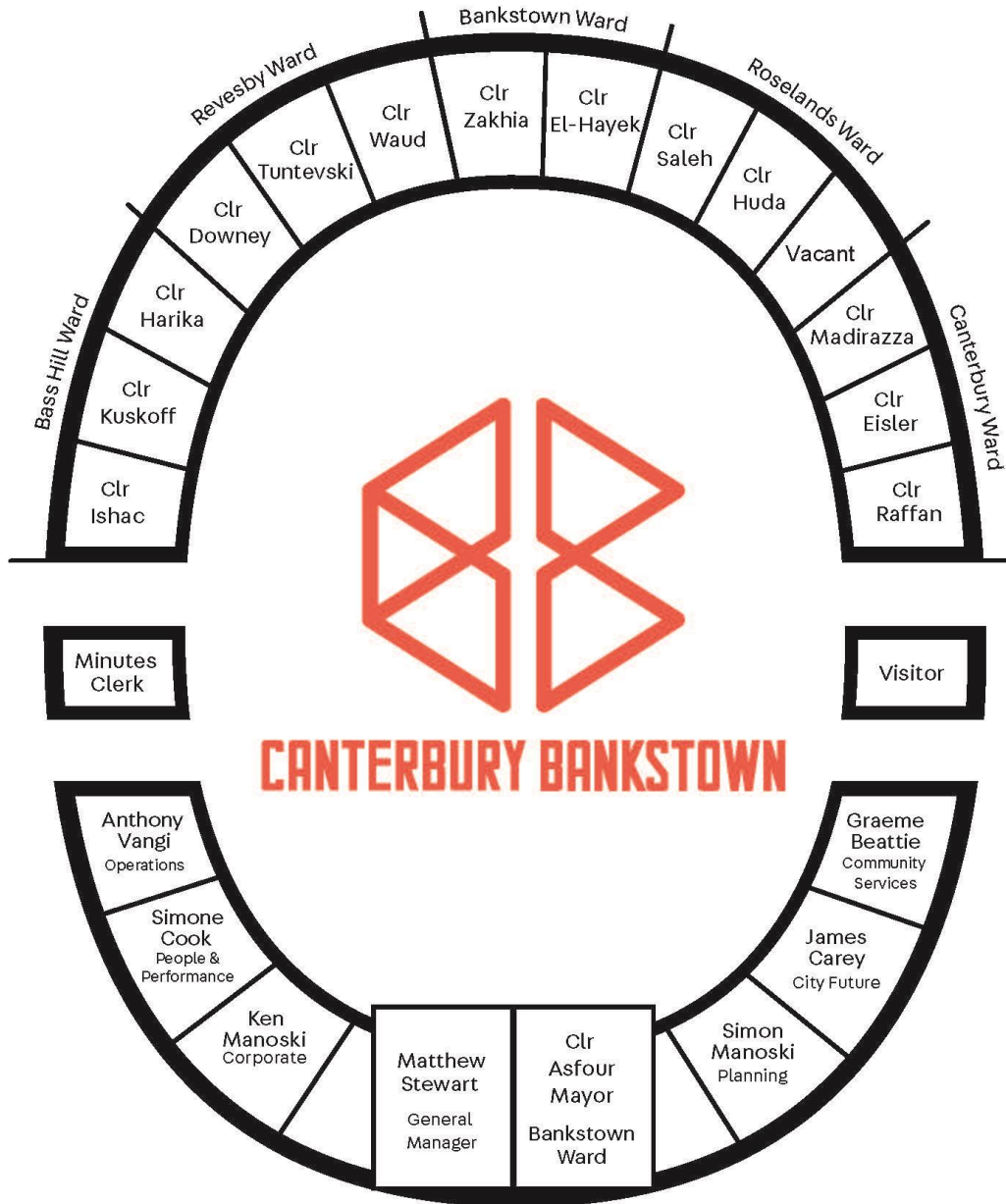




AGENDA FOR THE ORDINARY MEETING

23 February 2021

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1 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The following minutes are submitted for confirmation -

- 1.1 Minutes of the Ordinary Meeting of Council of 8 December 2020.....7
- 1.2 Minutes of the Extraordinary Meeting of Council of 4 February 202123

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 8 DECEMBER 2020

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

PRESENT BY AUDIO
VISUAL LINK: Councillors Kuskoff and Huda

APOLOGIES Nil

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.01 P.M.

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**

(1157) **CLR. ZAKHIA:/CLR. MADIRAZZA**

RESOLVED that the minutes of the Ordinary Council Meeting held on 24 November 2020 be adopted.

- CARRIED

SECTION 2: **LEAVE OF ABSENCE**

Nil

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

In respect of Item 4.4 – Local Community Based Donations, Clr Saleh declared a significant, Non-Pecuniary Conflict of Interest due to a close family member being an employee of the Lebanese Muslim Association and advised that she will vacate the chamber taking no part in debate on the matter.

CANTERBURY BANKSTOWN
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In respect of Item 5.1 - Draft Amendment to Canterbury Development Control Plan 2012 - 20-21 Boorea Avenue, Lakemba, Clr Saleh declared a significant, Non Pecuniary Conflict of Interest due to a close family member being an employee of the Lebanese Muslim Association and advised that she will vacate the chamber taking no part in debate on the matter.

In respect of Item 4.4 - Local Community Based Donations, Clr El-Hayek declared a significant, Non-Pecuniary Conflict of Interest due to his working association with the Lebanese Muslim Association and advised that he will vacate the chamber taking no part in debate on the mater.

In respect of Item 5.1 - Draft Amendment to Canterbury Development Control Plan 2012 - 20-21 Boorea Avenue, Lakemba, Clr El-Hayek declared a significant, Non-Pecuniary Conflict of Interest due to his working association with the Lebanese Muslim Association and advised that he will vacate the chamber taking no part in debate on the matter.

SECTION 4: MAYORAL MINUTES

ITEM 4.1 MAYORAL CHRISTMAS MESSAGE

(1158) CLR. ASFOUR

RESOLVED that Council wish all Canterbury Bankstown residents, staff and their families a safe and Merry Christmas and a Happy New Year.

- CARRIED

ITEM 4.2 TAFE

(1159) CLR. ASFOUR

RESOLVED 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.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
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ON 8 DECEMBER 2020

ITEM 4.3 **JOBS SUMMIT**
(1160) **CLR. ASFOUR**

RESOLVED 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.

- CARRIED

ITEM 4.4 **LOCAL COMMUNITY BASED DONATIONS**

In respect of Item 4.4 – Local Community Based Donations, Clr Saleh declared a significant, Non-Pecuniary Conflict of Interest due to a close family member being an employee of the Lebanese Muslim Association and vacated the chamber taking no part in debate on the matter.

In respect of Item 4.4 - Local Community Based Donations, Clr El-Hayek declared a significant, Non-Pecuniary Conflict of Interest due to his working association with the Lebanese Muslim Association and vacated the chamber taking no part in debate on the matter.

CLRS. SALEH AND EL-HAYEK TEMPORARILY LEFT THE MEETING AT 6.23 PM

(1161) **CLR. ASFOUR**

RESOLVED that

1. Council support the request from Lebanese Muslim Association and waive 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.
2. These funds to be made available from Council's Community Grants and Events Sponsorship budget.

- CARRIED

(1162) **SUSPENSION OF STANDING ORDERS**
CLR. ISHAC:/CLR. DOWNEY
RESOLVED that

- i) Permission be granted to those people who have made the necessary application to address Council for five minutes.

CANTERBURY BANKSTOWN
MINUTES OF THE
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HELD IN COUNCIL CHAMBERS
ON 8 DECEMBER 2020

- ii) Standing Orders be suspended and Items 5.1, 5.3 and 7.4 be dealt with now.
- iii) Standing Orders then be resumed.

- CARRIED

SECTION 5: PLANNING MATTERS

ITEM 5.1 DRAFT AMENDMENT TO CANTERBURY DEVELOPMENT CONTROL PLAN 2012 - 20-21 BOOREA AVENUE, LAKEMBA

In respect of Item 5.1 - Draft Amendment to Canterbury Development Control Plan 2012 - 20-21 Boorea Avenue, Lakemba, Clr Saleh declared a significant, Non Pecuniary Conflict of Interest due to a close family member being an employee of the Lebanese Muslim Association and vacated the chamber taking no part in debate on the matter.

In respect of Item 5.1 - Draft Amendment to Canterbury Development Control Plan 2012 - 20-21 Boorea Avenue, Lakemba, Clr El-Hayek declared a significant, Non-Pecuniary Conflict of Interest due to his working association with the Lebanese Muslim Association and vacated the chamber taking no part in debate on the matter.

MR STUART HARDING (WILLANA URBAN) ADDRESSED COUNCIL

(1163) CLR. ASFOUR:/CLR. ISHAC

RESOLVED 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.
3. That the development control plan be amended before it is brought into effect to clarify that the controls only apply to development for the purposes of a residential care facility at 20-21 Boorea Avenue, Lakemba.

- CARRIED

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

Against:- Nil

CLRS SALEH AND EL-HAYEK RETURNED TO THE MEETING AT 6.35 PM.

CANTERBURY BANKSTOWN
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ITEM 5.3 **PLANNING PROPOSAL, PLANNING AGREEMENT AND DEVELOPMENT CONTROL PLAN FOR 74 RICKARD ROAD, BANKSTOWN**

BILL PARASIRIS (WESTERN SYDNEY UNIVERSITY) ADDRESSED COUNCIL

(1164) **CLR. EL-HAYEK:/CLR. DOWNEY**

RESOLVED that an extension of two minutes be given to Mr Parasiris to address Council.

- CARRIED

(1165) **CLR. EL-HAYEK:/CLR. ISHAC**

RESOLVED 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**.

- CARRIED

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

Against:- Nil

ITEM 7.4 **2019/20 ANNUAL FINANCIAL REPORTS**

REIKY JIAN AND GIAN SURJADINATA (FROM AUDIT NSW) ADDRESSED COUNCIL

CLR EISLER TEMPORARILY RETIRED FROM THE MEETING AT 6.50 PM

CLR RAFFAN TEMPORARY RETIRED FROM THE MEETING AT 6.51 PM

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CLR EISLER RETURNED TO THE MEETING AT 6.52 PM

CLR RAFFAN RETURNED TO THE MEETING AT 6.54 PM

(1166)

CLR. MADIRAZZA:/CLR. TUNTEVSKI

RESOLVED 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.

- CARRIED

STANDING ORDERS RESUMED

ITEM 5.2

CANTERBURY BANKSTOWN DESIGN REVIEW PANEL

(1167)

CLR. ISHAC:/CLR. WAUD

RESOLVED 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.

- CARRIED

ITEM 5.3

**PLANNING PROPOSAL, PLANNING AGREEMENT AND DEVELOPMENT CONTROL
PLAN FOR 74 RICKARD ROAD, BANKSTOWN**

THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 1165 ON PAGE NO. FIVE OF THESE MINUTES.

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ITEM 5.4 **DRAFT PLANNING AGREEMENT – 60 KITCHENER PARADE, BANKSTOWN**
(1168) **CLR. MADIRAZZA:/CLR. ZAKHIA**

RESOLVED that

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

- CARRIED

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

Against:- Nil

ITEM 5.5 **DRAFT CANTERBURY BANKSTOWN CONSOLIDATED DEVELOPMENT CONTROL**
(1169) **PLAN**
CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED 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.

- CARRIED

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

Against:- Nil

CANTERBURY BANKSTOWN
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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**

(1170) **CLR. TUNTEVSKI:/CLR. ISHAC**

RESOLVED that the report be noted.

- CARRIED

SECTION 6: POLICY MATTERS

ITEM 6.1 **COUNCIL POLICIES TO BE REVOKED**

(1171) **CLR. MADIRAZZA:/CLR. DOWNEY**

RESOLVED that Council revokes the former Council policies as outlined in the report.

- CARRIED

ITEM 6.2 **FOUR PILLARS CLEAN CITY MODEL**

(1172) **CLR. DOWNEY:/CLR. EL-HAYEK**

RESOLVED 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.

- CARRIED

CANTERBURY BANKSTOWN
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ON 8 DECEMBER 2020

ITEM 6.3 **AMALGAMATION PROPOSAL - GEORGES RIVER COUNCIL**
(1173) **CLR. ZAKHIA:/CLR. SALEH**

RESOLVED that

1. Council notes the report on the Amalgamation Proposal as proposed by Georges River Council in their correspondence of 27 November 2020.
2. Council 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.

- CARRIED

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 **STRONGER COMMUNITIES FUND - QUARTERLY PROGRESS REPORT**
(1174) **CLR. DOWNEY:/CLR. HARIKA**

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

- CARRIED

ITEM 7.2 **ACTIVATED DATA ROADMAP**
(1175) **CLR. EISLER:/CLR. MADIRAZZA**

RESOLVED 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.

- CARRIED

CANTERBURY BANKSTOWN
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ITEM 7.3 **27 HOMEDALE ROAD, BANKSTOWN**
(1176) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED 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.

- CARRIED

ITEM 7.4 **2019/20 ANNUAL FINANCIAL REPORTS**
THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 1166 ON PAGE NO. SIX OF THESE MINUTES.

SECTION 8: **SERVICE AND OPERATIONAL MATTERS**

ITEM 8.1 **PAUL KEATING PARK MASTERPLAN 2021 – 2041**
(1177) **CLR. RAFFAN:/CLR. EL-HAYEK**

RESOLVED 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.

- CARRIED

CANTERBURY BANKSTOWN
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ON 8 DECEMBER 2020

ITEM 8.2 **DRAFT ACTIVE TRANSPORT ACTION PLAN**
(1178) **CLR. EISLER:/CLR. EL-HAYEK**

RESOLVED 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.

