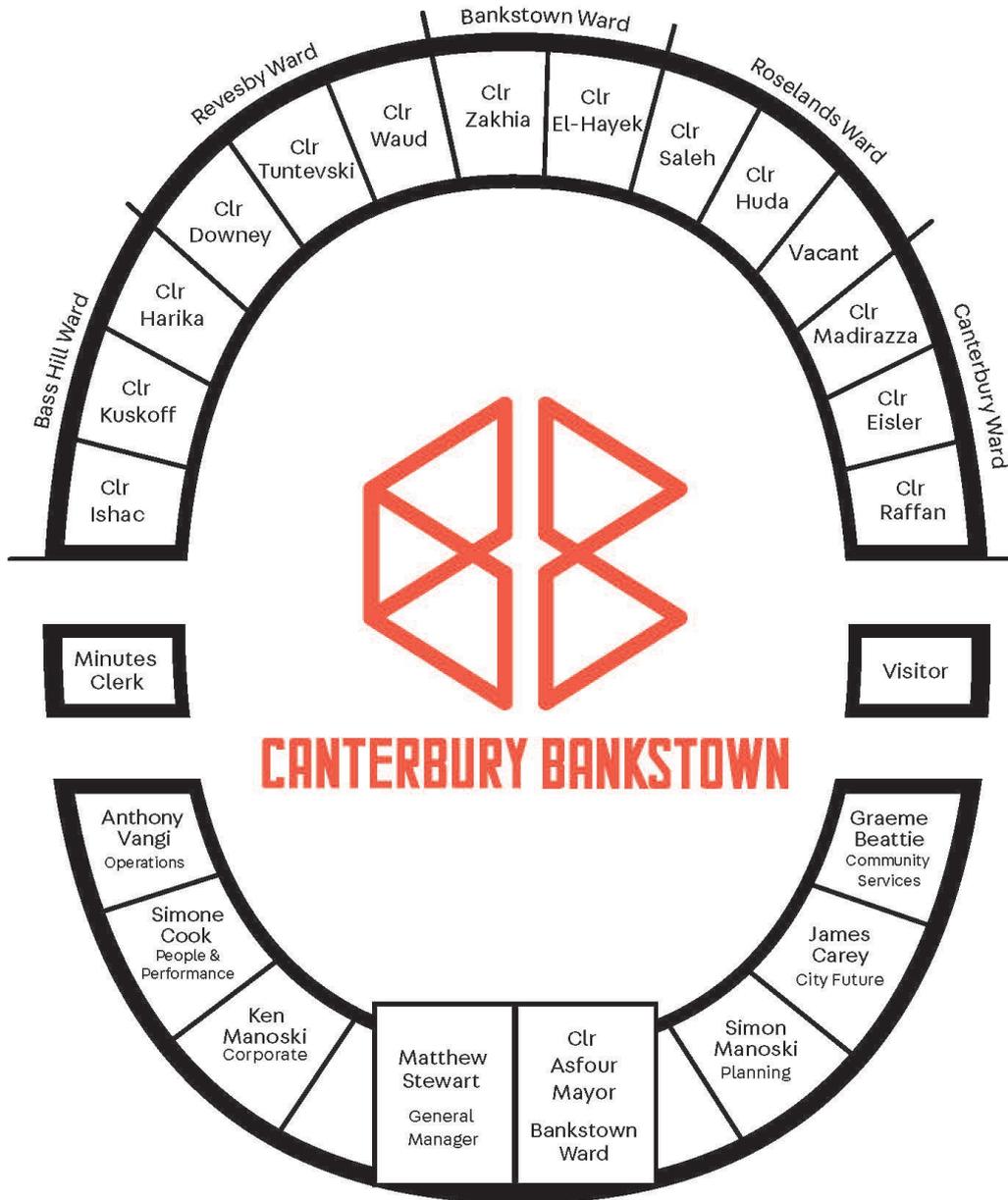




AGENDA FOR THE ORDINARY MEETING

8 December 2020

Gallery



ORDER OF BUSINESS

1	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	5
1.1	Minutes of the Ordinary Meeting of Council of 24 November 2020	7
2	LEAVE OF ABSENCE.....	19
3	DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST.....	21
4	MAYORAL MINUTES	23
4.1	Mayoral Christmas Message	25
4.2	TAFE	27
4.3	Jobs Summit	29
4.4	Local Community Based Donations	31
5	PLANNING MATTERS	33
5.1	Draft Amendment to Canterbury Development Control Plan 2012 - 20-21 Boorea Avenue, Lakemba	35
5.2	Canterbury Bankstown Design Review Panel	43
5.3	Planning Proposal, Planning Agreement and Development Control Plan for 74 Rickard Road, Bankstown	51
5.4	Draft Planning Agreement – 60 Kitchener Parade, Bankstown	69
5.5	Draft Canterbury Bankstown Consolidated Development Control Plan	73
5.6	Report on Council’s Performance in the Assessment of Development Applications for the first quarter of the 2020/21 financial year, Clause 4.6 Variations Approved for the first quarter of the 2020/21 financial year, and Planning Related Legal Appeals	83
6	POLICY MATTERS.....	87
6.1	Council Policies to be Revoked	89
6.2	Four Pillars Clean City Model	93
6.3	Amalgamation Proposal - Georges River Council	99
7	GOVERNANCE AND ADMINISTRATION MATTERS	105
7.1	Stronger Communities Fund - Quarterly Progress Report	107
7.2	Activated Data Roadmap	111
7.3	27 Homedale Road, Bankstown	115
7.4	2019/20 Annual Financial Reports	121

8	SERVICE AND OPERATIONAL MATTERS	131
8.1	Paul Keating Park Masterplan 2021 - 2041	133
8.2	Draft Active Transport Action Plan	139
8.3	Draft Off Leash Dog Park Action Plan	143
9	COMMITTEE REPORTS	147
9.1	Minutes of the Traffic Committee Meeting held on 24 November 2020	149
9.2	Minutes of the Audit Risk and Improvement Committee meeting held 11 November 2020	151
10	NOTICE OF MOTIONS & QUESTIONS WITH NOTICE	153
10.1	Notice of Motions	155
10.2	Delivery Riders	157
10.3	Christmas Lights Competition	159
10.4	Wolli Creek Regional Park	161
10.5	Planning Proposals	163
10.6	Electricity Infrastructure	165
10.7	Tom Thumb	167
11	CONFIDENTIAL SESSION.....	169

1 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The following minutes are submitted for confirmation -

1.1 Minutes of the Ordinary Meeting of Council of 24 November 20207

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 NOVEMBER 2020

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

PRESENT BY AUDIO
VISUAL LINK: Councillors Kuskoff, Huda, Raffan

APOLOGIES: Councillor Tuntevski

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.02 PM.

ACKNOWLEDGEMENT OF COUNTRY

THE MAYOR, ACKNOWLEDGED THE TRADITIONAL OWNERS OF THE LAND WHERE WE ARE MEETING TODAY THE DARUG (DARAG, DHARUG, DARUK AND DHARUK) AND THE EORA PEOPLES, AND PAID RESPECT TO THEIR ANCIENT CULTURE AND THEIR ELDERS PAST AND PRESENT.

REF: **CONFIRMATION OF MINUTES**
(1133) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED that the minutes of the Ordinary Council Meeting held on 27 October 2020 be adopted.

- CARRIED

SECTION 2: **LEAVE OF ABSENCE**
(1134) **CLR. DOWNEY:/CLR. HARIKA**

RESOLVED that Leave of Absence be granted to Clr Tuntevski due to personal reasons.

- CARRIED

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

In respect of Item 4.3 – Local Community Based Donations Clr Saleh declared a significant, Non Pecuniary Conflict of Interest due to her working association with Sydney Community Connect and advised that she will vacate the chamber taking no part in debate on the matter.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 NOVEMBER 2020

SECTION 4: MAYORAL MINUTES

ITEM 4.1 RATES HARMONISATION
(1135) CLR. ASFOUR

RESOLVED that

1. Council write to the Minister for Local Government seeking urgent attention to address the matters at hand and importantly provide merged councils with some clarity regarding the harmonisation process.
2. Council request that the Bill being drafted which will allow merged councils to harmonise their rating structures also allow councils to spread the adjustments over at least 5 years, if not more, so the impact on our ratepayers is easier to handle.
3. Council write to the Premier outlining Council's frustration, the lack of clarity provided to councils and above all the absence of support by the NSW Government over the years on this issue, and seek assistance from the NSW Government with regard to funding the significant cost that merged councils have had to incur to date and will continue to incur over the coming months to implement the NSW Governments forced harmonisation process.

- CARRIED

CLR DOWNEY REQUESTED THAT THE MINUTES INDICATE THIS RESOLUTION WAS ADOPTED UNANIMOUSLY.

ITEM 4.2 WIFI ON THE GO
(1136) CLR. ASFOUR

RESOLVED that Council explores the feasibility and cost of WiFi Hotspot devices and how these could be loaned to our community through the library service.

- CARRIED

ITEM 4.3 LOCAL COMMUNITY BASED DONATIONS

In respect of Item 4.3 – Local Community Based Donations Clr Saleh declared a significant, Non Pecuniary Conflict of Interest due to her working association with Sydney Community Connect and advised that she will vacate the chamber taking no part in debate on the matter.

CLR. SALEH TEMPORARILY LEFT THE MEETING AT 6.16 PM AND RETURNED AT 6.17 PM.

(1137) CLR. ASFOUR

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 NOVEMBER 2020

RESOLVED that

1. Council support the request from the Zonta Club and sponsor an award for the 2020-21 Citizenship Awards to the value of \$250 and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
2. Council support the request from Wesley Mission through waiving the fees for the use of Bankstown City Gardens in the amount of \$697.50 and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
3. Council support the request from the Australian Jordanian Nashama through waiving the fees for the use of the Crest Sports Fields in the amount of \$855 and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
4. Council support the request from El Mina Australia through a \$1,000 donation towards a first aid program, and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
5. Council support the request from Sydney Community Connect and their fundraising efforts for the Cancer Council NSW through a \$1,000 donation, and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
6. These funds to be made available from Council's Community Grants and Events Sponsorship budget.

- CARRIED

SECTION 5: PLANNING MATTERS

Nil

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 NOVEMBER 2020

SECTION 6: POLICY MATTERS

ITEM 6.1 UNLOCKING THE POTENTIAL OF THE CENTRAL CITY
(1138) CLR. ISHAC:/CLR. EL-HAYEK

RESOLVED that Council

1. Endorse the report – Unlocking the Potential of the Central City.
2. Work with surrounding Councils to advocate for the priorities as set out in this report.
3. Write to the NSW Government and the Greater Sydney Commission to work collaboratively on the priorities identified.

- CARRIED

ITEM 6.2 MARKETS POLICY
(1139) CLR. WAUD:/CLR. DOWNEY

RESOLVED that

1. Council endorse the Markets Policy and the policy to be placed on public exhibition.
2. A further report be submitted to Council following public exhibition.

- CARRIED

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 RATES HARMONISATION & FINANCIAL SUSTAINABILITY

CLR HUDA TEMPORARILY LEFT THE MEETING AT 6.25 PM AND RETURNED AT 6.27 PM.

(1140) CLR. EISLER:/CLR. DOWNEY

RESOLVED that

1. Council notes the current requirements of the Local Government Act to harmonise its former Council's rating structures by 1 July 2021.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 NOVEMBER 2020

2. Council also notes that, despite not being provided any information and/or advice to-date, Council understands that the NSW Government are considering an amendment to the legislation, whereby merged councils be allowed to gradually harmonise their former council rate structures.
3. Having regard to the various briefings/workshops held with Councillors to-date, it is proposed that Council, in principle, agree to implement Option 3 as outlined in the Report.
4. Council's preference when applying Option 3 be based on a gradual approach to harmonising its former Council's rating structures over a five year period (commencing 1 July 2021), including a proposed Special Rate Variation.
5. In the event that the current legislation is *not* amended, then Council's preference when applying option 3 be based on fully implementing the required harmonisation process of the two former Council's rating structures by 1 July 2021 – as per option 1 - with the remaining changes over a 5-year period.
6. Council endorse the proposed new Business Sub-Categories, as detailed in Option 3 in this report.
7. Council commence a detailed and comprehensive community engagement program to inform its final decision on the matter and notify IPART accordingly, as required.
8. In the event amended legislation provides a harmonisation timeframe of less than 5 years, the community will be accordingly advised of the impact of this on the above.
9. At the conclusion of the consultation process, a further report be provided to Council on the outcomes of the community engagement process for Council to make a final determination on the matter.
10. The Mayor urgently call for a meeting with the Minister for Local Government seeking that:
 - a) The NSW Government provide merged councils and their communities with clarity concerning the harmonisation process – particularly given that it will affect every ratepayer throughout our community;
 - b) The NSW Government resolve the current ambiguity regarding the harmonisation process and urgently reflect changes to the legislation so as to ensure that councils can effectively harmonise their former council rate structures in a timely manner;

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 NOVEMBER 2020

ITEM 7.3 **UNAUDITED 2019/20 ANNUAL FINANCIAL REPORT**
(1142) **CLR. MADIRAZZA:/CLR. ZAKHIA**

RESOLVED that

1. Council resolves that the attached 2019/20 Unaudited Annual Financial Reports, for the financial year ended 30 June 2020 have been prepared in accordance with the relevant sections and parts of the Local Government Act and Regulations and are submitted to Council for its consideration.
2. The Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer duly sign the Statement of Council's Unaudited Annual Financial Reports on behalf of the Council.
3. Subject to Item 1 and 2, the Statement and the 2019/20 Unaudited Annual Financial Report be referred to Council's Auditor in finalising the year-end audit process.
4. The General Manager be authorised to set the date for the public meeting and give notice in accordance with the Local Government Act 1993.

- CARRIED

ITEM 7.4 **NAMING OF RESERVE - CORNER HUME HIGHWAY AND MILLER ROAD BASS HILL**
(1143) **CLR. HARIKA:/CLR. ISHAC**

RESOLVED that

1. Council support the naming of the reserve on the corner of the Hume Highway and Miller Road, Bass Hill "Dick Payten Park"
2. The naming proposal be referred to the Geographical Names Board (GNB) for approval and registration.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 NOVEMBER 2020

ITEM 7.5 **CODE OF MEETING PRACTICE - 2021 SCHEDULE OF MEETINGS**
(1144) **CLR. WAUD:/CLR. MADIRAZZA**
RESOLVED that the 2021 Schedule of Council Meetings be adopted.
- CARRIED

ITEM 7.6 **CODE OF CONDUCT COMPLAINTS REPORT**
(1145) **CLR. DOWNEY:/CLR. HARIKA**
RESOLVED that the information be noted.
- CARRIED

ITEM 7.7 **CASH AND INVESTMENT REPORT AS AT 31 OCTOBER 2020**
(1146) **CLR. MADIRAZZA:/CLR. EL-HAYEK**
RESOLVED that

1. The Cash and Investment Report as at 31 October 2020 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 **SUMMER SERIES OF MAJOR EVENTS AMID COVID**
(1147) **CLR. ZAKHIA:/CLR. EL-HAYEK**
RESOLVED that Council note the activations occurring for the Christmas period throughout December.
- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 NOVEMBER 2020

SECTION 9: COMMITTEE REPORTS

Nil

SECTION 10: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

(1148) CLR. ZAKHIA:/CLR. WAUD

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Notice of Motions and Questions with Notice with the exception of Items 10.1 and 10.8.

- CARRIED

ITEM 10.1 NOTICE OF MOTIONS

(1149) CLR. DOWNEY:/CLR. HARIKA

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 BUSKING AND STREET PERFORMANCE SPACES

(1150) CLR. ZAKHIA:/CLR. WAUD

RESOLVED that Council investigate creating performance opportunities in our centres by "licensing" busking and street performance spaces to assist what is a struggling sector and give a focus for hospitality businesses.

- CARRIED

ITEM 10.3 YOUTH UNEMPLOYMENT

(1151) CLR. ZAKHIA:/CLR. WAUD

RESOLVED that Council investigates programs and initiatives to reduce the level of youth unemployment across the Canterbury Bankstown Local Government Area.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 NOVEMBER 2020

ITEM 10.4
(1152)

SUBURBAN STADIUMS
CLR. ZAKHIA:/CLR. WAUD

RESOLVED that Council:

1. Notes the NSW 2020-21 Budget failed to identify any investment into suburban stadiums, with the exception of the preparation of a business case for Jubilee Stadium at Kogarah, and
2. Calls on the NSW Government to distribute the approximately \$800m for suburban stadiums through a transparent, competitive grant scheme.

- CARRIED

ITEM 10.5
(1153)

SHOP LOCAL
CLR. ZAKHIA:/CLR. WAUD

RESOLVED that Council encourages its community to:

1. Use the NSW Government's Out & About voucher scheme within the local government area, and
2. Shop Local this Christmas, to support our struggling retail sector.

- CARRIED

ITEM 10.6
(1154)

PLANTER BOXES
CLR. ZAKHIA:/CLR. WAUD

RESOLVED that Council investigates a campaign to educate local retailers on how to care for ornamental street plants and the benefits of having healthy, attractive plantings within the town centre environment.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 NOVEMBER 2020

ITEM 10.7 **REINVIGORATING THE HIGH STREET**
(1155) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED that Council investigate, with a view to applying for, the *Your High Street Grant* to fund town centre upgrades within the City.

- CARRIED

ITEM 10.8 **UTILITIES DESTROYING OUR STREETS**
MOTION **CLR. ZAKHIA:/CLR WAUD**

That Council writes to the major utility companies – Telstra, Jemena, Ausgrid and Transgrid – requesting they invest adequate time and resources into ensuring our streets and footpaths are:

1. Maintained in a safe and satisfactory condition during, immediately after any works, and up until such time as permanent restorations are completed, and
2. Restored, permanently, in a timely manner and to a condition equivalent to or better than they were prior to the works occurring.

AMENDMENT **CLR. EL-HAYEK:**

That Council writes to the major utility companies – Telstra, Jemena, Ausgrid and Transgrid – requesting they invest adequate time and resources into ensuring our streets and footpaths are:

1. Maintained in a safe and satisfactory condition during, immediately after any works, and up until such time as permanent restorations are completed, and
2. Restored, permanently, in a timely manner and to a condition equivalent to or better than they were prior to the works occurring.
3. That Council writes to the NSW Premier and Australian Prime Minister (and their relevant Ministers) requesting that they require major utility companies such as NBN, Telstra, Jemena, Ausgrid and others to
 - maintain our public roads and footways in a safe and satisfactory condition during, immediately after any works, and up until such time that permanent restorations are completed, and

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 NOVEMBER 2020

- permanently restore our public roads and footways, in a timely manner and to a condition equivalent to or better than they were prior to the works occurring.

THE AMENDMENT WAS ACCEPTED BY THE MOVER AND SECONDER.

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION.

(1156)

CLR. ZAKHIA:/CLR. WAUD

That Council writes to the major utility companies – Telstra, Jemena, Ausgrid and Transgrid – requesting they invest adequate time and resources into ensuring our streets and footpaths are:

1. Maintained in a safe and satisfactory condition during, immediately after any works, and up until such time as permanent restorations are completed, and
2. Restored, permanently, in a timely manner and to a condition equivalent to or better than they were prior to the works occurring.
3. That Council writes to the NSW Premier and Australian Prime Minister (and their relevant Ministers) requesting that they require major utility companies such as NBN, Telstra, Jemena, Ausgrid and others to
 - maintain our public roads and footways in a safe and satisfactory condition during, immediately after any works, and up until such time that permanent restorations are completed, and
 - permanently restore our public roads and footways, in a timely manner and to a condition equivalent to or better than they were prior to the works occurring.

- CARRIED

SECTION 11: CONFIDENTIAL SESSION

Nil

THE MEETING CLOSED AT 7.00 PM.

Minutes confirmed 8 DECEMBER 2020

.....
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	Mayoral Christmas Message	25
4.2	TAFE	27
4.3	Jobs Summit	29
4.4	Local Community Based Donations	31

Mayoral Minutes - 08 December 2020

ITEM 4.1 Mayoral Christmas Message

Councillors,

What a year we've had! I think most of you would agree, you would be happy to see the end of it.

It was a year, we as a Council made some tough decisions, like closing our libraries, closing pools, closing our parks and sporting fields and changing the way we interacted with our residents.

A year we asked our residents to make sacrifices: no pubs, clubs, weddings or funerals and even our big events like Bankstown Bites and Ramadan Nights were put on ice, while those sacrosanct to our National identity such as Anzac Day were pared back to but a shadow.

It was also a year where we relied more than ever on our community organisations, our charities and NGOs and their selfless commitment to helping those in need.

It's been a year like no other, and a year that despite all the adversity had many positives and highlights for me. You may be asking, what positives or highlights, when most things were thrown into disarray?

It was a year where we, as a Council, came together to support businesses and community groups with several grants; a year we supported our frontline health care workers; a year we got on with our business of delivering those critical services to our residents and continued to maintain our facilities in a timely and seamless manner.

And I might add, residents and staff, engaging differently all of this done in a collaborative and understanding fashion.

Other highlights included the volunteers who continued to deliver Our Meals on Wheels Service to our vulnerable, to the hundreds of volunteers and community members collecting, packing and distributing food and clothing packages to those doing it tough. Banding together to help others.

And what about when we all, at dawn, stood with 104-year-old Bert Collins at the front gate, to commemorate Anzac Day and remember our fallen and those who continue to serve.

Councillors, the spirit of goodwill and Christmas is very much alive in our City.

From the Christmas trees springing up around our town centres, or maybe even Santa cruising our streets in his Cadillac, we all deserve to end the year with joy and cheer.

So, I would like to wish you, and all our residents, a safe and Merry Christmas Xmas.

And to all our staff here at Council, to you, and your families, a special thank you from all of us. Merry Christmas and Happy New year!

Mayoral Minutes - 08 December 2020

ITEM 4.2

TAFE

Today is the day we recognise and celebrate an often unsung hero in the education of tens of thousands of Australians: TAFE Day

Over the next three days NSW TAFE will be holding an INFOFEST about the courses and skills needed for the job you want; and, if I told you that TAFE offers hundreds of career changing courses you probably wouldn't believe it!

Councillors, much of the focus over the past three years has been on the benefits the new Western Sydney University Campus will bring to the City. However, it is important to recognise that not all tertiary education training is through a university qualification.

TAFE is very much a large part of our City and the community which relies on it.

If you take a look around our City you will see successful people who have acquired their skills through a TAFE. Our hairdressers, mechanics, plumbers sparkies, and many many others.

