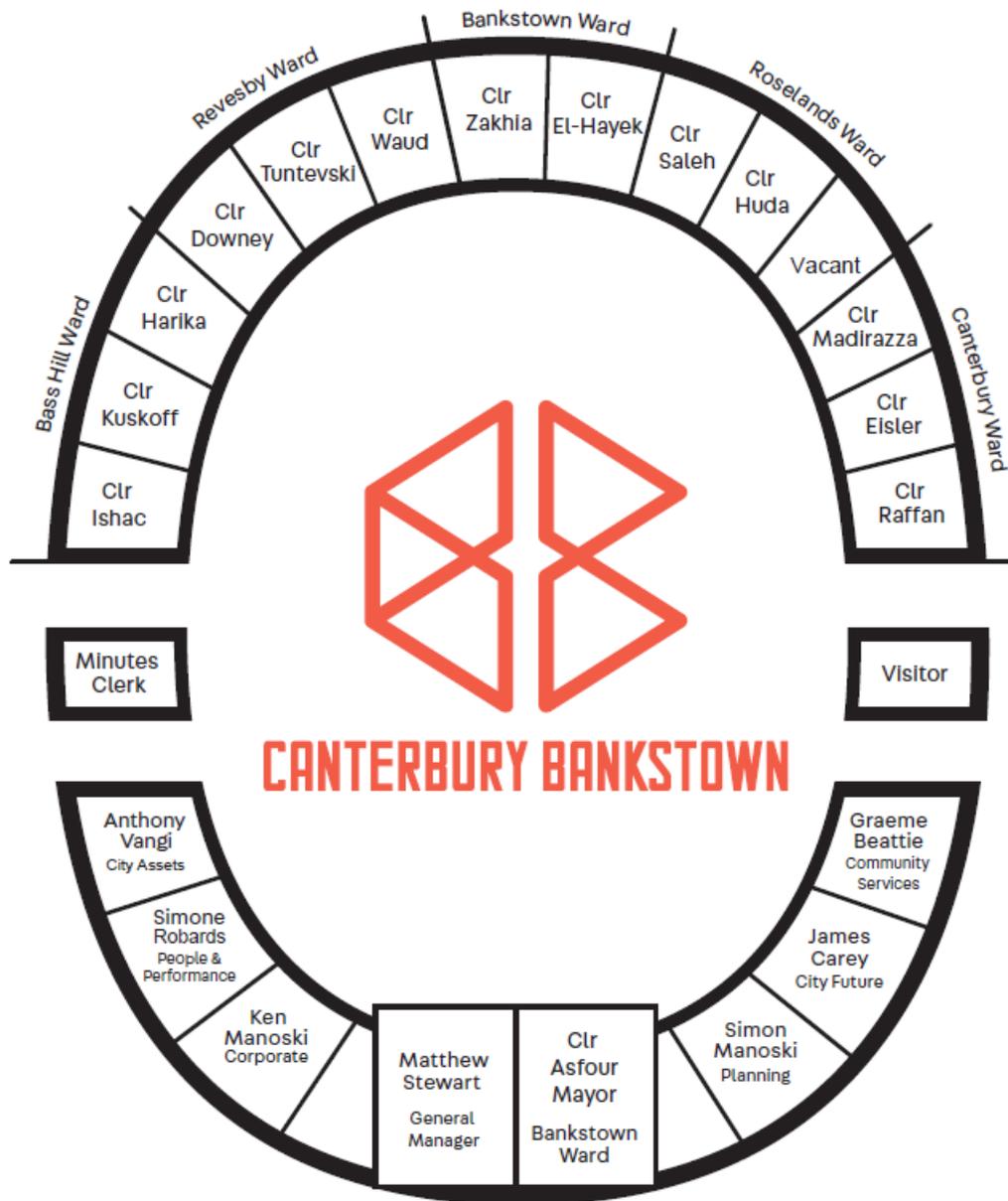




# AGENDA FOR THE ORDINARY MEETING

26 October 2021

# Gallery



---

# ORDER OF BUSINESS

---

<b>1</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETING .....</b>	<b>5</b>
1.1	Minutes of the Ordinary Meeting of Council of 28 September 2021	7
1.2	Minutes of the Extraordinary Meeting of Council of 28 September 2021	21
<b>2</b>	<b>LEAVE OF ABSENCE.....</b>	<b>25</b>
<b>3</b>	<b>DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST.....</b>	<b>27</b>
<b>4</b>	<b>MAYORAL MINUTES .....</b>	<b>29</b>
4.1	Back to Business	31
4.2	Covid Grant	33
4.3	Local Community Based Donations	35
<b>5</b>	<b>PLANNING MATTERS .....</b>	<b>37</b>
5.1	Planning Proposal - 34 Allan Avenue, Belmore and Benda Street Reserve, Belmore	39
5.2	Draft Affordable Housing Contribution Scheme and Planning Proposal	51
<b>6</b>	<b>POLICY MATTERS.....</b>	<b>65</b>
<b>7</b>	<b>GOVERNANCE AND ADMINISTRATION MATTERS .....</b>	<b>67</b>
7.1	2021 Local Government Elections - Important Dates and Events	69
7.2	Disclosure of Interest Returns 2020-21	77
7.3	Proposed Fee and Charge for Regionally Significant Development Applications	81
7.4	2021 COVID Relief Grants	85
7.5	Emergency Financial Support - COVID-19	89
7.6	The Festival of Place - Open Streets Partnership Funding	93
7.7	Cash and Investment Report as at 30 September 2021	97
7.8	Unaudited 2020/21 Annual Financial Report	101
<b>8</b>	<b>SERVICE AND OPERATIONAL MATTERS .....</b>	<b>105</b>
8.1	Sports Facilities Strategic Plan	107
8.2	Mirambeena Regional Reserve Plan of Management	111
<b>9</b>	<b>COMMITTEE REPORTS .....</b>	<b>115</b>
9.1	Minutes of the Traffic Committee Meeting held on 12 October 2021	117
9.2	Minutes of the Audit Risk and Improvement Committee meeting held 13 October 2021	119

<b>10</b>	<b>NOTICE OF MOTIONS &amp; QUESTIONS WITH NOTICE .....</b>	<b>121</b>
10.1	Notice of Motions	123
10.2	Carinya Road Playground - Councillor Linda Downey	125
10.3	Footpath Funding - Councillor Linda Downey	127
10.4	Pedestrian Overpass Milperra - Councillor Linda Downey	129
10.5	Litter Prevention - Councillor Clare Raffan	131
10.6	Information on Metro - Councillor Clare Raffan	133
10.7	Tree Management - Councillor Clare Raffan	135
10.8	Cool Our Suburbs With Reflective Roofing - Councillor Linda Eisler	137
10.9	Protecting Koalas - Councillor Linda Eisler	139
10.10	Front-line Workers of Our City - Councillor Bilal El-Hayek	141
<b>11</b>	<b>CONFIDENTIAL SESSION.....</b>	<b>143</b>
11.1	Dunc Gray Velodrome – Handlebar Tavern Centre of Excellence Proposal	

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

The following minutes are submitted for confirmation -

- 1.1 Minutes of the Ordinary Meeting of Council of 28 September 2021..... 7
- 1.2 Minutes of the Extraordinary Meeting of Council of 28 September 2021..... 21



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

**PRESENT:** His Worship the Mayor Councillor Asfour, El-Hayek, Harika, Tuntevski and Madirazza

**PRESENT BY AUDIO VISUAL LINK:** Councillors Downey, Zakhia, Raffan, Eisler, Kuskoff, Saleh, Ishac, Waud and Huda

**APOLOGIES** Nil

---

**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.03 P.M.**

**COUNCILLORS ATTENDING REMOTELY**

**(1422)**

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

RESOLVED that permission be granted to Councillors Downey, Zakhia, Raffan, Eisler, Kuskoff, Saleh, Ishac, Waud and Huda to attend the meeting remotely by zoom.

- 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**

**(1423)**

**CLR. TUNTEVSKI:/CLR. HARIKA**

RESOLVED that the minutes of the Ordinary Council Meeting held on 24 August 2021 be adopted.

- CARRIED

**SECTION 2: LEAVE OF ABSENCE**

Nil

---

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

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

In respect of Item 5.2 – Bankstown City Centre Master Plan and Planning Proposal, 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 I will vacate the Chamber taking no part in debate.

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

**SECTION 4:                   MAYORAL MINUTES**

**ITEM 4.1                    COVID UPDATE**  
**(1424)                    CLR. ASFOUR**

RESOLVED that the Mayoral Minute be received.

- CARRIED

**ITEM 4.2                    HOUSING ENVIRONMENT PLANNING POLICY**  
**(1425)                    CLR. ASFOUR**

RESOLVED that Council write to the Planning Minister to voice our strong objection to the proposed changes, through the introduction of a new Housing State Environmental Planning Policy given the impacts it will have on our ability to meet our jobs target, and our ability to protect our suburban neighbourhoods.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

**ITEM 4.3 LOCAL COMMUNITY BASED DONATION**

**(1426)**

**CLR. ASFOUR**

1. RESOLVED that Council support the Australian Lebanese Independent Forum by way of \$750.00 donation to support their medical aid initiative for Lebanon, which is to distribute medicine through the Red Cross..
2. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

**SECTION 5: PLANNING MATTERS**

**ITEM 5.1 REPORT ON COUNCIL'S PERFORMANCE IN THE ASSESSMENT OF DEVELOPMENT APPLICATIONS FOR THE 2020/21 FINANCIAL YEAR, CLAUSE 4.6 VARIATIONS APPROVED FOR THE FOURTH QUARTER OF THE 2020/21 FINANCIAL YEAR AND PLANNING RELATED LEGAL APPEALS**

**(1427)**

**CLR. MADIRAZZA:/CLR. ISHAC**

RESOLVED that the report be noted.

- CARRIED

**ITEM 5.2 BANKSTOWN CITY CENTRE MASTER PLAN AND PLANNING PROPOSAL**

In respect of Item 5.2 – Bankstown City Centre Master Plan and Planning Proposal, 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 he vacated the Chamber taking no part in debate.

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

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

HIS WORSHIP THE MAYOR CLR ASFOUR AND CLR EL-HAYEK TEMPORARILY VACATED THE CHAMBER AT 6.23 PM.

THE DEPUTY MAYOR CLR HARIKA ASSUMED THE CHAIR.

**(1428) CLR. TUNTEVSKI:/CLR. EISLER**

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

- CARRIED

MR JOSEPH TOUMA ADDRESSED COUNCIL

**(1429) CLR. TUNTEVSKI:/CLR. ZAKHIA**

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

- CARRIED

MS YVETTE MIDDLETON ADDRESSED COUNCIL

MR DANIEL GOCHER ADDRESSED COUNCIL

**(1430) CLR. DOWNEY:/CLR. ZAKHIA**

RESOLVED that

1. Council prepare and submit a Planning Proposal to amend the draft Canterbury Bankstown Local Environmental Plan 2021 for Gateway that implements the Bankstown City Centre Master Plan, subject to the following conditions:
  - a. Review site-specific submissions made to the local planning panel prior to exhibition, for:
    - i. 1A Gordon Street and 30-36 Meredith Street, Bankstown
    - ii. 34-38 Restwell Street, Bankstown
    - iii. 8-10 West Terrace, Bankstown
    - iv. 457 Chapel Road, Bankstown
    - v. 67 Rickard Road, Bankstown
    - vi. 2-10 Leonard Street, Bankstown

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

- b. Preparation of draft LEP Amendment maps to include with the Planning Proposal, and
- c. Preparation of the following studies prior to submission for Gateway:
  - i. Independent Flood Review, to confirm consistency with Section 9.1 Direction 4.3 – Flooding;
  - ii. Preliminary Contamination Assessment, to confirm consistency with Section 9.1 Direction 2.6 – Remediation of Contaminated Land.
- 2. Council exhibit the Planning Proposal subject to any conditions specified in the Gateway Determination.
- 3. Council prepare and exhibit a Development Control Plan to support the Master Plan, to be exhibited concurrently.
- 4. Council note that the Master Plan will inform an updated City-wide development contributions plan to also be exhibited prior to the matter coming back to Council.
- 5. A report be provided to Council outlining submissions received during the exhibition period and recommending a way forward.
- 6. That Council acknowledge the extensive work over many years of numerous council staff and community members to developing the Bankstown City Master Plan document and that as this process was instigated under instruction of the State Liberal government that the council request that the government and the Premier ensure that the plan is supported not only by the provision of the necessary infrastructure, services and funding but by its Local State and Federal Liberal government representatives.

- CARRIED

**For:-** Clrs Downey, Eisler, Harika, Huda, 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 6.56 PM AND THE MAYOR CLR ASFOUR ASSUMED THE CHAIR.

**SECTION 6: POLICY MATTERS**

Nil

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

**SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 7.1 LOCAL GOVERNMENT NSW - ANNUAL CONFERENCE, CONSIDERATION OF MOTIONS AND BOARD ELECTIONS**

**(1431) CLR. TUNTEVSKI:/CLR. ZAKHIA**

RESOLVED that

1. Council endorse the draft motions as detailed in the report.
2. The Mayor be delegated authority to nominate voting delegates for the Annual Conference, Special Conference and the LGNSW Board election.

- CARRIED

**ITEM 7.2 STRONGER COMMUNITY FUND - QUARTERLY REPORT**

**(1432) CLR. MADIRAZZA:/CLR. DOWNEY**

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

- CARRIED

**ITEM 7.3 DUAL NAMING OF COUNCIL WARDS**

**(1433) CLR. EL-HAYEK:/CLR. MADIRAZZA**

RESOLVED that

1. Council Wards be renamed  
Bura / Bass Hill  
Bunya / Revesby  
Bunmarra / Roselands  
Darani / Bankstown  
Budjar / Canterbury
2. Dual Names be included in future Council documents where ward names are specified ie, Annual Reports, Community Newsletters, planning documents and press alerts.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

3. A Community Education and Awareness program about the Dual Names be undertaken.
4. Council's Naming Policy be amended to reflect Wards.

- CARRIED

**ITEM 7.4**                    **DISCLOSURE OF INTEREST RETURNS**  
**(1434)**                    **CLR. WAUD:/CLR. HUDA**

RESOLVED that the tabling of the Disclosure of Interest Returns be noted.

- CARRIED

**ITEM 7.5**                    **FEES AND CHARGES 2021/22**  
**(1435)**                    **CLR. ZAKHIA:/CLR. ISHAC**

RESOLVED that Council adopt the Fees and Charges outlined in the report.

- CARRIED

**ITEM 7.6**                    **CASH AND INVESTMENT REPORT AS AT 31 AUGUST 2021**  
**(1436)**                    **CLR. MADIRAZZA:/CLR. DOWNEY**

RESOLVED that

1. The Cash and Investment Report as at 31 August 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 28 SEPTEMBER 2021**

---

**SECTION 8: SERVICE AND OPERATIONAL MATTERS**

**ITEM 8.1 INNOVATIVE OCCASIONAL CARE PRESCHOOL MODEL**  
**(1437) CLR. EISLER:/CLR. HARIKA**

RESOLVED that

1. Council notes the change in the current service model from an Occasional Care Service to an Innovative Occasional Care and Preschool Model and the associated funding under the Community Child Care Fund Sustainability Support (CCCFs) and the Start Strong Preschool Funding (SSP).
2. Council endorse the introduction of a new fee of \$61 per child per day for the additional preschool day and its exhibition in accordance with Section 610F of the Local Government Act 1993.
3. A further report be presented to Council following the public exhibition period.

- CARRIED

**SECTION 9: COMMITTEE REPORTS**

**ITEM 9.1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 14 SEPTEMBER 2021**  
**(1438) CLR. HARIKA:/CLR. TUNTEVSKI**

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 14 September 2021, be adopted.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

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

**(1439)**

**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, 10.5, 10.6, 10.7, 10.8 and 10.9.

- CARRIED

**ITEM 10.1**

**NOTICE OF MOTIONS**

**(1440)**

**CLR. ZAKHIA:/CLR. HARIKA**

RESOLVED that the information be noted.

- CARRIED

**ITEM 10.2**

**WEDDINGS AND FUNERALS**

**(1441)**

**CLR. ZAKHIA:/CLR. HARIKA**

RESOLVED that Council:

1. Write to the Premier and urge the Government to develop separate operating rules for the wedding and funeral industries, rules which will allow them to operate with certainty and a level of profitability.
2. Furthermore, that the Government consult widely with both industries before making any decisions.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

**ITEM 10.3**  
**(1442)**

**CONSTRUCTION SITES**

**CLR. ZAKHIA:/CLR. HARIKA**

RESOLVED that Council writes to the Premier, on behalf of the thousands of construction workers in our LGA and acknowledges the lifting of restrictions on building sites. I further propose, in the interests of fairness and public health, we call on her to treat construction workers equally, and impose the same rules, no matter where they live in NSW.

- CARRIED

**ITEM 10.4**  
**(1443)**

**COMMUNITY RECOGNITION AWARD**

**CLR. DOWNEY:/CLR. HARIKA**

RESOLVED that Council develop a "Community Recognition Award" system (independent of Australia Day Awards) whereby Council can give appropriate recognition to individuals who provide outstanding service to our local community.

- CARRIED

**ITEM 10.5**  
**(1444)**

**SURVIVOR**

**CLR. DOWNEY:/CLR. HARIKA**

RESOLVED that Council acknowledges and congratulates Bankstown local, George Mladenov, for finishing runner-up in this season's reality show, Australian Survivor. I further propose Council harnesses his popularity and considers using him to promote our City, as we emerge from lockdown.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

**ITEM 10.6**  
**(1445)**

**RELIGIOUS INSTITUTIONS**

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

RESOLVED that on behalf of the many religious institutions in our City, we call on the NSW Government to reverse its decision to ban unvaccinated people from attending their local service once the State reopens. I propose we write to the NSW Premier, urging her to listen to religious leaders and allow them to open their doors to all people, whether they are vaccinated, or not.

- CARRIED

**ITEM 10.7**  
**(1446)**

**ELIMINATE THE DOUBLE STANDARDS**

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

RESOLVED that Council write to the NSW Premier Gladys Berejiklian

1. Calling on her to heed the call of our Mayor during a recent meeting to eliminate NSW Governments double standards across the LGAs in Greater Sydney, and;
2. Demand that all of Greater Sydney open up at the same time when COVID-19 vaccination milestones are reached and lockdown restrictions ease.
3. Furthermore, to immediately remove the 5km travel restriction on our residents for their mental well- being and to stop referring to LGAs, as LGA's of concern .

