMMUNITY IMPACT**

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The Sydenham to Bankstown Metro project would have significant negative impacts on the community, such as:

- One year of rail closures.
- Three year construction period with associated issues such as noise, temporary road closures, construction vehicles and machinery etc.
- Limited station works leading to a sub-standard Metro service.
- Significantly reduced availability of seating on the new Metro.
- Loss of direct connection with the City Circle and University of Sydney.

These and other impacts were articulated in Council's submission to the EIS.

## DETAILED INFORMATION

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Council has on numerous occasions, made clear its opposition to this Metro Project. While there has not been final approval for the Project that we are aware of, preliminary steps have been taken by the State Government such as declaring the project to be State Significant Infrastructure and Critical State Infrastructure by amending the State Environmental Planning Policy (State and Regional Development) in 2015 to include the Metro Project.

Council cannot take legal action on the basis we don't agree with the Government's assessment of any EIS. However, we can and should hold the Government to account to ensure it follows the proper processes for the Metro Project.

Council's Lawyers, in reviewing the EIS for the Metro Project, also reviewed the associated SEPP mentioned above. Our Lawyers identified that for this project to be validly declared Critical State Infrastructure, the Minister must express his opinion in writing that the project is essential for the State for economic, environmental or social reasons. This opinion would normally be included in the SEPP. The opinion, or any reference to it, is not included in the SEPP. Further searches did not uncover any documents which expressly sets out the Minister's opinion.

The declaration of the Metro Project as Critical State Infrastructure may be unlawful if the Minister failed to form and express the opinion as outlined above.

It is possible that the Department of Planning and Environment hold an internal record where the opinion is recorded. Therefore, Council has written to the Secretary of the Department requesting copies of any documents they hold that records the Minister's opinion that the Metro Project is essential for the State of NSW for economic, environmental or social reasons. Council has also lodged an application with the Department under the Government Information (Public Access) Act for access to the documents.

Should it be the case that the Minister has not expressed the opinion, it could be argued that the Minister had no jurisdiction to declare the project as Critical State Infrastructure. If this is the case, the breach could be considered a jurisdictional error and Council could commence legal proceedings against the breach. Having said that, Council's lawyers have expressed the view that even if Council successfully challenged the matter in the Courts, it would most likely result in delaying the project, and would not stop the project from ultimately being carried out.

Any further action in this matter will depend upon whether or not the Department of Planning and Environment is able to provide copies of documents that show the Minister expressed the opinion that the Metro Project is essential for economic, environmental or social reasons. If no such documents exist, further legal advice will be obtained on whether legal proceedings should be commenced. Given that this meeting is the last meeting prior to the Christmas/New Year break, Council's approval is requested to delegate authority to the Mayor and General Manager, to determine, based on the legal advice received, if legal proceedings should be commenced in the matter.



## **8 SERVICE AND OPERATIONAL MATTERS**

The following items are submitted for consideration -

|     |  |     |
|-----|--|-----|
| 8.1 | Footbridge Across Georges River between East Hills and Voyager Point | 127 |
| 8.2 | Sefton Community Engagement  | 133 |
| 8.3 | Public Lighting for Band Hall Reserve Dog Off Leash Area             | 137 |
| 8.4 | Jensen Park Synthetic Field Project                                  | 141 |



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## Service and Operational Matters - 11 December 2018

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### **ITEM 8.1                      Footbridge Across Georges River between East Hills and Voyager Point**

**AUTHOR                      Operations**

#### **PURPOSE AND BACKGROUND**

---

The steel single span footbridge ("Bridge") between Voyager Point and East Hills over the Georges River was completed in 2004 by the Commonwealth Government Department of Finance ("the Commonwealth") and subject to a Heads of Agreement (Agreement) between the Commonwealth, Liverpool City Council (LCC), and the former Bankstown City Council (BCC).

The Agreement anticipated that the Bridge would be completed, and all defects rectified, before handover to LCC and BCC (collectively, "the councils") for ongoing maintenance and ownership.

The councils hold the view that there are significant outstanding defects that remain unresolved with the Bridge that, under the Agreement, require attention by the Commonwealth. However, the Commonwealth wrote to the councils in July 2015 and advised that in its view all defects had been rectified, all requirements of the Agreement had been complied with and therefore the councils have been responsible for maintenance of the Bridge from July 2011 which is the Commonwealth's date of ownership transfer.

Having considered the matter, particularly the legal advice obtained, the councils resolved to commence legal action against the Commonwealth in February 2017 to recover costs for the repair of defects on the Bridge. The councils also initiated actions for the required repairs to the footbridge to ensure user safety and mitigate any further losses.

The matter is currently in the Supreme Court of NSW.

#### **ISSUE**

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This report is to update Councillors on the progress of legal action against the Commonwealth Government by the councils over the footbridge between East Hills and Voyager Point and actions needed to commence repairs to the Bridge.