Every year, TAFE campuses across NSW provide over 430,000 course enrolments resulting in more people, including our residents, developing the skills to take on new jobs.

In addition to new jobs, TAFE's support the reskilling of workers to ensure their skills remain relevant, in-demand and keep pace with technological changes.

TAFE is also important as it assists school leavers, the unemployed and other people facing disadvantage to develop vocational skills so that they can transition successfully into further qualifications or employment.

It also provides essential foundational skills in reading, writing, and numeracy, to assist those from culturally diverse backgrounds, enhancing equity and access to those in need.

Canterbury Bankstown currently has several campuses including Bankstown, Padstow, Chullora and Campsie. These are essential to address the future challenges facing our city including rapid industry transformation, ongoing skills shortages in key growth sectors and the growing need for workforce upskilling.

Therefore, I propose that a meeting be arranged with the Managing Director of TAFE NSW to discuss the future commitment of TAFE to our City to ensure it continues to provide a vital role in growing Canterbury Bankstown's prosperity into the future.

Mayoral Minutes - 08 December 2020

ITEM 4.3

Jobs Summit

There is no doubt the road to economic recovery, will be paved with jobs, and that road must run through our City.

Throughout the past 6 months, I have been on the road and travelling around the City listening to the concerns of our residents and the many challenges that our businesses are facing on a daily basis.

The human face of the effects of this pandemic was very evident.

The stories across the City were all too familiar: one resident I spoke with told me how they had been stood down after the company they had worked at for 20 years was forced to close down; a small business owner, who became quite emotional when he told me how he had been digging into his life's savings just to try and keep his business from going bust.

There is no doubt our City, like many others across the country have been impacted by this pandemic, and it is abundantly clear that the hardest hit has been the young and women.

Councillors, I firmly believe that talk of a recession being over is premature and my concern is that the real impact on the economy will not be known, or felt, until the Federal Government's support ends early next year.

The challenge before us is great but I also recognise Council can only play a small part in this recovery. It will require the collaboration of all sectors of the community and all levels of Government for us to tackle this head on.

To assist in this, I propose that Council hold a series of targeted Jobs Summits across our City, to provide an opportunity to hear firsthand, the challenges posed by COVID-19 on jobs and to better understand the localised employment issues.

By engaging with a selection of businesses and key stakeholders, including community and not-for-profit organisations, education providers and State and Federal Government, we will be able to collaborate on identifying new solutions and opportunities to enhance the economic prosperity of our City.

Mayoral Minutes - 08 December 2020

ITEM 4.4 Local Community Based Donations

The following community-based organisation has approached Council for financial assistance.

Lebanese Muslim Association (LMA)

From November 2020 to February 2021 the Lebanese Muslim Association held / and will hold its usual congregational events at the Lakemba Mosque.

At this time, they are understandably concerned with protecting their congregation and the wider community from COVID. At the same time, they are seeing an increase in visitation and support for the wider community. The use of Parry Park for overflowing car parking allows the Mosque to safely manage this increased demand and minimise, so far as is possible, the impact on the surrounding community.

I recommend that Council support the LMA by waiving the fees for the use of Parry Park associated with overflow car parking of \$1,317.50, and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.

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	Draft Amendment to Canterbury Development Control Plan 2012 – 20-21 Boorea Avenue, Lakemba	35
5.2	Canterbury Bankstown Design Review Panel	43
5.3	Planning Proposal, Planning Agreement and Development Control Plan for 74 Rickard Road, Bankstown	51
5.4	Draft Planning Agreement – 60 Kitchener Parade, Bankstown	69
5.5	Draft Canterbury Bankstown Consolidated Development Control Plan	73
5.6	Report on Council’s Performance in the Assessment of Development Applications for the first quarter of the 2020/21 financial year, Clause 4.6 Variations Approved for the first quarter of the 2020/21 financial year, and Planning Related Legal Appeals	83

Planning Matters - 08 December 2020

ITEM 5.1 **Draft Amendment to Canterbury Development Control Plan 2012 - 20-21 Boorea Avenue, Lakemba**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

This report seeks Council endorsement to adopt amendments to the Canterbury Development Control Plan 2012 (Amendment No. 10) in relation to land at 20 and 21 Boorea Avenue, Lakemba.

ISSUE

This report summarises the exhibition of Canterbury Development Control Plan 2012 (Amendment No. 10) which applies to land at 20 and 21 Boorea Avenue, Lakemba. It provides specific controls for the site, which is also subject to a planning proposal to permit a residential care facility on the site. Council resolved to adopt the planning proposal on 26 May 2020, and it is with the Department of Planning, Infrastructure and Environment for finalisation.

At the same meeting, Council also resolved to prepare an amendment to the DCP to apply appropriate site-specific controls to the site, and exhibit the amendment for a minimum of 28 days. Council received three submissions; two from residents and one on behalf of the proponent. The submissions raised issues in relation to traffic, parking, setbacks and building separation.

Following consideration of submissions and assessment of the likely impacts, it is proposed to adopt the site specific DCP without any change.

RECOMMENDATION That -

1. Council adopt Canterbury Development Control Plan 2012 (Amendment No. 10) as exhibited, without any changes as outlined in this report and shown in Attachment A.
2. Canterbury Development Control Plan 2012 (Amendment No. 10) be brought into effect.

ATTACHMENTS [Click here for attachments](#)

- A. Draft DCP - Part F
- B. Council Report - 26 May 2020
- C. Proponent Submission

POLICY IMPACT

This matter has no policy implications for Council.

FINANCIAL IMPACT

This matter has no financial implications for Council.

COMMUNITY IMPACT

The proposed controls for the site will provide performance criteria that will ensure future development is guided by controls that provide for appropriate residential amenity through creating a strong design relationship with the surrounding properties. In particular, managing impacts to the community facilities to the west, the industrial interface to the north-east and existing low residential dwellings located to the south. The DCP will provide greater community certainty in relation to the future development outcome for the site.

DETAILED INFORMATION

Background

At its meeting of 26 May 2020, Council resolved to finalise a planning proposal for land at 20-21 Boorea Avenue, Lakemba. It is currently with the Department of Planning, Infrastructure and Environment for finalisation.

The planning proposal amends the height of buildings (HOB) and floor space ratio (FSR) controls for the site as follows:

- Include an additional permitted use for the purpose of a Residential Care Facility
- Increase the FSR of 21 Boorea Avenue from 1:1 to 2:1, and
- Increase the maximum permissible height of buildings of 21 Boorea Avenue to 21 metres.

The amendments will allow the site to be redeveloped for a residential care facility. The proposed building will be located entirely on 21 Boorea Avenue (the industrial property). The intention of the amendments was that 20 Boorea Avenue (the residential property) will be used for access and servicing to the building. An aerial photograph is at Figure 1.

At the 26 May 2020 Meeting, Council also resolved to exhibit draft amendments to the Canterbury Development Control Plan (DCP) 2012 to provide more specific controls to guide future development of the site and adjoining sites.

The draft DCP controls relate to:

- Built form and Solar Access
- Design
- Traffic and Parking
- Landscaping
- Building Services

A copy of the 26 May 2020 report is at Attachment B and provides background to the DCP controls.



Figure 1: Map showing the area subject to the DCP

Exhibition

The exhibition of Canterbury DCP 2012 (Amendment No. 10) took place from 12 October to 9 November 2020. The exhibition included:

- A page on Council’s ‘Have Your Say’ website, which was viewed by 95 people.
- Letters to affected neighbouring properties.
- Engagement with proponent.

Council received three submissions in response to the exhibition, including one in support of the amendment and one from the proponent requesting changes to the proposed controls. The issues raised in the submissions are assessed below.

Assessment of submissions

Overcrowding and traffic grounds

The submission outlines that the area currently has too much traffic and overcrowding.

Comment:

A key objective of the DCP is to protect the amenity of adjacent residential properties. This includes managing traffic and parking impacts. The traffic and parking DCP controls intend to ensure that all parking requirements for new development will be met on-site. A proposed control in the DCP requires that employee and resident parking on Boorea Avenue is to be

prevented through on-site parking provisions. The provision of adequate off-street parking will manage reasonable impacts on street parking capacity on Boorea Avenue.

The increase in density will have some impacts on the traffic generation of Boorea Avenue, being mindful of existing industrial vehicles and associated heavy truck related traffic that would be needed to service any industrial use of 21 Boorea Avenue. However, a traffic study and traffic management plan will be required to be submitted with any future development application on the site. Also, mitigation strategies can be appropriately dealt with through conditions of consent of any future DA.

With respect to overcrowding of the area, the subject site is located in close proximity to dwellings and high density residential zones. The DCP seeks to manage impacts from the proposal within the capacity of the amended height and FSR controls.

No change is recommended as a result of this issue being raised.

Supports the amendments to the DCP

The submission agrees with the proposed changes and would like the amendment to the DCP to proceed.

Comment:

Noted.

Proponent's Submission

A submission was received on behalf of the proponent and the general objectives and vision of the DCP chapter were supported. The submission raises concerns regarding setback controls C2 and C3 under Section F12.2 of the proposed DCP Chapter. The submission outlines that:

- The setbacks do not correspond with any identified amenity impacts
- They will limit the building footprint on the site and unnecessarily restrict the design options available to meet the desired outcomes
- 20 Boorea Avenue should have a building envelope for other permissible uses in the residential zone

The submission requests an amendment to the building setback proposed to the southern boundary of 14 metres and the building setback for the top storey of a further 6 metres.

The proponent raises concern that the proposed setback control will limit the development potential of 20 Boorea Avenue to solely be utilised for access and egress, vehicle circulation, landscaping and the like. This is addressed in the comments following.

The proponent also states that the setback controls unreasonably constrains the future land uses, building heights and other development opportunities to provide ancillary uses to the aged care facility. This is also addressed in the comments following.

The reason given in the submission to remove setback controls is that the controls should be flexible and general to residential care facilities rather than leading to sterilisation of the land.

The proponent contends that the controls represent excessive separation distances that do not mitigate any anticipated, or identified, amenity impacts. The submission requests that the building envelope and controls should reflect the current controls for 20 Boorea Avenue and future development should not be restricted through the insertion of the new setback controls in the DCP.

Comment:

The proposed control F12.2 Building Setbacks and Solar Access C2 and C3 reads:

C2 The building setback to the southern boundary with Lot 26 DP 13586 is 14 metres. The area within the setback to this boundary may be used for access and egress, vehicle circulation and landscaping etc.

C3 The upper element setback for the top storey must be setback a further 6 metres along the southern boundary with Lot 26 DP 13586.

The applicant’s submission in relation to setbacks is noted. No alternative control has been put forward and accordingly this submission tenders that all setback controls be deleted.

The setback controls were devised through detailed urban design modelling to minimise impacts on surrounding sites, in particular existing low density dwellings.

The proposed building height for 21 Boorea Avenue (industrial property) is 21 metres whilst the building height for 20 Boorea Avenue (residential property) will be maintained at 8.5 metres. In relation to the building setback and upper level setbacks, it was intended that a 5 storey development can be supported at 21 Boorea Avenue and that no building is recommended on 20 Boorea Avenue. The Planning Proposal endorsed by Council stipulates that 20 Boorea Avenue is to be used solely for the purposes of associated access and servicing.

The increased setbacks from the shared boundary with 18 Boorea Avenue were recommended by Council’s urban designer in order to minimise overshadowing impacts to the low density dwelling on that land. Council’s urban designer undertook detailed solar access modelling in order to determine reasonable setbacks to minimise overshadowing as well as appropriate separation between a six storey building and a dwelling. Several scenarios were modelled as shown in Figure 2 below:

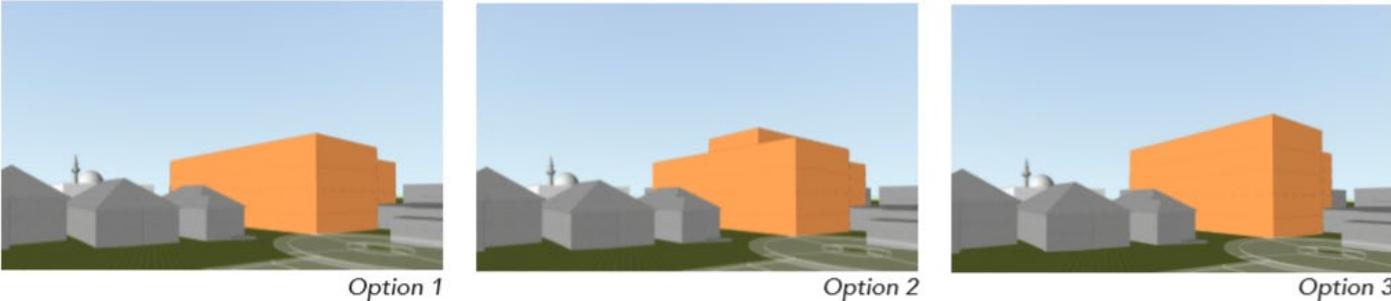


Figure 2: Modelling of building envelopes (Source: Olsson Architects)

The modelling showed that Option 2 would both minimise the imposing view of the large building from residents’ backyards as well as allow a minimum amount of solar access into gardens and a living area.

C2 The building setback to the southern boundary with Lot 26 DP 13586 is 14 metres. The area within the setback to this boundary may be used for access and egress, vehicle circulation and landscaping etc.

C3 The upper element setback for the top storey must be setback a further 6 metres along the southern boundary with Lot 26 DP 13586.

The proposed setbacks shown in Figure 3 have been designed in consultation with the proponent to achieve the increased FSR and height on the subject sites, minimise the bulk of development viewed from neighbours and allow for reasonable solar access to the existing and future residential properties. This has been the subject of extensive testing and analysis by independent specialist urban designers to ensure the impact of future development at the site does not unreasonably impact on adjoining residents and sites.

Council conceded and made a number of changes prior to exhibition. No further changes are recommended.

Conclusion

The analysis of the key issues raised in the submission finds that the site specific DCP should proceed as exhibited and be finalised.

Next steps and Conclusion

The site specific DCP for 20-21 Boorea Avenue, Lakemba has been exhibited in accordance with the relevant statutory provisions. Council officers have reviewed and addressed the submissions relating to this draft site specific DCP and consider that issues raised have now been satisfactorily addressed. It is therefore recommended that Council endorse the draft site specific DCP as exhibited and bring it into effect.

ITEM 5.2 Canterbury Bankstown Design Review Panel

AUTHOR **Planning**

PURPOSE AND BACKGROUND

This report seeks Council's endorsement to establish the Canterbury Bankstown Design Review Panel.

ISSUE

Council's Local Strategic Planning Statement '*Connective City 2036*' recognises Canterbury Bankstown has and will continue to experience urban renewal. A key direction is to promote an attractive and well-designed City during this period of transformation, to ensure that our City is a great place to live and work.

To realise this direction, key actions of *Connective City 2036* are to introduce a design quality clause in the Draft Consolidated Local Environmental Plan (the Draft LEP) and to establish a Design Review Panel (the Panel) to consider the design quality of development proposals once the Draft LEP comes into force.

In June 2020, the Canterbury Bankstown Local Planning Panel adopted the design quality clause in the Draft Consolidated Local Environmental Plan. The next step is to establish the Panel. The Panel would comprise a group of professionals with expertise in architecture and urban design, and it would offer expert design advice to Council and applicants to improve the design quality of development applications and planning proposals. The Panel will inform these assessment processes but is not a decision-making body.

A number of Sydney councils have established Design Review Panels to streamline their development assessment process by providing input into proposals during the early stages. The Department of Planning, Industry and Environment and the NSW Government Architect Office have also set up a State Design Review Panel to consider state significant development proposals.

This report includes the Terms of Reference to guide the Panel's operation and procedures. The NSW Government Architect Office has reviewed the Terms of Reference and commends Council in making this important move towards a better built environment.

RECOMMENDATION That -

1. Council endorse the establishment of the Canterbury Bankstown Design Review Panel.
2. Council adopt the Terms of Reference as shown in Attachment A.

3. Council review the operation of the Canterbury Bankstown Design Review Panel after a 12 month period and report the review findings to Council.

ATTACHMENTS

[Click here for attachments](#)

- A. Terms of Reference
- B. NSW Government Architect Office–Letter of Support

POLICY IMPACT

In December 2019, Council endorsed its Local Strategic Planning Statement '*Connective City 2036*'. It establishes a single strategic planning vision for the Canterbury Bankstown Local Government Area, and guides changes to Council's planning framework and infrastructure priorities over the next 20 years. The Greater Sydney Commission has assured *Connective City 2036*.

A key direction is to improve the design quality of the built environment to create livable and attractive places. Key actions to realise this direction include:

- Action E8.3.166–Introduce a design quality clause in the local environmental plan. Status: In June 2020, the Canterbury Bankstown Local Planning Panel adopted the design quality clause in the Draft Consolidated Local Environmental Plan (the Draft LEP). The design quality clause contains criteria that the following development proposals must comply with to achieve good urban design: residential flat buildings, multi dwelling housing, boarding houses, seniors housing, mixed use development, shop top housing, commercial premises, industrial buildings, warehouse or distribution centres, centre-based child care facilities, schools, places of worship, registered clubs and community facilities in relation to:
 - the erection of a new building, or
 - in the Council's opinion, significant alterations or additions that are visible from the public domain.
- Action E8.2.163–Establish a Design Review Panel (the Panel). Status: It is proposed to establish the Panel to consider the design quality of development applications and planning proposals once the Draft LEP and the design quality clause come into force. The establishment of the Panel is the subject of this report.

It is proposed to review the Panel's operation after a 12 month period, and to report the review findings to Council.

FINANCIAL IMPACT

The Panel's operational costs relate to the sitting costs for panel members (including preparation time and travel costs), advertising and tendering for panel members, and administrative and secretarial costs. It is expected that meetings would be held monthly, however meetings could be held more frequently based on demand requirements.

Council officers reviewed the remuneration rates for other Design Review Panels, as well as Council's Local Planning Panel to determine a competitive remuneration of panel members. Based on the review, it is recommended that the panel member remuneration would be on a fixed rate basis, determined by the number of proposals they are required to review. The following remuneration rates would apply:

- Chair: Maximum \$800 per agenda item.
- Panel members: Maximum \$600 per agenda item.

Based on the above remuneration rates, it is expected that the ongoing annual cost of administering the Panel would be approximately \$100,000 per annum.

Council is in a position to charge a fee for the Panel's services to recoup costs. Based on the review, it is recommended to charge applicants:

- Pre-lodgement: A fee of \$2,800 for the initial meeting and 50% of the original fee for each subsequent meeting if required by the Panel.
- Post-lodgement: A fee of \$2,800.

This fee schedule is similar to the fee schedules of other Sydney councils that have Design Review Panels. Examples of fee schedules are listed in the table below.

Other Sydney councils	Fee (2020/21) per meeting
Bayside	Estimated Cost of Construction < \$10 Million = \$2,400 Estimated Cost of Construction > \$10 Million & < \$50 million = \$3,200 Estimated Cost of Construction > \$50 Million = \$4,200 Subsequent referrals to the Panel = 50% of original fee
Canada Bay	Referral of pre-lodgement applications to the Panel = \$3,000 Referral of amended plans to the Panel = \$1,500
Cumberland	\$3,000 Requires re-referral = \$1,500
Georges River	<u>Development Applications</u> Estimated Cost of Construction < \$10 Million = \$1,500 Estimated Cost of Construction > \$10 Million & < \$50 million = \$2,500 Estimated Cost of Construction > \$50 Million = \$5,000 Subsequent referrals to the Panel = 50% of original fee <u>Planning Proposals</u> Referral to Design Review Panel = \$2,620 Subsequent referrals to Design Review Panel = 50% of original fee
Liverpool	\$1,733.50
Parramatta	Initial consideration for developments – 3 storeys or less = \$1,755 Initial consideration for developments – more than 3 storeys = \$3,515 Subsequent referral for developments – 3 storeys or less = \$570 Subsequent referral for developments – more than 3 storeys = \$1,140
Randwick	Development cost up to \$2,000,000 = \$2,000 Development cost more than \$2,000,000 = \$3,000
Ryde	\$2,390 + Administration Fee \$106
Sutherland	Multi dwelling housing = \$3,150 RFBs/ shop top housing = \$3,600 Seniors living = \$2,900 Commercial/Industrial = \$3,150/\$3,050
The Hills	\$3,080
Waverley	\$3,000
Willoughby	\$3,000

It should be noted that smaller scale development such as houses, secondary dwellings, and dual occupancies will not be subject to this requirement, only larger scale development as outlined in the terms of reference. The ongoing operational funding for the Panel would be subject to future quarterly budget reviews.

COMMUNITY IMPACT

The establishment of the Panel is a widely used and accepted mechanism across other Sydney councils and it is designed to help achieve Council's commitment to improving the design quality of the built environment. This is consistent with *Connective City 2036*, which Council consulted broadly on during its development. Feedback from the community highlighted that they would like to see better designed and well-managed development in Canterbury Bankstown.

DETAILED INFORMATION

Purpose of the Canterbury Bankstown Design Review Panel

The purpose of the Canterbury Bankstown Design Review Panel (the Panel) is to provide expert design advice to Council and applicants on development applications, planning proposals and other projects, having regard to:

- The NSW Government Architect Office's *Better Placed Policy*, environmental planning instruments, development control plans and associated documents.
- The actions that need to be taken to improve the design quality of proposals.

The Panel's advice and recommendations are advisory only. The Panel is not a decision-making body.

Terms of Reference for the Canterbury Bankstown Design Review Panel

The Terms of Reference, as provided in Attachment A, proposes to guide the Panel's operation and procedures on the following key matters:

Matters to be referred to the Panel

It is proposed to refer development applications that must comply with the design quality clause in the Draft Consolidated Local Environmental Plan to the Panel for expert design advice, namely new:

- (a) buildings comprising residential development with three or more storeys within the business zones
- (b) residential development with three or more storeys outside of the business zones
- (c) commercial buildings with a floor space greater than 1,000m²
- (d) industrial buildings with a floor space greater than 5,000m²
- (e) warehouse or distribution centres with a floor space greater than 5,000m²
- (f) centre-based child care facilities
- (g) schools
- (h) places of public worship
- (i) registered clubs
- (j) community facilities.

The Panel would provide this advice at the pre-lodgement stage and may be requested to provide further advice post-lodgement. Council officers may request the Panel to provide additional advice in relation to modification (section 4.55) applications if significant changes are proposed to development consents.

Council officers may also request the Panel to provide advice in relation to planning proposals and other projects.

Panel membership

It is proposed to have the Panel operate with a Chairperson and two panel members at meetings (quorum would require the Chairperson and one panel member).