- CARRIED

**ITEM 10.8**  
**(1447)**

**TREAT US WITH RESPECT**

**CLR. SALEH:/CLR. HARIKA**

RESOLVED that Council invite the Mayors of the 11 other LGAs of concern to join with us in an open letter to the NSW Premier, to express our concerns over the inequities and harsh restrictions imposed on our communities, during this pandemic.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

**ITEM 10.9**                      **DIVERSE REPRESENTATION**  
**(1448)**                              **CLR. SALEH:/CLR. HUDA**

RESOLVED that Council writes to Multicultural NSW to develop a targeted program aimed at the CALD community, to encourage more diverse representation at all levels of Government. I further propose this campaign be translated in several different languages.

- CARRIED

**ITEM 10.10**                      **CALL FOR A BAN ON PUPPY FARMS**  
**(1449)**                              **CLR. ZAKHIA:/CLR. HARIKA**

RESOLVED that Council add its name, with other supporting Councils, to a joint letter which calls on the Government to ban puppy farms and introduce greater regulation.

- CARRIED

**ITEM 10.11**                      **ELECTRIC VEHICLE CHARGING**  
**(1450)**                              **CLR. ZAKHIA:/CLR. HARIKA**

RESOLVED that Council:

1. Support the ongoing investigation and installation of Electric Vehicle Charging Stations in the city.
2. Work with the relevant providers and NSW Government, to ensure these are implemented in a coordinated way without impacting on our streets and public domain.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

**ITEM 10.12**  
**(1451)**

**TREE REPLACEMENT**

**CLR. ZAKHIA:/CLR. HARIKA**

RESOLVED that

1. Council reviews its approach to the replacement of trees removed from public land including street and park trees; and
2. This review considers the number, placement, timing, species, and heat reducing potential of the trees to be replace.

- CARRIED

**ITEM 10.13**  
**(1452)**

**MITOCHONDRIAL DISEASE**

**CLR. ZAKHIA:/CLR. HARIKA**

RESOLVED that Council shine a light on Mitochondrial Disease and raise community awareness through a social media campaign. The purpose of this campaign will also be to encourage much needed donations to help support victims and conduct vital research.

- CARRIED

**SECTION 11:**

**CONFIDENTIAL SESSION**

PRIOR TO CONSIDERING THE REPORTS IN CONFIDENTIAL SESSION COUNCILLORS DOWNEY, ZAKHIA, RAFFAN, EISLER, KUSKOFF, SALEH, ISHAC, WAUD AND HUDA WHO WERE ATTENDING THE MEETING BY AUDIO VISUAL LINK DECLARED THERE WERE NO PERSONS WITHIN SIGHT OR HEARING OF THEM.

**(1453)**

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

RESOLVED that, in accordance with **Section 10A(2c)** 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 T14-22 Greenacre Splash Park - Aquatics Package

---

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

*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 confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct business).*

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.18 PM AND REVERTED BACK INTO OPEN COUNCIL AT 7.19 PM.**

**MATTER OF URGENCY**

**(1454) CLR. HARIKA:/CLR. DOWNEY**

RESOLVED that urgency be permitted and Item 11.1 be considered in Confidential session.

- CARRIED

**ITEM 11.1 T14-22 GREENACRE SPLASH PARK - AQUATICS PACKAGE**

**(1455) CLR. ZAKHIA:/CLR. DOWNEY**

RESOLVED that

1. Council notes that no Tenders were received for T14-22 Greenacre Splash Park – Aquatics Package.
2. In accordance with clause 178(3)(b) of the Local Government (General) Regulation 2005, Council invites fresh tenders in accordance with Section 167 of the Regulations for the Greenacre Splash Park – Aquatics Package, as outlined in the report.

- CARRIED

**THE MEETING CLOSED AT 7.20 P.M**

Minutes confirmed 26 OCTOBER 2021

.....  
Mayor

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**EXTRAORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

**PRESENT:** His Worship the Mayor Councillor Asfour, El-Hayek, Harika, Tuntevski and Madirazza

**PRESENT BY AUDIO VISUAL LINK:** Councillors Downey, Zakhia, Raffan, Eisler, Kuskoff, Saleh, Ishac, Waud and Huda

**APOLOGIES** Nil

---

**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 7.30 P.M.**

**ACKNOWLEDGEMENT OF COUNTRY**

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

**COUNCILLORS ATTENDING REMOTELY -**

**(1456)**

**CLR. MADIRAZZA /CLR. TUNTEVSKI**

RESOLVED that permission be granted to Councillors Downey, Zakhia, Raffan, Eisler, Kuskoff, Saleh, Ishac, Waud and Huda to attend the meeting remotely by zoom.

- CARRIED

**LEAVE OF ABSENCE**

Nil

**SECTION 1: GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 1.1 MAYORAL ELECTION - SEPTEMBER 2021 TO DECEMBER 2021**

**(1457) CLR. EL-HAYEK:/CLR. TUNTEVSKI**

RESOLVED that

1. In accordance with Schedule 7 of the Local Government (General) Regulation 2005 the General Manager, as the Returning Officer, conduct the Election of the Mayor.



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**EXTRAORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 SEPTEMBER 2021**

---

- CARRIED

The Returning Officer called for nominations in writing for the office of Deputy Mayor for the period September 2021 to December 2021.

The following nominations were received:-

CLR MADIRAZZA  
CLR DOWNEY

**AN OPEN BALLOT WAS CONDUCTED BY THE RETURNING OFFICER WHICH RESULTED AS FOLLOWS:**

CLR MADIRAZZA	4 VOTES
CLR DOWNEY	10 VOTES

**THE RETURNING OFFICER THEN DECLARED CLR DOWNEY ELECTED TO THE OFFICE OF DEPUTY MAYOR FOR THE PERIOD SEPTEMBER 2021 TO DECEMBER 2021.**

**THE MEETING CLOSED AT 8.00 P.M**

Minutes confirmed 26 OCTOBER 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	Back to Business	31
4.2	Covid Grant	33
4.3	Local Community Based Donations	35



---

## Mayoral Minutes - 26 October 2021

---

### ITEM 4.1                      Back to Business

Councillors,

How good was Freedom Day!

And while many residents were rejoicing, the loudest cheers came from the thousands of businesses who threw open their doors for the first time in 106 days.

It was surreal to see . . .and hear . . .the reaction once 1201 ticked over.

There were long queues of people outside our biggest clubs while others just took advantage of some early morning “therapy shopping, bagging some marked down bargains.

I popped over to check out Joe the Barber at Padstow . . . .and he had already opened at 7am . . . .the place was buzzing, with Joe holding court and spinning a few stories. And I can share with you that beneath that beaming smile, Joe did it very tough and was forced to dip into his life savings to get through, as he didn’t qualify for any Government assistance.

But it was the same story across the City, queues outside hairdressers, cafes full, “welcome back” signs plastered in windows and many friendly, welcoming faces.

The City was open and Back to Business!

And that is the theme of my campaign to assist and support businesses get back on their feet.

The campaign featuring Joe the Barber will urge the community to support our 36,000 businesses by shopping locally, booking local restaurants and venues and hiring local tradespeople.

The campaign will encourage our businesses to produce their own short videos, so they can be promoted on social media.

And after the first 30days, Council will ask businesses to provide feedback, and raise any issues they face relating to the health orders. This feedback will be gathered through our business newsletter and will allow me to take matters further, if need be.

Councillors, getting our businesses back to business and prospering, is the key to getting our local economy back on its feet. I commend this Mayoral minute to you.



---

## Mayoral Minutes - 26 October 2021

---

### ITEM 4.2 Covid Grant

Just before my next Mayoral Minute, I would like to share with you this quote from Federal Opposition Leader Anthony Albanese, *“Despite the enormous role that local government plays in our daily lives, the constitution makes not one mention of it.”*

Councillors,

Ponder that quote for a moment . . . and then take a look at the enormity of the task we faced over the last 12 months, in particular the 106 days of being locked down.

That’s right ponder the daily delivery of services while at the same time dealing with the health crisis and ensuring the safety of our community and our staff.

It is during these times of adversity whether it is flooding, bushfires, or dealing with Covid, Local Governments are at the coal face.

I am proud of the leadership role our Council has played in informing and keeping the community safe. . . . from the stay at home messaging, wearing of masks and getting vaccinated and of course the support to NFPs and community groups. . . but all this comes at a cost. . . .to date nearly \$23million.

Along the way we also received much needed support through the Covid Grant Relief Programme. . . . something in the order of \$250,000 to be used immediately to deliver pandemic support.

This funding was used to deliver initiatives like

- Communication and messaging. This included advertising in local and ethnic newspapers, flyers and posters and interpreting key messaging in a number of languages.
- Facilitating and assisting with testing and vaccination hubs at Riverwood Library, the Velodrome at Bass Hill, Women’s Centre and Belmore Senior Citizens.
- Traffic management and traffic control at selected locations.
- Costs associated with Freedom Day.

Councillors, make no mistake, our Council has lead the way and one thing I know for certain, is that we were in good hands.

So tonight, I submit the motion to Council for its information, and its support for the General Manger to finalise the necessary administrative obligations required under the Grant agreement.

I put that to you.



---

## Mayoral Minutes - 26 October 2021

---

### **ITEM 4.3                      Local Community Based Donations**

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

#### **Padstow Community Care**

Community Care have been helping hundreds of people in our community who have been under significant financial, physical, and emotional pressure during the pandemic. We are now giving out 150 + meals most weeks, delivering food hampers to isolating families and individuals because of COVID, providing emergency relief assistance and general support and counselling services to people who are struggling. The needs are increasing, and Community Care is committed to helping.

There is an opportunity I want to bring to your attention happening in October. Community Care is launching its Spring Exercise Challenge. They have a team of 14 people who have set themselves a distance goal to be achieved in the month of October. The participants will be either swimming, walking, running, or cycling. The team have set some adventurous targets starting with one participant swimming 25km, another 80km walking, another 150km of running and another 500km of cycling. The combined target of the team of 14 is to cover 3000 km within the month of October.

Considering this, I recommend that Council support Padstow Community Care by way of \$250 donation.

#### **Zonta Club of Sydney West**

The Zonta Club have once again requested that Council sponsor an award in their 2021 -2022 Citizenship Awards. These awards recognise the civic contribution of year 10 students. The value of the sponsorship is \$250, and I believe it is fitting that Council contribute this small amount in the name of recognition.

I recommend that Council support the Zonta Club as a way of recognising the talented and dedicated youth that we are blessed to have in our City through a \$250 donation, and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.

#### **Muslim Care**

Muslim Care is registered Not for Profit, that focus on wellness and reablement with an additional focus on socially and financially disadvantaged people, People who are homeless or at risk of becoming homeless, they also provide specific services for ATSI Community members and for people with CALD backgrounds.

Muslim care has asked for financial assistance to help with the costs of running regular activities held at the Lakemba Seniors Citizen Centre.

I recommend that Council support the Muslim Care through a \$270 donation that can be used towards the cost to hire Lakemba Seniors Citizen Centre, and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.

**RECOMMENDATION**

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

## **5 PLANNING MATTERS**

The following items are submitted for consideration -

- |     |  |    |
|-----|--|----|
| 5.1 | Planning Proposal - 34 Allan Avenue, Belmore and Benda Street Reserve, Belmore | 39 |
| 5.2 | Draft Affordable Housing Contribution Scheme and Planning Proposal             | 51 |



---

## Planning Matters - 26 October 2021

---

### **ITEM 5.1                      Planning Proposal - 34 Allan Avenue, Belmore and Benda Street Reserve, Belmore**

**AUTHOR                      Planning**

#### **PURPOSE AND BACKGROUND**

---

The purpose of this report is to seek Council's approval to prepare a Planning Proposal to rezone:

- 34 Allan Avenue, Belmore from Zone RE1 Public Recreation to Zone R3 Medium Density Residential, which is no longer a priority for acquisition and
- Benda Street Reserve, Belmore, from Zone R3 Medium Density Residential to RE1 Public Recreation, reflect the current and ongoing use of the land as a park.

The site at 34 Allan Avenue, Belmore is 505m<sup>2</sup> and is zoned RE1 Public Recreation under the Canterbury Local Environmental Plan (LEP) 2012. The LEP Land Reservation Acquisition (LRA) Map identifies the site for acquisition by Council for public open space. There is an existing residential dwelling on the property. The land was identified for acquisition by Council almost 30 years ago for the expansion of a small pocket-park adjoining the site known as Dinora Street Reserve. Since that time, there have been significant changes in planning for the provision of improved and new open space.

In the context of Council's current planning framework, 34 Allan Avenue is not required for recreation purposes, and its current residential use is appropriate. The Planning Proposal would permit a maximum floor space ratio of 0.5:1, a maximum building height of 8.5m and a minimum lot size requirement of 460m<sup>2</sup>, consistent with the adjoining properties, and remove the site from the Land Reservation Acquisition (LRA) Map.

In relation to the Benda Street Reserve, this Planning Proposal will ensure the zoning correctly reflects the current use of the land as public open space and will provide certainty to the community that Council does not intend to redevelop the land for residential development. There will be no land acquisition costs if Benda Street Reserve is rezoned because Council already owns the land.

#### **ISSUE**

---

The two sites subject of the Planning Proposal were historically zoned based on strategic directions of Council from over 30 years ago. An internal review has found that these sites are not being used, nor are required for the use intended by their current zoning. As such, they are anomalies in the current zoning. This Planning Proposal seeks to reflect the current and most appropriate use of these two sites, providing certainty for the community.

Despite sitting within an R3 Medium Density zone, the existing development along Allan Avenue and on immediately surrounding streets remains predominantly low scale comprising one and two storey detached dwellings and dual occupancies which feature backyards for

private recreation. The density in this area of Belmore has not increased substantially in the past 30 years since 34 Allan Avenue was identified for open space requirements and therefore, demand for additional open space has not changed during this period. The site also abuts a public pocket park, known as Dinora Street Reserve. Expansion of the park to this site will add little value to this predominantly low-density locality.

An outcome of the Council review is a recommendation to rezone Benda Street Reserve which is located approximately 125m to the east of 34 Allan Avenue, from Zone R3 Medium Density Residential to RE1 Public Recreation. This rezoning would rectify a legacy land zoning anomaly and ensure the zoning reflects the use of this land as a public reserve.

A positive outcome of proceeding with the Planning Proposal is that it will also provide a transparent process for the community to comment during the public exhibition period post-Gateway and grant greater certainty for the landowner.

## **RECOMMENDATION** That -

---

1. Council prepare and submit a Planning Proposal for the following properties to seek a Gateway Determination from the Department of Planning, Industry & Environment (the Department):

For the land at 34 Allan Avenue, Belmore:

- a) Amend the zoning of the land from Zone RE1 Public Recreation to Zone R3 Medium Density Residential;
- b) Permit a maximum Floor Space Ratio of 0.5:1;
- c) Permit a maximum of 8.5m Height of Building;
- d) Apply 460m<sup>2</sup> minimum Lot Size Area;
- e) Remove the subject site from the Land Reservation Acquisition Map.

For the land known as Benda Street Reserve:

- f) Amend the zoning of the land from Zone R3 Medium Density Residential to Zone RE1 Public Recreation;
- g) Remove a maximum Floor Space Ratio of 0.5:1;
- h) Remove a maximum of 8.5m Height of Building;
- i) Remove 460m<sup>2</sup> minimum Lot Size Area.

2. Council exhibit the Planning Proposal in accordance with the Gateway Determination issued by the Department.
3. Council seek delegation from the Department as the local plan making authority.
4. The General Manager be delegated authority to make relevant changes to the Planning Proposal as required by the Gateway Determination.
5. Council consider a further report post exhibition including outcomes of the consultation process.

## **ATTACHMENTS**

---

Nil

## **POLICY IMPACT**

---

In regard to 34 Allan Avenue, the Planning Proposal intends to amend the Canterbury Local Environmental Plan (the LEP) 2012 to remove the subject site from the Land Reservation Acquisition (LRA) Map and to rezone the land from Zone RE1 Public Recreation to Zone R3 Medium Density Residential. The amendments to the LEP would make changes to the floor space ratio (FSR), the maximum height of the building and the minimum lot size of the site, consistent with those applying to Zone R3 Medium Density Residential as identified in this report.

In regard to Benda Street Reserve, the amendments to the LEP would remove existing controls relating to FSR, maximum height of the building and minimum lot size which do not apply to Zone RE1 Public Recreation land. The rezoning of Benda Street Reserve intends to rectify a legacy land zoning anomaly, recognises the long-standing use of the land as a public reserve and provide certainty to the community that the site is not to be developed for residential purposes.

## **FINANCIAL IMPACT**

---

34 Allan Avenue, Belmore is currently zoned RE1 Public Recreation. Council would be subject to the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991 (the Act) if it was to acquire the property. If the owner of the property is able to demonstrate hardship, Council would be required to acquire the property in line with the provisions of the Act for land that Council does not require nor presents strategic value for open space.

In regard to Benda Street Reserve, the reserve is currently owned by Council and the intent of the proposed rezoning is to formalise the long - standing use of the land as a public reserve. There are no financial implications to Council that would arise from its rezoning.

## **COMMUNITY IMPACT**

---

Whilst being zoned for the purposes of public recreation open space, the site at 34 Allan Avenue, Belmore is privately owned and being used for the purposes of a residential dwelling. Benda Street Reserve is currently used for the purpose of open space, however is zoned for residential uses. The purpose of the Planning Proposal is to amend the zoning for both sites to reflect the current uses, provide certainty for the landowner and transparency for the community as to the long term land use envisaged for the sites.

## DETAILED INFORMATION

---

### Site and Locality Description

34 Allan Avenue, Belmore is legally described as Lot B DP 355867, is rectangular, has a frontage of 16.76m to Allan Avenue, has a depth of 31m and has a total site area of approximately 505m<sup>2</sup>. Benda Street Reserve is a public park, located approximately 125m to the east of 34 Allan Avenue, Belmore. The reserve has a frontage of 20.09m to Allan Avenue, a depth of 35.89m and a total site area of approximately 720m<sup>2</sup>.

34 Allan Avenue, Belmore is a single storey residential dwelling, comprising a garage and outbuildings as indicated in Figure 1 below. It is zoned RE1 Public Recreation under the Canterbury Local Environmental Plan (LEP) 2012. The Land Reservation Acquisition (LRA) Map of the LEP identifies the site for acquisition by Council for open space.

The surrounding residential development is zoned predominantly R3 Medium Density Residential, consisting of one and two storey detached dwellings and dual occupancies. The site is located adjacent to Dinora Street Reserve.



**Figure 1:** Aerial location map of 34 Allan Avenue and Benda Street Reserve

The context of the site is illustrated in Figures 2 and 3. The site is located approximately 800m north west of Belmore Railway Station and approximately 700m south of Punchbowl Road. Belmore Boys High School and the Belmore North Public School are located within a walking distance of 400m to the east.

Other public open spaces in the vicinity include Knox Street Reserve and Peel Street Reserve located approximately 340m north and 410m south respectively from 34 Allan Avenue.