#### **RECOMMENDATION    That -**

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1.    The information contained in this report be noted.
2.    Further updates on the progress of this matter be reported to Council.

#### **ATTACHMENTS**

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Nil

## **POLICY IMPACT**

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There is no policy impact as a result of the recommendation

## **FINANCIAL IMPACT**

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Pending the progress of court proceedings councils have been advised that legal costs could be around \$500K.

The current estimate of the repairs for the Bridge is \$4.1M which will be confirmed shortly through a tender process which will form a part of the legal process. The additional long term maintenance cost is estimated to be approximately \$13M over the next 60 years of the remaining Bridge service life. All costs will be equally shared between the councils.

Funding will be reflected in the relevant Quarterly Budget Review process and annual Operational budgets.

## **COMMUNITY IMPACT**

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The bridge is currently safe and serviceable but is in urgent need of repairs. The Community may be impacted during the Bridge repair work due to temporary closures. The councils will negotiate with the successful tenderer regarding the work schedules to ensure that the closures are timed so to have a minimal effect on local residents and other Bridge users.



## DETAILED INFORMATION

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On 11 March 2003, the councils entered into an Agreement with the Commonwealth to construct a Bridge across the Georges River between Voyager Point and East Hills.

The Agreement, among other things, anticipated that the Commonwealth would complete construction of the Bridge, and would hand over to the councils *“full and complete responsibility for the costs...maintenance and upkeep of the [Bridge]...”* upon *“satisfactory rectification of all identified defects following the expiry of the Defects Liability Period”* (clause 8 of the Agreement).

There is a history of correspondence between the councils and the Commonwealth on the issue of “identified defects”. This correspondence outlines the unresolved defects with the Bridge, in the view of the councils, which required rectification by the Commonwealth before handover occurred.

The correspondence also indicates that until 2015 all parties were agreeing that rectifications were the only outstanding activity needed for the Bridge handover to the councils.

Deterioration of the bridge had accelerated in recent years resulting in an increased number of defects possibly as a result of poor workmanship and poor material selection. Two examples are shown below.



In July 2015, the councils received a letter from the Commonwealth in which the Commonwealth purported to deny liability for any further defect rectification on the Bridge. The Commonwealth also advised that, in their view, responsibility for the Bridge had rested with the councils since 11 July 2011 when required acquisitions of land were completed and that all negotiations with the councils and condition assessments after 2011 were done in error due to miscommunication.

As the councils were both in strong disagreement of the Commonwealths position it was agreed to share the cost of preliminary legal action to enforce the Agreement against the Commonwealth. On this basis Moray & Agnew were engaged to represent the councils and provide legal advice on the prospects of success in proceedings against the Commonwealth.

A letter of demand was sent to the Commonwealth in February 2016 to determine whether there was any prospect of a negotiated solution prior to commencing legal proceedings. A response was received from the Commonwealth's solicitor Ashurst in August 2016 denying any further liability in relation to the maintenance or defects of the Bridge, stating that handover to the councils was completed in accordance with the Agreement and that settlement would not be possible on this matter at that point in time.

Moray & Agnew's preliminary position was that Council's arguments regarding the liability of the Commonwealth in relation to the defective works and maintenance costs remain sound.

Council resolved the following at its meeting on 6 December 2016.

1. *In consultation with its lawyers, the General Manager be delegated authority to commence the required action with Liverpool City Council, for the repair of defects on the footbridge between East Hills and Voyager Point, as outlined in the report.*
2. *Council engage with Liverpool City Council to commence required repairs to the footbridge, as outlined in the report.*
3. *Further updates on the progress of this matter be reported to Council.*

Following consideration of legal advice received and formalisation of a shared funding arrangement for the conduct of the proceedings, the councils initiated joint legal action through Moray & Agnew Lawyers, *case Liverpool City Council & Anor V Commonwealth of Australia, Department of Finance*, in February 2017. The claim was based on the following:

- The contract conditions for the bridge handover were not fulfilled by the Commonwealth who failed to rectify the defects claimed by the councils and recognised by various condition reports prepared by external consultants during the time of negotiations and
- The councils are entitled to compensation to the amount (or part) of rectification works, should they assume the ownership of the bridge.

While the Commonwealth continues to deny liability for the remediation of defects on the bridge, the councils have taken steps to prevent further unnecessary deterioration of the bridge structure and mitigate the ongoing loss being suffered by the councils by arranging the repair of the Bridge as soon as possible.

There is no immediate risk to the public however, failing to commence repair works may result in further expensive maintenance to the Bridge that may possibly be avoided by immediate preventative measures. The repairs would ensure public safety is maintained and show the councils' intention to act in good faith, regardless of the outcome of the legal case.

The cost of these mitigating measures may be recoverable as damages through the current Court proceedings.

The exact value of repair works was difficult to establish due to uncertainties with the exact quantification and methodology of completing work. Moray & Agnew recommended that the works be tendered by the councils and carried out as soon as possible, in order to be able to present a firm cost claim to the court.

