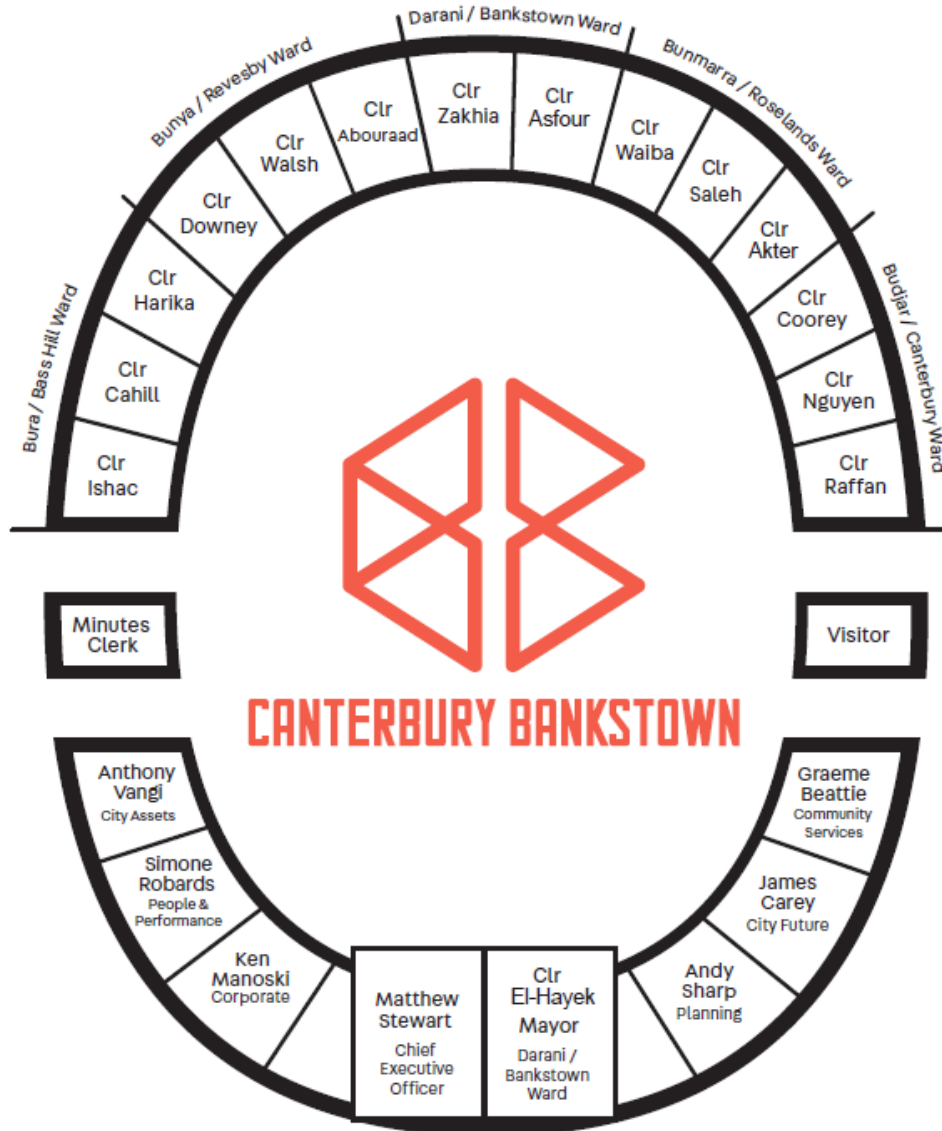




AGENDA FOR THE ORDINARY MEETING

28 November 2023

Gallery



Statement of Ethical Obligations

Oath or Affirmation of Office

In taking the Oath or Affirmation of Office, each Councillor has made a commitment to undertake the duties of the office of councillor in the best interests of the people of Canterbury Bankstown and Canterbury Bankstown Council and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act to the best of their ability and judgment.

Conflicts of Interest

A councillor who has a conflict of interest in any matter with which the council is concerned, and who is present at a meeting of the council when the matter is being considered, must disclose the interest and the nature of the interest to the meeting as soon as practicable. Both the disclosure and the nature of the interest must be recorded in the minutes of the Council meeting where the conflict of interest arises. Councillors should ensure that they are familiar with Parts 4 and 5 of the Code of Conduct in relation to their obligations to declare and manage conflicts of interests.

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1 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The following minutes are submitted for confirmation -

1.1	Minutes of the Ordinary Meeting of Council of 24 October 2023	9
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CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2023

PRESENT: Mayor, Councillor El-Hayek
Councillors Abouraad, Akter, Asfour, Cahill, Coorey, Downey, Ishac, Saleh OAM,
Waiba and Walsh

APOLOGIES Councillors Harika, Nguyen, Raffan and Zakhia

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.30 P.M.

ACKNOWLEDGEMENT OF COUNTRY

THE MAYOR ACKNOWLEDGED THE TRADITIONAL CUSTODIANS OF THE LAND, WATER AND SKIES OF WHERE WE ARE MEETING TODAY THE DARUG (DARAG, DHARUG, DARUK AND DHARUK) PEOPLE AND PAID RESPECT TO DARUG CULTURAL HERITAGE, BELIEFS AND RELATIONSHIP WITH THE LAND. THE MAYOR ALSO ACKNOWLEDGED FIRST PEOPLES' CONTINUING IMPORTANCE TO OUR COMMUNITY.

SECTION 1: CONFIRMATION OF MINUTES

(574)

CLR. ABOURAAD:/CLR. DOWNEY

RESOLVED that the minutes of the Extraordinary Meeting of Council held on 11 September 2023 and the Ordinary Council Meeting held on 12 September 2023 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

(575)

CLR. DOWNEY:/CLR. CAHILL

RESOLVED that Leave of Absence be granted to Clr Harika, Nguyen, Raffan and Zakhia due to personal reasons.

- CARRIED

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

In respect of Item 9.3 Minutes of the Traffic Committee Meeting held on 10 October 2023, Clr Ishac declared a Non-Significant, Non Pecuniary, Conflict of Interest on Item 17 of the Traffic Committee minutes. The technical approval is for a road closure for a Christmas event that he is assisting with on the organising committee, and as such, he will vacate the chamber taking no part in debate.

CANTERBURY BANKSTOWN
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SUSPENSION OF STANDING ORDERS

(576)

CLR. SALEH OAM:/CLR. DOWNEY

RESOLVED that

1. Standing Orders be suspended and Items 4.6 and 10.2 be dealt with now.
2. Standing Orders then be resumed.

- CARRIED

GAZA IN CRISIS

(577)

CLR. EL-HAYEK

RESOLVED that

1. Council write to the Prime Minister Anthony Albanese, and the Opposition Leader Peter Dutton, not only on behalf of the people in our City, but for more than 1 million Australians with cultural links to the region, that they make a definitive statement, as they did with Israel, and declare that they also stand with the innocent people of Gaza.
2. Council further call on both leaders to call for an immediate ceasefire to allow for innocent people to return to their homes and support a long-term peaceful resolution.

- CARRIED

ITEM 10.2

SUPPORTING PEACE IN GAZA AND PALESTINE

COUNCIL OBSERVED ONE MINUTE'S SILENCE.

(578)

CLR. SALEH OAM:/CLR. WAIBA

RESOLVED That Council:

1. Raise the Palestinian flag in support of the Palestinian people at both Bankstown's Paul Keating Park and Campsie Administration building until a cease fire is declared in the current humanitarian disaster unfolding in Gaza;
2. Call immediate cease fire in Gaza;

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3. Dedicate a space near Paul Keating Park for all the community to lay wreaths and flowers for innocent lives lost;
4. Protects and supports the democratic rights of the community to gather peacefully in Council public parks to demonstrate their views in support of the Palestinian people;
5. Call on the Australian Government to work quickly with the international community to call for an end to the humanitarian disaster unfolding in Gaza and its nearly one million Palestinian children and to restore access to food, electricity, water, fuel and medicine for around 2.3 million Palestinian civilians living in Gaza.

- CARRIED

HIS WORSHIP THE MAYOR ADJOURNED THE MEETING AT 7.08 PM.

STANDING ORDERS WERE RESUMED AT 7.12 PM.

WHEN THE MEETING RESUMED, CLR SALEH OAM WAS NOT PRESENT IN THE CHAMBER.

SECTION 4: MAYORAL MINUTES

ITEM 4.1 HOSPITAL BUDGET ANNOUNCEMENT

(579) CLR. EL-HAYEK

RESOLVED that Council write to the NSW Health Minister Ryan Park and thank his government for their commitment and reinforce our preferred location for the new hospital in the Bankstown CBD.

- CARRIED

CLR COOREY REQUESTED THAT HER NAME BE RECORDED AS VOTING AGAINST THIS RESOLUTION.

ITEM 4.2 VOICE REFERENDUM

(580) CLR. EL-HAYEK

RESOLVED that Council to continue advocating for better outcomes in education, health and social housing issues for all First Nations People.

- CARRIED

CLR SALEH OAM RETURNED TO THE CHAMBER AT 7.25 PM

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ITEM 4.3
(581)

SILICA BAN

CLR. EL-HAYEK

RESOLVED that Council investigates and prepares a report, investigating the banning of silica-based products from all new developments in our city.

- CARRIED

ITEM 4.4
(582)

CB EVOLVE

CLR. EL-HAYEK

RESOLVED that Council congratulate staff for encouraging and promoting investment in our city and urge all to get behind and support the CB EVOLVE event on November 8 and where possible “sell it” in the wider community.

- CARRIED

ITEM 4.5
(583)

LOCAL COMMUNITY BASED DONATIONS

CLR. EL-HAYEK

RESOLVED that

1. Council support a fee waiver of \$387 the for Bankstown Community Resource Centre Group towards the hire of Yagoona Community Centre and \$168 towards the waste costs.
2. Council support a donation of \$500 to Bankstown Theatre Company towards the hire of the Bryan Brown Theatre for their production of “Into the Woods”.
3. Council support a donation of \$500 to Najm Anoujoum towards the hire of the Bryan Brown Theatre for the “Star of the Stars” Talent Show.
4. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

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ITEM 4.6 GAZA IN CRISIS

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 577 ON PAGE TWO OF THESE MINUTES.

SECTION 5: PLANNING MATTERS

**ITEM 5.1 DRAFT ADMINISTRATIVE AMENDMENTS TO THE CANTERBURY-BANKSTOWN
LOCAL ENVIRONMENTAL PLAN 2023**

(584) CLR. DOWNEY:/CLR. ABOURAAD

RESOLVED that

1. Council prepare and submit a planning proposal(s) to the Department of Planning and Environment to seek a Gateway determination for the proposed amendments to the Canterbury-Bankstown Local Environmental Plan 2023 as outlined in this report.
2. Council does not refer the planning proposal(s) to the Local Planning Panel for advice in accordance with clause 1 of the Minister's Direction (Local Planning Panels Direction – Planning Proposals), given these matters have already been considered and supported by the Panel.
3. Council seek authority from the Department of Planning 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 to be the plan-making authority.
4. Council require landowners to pay for any relevant studies or reports required by the Department of Planning and Environment to support the site-specific rezoning changes and additional permitted uses.
5. Council exhibit draft amendments to the Generic Plan of Management for Community Land and Crown Land as outlined in this report.
6. The matter be reported to Council following the exhibition period.

- CARRIED

For:- Clrs Abouraad, Akter, Asfour, Cahill, Coorey, Downey, El-Hayek, Ishac, Saleh
OAM, Waiba and Walsh

Against:- Nil

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ITEM 5.2 **POST EXHIBITION - WSU MILPERRA - DRAFT DEVELOPMENT CONTROL PLAN AND DRAFT PLANNING AGREEMENT**

(585) **CLR. DOWNEY:/CLR. WALSH**

RESOLVED that

1. Council endorse the draft site specific Development Control Plan as shown in Attachment B and that it be brought into effect once the LEP amendment is finalised and published on the NSW Legislation website.
2. Council endorses the draft Planning Agreement as provided in Attachment C and authorises the Chief Executive Officer to execute the agreement on behalf of Council, including any other administrative changes that does not alter the intent.
3. Once executed, Council write to the Department of Planning and Environment to advise that Council nominates itself as the relevant public acquisition authority for the RE1 and SP2 zoned land to be dedicated under the Planning Agreement.
4. Council provides a copy of all submissions received during the public exhibition periods for the draft site specific DCP and draft Planning Agreement to the Department of Planning and Environment.

- CARRIED

For:- Ctrs Abouraad, Akter, Asfour, Cahill, Downey, El-Hayek, Ishac, Saleh OAM, Waiba and Walsh

Against:- Clr Coorey

SECTION 6: **POLICY MATTERS**

ITEM 6.1 **COUNCILLOR EXPENSES AND FACILITIES POLICY**

(586) **CLR. ABOURAAD:/CLR. CAHILL**

RESOLVED that

1. Council note the public submissions received and administrative changes/updates to Council's Draft Councillor Expenses and Facilities Policy, as outlined in the report.

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2. In accordance with Section 252 and 253 of the Local Government Act 1993, Council adopts the Draft Councillor Expenses and Facilities Policy (Attachment A), as outlined in the report.

- CARRIED

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 UPDATE ON REQUEST TO RENAME THE CHESTER HILL COMMUNITY CENTRE

(587) CLR. CAHILL:/CLR. ISHAC

RESOLVED that

1. Council endorse the renaming of the Chester Hill Community Centre to the 'Helen Westwood Chester Hill Community Centre' acknowledging Helen's contribution to the local community.
2. Appropriate signage be placed on the community centre in line with Council's Naming Policy.

- CARRIED

ITEM 7.2 DISCLOSURE OF INTEREST RETURNS 2022-23

(588) CLR. DOWNEY:/CLR. CAHILL

RESOLVED that the tabling of the Disclosure of Interest Returns for 2022-23 be noted.

- CARRIED

ITEM 7.3 CASH AND INVESTMENT REPORT AS AT 30 SEPTEMBER 2023 AND 31 AUGUST 2023

(589) CLR. ASFOUR:/CLR. ABOURAAD

RESOLVED that

1. The Cash and Investment Report as at 30 September 2023 be received and noted.

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2. The Cash and Investment Report as at 31 August 2023 be received and noted.
3. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

ITEM 7.4 RESILIENT SYDNEY PROGRAM UPDATE AND RESILIENT SYDNEY STRATEGY 2025-2030

(590) CLR. ASFOUR:/CLR. ABOURAAD

RESOLVED that Council continues to be an active participant in the Resilient Sydney Project and contribute to the development of the Resilient Sydney Strategy 2025-2030 as outlined in this report.

- CARRIED

ITEM 7.5 CODE OF MEETING PRACTICE - 2024 SCHEDULE OF MEETINGS

(591) CLR. DOWNEY:/CLR. ISHAC

RESOLVED that the 2024 Schedule of Council Meetings be adopted.

- CARRIED

ITEM 7.6 NEW MODEL OF ENGAGEMENT WITH NSW EPA ABOUT WASTE ISSUES

(592) CLR. WALSH:/CLR. ABOURAAD

RESOLVED that

1. Council endorses the CEO a seat at the Greater Sydney Waste Leadership Forum.
2. Council endorses the list of priority issues for the CEO to raise at the Forum.

- CARRIED

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ITEM 7.7 **UNAUDITED 2022/23 ANNUAL FINANCIAL REPORT**
(593) **CLR. ABOURAAD:/CLR. ASFOUR**

RESOLVED that

1. Council resolves that the attached 2022/23 Unaudited Annual Financial Reports, for the financial year ended 30 June 2023 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, Chief Executive Officer 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 2022/23 Unaudited Annual Financial Report be referred to Council's Auditor in finalising the year-end audit process.
4. The Chief Executive Officer be authorised to set the date for the public meeting and give notice in accordance with the Local Government Act 1993.