- CARRIED

ITEM 8.3 **DRAFT OFF LEASH DOG PARK ACTION PLAN**
(1179) **CLR. HARIKA:/CLR. EL-HAYEK**

RESOLVED 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.

- CARRIED

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 24 NOVEMBER 2020**
(1180) **CLR. ZAKHIA:/CLR. WAUD**

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

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
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HELD IN COUNCIL CHAMBERS
ON 8 DECEMBER 2020

ITEM 9.2 **MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD
11 NOVEMBER 2020**

(1181) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED 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.

- CARRIED

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

(1182) **CLR. WAUD:/CLR. ZAKHIA**

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 Item 10.4.

- CARRIED

ITEM 10.1 **NOTICE OF MOTIONS**

(1183) **CLR. WAUD:/CLR. ZAKHIA**

RESOLVED that the information be noted.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 8 DECEMBER 2020

ITEM 10.2
(1184)

DELIVERY RIDERS

CLR. WAUD:/CLR. ZAKHIA

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

- CARRIED

ITEM 10.3
(1185)

CHRISTMAS LIGHTS COMPETITION

CLR. WAUD:/CLR. ZAKHIA

RESOLVED that Council investigates including a competition to promote the decoration of homes by residents to celebrate Christmas.

- CARRIED

ITEM 10.4
(1186)

WOLLI CREEK REGIONAL PARK

CLR. EISLER:/CLR. RAFFAN

RESOLVED that Council:

1. Express its continuing support for the Wollie 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 Wollie 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."

- CARRIED

CANTERBURY BANKSTOWN
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ITEM 10.5
(1187)

PLANNING PROPOSALS

CLR. WAUD:/CLR. ZAKHIA

RESOLVED 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.

- CARRIED

ITEM 10.6
(1188)

ELECTRICITY INFRASTRUCTURE

CLR. WAUD:/CLR. ZAKHIA

RESOLVED 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.

- CARRIED

ITEM 10.7
(1189)

TOM THUMB

CLR. WAUD:/CLR. ZAKHIA

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

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
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HELD IN COUNCIL CHAMBERS
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SECTION 11: CONFIDENTIAL SESSION
Nil

THE MEETING CLOSED AT 7.17 P.M

Minutes confirmed 23 FEBRUARY 2021

.....
Mayor

CANTERBURY BANKSTOWN
MINUTES OF THE
EXTRAORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 4 FEBRUARY 2021

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

**PRESENT BY AUDIO
VISUAL LINK:** Councillor Huda and Waud

APOLOGIES Councillor Raffan and Tuntevski

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.06 P.M.

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.

LEAVE OF ABSENCE

(1190) CLR. DOWNEY:/CLR. EISLER

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

- CARRIED

DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST

Nil

SECTION 1: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 1.1 REVISED DELIVERY PROGRAM 2018-2022

(1191) CLR. ISHAC:/CLR. DOWNEY

RESOLVED that in accordance with sections 402 to 406 of the *Local Government Act 1993*, Council adopt the revised 2018-2022 Delivery Program.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
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PUBLIC ADDRESS

(1192)

CLR. EISLER:/CLR. DOWNEY

RESOLVED that permission be granted to those people who have made the necessary application to address Council for five minutes

- CARRIED

ITEM 1.2

RATES HARMONISATION & FINANCIAL SUSTAINABILITY

MR DAVID REYNOLDS (RESIDENT) ADDRESSED COUNCIL.

(1193)

CLR. EISLER:/CLR. ZAKHIA

RESOLVED that an extension of two minutes be given to Mr Reynolds to address Council.

- CARRIED

MRS BARBARA COOREY (RESIDENT) ADDRESSED COUNCIL

(1194)

CLR. HARIKA:/CLR. DOWNEY

RESOLVED that an extension of two minutes be given to Ms Coorey to address Council

- CARRIED

At this stage of the meeting (6.58pm), in accordance with Clause 15.18 of Council's adopted Code of Meeting Practice and Section 10(2)(b) of the Local Government Act 1993, His Worship the Mayor expelled Ms Barbara Coorey from the meeting for continued disorderly conduct.

(1195)

CLR. DOWNEY:/CLR. ISHAC

RESOLVED that

1. Council notes the current requirements of the *Local Government Act 1993* to harmonise its former councils' rating structures by 1 July 2021.
2. Council notes the outcomes of the community engagement program on the One Rate proposal and the responses to the matters raised.
3. Council notes that the NSW Government has released a Draft Bill - Local Government Amendment (Rates) Bill 2021 - which would amend the legislation to allow merged councils to gradually harmonise their former council rate

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structures over a period of four years - expected to be considered/determined in March/April 2021.

4. Council endorses the *Proposed Approach* to harmonising both former Council rating structures and applying to IPART for both a Special Rate Variation and Minimum Rate Application, as outlined in the report.
5. In accordance with the Minister for Local Government's recent advice, Council separately apply to the Minister for Local Government/Deputy Secretary, Local Government, Planning and Policy, to approve the setting of Minimum Rates for 2021/22 financial year as follows:

Description	Amount	Detail
Minimum Rate - Residential	\$728.18	Former Canterbury + IPART
Minimum Rate - Business	\$794.27	Former Bankstown + IPART

6. As part of the application to IPART, a summary of the community engagement outcomes noted in the report below be attached, including all submissions received and responses given by Council.
7. Council notes that Council's submission to the NSW Government on the Draft Bill suggests the harmonisation process be gradually applied over five years – consistent with its preferred approach regarding the matter.
8. Council carryout a review of its Rates and Charges, Debt Recovery and Hardship Assistance Policy, including how those it is intended to support can be aware of it.
9. Council write to the NSW Government seeking further reforms and/or consideration to indexing the rebate amount funded by the Government to ensure that it does not continue to erode and that it increases annually as a minimum.
10. The General Manager be delegated to administer all relevant requirements regarding the matter, as required.

- CARRIED

CLR KUSKOFF AND CLR DOWNEY CALLED FOR A DIVISION

For:- Clrs Asfour, Downey, Eisler, El-Hayek, Harika, Huda, Ishac, Madirazza, Saleh and Zakhia

Against:- Clrs Kuskoff and Waud

CANTERBURY BANKSTOWN
MINUTES OF THE
EXTRAORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 4 FEBRUARY 2021

THE MEETING CLOSED AT 7.05 P.M

Minutes confirmed 23 FEBRUARY 2021

.....
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	Lilliane Brady MM OBIT	33
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ITEM 4.1 Lilliane Brady MM OBIT

Councillors,

Tonight, I would like to take some time to remember and honour Lilliane Olive Brady OAM, a woman most of you probably would not have heard of but who left an indelible mark on those she met, and the community which she served and loved.

Born December 29, 1930, Lilliane sadly passed away this month, at the age of 90 and was the longest serving female Mayor in the history of NSW.

Ms Brady will long be remembered as a champion of the people of Cobar, where she selflessly served them for forty years.

Building a reputation for her no nonsense, tough-talking approach.

She treated everyone as an equal and was revered and respected by politicians, business leaders and her community.

When she set her mind to something. . . there was no stopping her.

There are countless stories of her turning up at Macquarie street at 5pm on a Friday afternoon and demanding to see Ministers about funding and I have it on good authority, she always got an audience.

And the time she put Minister Carl Scully in his place at a Western Districts Local Government Conference. He thought he would flatter her by commenting how good she looked. . .she was quick to tell him she was there for finance, not romance.

Lilliane moved to the western districts mining town of Cobar in the early sixties with her husband Alan, a GP, and her three children. When the car pulled into town she had a long look around and refused to get out. . . . later describing it as a “hole of a place”.

The plan was to spend only 12 months, but she quickly fell in love with the place and stayed.

Before running for Council, she was a successful business woman, and amassed some 60,000 hectares and 20,000 sheep. She loved racehorses and had many winners in Sydney, Melbourne and Perth.

And, I’ve been told she was just as tough on trainers and jockeys. Many a jockey dreaded that phone call if they’d ridden a bad race.

But her legacy will never be forgotten.

Fighting for Government funding for roads, parks and community centres, including a 34 bed not for profit hostel and nursing home, which was named in her honour. . . . She vowed to build THAT facility after a 74-year old local man died after being transported 430 kilometres to Orange because of a lack of services in town.

She was equally a compassionate woman and had a soft spot. The Cobar Shire General Manager reminiscing that any mention of her late husband . . . always brought a tear to her eye.

He also tells the story of when a Council director's father passed away and her way of consoling him was calling him into her office and pulling out her best bottle of scotch.

Ms Brady was awarded an order of Australia Medal for her services to Local Government, and in 2018, I was proud to be part of the decision by LGNSW in awarding her a Lifetime Achievement Award for services to Local Government and the community.

She had planned to retire this year and even in the days before she passed, she was still lobbying the Government for funds to build a hospital

Our City has a close bond with the Cobar Shire Council through our Sister City relationship, and when they were doing it tough through a severe drought, our community rallied raising much needed funds . . . and Council staff were sent to assist where possible.

Councillors, the General Manager and I met with Mayor Brady during a visit to Cobar a couple of years ago and that is ONE MEETING we will never forget.

I would now ask you all to join me in remembering and honouring, Mayor Lilliane OLIVE Brady, by standing for a minute's silence.

Mayoral Minutes - 23 February 2021

ITEM 4.2 Myanmar Action

Councillors,

Our Council has a history of speaking out against injustices . . . whether they are perpetrated here in our own country, or indeed overseas.

Tonight, I would like to highlight one such injustice and a downright attack on the independence of our South-Eastern Asian neighbour, Myanmar.

Myanmar is in the grip of military rule. . . , the ruling junta, staging a coup and overthrowing the democratically elected Government. Chaos rules and anyone who defies the military is rounded up, arrested and thrown in Jail. Pro-democracy protesters are shot at and the internet shut down sporadically to suppress information. One of those still behind bars is State Councillor, Aung San Suu Kyi, an English-speaking Nobel Peace laureate.

There are a number of our residents who have family and friends in Myanmar and the worsening situation is of great concern to them.

Councillors, this illegitimate coup carried out by the military Commander in Chief is unconstitutional and must be denounced.

Indeed, I note an event was recently held in our Bryan Brown Theatre, auspicing the Australian Burmese Community “Hear the voice for Myanmar”. The aim of the event was to show solidarity and raise awareness about the Military Coup in Myanmar. During the event, Myanmar people sang their country's national anthem peacefully and attendees expressed their support to the people of Myanmar and the detained leaders.

Tonight, I propose that we financially assist and support the Myanmar people. I recommend that Council support this event by waiving fees the for use of Bryan Brown Theatre totalling \$1,327 and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.

Separately, I also propose to write to the PM/Ambassador/United Nations on behalf of our City calling for the immediate release of Aung San Suu Kyi and the reinstatement of the democratically elected government.

I move the motion and seek your support.

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ITEM 4.3

Liz Messih

Tonight, I would like to acknowledge a woman, who I know would be embarrassed by me highlighting her wonderful achievements and her tireless work in our Community.

Liz Messih who has been the CEO and face of the Canterbury City Community Centre, commonly known as the 4 CS, is leaving in March after an incredible 22 years at the helm.

And I don't for one minute suggest Liz is retiring, as she'll put you straight and tell you she's much too young to retire and simply taking a step back and moving to regional NSW.

Liz has been an inspiration and a driving force behind the scenes at the 4Cs. Wanting to do as much as she can while operating on limited resources and reliant on donations, volunteers and the goodwill of community organisations.

Her organisation prides itself on connecting individuals and communities to develop and provide much needed services. Their core values of social justice, integrity, accountability, equity, empowerment and compassion will be her legacy.

Some of her initiatives and programs include skills training in the NFP sector, Mum 2 Mums a program for newly arrived women with children aged 0-5 who need to practise their English, the Lakemba Ladies Lounge and Film projects Lakemba which aims to break the stereotypes in our City. Not to mention the coordination and delivery of Home Care packages to the elderly.

Liz has worked very closely with our Council on numerous projects including the establishment of the Lakemba Community Garden in 2011. Her vision was more than just growing veggies but to bring the community together and promote sustainable living. She was also instrumental in the development of the Canterbury Men's shed, Garden Care service and the STARS volunteering program.

A true local hero who puts the community's interests above all else.

Councillors, tonight can you join me in publicly thanking Liz Messih for her selfless contribution to our community and as a token of our appreciation I also propose that Council arrange a small covid safe civic reception which can be accommodated from within Council's corporate events budget.

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ITEM 4.4 CSIRO Partnership

We've heard it many times throughout our lives . . . from our parents, our teachers and our leaders. . . . that education is the key to success.

But my favourite quote is from Benjamin Franklin who said: "An investment in knowledge pays the best interest"

With that in mind, I would like to tell you of an exciting opportunity our City has been presented with.

An opportunity to join with the CSIRO, Australia's national science agency, to empower and hone the skills of local high school students through a STEM Community Partnership Program.

What is STEM? It's an acronym for Science, Technology, Engineering and Maths.

Generation STEM was launched in 2019 in Western Sydney to address the needs of the major industries which are expected to generate hundreds of thousands of STEM jobs.

Our collaboration with the CSIRO will see a STEM education program introduced to year 9 and 10 students in our City. The program will expose and challenge students in critical thinking, communication, collaboration and creativity through a range of learning programs.

Those programs will include workshops, problem solving, community involvement and work placements with STEM focussed businesses.

Councillors, the STEM program will receive external funding and our contribution will be in the way of:

- Facilitating relationships with local schools, organisations, industry and the community
- Hosting and assisting with events
- Promotion and marketing the program's activities in Council Communications
- Showcasing other events like Council workshops or school visits.

There will also be approximately \$5000 allocated to venue hire and catering costs.

