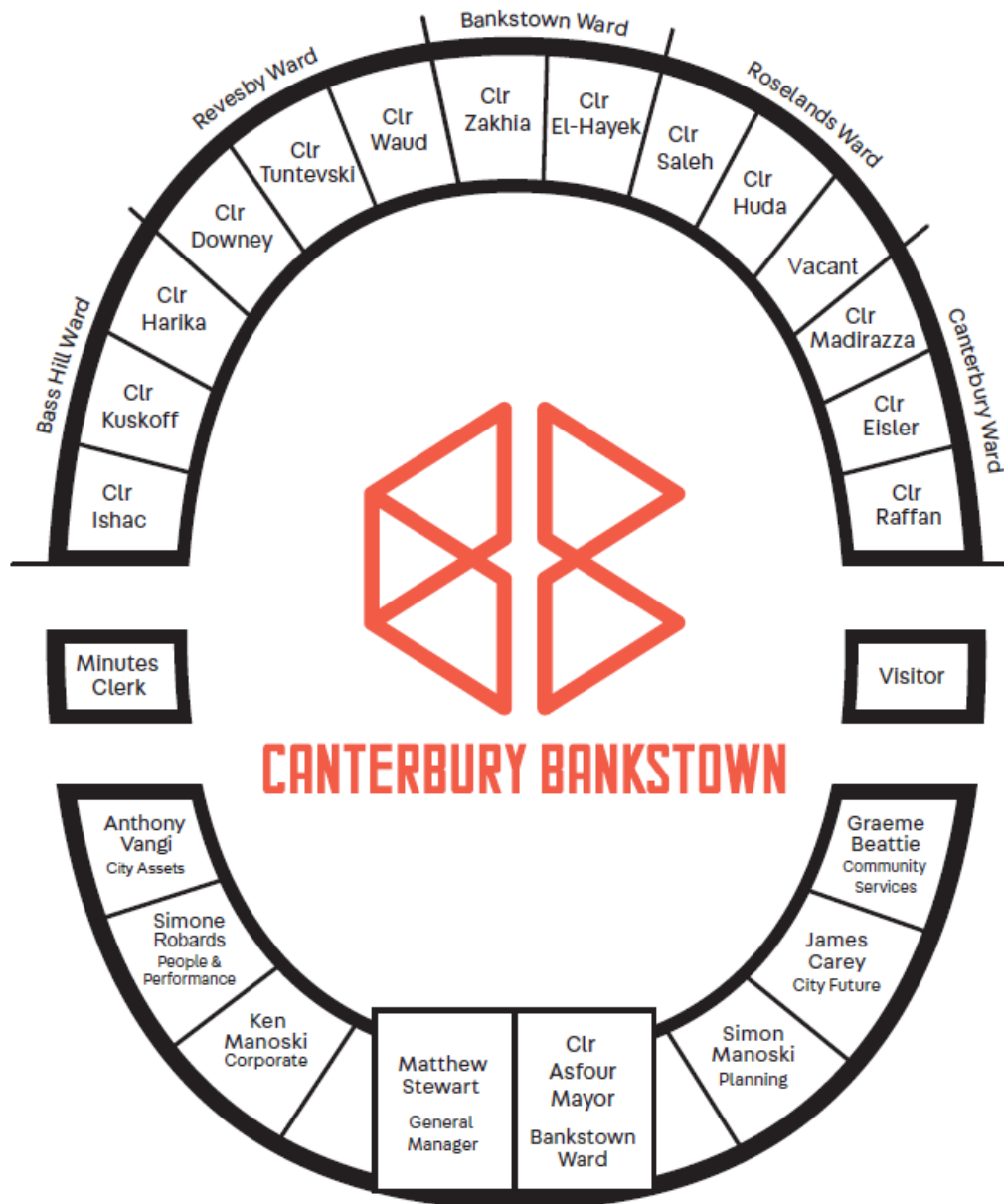




AGENDA FOR THE ORDINARY MEETING

25 May 2021

Gallery



ORDER OF BUSINESS

1	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	5
1.1	Minutes of the Ordinary Meeting of Council of 27 April 2021	7
2	LEAVE OF ABSENCE.....	21
3	DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST.....	23
4	MAYORAL MINUTES	25
4.1	Middle East Unrest	27
4.2	Myanmar Fundraising	29
4.3	NSW Liberal Rorts	31
4.4	Ausgrid	33
4.5	Hospitals	35
4.6	USU Support	37
4.7	Local Community Based Donations	39
5	PLANNING MATTERS	41
5.1	Exhibition of Planning Agreement: 74 Rickard Road, Bankstown (WSU Bankstown Campus)	43
5.2	Exhibition of Planning Proposal: 297-299 Canterbury Road in Revesby	47
5.3	Exhibition of Planning Proposal: 353-355 Waterloo Road in Greenacre	59
5.4	Draft Canterbury Bankstown Consolidated Development Control Plan	73
6	POLICY MATTERS.....	83
7	GOVERNANCE AND ADMINISTRATION MATTERS	85
7.1	Local Government Remuneration Tribunal - Determination of Mayor and Councillor Fees 2021/2022	87
7.2	Naming Request - Jack Munday Park	91
7.3	Cash and Investment Report as at 30 April 2021	97
8	SERVICE AND OPERATIONAL MATTERS	101
8.1	Canterbury Town Centre Stage 2 Project - Close Street Reserve Site Compound Licence	103
9	COMMITTEE REPORTS	107
9.1	Minutes of the Traffic Committee Meeting held on 11 May 2021	109
10	NOTICE OF MOTIONS & QUESTIONS WITH NOTICE	111
10.1	Notice of Motions	113
10.2	City Friendships	115

10.3	Hooning	117
10.4	Domestic Violence	119
10.5	Trees and Secondary Dwellings	121
10.6	Rate Hotline	123
11	CONFIDENTIAL SESSION.....	125
11.1	Insurance Policy Placement Coverage for Council	

1 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The following minutes are submitted for confirmation -

1.1	Minutes of the Ordinary Meeting of Council of 27 April 2021	7
-----	---	---

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 APRIL 2021

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

PRESENT BY AUDIO Councillors Raffan and Zakhia
VISUAL LINK:

APOLOGIES Councillor Huda

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.04 PM.

COUNCILLORS ATTENDING REMOTELY

(1265)

CLR. WAUD:/CLR. ISHAC

RESOLVED that permission be granted to Councillors Zakhia and Raffan to attend the meeting remotely by zoom due to personal reasons.

- CARRIED

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**

(1266)

CLR. MADIRAZZA:/CLR. EL-HAYEK

RESOLVED that the minutes of the Ordinary Council Meeting held on 23 March 2021 be adopted.

- CARRIED

SECTION 2: **LEAVE OF ABSENCE**

(1267)

CLR. EL-HAYEK:/CLR. SALEH

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

- CARRIED

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

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 APRIL 2021

In respect of Item 5.1 – Draft Campsie City Centre Master Plan, I Clr Raffan declare a significant, Non Pecuniary Conflict of Interest given my principal place of residence falls within the area that is the subject of the Campsie Master Plan and indicate I will vacate the Chamber taking no part in debate.

In respect of Item 5.2 – Draft Bankstown City Centre Master Plan, I Clr El-Hayek declare a significant Non Pecuniary Conflict of Interest given a reportable donation was made to my election campaign and the donor as well as my employer have property which is the subject of this report and indicate I will vacate the Chamber taking no part in debate.

In respect of Item 5.2 – Draft Bankstown City Centre Master Plan, I Clr Asfour declare a significant Non Pecuniary Conflict of Interest given my role on the Board of Bankstown RSL and a reportable donation was made to my election campaign where both the Bankstown RSL and the donor have property which is the subject of this report and indicate I will vacate the Chamber taking no part in debate.

SECTION 4: MAYORAL MINUTES

ITEM 4.1 VALE ED CAROLAN

AT THIS STAGE HIS WORSHIP THE MAYOR ACKNOWLEDGED THE PASSING OF JOHN KONRADS FORMER RESIDENT AND OLYMPIC SWIMMER.

(1268) CLR. ASFOUR

RESOLVED that the Mayoral Minute be received.

- CARRIED

Council observed a minutes silence in memory of Edward Carolan OAM and John Konrads.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 APRIL 2021

ITEM 4.2
(1269) **TAFE FUNDING**
CLR. ASFOUR

RESOLVED that Council adds its voice of support to various organisations like the Australian Education Union in their support of TAFE. Furthermore, Council write to the State and Federal Governments to make TAFE one of their priorities in their upcoming budgets and commit more resources and funding to ensure the sustainability and future of this time-honoured learning institution.

- CARRIED

ITEM 4.3
(1270) **DISABILITY ABUSE**
CLR. ASFOUR

RESOLVED that Council thank the collaborative consisting of local organisations for the fantastic work they have done in formulating an action plan responding to the issue of disability abuse and Council to sign a Commitment statement on behalf of our community.

- CARRIED

ITEM 4.4
(1271) **CLOSING THE LOOP**
CLR. ASFOUR

RESOLVED that Council share the Closing the Loop on Waste program with industry by allowing them access to our technical methodologies, hosting an industry showcase event and publishing a comprehensive case study, as a guide for all to use.

- CARRIED

ITEM 4.5
(1272) **SES WOW DAY**
CLR. ASFOUR

RESOLVED that Council set aside \$2000 towards the cost of lighting up the BLAKC orange on the night of Wednesday May 19 and for staff and the community to wear orange on the day as a symbolic gesture to the many men and women of OUR SES and that these funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 APRIL 2021

ITEM 4.6 **MAINTENANCE AND CARE OF NATURE STRIPS**
(1273) **CLR. ASFOUR**

RESOLVED that Council

1. Work with those affected property owners with the view to “tidy up” and mow their verges as a “one-off” goodwill gesture. Council personally engage with those property owners about caring for their verges and to instil a sense of fairness, pride in our city and/or to have a conversation about what support they might need if they are in a vulnerable situation.
2. Reach out to the community and engage with them about our policy and more broadly about Council’s social services through writing to residents and via our social and digital media channels.
3. An additional amount of funding (estimated to be around \$100,000) will be required to carry out the above works, and that this amount be reflected in Council’s quarterly review process.

- CARRIED

ITEM 4.7 **LOCAL COMMUNITY BASED DONATIONS**
(1274) **CLR. ASFOUR**

RESOLVED that

1. Council support Cancer Council – Dance for Cancer by way of a \$2,000.00 sponsorship and that any future requests for assistance be made through Council’s Community Grants and Event Sponsorship Program.
2. Council support Australian Council of Human Rights and Education by waiving an amount of \$1,000 to be taken off the total fee hire for the use of Memorial Oval and that any future requests for assistance be made through Council’s Community Grants and Event Sponsorship Program.
3. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 APRIL 2021

SECTION 5: PLANNING MATTERS

ITEM 5.1 DRAFT CAMPSIE TOWN CENTRE MASTER PLAN

In respect of Item 5.1 – Draft Campsie City Centre Master Plan, Clr Raffan declared a significant, Non Pecuniary Conflict of Interest given her principal place of residence falls within the area that is the subject of the Campsie Master Plan and vacated the Chamber taking no part in debate.

CLR RAFFAN TEMPORARILY VACATED THE CHAMBER AT 6.55 PM.

(1275) CLR. TUNTEVSKI:/CLR. EISLER

RESOLVED that the information and next steps as outlined in the report, be noted.

- CARRIED

CLRS KUSKOFF AND DOWNEY STOOD FOR A DIVISION.

For:- Clrs Asfour, Downey, Eisler, El-Hayek, Harika, Ishac, Madirazza, Saleh, Tuntevski, Waud, Zakhia

Against:- Clr Kuskoff

CLR RAFFAN RETURNED TO THE MEETING AT 6.59 PM.

ITEM 5.2 DRAFT BANKSTOWN CITY CENTRE MASTER PLAN

In respect of Item 5.2 – Draft Bankstown City Centre Master Plan, Clr El-Hayek declared a significant Non Pecuniary Conflict of Interest given a reportable donation was made to his election campaign and the donor as well as his employer have property which is the subject of this report and vacated the Chamber taking no part in debate.

In respect of Item 5.2 – Draft Bankstown City Centre Master Plan, Clr Asfour declared a significant Non Pecuniary Conflict of Interest given his role on the Board of Bankstown RSL and a reportable donation was made to his election campaign where both the Bankstown RSL and the donor have property which is the subject of this report and vacated the Chamber taking no part in debate.

HIS WORSHIP THE MAYOR CLR ASFOUR AND CLR EL-HAYEK TEMPORARILY VACATED THE CHAMBER AT 6.59 PM.

THE DEPUTY MAYOR CLR HARIKA ASSUMED THE CHAIR.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 APRIL 2021

(1276)

CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that the information and next steps as outlined in the attached report, be noted.

- CARRIED

CLRS KUSKOFF AND DOWNEY STOOD FOR A DIVISION.

For:-

Clrs Downey, Eisler, Harika, Ishac, Madirazza, Raffan, Saleh, Tuntevski, Waud and Zakhia

Against:-

Clr Kuskoff

HIS WORSHIP THE MAYOR CLR ASFOUR AND CLR EL-HAYEK RETURNED TO THE CHAMBER AT 7.20 PM.

HIS WORSHIP THE MAYOR CLR ASFOUR ASSUMED THE CHAIR.

SECTION 6: POLICY MATTERS

ITEM 6.1

UNSOLICITED PROPOSALS POLICY AND GUIDELINE

(1277)

CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that Council adopts the Unsolicited Proposals Policy and Guideline.

- CARRIED

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1

OPERATION DASHA

CLR RAFFAN TEMPORARILY RETIRED THE MEETING AT 7.32 PM.

(1278)

CLR. EISLER:/CLR. DOWNEY

RESOLVED that

1. Council note the Independent Commission Against Corruption's (ICAC's) Report regarding the matter.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 APRIL 2021

2. Council note the responses to ICAC recommendations, as outlined in the report.

- CARRIED

CLR RAFFAN RETURNED TO THE MEETING AT 7.33 PM.

ITEM 7.2
(1279) **REVIEW OF THE 2020/21 OPERATIONAL PLAN AND BUDGET TO MARCH 2021**
CLR. WAUD:/CLR. TUNTEVSKI

RESOLVED that

1. The quarterly progress report of the 2020/21 Operational Plan at 31 March 2021 be adopted.
2. The March 2021 Quarterly Budget Review as outlined in this report be adopted.
3. Council allocate Ward Funds as outlined in the report.

- CARRIED

ITEM 7.3
(1280) **2021/22 DRAFT OPERATIONAL PLAN, BUDGET AND SCHEDULE OF FEES AND CHARGES**
CLR. ZAKHIA:/CLR. WAUD

RESOLVED that

1. In accordance with Section 405 of the *Local Government Act 1993*, the draft Operational Plan 2021/22, including the draft 2021/22 Budget and draft 2021/22 Schedule of Fees and Charges, be placed on public exhibition.
2. 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 structures over a period of four years – expected to be determined in May 2021.
3. Council notes its earlier decision regarding its *Approach to Rates Harmonisation* for both former Council rating structures, as outlined in the report.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 APRIL 2021

4. The proposed Rating and Annual Charges for 2021/22 as outlined in Annexures F and G (forming part of Attachment A to this report) be exhibited. The proposal is based on the following:
- (i) Council's ordinary and special (CBD Infrastructure Improvement) rates for 2021/22 making provision for an ad valorem structure and an increase to Council's general income equivalent to the percentage of 2.0%, as specified by the Independent Pricing and Regulatory Tribunal (IPART).
 - (ii) A Minimum Ordinary Residential Rate of \$728.18 in respect of each separate parcel of rateable land in the City categorised as Residential land – subject to approval by the Office of Local Government.
 - (iii) A Minimum Ordinary Business Rate of \$794.27 for each parcel of rateable land in the City categorised as Business – subject to approval by the Office of Local Government.
 - (iv) Council note its earlier decision regarding *Establishing Business Sub-Categories*, as outlined in the report.
 - (v) Annual charges from Domestic Waste collection be set at \$580.00 for all Residential properties and Business properties in the former City of Canterbury.
 - (vi) The maximum mandatory pensioner rebate of \$250.00 per annum. In addition Council continue to provide a further voluntary rebate, which equates to \$40.00 per annum in accordance with Council's 'Rates and Charges Debt Recovery and Hardship Assistance Policy'.
 - (vii) Annual Charges for Stormwater Management Services as follows:
 - **Residential Properties**
 - Annual Residential Charge of \$25.00 per property.
 - Annual Residential Strata Charge of \$12.50 per property.
 - **Business Properties**
 - Annual Charge of \$25.00 per property plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 APRIL 2021

- **Mixed Development**

- Adopt the dominant Rating category as applied to the parcel of land as determined by the Valuer General and apply to each relevant property.
- In the event that a mixed development is 50% residential and 50% business, Council will apply a residential charge.