A review of other Design Review Panels in Sydney suggests that large and complex projects would benefit from having a three member panel. It provides a range of expertise, encourages creative design solutions, and helps to address problems should a panel member be unavailable to attend a meeting. Council officers would attend meetings to provide technical advice and administrative support.

Recruitment and appointment of the Panel

It is proposed to appoint the Chairperson and panel members from a pool of professionals with expertise in architecture or urban design. The panel members should be interchangeable to ensure availability or manage instances where a conflict of interest has been declared.

A public call for expressions of interest would be made for potential panel members. Council's Director Planning and Manager City Design would select and appoint the panel members following the completion of a transparent merit-based selection process. The term for panel members would be two years, with an option to extend the term for a further two years.

Meeting procedures

It is proposed for the Panel to meet monthly. Additional meetings may be called at the discretion of Council's Director Planning to deal with urgent matters. The meetings will not be open to members of the public to attend.

The meeting session would comprise:

- Briefing by planning officer to the panel before the applicant and team arrive.
- Short briefing on the project objectives by the applicant.
- Presentation of the proposal by the lead architect.
- Questions from the Panel, led by the Chairperson.
- Panel discussion of the proposal.
- Summary of the recommendations by the Chairperson.

Minutes of the meeting would be taken and forwarded to the applicant following the meeting. The minutes would summarise the recommended actions to improve the design quality of proposals.

NSW Government Architect Office's Letter of Support for the Canterbury–Bankstown Design Review Panel

The NSW Government Architect Office is a state agency which provides the NSW Government with strategic design leadership in architecture, urban design and landscape architecture.

In July 2017, the Government Architect Office released the *Better Placed Policy* to establish a baseline of what is expected to achieve good design across all projects in NSW. This policy supports the establishment of Design Review Panels as a tried and tested method of promoting good design. Panels are found to be a cost effective and efficient way to improve quality.

Council requested the Government Architect Office to review the Panel's Terms of Reference to ensure it is consistent with best practice.

The Government Architect Office provided its written support for the formation of the Panel and commended Council in making this important move towards a better built environment, as provided in Attachment B.

ITEM 5.3 **Planning Proposal, Planning Agreement and Development Control Plan for 74 Rickard Road, Bankstown**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

A planning proposal and site specific Development Control Plan (DCP) for land at 74 Rickard Road, Bankstown have been prepared and publicly exhibited. The application is requesting to increase the building envelope controls from 4.5:1 FSR / 53 metre building height to 8:1 FSR / 83 metre building height for the purposes of an educational establishment (university). This report outlines submissions received, responses to them, and seeks Council endorsement for the planning proposal and DCP to be finalised.

The planning proposal and draft site specific DCP were exhibited from 14 October 2020 – 13 November 2020. A total of twelve submissions were received from the community, State agencies and the proponent. Five of the six community submissions were in support of the proposal. Submissions from State agencies and the proponent primarily related to minor changes to the DCP and housekeeping amendments to the planning proposal document.

Additionally, this report seeks Council endorsement to prepare and exhibit a draft planning agreement for the required infrastructure to support the proposal offered by Walker Corporation, who have been engaged by Western Sydney University. These include design and construction of works along Appian Way, stormwater infrastructure upgrade contribution and car parking contribution. A concept reference design for Appian Way and a revised letter of offer is provided at Attachment C.

ISSUE

Council endorsement is required to finalise the planning proposal and site specific DCP, and to exhibit a draft planning agreement.

This report recommends that Council support the planning proposal and draft DCP controls to guide the future development of the site. Minor amendments are proposed in response to submissions from the community, proponent and State Agencies. It is also recommended that Council endorse the preparation and exhibition of a draft planning agreement, which will be reported back to Council after it is exhibited.

RECOMMENDATION That -

1. Council adopt the planning proposal as shown in Attachment A – Planning Proposal and that it be referred to the NSW Department of Planning, Infrastructure and Environment for finalisation.

2. The General Manager be authorised to make minor mapping or wording changes to the planning proposal arising from the finalisation process so long as these do not alter its intent or substance.
3. The proposed amendments to the exhibited draft site specific development control plan for 74 Rickard Road, Bankstown as shown in Attachment B are adopted and brought into effect once the LEP has been finalised.
4. Council prepare and exhibit a draft planning agreement for 74 Rickard Road, Bankstown on the basis of the revised letter of offer and concept reference design as shown in **Attachment C**.

ATTACHMENTS

[Click here for attachments](#)

- A. Planning Proposal Post Exhibition
- B. Draft Site Specific DCP Post Exhibition
- C. Planning Agreement Letter of Offer and Reference Design
- D. Summary of Community Concerns

POLICY IMPACT

This report proposes no changes to Council policies.

With respect to the relevant state and local planning strategies that apply to the site, the planning proposal is consistent with the Greater Sydney Commission's Greater Sydney Region Plan and South District Plan, which outline the vision for the Bankstown CBD as a strategic centre as a commercial, health and education precinct.

The proposal realises the aspirations of Council's Local Strategic Planning Statement, *Connective City 2036* as well as the priorities and actions of the *Bankstown CBD and Bankstown Airport Place Strategy* through facilitating planning changes to accommodate a vertical campus in the heart of the Bankstown CBD. The university is a catalytic development and key city shaper to enliven Bankstown as a health and education strategic centre.

The amendments to the *Bankstown Development Control Plan 2015* will ensure appropriate site specific issues will be addressed as part of the assessment by the Department of Planning, Industry and Environment of the live State Significant Development Application.

Council is both the land owner and assessor for this planning proposal, and this dual role has been carefully managed through the implementation of a probity plan which separates the assessment functions from the commercial functions of the organisation.

FINANCIAL IMPACT

The planning proposal and state significant development application necessitate a number of infrastructure works in order to support the vertical campus university. Western Sydney University, through their development partner Walker Corporation, have submitted a planning agreement letter of offer. The letter of offer proposes:

- Stormwater infrastructure upgrade works contribution of \$2 million;
- Public domain contribution including works along Appian Way to a value of \$2.6 million and a Council contribution of \$1.5 million (\$4.1 million total); unless otherwise agreed. This value of works may be subject to change with the agreement of Council; and
- Car parking contributions in lieu of a portion of parking spaces (50) in the State Significant Development Application (approximately \$1,713,632 subject to indexation).

An offset of developer contributions is proposed, which requires a planning agreement with the Minister for Planning and Public Spaces.

It is also noted that at the Council Meetings in December 2017 and June 2018, it was resolved to negotiate a 99 year ground lease with WSU on Council's land at 74 Rickard Road and part 375 Chapel Road, Bankstown with respect to the project. In accordance with the Council's Probity Plan, both the property and/or commercial terms have been resolved and/or negotiated independent of any planning consideration.

COMMUNITY IMPACT

The proposal represents a major education investment that will transform Bankstown. The proposed university is a major infrastructure project that would inject a significant number and variety of jobs to the Bankstown CBD, as well as a positive economic boost to existing and future local businesses.

The planning proposal was exhibited from 14 October 2020 – 13 November 2020 in accordance with the requirements of the Department of Planning and Environment's Gateway conditions.

A total of 12 submissions were received, including:

- Six community submissions (five in support)
- Five State agency submissions
- One submission from the proponent

The community submissions and State agency submissions raised matters relating to DCP changes or DA matters. The majority of requested DCP changes have mostly been supported as set out in the below report. The proponent's submission requested deletion of the solar access control in the LEP and replacement in the DCP, raised housekeeping changes to the planning proposal document and requested some changes to the DCP. With the exception of the solar access request, the majority of the requested changes are supported.

DETAILED INFORMATION

Background

This report details the public exhibition of a planning proposal and site specific development control for the land at 74 Rickard Road, Bankstown. It is noted that since Council's original resolution to proceed with the proposal, the site has been subdivided and has a new address and Lot and DP.

The site is legally known as Lot 15 DP 1256167 with a street address of 74 Rickard Road, Bankstown. The site is located in the core of the Bankstown CBD and civic precinct, and is approximately 3,678m². The site is bound by Rickard Road (north), Appian Way (east), Paul Keating Park (south) and Council's Bankstown Library and Knowledge Centre (west). The site is currently under construction in accordance with the early works development application approved by the Sydney South Regional Planning Panel (DA-697/2019) on 31 August 2020.



Figure 1 | Subject Site **Source:** NearMap 2020

The site is zoned B4 Mixed Use and a university (educational establishment) is currently a permitted use, subject to development consent. The building is subject to approval by the Department of Planning, Industry and Environment through a separate SSDA process (SSD-9831). An image of the current amended building is shown below:



Figure 2 | Amended WSU building, perspective from Paul Keating Park **Source:** Lyons Architectural Design Report Addendum August 2020.

The planning proposal (RZ-7/2018) seeks to amend the height, floor space ratio (FSR) and solar access controls for the site through the following amendments to the *Bankstown Local Environmental Plan 2015*:

- Increase in maximum height of buildings from 53m to 83m
- Increase in FSR from 4.5:1 to 8:1
- Creation of a new solar access control to determine a reasonable impact of overshadowing on Paul Keating Park:

Development must allow for 4 hours of continuous solar access to a consolidated area of Paul Keating Park between 10am and 3pm on 21 June (inclusive of existing shadow). The size of the consolidated area must be a minimum 50% of the area of Paul Keating Park (not including the footprint of the Council Chambers).

On 10 June 2020, the Department issued a Gateway determination to proceed to exhibition subject to receipt of further information from Council. After the submission of further information, Council also requested an amended Gateway to remove some of the imposed Gateway conditions relating to solar access on adjoining sites and confirm flooding infrastructure contributions after exhibition. An amended Gateway was issued on 2 October 2020 and allowed exhibition of the planning proposal.

Public Exhibition

The planning proposal (Attachment A), draft development control plan (Attachment B) and a letter of offer were exhibited from 14 October 2020 – 13 November 2020. The following engagement measures were taken, being mindful of COVID-19 safety requirements:

- Written notification to owners of surrounding sites in Bankstown that may be affected;
- Dedicated Have Your Say webpage on Council's website;
- Over 300 views of the proposal on Council's Have Your Say webpage;
- Public notice in the Council Column; and
- Notification through the NSW Planning Portal and email to public authorities, including Transport for NSW, Sydney Water, Sydney Metro, State Emergency Services and NSW Environment, Energy and Science.

Community submissions

Six community submissions were received in response to the planning proposal, DCP and letter of offer. Five stated that they supported the proposal, with the following comments received:

Issue

Staff and student parking must be a major concern and extra foot pedestrian between railway and uni. Are there any street closures?

Comment

There will be some interim street closures as part of construction of the building, including associated public domain improvements and stormwater infrastructure construction work. These will be temporary and will improve the street quality of Appian Way for the increased pedestrian foot traffic to Bankstown train station and bus stops, but will not close it to vehicular traffic.

Issue

The road network surrounding the proposal has large traffic flows. Supportive that public transport will be the primary form of access for students, teachers and administration, but will there be an increase in traffic in surrounding streets? Also, why is the area proposed for high-rise?

Comment

Council agrees that it is preferable to rely on public transport, consistent with the aims of the Bankstown CBD and Bankstown Complete Streets, given the close proximity to train and bus infrastructure and the incoming Sydney Metro in 2024.

Council also received a submission from Transport for NSW who are requesting for Council to limit the amount of car parking provided on site to minimise traffic generation and encourage use of public transport.

The draft DCP parking controls were also formulated on low levels of private transport and reliance on public transport, in order to minimise traffic impacts on the road network.

Consistent with Council's LSPS, it is appropriate to locate higher density development and uses within the CBD and town centres, instead of suburban areas where the low density character should be protected. This also promotes co-location of commerce, services and facilities.

Issue

Welcome local higher education opportunities.

Comment

It is agreed that the university will deliver a positive outcome for higher education and ancillary support services in the LGA.

Issue

The project should be well built and keep future transport in mind. More bus bays and better connections to Bankstown train station is paramount to making this University Campus well established in the CBD. Request to integrate with Paul Keating Park instead of divided up by roads and car parking zones.

Comment

Design excellence is a key consideration and has formed part of Council's submission to the State Significant DA (SSDA). The amended design of the building has been positively received by the NSW Government Architect's Office, and can comply with Council's requirements for solar access to Paul Keating Park. The campus also capitalises on public transport and encourages student travel on the train network and buses. Council is currently working with the proponent to ensure the building integrates with the surrounding public domain, including Paul Keating Park. The proponent has stated that they are committed to achieving integration with the park and public domain adjoining the subject site.

Issue

Please consider directional tactiles for vision impaired, student disability parking spaces and high Contrasting colours for surface level changes to assist people with depth perception problems.

Comment

These items are matters for development application which is currently under assessment by the Department of Planning, Industry and Environment. It is expected that the development would be required to comply with the relevant access codes and regulations.

State Agencies

In accordance with Section 56(2) of the EP&A Act 1979, the following state agencies were consulted following issue of the Gateway Determination by the Department of Planning, Industry and Environment. The State agencies that responded supported the planning proposal and provided feedback for Council's consideration.

None of the State agencies objected to the development, with some requesting minor changes to the DCP or are relevant to the DA. The submissions are addressed below:

State Agency	Submission	Comment
<p>Transport for NSW (including former RMS)</p>	<p>TfNSW supports limiting onsite parking, use of public transport and reduction of traffic from private vehicles. TfNSW recommends the wording that the parking control provisions are maximums to support the associated DCP objectives.</p>	<p>The response from TfNSW focuses on the DCP letter of offer submitted by the proponent and raises no concerns about the planning proposal. The submission also recommends that Council adopt maximum car parking rates to encourage public transport and lower traffic generation from the proposal.</p> <p>Council has adopted a car parking rate based on the campus' CBD location, and analysis undertaken by transport experts. The adoption of a maximum car parking rate is intended for other development types in the CBD, where a low parking generation rate has not been specifically adopted in the controls (for example - residential development).</p> <p>Due to the low rate already assumed, it would be inappropriate to apply a maximum car parking rate, which could result in zero parking required, disregarding the technical investigations and advice from independent traffic specialists.</p> <p>The proponent has the option to not provide parking in accordance with Council's VPA policy and pay contributions. This will allow Council to accommodate the required parking demand that is forecast for the proposal elsewhere in the Bankstown CBD.</p> <p>No changes are recommended to the DCP.</p>

	<p>Council may wish to consider that there is a risk in the availability of unmetered car parking and contributions towards additional car parking infrastructure may undermine the achievement of mode share targets for the development.</p>	<p>Noted. The planning proposal and letter of offer strikes a reasonable balance between TfNSW's objective to reduce car parking in the CBD and increase reliance on public transport, whilst providing an acceptable level of car parking to service staff and visitors.</p>
	<p>Any future redesign of Appian Way to be a shared zone requires TfNSW approval.</p>	<p>Noted, and will occur as required in a future DA for the Appian Way works proposed in the letter of offer.</p>
	<p>The exhibited reports have not assessed the number of students arriving by walking from bus and train (only mentioned as modes of access). Universities tend to have high numbers of students arriving at the same time from public transport and will potentially result in reduced levels of service on footways and safety concerns, especially during morning and afternoon peak periods. Consideration should be given to ensuring that adequate pedestrian and cycling links are provided to and from key destinations (e.g. Bankstown Station and bus stops) to ensure there are sufficient crossings and footpath space for students to and from the university.</p> <p>In this regard, it is appreciated that the VPA Letter of Offer has included proposed contributions to pedestrian enhancements. The above demands should also be considered and addressed in relevant DCP controls (e.g. additional setbacks etc.) to ensure the provision of adequate pedestrian and cycling infrastructure to cater for the additional demands.</p>	<p>The proponent has agreed to design, fund and construct the required footway and pedestrian linkages along parts of Appian Way to support the increased foot traffic from students in peak periods.</p> <p>A new cycleway consistent with Bankstown Complete Streets along Rickard Road will form part of the SSDA. Appropriate setbacks of the building have already been provided to enable adequate space for cycleways and pedestrian areas to meet the aspirations of Bankstown Complete Streets.</p> <p>Cycleways throughout the CBD will continue to be augmented either by Council or proponents through respective DAs.</p> <p>This comment has been addressed though the letter of offer, DCP and SSDA.</p>

Sydney Metro Authority	No issues raised.	Noted
NSW Department of Planning, Industry and Environment - Environment, Energy and Science Group (former Office of Environment and Heritage) (EES)	Details of different species and other requirements for landscaping for Council's reference as part of the EES's SSDA submission.	Noted
	The DCP be amended to: <ul style="list-style-type: none"> - Include an additional objective about native tree species and local biodiversity, - Replace the trees that are to be removed at ground level at a ratio of greater than 1:1 to mitigate the urban heat island effect, - Utilise a diversity of local native tree species, use of minimum 100 litre plant container pot size or similar if a native species pot size is not available - Landscape Plan shall be provided showing various details above and 12 month maintenance schedule. 	Changes made to DCP.
	Proposed amendment to control 1.12 C5 relating to submission of a flood emergency response plan to be prepared in consultation with SES and Canterbury Bankstown Council.	Change made to DCP.
Sydney Water	Potable water and waste water servicing is available, with some adjustments potentially required.	Noted, this is a matter for the DA.
	No buildings or permanent structures are allowable over or within 1m from the outside wall of the stormwater assets. Elevations are to be provided for Sydney Water to review. A section 73 application is also required.	Noted, all matters for the DA.
NSW State Emergency Services	None received	Noted.

Ausgrid	Recommends preliminary enquiries for supply of electricity through a substation.	Noted, this is a matter for the DA. A substation is also shown on the SSDA plans.
	Where required, streetlighting replacement is to be discussed with Ausgrid.	Noted, this is a matter of the DA.
	There are existing underground electricity network assets in 74 Rickard Road Bankstown. Special care should also be taken to ensure that driveways and any other construction activities within the footpath area do not interfere with the existing cables in the footpath. Ausgrid cannot guarantee the depth of cables due to possible changes in ground levels from previous activities after the cables were installed. Hence it is recommended that the developer locate and record the depth of all known underground services prior to any excavation in the area. Should ground anchors be required in the vicinity of the underground cables, the anchors must not be installed within 300mm of any cable, and the anchors must not pass over the top of any cable.	Noted, this is a matter of the DA.

Proponent's submission

Western Sydney University have lodged a submission and additional feedback to Council through their planning consultants Urbis and development partner, Walker Corporation. The following requests were made:

Planning Proposal

Issue

The subject site has been recently subdivided and is now known as 74 Rickard Road Bankstown, Lot 15 DP 1256167.

Comment

Planning proposal amended.

Issue

The solar access control should be moved out of the LEP and into the DCP, consistent with South Sydney DCP, Burwood DCP and Chatswood CBD Planning and Urban Design Strategy 2036.

Comment

Council considers the proposed solar access control is essential to the suite of planning controls applying to the site and warrants inclusion in the LEP, given it will protect the amenity of the principal piece of open space in Bankstown CBD. The retention of the proposed control in the LEP is consistent with Council's own studies and investigations, and similar controls within the City of Sydney LEP and City of Parramatta LEP.

Consequently, this change is not recommended.

Issue

The planning proposal document states that the proponent is to confirm stormwater infrastructure works, public domain works and car parking requirements. Works along Civic Drive have not been included due to the planning proposal and DAs lodged for Bankstown Central, which includes relocation of the bus interchange from off Civic Drive. Civic Drive is therefore not required from WSU.

It is noted that the car parking assumptions for the number of staff on site at one time has now reduced from 650 to 245. A loading zone on Rickard Road is no longer proposed in the SSDA. The planning proposal should be updated to reflect these changes.

Comment

It is agreed that the planning proposal should be updated to reflect recent commitments in the letter of offer from the proponent to provide stormwater infrastructure contributions, public domain works along part of Appian Way (and Rickard Road as part of the SSDA) and parking contribution in lieu of deficient parking proposed on site.

As part of the letter of offer, the public domain reference design will plan and design works along Civic Drive. The delivery of upgrades along Civic Drive and Jacobs Street needs to be considered in the context of the Vicinity planning proposal and current development applications. The relocation of the bus interchange and other proposed elements from the Vicinity site will deter pedestrians from Western Sydney University moving along Jacobs Street and instead down Appian Way.

The revised staff numbers on site at any one time has also been accepted and the change made accordingly. Changes to the loading zone location are noted and this change has also been made.

Issue

Amendments to Attachment B, relating to the consistency of the proposal with SEPPs, to show alignment with state policy and adjust the map in the planning proposal of Paul Keating Park to be consistent with Council's Urban Design Peer Review definition shown in the Local Planning Panel report.

Comment

Agreed. The intent was always to align the mapping with Council's Urban Design Peer Review. The amendment has been made in Attachment A and is intended to be consistent with the mapping that will be inserted in the Bankstown LEP 2015.

Development Control Plan

Issue

Address and Lot and DP requires updating due to recent subdivision.

Comment

Change made.

Issue

Request to remove bicycle parking restriction to allow more than 20 spaces in the public domain, consider more spaces in Paul Keating Park and promote active transport as desired by Council.

Comment

Since the lodgement of this submission, dated 13 November, Council and the proponent have agreed through the SSDA process to allow a maximum of 20 bicycle spaces.

Notwithstanding, the impact of upwards of 100 bicycle spaces in the public domain would mean that bicycle parking dominates the public domain area. Whilst there is a desire to promote active transport, there are other means to accommodate more bicycle spaces within the building or on the subject site. In light of this, a change to the DCP on this matter is not recommended.

Issue

Request to modify the DCP to allow building projections over Council's land for architectural features and building sun shading (excluding awnings already allowed into Council's airspace). Parramatta DCP allows projections for these features in the CBD.

Comment

Consistent advice has been provided to the proponent that the building needs to be wholly designed within its own site, with the exception of awnings. The proposed control is more appropriate to be considered as part of Council's LGA wide consolidated DCP as its application at Parramatta is for the CBD not just a particular building, and a change of this nature needs to be considered holistically across the LGA as a clear policy change.

Since this submission, it has been agreed to modify the building to be wholly within the site as part of the SSDA. No changes are recommended to the DCP in relation to this issue.

Issue

Request to insert a figure showing Paul Keating Park and reference to the figure into the solar access control to clarify definition of the park for the purposes of the solar access control.

Comment

Agreed, this change is recommended.

Issue

Request to clarify that Section 1.8 control C1 relating to active frontages totalling 75% is an average.

Comment

Changes have been made to the draft DCP to clarify the active street frontage controls.