A bridge design consulting company was engaged in May 2017 to re-assess the Bridge condition, propose defects repair designs, a rectification program, provide cost estimates for proposed rectification work and prepare the long term maintenance program and costing. The final report provided in March 2018 advised the following:

- Bridge conditions have further deteriorated since the last condition report arranged by the Commonwealth through their consultant (Aurecon) in 2013.
- The Bridge is still operational, however if the rectification works are not carried out urgently, the further deterioration may warrant its closure for public use in approx. 5 years' time.
- The estimated cost for immediate defect rectification is \$4.15M.
- The estimated cost for long term bridge maintenance is \$13M over the 60 years of the estimated remaining life of the bridge.

The recommended repair works for the Bridge was issued for public tender in November 2018 and submissions will be evaluated upon closing in the following months. The cost obtained from tender submissions will determine the level of funding required for repairs and if an alternative approach is required as a new concrete bridge, including demolition of the existing structure, is estimated to be \$6.2M with lower maintenance costs over a 100 year life span.

Court hearings were expected to commence in August 2018 however, due to the complex nature of this case and the need for all parties to submit an extensive number of additional documents for discovery, the matter is listed for further direction in the Supreme Court of NSW on 14 December 2018.

A further report will be provided to Council when additional information becomes available.



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## Service and Operational Matters - 11 December 2018

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**ITEM 8.2**                      **Sefton Community Engagement**

**AUTHOR**                      **City Future**

### **PURPOSE AND BACKGROUND**

At the 28 August 2018 Ordinary Council meeting, a Notice of Motion was raised to undertake community engagement in Sefton Town Centre to understand the challenges and opportunities to assist in revitalising the town centre.

The purpose of this report is to summarise the findings for consultation undertaken in Sefton Town Centre.

### **ISSUE**

To report back to Council following the investigation of Sefton Town Centre

### **RECOMMENDATION** That -

1. The Economic Development team continue to engage with the local businesses to provide advice and business support through the Canterbury-Bankstown Business Advisory Services office.
2. Council review parking issues and maintenance as outlined in the report.

### **ATTACHMENTS**

Nil

## **POLICY IMPACT**

---

This matter has no direct policy implications.

## **FINANCIAL IMPACT**

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The recommendation would have only minor financial impacts and could be covered from existing operational budgets.

## **COMMUNITY IMPACT**

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When the recommendations have been implemented these will have a positive impact on the community in particular the business community.

## DETAILED INFORMATION

---

In September, an investigation into the Sefton Town Centre was undertaken by the Economic Development team to further understand the demographics and business environment to scope future engagements.

Businesses located on the southern side of (Wellington Road) Sefton include:

- IGA supermarket
- Fruit/grocery store
- Funeral Parlour
- Medical Centre
- Chemist
- Lawnmower repair business
- Numerous massage parlours

Businesses located on the northern side of Sefton (Helen Street) include:

- Locksmith
- Several take away food shops
- Barber
- Medical Centre
- Three businesses manufacturing cakes
- Convenience stores
- A white goods repair shop
- Nail and beauty shop
- Late night café (this premises does not open until 5.30 and remains open until late in the night).

General observations of the town centre identified that the centre could benefit from some minor cleaning and repairs including repairing broken street seats and completing a general street clean on the south side of Sefton Station.

In October and November, community engagement was undertaken with key stakeholder groups including industrial area workers, business owners, train commuters and residents.

The following community engagement methods were undertaken:

- Targeted surveys using the door knock approach to industrial businesses, town centre business owners and local residents
- Engagement at Sefton train station

A total of 158 conversations and 86 surveys were undertaken throughout the consultation.

### Summary of consultation

It has been identified that people do not shop in the Sefton Town Centre due to the lack of shopping variety. They prefer to shop in other areas where they can do their groceries and personal business such as paying bills, chemist, and medical, all in one location.

Of the commuters and residents surveyed 94% do not shop in the Sefton Town Centre and choose to shop elsewhere including Chester Hill Shopping Centre, Bankstown and Bass Hill.

The Economic Development team can continue to engage with the local businesses to provide advice and business support through the Canterbury-Bankstown Business Advisory Services office.

The lack of parking was raised as an issue by both residents and the business community. Upon further investigations, it has been noted that business owners and staff may be occupying the premium parking spaces for long periods of time. This then pushes short stay visitors and shoppers out into the periphery, making it less desirable to shop in this location.

It is proposed that Council further investigate the parking issues and determine appropriate solutions for this issue including greater enforcement and review of parking times.



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## Service and Operational Matters - 11 December 2018

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### **ITEM 8.3                      Public Lighting for Band Hall Reserve Dog Off Leash Area**

**AUTHOR                      Operations**

#### **PURPOSE AND BACKGROUND**

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At the Council Meeting held on 24 July 2018, it was resolved that Council investigate the installation of appropriate public lighting at Band Hall Reserve dog off leash area.