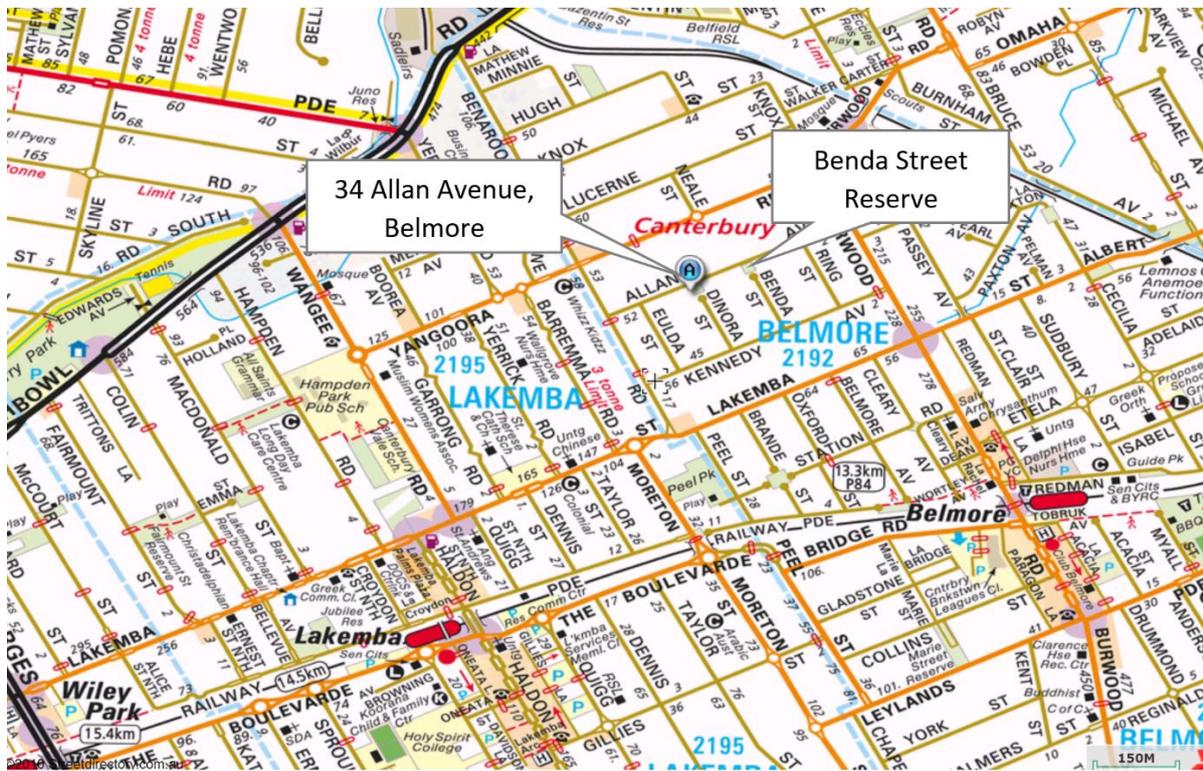


Figure 2: Site context map



Figure 3: Map showing the site and the local context



View from Allan Avenue (34 Allan Avenue is on the left)



View from Allan Avenue to Dinora Street Reserve (34 Allan Avenue is on the right)



View from Dinora Street to the Reserve (34 Allan Avenue is on the left)

**Figure 4:** Photos of 34 Allan Avenue



**Figure 5:** Benda Street Reserve, as viewed from Allan Avenue, located 125m to the east of 34 Allan Avenue, Belmore

### **Proposed amendments to the Canterbury LEP 2012**

The objectives and intended outcomes of the Planning Proposal relevant to 34 Allan Avenue, Belmore are:

- To rezone the site from Zone RE1 Public Recreation to Zone R3 Medium Density Residential to reflect the existing use of the site.
- To remove reservation of land for a public purpose that has been identified as a low priority and therefore no longer required by Council in light of other higher demands across the city.
- Provide certainty for the landowner and the community as to the long term land use envisaged for the site.
- To ensure Council funds are reallocated to strategically important land to serve the future needs of the LGA where higher density renewal substantiates the need for additional public open space.
- To provide for a range of development that facilitates housing within Zone R3 Medium Density Residential consistent with the R3 zoning on adjoining residential land.
- To ensure future redevelopment of the site is consistent with the existing local character of the area.
- To allow for the orderly and economic development of the site.
- That reflect planning for new open space is reviewed by Council and adapts over time to respond to changes in policy direction and community expectations.

For Benda Street Reserve:

- To reflect and formalise the long-standing use of the land as public open space and to safeguard its use for this purpose.

- Provide certainty for the community as to the long term land use envisaged for the site.

The table below provides a summary of the existing and proposed controls applicable to 34 Allan Avenue and Benda Street Reserve, Belmore as part of the proposed amendments to the Canterbury LEP 2012.

<b>Planning Controls</b>	<b>Existing Controls</b>	<b>Proposed Controls</b>
<b>34 Allan Avenue, Belmore</b>		
<b>Zone</b>	RE1 Public Recreation	R3 Medium Density Residential
<b>Floor Space Ratio (FSR)</b>	Nil	0.5:1
<b>Maximum Height of Building (HOB)</b>	Nil	8.5m
<b>Minimum Lot Size</b>	Nil	460m <sup>2</sup>
<b>Land Reservation Acquisition (LRA)</b>	Applies for the purposes of public open space	Remove the land from the Land Reservation Acquisition Map
<b>Benda Street Reserve</b>		
<b>Zone</b>	R3 Medium Density Residential	RE1 Public Recreation
<b>Floor Space Ratio (FSR)</b>	0.5:1	Nil
<b>Maximum Height of Building (HOB)</b>	8.5m	Nil
<b>Minimum Lot Size</b>	460m <sup>2</sup>	Nil

#### Permissible Uses

The RE1 Public Recreation Zone prohibits residential uses due to the zone objectives for Zone RE1 which is to enable the land to be used for public open space or recreational purposes and to provide a range of recreational settings and activities and compatible land uses.

Zone R3 Medium Density Residential allows predominantly residential uses such as dwelling houses, attached dwellings, dual occupancies, multi dwelling houses with development consent.

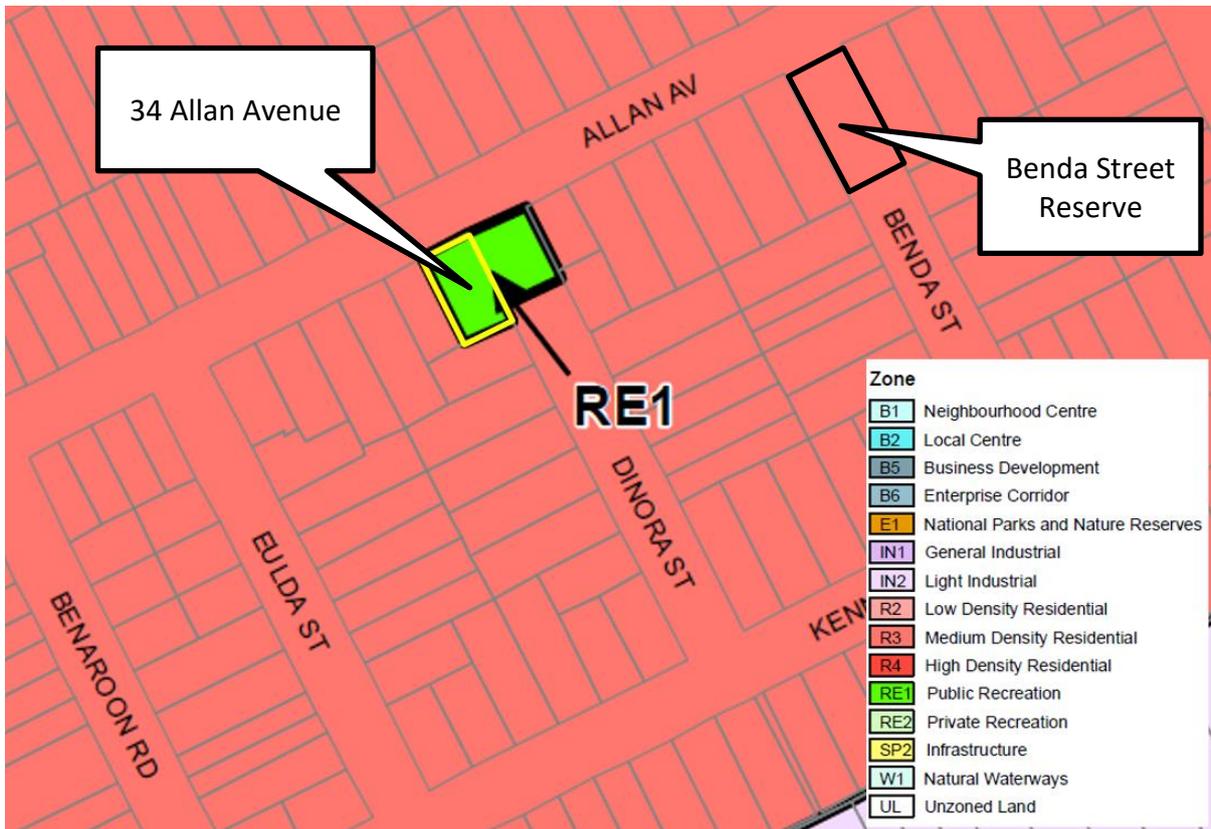


Figure 6: Current zoning map (Canterbury LEP 2012)

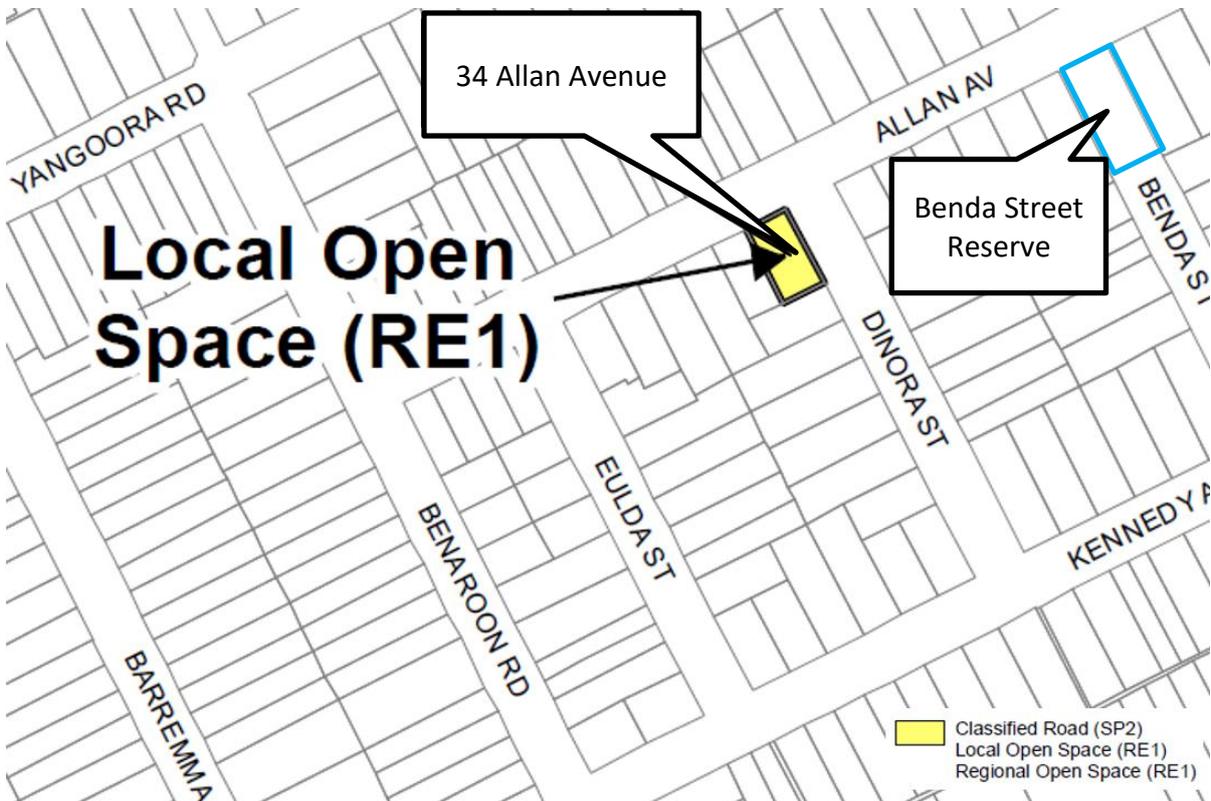


Figure 7: Current Land Reservation Acquisition Map

Council is currently awaiting gazettal of the Consolidated Canterbury Bankstown LEP by the Department. In the event the Consolidated Canterbury Bankstown LEP is made during the process of the Planning Proposal, the amendments will be made to the Consolidated LEP either before submitting the Planning Proposal to the Department or post-Gateway before exhibition. Under the Consolidated LEP, the proposed zoning, FSR, building height and minimum lot size will be the same for the sites as under the Canterbury LEP 2012.

Development Control Plan

The Canterbury Development Control Plan 2012 would apply to both sites and the relevant development standards will become applicable to any future developments on these sites.

**Matters for Consideration**

Based on the Environmental Planning and Assessment Act 1979 (EP&A Act 1979) and the Department guidelines, the following key policies are relevant to Council’s preparation of the Planning Proposal:

- Greater Sydney Region Plan.
- South District Plan.
- State Environmental Planning Policies.
- Ministerial Directions.
- Council’s Local Strategic Planning Statement (LSPS) “Connective City 2036”.
- The Department’s publications: A Guide to Preparing Local Environmental Plans and A Guide to Preparing Planning Proposals.

Ministerial Directions

The following Section 9.1 Minutes are considered relevant to the proposal:

Ministerial Direction	Comment
3.1 Residential Zones	<p><u>34 Allan Avenue, Belmore</u></p> <p>The proposal will result in the creation of additional residential zoned land within Belmore Centre which will assist with providing for future housing needs and is consistent with the Ministerial Direction.</p> <p><u>Benda Street Reserve</u></p> <p>The proposal intends to rectify a minor anomaly on the existing zoning map to reflect the existing use of the land as public reserve. While the proposal would result in a deficit of 215m<sup>2</sup> of residential zoned land in Belmore, the inconsistency is of a minor nature given Council does not intend to redevelop the Benda Street Reserve site for residential purposes and therefore there will be no actual loss of any residential development capacity as a result of the rezoning.</p>

6.2 Reserving Land for Public Purposes	<p><u>34 Allan Avenue, Belmore</u></p> <p>The proposal will satisfy the objective of this Ministerial Direction as it seeks to facilitate the removal of a reservation of land for public purposes where the land is no longer required for acquisition.</p> <p><u>Benda Street Reserve</u></p> <p>The Ministerial Direction does not apply to this site given the site is not included on the Council's land reservation acquisition map nor is it proposed, or required, to include the site on the land reservation acquisition map.</p>
--	---

A detailed assessment against the Ministerial Directions will be provided in the Planning Proposal to be submitted to the Department. A preliminary review undertaken by Council has indicated that the proposal will achieve consistency with the above listed Ministerial Directions.

#### Site Specific and Precinct-Level Merit Considerations

The review undertaken by Council in response to the enquiry received from the landowner of 34 Allan Avenue has identified the following matters for Council's consideration, as part of the preparation of the Planning Proposal for the site:

#### **Historic Open Space Needs Study for Belmore-Lakemba Precinct**

In 1993, the former Canterbury Council reviewed its land use policies under the Canterbury Planning Scheme Ordinance 1970 to address the provision of public open space for Belmore-Lakemba Precinct. The review recommended acquisition of 34 Allan Avenue in Belmore and two other properties in Lakemba for the purposes of Public Open Space. Council's records indicate that the property owner at that time did not object to Council's proposed acquisition of the land.

The gazettal of the Canterbury Local Environmental Plan 178 (Belmore-Lakemba Precinct) in October 1998 confirmed the proposed acquisition and rezoning of the subject site for the purposes of public open space. Although zoned for open space, the subject site has remained in private ownership and has continued to be used for the purposes of a residential dwelling.

#### **Council's Open Space Studies**

The Canterbury Open Space Strategy (the Open Space Strategy) 2017 provides strategic directions for development and management of open spaces in the former City of Canterbury Council LGA. The Open Space Strategy was informed by the Canterbury Open Space Needs Review (the Needs Review) 2015. A review of the Needs Review 2015 made no findings in relation to the Dinora Street Reserve or Benda Street Reserve when assessing the provision of open space in this area of Belmore.

#### **Canterbury Development Contributions Plan 2013**

The subject site at 34 Allan Avenue is identified in the Works Schedule of the Canterbury Development Contributions Plan 2013 for open space acquisition.

It is however appropriate that funds collected for open space by Council from Section 7.11 Development Contributions are focused on sites that demonstrate a strong nexus and need based on growth and renewal opportunities which is consistent with the Department's Development Contributions Practice Note that advises Council may amend the Section 7.11 works schedule, including substituting for the existing works with other works which are more appropriate to meet the identified needs.

As the Allen Avenue site has been identified as a low priority for acquisition and that this locality is unexpected to substantially change into the future, it is intended that the item will be removed from the Development Contributions Plan as part of preparation of a single consolidated contributions plan for the LGA.

### **Next Steps**

In consideration to the matters noted in this report, it is recommended that –

- Council resolve to prepare and submit a Planning Proposal for the following properties to seek a Gateway Determination from the Department of Planning, Industry & Environment (the Department):

For the land at 34 Allan Avenue, Belmore:

- Amend the zoning of the land from Zone RE1 Public Recreation to Zone R3 Medium Density Residential;
- Permit a maximum Floor Space Ratio of 0.5:1;
- Permit a maximum of 8.5m Height of Building;
- Apply 460m<sup>2</sup> minimum Lot Size Area;
- Remove the property from Land Reservation Acquisition Map.

For the land known as Benda Street Reserve:

- Amend the zoning of the land from Zone R3 Medium Density Residential to Zone RE1 Public Recreation;
- Remove a maximum Floor Space Ratio of 0.5:1;
- Remove a maximum of 8.5m Height of Building;
- Remove 460m<sup>2</sup> minimum Lot Size Area.

- Council exhibit the Planning Proposal in accordance with any Gateway Determination issued by the Department.
- Council seek delegation from the Department as a Plan making Authority.
- The General Manager be the delegated authority to make relevant changes to the Planning Proposal as required by the Gateway Determination.
- A further report be presented to Council post - exhibition including a report detailing the outcomes of the community consultation process.

---

## Planning Matters - 26 October 2021

---

### ITEM 5.2                      **Draft Affordable Housing Contribution Scheme and Planning Proposal**

**AUTHOR**                      **Planning**

#### **PURPOSE AND BACKGROUND**

This report seeks Council endorsement to prepare and exhibit a planning proposal to implement a Draft Affordable Housing Contribution Scheme (the Draft Scheme) applying to the Bankstown City Centre. The planning proposal and Draft Scheme are provided in Attachments A and B.