The benefits and skills our local students will gain from this innovative program will go a long way in ensuring they are not left behind in a world where automation is a click away.

Our City prides itself on being a smart City, it is vital for this project to get off the ground, so tonight, I propose that Council partners with the CSIRO and commits to the STEM Community Partnership Program for the betterment of our youth and OUR CITY.

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ITEM 4.5 Ausgrid Repairs

I have some good news to report.

Following a resolution by Council, I wrote to Ausgrid's CEO to get to the bottom of power outages in our LGA, in particular the suburbs surrounding Bass Hill, Georges Hall, Yagoona and Villawood.

And tonight, I can inform you that Ausgrid has finally seen the light and are taking significant steps to "sure up" electricity supply for thousands of residents in our city.

CEO Richard Gross has written to me outlining the measures that will be put in place to repair and upgrade outdated cabling.

He has prioritised \$1m to be spent immediately on carrying out the works.

Works including:

- A full replacement of ageing cabling at the substation from Miller Rd.
- Increasing the supply and load capacity at the Leightonfield substation.

He has also outlined his plans to replace the ageing transformer in Mundamatta St Villawood, reducing risks of cable failure, and managing the loads on the Bass Hill Network by replacing older cables and remote switching.

He accepts the power blackouts caused our residents distress and has given me undertakings to review their backup plans for use of mobile generators should the need arise.

Councillors, whilst I am pleased at the swift response by Ausgrid, I propose Council monitors the situation and be prepared to make representations on behalf of the community, if it is deemed necessary.

Mayoral Minutes - 23 February 2021

ITEM 4.6 Juice for Good

Councillors,

I'm about to put the squeeze on you.....A corny line but to the point of my next Mayoral Minute.

We have been approached to partner with Juice for Good to install and operate two fresh orange juice vending machines in our City.

By way of background, Juice for Good is an OZ Harvest social enterprise and 100 per cent of all profits are directed to help feed people in need.

For those of you who aren't familiar with their initiative, they provide a fresh, healthy alternative drink option and at the same time reap enormous benefits for the community. Why are they different?

They source and use what's known as rescued oranges, oranges with some blemishes but are perfectly good on the inside. This supports our local Aussie Farmers, who currently discard nearly half of their crops every year, crops which are wasted and end up as landfill.

This initiative is not new and over the past 2 years Juice for Good has rolled out some 60 vending machines across the Sydney metropolitan area.

Under their partnership proposal, they will install, stock and maintain the machines in two locations being adjacent to the Bankstown Railway Station at North Terrace and in the plaza in Saigon Place Bankstown.

It will come at no cost to Council and builds on our support for other community driven programs like, FEAST.

Councillors, tonight I propose the General Manager enters into a 12-month trial with OZ Harvest of this initiative, with no fees payable and to conduct a review at the end of this period for Council's consideration.

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ITEM 4.7 Smart Cities Funding

Councillors,

Our City is constantly being recognised as a leader when it comes to Smart Cities here in Australia. And it's no secret I have encouraged our team here at Council to explore and implement the use of smarter technology and data for the betterment of our residents.

It is true we have been acknowledged globally and received many awards, recently taking out a Civic Innovation Award from Harvard University.

But there is much more to be done and we must keep pace with what is happening around the world when it comes to Smart City Innovation. For example, Google is moving ahead, building its own optimised city, equipped with WIFI kiosks which exchange data with a range of bodies including autonomous vehicles, public transit, utility providers, parking stations and residents.

There is no doubt Smart technology comes at a significant cost . . . Costs like research and development and of course there is the implementation and rollout. And let's face it, those costs shouldn't fall solely on Council and must be borne with the assistance of State and Federal Governments . . . they too have a very big part to play, in making not only our City, but all Cities smarter.

Expert advice suggests the Federal Government needs to invest something like \$50m a year over the next 5 years to make Australian Cities smarter, but sadly they have fallen short of this target . . . allocating just \$25m a year for two years into the Smart Cities and Suburbs program.

Councillors, I understand the NSW Government recently announced a Digital Restart Fund in which \$1.6B has been set aside to drive technology and innovation outcomes within the NSW Government. Under this fund, Cities like ours, whilst not directly being able to apply, can potentially form partnerships with State Government agencies and access up to \$45M through a Smart City Acceleration Program. The benefit of such a partnership is to find innovative and smart solutions that can be introduced across the State.

We have already demonstrated the value of these types of projects through comprehensive pilot programs. Programs like;

- keeping our children safe in and around our school zones using AI technology
- monitoring road conditions through advanced data analytics and real-time reporting
- driving the UN's sustainable development goals using AI on our waste fleet
- using big data to better understand how our community uses public open spaces.

Councillors, tonight I ask Council to explore opportunities and nominate projects in line with our Smart City vision, with the intention of seeking funding under the Smart City Acceleration program.

Projects like;

- Real time road condition reporting
- Safe TV Schools
- Street Sweeping proactive notifications
- People movement monitoring (Project Urban Flow)

Mayoral Minutes - 23 February 2021

ITEM 4.8 Local Community Based Donations

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

Bahayra Youth Association

The Bahayra Youth Association is an incorporated entity that plays an important role in providing charitable, cultural, social and spiritual services to many members of the Lebanese Maronite community in Bankstown and south-western Sydney. The community centre provides the opportunity for members of the Bahayra Youth Association, particularly the children, to hold on to their valuable traditions, customs, culture and faith.

I recommend that Council support the Bahayra Youth Association by waiving the fees totalling \$674.55 comprising of Domestic Waste charges of \$565.00 and Fire Safety fees of \$109.55, and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.

White Ribbon Foundation

2020 has proven to be a difficult year for most, and as a frontline emergency service we have seen how much hardship this has impacted on our local community. The Bankstown Ambulance Superstation gathered for their Annual Charity Event to raise much needed funds for their chosen charity, White Ribbon. All proceeds raised will going to the White Ribbon Foundation.

They have asked for Councils support our Bankstown local business community for a prize or voucher denotation (however big or small), that shall be raffled on the evening.

I recommend that Council support the White Ribbon Foundation by donating a Canterbury Bankstown Monopoly Board game for auction, and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.

Cooks River Parkrun

Cooks River Parkrun is not for profit free event run entirely by local volunteers within the Canterbury Bankstown community. The event has been running for 5 years weekly every Saturday morning providing a safe and welcoming space for those to connect and get some exercise, proving itself to be a popular community resource for connection, fitness and overall wellbeing within our local community.

Cooks River Parkrun have requested financial assistance to waive the fee \$77.50 for the use of St Mary Mackillop Park.

I recommend that Council support the Parkrun by waiving the fees for use of St Mary Mackillop Reserve totalling \$77.50, and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.

Frontline Services

Frontier Services Outback Link provide Volunteers with a changing list of Farmers in all States that require assistance on their Farms, this assistance consists of many varying jobs from mechanical work to house sitting and looking after the animals whilst they are away for a hospital visit or replacing damaged or burnt fences.

In the last 12 months remote Australia has experienced the worst drought on record, the most devastating bush fire season and now COVID. The mental health, domestic violence and suicide rate are skyrocketing, and we urgently need support for our Farmers.

Frontier Services is Australia's oldest bush Charity supporting those that need us most in remote Australia for 108 years.

Mr John Bestel, a 77-year-old Pensioner and a long-time resident of Revesby, has for the last 6 years volunteered for Frontier Services Outback Link assist Farmers in the drought affected area of the Central West of N.S.W. and Queensland.

I recommend that Council support Mr John Bestel's efforts by way of donation \$200 to Frontline Services, and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.

Human Appeal

Human Appeal Australia (HAA) is an Australian registered non-for-profit. This March they are holding their 14th Annual 'Year 12 Muslim Achievement Awards'.

The event recognises Year 12 students who have received an ATAR of 90% and above in 2020. Youth education is a priority within our local community and this initiative aims to build a better future for our youth by encouraging them to excel in their chosen profession.

Considering this, I recommend that Council support Human Appeal by purchasing a \$1,000 sponsorship. and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.

Al-Minia Charitable Association

This March in collaboration with a local resident, Ms Nada Farid Abouzeid and Dr Jamil Douahi, the Association will host an event to launch their book. This event was intended to take place earlier in the year however due to COVID Restrictions was postponed and will now be moved to Monday, 22nd of March 2021.

I recommend that Council support this event by waiving \$1,000 of the fees for use of Bryan Brown Theatre totalling \$1,365 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 | Exhibition of the Planning Agreement - 60 Kitchener Parade, Bankstown | 51 |
| 5.2 | Planning Proposal and Site Specific DCP for 15-33 Brighton Avenue,
Croydon Park | 55 |

Planning Matters - 23 February 2021

ITEM 5.1 **Exhibition of the Planning Agreement - 60 Kitchener Parade, Bankstown**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

This report summarises the exhibition of a draft planning agreement for 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 agreed in-principle to enter into a planning agreement.

At the Ordinary Meeting of 8 December 2020, Council resolved to exhibit the draft planning agreement for public comment. The Council report is provided in Attachment C. Following the exhibition, Council received one submission in support of the draft planning agreement. In considering the submission, it is recommended that Council enter into the planning agreement.

RECOMMENDATION That -

1. Council enter into the Planning Agreement as provided in Attachments A and B.
2. The General Manager be given authority to make minor changes to the document that may be required for the purposes of execution, so long as these do not alter the intent or substance of the planning agreement.

ATTACHMENTS [Click here for attachment \(s\)](#)

- A. Planning Agreement
- B. Explanatory Note
- C. Council Report – Ordinary Meeting of 8 December 2020

POLICY IMPACT

The 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 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

EXHIBITION

Council exhibited the draft planning agreement from 23 December 2020 to 27 January 2021. This exhibition process included a display on Council's website and notification in the local newspaper. This is consistent with State planning legislation, which only requires the exhibition material to be made available on Council's website during the COVID 19 pandemic period.

Council received one submission supporting the draft planning agreement. In considering the submission, it is recommended that Council enter into the planning agreement.

NEXT STEPS

Should Council decide to enter into the planning agreement, the next steps are for Council to execute the planning agreement and to register the deed to the land title of the affected lots.

Planning Matters - 23 February 2021

ITEM 5.2 **Planning Proposal and Site Specific DCP for 15-33 Brighton Avenue, Croydon Park**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

The purpose of this report is to summarise feedback received from the exhibition of the planning proposal and draft site specific development control plan (DCP) applying to land at 15-33 Brighton Avenue, Croydon Park. The planning proposal has been exhibited and is now ready to be finalised.

ISSUE

The Planning Proposal was exhibited from 31 October to 25 November 2017 and again from 30 September to 16 December 2020. A total of 4 State agency responses and 69 community submissions were received over both exhibition periods. This included 24 proforma letters, 6 duplicates and 39 individual submissions. The proforma submission raised concerns regarding the proposed rezoning and increased density impacting the surrounding road network, nearby social infrastructure, building heights and surrounding character.

In considering the submissions, it is recommended that Council adopt the planning proposal as exhibited. A number of changes to the site specific DCP have been made to address issues raised in submissions.

Should Council decide to proceed, the planning proposal will be forwarded to the Department of Planning, Infrastructure and Environment for finalisation and the site specific DCP will be finalised and incorporated into the Canterbury DCP 2012.

RECOMMENDATION That -

1. Council adopt the planning proposal as shown in Attachment A and it be sent to the NSW Department of Planning, Infrastructure and Environment for finalisation.
2. Council endorse the draft site specific development control plan for 15-33 Brighton Avenue, Croydon Park as shown in Attachment B and that it be in force on the date the LEP amendment is finalised.

ATTACHMENTS [Click here for attachment\(s\)](#)

- A. Planning Proposal: 15-33 Brighton Avenue, Croydon Park NSW 2133
- B. Draft Site Specific Development Control Plan for 15-33 Brighton Avenue, Croydon Park (Part F10)
- C. Submissions Report (both 2017 & 2020 exhibition periods)

- D. Preliminary Traffic Review prepared by GTA Consultants (dated 28 March 2013)
- E. Feasibility and Land Use Peer Review - Final Report prepared by SGS Economics and Planning (dated August 2014)
- F. Urban Design Report prepared by AE Design (dated February 2016)
- G. Urban Design Peer Review Report prepared by Annaud Associated Urban Design (dated May 2016)
- H. Urban Design Study (and Peer Review) prepared by Olsson & Associates Architects (dated 21 September 2016)
- I. Detailed Site Investigation (DSI): 25-33 Brighton Avenue, Croydon Park NSW prepared by eiAustralia (dated 20 April 2018)
- J. Detailed Site Investigation (DSI): 15-21 Brighton Avenue, Croydon Park NSW prepared by eiAustralia (dated 10 September 2018)
- K. Site Audit Report (SAR) for SAS 304 prepared by Harwood Environmental Consultants (dated 6 March 2020)
- L. Site Audit Statement (SAS) prepared by Harwood Environmental Consultants (dated 6 March 2020)
- M. Remediation Action Plan (RAP): 15-33 Brighton Avenue, Croydon Park NSW (Revision) prepared by eiAustralia (dated 20 July 2020)
- N. Ordinary Council Meeting Minutes prepared by City of Canterbury-Bankstown (dated 6 December 2016)

POLICY IMPACT

The proposal results in a loss of industrial land, which is inconsistent with the Greater Sydney Commission's 'retain and manage' approach to urban services and employment land in the South District. However, this is a long standing proposal which existed before this position was established, and it is consistent with Council's Employment Lands Strategy which did not recommend retention of the site for industrial uses.

A draft amendment to Council's Development Control Plan is to be finalised so that appropriate planning and development controls will guide future development of the site. This report proposes no other changes to Council policies.

FINANCIAL IMPACT

As part of Council's participation agreement for the Public Spaces Legacy Program, completion of the proposal enables Council to be eligible for up to \$5.5 million in funding for open space projects. There are no other financial impacts in relation to this decision.