Planning Agreement

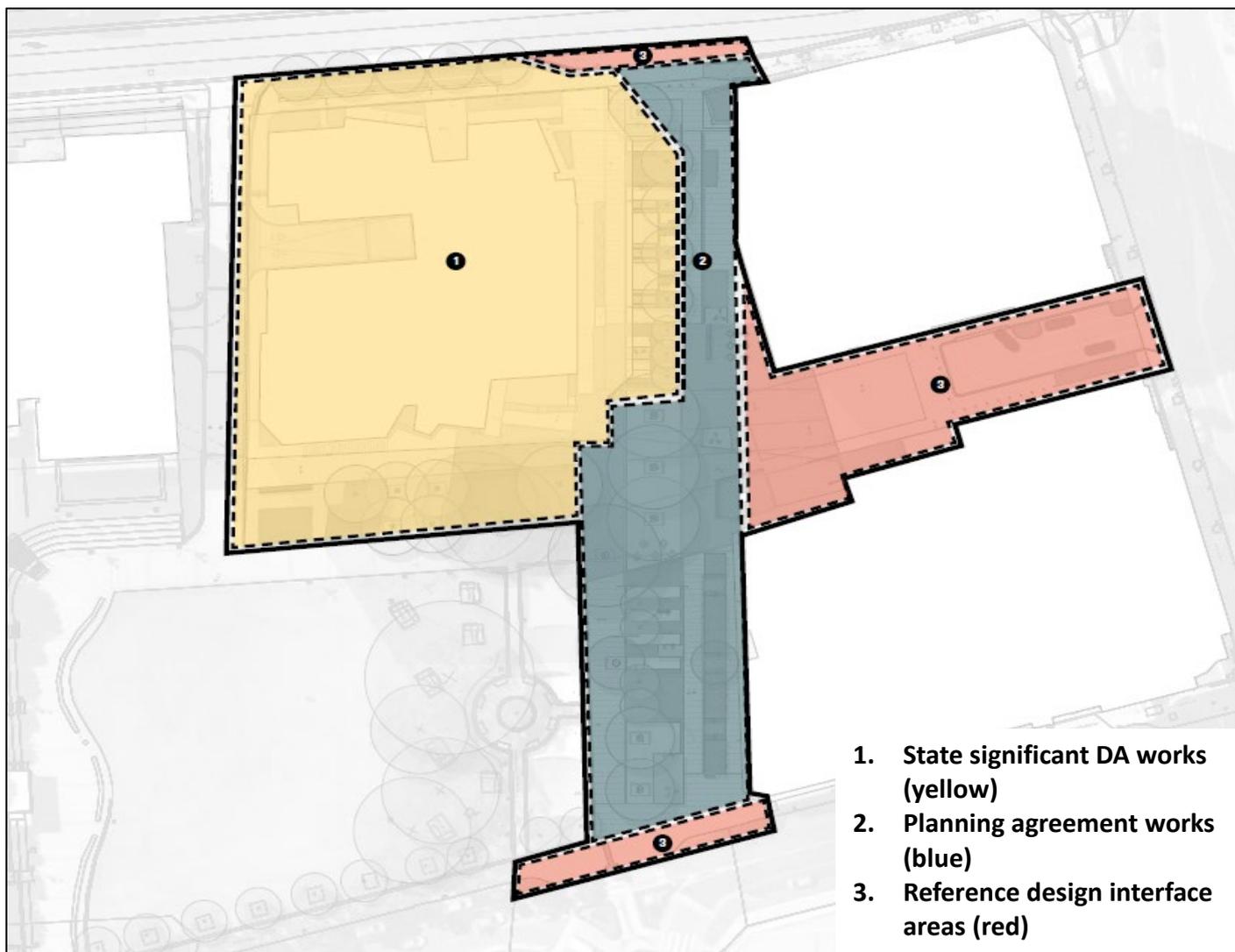
A draft letter of offer that provides the basis for a planning agreement from the university development partner, Walker Corporation, was exhibited alongside the planning proposal and draft DCP. The letter of offer included high level detail about the infrastructure contributions and public domain works that would be delivered by Western Sydney University in order to satisfy Council's resolution at the 22 October 2019 Meeting.

On 1 December 2020, Walker Corporation submitted a revised letter of which incorporated a public domain reference design and reflects discussions between Council officers and the proponent.

- \$2 million contribution to Council towards stormwater infrastructure upgrade works, payable to Council upon the completion of the works by Council.
- \$1,713,632 monetary contribution to Council in lieu of 50 car parking spaces
- Public domain upgrades to part of Appian Way to the Mall, including funding of the design and part of the construction up to \$2.6 million or as otherwise agreed. Council will contribute up to \$1.5 million and any costs that exceed the \$4.1 million during construction are to be borne by the proponent. The letter of offer is accompanied with a reference design for Appian Way.

Please note that, upgrades directly adjoining the site are required as part of ordinary conditions of consent for the SSDA.

The scope of public domain works is shown below:



Source: Aspect Studios

The contributions and works proposed in the letter of offer, if endorsed by Council, will form part of the draft planning agreement to be exhibited. After exhibition, a final report to Council would be required before any final endorsement.

Other Development Control Plan changes

In addition to the changes made as a result of submissions, Figure 4 of the draft DCP has also been amended to align with the scope of public domain works agreed to in the letter of offer.

Gateway Conditions and Council Resolution

The proponent has provided information to satisfy Council's resolution of 22 October 2019 and Gateway conditions issued by the Department. These matters include:

- Demonstrated concept envelope that achieves solar access control;
- Achieved concurrence from Bankstown Airport and Commonwealth Department of Infrastructure, Transport, Cities and Regional Development for the proposed height;
- Included DCP controls to mitigate wind impacts and protect Appian Way and Paul Keating Park;

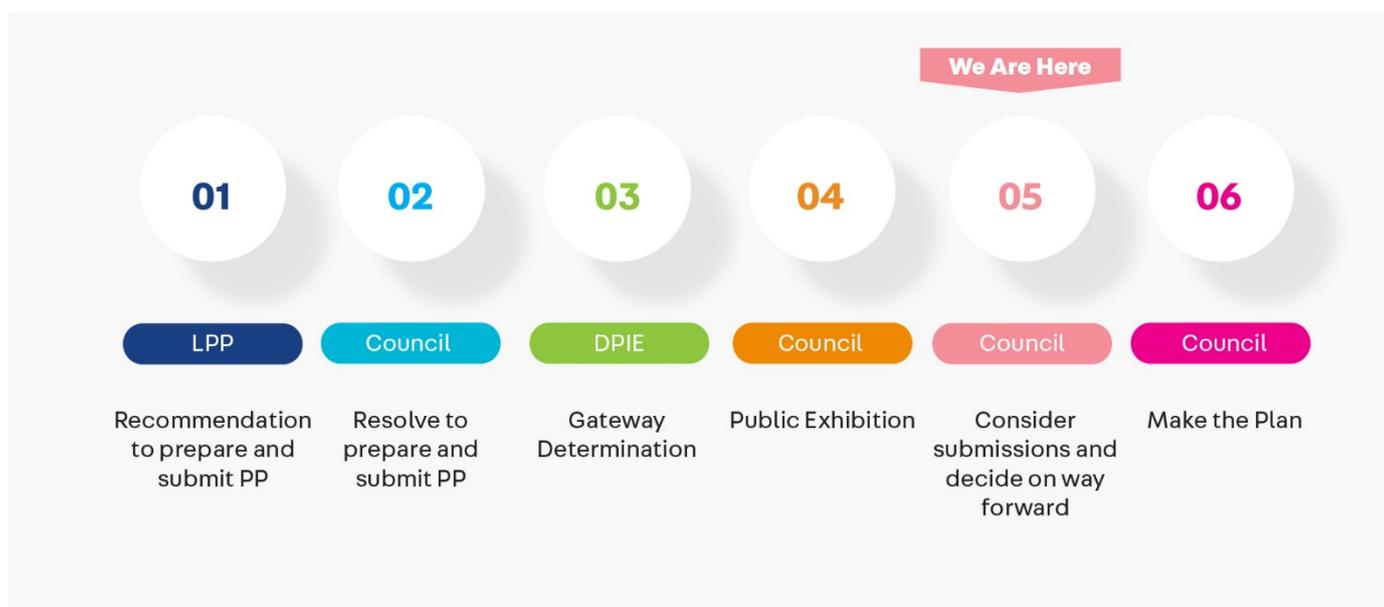
- Provision of public domain upgrades for Appian Way (through planning agreement) and Rickard Road (SSDA). As discussed earlier, works along Civic Drive and Jacobs Street need to be considered based on the Vicinity planning proposal and development applications;
- Supplementary studies received and a draft DCP developed between Council and the proponent and cover all areas in Council’s resolution and the Local Planning Panel minutes;
- The proponent has now formally offered a monetary contribution to stormwater infrastructure upgrades. This item also resolves the one outstanding Gateway condition that was issued in the amended Gateway of 2 October 2020.

Conclusion and Next Steps

Amendments have been made to the planning proposal document and draft site specific DCP as set out in this report in response to submissions and including general housekeeping changes. These changes are consistent with Council’s resolution of 22 October 2019.

Should Council decide to endorse the planning proposal and draft site specific development control plan and proceed to exhibition with a planning agreement, the next steps are:

- Forward the planning proposal to the Department of Planning, Industry and Environment to be finalised;
- Publish the draft site specific development control plan and amended the *Bankstown DCP 2015* accordingly;
- Prepare and exhibit a draft planning agreement and return to Council for a final decision on the planning agreement.



Planning Matters - 08 December 2020

ITEM 5.4 **Draft Planning Agreement – 60 Kitchener Parade,
Bankstown**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

This report seeks Council approval to exhibit a draft planning agreement in relation to 60 Kitchener Parade, Bankstown.

ISSUE

In August 2020, the Local Planning Panel considered a development application (DA 960/2019) to extend an existing commercial building at 60 Kitchener Parade, Bankstown. The issue is the increased floor space requires two additional off–street parking spaces. As it is not possible to accommodate these two spaces on the site, the property owner has the option to address this shortfall through a monetary contribution via a planning agreement.

The Local Planning Panel approved the development application on a deferred commencement basis, subject to the property owner and Council reaching an agreement on the monetary contribution required to be paid in–lieu of providing the two additional off–street parking spaces.

The property owner has agreed in–principle to enter into a planning agreement, which is the subject of this report. The next step would be to exhibit the draft planning agreement, and for Council to decide whether to enter into the planning agreement following the exhibition.

RECOMMENDATION That -

1. Council exhibit the Draft Planning Agreement at Attachments A and B.
2. The matter be reported to Council following the exhibition.

ATTACHMENTS [Click here for attachments](#)

- A. Draft Planning Agreement
- B. Explanatory Note
- C. Local Planning Panel Report–3 August 2020

POLICY IMPACT

The draft planning agreement, which proposes to make a monetary contribution in-lieu of providing two off-street parking spaces, is consistent with Council's Planning Agreements Policy and Bankstown Development Control Plan 2015 (Part B5-Parking).

FINANCIAL IMPACT

The draft planning agreement will make a monetary contribution of \$71,184.87 in lieu of providing two off-street parking spaces. The monetary contribution is set aside for the construction of public parking spaces as detailed in Council's Bankstown CBD Car Parking Strategy.

COMMUNITY IMPACT

This financial contribution will be used to invest in additional public parking spaces within the Bankstown CBD, benefiting those who live, work and visit the area.

DETAILED INFORMATION

Background

At the Meeting of 3 August 2020, the Local Planning Panel considered a development application (DA 960/2019) to extend an existing commercial building at 60 Kitchener Parade, Bankstown. The proposed extension involved the conversion of an outdoor terrace area into 70m² of additional floor space.

However, the increased floor space requires two additional off-street parking spaces. As it is not possible to accommodate these two spaces on the site, the applicant has the option to address this shortfall through a monetary contribution via a planning agreement.

The Local Planning Panel therefore approved the development application on a deferred commencement basis, subject to the applicant and Council reaching an agreement on the monetary contribution required to be paid in-lieu of providing two off-street parking spaces. The Local Planning Panel report is provided in Attachment C.

Planning Agreement

In response to the Local Planning Panel's determination, the property owner has provided in-principle support to enter into a planning agreement. The intended outcome of the planning agreement is to make a monetary payment of \$71,184.87 in-lieu of providing two off-street parking spaces.

A draft planning agreement has been prepared in accordance with Council's Planning Agreements Policy (the Policy), as provided in Attachments A and B. Clause 1.8 of the Policy outlines the principles that govern whether Council should enter into a planning agreement.

The draft planning agreement is recommended for exhibition for the following reasons:

- The draft planning agreement is acceptable on planning grounds as there is a clear public benefit. The contribution to be received under the draft planning agreement will help the implementation of the Bankstown CBD Car Parking Strategy, which aims to provide public parking at strategic locations in the Bankstown CBD.
- The public parking will be available for use at all times by the general public and will not be available exclusively to service the demand generated by the proposed development.
- The draft planning agreement represents the cost of constructing a parking space in line with the Policy.

Next Steps

Should Council support the exhibition of the draft planning agreement, the exhibition will be held for a minimum 28 days. The matter would be reported to Council following the exhibition.

Planning Matters - 08 December 2020

ITEM 5.5 **Draft Canterbury Bankstown Consolidated Development Control Plan**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

This report seeks Council approval to exhibit the Draft Canterbury Bankstown Consolidated Development Control Plan (Draft DCP). The Draft DCP has been prepared to support the Draft Canterbury Bankstown Consolidated Local Environmental Plan (Draft LEP), which has been submitted to the Department of Planning, Industry and Environment and is awaiting finalisation.

ISSUE

In June 2020, the Canterbury Bankstown Local Planning Panel adopted the Draft LEP. The Draft LEP consolidated the local environmental plans of the former councils as part of the Department of Planning, Industry and Environment's Accelerated Local Environmental Plan Program. The Draft LEP is currently with the Department for finalisation.

The next step in the process is to exhibit the Draft DCP to support the Draft LEP. The Draft DCP is a planning document which provides additional objectives and controls to enhance the function, design and amenity of development. While this Draft DCP is primarily an administrative consolidation of the existing controls, there are some proposed changes to align with the implementation of *Connective City 2036* and current land use strategies. The proposed key changes are outlined in this report.

This matter will be reported to Council following an extended exhibition period, in line with the Community Participation Plan.

RECOMMENDATION That -

1. Council exhibit the Draft Canterbury Bankstown Consolidated Development Control Plan as provided in Attachments A–K.
2. Council exhibit the Draft Guides and Heritage Conservation Area Character Statements that support the Draft Canterbury Bankstown Consolidated Development Control Plan as provided in Attachments L–Q.
3. This matter be reported to Council following the exhibition period.

ATTACHMENTS [Click here for attachments](#)

- A. Draft DCP–Chapter 1 (Introduction)
- B. Draft DCP–Chapter 2 (Site Considerations)

- C. Draft DCP–Chapter 3 (General Requirements)
- D. Draft DCP–Chapter 4 (Heritage)
- E. Draft DCP–Chapter 5 (Residential Accommodation)
- F. Draft DCP–Chapter 6 (Strategic Centres)
- G. Draft DCP–Chapter 7 (Commercial Centres)
- H. Draft DCP–Chapter 8 (Employment Lands)
- I. Draft DCP–Chapter 9 (Industrial Precincts)
- J. Draft DCP–Chapter 10 (Other Development)
- K. Draft DCP–Chapter 11 (Key Development Sites)
- L. Demolition and Construction Guide
- M. Engineering Development Guide
- N. Heritage Guide and Heritage Conservation Area Character Statements
- O. Landscape Guide
- P. Tree Management Guide
- Q. Waste Management Guide
- R. Issues Paper

POLICY IMPACT

In 2019, Council endorsed its Local Strategic Planning Statement, *Connective City 2036* to inform future changes to the land use planning framework. The Greater Sydney Commission has assured *Connective City 2036*. It is anticipated that *Connective City 2036* will be implemented in the following stages:

Timeframe	Stage	
2020/21	1	Prepare the Draft Canterbury Bankstown Local Environmental Plan (Draft LEP) and Draft Canterbury Bankstown Development Control Plan (Draft DCP). To date, the Local Planning Panel has adopted the Draft LEP, which will produce a single set of planning rules that supports <i>Connective City 2036</i> . It will replace the former Local Environmental Plans. The Draft LEP is currently with the Department of Planning, Industry and Environment for finalisation.
2020/21	2	LEP/DCP (Amendment 1) – Residential control changes, special character areas and drainage reserve reclassifications. To date, the Local Planning Panel has resolved to submit the planning proposal to the Department of Planning, Industry and Environment to seek a Gateway Determination. It is anticipated that the submission of the planning proposal will occur in December 2020.
2020/21	3	LEP/DCP (Amendment 2) – Implement the Bankstown, Campsie and Belfield Masterplans.
2021/22	4	LEP/DCP (Amendment 3) – Implement the Lakemba, Belmore and Canterbury Masterplans.
2022/23	5	LEP/DCP (Amendment 4) – Implement the Punchbowl, Wiley Park, Earlwood and Croydon Park Masterplans, together with other centres across Canterbury Bankstown.

As part of Stage 1, the Environmental Planning and Assessment Act 1979 enables Council to prepare a Development Control Plan to support its Local Environmental Plan. A Development Control Plan is a planning document which provides additional objectives and controls to enhance the function, design and amenity of development. Examples of controls include storey limits, setbacks, building design, amenity, landscape and parking requirements. These are matters which must be taken into consideration in determining development applications.

At present, Council has two Development Control Plans. Bankstown Development Control Plan 2015 applies to the former Bankstown Local Government Area and Canterbury Development Control Plan 2012 applies to the former Canterbury Local Government Area. The Development Control Plans support the former Local Environmental Plans.

In June 2020, the Canterbury Bankstown Local Planning Panel noted the need to prepare the Draft DCP to support the Draft LEP. The Draft DCP will replace the former Development Control Plans.

While the Draft DCP is primarily an administrative consolidation of Bankstown Development Control Plan 2015 and Canterbury Development Control Plan 2012, the consolidation process will result in some proposed changes to the objectives and controls currently applying in the Local Government Area as outlined in this report. The proposed changes include the implementation of current land use strategies and Council resolutions, namely the Local Area Plans, floodplain risk management plans and livable housing.

However, the Draft DCP is limited in its application by the following:

- The Gateway Determination for the Draft LEP requires Council to retain the existing residential controls while it finalised the Housing Strategy. Council adopted the Housing Strategy at the Meeting of 23 June 2020. The next step is to consolidate and harmonise the existing residential controls as part of Amendment 1 to the Draft LEP. Once the Draft DCP has been adopted by Council, Amendment 1 to the Draft DCP will be prepared to support changes in Amendment 1 to the Draft LEP.
- The Draft DCP retains the existing controls in relation to the Bankstown City Centre, Canterbury Road and centres in the former Canterbury Local Government Area. Council will review these controls as part of the *Connective City 2036* implementation.

FINANCIAL IMPACT

This matter has no financial implications for Council.

COMMUNITY IMPACT

The preparation of the Draft DCP constitutes a significant public benefit as it will establish greater transparency and consistency in planning provisions applying across the Local Government Area. This will also facilitate a simpler and faster development assessment process for applicants and increased certainty for residents and industry alike.

It is proposed to exhibit the Draft DCP for an extended period, in line with the Community Participation Plan. The consultation period would commence in December 2020 and would continue to February 2021. The engagement activities would include mailouts, online information and notification in the local newspapers.

Following the exhibition, Council would consider submissions and any amendments to the Draft DCP prior to deciding whether to adopt a Draft DCP. Should Council adopt a Draft DCP, it would come into force on the commencement date of the Draft LEP and would apply to development applications lodged on or after this date.

DETAILED INFORMATION

Draft Consolidated Development Control Plan

The Draft DCP template must be consistent with administrative legislative requirements, namely:

- One-DCP-per site requirement: The template will remain as a single document to be placed on Council's website. The electronic format will make it simpler for Council officers, industry and the public to navigate through the document.
- The Draft DCP cannot duplicate the Draft LEP: The Environmental Planning and Assessment Act 1979 renders a provision of a DCP invalid if it is the same as, or is inconsistent with, the provisions of the Draft LEP. The template therefore removes existing development controls that duplicate the Draft LEP.
- Definitions: The Draft DCP will adopt the Draft LEP definitions to ensure consistency between the documents. These definitions are standard terms used across NSW.

Based on the above, the Draft DCP will comprise the following eleven chapters:

Chapter	Description
Chapter 1–Introduction	Provides information about the administrative provisions of the Draft DCP, such as the name of the DCP, adoption and commencement information, where the DCP applies and how to use the DCP.
Chapter 2–Site Considerations	Addresses site considerations, such as site analysis, flood risk and trees to determine whether a proposed development is a suitable use of a site, including consideration of the likely off-site impacts of the proposal.
Chapter 3–General Requirements	Addresses issues that are likely to arise for most types of development, such as engineering standards, parking, waste management, sustainable development, subdivision, signs and landscape.
Chapter 4–Heritage	Addresses heritage and cultural conservation issues, such as heritage items, heritage conservation areas and development in the vicinity of items/ conservation areas.
Chapter 5–Residential Accommodation	Addresses different types and forms of residential accommodation. It provides objectives and controls that guide specific land use types such as dwelling houses, dual occupancies, multi dwelling housing, secondary dwellings, boarding houses and residential flat buildings, and other issues like livable housing.
Chapter 6–Strategic Centres	Provides specific provisions for the Bankstown and Campsie strategic centres as identified by <i>Connective City 2036</i> .
Chapter 7–Commercial Centres	Provides specific provisions for the centres within Zones B1 and B2 as identified by <i>Connective City 2036</i> . These include the local, village, small village and neighbourhood centres.
Chapter 8–Employment Lands	Provides specific provisions for the employment lands within Zones B5, B6 and B7 as identified by <i>Connective City 2036</i> . These include the Canterbury Road and Hume Highway Enterprise Corridors.
Chapter 9–Industrial Precincts	Provides specific provisions for the industrial precincts within Zones IN1 and IN2 as identified by <i>Connective City 2036</i> .
Chapter 10–Other Development	Addresses other land use developments that are not covered by chapters 5–9. It provides objectives and controls that guide these types of

	developments, such as child care facilities, schools, places of public worship, home businesses, telecommunications facilities, sex services premises, amongst others.
Chapter 11–Key Development Sites	Facilitates the appropriate development of key development sites. It ensures development has regard to its context and is compatible with surrounding development and the desired character of the area.

Administrative Consolidation

This Draft DCP is primarily an administrative consolidation of Bankstown Development Control Plan 2015 and Canterbury Development Control Plan 2012 to produce a single set of planning rules that supports *Connective City 2036* and the Draft LEP.

While the eleven chapters are based on existing controls, the consolidation process sought to streamline the Draft DCP by removing any duplication between the former Development Controls Plans and resolving inconsistencies. The Issues Paper provided in Attachment R summarises the consolidation process in more detail.