This planning proposal implements Council's vision to start creating affordable housing stock in Canterbury Bankstown. Once in place, it will allow Council to levy affordable housing contributions (either in dwellings or land dedicated to Council or through monetary contributions) as new development in the Bankstown City Centre occurs. This approach can be expanded to other centres as these are master planned.

#### **ISSUE**

State and local policies recommend that Council prepare a Draft Scheme to reduce the level of housing stress experienced by residents in Canterbury Bankstown. The State policies include the Greater Sydney Region Plan and South District Plan, and the local policies include Council's adopted Local Strategic Planning Statement '*Connective City 2036*', Housing Strategy, Affordable Housing Strategy and Bankstown Master Plan. The Department of Planning, Industry and Environment has endorsed Council's Housing Strategy.

The Local Planning Panel considered this matter on 11 October 2021. The Panel's advice is the Draft Scheme and planning proposal have merit to proceed to Gateway subject to certain considerations which are outlined in this report.

#### Draft Scheme

The intent of the Draft Scheme is for Council to own affordable housing dwellings that are rented to very low to moderate income households. Councils that currently operate schemes in the Greater Sydney Region include Canada Bay, City of Sydney, Randwick, Waverley and Willoughby Councils. Whilst the Draft Scheme will not resolve the wider issue of housing stress in the Greater Sydney Region, it is an additional mechanism to provide more affordable housing to the relevant target groups of very low to moderate income households.

In summary, the Draft Scheme comprises:

- Affordable Housing Contribution Rates: The Draft Scheme would set out how, where and at what rate contributions can be collected for affordable housing (monetary contribution, land or dedication of dwellings).

- Application: The Draft Scheme would apply to centres that are subject to Council's master planning process and where uplift is proposed to occur. In areas of uplift, it would be expected that a portion of the total residential gross floor area would be dedicated to Council for the delivery of affordable housing.

According to Council's Affordable Housing Strategy and Bankstown Master Plan, the Draft Scheme would initially apply to development in the Bankstown City Centre that choose to benefit from the affordable housing option under the incentive height and floor space provision. In future:

- Council's master planning process may identify other centres where the Draft Scheme may apply, subject to viability testing.
  - Council's Planning Agreements Policy will continue to apply to site specific rezoning applications not identified by the Draft Scheme.
- Excluded Development from the Draft Scheme:
    - Affordable housing or social housing that choose the affordable housing option under the incentive height and floor space provision, provided it is managed by a registered community housing provider and the total residential gross floor area is used solely for the purpose of the provision of affordable housing or social housing in perpetuity.
    - Development that provide infrastructure or employment floor space as part of the incentive height and floor space provision.
  - Administration: Council would use the dedication of dwellings, land and monetary contributions to develop, purchase and manage affordable housing. Council may also partner with a registered community housing provider to manage the tenancies. The community housing provider would select households within the very low to moderate income brackets.

### Planning Proposal

The Environmental Planning and Assessment Act 1979 and the State Environmental Planning Policy No. 70–Affordable Housing (Revised Schemes) set out the requirements to implement the Draft Scheme. The requirements include preparing a planning proposal to reference the Draft Scheme in Council's Local Environmental Plan. This will enable Council to impose a condition on development consents to levy the affordable housing contribution.

### **RECOMMENDATION** That -

1. Council prepare and submit the planning proposal, as provided in Attachment A, to the Department of Planning, Industry and Environment to seek a Gateway Determination.
2. Council seek authority from the Department of Planning, Industry and Environment to exercise the delegation in relation to the plan making functions under section 3.36(2) of the Environmental Planning and Assessment Act 1979.
3. Subject to the issue of a Gateway Determination, Council exhibit the planning proposal and the Draft Affordable Housing Contribution Scheme concurrently, and the matter be reported to Council following the exhibition.

## **ATTACHMENTS**

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

---

- A. Planning Proposal
- B. Draft Affordable Housing Contribution Scheme
- C. Local Planning Panel Report
- D. Local Planning Panel Minutes
- E. Affordable Housing Viability Assessment

## POLICY IMPACT

---

The Draft Scheme and planning proposal implement the following legislation and policies:

- Environmental Planning and Assessment Act 1979 (section 7.32)
- State Environmental Planning Policy No. 70–Affordable Housing (Revised Schemes) (SEPP 70)
- Greater Sydney Region Plan and South District Plan
- Council’s Community Strategic Plan ‘CBCity 2028’
- Council’s Local Strategic Planning Statement ‘Connective City 2036’
- Council’s Housing Strategy, Affordable Housing Strategy, Bankstown Master Plan and Development Feasibility Analysis
- Department of Planning, Industry and Environment’s publications: *Guideline for Developing an Affordable Housing Contribution Scheme*, *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*.
- The Department of Planning, Industry and Environment’s endorsement of Council’s Housing Strategy.

The Background Report (page 13) to Council’s Affordable Housing Strategy identifies the need for more affordable housing in Canterbury Bankstown:

*As of 2016, in Canterbury Bankstown there were 15,441 households that were renters experiencing rental stress. This represents 39.1% of renting households in the LGA (compared to 26.4% in Greater Sydney). As of 2016, in Canterbury Bankstown there were 5,707 households that had mortgages and were experiencing mortgage stress. This represents 17.8% of households with a mortgage in the LGA (compared to 10.3% in Greater Sydney). These figures indicate that renters experience housing stress more so than those households with a mortgage.*

Existing mechanisms to provide affordable housing under the NSW planning system include:

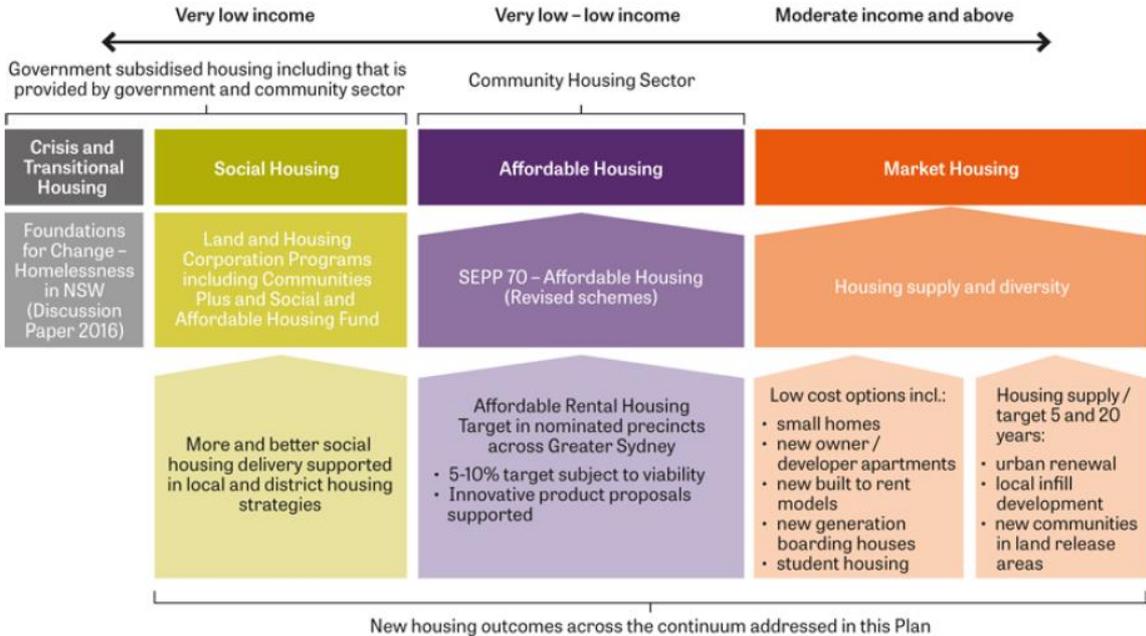
- Social housing, which is State–owned infrastructure delivered by the Land and Housing Corporation. The issue is social housing is not meeting demand.
- The State Environmental Planning Policy (Affordable Rental Housing) 2009, which encourages development to provide affordable housing by offering bonus floor space. The issue is the availability of the affordable housing supply is limited to 10–15 years.
- Council’s Planning Agreements Policy, which allows contributions under planning agreements to be in the form of affordable housing, monetary payment or land dedication. The issue is planning agreements focus on site specific planning proposals, rather than precinct master plans.

The State and local policies conclude that stronger intervention is required to achieve affordability for the relevant target groups of very low to moderate income households.

The State and local policies recommend that Council prepare the Draft Scheme. The intent of the Draft Scheme is for Council to own affordable housing dwellings that are rented to very low to moderate income households. According to the analyses, the Draft Scheme would focus on locations where lower income households are paying over 30% of their income on rent. The priority areas include Bankstown, Campsie, Lakemba, Punchbowl and Wiley Park, where housing stress is most common.

Whilst the Draft Scheme will not resolve the wider issue of housing stress in the Greater Sydney Region, it is an additional mechanism to provide more affordable housing to support very low to moderate income households who are experiencing housing stress as shown in Figure 1.

Figure 1: Housing continuum, initiatives and programs (Greater Sydney Region Plan, page 69)



Councils that currently operate schemes in the Greater Sydney Region are summarised in the table below.

Council	Date schemes came into effect	Affordable Housing Contribution	Dwelling stock
Canada Bay	2021	Levy on total residential GFA in three precincts. Levy on new residential GFA for two sites in Concord West.	27
City of Sydney	Various 1995–2021	Levy on total residential GFA in three precincts. Levy on new residential GFA for planning proposals.	859
Randwick	2019	Levy on total residential GFA in Kensington/Kingsford precinct.	Nil
Waverley	2002	Levy on new residential GFA for planning proposals.	25
Willoughby	2002	Levy on total residential GFA in precincts.	37
Georges River	Draft	Levy on total residential GFA in Mortdale precinct.	Nil

**FINANCIAL IMPACT**

The intent of the Draft Scheme is for Council to own affordable housing dwellings that are rented to very low to moderate income households. The viability testing indicates the Draft Scheme may result in 205 to 365 affordable housing dwellings to 2036 (depending on the pace of development take-up).

The Draft Scheme also outlines the procedures to administer the contributions. In summary:

- Council would establish a fund to pool and manage the contributions to develop, purchase and manage affordable housing.
- Council may partner with a community housing provider to manage the tenancies. The community housing provider would select tenants within the very low to moderate household income brackets.

## **COMMUNITY IMPACT**

---

Council's Community Plan 'CBCity 2028' and Local Strategic Planning Statement 'Connective City 2036' recognise the needs and aspirations of the community. The community highlighted the need for more affordable housing (CBCity 2028, page 44).

This need is supported by the Background Report (page 27) to Council's Affordable Housing Strategy, which reads: *A greater proportion of households in Canterbury Bankstown experience housing stress than in Greater Sydney, and this proportion has grown in the past decade. The Sydenham to Bankstown corridor is home to one of the largest concentrations of lower income renters in Sydney and has a relatively younger population compared to the rest of Canterbury Bankstown. Planning intervention is required to secure the economic and social benefits that affordable housing offers existing and future residents and workers in growing mixed use centres.*

The Draft Scheme and planning proposal address the social and economic needs of our City through the provision of affordable housing for very low to moderate income households. Based on the analyses, it is recommended to prioritise the delivery of affordable housing in the Bankstown City Centre, followed by other centres as these are master planned. This approach is in addition to the other mechanisms that exist under the NSW planning system to deliver affordable housing.

## DETAILED INFORMATION

---

### Draft Affordable Housing Contribution Scheme

Council has prepared a Draft Scheme in accordance with the Environmental Planning and Assessment Act 1979 (section 7.32), SEPP 70 and the Department of Planning, Industry and Environment's *Guideline for Developing an Affordable Housing Contribution Scheme*. The Draft Scheme is provided in Attachment B. The Draft Scheme comprises:

#### 1. Affordable Housing Contribution Rates

The Draft Scheme sets out how, where and at what rate contributions can be collected for affordable housing. A contribution is to be calculated based on the total residential gross floor area of the development to which the development application relates.

The Draft Scheme would allow landowners and developers to satisfy the affordable housing contribution requirement by:

- dedicating in favour of Council—
  - one or more dwellings, each having a gross floor area of not less than 50 square metres and each complying with the NSW Apartment Design Guide's solar access and natural ventilation requirements, with any remainder paid as a monetary contribution to Council, or
  - other land approved by Council in accordance with the Draft Scheme, with any remainder paid as a monetary contribution to the Council, or
- if the person chooses, by monetary contribution to be calculated in accordance with the Draft Scheme.

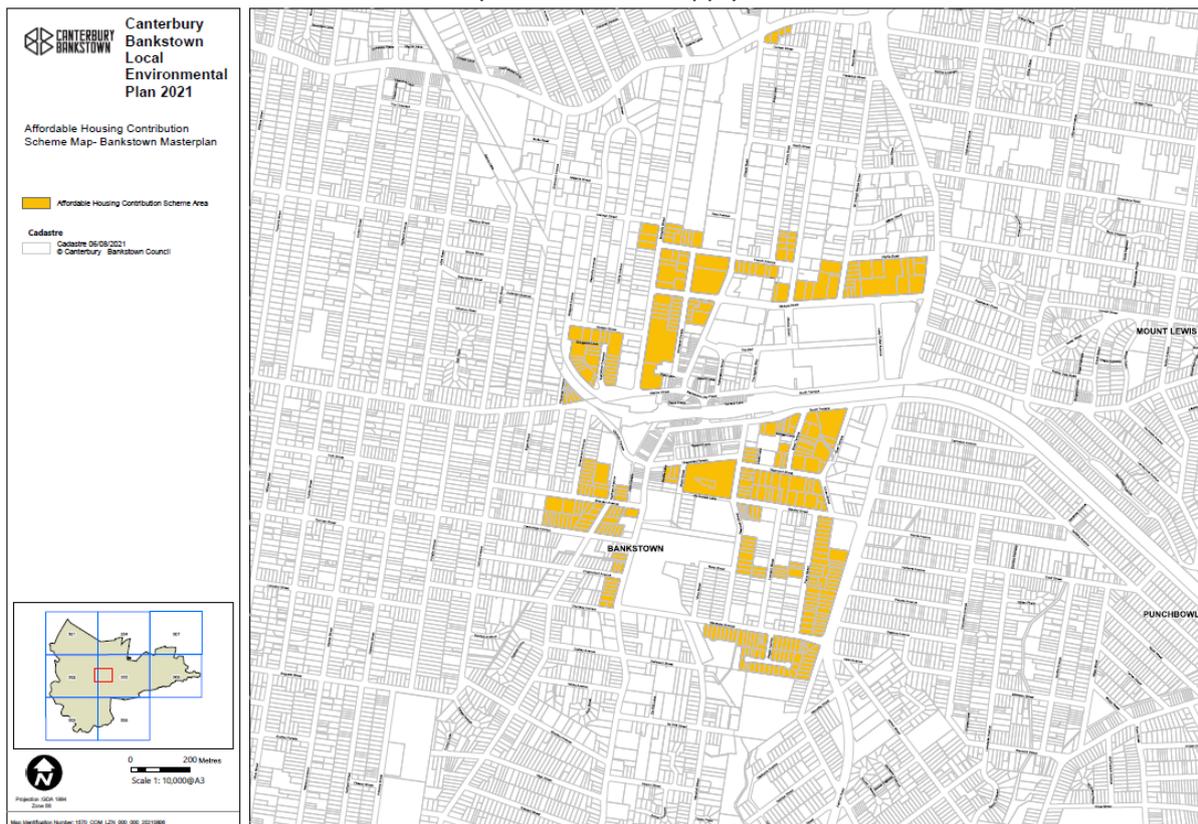
In addition, Council would be able to take monetary contributions in situations where the affordable housing dwellings are considered unsuitable or where the dedication of dwellings is deficit of more than 1 square metre. There would be no 'savings' or 'credit' for existing floor space on the site, even if the building is being adapted and reused.

#### 2. Application

The Draft Scheme would apply to centres that are subject to Council's master planning process and where uplift is proposed to occur. In areas of uplift, it would be expected that a portion of the total residential gross floor area would be dedicated to Council for the delivery of affordable housing.

According to the Affordable Housing Strategy (Action 2.2, page 8) and Bankstown Master Plan (Objective 1.3, page 35), the Draft Scheme would initially apply to development in the Bankstown City Centre that choose to benefit from the affordable housing option under the incentive height and floor space provision, and is located on land shown in Figure 2.

Figure 2: Land where the affordable housing option under the incentive height and floor space provision would apply



In future:

- Council’s master planning process may identify other centres where the Draft Scheme may apply, subject to viability testing.
- Council’s Planning Agreements Policy will continue to apply to site specific rezoning applications not identified by the Draft Scheme.

### 3. Excluded Development from the Draft Scheme

In relation to the Bankstown City Centre, it is recognised that affordable housing and social housing may benefit from the affordable housing option under the incentive height and floor space provision.

The Draft Scheme would exclude the following development from the affordable housing contribution requirement:

- Affordable housing or social housing that choose the affordable housing option under the incentive height and floor space provision, provided:
  - the total residential gross floor area is used solely for the purpose of the provision of affordable housing or social housing in perpetuity, to be confirmed with a covenant registered in the title of the site, and
  - the affordable housing or social housing is managed by a registered community housing provider.
- Development that provide onsite infrastructure or a minimum 50% employment generating gross floor area under the incentive height and floor space provision.

#### 4. Administration

Council would use the dedication of dwellings, land and monetary contributions to develop, purchase and manage affordable housing. Council may also partner with a registered community housing provider to manage the tenancies. The community housing provider would select tenants within the very low to moderate household income brackets.

#### **Planning Proposal**

Council's report to the Local Planning Panel, as provided in Attachment C, outlines the strategic merit test to demonstrate that the planning proposal has strategic merit to proceed to Gateway.

The intended outcomes of the planning proposal are:

- To ensure there are opportunities for very low to moderate income households to live in Canterbury Bankstown.
- To facilitate a coordinated approach towards the provision of affordable housing.
- To provide affordable housing on land where there is an increase in floor area, where a need for affordable housing is identified and where development viability can be maintained.
- To permit the imposition of conditions relating to the provision of affordable housing.

The planning proposal will achieve the intended outcomes by including a new local provision in Council's Local Environmental Plan that:

1. Identifies that the Draft Scheme will apply to development in the Bankstown City Centre that:
  - choose to benefit from the affordable housing option under the incentive height and floor space provision, and
  - is located on land in accordance with the proposed Draft Scheme Map provided in Part 4 of the planning proposal.
2. Identifies the percentage of the total residential gross floor area of development that the affordable housing contribution requirement is to apply.