#### **ISSUE**

---

The former Bankstown Council adopted a “Paws in Park Strategy” in 2015. The purpose of this Strategy was to address the needs of residents and improve public safety by providing dog off leash areas (DOLA) in a number of sites across the former Bankstown LGA. During that time The Vale of Ah, Milperra was the only dog off leash area available to residents.

Following adoption of the Paws in Park Strategy in 2015 Band Hall Reserve was established as a dog off leash area. There is no park lighting at the reserve and therefore the DOLA is only available for use during daylight hours.

Concerns were raised by residents that the Band Hall Reserve was generally not available for use by dog owners, after work, during the winter months when daylight hours are greatly reduced. Council, at its meeting on 24 July 2018, resolved that Council investigate the installation of appropriate public lighting at Band Hall Reserve dog off leash area.

#### **RECOMMENDATION**

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That Council consider piloting the lighting of Band Hall Reserve for 25% of the reserve up until 8:00PM each night as part of Council’s future capital works program.

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

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- A.     Band Hall Lighting Concept

## **POLICY IMPACT**

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There is no policy impact.

## **FINANCIAL IMPACT**

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There is an estimated capital cost of \$65,000 for the installation of lighting to approximately 25% of Band Hall Reserve dog off leash area which should be considered for funding consideration as part of Council's future capital works program.

The cost to run (approximately \$450.00 per annum) and maintenance of the lighting assets will need to be included as part of future operational budgets following their installation.

## **COMMUNITY IMPACT**

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As identified in the original notice of motion, the Band Hall Reserve dog park provides valuable open space and has been a catalyst for a small community centred on dog ownership. During winter however, the early onset of nightfall makes use of the dog park limited on winter weekdays.

This outcome would enable longer access to the dog park for residents during the shorter days of winter. The design and timing of lighting has been developed after considering crime prevention through environmental design principles to reduce the potential for negative social impacts and the potential for impact on the adjoining residents.

## DETAILED INFORMATION

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Following the Council resolution, investigations were conducted to determine the support from local residents to provide lighting at the reserve and the costs involved to install the lighting.

A community engagement plan was created to determine community needs and expectations. This included door knocking local residents within close proximity to the reserve (200m – 250m). A flyer was left for those residents who were not at home asking them to contact Council by phone or fill in the survey that was setup on Council's "Have Your Say Page" and a poster advertising the survey was placed at the reserve.

A total of 18 people responded to the survey with the key results detailed below:

| Question                    | Residents Support % |
|-----------------------------|---------------------|
| Installation of lights      | 78%                 |
| Hours of operation to:      |                     |
| 8:00 PM                     | 41%                 |
| 9:00 PM                     | 29%                 |
| 10:00 PM                    | 29%                 |
| Lighting all year           | 76%                 |
| Winter time lighting only   | 24%                 |
| Area of the park to be lit: |                     |
| 0%                          | 8%                  |
| 25%                         | 42%                 |
| 50%                         | 0%                  |
| 100%                        | 50%                 |

Overall there is support for the installation of lighting at the reserve however residents do not want any light spill into their properties.

The estimated cost to install public lighting at the reserve is provided in the below table.

| Area Lit | Estimated Cost |
|----------|----------------|
| 25%      | \$65,000       |
| 50%      | \$110,000      |
| 100%     | \$155,000      |

Attachment A provides a concept diagram of the extent of lighting for the reserve.

The dog off leash area in the reserve is approximately 14,000m<sup>2</sup> in area, has good passive surveillance for the majority of the area from Ferrier Road and with its large size does not suffer from wear problems to the turf surface that can be found at smaller off leash areas across the city.

Council's practice has been to only consider the provision of lighting in parks and reserves along pathways where there is a clear pedestrian route to major business areas, shopping centres or transport hubs (bus stops, railway stations) or where night time activities are encouraged, for example, training on sports fields. This position is derived from Crime Prevention Through Environmental Design (CPTED) principles and is supported by Police NSW.

Dog off leash areas have not been areas where night time activities have been encouraged and therefore the provision of lighting has not been previously supported. However the provision of public lighting at Band Hall Reserve does appear to have qualified support from nearby residents and any lighting could be limited to passive surveillance areas and also considered a pilot, with the actual impacts reviewed over time.

When taking into consideration residents' concerns about potential light spillage into their properties and shadowing that will occur from trees and other structures in the reserve, the lighting of the entire reserve would not be in line with the CPTED principles and is not supported.

The lighting of 25% of the reserve would provide an area of approximately 3,500m<sup>2</sup>, or about 50% the size of a standard soccer field, which would be considered large enough for use and not cause any major wear concerns if used for night time activities.

When taking into consideration the qualified support from the local community, CPTED principles, costs for installation and the area of the reserve it is recommended that Council consider the provision of lighting at Band Hall Reserve for 25% of the reserve up until 8:00PM each night and that Council lists this lighting for funding consideration as part of Council's future capital works program.