As identified above, areas to be amended by future masterplans and areas affected by the Draft LEP (Amendment 1) will retain the existing controls and will be revised as part of the *Connective City 2036* implementation.

Proposed Key Changes

The consolidation process will result in some proposed changes to the objectives and controls currently applying in the Local Government Area (the LGA). The proposed key changes include:

Proposed Key Change	Reason
<u>Chapter 2 (Flood Risk Management)</u> <ul style="list-style-type: none"> Recognise ‘centre-based child care facilities’ as a sensitive land use rather than a commercial use when applying the flood controls. Introduce an overland flow risk precinct for land subject to shallow overland inundation that is distant from a watercourse or major stormwater system. A 300mm freeboard would apply in this precinct. 	Implements current land use strategies (i.e. Salt Pan Creek, Duck River and Mid Georges River Catchments Floodplain Risk Management Plans) consistent with <i>Connective City 2036</i> .
<u>Chapter 3 (Parking)</u> Apply the former Bankstown rate for child care centres to the LGA i.e. 1 car space per 4 children.	In keeping with the Education and Child Care SEPP, compared to the former Canterbury which required 1 space per 2 staff.
<u>Chapter 3 (Parking)</u> Apply the former Bankstown rate for schools to the LGA i.e. 1 car space per employee or classroom, whichever is the greater + 1 car space per 8 students in year 12.	The parking rate provides greater certainty to managing parking demand and traffic impacts, compared to the former Canterbury which required a parking study.
<u>Chapter 3 (Parking)</u> Apply the former Bankstown rate for places of public worship to the LGA i.e. 1 car space per 5m ² of the assembly area.	The parking rate provides greater certainty to managing parking demand and traffic impacts, compared to the former Canterbury which required a parking study.

Proposed Key Change	Reason
<p><u>Chapter 3 (Parking)</u> Permit basement parking in dual occupancies.</p>	<p>The former Bankstown permitted basement parking in dual occupancies, similar to the new Low Rise Housing Diversity Code under the Codes SEPP. For consistency, it is proposed to apply this control to the LGA.</p>
<p><u>Chapter 3 (Parking)</u> Do not require additional parking spaces for change of uses in Zones B1, B2 and B4 specific to food and drink premises, medical centres, recreation facilities (indoor) and veterinary hospitals.</p>	<p>The former Bankstown encouraged business investment in commercial centres by enabling change of uses to small restaurants to occur without the need for additional parking spaces. The Codes SEPP takes similar action by permitting change of uses to business premises, office premises, shops and other commercial activities to occur as exempt development provided the floor space does not increase.</p> <p>As an extension to this approach, it is proposed to enable change of uses to other similar commercial/health uses (i.e. food and drink premises, medical centres, recreation facilities (indoor) and veterinary hospitals) to occur without the need for additional parking spaces provided the floor space does not increase. This amendment will continue to encourage business investment in the commercial centres.</p>
<p><u>Chapter 3 (Parking)</u> Apply the former Canterbury control to the LGA, which does not support car stack lifts.</p>	<p>The former Canterbury did not support mechanical parking devices, including car stack lifts which are fully collapsible parking lifts that increase the vehicle capacity of a single parking space. The former Bankstown only considered car stack lifts in special circumstances. It is proposed to discourage car stack lifts as this device is high maintenance and is found not to be reliable for the long-term function of car parks.</p>
<p><u>Chapter 3 (Engineering Standards)</u> Apply the former Canterbury control to the LGA in relation to stormwater disposal, which enables Council to consider the use of pump-out systems as a last option, for sites sloping away from the street, in the event that a drainage easement cannot be created or the use of an alternative drainage method (such as charged line or transpiration system) is determined to be unachievable.</p>	<p>The former Bankstown allowed pump-out systems as a last option for dwelling houses and secondary dwellings only. This amendment will enable Council to consider the option of pump-out systems for a broader range of development where appropriate.</p>
<p><u>Chapter 5 (Residential Accommodation)</u> Amend the outbuilding controls to read:</p> <ul style="list-style-type: none"> • 1 outbuilding per site • Site cover sliding scale (36m² to 60m²) depending on site area • Non-habitable uses only. 	<p>The original intent for outbuildings was to permit non-habitable ancillary buildings to the main dwelling e.g. garages and garden sheds. However, the former Bankstown and Canterbury applied different rules, which has seen outbuildings being used for habitable purposes. In some cases, this is resulting in multiple dwellings on the same site, which is</p>

Proposed Key Change	Reason
	<p>incompatible with the existing character of the low density suburban neighbourhoods.</p> <p>For consistency, it is proposed to apply new controls consistent with the Codes SEPP. The new controls will limit the size and use of outbuildings to address the cumulative impact of outbuildings in the low density suburban neighbourhoods.</p> <p>Secondary dwellings will continue to be permitted in addition to outbuildings where the site permits and subject to other relevant LEP and DCP provisions.</p>
<p><u>Chapter 5 (Residential Accommodation)</u> Replace the adaptable housing controls with the Livable Housing Guidelines.</p>	<p>Implements the Council resolution of 23 June 2020. However, it is proposed to defer the application of the Livable Housing Guidelines to dual occupancies as Council will be reviewing the building design controls in 2021.</p>
<p><u>Chapter 5 (Residential Accommodation)</u> Permit single carports forward of the front building line in special circumstances provided the development is compatible with the character of the local area.</p>	<p>The former Bankstown and Canterbury required off-street parking to locate behind the front building line. In special circumstances, both councils permitted carports forward of the front building line if there was insufficient space on the side of existing houses for car parking purposes. However, neither addressed the issue if the prevailing character in the street is carports forward of the front building line.</p> <p>This amendment provides criteria to enable a consideration of this issue. This consideration will be limited to single, open carports associated with existing dwelling houses that do not have garages. The single carport is to ensure there is a balance with landscape in the front yard.</p>
<p><u>Chapter 5 (Residential Accommodation)</u> Apply the former Bankstown control to the LGA, which prevents development from isolating sites less than 1,200m²/20m width (Zone R4).</p>	<p>This control promotes orderly development in high density residential areas.</p>
<p><u>Chapter 7 (Commercial Centres)</u></p> <ul style="list-style-type: none"> • Apply new setback controls in Birrong, East Hills, Greenacre, Padstow, Panania, Revesby and Yagoona. • Introduce new design controls in relation to active street frontages, facade design, corner buildings, roof design, materials, finishes and awning design. 	<p>Implements current land use strategies (i.e. Local Area Plans) consistent with Connective City 2036.</p>
<p><u>Chapter 7 (Commercial Centres)</u> Introduce new design controls to minimise the visual bulk of development on sites with a street frontage of 40 metres or greater in local</p>	<p>Implements current land use strategies (i.e. Local Area Plans) consistent with Connective City 2036.</p>

Proposed Key Change	Reason
<p>centres, village centres, small village centres and neighbourhood centres:</p> <ul style="list-style-type: none"> • For sites with a 40–65 metre street frontage, articulate the tower to give the appearance of at least two distinct building elements. • For sites with a street frontage greater than 65 metres, require separate towers above the podium. The maximum length of a tower building is 65 metres. 	<p>Based on an urban design analysis, when a single development site has a 40 metre wide street frontage or greater, development may be perceived as ‘bulky’ when viewed from the street. Visual bulk is a term that refers to a building design that is visually overwhelming when viewed from the street and does not fit in well with the surrounding area.</p> <p>The urban design analysis recommends these controls to avoid long expanses of tower buildings. It is noted that these controls do not apply to strategic centres, which are subject to separate masterplans and built form analysis.</p>
<p><u>Chapter 7 (Commercial Centres)</u> Introduce design principles to guide the redevelopment of 7A–17 Marco Avenue, Revesby.</p>	<p>Implements current land use strategies (i.e. Local Area Plans) consistent with Connective City 2036.</p> <p>The Draft LEP provides a bonus FSR/height should 7A–17 Marco Avenue redevelop as a single site and provides public benefits to Council’s satisfaction. The design principles are to support the design process.</p>
<p><u>Chapter 7 (Commercial Centres)</u> Identify sites that may need to consider setbacks to ensure building footprints are kept clear of the overland flow path between Polo Street and The River Road in Revesby.</p>	<p>This control ensures the overland flow path is continuous and clear of obstructions to keep people safe and to manage potential damage to property.</p>
<p><u>Chapter 10 (Schools and Places of Public Worship)</u> Apply the former Bankstown controls to the LGA.</p>	<p>The controls provide greater certainty to managing the impacts of schools and places of public worship, particularly in the low density suburban neighbourhoods, compared to the former Canterbury which undertook a merit assessment.</p>

Technical Guides

At present, there are three Technical Guides that support Bankstown Development Control Plan 2015. These are:

- Demolition and Construction Guidelines: This Guide contains technical information to ensure demolition and construction works are safe, do not impact on the city, and are carried out in accordance with relevant legislation requirements.
- Tree Management Manual: This Guide contains technical information to support the tree management controls in the DCP. It contains information on tree management, tree pruning and tree planting.

- Waste Management Guidelines for New Development: This Guide contains technical information to support the waste management controls in the DCP. It focuses on ensuring development implements optimal waste management systems that are fully integrated with Council's servicing system.

It is proposed to retain and apply these Technical Guides across the Local Government Area in support of the Draft DCP. It is also proposed to develop three new Technical Guides in relation to the engineering standards, heritage and landscape. Existing technical information and specifications in the former Development Control Plans will be transferred to the new Guides.

Next Steps

Should Council support the Draft DCP for exhibition purposes, the next steps are:

1. Exhibit the Draft DCP and associated documents for an extended period to provide the community and industry public with adequate time to review this draft document.
2. Following the exhibition, a report will be presented to Council to consider any submissions and associated amendments prior to deciding whether to adopt the Draft DCP. Should Council adopt the Draft DCP, it would come into force on the commencement date of the Draft LEP and would apply to development applications lodged on or after this date.

Planning Matters - 08 December 2020

ITEM 5.6 **Report on Council's Performance in the Assessment of Development Applications for the first quarter of the 2020/21 financial year, Clause 4.6 Variations Approved for the first quarter of the 2020/21 financial year, and Planning Related Legal Appeals**

AUTHOR **Planning**

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 2020/21 financial year;
2. Development applications approved with a Clause 4.6 Variation for the first quarter of the 2020/21 financial year; and
3. Planning related legal appeals currently before the Land and Environment Court.

RECOMMENDATION

That the report be noted.

ATTACHMENTS [Click here for attachments](#)

- A. Clause 4.6 register for the first quarter of the 2020/21 financial year
- B. Appeal list as of November, 2020

POLICY IMPACT

This matter has no policy implications.

FINANCIAL IMPACT

This matter has no financial implications.

COMMUNITY IMPACT

The timely processing of development applications increases housing stock, provides employment opportunities, additional facilities for the community and improves the appearance of the City. Council's record of being one of the fastest Councils in metropolitan Sydney for processing development applications is a significant benefit for the community and industry in this regard.

However, it is also important to ensure that the community is protected from inappropriate development. This report will detail that in instances where Council has not supported poor development outcomes, Council has been successful in defending a majority of appeals lodged by applicants, or in affecting changes to a proposal to advance it to a point that it satisfactorily meets relevant planning rules and can be approved.

DETAILED INFORMATION

Processing of development applications for the first quarter of the 2020/21 financial year

For the first quarter of the 2020/21 financial year, Council determined 266 development applications and 104 Section 4.55 applications (applications to modify a development consent), with a total capital investment value of \$168,017,321. The median gross determination times for all development applications for the first quarter was 62 days.

The NSW State Government has advised all Council's in NSW of its implementation of the Planning Reform Action Plan to create a transparent, faster and more certain planning system. The need to conclude, long-standing development applications has been recognised as an important outcome for the community and industry alike, including applications that are of a kind that are required to be determined by the Local and Regional Planning Panels.

Changes implemented by the NSW Government to support this focus include recruiting new regional panel members, introducing new meeting procedures and changes to the types of applications sent to the panels. The Government is also developing strategies to reduce assessment timeframes, with targets for improvement set for the next three years, which will require ongoing assistance, support and collaboration with councils. To this end, Council has committed to having a number of long-standing applications brought before the Panels for determination in the first two quarters of the financial year. Additionally, Council has committed to reduce all development applications that are older than 180 days by 25% over the 2020/21 financial year.

As these applications reach the point of determination in the first half of the financial year, the median gross determination times is expected elevate.

Reporting of development applications which involved a Clause 4.6 submission

On 21 February 2018, the NSW Government's Department of Planning, Industry 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 2020/21 financial year, a total of six variations to an environmental planning instrument were approved. The attached report is the required report and includes all results for the first quarter of the current financial year.

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 2020. The attached list identifies a total of 28 appeals. It is worth noting that of all the appeals on the attached list, nine applications relate to applications made under the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009.

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 items are submitted for consideration -

6.1	Council Policies to be Revoked	89
6.2	Four Pillars Clean City Model	93
6.3	Amalgamation Proposal - Georges River Council	99

Policy Matters - 08 December 2020

ITEM 6.1 Council Policies to be Revoked

AUTHOR Corporate

PURPOSE AND BACKGROUND

As part of setting new policies for our City, there is a requirement to ensure than any long-standing policies of the former Councils are either reviewed, aligned and/or revoked where necessary - particularly when they have been superseded by more recent policies set by Council.

This report outlines former Council policies that have been reviewed and identified for revocation.

ISSUE

In order to give effect to Council functions under the *Local Government Act 1993*, policies and procedural directives are required to ensure uniformity in administration and approach.

Council policies state Council's position on an issue by outlining what it will or will not do. This may be in the form of general principles that it will adopt to administer its statutory obligations.

A Council policy is formally adopted at a Council meeting. It reassures the public of Council's commitment to the community and transparency in its policy approach to community issues.

A summary of the suggested adjustments and/or revocation of policies is outlined, for Councillor's consideration.

RECOMMENDATION

That Council revokes the former Council policies as outlined in the report.

ATTACHMENTS

Nil

POLICY IMPACT

Council's policy register will be updated to reflect Council determination in this matter.

FINANCIAL IMPACT

No financial impact on Council.

COMMUNITY IMPACT

The alignment of Council policies ensures uniformity in policy development across Council. It also informs the community of Council policy priorities and direction.

DETAILED INFORMATION

Revocation of Policies

As part of the ongoing process of aligning policies of the former Bankstown and Canterbury Councils, a number of policies have been identified to be revoked by Council. These policies have been superseded by operational procedures or a formal Council position is no longer required from Canterbury-Bankstown Council.

Advertising- Bus Shelters Policy

This policy proposes that the provision of bus shelters with advertising panels be endorsed and that the policy be integrated into a private provision of infrastructure policy.

There is no evidence that the policy was integrated. In addition, bus shelters in the City are covered by contractual agreements between Council and private enterprise, and as such, bound by the terms of conditions of the contract. The policy does not provide additional guidance outside the contract and is no longer required.

Advocacy in Community Services Policy

This policy outlines the role of employees, such as those working in Community Services, to understand their role in the advocacy space specific to clients and organisations, where appropriate.

A formal Council position on this is no longer required as the policy was developed as a funding requirement under the former Home and Community Care (HACC) program (merged into the Commonwealth Home Support Programme in 2015). The policy was linked to a funded position of which there is no equivalent in the Community Planning and Development team.

Enforcement and Prosecution Policy

This policy provides guidelines on addressing unlawful activity, considering information such as available evidence, cost to the community, individual circumstances, public policy and precedent.

Currently, Council employees are guided by legislation and regulations including but not limited to *Work Health and Safety Act 2011* and *Public Health Act and Regulation 2012*, in addition to standard operating and work procedures, that are transparent and provide a consistent approach to enforcement practices and procedures across Council.

Footpaths – Canterbury Road Policy

This policy proposed the replacement of totally paved reservations in front on non-shop premises with a paved footpath with grass verges, as well as bollards to prevent vehicles parking on pedestrian areas on Canterbury Road.

Maintenance of grass verges along stated owned roads, such as Canterbury Road, poses safety concerns for council staff. Council is exploring safer and more appropriate ways for staff to engage in the maintenance of the footpaths. Further, while the intent of the policy was to enhance and modify aspects of the road reserve, there is no evidence to demonstrate that the approach was undertaken along Canterbury Road.

Footpath Maintenance and Inspection Policy

This policy formalises procedures that identify and evaluate footpath pavement conditions, provide a risk assessment, and produce a program of maintenance works covering the footpath network.

The policy has been superseded by various internal processes and other documents, including a manual on trip grinding, end-to-end implementation specific to the process of requests, and maintenance defects.

Graffiti Management Policy

This policy outlines Council's commitment to the removal of graffiti from public places. This policy has been superseded by Council's operational Graffiti Management Policy that covers the entire local government area. It documents Council's actions in response to graffiti vandalism. The policy refers to the *Graffiti Control Act 2008* (NSW) and is further supported by procedures. Council holds a register of graffiti removal work as required under the Act.

Waste Wise Events Policy

This policy ensures that waste avoidance and resource recovery are incorporated as an integral part of event planning, and that events are held in sustainable ways.

The policy was developed during a period where there was minimal focus on waste. It identified waste wise events that are no longer part of the waste event planning approach. Waste has emerged as an important issue for Council and is a critical part of its BAU that is beyond the scope of the policy.

Having considered the above, it is recommended that the following policies be formally revoked by Council:

1. Advertising Bus Shelters Policy
2. Advocacy in Community Services Policy
3. Enforcement and Prosecution Policy
4. Footpaths- Canterbury Road Policy
5. Footpath Maintenance and Inspection Policy
6. Graffiti Management Policy
7. Waste Wise Events Policy

Policy Matters - 08 December 2020

ITEM 6.2 **Four Pillars Clean City Model**

AUTHOR **City Future**

PURPOSE AND BACKGROUND

To seek endorsement from Council for the proposed development of the Clean City Strategic Plan.

ISSUE

As part of the development of the Community Strategic Plan, the community highlighted that they wanted to live in a 'clean and green' city.

Council currently invests significant money and effort in a wide range of prevention, maintenance and cleansing programs with the aim of achieving a clean city. But, residents consistently express low levels of satisfaction with the results of this investment. Key concerns for the community include litter, illegal dumping, water pollution, dirty facilities and unkempt streets and town centres. A new approach, titled the *Four Pillars Clean City Model*, has been developed to bridge the gap between Council's investment and the Community's expectations. Its aim is to direct investment in time, engagement, money and resources to better achieve the community's wishes.

RECOMMENDATION That -

1. To endorse the *Four Pillars Clean City Model* as a strategy for meeting the community's expectation of a clean city,
2. These Pillars be used to form the basis of a new Clean City Strategic Plan to be developed.

ATTACHMENTS

Nil

POLICY IMPACT

This report aligns with the Community's 10-year vision for a Leading and Engaged City. The community said they want CBCity 2028 to be well planned, well governed, future-focused and responsible.

The four pillars Clean City model will be used to underpin the Clean City Strategic Plan and action plan.

FINANCIAL IMPACT

Four pillars model, will determine the likely increased costs associated with additional services and servicing, infrastructure, plant and equipment and staffing. If Council proceeds with the Special Rate Variation, the Clean City Strategic Plan will clearly set out the priorities and areas of investment to ensure these funds are delivering on the community needs.

COMMUNITY IMPACT

The community has clearly told us they want a clean, tidy and well-maintained City. Participants in the community consultation described themselves as annoyed, dismayed and angry about the clean city issues they see locally, particularly near their homes.

Achieving a clean city will ensure that residents and visitors to the LGA will have a positive perception of the area and will make a significant contribution to building community pride. Programs, based on the Four Pillars Clean city model will assist residents and businesses in understanding they, along with council, have a responsibility for achieving a clean city, which will assist in developing community pride.

DETAILED INFORMATION

During the development of the Community Strategic Plan, the community clearly told Council they wanted to live in a clean, tidy and well-maintained City. With the aim of directing Council's priorities, resources, and activities in delivering on the Community's expectations a Clean City Strategic Plan (CCSP) is proposed to be developed. To inform its development in-depth consultation processes have been undertaken with both the community and Council's staff and teams.

Community Consultation

Throughout October and November 2019, an extensive consultation process was undertaken to understand the community's views, attitudes and expectations about the cleanliness of the City and to explore its priorities for improvements in the short and long terms. Through a range of tools and techniques, including a survey, focus groups, pop-up events and community conversations the following key findings emerged:

- A clean city is important, and the community wants to feel pride in the City;
- Illegal dumping, water pollution and litter are the high priority issues followed by facility cleanliness, and untidy town centres and laneways;
- Council is not solely responsible for creating a clean city, individuals, communities and businesses have a role.
- Council's role is misunderstood and extent of works unknown and there is a need for more tailored education;
- Health and safety issues are of concern, especially around issues like bird feeding and messy laneways; and
- Clean is closely tied to green.

The community consultation also revealed that there is a deficit of understanding and awareness across the community of the existing level of investment, in terms of time, money, staffing and other resources that is currently invested in creating and maintaining clean city. Additionally, Council was assumed to be responsible for issues that are either not under our control or on Council land.

Internal Consultation

Using the community results as a basis, an organisation-wide internal consultation through workshops and interviews was rolled out. It sought to develop a shared vision of a clean city and to understand the barriers and opportunities for achieving it.

The key finding that emerged were:

- Community engagement and education are essential for communicating behavioural expectations, responsibilities, and practical information and for letting the community know what we are doing to achieve a clean city;
- A proactive approach to services and infrastructure, including easy reporting by the community, are essential to better management and maintenance of resources and for enabling rapid and efficient responses;
- A collaborative, cross-unit and cross-division approach is seen as delivering better outcomes by efficiently targeting resources, increase data sharing and harnessing diverse knowledge, skills and strengths;

- Compliance and enforcement were highlighted as important elements of a wider strategy, to be used if other approaches fail to create change.

It became clear that, despite the significant current investment of human and financial resources by Council to create a clean city the approach was not producing the outcomes expected by the community.

Four Pillars Clean City Model

To better deliver on the community expectations for a clean City, a new model has been developed to target resources. The **Four Pillars Clean City Model** will assist Council to deliver a clean city to residents by:

1. greater data collection and background research. ensuring we understand the scope, impact and drivers of the issue. This can assess the impact of the strategies we put in place and ensure we target resources where they are needed;
2. Investing in new and improved infrastructure to promote positive outcomes;
3. Improved communications with both the community and other stakeholders that highlights roles, responsibilities, expectations and practical information and increases awareness of the existing work being done; and
4. Employing compliance strategies in the case that other methods do not produce the desired changes.