- **Exemptions**

In addition to the exemptions stipulated in the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, the following exemptions will also apply in managing the service:

- Council-owned land;
- Bowling and Golf Clubs - where the dominant use is open space;
- Properties zoned:
- Open space 6(a);
- Private Recreation 6(b); and
- Rural

- (viii) A maximum rate of interest on overdue rates and charges as specified by the Minister for Local Government.

- CARRIED

ITEM 7.4
(1281)

CASH AND INVESTMENT REPORT AS AT 31 MARCH 2021

CLR. MADIRAZZA:/CLR. ISHAC

RESOLVED that

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

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 APRIL 2021

PUBLIC ADDRESS

(1282)

CLR. EISLER:/CLR. MADIRAZZA

RESOLVED that permission be granted to the person who has made the necessary application to address Council for five minutes.

- CARRIED

SECTION 8: SERVICE AND OPERATIONAL MATTERS

ITEM 8.1

ADOPTION OF THE ACTIVE TRANSPORT ACTION PLAN

CLR RAFFAN TEMPORARILY RETIRED FROM THE MEETING AT 7.34 PM AND RETURNED AT 7.35 PM.

MR MARTIN GRAY (RESIDENT) ADDRESSED COUNCIL.

(1283)

CLR. WAUD:/CLR. ISHAC

RESOLVED that Council adopt the Active Transport Action Plan (Attachment A) and consider the actions as part of future operational plans.

- CARRIED

ITEM 8.2

CLOSING THE LOOP ON WASTE

(1284)

CLR. EISLER:/CLR. EL-HAYEK

RESOLVED that

1. Council note the outcomes as highlighted in the report and attachment.
2. Council investigate and further invest in the outcomes demonstrated as a result of the program, including:
 - Artificial Intelligence and Machine Learning
 - Proactive Customer notifications
 - Vehicle routing
 - RFID
 - Data analytics and software (including the bespoke Loop platform)

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 APRIL 2021

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD 17 MARCH 2021

(1285) CLR. HARIKA:/CLR. TUNTEVSKI

RESOLVED that

1. The recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 17 March 2021, be adopted;
2. The revised Charters for the ARIC and Internal Audit be endorsed by Council;
3. The revised Charters for the ARIC and Internal Audit be adopted by Council; and
4. The contents of the Annual Report to Council are noted.

- CARRIED

ITEM 9.2 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 13 APRIL 2021

(1286) CLR. HARIKA:/CLR. DOWNEY

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 13 April 2021, be adopted.

- CARRIED

SECTION 10: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

(1287) CLR. ZAKHIA:/CLR. HARIKA

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

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 APRIL 2021

ITEM 10.1
(1288)

NOTICE OF MOTIONS

CLR. ZAKHIA:/CLR. HARIKA

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2
(1289)

WALK TO SCHOOL DAY

CLR. ZAKHIA:/CLR. HARIKA

RESOLVED that Council, through Council's established communication and social media channels, informs the community to get involved and support Walk to School Day throughout our City.

- CARRIED

ITEM 10.3
(1290)

PUNCHBOWL ROAD

CLR. ZAKHIA:/CLR. HARIKA

RESOLVED that Council writes to Transport for NSW, requesting that Punchbowl Road at Punchbowl be prioritised for investigation and improvements to address the significant congestion at this location.

- CARRIED

ITEM 10.4
(1291)

STREET TREE MAINTENANCE

CLR. RAFFAN:/CLR. EL-HAYEK

RESOLVED that Council:

1. Reviews neighbour notification protocols for street tree maintenance;
2. Introduces a public tree register, to be available on Council's website; and
3. Develops a strategy for the management of street trees and other trees in the public domain.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 APRIL 2021

ITEM 10.5 **MASS COVID-19 VACCINATION CLINICS**
(1292) **CLR. ZAKHIA:/CLR. HARIKA**

RESOLVED that Council write to the Federal and State Government requesting the establishment of mass Covid-19 vaccination clinic's within the City of Canterbury Bankstown, so as to fast track the roll out of the Covid-19 vaccination program and safeguard our residents from Covid-19.

- CARRIED

SECTION 11: **CONFIDENTIAL SESSION**

PRIOR TO CONSIDERING THE REPORTS IN CONFIDENTIAL SESSION COUNCILLORS RAFFAN AND ZAKHIA WHO WERE ATTENDING THE MEETING BY AUDIO VISUAL LINK DECLARED THERE WERE NO PERSONS WITHIN SIGHT OR HEARING OF THEM.

(1293) **CLR. ISHAC:/CLR. DOWNEY**

RESOLVED that, in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Items 11.1 and 11.2 in confidential session for the reasons indicated:

Item 11.1 Dunc Gray Velodrome - Interim Operating Agreement

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

Item 11.2 T38-21 Provision of Insurance and Insurance Brokerage Services

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

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.50 PM AND
REVERTED BACK INTO OPEN COUNCIL AT 7.55 PM.**

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 APRIL 2021

ITEM 11.1 **DUNC GRAY VELODROME - INTERIM OPERATING AGREEMENT**
(1294) **CLR. HARIKA:/CLR. MADIRAZZA**

RESOLVED that Council notes this report and progress made in executing an Interim Operating agreement with the NSW Office of Sport for the operations of the Dunc Gray Velodrome.

- CARRIED

ITEM 11.2 **T38-21 PROVISION OF INSURANCE AND INSURANCE BROKERAGE SERVICES**
(1295) **CLR. TUNTEVSKI:/CLR. MADIRAZZA**

RESOLVED that

1. Council accept the tender received from JLT Risk Solutions Pty Ltd for a period of three years, with the option to extend the contract by two further periods each of up to one year in duration, subject to satisfactory performance of the contractor and approval under the delegation of the General Manager, for the provision of Insurance and Insurance Brokerage Services.
2. The General Manager be authorised to enter into the contract and sign all documentation in accordance with Council's resolution, as required.
3. A further report be provided to consider the placement of insurance policies for 2021/22.

- CARRIED

THE MEETING CLOSED AT 7.56 PM.

Minutes confirmed 25 MAY 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	Middle East Unrest	27
4.2	Myanmar Fundraising	29
4.3	NSW Liberal Rorts	31
4.4	Ausgrid	33
4.5	Hospitals	35
4.6	USU Support	37
4.7	Local Community Based Donations	39

Mayoral Minutes - 25 May 2021

ITEM 4.1 Middle East Unrest

Councillors,

It is with a heavy heart and a sense of helplessness, I raise this Mayoral Minute.

Peace was once again shattered in the Middle-east. . . . but for now an uneasy and unconditional ceasefire has been agreed to between the Palestinians and the Israeli army in Gaza.

For weeks the region has been on red-alert as wave after wave of rockets and radar directed missiles were exchanged, the violence even spilling into neighbouring Lebanon. Anarchy reigned with masked gangs roaming the streets randomly attacking cars, shops and people.

And caught in the midst of this nightmare were the innocent civilians. Mothers, fathers brothers and sisters and the little children.

Hundreds killed and many, many others injured, some suffering horrific burns scars that will be etched in their memories for life.

The images on News bulletins are hard to stomach. . . .for me. . . watching complete buildings collapsing like a pack of cards and children being pulled from the rubble and being whisked away in the back of ambulances was heart wrenching.

There are differing versions about what ignited this conflict, but independent reports say the violence was fuelled after Israeli police stormed the Al-Aqsa mosque, the third holiest mosque for the Muslims worldwide.

Councillors, I am deeply concerned for the people in the region and know that many have friends and loved ones who live in our city. And, I marched side by side with some of them at a peaceful protest a couple of Saturdays ago.

The despair and anger in Our city is white hot and residents are demanding the Prime Minister Scott Morrison sends a clear message to the Israeli Prime Minister that this ceasefire be honoured and the violence stop.

Tonight, I would like to inform council I have just concluded a roundtable meeting with concerned members of the community to discuss the violence and the Federal Government's response with the view of leading a delegation to Canberra to present our concerns to the Foreign Minister, or their representative.

Mayoral Minutes - 25 May 2021

ITEM 4.2

Myanmar Fundraising

Councillors,

It's been three months since I first raised the injustices and downright attack on democracy of our South-Eastern Asian neighbour, Myanmar.

Since the bloody coup by the ruling junta on February 1, more than 700 people have been killed and thousands of others injured in clashes with the security forces. A further 3,800 arrested, charged and sentenced on trumped up matters.

And the violence continues today with no real solution, or end in sight.

Councillors, my biggest concerns are for the frontline doctors and medical workers and the state of the public hospital system. Independent reports say that the healthcare system has been one of the worst affected sectors. . . . A sector which accounts for 80 per cent of public hospitals and cares for a large proportion of the 54 million people . . . is on the brink of collapse!

This grim picture has been reported around the world by Dr Mitchell Sangma, who is on the ground for the humanitarian organisation Medics Sans Frontiers.

Councillors, the Australian friends of Myanmar are throwing their support behind the people of Myanmar by raising much needed funds and will hold a fundraising event on June 26 at the Orion Function Centre.

So tonight, I resolve we play our part by donating \$1500 to the Burmese Community Development and Collaboration which will go towards medical assistance and humanitarian aids, and that these funds be made available from the Community Grants and Event Sponsorship Program Budget.

Mayoral Minutes - 25 May 2021

ITEM 4.3

NSW Liberal Rorts

Councillors,

Tonight, I can report a victory a vindication of the stance we as a Council took when we challenged the NSW Government over the Stronger Communities Grants funding rort.

But it's not the sort of victory that leaves you jumping for joy but rather one that leaves a very sour taste in your mouth.

A victory for all the community to see and ponder and ask how in this day and age how such blatant rorting of public monies could occur without anyone facing any disciplinary action, or criminal charges.

The Stronger Communities Fund grants which totalled about \$252m was meant for amalgamated Councils and as we all know now, most were doled out to Councils in coalition held seats, and in some cases to Councils which hadn't even applied.

The State Government was caught red-handed with their hands in the "pot of Gold" and were brought to account because of public pressure which resulted in a NSW Senate Inquiry.

Their report just handed down was emphatic. The Stronger Communities Fund was "a clear abuse of the grants process" and that allegations of "pork barrelling" were undeniably substantiated.

The most scathing criticism from the Committee Chair Mr David Shoebridge was reserved for Hornsby Council and I will quote from the report, he says: "one of the most remarkable pieces of evidence before the committee was how that \$90 million was paid to Hornsby Council within 72 hours, without any application form from the council and after just a couple of phone calls and emails."

That's right Councillors, NO Accountability, NO care.

Tonight, I move we endorse the NSW Senate Inquiry report including all its recommendations. I further call on community groups and organisations to add their voice to our "GIVE US OUR SHARE" petition protest.

GIVE US OUR SHARE

KHAL vs NSW GOVT

Join the ‘fair go’ protest.

Dear Residents

The fight to get our share of funding handed out by the NSW Government is far from over and I am calling on the community to get in my corner.

Money we were entitled to and didn't receive under the Stronger Communities Fund was given to Councils in Coalition held seats, in what can only be described as one of the biggest pork-barrelling "heists" in NSW history.

Our City was robbed of \$42million and I am leading the community fight to get it back. This money was earmarked to assist amalgamated Councils such as Canterbury Bankstown and the Inner West to invest in local community infrastructure and amenities.

I need your help by showing your support and signing the 'fair go protest' petition, so we can send a very clear message to the NSW Premier Gladys Berejiklian.

She cannot ignore our communities needs or treat the residents of the biggest Council in NSW, as second-class citizens.

Mayoral Minutes - 25 May 2021

ITEM 4.4

Ausgrid

Councillors,

Most of you would have heard the line: “Choose your battles wisely”. . . . well tonight, my battle is a no brainer .

It angers me to have to tell you that the NSW Government has yet again shown no vision in planning for our City and their short sightedness by not stepping in and allowing Ausgrid to sell off valuable open space at Ashbury is nothing short of environmental vandalism.

That’s right. . . nearly 6700 sqm of vacant land at 30 Trevenar St Ashbury, adjacent to Peace Park. It is true that Ausgrid were listed as the sellers of the property but don’t be under any illusion the NSW Government owns 49.6% of Ausgrid and benefit from the sale of this open space.

What irks me is that this land is on the market and being sold off without any planning. . . any analysis. . . any testing and most importantly NO engagement with the community. In fact, the selling agent said it all on behalf of the Government: “The subject site presents a unique parcel of land with significant development potential (STCA)”.

Our community is being betrayed for “thirty pieces of silver”. I want to say that I am not against change. But this rare piece of land is an ideal opportunity to add much needed open space adjacent to Peace Park. A community asset which would only be improved by this site by providing direct access to residents to its west.

Councillors, this is an opportunity for our City and residents and we must fight to retain it as we simply don’t have the funds to purchase more land to add to our open spaces to meet the growing need and demands of our community. These open spaces are not a 5-10 year proposition but they will be there for our children and their children. . . .and long after we are gone. Once they are gone they are gone for good.

I will not just sit back and see this valuable land go by the wayside and put at risk the conservation value of this heritage conservation precinct.

There will be opportunity for housing and jobs in well planned locations around public transport and this will be delivered more appropriately after masterplans are prepared for Canterbury and Campsie among our other centres. This is will ensure density is located where it can be best supported.

Councillors, tonight I resolve that Council commence a planning proposal to rezone the site at 30 Trevenar Street, Ashbury from R2 Low Density Residential to RE1 Public Recreation with all the planning rules applicable to Peace Park to be applied to this site.

I also intend writing to the NSW Minister for Planning and Public Spaces and seek his support for this site to be provided as a public space for the Ashbury community.

Mayoral Minutes - 25 May 2021

ITEM 4.5

Hospitals

Councillors,

I'm going to take a deep breath before my next Mayoral Minute as even having to raise this matter makes my blood boil.

The Public Hospitals in our City . . . both Bankstown and Canterbury are in shambles and the NSW Government just sits idly by, watching them deteriorate at the expense of our residents' health and wellbeing.

And I'm not alone in my criticism!

A scathing letter penned by sixty pre-eminent doctors and specialists to the Health Minister Brad Hazzard painted a grim picture of the appalling "third world conditions" which exist at Canterbury hospital.

They cited "inadequate facilities" and "grossly inadequate non-clinical space". . . but their overwhelming concerns are "the risks to patients as their numbers increase. . . and the capacity to treat them safely, diminishes" .

I'm going to quote one paragraph from the letter which sums it up. . . and they wrote: "we are bursting at the seams. The maternity ward is like something out of Bangladesh. It doesn't have an area large enough to contain the women who are waiting".

Shame. . . Is this what our City deserves, Imagine the outcry if this was the case on the North Shore or Eastern Suburbs! Our residents are being treated like third world citizens.

When it comes to hospitals in our city the Government is certainly dragging their feet.

Bankstown-Lidcombe Hospital is also in need of an upgrade to meet our growing demands. And whilst the NSW Government has accepted this and made an election promise to build a new one, it appears deadlines come and go, and we are still no closer to being told where this new facility will be located.

Councillors, on the 10th of March 2019you guessed it, two weeks before the State election . . . they promised to spend \$1.3B and build a new state of the art hospital facility. . . and to date . . . more than two years on. . . nothing but talk.

In fact, the latest deadline . . . March 31 . . . the date given to us by NSW Health to announce the site of the new hospital has come and gone.

One can only speculate as to why there is a delay, as it has been conveyed to us quite emphatically there are just two potential sites NSW health is considering, all of which are in the Bankstown CBD.

But Councillors this dragged out saga took a bizarre twist last week when Council was informed by NSW Health infrastructure they would be shutting down the Bankstown Sporting Complex to conduct onsite intrusive drilling.

That's right. . . booting out our soccer players and schoolchildren and the community from using the facility.

No proper warning, no community engagement and no reason.

One can only assume they have their eyes on this former brickpit which is filled with tyres, contaminants and every chance asbestos, as the site for the new hospital.

Why this site and what does the State Member for East Hills Wendy Lindsay know about the drilling of this much needed community space?

Councillors, we need clarity. . . . we need a commitment and we need a site to be announced. . . . what we don't want is more delays because of political interference.

We are currently master planning for both the Bankstown and Campsie town centres and a decision on what the State Govt proposes to do with both hospitals will undoubtedly affect our future direction.

As we see around the country, it makes perfect sense for health hubs to co-exist near our major hospitals.

Councillors, tonight I call on the NSW Government to stop playing hide and seek with our hospital and name the proposed site, so we can better plan for our City.

I further propose to meet with the Sydney Area Health Service to better understand the future plans for Canterbury Hospital with the view Council may be of assistance in any synergies and planning in the immediate area.

ITEM 4.6

USU Support

Councillors,

The backbone of every successful organisation is without doubt its employees.. . . And I'm proud to boast that our Council is one such organisation.