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## Service and Operational Matters - 11 December 2018

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### **ITEM 8.4                      Jensen Park Synthetic Field Project**

**AUTHOR                      Community Services**

#### **PURPOSE AND BACKGROUND**

To consider the proposed co-allocation and/or co-usage of Jensen Park for both the Bankstown City Football Club (BCFC) and the Bankstown United Football Club (BUFC) – being the Bankstown District Amateur Football Association's (BDAFA) representative arm - Premier League football teams.

The proposal intends to address co-allocation and/or co-usage of the main playing field and associated smaller fields for training purposes, the provision of canteen services and maintaining park amenity on game-day.

The proposal specifically applies to the period of February 2019 through to September 2019. Council will maintain/retain operations of the field outside of this period.

#### **ISSUE**

As Councillors would be aware, Council is in the process of constructing a full-scale multipurpose synthetic grass pitch at Jensen Park, which will provide for broader use for football and a range of other sports, physical activity and recreational opportunities for our community.

This report seeks Council endorsement to certain transitional arrangements around usage of the facility and accordingly a review of the matter, at the end of that period.

#### **RECOMMENDATION    That -**

1. Council endorse the proposed transitional arrangements, as outlined in the report.
2. Given its Regional Sports Facility Framework and improvements made at Jensen Park, Council, BCFC and BDAFA look to re-visit the current Memorandum of Understanding for Jensen as a "Centre of Football Excellence".
3. Council be provided with further reports on the matter, as required.

#### **ATTACHMENTS**

Nil

## **POLICY IMPACT**

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This report is consistent with the Regional Facility Sports Framework.

## **FINANCIAL IMPACT**

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Whilst usage is governed by Council adopted Fees and Charges 2018/19, relevant funding to accommodate added facilities will be addressed as part of Council's quarterly budget review process.

The proposed transitional discount estimated at \$7,660 will be reflected in the next quarterly review.

## **COMMUNITY IMPACT**

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Council is currently investing in excess of \$3M on upgrading Jensen Park as a premier centre for excellence for representative and semi-professional training and match play in the City.

Council has engaged over a long period of time with both BCFC and BUFC (BDAFA's representative arm) to ascertain and meet the needs of both of their representative pathways for training and match play.

The proposed transitional arrangements provide an appropriate path and arrangement to ensuring that our community enjoy the benefits of Council's investment in what is a first-class football pitch for our city.

Indeed, Council's investment in the facility also provides for added opportunities to investigate and employ alternate uses and greater usage of the facility – with the view to generate additional income and in turn re-invest those funds in the ongoing improvement of the facility. This of course will be the subject of further discussion with Council, at the appropriate time.

## DETAILED INFORMATION

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### Background Information

- *Regional Sports Facility Framework – Former Bankstown Council*
  - In 2015, the former Bankstown Council adopted its Regional Sports Facility Framework (RSFF). The RSFF, specifically identified Jensen Park as one of its premier sites/facilities to fulfil a number of sporting objectives, including the ability to:
    - service the entire Bankstown LGA as well as sports people, officials and spectators from surrounding districts, regions or statewide;
    - host representative or elite competition in one or a number of sporting codes;
    - provide a higher level of public amenity and capacity to cater for large numbers of competitor or spectators or both;
    - be identified as a major civic asset, fulfilling the City's commitment to sport;
    - be developed and maintained to a higher standard than district and local facilities; and
    - facilitate a sports development pathway from junior competition and representative competition within the Bankstown LGA.
  - In both fulfilling and/or delivering on the above, the RSFF identified the need to convert the existing Jensen Inner Field (football) to a City first, full-scale, multi-purpose synthetic grass pitch, providing the opportunity for continued use throughout the year.
  - Construction commenced in May 2018 with an anticipated completion in January 2019. Construction and installation of the synthetic sports field and practice pitches will meet the appropriate FIFA, National and State performance standards and local needs.
  - Separately, Council's RSFF identified a number of further stages, which included providing more modern and functional amenities for clubs/teams, their players and the public/spectators.

- *Stronger Community Fund (SCF)*

- Following amalgamation, Council, through its SCF process, agreed to partly fund (\$1.5M) the Jensen Park project (synthetic field only), being the first stage of implementing the RSFF. The balance of required funding was met by Council (primarily Section 94).
- The basis upon Council being able to utilise the SCF, was subject to Council being able to both demonstrate and fulfill its commitment to deliver on the RSFF outcomes.