<b>Date of determination of development application</b>	<b>Business Zone</b>	<b>Residential Zone</b>
Within 12 months of the LEP Amendments (Bankstown) being gazetted	1% (or \$66 per sqm)	1% (or \$66 per sqm)
After 12 months but before 24 months of the LEP Amendments (Bankstown) being gazetted	2% (or \$132 per sqm)	2.5% (or \$165 per sqm)
On or after 24 months of the LEP Amendments (Bankstown) being gazetted	3% (or \$198 per sqm)	4% (or \$264 per sqm)

Note: The monetary contributions are based on the September 2020 NSW FACs Sales and Rent Report and will be subject to indexation on a quarterly basis.

3. Imposes a condition on development consents that requires landowners and developers to satisfy the affordable housing contribution requirement by:
  - dedicating in favour of Council—
    - one or more dwellings, each having a gross floor area of not less than 50 square metres and each complying with the NSW Apartment Design

- Guide's solar access and natural ventilation requirements, with any remainder paid as a monetary contribution to Council, or
  - other land approved by Council in accordance with the Draft Scheme, with any remainder paid as a monetary contribution to the Council, or
  - if the person chooses, by monetary contribution to be calculated in accordance with the Draft Scheme.
4. Confirms there are no 'savings' or 'credit' for existing floor space on the site.
5. Excludes the following development from the affordable housing contribution requirement:
- Affordable housing or social housing that choose the affordable housing option under the incentive height and floor space provision, provided:
    - the affordable housing or social housing is managed by a registered community housing provider, and
    - the total residential gross floor area is used solely for the purpose of the provision of affordable housing or social housing in perpetuity, to be confirmed with a covenant registered in the title of the site.
  - Development that provide onsite infrastructure or a minimum 50% employment generating gross floor area under the incentive height and floor space provision.

### **Local Planning Panel**

The Local Planning Panel considered the planning proposal on 11 October 2021. As provided in Attachment D, the Panel's comments and recommendation are:

*In broad terms, the Panel supports the preparation of an Affordable Housing Contribution Scheme and the intended outcomes of the draft planning proposal.*

*In particular, the Panel notes the following positive attributes of the Draft Affordable Housing Contribution Scheme and Planning Proposal:*

- *It is aligned with the South District Plan which recommends an affordable housing target generally in the range of 5–10% of new residential floor space subject to viability testing (emphasis added).*
- *The fact that the proposed Affordable Housing Contribution Scheme has been signalled to the market well in advance of the draft Planning Proposal via the Bankstown Masterplan.*
- *The robust viability testing that has been undertaken.*

*The Panel also notes, however, that the proposed method of calculating the Affordable Housing Contribution is by applying it to the total residential gross floor area of new development, rather than just the new residential floor space arising from the Bankstown Masterplan. The Panel understands this has been proposed to simplify the administration of the Affordable Housing Contribution Scheme and that to ensure viability, the Affordable Housing Contribution amount has been set at 3% of the total residential floorspace of development, rather than 5%-10% of the new residential floorspace (i.e. the additional residential floorspace resulting from the uplift in FSR created by the Bankstown Masterplan).*

*The Panel considers this approach has the potential to cause the following issues:*

- *The proposed Affordable Housing Contribution Scheme cannot be easily or directly compared with the affordable housing target in the South District Plan because they are both calculated differently.*
- *Properties subject to the Affordable Rental Housing Scheme that benefit from a larger proportionate FSR uplift make a lower Affordable Rental Housing Scheme contribution relative to the uplift than those with a lower proportionate uplift.*

*The Panel acknowledges, however, that there are other factors which should be balanced against these issues. Some (but not all) of these would include:*

- *The complexity that the bonus FSR provisions would add to an alternate contribution formula.*
- *The views of government agencies.*
- *Consistency with other Affordable Housing Contributions Schemes now operating within the wider metropolitan region.*
- *Maintaining consistency with the Affordable Housing Contribution figure published in the Bankstown Masterplan.*

#### *CBLPP Recommendation*

*THAT in the opinion of the Panel, the proposed Affordable Housing Contributions Scheme and Planning Proposal merits proceeding. The Panel also recommends, however, that further consideration be given to whether it would be desirable instead to nominate on the proposed Affordable Housing Contributions Scheme Map, in a similar manner to the Floor Space Ratio Map, the FSR uplift of individual properties (i.e. the difference between the old and the new FSR). The Affordable Housing Contribution formula would then be applied to the residential gross floor area calculated using this figure, and the percentage figure adjusted accordingly.*

*The benefits of this approach are that:*

- *The Affordable Housing Scheme will be applied consistently and equally to the uplift created by the Bankstown Masterplan.*
- *There will be a direct 'line of sight' between the uplift created by the Bankstown Masterplan and the Affordable Housing Contribution.*
- *The resulting percentage figure will be directly comparable with the affordable housing target in the South District Plan.*

#### **Viability Testing**

According to the Department of Planning, Industry and Environment's *Guideline for Developing an Affordable Housing Contribution Scheme* (page 19), *as part of developing an affordable housing contribution scheme and preparing a planning proposal to amend an LEP to levy developer contributions, councils will need to prepare and provide evidence that affordable housing contribution rates are viable.* The viability testing is to ensure that the rates are viable and will not impact on development feasibility and overall housing supply.

The viability testing commenced with the preparation of the Bankstown Master Plan. The Bankstown Master Plan (Objective 1.3, page 35) recommends 3% of the total residential gross floor area of development can be feasibly dedicated to Council as affordable housing, or paid as a monetary contribution at \$198 per square metre (as at September 2020 subject to quarterly indexation). However, the Draft Scheme should take a staged implementation

approach to allow the market to adjust. By phasing in the requirement, it can be considered ahead of time in land purchases and development projects.

Council adopted the Bankstown Master Plan in September 2021. In the same month, the Local Planning Panel advised that Council may submit a planning proposal for Gateway that implements the Bankstown Master Plan.

However in October 2021, the Local Planning Panel advised *that further consideration be given to whether it would be desirable instead to nominate on the proposed Affordable Housing Contributions Scheme Map, in a similar manner to the Floor Space Ratio Map, the FSR uplift of individual properties (i.e. the difference between the old and the new FSR). The Affordable Housing Contribution formula would then be applied to the residential gross floor area calculated using this figure, and the percentage figure adjusted accordingly.*

A key reason is to avoid a scenario where *properties subject to the Affordable Rental Housing Scheme that benefit from a larger proportionate FSR uplift make a lower Affordable Rental Housing Scheme contribution relative to the uplift than those with a lower proportionate uplift.*

To understand the economic impacts of the different options, Council sought independent economic advice to undertake further viability testing.

The viability testing made the following key findings:

- Whilst the Bankstown Master Plan proposes uplift in most areas, the proportion of uplift varies across the centre. Some areas will benefit from significant uplift while other areas are to experience modest uplift. The implication is the capacity and tolerance of development to contribute to affordable housing contributions varies across the centre.
- Sites in the business zone are contemplated for lower uplift compared to sites in the residential zone that surrounds the business zone. This presents a case for a lower 3% contribution rate in the business zone, and 4% in the residential zone which has capacity for the higher rate.

The viability testing looked at three options to address the Local Planning Panel’s advice as summarised in the table.

Option	Opportunities	Constraints
<p><b>Option 1–Bankstown Master Plan (3% rate over total residential GFA)</b></p> <p>May result in 205 to 320 affordable housing dwellings to 2036 (depending on pace of development take-up).</p>	<ul style="list-style-type: none"> <li>• Provides clarity and certainty to market.</li> <li>• Simple to understand.</li> <li>• Simple and easy to administer at the DA stage.</li> <li>• Consistent with other schemes operating in the Greater Sydney Region.</li> </ul>	<ul style="list-style-type: none"> <li>• For a uniform rate to be viable, the selection of rate needs to be low and broad.</li> <li>• Does not scale with uplift.</li> </ul>
<p><b>Option 2–Local Planning Panel Advice (affordable housing rate applicable to proportion of uplift)</b></p> <p>Levy rate based on FSR uplift of individual sites. This would</p>	<ul style="list-style-type: none"> <li>• Scales with uplift i.e. impact more proportionally distributed, sites pay according to the FSR uplift received.</li> <li>• There would be a direct ‘line of sight’ between the</li> </ul>	<ul style="list-style-type: none"> <li>• Complex to administer for mixed use development at the DA stage.</li> <li>• Assumes the total uplift will be used for residential purposes. As most development will be mixed</li> </ul>

<p>require a Base FSR Map and Incentive FSR Map to identify the new residential floor space for each site.</p> <p>Viability testing found 7% of new residential floor space of development to be feasible.</p> <p>May result in 205 to 371 affordable housing dwellings to 2036 (depending on pace of development take-up).</p>	<p>Draft Scheme and the FSR uplift created by the Bankstown Master Plan.</p> <ul style="list-style-type: none"> <li>• The Draft Scheme would be directly comparable with the affordable housing 5–10% target in the South District Plan.</li> </ul>	<p>use, complexities will arise in implementation.</p> <ul style="list-style-type: none"> <li>• Challenge to work out prevailing rate should a site consolidate lots with different rates.</li> <li>• Department of Planning, Industry and Environment discourages site specific rates as proponents may challenge assumptions and feasibility studies.</li> <li>• Lack of a clear and transparent rate in the long term.</li> </ul>
<p><b>Option 3–Rates to align with uplift in business and residential zones (affordable housing rate over total residential GFA)</b></p> <p>Viability testing identified a third option that builds on the Bankstown Master Plan i.e. align the rates with the proportion of uplift. This would levy 4% of the total residential gross floor area of development in the residential zone where the greater proportion of uplift is proposed to occur. The business zone would continue at 3%.</p> <p>May result in 205 to 365 affordable housing dwellings to 2036 (depending on pace of development take-up).</p>	<ul style="list-style-type: none"> <li>• Provides clarity and certainty to market.</li> <li>• Simple to understand.</li> <li>• Simple and easy to administer at the DA stage.</li> <li>• Maintains consistency with the Bankstown Master Plan.</li> <li>• Similar yield to Option 2.</li> </ul>	<ul style="list-style-type: none"> <li>• Does not scale with uplift, however more proportionate compared to Option 1.</li> </ul>

The viability testing recommends that:

- The contributions rate should be based on total (rather than additional) residential gross floor area. This is done in the interest of simplicity and ease of administration at the development application stage, and is an approach taken by other councils such as Canada Bay, City of Sydney and Randwick Councils.
- The Draft Scheme may adopt two affordable housing contribution rates:
  - 3% of the total residential gross floor area of development in the business zone can be feasibly dedicated to Council, or paid as a monetary contribution at \$198 per square metre (as at September 2020 subject to quarterly indexation).
  - 4% of the total residential gross floor area of development in the residential zone can be feasibly dedicated to Council, or paid as a monetary contribution at \$264 per square metre (as at September 2020 subject to quarterly indexation).

- The Draft Scheme should take a staged implementation approach to allow the market to adjust. By phasing in the requirement, it can be considered ahead of time in land purchases and development projects.

Date of determination of development application	Business Zone	Residential Zone
Within 12 months of the LEP Amendments (Bankstown) being gazetted	1% (or \$66 per sqm)	1% (or \$66 per sqm)
After 12 months but before 24 months of the LEP Amendments (Bankstown) being gazetted	2% (or \$132 per sqm)	2.5% (or \$165 per sqm)
On or after 24 months of the LEP Amendments (Bankstown) being gazetted	3% (or \$198 per sqm)	4% (or \$264 per sqm)

Note: The monetary contributions are based on the September 2020 NSW FACs Sales and Rent Report and will be subject to indexation on a quarterly basis.

## Next Steps

The next step is to submit the planning proposal to the Department of Planning, Industry and Environment to seek a Gateway Determination. It is likely the Draft Scheme and planning proposal would be exhibited concurrently with the planning proposal that implements the Bankstown Master Plan. The outcomes would be reported to Council following the exhibition.



## **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	2021 Local Government Elections - Important Dates and Events	69
7.2	Disclosure of Interest Returns 2020-21	77
7.3	Proposed Fee and Charge for Regionally Significant Development Applications	81
7.4	2021 COVID Relief Grants	85
7.5	Emergency Financial Support - COVID-19	89
7.6	The Festival of Place - Open Streets Partnership Funding	93
7.7	Cash and Investment Report as at 30 September 2021	97
7.8	Unaudited 2020/21 Annual Financial Report	101



---

## Governance and Administration Matters - 26 October 2021

---

**ITEM 7.1**                      **2021 Local Government Elections - Important Dates and Events**

**AUTHOR**                      **Corporate**

### **PURPOSE AND BACKGROUND**

---

Councillors would be aware that the NSW local government elections will take place on Saturday 4 December 2021.

This report details important dates and events that must take place prior to and following the December 2021 election and importantly outline a proposed schedule of statutory and operational events required to be carried out with the new Council.

### **ISSUE**

---

To advise Council of the important dates and events for the 2021 local government election and subsequent consideration regarding the new Council.

### **RECOMMENDATION** - That

---

1. The information be noted.
2. Council authorise the outgoing Mayor to continue to fulfil Council's civic and ceremonial functions for the period between Election Day and the holding of the Mayoral Election, as outlined in the report.

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

---

- A. OLG - Election 2021-Pre Election Guide
- B. OLG - Election 2021-Post Election Guide

## **POLICY IMPACT**

---

The adoption of the recommendations will ensure Council's meets its legislative and other requirements following an ordinary election of Councillors.

## **FINANCIAL IMPACT**

---

There are no financial impacts.

## **COMMUNITY IMPACT**

---

There are no community impacts.

## DETAILED INFORMATION

---

### Background

As Councillors would be aware, the Minister for Local Government recently published an order in the Gazette under section 318C of the *Local Government Act 1993* (the Act) to set the council elections date for Saturday 4 December 2021.

As a result, this report is to both inform Councillors of important/relevant dates and events prior to and following the December 2021 election and subsequent considerations relating to the new Council.

### Important dates and events – Pre-election

#### Closure of Electoral Rolls

- Electoral Rolls for the Local Government election will close at 6pm on 25 October 2021. This is particularly relevant for Council as it is the date when Non-Residential Rolls close.

#### Regulated / Electoral Period

- As Councillors would be aware, both Council and Councillors are required to observe a 40 day electoral period in the lead up to an Ordinary Election.
- The regulated/electoral period for the upcoming local government election will commence on 25 October 2021 and ceases at 6pm on 4 December 2021.
- During this period Council cannot publish material considered to be “electoral matter”. This includes:
  - Any matter likely to affect or is capable of affecting the result of any election;
  - Material likely to influence or is capable of influencing an elector in relation to the casting of his or her vote at any election;
  - the name of a candidate at any election, party, photograph printed matter that purports to depict any such candidate or to be a likeness or representation of any such candidate; and
  - Council publications that promote the achievements of Council.
- Councillors should also note that in accordance with Council’s Code of Conduct, Councillors should be aware of the following provisions:
  - *Section 8.17* - You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.

- *Section 8.18* - You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:
  - a) for the purpose of assisting your election campaign or the election campaign of others, or
  - b) for other non-official purposes.
- Separately, Councillors who intend on being candidates are not prevented from attending or presiding over Council arranged or community events in the lead up to the election. Naturally, Councillors would need to be mindful of not actively campaigning for re-election at these events.

### **Caretaker Period**

- As Councillors would be aware, Councils are required to observe a Caretaker Period in the lead up to an Ordinary Election. The Caretaker Period commences on 5 November 2021 and ceases on 4 December 2021.
- During this period Council must not make any major decisions that would impact the incoming Council (s393 (b) of the *Local Government (General) Regulation 2021*).
- During this period, councils, General Managers and other delegates of councils (other than a joint regional planning panel, a local planning panel or the Central Sydney Planning Committee) must not exercise the following functions:
  - Enter into any major contract or undertaking involving an expenditure or receipt by a council – in Council’s case this equates to an amount of equal to or greater than \$1.6M;
  - Determine a “controversial development application”, except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period; and
  - Appointing or reappointing the Council’s General Manager (except for temporary appointments).
- That said, Council is not prevented from carrying out its day to day operations during the caretaker period. Decisions which can be made during this period include:
  - Managing operations / services, including all regulatory functions;
  - Considering Planning Proposals; and
  - Implementing legislative changes, as required.

## End of Term Report

- Council's "end-of-term" report must be presented to the final meeting of council prior to the election, being 23 November 2021.
- The regulated/electoral period requirements must be observed regarding "end of term" reporting. This means that:
  - Councils may consider the end of term report;
  - The report may be made available on Council's website – as part of its Business Paper - when being considered, however must not be separately publicised during the caretaker period; and
  - The report may be publicised following the election.

The OLG's Pre-election Guide (included in the Attachments) provides additional information for Councillors on pre-election matters.

## Delegations during the Election Period

- The Local Government Act stipulates that all current Councillors and Mayors elected by Councillors cease to hold their civic office on Election Day, being 4 December, 2021.
- This will mean that that councils will be without a governing body from 4 December, 2021, until the declaration of the election.
- Council's existing Instrument of Delegation provides the relevant/necessary delegations to the GM to ensure the ongoing operations of the Council.
- That said, OLG's Pre-election guide for Councils 2021 (attached) indicates that Council's may consider authorising the outgoing Mayor to continue exercising the *civic and ceremonial functions* normally exercised by the Mayor, should they wish to.
- On that basis, it is proposed that the outgoing Mayor continue to fulfil the Council's civic and ceremonial functions for the period between Election Day and the holding of the Mayoral Election, following the ordinary election (see below).
- Naturally, the current Mayoral Fee and associated facilities (as per Councillors Expenses and Facilities Policy) would continue to apply during this period.

## Important Dates and Events – Post Election

### Declaration of the Poll

- Councils have been advised by the NSW Electoral Commission that the declaration of the polls for the 4 December 2021 Election will be made at some point between 21 December 2021 and 23 December 2021. This is largely to account of postal votes received by the Commission.

### **Councillors Oath & Affirmation**

- All Councillors elected at the 4 December 2021 elections must take an oath of office or make an affirmation of office at or before the first meeting of the new council.
- Given its timing, it is proposed that the General Manager carries out this process prior to Council's Extraordinary Meeting to elect the new Mayor and Deputy Mayor – see following section.

### **Election of Mayor and Deputy Mayor**

- In accordance with the Local Government Act, the election of the Mayor, following an Ordinary Election, must take place within 21 days of the declaration of the poll.
- As indicated above, it is expected that the declaration of the poll for 4 December election will take place at some point between 21-23 December 2021.
- The Local Government Act and Council's Code of Meeting Practice requires that Councillors be provided at least three 3 days' notice of a Council meeting.
- On that basis, it is proposed that the following dates be set for an Ordinary Meeting to elect the Mayor and Deputy Mayor (should Council resolve to elect one):
  - Suggested Date: Wednesday, 24 December 2021;
  - Subsequent/Back-Up Date: Thursday, 6 January 2022
- New Councillors will be formally advised of the relevant date, accordingly.