COMMUNITY IMPACT

The Planning Proposal was placed on public exhibition from 31 October to 25 November 2017 and 30 September to 16 December 2020. The second exhibition was required to address a procedural issue.

Over both exhibition periods, Council received 4 State agency responses and 69 community submissions which included the following:

- 24 proforma letters objecting to the proposal
- 6 duplicates
- 39 individual submissions

Of the remaining 39 individual submissions, 14 supported the proposal in whole or part and 25 were against on the following grounds:

- Ongoing demand and quality of residential apartments
- Traffic congestion and parking; and
- Built form, character and amenity Impacts.

The concerns raised are addressed by the site-specific DCP (refer **Attachment B**) which is also recommended for Council endorsement with this report. A review of the above concerns has been addressed in **Attachment C** – Submissions Report.

The State Agencies did not object to the proposal and raised issues more appropriate for consideration at the development assessment stage.

DETAILED INFORMATION

Introduction

This report summarises the public exhibition of a planning proposal for the land at 15-33 Brighton Avenue, Croydon Park as identified in the image below.



The amended planning proposal proceeded based on the following Council resolution of 6 December 2016:

- 1. The planning proposal for land at 15-33 Brighton Avenue, Croydon Park, be revised to specify a maximum floor space ratio of 1.4:1 across the site with maximum building heights of four storeys across the Brighton Avenue frontage and five storeys across the rear of the site (with corresponding numeric heights in metres to be determined following further detailed design work);*
- 2. The revised planning proposal be forwarded to the Department of Planning and Environment for a Gateway Determination.*

Finalisation of the planning proposal was subject to preparation of the site specific DCP and technical reports relating to urban design and contamination issues.

Background

Lodged in August 2013 as a submission to the *Canterbury Residential Development Strategy*, the planning proposal was first considered at the City of Canterbury Council meeting on 11 December 2014. The former Council resolved to increase the FSR from 1:1 to 2:1 and apply a building height control of 15m. The proposed density was not supported by the Department of Planning which issued a Gateway Determination on 18 September 2015 for a lower density.

The Gateway Determination restricted the FSR to 0.9:1, applied no building height control and sought additional open space requirements while endorsing the rezoning of the IN2 Light Industrial use to R4 High Density Residential.

Following receipt of the Gateway Determination (dated 18 September 2015), Council coordinated with the applicant to review the open space, FSR and building height controls which would produce quality urban design outcomes for the site and surrounding context.

The revised Planning Proposal was endorsed by the amalgamated Canterbury-Bankstown Council on 6 December 2016 and included the removal of the open space provision following a strategic review of open space needs in vicinity of the site. Council's review of open space found that there was adequate open space in the area. The Department of Planning supported the revised recommendation and issued an altered Gateway Determination (dated 27 February 2017).

The planning proposal does present some inconsistencies with the State Government and Council's strategic policies to retain and manage industrial lands within the South District. However, Council's strategic housing and employment land studies identified that the site may be suitable for residential rezoning based on a strategic merit assessment. Furthermore, this proposal was lodged before the Greater Sydney Commission established its 'retain and manage' position on urban services and employment land, and it was therefore allowed to proceed under transitional arrangements issued by the commission. Both Council and the State Government supported the strategic merit test which recommended rezoning the site to enable residential development. In line with the strategic merit test recommendation, the inconsistencies with Ministerial Directions 1.1 (Business and Industrial Zones) and 7.1 (Implementation of A Plan for Growing Sydney) were considered justified by the Department of Planning.

The Planning Proposal and associated draft site specific DCP was publicly exhibited in late 2017 and received 36 community submissions and feedback from 3 state agencies.

Following exhibition, Council liaised with the applicant to suitably finalise the contamination reports as per the SEPP 55 requirements. This was not finalised until late 2020.

Based on a review of the Planning Proposal in 2020, Council identified that re-exhibition to the community was required to comply with the conditions of the Gateway Determination. Council utilised this opportunity to:

- Amend the Planning Proposal document to align with the recently endorsed strategic framework (in particular, Council's Local Strategic Planning Statement), and
- Review and amend the site specific DCP to accurately reflect current urban design best practice and align with the broader *Canterbury DCP 2012* structure and objectives.

The 2020 exhibition period ran from 30 September to 30 October and then was extended to 16 December to overcome a technical issue with the exhibition and ensure compliance with the conditions of the Gateway Certificate. During the 2020 exhibition, another 33 community submissions were received during this exhibition period, totalling 69 community submissions over both 2017 and 2020 exhibitions including one from a State member.

Once proforma and duplicate submissions are taken into account, a total of 39 individual submissions have been received over both exhibition periods. These submissions have been considered in the Submissions Report (refer **Attachment C**).

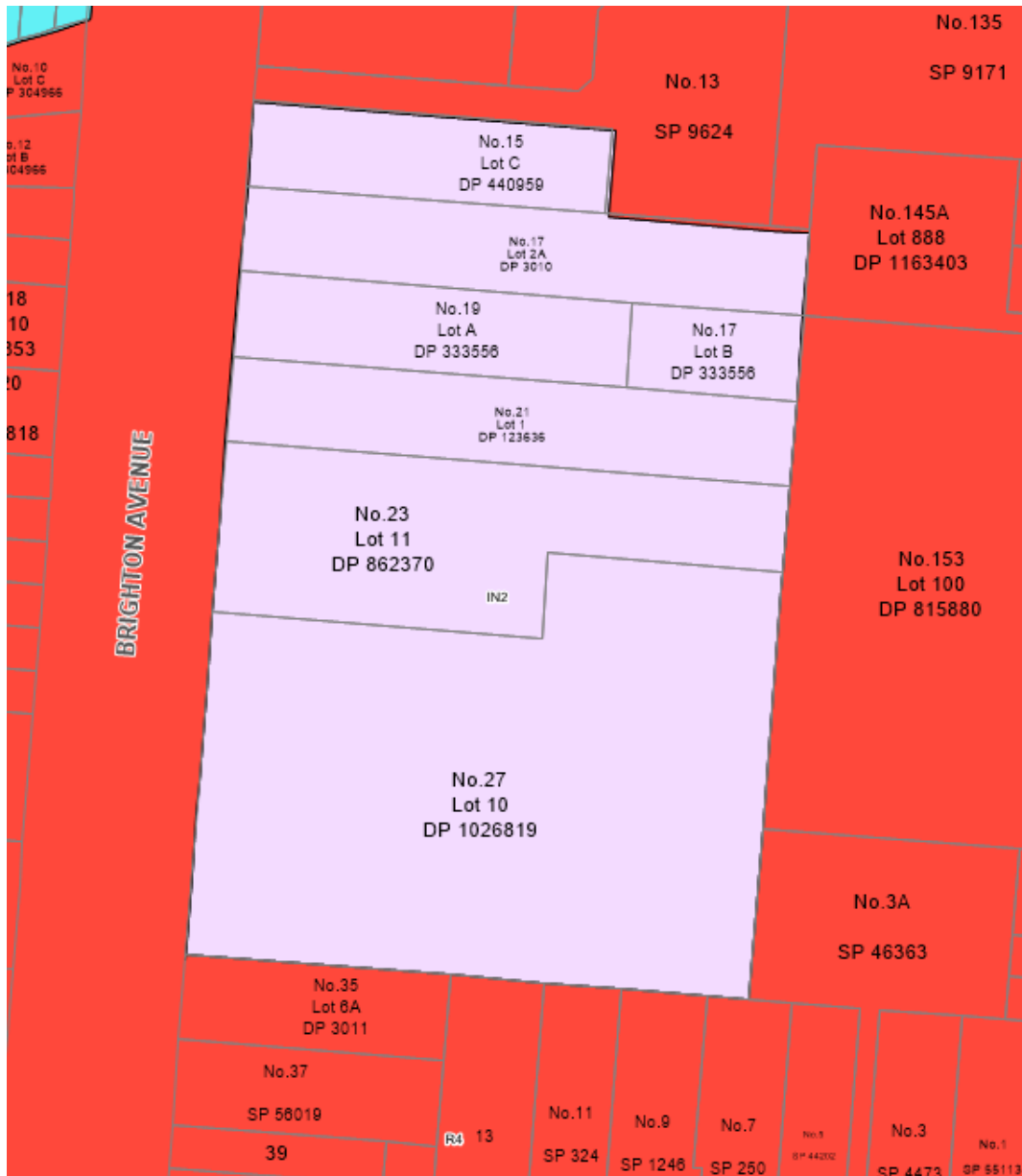
Site Description

This planning proposal applies to land at 15-33 Brighton Avenue, Croydon Park (refer Map below) which comprises of the properties identified in the table below.

Address	Real Property Description	Site Area (m²)
15 Brighton Avenue	Lot C DP440959	973.70
17-19A Brighton Avenue	Lot 2A Sec 2 DP3010	1,532.72
	Lot B DP333556	461.60
19 Brighton Avenue	Lot A DP333556	1,062.00
21 Brighton Avenue	Lot 1 DP123636	1,537.00
23-25 Brighton Avenue	Lot 11 DP862370	2,426.00
27-33 Brighton Avenue	Lot 10 DP1026819	6,770.00
Total Site Area		14,763.02

This site is situated on the eastern side of Brighton Avenue, south of Georges River Road and north of Queensborough Road in Croydon Park. With an area of 14,763m² and approximate street frontage of 150m the site contains a mix of industrial and warehousing uses that aligns with the existing zoned IN2 Light Industrial zoning.

The site is surrounded by a mix of low-rise detached and semi-detached dwellings and multi-storey residential flat buildings (up to 3 storeys) in a R4 High Density Residential zone.



The site comprises of seven (7) allotments which are owned by multiple parties. Lot 11 on DP862370 and Lot 10 on DP 1026819 are owned by the applicant.

Planning Proposal

The planning proposal seeks to rezone the site from IN2 Light Industrial to R4 High Density Residential, increase the floor space ratio (FSR) from 1:1 to 1.4:1 and apply controls for height of buildings that would permit a maximum 14m along the Brighton Avenue frontage and 17.5m to the rear of the site under the *Canterbury Local Environmental Plan (CLEP) 2012*. The intent of the below planning controls is to enable residential flat building development on site in accordance with the density and height controls. No height limit control currently applies to the site as shown in the table below:

Planning Controls	Existing	Proposed
Zone	IN2 Light Industrial	R4 High Density Residential
Floor Space Ratio (FSR)	1:1	1.4:1
Height of Buildings (HOB)	Nil	14m (street frontage) and 17.5m (to rear of site)

Contamination

To support rezoning of the site from industrial to residential use, a condition of the Gateway Determination required a Preliminary Site Investigation (PSI) to be carried out in accordance with the *State Environmental Planning Policy 55 – Remediation of Land* (SEPP 55).

The subsequent site investigations and Auditor reviews outlined in the contamination reports (refer **Attachments I – M**) identified that the site is currently contaminated and requires remediation works to make the site suitable for residential use. As such, remediation works will be required prior to residential development of the site. These reports were publicly exhibited alongside the Planning Proposal in 2020 and are addressed in the Ministerial Directions section of the Planning Proposal document.

The NSW Environmental Protection Agency (EPA) State Authority was consulted as during the 2020 exhibition. In response to advice provided by the NSW EPA, amendments were made to the site specific DCP to address contamination requirements for future Development Applications (DAs) on the site.

Site Amalgamation and Development Timing

The original draft DCP did not make allowances in the event that the sites were not able to be consolidated, which would create issues during the DA stage as the site specific DCP relied on consolidation for a number of key planning controls (such as setbacks). A control has been inserted into the site specific DCP to ensure that neighbouring lots to a development are not unfairly encumbered with building separation requirements, as follows:

1. *“In the event that lots within 15-33 Brighton Avenue (or a collection thereof) are developed separately from the other lots as envisaged in Figure F.1, appropriate setbacks must be provided to not unfairly encumber the neighbouring lots with building separation requirements. This should be consistent with the side setbacks and frontage prescribed in Chapter C4 Residential Flat Buildings.”*

Council is satisfied that if the sites are individually developed an appropriate outcome can be achieved through the relevant draft site specific DCP controls as amended.

State Agency Referrals and Consultation

In accordance with Section 56(2) of the EP&A Act 1979 the following State agencies were consulted following issue of the Gateway Determination. The State agencies that responded supported the Planning Proposal and provided feedback for Council’s consideration as outlined below.

Roads and Maritime Services

During the 2017 exhibition period, the Planning Proposal was referred to RMS for comment. The following feedback from RMS was received by Council on 29 November 2017:

- RMS raises no objection to the Planning Proposal as the proposed development would not have significant traffic impact on the arterial road network within and adjacent to the subject precinct.
- Council may wish to give consideration to a site specific DCP that identifies a singular vehicular access point to the site via a single combined driveway to minimise both vehicular and pedestrian conflicts along this section of Brighton Avenue.

Eight driveways currently exist. Based on the planning and development rules set out for the site, this is expected to reduce to between 1-5 driveways at full development, depending on the number of lots amalgamated.

Council considered RMS's suggestion for a singular vehicular access to the site. However, this would be hard to enforce due to fragmented ownership and dependency on if this location redevelops collectively or lot by lot. To this end, controls have been incorporated into the site specific DCP to limit vehicular crossings; for example, the side setback area behind the front building line is not to be used for car driveways or vehicular entry ramps to basement levels.

These requirements will be further assessed as part of the DA assessment and it is expected the detailed design of the site will result in further refinements.