- CARRIED

AT THIS STAGE OF THE MEETING (8.26 PM), IN ACCORDANCE WITH CLAUSE 15.4 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A FIRST WARNING TO CLR COOREY FOR AN ACT OF DISORDER.

SECTION 8: SERVICE AND OPERATIONAL MATTERS

ITEM 8.1 **CALENDAR OF CITY EVENTS AND ACTIVATIONS 2024**
(594) **CLR. ISHAC:/CLR. DOWNEY**

RESOLVED that Council endorses the proposed calendar of City Events and Activations 2024 as outlined in this report.

- CARRIED

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ITEM 8.2 **RELEASE OF DRAINAGE EASEMENT AT 1 CLAPHAM ROAD, REGENTS PARK**
(595) **CLR. ISHAC:/CLR. CAHILL**

RESOLVED that

1. Council consents to the extinguishment of the drainage easement located at 1 Clapham Road, Regents Park on the terms outlined in the report.
2. The Mayor and Chief Executive Officer be authorised to sign all necessary documentation for LTD-17/2023 relating to the release of the existing drainage easement under the common seal of Council.

- CARRIED

SECTION 9: **COMMITTEE REPORTS**

(596) **CLR. COOREY:/CLR. DOWNEY**

RESOLVED that in accordance with Council's Code of Meeting practice, Council adopts all the recommendations of the Committee Reports.

- CARRIED

ITEM 9.1 **MINUTES OF THE UNIVERSAL ACCESS ADVISORY COMMITTEE MEETING HELD ON**
(597) **6 SEPTEMBER 2023**

CLR. COOREY:/CLR. DOWNEY

RESOLVED that the minutes of the Universal Access Advisory Committee meeting held on 6 September 2023 be endorsed.

- CARRIED

CANTERBURY BANKSTOWN
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ITEM 9.2 **MINUTES OF THE COMMUNITY SAFETY ADVISORY COMMITTEE MEETING HELD ON 14 SEPTEMBER 2023**

(598) **CLR. COOREY:/CLR. DOWNEY**

RESOLVED that the minutes of the Community Safety Advisory Committee meeting held on 14 September 2023 be endorsed.

- CARRIED

ITEM 9.3 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 10 OCTOBER 2023**

In respect of Item 9.3 Minutes of the Traffic Committee Meeting held on 10 October 2023, Clr Ishac declared a Non-Significant, Non Pecuniary, Conflict of Interest on Item 17 of the Traffic Committee minutes. The technical approval is for a road closure for a Christmas event that he is assisting with on the organising committee, and as such, he vacated the chamber taking no part in debate.

CLR ISHAC TEMPORARILY VACATED THE CHAMBER AT 8.33PM.

(599) **CLR. COOREY:/CLR. DOWNEY**

RESOLVED that the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 10 October 2023, be adopted.

- CARRIED

CLR ISHAC RETURNED TO THE CHAMBER AT 8.34PM.

ITEM 9.4 **MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD 17 OCTOBER 2023**

(600) **CLR. COOREY:/CLR. DOWNEY**

RESOLVED that

1. The recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 17 October 2023, be adopted; and
2. Council approves the Annual Internal Audit Plan for 2023-24.

- CARRIED

CANTERBURY BANKSTOWN
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SECTION 10: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

CLR ISHAC TEMPORARILY VACATED THE CHAMBER AT 8.34 PM AND RETURNED AT 8.35 PM.

ITEM 10.1 STATUS OF PREVIOUS NOTICES OF MOTION - OCTOBER 2023

(601) CLR. DOWNEY:/CLR. ASFOUR

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 SUPPORTING PEACE IN GAZA AND PALESTINE

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 578 ON PAGE TWO AND THREE OF THESE MINUTES.

ITEM 10.3 RARE DISEASE DAY

(602) CLR. DOWNEY:/CLR. WALSH

RESOLVED that Council supports and highlights Rare Diseases Day on 29th February 2024 through Council's website and social media platforms.

- CARRIED

ITEM 10.4 MAX GARTHE RECOGNITION

(603) CLR. DOWNEY:/CLR. WALSH

RESOLVED that Council acknowledges retiring local jeweller Mr Max Garthe for his outstanding contribution to the community over the last 72 years by awarding him a Mayoral Certificate of Recognition.

- CARRIED

CANTERBURY BANKSTOWN
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ITEM 10.5 NEW LIFE FOR OLD HOSPITAL

MOTION CLR HARIKA

That Council writes to the NSW Health Minister, The Hon Ryan Park MP, urging him to investigate the feasibility of repurposing the existing Bankstown-Lidcombe Hospital and establishing a women's hospital, like the Royal Hospital for Women, along with other specialised health services and research facilities on the site.

THERE BEING NO MOVER THE MOTION LAPSED

AT THIS STAGE OF THE MEETING (8.55 PM), IN ACCORDANCE WITH CLAUSE 15.4 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A SECOND WARNING TO CLR COOREY FOR AN ACT OF DISORDER.

ITEM 10.6 UWS MILPERRA SITE
MOTION

CLR. ABOURAAD:/CLR. COOREY

RESOLVED that Council write to the NSW Education Minister The Hon. Prue Car, seeking that the Minister follow through on her previous support for the development of a future state of the art secondary school on the former UWS Milperra site.

AMENDMENT CLR. DOWNEY:/CLR WALSH

As the previous State MP for East Hills, Wendy Lindsay and the NSW Liberal Government ignored the wishes of the Milperra community's need for a local public high school and pushed ahead with the rezoning of the Western Sydney University site, Council writes to the NSW Minister for Education, The Hon. Prue Car, to investigate the feasibility of retaining some of the former Milperra Western Sydney University site for a secondary high school.

CLRS ABOURAAD AND ISHAC STOOD FOR A DIVISION

For: Clrs Asfour, Cahill, Downey, El-Hayek, Saleh OAM, Waiba and Walsh

Against: Clrs Abouraad, Akter, Coorey and Ishac

THE AMENDEMENT WAS CARRIED AND BECAME THE MOTION

(604) CLR. DOWNEY:/CLR WALSH

As the previous State MP for East Hills, Wendy Lindsay and the NSW Liberal Government ignored the wishes of the Milperra community's need for a local public high school and pushed ahead with the rezoning of the Western Sydney University site, Council writes to the NSW Minister for Education, The Hon. Prue Car, to

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investigate the feasibility of retaining some of the former Milperra Western Sydney University site for a secondary high school.

CARRIED

CLR WAIBA TEMPORARILY VACATED THE CHAMBER AT 9.14 PM AND RETURNED AT 9.16 PM.

ITEM 10.7

CHRISTMAS DECORATIONS

CLR. COOREY:/CLR. ABOURAAD

MOTION that Council:

- a) Place Christmas Trees in Belmore, Campsie, Belfield, Earlwood and Croydon Park shopping centres for the Christmas period 2023.
- b) Supports the shop keepers by placing Christmas decorations in the shopping centres (as indicated in paragraph 1a) above) to support the festive and religious season.

CLR COOREY ADVISED THE CHAIR THAT SHE WAS WITHDRAWING HER NOTICE OF MOTION

- MOTION WITHDRAWN

ITEM 10.8

FACILITATION OF COUNCIL MEETINGS IN CANTERBURY AND ROSELANDS WARD

CLR. COOREY:/CLR. ABOURAAD

MOTION that Council facilitates Council Meetings in local halls throughout each Ward commencing with Canterbury and Roselands Wards for at least five Council meetings commencing in February 2024.

THE MOTION WAS LOST.

CLRS ASFOUR AND COOREY STOOD FOR A DIVISION

For:- Clr Coorey

Against:- Clrs Abouraad, Akter, Asfour, Cahill, Downey, El-Hayek, Ishac, Saleh OAM, Waiba and Walsh

- LOST

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AT THIS STAGE OF THE MEETING (9.24 PM), IN ACCORDANCE WITH CLAUSE 15.4 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A FIRST WARNING TO CLR ASFOUR FOR AN ACT OF DISORDER.

SECTION 11: CONFIDENTIAL SESSION

(604) CLR. DOWNEY:/CLR. ISHAC

RESOLVED that, in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Items 11.1, 11.2, and 11.3 in confidential session for the reasons indicated:

Item 11.1 T69-23 Padstow Park Amenities Building

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

Item 11.2 Anchor Organisation for First Nations Cultural Hub and Resource Centre Trial

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

Item 11.3 Chief Executive Officer Performance Review

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

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 9.29 PM AND
REVERTED BACK TO OPEN COUNCIL AT 10.02 PM.**

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ITEM 11.1 **T69-23 PADSTOW PARK AMENITIES BUILDING**
(605) **CLR. DOWNEY:/CLR. WALSH**

RESOLVED that

1. Council accepts the tender received from Cerak Constructions Pty Ltd for an amount of \$4,506,288.54 (excluding GST) for T69-23 Padstow Park New Amenities Building.
2. Council approves the increase in budget for the project and reflect the adjustment as part of Council's September 2023 Quarterly review process, as outlined in the report.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

ITEM 11.2 **ANCHOR ORGANISATION FOR FIRST NATIONS CULTURAL HUB AND RESOURCE**
(606) **CENTRE TRIAL**
CLR. CAHILL:/CLR. DOWNEY

RESOLVED that Council approves Bankstown Community Resource Group to be the Anchor Organisation for a two-year period to trial the establishment of a First Nations Cultural Hub and Resource Centre, as outlined in the report.

- CARRIED

ITEM 11.3 **CHIEF EXECUTIVE OFFICER PERFORMANCE REVIEW**
(607) **CLR. ISHAC:/CLR. DOWNEY**

RESOLVED that

1. Council receive and note the Confidential CEO Performance Review Panel's Report.
2. Council notes the Chief Executive Officer's performance for the review period as determined by the Panel was either 'highly effective' or 'exceptional' in all sixteen (16) Strategic Outcome/Topic criteria.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 OCTOBER 2023

3. Given the 'more than satisfactory' performance criteria has been met, the Total Remuneration Package of the CEO increase akin to that applied to all NSW Local Government employees, being 4.5%.
4. The Mayor be delegated the authority to finalise and sign all documentation as required.
5. The Mayor be delegated the authority to finalise the 2023/2024 CEO Performance Agreement.

- CARRIED

AT THIS STAGE OF THE MEETING (9.50 PM), IN ACCORDANCE WITH CLAUSE 15.4 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A SECOND WARNING TO CLR ASFOUR FOR AN ACT OF DISORDER.

THE MEETING CLOSED AT 10.03 P.M.

Minutes confirmed 28 NOVEMBER 2023

.....
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	Trail Bikes Clampdown	33
4.2	Planning Policy Review	35
4.3	Local Community Based Donations	37
4.4	Melkite Jubilee	37A

Mayoral Minutes - 28 November 2023

ITEM 4.1 Trail Bikes Clampdown

Councillors

Over the past 12 months some of you may have noticed the glaring headlines.

“Police crackdown on rogue riders”, “Dirt bikes seized”, “Police launch fresh crackdown on trail bike riders” or “Trail bikes terrorise locals” and “Undercover blitz to nab dirt bike riders”

The headlines are all too familiar, not only for what is occurring in our city, but for what most Council’s across NSW are having to deal with.

A recent six-month operation in the Cessnock area, Operation Rida, resulted in several arrests and more than 50 dirt bikes being seized.. . .and it will come as no surprise to learn that most of the bikes had been stolen.

Other operations across Sydney, including Penrith and the St George area have yielded similar results.

Unruly teens on trail bikes are ignoring all the road rules. . . menacing motorists darting in and out of traffic and terrorising pedestrians with their bold and brazen footpath antics.

They have no respect for the law and are putting their lives at risk, along with others.

We have also seen trail bikes causing tens of thousands of dollars damage, ripping up our parks and ovals, and doing untold damage to our bushland reserves and pathways

Frankly, I have had a gutful and I know senior police are just as frustrated but are somewhat hamstrung by the lack of resources and the lenient penalties which currently exist.

By way of background, unregistered trail bikes can be ridden on private property and riders don’t need a licence.

Councillors, it’s time to get tougher on rogue trail bike riders. Tonight, I propose writing to the NSW Government calling on them to consider introducing registration, and licence tests, for all trail bikes and riders.

I also call on increased fines, and the confiscation of bikes for repeat offenders, and a review of noise regulations which will prohibit trail bikes on private property, if they come within 500m of residences.

I further call on Council to review signage at our facilities about informing residents on how to report illegal trail bike riding to police.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 28 November 2023

ITEM 4.2 Planning Policy Review

Councillors

Benjamin Franklin was quoted as saying: “By failing to plan, you are preparing to fail”.

Well, with no disrespect to one of the world’s greatest inventors and US Founding Fathers, Benjamin Franklin, planning for the future of our City is proving to be quite challenging.

An everchanging landscape. . . . with new rules and regulations. . . . changing governments with differing philosophies. . . . increasing population. . . a shortage of housing supply the costs of construction . . . and the rapidly rising cost to purchase a home.

Over the past few months, we have read about the Government’s vision about “going up and not out”, increasing density in our cities, particularly around transport corridors, overhauling planning laws, streamlining the approvals process, sharing the housing requirements across all Councils and even doing away with Local Planning Panels.

It’s encouraging the new Government is talking about all these things but in doing so, they must not exclude local councils from the dialogue and consultation. . . . and let’s not forget, a great city is not all about density, it’s about community, it’s about playgrounds for kids, recreation spaces for families, cycleways and boardwalks, roads, school and hospitals, as well as other amenities we can all use.

Our Council hasn’t been idle we have done all the heavy lifting when it comes to providing more housing in our city.

We currently have our Bankstown and Campsie Masterplans before the NSW Government, which provides for orderly development with a strong community focus . . but the millstone around our necks is these plans have been sitting with the NSW Department of Planning for nearly two years awaiting gateway.

And of course, there are other plans in the pipeline like Bankstown Central, Belmore, Lakemba, Canterbury, Chester Hill, Riverwood and Belfield.

You will all be interested to learn I received a letter from the Minister for Planning Paul Scully (I attach the letter) in relation to the need to allow for more housing in our low and medium density zones. The letter also calls on Council to review its local policy settings and approaches in the interests of housing supply. . . . In plain English, what they are suggesting, is more townhouses, low rise apartments and villas in suburban areas, completely at odds with our strategic planning.

Councillors, we have an important role to play in planning for our City and it is imperative Councils and the NSW Government work together in all our best interests.

At a recent conference, the secretary of the Department of Planning, said her door was open for conversations and she would be collaborating with Councils every step of the way. She also said her Department would face greater scrutiny over any delays. . . . Great to hear!

Tonight, I propose writing to the NSW Minister for Planning Paul Scully to meet with us to discuss the letter and the potential ramifications on the comprehensive work already undertaken to plan for housing in our City, including our housing strategy and Master Plans.

I further call on the CEO to prepare a report on Council's DA approval times, the increasing number of complying developments and the complexities associated with the approvals process and how we are dealing with them. The report will be handed to the Minister and will also be used to inform Councillors and to dispel any misinformation in the community.

Councillors, I put the Mayoral Minute.

ATTACHMENTS [Click here for attachment](#)

A Correspondence to the Mayor from The Hon. Paul Scully MP

Mayoral Minutes - 28 November 2023

ITEM 4.3 Local Community Based Donations

In accordance with Clause 5.1.5 of Council's Community Grants and Event Sponsorship Policy, the following community-based organisations have approached Council for financial assistance.