### **Countback for Casual Vacancy**

- In accordance with recent changes made to the Local Government Act, Council must now resolve at its first meeting following the 4 December 2021 election, if a countback election is to be held to fill any casual vacancy that occurs within 18 months after the date of the Ordinary Election (section 393C of the *Local Government (General) Regulation 2021*).
- In Council's case, this would be determined at its Extraordinary Meeting when electing the Mayor and Deputy Mayor.
- Councils that do not resolve to fill vacancies using a countback at their first meeting after the election will be required to fill vacancies by way of a by-election.

### **Councillor Induction**

- In accordance with the NSW Office of Local Government requirements, Council will provide the newly elected Councillors with a comprehensive Induction program, relevant readings and material, as well as a series of briefings on certain strategic and/or operational issues to ensure that they are informed of their roles, responsibilities and duties when they assume office.

- Whilst Council's induction program will occur over several months, it is proposed that the first of the induction sessions will be held on Saturday/Sunday, 12-13 February 2022, particularly to ensure that Councillors are fully informed of their responsibilities and/or obligations required under Council's Code of Conduct framework, Council's Code of Meeting Practice and the Councillor Expenses and Facilities Policy.
- Councillor workshops/briefings have also been scheduled for 15, 16 and 17 February 2022 to address all relevant strategic, current and/or emerging issues.
- The General Manager will provide an individual comprehensive schedule outlining the above at his initial meeting with each Councillor.
- Separately, pre-election information for interested candidates is also available by contacting both the NSW Electoral Commission and the Office of Local Government or viewing their website.

### **February 2022 Council Meeting**

- Council's February Ordinary Meeting for the new Council will be held on Tuesday, 22 February, 2022.
- Amongst other items being considered at the Meeting, importantly, Council will also consider and adopt a number of essential elements including:
  - Council's Code of Conduct and associated Policies;
  - Establish its Advisory Committees for the term of Council;
  - Reaffirm Council's association/membership with relevant External Bodies;
  - Council's Instrument of Delegations from Council to the Mayor and GM;
  - Re-determination of Organisation Structure; and
  - Adopt Councillor Expenses and Facilities Policy

### **Pecuniary Interest Returns**

- In accordance with the Local Government Act, all Councillors elected at the 4 December 2021 election will be required to complete and lodge with Council a Pecuniary Interest Returns form within three months of being elected. Councillors will be provided with relevant details at the relevant time.

The OLG's Post-election Guide (included in the Attachments) provides additional information for Councillors on post-election matters.



---

## Governance and Administration Matters - 26 October 2021

---

**ITEM 7.2**                      **Disclosure of Interest Returns 2020-21**

**AUTHOR**                      **Corporate**

### **PURPOSE AND BACKGROUND**

---

In accordance with Clause 4.25 of Councils Code of Conduct all Disclosure of Interest Returns lodged with the General Manager must be tabled at the first meeting of Council held after the last day for lodgement (30 September 2021).

### **ISSUE**

---

Disclosure of Interest Returns of Councillors, Canterbury Bankstown Local Planning Panel (CBLPP) members and designated persons for 2020-21 are tabled for Council's notation.

Exceptions relate to officers who are on leave and will be followed up on their return.

### **RECOMMENDATION**

---

That the tabling of the Disclosure of interest Returns for 2020-21 be noted.

### **ATTACHMENTS**

---

Nil

## **POLICY IMPACT**

---

This matter addresses Councils requirements under the Code of Conduct.

In accordance with the Government Information (Public Access) Act 2009 and Regulations, Pecuniary Interest returns of Councillors and designated persons are open access information.

## **FINANCIAL IMPACT**

---

This matter has no direct financial impact upon Councils adopted budget.

## **COMMUNITY IMPACT**

---

This report demonstrates transparency in Local Government and ensures Council is accountable to the community and meets legislative requirements.

## DETAILED INFORMATION

---

Councillors and designated staff members are required to lodge a completed Disclosure of Interest Return form in accordance with the requirements of the Code of Conduct. Council's Code of Conduct sets out the following requirements for lodgement, registering and tabling the Returns:

- A councillor or designated person must make and lodge with the general manager a return in the form set out in schedule 2 of the Code of Conduct, disclosing the councillor's or designated person's interests as specified in schedule 1 of the Code:
  - (a) within 3 months after becoming a councillor or designated person,
  - (b) annually within three months of 30 June of each year, and
  - (c) on the councillor or designated person becoming aware of an interest they are required to disclose that has not been previously disclosed in a lodged return
- A person must not make and lodge a return that the person knows or ought reasonably to know is false or misleading in a material particular
- The general manager must keep a register of returns required to be made and lodged with the general manager
- The register of returns must be tabled at a council meeting after the returns are lodged.
- Information contained in returns to be made publicly available.

Members of the Local Planning Panel are also required to lodge Disclosure of Interest returns in accordance with the Code of Conduct for Local Planning Panel members.

All Councillors, Local Planning Panel members and designated staff, with the exception of those staff members on leave, have lodged their Returns as required. The Register of Returns is tabled in accordance with the requirements of the Code of Conduct.



---

## Governance and Administration Matters - 26 October 2021

---

### **ITEM 7.3                      Proposed Fee and Charge for Regionally Significant Development Applications**

**AUTHOR                      Planning**

#### **PURPOSE AND BACKGROUND**

Following the adoption of the 2021/2022 Operational Plan and Fees and Charges, Canterbury Bankstown Council became part of a select group of Councils to take part in a new State Government initiative administered by the Department of Planning, Industry and Environment.

The Pilot Program is aimed at reducing assessment times on a state-wide basis for large scale development applications identified as regionally significant. It will require Council to assign significantly more time and resources to the pre-lodgement phase and therefore it is proposed to introduce a fee for pre-lodgement services for regionally significant development applications.

At the 24 August 2021 Ordinary Meeting, Council resolved to place on public exhibition the additional fees and charges for 28 days in accordance with Section 610F of the Local Government Act 1993.

#### **ISSUE**

The fees and charges were exhibited for 28 days from 1 September 2021 to Tuesday 28 September 2021. This report outlines the results of the exhibition and recommendations.

#### **RECOMMENDATION**

That Council adopt the Fees and Charges outlined in the report.

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

- A. Proposed change to fees and charges for RSDA projects

## **POLICY IMPACT**

---

This report will not result in any change to Policy however adoption of the recommendations will require amendment to the fees and charges that were adopted at the June 2021 Ordinary meeting.

## **FINANCIAL IMPACT**

---

Council has an existing fee for informal pre-lodgement services which is generally reserved to town planning input.

This fee (\$391.20) is rarely charged because of the preliminary nature of the advice provided in most instances and the small scale nature of most development types. This approach is taken to also encourage applicants to liaise with Council early in the planning stage and avoid more costly amendments or information requests during the formal assessment process once an application is lodged.

Participation in the pilot program will see an increase in demand for pre-lodgement services for regionally significant development applications where detailed advice will be required across multiple areas of Council. The existing pre-lodgement fee is inadequate, and a new fee is required to be introduced for this specific group of applications. Whilst the proposed fee will not represent full cost recovery for the entire pre-lodgement assessment service, it will cover staff time associated with the preparation of, and participation in a pre-lodgement meeting with a proponent and the preparation of written advice.

The number of applications of this nature received over a financial year is typically in the order of 10 – 20 and so it is anticipated that a similar number of requests will be made for detailed pre-lodgement advice.

## **COMMUNITY IMPACT**

---

Additional time expended by Council at the pre-lodgement phase will provide clear guidance to proponents on key issues associated with their proposal. The outcome for proponents who adopt Council's advice will be a higher quality application, which in turn should lead to a more efficient assessment process and improved development outcomes.

## **DETAILED INFORMATION**

---

Currently, Council offers a pre-lodgement service where proponents are encouraged to discuss their proposal with Council staff and to seek guidance on key issues that they have encountered in the preparation of design documentation. Council provides advice on these and other issues in an informal setting.

The RSDA process is a fast track assessment process which is targeted at large sale development proposals, and which will require Council to deliver assessment reports to the Sydney South Planning Panel in compressed time frames.

The categories of development applications that will be subject to this process are typically:

- General development over \$30 million;
- Council related development over \$5 million;
- Crown development over \$5 million;
- Development carried out by or on behalf of the Crown (within the meaning of Division 4.6 of the Act) that has a capital investment value of more than \$5 million; and
- Private infrastructure and community facilities over \$5 million.

Given the scale of these developments and the fast tracked assessment process, it is anticipated that many proponents will seek far more detailed advice from Council staff prior to committing to lodgement of the application, so that there is greater certainty around what the likely planning, design, environmental, infrastructure and servicing issues may be. This has been evidenced already since the commencement of the pilot program on 1 July 2021.

Coordination of advice will be led by Council's Development Unit, but participation will be required across multiple areas of Council in order to provide comprehensive advice to the proponent.

It is proposed that the applicable fee be set at \$2,500 (plus GST) per request for advice. This fee would include all staff time associated with accepting the "application" for advice, assessment of the proposal across all relevant areas of Council, town planning assessment, a meeting with the proponent to deliver and discuss Council's advice, and preparation of written advice to the proponent. The proposed charge is unlikely to be construed as a burden to proponents, given the capital expenditure associated with these proposals and the likely time savings that result from a fast tracked assessment based on comprehensive pre- lodgement advice.

### **Exhibition of the proposed fees and charges**

Council exhibited the proposed fees and charges for a period of 28 days from 1 September to 28 September, 2021. During this time the fees and charges were displayed on the "Have your Say" page on Council's website as well as in the Council column in The Torch newspaper.

Over the exhibition period, one contributor provided feedback which was of a generally negative sentiment towards the additional charge and more broadly, the level of rates paid by businesses in the LGA. Specific to the proposed fee, the submission questioned whether the purpose of the fee is to procure guidelines for development.

As outlined in this report, the purpose of the fee is not to obtain guidelines but rather is for the provision of detailed planning advice following a holistic assessment of an applicant's pre-lodgement proposal.

Accordingly, it is recommended that the fee is introduced as proposed.

---

## Governance and Administration Matters - 26 October 2021

---

**ITEM 7.4**                      **2021 COVID Relief Grants**

**AUTHOR**                      **Community Services**

### **PURPOSE AND BACKGROUND**

---

The purpose of this report is to recommend the allocation of \$252,400 funding from Council's Community Grants and Events Sponsorship Program to 63 COVID Relief programs.

### **ISSUE**

---

The 2021 COVID Relief Grants Program ran as an extension to the annual Community Grants and Events Sponsorship Program. It opened on Wednesday 1 September and closed on Tuesday 21 September 2021. The program was widely advertised in the local press, through community networks, social media and on Council's website.

An online Information session was held on Tuesday, 7 September 2021. At the close off time, 78 applications were received seeking a total of \$610,383.

### **RECOMMENDATION**

---

That Council approve the distribution of the 2021 COVID Relief Grants Program as outlined in Attachment A.

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

---

A.     COVID Relief Grants Summary & Recommendations

## **POLICY IMPACT**

---

The recommendations of this report comply with Council's Community Grants and Events Sponsorship Policy and COVID Relief Grants guidelines.

## **FINANCIAL IMPACT**

---

Funds for the COVID Relief Grants Program are available from within the adopted Operational Budget for 2021–2022.

## **COMMUNITY IMPACT**

---

Applicants could seek funding within two categories:

- Emergency Relief
- Organisational Relief

Applications were assessed against the application criteria by Council Officers and a Council's Grants Assessment Panel. The Assessment Panel which was observed by a Council Probity Officer consisted of the Mayor, Councillors Harika, El-Hayek, Zakhia, Eisler, Saleh and Council staff with declarations made and managed at appropriate times. A summary of the recommended funding amounts is included as 'Attachment A' to this report.

Successful applicants will receive a funding agreement and advice as to how the grants will be provided in accordance with COVID restrictions.

## **DETAILED INFORMATION**

---

Council has made a significant contribution to supporting local not for profit agencies over the past 18 months. Support began with the Mayor's 18 point plan in 2020 that saw amongst other things, field and hall hire fees suspended. This support has now extended through 2021.

With regards to grants, a Helping You Help Others Program was conducted instead of the usual grants round and \$221k was provided to 55 projects that provided Emergency Relief and assisted community organisation to adapt their operations to an online format. The remainder of the annual Grants Program was carried over to the current operational budget for 2021/22.

In July this year Council adopted a report on the Annual Community Grants and Event Sponsorship Program that provided \$507,715 to 91 local community programs. Many of these were submitted prior to lockdown and will provide valuable assistance to groups as they move back to COVID safe face to face activities. Following lockdown, in July a Mayoral Minute was adopted that resulted in \$100k in Emergency Relief being distributed to 13 member groups of the Local Emergency Relief Network to assist them in their support of local families impacted by COVID. This funding is being put to essential food items, rent assistance and bills.

As lockdown continued it was determined that the remainder of the Community Grants and Event Sponsorship Program carryover be provided as Emergency Relief and Organisational Relief the guidelines for which mirrored the Help You Help Others Program from last year. With a focus on providing technical support to enable community organisations to adapt their practices to the current restrictions.

This COVID Relief round will see Council's Community Grants Program contribution to support local community groups in the last 16 months top the \$1million dollar mark with \$1,081,78 being provided.

For the COVID Relief Funding Round an Information Session was conducted and attended by twenty-eight people attended who were provided with details on how to lodge a completed application using the online application platform.

All applications were initially assessed by Council Officers and weighted in accordance with the Program Guidelines and presented to the Grants Assessment Panel on Tuesday 12 October. Interested Councillors were invited to join the Committee with six Councillors being briefed on the Governance pertaining to the assessment process. All signed declarations outlining any potential conflicts of interest joined in the assessment meeting that was attended by Council's Internal Auditor.

Sixty-three applications are being recommended to receive funding totalling \$252,400. Successful applicants will be required to sign a Funding Agreement that outlines their requirements for delivering the programs, acknowledging Council's contribution and reporting.



---

## Governance and Administration Matters - 26 October 2021

---

### ITEM 7.5                      Emergency Financial Support - COVID-19

**AUTHOR**                      Corporate

#### **PURPOSE AND BACKGROUND**

---

Council at its meeting on 24 August 2021 by Mayoral Minute (see attachment) adopted a number of measures to provide financial support to members of the community affected by the COVID-19 lockdown, in accordance with Council's Emergency Event provisions outlined in the Community Grants and Events Sponsorship Policy.

In accordance with the requirements of the Local Government Act 1993 and Council's Community Grants and Event Sponsorship Policy, the financial support package was placed on public exhibition for 28 days in accordance with the requirements of the Local Government Act NSW 1993.

#### **ISSUE**

---

The financial support package was exhibited for 28 days from Monday 20 September 2021 - Monday 18 October 2021. There were 14 submissions received, which are addressed in the attachment to the report.

#### **RECOMMENDATION**

---

That Council adopt the financial support package.

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

---

- A.    Emergency Financial Support COVID-19 - Council Report\_24 August 2021
- B.    Financial Support Package - Engagement Summary

## **POLICY IMPACT**

---

Council's adoption of the recommendation contained within this report will meet the requirements of the Local Government Act and Council's policy on Community Grants and Event Sponsorship.

## **FINANCIAL IMPACT**

---

Funding for the financial support package can be met through Council's existing budget provisions.

## **COMMUNITY IMPACT**

---

The proposed financial support package will benefit those members of the community affected by the COVID-19 lockdown.

## **DETAILED INFORMATION**

---

Council by way of Mayoral Minute (included in the attachments) resolved to activate its Emergency Event provisions contained in the Community Grants and Events Sponsorship Policy by providing financial support to those members of the community impacted by the COVID-19 lockdown.

The financial support package was exhibited for a period of 28 days from Monday 20 September 2021 - Monday 18 October 2021. During this time information on the package was displayed on the "Have your Say" page on Council's website as well as in the Council column in The Express and The Torch newspapers.

Council received 14 submissions during this period. The issues raised in the submissions are addressed in the attachment to the report.

The submissions received are generally supportive of the financial support package. Therefore, this report is recommending that the financial support package be adopted without change.



---

## Governance and Administration Matters - 26 October 2021

---

### **ITEM 7.6                    The Festival of Place - Open Streets Partnership Funding**

**AUTHOR                    City Future**

#### **PURPOSE AND BACKGROUND**

---

To inform Council of The Festival of Place Open Street Partnership Funding and seek endorsement for application of the grant to activate Campsie Town Centre and facilities within the area.

#### **ISSUE**

---

The Department of Planning, Industry and Environment (DPIE) is partnering with the 12 former LGAs of concern and the City of Sydney to temporarily close streets to cars and open them on a day or series of days for community events and activities.

DPIE is offering funding of up to \$500,000 to eligible councils that were impacted by strict stay-at-home orders for as long as 12 weeks, restricting mobility in a number of communities and impacting the local economy and wellbeing of both businesses and the community.

This report provides information and objectives of The Festival of Place – Open Streets partnership funding.

This report also outlines the reason why Campsie as an appropriate location for the Open Streets Partnership Funding.

#### **RECOMMENDATION**

---

That Council endorse Campsie as the nominated centre for The Festival of Place – Open Streets partnership funding for the reasons outlined in this report and that an application be submitted.

#### **ATTACHMENTS**

---

Nil

## **POLICY IMPACT**

---

The recommendations of this report are consistent with the Canterbury Bankstown Community Strategic Plan, *CBCity2028*, which sets out the community's aspiration for events that celebrate and promote our local identity. Council has committed to providing the community and visitors with the opportunity to experience and participate in a diverse range of vibrant and stimulating events and cultural activities through its Local Strategic Planning Statement, Delivery Program and Operational Plan.

## **FINANCIAL IMPACT**

---

There are no financial impacts to Council at this stage of the report. Councils are not required to provide contributing funds for their projects, however seeking other sources of funding is encouraged. At this stage it is proposed that council's contribution will be either in kind or utilising existing Operational Plan budget.

## **COMMUNITY IMPACT**

---

The Festival of Place – Open Streets Partnership Funding offers a way to showcase the nature of our City: thriving, dynamic and real. It will bring excitement, art, culture and activation to Campsie, which is our second major centre. It will bring visitors, community engagement and economic growth. It will showcase our businesses and community and promote a sense of belonging and cultural connection.

Residents want to get out into their local neighbourhoods and retail centres to reenergise our streets, enjoy local goods, services and activities on foot after spending an extended period indoors during lockdown. This funding will create a safe space for people to socialise and rediscover their streets.

## DETAILED INFORMATION

---

### What is The Festival of Place – Open Streets?

The Festival of Place Open Streets is a funding partnership program for eligible councils to temporarily close streets to cars and open them on a day or series of days for demonstration projects involving community events and activities.