We employ just over 1450 full time workers hardworking men and women who are committed to their jobs and take pride in our City and the community they serve.

And as they are committed to their jobs, we too, as a Council are committed to themand we saw this during COVID when we continued our operations without laying off anyone, instead redeploying staff into other roles. Roles which saw them cleaning our assts and reassuring and interacting with the community.

Councillors, the use of contractors, and the employment of contractors to do the work traditionally carried out by Council employees within the sector, has been rightly highlighted by the United Services Union as a grave concern.

It's no secret that our Council, along with nearly every other Local, State and Federal government organisation uses contractors in some form or another.

But let me put that statement into context by clarifying the contractors we use are necessary for

- specific projects
- where we need specialist skills
- for short term basis
- And Seasonal work related

It is these Jobs and projects that are not financially viable for Council to resource up for and save residents millions of dollars a year. It's about fiscal responsibility two such examples are in the area of green waste and major projects. . . . and you will appreciate that seasonal work, as mentioned above, means that during the summer months work is plentiful but diminishes over the winter period, so fewer staff are required.

If I can digress for one moment to share a story of a very successful Sydney woman who runs a contract labour supply business. This woman started the company when she was single and pregnant and without a cent in her bank account. This woman today figures in the BRWs rich list and her company turns over \$350m a year And have a guess who one of her biggest clients is? The NSW Government.

I wanted to share this story merely to highlight why the United Services Union has embarked on a campaign **"Council services by Council Workers"**.

Their purpose is to secure full-time jobs for their members and to ensure contractors, like the one mentioned above, are not a convenient resource lining the pockets of the big end of town and multi-millionaires at the expense of full time employees.

I can boast our Council has taken some huge steps in bringing services back in house, services like

- Learn to swim
- Waste services in the former Canterbury area
- Staff at the Morris lemma facility
- Legal services
- Fleet management of vehicles

But let's be clear, this is about competitive pricing and providing a much better service That's right! . . . it's about an improved level of service for our residents, it's about our employees taking pride in our city and owning issues, it's about us taking control and not relying on outsiders who may be tempted to cut corners to improve their bottom lines.

Councillors, we run a streamlined and efficient workforce and recent rumblings by a few people I won't name them . . . for us to further reduce our staff numbers by outsourcing, is an ill-informed and ignorant view and is nothing more than a demoralising political stunt.

That's why tonight I am supporting the campaign by the United Services Union for Council to opt for full time employees ahead of contractors when and where practicable. I further encourage staff to consider getting behind their campaign.

Mayoral Minutes - 25 May 2021

ITEM 4.7 Local Community Based Donations

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

Vietnamese Students' Association

Vietnamese Students' Association (VSA) of New South Wales Inc., a student based not-for-profit organisation that is established upon a collective appreciation for Vietnamese culture and identity.

The VSA have asked for assistance by way of donation to help cover the cost of their Annual Charity Dinner in 2021.

The annual Charity Dinner will be held on Sunday 30th May 2021 is an opportunity for VSA NSW to bring specific social issues to the attention of the community and in previous years, we have raised tens of thousands of dollars to support humanitarian causes such as Beyond Blue and VN Smiles.

This year the VSA chosen charity is Blue Dragon, a not-for-profit organisation with a vision for change in the streets of Vietnam, offering children and families in crisis the chance to turn their lives around.

Considering this, I recommend that Council support the Vietnamese Students' Association efforts by way of \$1000 donation.

Lebanese Muslim Association – Parking at Parry Park during Ramadan

The Lebanese Muslim Association (LMA) have requested that Council waives its fees for the use of Parry Park for overflow parking for the Holy month of Ramadan.

Ramadan sees a significant increase in visitation and support for the Lakemba Mosque. The use of Parry Park for overflowing car parking allows the Mosque to safely manage this increased demand and minimise, so far as is possible, the impact on the surrounding community.

I recommend that Council support the LMA by waiving an amount of \$2,480 being 50% of the fee hire for the use of Parry Park Overflow Carpark totalling \$4,960 and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.

CanAssist Balranald - Cancer Fundraiser

Can Assist understand that families struggle to cope with a reduced income as a result of a cancer diagnosis and that they face increased expenses from travel, accommodation and medical costs.

Through fundraising they are able to provide much needed financial support during this time to families in our area.

CanAssist have requested financial assistance with hosting a Dance a Thon, to be held at Revesby Community Hall on Saturday, 24 July 2021. Can Assist Balranald are in desperate need of funds so will be holding a dance-a-thon for woman only to fundraise, with all funds raised going directly where it is most needed.

I recommend that Council support CanAssist Balranald by waiving an amount of \$412.50 fee hire for the use of Revesby Community Hall and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.

Arab Australian Federation

The Arab Australian Federation (AAF) is a registered Not for Profit organisation that aims to provide a friendly place in the local community to socialise and reach services and opportunities by provide information and assistance to guarantee the success of individuals and families in our community by promoting and maintaining unity and cohesion of the Arab Australian community.

The AAF are hosting a community event for between 100-150 people at the Bryan Brown Theatre on Thursday June 17, 2021.

Considering this, I recommend that Council support the Arab Australian Federation efforts by way of \$1000 donation.

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 Planning Agreement: 74 Rickard Road, Bankstown (WSU Bankstown Campus)	43
5.2	Exhibition of Planning Proposal: 297-299 Canterbury Road in Revesby	47
5.3	Exhibition of Planning Proposal: 353-355 Waterloo Road in Greenacre	59
5.4	Draft Canterbury Bankstown Consolidated Development Control Plan	73

Planning Matters - 25 May 2021

ITEM 5.1 Exhibition of Planning Agreement: 74 Rickard Road, Bankstown (WSU Bankstown Campus)

AUTHOR Planning

PURPOSE AND BACKGROUND

This report summarises the exhibition of a draft planning agreement for 74 Rickard Road, Bankstown related to the WSU Bankstown Campus.

ISSUE

At Council's Ordinary Meeting held on 8 December 2020, Council resolved to finalise the planning proposal and draft DCP for 74 Rickard Road, Bankstown in relation to the WSU Bankstown City Campus. To support the planning proposal, Council also resolved to prepare and exhibit a planning agreement for the required infrastructure outlined in a letter of offer from Walker Corporation who have been engaged by Western Sydney University. These included design and construction works along The Appian Way, stormwater infrastructure upgrade contribution and car parking contribution.

Following the exhibition, Council received two submissions, one in support and one against the draft planning agreement. In considering the submissions, it is recommended that Council enter into the planning agreement, as exhibited.

RECOMMENDATION That -

Council enter into the Planning Agreement as provided in Attachments A to E.

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 attachments](#)

- A. Planning Agreement
- B. Stormwater Infrastructure Upgrade Works
- C. Reference Design
- D. Clarification Schedule
- E. Explanatory Note
- F. Council Report - Ordinary Meeting of 8 December 2020

POLICY IMPACT

This report proposes no changes to Council policies.

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

FINANCIAL IMPACT

The Planning Proposal and State Significant Development application necessitate a number of infrastructure works in order to support the vertical university campus. Western Sydney University, through their development partner Walker Corporation, submitted a draft planning agreement which was placed on exhibition. The draft planning agreement proposes:

- Stormwater infrastructure upgrade works contribution of \$2 million.
- Public domain contribution including works along The Appian Way to a value of \$2.6 million. This will be balanced with a co-contribution by Council of \$1.5 million to complete the works at a total value of \$4.1 million. This value of works may be subject to change with the agreement of Council.
- Contributions towards car parking in Bankstown CBD (approximately \$1,797,418 subject to indexation).

COMMUNITY IMPACT

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

The draft planning agreement was exhibited for 34 days from 24 March 2021 – 26 April 2021 in accordance with the requirements of Council's community participation plan and the *Environmental Planning and Assessment Regulation 2000*.

A total of two submissions were received, including:

- one community submission in support.
- one community submission against.

The community submissions raised matters relating to car parking and open space provision.

DETAILED INFORMATION

STATUS OF PLANNING PROPOSAL AND STATE SIGNIFICANT DEVELOPMENT APPLICATION

On 8 December 2020 Council resolved to submit a Planning Proposal to the Department of Planning, Industry and Environment (DPIE) for finalisation to amend the planning controls on the site to permit a maximum building height to 83m (from 53m) and a maximum Floor Space Ratio (FSR) of 8:1 (from 4.5:1). Council also resolved at this meeting to adopt the site specific Development Control Plan for the site. On 2 February 2021, the Planning Proposal was made and published on the NSW Legislation website.

On 18 February 2021 the Minister for Planning and Public Spaces granted approval to the SSDA Application (No. SSD-9831) for the construction of a 19 storey building (including two basement levels) for a new Western Sydney University education use and associated research space, conference facilities and ancillary retail uses. The approved SSDA includes a portion of public domain and landscape works around the building and new building signage. Construction of the new building commenced in October 2020 and is scheduled for completion in the second half of 2022. Condition B34 of the SSDA approval requires public domain works beyond the SSDA approval scope to be delivered through a Planning Agreement between the applicant and Council.

EXHIBITION

Council exhibited the draft planning agreement from 24 March 2021 – 26 April 2021. This exhibition process included a display on Council's website, notification in the local newspaper and letters to nearby land owners. This is consistent with the 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 two submissions, one against and one supporting the draft Planning Agreement. The submissions made the following comments:

Parking and Open Space

Issue:

Parking offsets does not address the parking problem. An increased population in Bankstown needs more parking and open space.

Response:

The proposed car parking contribution within the Planning Agreement is consistent with the aims of the Bankstown CBD and Bankstown Complete Streets, given the close proximity to train and bus infrastructure and the incoming Sydney Metro in 2024. The site specific DCP parking controls were also formulated on low levels of private transport and to encourage a reliance on public transport, in order to minimise traffic impacts on the surrounding road network.

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

During the public exhibition of the now finalised Planning Proposal, Council received a submission from Transport for NSW that requested Council limited the amount of car parking provided on site to minimise traffic generation and encourage use of public transport. The Planning Agreement is consistent with these State Government objectives.

In regard to open space provision, the planning agreement would secure a \$2.6 million contribution towards a new public domain corridor to align The Appian Way which would add approximately 4,500sqm of new or upgraded high quality public open space. The Planning Agreement also facilitates public benefits associated with delivery of an attractive and functional new open space for the Bankstown CBD, is consistent with the Paul Keating Park Master Plan and will improve access to the new Bankstown Metro Station.

University funds

One submission expressed their view that universities don't pay rates or corporate tax and profit from foreign student education.

This is not a relevant consideration for the planning agreement.

In considering the submissions, it is recommended that Council enter into the planning agreement as exhibited.

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 - 25 May 2021

ITEM 5.2 Exhibition of Planning Proposal: 297-299 Canterbury Road in Revesby

AUTHOR Planning

PURPOSE AND BACKGROUND

The purpose of this report is to summarise feedback received following the exhibition of a Planning Proposal which provides a site-specific framework for the redevelopment of land at 297-299 Canterbury Road, Revesby for the purpose of a hospital. The Planning Proposal has been exhibited and is now ready to be finalised.

ISSUE

The Planning Proposal and accompanying draft site specific Development Control Plan (DCP) and planning agreement were exhibited from 31 March to 3 May 2021. Four State agency responses and eight community responses were received during the exhibition period.

It is recommended that Council adopt the Planning Proposal, as shown in Attachment A. Should Council decide to proceed, the planning proposal will be forwarded to the Department of Planning, Infrastructure and Environment (the Department) for finalisation.

RECOMMENDATION That -

1. Council adopt the Planning Proposal as shown in Attachment A and that 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 297-299 Canterbury Road, Revesby as shown in Attachment B to amend the Bankstown DCP 2015 and draft Consolidated DCP and that it be brought into effect once the LEP amendment is finalised.
3. Council enter into the Planning Agreement as provided in Attachment C.

ATTACHMENTS [Click here for attachments](#)

- A. Planning Proposal - Canterbury Bankstown Council-post exhibition
- B. Draft amendments to Bankstown DCP 2015 (exhibition version)
- C. Draft Planning Agreement (exhibition version)
- D. Draft Explanatory Note (exhibition version)
- E. Applicant's Revised Flood Emergency Response Plan, Northrop, April 2021
- F. Applicant's Flood Risk Assessment and Stormwater Management Report prepared by Northrop (dated 29 April 2021)
- G. Applicant's Social Economic Benefit Statements, GSA Planning, December 2020
- H. Revised Gross Floor Area Inclusions Plan for Recommended FSR prepared by AVA Architects, March 2021

- I. Applicant's Revised detailed Architectural Plans, April 2021
- J. Public Submissions summary table
- K. Draft amended Floor Space Ratio Map

POLICY IMPACT

The Planning Proposal is consistent with the objectives and priorities outlined within strategic planning documentation relevant to the site, including the Greater Sydney Region Plan 'A Metropolis of Three Cities' and the South District Plan. It will deliver a new private hospital at the edge of the emerging Bankstown health and education precinct, and will be suitably co-located with the Bankstown-Lidcombe Hospital.

The Planning Proposal is also consistent with Council's Local Strategic Planning Statement given that the proposed co-location of hospitals will enhance jobs and services at this strategic location, which is designated as employment generating land. The proposal is expected to contribute approximately \$66 million to GDP and provide 262 direct on-site jobs.

Use of the site for the purpose of Hospital is supported by the IN1 General Industrial zoning provisions, where employment opportunities are encouraged and the land use is permissible with consent.

Notwithstanding the above, since the lodgement of this Planning Proposal and the issue of a Gateway Determination, Council has subsequently prepared the draft consolidated Canterbury Bankstown LEP which proposes to remove hospitals as a permissible land use within the IN1 General Industrial Zone. To resolve this, Council has proposed that the Department of Planning, Infrastructure and Environment add hospitals as an additional permitted use on the site, either through the consolidated LEP or this planning proposal.

The accompanying draft amendment to the Bankstown Development Control Plan will provide appropriate planning controls and guidance in respect of a future SSDA.

FINANCIAL IMPACT

The proposal will have a positive economic impact by generating approximately 500-600 jobs during construction over three years and over 800-1,000 operational jobs comprising a mix of full time, part time and casual positions. The proposal will have a Capital Investment Value of approximately \$112 million.

A draft Planning Agreement has been prepared and exhibited concurrently with the Planning Proposal. The draft Planning Agreement scope comprises the installation of traffic signals and slip lanes at the intersection of Canterbury Road/Mavis Street, the installation of bus shelters on both sides of Canterbury Road, embellishments to Mavis Street, and construction of new pedestrian crossings, footpaths and public domain improvements between the site and Bankstown-Lidcombe Hospital.

The above works are to be provided by the proponent at no cost to Council.

The draft Planning Agreement does not exempt the future State Significant Development Application from the payment of section 7.11/7.12 development contributions to Council.

COMMUNITY IMPACT

The Planning Proposal was placed on public exhibition from 31 March to 3 May 2021.

Responses were received from the following State agencies:

- NSW Environmental Protection Agency (EPA)
- Sydney Water
- Transport for NSW (TfNSW)
- NSW State Emergency Services (SES)

Eight community submissions were received including four objection submissions and four submissions of support.

The Planning Proposal seeks to provide positive community and social impacts to the Canterbury-Bankstown LGA. The Planning Proposal site is located between two major metro centres, Bankstown and Liverpool and addresses the current hospital gap in the locality and demand for private care. As part of the broader Bankstown Health and Education precinct, the proposal intends to share resources and knowledge via co-locating in proximity with the Bankstown Lidcombe Public hospital.

This Planning Proposal would provide community benefit with increased choice in healthcare services which are currently not present in the existing Canterbury-Lidcombe Hospital and within the context of the Canterbury Bankstown LGA. Although there may be some relatively minor impacts on the public during the construction of the works, these impacts will be offset by the longer-term benefits that this Planning Proposal intends to bring about.

DETAILED INFORMATION

Introduction

This report summarises the public exhibition of a Planning Proposal for the land at 297-299 Canterbury Road, Revesby as identified at Figure 1 below.



Figure 1: Site and its surrounding locality

Site Description

The site is located on the corner of Canterbury Road and Mavis Street, Revesby and it comprises the properties 297 Canterbury Road (Lot 9, DP 663160) and 299 Canterbury Road (Lot 202, DP 840245). The site has frontage to Canterbury Road of approximately 77m and frontage to Mavis Street of approximately 134m. The combined site area is 9,175m².

The site is zoned IN1 General Industrial under the *Bankstown Local Environmental Plan 2015* (Bankstown LEP 2015) where hospitals are permissible with consent. The maximum FSR on the site is 1:1, with no applicable maximum building height limit.

The site is occupied by industrial buildings including warehouses, offices, and showrooms. It is affected by drainage easements and a right-of-way which benefits the neighbouring site at 299A Canterbury Road. The right-of-way provides access to the neighbouring site from Mavis Street. Development to the north and west of the site is generally used for industrial purposes including extensive warehousing and hardstand areas. On the opposite side of Mavis Street is a service station and on the southern side of Canterbury Road is a low-density residential neighbourhood.