- *Facility Issues/Constraints*

- Council had always maintained Jensen Park to a very high-standard grass pitch. However, its use was largely restricted to game-days (weekends), with very limited use for training purposes throughout the week, particular to ensure it remained and/or met required Premier League playing standards and/or conditions.
- The current state and/or functionality of the surrounding amenities (both for players and the public/spectators) is quite poor, provides little scope for multi-users and/or multi-use functions, lacks adequate storage and has one very small canteen, which is difficult to share given its poor location.
- Given their long-standing arrangements (over 40 years), Jensen Park was identified as BCFC's home ground for game days whilst also being provided with limited access for training purposes throughout the week (BCFC is required to pay a separate fee and charge when utilising Jensen Park for training purposes).
- In more recent times (past 3 years/seasons), Jensen Park has also been identified as BUFC's home ground for game days. During their game days, BUFC had agreed for BCFC to operate the canteen. During this period, BDAFA did not train at Jensen Park.

Jensen Park has jointly been used by both Clubs to play their games/matches over the relevant weekend(s). Whilst Council works closely with Football NSW, they are solely responsible for scheduling all premier league games.

- *Bankstown City Football Club (BCFC)*

- As indicated, BCFC is well established club and has played at Jensen Park for over 40 years. The Club participates in the NSW premier football league (Men's NPL 3 and Women's NPL 1).
- The Club has 344 registered players made up of 11 male and 7 female teams including boys and girls teams ranging from 9 to 12 years of age - skill acquisition program (SAP).



- The Club have a license agreement with Council for the use of the parks Clubroom only (5 years). The license does not relate/include the use of the playing fields.

▪ *Bankstown United Football Club (BUFC)*

- BUFC, is the representative arm of the Bankstown District Amateur Football Association (BDAFA). Both BUFC and BDAFA are run by the same Directors. BUFC also participates in the NSW premier football league (NPL 3).
- BUFC have 200 registered players, made up of 7 male teams including the SAP teams. The Club does not run a women's league program.

BDAFA is a well-established Association within the former Bankstown local government area, with in-excess of 7,500 registered players. Their premier league representative arm (BUFC) has only been established for the past three (3) seasons.

▪ **Field Allocation and Match Pay Applications**

- Given its investment in the facility, there is an opportunity to expand/increase the usage of the synthetic pitch (the football field) throughout the entire week.
- Having regard to Council's RSFF and their previous use of the facility, Council called for applications/interest from both BCFC and BUFC for the use of the football field.
- Whilst game days are both regulated by Football NSW, Council is required to manage the use of the football field for other times, particularly to allow the clubs to train on the football field in preparation for their game days. This includes the smaller synthetic training areas.
- BCFC's application for the use the football field was for Monday, Tuesday, Wednesday, Thursday and Friday – from 4:30pm – 9:00pm.
- BUFC's application for the use of the football field was for Tuesday and Thursday – from 5:00pm – 9:00pm.
- The application only applies for use of the football field for the period of February 2019 through to September 2019. Council will maintain/retain operations of the field outside of this period.

▪ **Other Usage Considerations**

- Whilst Council will shortly have a first-class synthetic pitch for use by our community, its surrounds and amenities still require ongoing investment.
- As indicated earlier, the current state and/or functionality of the surrounding amenities are quite poor and constrained, and do not provide the opportunity for multi-users of the broader facility.

- Whilst Council's longer term plans under the RSFF propose/suggest ongoing improvements to the broader facility, naturally it will be the subject of available funding when considering Council's Delivery and Operational Planning Programs. That said, some of the more current pertinent issues include:
  - The shared nature of the training will require additional storage. Council officers are currently investigating works which would enable BUFC to have their own separate storage needs accommodated – potentially the use of the cricket canteen facilities when not in use;
  - Providing adequate/appropriate change facilities to accommodate the significant number of teams – both male and female (BCFC only). Given this, Council officers are in the process of procuring additional temporary change facilities to accommodate the proposed expanded use of the broader facility; and
  - At present there is only one canteen. It is not very large and is not conducive to sharing. Given the other significant investments in the facility at this time Council is not in a position to reconstruct and/or build another canteen.

#### ▪ **Proposed Transitional Arrangements**

Council investment in the first stage of the RSFF for Jensen Park is quite positive and a significant advancement for football in our City. That said, Council acknowledges that ongoing investment is required and will form part of its future planning phases for the city.

Indeed, Council's investment in the facility now provides for added opportunities to investigate and employ alternate uses and greater usage of the facility – with the view to generate additional income and in turn re-invest those funds in the ongoing improvement of the facility. This of course will be the subject of further discussion with Council, at the appropriate time.

In the interim, Council must establish workable/suitable transitional arrangements, which ensures the effective balancing of the added demand for the football field and the state/capacity of the surrounding amenities/facilities.

Having regard to the issues noted above and ongoing discussions with both parties to-date, it is proposed that the following transitional arrangements, being for the designated usage period of February 2019 through to September 2019, be agreed to by Council:

- In acknowledging their history and use of the facility over the past 40 years and indeed the additional teams (female competition) that they run as part of their club, BCFC be provided access for training purposes to Jensen Park (football field plus small training pitches) on Tuesday, Thursday and Friday – from 4:30pm – 9:00pm.