The department is offering funding of up to \$500,000 to eligible councils.

This program targets streets in major centres, in or at the heart of the centres, close to services, retail and public transport if possible. Transport for NSW's considerations include impacts on the road and transport network, property access, road safety, notification periods, any temporary adjustments to Opal card or bus stops for the event, other events happening the same day and suitable detours for the community to move around on the network.

Community events and activities can run for a day or a series of days between now and May 2022, as soon as an agreement is in place between Council and the department, and the necessary approvals are obtained.

The Festival of Place – Open Streets Partnership Program is for community events and activities that are free and inclusive to all.

The Program aims to see streets better reimagined as places for people, whether that's new walking paths, turning asphalt into art, providing pop-up parklets, or trialling a street closure to make more room for safe street play.

### ***Program objectives***

The program sets out the following objectives that any proposal must meet:

- Temporarily close streets to cars and open them for people, with projects over a day or series of days that provide safe space for community events and activities.
- Re-energise our streets by creating a sense of excitement and discovery in streets and centres, with creative activations that are inviting and inclusive to all the community.
- Support job creation in local businesses and cultural sector.
- Seed longer-term place management outcomes, through demonstration projects that encourage partnerships between councils and businesses, cultural or learning institutions and/or asset owners.

### **Criteria**

Any project must meet the following criteria:

- Events and activities must take place on a street, that is closed or partially closed to vehicles.
- Streets must be in major centres, in or at the heart of the centre close to services, retail and public transport if possible.
- Streets may already restrict vehicle access partially or completely.
- Events and activities may be across multiple streets, provided they are in the same centre within walking distance and programming is aligned.
- Councils are encouraged to collaborate with a local gallery, school, library, arts organisation or similar on programming.

- Councils should engage and seek support from local businesses or business associations, asset owners or major nearby employers.
- Events and activities must be free and inclusive. Free ticketed events are acceptable for managing attendance.
- Events and activities may commence as soon as a funding agreement is in place and the necessary approvals (including any required by Transport for NSW) are obtained but must be held by May 2022 at the latest.

#### **PROPOSED LOCATION:**

Based on the above objectives and selection criteria it is proposed that Campsie is chosen as the preferred site for The Festival of Place – Open Streets partnership funding. Campsie town centre (along parts of Beamish Street and including Anzac Mall) addresses the following:

- Beamish Street already has in-principle support from Council and from Transport for NSW for full or partial street closures.
- Beamish Street is a major centre close to services, retail and public transport.
- There is the potential to collaborate with a local schools, library and community groups on programming.
- Anzac Mall offers an opportunity to test and seed-fund longer-term place management outcomes and is an under-utilised area of activation.
- Anzac Park offers an additional activation space close to the town centre connecting Anzac Mall to Beamish Street.

It is to be noted that DPIE have advised Councils that events and activations in single geographical city centres are the priority for funding over events run in multiple locations across a Local Government Area.

In proposing Campsie, the following was also taken into consideration:

- Bankstown is our primary centre and is undergoing a major capital transformation at the moment. However, there are several major events planned for Bankstown for the next 12 months. These include:
  - The launch of a new monthly Night Food Market and the turning on of the Christmas lights at Paul Keating Park (PKP), with George from The Survivor, in early December.
  - A proposed new 'Movies Under the Stars', also at PKP, as part of the Summer Series. This event itself, will hopefully attract additional funding through additional funding under a smaller grant scheme through the Festival of Place Program.
  - Bankstown Bites at Griffith Park.
  - Lunar New Year at Saigon Place.
  - A proposed new 'Signature' event in the spring of 2022, in and around PKP, subject to capital works progress.

Whilst this partnership funding offers a fantastic opportunity to showcase the streets of Campsie and may offer some scope for temporary improvements, it is a one-off funding program for one year only.

---

## Governance and Administration Matters - 26 October 2021

---

**ITEM 7.7**                      **Cash and Investment Report as at 30 September 2021**

**AUTHOR**                      **Corporate**

### **PURPOSE AND BACKGROUND**

---

In accordance with clause 212 of the Local Government (General) Regulation 2021, 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 September 2021.

### **RECOMMENDATION** That -

---

1. The Cash and Investment Report as at 30 September 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 September 21

## **POLICY IMPACT**

---

Council's investments are maintained in accordance with legislative requirements and its 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

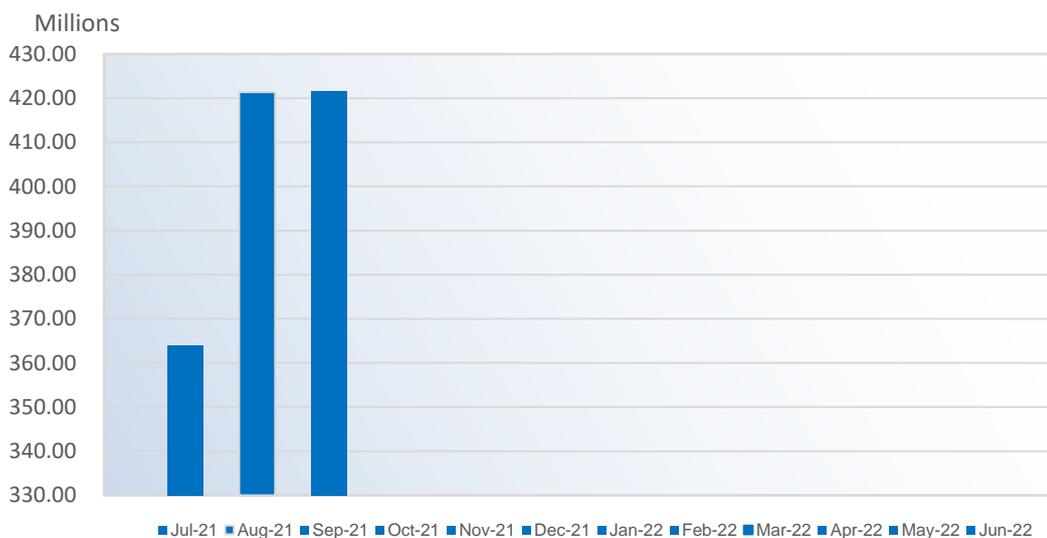
### Cash and Investment Summary – as at 30 September 2021

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

Cash and Investments	\$
Cash at Bank	836,567
Deposits at Call	81,558,571
Term Deposits	261,611,000
Floating Rate Notes	41,744,160
Bonds	36,000,000
<b>Total Cash and Investments</b>	<b>421,750,298</b>

Council’s level of cash and investments varies from month to month, particularly given the timing of Council’s rates and collection cycle, its operations and carrying out its capital works program. The following graph outlines Council’s closing cash and investment balances from July 2021 to June 2022.

Cash and Investment Rolling Monthly Balance 2021-2022



A summary of Council’s investment interest income earned for the period to 30 September 2021 is as follows:

Interest Income	Sept 2021 \$	Year-to-date Sept 2021 \$
Budget	501,875	1,505,625
Actual Interest	478,725	1,333,651
Variance	(23,150)	(171,974)
Variance (%)	(4.61%)	(11.42%)

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

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

<b>Maturity Profile</b>		
	<b>Actual % of Portfolio</b>	<b>Policy Limits %</b>
<b>Cash</b>	19.7	100
<b>Working Capital Funds (0-3 months)</b>	7.0	100
<b>Short Term (3-12 months)</b>	14.7	100
<b>Short – Medium (1-2 years)</b>	14.8	70
<b>Medium (2-5 years)</b>	40.2	50
<b>Long Term (5-10 years)</b>	3.6	5
<b>Total Cash and Investments</b>	100%	

<b>Portfolio Allocation</b>	
	<b>Actual % of Portfolio</b>
<b>Cash at Bank</b>	0.2
<b>Deposits at Call</b>	19.5
<b>Term Deposits</b>	61.7
<b>Floating Rate Notes</b>	10.0
<b>Bonds</b>	8.6
<b>Total Cash and Investments</b>	100%

---

## Governance and Administration Matters - 26 October 2021

---

### **ITEM 7.8                      Unaudited 2020/21 Annual Financial Report**

**AUTHOR                      Corporate**

#### **PURPOSE AND BACKGROUND**

---

In accordance with Section 413 of the Local Government Act (the Act) and Local Government (General) Regulation 2021, Council's 2020/21 Unaudited Annual Financial Reports are now completed and are referred for consideration under separate cover.

Once adopted, Council will be able to finalise the audit process which includes the receipt of the Auditor's Report.

Subject to their being no significant changes to Council's financial reports, a complete assessment of Councils' year-end result will be presented to the Council at its November 2021 Ordinary Meeting. Council's Auditor will also attend the future meeting to outline their opinion of the results.

#### **ISSUE**

---

In accordance with Section 413(1) of the Act, Council is required to prepare and refer their financial reports for audit.

Part of the process is that Council considers and resolves that the annual financial report has been prepared in accordance with the Local Government Act, Regulations and Accounting Code, and that the reports fairly present Council's operating result and financial position.

The process of accepting the financial reports includes the Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer declaring on behalf of Council that:

The annual financial reports have been prepared in accordance with:

- The Local Government Act 1993 (NSW) (as amended) and the Regulations made there under,
- The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board,
- The Local Government Code of Accounting Practice and Financial Reporting.

To the best of our knowledge and belief, this Report:

- Present fairly the Council's operating result and financial position for the year, and
- Accord with Council's accounting and other records.

The Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer also declare on behalf of Council that they are not aware of any matter that would render the Reports false or misleading in any way.

At the conclusion of the Audit, Council must:

- fix a date whereby it proposes to present its audited financial reports, together with the auditor's report to the public,
- give public notice of the date so fixed, and
- send a copy of the auditor's report on the council's financial reports, together with a copy of the council's audited financial report, to the Office of Local Government.

It should be noted that having regard to relevant guidelines and reporting requirements, Council has determined that it does not have any significant Business Activities to declare and report on in its financial reports.

It is anticipated that Council's audited financial report will be presented to Council at the November 2021 Ordinary Meeting.

Given that the financial reports are unaudited, they may be subject to change throughout the audit process, a summary of any variations required will be provided to Council when the audited financial reports are presented to Council at its November 2021 Ordinary Meeting, should the variations be material.

## **RECOMMENDATION** That -

---

1. Council resolves that the attached 2020/21 Unaudited Annual Financial Reports, for the financial year ended 30 June 2021 have been prepared in accordance with the relevant sections and parts of the Local Government Act and Regulations and are submitted to Council for its consideration.
2. The Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer duly sign the Statement of Council's Unaudited Annual Financial Reports on behalf of the Council.
3. Subject to Items 1 and 2, the Statement and the 2020/21 Unaudited Annual Financial Report be referred to Council's Auditor in finalising the year-end audit process.
4. The General Manager be authorised to set the date for the public meeting and give notice in accordance with the Local Government Act 1993.

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

---

- A. Draft Unaudited 2020/21 Financial Statements

## **POLICY IMPACT**

---

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

## **FINANCIAL IMPACT**

---

Notwithstanding any further adjustments that may be required as part of the audit process, the attached reports fairly present Council's operating result and financial position for the year and accord with relevant accounting records.

## **COMMUNITY IMPACT**

---

The financial reports provide the community with an understanding of Council's financial performance and financial position as at 30 June 2021. A more complete assessment of Council's results will be provided, when the audit process is complete and presented to Council in November 2021.



## **8 SERVICE AND OPERATIONAL MATTERS**

The following items are submitted for consideration -

- |     |  |     |
|-----|--|-----|
| 8.1 | Sports Facilities Strategic Plan               | 107 |
| 8.2 | Mirambeena Regional Reserve Plan of Management | 111 |



---

## Service and Operational Matters - 26 October 2021

---

**ITEM 8.1**                      **Sports Facilities Strategic Plan**

**AUTHOR**                      **City Future**

### **PURPOSE AND BACKGROUND**

---

To inform Council of the draft Sports Facilities Strategic Plan and seek endorsement to publicly exhibit the draft Plan to obtain community feedback. A report outlining any feedback received during the exhibition period will be reported back to Council.

### **ISSUE**

---

The draft Sports Facilities Strategic Plan is the first for the City of Canterbury Bankstown and will provide Council with the overarching strategic direction to guide the provision, maintenance and upgrade of sporting infrastructure across the city. The Plan establishes a hierarchy for each sporting code and identifies the adequacy of the existing sports facilities to meet current and projected future needs. In doing so, the Plan identifies priority projects for each sporting code and will assist Council in its planning for sporting facilities across the city.

### **RECOMMENDATION**

---

1. That Council endorse the draft Sports Facilities Strategic Plan for public exhibition.
2. A further report be submitted to Council at the conclusion of the public exhibition period to consider any submissions received.

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

---

- A. Draft Sports Facilities Strategic Plan

## **POLICY IMPACT**

---

The Sports Facilities Strategic Plan supports the aspirations of the Community Strategic Plan and contributes to the Healthy and Active destination. The Plan will also provide a new strategic approach for the whole of Canterbury-Bankstown.

## **FINANCIAL IMPACT**

---

The Sports Facilities Strategic Plan will not have an immediate financial impact. Implementation of priority actions will be considered in the preparation of Council's annual Operational Plan and budget process.

## **COMMUNITY IMPACT**

---

Sporting facilities contribute to the community's quality of life and overall well-being. The adoption of the plan will provide a clear strategic direction and will assist Council in working with sporting clubs, associations and other sporting bodies in the prioritisation of projects.

Public exhibition of the plan also provides the community with the opportunity to engage and participate in decision making and contribute to planning sports facilities to service current and future residents.

## DETAILED INFORMATION

---

There is an extensive network of sports facilities in Canterbury-Bankstown, with the majority catering for grass-roots sports, and some for elite level sport. With 75 sporting complexes, incorporating over 122 sporting fields, these facilities provide different levels of service for varying uses, forms and functions. Many are multipurpose and promote the shared use of facilities between multiple clubs and sporting codes, particularly across the summer and winter sporting seasons.

The draft Sports Facilities Strategic Plan (the Plan) is the first for the City of Canterbury Bankstown and will provide Council with the overarching strategic direction to guide the provision, maintenance and upgrade of sporting infrastructure across the city. It also acknowledges the need for a collaborative approach to sports facilities planning with community and sports associations to achieve equitable access for grass roots sporting opportunities for local level community sport.

The actions in the Plan support a vision to provide a range of different sports facilities, contributing to our City's vibrancy and sense of place whilst promoting an active and healthy community. The following six principles will support Council to deliver on this vision:

1. Create accessible, sustainable and connected sports facilities.
2. Provide safe and clean facilities.
3. Promote equal opportunities to participate and spectate for people of all ages, abilities and backgrounds.
4. Ensure a collaborative approach to sports facilities planning and development with community and sports associations.
5. Prioritise an improvement in the grassroots sporting experience for local level community sport.
6. Ensure functional, multi-purpose and adaptable facilities.

Consistent with Council's approach to open space planning, a hierarchy of facilities is established to inform the typical infrastructure that may be considered at each of the different level facilities.

An analysis of 16 sports codes was also undertaken and considers facility distribution, participation trends and Council's strategic position for each sport. Strategic actions are also identified for individual sports which will:

- help guide future works within Canterbury-Bankstown's forward capital works program;
- support Council's grant funding applications;
- guide Council's response to requests from sporting groups for facility upgrades; and
- align with the future needs of Sport Infrastructure Study currently under development by the New South Wales (NSW) Office of Sport.

## **Community Engagement**

The exhibition period will be an opportunity to continue conversations with state sporting organisations, local sporting clubs and associations, as well as the broader community to confirm priority actions. It is proposed that an extended public exhibition period be undertaken. Community consultation will be conducted using the Have Your Say platform and promoted via social media and local newspaper. Targeted consultation will be planned for sporting associations and key stakeholders to ensure they are informed on the proposal and have the opportunity to provide feedback to Council. A further report will be prepared for Council following the close of the exhibition period to consider any submissions received.

---

## Service and Operational Matters - 26 October 2021

---

### ITEM 8.2                      Mirambeena Regional Reserve Plan of Management

**AUTHOR**                      City Future

#### **PURPOSE AND BACKGROUND**

---

The purpose of this report is to provide a summary of the feedback received on the draft site specific Mirambeena Regional Reserve Plan of Management (PoM) and to present the draft PoM for adoption and implementation (Attachment A).

#### **ISSUE**

---

A draft PoM has been prepared that covers all the land in Mirambeena Regional Reserve under Council's care and control in accordance with the requirements of the *Local Government Act 1993* and the *Crown Lands Management Act 2016* and has been placed on exhibition prior to final consideration for adoption by Council.

The draft PoM applies to the six reserves that make up the Mirambeena Regional Reserve including Garrison Point, Lake Gillawarna, Flinders Slopes, Shortland Brush, Lansdowne Reserve and Amaroo Reserves.

The PoM will govern the use and management of community and crown land owned or under the care, control and management of Council within the reserve and supersedes all other previous plans of management relating to this land.

#### **RECOMMENDATION** That -

---

1. Council adopt the Mirambeena Regional Reserve Plan of Management.
2. Update the Generic Plan of Management for Community Land and Crown Land with amendment notice revoking its application Lansdowne Reserve and Amaroo Reserves.

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

---

- A. PoM Mirambeena Regional Reserve

## **POLICY IMPACT**

---

This PoM will provide strategic direction for community land and crown land and is consistent with Council's responsibilities under the *Local Government Act* and the *Crown Lands Management Act*. The PoM identifies the permissible uses and development for the various categories of community land and enables leases, licences and other estates.

Council must only undertake activities, uses or developments which are supported by this PoM. Any future amendments to the PoM (such as changes to activities allowed in a category of community land) must be publicly exhibited in accordance with the *Local Government Act* and the *Crown Lands Management Act*.

This PoM supersedes the management actions of the Georges River Open Space Corridor PoM 2001 for Garrison Point, Lake Gillawarna, Flinders Slopes and Shortland Brush. The PoM also supersedes the *Generic Plan of Management for Community Land and Crown Land* to the extent that it no longer applies to land located at Lansdowne Reserve and Amaroo Reserves.

## **FINANCIAL IMPACT**

---

This PoM will not have an immediate financial impact. Any future priorities identified as part of the PoM will be considered through the normal Operational Planning process.

## **COMMUNITY IMPACT**

---

Mirambeena Regional Reserve is one of the most significant regional parkland within the city attracting visitors from across the city and broader surrounding regions. The various parklands that form the regional reserve are flexible and multi-use catering for people of all ages, backgrounds and physical abilities across a range of activities and events.

A specific Plan of Management is warranted due to the scale and unique natural and formed features of the site, consistent with Council's planning for other significant regional parklands such as The Crest of Bankstown and Deepwater Park/Kelso Parkland.