Transport for NSW

The planning proposal was reviewed by Transport for NSW during the 2017 exhibition period with a response provided on 4 December 2017 which outlined the follow comments:

- Although the preliminary traffic assessment is out of date and the impact on the local network of trips generated by the proposed use, **the conclusions in the report are not challenged** to any significant degree by Transport for NSW.
- As part of a future development application, localised traffic and transport implications are to be tested.
- Other matters for consideration in a future DA include:
 - Total daily and peak hour trips generated (including vehicular, public transport, pedestrian and bicycle),
 - Existing and proposed pedestrian and bicycle movements within the vicinity of the site,
 - The adequacy of public transport, pedestrian and bicycle provisions to meet the likely future demand of the proposed development,
 - Daily and peak transport movements on nearby intersections, with consideration of the cumulative impacts from other approved developments in the vicinity, and the need/associated funding for upgrading or road improvement works (if required),
 - Proposed access arrangements and measures to mitigate any associated traffic, public transport, pedestrian and bicycle network impacts,

- Appropriate car and bicycle parking provisions including end of trip facilities considering the availability of public transport and the requirements of the relevant parking codes and Australian standards.

These comments are noted and will form part of the DA assessment.

Sydney Water

Sydney Water provided the following advice:

- Trunk drinking water and wastewater system has the capacity to service the proposed development.
- Any part of the site below 12.5m AHD cannot be connected directly to the local wastewater system and would need to be serviced by a pressure system.
- Due to the complex nature of providing water and wastewater services to the site, it is recommended that the proponent engages a Water Services Coordinator and lodges a feasibility application to Sydney Water prior to a Section 73 certificate.

These comments are noted and will form part of future DA assessment.

Ausgrid

No response was received.

NSW Environmental Protection Agency (EPA)

As part of ongoing consultation with the EPA the Planning Proposal was referred by DPIE during the 2020 exhibition period. The NSW EPA response to the proposal was:

2. *“In this regard it’s recommended that any supporting planning controls are in place to ensure that suitability of land for a specific proposed use is certified by a site auditor. For example, the Development Control Plan for the proposal should require that as part of development consent conditions a ‘Section A1 Site Audit Statement’ or a ‘Section A2 Site Audit Statement’ (accompanied by an Environmental Management Plan) and the accompanying Site Audit Report prepared by a NSW EPA accredited Site Auditor must be submitted to the Consent Authority before the site is occupied/used. In addition, the controls should also require the delivery of the approved RAP. While the planning controls would also benefit the inclusion and referencing of key contaminated site information provided with the planning proposal (including where this can be obtained) so that any future developer of the land understands the contaminated land history of the site. Council may also wish to consider including a notation on the planning certificate of land contamination at the site.”*

The NSW EPA response is recommending conditions of consent however this is more appropriate for the development application phase. To this end, Council has consulted with DPIE and agreed to amend the site specific DCP to include the following section in response to the NSW EPA advice:

F10.16 Contamination

Objective

- O1 To ensure all development approvals for the site require remediation appropriate for the intended use.

Controls

- C1 Remediation Action Plan (RAP) to be reviewed as part of any DA approval with appropriate conditions of consent applied to ensure implementation of the RAP approved by Council.
- C2 Applicant to provide a Section A or B Site Audit Statement with the DA application, as relevant.

NOTE: Conditions of consent for any DA for the site may include – Provide a Section A Site Audit Statement and any accompanying Site Audit Report or Environmental Management Plan as prepared by an NSW EPA accredited Site Auditor to Council prior to achieving the Occupation Certificate.

The above amendment to the site specific DCP is considered an appropriate response to the NSW EPA advice.

A note will be included on future Planning Certificates for the affected properties that references the Site Audit Statement received by Council as part of the Planning Proposal assessment process.

Community Consultation

The Planning Proposal was exhibited from 31 October to 25 November 2017 and again from 30 September to 16 December 2020 to address a procedural issue.

The exhibition process included:

- Physical displays at the Campsie and Customer Service Centre (2017 Exhibition Only)
- Display on the Council website – with almost 600 visits over the 2020 exhibition period.
- Public notices in the local newspaper.
- Notification letters to property owners affected by changes to the proposed rezoning (over 400 surrounding landowners).
- Notification letter to public authorities – Transport for NSW, Roads and Maritime Services, Sydney Water and Ausgrid.

Public Exhibition Responses

A total of 69 community submissions were received over both exhibition periods. This included 24 proforma letters, 6 duplicates and 39 individual submissions. Of these 39 individual submissions, 14 supported (partially or in whole) and 25 raised concerns with the Planning Proposal primarily on the following grounds:

- Ongoing demand and quality of residential apartments
- Traffic congestion and parking impacts
- Built form, character and amenity impacts

The majority of the submissions do not explicitly disagree with the idea of rezoning this land to residential use. Instead the focus of negative submissions received is generally related to traffic, parking, height, character and personal impacts.

The submissions from residents raised a number of common themes, many of which were previously raised in the first exhibition. A summary of the concerns raised by submitters have been addressed in the Issues Report (**Attachment C**).

Next Steps

Should Council decide to endorse the planning proposal and site specific DCP for 15-33 Brighton Avenue in Croydon Park, Council will forward the planning proposal to the Department of Planning, Industry and Environment for finalisation and amend the *Canterbury DCP 2012* accordingly.



6 POLICY MATTERS

The following item is submitted for consideration -

6.1 Markets Policy

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Policy Matters - 23 February 2021

ITEM 6.1 **Markets Policy**

AUTHOR **City Future**

PURPOSE AND BACKGROUND

The purpose of this report is to provide a summary of the community feedback received on the draft Markets Policy and to present the draft policy for adoption.

ISSUE

At the Ordinary Meeting on 24 November 2020, Council resolved to place the draft Markets Policy on public exhibition and that a further report be brought to Council at the conclusion of the exhibition period, considering submissions received.

The Draft policy was placed on public exhibition from 25 November 2020 to 10 January 2021. A total of 2 submissions were received during this period. One additional comment was received outside of the public exhibition period. All comments were reviewed and addressed, as outlined in the Detailed Information section of the report.

RECOMMENDATION

That Council adopts the Markets Policy.

ATTACHMENTS [Click here for attachment](#)

- A. Draft Markets Policy February 2021

POLICY IMPACT

The adoption of the draft policy will provide an aligned approach to the management of markets on land under the care and control of Council.

The policy provides guidance on the approval and operation of markets across the LGA and brings together the Canterbury and Bankstown areas under one policy.

The Markets Policy would also supersede the former Bankstown Council Markets policy (2015).

FINANCIAL IMPACT

There is no direct financial impact as a result of the policy.

COMMUNITY IMPACT

The Markets Policy aims to facilitate well managed markets that support and contribute to local communities. It outlines clear parameters surrounding the approval and operation of markets on Council owned or operated land across the City.

Both submissions received during the public exhibition period were in support of the policy. An additional submission received outside of the public exhibition period noted:

- *According to Council's Generic Plan of Management for community and crown land, markets are not allowed in community land categorised as Natural Area.*

DETAILED INFORMATION

Public Exhibition

The Draft Markets Policy was placed on public exhibition during the period 25 November 2020 to 10 January 2021. The project was placed on the 'Have Your Say' webpage for the duration of the exhibition to both inform the community of the project and offer a chance to provide feedback.

Public Exhibition Results

Over the course of the public exhibition period, a total of two submissions were received. The results of the 'Have Your Say' engagement component included:

- 119 viewings of project information by 91 unique users;
- 77 project documents downloaded; and
- Two submissions received supporting the draft policy.

A further one submission was received outside of the public exhibition period. This submission noted that markets are not allowed in Natural Areas, as defined under a Plan of Management. This is consistent with the objectives of Natural Areas to ensure their protection from damage or disturbance.

As a result of this submission, changes were made to the Markets Policy (section 5.3). The details are as follows:

'Council recognises the importance of diversity in considering options for the location of current and future markets. Market locations (those on permissible Council land), will be assessed according to the following criteria:

No further amendments were proposed or made to the policy.

Overall, all submissions received supported the policy.

Next Steps

Having considered the submissions, it is proposed that Council adopts the Market Policy and that this document be made available on Council's Policy Register.

7 GOVERNANCE AND ADMINISTRATION MATTERS

The following items are submitted for consideration -

7.1	Review of the 2020/21 Operational Plan, Delivery Program and Budget to 31 December 2020	75
7.2	Renewal of Lease over Greenacre Car Park Site	85
7.3	Matters Determined Under Delegated Authority 9 December 2020 to 22 February 2021	89
7.4	Disclosure of Interest Returns	91
7.5	Cash and Investment Report as at 31 January 2021, 31 December 2020 and 30 November 2020	93

Governance and Administration Matters - 23 February 2021

ITEM 7.1 Review of the 2020/21 Operational Plan, Delivery Program and Budget to 31 December 2020

AUTHOR City Future

PURPOSE AND BACKGROUND

The review provides a summary of progress on the delivery of Council's 2020/21 Operational Plan and 2018-22 Delivery Program.

Separately, the report considers the review of Council's financial results and proposed budget adjustments for the December 2020 Quarterly Budget Review period.

ISSUE

This report has been prepared in accordance with the requirements of the Integrated Planning and Reporting Framework which stipulates that regular progress reports are required to be provided to Council and the community. At the City of Canterbury Bankstown, they are provided on a quarterly basis.

It demonstrates the organisation's performance in delivering the actions outlined in Council's 2020/21 Operational Plan and 2018-22 Delivery Program. These are key documents for our City as they translate our priorities and services into measurable actions for the financial year and Council term.

In providing information on performance measures, status of projects, highlights and achievements, this report is divided into the following components:

- Operational Plan progress
- Budget Review

RECOMMENDATION That -

1. The quarterly review of the 2020/21 Operational Plan and six-monthly review of the Delivery Program to 31 December 2020 be noted, and the December 2020 Quarterly Budget Review Budget as outlined in this report be adopted.
2. Council endorse the listing of proposed projects to be funded from the Federal Government's Local Roads and Community Infrastructure Program (LRCI Program), as outlined in the report.
3. With respect to item 2, the General Manager be required to submit the listing of proposed projects for consideration and approval by the Federal Government, in accordance with the LRCI Program's requirements.
4. Council allocate Ward Funds as outlined in the report.

ATTACHMENTS

[Click here for attachment\(s\)](#)

- A. Quarterly Review of the 2020/21 Operational Plan - Summary Report
- B. Quarterly Review of the 2020/21 Operational Plan - Detailed Report
- C. December 2020 Revision Budget Review
- D. Budget 2020/21 December Revision Reports

POLICY IMPACT

The review is prepared in accordance with Schedule 1 of the Local Government Amendment (Planning and Reporting) Bill 2009, which requires regular progress reports to be provided to Council and community. Council currently generates reports on a quarterly basis to ensure thorough monitoring of the commitments it has made to the community.

FINANCIAL IMPACT

The report presents Council's operating result as at 31 December 2020.

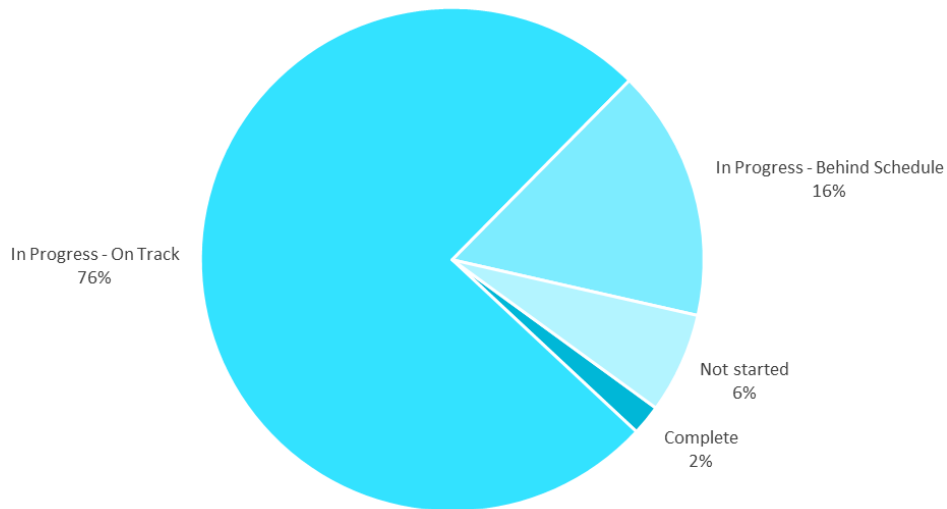
COMMUNITY IMPACT

The report provides the community with an understanding of Council's performance in delivering its yearly Operational Plan and Delivery Program, as well as an update on the financial position as at 31 December 2020.

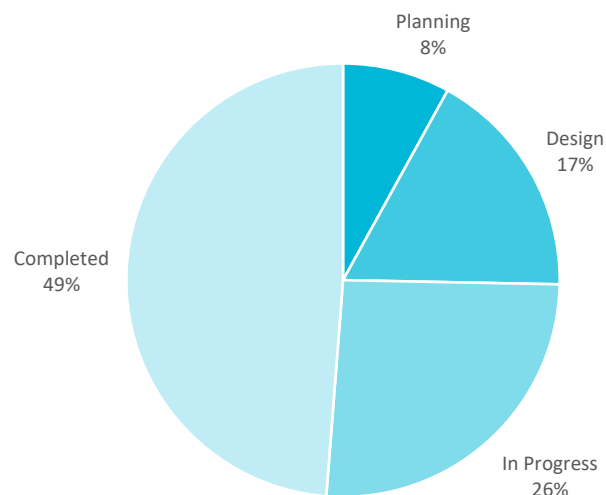
DETAILED INFORMATION

Part A – Quarterly progress of the 2020/21 Operational Plan to 31 December 2020

Broadly, Council’s Operational Plan progressed well for the first half of the 2020/21 financial year. At the close of quarter two, 78% of the Operational Plan’s programs and initiatives for 2020/21 were either complete or on track for completion by June 2021. This is considered to be a satisfactory result for the second quarter reporting period.