Canterbury Road is a classified State road which, at this location, is generally configured as a six-lane, two-way road, separated by a central median. Mavis Street is a two-way local cul-de-sac.

In relation to the site's broader context, it is located at the eastern edge of the Milperra-Bankstown Airport Industrial Precinct. The precinct is largely an IN1 and IN2 area with a major general aviation airport, known as Bankstown Airport and two university campuses, being the Western Sydney University's new Bankstown CBD Campus (currently under construction) and the University of NSW's Aviation School.

The Bankstown–Lidcombe Hospital is approximately 300m to the north and the Bankstown Railway Station is located approximately 2.5km to the north east. Public transport is limited to bus services along Canterbury Road and the surrounding local road network.

Planning Proposal

The Planning Proposal seeks to introduce a site-specific clause to Part 4.4 of the Bankstown LEP 2015 to permit a maximum permissible FSR of 2.3:1 at the site, solely for the purpose of a hospital.

The proposed clause is shown below and it is accompanied by a draft amended LEP map sheet at Attachment K:

(2H) (a) Despite subclause (2), the maximum floor space ratio for development for the purposes of a hospital on land in Zone IN1 Industrial zone and identified as "Area 8" on the Floor Space Ratio Map is 2.3:1.

The FSR for the site will remain at 1:1 for all other types of development.

No further amendments to the Bankstown LEP 2015 are proposed.

Planning Controls	Existing	Proposed
Zone	IN1 General Industrial	IN1 General Industrial <i>(no change)</i>
Floor Space Ratio (FSR)	1:1	2.3:1 if development is for the purposes of a hospital
		1:1 for all other development
Height of Buildings (HOB)	N/A	N/A <i>(no change)</i>

The proponent provided revised architectural plans in March 2021 to satisfy the requirements of the Gateway Determination. During the exhibition of the Planning Proposal, in order to address further enquiries from state agencies, a more detailed version of the revised architectural plans were submitted in April 2021 (Attachment I). A render of the revised concept design is shown below at Figure 2.



Figure 2: Revised concept design, eastern elevation view from Mavis Street

The Planning Proposal proceeded on the basis of Council resolution dated 25 September 2018, as follows:

1. Council prepare and submit a Planning Proposal to seek a Gateway Determination for the following amendments to Bankstown Local Environmental Plan 2015:
 - a) Increase the maximum FSR from 1:1 to 2.3:1 solely for the purposes of a hospital provided the development delivers public benefits as outlined in this report. Otherwise, a maximum 1:1 FSR will apply to the site.
 - b) Apply a maximum height of 51 metres AHD to the rooftop structures.
2. Council seek authority to exercise the delegation in relation to the plan making functions under section 3.36(2) of the Environmental Planning & Assessment Act 1979.
3. Subject to the issue of a Gateway Determination, Council exhibit the Planning Proposal and the matter be reported to Council following the exhibition.
4. Council prepare and exhibit DCP amendments to support the Planning Proposal, and the matter be reported to Council following the exhibition.
5. Council prepare and exhibit a planning agreement to support the Planning Proposal on the basis that:
 - a) The planning agreement covers the full cost of the proposed infrastructure works in addition to the required contribution under the Bankstown Section 94A Development Contributions Plan.
 - b) The planning agreement is finalised in time for public exhibition alongside the Planning Proposal.
 - c) The matter be reported to Council following the exhibition.
6. Council delegate authority to the General Manager to fulfil the obligations outlined in the recommendations of this report.

Finalisation of the Planning Proposal was also subject to the provision of additional information confirming that flood risks can be managed via an evacuation management plan. A 'Flood Emergency Response Plan' has since been submitted by the proponent. This report supplements the 'Flood Risk Assessment and Stormwater Management Report' originally submitted by the proponent.

A Gateway Determination was issued on 5 June 2019 and it required the Planning Proposal to be amended to:

- a) Remove references to a maximum height control.
- b) Remove references to the proposed draft clause.
- c) Remove repetition of references to the required supporting infrastructure.
- d) Remove statement of need for a detailed site investigation report.
- e) Include details on the social and economic benefits of the proposal.
- f) Include a development concept that aligns with the proposed FSR of 2.3:1.

The Planning Proposal was amended in accordance with the conditions of the Gateway Determination.

Background

The site is zoned IN1 General Industrial, with a maximum permissible FSR of 1:1 and no applicable height limit. Hospitals are permitted with consent in IN1 zoned land under the Bankstown LEP 2015. Council accepts that accommodating a hospital is not feasible under the 1:1 FSR limit, and amendments to the FSR controls are necessary.

A Concept Development Application was submitted to the Department of Planning, Industry and Environment on October 2017 for the construction of a six-storey hospital at the site with a FSR of 2.67:1. The Secretary's Environmental Assessment Requirements (SEARs) for the project were issued in March 2018. The SEARs recommended a Planning Proposal be prepared as the best means of justifying the contravention in development standards as the extent of the variation is beyond what is acceptable in a Clause 4.6 Application.

Accordingly, in February 2018 the proponent submitted a Planning Proposal application to Council to amend the FSR limit to 2.9:1. Council's review indicated that a lower maximum FSR of 2.3:1 is more appropriate given the prescribed airspace restrictions.

At its meeting on 25 September 2018 Council resolved to forward the amended Planning Proposal to the Department of Planning, Industry and Environment, for a Gateway Determination. The Planning Proposal received a revised Gateway determination on 5 June 2019, which was subsequently amended on 15 April 2020. In September 2020 and March 2021, the proponent submitted amended schemes which seek a maximum FSR of 2.3:1.

The Planning Proposal is accompanied by a draft Planning Agreement for the proponent to deliver infrastructure requirements necessary to accommodate the development through the State Significant Development Application process. The draft Planning Agreement and accompanying explanatory note are provided at Attachments C and D.

Community Consultation

In accordance with Section 3 of Council's *Community Participation Plan*, the Planning Proposal was placed on public exhibition for a minimum of 28 days, from 31 March to 3 May 2021 concurrently with a draft site specific DCP and a draft Planning Agreement with explanatory note. The exhibition process included:

- Display on the Council's "Have Your Say" website.
- Notification in the local newspaper.
- Written notification to affected property owners (over 116 properties via 232 letters).
- Email notification to public authorities:
 - Transport for NSW & Roads and Maritime Services
 - Sydney Water
 - South Western Sydney Local Health District
 - NSW State Emergency Services
 - Sydney Metro Airports
 - NSW Environment Protection Authority
 - Ausgrid.

Public Exhibition Responses

Eight submissions were received from the community following the exhibition period including four general submissions of support and four objections. Key issues raised were:

- Potential land use conflicts arising from the use and existing adjoining industrial uses.
- Traffic and car parking impacts.
- Increased built form.
- Impacts on the internal amenity of the hospital from adjoining industrial uses.

A summary of the concerns raised, including Council responses, is provided at Attachment J.

State Agency Referrals and Consultation

In accordance with Section 3.34(2)(d) of the *Environmental Planning and Assessment Act 1979*, the following State agencies were consulted following issue of the Gateway Determination by the Department of Planning:

- Ausgrid
- NSW Environment Protection Authority
- Transport for NSW & Roads and Maritime Services
- South Western Sydney Local Health District
- NSW State Emergency Services
- Sydney Water
- Sydney Metro Airports

Feedback provided by State agencies is outlined below.

New South Wales NSW Environment Protection Authority

The NSW Environment Protection Authority (EPA) provided no comment and did not voice support or opposition for the proposal.

The EPA does not require any follow-up consultation and notes that Canterbury-Bankstown Council is the appropriate regulatory authority under the Protection of the Environment Operations Act 1997 in relation to the proposal.

This is noted by Council.

Sydney Water:

Sydney Water provided the following comments to assist with the planning the servicing needs of a future development:

- Water servicing:
 - Potable water servicing should be available to serve the proposal.
 - Amplifications, adjustments, and/or minor extensions may be required.
- Wastewater servicing:
 - Wastewater servicing should be available to serve the proposal.
 - Amplifications, adjustments, and/or minor extensions may be required.

These comments are noted and would form part of the State Significant Development Application assessment process.

Transport for New South Wales

Transport for New South Wales (TfNSW) raised no objection to the Planning Proposal and outlined the following comments relevant to a future State Significant Development Application:

- The applicant should consult TfNSW as part of the environmental assessment when preparing the State Significant Development Application to resolve detailed design issues including:
 - Access arrangements (including emergency vehicle access)
 - Potential road safety deficiencies
 - Pedestrian accessibility
 - Public transport access
 - Road network capacity and potential upgrade requirements.
- TfNSW would need to be consulted regarding any proposed bus stop relocations prior to agreement with Transdev. Depending on safe access across Canterbury Road, there may be opportunity to consolidate stops and bring the stop on the southern side closer to the hospital, providing a better customer outcome if approved.
- Supporting documentation for the development application should include a site-specific Green Travel Plan.
- Network operations considerations:
 - The transport report prepared to support the subject Planning Proposal recommends the installation of traffic signals at the intersection of Canterbury

Road and Mavis Street. TfNSW has raised possible safety issues with new traffic signals at this location due to the proposed signals being in relatively close proximity to the River Road /Milperra Road signalised intersection. This potentially creates the “see-through” effect, which would need to be mitigated. The “see-through” effect occurs when, for example, a driver focuses on green lights at the second intersection rather than red lights at the first intersection.

- Traffic signals at Mavis Street may impact on traffic exiting The River Road, which may create queuing on the M5 and increasing the likelihood of accidents. With the high speeds on the M5 motorway, any accidents would tend to have a high level of severity.
- TfNSW recommends the applicant consults with TfNSW prior to preparing the Transport Impact Assessment (TIA) to confirm the scope of the assessment, in particular, regarding any new traffic signals near the site. A number of safety and efficiency issues will need to be addressed with a detailed transport assessment to support a development application.

Council supports the approach proposed by the TfNSW in relation to undertaking further detailed analysis at the State Significant Development Application phase with the Department of Planning, Industry and Environment and the applicant.

Council also notes that the proposed traffic signal at the intersection of Canterbury Road and Mavis Street was discussed by the proponent with the (former) Roads and Maritime Service in 2018. No objection was raised in relation to the proposed traffic signal in 2018 and provisions were made for this infrastructure with the draft Planning Agreement including further consultation with the State agency.

Council has advised TfNSW of the above matter to assist with their future consultation with the Department and the proponent at the State Significant Development Application stage.

NSW State Emergency Services

NSW SES advised that it does not object to the Planning Proposal but the following comments were made:

- NSW SES is opposed to the use of private flood evacuation plans as a condition of development consent.
- NSW SES does not have the statutory authority to endorse private flood evacuation plans.
- NSW SES is unable to provide comment on the plan, however it will include the at risk community in developing the local flood plan and associated emergency management strategies for the area.
- The consent authority will need to ensure that the Planning Proposal is considered against the relevant Ministerial Section 9.1 Directions, including 4.3 – Flood Prone Land and is consistent with the NSW Flood Prone Land Policy as set out in the NSW Floodplain Development Manual, 2005 (the Manual).

With reference to the Section 9.1 Ministerial Directions, the Planning Proposal is supported by a Flood Emergency Response Plan and Flood Risk Assessment and Stormwater Management Report prepared by Northrop (refer to Attachments E and F) in accordance with the principles and guidelines of the *Floodplain Development Manual 2005*.

The report assesses medium stormwater flood risk associated with the site and recommends flood risk management controls that would be addressed as part of a future State Significant Development Application. It is noted that only the western part of the site is flood affected and that a design has been proposed which shows that all major pedestrian and vehicular access points to the building would be located outside of the Probable Maximum Flood (PMF) affected area.

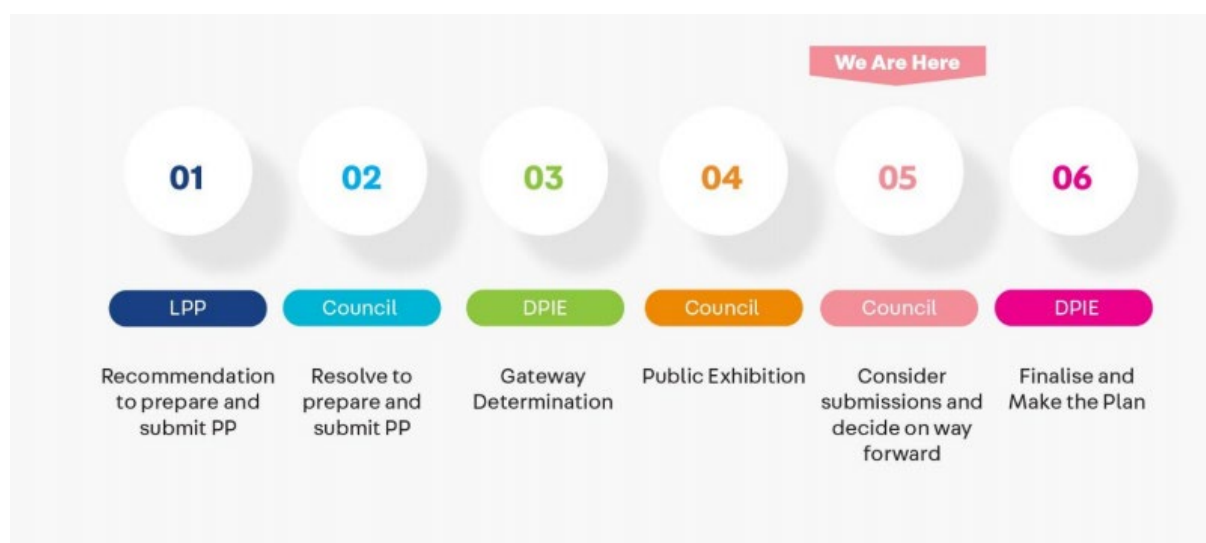
Council's assessment of the Planning Proposal has considered medium stormwater flood risk associated with the site and the comments made by NSW SES as part of the exhibition of the Planning Proposal.

In considering the above matters, Council is of opinion that the Planning Proposal is supported by a Flood Risk Assessment and Management Plan, and there are adequate safeguards within the existing Bankstown LEP and DCP 2015 to ensure that flooding is addressed before any consent is granted. Clause 6.3 of the LEP requires a consent authority to be satisfied that the development will incorporate appropriate measures to manage risk to life from flood. Based on the above matters, the minor inconsistency relating to the above Section 9.1 ministerial direction is justified.

A future State Significant Development Application may demonstrate, with suitable analysis and design, that habitable space at basement level will not pose an unacceptable flood risk. Therefore, it is recommended that a level of flexibility be maintained within the controls to ensure that they do not unnecessarily constrain a future hospital development. On this basis, Council considers it is unnecessary to amend the Planning Proposal to reduce the proposed FSR in response to the medium stormwater flood constraint.

Next Steps

Should Council decide to endorse the Planning Proposal, site-specific DCP amendment and Voluntary Planning Agreement for 297-299 Canterbury Road, Revesby, Council will forward the Planning Proposal to the Department of Planning, Industry and Environment for finalisation and amend the Bankstown LEP 2015 and Bankstown DCP 2015 accordingly.



Planning Matters - 25 May 2021

ITEM 5.3 Exhibition of Planning Proposal: 353-355 Waterloo Road in Greenacre

AUTHOR Planning

PURPOSE AND BACKGROUND

The purpose of this report is to summarise feedback received following the exhibition of the Planning Proposal, site-specific DCP amendment and draft Planning Agreement in respect of the land at 353-355 Waterloo Road, Greenacre (Chullora Marketplace). The Planning Proposal has been exhibited and is now ready to be finalised.

ISSUE

The Planning Proposal and accompanying draft DCP amendment and draft Planning Agreement were exhibited from 31 March to 3 May 2021. Four (4) State agency responses and 26 community submissions were received during the exhibition period.

No State agency opposed the Planning Proposal and comments received are addressed within this report. Concerns raised by the community generally relate to traffic and amenity considerations which are outlined and addressed within the Submissions Report at Attachment D.

It is recommended that Council adopt the Planning Proposal, with changes as outlined in this report. Should Council decide to proceed, the Planning Proposal will be forwarded to the Department of Planning, Infrastructure and Environment (the Department) for finalisation.

RECOMMENDATION That -

1. Council adopt the Planning Proposal as shown in Attachment A and that it be sent to the NSW Department of Planning, Infrastructure and Environment for finalisation.
2. Council endorse the draft site-specific DCP amendment for 353-355 Waterloo Road, Greenacre as shown in Attachment B to amend the Bankstown DCP 2015 and the draft Consolidated DCP 2021 and that it be in force on the date the LEP amendment is finalised.
3. Council enter in the Planning Agreement as shown in Attachment C.