The PoM aims to maximise efficient and effective management of recreation facilities, sporting facilities and natural areas for local and regional users and includes the purposes for which leases and licences will be considered for each category of open space. The PoM identifies opportunities within Council's capacity to respond to current needs and provides direction for future actions that will cater for growth and increase recreation options. The PoM includes performance targets for community and crown land including the protection and restoration of the City's valuable bushland.

## **CONCLUSION**

---

The PoM defines Council's vision for the future of the site and will govern the use and management of community and crown land owned or under the care, control and management of Council within the reserve superseding all other previous plans of management relating to this land.

## **DETAILED INFORMATION**

---

### **PUBLIC EXHIBITION**

At the July 2021 ordinary Council Meeting, the draft PoM was endorsed to be placed on public exhibition for comment and feedback from the community. The draft PoM was publicly exhibited from 11 August 2021 until 8 September 2021 plus an additional 14 days to receive public comment.

#### Results of consultation

The project page was viewed 76 times by 47 visitors resulting in three people providing feedback:

- One submitted through the online feedback form; and
- Two provided direct feedback via the community engagement email.

Feedback received from two individuals were generally constructive in nature demonstrating an interest in open space, whilst a third submission provided comment unrelated to the draft PoM.

No changes to the draft PoM are required as a result of this feedback.

### **ADMINISTRATIVE AMENDMENTS**

Minor administrative changes have been made to the draft PoM following public exhibition. These include changes to the Open Space Hierarchy – Typical Facilities table to ensure consistency (where applicable) with the Generic Plan of Management for Community Land and Crown Land, such as permitting drinking fountains in the Regional/citywide Sportsgrounds category of open space under the draft PoM.

An amendment was also required to the Land Categorisation Map at Garrison Point to ensure consistency with the Crown land categories covered by this PoM and in accordance with the approval received by Crown Lands.

The proposed administrative changes post exhibition are minor and will not require re-exhibition of the draft PoM in accordance with Clause 40 - Adoption of plans of management of the Local Government Act 1993.



## **9 COMMITTEE REPORTS**

The following items are submitted for consideration -

- |     |  |     |
|-----|--|-----|
| 9.1 | Minutes of the Traffic Committee Meeting held on 12 October 2021                 | 117 |
| 9.2 | Minutes of the Audit Risk and Improvement Committee meeting held 13 October 2021 | 119 |



---

## Committee Reports - 26 October 2021

---

**ITEM 9.1**                      **Minutes of the Traffic Committee Meeting held on 12 October 2021**

**AUTHOR**                      **City Assets**

### **PURPOSE AND BACKGROUND**

---

Attached are the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 12 October 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 12 October 2021, be adopted.

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

---

A.     Minutes of the Traffic Committee Meeting held on 12 October 2021

## **POLICY IMPACT**

---

This matter has no policy implications to Council.

## **FINANCIAL IMPACT**

---

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

## **COMMUNITY IMPACT**

---

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

---

## Committee Reports - 26 October 2021

---

### ITEM 9.2                      **Minutes of the Audit Risk and Improvement Committee meeting held 13 October 2021**

**AUTHOR**                      **Corporate**

#### **PURPOSE AND BACKGROUND**

Recent amendments to the Local Government Act (1993) require each council to have an Audit Risk and Improvement Committee (ARIC). Canterbury-Bankstown Council has an established ARIC which meets on a quarterly basis.

The purpose of this report is to consider the minutes of the meeting of the ARIC held on 13 October 2021. Matters arising from the meeting that may be of particular interest to Council include:

- **Item 5.2:** Councils Financial Statements for the year ending 30 June 2021 were reviewed by the ARIC and their queries addressed;
- **Item 5.5:** The Office of Local Government has released an updated draft of its new Guidelines for Risk Management and Internal Audit for Councils in NSW. These Guidelines outline the requirements for councils in relation to audit risk and improvement committees, risk management and internal audit. The term of councils current ARIC ends in March 2022, therefore council will shortly commence a process to form a new Committee; and
- **Item 5.6:** The proposed 4-year Strategic Internal Audit Plan was presented and endorsed by the Committee. This is a risk based Plan, which will be reviewed annually and it sets out the reviews to be completed by Internal Audit over the next four years. This Plan is referred to Council for adoption.

#### **ISSUE**

To consider the recommendations of the ARIC and the 4-year Strategic Internal Audit Plan for adoption.

#### **RECOMMENDATION** That -

1. The recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 13 October 2021, be adopted; and
2. The 4-Year (2021 – 2025) Strategic Internal Audit Plan be adopted.

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

- A. Minutes of the Audit Risk and Improvement Committee meeting held 13 October 2021
- B. CBC 4-Year Strategic Internal Audit Plan: 2021-2025

## **POLICY IMPACT**

---

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

## **FINANCIAL IMPACT**

---

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

## **COMMUNITY IMPACT**

---

Council maintains an independent Audit Risk and Improvement Committee in accordance with the Local Government Act.

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

The following items are submitted for consideration -

10.1 Notice of Motions	123
10.2 Carinya Road Playground - Councillor Linda Downey	125
10.3 Footpath Funding - Councillor Linda Downey	127
10.4 Pedestrian Overpass Milperra - Councillor Linda Downey	129
10.5 Litter Prevention - Councillor Clare Raffan	131
10.6 Information on Metro - Councillor Clare Raffan	133
10.7 Tree Management - Councillor Clare Raffan	135
10.8 Cool Our Suburbs With Reflective Roofing - Councillor Linda Eisler	137
10.9 Protecting Koalas - Councillor Linda Eisler	139
10.10 Front-line Workers of Our City - Councillor Bilal El-Hayek	141



---

## Notice of Motions & Questions With Notice - 26 October 2021

---

**ITEM 10.1**            **Notice of Motions**

**AUTHOR**            **Office of the General Manager**

### **ISSUE**

---

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

### **RECOMMENDATION**

---

That the information be noted.

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

---

- A. Notice of Motion Table
- B. Correspondence sent in relation to Notice of Motions



---

## Notice of Motions & Questions With Notice - 26 October 2021

---

### **ITEM 10.2            Carinya Road Playground**

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

“That Council investigate and implement appropriate protection measures at the playground located at Carinya Road, Picnic Point Reserve to maintain the safety of children.”

### **BACKGROUND**

---

I am proud of the many playgrounds and play spaces across our City both big and small. COVID has shown how important these places are with many young families escaping the lockdown to get outside. With greater use of these playgrounds, a concern has been raised over the possible safety at Picnic Point Reserve Playground.

While I understand generally our play spaces are located to be safe and accessible and to avoid the need for fencing, this site is very close to Carinya Road and a bus stop only metres from the playground.

As a result, I am requesting that Council investigate and implement measures such as partial fencing or barriers to protect the space from the adjacent road, while still allowing people to walk by.

### **GENERAL MANAGER’S COMMENT**

---

Council’s Playground and Play Spaces Strategic Plan recommends “that play spaces will generally not be fenced unless there are risks associated with traffic or water bodies”. The proposed recommendation is consistent with this strategy noting the site is in close proximity to both Carinya road and a bus stop. Funds can be provided as part of the next quarterly review.



---

## Notice of Motions & Questions With Notice - 26 October 2021

---

### **ITEM 10.3            Footpath Funding**

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

“Council seek the financial support of the NSW State Government so that Council can provide safer access throughout our suburbs by the provision of a more extensive formalised footpath network.”

### **BACKGROUND**

---

In the last 2 years over 25 requests for new footpaths have been received by Council from its residents in the Revesby Ward. They are seeking safer and more healthy ways of moving around their local communities.

As a council with limited financial resources I am seeking financial assistance from the State Government to provide these well-deserved resources. Increased housing density means greater numbers of cars/vehicles moving around and parking in our suburban streets.

It is becoming increasingly difficult and unsafe for residents to walk and children to cycle through their own suburbs.

### **GENERAL MANAGER’S COMMENT**

---

There is no cost implication arising from the proposed motion as written.



---

## Notice of Motions & Questions With Notice - 26 October 2021

---

### **ITEM 10.4            Pedestrian Overpass Milperra**

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

“That Council advocate to the NSW Government to provide a pedestrian and cycle overpass as an integral part of any upgrades proposed to the Henry Lawson Drive Milperra.”

### **BACKGROUND**

---

Everyone is aware of the high volume of traffic and the traffic issues afflicting Milperra.

These will only get worse with the increasing housing density that the state government is allowing in this suburb. Movement from one side of Milperra to the other is hugely impeded by Henry Lawson Drive running through the suburb.

My view is that an overpass (similar to the one at Bass Hill near Lake Gillawarna) will provide a safer and healthier route for pedestrians and cyclists, than what is currently available to residents.

It will improve connectivity between the two “halves” of Milperra and provide residents and visitors with a safer and more reliable access across Henry Lawson Drive and for this reason I believe Council should take this position and advocate to the NSW Government on incorporating such a connection.

### **GENERAL MANAGER’S COMMENT**

---

There is no cost implication arising from the proposed motion as written.



---

## Notice of Motions & Questions With Notice - 26 October 2021

---

### ITEM 10.5            Litter Prevention

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

“That Council

1. In principle endorse the Cooks River Litter Strategy and its target and principles.
2. Identify possible actions to support this strategy as part of Council's own Clean City Strategic Plan currently being developed.”

### BACKGROUND

---

Canterbury Bankstown Council already works actively to improve the health of the Cooks River through a variety of environmental initiatives, including its membership of the Cooks River Alliance. Over the past year the CRA has been working with the River Canoe Club of NSW, CRA partners, government agencies and community groups to develop the Cooks River Litter Strategy.

The Strategy utilises the NSW EPA litter framework aimed at identifying and changing littering behaviour. It will establish a new baseline measure of litter in 2021 and will utilise the EPA's Litter Data Framework to monitor litter in the Cooks River catchment and estuary.

The strategy introduces integrated data measurement, collection, and reporting, and establishes litter reduction targets. In particular, it identifies a target of 50% less litter in the Cooks River catchment by 2025. It also identifies the following three key directions

1. A network of organisations working collaboratively
2. Catchment-scale programs for litter prevention
3. Integrated data collection and reporting at catchment scale

Endorsement of the Strategy is an important first step in securing the next round of EPA Litter Protection Grants available in October 2021. These grants have previously funded projects for local litter prevention initiatives.

Future litter prevention projects undertaken by Council should build on this Strategy and be incorporated into Council's Clean City Strategic Plan currently under development.

### GENERAL MANAGER'S COMMENT

---

There is no cost implication arising from the proposed motion as written.

## **ATTACHMENTS**

[Click here for attachment](#)

---

- A. Cooks River Litter Prevention Strategy – September 2021

---

## Notice of Motions & Questions With Notice - 26 October 2021

---

### **ITEM 10.6                      Information on Metro**

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

“That Council call on the State Government to pay for and commission local artists to improve the facades of the substation and service building monstrosities being constructed as part of the Sydney Metro. This is to be done in collaboration with the Bankstown Arts Centre.”

### **BACKGROUND**

---

As Councillors and the community are no doubt aware, Sydney Metro are currently constructing a rail line through the heart of my city. It is also cutting a whole in my heart to see the lack of good design in this significant piece of state infrastructure. You only need to look at the concrete or tin boxes being forced on our community for the service building and substations.

Despite several attempts from both Council and the community to deliver a better design this has fallen on deaf ears. While it appears the designs of the buildings are locked in there is still one last hope to make these fit in to our neighbourhood.

I am proposing that Council demand that Sydney Metro work with the Bankstown Arts Centre to see what can be done to design and install murals or other forms of creative coverings of these buildings.

### **GENERAL MANAGER’S COMMENT**

---

There is no cost implication arising from the proposed motion as written.



---

## Notice of Motions & Questions With Notice - 26 October 2021

---

### **ITEM 10.7            Tree Management**

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

“That Council, as part of the development of the Urban Forest Strategy, consider and incorporate educating the community on the importance of and benefit made by urban trees to the natural and built environment, to community resilience and to individual wellbeing.”

### **BACKGROUND**

---

Over the last couple of years, I have been championing the push for Council to develop an urban forest strategy, which would include how the urban canopy can address the heat island effect and cool our suburbs. It is widely understood that suburbs within our LGA have experienced greater heat stress than many others within Sydney, due to the lack of good tree canopy cover. It is also well documented that suburbs with a higher tree cover, and a mixture of small, medium and large trees, are seen to support their residents to achieve a less stressful quality of life from environmental factors.

Despite these benefits, trees in the urban environment remain a vexed issue; it seems that half love them and half hate them. I am aware of many requests made to remove both private and public trees for reasons such as leaf drop, twigs making lawns messy or wildlife finding a home in them and causing a nuisance in the process.

Too many trees fall at the figurative axe wielded by developers, in the pursuit of maximum profit and I accept that our ability to influence change in this space is currently limited and what influence we can bring to bear will take time to produce results. But where we can make a difference is in influencing community perceptions of trees, focusing on bringing into the light, just what an important role they play, not only in providing habitat and biodiversity across our neighbourhoods, but the critical role they can play in the future wellbeing and prosperity of our community.

Whether it be highlighting the enormous impact to individual wellbeing and mental health on being in an environment where trees can be seen, smelt or heard, the savings made in not having to cool our homes to such an extent when shade from the increasingly hot summer sun beats down on our neighbourhoods or even the positive lift in real estate values, educating our residents on the tremendous benefits of an urban forest canopy is something that I wish to see put front and centre in any strategy addressing our urban forest.

### **GENERAL MANAGER’S COMMENT**

---

There is no cost implication arising from the proposed motion as written.



---

## Notice of Motions & Questions With Notice - 26 October 2021

---

### **ITEM 10.8                      Cool Our Suburbs With Reflective Roofing**

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

That Council:

1. Examine opportunities as part of the future DCP review to include controls on external finishes and roofing material to minimise heat retention in new developments.
2. Develop information and education resources for the community on the environmental benefits of choosing more reflective external finishing and roofing materials to reduce heat absorption, these may include solar panels.
3. Identify Council owned buildings that could be painted to become light coloured or heat reflective roofs.”

### **BACKGROUND**

---

Roofing materials play an important role in addressing the impact of urban heat. Increased high temperatures pose a risk to our communities and infrastructure. Surfaces that reflect solar energy tend to stay cooler themselves, release less heat into the surrounding air and allow for night time cooling in a city.

Choosing the right materials and colours help prevent solar radiation (heat) from being absorbed and transferred into the building to improve energy efficiency.

Sustainable development is very important to the future of Canterbury Bankstown, there’s an increasingly urgent need to educate the community about ways to reduce the impact of urban heat and to encourage greater uptake of appropriate roofing materials.

To support this initiative to encourage roofing finishes to minimise heat retention I proposed the following:

- Examine opportunities as part of the future DCP review to include controls on external finishes and roofing material to minimise heat retention in new developments.
- Develop information and education resources for the community on the environmental benefits of choosing lighter coloured roofing materials and encourages greater uptake of these materials.
- Identify Council owned buildings that could be painted to become light coloured or heat reflective roofs.

### **GENERAL MANAGER’S COMMENT**

---

There is no cost implication arising from the proposed motion as written.



---

## Notice of Motions & Questions With Notice - 26 October 2021

---

### ITEM 10.9                      Protecting Koalas

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

“That the Council:

1. Notes that since 1990, NSW koala populations have declined by between 20% and 50%, to be in the range of 15,000 to 25,000 remaining. Local extinctions have already occurred and the species is projected to become extinct in the wild in NSW within 30 years. Urgent action is needed to ensure future generations can see these iconic species in the wild.
2. Writes to the Premier, Minister for Planning & Public Spaces, Minister for Energy and Environment, and Minister for Agriculture urging them to:
  - a. Maintain council dual consent provisions for Private Native Forestry in Local Environmental Plans, to account for the variability within regions, zoning objectives, site survey needs, traffic and infrastructure limitations, and consultation with adjoining land holders;
  - b. Maintain council’s ability to regulate environmental zones to protect, manage and restore lands of high ecological, scientific, cultural or aesthetic values, particularly for the protection of core koala habitat;
  - c. Provide planning certainty, resources and support for identifying core koala habitat and the development of Koala Plans of Management; and
  - d. Allow for departures from the Koala Habitat Protection Guideline based on existing surveys, local circumstances or emerging technology where this is agreed to by the Department.”

### BACKGROUND

---

Koalas, once numbered in their millions across the entire NSW coast, have experienced a major decline and are threatened with extinction in our lifetime. Habitat loss is the biggest threat to koalas and land clearing is listed as a key threatening process for koalas under NSW and Commonwealth environment laws.

Reduced and fragmented habitat, with the accompanying loss of food trees, shelter and refuges, is both a direct driver of population decline and also exacerbates the impact of other threats such as dog attack, vehicle strike, disease and other impacts associated with high levels of human interaction.

The protection of habitat from loss and fragmentation is therefore the vital first step in dealing with the flow-on threats. The main drivers of ongoing koala habitat loss and fragmentation in NSW are:

- Native forest logging on public and private lands,
- Clearing of native forests for agriculture, and
- Clearing for urban development, infrastructure and other major projects such as mining.

Despite this, koala habitat has virtually no protection from development, clearing or logging on private lands, and ineffectual protection in State Forests.

## **GENERAL MANAGER'S COMMENT**

---

There is no cost implication arising from the proposed motion as written.

---

## Notice of Motions & Questions With Notice - 26 October 2021

---

### **ITEM 10.10          Front-line Workers of Our City**

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

“That Council install temporary banners to thank the hard working front-line workers of our City that have got us through this lockdown.”

### **BACKGROUND**

---

This year has been incredibly tough on everyone. While many residents did the right thing and stayed home to help stop the spread of COVID-19, there were many more than had to continue working to keep us safe. Particularly those working on the frontline ensuring that key services were still being delivered.

- nurses and doctors providing care for those who need it most,
- police men and women keeping us safe and putting their lives on the line every day,
- truck drivers keeping our city functioning so we can get the food and other resources we need,
- supermarket workers, working around the clock to keep shelves stocked and people fed,
- teachers providing support for our children,
- and all of the other public employees working hard on our behalf.

While we may be out of lockdown, now more than ever, we can't forget those that got us through these dark times. These tireless workers have our gratitude and respect having demonstrated courage, compassion, stamina and selflessness unlike anything we have seen. I appreciate a “Thank you” banner may not begin to convey the gratitude required but it is a symbol of our appreciation for their tireless work.

### **GENERAL MANAGER'S COMMENT**

---

The initiative is estimated to cost \$2,000. If council were to proceed with the motion, the necessary funds will be reflected through council's quarterly budget review process to allocate the relevant funds in Councils banner program.



## **11 CONFIDENTIAL SESSION**

11.1 Dunc Gray Velodrome – Handlebar Tavern Centre of Excellence Proposal

# **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 Dunc Gray Velodrome – Handlebar Tavern Centre of Excellence Proposal

*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.*