At the close of quarter two, 92% of Council’s Capital Program was either completed, under construction, or in design stage. Of the 158 completed projects, 89 were roads and transport projects, 33 were building projects, and 29 were sportsfield, playground and open space projects. A total of \$36 million has been spent on capital projects this financial year with a further \$39 million works in construction. See further information in Part B of this report.



Attachment A provides an overview of key highlights and achievements for the quarter structured around the seven destinations. The destinations are: Safe & Strong; Clean & Green; Prosperous & Innovative; Moving & Integrated; Healthy & Active; Liveable & Distinctive; and Leading & Engaged. They help to identify how Council is progressing towards achieving the community's aspirations in each of these areas.

Attachment A also provides a six-monthly progress of the Council's Delivery Program. The Delivery Program outlines Council's contribution towards achieving outcomes identified in CBCity 2028 during its current term. Detailed actions for the entire 2020/21 Operational Plan are outlined in Attachment B.

It should be noted that in November 2020, Council resolved to reexhibit a revised Delivery Program to align the current document to the 2017-21 electoral term, state government requirements for rate harmonisation, and Council's proposed submission to IPART for a Special Rate Variation (SRV). The updated document Delivery Program 2018-2022 was adopted in February 2021.

Quarter two required vigilance regarding the ongoing effects of COVID-19 restrictions, and substantial effort to prepare Council and the community for rates harmonisation and an SRV proposal to IPART under the One Rate proposal. Despite these challenges, Council continued to make a solid contribution to CBCity 2028. The results can be seen in the highlights for the quarter.

Leading and Engaged

- Council approves exhibition One Rate proposal for rates harmonisation and long-term financial sustainability;
- On-line rates calculator available;
- Revised 2018-22 Delivery Program exhibited;
- Council staff member wins 2020 New Procurement Professional award; and
- Community Satisfaction Phone Survey commenced.

Safe and Strong

- Discussions to establish local "safe house";
- Earlwood Childcare Centre extensions complete;
- Parking passes to health care workers extended to March; and
- Council staff member Richard Howard wins Rotary Pride of Workmanship award.

Clean and Green

- Serial illegal dumper fined \$35,000;
- Food scrap trials for apartments commences;
- Jack Munday Reserve proposed as name for Close Street open space in honour local environmentalist; and
- Four Pillars Clean City Model adopted.

Prosperous and Innovative

- Inaugural Bankstown Biennale held;
- COVID safe NAIDOC week and Moon Festival held;
- Roselands War Memorial restored;
- Summer Events Schedule confirmed;
- Smart Parking trials held;

- Activated Data Roadmap exhibited;
- 'WIFI on the Go' proposal to be investigated;
- Boomtown Summit hosted; and
- Canterbury-Bankstown Monopoly available.

Moving and Integrated

- Lang Road Pedestrian Bridge complete;
- Council staff members win Best Public Facility Award in Department of Planning Industry and Environment Public Spaces Competition;
- Advocacy to improve Davies Road undertaken; and
- Active Transport Plan exhibited.

Healthy and Active

- 'Open but Different' for summer swimming in Leisure and Aquatic Centres;
- Good progress on designs for 'Greenacre Splash';
- Interactive fitness video produced for outdoor fitness facilities;
- Golf Course Review open for comment;
- Paul Keating Park Masterplan adopted; and
- Off-leash Dog Park Action Plan exhibited.

Liveable and Distinctive

- Design Review Panel established;
- Belfield Small Village Masterplan adopted;
- Planning Proposal for Bankstown CBD campus of University Western Sydney exhibited;
- City-wide Development Control Plan exhibited; and
- \$91,085,385 – value of Development Applications (DAs) lodged - 598 DAs determined.

PART B – December 2020 Quarterly Budget Review

Financial Performance

Following a review of the second quarter's financial performance, Council's broader financial position continues to reflect a Net Result of positive \$11.4M. Once adjusted for one-off capital grants and contributions (which establishes/provides the true result of managing our day-to-day operations), Council's net result further declines to negative \$51.0M.

As has been discussed with Councillors, whilst the negative net result does not present any immediate financial concerns, it does convey Council's inability to adequately fund (in the long term):

- the replacement of our infrastructure assets (Depreciation Expense);
- pressure to both align and/or increase service levels across the local government area;
- exponential increases in non-discretionary costs, such as the emergency services levy, local government election costs and waste levies; and
- recoup the loss of rating revenue to fund services/capital (i.e. former Canterbury Council Special Rate Variation - \$5M).

Council's long term financial plan demonstrates the need to address the imbalance and importantly develop a path which ensures we remain financially sustainable. To deal with these long term financial sustainability issues, Council has submitted a special rate variation to IPART for consideration.

That said, and as is the case each quarter, Council's ongoing commitment to refining/reviewing our cost-base, particularly through ongoing efficiency improvements throughout our operations, ensures that we are making every effort to deal with the pressures, as noted above.

Throughout this review, Council Operating Result has improved by \$14.0M (or \$1.2M when adjusted for one-off capital grants and contributions), when compared to the result forecast as part of the September revision process. A summary of the major proposed changes is outlined in attachment D.

Following the completion of the renaming and restructure of the Operations Department to City Assets Department and our ongoing reviews to services and its operations, Council is transitioning to a new operating model with how we plan, design, deliver and maintain our assets across the LGA ultimately providing a better experience for our customers. A number of external contractor budgets utilised to engage temporary staff have been used to establish permanent employee positions to carry out the required works and increase our capacity to give effect to priorities set out in its delivery and operational plans. Whilst the change does not result in further/additional required funding/resources, it does adjust our full time establishment number from its current level of 1465 to 1473.

Separately, Council's capital works and acquisition program is now expected to be \$161.4M, having increased by \$15.8M for this quarter. The variation largely relates to \$11.0M of Federal Economic Stimulus funding received by Council for proposed projects to be completed over the next 12 months. Provision has also been made to introduce \$500,000 to commence Stage 1 of the Paul Keating Park Playground, which is subject of an application for funding under the Public Spaces Legacy Program. Other adjustments relate to timing adjustments of budgeted expenditure, where projects will not be completed or commenced within the 2020/21 financial year and have now been rescheduled to 2021/22. These adjustments are a part of Council's ongoing review which ensures that the capital works and acquisition program reflects the forecast pattern of expenditure.

In reflecting the adjustments made as a part of this revision, Council's level of cash and cash equivalents is expected to reduce by approximately \$2.2M (assuming no carryovers exist at 30 June 2021).

Further detailed analysis regarding the December review, including the Quarterly Budget Review Statements, is provided in Attachments C and D. The review contains details of any major variations which are reflected by the adjustments detailed in the Quarterly Budget Review Statements.

Local Roads and Community Infrastructure Program

In response to the COVID-19 pandemic, last year the Federal Government created an economic stimulus program, the Local Roads and Community Infrastructure (LRCI) Program.

The program was established to stimulate the local economy through community infrastructure projects.

In Phase One of the program, Council was allocated \$1,679,331 in funding and the allocation of this funding to various infrastructure projects was considered at the 25 August 2020 Council meeting. As noted in the latest quarterly report to the funding body, three of these projects have been completed and the remaining are on schedule for completion by 30 June 2021, as required under the conditions of funding.

The Federal Government has recently announced an extension of the LRCI Program, with Council notified it has been allocated an additional \$11,053,796 under the Phase Two funding stream.

Similarly, as with the initial funding phase, there are a number of conditions attached to the acceptance of this funding. Namely the requirement that all projects must be completed by 31 December 2021 and be in addition to the pre COVID-19 capital works program for 2020/21.

In identifying potential projects to be delivered under this Program, several criteria were considered including projects that aligned with specific asset categories; shovel ready projects; and alignment with Council’s strategies and plans for the City.

It is recommended that the below projects be submitted for funding under Phase Two of the LRCI Program:

Allder Park, Playground Upgrade	Padstow Park, Playground Upgrade
Allum Park, Shared Path	Punchbowl Park, Amenities Upgrade
Alma Street, Roundabout	Punchbowl Park, Playground Upgrade
Arthur Park, Playground Upgrade	Revesby Footpath Upgrades, Various
Beaman Park, Sports Lighting	Riverwood Wetlands, Playground Softfall
Benfield Parade, Road Resurfacing	Replacement
Buchanan Oval, Sports Lighting	Road resurfacing, Croydon Street
Canterbury Park, Playground Upgrade	Road resurfacing, Violet Street
Earlwood Oval, Playground Upgrade	Roberts Park, Recreation Upgrades
Flinders Slopes, Toilet Upgrade	Rosedale Reserve, Sportsfield Renewal
Glassop Street, Road Resurfacing	Roselands Footpath Upgrades, Various
Gordon Parker Reserve, Amenities Upgrade	Townsend Street, Road Resurfacing
Harris Street, Road Resurfacing	Walshaw Park, Sportsfield Renewal
Lansdowne Reserve, Remote Control Car Track	Wilbur Street, Carpark Upgrade
Ludgate Reserve, Playground Upgrade	Wilfred Lane, Widening and Road Resurfacing

Following consideration of this report, Council will submit the Funding Agreement and necessary information about the proposed projects to the Department of Infrastructure, Transport, Regional Development and Communications.

Whilst Council has tentatively reflected the proposed listing of projects as part of this review, they are subject to consideration and final approval by the Federal Government. Any subsequent changes to the listing of projects will accordingly be reflected in the next quarterly budget review process.

Use of Councillor Ward Funds

In addition, requests to allocate the following Ward Funds for specific projects have been received and reflected as part of this quarterly review process.

Project	Councillor	Allocation \$
Greenacre Citizens Centre – Temporary Toilet Block	Khal Asfour	10,000
Greenacre Citizens Centre – Temporary Toilet Block	Bilal El-Hayek	10,000
International Mother Language Monument	Mohammad Huda	10,000
Condell Park Shop Signage	Rachelle Harika	10,000
Raptor Program - Bird Nesting Boxes	Linda Downey	5,000
Jubilee Park Painted Footpath	Nadia Saleh	15,000

Conclusion

This report and Attachments A and B provide a progress report for the 2020/21 Operational Plan, 2018/22 Delivery Program and the 2020/21 Budget. This ensures Council is meeting its obligations under the Integrated Planning and Report Framework and contributes to the ongoing enhancement of good governance across Council. The data contained within these reports will also be made available on Council’s website.

Further, this report provides a summary and detailed analysis (see Attachments C and D) regarding the December financial review, including the Quarterly Budget Review Statements. The review contains details of any major variations which are reflected by the adjustments detailed in the Quarterly Budget Review Statements.

Governance and Administration Matters - 23 February 2021

ITEM 7.2 **Renewal of Lease over Greenacre Car Park Site**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

Council leases 158 Waterloo Road, Greenacre, from AH and MA Laundry, trading as Laundry Hotels (owners of the Greenacre Hotel at 156 Waterloo Road Greenacre). The site contains a public car park with some 80 car parking spaces that support local residents and businesses and the adjoining Greenacre Library and childcare centre.

This lease will expire on 30 June 2022. This report proposes to vary this lease by extending the term for a further five years to 30 June 2027 in order to secure Council's tenure of this land.

ISSUE

To consider an extension to the lease for the car park situated at the rear of the Greenacre Hotel - at 158 Waterloo Road Greenacre (Lot 3 DP 408508) - for public car parking by a further five years to 30 June 2027.

RECOMMENDATION That -

1. Council agree to extend the current lease for 158 Waterloo Road Greenacre (Lot 3 DP 408508) for a further period of five years, to 30 June 2027, for the purposes of providing public car parking.
2. The Mayor and General Manager be delegated authority to sign all documentation under the Common Seal of Council, as required.

ATTACHMENTS [Click here for attachment](#)

- A. Map of Greenacre Car Park Site

POLICY IMPACT

There are no policy impacts.

FINANCIAL IMPACT

Annual cost of the lease is included in Council's Budget. Future annual budgets will also reflect the necessary lease costs, as required.

COMMUNITY IMPACT

The use of this car park for public purposes, including support for the adjoining childcare centre, the Greenacre Library, and the local shopping village of Greenacre, is a public benefit that will continue to be delivered by Council.

DETAILED INFORMATION

Background

Council has leased 158 Waterloo Road, Greenacre since the late 1990's. The current lease will expire on 30 June 2022. The site provides the community access to car park for public purposes, including supporting for the adjoining childcare centre, the Greenacre Library, and the local shopping village of Greenacre.

Details

The owners of the site have confirmed their willingness to continue leasing the land to Council beyond June 2022, by agreeing to vary the current lease for a further five year period – ending June 2027.

All terms and conditions of the lease will continue to remain as is, including a requirement for Council to manage the general upkeep and maintenance provisions of the site.

Proposed Approach

Given it provides an important community benefit, it is proposed that Council agree to the extension till June 2027. Separately, throughout the lease period, Council will review its broader land holdings and its proposed outcomes/expectations for the Greenacre Town Centre. This will inform Council's ongoing need for the lease beyond June 2027.

Governance and Administration Matters - 23 February 2021

ITEM 7.3 **Matters Determined Under Delegated Authority 9
December 2020 to 22 February 2021**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

To provide Council with a summary of any matters determined under Delegated Authority by His Worship the Mayor and the General Manager whilst Council was in recess i.e. the period 9 December 2020 to 22 February 2021.

SUMMARY OF MATTERS DETERMINED

No matters were determined for the above period.

RECOMMENDATION

That the information be noted.

ATTACHMENTS

Nil

Governance and Administration Matters - 23 February 2021

ITEM 7.4 Disclosure of Interest Returns

AUTHOR Corporate

PURPOSE AND BACKGROUND

In accordance with the requirements of Council's Code of Conduct (sections 4.21, 4.25, 4.26 and 4.27), amendments to Disclosure of Interest Returns and new Returns lodged by staff appointed to designated positions in the Organisation structure are required to be submitted to the General Manager and tabled at a meeting of the Council.