Pillar	Details
No 1 Data Collection and Analysis	By providing measurable and observable information data ensures decisions are based on evidence. It enables the targeting competing strategies and the objective measurement of their effects.
No 2 Infrastructure and Services	Installing and maintaining infrastructure is essential to a clean city. It needs to be: suitable for the conditions it will be exposed to; able to meet the needs it is used for; endure the uses and mis-uses of residents; and be easily serviced. Proactive and responsive servicing ensure infrastructure achieves it best outcomes and creates a positive community perception.
No 3 Education and Engagement	Programs are needed to: assist residents and businesses to understand their responsibilities; promote pro-social behaviour; encourage residents to report issues; promote Council services; and to inform residents of the actions Council takes to deliver a clean city.
No 4 Enforcement	Enforcement is an important tool for addressing inappropriate behaviour. It can provide a first response in cases where health and safety are at risk or be used to reinforce legislative requirements. Increasing visibility of enforcement staff and messages as well as the issuing of fines are effective behaviour change strategies.

The Four Pillars Clean City Model comes with a range of benefits including:

- The delivery of a clean city in line with community expectations,
- The building of community pride,
- Collection and sharing of data across the council work groups for greater team work;
- Improved reporting tools and pathways for staff and the community leading to greater action,
- Some potential cost savings through efficiencies, particularly in the longer term,
- Coordination across the organisation to best use knowledge, skills and resources and to break down artificial silos.

Clean City Strategic Plan

The Four Pillars Clean City Model will form the basis of the development of a Clean City Strategic Plan. This Plan will identify the specific actions required across the four pillars.

Achieving the community's and Council's desired level of cleanliness will require greater financial resources to deliver on the actions identified in the Plan. The information will be used to guide future investment as per Council's delivery program and long-term financial plan.

ITEM 6.3 Amalgamation Proposal - Georges River Council

AUTHOR Corporate

PURPOSE AND BACKGROUND

Georges River Council has notified Canterbury Bankstown Council of its intention to prepare and submit an Amalgamation Proposal to incorporate parts of Riverwood and Narwee into the Georges River Council LGA, pursuant to section 218E of the Local Government Act 1993.

This report considers this proposal and seeks to resolve a formal position with respect to it.

In August, Georges River Council (GRC) resolved, *inter alia*, to:

"...prepare and submit an Amalgamation Proposal to be submitted to the Minister for Local Government, proposing an amalgamation of the areas:

1. *The area located in Riverwood and Narwee between the Georges River Council LGA and Watson Electoral Division boundary lines by making use of the M5 motorway which lies on the Watson boundary line and the natural boundary of Salt Pan Creek which is also the boundary of the State Electoral District of Oatley. These areas are currently located within the Canterbury Bankstown LGA."*

Additionally, at the same time, although it is of no consequence to this Council or its community, GRC are also preparing an amalgamation of areas to the east of their LGA, currently within the Bayside LGA.

This followed GRC considering the matter of LGA boundaries, as well as Ward boundaries and number of councillors, on a number of occasions since about 2018.

ISSUE

If this amalgamation were to proceed, it would result in a significant disruption to the community in that immediate area and would also see significant community assets, which in turn support the delivery of services to a much broader community and have been delivered with significant investment by the broader Canterbury Bankstown ratepayers, being transferred from CBC to GRC.

The singular driver for the Amalgamation Proposal appears to be to align the LGA boundary with the Federal Electoral Division boundary between Watson and Banks which, as we know, is not fixed and may be subject of change in the future.

RECOMMENDATION That Council -

1. Notes the report on the Amalgamation Proposal as proposed by Georges River Council in their correspondence of 27 November 2020.
2. Does not support any change to the Boundary between the Canterbury Bankstown and Georges River Local Government Areas.
3. The Mayor writes to Georges River Council advising that it does not support the proposed Amalgamation Proposal.
4. The Mayor separately writes to the Minister for Local Government and NSW Boundaries Commission outlining Council's objection to Georges River Council's Amalgamation Proposal.

ATTACHMENTS [Click here for attachments](#)

- A. Amalgamation Proposal 1 - Parts of Riverwood and Narwee
- B. Notification letter from GRC re Amalgamation Proposal

POLICY IMPACT

Whilst there are no direct Policy impacts likely to arise from the Amalgamation Proposal materialising, it is worth outlining the process.

Pursuant to section 218E of the Local Government Act 1993, a Council may make a Proposal to the Minister, as GRC is preparing to do.

Once the Proposal is received, the Minister must refer it either to the Boundaries Commission, or the Departmental Chief Executive for their examination. It is important to note that, pursuant to section 218F(6), in the event a Proposal is not supported by one or more of the councils affected by it, and the Proposal has been referred to the Chief Executive, or equivalent, the Chief Executive must furnish their report to the Boundaries Commission for review and comment, and the Boundaries Commission must review the report and send its comments to the Minister.

The Minister may then either recommend to the Governor that the Proposal be implemented (with or without modifications as the case may be) or decline to recommend to the Governor that the Proposal be implemented.

It should also be noted that, should the Proposal proceed as currently proposed, it may trigger Council having to review its Ward Boundaries to ensure the requirements with respect to an even distribution of electors between Wards, is satisfied.

FINANCIAL IMPACT

If the Proposal were to be implemented as it currently stands, it would likely lead to a loss of revenue of approximately \$1.6M annually.

Furthermore, a number of significant community assets, each with their own value (both in service to the broader community and built and maintained by Canterbury Bankstown ratepayers), would be transferred to GRC if the Proposal were to be implemented as proposed. These include, but are not limited to:

- Riverwood Community Centre
- Riverwood Library
- Morris lemma Sports Centre
- Kentucky Reserve
- Bland Oval
- Salt Pan Creek landfill

At this point in time, there has been no discussion or offer of discussion from GRC on what arrangements may be made to facilitate such a transfer in any fair or equitable way.

COMMUNITY IMPACT

From the information supplied by GRC, Council has identified that approximately 1,600 properties would be affected by the Proposal, if it were to be implemented as proposed.

These include residential areas as well commercial properties and significantly, includes the Narwee shopping centre.

Recent community engagement has shown that residents have a high satisfaction with our Council and the services it provides. Our residents have not expressed a desire for a boundary change.

With respect to the potential for beneficial impacts on our community, the reports presented to Georges River Council fail to identify any. The basis for the Proposal would appear to be the alignment of the LGA boundary with State and Federal Electoral Division boundaries, which can, and do, change from time to time.

DETAILED INFORMATION

When a proposed boundary adjustment seeks to include electors in an LGA they are not currently in, the Local Government Act calls for an Amalgamation Proposal to be prepared. Either the Local Government Minister can prepare one, or a council of an LGA can prepare one.

As detailed above, Georges River Council (GRC) is now in the process, having considered the matter most recently at its August 2020 meeting, of preparing an Amalgamation Proposal for up to three boundary changes. Of relevance to this Council is the proposed movement of the boundary between CBC and GRC north, to incorporate areas of Riverwood and Narwee – *GRC's Proposal 1*.

By way of background:

- it would appear that the key consideration for substantiating this Proposal is the alignment of administrative boundaries; that is, aligning the boundary between the two Local Government Areas with the Federal Electoral Divisions of Banks and Watson;
- GRC are currently consulting with their community on these three options (incorporating the area referred to above, or incorporating an area of Bayside LGA, or both). It would appear from the information available, that the consultation being undertaken by GRC is presently confined to the community within their LGA;
- GRC have written to Council advising of its decision and have indicated that they have commenced their engagement with their community regarding the matter; and
- GRC have also indicated that Council may want to separately inform our community of the Proposal.

On that basis, the Proposal provides no direct and/or material benefit for our community, particularly as to how the change would result in any improvement for the residents throughout the defined Proposal area.

Councillors may also want to reflect on the following:

- Generally, electoral boundaries tend to vary from time-to-time particularly to address changes to our population and ensuring its even distribution amongst electorates. Given that they are ephemeral, they should not be used as a basis to vary long-standing, defined local government boundaries.

Indeed, if the issue was of great relevance and/or importance, the NSW Government would have addressed the matter when forming our new local government areas, back in 2016.

- Around 1,600 properties are affected by the Proposal – residents who have never expressed a concern and/or desire to vary the boundary.

The Proposal provides no basis and/or clarity as to the likely benefits, cost and/or other impacts that will result for our residents.

- The Proposal is not supported by any assessment – be it community and/or financial. As Councillors are aware,
 - Council has a number of significant and critical community assets within the area subject to the Proposal. Of particular note are the Riverwood Community Centre, newly completed Riverwood Library, the Morris Iemma Indoor Sports Centre and a range of recreational and other sporting facilities.
 - Canterbury Bankstown ratepayers, have invested significantly in these assets, which serve a community far greater than one confined by the suburb in which they are located; their zone of influence extends well into our City, to the north of the M5, the proposed future boundary, and in fact also into GRC.
 - The transfer of these assets to GRC through the implementation of the Proposal as it is currently drafted, would result in Council losing control of the services provided by these important assets and a loss of the investment it has made over decades – including the constructive working relationship we have with associated community groups throughout the area.
 - If the Proposal were to proceed, Council would lose around \$1.6M in annual rating revenue – which will impact on our proposed long-term financial strategy to address our cities requirements.
 - GRC has so far been silent on how it would propose to recompense Council for the transfer of these assets.

Having considered the above, it is proposed that:

- Given that there being no apparent community desire to vary the boundary and the absence of any direct benefits, Council should not proceed with consulting with our community on this matter, particularly given the current climate and Council's own requirement to consult on the rates harmonisation process.

It is felt that the Proposal would be an unnecessary distraction, will add further confusion, stress and uncertainty for our residents.

- All councils must work collaboratively across borders, especially where there is a shared community of interest, like in Riverwood. Moving this boundary does not bring any demonstrated benefits on either side and given no supporting material or compelling argument from GRC, it is proposed that Council reject this Proposal.

7 GOVERNANCE AND ADMINISTRATION MATTERS

The following items are submitted for consideration -

7.1	Stronger Communities Fund - Quarterly Progress Report	107
7.2	Activated Data Roadmap	111
7.3	27 Homedale Road, Bankstown	115
7.4	2019/20 Annual Financial Reports	121

Governance and Administration Matters - 08 December 2020

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 in funding. 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.

As required under the SCF Guidelines, an Assessment Panel was established to assess and recommend projects for funding. The Panel was 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 a Council meeting on the expenditure and outcomes of the SCF. This report covers the period September 2020 – November 2020.

RECOMMENDATION

That Council note the progress of the implementation of projects funded through the Stronger Communities Fund.

ATTACHMENTS

Nil

POLICY IMPACT

In line with the Stronger Community Fund (SCF) Guidelines developed by the Department of Premier and Cabinet, Council is required to table progress reports at least quarterly to a Council Meeting on the expenditure and outcomes of the SCF. In addition, Council must also provide six monthly reports each year by 31 July and 31 January to the Office of Local Government (OLG) on those projects selected for funding, delivery progress and expenditure to date.

FINANCIAL IMPACT

All funding provided to Council for the Community Grants Program component of the SCF has been allocated to community programs.

A total of \$9.66 million has been spent and/or allocated to projects through the Major Projects Program, including a further allocation of funding to Parry Park as outlined in this report from additional and surplus funds from completed SCF projects.

Council are awaiting notification on the outcome of its variation request submitted to the OLG in December 2019 for an extension to the original funding agreement and an adjustment to project budgets.

COMMUNITY IMPACT

The delivery of programs and projects funded under the SCF will deliver social, cultural, economic or environmental benefits to the community. The delivery of the Major Projects will result in new or improved infrastructure and services to the community.

DETAILED INFORMATION

Projects being delivered under the Major Projects Program are either complete or substantially underway. While it is anticipated that many of the projects funded by the SCF should be completed by June 2021, it should be noted that construction of some of these projects will be completed later in the 2021 calendar year as outlined below.

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 progressing on the delivery of these projects, with two of the Stage 1 projects completed. As outlined at the 23 June 2020 Council Meeting, the Canterbury Road Underpass is no longer funded by the SCF.

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

Project	Progress
Regional Sports Framework – Multipurpose synthetic surface at Jensen Park	Complete. This project is complete and was officially opened on 23 February 2019. Final Project Report has been submitted to OLG.
All Abilities Playground – Bankstown City Gardens Stage 2	Complete. This project is complete and was officially opened on 28 September 2018. Final Project Report has been submitted to OLG.
Wiley Park Parkland upgrade and renewal	The design of the Wiley Parks Ponds is in progress and expected to be completed January 2021, with the construction tender to follow in mid-2021. Works are expected to be completed by December 2021.

Major Projects Program – Stage 2

Stage 2 projects under the Major Projects Program were endorsed by Council in March 2018 where the remaining \$5.4 million in SCF funding was allocated for the below projects. Three projects are now complete. Progress on these projects is outlined below:

Project	Progress
Changing Places portable facility for community events	Complete. This project is complete, and the facility was officially launched last year. Final Project Report has been submitted to OLG.
Community engagement vehicle	Complete. Vehicle upgrades have recently been completed and include a new interior, improved storage for ease of use and a new electrical system that allows for a "pull up and go" approach to engagement. A smart TV, lights and sound system were also installed in the vehicle to allow for a more interactive form of engagement.
Cooks River interactive litter capture device	Construction of the floating litter boom device was completed off site, however delivery has been delayed due to the closure of the NSW-Victorian border and quarantine requirements. Now that borders have recently reopened, planning is underway to enable access to the site for installation and cleaning.

Project	Progress
Enhanced play experience at Greenacre	Design commenced. Detailed design is progressing to program with 85% design documentation currently under review. Project is on schedule to go out to tender for construction in early 2021.
Parry Park upgrade and renewal	Designs have been completed. Further work is required on flood impacts. The project will go out for tender for construction in 2021. Additional SCF funds have been reallocated to deliver required elements of the project.
Red Chair Movement	Complete. This project is complete following the installation of the new infrastructure at Panania and Riverwood. Final Project Report has been submitted to OLG.
Smart Cities, kick start of the City's journey	<p>Council's Safe TV Schools and Smart Parking pilot programs have been implemented and are being reviewed.</p> <p>The Activated Data Roadmap consultancy work has concluded, and the draft report is to be placed on public exhibition in December/January.</p> <p>Smart Tank projects are in the final reporting process.</p> <p>An innovative, cross-Council project piloting technology for real-time road condition reporting has been commenced. Council is also seeking innovative solutions to enhance user experience at leisure and aquatic facilities.</p>
Solar Farm	Design commenced. Council has released the request for tender for the design and construction of a mid-scale solar farm to shortlisted companies and an initial briefing has been held.
Implementation of Sports Facilities Strategy - Recreation Initiatives	In progress. A portion of these funds were allocated towards the new amenities building at Wagener Oval, completed this year. Several projects being delivered in the 2020/21 capital works have an allocation of SCF funding, including Kelso North Baseball lighting, Marco Reserve lighting upgrade and Rudd Park field works.

Governance and Administration Matters - 08 December 2020

ITEM 7.2 **Activated Data Roadmap**

AUTHOR **City Future**

PURPOSE AND BACKGROUND

The purpose of this report is to present the Activated Data Roadmap that will shape Council's future of data insights and innovation.

In July 2019, following a Mayoral Minute calling for an 'Open Data Future for our City', Council resolved to develop its own vision for Open Data. As a result, an Activated Data Report and Roadmap has been prepared to use data to "make better decisions, encourage collaboration and provide a greater level of transparency for Government".

ISSUE

There are a range of factors driving Council to pursue Activated Data.

- Advancing digital technologies provide opportunity for Council to be more efficient and responsive to community needs.
- Our community has increasing expectations for how Council delivers its services and how it remains transparent and accountable while doing so.
- Our city is growing and aging, with our population forecasted to increase by 19.4% by 2036. Global issues such as climate change and pandemics are disrupting cities globally, including CBCity. These new challenges require new solutions.

RECOMMENDATION That -

1. Council endorse the Activated Data Roadmap to be placed on exhibition.
2. A further report be prepared following the close of the exhibition period to consider any submissions received.

ATTACHMENTS [Click here for attachments](#)

- A. Activated Data Roadmap
- B. Activated Data Community Engagement Report

POLICY IMPACT

The Activated Data Roadmap outlines foundational capabilities and structures necessary to make value of Council's data. Notably, the Roadmap recommends the development of a data governance framework which will involve the establishment of policies, standards, and processes for data governance across Council.

The benefits of which involve greater accountability for data management, risk-based investment into data projects, improved monitoring of data quality, and uplift of data governance literacy across Council. Ultimately, this will ensure Council is better equipped to identify, source, and trust the data that it is activating.

FINANCIAL IMPACT

Actions identified in the Data road Map will be considered as part of the normal Operational Plan budget process.

COMMUNITY IMPACT

Data activation is key to supporting decision-making processes and improving the way we deliver services to our community. Activated Data must have tangible, positive impacts on the community.

Throughout the development of the Roadmap, Activated Data opportunities were prioritised in line with community needs that were identified through consultation (see Engagement Report attached). Recommendations in the Roadmap aim to benefit the community by:

- Creating channels for community engagement on opportunities for Activated Data;
- Supporting smarter and more efficient construction and maintenance of our assets, ensuring our community has access to quality spaces and facilities;
- Improving our community's experience when interacting and communicating with Council, especially when raising Service Requests;
- Helping us design public spaces that better meet the needs our community; and
- Providing our community with tailored communications and services by understanding their needs and preferences.

DETAILED INFORMATION

What is Activated Data?

Activating Data refers to generating insights from our dormant data to deliver more responsive and effective services, and to facilitate informed decision making. In turn, by Activating Data we strive for Canterbury Bankstown to be a place where data is meaningful and valuable for everyone.

What does Council want to achieve?

As part of the development of the Roadmap, opportunities were identified where Activated Data could have real impacts on service provision, in turn having tangible benefits for the community. From this, 101 opportunities underwent prioritisation to narrow our focus to those that aligned to CBCity's strategic vision, had clear community benefits, and proposed enough value to actively pursue. These opportunities included:

- Capital Works Planning Analytics
- Public Space Usage Insights
- Service Request Journey Mapping & Reporting
- Asset Whole of Life Modelling
- Single View of the Customer

These opportunities require support from foundational capabilities that will be developed in tandem across Council's Activated Data journey. These include an operating model to support Activated Data, strategic reporting tools, data warehouse, data lake, and data governance.

How do we get there?

The Roadmap sets out a three horizon Activating Data journey. In line with our Smart CBCity Roadmap, the following actions are proposed to be taken:

Horizon 1 – Build Momentum

- Build an innovation lab with the right people and skills to support Activated Data;
- Establish a channel for the community to engage on Activated Data opportunities;
- Deliver pilot projects including Capital Works Planning Analytics, Public Space Usage Insights, and Service Request Journey Mapping and Reporting; and
- Prioritise and implement reporting tools and dashboards needed by Council staff to better serve the customer.

Horizon 2 – Learn through Experimentation

- Evaluate the success of the innovation lab. Revise and scale across Council;
- Formalise a data governance framework and assign roles;
- Source and assess the quality of Council's asset and customer datasets;
- Automate the collection of and bring together data across Council;
- Deliver pilot projects including Whole of Life Asset Modelling and View of the Customer; and
- Work with other councils, NSW Government and Federal Government to leverage opportunities and strategically align customer outcomes.

Horizon 3 – Hit the Open Road

- Build a central data repository, or data lake, to house Council's data;
- Equip staff with self-service reporting;
- Review and prioritise new Activated Data opportunities; and
- Explore advanced data technologies and capabilities.

Next Steps

It is proposed that an extended public exhibition period be conducted. Community consultation will be conducted using the Have Your Say platform and promoted via social media and the local newspaper. A further report will be prepared for Council following the close of the exhibition period to consider any submissions received.

Governance and Administration Matters - 08 December 2020

ITEM 7.3 **27 Homedale Road, Bankstown**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

The purpose of this report is to seek Council's authority for the General Manager to finalise the remaining elements of 27 Homedale Road, Bankstown, including:

- Negotiating a short-term licence to the neighbouring landowner at 22 Homedale Road, Bankstown (Proposed Lot - Part C); and
- Complete the process, by agreeing to the sale of Proposed Lot – Part C, once the legal lot is created, as outlined in this report.

ISSUE

On 26 February 2019 Council resolved to proceed with the subdivision of Lot 1 DP1247694, known as 27 Homedale Road Bankstown, to dedicate the required portion as road reserve and complete the cul-de-sac.

In the main, the finalisation of the above would allow for Council to:

- Separate the commercial lease associated with the large media billboard/sign located in the area, including managing the open-space/parkland (Proposed Lot - Part A); and
- Allow Council to address a long-standing issue with an adjoining owner occupying its land (Proposed Lot – Part C).

Since then, the roadworks to create the cul-de-sac have been successfully completed and Council are now in the process of dedicating the road reserve and importantly carry out the remaining elements of the project.

RECOMMENDATION That -

1. That Council note the information, as outlined in the report.
2. In the interim, Council agree to enter into a short term licence arrangement with the owners of 22 Homedale Road, as outlined in the report.
3. Once the required/relevant property matters are finalised, Council agree to the sale of part of 27 Homedale Road, Bankstown (Proposed Lot – Part C), as outlined in the report.
4. The General Manager be authorised to finalise the matter, as outlined in the report.

ATTACHMENTS

[Click here for attachments](#)

- A. Proposed Lots
- B. Previous Council Report - 26 February 2019

POLICY IMPACT

There will be no policy impacts as a result of the proposed dealings over 27 Homedale Road, Bankstown.

FINANCIAL IMPACT

The proposed licence will deliver a commercial return for the land. The proposed sale will see the land liquidated. Proceeds from both transactions will be placed in Land Investment Fund.

COMMUNITY IMPACT

Neither the proposed licence nor the proposed sale will create any community impact.

DETAILED INFORMATION

Property Details

- 27 Homedale Road (Lot 1 in DP 1247694) is a property of 2,406sqm extending from between 22 Homedale Road and the Sydney Water stormwater channel, north to Fairford Road as delineated on the attached aerial photo (refer Attachment).
- The property is zoned IN2 Light Industrial in line with the neighbouring industrial properties.