- BCFC also continue to be given access to the use of the outer grass fields at Jensen Park, as per their previous arrangements. Separately, BCFC also be given access to other grass fields within close proximity to Jensen Park, to accommodate their training schedule. The designated fields must not conflict with any BDAFA field allocations.
- BUFC be provided access for training purposes to Jensen Park (football field plus small training pitches) on Monday and Wednesday – from 5:00pm – 9:00pm.
- BUFC, through BDAFA, be given access to any other fields throughout the Bankstown area, including the use of Playford Park, to accommodate their training schedule.
- As is current practice, both BCFC and BUFC adhere to the allocation of game days, as regulated by Football NSW.
- Given previous arrangements, the interim transitional period allow BCFC to continue to operate the canteen facilities on both BCFC and BUFC game days. Indeed, BCFC and BUFC are free to vary this arrangement amongst themselves, as they see fit.
- Accordingly during the transition BUFC will not have access to all areas on game days, which is a normal premise of the fees and charges. Given this, during the transition it is proposed to reduce the fees and charges by 50% for BUFC to reflect the proposed transition arrangements. Of course should alternate arrangements be made between BUFC and BCFC this discount will no longer apply.
- Additionally, owing to the exclusive operation of the canteen, BCFC will be responsible for ensuring that the presentation of the pitch, the surrounds and change facilities are appropriately presented at the start and end of each game day.
- Council consider and arrange for additional demountable change rooms and storage facilities to be brought on site to accommodate the additional usage, as required. This includes the option of the use of other available spaces throughout Jensen Park - potentially the use of the cricket canteen facilities when not in use.
- Both BCFC and BUFC will adhere to Council's direction regarding signage around the facility, particularly on game days, and be responsible for their own signage.
- Council review the transitional arrangements at the end of the designated period and consider the matter, as required.
- Council continue to investigate ongoing improvements to the facility and required funding as part of its planning process.



## **9 COMMITTEE REPORTS**

The following items are submitted for consideration -

|     |   |     |
|-----|---|-----|
| 9.1 | Minutes of the Traffic Committee Meeting<br>held on 27 November 2018                          | 151 |
| 9.2 | Minutes of the Liveable City Advisory Committee Meeting held on<br>15 November 2018           | 153 |
| 9.3 | Minutes of the Prosperity & Innovation Advisory Committee Meeting<br>held on 26 November 2018 | 155 |
| 9.4 | Minutes of the Social Inclusion Advisory Committee Meeting held on 28<br>November 2018        | 157 |



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## Committee Reports - 11 December 2018

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### **ITEM 9.1                      Minutes of the Traffic Committee Meeting held on 27 November 2018**

**AUTHOR                      Operations**

#### **PURPOSE AND BACKGROUND**

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Attached are the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 27 November 2018.

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

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

#### **ISSUE**

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Recommendations of the Canterbury Bankstown Council Traffic Committee meeting.

#### **RECOMMENDATION**

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That the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 27 November 2018, be adopted.

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

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- A.     Minutes of the Traffic Committee Meeting held on 27 November 2018

## **POLICY IMPACT**

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This matter has no policy implications to Council.

## **FINANCIAL IMPACT**

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

## **COMMUNITY IMPACT**

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The recommendations will improve road safety for the community whilst minimising the adverse impacts on residential amenity. Community consultations have been carried out where required.



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## Committee Reports - 11 December 2018

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### **ITEM 9.2**                      **Minutes of the Liveable City Advisory Committee Meeting held on 15 November 2018**

**AUTHOR**                      **Corporate**

#### **PURPOSE AND BACKGROUND**

---

Council resolved to establish its Advisory Committees and Reference Groups on 24 October 2017.

Attached are the minutes of the Liveable City Advisory Committee meeting held on 15 November 2018. Also attached are the minutes of the Reference Groups that report to this Advisory Committee.

#### **ISSUE**

---

Endorsement of the Liveable City Advisory Committee minutes.

#### **RECOMMENDATION**

---

That the minutes of the Liveable City Advisory Committee meeting held on 15 November 2018, be endorsed.

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

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- A.     Minutes of the Liveable City Advisory Committee meeting held on 15 November 2018
- B.     Minutes of the Heritage Reference Group meeting held on 6 September 2018

## **POLICY IMPACT**

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The Advisory Committees are based on the key themes that form the basis to delivering Council's Community Strategic Plan. Advisory Committees and Reference Groups have specific Terms of Reference, as well as Guidelines and Rules for their operation.

## **FINANCIAL IMPACT**

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In accordance with the Council's Guidelines and Rules, the Advisory Committee does not have the power to incur expenditure or to bind Council but may recommend action and initiatives to Council.

## **COMMUNITY IMPACT**

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The Advisory Committees with the support of the Reference Groups provide Council with advice for the ongoing management of vital services to our community and information for our integrated planning and reporting framework.