ISSUE

During the reporting period (1 November 2020 to 31 January 2021) four new returns were lodged by designated staff together with one amended return. The Disclosure of Interest Returns are tabled as required by Council's Code of Conduct under sections 4.26 and 4.27.

RECOMMENDATION

That the tabling of the Disclosure of Interest Returns be noted.

ATTACHMENTS

Nil

POLICY IMPACT

This report addresses Council requirements under the Code of Conduct concerning the lodgement and tabling of Disclosure of Interest Returns. In accordance with the Government Information (Public Access) Act 2009 and Regulations Pecuniary Interest returns of Councillors and designated persons are open access information.

FINANCIAL IMPACT

There is nil financial impact.

COMMUNITY IMPACT

There is nil community impact.

Governance and Administration Matters - 23 February 2021

ITEM 7.5 **Cash and Investment Report as at 31 January 2021, 31 December 2020 and 30 November 2020**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

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

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

ISSUE

This report details Council's cash and investments as at 31 January 2021, 31 December 2020 and 30 November 2020.

RECOMMENDATION That -

1. The Cash and Investment Report as at 31 January 2021, 31 December 2020 and 30 November 2020 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

ATTACHMENTS [Click here for attachment\(s\)](#)

- A. Imperium Markets Monthly Investment Report January 2021
- B. Imperium Markets Monthly Investment Report December 2020
- C. Imperium Markets Monthly Investment Report November 2020

POLICY IMPACT

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

FINANCIAL IMPACT

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

COMMUNITY IMPACT

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

DETAILED INFORMATION

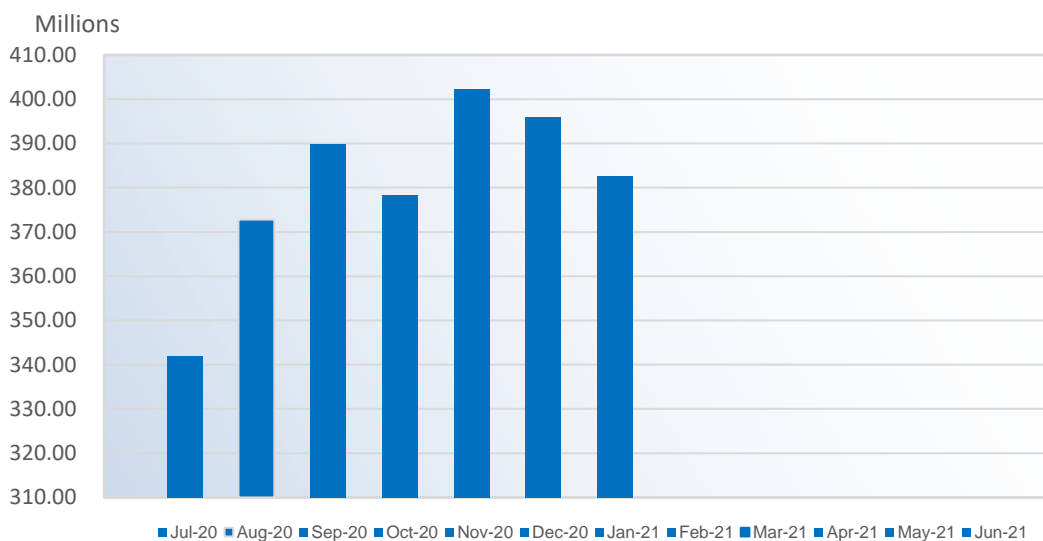
Cash and Investment Summary – as at 31 January 2021

In total, Council’s Cash and Investments holdings as at 31 January 2021 is as follows:

Cash and Investments	\$
Cash at Bank	1,783,287
Deposits at Call	55,781,390
Term Deposits	259,611,000
Floating Rate Notes	56,471,133
Bonds	9,000,000
Total Cash and Investments	382,646,810

Council’s level of cash and investments varies from month to month, particularly given the timing of Council’s rates and collection cycle, its operations and carrying out its capital works program. The following graph outlines Council’s closing cash and investment balances from July 2020 to June 2021.

Cash and Investment Rolling Monthly Balance 2020-2021



A summary of Council’s investment interest income earned for the period to 31 January 2021 is as follows:

Interest Income	Jan 2021 \$	Year-to-date Jan 2021 \$
Budget	547,715	3,834,007
Actual Interest	478,089	3,591,934
Variance	(69,626)	(242,073)
Variance (%)	(12.71)	(6.31)

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

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

Maturity Profile		
	Actual % of Portfolio	Policy Limits %
Cash	15.0	100
Working Capital Funds (0-3 months)	10.4	100
Short Term (3-12 months)	20.4	100
Short – Medium (1-2 years)	20.7	70
Medium (2-5 years)	33.5	50
Long Term (5-10 years)	0	5
Total Cash and Investments	100%	

Portfolio Allocation	
	Actual % of Portfolio
Cash at Bank	0.5
Deposits at Call	14.5
Term Deposits	67.8
Floating Rate Notes	14.8
Bonds	2.4
Total Cash and Investments	100%

Cash and Investment Summary – as at 31 December 2021

In total, Council's Cash and Investments holdings as at 31 December 2021 is as follows:

Cash and Investments	\$
Cash at Bank	468,598
Deposits at Call	70,413,521
Term Deposits	259,611,000
Floating Rate Notes	56,471,133
Bonds	9,000,000
Total Cash and Investments	395,964,252

A summary of Council's investment interest income earned for the period to 31 December 2020 is as follows:

Interest Income	Dec 2020 \$	Year-to-date Dec 2020 \$
Budget	547,715	3,286,292
Actual Interest	486,088	3,113,846
Variance	(61,627)	(172,447)
Variance (%)	(11.25)	(5.25)

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

Maturity Profile		
	Actual % of Portfolio	Policy Limits %
Cash	17.9	100
Working Capital Funds (0-3 months)	10.2	100
Short Term (3-12 months)	16.6	100
Short – Medium (1-2 years)	22.2	70
Medium (2-5 years)	33.1	50
Long Term (5-10 years)	0	5
Total Cash and Investments	100%	

Portfolio Allocation	
	Actual % of Portfolio
Cash at Bank	0.1
Deposits at Call	17.8
Term Deposits	65.5
Floating Rate Notes	14.3
Bonds	2.3
Total Cash and Investments	100%

Cash and Investment Summary – as at 30 November 2020

In total, Council's Cash and Investments holdings as at 30 November 2020 is as follows:

Cash and Investments	\$
Cash at Bank	7,131,388
Deposits at Call	77,830,856
Term Deposits	256,921,000
Floating Rate Notes	51,471,133
Bonds	9,000,000
Total Cash and Investments	402,354,377

A summary of Council's investment interest income earned for the period to 30 November 2020 is as follows:

Interest Income	Nov 2020 \$	Year-to-date Nov 2020 \$
Budget	547,715	2,738,576
Actual Interest	516,143	2,627,757
Variance	(31,572)	(110,819)
Variance (%)	(5.76)	(4.05)

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

Maturity Profile		
	Actual % of Portfolio	Policy Limits %
Cash	21.1	100
Working Capital Funds (0-3 months)	11.7	100
Short Term (3-12 months)	15.4	100
Short – Medium (1-2 years)	21.0	70
Medium (2-5 years)	28.8	50
Long Term (5-10 years)	2	5
Total Cash and Investments	100%	

Portfolio Allocation	
	Actual % of Portfolio
Cash at Bank	1.8
Deposits at Call	19.3
Term Deposits	63.9
Floating Rate Notes	12.8
Bonds	2.2
Total Cash and Investments	100%

8 SERVICE AND OPERATIONAL MATTERS

The following items are submitted for consideration -

- | | | |
|-----|--|-----|
| 8.1 | Greater Cities Sports Facilities Fund | 103 |
| 8.2 | Canterbury Town Centre Stage 2 Project - Close Street Reserve Site
Yard Licence | 107 |

Service and Operational Matters - 23 February 2021

ITEM 8.1 **Greater Cities Sports Facilities Fund**

AUTHOR **City Future**

PURPOSE AND BACKGROUND

The Greater Cities Sports Facility Fund (GCSFF) was established by the NSW Government to create spaces and places that enable communities to participate in sport at all levels.

Specifically, the objectives of the Fund are to increase the number/type of sporting facilities; improve the standard of sporting facilities; and increase participation in sport. \$50 million has been made available over two years, with approximately \$25 million committed per year. Round 1 of the funding (2020/2021) requires applications to be lodged in February 2021. Council intends to submit an application to enable the implementation of the Waterworth Park Masterplan.

A detailed application/project plan is required to be submitted by 26 February 2021. It is a requirement under the GCSFF that projects over \$1 million require a minimum 25% financial co-contribution by applicants.

ISSUE

To update Council on the Waterworth Park Masterplan Implementation project being submitted under the Greater Cities Sports Facility Fund and confirm Council's funding commitment as part of the conditions of the grant.

RECOMMENDATION That -

1. Council proceed with submitting an application under the Greater Cities Sports Facility Fund for the Waterworth Park Masterplan Implementation.
2. If successful in receiving funding under the Greater Cities Sports Facility Fund, Council allocate 25% of the total project cost as part of the 2021/22 Operational Plan.

ATTACHMENTS

Nil

POLICY IMPACT

This report is consistent with the requirements of the GCSFF guidelines as developed by the NSW Government and the Office of Sport.

The proposed project is consistent with the adopted Gough Whitlam and Waterworth Park Masterplan that identified this precinct for upgrades to cater for increased usage and enhanced facilities.

FINANCIAL IMPACT

If successful, an estimated \$2.25M in grant funding will be provided to Council through the GCSFF for the implementation of the Waterworth Park Masterplan.

Council's financial commitment towards the Waterworth Park upgrades will be \$750,000 funded from a mix of s7.11, asset reserve and in-kind contribution (operational budget). This will be included in the 2021/22 Operational Plan.

Should the project budget change, the 25% co-contribution will be amended accordingly.

COMMUNITY IMPACT

The delivery of the Waterworth Park Masterplan will deliver social, economic and environmental benefits to the community. The project will result in the delivery of new and improved infrastructure for community to accommodate the projected increased usage of the site.

DETAILED INFORMATION

Waterworth Park Upgrades

Gough Whitlam and Waterworth Parks make up an open space precinct at the eastern end of the local government area at Earlwood, located along the Cooks River and Wolli Creek. The parks are well-used areas of open space which contain passive areas of open space, natural areas, sporting fields, playgrounds, a café and the Canterbury velodrome.

Following the formation of the City of Canterbury Bankstown, Council undertook the process of preparing site specific master plan for the precinct to determine community sentiment and their preferred future uses of the sites.

A draft Gough Whitlam Park and Waterworth Park Master Plan was subsequently developed in consultation with stakeholder sporting clubs and associations. It made recommendations for the modifications of existing sports grounds and the provision of additional amenity to enable the participation by football, touch football and cricket. This master plan was adopted by Council in April 2017.

Waterworth Park is the first priority in implementing the adopted Masterplan. This site is a regional sporting complex for our city. Upgrading and enhancing it to increase capacity and improve its function as a multipurpose facility will ensure Council can deliver on one of its top sporting infrastructure priorities.

This project has also been identified amongst Council's priorities in response to the NSW Office of Sport's work in preparing the Greater Sydney District Sport Infrastructure Plan. This Plan aims to guide the provision of sporting facilities and encourage participation in a wide range of sports and active recreation.

Greater Cities Sports Facility Fund

The 2020/2021 round of the Greater Cities Sports Facility Fund (GCSFF) opened in December 2020 and provides Council an opportunity to submit an application for sporting infrastructure related projects. The NSW Government grant program is coordinated through the Office of Sport and provides approximately \$25 million in infrastructure grants per year over a two-year period. Projects are assessed on strategic alignment, affordability and deliverability.

Council intends to lodge an application for Waterworth Park in order to facilitate new amenities, field works, lighting upgrades and service relocation identified in the Gough Whitlam and Waterworth Park Master Plan. With a total estimated project value of \$4 million, Council is requesting \$2.25 million in grant funding and is proposing to co-contribute \$750,000. This is in line with the grant guidelines requiring a minimum 25% co-contribution for projects over \$1 million.

The application process requires the completion of a detailed Project Plan, incorporating a detailed overview of the project, scope and budget along with confirmation of all funding sources. Letters of support from user groups and state sporting bodies, along with evidence to support the need for the upgrades/works is also required.

The application process also requires Council to demonstrate a commitment through a minimum 25% co-contribution to support its application for grant funding. If successful, Council will be required to demonstrate an allocation of funds in its capital works program for the 2021/22 financial year.

The Project Plan is due by 26 February 2021 with the announcement of successful projects expected in April 2021. Under the guidelines, projects are required to be completed within two years of the funding agreement being signed.

Next Steps

Should Council endorse the project, work will commence on finalising the required documentation as part of application process. Other high priority actions include:

- Submission of Council's Project Plan by 26 February 2021; and
- Inclusion of Council's funding co-contribution for the Kelso North Precinct Upgrades in the 2021/22 Operational Plan.

Service and Operational Matters - 23 February 2021

ITEM 8.2 **Canterbury Town Centre Stage 2 Project - Close Street Reserve Site Yard Licence**

AUTHOR **Operations**

PURPOSE AND BACKGROUND

The Principal Contractor for the project T75-20 Canterbury Town Centre Stage 2, which is currently in progress, is seeking to enter a Licence Agreement to establish a site yard in Close St Reserve - 15a Close St, Canterbury – to assist with the construction of the Charles St/Canterbury Rd/Close St intersection and shared path underpass upgrades.