Background

By way of background:

- In 2017, Council purchased 28 Homedale Road, a 631.5sqm parcel abutting the stormwater channel, from Sydney Water.
- Following that purchase, Council claimed ownership by Possessory Title Claim of 26 Homedale Road, a slither of crown land that was formerly part of the creek-bed of Salt Pan Creek.
- Council consolidated 24, 26, 27 and 28 Homedale Road to create the property now known as 27 Homedale Road, Bankstown.
- Council approved the construction of the cul-de-sac head for Homedale Road. The project to construct the cul-de-sac was completed by Council in early June 2020.
- The completion of the subdivision and road reserve will enable Council to complete the remaining steps to:
 - ✓ Dedicate the central part of 27 Homedale Road as road reserve (Proposed Lot – Part B);
 - ✓ create one residual parcel of land – (Proposed Lot – Part A) to separately address the required commercial lease for the large billboard currently based on the site; and
 - ✓ Create another residual parcel of land - (Proposed Lot – Part C) to separately address the informal occupation of part of site by the owners of 22 Homedale Road.

Proposed Lot – Part A

Presently, Council has a lease arrangement with Ooh Media for them to occupy Council's land. It is intended that once the lots are separately identified that Council continue to utilise the site for commercial advertising purposes.

Proposed Lot – Part C

One of the aspects of carrying out the above has been for Council to ultimately dispose of the southern portion of 27 Homedale Road. Though in saying this, Councillors should note that given its size, Part C cannot be sold as a separate site. Any sale would be subject to the portion of land being consolidated with one of the adjoining owners land.

That said, Council cannot carry out the sale until:

- A small part of the site needing to be reclassified from community land to operational, which will be dealt with as part of the next round of LEP amendments; and
- Completing the formal dedication of the road reserve (cul-de-sac), which as noted above is expected to be completed in the coming months.

Given the above, in the interim, it is therefore proposed to formalise the occupation of Part C by way of a short-term licence – with the rental amount to be determined by an independent Valuer.

Once the above property elements are finalised, then Council can proceed to sell the site accordingly. In doing so, it is proposed that:

- Given that the site will need to be consolidated with one of the three adjoining owners, Council would carry out a suitable transparent process to both inform and allow adequate opportunity for each of them to express their interest to acquire the lot; and
- Naturally, Council would rely on independent advice from a suitable Valuer to ensure we obtain fair market value for the sale.

The above process satisfies the requirements of the Local Government Act and ICAC's Guidelines for direct negotiations with relevant parties.

Governance and Administration Matters - 08 December 2020

ITEM 7.4 2019/20 Annual Financial Reports

AUTHOR Corporate

PURPOSE AND BACKGROUND

Councillors will recall considering Council's Unaudited 2019/20 Annual Financial Reports at its meeting in November 2020 and resolving to refer them to our Auditor in finalising the year-end process.

Having completed the audit, in accordance with Sections 418 and 419 of the Local Government Act 1993, Council's 2019/20 Audited Annual Financial Reports, including the Auditors Report, were publicly exhibited and are now being presented to Council for information.

ISSUE

These financial reports are for the financial year ending 30 June 2020.

Council's External Auditor has expressed an "Unmodified Opinion", on Council's 2019/20 general purpose financial statements, meaning that our statements reflect a true and fair view of our financial performance and position for the year.

In brief, as at 30 June Council's financial position is considered stable. That said, Councillors would be aware that Council's long term financial position suggests financial reform is required, particularly further funding for servicing enhancements and the renewal of existing assets, to ensure we remain financially sustainable.

Council has commenced the process of addressing our long term funding needs and will be engaging with the community over the coming months to outline and determine an agreed path forward to address our long term financial position.

Section 420 of the Act also allows for any person to make submissions to Council with respect to the audited financial statements or Auditor's Reports, which must be received by Council within seven days of the public meeting.

The Act requires that Council assess all submissions and take such action as it considers appropriate in addressing the matter. In the event that Council receives any submissions, details of the issues and proposed actions will be reported to the next Ordinary Meeting of Council.

Copies of all submissions received will be referred to the Council's External Auditor. Council's Auditor, being the NSW Audit Office, will be in attendance this evening to address Council on the 2019/20 Audited Annual Financial Reports.

RECOMMENDATION That -

1. Council note the 2019/20 Annual Financial Reports and Auditor Reports.
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.

ATTACHMENTS [Click here for attachment](#)

- A. Canterbury Bankstown Council Annual Financial Statements 2020

POLICY IMPACT

Council has met all related legislative requirements as set out in the Local Government Act 1993, associated Regulations and Local Government Code of Accounting Practice and Financial Reporting.

FINANCIAL IMPACT

Whilst this report does not present any direct financial impact for Council, it does convey that Council's 2019/20 financial reports presents a stable financial position for Council as at 30 June 2020.

That said, Councillors would be aware of Council's requirement to address its longer-term financial requirements, which is the subject of a separate special rate variation process currently underway.

COMMUNITY IMPACT

There is no direct community impact resulting from this report.

DETAILED INFORMATION

Executive Summary

Councillors will note Council's financial performance (before capital grants and contributions) is reported as a deficit of \$19.3M, which reflects a number of non-cash accounting entries (eg. adjusting for the revaluation of assets and depreciation expense), which contribute to Council's deficit position.

Whilst having no immediate cash/financial impact, the information does provide and/or suggest that there is a longer-term imbalance of available funding to both manage our service expectations and ensure that adequate funding is allocated for asset maintenance and replacement purposes. Evidently, this will be one of Council's most pressing financial issues, going forward.

Council's financial reports provide a detailed assessment of Council's performance and position however, overall some of the more pertinent details of our results are as follows:

- Total combined Net Operating Result of \$1.7M, and a Net Result before Grants and Contributions of (\$19.6M) – incorporates/reflects estimated shortfall (depreciation) in required funding to replace and/or renew our assets;
- Capital Expenditure for the year of \$59M, and total infrastructure asset base of \$3.5B (Net Carrying Amount / Written Down Value);
- Total Cash and Investment of \$345.3M, of which \$9M is unrestricted;
- Total Liabilities of around \$110M, which are largely of an employee nature and tip remediation works;
- Council's combined cost to bring existing infrastructure to a satisfactory standard - estimated at around \$40M; and
- No outstanding borrowings.

More broadly, Council's detailed financial results are outlined below.

COVID-19

The COVID-19 pandemic has impacted the 2019/20 financial reports by approximately \$5m through loss of income from government imposed shutdowns, income that was indirectly impacted by the crisis and other relief measures provided by Council. A further impact of \$12m is expected in the 2020/21 financial year.

These impacts were foreshadowed and reported to Council as part of the March 2020 Quarterly Budget Review. Details have also been provided in the 2020/21 budget documents and reported to Council as part of its annual Integrated Planning and Reporting requirements.

As a precaution, Council has held cash and cash equivalents on hand for operational needs to ensure we manage any adverse cashflow impacts from any delays in recouping council receivables, especially from rates. As at 30 June 2020 Council's Rates Outstanding ratio was higher than previous years (see note 28 (a)).

The 2020/21 Impact was based on 6 months of closures through to 31 December 2020. Actuals to-date for the 2020/21 financial year are currently tracking relative to budget. Council will continue to monitor the impacts and make any necessary budget adjustments to Council through the quarterly budget review process as required. At this stage there is not expected to be any material impact on Council's 2020/21 budget over and above that already foreshadowed in the original budget.

Financial Performance

Overall, Council's short term financial position as at 30 June 2020 is well placed and considered reasonable. A summary of Council's financial performance for the reporting period is as follows:

Canterbury-Bankstown Council
Financial Performance – Year Ending 30 June 2020

Description	2019/20 Budget \$'000	2019/20 Actual \$'000	2018/19 Actual \$'000
INCOME FROM CONTINUING OPERATIONS			
Rates and Annual Charges	234.0	237.9	232.3
User Charges and Fees	23.0	19.7	21.4
Interest and Investment Revenue	9.9	9.1	10.7
Other Revenues	20.9	17.0	27.3
Grants and Contributions - Operating	23.9	24.6	22.4
Grants and Contributions - Capital	26.5	20.9	21.4
Rental Income	0.0	5.4	0.0
Fair Value Increment on Investment Property	0.0	0.2	1.6
Total Income from Continuing Operations	338.2	334.4	336.9
EXPENSES FROM CONTINUING OPERATIONS			
Employee Benefits and On-costs	139.6	132.9	130.5
Borrowing Costs	0.5	0.2	0.5
Materials and Contracts	84.4	78.6	79.9
Depreciation and Amortisation	67.3	75.1	72.8
Other Expenses	37.8	35.3	35.9
Revaluation Decrement of IPP&E	0.0	0.0	1.5
Net Loss from Disposal of Assets	0.0	10.7	14.2
Total Expenses from Continuing Operations	329.6	332.8	335.2
OPERATING RESULT	8.6	1.6	1.7
Net Operating Result for the period before grants and contributions provided for capital purposes	(18.0)	(19.3)	(19.6)

Comparison with Original Budget

Once adjusted for specific capital grants and contributions, Council's Net Operating Result was a deficit of \$19.3M compared to an original budgeted deficit of \$18.0M. This is primarily due to:

- Development activity in the local government area was lower than originally forecast. As a result, there has been a corresponding drop in planning and building regulation fees (\$2.0M), and inspections services (\$0.1M). The Covid-19 pandemic had a direct impact through the closure of services with a drop in user charge services including child care (\$0.3M), Aquatic/fitness centres (\$1.5M), and ground/hall hires (\$0.4M)

- actual interest and investment revenues lower than originally budgeted due to decreasing official interest rates reducing investment returns;
- The decrease in development activity across the local government area has also impacted the capital developer contributions received by Council. Developer contributions are received by Council on commencement of the development. During the second half of the financial year the commencement of many development projects have been delayed giving a timing difference to the receipt of developer contributions to what had been forecast when original budget was set.;
- The original budget was completed prior to the finalisation of the infrastructure revaluation that resulted in changes to depreciation charges for infrastructure assets. The depreciation charges were revised up based on the completion of assessment of infrastructure valuations and useful lives; and
- Council does not budget for any net losses on disposal of assets unless known at the time of preparing the original budget. The majority of the losses relate to write-offs of various infrastructure assets as part of Council's asset renewal program, particularly as infrastructure assets are renewed and/or replaced.

Comparison with Previous Year Result

When assessing Council financial performance to that of the previous year, Councillors would note that Council's Net Operating Result for the year reduced from \$1.7M to that of \$1.6 for 2019/20. Whilst the COVID-19 pandemic impacted Council's income for the year, this was offset by commensurate drop in expenditure during the same period.

Whilst having provided Councillors with detailed movements and/or variation to costs in previous Council reports, broadly, the major variation are due to:

- the reduction in user charges and fees, and other revenues as a direct result of COVID-19 pandemic impacts of around \$5.0M;
- decreased net losses on the disposal of assets of around \$3.5M;
- increased Council's depreciation expense (estimated annual cost/value of the depletion of Councils assets), following new assets brought online during the year of around \$2.3M; and
- decrease in revaluation decrements of infrastructure asset of around \$1.5M.

Overall, the above variations provide some insight into the pressures and constraints facing Council, particularly in areas we have little influence and/or control as to how cost vary from year to year.

Financial Position

Broadly, Council's financial position reflects the following balances:

Canterbury-Bankstown Council Statement of Financial Position – as at 30 June 2020

Description	\$M
FINANCIAL POSITION	
Current Assets	200
Non-Current Assets	3,724
Total Assets	3,924
Current Liabilities	87
Non-Current Liabilities	22
Total Liabilities	109
Net Assets / Equity	3,814
CASH & INVESTMENTS	
External Restrictions	190
Internal Restrictions	166
Unrestricted Cash	9
Total Cash & Investments	365

Council's has a sound level of liquidity (cash & investments) to deal with ongoing operational requirements, including preserving specific cash and investments for future asset replacement programs, protecting its liabilities and satisfying Council's statutory obligations.

In terms of assets, Council capitalised a further \$59M throughout the period. Primarily, most funds were allocated to replacing/renewing Council's infrastructure assets, such as roads (\$23.3M), parks & reserves (\$3.6M), stormwater management (\$1.2M), footpaths (\$3.2M) and buildings (\$3.8M).

Council is similarly well placed to meet its short and long term obligations (current and non-current liabilities), such as employee entitlements, payments to its creditors within the coming financial year.

Performance Ratios

NSW councils are required to report their performance against certain set financial ratios and benchmarks set by the State Government. Notwithstanding the varied scale and size of all councils, the ratios provide a basis to annually compare all councils on a consistent basis.

A summary of Council's performance ratios, when compared to the benchmarks is as follows:

Ratio	Industry B/Mark	CBC (2019/20)	CBC (2018/19)	B/Mark (2018/19)
Operating performance	>0%	(2.83)%	(1.75)%	No
Own source operating Revenue	>60%	86.4%	86.1%	Yes
Unrestricted current	>150%	412%	401%	Yes
Debt service cover	>2X	62X	143X	Yes
Rates and annual charges outstanding	<5.0	5.5%	4.9%	Yes
Cash expense (months)	>3.0	14.2	14.2	Yes
Building & infrastructure renewals	>100%	46.8%	50.7%	No

As at 30 June 2020, Council exceeded all operational related financial benchmarks except operating performance. This is primarily due to higher depreciation expense and net losses from adjustment for assets.

Separately, Council's building & infrastructure renewals ratio declined further from the previous financial year and highlights the long term funding issues being addressed by Council in order for Council to continue to deliver, maintain and renew the infrastructure and services expected by the community. Councillors would be well aware of this issue, particularly as detailed in Council's Financial Management Strategy incorporating Council's Long Term Financial Plan.

Annual Financial Reports

A complete set of Council's 2019/20 financial reports are attached, for Council's information. As indicated earlier, Council's Auditor will be in attendance to address Council on the matter and provide a more detailed assessment of Council's results.

8 SERVICE AND OPERATIONAL MATTERS

The following items are submitted for consideration -

8.1 Paul Keating Park Masterplan 2021 - 2041	133
8.2 Draft Active Transport Action Plan	139
8.3 Draft Off Leash Dog Park Action Plan	143

Service and Operational Matters - 08 December 2020

ITEM 8.1 Paul Keating Park Masterplan 2021 - 2041

AUTHOR City Future

PURPOSE AND BACKGROUND

The purpose of this report is to provide a summary of the feedback received on the draft Paul Keating Park Masterplan 2021 - 2041, and to present the Masterplan for adoption and implementation.

The Masterplan was prepared to guide the next 20 years of future planning, provision and management of Council's Paul Keating Park in Bankstown, which is Council premier civic open space and subject to substantial changes with the impending Western Sydney University (WSU) development.

The Masterplan was placed on public exhibition from 11 September 2020 to 18 October 2020. A total of 16 submissions were received resulting in amendments to the document.

The Masterplan is presented to Council for adoption.

ISSUE

A draft Masterplan has been prepared for the Paul Keating Park to inform the next 20 years of works for the site, to be included in future capital works programs. The Masterplan provides future direction for the site which is adjacent to WSU, the Compass Centre and Vicinity shopping centres, and close to the pending Southwest Metro.

The Masterplan includes seven key project initiatives meeting the aspirations of the community and the future recreational needs of a growing local population, in an existing valued community open space.

On 25 August 2020 Council resolved to place the draft Paul Keating Park Masterplan on public exhibition for a period of five weeks and that a further report be brought to Council at the conclusion of the exhibition period to consider any submissions received.

In accordance with the Council resolution the Masterplan was placed on exhibition, feedback was received, updates were made to the Masterplan, and it is now presented for adoption.

RECOMMENDATION That -

1. Council note the submissions of the community from the public exhibition of the Masterplan.
2. Council adopt the Masterplan, noting that The Appian Way and Civic Drive precinct have been revised to better align with subsequent designs being prepared in collaboration with the Western Sydney University.

ATTACHMENTS

[Click here for attachments](#)

- A. PKP Engagement Summary
- B. PKP Formal Submissions and Council Responses
- C. Final PKP Masterplan

POLICY IMPACT

The Masterplan sets the long-term future direction for recreational opportunities at the Paul Keating Park. The Masterplan can be refined or further changed as needs change over time due to growth and emerging community needs. The Masterplan delivers on the aspirations of the community as set out in Council's Community Strategic Plan 2019.

FINANCIAL IMPACT

The adoption of the Masterplan will set the long-term direction for the future recreational and community uses for the sites. At this stage there is no financial impact however, over time it will require significant investment from Council, State and Federal Governments to achieve. This will be considered as part of future Operational Plans, Contributions Plans and utilised to access grants.

COMMUNITY IMPACT

The adoption of the Masterplan will have a positive impact on the community of Canterbury Bankstown. As the surrounding key developments are realised, the usage patterns and importance of the Paul Keating Park as a premier destination, quality civic-themed open space will increase. As recommendations of the document are progressively implemented the site will become a major regional destination community and recreational facility, whilst also providing significant prestige and amenity within the Bankstown CBD.

DETAILED INFORMATION

EXHIBITION SUMMARY

The key highlights and findings for this exhibition were:

- 1,270 viewings of the project information on Council's 'Have Your Say' page
- 34 community members participated in the exhibition's Facebook Q&A session
- 16 submissions were received
- Overall, there was support for the masterplan
- Water play and the future opportunities in the park were identified as the key benefits for future generations of users
- A shorter timeframe to deliver the masterplan initiatives would be highly regarded
- Formal submissions were received from WSU and Tania Mihailuk MP, Member for Bankstown
- Council via the Mayor's office, made contact with Mr Paul Keating (no response was received).

Methodology

The draft Masterplan was on **public exhibition from 11 September to 18 October 2020**. Due to Covid-19 restrictions, there was no face-to-face community engagement with park users and the broader community over this exhibition period. The exhibition period and community consultation included:

- Council's digital community engagement platform - Have Your Say, which included:
 - An opportunity for the community to view the concept plans as artist impressions,
 - an interactive map, and
 - an opportunity to provide feedback
- A project update notification by email to key government agencies/organisations and local community groups and organisations, including previously engaged stakeholders (200+ people), Council reference groups and advisory panels, Have Your Say Community Panel (2000+ people), RSL and Historical Society organisations
- Social Media – 2 x Facebook and 2 x Twitter promotions
- Mailbox delivery of a project flyers to 2000 neighbouring properties, including translated versions in Arabic and Vietnamese
- Letters to local State and Federal MPs and former prime minister Paul Keating.
- Project posters displayed at Paul Keating Park entry ways, Courthouse Reserve, Customer Service and at the BLaKC
- Door-knock to approx. 30 businesses immediately fronting Paul Keating Park on all sides on 18 September, where information was provided to the proprietor or frontline staff advising of the exhibition, and flyers were left for customer distribution
- Printed media – two advertisements in The Torch and an article in The Canterbury Bankstown Express

Exhibition Results

Highlights for the exhibition were:

- 1,273 Visited to the project page
- Nine digital submissions were received plus Seven direct submissions
- Five submissions were emailed directly to Council
- Two submissions were posted to Council from WSU and the State Member for Bankstown
- The most popular project page was the image sliders which contained all the artists impressions of the proposed designs, this had 973 clicks.

Over the exhibition period a **total of 16** submissions were received; 9 through Council's digital community engagement platform 'Have Your Say', 5 emailed submissions and 2 written submissions.

Community Information session – digital

Council hosted a Facebook Q&A session with social media posts (with boost) used to promote the session.

The digital reach for this post was:

- 6,683 people viewed the project information, 18% of which viewed more than two pages (engaged);
- 34 conversations were lodged;
- 189 people clicked through to Have Your Say;
- 860 viewings of the master plan's designs and photos; and
- A further 898 people clicked through to the project via the conversation link.

SUBMISSIONS SUMMARY

The following provides an insight into the responses received over the exhibition period primarily through the key themes:

- concerns around the 20-year timeframe to deliver the plan;
- additional improvements included increased greenery, better amenities, improved nightlife opportunities for the Centre with greater food options;
- exercise equipment would be highly regarded;
- the impact of WSU campus and students;
- traffic congestion and challenges for traffic flow around the CBD.

A full report summary dated 23 October 2020 is included as Attachment A.

A table of the submissions and Council's responses are contained within Attachment B.

MASTERPLAN REFINEMENT

Changes to the Masterplan:

In response to the formal submission from the WSU, and design work on The Appian Way, several minor modifications have been made to The Appian Way and Civic Driveway within the PKP Masterplan as follows:

1. Rickard Road will more clearly identify and articulate the east-west shared cycleway and pedestrian pathway as adopted by Council in 'Bankstown Complete Streets Place Plan' (Sept 2019);
2. Civic Driveway will restrict general car access to align with the Civic Tower Carpark entry, whilst allowing for restricted access for service vehicles in-line with The Appian Way. This is to ensure the highly pedestrianised precinct is safe for pedestrian volumes anticipated with the WSU.
3. The Appian Way will not be open to general car access (left-in) from Rickard Road, but provision will be retained for Emergency Service and Ausgrid Service vehicles to attend Council Civic Tower.
4. The Appian Way will more accurately reflect the positioning of the proposed culvert and subsequent influence on the arrangement of the landscape and streetscape located above it.

MOVING FORWARD

The Paul Keating Park Masterplan sets the future direction for the next 20 years of open space community and recreational uses for the site and is a long-term proposal capturing the future ambitions and aspirations of the community for this key destination civic precinct in the heart of Bankstown. Council is currently undertaking detailed design and investigations to undertake proposed culvert works in The Appian Way. The Masterplan sets the framework for and aligns with the principles of the development proposal for the WSU.

This report recommends Council adopt the Masterplan, noting that Council is currently working collaboratively to ensure the community's Masterplan ambitions are realised in the designs and on-ground works.

ITEM 8.2 Draft Active Transport Action Plan

AUTHOR City Future

PURPOSE AND BACKGROUND

To inform Council of the draft Active Transport Action Plan and seek endorsement for public exhibition of the draft plan to obtain community feedback. A future report outlining the feedback received during the exhibition period will be reported back to Council.

ISSUE

The Canterbury-Bankstown Active Transport Action Plan is the first strategic plan focused on walking and cycling for the City. The Active Transport Action Plan supports the aspirations of the Community Strategic Plan by seeking to provide an interconnected walking and cycling network for the people that live in, undertake activities within and pass through the entire Canterbury-Bankstown LGA, while integrating with the broader metropolitan strategies and bicycle network of neighbouring LGAs. The draft document guides the actions and strategic priorities for active transport over the next 10 years.

RECOMMENDATION That -

1. Council endorse the draft Active Transport Action Plan (Attachment A) to be placed on public exhibition until 1 March 2021.
2. A further report be prepared following the close of the exhibition period to consider any submissions received.

ATTACHMENTS [Click here for attachment](#)

- A. Draft Active Transport Action Plan

POLICY IMPACT

The Active Transport Action Plan supports the aspirations of the Community Strategic Plan and contributes to the Moving and Integrated destination. The Plan supersedes the former Canterbury Council Bike Plan and represents an aligned approach to walking and cycling infrastructure for the City of Canterbury Bankstown.