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## Committee Reports - 11 December 2018

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### **ITEM 9.3**                      **Minutes of the Prosperity & Innovation Advisory Committee Meeting held on 26 November 2018**

**AUTHOR**                      **Corporate**

#### **PURPOSE AND BACKGROUND**

---

Council resolved to establish its Advisory Committees and Reference Groups on 24 October 2017.

Attached are the minutes of the Prosperity & Innovation Advisory Committee meeting held on 26 November 2018. Also attached are the minutes of the Reference Groups that report to this Advisory Committee.

#### **ISSUE**

---

Endorsement of the Prosperity & Innovation Advisory Committee minutes.

#### **RECOMMENDATION**

---

That the minutes of the Prosperity & Innovation Advisory Committee meeting held on 26 November 2018, be endorsed.

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

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- A.     Minutes of the Prosperity & Innovation Advisory Committee meeting held on 26 November 2018
- B.     Minutes of the Arts & Culture Reference Group meeting held on 14 November 2018
- C.     Minutes of the Business Leaders Reference Group meeting held on 3 September 2018

## **POLICY IMPACT**

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The Advisory Committees are based on the key themes that form the basis to delivering Council's Community Strategic Plan. Advisory Committees and Reference Groups have specific Terms of Reference, as well as Guidelines and Rules for their operation.

## **FINANCIAL IMPACT**

---

In accordance with the Council's Guidelines and Rules, the Advisory Committee does not have the power to incur expenditure or to bind Council but may recommend action and initiatives to Council.

## **COMMUNITY IMPACT**

---

The Advisory Committees with the support of the Reference Groups provide Council with advice for the ongoing management of vital services to our community and information for our integrated planning and reporting framework.

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## Committee Reports - 11 December 2018

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### **ITEM 9.4                      Minutes of the Social Inclusion Advisory Committee Meeting held on 28 November 2018**

**AUTHOR                      Corporate**

#### **PURPOSE AND BACKGROUND**

---

Council resolved to establish its Advisory Committees and Reference Groups on 24 October 2017.

Attached are the minutes of the Social Inclusion Advisory Committee meeting held on 28 November 2018. Also attached are the minutes of the Reference Groups that report to this Advisory Committee.

#### **ISSUE**

---

Recommendations of the Social Inclusion Advisory Committee meeting.

#### **RECOMMENDATION**

---

That the minutes of the Social Inclusion Advisory Committee meeting held on 28 November 2018, be adopted.

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

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- A.    Minutes of the Social Inclusion Advisory Committee meeting held on 28 November 2018
- B.    Minutes of the Aboriginal & Torres Strait Islander Reference Group meeting held on 13 November 2018
- C.    Minutes of the Community Safety Reference Group meeting held on 13 September 2018
- D.    Minutes of the Diversity Reference Group meeting held on 30 August 2018
- E.    Minutes of the Family & Children Reference Group meeting held on 18 October 2018
- F.    Minutes of the Interfaith Reference Group meeting held on 1 November 2018
- G.    Minutes of the Universal Access Reference Group meeting held on 7 November 2018
- H.    Minutes of the Womens Reference Group meeting held on 18 October 2018

## **POLICY IMPACT**

---

The Advisory Committees are based on the key themes that form the basis to delivering Council's Community Strategic Plan. Advisory Committees and Reference Groups have specific Terms of Reference, as well as Guidelines and Rules for their operation.

## **FINANCIAL IMPACT**

---

In accordance with the Council's Guidelines and Rules, the Advisory Committee does not have the power to incur expenditure or to bind Council but may recommend action and initiatives to Council.

## **COMMUNITY IMPACT**

---

The Advisory Committees with the support of the Reference Groups provide Council with advice for the ongoing management of vital services to our community and information for our integrated planning and reporting framework.

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

The following item is submitted for consideration -

### **10.1 Notice of Motions and Questions with Notice**

**161**





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## Notice of Motions & Questions With Notice - 11 December 2018

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**ITEM 10.1**                      **Notice of Motions and Questions with Notice**

**AUTHOR**                      **Corporate**

### **ISSUE**

The attached schedules provide information to questions raised at Council's November Ordinary meeting and also a status report on Notice of Motions resolved at previous meetings.

### **RECOMMENDATION**

That the information be noted.

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

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- A.    Notice of Motion Table
- B.    Correspondence received in response to Notice of Motions
- C.    Questions with Notice Table



## **11        QUESTIONS FOR NEXT MEETING**



## **12        CONFIDENTIAL SESSION**

12.1 Classification of Drainage Reserves

12.2 Request for Proposal for the Provision of Family and Child Related Services  
at 24-26 Jacobs Street, Bankstown

# **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 in confidential session for the reasons indicated:

#### **Item 12.1 Classification of Drainage Reserves**

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

#### **Item 12.2 Request for Proposal for the Provision of Family and Child Related Services at 24-26 Jacobs Street, Bankstown**

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