Melkite Catholic Eparchy of Australia & New Zealand – St John The Beloved Melkite Catholic Parish

St John The Beloved will be hosting their 2023 Christmas Carols and Fete on Sunday 17 December 2023 at St John The Beloved Melkite Catholic Parish in Greenacre.

The aim of this event is to create unity and excitement amongst Melkite parishioners and the extended community to celebrate Christmas.

Council support a donation of \$500.00 towards this event.

Creating Links

Creating Links is a not-for-profit multicultural community organisation that provides services to children, young people and families across South West Sydney and the Greater Sydney predominately in the Canterbury Bankstown area.

Creating Links will be hosting an End of Year Pool Party celebration on the 1st December 2023 at Birrong Aquatic and Leisure Centre. This event is for children and young people in foster care who have faced unique challenges and obstacles throughout the year. Creating Links anticipates approximately 250 guests with approximately 40 volunteering staff members to attend this event.

Creating Links are seeking the support of Council towards the cost of entry to the pool for their clients for the event.

Council support a donation of \$500 towards the cost of entry to the pool for their clients for this event.

RECOMMENDATION

1. Council support a donation of \$500 towards St John The Beloved Melkite Catholic Parish 2023 Christmas Carols and Fete.
2. Council support a donation of \$500 towards Creating Links End of Year Pool Party Celebration towards the cost of entry to the pool for their clients for this event.
3. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 28 November 2023

ITEM 4.4 Melkite Jubilee

Councillors

We are truly blessed to live in a City that fosters and embraces differing cultures and religious beliefs. . . . a city which is proud to celebrate its religious and spiritual leaders.

I think you will all agree with me that visiting world religious leaders rarely get a mention in the mainstream media but in the eyes of their communities they are treated like rock superstars.

The Australian visit by Archbishop George, who is representing, His Beatitude, Patriarch Joseph Absi, Melkite Greek-Catholic Patriarch of Antioch and All the East, has already created much interest in the community.

His Grace has travelled from Lebanon to be a part of the Church's Jubilee celebrations, marking the 300th anniversary of an ecumenical journey which began in Rome in 1724.

Locals will be able to join him at a liturgy this Sunday during a special service at the Melkite Church at Greenacre, and then a dinner in his honour on Monday.

Councillors, the Melkite community has a proud history in this country, going back nearly 130 years, and their contributions in our city cannot be measured. Offering support to those in need, educating our children and providing care and accommodation for the aged.

I propose to write to the Bishop of the Melkite Catholic Eparchy, Robert Rabbat, on behalf of our city, and offer our congratulations and support, as they celebrate their milestone Golden Jubilee.

Councillors, I put the Mayoral Minute.

5 PLANNING MATTERS

The following item is submitted for consideration -

- 5.1 Report on Council's Performance in the Assessment of Development Applications for the first quarter of the 2023/24 financial year, Clause 4.6 Variations Approved for the first quarter of the 2023/24 financial year, Planning Related Legal Appeals, and the status of current Planning Proposals 41

Planning Matters - 28 November 2023

ITEM 5.1 **Report on Council's Performance in the Assessment of Development Applications for the first quarter of the 2023/24 financial year, Clause 4.6 Variations Approved for the first quarter of the 2023/24 financial year, Planning Related Legal Appeals, and the status of current Planning Proposals**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

The purpose of this report is to provide Council information regarding:

1. Performance for processing of development applications for the first quarter of the 2023/24 financial year;
2. Development applications approved with a Clause 4.6 Variation for the first quarter of the 2023/24 financial year; and
3. Planning related legal appeals currently before the Land and Environment Court.
4. Active Planning Proposals.

RECOMMENDATION

That the report be noted.

ATTACHMENTS [Click here for attachments](#)

- A. Clause 4.6 Register for Q1 of 2023/24 financial year
- B. Planning related Court listing as of 8 November, 2023
- C. List of active Planning Proposals

POLICY IMPACT

This matter has no policy implications.

FINANCIAL IMPACT

This matter has no financial implications.

COMMUNITY IMPACT

The efficient processing of development applications plays a pivotal role in enhancing the housing supply, fostering job opportunities, expanding community amenities, and elevating the aesthetic appeal of our city. Our Council's impressive track record as one of the swiftest authorities in metropolitan Sydney when it comes to processing development applications is a substantial advantage for both the community and the industry.

Nonetheless, it is equally essential to ensure that our community is shielded from ill-advised development ventures. This report provides insights into instances where the Council has firmly opposed subpar development proposals. In such cases, the Council has demonstrated a commendable success rate in defending against appeals filed by applicants. Furthermore, the Council has been effective in orchestrating modifications to proposals, aligning them with relevant planning regulations, and promoting orderly development.

Similarly, the advancement of Planning Proposals serves as a catalyst for the New South Wales economy, generating employment opportunities, increasing housing availability, delivering vital infrastructure, and bestowing public benefits upon the community. It also plays a pivotal role in fostering urban renewal in areas where it is deemed appropriate, and it can be substantiated that a modification to planning regulations will yield enhanced outcomes for the locality. This determination takes into account a comprehensive range of factors, encompassing economic, social, and environmental considerations.

DETAILED INFORMATION

1. DEVELOPMENT APPLICATIONS

Processing of development applications for the first quarter of the 2023/24 financial year

For the first quarter of the 2023/24 financial year, Council determined 178 development applications and 59 Section 4.55 applications (applications to modify a development consent), with a total capital investment value of \$235,802,093. The median gross determination times for all development applications for the quarter was 79 days.

Reporting of development applications which involved a Clause 4.6 submission

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

During the first quarter of the 2023/24 financial year, a total of five variations to an environmental planning instrument were approved. The report provided at Attachment A is the required report and includes all results for the first quarter of the current financial year.

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

Attachment B to this report provides details of the appeals currently before the New South Wales Land and Environment Court, as of 8 November, 2023. The attached list identifies a total of seventeen active appeals. The report also provides information on appeals that have been finalised between 1 July, 2022 and 8 November, 2023. In that period there were 22 matters settled by way of a Section 34 agreement after amendments were made to the proposal to address Council's contentions. Six appeals were discontinued by the applicant, three were dismissed and six appeals upheld but only after the applicant submitted amended plans as part of the Court process to address Council's contentions.

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

2. PLANNING PROPOSALS

At its Ordinary Meeting on 8 December 2020, Council resolved to receive a regular report detailing all planning proposals. The section below provides Council an outline of the Planning Proposals currently before Council and at what stage of the planning proposal process each is at. Planning proposals are considered by the Canterbury Bankstown Local Planning Panel with the Panel advice being forwarded to Council for its consideration with exception of planning proposals that correct obvious errors, are minor in nature or that the Chief Executive Officer considers will not have any significant adverse impact on the environment or adjoining land.

Planning proposals are made public at the time of being considered by the Panel and prior to being considered formally by Council.

Council currently has seven planning proposals in progress which are outlined in the attachment to this report (and divided into stages represented in Figure 1 below). The largest of Council's applicant-initiated Planning Proposals remains the Bankstown Central site, with an approximate capital investment value of \$1.3 billion. There are several other major urban renewal proposals at various stages of the process, including Chester Square mixed-use proposal, a private hospital proposal at 11 Harp Street, Campsie and Council's Master Plan Planning Proposals for Bankstown City Centre and Campsie Town Centre.



Figure 1: Number of Planning Proposals at key stages of the process

Council does not currently have any planning proposals with the Department for finalisation, two are with the Department awaiting a Gateway Determination to proceed to exhibition and three have been lodged and under assessment to progress to a Local Planning Panel Meeting or Council Meeting.

Since the last quarterly update report the planning proposal for 30 Trevenar Street, Ashbury has been decided by Minister for Planning and Public Spaces to not proceed.

Refer to Attachment C for the full list of active planning proposals.

6 POLICY MATTERS

The following items are submitted for consideration -

6.1 Draft Media Policy	47
6.2 Street Parklet Program Policy and Guidelines	51

Policy Matters - 28 November 2023

ITEM 6.1 **Draft Media Policy**

AUTHOR **City Future**

PURPOSE AND BACKGROUND

Whilst guidance on dealing with media by Council officials is dealt with under Council's Code of Conduct, OLG issued a circular guiding the development of a media policy.

At the Ordinary Meeting on 12 September 2023, Council resolved to place the Policy on public exhibition and that a further report be brought to Council at the conclusion of the exhibition period to consider any submissions received.

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

ISSUE

The Policy was placed on public exhibition from 13 October 2023 to 13 November 2023, with two submissions being received. These submissions have not warranted any amendments to the Policy.

RECOMMENDATION

That Council adopts the Media Policy.

ATTACHMENTS [Click here for attachment](#)

A. Draft Media Policy

POLICY IMPACT

The Policy applies to engagement between Council Officials and the media and supplements the provisions of Council's adopted Code of Conduct.

The Policy provides guidance and protocols for engaging with the media and importantly ensuring the need for:

- Maintaining the accuracy, reliability, and integrity of information
- Ensuring confidential information is managed appropriately
- Negating the increased exposure and risk to Council's reputation where information is not managed appropriately.

The Policy also sets out an exemplar approach by incorporating best practice from the Office of Local Government's (OLG) Model Media Policy, the media policies of other local governments and Commonwealth and State Government agencies.

The Policy exemplifies Council's commitment to effective, transparent and responsive customer-centric communication and recognises the importance of the media in communicating with the community and other stakeholders.

FINANCIAL IMPACT

The introduction of the policy will not result in any material financial impact for Council.

COMMUNITY IMPACT

Effective media engagement can assist councils to keep their community informed, explain decisions and promote community confidence in the council and its decisions.

How a council is portrayed in the media impacts greatly on how the organisation is perceived.

Media can be an effective tool to promote council programs, events, and initiatives. In addition, media can be invaluable in times of crisis or emergency when information needs to be communicated to the public.

DETAILED INFORMATION

Media Policy

The Policy is informed by the OLG's Model Media Policy released in 2022 as part of a suite of best practice governance policies for the local government sector.

The Policy has been developed to identify who can issue a media release/statement and discuss topics related to Council matters when approached by the media for comment.

The draft Policy's key components include:

- Appointment and role of spokespeople, as well as who has delegation to speak to the media (5.1)
- Standards when engaging with the media (5.5)
- Media enquiry and request management (5.6) and
- Use of media during emergencies (5.7).

The Policy was placed on public exhibition from 13 October-13 November 2023.

The exhibition period and community consultation included:

- Council's weekly printed newsletter and e-Newsletter
- Have Your Say website and email update.

Public Exhibition Results

The Have Your Say page received:

- 203 views with 137 unique visitors; and
- 47 downloads of the Draft Policy.

The following two responses were received during the exhibition period; one through the Have Your Say page and one response via direct email. One of the responses approved of the Policy while the other was not related to the Policy's specific purpose and scope.

Respondent	Community Feedback
1	Draft media policy supported.
2	Maintain the accuracy of information. Protection for staff disclosing information.

Conclusion

Having considered the submissions, no changes are required to the Policy.

Note: Protection for staff disclosing information is covered by the *Public Interest Disclosures Act 2022*.

It is recommended that the draft Media Policy as attached be adopted.

ITEM 6.2

Street Parklet Program Policy and Guidelines

AUTHOR

City Future

PURPOSE AND BACKGROUND

The draft Street Parklet Program Policy (Policy) and Guidelines (Guidelines) provide a framework to set out Canterbury-Bankstown Council's (Council) management principles for the commercial use of street parklets under the care and control of Council and establishes the licensing criteria for businesses that apply to use street parklets for additional outdoor dining.

In 2022, Council was approached by a local business in Hurlstone Park to have a street parklet at the front of their business utilising car parking spaces.

At the October 2022 Council meeting, it was resolved to undertake a trial and report back to Council the findings. Community consultation had been undertaken to understand the benefits and impacts to the local and business community. In general, the trial had been a success with benefits to local businesses and the community.

At the March 2023 Council meeting, it was resolved that Council develop a formal policy, guidelines with associated fees and charges.

ISSUE

At the March 2023 meeting, Council resolved to further develop the street parklet trial into a program with a formal Policy, Guidelines and associated fees and charges.

The expansion and encouragement of outdoor dining has already been endorsed by Council through the Economic Development Strategy Plan 2036, and the Night-time Economy Action Plan 2021-26. Council's priority is to support the growth of outdoor dining by encouraging high quality footway dining areas that enhance amenity, bring activity to our City and contribute to economic activity whilst ensuring pedestrian safety is maintained.

RECOMMENDATION That -

1. Council endorse the Street Parklet Program Policy and Guidelines to be placed on public exhibition;
2. A further report be brought back to Council, following public exhibition;
3. The Street Parklet trial in Hurlstone Park to remain in place until May 2024, to allow time for the policy and guidelines to be formally endorsed at a later Council date and an Expression of Interest process released by Council.

ATTACHMENTS

[Click here for attachments](#)

- A. Street Parklet Program Policy
- B. Street Parklet Program Guidelines

POLICY IMPACT

Footways are an integral part of the City environment and commercial uses allowed on footway have a direct impact on the vitality, amenity and safety of our City. Council currently has a Commercial Use of Footways Policy and procedure to support business street trading. Extending this use to street carparks will provide businesses with additional seating capacity for their business and encourage business growth.

It is proposed that the street parklet in Hurlstone Park will continue until the completion of the policy development and approval, in accordance with all Council policies (and noting it has already received approvals and road safety recommendations).

FINANCIAL IMPACT

Costs associated with administering the application process and engagement will be covered through the proposed fees and charges. It is proposed to amend the Fees and Charges to be consistent with the Commercial Use of Footways fees.

There is no financial impact associated with the actual street parklets as all costs associated with the infrastructure and maintenance are solely the responsibility of the applicant business.

COMMUNITY IMPACT

Council supports and encourages outdoor dining as a means of creating vibrant streetscapes and creating opportunities for businesses to grow and prosper. It strengthens local shopping precincts and supports businesses to improve amenity for residents and visitors. Council is committed to activating business centres in our LGA and supports the individual expression of each business to help develop a sense of place.

This Policy is aligned to the Prosperous and Innovative destination of the *CBCity 2036 Community Strategic Plan* that supports a smart and evolving City of Canterbury Bankstown with exciting opportunities for investment and creativity.

DETAILED INFORMATION

The Policy and Guidelines have been designed as an outward facing high level document and will be published on Council's corporate website.

The Policy and Guidelines set out the proposed assessment criteria and provides guidance for the implementation of street parklets, ensuring there is a consistent, transparent, simple and equitable process for the application of Street Parklet Permits.

The Policy and guidelines provide:

- 1) Eligibility requirements and an outline of the assessment criteria:
 - Be a food/drink business such as a café, restaurant or bar
 - Hold an existing consent to operate as a food or drink premise and/or hold a liquor license
 - Proposed installation of parklet must be directly adjoining their business
 - Have written support by neighbouring businesses
- 2) The process for seeking approval
 - This will be annual Expression of Interest
- 3) An outline of the application process and provide:
 - Site plan
 - Cross section drawing
 - Supporting documentation outlining the proposed parklet structure and location
 - Traffic Guidance Scheme/Traffic Control Plan
 - Relevant insurances
 - Plan of management
- 4) Parklet fees and charges
 - Proposed fees to be consistent with Commercial Use of Footways
- 5) Information on the responsibilities for the cost, installation and maintenance of a parklet.

Fees and Charges

To cover the cost of administering the application process and engagement, it is proposed that the fees to be consistent with the Commercial Use of Footways fees. This is in line with other Council fees such as Wollahra and Bayside Council.