FINANCIAL IMPACT

The actions included in the report represent a significant investment into walking and cycling infrastructure across the City. There is no immediate financial impact as a result of the report however priority actions should be considered in the preparation of future delivery programs and operational planning budgets. Section 7.11 contributions, grants and delivery partnerships will also be utilised to deliver on actions outlined in the Plan.

COMMUNITY IMPACT

Throughout 2020, Council has received an increasing number of requests about the provision of walkways and cycleways as our residents adapted to new ways of living, working and moving about during the COVID-19 pandemic. The Active Transport Action Plan identifies the priority infrastructure projects that are considered to have the biggest potential to improve the walkability and cyclability of our City through focusing on areas that connect people, transport and places.

DETAILED INFORMATION

The City of Canterbury Bankstown is covered by a network of over 908 kilometres of roads. Car-centric planning and a lack of safe walking and cycling infrastructure has led to a reliance on private vehicles and an increasing amount of traffic congestion across the City. As the City continues to grow, this is not sustainable. Council has an ambitious vision to see mode shift across the City, through an increase in the number of people using not only public transport, but also active transport as their preferred mode of travel.

Currently the City provides a number of cycling routes along waterways, greenspaces and local streets, however missing links mean the network fails to connect not only within the LGA, but also to the wider Sydney cycling network. The City's pedestrian network can also be unwelcoming in many centres with car dominated streets and poor amenity. Across the City, the provision of footpaths is unevenly distributed, particularly with the western side of the City lacking in appropriate infrastructure.

Existing Facilities

The existing pedestrian facilities across the City of Canterbury Bankstown are spatially disparate. While nearly the entirety of the street network in the eastern side of the LGA comprises sealed footpaths on both sides of the road, in the western area of the LGA, particularly in the Bass Hill ward, there are many streets without any footpaths. There is currently 1,124 km of footpaths provided across the City, or 58% of the total potential network.

The existing cycling network is predominantly comprised of off-road shared paths, complemented by a small number of on road facilities. It is unevenly distributed across the City, with the quality, suitability and maintenance of the facilities also varying widely. There is no structured approach to wayfinding, with routes often ending abruptly leaving cyclists to navigate difficult traffic conditions.

Development

In 2019, Council engaged a specialist transport company to develop an Active Transport Action Plan for the entire City of Canterbury-Bankstown. The Plan was prepared with consideration of broader regional and local planning objectives, connections to neighbouring cycle networks, land use, network value and construction feasibility. It was developed through gaining an understanding of how our residents move through the City, and by reviewing the existing pedestrian and cycling facilities available and the issues and opportunities this presented.

The Plan

Council has the opportunity to make significant upgrades to walking and cycling infrastructure across the City. The proposed actions in the Plan support a vision for Council to provide a high quality, connected walking and cycling network that enables our residents to choose active transport to move about the City and beyond.

To guide our work, Council will prioritise work that;

a. Connects People

Walking and cycling facilities should be provided to improve access to areas of high pedestrian activity, areas of high population and/or employment density, schools, train stations and future Metro stations. Areas of high population and employment density generally coincide with town centres, city centres and station precincts throughout Canterbury-Bankstown where pedestrian and cyclist movements are high and diverse, ranging from pedestrians and cyclists accessing major destinations, walking to the shops, mingling on the footpath, crossing streets and deliveries by bicycle.

b. Connects Transport

Streets should have safe infrastructure to support access for all users to the public transport network. Streets must be considered as an integral part of the broader transport network and in the case of public transport are important conduits to and from bus stops and train stations, given all public journeys start and end with a walking trip.

c. Connects Places

Walking and cycling links should be provided to facilitate access to public open space and the green grid.

The Plan recommends the construction of over 80 kilometres of new footpaths over the next ten years. The work accounts for just over 10% of the missing footpaths in the LGA, however it prioritises work that will deliver the biggest impact in enhancing the City's overall connectivity and permeability.

The Plan also recommends the development of 12 cycling routes across the City based on connections into neighbouring LGA's, key destinations across the City, existing infrastructure and providing broad network coverage.

Public exhibition

It is proposed that an extended public exhibition period be conducted throughout December 2020 through to February 2021. Community consultation will be conducted using the Have Your Say platform and interactive mapping tools. It will also be promoted via social media, local newspapers and key stakeholders such as local walking and cycling groups. A further report will be prepared for Council following the close of the exhibition period to consider any submissions received.

ITEM 8.3 Draft Off Leash Dog Park Action Plan

AUTHOR City Future

PURPOSE AND BACKGROUND

To inform Council of the draft Off Leash Dog Park Action Plan and seek endorsement for public exhibition of the draft plan to obtain community feedback. A future report outlining the feedback received during the exhibition period will be reported back to Council.

ISSUE

The Off Leash Dog Park Action Plan will guide the provision and ongoing management of dog off leash areas and supporting infrastructure in the City. The document focuses on how Council can better utilise the existing spaces, address community demand for separate small and large dog areas within our off leash dog parks and provide guidance and consistency in how we plan and design for facilities. The development of the Action Plan has involved a detailed analysis of the existing provision of off leash dog parks across the City and given consideration to the expressed community demand based on community consultation. The draft document guides the actions and strategic priorities for off leash dog parks over the next ten years.

RECOMMENDATION That -

1. Council endorse the draft Off Leash Dog Park Action Plan (Attachment A) to be placed on public exhibition until 1 March 2021.
2. A further report be prepared following the close of the exhibition period to consider any submissions received.

ATTACHMENTS [Click here for attachment](#)

- A. Draft Off Leash Dog Park Action Plan

POLICY IMPACT

The Off Leash Dog Park Action Plan supports the aspirations of the Community Strategic Plan and contributes to the Healthy and Active destination. The Plan supersedes the former Bankstown City Council Paws in Parks Plan. The provision of off leash areas across the City fulfils Council's responsibility under the *Companion Animals Act 1998* to declare at least one public place an off leash area for dogs.

FINANCIAL IMPACT

There is no immediate financial impact as a result of the report however priority actions should be considered in the preparation of future delivery programs and operational planning budgets.

COMMUNITY IMPACT

Off leash dog parks provide space for both dogs and their owners to socialise. They provide opportunities for dogs to exercise, interact with other dogs, enjoy the outdoors and practise training techniques. For the community, off leash dog parks reduce the risk of uncontrolled dogs being present in general purpose parks.

DETAILED INFORMATION

Well-designed off leash dog parks provide space for dogs to exercise and play in a controlled environment under the supervision of their owners. They form an integral part of how Council manages domestic animal ownership across the City and helps meet our obligations under the *Companion Animals Act 1998*. The Off Leash Dog Park Action Plan (the Plan) will guide the provision and ongoing management of dog off leash areas and supporting infrastructure in the City.

Off leash dog parks are planned for and provided by Council in the same way that other dedicated purpose built facilities are provided for other sport and recreation pursuits. While open space within the City is at a premium, Canterbury-Bankstown is currently home to ten fenced off leash dog parks. Many other LGAs with a deficiency in open space need to utilise sports fields and unfenced areas to provide off leash areas which can create conflict with other park users. The Plan proposes to continue to use only dedicated fenced areas for dogs off leash. In addition to these facilities, residents are able to exercise their dogs on leash utilising local footpaths and parks.

Existing Facilities

The existing off leash dog park facilities vary significantly in size. While all the facilities are fenced, contain drinking water stations for the dogs and agility equipment, only two of the facilities are lit at night-time to extend hours of use. The facilities have been categorised using a hierarchy matrix based on their size to understand the catchment of people who may be accessing the park.

1	Peace Park, Ashbury	3,700	District	Canterbury
2	Band Hall Reserve, Birrong	14,000	Regional	Bass Hill
3	Richard Podmore Reserve, Narwee	9,700	District	Roselands
4	Cooks River Foreshore, Campsie	500	Neighbourhood	Canterbury
5	Hughes Park, Earlwood	2,400	Neighbourhood	Canterbury
6	Peter Moore Field, Belmore	1,000	Neighbourhood	Roselands
7	Craig Street Reserve, Punchbowl	5,500	Neighbourhood	Roselands
8	Close Street Reserve, Canterbury	1,900	Neighbourhood	Canterbury
9	The Vale of Ah, Milperra	23,600	Regional	Revesby
10	Ruse Park, Bankstown	7,300	Neighbourhood	Bankstown

Development

In 2019, Council conducted a public survey at the ten off leash dog parks, which invited the general community, dog owners and dog park users to comment on the existing facilities. Internally, workshops were conducted to capture the current service levels and identify issues and opportunities at the facilities.

The Plan

The proposed actions in the Plan support a vision to provide quality, accessible off leash dog parks which balance the needs of all open space users through provision, design and operation of dedicated facilities. The actions in the Plan are structured around:

- **Provision:** Providing an equitable spread of off leash dog park facilities across the City;
- **Design:** Enhancing the quality and variety of off leash dog parks in line with the dog park design criteria; and
- **Operation:** Improving the management and maintenance of off leash dog parks and promoting responsible pet ownership and dog park etiquette across the City.

In the development of the Plan, Council reviewed the current provision of off leash dog parks within the LGA and easily accessible neighbouring dog parks located within 3km from the LGA boundary to identify gaps in provision. The gap analysis identified two undersupplied areas; Belmore/ Kingsgrove (south-east) and Picnic Point/ Padstow Heights (south-west).

To address the gap in south-east of the LGA, the Plan proposes to upgrade Hughes Park to a District Park in the future by expanding the size and improving the facilities provided. To address the gap in south-west of the LGA, the Plan identifies Virginius Reserve, Padstow, as a potential location to include a district level off leash dog park area in the future and recommends that further community consultation be conducted.

A standard dog park design criteria will act as a guide for Council in the design of new, and upgrades to existing, off leash dog parks. The criteria has been developed with consideration of the current level of service provided by Council, the capacity to fund ongoing maintenance, local government standards and community feedback.

Throughout the community consultation process there was a consistent theme around animal safety and the need to separate large and small dogs. The Plan recommends trialling separated areas in the larger regional off leash dog parks where there is the space to provide facilities. There is also the potential to include separated areas and lighting at district level off leash dog parks if there is demand and the space permits.

Although timely and regular maintenance is a key factor in the successful operation of any open space, off leash dog parks have some unique characteristics and requirements that need to be addressed to provide a positive experience for both dogs and their owners. Council will continue to run education programs targeted at responsible pet ownership.

Public exhibition

It is proposed that an extended public exhibition period be conducted throughout December 2020 through to February 2021. Community consultation will be conducted using the Have Your Say platform, and promoted via social media and local newspaper. Targeted consultation will be planned for residents close to Virginius Reserve, Padstow, to ensure they are informed on the proposal and have the opportunity to provide feedback to Council. A further report will be prepared for Council following the close of the exhibition period to consider any submissions received.

9 COMMITTEE REPORTS

The following items are submitted for consideration -

- | | | |
|-----|---|-----|
| 9.1 | Minutes of the Traffic Committee Meeting held on 24 November 2020 | 149 |
| 9.2 | Minutes of the Audit Risk and Improvement Committee meeting held 11 November 2020 | 151 |

Committee Reports - 08 December 2020

ITEM 9.1 **Minutes of the Traffic Committee Meeting held on 24 November 2020**

AUTHOR **Operations**

PURPOSE AND BACKGROUND

Attached are the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 24 November 2020.

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

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

ISSUE

Recommendations of the Canterbury Bankstown Council Traffic Committee meeting.

RECOMMENDATION

That the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 24 November 2020, be adopted.

ATTACHMENTS [Click here for attachment](#)

A. Minutes of the Traffic Committee Meeting held on 24 November 2020

POLICY IMPACT

This matter has no policy implications to Council.

FINANCIAL IMPACT

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

COMMUNITY IMPACT

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.

Committee Reports - 08 December 2020

ITEM 9.2 **Minutes of the Audit Risk and Improvement Committee meeting held 11 November 2020**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

In accordance with the Local Government Guidelines for Internal Audit, issued under section 23A of the Local Government Act (1993), Canterbury Bankstown Council has an established Audit Risk and Improvement Committee.

The purpose of this report is to consider the minutes of the meeting of the Audit Risk and Improvement Committee held on 11 November 2020.

Matters arising from the meeting that may be of particular interest to Council include:

- Section 6: General Business – Dr Philip Ross (independent member) has resigned from the Committee, with this meeting (11 November 2020) being his last.

Given the above, it is proposed that the General Manager commence an expression of interest process to replace Dr Ross and submit his final assessment for consideration and appointment by the Mayor. This process is consistent with the current approach and delegation for the Mayor to appoint community delegates and/or representatives to Council's advisory committees and external bodies, as required.

ISSUE

Recommendations of the Audit Risk and Improvement Committee and appointment of a new independent member to the Committee.

RECOMMENDATIONS That -

1. The recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 11 November 2020, be adopted;
2. The General Manager conduct an Expression of Interest process to appoint an independent member to the Audit Risk and Improvement Committee.
3. The Mayor be authorised to finalise the appointment to the Audit Risk and Improvement Committee.

ATTACHMENTS [Click here for attachment](#)

- A. Minutes of the Audit Risk and Improvement Committee meeting held 11 November 2020

POLICY IMPACT

The reporting of the Minutes of the Committees' meetings to Council complies with the requirements of the Internal Audit Guidelines (for Local Government) and the approved Audit Risk and Improvement Committee Charter.

FINANCIAL IMPACT

There are no financial impacts arising from the recommendations of the Committee.

COMMUNITY IMPACT

Council will maintain an independent Audit Risk and Improvement Committee in accordance with the local government guidelines.

10 NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

The following items are submitted for consideration -

10.1 Notice of Motions	155
10.2 Delivery Riders	157
10.3 Christmas Lights Competition	159
10.4 Wollli Creek Regional Park	161
10.5 Planning Proposals	163
10.6 Electricity Infrastructure	165
10.7 Tom Thumb	167

Notice of Motions & Questions With Notice - 08 December 2020

ITEM 10.1 **Notice of Motions**

AUTHOR **Office of the General Manager**

ISSUE

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

RECOMMENDATION

That the information be noted.

ATTACHMENTS [Click here for attachments](#)

- A. Notice of Motions Status Update
- B. Correspondence sent in relation to Notice of Motions

Notice of Motions & Questions With Notice - 08 December 2020

ITEM 10.2 Delivery Riders

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

“That the NSW Government introduce urgent laws to protect workers in the gig economy, particularly those involved in deliveries by bicycle.”

BACKGROUND

On average a worker in delivery by bicycle industry is killed every 11 days.

We have previously resolved to support both our community and those involved in this type of gig economy, but now is the time for action. The State Government can no longer drag their feet.

No doubt because of the pressure that we and others have been applying, the Government did announce a Taskforce to examine this sector of the workforce, but if we keep on the current path, how many more workers will have died by the time the Taskforce finishes its body of work, reports to Government, Government responds and legislation is drafted.

We need urgent laws to protect workers now, not in months and months. Not after more of these workers, of these people have died.

GENERAL MANAGER’S COMMENT

There are no cost implications arising from the proposed motion, as written.

Notice of Motions & Questions With Notice - 08 December 2020

ITEM 10.3 Christmas Lights Competition

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

“That Council investigates including a competition to promote the decoration of homes by residents to celebrate Christmas.”

BACKGROUND

This Christmas will be like no other we have ever experienced. Normally, it is a time for families and communities to come together, to celebrate in their own ways, to enjoy Christmas fairs, carols, and of course the many dinners and lunches. Not this year.

But that doesn't mean that we can't still create a strong Christmas spirit within our streets and neighbourhoods and to promote this, I am seeking Council investigate the introduction of a competition to promote residents decorating their homes for Christmas.

GENERAL MANAGER'S COMMENT

As part of Council's Christmas Event Series, Council will be promoting a new map of Christmas light decorations across our City. As part of this initiative, Council may include an appropriate "Peoples' Choice Award" or similar, to further promote the decoration of homes this Christmas and consider this as a part of our ongoing Christmas Event Series. Accordingly, there are no cost implications arising from the proposed motion, as written.

Notice of Motions & Questions With Notice - 08 December 2020

ITEM 10.4 Wollli Creek Regional Park

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

“That Council:

1. Express its continuing support for the Wollli Creek Regional Park and the popular Two Valley Trail; noting that the Park is still incomplete more than 20 years after it was announced by the NSW Government and that it is again threatened by the action of a State agency,
2. Writes to the Minister for Water, Property and Housing, urging her to personally and urgently review Sydney Water’s proposed location for an Odour Control Unit at Unwin St, Earlwood, given its major impact on a valued regional resource,
3. Writes to the Minister for the Environment, to expedite land transfers to formalise the park boundaries and secure the future of Wollli Creek Regional Park, and
4. Use its publicity channels to alert CBC residents to the issue and to provide a link to an expected Parliamentary petition.”

BACKGROUND

The Wollli Creek Valley bushland was first proposed as a Regional Park under National Parks and Wildlife Service management by the Wollli Creek Preservation Society in 1993 and announced as such by the state Government in 1998.

It has grown only slowly, despite ongoing community pressure, gaining many areas from various agencies (including the former Canterbury City Council) and private owners.

Environment Minister Kean has recently written that “Wollli Creek Regional Park provides rare and valuable open space in the urban environment between Bexley North and Earlwood. It is a recreational and educational resource for local and regional users that contains important habitat and features of cultural and historical significance.”

It also hosts the very popular Two Valley Trail, which runs from Unwin St to Bexley North station. Usage has increased dramatically under COVID restrictions, reaching 250% of its level before, underlining the importance of such bushland for inner-urban residents.

But Wollli Creek Regional Park is still incomplete and Sydney Water owns a key required block, adjacent to the South-West Ocean Outfall Sewer where its pipes cross the Wollli Creek.

On this block, Sydney Water proposes to build an industrial plant (Odour Control Unit) to treat odours from the sewer and to slow corrosion in the pipes. It is accepted that this is necessary infrastructure.

However, it is right at the eastern entrance to the Regional Park. It will destroy forever a lovely natural sandstone cliff face; and the block's retention by Sydney Water will lose an essential link between this rock outcrop and the rest of the Park and lose from the Park a significant area of restorable bushland.

I understand the Wollli Creek Preservation Society, a major local community group, has proposed an alternative site very close by, but outside the Park, but this has been rejected by Sydney Water citing visual and noise impacts on nearby residences, and cost factors. I am informed by the Society that these can all be dealt with readily if the alternative site is adopted.

GENERAL MANAGER'S COMMENT

Wollli Creek Regional Park is a valuable open space within the South District that has ecological, recreational, hydrological, educational and cultural value. The Park forms part of a priority green grid corridor and the importance of improving connectivity, protecting and enhancing bushland and improving access to the park has been highlighted in both Council's and the NSW Government's strategic work.

There are no cost implications arising from the proposed motions, as written.

ATTACHMENTS [Click here for attachments](#)

- A. Aerial View Woolli Creek
- B. Sydney Water Outdoor Control Unit – Before and After

Notice of Motions & Questions With Notice - 08 December 2020

ITEM 10.5 Planning Proposals

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

“That Council provide a regular report detailing all planning proposals received by Council and in the process of being assessed by Council.

Councillors must be made aware of all major developments through regular briefings on significant and potentially controversial planning proposals in the early stages.

Further all major planning proposal decision processes should be advertised in the local paper including matters being considered before Council and local planning panels.”

BACKGROUND

In light of the recent planning proposal for Chester Square, where Councillors only become aware of the proposal when it came to the local planning panel, It would be appropriate for Councillors to be aware of major planning proposals which are being assessed by council.

GENERAL MANAGER’S COMMENT

There are no cost implications arising from the proposed motion, as written.

Planning Proposals received can be added to the regular Report on Council’s Performance in the Assessment of Development Applications, or the monthly Development Application report to councillors, subject to system configuration.

Council adopted its Community Participation Plan on 26 November 2019. In approving this Policy, Council considered the level of community and stakeholder consultation required for all development matters and resolved to endorse the Policy.

In relation to the local planning panel, its processes and operations are mandated by the NSW Department of planning. This panel operates separately from Council and is not under Council’s control.

In relation to planning proposals the Gateway Certificate issued by the NSW Department of planning stipulates the advertising and engagement processes to be followed. This is summarised in 'A Guide to Preparing Local Environment Plans' by the NSW government. Nevertheless, the Council business notification, where Councillor's consider progressing any matter for a Gateway determination, is advertised in the local paper and publicly available in accordance with our code of meeting practice.

Notice of Motions & Questions With Notice - 08 December 2020

ITEM 10.6 Electricity Infrastructure

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

“That Council prepare a report and seek a briefing from Ausgrid on the recent outages that have impacted suburbs such as Bass Hill, Georges Hall, Yagoona, Villawood and other parts of the council.”

BACKGROUND

This week I had many calls from residents and small business operators concerned that the outages were taking longer than usual to fix and that it was difficult to receive any appropriate information on the potential timeline for repairs.

What is the cause of the recent outages? Is this relating to a backlog on necessary upgrading of electricity infrastructure.

Could we seek clarification on how many such incidents have occurred in the last 24 months. Seek detail on impacts and potential costs for local businesses, residents and on Council facilities and what upgrades is Ausgrid undertaking to local infrastructure.

GENERAL MANAGER’S COMMENT

There are no cost implications arising from the proposed motion, as written.

Notice of Motions & Questions With Notice - 08 December 2020

ITEM 10.7 Tom Thumb

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

“That Council investigates permanently relocating the Tom Thumb 1 to a more high-profile community position such as the Bankstown Library and Knowledge Centre.”

BACKGROUND

For those that don't know the history of the Tomb Thumb, it played an important part in the history of our City.

The Tom Thumb, over 200 years ago, carried Matthew Flinders, George Bass, the Boy Martin and Bungaree, a Kuringgai man, on their voyage of discovery, which would take them up the NSW Coast, into Port Botany and up the Georges River as far as which is now known today as Garrison Point.

The significance of this little boat, cannot be understated and nor was it when, to celebrate the Bicentenary, the Tom Thumb 1 replica, crafted by the Ship and Boat Building Apprentices of Sydney Technical College, was sailed from the steps of Circular Quay to Garrison Point, to recreate this journey.

I understand that, after the celebration, the Tom Thumb replica was officially handed over to the Maritime Museum, only to be returned to Council in 2007, where it was displayed in the foyer of the Bankstown Town Hall. Ultimately it was provided to the Bankstown City Aged Care's Self Care Facility, Donington Gardens, in a purpose-built enclosure.

With such a significant story to tell, I think it only fitting that it be relocated to a more high-profile location for all of our community to admire and enjoy.

GENERAL MANAGER'S COMMENT

There are no cost implications arising from the proposed motion, as written.

11 CONFIDENTIAL SESSION

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.