ATTACHMENTS

[Click here for attachments](#)

- A. Final Planning Proposal post exhibition - Chullora Marketplace
- B. Draft amendments to Bankstown DCP 2015 post exhibition
- C. Draft Planning Agreement and Explanatory Note (exhibition version)
- D. Public Submissions summary table, Chullora Marketplace

- E. Council Peer Review - Implications of Councils Employment Lands Strategy 2020, HILL PDA, March 2021
- F. Proponent's Revised Traffic Report Colston Budd Rogers Kafes, March 2019
- G. Proponent's shadow diagrams, May 2020
- H. Proponent's updated shadow diagrams, April 2021
- I. Proponent's Preliminary Ecologist Response to Ministerial Direction 2.1 Environment Protection Zones, May 2021
- J. Proponent's Community Consultation Outcomes Report, May 2021

POLICY IMPACT

The Planning Proposal is consistent with the relevant objectives and Planning Priorities outlined within the Greater Sydney Region Plan and South District Plan, as it will co-locate housing supply with employment outcomes, and will align with the designation of Chullora as a local centre which is well connected by road and bus services.

The use of the site predominantly for residential purposes is inconsistent with the South District Plan's designation of Chullora as primarily for employment, goods and services, and the need to retain employment lands. A Council-commissioned urban design peer review recommended a maximum residential Floor Space Ratio (FSR) of 0.65:1 to avoid eroding employment floorspace and varying height limits at the boundaries of the site to avoid adverse environmental impacts on adjoining land.

The Planning Proposal is consistent with Council's Local Strategic Planning Statement, through the provision of appropriately located housing in a local centre serviced by infrastructure.

Draft amendments to Bankstown DCP 2015 (Attachment B) provides appropriate planning controls and guidance for the site. This report proposes no other changes to Council policies.

FINANCIAL IMPACT

The draft Planning Agreement between the applicant and Council will provide for new infrastructure required to support the Planning Proposal. The draft Planning Agreement provides for:

- public open space and a pedestrian plaza (minimum of 5,000sqm)
- construction of new public footpaths and cycleways
- undergrounding of power lines
- design and construction of a new roundabout at the Waterloo and Como Roads intersection
- design and construction for a new signalised pedestrian crossing on the northern side of the Waterloo and Norfolk Road intersection.

The above works are to be provided by the proponent at no cost to Council. The draft Planning Agreement does not exempt the future Development Application from the payment of section 7.11/7.12 development contributions to Council.

COMMUNITY IMPACT

The Planning Proposal was placed on public exhibition from 31 March to 3 May 2021.

Four (4) State agency responses and 26 community submissions were received during the exhibition period. Out of 26 community submissions received, 19 submissions were opposed to the Planning Proposal and the remaining submissions were in support, partial support and/or made further comments relating to the proposal. Issues raised generally pertained to traffic and parking, safety, and amenity, and are discussed in the Issues Report at Attachment D.

In accordance with Council's resolution of 23 July 2019, the proponent undertook community consultation concurrently with Council's formal public exhibition of the Planning Proposal. The proponent's community consultation outcomes report prepared by Elton Consulting is provided at Attachment J.

The Planning Proposal will provide positive community and social impacts to Canterbury-Bankstown as it will attract private investment in a new retail offering for the surrounding community and increase the amount of housing supply in the area. The proposal has been designed to ensure that the site cannot be simply used for residential purposes and will therefore continue to deliver jobs for the locality into the long term.

The proposal has also considered impacts on Norfolk Reserve to the east given environmental sensitivity and ecological values of land within that reserve.

DETAILED INFORMATION

Overview of the Planning Proposal

The site is zoned B2 Local Centre except for the property at 353 Waterloo Road which is zoned R2 Low Density Residential.

The Planning Proposal seeks to:

- Rezone 353 Waterloo Road to B2 Local Centre to enable its inclusion into the Chullora Marketplace site, and remove it from the Lot Size Map
- Retain the 1:1 FSR across the site whilst introducing a minimum 0.35 FSR for Commercial floorspace by inserting a site specific clause at Section 4.4 of the Bankstown LEP 2015
- Permit a maximum building height of 20 metres at the site, with a lower 14 metre limit at the eastern and western boundaries and 9 metre limit at the southern boundary.

The Planning Proposal was supported by an indicative concept plan from the proponent which demonstrated how the site can be developed in the future under the amended planning controls sought. The masterplan has since been modified based on the findings of the Council-led urban design peer review.

The proposed changes to planning controls are summarised in the below table.

Planning Controls	Existing	Proposed
Zone	B2 Local Centre (355 Waterloo Rd)	B2 Local Centre
	R2 Low Density Residential (353 Waterloo Rd)	
Floor Space Ratio (FSR)	1:1 (355 Waterloo Rd)	1:1, with site-specific control specifying a minimum commercial FSR of 0.35:1
	0.5:1 (353 Waterloo Rd)	
Height of Buildings (HOB)	11m (355 Waterloo Rd)	9m (southern boundary)
		14m (eastern/western boundaries)
		20m (rest of the site)
Minimum Lot Size	9m (353 Waterloo Rd)	14m
	N/A (355 Waterloo Rd)	N/A
	450m ² (353 Waterloo Rd)	

Background

This report summarises the public exhibition of a Planning Proposal for the land at 353-355 Waterloo Road, Greenacre as identified in Figure 1.

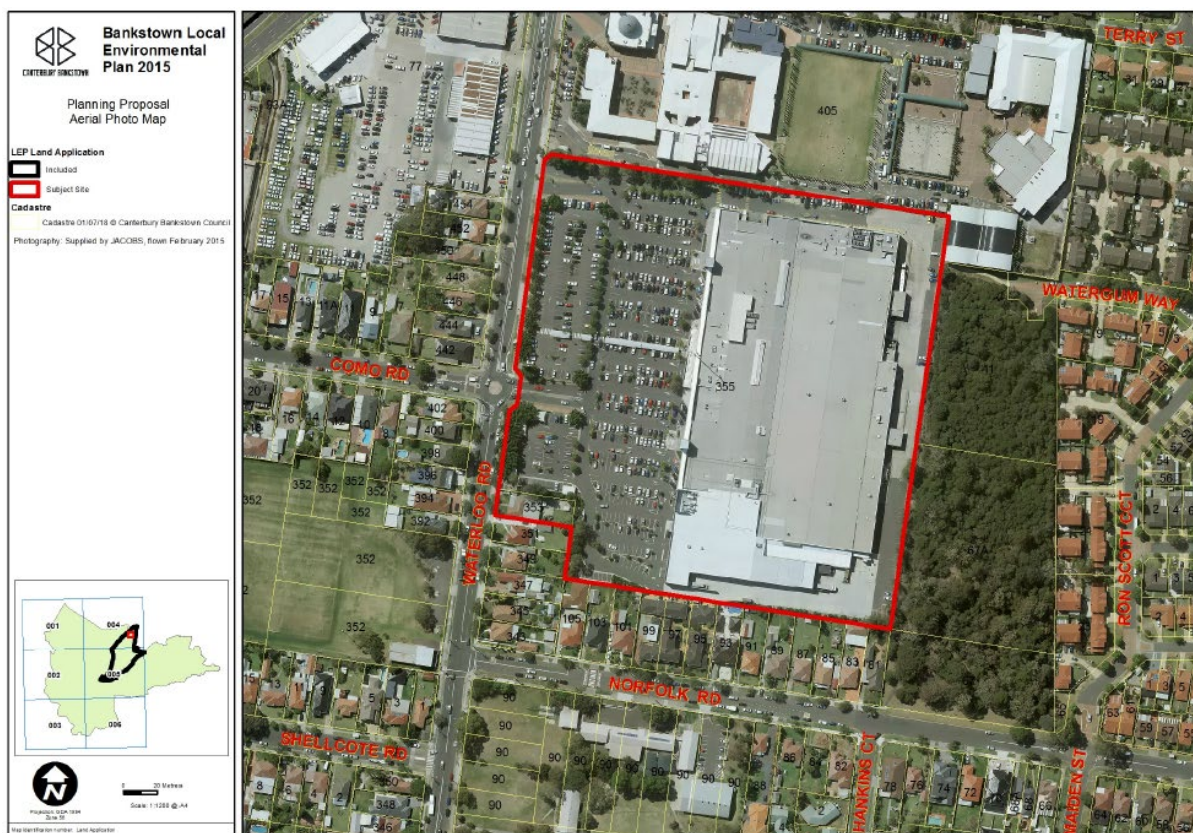


Figure 1: Site and its surrounding locality

The Planning Proposal is a proponent-led rezoning request relating to land at 353-355 Waterloo Road in Greenacre. The proponent seeks to redevelop the existing Chullora Marketplace (355 Waterloo Road) into a medium-rise, mixed-use precinct, also incorporating a neighbouring adjacent lot which currently contains a detached dwelling (353 Waterloo Road). The original Planning Proposal was submitted to Council in May 2018.

At the Ordinary Meeting of 11 November 2018, Council resolved to defer the application to consider additional information from the proponent with regards to infrastructure, traffic, economic and heritage impacts. Council also commissioned an urban design peer review which recommended a maximum residential Floor Space Ratio (FSR) of 0.65:1 and varying height limits at the boundaries of the site. The proponent submitted the requested additional information and responded to the recommendations of the review in March 2019.

Further assessment by Council indicated that the Proposal has strategic merit subject to the delivery of supporting infrastructure works. The proponent submitted a Letter of Offer in July 2019 to enter into a Planning Agreement with Council to deliver these works. At its Ordinary Meeting of 23 July 2019, Council resolved to submit the Planning Proposal to the Department for a Gateway Determination. The Gateway Determination was issued by the Department on 18 February 2020, and subsequently amended on 22 September 2020, and 12 February 2021. The alteration to Gateway Determination (dated 12 February 2021) required Council to demonstrate the following prior to finalisation of the Planning Proposal:

Prior to finalisation of the Planning Proposal, demonstrate consistency or justify inconsistency with:

(a) section 9.1 Direction 1.1 Business and Industrial Zones, including:

- i. review and justification of the proposed floor space ratio supported by a study to ensure employment lands are protected*
- ii. an assessment for consistency with Council's employment lands strategy and justification for any inconsistencies*

(b) section 9.1 Direction 2.1 Environment Protection Zones.

In March 2021, Council engaged Hill PDA to review and confirm the matters raised by the Department, particularly certain matters relating to the Employment Land Strategy (ELS) 2020. The Hill PDA peer review (Attachment E) concluded the Planning Proposal was consistent with the above Ministerial Direction (No. 1.1) and Council's ELS. To address the Department's concerns relating to ensuring a minimum commercial GFA, the Hill PDA review recommended changing the maximum residential FSR of 0.65:1 for the site to a minimum of 0.35:1 commercial FSR. Council has updated the Planning Proposal consistent with the advice from Hill PDA.

Subsection 6.1 Direction 1.1 (Business and Industrial Zones) of the Planning Proposal (Attachment A) provides further details on the consistency of this Planning Proposal with the ELS and the above ministerial direction relating to Business and Industrial Zones.

The exhibition of the Planning Proposal occurred concurrently with that of draft Amendments to the Bankstown DCP 2015 (Site-Specific DCP) and draft Planning Agreement, including Explanatory Note.

Matters relating to *Ministerial Direction 2.1 Environmental Protection Zones* are detailed under the State Agency Referrals and Consultation section of this report.

Community Consultation

The Planning Proposal was placed on public exhibition from 31 March to 3 May 2021. The exhibition process included:

- Display on the Council website.
- Public notices in the local newspaper.
- Notification letters to property owners and occupiers affected by changes to the proposed rezoning (505 properties and 1,010 letters).
- Email notification to public authorities

Public Exhibition Responses

A total of 26 submissions were received from the community during the exhibition period with 17 objecting to the proposal, with the remaining 9 submissions providing comment, support or partial support. The concerns raised are generally summarised as follows:

- Traffic and parking impacts
- Safety and amenity impacts

- Use of Council resources
- Environmental sustainability
- Land use impacts
- Impacts on Norfolk Reserve

A submission was also received from the proponent, who confirmed support for the Planning Proposal subject to amendments to the draft DCP, as follows:

- Reduce width of main street to create more comfortable design outcome appropriate to the scale and nature of the centre.
- Provide greater recognition that this is an existing operational shopping centre and that any DCP provisions must be able to be progressively and incrementally achieved without unnecessarily or unreasonably disrupting this ongoing operation.
- Amend provisions that seek to 'lock in' detailed outcomes on parts of the site not subject to the 'first DA' for the site (e.g. Section 3.7 C5 - landscaping).
- Amend provisions that serve no planning purpose and are inconsistent with the LEP (e.g. a 2 storey limit in a 9 metre height zone), or Apartment Design Guide (ADG) (e.g. commercial floor to floor heights of 4.1 - 4.5m).

Council reviewed the submissions received and minor amendments have been made to the draft site-specific DCP as indicated in Attachment B. The nature of the amendments made to the DCP post exhibition do not materially change its intent and therefore re-exhibition of the amended DCP is not warranted in this instance.

A summary of the concerns raised by submitters, with Council responses, is outlined within the Submissions Report at Attachment D.

State Agency Referrals and Consultation

The following State agencies were consulted as per the requirements of the Gateway Determination. The agency submissions are summarised as follows:

Sydney Water

Sydney Water provided the following comments to assist in planning the servicing needs of the proposed development:

- Water Servicing
 - Potable water servicing should be available to service the site.
 - Amplifications, adjustments, and/or minor extensions may be required.
- Wastewater Servicing
 - Wastewater servicing should be available to service the site.
 - Amplifications, adjustments, and/or minor extensions may be required.
- Critical Assets
 - Sydney Water has a critical 660x990 oviform trunk wastewater main located within the boundaries of the proposed development site. Future developments within this site should take care to not impact this critical operational asset. Further details will be provided at the Building Plan Approval stage.

These comments are noted and will form part of the Development Application assessment process.

Environment, Energy and Science (EES) Group

The matters raised by EES' submission received on 21 April 2021 included the following:

- The Ecologically Endangered Communities (EECs) and any potential habitat for threatened species needs to be surveyed by an appropriately qualified ecologist to understand the likely impacts of over shadowing, what buffer is needed, the impacts of the proposed pedestrian access and any other indirect impacts.
- Further details are required regarding the proposed upgrade of community facilities and any impacts on the EEC.
- A Flood Impact Risk Assessment addressing any potential impacts to adjoining properties for the full range of flooding and develop appropriate flood risk management measures to mitigate and manage these impacts.

In order to address the overshadowing matters raised by the EES, the proponent submitted updated shadow diagrams on 27 April 2021 (Attachment H) for the 15m setback with further details on the extent of area likely to be overshadowed by the proposal at 3pm (21 June).

The updated shadow diagram indicates that approximately 15.5% (likely scenario) of the reserve could be overshadowed by the proposal at 3pm (21 June) (refer to Figure 2 below).



Figure 2: Winter solstice solar analysis showing potential maximum overshadowing to Norfolk Reserve based on unrefined 'blocky' building envelopes consistent with proposed heights

The worst case scenario (which is considered unlikely) represented filling up the entire building envelope which would potentially overshadow a maximum of 17.8% of the reserve at 3pm (refer to Figure 3).

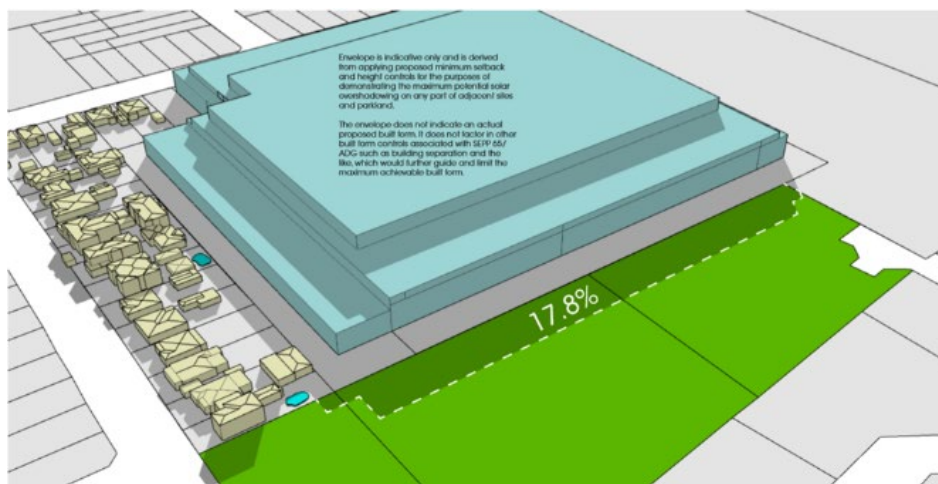


Figure 3: Solar analysis for entire ‘maximum’ filled out site building envelope (for illustrative purposes only, not representative of likely building form outcome)

The above information was further assessed by Council and EES. Following liaison between EES, the Department and Council on 10 May 2021, the EES advised that it supports the Planning Proposal subject to introducing an LEP clause as follows:

Development at 353-355 Waterloo Road, Greenacre must be designed, using the advice of a suitably qualified ecologist, to:

- (a) minimise the overshadowing of Norfolk Reserve (67A Norfolk Reserve), and*
- (b) avoid overshadowing the Ecologically Endangered Communities (EEC) and habitat of threatened species in Norfolk Reserve, and*
- (c) avoid any other potential adverse environmental impact on the EEC and habitat of threatened species in Norfolk Reserve*

Council recommends minor amendments to the above wordings from EES which do not materially change the intent of the above clause:

The development at 353-355 Waterloo Road, Greenacre must be designed to minimise:

- (a) overshadowing of Norfolk Reserve (67 and 67A Norfolk Road and 11 Watergum Way in Greenacre), and*
- (b) overshadowing the Ecologically Endangered Communities (EEC) and habitat of threatened species in Norfolk Reserve, and*
- (c) any other potential adverse environmental impact on the EEC and habitat of threatened species in Norfolk Reserve.*

In addition to the above LEP clause, the draft DCP is also amended to include the following clauses:

- C 10 Development must incorporate a minimum setback (buffer zone) of 15 metres along the eastern boundary of the site. Within this setback, a minimum 6m wide deep soil zone is required along the reserve.