The proposed fees will be:

Street Parklet Program fees

Application/Assessment Fee	\$242.00
Bankstown CBD/Outdoor Dining – Fee per sq metre per annum	\$172.00
Bankstown CBD – Display of Goods - Fee per sq metre per annum	\$175.00
Suburban Town Centre – Outdoor Dining – Fee per sq metre per annum	\$134.00
Suburban Town Centre – Display of Goods – Fee per sq metre per annum	\$140.00
A-Frame Sign (Limit one per premises) – Max one sq metre in area	\$145.50

All costs associated with the application for a license, street parklet design, construction, maintenance and cleaning, including the removal of a street parklet are solely the responsibility of the applicant business.

The above requirement for the applicant to pay for all infrastructure is consistent with the majority of Councils who facilitate such a program (unless covered by grants).

NEXT STEPS

Subject to endorsement, the Policy and Guidelines, and fees and charges, will be placed on public exhibition.

As opposed to other types of engagement, the December 2023 and January 2024 months are a good time to engage local businesses on the Policy and Guidelines as this is a busy period of trading for them.

Following the exhibition period, submissions will be considered and where relevant, incorporated into the document before a report is submitted to Council.

Subject to Council considering the result of the engagement and adopting a Policy, guideline and fee, it is proposed that an application process could commence some time in the early new year. As there is currently a street parklet in place in Hurlstone Park which was used as part of the trial, it is proposed that this remain in place until May 2024 when it is anticipated the new application process will be in place. As a result, it is also proposed that the associated infrastructure that is being used by business HPBowlo to remain in place until May 2024.

There is no additional cost to Council for it to remain in place as Council owns the assets. Council could charge the business a fee or rental cost for the continued utilisation of the barriers however, there are currently no adopted fees to apply. If Council was to remove the infrastructure it would be at a cost of approximately \$1500. Therefore, as there is no further cost to Council, it is proposed to remain in place as outlined above. This will continue to add vibrancy and encourage activation in the town centre over the summer period.

7 GOVERNANCE AND ADMINISTRATION MATTERS

The following items are submitted for consideration -

7.1	Code of Conduct Complaints Report	59
7.2	Property Matter - EBP Sports (previously Earlwood Bardwell Park RSL Club Limited) - 134 Woolcott Street Earlwood	61
7.3	Integrated Planning and Reporting Update - 2022/23 Annual Report and Quarterly Review of the 2023/24 Operational Plan and Budget to 30 September 2023	65
7.4	2022/23 Annual Financial Reports	79
7.5	CBCity Cultural Diversity Plan 2024-2028	97
7.6	Cash and Investment Report as at 31 October 2023	103

Governance and Administration Matters - 28 November 2023

ITEM 7.1 Code of Conduct Complaints Report

AUTHOR Corporate

PURPOSE AND BACKGROUND

Council is required annually to complete and submit relevant Code of Conduct complaints statistics to the Office of Local Government.

The reporting period is 1 September 2022 to 31 August 2023.

Council carries out an assessment of all formal complaints received throughout the year, as they relate to Councillors and the Chief Executive Officer.

Where necessary, Council's procedures require certain complaints to be independently assessed (e.g. referred to a Conduct Reviewer) and relevant action taken, as determined/required.

The Return is required to report on Code of Conduct complaints relating to Councillors, the Chief Executive Officer and other Council Staff.

Attached is the required annual return for the preceding reporting period. There were eight complaints received during the reporting period, with three complaints finalised, in accordance with relevant procedures.

The return will be forwarded to the Office of Local Government as required.

ISSUE

To note the attached Code of Conduct Complaints Statistics Report prepared for the Office of Local Government.

RECOMMENDATION

That the information be noted.

ATTACHMENTS [Click here for attachment](#)

- A. Code of Conduct Complaints Statistics

POLICY IMPACT

The requirements of the Code of Conduct have been met.

FINANCIAL IMPACT

There is no financial impact.

COMMUNITY IMPACT

There is no community impact.

Governance and Administration Matters - 28 November 2023

ITEM 7.2 **Property Matter - EBP Sports (previously Earlwood Bardwell Park RSL Club Limited) - 134 Woolcott Street Earlwood**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

The purpose of this report is to advise Council of the outcome of the exhibition period for the proposed new lease with EBP Sports (previously Earlwood Bardwell Park RSL Club) for the property located at 134 Woolcott Street Earlwood.

On 12 September 2023, Council resolved to agree in principle to enter into a five-year lease with a five-year option with EBP Sports and to publicly exhibit the proposed lease in accordance with the requirements of the Local Government Act 1993.

ISSUE

To note the recent exhibition of the proposed lease arrangement with EBP Sports and to consider the submissions received arising from public exhibition.

Three submissions were received, which are addressed in the report. Given that an objection to the proposed lease has been received, Council is required under section 47 (5) of the Local Government Act 19963 to make an application to the Minister for Local Government for consent to grant the new lease.

RECOMMENDATION That -

1. Council make an application to the Minister for Local Government under the provisions of section 47 (5) of the Local Government Act 1993 for consent to grant the proposed lease over the community land 134 Woolcott Street Earlwood to EBP Sports for a term of five-years with a five-year option for the purpose of EBP sports operating a club premises, bowling green and two separate car parking areas.
2. Once the Minister advises Council on its application to grant consent to the lease, the matter be reported back to Council.

ATTACHMENTS

Nil

POLICY IMPACT

The proposed lease to EBP Sports Club meets the requirements of the use and management of community land provisions contained in the Local Government Act 1993.

FINANCIAL IMPACT

The total fees for the lease with EBP Sports Club is to be set at \$70,750 pa + GST + CPI in accordance with the registered valuers valuation report and has been accounted for in Council's budget.

When assessing the fair market rental for the Club, the registered valuer had regard to comparable rents for similar types of uses as well as zoning and restrictions on the land related to its classification under the Local Government Act as community land.

COMMUNITY IMPACT

The EBP Sports Club serves as a vital community hub, offering residents a focal point for a diverse range of social, sporting, leisure and recreational activities. Approval to proceed with the leasing proposal will be a step toward a continuation of the professionally-managed and effective functioning of the Club various services and amenities it has provided for the community since the 1950's.

DETAILED INFORMATION

Public Exhibition

Public exhibition for the proposed Lease took place from 25 September 2023 to 23 October 2023 in accordance with the requirements of the *Local Government Act 1993*.

The public exhibition consisted of the following:

- A notice of the proposed licences was placed on the front gate of the property;
- A notice was placed on the Council web site on the “Have Your Say Page”;
- Letters to adjoining neighbours were distributed; and
- A copy of the Heads of Agreement was placed in the Campsie and Bankstown Customer Service areas.

The “Have Your Say Page” had 159 views with three submissions received. The submissions are set out in the table below:

Comment	Council Response
The submission is requesting that Council charge market rent for the lease of the land to EBP, and states the club provides minimal community amenity.	Council engaged a suitably qualified registered valuer to objectively assess the current fair market rent for the bowling club, having regard to comparable rents and all other relevant circumstances such as zoning and restrictions on the land related to the lease’s proposed granting. The Club provides members of the community with a range of activities including: <ul style="list-style-type: none">• Lawn Bowls• Personal health and fitness• Special initiatives for entertainments such as bingo, raffles, trivia etc.• Social well-being activities• Dining facilities
The submission expresses strong support for the continued existence of the club and believes that preserving this club is not only essential but also highly beneficial for the community's well-being. The submission further states that the club has been an integral part of the community for many years, and its positive impact on residents cannot be overstated	Noted

The submission endorses the continued existence of the club, as it is paramount for the overall well-being of the community. The submission further states the club has seamlessly woven itself into the fabric of the community over many years.	Noted
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Plan of Management

The proposed use of the land aligns with the core objectives identified in the adopted Generic Plan of Management and Council's long-term strategy for the site.

Minister's consent to new lease

Section 47 (5) of the Local Government Act 1993 requires that in the event an objection to the proposed lease is received following public exhibition, the proposal must be referred to the Minister for Local Government for determination. Given there was one objection to the proposed new lease, it must be forwarded to the Minister for his consent. A further report will be provided to Council once the Minister advises Council of his determination.

Governance and Administration Matters - 28 November 2023

ITEM 7.3 Integrated Planning and Reporting Update - 2022/23 Annual Report and Quarterly Review of the 2023/24 Operational Plan and Budget to 30 September 2023

AUTHOR City Future

PURPOSE AND BACKGROUND

In line with the requirements of the *Local Government Act 1993*, the report presents the 2022/23 Annual Report for endorsement.

The report also provides a summary of the progress on the delivery of Council's 2023/24 Operational Plan from 1 July to 30 September 2023.

Separately, the report considers the review of Council's financial results and proposed budget adjustments for the September 2023 quarterly budget review period.

ISSUE

Councils are required to submit several reports and returns annually, as required by the *Local Government Act 1993*, Integrated Planning and Reporting (IP&R) Guidelines, and by the Office of Local Government.

The 2022/23 Annual Report provides statutory information as required under Section 428 of the *Local Government Act 1993* and contains a copy of the audited Financial Statements of the Council (addressed in a separate report in this business paper).

The quarterly report demonstrates the organisation's performance against the 2023/24 Operational Plan and Budget during the period 1 July to 30 September 2023.

RECOMMENDATION That -

1. The 2022/23 Annual Report be endorsed.
2. The quarterly progress report of the 2023/24 Operational Plan to 30 September 2023 be noted.
3. The quarterly review of the 2023/24 Budget to 30 September 2023, including proposed budget variations [Attachment D (Annexure C & H)] - as outlined in this report - be adopted.
4. Council allocate Ward Funds as outlined in the report.
5. Council endorse the listing of proposed projects to be funded from the Federal Government's Local Roads and Community Infrastructure Program (LRCI Program), as outlined in the report, and submit to the Federal Government for approval.

ATTACHMENTS

[Click here for attachments](#)

- A. City of Canterbury Bankstown - Annual Report 2022/23
- B. CBCity 2025 - Q1, 2023/24 Review - Summary Report
- C. CBCity 2025 - Q1, 2023/24 Review - Detailed Report
- D. September revision Reports

POLICY IMPACT

The Community Strategic Plan (CBCity 2036) and the combined Delivery Program and Operational Plan (collectively known as CBCity 2025) are prepared in accordance with the Local Government Integrated Planning and Reporting (IP&R) Framework. The Annual Report outlines Council's performance in a given financial year against the objectives in those documents and also contains a number of statutory reporting obligations. It supports the reports provided to Council each quarter on Council's financial position and progress of the Operational Plan.

The reports are prepared to meet 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

The quarterly report presents Council's operating result as at 30 September 2023.

COMMUNITY IMPACT

The report ensures accountability for the commitments made to the community in Council's Integrated Planning documents and annual budgets. It provides the community with an understanding of Council's performance in delivering its yearly Operational Plan as well as an update on the current Operational Plan and Budget at 30 September 2023.

DETAILED INFORMATION

PART A – 2022/23 Annual Report

The Annual Report (Attachment A) reflects upon Council's achievements of the 2022/23 financial year. In line with the *Local Government Act 1993* and supporting Integrated Planning and Reporting Guidelines, the report is required to be endorsed by Council and published to Council's website within five months of the end of financial year.

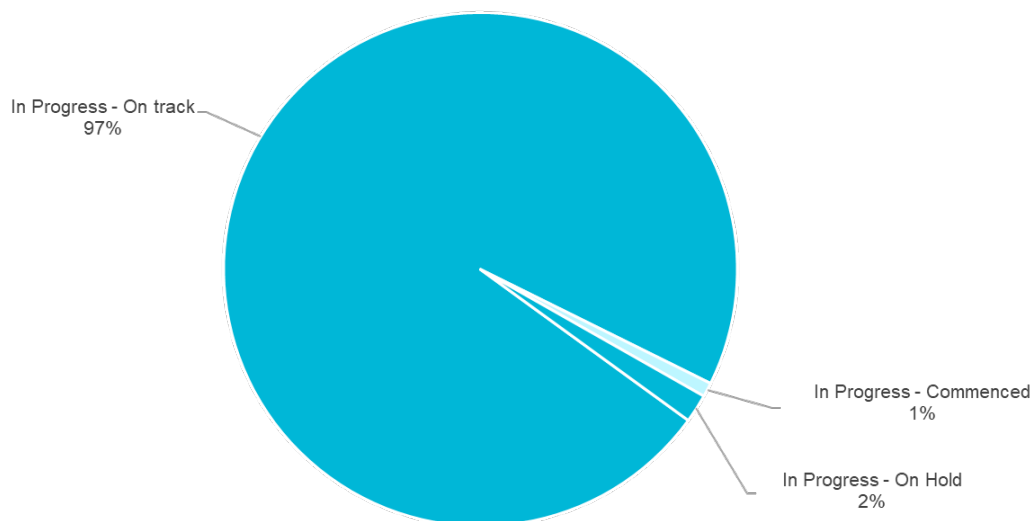
While the Annual Report addresses a diverse range of statutory reporting information, it is more than a legislative requirement – it provides an important source of information about business performance and key achievements, and provides a snapshot in time for the community and staff to reflect and plan for the future.

The 2022/23 General Purpose Financial Statements form part of the published Annual Report, but are separately considered in this Business Paper, and therefore not included in Attachment A.

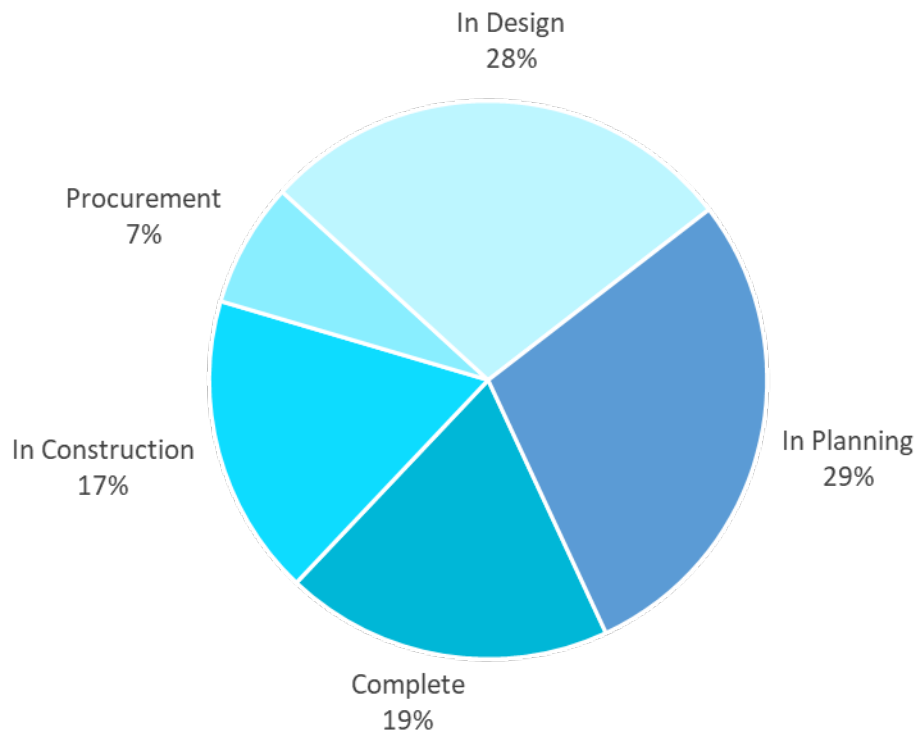
PART B1 - Quarterly progress of the 2023/24 Operational Plan to 30 September 2023

1 July marks a start of the new Operational year for Council and is always full of activity, planning and setting sights on new goals. Over the next twelve months, our community can also expect to see a range of projects commence or completed, including: more tree planting and a Towards Net Zero Emissions Plan; engagement and planning for new Campsie Cultural Hub and the Roberts Park Community Hub; designs for new community facilities at Griffith Park, Bankstown, and a community facility at Thurina Park; playground upgrades at Bennett Park, Croydon Park, Deverall Park, Ewen Park, Roma Reserve, and The Crest; and a new BMX track.