ISSUE

This report is seeking Council endorsement to enter into a Licence Agreement with Abergeldie Contractors Pty Ltd, the Principal Contractor.

RECOMMENDATION That Council;

1. Agree, in principle, to providing a short term licence agreement to Abergeldie Contractors Pty Ltd for the use of Close Street Reserve, for the purposes completing the Canterbury Town Centre Stage 2 Works.
2. Exhibit the details of the proposed licence agreement in accordance with the provisions of the Local Government Act 1993.
3. Undertake specific notification and engagement of the neighbouring residents.
4. Following public exhibition, and subject to their being no submissions received, the General Manager be authorised to enter into a Licence Agreement with Abergeldie Contractors Pty Ltd, based on the terms and conditions, as outlined in the report.
5. In the event that submissions are received from the public exhibition process, a further report will be presented to Council.

ATTACHMENTS [Click here for attachment](#)

- A. Close St Reserve - Site Yard Location

POLICY IMPACT

The site yard will be used for works relating to Council's Canterbury Town Centre Stage 2 – Intersection and Shared Path Underpass project. The site is classified as Community Land and categorised as a "park". The proposed licence agreement is consistent with the core categorisation objectives outlined in the Local Government Act 1993 and the relevant Plan of Management

The proposed Licence Agreement is required to be placed on public exhibition in accordance with Section 47A (2) (a) of the Local Government Act 1993. At the end of the public exhibition period, should there be no submissions, Council will proceed to enter into a Licence Agreement with Abergeldie Contractors Pty Ltd as outlined in the report.

That said, if submissions are received a further report will be presented to Council for its consideration.

FINANCIAL IMPACT

The purpose of the site yard in Close St Reserve is to assist with the awarded upgrade works.

The proposed Licence Agreement will have a nominal licence fee of \$1 per month. It was assumed based on the Council approved Review of Environmental Factors (REF), the Principal Contractor would have access to the site yard location during the construction works. If an alternate site was required, then construction costs would increase, and this would have been reflected in the tendered price.

Abergeldie Contractors Pty Ltd will be responsible for cleaning, repairs/maintenance, costs related to services used in the site yard and rectification at the end of the occupancy to return the area in the original condition.

COMMUNITY IMPACT

The Licence Agreement will have minimal impact to the community and other user groups, particularly given that:

- The users of the Cooks River shared path will be detoured before the location of the site yard. Extensive detour notification will be implemented before works impact the shared path underpass access;
- The area selected is partially part of the construction zone and vehicle access will be through an adjacent drainage swale which is seldom used by park visitors;
- The site yard will be maintained, fenced and follow environmental measures recommended in the shared path underpass Review of Environmental Factors; and
- Traffic control will be present to allow safe movement of pedestrians and cyclists when vehicles are present.

Separately it is also proposed that existing graffiti be removed, by way of cleaning and painting the adjacent walls by the Principal Contractor - if permissible by the owner of property 11-13 Close St.

DETAILED INFORMATION

The Canterbury Town Centre Stage 2 project involves the upgrade of the Charles St/Canterbury Rd/Close St intersection and the shared path underpass along Cooks River.

The project was awarded as a design and construct contract to Abergeldie Contractors Pty Ltd at the end of September 2020.

The Principal Contractor would like to enter into a Licence Agreement to establish a site yard in Close St Reserve, Canterbury to enable the construction of the shared path underpass and hold materials for the utility relocations and road works required for the intersection upgrade.

The pertinent terms of the proposed Licence Agreement are as follows:

- Licensee: Abergeldie Contractors Pty Limited
- Commencement: On completion of the public exhibition process
- Term: Six months
- Holdover: Weekly
- Fee: \$1 pa
- Conditions: Licensee required to provide Public Liability insurance (\$50M)

Additionally, to ensure the site yard is used in a manner that complies with the project requirements, the Licence Agreement will refer to the contractual obligations of the project.

A few key points to note are the project's 10% contract security is valued at \$896,090.62 and the Public Liability insurance is \$50 million. This level of insurance and security reduces Council's risks.

A benefit Council will gain, if allowed by the owner of 11-13 Close St, is the removal of graffiti on the walls adjacent to the site yard. Currently, the graffiti is unsightly and detracts the amenities in the reserve.

9 COMMITTEE REPORTS

The following items are submitted for consideration -

- | | | |
|-----|--|-----|
| 9.1 | Minutes of the Traffic Committee Meeting held on 9 February 2021 | 113 |
| 9.2 | Minutes of the Lakemba Ramadan Event Reference Group meeting held
3 February 2021 | 115 |

Committee Reports - 23 February 2021

ITEM 9.1 **Minutes of the Traffic Committee Meeting held on 9 February 2021**

AUTHOR **Operations**

PURPOSE AND BACKGROUND

Attached are the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 9 February 2021.

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 9 February 2021, be adopted.

ATTACHMENTS [Click here for attachment](#)

A. Minutes of the Traffic Committee Meeting held on Tuesday 9 February 2021

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 - 23 February 2021

ITEM 9.2 **Minutes of the Lakemba Ramadan Event Reference Group meeting held 3 February 2021**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

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

The minutes of the Lakemba Ramadan Event Reference Group are attached.

ISSUE

Endorsement of the Lakemba Ramadan Event Reference Group minutes.

RECOMMENDATION

That the minutes of the Lakemba Ramadan Event Reference Group meeting be endorsed.

ATTACHMENTS [Click here for attachment](#)

- A. Minutes of the Lakemba Ramadan Event Reference Group meeting held 3 February 2021

POLICY IMPACT

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

FINANCIAL IMPACT

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

COMMUNITY IMPACT

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

10 NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

The following items are submitted for consideration -

10.1 Notice of Motions	119
10.2 Service NSW Bass Hill Ward	121
10.3 Australia Day Awards 2022	123
10.4 Covid Restrictions at Council Facilities	125
10.5 Curbing Illegal Rubbish Dumping	127
10.6 Vegetation Clearing Along the Cooks River Pipeline	129
10.7 Creating a Cleaner City by Building City Pride	129A

Notice of Motions & Questions With Notice - 23 February 2021

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 attachment\(s\)](#)

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

Notice of Motions & Questions With Notice - 23 February 2021

ITEM 10.2 Service NSW Bass Hill Ward

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

“That Council writes to the Minister for Customer Service to request that a Service NSW Centre be opened in Bass Hill Ward.”

BACKGROUND

Over 55,000 residents and no Service Centre. People are travelling to meet long lines and delays in Bankstown, this is an opportunity to bring a much needed Government Service and office to town centres such as Bass Hill or Chester Hill.

GENERAL MANAGER’S COMMENT

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

Notice of Motions & Questions With Notice - 23 February 2021

ITEM 10.3 Australia Day Awards 2022

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

“That Council investigate the inclusion of a new award in the 2022 Australia Day honours, to recognise a leading, local media outlet.”

BACKGROUND

Over these last 12 months, we have seen how important an institution the media is. From the dissemination of crucial information related to bushfires, floods and other natural disasters, through to keeping the community informed and safe in the face of the COVID-19 pandemic, their role has been vital in the ongoing wellbeing and prosperity of our community.

For this reason, I would like for a suitable award to be considered for inclusion in the 2022 Australia Day Honours, to recognise a local media outlet that has gone above and beyond in the service of our community.

GENERAL MANAGER’S COMMENT

There are no financial implications arising from the proposed motion, as written. Council will liaise with the National Australia Day Council as part of its investigations, in the lead up to the 2022 Australia Day Awards.

Notice of Motions & Questions With Notice - 23 February 2021

ITEM 10.4 Covid Restrictions at Council Facilities

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

“That Council review the current restrictions in place at council facilities, namely swimming pools, and provide a plan for easing restrictions.”

BACKGROUND

Many residents have endured various levels of lockdown and restrictions over the past 12 months, including access to council facilities.

NSW has not had any local transmission for several weeks and the NSW Government have eased some of the restrictions.

It would be ideal if council start planning to ease restrictions at council facilities, including community centres, libraries and swimming pools.

Many residents have complained about the restrictions at swimming pools and with school swimming carnivals underway it would be great if the number of people attending could be increased, to include spectators.

GENERAL MANAGER’S COMMENT

Aquatics

We by no means want to exclude spectators from our facilities, we do however want to keep as much of our service and centre open as possible and we must and will do so in the safest way possible for our customers and wider community. This will mean that in developing risk assessments and procedures to stay open and keep safe that there will be some pain points, and this is one of those.

One of the challenges that has been added to the situation is that the Department of Education issued correspondence to schools advising them that whilst parents and guardians cannot enter schools, they can attend school events that are off site. This in particular has been raised by the schools and parents that have contacted us. This of course is because they are not responsible outside school, so they fail to mention so long as the Covid safe plans of the venue allow.

All schools parent representations except one have been very understanding and supportive of keeping their children safe.

Councils Aquatic Centres are operated in compliance with the current Covid Health regulations. Our desire is to keep as much of our service and centre open as possible in the safest way for our customers and wider community accordingly risk assessments and procedures to stay open and keep safe have been undertaken, developed and diligently implemented. These initiatives include:

- Managing risk to staff and all customers by limiting the amount of customers within the facility and within the same areas of the facilities at any one time.
- Managing the logistics of service provision safely and consistently at each of our Centres.
- When School Carnivals are on at our Centres we ask students to come ready to swim and only swimmers not students who will not be swimming or spectators.
- We also manage physical distancing in choke points such as entry and toilets/change rooms, kiosks.

Importantly we review these procedures every time the health regulations change.

Community Facilities

Council does not have our own restrictions in place for Council Facilities. Every Council Community Facility is hired in accordance with the current Covid restrictions in place by the NSW Government and they must adhere to the NSW Government Covid templates and comply with current order such as 1 person per 2sqm.

Additionally, Casual hires are considered on a case by case basis depending on their ability to manage Social distancing restrictions.

Council staff have been offering as much assistance as we can to groups with guiding them through the compliance requirements.

Finally, our approach and case by case review is completely reviewed by our teams, including Enterprise Risk Management every time the public health orders and official advice is given by the NSW Government.

Notice of Motions & Questions With Notice - 23 February 2021

ITEM 10.5 Curbing Illegal Rubbish Dumping

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 report on what action is being currently taken to curb the spread of illegal dumping, and investigate what additional initiatives could be taken to deter and detect illegal dumping.”

BACKGROUND

On a daily basis as I drive around the LGA, I am confronted by dumped rubbish.

There are some know dumping grounds which are basically de-facto tips, council cleans up the mess and within a few days there is a new pile of junk.

I have noticed that the reserve at the corner of Hume Hwy and Henry Lawson Drive is now free of dumped rubbish, previously it was a notorious dumping ground.
What has council done to change the situation at this site?

What measures are other councils around the country doing to address illegal dumping and how effective are these measures?

GENERAL MANAGER’S COMMENT

Council currently implements a range of initiatives to address illegal dumping including our leadership in the RID Squad as well as the award winning ‘Eyes On It’ Campaign. In addition, the current Operational Plan includes the development of a Clean City Strategic Plan (CCSP) which will prioritise new initiatives to address illegal dumping and the cleanliness of our City. These projects and other actions will be addressed in the requested report.

Notice of Motions & Questions With Notice - 23 February 2021

ITEM 10.6 Vegetation Clearing Along the Cooks River Pipeline

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

“That Council writes to Ampol (formerly Caltex) and Viva Energy demanding any future tree removal cease until a Vegetation Management Plan is developed in consultation with the community and Council”

“That Council write to the Minister for Planning and public spaces requesting a review of the approval.”

BACKGROUND

Three high pressure oil pipelines were installed along the Cooks River in the 1970s and are currently managed by Viva Energy and Caltex/ Ampol. Two of these are operational and one is not operating. Much of the pipeline easement is in valuable open space surrounded by a number of significant mature trees. There are also a number of natural restoration sites maintained by Sydney Water, volunteer Bushcare groups and Council.

Recently the Cooks River Alliance and other stakeholder have raised deep concerns at current and planned tree removal along the easement, stretching to a distance of eight metres either side of the pipeline and resulting in the potential removal of over 1000 established trees.

The removal of these trees runs counter to the City’s target of increasing canopy cover by 40% as well as the state government’s Greening the City program.

It is understood that the Department of Planning has given approval for tree removal as part of their desire to prevent damage to the pipes. Unfortunately, this was done with no consultation with the community or Council.

It is for these reasons that I believe that Council demands a halt to all current and planned vegetation clearing along the pipeline easement and that a Vegetation Management Plan be developed in order to meet the needs of all stakeholders and the environment.

GENERAL MANAGER’S COMMENT

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

Notice of Motions & Questions With Notice - 23 February 2021

ITEM 10.7 Creating a Cleaner City by Building City Pride

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

“That Council develops targeted educational messages and resources that encourage residents to take pride in their city and to correctly dispose of rubbish and litter in our streets, town centres and parks.”

BACKGROUND

In talking to the community, a common complaint people are making to me is the amount of litter in our streets and parks. While Council can provide bins and pick up litter, rubbish should not be left behind in the first place.

Council cannot do this alone. Businesses and the community have a role to play but they need greater support and direction. Therefore, I am requesting that targeted education messages be developed for our parks and streets, for example around bus stops, to remind people to do the right thing and correctly dispose of their rubbish.

The message is quite simple Council - the community must work together to make Our City's cleanliness the envy of all Councils.

GENERAL MANAGER'S COMMENT

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

11 CONFIDENTIAL SESSION

11.1 General Manager Performance Review

General Manager's Statement

Confidentiality

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

CONFIDENTIAL SESSION

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

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

RECOMMENDATION

That, in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Item 11.1 in confidential session for the reasons indicated:

Item 11.1 General Manager Performance Review

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