- C11 Despite clause C10 of section 3.4.1 of this DCP which requires a minimum setback of 15 metres, Council may require a setback greater than 15 meters at certain parts of the site along the eastern boundary if considered appropriate by a suitably qualified ecologist in order to avoid adverse impacts of overshadowing to the Ecologically Endangered Communities (EECs) within the reserve.

Council's response to the EES submission is as follows:

- The matters relating to the protection of potential habitat for threatened species is addressed via an LEP clause and the above DCP clauses that require involvement of a suitably qualified ecologist at an early stages of design development and preparation of a detailed survey to confirm locations of the EECs at a development application stage.
- A reference to 'community facilities' in the DCP is deleted as the Planning Proposal has satisfied the community requirements via a Planning Agreement.
- Council notes that the proposed pedestrian access via southern portion of the site is a temporary arrangement. Although the proponent intended to formalise this access via this Planning Proposal, retaining the existing informal access is preferred so that pedestrian movement through this sensitive habitat does not increase.
- Matters relating to a small section of the site which has medium stormwater flood implication will be assessed at a development application stage under the Bankstown DCP 2015.

The concerns raised by EES have been addressed by introducing an LEP clause as shown above within Part 6 the Bankstown LEP 2015 and updating the draft amended DCP controls, as shown at Attachment B.

On 14 May 2021, the applicant submitted a report prepared by Travers Bushfire & Ecology (Attachment I) which includes photos and details of a site inspection carried out by the report author. The report concludes that *"the loss of sunlight within the 24m [worst-case shadow encroachment from a future development] represents a shadow affectation of 1.04% loss in sunlight to the western edge of the reserve based on an extrapolated impact over the whole year."*

The statement prepared by Travers recommends the following:

"In terms of ecological impacts, I consider them to be minor and detailed ecological assessment which incorporates a) an avoidance of impact and b) mitigation of impacts can be undertaken for DA approval."

The need for any mitigation measures is properly determined through the Biodiversity Assessment Report for the building DA. This may include biodiversity offsets for the edge effects, restoration of the bushland edge as a contribution or complete avoidance of impact altogether. This building can however be designed to completely avoid shadow impacts."

While the conclusions provided in the applicant's submission prepared by Travers suggest minimal impacts on the EEC within Norfolk Reserve, the report and its findings do not alter the recommendation of Council to address the issues raised by EES via the inclusion of an LEP clause and through site specific DCP provisions, as outlined above.

Transport for New South Wales

Transport for New South Wales (TfNSW) raised no objection to the Planning Proposal but raised minor issues with regards to the DCP amendment and draft Planning Agreement, as well a number of issues to be addressed in subsequent Development Application stages. These are outlined below.

- Landscaping and public domain
 - that careful consideration should be given to the species of vegetation and planting locations to ensure vegetation does not adversely impact on safety by reducing sight lines, or creating obstructions for buses, or hazards to potential errant vehicles.
 - the draft site-specific DCP should identify that species with invasive roots should also be avoided to circumvent impacts to utilities and lifting footpath pavement.
- Access and movement:
 - That TfNSW approval is required under section 87 of the Roads Act 1993 for the proposed new signalised pedestrian crossing on the northern side of the Waterloo Road and Norfolk Road intersection if the proposal has not previously been given Agreement-in-Principle by TfNSW.
 - The Draft Planning Agreement indicates the costs of these crossing works is approximately \$100,000, which appears low.
- General comments: That the applicant should consult with TfNSW during preparation of the Development Application to address:
 - Transport Impact Assessment report requirements;
 - Access arrangements (including emergency vehicle access);
 - Potential road safety deficiencies;
 - Pedestrian accessibility and demand management measures;
 - Public transport access; and
 - Any road network capacity and potential upgrade requirements.
- Trip generation rates:
 - That the Transport Impact Assessment report supporting any future Development Application on the site should use appropriate trip rates from a comparable site in terms of public and active transport services.
- Network and intersection assessment
 - That the applicant consult with TfNSW regarding SIDRA modelling requirements for this proposal before finalising any TIA in support of a Development Application.
- Demand Management
 - A Transport Access Guide for residents and visitors should be developed to support the future Development Application which provides information about the range of travel modes, access arrangements and supporting facilities that service the site including details of bicycle parking and e-bike charging station(s) to support non-car mode share for travel to and from the site.
 - TfNSW encourages use of the *Travel Plan Tool Kit* to develop a comprehensive travel plan.

Council accepts the comments and recommendations made by the TfNSW and responds as follows:

- The draft site specific DCP has been amended to include the recommendations relating to safety matters relating to maintaining lines and use of specific types of vegetation to reduce trip hazards.
- Council notes and supports the Transport Impact Assessment report requirements outlined by TfNSW to be addressed as part of future DAs on the site.
- In relation to the proposed traffic and transport upgrade surrounding the site, the draft Planning Agreement requires the applicant to consult with TfNSW to determine the feasibility of the proposal, including the proposed pedestrian crossing, and demonstrate the cost proposed in the Draft Planning Agreement is achievable.
- The draft DCP has been amended to include the recommendations relating to the Transport Impact Assessment report and the matters to be further consulted with the TfNSW during the Development Application stage as follows:

Waterloo Road is classified as a regional road. Prior to preparing a Transport Impact Assessment Report (TIA) on each stage of the development application, the applicant must consult with the Transport of NSW (TfNSW) to confirm scope of assessment to resolve the following issues:

- *Access arrangements (including emergency vehicle access);*
- *potential upgrade requirement including network and intersection assessment;*
- *Potential road safety deficiencies;*
- *Pedestrian accessibility, demand management measures and trip generation rates;*
- *Public transport access;*
- *Any road network capacity;*
- *Air quality and Noise Impact Assessment for development fronting Waterloo Road;*
- *Cumulative impact of progressive development applications on the surrounding road networks especially on Waterloo, Como and Norfolk Roads.*

Heritage NSW

Heritage NSW raised no objection to the Planning Proposal but made the following comments which are noted by Council:

- The proposed increased building height on the site is likely to result in increased excavation, which is likely to cause disturbance and may have an impact on archaeology which might survive at this location.
- It is recommended that if any archaeological relics are identified at any stage of the site's redevelopment, standard provisions for notification under s.146 of the *Heritage Act 1977* (the Act) would apply. In this situation, if the relics cannot be avoided, additional approvals to manage disturbance to relics under the Act would be required.
- Prior to finalisation of the Planning Proposal, Council should be satisfied that all necessary due diligence, assessments and notifications have been undertaken.

Next Steps

Should Council decide to endorse the Planning Proposal, site-specific DCP amendment and draft Planning Agreement for 353-355 Waterloo Road, Greenacre, Council will forward the Planning Proposal to the Department for finalisation and amend the Bankstown LEP 2015 and Bankstown DCP 2015 accordingly.



ITEM 5.4 Draft Canterbury Bankstown Consolidated Development Control Plan

AUTHOR Planning

PURPOSE AND BACKGROUND

This report summarises the exhibition of the Draft Consolidated Development Control Plan. It is recommended that Council adopt the Draft DCP, subject to amendments as outlined in this report.

ISSUE

In December 2020, Council resolved to exhibit the Draft Consolidated Development Control Plan (the Draft DCP), which is a supporting planning document to the Draft Consolidated Local Environmental Plan (the Draft LEP). The Draft DCP provides additional objectives and controls to enhance the function, design and amenity of development. Whilst the Draft DCP is primarily an administrative consolidation of the existing controls, there are some proposed changes to align with the implementation of *Connective City 2036* and current land use strategies.

The exhibition period took place from 3 February to 5 March 2021 in accordance with legislative requirements. Council received 104 submissions in response to the exhibition.

Following consideration of submissions, it is recommended that Council adopt the Draft DCP subject to amendments as provided in Attachment T. Should Council adopt the Draft DCP, it would come into force on the date that the Department of Planning, Industry and Environment approves the Draft LEP. The Draft LEP and DCP would apply to development applications lodged on or after this date. The Draft DCP will replace Bankstown DCP 2015 and Canterbury DCP 2012.

RECOMMENDATION That -

1. Council adopt the Canterbury Bankstown Development Control Plan 2021 as provided in Attachments A–K.
2. Council adopt the Guides and Heritage Conservation Area Character Statements that support the Canterbury Bankstown Development Control Plan 2021 as provided in Attachments L–Q.
3. Council note the Canterbury Bankstown Development Control Plan 2021 will come into effect on the date that the Canterbury Bankstown Local Environmental Plan 2021 is published on the NSW legislation website and:
 - (a) The Canterbury Bankstown Development Control Plan 2021 is to apply to development applications lodged on or after this date.

- (b) The Canterbury Bankstown Development Control Plan 2021 is to repeal Bankstown Development Control Plan 2015 and Canterbury Development Control Plan 2012 on this date in accordance with the Environmental Planning and Assessment Regulation 2000
 - (c) The former Council policies will be revoked on this date:
 - (i) Bankstown Demolition and Construction Guidelines
 - (ii) Bankstown Development Engineering Standards
 - (iii) Bankstown Tree Management Manual
 - (iv) Bankstown Waste Management Guide for New Developments
4. The General Manager be given authority to:
- (a) Incorporate the DCP Amendments for 15–33 Brighton Avenue, Croydon Park in the Canterbury Bankstown Development Control Plan 2021 on the date that the planning proposal is published on the NSW legislation website.
 - (b) Include any matters that the Department of Planning, Industry and Environment remove from the Draft Consolidated Local Environment Plan as part of its review process, to ensure there are no gaps in planning policy.
 - (c) Make formatting and other minor changes to the Canterbury Bankstown Development Control Plan 2021 provided these do not change the intent of the Development Control Plan.

ATTACHMENTS

[Click here for attachments](#)

-
- A. DCP–Chapter 1 (Introduction)
 - B. DCP–Chapter 2 (Site Considerations)
 - C. DCP–Chapter 3 (General Requirements)
 - D. DCP–Chapter 4 (Heritage)
 - E. DCP–Chapter 5 (Residential Accommodation)
 - F. DCP–Chapter 6 (Strategic Centres)
 - G. DCP–Chapter 7 (Commercial Centres)
 - H. DCP–Chapter 8 (Employment Lands)
 - I. DCP–Chapter 9 (Industrial Precincts)
 - J. DCP–Chapter 10 (Other Development)
 - K. DCP–Chapter 11 (Key Development Sites)
 - L. Demolition and Construction Guide
 - M. Development Engineering Standards Guide
 - N. Heritage Guide and Heritage Conservation Area Character Statements
 - O. Landscape Guide
 - P. Tree Management Guide
 - Q. Waste Management Guide
 - R. Council Report–8 December 2020
 - S. Submissions Report
 - T. Proposed DCP Amendments

POLICY IMPACT

Council has two Development Control Plans. Bankstown DCP 2015 applies to the former Bankstown LGA and Canterbury DCP 2012 applies to the former Canterbury LGA. The Development Control Plans support the former Local Environmental Plans.

In June 2020, the Canterbury Bankstown Local Planning Panel noted the need to prepare the Draft DCP to support the Draft LEP. The Council report in Attachment R outlines the policy implications of the Draft DCP and proposed key changes.

In summary, whilst the Draft DCP is primarily an administrative consolidation of the existing controls of the former councils, the consolidation process will result in some proposed changes to align with the implementation of *Connective City 2036* and current land use strategies.

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

- The Gateway Determination for the Draft LEP required Council to retain the existing residential controls whilst it finalised its Housing Strategy. Council adopted its Housing Strategy at its meeting on 23 June 2020. Council proceeded with the following:
 - Council noted that a position paper on dual occupancies will be prepared for consultation. Council will consult with the community and industry prior to proposing any changes which may impact the Draft LEP and DCP.
 - For other forms of residential development, Council submitted a planning proposal to the Department in December 2020 to commence the review of the residential controls. The Department is currently reviewing the planning proposal to decide if it may proceed to exhibition.
- The Draft DCP retains the existing controls in relation to the Bankstown City Centre, Canterbury Road and centres in the former Canterbury LGA. Council will review these controls as part of the *Connective City 2036* implementation.

Should Council adopt the Draft DCP, it would come into force on the date that the Department of Planning, Industry and Environment approves the Draft LEP. The Draft LEP and DCP would apply to development applications lodged on or after this date. The Draft DCP will replace Bankstown DCP 2015 and Canterbury DCP 2012 in accordance with the Environmental Planning and Assessment Regulation 2000.

FINANCIAL IMPACT

This matter has no financial implications for Council.

COMMUNITY IMPACT

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

DETAILED INFORMATION

EXHIBITION

Council exhibited the Draft DCP, Guides and Heritage Conservation Area Character Statements from 3 February to 5 March 2021. The exhibition process included:

- A soft launch on Council's website commencing 24 December 2020
- Notification letters to all property owners in the local government area
- Notification letters to government authorities and neighbouring councils
- A hotline for the community to call Council staff directly and discuss the draft documents
- Notices in local newspapers that circulate within the area
- Displays on Council's website and Customer Service Centres (Bankstown and Campsie Branches).
- Briefing an industry forum in March 2021.

The exhibition process was consistent with Council's Community Participation Plan and exceeded the requirements of the Environmental Planning and Assessment Act 1979 (section 10.18), which due to the COVID 19 pandemic, only required the exhibition material to be made available on Council's website.

In total, 1,552 people viewed the exhibition material on Council's website. Council officers responded to around 140 phone enquiries. In response, Council received 104 submissions from residents, community groups, property owners and government authorities.

KEY ISSUES

The submissions raised a broad range of issues in relation to the Draft DCP and other matters. Attachment S provides a summary of the submissions and Council's response, and Attachment T outlines the proposed amendments to the Draft DCP.

The key issues raised by submissions in relation to the Draft DCP include:

1. Residential controls

A majority of submissions requested a review of the residential controls, particularly in relation to secondary dwellings and dual occupancies. Many residents do not support these types of development in the suburban neighbourhoods due to overdevelopment, traffic and parking issues. Other residents requested a relaxation of the residential controls.

Comment: In considering the submissions, it is noted that the Department of Planning, Industry and Environment's Gateway Determination required the Draft LEP to retain the existing residential controls whilst Council finalised its Housing Strategy. The Draft LEP and DCP therefore retain the existing residential controls of the former councils.

Response: Council is proposing to proceed with the following:

- Council noted that a position paper on dual occupancies and associated controls will be prepared for consultation. Council will consult with the community and industry. The outcome will require a separate change to the Draft LEP and DCP and therefore there are no proposed changes at this stage.

- For other forms of residential development, Council submitted a planning proposal to the Department in December 2020 to commence the review of the residential controls. Should the Department permit the planning proposal to proceed to exhibition, the supporting DCP Amendments may consider the issues raised in the submissions.

2. Flood risk management controls that apply to Carinya Road, Picnic Point

Some submissions requested a review of the flood risk management controls, namely:

- Amend the objectives by reinstating the 'merit-based approach' objective
- Designate the Carinya Road areas as a medium flood risk precinct
- Update the Draft DCP to match the NSW Floodplain Development Manual
- Remove the elevated walkways, vehicle parking and access controls; the cut-out and breeze way controls; the minimum lot size controls; and the requirement to locate houses at the rear of sites.

Comment: The Draft DCP retains the existing controls of the former councils with some proposed changes to implement current land use strategies (i.e. Salt Pan Creek, Duck River and Mid Georges River Catchments Floodplain Risk Management Plans) consistent with *Connective City 2036*.