At the close of quarter one, 97% of the Operational Plan's actions and programs for 2023/24 were in progress and on track, with another program commenced. There are a total of two actions and programs which have not commenced yet are either scheduled or anticipated to commence later in the operational year.



At the close of quarter one, 17% of Council's capital works program was under construction and 19% was complete. Of the 50 completed projects, 25 were roads, bridges and traffic management projects, six were building projects, 16 were open space projects, one was a drainage and water device project and two were town centre projects.



Attachment B provides an overview of key highlights and achievements for this quarter structured around the seven destinations of Council's IP&R documents. Detailed actions for the entire 2022/23 Operational Plan are outlined in Attachment C. In combination, they highlight the progress of many important projects and initiatives and confirm our firm and continued commitment to Council's contribution to CBCity 2036.

Other highlights for the 1 July to 30 September 2023 quarter are summarised below.

Leading and Engaged

- Continued investigation into the use of Artificial Intelligence (AI) tools to assist with the monitoring and reporting of asset condition. Recently, this has involved the use of sophisticated AI programs and cameras attached to Council vehicles to map road defects such as potholes, cracking, faded line marking and the condition of traffic management structures such as roundabouts, speed bumps and traffic slowing devices.
- Five Citizenship Ceremonies held, conveying 853 people into our City.

Safe and Strong

- Commencement of the Better Walls project funded by the Department of Communities and Justice. This project will see seven street art murals installed across the city to deter graffiti and promote public art.
- Funding of 129 local projects valued at \$521,386 under the Community Grants and Event Sponsorship Program.
- Celebration of National Meals on Wheels Day with volunteers and clients.

Clean and Green

- Council's Community Solar Rebate has supported the installation of 87Kw of solar panels within the City.
- Revolving Environmental Efficiency Fund (REEF) is investing in two new solar panel installations at our leisure and aquatic centres, as well as a car park lighting upgrade.
- Council is continuing the transition of its fleet from internal combustion engines to electric vehicles (EV), currently totalling 35 EV.

Prosperous and Innovative

- Welcomed over 15,000 people to art and performance centres.
- Facilitated Bankstown Bites on 29 July, with more than 11,000 people attending.
- Held inaugural Mayoral Sleepout on 11 August at the Bankstown Airport Passenger Terminal with more than 20 people sleeping out to help raise over \$20,000 for Mission Australia to support those experiencing or at risk of homelessness.

Moving and Integrated

- 32,700m² of road surface and over 2km of footpath receiving repair, renewal or replacement.
- Completing all planning and half of the design for the 2023/24 roads and footpaths maintenance and improvement program.
- Upgraded two pathways/pedestrian ramps to improve accessibility for pedestrians with mobility issues/limitations.

Healthy and Active

- Hosted the NSW CrossFit AllStars Competition at the Morris Iemma Indoor Sports Centre.
- Closed and completed the decommissioning of Canterbury Aquatic and Leisure Centre in the first phase of the redevelopment of the brand new facility.
- Council libraries purchased a number of First Nations resources with funding from a Local Priorities Grant – these resources are easy to spot, with an Aboriginal Flag sticker clearly visible on the book spines or front covers.

Liveable and Distinctive

- The Appian Way redevelopment was completed, and the area opened to the public for use with tables, chairs and decorative gardening installations providing an inviting and contemporary space for people to meet.

- Work has progressed on the Safer Cities: Her Way Project with a site in Lakemba being chosen for the development. The project is designed to promote safer, more inclusive public spaces for women and girls in our community.

Local Roads and Community Infrastructure Program

In response to the COVID-19 pandemic in 2020, the Federal Government created an economic stimulus program, the Local Roads and Community Infrastructure Program (LRCI Program). The Program was established to stimulate the local economy through community infrastructure projects.

Across Phases One to Three of the Program, Council has been allocated approximately \$15.9 million in funding to deliver priority community infrastructure projects. Projects funded under Phase One and Phase Two of the LRCI Program are complete. The delivery of Phase Three projects is progressing, with the majority due for completion later this financial year.

The Federal Government recently announced the Phase Four extension of the LRCI Program, with Council notified it has been allocated an additional \$1,679,331. As with the initial funding phases, there are several conditions attached to the acceptance of this funding, including the requirement that all eligible projects must be completed by 30 June 2025.

Several criteria were considered in identifying potential projects to be delivered under this Program, including alignment with specific asset categories, shovel ready projects, and alignment with Council's strategies and plans for the City.

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

- Bass Hill – New footpath Doust Street, from 20 Doust Street to Robertson Road, and Cann Street from Doust Street to Buist Street;
- Graf Park, Yagoona - New accessible footpath connecting the carpark and amenities building;
- Loftus Street, Campsie – Road resurfacing from Evaline Street to Thorncraft Parade;
- Ken McLean Reserve, Roselands - Level 3 playground upgrade; and
- Polo Street, Revesby - Raised zebra crossing near Selems Parade.

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

Whilst Council is proposing to nominate the above projects for LRCI Program funding, they are subject to consideration and final approval by the Federal Government. Any subsequent changes to the listing of projects will accordingly be reflected in the next quarterly budget review process.

PART B2 – September 2023 Quarterly Budget Review

Financial Performance

Following a review of the first quarter's financial performance, Council's broader financial position continues to convey a sound and stable position and generally compares well to its budget estimates.

Given it being quite early in the financial year, this quarterly review tends to focus on adjustments that:

- Reflect Council's 2022/23 year-end actual figures – particularly Council's cash & investments, cash reserves and other balance sheet details, where required;
- Release funding to complete specific projects/programs carried-forward/not-completed (work-in-progress) throughout 2022/23;
- Adjust for known grants and contributions; and
- Any other general transactions not identified at the time of preparing the original budget and/or throughout the quarter.

Having made the relevant adjustments, Council's Income Statement for the September 2023 Quarter is as follows.

Budgeted Income Statement – for the year ending 30 June 2024

Description	2023/24 Original Budget \$M	Carryover Budget \$M	September Quarter Variations \$M	2023/24 September Budget \$M
Total Income from Continuing Operations	389.6	-	53.0	442.6
Total Expenses from Continuing Operations	396.3	21.1	16.5	434.0
Operating Result from Continuing Operations	(6.7)	(21.1)	36.5	8.6
Net Operating Result for the period before grants and contributions provided for capital purposes	(31.9)	(21.1)	(13.4)	(66.4)

As noted, Council's revised Operating Result is expected to be a surplus of \$8.7M. Once adjusted for capital grants and contributions - Council's net operating result is negative \$66.4M.

A summary of the variations is as follows:

Budgeted Variations and Adjustments for Carryovers – September 2023 Quarter

Description	Budget C/over Variations \$M	Funding
Income Variations		
Grants & Contributions - Operating	2.9	Grant Funded
Grants & Contributions – Capital	49.9	Grant Funded – Capital Works
Financial Assistance Grant – Received in 2022/23	(10.7)	Restricted in 22/23 and released in 23/24
Interest & Investment Income	9.6	Part Restricted for External Restrictions
Regulatory Income	1.0	General Funds
Other – Various	0.3	General Funds
Income Variations	53.0	
Operating Expenditure Variations		
Carryover Funding - Projects/Programs	21.1	Restricted in 22/23 and released in 23/24
Grants & Contributions - Operating	2.9	Grant Funded
Depreciation Expense	5.4	Non-Cash Expense
Investments – Break Costs	6.6	Part funded from External Restrictions
Other - Various	1.5	General Funds
Operating Expenditure Variations	37.6	
Net Variations – September Quarter	15.4	

As Councillors would be aware, whilst Council's negative Net Operating Result – before grants and contributions – provides an important insight into its capacity to meet its ongoing operating costs, one must also consider/take-note that it also:

- Reflects/includes all income and operating expenses funded from the various sources available to Council – General Funds, External/Internal Restrictions, Grants;
- Reflects/includes adjustments for certain income and operating expenses of which funds have been restricted in prior years and released for use throughout this financial year – carryover funding for specific projects/programs;
- Incorporates around \$114M of non-cash expenses – such as Depreciation Expense and Employee Entitlement Costs;
- Reflects Grants & Contributions for specific capital projects – for which the expenditure is not reflected in the Income Statement - though separately made available for Council's Capital Works Budget; and
- Once adjusted for certain financial transactions, a negative net result tends to generally/largely suggest that there is a shortfall in available funding (equivalent to Depreciation Expense) to renew/replace assets in the future.

In terms of Council's establishment, it is proposed that Council's full time equivalent (FTE) structure temporarily increase by 0.7 FTE. As the host agency of the Cooks River Alliance, Council, is auspicing the position as a dedicated Litter Prevention Project Lead position. The role is fully funded for a three-year contract, through a grant from the NSW Environment Protection Agency (EPA) to support the implementation of the Cooks River Litter Prevention Strategy. There are no additional costs to Council regarding this grant funded. This will see the existing establishment of 1484.0 increased to 1484.7.

A comprehensive summary of Council's Income Statement is attached – Attachment D (Annexure B) - and a listing of all operating budget variations to Council's Income Statement for the quarter are noted in Attachment D (Annexure C).

A further detailed assessment of Council's revenues and expenditure will be conducted as part of the December quarterly budget review.

Cash Flow / Working Fund

Whilst all councils are required to present a Budgeted Income Statement – consistent with relevant Accounting Standards and Codes – for financial reporting purposes, an assessment of a councils cashflow tends to be particularly important, given that it provides relevant information on Council's capacity to fund/meet:

- its annual operational commitments and capital works program, including the amount of cash used from dedicated reserve funds to balance our budget;
- liabilities, such as payment of employee entitlements, loans and creditors, as and when they fall due; and
- restrict/preserve funds which have been collected for specific purposes, such as stormwater levy and development contributions.

Having regard to the above, Council's Budgeted Cashflow Statement / Working Fund for 2023/24 is as follows:

Budgeted Cash Flow / Working Fund – for the year ending 30 June 2024

Description	Original Budget \$M	September Quarter \$M
Cash Flows from Operating Activities		
Add: Receipts	389.6	442.6
Less: Payments	(301.7)	(326.4)
Net Cash Flows from Operating Activities	87.9	116.2
Cash Flows from Investing/Financing Activities		
Add: Proceeds from the Sale of Assets	2.5	2.5
Add: Loan Borrowings	44.3	44.3
Less: Acquisition of Assets	(114.9)	(246.9)
Less: Loan Repayments	(1.3)	(1.3)
Net Cash Flows from Investing/Financing Activities	(69.4)	(201.4)
Net Cash Flow	18.5	(85.0)
Cash Reserve Movements		
Add: Cash Reserves Utilised for Specific Projects/Programs	111.2	302.9
Less: Cash Restricted for Specific Projects/Programs	(129.7)	(217.9)
Net Cash Reserve Movements	(18.5)	85.0
Net Cash Flows / Working Fund for the Period	-	-

The following provides a summary of Council's Cash & Investments for the period.

Cash & Investments – for the year ending 30 June 2024

Description	Original Budget \$M	2022/23 Actual \$M	September Quarter \$M
Closing Balance - Cash & Investments	376.2	468.5	383.5
Less: Internal Restrictions	(148.7)	(185.1)	(161.9)
Less: External Restrictions	(214.7)	(277.6)	(215.7)
Closing Balance - Unrestricted Cash	12.8	5.8	5.9

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

A comprehensive summary of Council's Cash flow for the period is attached – Attachment D (Annexure E).

Capital Expenditure (CAPEX)

Council's CAPEX is now expected to be \$246.9M, a net increase of \$21.0M to that previously adopted in the original budget and adopted carry overs.

The variations largely relate to projects that have received additional grant funding during the September quarter. Other revisions relate to timing adjustments of budgeted expenditure of projects that will not be completed or commenced within the 2023/24 financial year and have been rescheduled to commence throughout the 2024/25 financial year.

A summary of Capex budget variations of \$21.0M are outlined in Attachment D (Annexure G/H).

Council will continue to review the capital works budget throughout the year and focus on ensuring that project delivery dates, completion dates are continually assessed. Dedicated budgets can then be reviewed accordingly and accurately reflect forecast expenditure for the financial year.

Ratios and Restrictions

Having incorporated all proposed variations as part of this review, Council's ratios for its major financial indicators are expected to be as follows:

	Industry Benchmark	September Quarter
Operating Performance	>0%	(18.06%)
Debt Service Ratio	<10.0%	0.67%
Unrestricted Current	>1.50	2.64
Own Source Operating Revenue	>60%	80%
Cash Expense Cover	>3 mths	13.36 mths
Capital Expenditure Ratio	>1	2.64

In finalising Council's September 2023 Review, a number of adjustments to specific external/internal restrictions have also been made to comply with certain statutory/policy and/or contractual requirements.

In total, Council's planned balance of internal and external restrictions as at 30 June 2024 is expected to be \$161.9M and \$215.7M respectively.

Further detailed analysis regarding the September review, including the Quarterly Budget Review Statements, is provided in Attachment D.

Councillor Ward Funds

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

Description/Project	Councillor	Allocation
PA System - Greenacre Senior Citizens Centre	El-Hayek	\$6,430
Pedestrian Fencing - Waterloo Road , Greenacre	El-Hayek	\$5,000
Community Directional Sign – Earlwood Junior Girl Guides	Nguyen	\$925

Conclusion

The Annual Report and Quarterly Reports detail Council's progress towards addressing the priorities and meeting the outcomes of the Delivery Program and the Community Strategic Plan for the City. They ensure Council is meeting obligations under the Integrated Planning and Report Framework, financial reporting requirements and they contribute to the ongoing enhancement of good governance across Council.

The data contained within these reports will also be made available on Council's website.

Governance and Administration Matters - 28 November 2023

ITEM 7.4 2022/23 Annual Financial Reports

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

Councillors will recall considering Council's Unaudited 2022/23 Annual Financial Reports at its Ordinary Meeting in October 2023 and resolving to refer them to our External Auditor in finalising the year-end process.

Having completed the audit, in accordance with Sections 418 and 419 of the Local Government Act 1993, Council's 2022/23 Audited Annual Financial Reports, including the Auditors Report, were publicly exhibited and are now being presented to Council for information.

ISSUE

These financial reports are for the financial year ending 30 June 2023.

Council's External Auditor has expressed an "Unmodified Opinion", on Council's 2022/23 general purpose financial statements, meaning that our statements reflect a true and fair view of our financial performance and position for the year.

Council's financial reports provide a detailed assessment of Council's performance for the 2022/23 financial reporting period. Whilst the document is quite technical in nature, this Council Report endeavours to provide Councillors with an overview/commentary of the more pertinent elements for Council's information.

In considering the matter, Council must also observe certain statutory requirements prior to finalising the matter, including:

- Section 420 of the Local Government Act 1993 provides for any person to make submissions to Council with respect to the audited financial statements or Auditor's Reports, which must be received by Council within seven days of the public meeting;
- The Act requires that Council assess all submissions and take such action as it considers appropriate in addressing the matter. In the event that Council receives any submissions, details of the issues and proposed actions will be reported to the next Ordinary Meeting of Council; and
- Copies of all submissions received will be referred to the Council's External Auditor.

Council's Auditor, being the NSW Audit Office, will be in attendance this evening to address Council on the 2022/23 Audited Annual Financial Reports.

RECOMMENDATION That -

1. Council note the 2022/23 Annual Financial Reports and Auditor Reports.
2. Any submissions received and proposed actions relating to those submissions will be reported back to Council at the next Ordinary Meeting, if required.
3. Copies of all submissions received will be referred to Council's External Auditor.

ATTACHMENTS [Click here for attachment](#)

- A. Canterbury-Bankstown Council - Financial Statements - 2022-23

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.

It is noted that any KMP declarations are done so in accordance with Accounting Standards for Auditing purposes only and do not give rise to a conflict of interest when noting the Financial Reports and associated audits.

FINANCIAL IMPACT

This report conveys that Council's financial position is considered sound and stable as at 30 June 2023. That said, Councillors would be aware of Council's requirement to address its longer-term financial requirements.

The results to 30 June 2023 confirm the forecast financial position of Council, as outlined in its long-term Financial Strategy, as well as the journey currently underway for Council to address its long-term funding needs and ensure Council is financially sustainable to deliver on its service requirements and the replacement of infrastructure.

COMMUNITY IMPACT

There is no direct community impact resulting from this report.

DETAILED INFORMATION

Executive Summary

Despite the uncertainty and broader economic pressure faced by many, Council's financial performance and its position as at 30 June 2023 is considered sound and stable and importantly supports the ongoing delivery of Council's 2023/24 Operational Plan and Budget.

Having emerged from the impacts of COVID 19, Council's 2022/23 financial performance presents a return to a more stable/realistic position, reflective of normal/expected level of services and operations by Council.

Council's financial reports provide a detailed assessment of Council's performance for the 2022/23 financial reporting period. Whilst the document is quite technical in nature, this Council Report endeavours to provide Councillors with an overview/commentary of the more pertinent elements for Council's information.

A summary of the pertinent issues are as follows:

- Council's total combined Net Operating Result for the financial year was \$20.6M. Once adjusted for Capital Grants and Contributions, Council's adjusted result was negative \$15.2M – which generally indicates/reflects the estimated shortfall in required funding (Depreciation) to replace and/or renew our assets;
- Notwithstanding the above, of greater importance is assessing Council's cash flow position and its ongoing ability to service its liabilities, as well as retaining required cash reserves in accordance with legislative requirements and Council's financial strategy.

Once adjusted for non-cash transactions, Council's cashflow position for the period is considered quite positive. Indeed, Council's Cash and Investment balance as at 30 June 2023 totalled \$468.5M, increasing by \$46.6M for the financial period.

As indicated above, Councillors should note that the majority of funds are held for specific purposes imposed by legislation and/or by Council as per its financial strategy. Of the amount, \$5.8M remains as unrestricted cash;

- Separately, Council expended \$80.2M on delivering critical capital works/projects throughout the reporting period, whilst its closing/total infrastructure asset base for the reporting period equates to \$4.0B (Net Carrying Amount / Written Down Value).

Council's financial reports also note that Council's combined cost to bring existing infrastructure to a satisfactory standard is estimated at around \$117.1M – which equates to around 2.4% of our asset base;

- Total reported liabilities equate to around \$126.0M, which are largely of an employee nature, payables to suppliers and tip remediation works; and

- Council's reported Operating Performance Ratio was negative 2.2% (benchmark = 0%). Whilst below the industry benchmark, Council's long-term financial plan provides a pathway to addressing this over the coming financial years. Separately, Council's Unrestricted Current Ratio was 3.50:1 (benchmark = 1.50:1), which is reflective of Council's stable cash position.

As indicated above, Council's financial performance (before capital grants and contributions) is reported as a deficit of \$15.2M, which reflects a number of non-cash accounting entries (eg. adjusting for the revaluation of assets and depreciation expense), which contribute to Council's deficit position.

This is reflected by Council being unable to fund the replacement of assets at the same rate they are aging and/or deteriorating.

Whilst having no immediate cash/financial impact, the information does provide and/or suggests that there is a longer-term imbalance of available funding to both manage our service expectations and ensure that adequate funding is allocated for asset maintenance into the future.

Councillors would acknowledge that this is not a new issue for Council - and that it is aware that the imbalance is expected to be addressed as part of Council's decision to adjust its rating income over the next 3 financial years, and its long-term financial plan.

Economic Context

As Councillors would be aware, at the time of preparing its 2022/23 Original Budget, Council faced a number of unknown issues, namely the uncertainty and/or ongoing impact of COVID 19 and the rapid changing economic conditions/climate.

At the time, Council took a very conservative approach in formulating its original budget and importantly ensured that from a cashflow perspective, it was well prepared to deal with any servicing/pricing escalations, providing financial support to those needed throughout the community and deal with any general contingencies, if required – particularly in delivering our capital works program.

Indeed, Councillors will recall recently having to approve an increase to the budget for a specific clubhouse project, given the higher than expected pricing submitted by tenderers. Despite the added financial pressure – Council was able to address these impacts and continue to deliver on its program.

As the year progressed, Council experienced a number of shifts in its operations – particularly as we all emerged from the constraints of the pandemic, the lack of and/or availability of resources – both employees and services/suppliers - and the rising inflationary pressures and its impact on our planned budget.

Broadly some of the significant changes and/or impacts on our operations throughout the year included:

- Transitioning to full-scale use/operations of all our community-based services – particularly aquatic services, use of halls/community facilities, library services and our parks & recreation facilities;
- Receiving significant stimulus and/or project grant funding – both of an operational and capital nature – including up-front funding of the Federal Financial Assistance Grant to assist councils with their operations;
- Increasing Council’s permanent and temporary employee resources to respond to servicing requirements and deliver on grant funding obligations;
- Given the demand and shortage of suppliers, Council’s ability to obtain/engage external contractors to perform requires services when optimally required and/or its impact on pricing – and more broadly, our ability to obtain required machinery, vehicles and equipment, when required;
- The cost of inflation on Council’s services – particularly for standard materials and contracts. Indeed, the standard increase in the CPI for the year rose by around 6% while other specific services rose between 7% - 9%;
- The above two points have also had a bearing on the likely cost of replacing Council’s infrastructure asset base. In preparing its financial reports, councils are required to annually revalue certain classes of assets and adjust/bring-to-account the likely increase/decrease in the cost of replacing them.

In particular, Council’s revaluation process identified that the value of its assets has increased by around \$25.5M (particularly its buildings, roads and stormwater network).

Whilst the adjustment is a non-cash/book-entry, its more pressing impact is how Council calculates its annual Depreciation Expense, which is reported in the Income Statement. Councillors will note that Council’s Depreciation Expense has also increased by around \$5.8M when compared to the previous year – and has a consequential impact on our annual result;

- Despite the rising costs of goods and services – Council’s rate-peg (as set by IPART) was only 2.5% - which required Council to focus on carefully managing all discretionary costs and refine service levels so as to be able to absorb other expenses – particularly state government levies, utility charges, tipping fees and insurance costs;
- Though positive for Council - in terms of its own cash investments - the significant rise in interest rates has significantly affected many throughout our community – both ratepayers and businesses.

Indeed, some of the areas that Council has experienced some change include:

- A significant impact in its regulatory area – particularly a reduction in development related services/numbers throughout the year;

- An incremental impact in other services provided by Council, including child care services, leasing and licencing our buildings, application of fees and charges by community groups and the casual use of our facilities; and
- Supporting ratepayers to make suitable arrangements to pay their rates – whilst also ensuring that its impact did not have a detrimental effect on our cashflow.

Despite the above challenges and constraints, Council's financial performance and position suggests it is well-placed to support the delivery of Council's 2023/24 Operational Plan and Budget.

Council's financial indicators are also well-placed and fair reasonably compared to industry benchmarks. Importantly, Council's long-term financial plan will identify its approach to addressing those that are below benchmark levels over the coming years.

Summary of Financial Reports

Overall, Council's actual financial performance for the 2022/23 financial reporting period – including its comparison with its original budget and prior year figures was as follows.

Income Statement – for the year ending 30 June 2023

Description	2022/23 Budget \$M	2022/23 Actual \$M	2021/22 Actual \$M
Total Income from Continuing Operations	357.4	406.7	370.7
Total Expenses from Continuing Operations	366.4	386.1	346.6
Operating Result from Continuing Operations	(9.0)	20.6	24.2
Net Operating Result for the period before grants and contributions provided for capital purposes	(34.5)	(15.2)	(13.4)

Council's Balance Sheet – as at 30 June 2023 was as follows.

Statement of Financial Position – as at 30 June 2023

Description	2022/23 Actual \$M	2021/22 Actual \$M
Current Assets	339.1	186.9
Non-Current Assets	4,161.0	4,262.3
Total Assets	4,500.1	4,449.3
Current Liabilities	93.2	97.9
Non-Current Liabilities	32.8	23.5
Total Liabilities	126.0	121.4
Net Assets / Equity	4,374.1	4,327.9

Once adjusted for all non-cash entries, Council's Statement of Cash flows as at 30 June 2023 was as follows.

Statement of Cash Flows – for the year ending 30 June 2023

Description	2022/23 Actual \$M	2021/22 Actual \$M
Cash Flows from Operating Activities		
Add: Receipts	408.7	379.8
Less: Payments	284.1	252.6
Net Cash Flows from Operating Activities	124.6	127.2
Cash Flows from Investing/Financing Activities		
Add: Proceeds from the Sale of Assets	2.2	0.8
Less: Acquisition of Assets	80.2	80.2
Less: Other Net Transactions	0.0	0.7
Net Cash Flows from Investing/Financing Activities	78.0	80.1
Net Change in Cash & Investments for the Year	46.6	47.1
Cash, Cash Equivalents & Investments at Beginning of Year	421.9	374.8
Cash & Investments at End of Year	468.5	421.9

Council's restricted and unallocated cash & investments as at 30 June 2023 was as follows.

Cash & Investment Summary – as at 30 June 2023

Description	2022/23 Actual \$M	2021/22 Actual \$M
Cash & Investment at End of Year	468.5	421.9
Less: Externally Restricted Cash	277.6	242.9
Less: Internally Restricted Cash	185.1	157.4
Unrestricted Cash & Investments	5.8	21.6

A summary of Council's performance measures when compared to industry benchmarks as at 30 June 2023 were as follows.

Statement of Performance Measures – as at 30 June 2023

Description	B/mark	2022/23 Actual	2021/22 Actual	2020/21 Actual
Operating Performance Ratio	0.00%	(2.20)%	(0.85)%	(5.41)%
Own Source Operating Ratio	60.00%	81.35%	82.14%	81.79%
Unrestricted Current Ratio	> 1.50X	3.43X	3.04X	3.50X
Rates and Annual Charges Outstanding	< 5.00%	6.36%	6.20%	6.29%
Rates and Annual Charges Outstanding – adjusted for Deferred Pensioner Payments	< 5.00%	5.5%	5.3%	5.4%

Infrastructure Asset Performance Indicators – as at 30 June 2023

Description	B/mark	2022/23 Actual	2021/22 Actual	2020/21 Actual
Buildings and Infrastructure Renewals Ratio	>100%	55.92%	78.19%	77.54%
Infrastructure Backlog Ratio	<2.00%	3.77%	2.22%	1.86%
Asset Maintenance Ratio	>100%	105.52%	85.54%	89.19%
Cost to Bring Assets to Agreed Service Levels		2.43%	1.50%	1.31%

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

Council's long-term financial plan provides relevant information as to how Council proposes to address its ratios to within industry benchmark levels.

The following sections provides further detailed commentary, particularly comparing Council's 2022/23 actual results with its 2022/23 Original Budget and prior year financial year-end details.

Comparison with Original Budget – Income Statement

Council's 2022/23 year-end financial performance when compared to its 2022/23 Original Budget is as follows.

Financial Performance – Year Ending 30 June 2023

Description	2022/23 Budget \$'000	2022/23 Actual \$'000	Variation \$'000
INCOME FROM CONTINUING OPERATIONS			
Rates and Annual Charges	274.0	271.6	(2.4)
User Charges and Fees	19.1	20.5	1.4
Interest and Investment Income	6.7	12.3	5.6
Other Revenues	14.4	19.5	5.1
Grants and Contributions - Operating	12.6	39.9	27.3
Grants and Contributions - Capital	25.5	35.8	10.3
Other Income	5.1	7.1	2.0
Total Income from Continuing Operations	357.4	406.7	49.3
EXPENSES FROM CONTINUING OPERATIONS			
Employee Benefits and On-costs	157.7	155.5	(2.2)
Borrowing Costs	0.8	0.5	(0.3)
Materials and Services	116.1	122.0	5.9
Depreciation and Amortisation	77.9	88.8	10.9
Other Expenses	13.9	11.5	(2.4)
Net Loss from Disposal of Assets	-	7.7	7.7
Total Expenses from Continuing Operations	366.4	386.1	19.7
Operating Result from Continuing Operations	(9.0)	20.6	29.6
Net Operating Result for the period before grants and contributions provided for capital purposes	(34.5)	(15.2)	19.3

Whilst Council has considered and adopted specific budget variations as part of its ongoing quarterly budget review process throughout the 2022/23 financial year, a general overview/summary of some of the more pertinent reasons for the variations are again noted for the purposes of considering this report.

■ Income from Continuing Operations

- Rates and annual charges received were \$2.4M (0.8%) less than originally budget. The net variation is reflective of a net adjustment for pension rebates and a lower level of growth in property numbers expected throughout the year – thereby resulting in lesser amount of rates and domestic waste income;
- Councillors would be aware that the Federal Reserve Bank significantly increased the official interest rates throughout the reporting period. Council had originally taken a conservative approach to estimating the level of investment income expected throughout the reporting period.

Throughout the period, Council was able to take advantage of the higher interest rates as its cash investments matured and were re-invested based on the prevailing interest rates at the time. At year-end, Council's reported interest income for the period was around \$12.3M - \$5.6M more than originally planned.

It should be noted around 60% of interest income received is required to be restricted given that it is attributable to externally restricted cash assets – such as developer contributions and domestic waste - and not available for general purpose use.

- Other reported revenues received during the period equated to around \$19.5M – some \$5.1M more than originally planned. The increase was largely attributable to the application of legislative and regulatory charges – rates & charges and fines – applied in accordance with the Local Government Act 1993 and associated Regulations.
- Council received \$75.7M in grants and contributions for specific projects/programs throughout the year - \$37.6M more than originally planned.

Of the amount received, \$39.9M were of an operational nature (eg. Financial Assistance Grant \$15.7M, Roads related Grants, \$11.3M Family Day Care Fee Relief \$4.5M, Library Subsidy \$1.1M, Street Lighting Subsidy \$1.1M, Regional Illegal Dumping \$1.7M, Recreation Grants \$1.5M and Ramadan Nights \$0.5M). As such, all actual costs attributable to deploying the grants are also reflected as an operating expense in our Income Statement – primarily inflating employee related and material/contract costs.

Unspent grant funds at year-end (operating = \$10.3M and capital = \$38.8M) were restricted and subsequently released for completion as part of Council's 2023/24 budget.

▪ **Expenses from Continuing Operations**

In total, Council's actual operating costs were \$19.7M more than originally planned. The increase is largely attributable to the following three (3) main elements.

- Council's Depreciation Expense increased by \$10.9M compared to that originally planned for the year. The increase largely relates to two components being, the added depreciation expense related to newly capitalised assets and the consequential impact of revaluing certain classes of assets throughout the year. Neither of these amounts are estimated at the time of preparing the original budget.

Whilst the adjustment has a bearing on Council's financial performance for the period, it is a non-cash amount. Council's total Depreciation Expense for the year (\$88.8M) is an estimate of the value by which Council's assets are depleting on an annual basis.

- The Net Loss on Disposal of Assets (\$7.6M) largely relates to certain adjustments made to write-off the value of specific infrastructure assets when they have reached the end of their useful life and/or renewed. Whilst the adjustment has a bearing on Council's financial performance for the period, it is a non-cash amount. Given it has no cashflow impact, Council does not budget for any net losses on disposal of assets unless known at the time of preparing the original budget.