In considering the submissions:

- In relation to the objectives, Bankstown DCP 2015–Part B12 (Flood Risk Management) currently contains an objective which reads: *To apply a “merit-based approach” to all development decisions which takes account of social, economic and environmental as well as flooding considerations in accordance with the principles contained in the NSW Floodplain Development Manual.* The Draft DCP proposed to remove this objective. However, in considering the submissions, it is proposed to retain the existing objective to continue to reflect the principles of the NSW Floodplain Development Manual.
- In relation to the other matters, Council reviewed the existing DCP controls when it prepared the Mid Georges River Catchment Floodplain Risk Management Plan (the FRMP). The objectives of the FRMP are to investigate flooding problems and possible mitigation options. Council’s Floodplain Management Committee endorsed the FRMP in June 2017 and Council adopted the FRMP in July 2017. Council provides the following comments in relation to the Carinya Road area:

FRMP Recommendations	Council actions to date
Prepare a planning proposal to adopt an E4 Environmental Living zone for the Carinya Road area.	The Draft LEP is proposing to prohibit sensitive land uses in the Carinya Road area including child care centres, community facilities, educational establishments, health consulting rooms, hospitals, places of public worship and respite day care centres. The proposed prohibitions would achieve the same intended outcome as the proposed E4 zone. The Department is currently reviewing the Draft LEP for finalisation.
Prepare a planning proposal to apply a minimum lot size of 1,000m ² consistently across all existing housing lots.	<p>The Department’s Gateway Determination required the Draft LEP to retain the existing residential controls whilst Council finalised its Housing Strategy. The Draft LEP and DCP therefore retain the existing lot size controls.</p> <p>In relation to next steps, Council submitted a planning proposal to the Department in December 2020 to commence the review of the residential controls (not including dual occupancies). The</p>

	planning proposal includes the recommendation to apply a minimum 1,000m ² lot size control in the Carinya Road area. The Department is currently reviewing the planning proposal to decide if it may proceed to exhibition.
Should the Department of Planning, Industry and Environment approve the planning proposals, amend the DCP by deleting the flood risk management controls that apply to the Carinya Road area. The general provisions relating to the Georges River would apply.	<p>It is anticipated the Department will approve the planning proposals in accordance with the FRMP recommendations. If the Department approves the planning proposals, Council may proceed to review the DCP controls.</p> <p>The submission by the Department of Planning, Industry and Environment (Environment, Energy and Science Group) comments that the Draft LEP and DCP should be in line with the FRMP measures. The Department cannot support any alternative measures at this stage.</p>

Response: Amend the Draft DCP (Chapter 2.2) by retaining the ‘merit-based approach’ definition and objective.

3. 11–17 Marco Avenue, Revesby

The Draft LEP proposes to offer a bonus FSR/building height if 7A and 11–17 Marco Avenue amalgamate into a single site, subject to the development exhibiting design excellence and delivering certain infrastructure (including a new central plaza and public parking spaces) to Council’s satisfaction. The Draft DCP supports the Draft LEP by requiring a master plan to guide the development of the amalgamated site.

A submission requested the removal of the master plan requirement as it is deemed unnecessary if there are site specific DCP controls. The alternative approach would be to lodge a Concept Development Application which would guide the development of the consolidated site.

Comment: In considering the submission, Council provides the following comments:

Submission	Council comments
Remove the master plan requirement.	It is proposed to require the development application to go through a site specific design quality process, in place of a master planning process.
Provide flexibility in the application of the building height/length controls to achieve the maximum FSR.	The site specific DCP controls are based on urban design analysis and take into consideration State policies such as the Apartment Design Guide. Variations to the building height control is subject to the Draft LEP (clause 4.6). However, the building length is a DCP control. It allows alternative solutions to the satisfaction of Council. It is therefore proposed to retain the site specific DCP controls.
Refer the proposed built form to a Design Review Panel or independent design expert/panel for endorsement rather than being to Council’s satisfaction.	Whilst Council may refer the proposal to a design expert/panel for advice, ultimately Council is the assessing authority and must be satisfied that the development complies with legislative requirements. It is therefore proposed to retain this requirement.
Do not apply the site specific DCP controls for the amalgamated site to 11–17	Whilst the site specific DCP controls make reference to the amalgamated site, it is proposed to clarify that the design

Marco Avenue if it develops as a stand-alone site.	criteria would also apply to 11–17 Marco Avenue if it develops as a stand-alone site.
--	---

Response: Amend the Draft DCP (clause 11.4) to apply a site specific design quality process in place of a master planning process, and clarify that the development controls apply to 11–17 Marco Avenue if it develops as a stand-alone site.

4. Moomba to Sydney Ethane Pipeline

A submission requested that the Draft DCP makes reference to the Moomba to Sydney Ethane Pipeline to enable applicants to consider this infrastructure when preparing development applications.

Comment: The pipeline corridor adjoins the East Hills Line and is regulated by the Infrastructure SEPP. In considering the submission, it is proposed to reference the pipeline corridor in the Draft DCP to inform applicants that the pipeline operator does not support roads, infrastructure or other services within the pipeline easement; and development in the vicinity of the pipeline corridor may need to submit a Safety Management Study to assess land use/construction risks.

Response: Amend the Draft DCP to make reference to the Moomba to Sydney Ethane Pipeline.

5. Flood Planning Map

Comment: The Department of Planning, Industry and Environment is currently carrying out a final review of the Draft LEP. This review process has resulted in some changes to the Draft LEP. It is important to update the Draft DCP to ensure this planning document remains consistent with the latest version of the Draft LEP.

A key issue is the Draft LEP proposes to remove the Flood Planning Map under the former Canterbury LEP. However, the Department has requested that the map be retained. To address this request, it is proposed to include the map and associated controls in the Draft DCP. The Draft DCP would enable Council to more easily update the map and associated controls as Council prepares flood studies and floodplain risk management plans for the former Canterbury LGA.

Response: Continue to apply the former Canterbury controls to the former Canterbury LGA, and apply the former Bankstown controls to the former Bankstown LGA.

6. DCP Amendments for 15–33 Brighton Avenue, Croydon Park

Comment: In February 2021, Council adopted a planning proposal and DCP Amendments for 15–33 Brighton Avenue, Croydon Park. The planning proposal is currently with the Department of Planning, Industry and Environment for finalisation. Whilst Council resolved to incorporate the DCP Amendments in the former Canterbury DCP, Council would also need to agree to incorporate the DCP Amendments in the Draft DCP.

Response: Incorporate the DCP Amendments for 15–33 Brighton Avenue, Croydon Park in the Draft DCP on the date that the Department of Planning, Industry and Environment approves the planning proposal.

REQUEST FOR AMENDMENTS TO THE DRAFT LEP

Some submissions requested site specific zoning changes. Attachment S outlines the reasons given by submissions to support the requests.

Comment: In considering the submissions, it is not proposed to amend the Draft LEP for the following reasons:

Locations	Existing controls	Submission requests	Reasons
Earlwood			
195–199 Homer Street	Zone R2	Zone B2	The master planning process for the Earlwood Local Centre is proposed to commence in 2022. The master planning process may consider this request.
2A Watkin Avenue	Zone R2	Zone B2	
Georges Hall			
190 Birdwood Road	Zone SP2	Zone R2	The land may be surplus to infrastructure needs. Council may consider the rezoning request at the next review of the Draft LEP subject to the land owner satisfying relevant Ministerial Directions.
145 Rex Road	Zone SP2	Zone R2	
Greenacre			
56–58 Pandora Street	Zone R4	Zone B4	The Draft LEP implements the North East Local Area Plan, which includes zoning changes in the Greenacre Local Centre. These sites are proposed to be rezoned from Zone R2 to Zone R4 respectively. It is not proposed to review the zoning changes at this point.
241–245 Waterloo Road	Zone R4	Zone B4	
Punchbowl			
643 Punchbowl Road	Zone R2	Zone R3	The master planning process for the Punchbowl Village Centre is proposed to commence in 2022. The master planning process may consider this request.
Revesby			
4 Doyle Road	Zone B1	Zone B2	The South East Local Area Plan did not recommend a zoning change at this site. It is not proposed to review the zoning at this point.

Response: No changes are proposed.

NEXT STEPS

In considering the submissions, it is recommended that Council adopt the Draft DCP subject to amendments as provided in Attachment T. Should Council adopt the Draft DCP, it would come into force on the date that the Department of Planning, Industry and Environment approves the Draft LEP.

In relation to process:

- The Department of Planning, Industry and Environment is currently finalising the Draft LEP. However, should the Department remove any matters from the Draft LEP as part of its review process, it is requested that the General Manager be given authority to incorporate these matters in the Draft DCP. It is important to update the Draft DCP to ensure this planning document remains consistent with the latest version of the Draft LEP, and that there are no policy gaps.
- It is also requested that the General Manager be given authority to make formatting and other minor changes (e.g. removal of references to the former DCPs) to the Canterbury Bankstown Development Control Plan 2021 provided these do not change the intent of the Development Control Plan.

6 POLICY MATTERS

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

7 GOVERNANCE AND ADMINISTRATION MATTERS

The following items are submitted for consideration -

7.1	Local Government Remuneration Tribunal - Determination of Mayor and Councillor Fees 2021/2022	87
7.2	Naming Request - Jack Munday Park	91
7.3	Cash and Investment Report as at 30 April 2021	97

Governance and Administration Matters - 25 May 2021

ITEM 7.1 Local Government Remuneration Tribunal - Determination of Mayor and Councillor Fees 2021/2022

AUTHOR Corporate

PURPOSE AND BACKGROUND

Pursuant to Section 241 of the Local Government Act 1993, the NSW Local Government Remuneration Tribunal determines on an annual basis the amount of fees to be paid to mayors and councillors in each category of councils. In addition, Section 239 of the Local Government Act 1993 requires the Tribunal to determine the categories of councils at least once every three years. The Tribunal undertook an extensive review of categories in 2020 and advised the next review would be undertaken in 2023.

ISSUE

To advise Council of the determination by the NSW Local Government Remuneration Tribunal for Mayor and Councillor fees for the financial year 2021/22 and the categorisation of councils.

RECOMMENDATION That -

1. Effective from 1 July 2021 Council continues to apply the maximum fees structure for the Mayor and Councillors, as determined by the Local Government Remuneration Tribunal, being:
 - Mayoral Additional Fee \$90,370 p.a.
 - Councillor Fee \$31,020 p.a.
2. The current Additional Fee for the Deputy Mayor, being 20% of the Mayors Additional Fee, be confirmed.

ATTACHMENTS [Click here for attachment](#)

- A. LGRT - Annual Report and Determination 23 April 2021

POLICY IMPACT

The annual review and determination of Mayor and Councillor fees by the Tribunal are regulatory requirements as set by the Local Government Act. Under Section 248 and 249 of the Local Government Act 1993, Councils may fix the annual fees in accordance with the appropriate determination of the Tribunal, or otherwise the minimum fee will apply.

FINANCIAL IMPACT

Necessary funds for the Mayor and Councillors fees will be met from Council's 2021/22 budget.

COMMUNITY IMPACT

There is no community impact.

DETAILED INFORMATION

On 23 April 2021 in accordance with the Local Government Act the NSW Local Government Remuneration Tribunal determined the council categories and Mayor and Councillor fees for the financial year 2021/22.

Categorisation of Councils

Notwithstanding that a review was last undertaken in 2020 the Tribunal considered a number of submissions from councils requesting re-categorisation. The Tribunal determined that all councils who made submissions were appropriately categorised.

Councillor Fees

In determining Councillor fees, the Tribunal must give effect to the NSW Public Sector Wages Policy 2021 and the Industrial Relations (Public Sector Conditions of Employment) Regulation 2014. In its 2021 review the Tribunal also considered a number of submissions from councils which highlighted significant workload, responsibilities, capabilities, duties and the expanding roles of mayors and councillors.

Currently Councillors are paid the following annual fee in accordance with the Tribunal's 2020/2021 determination –

- Mayoral Additional Fee \$88,600 p.a.
- Councillor Fee \$30,410 p.a.

The Tribunal determined a 2.0 percent increase in the minimum and maximum fees applicable to each existing category of councils for 2021/22.

A copy of the Tribunal's determination is attached (Attachment A).

The determination was gazetted in the NSW Government Gazette on 30 April 2021 and will be effective on and from 1 July 2021.

As part of the 2020 Canterbury Bankstown Deputy Mayoral election process, Council agreed that 20% of the Mayor's additional fees be allocated to the Deputy Mayor for the term of office. The current fees will remain to reflect Council's determination.

Governance and Administration Matters - 25 May 2021

ITEM 7.2 Naming Request - Jack Munday Park

AUTHOR City Future

PURPOSE AND BACKGROUND

The purpose of this report is to provide a summary of the feedback received on the proposal to rename 15 Close Street, Canterbury 'Jack Munday Park' and future use of the site.

ISSUE

Council previously resolved to conduct community engagement to name the previously unnamed land at 15 Close Street, Canterbury, 'Jack Munday Park'.

While Council is the authority responsible for naming or renaming roads and places under its control, all naming applications must be submitted to the Geographical Names Board (GNB) for approval and registration of the name.

RECOMMENDATION That -

1. Council support the proposal to name the previously unnamed land at 15 Close Street, Canterbury, 'Jack Munday Park'.
2. The naming proposal be referred to the Geographical Names Board (GNB) for approval and registration.

ATTACHMENTS

Nil

POLICY IMPACT

The proposal to name the previously unnamed land at 15 Close Street, Canterbury, 'Jack Munday Park', is consistent with Council's Naming Policy and the GNB Place Naming Policy.

FINANCIAL IMPACT

This report, as written, does not have a direct financial impact. Costs associated with the future design of 15 Close Street Canterbury will be considered as part of Council's annual budget process.

As part of the agreement with Sydney Metro for their use of 15 Close Street as a works depot, a financial contribution will be paid to Council. This funding has been placed in a dedicated Reserve, and will be used for future works upon return of the land to Council.

COMMUNITY IMPACT

The proposal to name the previously unnamed land at 15 Close Street, Canterbury to honour Jack Munday AO, is strongly supported by the community.

Further community engagement will be undertaken throughout the process of developing concept plans for the site.

DETAILED INFORMATION

Council resolved at the Ordinary Meeting of Council on 26 May 2020 to honour of the life and contribution made by Jack Munday AO, specifically:

1. *Investigates a suitable park or green space, preferably in or near Croydon Park to be renamed Jack Munday/Green Bans Park, supported by photo and history signage at the location.*

As a result of the May 2020 Council resolution, a review of possible un-named open space in the area was undertaken with 15 Close Street Canterbury identified as the most appropriate site location for a commemoration of Jack Munday.



Council subsequently resolved at the Ordinary Meeting of Council on 27 October 2020 to undertake community consultation on both the proposed naming to 'Jack Munday Park', and vision for the future of the open space.

It should be noted that Bayside Council applied to the GNB to name existing Eastlakes Reserve to Jack Munday Reserve in honour of the late Jack Munday. This proposal is currently on community engagement on the GNB.

Following Council's resolution to conduct community engagement to name 15 Close Street, Canterbury, Jack Munday Park and given Jack Munday's ties to the local area, Canterbury-Bankstown Council will contact the GNB to notify them of the process Council have undertaken and the resolution to name 15 Close Street to Jack Munday Park.

It should be noted that the site is temporarily being used as a Sydney Metro works compound for the completion of the Sydenham to Bankstown Metro. As such, any new open space will not be until after the site is returned to Council ownership, which is anticipated to be in 2024.

Public Exhibition

Council undertook a range of community engagement activities across a six week period to seek community feedback on the renaming of 'Jack Munday Park', and more broadly, the future design and uses of the open space once it is returned to Council. Engagement activities included:

- Have Your Say (HYS) website;
- Social Media posts;
- Letterbox drop to local residential catchment – advising of upcoming engagement activities/ directing the interested community to HYS to register and follow (digital reached facilitated via social media);
- Onsite pop-up engagement session:
 - Feedback on the proposed naming
 - Visioning exercise for future use of the site; and
- Special Interest Stakeholder Webinar.

Summary of Public Exhibition and Submissions

Across all forms of community engagement, the community demonstrated strong support for both the proposed naming and the vision for 15 Close Street, Canterbury. Support for both proposals was largely drawn from the desire to see more open space in Canterbury, a recognition of the important legacy of Dr Jack Munday AO, and the unique opportunity presented by the location.

The onsite pop-up engagement session helped inform residents of the naming proposal and gather ideas for the future open space. It was attended by approximately 15 participants and informal feedback collected on the day was broadly supportive of the proposals.

During the course of public exhibition, the Have Your Say page allowed respondents to provide formal submissions with their comments. In summary:

- 737 participants visited the project page;
- 47 participants lodged a submission via HYS, with 6 participants making direct submissions; and
- 19 participants followed the project for updates.