- Materials and Contract cost varied by \$5.9M compared to that originally planned for the year. As noted earlier, the net increase in costs is largely attributable to Council incurring/expending grant funds received during the period.
- Councillors should also note that as at 30 June 2023, an amount of \$21.1M of funds not expended during the year (for specific operating grant and/or other specific projects/programs) have been restricted and subsequently released for completion as part of Council's 2023/24 budget.

Comparison with Previous Year Result – Income Statement

Whilst having provided commentary on the comparison of Council's 202/23 Original Budget and its actual results, it's also important to understand the change in results between financial years.

Council's 2022/23 year-end financial performance when compared to its 2021/22 results is as follows.

Financial Performance – Year Ending 30 June 2023

Description	2022/23 Actual \$'000	2021/22 Actual \$'000	Variation \$'000
INCOME FROM CONTINUING OPERATIONS			
Rates and Annual Charges	271.6	257.6	14.0
User Charges and Fees	20.5	18.7	1.8
Interest and Investment Income	12.3	6.2	6.1
Other Revenues	19.5	15.7	3.8
Grants and Contributions - Operating	39.9	28.5	11.4
Grants and Contributions - Capital	35.8	37.6	(1.8)
Other Income	7.1	6.5	0.6
Total Income from Continuing Operations	406.7	370.7	36.0
EXPENSES FROM CONTINUING OPERATIONS			
Employee Benefits and On-costs	155.5	139.4	16.1
Borrowing Costs	0.5	0.1	0.4
Materials and Services	122.0	102.3	19.7
Depreciation and Amortisation	88.8	83.0	5.8
Other Expenses	11.5	11.2	0.3
Net Loss from Disposal of Assets	7.7	10.6	(2.9)
Total Expenses from Continuing Operations	386.1	346.6	39.5
Operating Result from Continuing Operations	20.6	24.2	(3.5)
Net Operating Result for the period before grants and contributions provided for capital purposes	(15.2)	(13.4)	(1.8)

In the main, the earlier section above – *Economic Context* – provides Councillors with a broad understanding of some of the issues which have had a bearing/impact on shaping Council's financial performance for 2022/23 when compared to its actual results for 2021/22.

That said, a general overview/summary of some of the more pertinent reasons for the variations are noted for the purposes of considering this report.

▪ **Income from Continuing Operations**

- Income from Rates and Annual Charges increased by \$14.0M between the two financial years. The increase is largely attributable to:

Description	Increase %	Increase \$M
IPART Rate Peg increase	2.5	4.4
Special Rate Variation	5.0	8.7
Domestic Waste Charge	1.4	1.1
Other net changes	0.7	(0.2)
Total Increase	5.4	14.0

Councillors should note that rates and annual charges received from the Special Rate Variation, Domestic Waste and Stormwater Levy must all be restricted and specifically utilised in accordance with the Local Government Act 1993 and IPART's determination.

- With the rise in interest rates, Council was able to take advantage of the higher term-deposit rates on offer when re-investing its funds – and subsequently generated around \$6.1M more in interest revenue compared to that received throughout the 2021/22 financial year.

As noted earlier, around 60% of interest income received is required to be restricted given that it is attributable to externally restricted cash assets – such as developer contributions and domestic waste - and not available for general purpose use.

- Council generated around \$5.6M more in user charges & fees and other revenues compared to that received throughout the 2021/22 financial year. The increase was largely attributed to:
 - Council transitioning to full-scale use/operations of all our community-based services; and
 - the application of legislative and regulatory charges – rates & charges and fines – applied in accordance with the Local Government Act 1993 and associated Regulations.

- As outlined earlier in the report, Council received an additional \$11.4M of government grants to assist with funding road-related programs- particularly pot-hole and roadwork maintenance - including up-front funding of the Federal Financial Assistance Grant to assist councils with their operations.

Given the funding was of an operational nature, it is offset by increases in operating costs – mainly employee related and materials and contract costs. Unspent grant funds at year-end (\$11.1M) were restricted and subsequently released for completion as part of Council's 2023/24 Budget.

▪ Expenses from Continuing Operations

As canvassed throughout the report, Councillors should note that the variances between the two financial periods were not unexpected – particularly as we emerged from the impacts of COVID 19, and returned to a more stable/realistic position, reflective of a normal/expected level of services and operations provided by Council.

Given the abnormal and/or unique nature of Council's operations throughout the 2021/22 financial year, one cannot simply compare the two periods, given their varied circumstances. Councillors should be aware/cautious of this when considering the matter.

- A comparison of Council's employee costs for the period – when compared to both its original budget and previous year's results is as follows:

Description	2022/23 Budget \$,000	2022/23 Actual \$,000	Variation \$,000
Employee Costs	157.7	155.5	(2.2)

Description	2022/23 Actual \$,000	2021/22 Actual \$,000	Variation \$,000
Employee Costs	155.5	139.4	16.1

- Firstly, Councillors will note that Council's Employee Costs were \$2.2M less than originally planned for period.

At the time of preparing its Original Budget, Council had:

- reflected expected employee resources to transition to full-scale use/operations of all our community-based services – particularly aquatic services, use of halls/community facilities, library services and our parks & recreation facilities;

- Increasing Council's permanent and temporary employee resources to respond to the delivery of our capital works program and emerging grant funding opportunities; and
- Account for the expected growth in other employee related costs, such as superannuation and employee entitlements.

Despite a degree of the uncertainty at the time, Council has realised a saving of \$2.2M (1.4%) compared to Budget. The result is quite pleasing given the challenges and constraints faced by many throughout our sector. Indeed, the savings were used to assist in addressing/offsetting other escalating costs within Council's Budget.

- Secondly, Councillors will also note that Council's Employee Costs were some \$16.1M more when compared to its 2021/22 actual results. An explanation of the major elements associated with the increase include:
 - Applying the Local Government Award of 2.5% for all employees across the organisation and its compounding effect on employee entitlements;
 - Employing staff (73 FTE staff) to vacant positions in our organisational structure – including permanent, casual and temporary staff – in transitioning to full-scale operations, following the pandemic;
 - Engaging relevant staff to complete grant funded programs – as outlined above;
 - Accommodating a further increase in Superannuation Cost of 0.5% for all employees;
 - Applying an adjustment for Employee Leave Entitlements (annual, sick and long-service leave), totalling \$4.6M – which includes an adjustment for the estimated present value of expected future cash outflows regarding employees' entitlements - as at 30 June 2023; and
 - A reduction in the value of employee costs capitalised for specific capital works of \$1.5M.
- Council's Materials and Services and Other Expenses for period were \$133.5M, an increase of \$20M when compared to previous years result. In the main, the increase is as a result of:

- An increase in non-discretionary costs, including:

Description	2022/23 \$M	2021/22 \$M	Increase \$M	Increase %
Tipping Fees	27.7	23.9	3.8	16.0
Bank Charges	0.5	0.4	0.1	21.0
Insurance Costs	3.9	3.0	0.9	30.8
Plant & Vehicle Fuel Costs	3.1	2.8	0.3	11.2
Street Lighting Charges	4.6	4.2	0.4	9.6
SS Planning Panel	0.9	0.7	0.2	30.6
Utilities	3.8	3.4	0.4	11.6
Valuation Fees - Rates	0.7	0.6	0.1	12.9
Emergency Services Levy	5.4	4.5	0.9	21.0
Total Increase	50.6	43.5	7.1	16.3

- Councillors will note that a large proportion of Council's materials and services and other operating costs are non-discretionary in nature – and have increased by \$7.1M - equating to an increase of around 16.3%.

Councillors should also note that the increase absorbs and surpasses all of Council's approved IPART rate-peg increase of 2.5%, which totalled \$4.4M; Following the pandemic – Council transitioned to full-scale operations, including mobilising all required external contract costs and materials required to service operations, including increased resources to complete grant funded programs – as outlined above.

In responding to the above, Council's required materials, consumables and external contract costs increased as follows:

Description	2022/23 \$M	2021/22 \$M	Increase \$M	Increase %
Raw Materials and Consumables	9.0	6.8	2.2	32.3
External Contractor Costs	48.7	39.9	8.8	22.1
Total	57.7	46.7	11.0	23.6

Overall, the above variations provide some insight into how the current economic constraints/conditions have impacted Council's operations. Indeed, the above demonstrates the difficulty that all councils are experiencing in being able to address escalating costs with an inadequate general rate-peg amount, as determined by IPART.

Given its size and scale, Council has been able to deal with the financial pressures we face. Indeed, the stimulus grant funding has certainly – in part - assisted in managing Council's ability to accommodate certain fixed resources, though we know that this is not permanent.

That said, Council's financial performance again demonstrates our commitment to ensuring we have a well-established and effective approach to managing our organisation and

importantly servicing our community - particularly during the difficult economic environment that we continue to endure.

Financial Position

Council's financial position (Balance Sheet) as at 30 June 2023 is considered quite strong and provides a sound level of liquidity (cash & investments) to deal with ongoing operational requirements and contingencies, including preserving specific cash and investments for future asset replacement programs, protecting its liabilities and satisfying Council's statutory obligations.

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

As at 30 June 2023, Council held \$468.5M in cash and investments. A breakdown of funds held is as follows.

Cash & Investment Summary – as at 30 June 2023

Description	2022/23 Actual \$M	2021/22 Actual \$M
Cash & Investment at End of Year	468.5	421.9
Less: Externally Restricted Cash	277.6	242.9
Less: Internally Restricted Cash	185.1	157.4
Unrestricted Cash & Investments	5.8	21.6

A breakdown all restrictions are reflected/noted on pages 32 and 33 of Council's 2022/23 financial reports.

In terms of assets, Council capitalised a further \$80.2M of infrastructure, plant and equipment throughout the period. Primarily, most funds were allocated to replacing/renewing Council's infrastructure assets, such as roads and bridges (\$11.0M), parks & reserves (\$6.2M), stormwater management (\$2.5M), footpaths (\$2.2M), plant & equipment (\$5.4M) and buildings (\$4.7M).

Separately, as at 30 June 2023, Council's accumulated work-in-progress on projects commenced but not completed was \$35M. Once the specific projects are completed, they will be capitalised into their appropriate asset class, accordingly.

Details of all capital expenditure for the reporting period is reflected on page 36 of Council's 2022/23 financial statements.

Councillors will also note that Council has not as yet borrowed any funding for the Canterbury Leisure and Aquatics Facility. The required funding/loan will be dealt with as part of Council's 2023/24 Budget.

Governance and Administration Matters - 28 November 2023

ITEM 7.5

CBCity Cultural Diversity Plan 2024-2028

AUTHOR

Community Services

PURPOSE AND BACKGROUND

To present the Draft CBCity Cultural Diversity Plan 2024-2028 (Plan) for Councils adoption.

The draft Plan was placed on public exhibition from 19 October – 16 November 2023 seeking further feedback from the community and stakeholders. The exhibition was held on Council's Have your Say page, while copies of the document were displayed at Customer Service Centres and Libraries. The exhibition was advertised on Council's webpage and via emails to community networks.

Following the exhibition period, 1 formal submission was received. The submission has been considered and an updated Plan is presented for adoption.

ISSUE

The Plan outlines CBCity's commitment to creating a welcoming, inclusive and equitable community that values, respects and celebrates the diversity of our community. It provides a series of actions that Council will implement and report against over a four-year period.

The Plan clearly identifies the priorities and objectives for Canterbury-Bankstown residents who are from culturally and linguistically diverse (CALD) backgrounds, including new arrivals, refugees and people seeking asylum. Council will implement the actions and focus areas of this Plan over a four-year period in collaboration with local service providers and various internal and external stakeholders.

By implementing this Plan, Council will ensure the challenges and issues experienced by our CALD residents are addressed through effective co-ordinated action on the identified objectives.

RECOMMENDATION

That Council adopts the CBCity Cultural Diversity Plan 2024-2028.

ATTACHMENTS

[Click here for attachments](#)

- A. 2024-2028 Cultural Diversity Plan
- B. Submissions received during the exhibition period and considerations.

POLICY IMPACT

The Cultural Diversity Plan recommendations do not supersede or conflict with current Council policies and set a direction for Council's support of its diverse community.

FINANCIAL IMPACT

The Cultural Diversity Plan will be implemented utilising Council's existing operational budget.

COMMUNITY IMPACT

The projects/actions in the Plan have been designed to address the identified needs and issues of our CALD residents and deliver the best possible services that are responsive to their specific needs. This will help create a welcoming City where everyone matters and cultural differences are celebrated.

The recommended actions of the Plan will not have any direct impact on the environment or environmental footprint of CBCity such as waste, biodiversity, waterways or air quality.

The recommended actions of the Plan will have a positive impact on the reputation of Canterbury Bankstown Council. The projects/actions within the Plan will create positive media opportunities for Council to highlight and celebrate the diverse cultures in CBCity and promote a socially cohesive and inclusive community.

DETAILED INFORMATION

The development of the Plan has involved:

- Desktop research;
- Review of the international and national context;
- Analysis of findings from previous community consultations conducted to inform recent Council projects;
- Benchmarking exercise against other local government plans;
- Community engagement involving surveys, workshops, pop-up sessions, presentations at interagency networks and social planning;
- Development of actions to address priorities;
- Actions shared with relevant CBCity Managers and;
- Public exhibition.

Community Engagement

To ensure the Plan was strategically established, Council liaised with a variety of stakeholders and conducted multiple engagement initiatives. The consultation process involved holding Cultural Diversity Plan community pop-up sessions, workshops, a community survey and presentations at Interagency meetings and Social Planning Workshops. This community engagement process was undertaken from 16 January to 30 March 2023.

The Plan was also informed by input from our key community stakeholders, including the Canterbury Bankstown Multicultural Interagency and Canterbury Bankstown Multifaith Network.

What we heard:

- 73% expressed a sense of safety;
- 76.5% expressed a sense of belonging and feel welcome in CBCity;
- 78% feel free to express themselves and celebrate culture and;
- 77 % feel respected and valued.

Challenges and barriers
<ul style="list-style-type: none">• Language and cultural barriers• Lack of information and support• Lack of effective community engagement strategies that reflect the diverse range of CALD communities
Emerging issues and needs
<ul style="list-style-type: none">• Lack of social connection and information/culture-sharing opportunities• Employment issues• Poor mental health

What we will do (priorities and actions)

Priority 1 – Address language and cultural barriers
<ul style="list-style-type: none">• Ensure equitable access to services and resources for CALD community members.
Priority 2 – Increase access to information and support
<ul style="list-style-type: none">• Coordinate and support initiatives aimed at enhancing CALD community members' awareness of local facilities and services.• Ensure a welcoming and inclusive environment for all residents of Canterbury-Bankstown.
Priority 3 – Increase social connection and cultural sharing
<ul style="list-style-type: none">• Create opportunities for CALD individuals to connect with others and engage in the sharing of information and culture.• Engage and empower CALD individuals to celebrate their cultures and achievements.
Priority 4 – Increase employment opportunities
<ul style="list-style-type: none">• Support CALD people to obtain and maintain meaningful employment.

Actions

- There are 15 proposed actions to address the 4 priorities;
- Council will collaborate with community members, local service providers and networks to successfully implement the actions. Some will be delivered in partnership with local services/organisations and 3 actions with various units within Council.

Public Exhibition

The public exhibition was open from 19 October – 16 November 2023. A summary of the Plan was developed and translated into 8 community languages including Arabic, Bengali, Indonesian, Nepali, Simplified Chinese, Traditional Chinese, Urdu and Vietnamese. During the exhibition:

- 193 people viewed the webpage
- 58 downloaded the draft plan or summary, including the translated summaries.
- 1 person contributed
- 1 person rated how much they supported the plan
- 1 person provided comments
- 1 person selected to be notified when this plan is discussed at the next Council Meeting.