Naming

There was significant support amongst online submissions for naming the previously unnamed land in honour of Dr Jack Munday AO, with 82% supporting the proposal. Respondents acknowledged his legacy as an environmental protector, an advocate of green space in urban locations and a commitment to quality public space. A key theme in the submissions was an alignment of Dr Munday's work to preserve green space with the proposed future open space vision for 15 Close Street, Canterbury.

In total, 6% of respondents were unsure about the naming proposal, and wished to review the future open space design before supporting the measure. These respondents felt that the legacy of Mr Munday should only be cemented in this location, if the future use of the land aligned with their perception of open space. The only opposition to the land naming came from opposition to the open space proposal and the desire to keep the location as a bowling club.

Future Vision

The majority of feedback relating to the proposed vision for 15 Close Street, Canterbury favoured the location becoming open space at the conclusion of the Sydney Metro lease period. Several respondents identified a lack of existing open space across Canterbury, and those same respondents felt nearly all residents would welcome the new site.

There were a number of suggestions for the future open space, including that it should:

- be an open and passive parkland;
- focus on native vegetation;
- incorporate the existing dog park;
- seating and picnic areas for families and residents;
- include community gardens;
- have playground facilities for families and children; and
- provide a clear link from the existing open space in Close Street and along the Cooks River to the new site.

In line with this vision, residents proposed moving the dog park to the higher area, keeping the pedestrian corridor adjacent to the train line open, ensuring a continuation of open space along the Cooks River with room for families and residents.

While the bulk of respondents favoured the previously unnamed land becoming open space at the conclusion of the lease period (84%), a small number of submissions proposed constructing new community and sporting facilities at the site. In addition to the above submissions, some respondents felt that the site should retain its current composition, where the building on the lot would remain and could instead be repurposed.

A small number of respondents did not agree with the site being returned to open space at the conclusion of the Sydney Metro lease. Some submissions from members of the former bowling club instead proposed the site be returned to the community as a bowling site, as it was previously.

Next Steps

Having considered the submissions, it is proposed that Council support the naming of 15 Close Street Canterbury as Jack Munday Park and refer the proposal to the Geographical Names Board (GNB) for their consideration.

As noted in the draft 2021-2022 Operational Plan, Council will commence the process of developing concept design options for the new Jack Munday Park. Ideas for the site captured during this initial period of engagement will be incorporated into future design options and Council will undertake further community consultation once concept plans have been prepared.

Governance and Administration Matters - 25 May 2021

ITEM 7.3 Cash and Investment Report as at 30 April 2021

AUTHOR Corporate

PURPOSE AND BACKGROUND

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

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

ISSUE

This report details Council's cash and investments as at 30 April 2021.

RECOMMENDATION That -

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

ATTACHMENTS [Click here for attachment](#)

- A. Imperium Markets Monthly Investment Report April 21

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

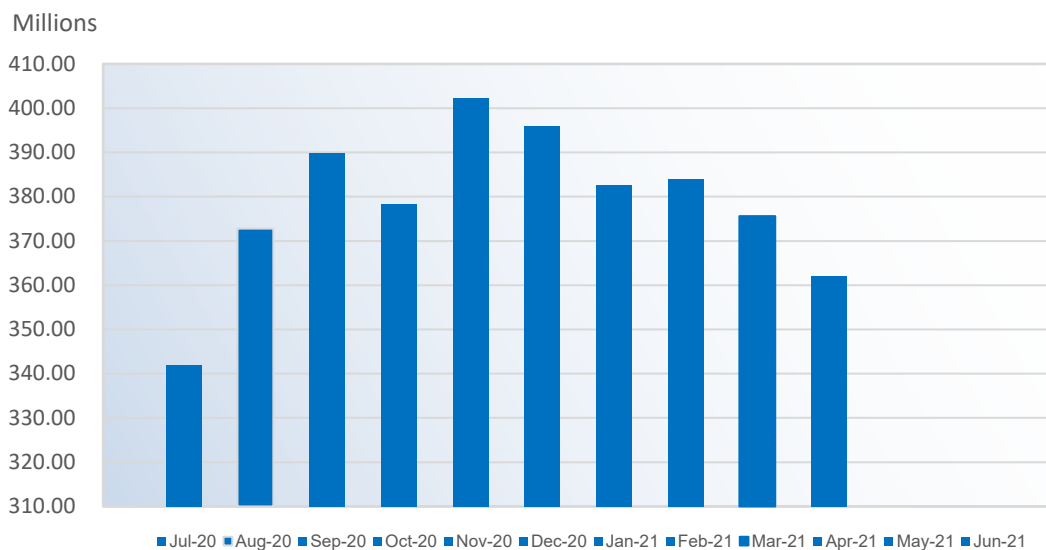
Cash and Investment Summary – as at 30 April 2021

In total, Council's Cash and Investments holdings as at 30 April 2021 is as follows:

Cash and Investments	\$
Cash at Bank	1,581,394
Deposits at Call	46,836,784
Term Deposits	248,611,000
Floating Rate Notes	56,055,179
Bonds	9,000,000
Total Cash and Investments	362,084,357

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 30 April 2021 is as follows:

Interest Income	April 2021 \$	Year-to-date April 2021 \$
Budget	522,715	5,227,153
Actual Interest	400,764	4,844,378
Variance	(121,951)	(382,775)
Variance (%)	(23.33)	(7.32)

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	13	100
Working Capital Funds (0-3 months)	3	100
Short Term (3-12 months)	22	100
Short – Medium (1-2 years)	21	70
Medium (2-5 years)	41	50
Long Term (5-10 years)	0	5
Total Cash and Investments	100%	

Portfolio Allocation	
	Actual % of Portfolio
Cash at Bank	0.4
Deposits at Call	12.9
Term Deposits	68.7
Floating Rate Notes	15.5
Bonds	2.5
Total Cash and Investments	100%

8 SERVICE AND OPERATIONAL MATTERS

The following item is submitted for consideration -

- | | |
|--|-----|
| 8.1 Canterbury Town Centre Stage 2 Project - Close Street Reserve Site
Compound Licence | 103 |
|--|-----|

Service and Operational Matters - 25 May 2021

ITEM 8.1 **Canterbury Town Centre Stage 2 Project - Close Street Reserve Site Compound Licence**

AUTHOR **Operations**

PURPOSE AND BACKGROUND

In February 2021, Council resolved to publicly exhibit a licence for a site compound in Close Street Reserve, Canterbury for the Principle Contractor of the Canterbury Town Centre Stage 2 project to assist with the upgrade of the Charles Street/Canterbury Road/Close Street intersection and shared path underpass.

The public exhibition of the proposed licence is now complete and the 14 submissions received have been considered and, where applicable, responded to by Council.

ISSUE

This report is seeking Council endorsement to enter into a Licence Agreement with the Principal Contractor Abergeldie Contractors Pty Ltd to establish a site compound in Close Street Reserve, Canterbury.

RECOMMENDATION That:

1. That the information be noted.
2. Council agree to a short-term licence agreement to Abergeldie Contractors Pty Ltd for the establishment of a site compound in Close Street Reserve, Canterbury for the purposes of completing the Canterbury Town Centre Stage 2 Works.
3. The General Manager be authorised to complete and sign all required documents, based on the terms and conditions as outlined in the attached report, as required.

ATTACHMENTS [Click here for attachment](#)

- A. Site Compound Exhibition Submissions Report

POLICY IMPACT

The site compound resides in land 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 was placed on public exhibition in accordance with Section 47A (2) (a) of the Local Government Act 1993 and the 14 submissions made have been considered and, where applicable, responded to.

The exhibition period was from Friday 9 April 2021 to Friday 7 May 2021 amounting to a duration of 29 days.

FINANCIAL IMPACT

The purpose of the site compound in Close St Reserve is to assist with the awarded upgrade works. The licence will have a nominal fee of \$1 per month as an alternate site compound location would have borne Council with higher prices tendered by companies.

The existing operational budget will cover the legal fees to draft the Licence Agreement.

The responsibility for fencing, cleaning, repairs/maintenance, costs related to services used in the compound and rectification at the end of the occupancy to return the area to its original condition will be at the Principal Contractor’s expense.

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 construction of the site compound. Extensive detour notification will be implemented before works impact the shared path underpass access.
- The area selected is part of the construction zone and vehicle access will be through an adjacent drainage swale which is seldom used by park visitors. Traffic safety measures will be in place for vehicle access to the compound.
- The site compound will be maintained, fenced and follow environmental measures recommended in the shared path underpass Review of Environmental Factors.
- At the conclusion of the upgrades, the work site will be restored to its current state and to improve the experience for all users of the Cooks River shared pathway, Council will work with the local property owner to remove the graffiti on the adjacent walls.
- Council is working with local students and families to submit drawings which can be featured on the screening of the site compound.

DETAILED INFORMATION

The Canterbury Town Centre Stage 2 project involves the upgrade of the Charles Street/Canterbury Road/Close Street 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 compound in Close St Reserve, Canterbury to assist with the project.

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 per month
Conditions:	Licensee required to provide Public Liability insurance (\$50M)

Additionally, to ensure the site compound 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.

Exhibition

The attached document 'Site Compound Exhibition Submissions Report' is a detailed report on the site compound proposal, the consultation, and the submissions.

Overall, of the 14 submissions received, only three submissions raised issues and/or suggestions about the proposed site compound. These three submissions were resolved by providing additional information on the proposal.

In conclusion, the submissions were primarily supportive of the site compound and the main concerns were centred around the proposed shared path detour route, which is independent from the site compound and would have to be implemented regardless of the site compound being established.

9 COMMITTEE REPORTS

The following item is submitted for consideration -

9.1	Minutes of the Traffic Committee Meeting held on 11 May 2021	109
-----	--	-----

Committee Reports - 25 May 2021

ITEM 9.1 **Minutes of the Traffic Committee Meeting held on 11 May 2021**

AUTHOR **Operations**

PURPOSE AND BACKGROUND

Attached are the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 11 May 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 11 May 2021, be adopted.

ATTACHMENTS [Click here for attachment](#)

A. Minutes of the Traffic Committee Meeting held on 11 May 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.

10 NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

The following items are submitted for consideration -

10.1 Notice of Motions	113
10.2 City Friendships	115
10.3 Hooning	117
10.4 Domestic Violence	119
10.5 Trees and Secondary Dwellings	121
10.6 Rate Hotline	123

Notice of Motions & Questions With Notice - 25 May 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 attachments](#)

- A. Notice of Motions Update Table
- B. Correspondence sent in relation to Notice of Motions
- C. Correspondence recieved in relation to Notice of Motions

Notice of Motions & Questions With Notice - 25 May 2021

ITEM 10.2 City Friendships

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

“That Canterbury Bankstown Council seek to enter into a Friendship City arrangement with the cities of Tripoli, El Mina, El Minieh and El Dinnieh.”

BACKGROUND

I have been approached by various representatives and residents from the Cities of Tripoli, El Mina, El Minieh and El Dinnieh in Lebanon expressing a desire for Council to develop a friendship to reflect our history and connection through our community. Canterbury Bankstown is a home to over 52,000 Australian Lebanese with many coming from these regions. A City Friendship is appropriate given the historical and cultural connections between the Cities.

I look forward to staff working with each of the cities to establish the basis of a friendship relationship which would be good for our citizens.

GENERAL MANAGER’S COMMENT

Under Council’s Partnership Policy ‘City Friendships’ are a general acknowledgement and recognition of tolerance and goodwill. They are generally driven by common historical and or cultural connection. This motion is consistent with Council Partnership Policy which allow for Council to enter into a ‘Friendship’ arrangement. The only implication is an exchange of information and salutations via written communication.

As required by the Policy, the Friendship arrangement will set out priorities of, and benefits to Council, and the duration of Friendship (proposed to be three years aligning with the new term of Council).

Notice of Motions & Questions With Notice - 25 May 2021

ITEM 10.3 Hooning

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

“That Council:

1. Writes to the Local Police Area Command requesting their assistance by conducting an Operation targeting anti-social behaviour, speeding and reckless driving in the Greenacre in the area.
2. Writes to the Minister for Customer Service and Minister for Police and Emergency Services requesting they look to implement online reporting and dedicated hotlines to report anti-social driving.”

BACKGROUND

A hoon is a person who deliberately drives a vehicle in a reckless or dangerous manner, generally in order to provoke a reaction from onlookers. Hoon activities (or hooning) can include speeding, burnouts, doughnuts, or screeching tyres.

As a local resident, I have witnessed these hoons and fielded many complaints from concerned residents.

This is not just an issue for Greenacre only, it’s an issue across our entire LGA and great state. Its alarming that in NSW more than 1000 drivers across the state were caught driving more than 45km/h over the speed limit last year by speed cameras.

Since the introduction of the anti-hooning legislation in 2012, 4500 vehicles have been confiscated or had plates removed for hooning offences including speeding, burnouts, street racing and engaging in a police pursuit, according to new statistics provided by NSW Police.

That’s about two a day!

Education and police enforcement are key components in addressing instances of excessive speed and/or anti-social driver behaviour. We need a blitz in Greenacre as they can only be caught by the police if the police are there to catch them.

I also note that other states have easy to use online reporting and dedicated hotlines for reporting anti-social driving behaviour. i.e. The QLD Police Force has an easy online reporting tool and a dedicated 13 HOON hotline.

We are counting on the community to make our roads safer for everyone, so let's make it easier for our community to report hoon, as this data will provide the very intelligence police need to be in the right place at the right time to catch these hoons.

GENERAL MANAGER'S COMMENT

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

Notice of Motions & Questions With Notice - 25 May 2021

ITEM 10.4 Domestic Violence

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

“That Council, thanks and acknowledges the positive role that Council’s own Domestic Violence Awareness programs and campaigns have played educating, raising awareness and changing attitudes towards domestic violence in our community.”

BACKGROUND

Tonight, I’d like to acknowledge and recognise the positive role that Council has played educating, raising awareness and changing attitudes towards domestic violence in our community.

During my time as Councillor, I am pleased to have been witness so many great initiatives implemented by Council including, “CB Says NO to DV Campaign”, “It’s Time To Talk” and support for other great programs like White Ribbon Day.

Canterbury Bankstown Council has a Domestic Violence Liaison Committee working for our community, providing services to women, men, children and families where domestic violence is identified with a dedicated online Domestic Violence Service Directory www.cbdvdsd.com.au.

The NSW Bureau of Crime Statistics and Research (BOCSAR) releases crime statistics for all council areas across the state. According to their reports Canterbury-Bankstown LGA is ranked lower than the NSW state average. This is fantastic, but doesn’t mean we slow down on tackling the issue.

If you or someone you know is subjected to domestic violence, you shouldn't be silent.

I’d like to remind the community that If you need help at any time, you can contact The Domestic Violence Line on 1800 65 64 63 (open 24 hours). This is a confidential telephone crisis counselling and referral service that also provides information about assistance available from police, courts and the law.

GENERAL MANAGER’S COMMENT

There are no cost implications arising from this proposed motion as written

Notice of Motions & Questions With Notice - 25 May 2021

ITEM 10.5 Trees and Secondary Dwellings

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

“That Council investigates the likely implications of introducing a new exemption under Council’s two Tree Management Orders, allowing trees within 3m of a secondary dwelling to be removed and that Council be briefed on the outcome of this investigation.”

BACKGROUND

Trees within 3m of an approved primary dwelling (measured from the centre of the trunk to an external wall at 1.4m height) can be removed without requiring Council approval. That is they have an exemption under Council’s current two Tree Management Orders. I understand that the basis of this is to manage risks posed by trees to dwellings.

I am seeking Council investigate the implication of extending this exemption or introducing a new one, that applies also to approved, existing secondary dwellings which is to say any tree that meets the same criteria of being within 3m of an external wall of an approved secondary dwelling also be exempt from requiring Council approval for its removal.

Further, I ask that Council be briefed on the outcome of this investigation.

GENERAL MANAGER’S COMMENT

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

Notice of Motions & Questions With Notice - 25 May 2021

ITEM 10.6 Rate Hotline

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

“That Council includes details of a dedicated rate inquiry phone and email in its next rates notice to assist rate payers in the event they wish to make any inquiry about their rates.”

BACKGROUND

While it is understood that Council has previously written to all residents advising information regarding future rate increases. There is still clearly a great deal of continuing confusion and misunderstanding within the community regarding this matter.

Considering this, I believe Council should take this opportunity to further help inform the public.

GENERAL MANAGER’S COMMENT

Council already has a dedicated phone and email available to engage on any future SRV impact, current harmonisation impacts, revaluation impacts and hardships policy and assistance for pensioners. Therefore, there are no cost implications arising from this proposed motion as written.

11 CONFIDENTIAL SESSION

11.1 Insurance Policy Placement Coverage for Council

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 Insurance Policy Placement Coverage for Council

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