Respondents were asked how much they supported the plan (scale of 1-10, 10 being the highest score) with one respondent's score being 7.

A summary of the comment/s received includes:

- The plan focuses more on intersectional needs

Details of the submissions can be found in Attachment B.

The issues raised in the submissions have been considered by Council's Community & Cultural Services Unit and given the lack of responses and minimal evidence, no following amendments/changes are recommended to be implemented to the Plan.

Governance and Administration Matters - 28 November 2023

ITEM 7.6 Cash and Investment Report as at 31 October 2023

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 31 October 2023.

RECOMMENDATION That -

1. The Cash and Investment Report as at 31 October 2023 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

ATTACHMENTS [Click here for attachment](#)

- A. Arlo Advisory Monthly Investment Report October 2023

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 31 October 2023

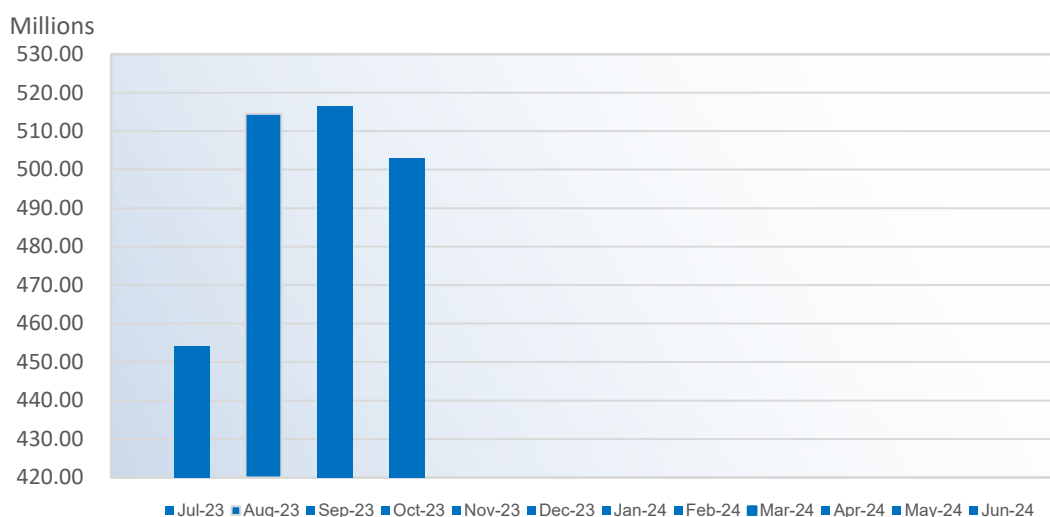
In total, Council's cash and investment holdings as at 31 October 2023 is as follows:

Cash and investments	\$
Cash at bank	1,143,333
Deposits at call	42,574,663
Term deposits	363,017,588
Floating Rate Notes	55,605,841
Workers compensation security deposit	4,686,000
Bonds	36,000,000
Total cash and investments	503,027,425

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 portfolio balances are made up of cash balances at month end held for external restrictions (e.g. unspent developer contributions, domestic waste reserves and unexpended grants), internal restrictions (e.g. infrastructure reserves, employee leave provisions, cash deposits and other reserves) and unrestricted cash (Council's working capital).

The following graph outlines Council's closing cash and investment balances from July 2023 to June 2024.

Cash and investments rolling monthly balance 2023-2024



Summary of Council's investment interest income earned for the period to 31 October 2023 is as follows:

Interest income	Oct 2023 \$	Year-to-date Oct 2023 \$
Budget	1,670,833	6,683,333
Actual interest	1,869,876	6,971,930
Variance	199,043	288,597
Variance (%)	11.91%	4.32%

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

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

Maturity profile		
	Actual % of portfolio	Policy limits %
Cash	9.6	100
Working capital funds (0-3 months)	4.0	100
Short term (3-12 months)	39.2	100
Short – medium (1-2 years)	26.8	70
Medium (2-5 years)	20.4	50
Long term (5-10 years)	0	5
Total cash and investments	100%	

Portfolio allocation	
	Actual % of portfolio
Cash at bank	0.2
Deposits at call	8.5
Term deposits	72.2
Floating Rate Notes	11.0
Workers compensation security deposit	0.9
Bonds	7.2
Total cash and investments	100%

8 SERVICE AND OPERATIONAL MATTERS

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

9 COMMITTEE REPORTS

The following items are submitted for consideration -

9.1	Minutes of the Floodplain Management Committee held on 26 July 2023	111
9.2	Minutes of the First Peoples Advisory Committee meeting held on 5 October 2023	115
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Committee Reports - 28 November 2023

ITEM 9.1 **Minutes of the Floodplain Management Committee held on 26 July 2023**

AUTHOR **City Future**

PURPOSE AND BACKGROUND

The Floodplain Management Committee assists in the development and implementation of Floodplain Risk Management Plans. The recommendations of the Committee are in line with the objectives of the Committee and with established practices and procedures.

Attached are the minutes of the Floodplain Management Committee meeting held on 26 July 2023.

ISSUE

Endorsement of the Floodplain Management Committee minutes. Noting that the Committee;

- Did not endorse the draft Prospect Creek Flood Risk Management Study and Plan to be presented to Council prior to public exhibition, rather they requested Council work further with the State Emergency Service on the draft.

RECOMMENDATION

That the recommendations of the Floodplain Management Committee held on 26 July 2023 be endorsed.

ATTACHMENTS [Click here for attachment](#)

- A. Minutes of the Floodplain Management Committee 26 July 2023

POLICY IMPACT

The Floodplain Management Committee is an advisory Committee, established by Council and consistent with the approach outlined in the NSW Flood Risk Management Manual.

FINANCIAL IMPACT

There are no immediate financial implications as a result of this report.

COMMUNITY IMPACT

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

DETAILED INFORMATION

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

- Progress of the draft Prospect Creek Flood Risk Management Study and Plan;
- Progress of the Prospect Creek Catchment Action Plan; and
- The new Flood Risk Management Manual was adopted by the NSW Government in June 2023.

Committee Reports - 28 November 2023

ITEM 9.2 **Minutes of the First Peoples Advisory Committee meeting held on 5 October 2023**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

Council resolved to establish its Advisory Committees and Working Groups on 22 February 2022.

The minutes of the First Peoples Advisory Committee meeting are attached.

ISSUE

Endorsement of the First Peoples Advisory Committee minutes.

The recommendations and requested actions of the First Peoples Advisory Committee are listed in the Detailed Information section of this report.

RECOMMENDATION

That the minutes of the First Peoples Advisory Committee meeting held on 5 October 2023 be endorsed.

ATTACHMENTS [Click here for attachment](#)

A. Minutes of the First Peoples Advisory Committee meeting held on 5 October 2023

POLICY IMPACT

Advisory Committees and Working Groups have Terms of Reference, as well as Guidelines and Rules for their operation.

FINANCIAL IMPACT

Advisory Committees and Working Groups do not have the power to incur expenditure or to bind Council but may recommend actions and initiatives to Council.

COMMUNITY IMPACT

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

DETAILED INFORMATION

The recommendations and requested actions from the First Peoples Advisory Committee are listed below.

ITEM 5: FIRST NATIONS CULTURAL HUB AND RESOURCE CENTRE (THE HUB)

The establishment process and operational model of the Hub for a two-year trial period was endorsed by Council on 29 August 2023.

An Anchor Organisation will be responsible for the day-to-day operations of the Hub as a community space, as well as maintaining and promoting First Nations culture.

A Steering Committee will oversee operations and provide quarterly updates to Council through the First Peoples Advisory Committee minutes.

The expression of interest (EOI) process for an Anchor Organisation to operate the Hub, opened on 1 September and closed on 29 September 2023. An information session for interested organisations was held on 20 September at the Hub in Bankstown Senior Citizens Centre.

Only one application was received, from Bankstown Community Resource Group. Advisory Committee members - Jennifer Newman, Lynette Martin, Nolene Holten, and Council officers - Renee Traynor, Tony Smith, Barbara Grant, assessed the application against Council's EOI criteria.

RECOMMENDATION

THAT

1. Bankstown Community Resource Group be appointed as the Hub's Anchor Organisation for the two-year trial period.
2. The Steering Committee for the Hub include a representative from:
 - Council's First Peoples Advisory Committee
 - Koori Elders and Youth groups
 - Aboriginal Education Consultative Group.

CHIEF EXECUTIVE OFFICER'S COMMENT

Council on 24 October 2023 approved Bankstown Community Resource Group to be the Anchor Organisation for a two-year period to trial the establishment of a First Nations Cultural Hub and Resource Centre,

There is no cost implications arising from the recommendations.

Committee Reports - 28 November 2023

ITEM 9.3 **Minutes of the Environment Advisory Committee meeting held on 18 October 2023**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

Council resolved to establish its Advisory Committees and Working Groups on 22 February 2022.

The minutes of the Environment Advisory Committee meeting are attached.

ISSUE

Endorsement of the Environment Advisory Committee minutes.

RECOMMENDATION

That the minutes of the Environment Advisory Committee meeting held on 18 October 2023 be endorsed.

ATTACHMENTS [Click here for attachment](#)

- A. Minutes of the Environment Advisory Committee meeting held on 18 October 2023

POLICY IMPACT

Advisory Committees and Working Groups have Terms of Reference, as well as Guidelines and Rules for their operation.

FINANCIAL IMPACT

Advisory Committees and Working Groups do not have the power to incur expenditure or to bind Council but may recommend actions and initiatives to Council.

COMMUNITY IMPACT

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

Committee Reports - 28 November 2023

ITEM 9.4 **Minutes of the Youth Advisory Committee meeting held on 6 November 2023**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

Council resolved to establish its Advisory Committees and Working Groups on 22 February 2022.

The minutes of the Youth Advisory Committee meeting are attached.

ISSUE

Endorsement of the Youth Advisory Committee minutes.

RECOMMENDATION

That the minutes of the Youth Advisory Committee meeting held on 6 November 2023 be endorsed.

ATTACHMENTS [Click here for attachment](#)

A. Minutes of the Youth Advisory Committee meeting held on 6 November 2023

POLICY IMPACT

Advisory Committees and Working Groups have Terms of Reference, as well as Guidelines and Rules for their operation.

FINANCIAL IMPACT

Advisory Committees and Working Groups do not have the power to incur expenditure or to bind Council but may recommend actions and initiatives to Council.

COMMUNITY IMPACT

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

10 NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

The following items are submitted for consideration -

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Notice of Motions & Questions With Notice - 28 November 2023

ITEM 10.1 **Status of Previous Notices of Motion - November 2023**

AUTHOR **Corporate**

ISSUE

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

RECOMMENDATION

That the information be noted.

ATTACHMENTS [Click here for attachments](#)

- A. Status of Notice of Motion Table November 2023
- B. Outgoing Correspondence
- C. Incoming Correspondence

Notice of Motions & Questions With Notice - 28 November 2023

ITEM 10.2 Campsie Bypass

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

“That –

1. Council advocate to Transport for NSW that any future design of the Campsie Bypass is such that:
 - a) There is minimal impact on Harcourt Public School, particularly the playground, green space and significant trees;
 - b) Pedestrian safety is prioritised, particularly around the school;
 - c) The intersection design of Ninth Avenue and Second Avenue reduces the need for acquisition of school land.
2. Council request that Transport for NSW undertake a high-level concept design for the Bypass that achieves the objectives set out in Point 1 above, and amend the acquisition plan accordingly.”

BACKGROUND

The Campsie Bypass is a long-standing road reservation first identified in 1948 by the NSW Government as an important future north-south link. Council’s land use zoning eventually formalised the land reservation in 1970. In the more than 50 years following, there has been only piecemeal acquisition of land by Transport for NSW and its predecessor road agencies, and no commitment to actually deliver the Campsie Bypass.

Based on Council’s zoning plans, there is a significant portion at the south-eastern corner of Harcourt Public School that is reserved for this future road project which is yet to be committed to by the responsible State agency, Transport for NSW. There is currently no known short, medium or long term commitment to its delivery.

Therefore, now is the time to ensure that any future project to design and/or deliver the Campsie Bypass does not wipe out valuable school land, play space and vegetation or compromise children’s safety around Harcourt Public School and Wangee Park School. Therefore, I call on Transport for NSW to commit to a high-level concept design which deals with these concerns and provides certainty for our community that these important issues can be appropriately managed when the Campsie Bypass is committed to in the future.

FINANCIAL IMPACT

There are no financial implications of the motion as written.

CHIEF EXECUTIVE OFFICER'S COMMENT

The motion as written presents no financial impact for Council.

Notice of Motions & Questions With Notice - 28 November 2023

ITEM 10.3 Greek Independence Day 2024

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

“That Council hosts a celebration morning tea at Campsie or Earlwood libraries to mark Greek Independence Day.

I further propose the Greek flag be flown in Earlwood on 25 March 2024 in support of our strong Greek community.”

BACKGROUND

Nationalities living in our city have days which are of significance - whether it be for cultural, or historical reasons, and 25 March 2023 is significant for our strong Greek community who mark Greek Independence Day.

The community celebrates with parades, flag waving and going to church as it is also the Feast of the Annunciation.

Our City has a very strong and vibrant Greek community and they are very much a part of our rich diverse culture. According to the latest Census figures there are just over 4,000 people of Greek ancestry that live in Earlwood alone.

A community that thrives on hard work and a commitment to family and a community which boasts some of this country's leading entrepreneurs, businessmen and academics.

The morning tea will be coordinated by Council and bring together members of the Greek community. I anticipate it will be held in the days leading up to 25 March 2024.

FINANCIAL IMPACT

There is negligible financial impact with the costs being undertaken under our current operational budget.

CHIEF EXECUTIVE OFFICER'S COMMENT

The motion is consistent with the previous flag raising approved by Council.

Notice of Motions & Questions With Notice - 28 November 2023

ITEM 10.4 Iranian Women

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

“That Council writes to the Iranian Ambassador, Ahmad Sadeghi: strongly condemning his Government over the deaths of teenager Armita Geravand and Masha Amini, after altercations with the morality police, and for the continuing suppression and subjugation of Iranian women. We further call on the Iranian Government to immediately release Nobel Peace Prize winner, Narges Mohammadi, who is suffering ill-health and being held on trumped up charges.”

BACKGROUND

The 2023 Nobel Peace Prize has been awarded to jailed Iranian activist Narges Mohammadi for “her fight against the oppression of women in Iran and her fight to promote human rights and freedom for all.”

Mohammadi, 51, has been sentenced to more than 30 years in prison, and has been banned from seeing her husband and children. Her name has become synonymous with the battle for human rights in Iran, where nationwide protests broke out last year following the death of Mahsa Amini. Amini was a 22-year-old woman who had been taken into custody by the regime’s notorious morality police. Since then, 16 year old Armita Geravand has died following a period in a coma, after reports the teenager fell and hit her head after an altercation on a train with the morality police for not wearing a head covering.

In awarding the prize to Mohammadi, the Nobel Committee said it “recognizes the hundreds of thousands of people who in the preceding year have demonstrated against the theocratic regimes’ policies of discrimination and oppression targeting women. Her brave struggle has come with tremendous personal costs. Altogether, the regime has arrested her 13 times, convicted her five times, and sentenced her to a total of 31 years in prison, and 154 lashes,”

Mohammadi’s recognition comes after a year of huge upheaval in Iran, sparked by Amini’s death, which swelled into nationwide protests by men and women, lasting months. It’s been described that the unrest is the largest political demonstrations against Iran’s theocratic regime since it came to power in 1979.

Protestors were met by a brutal government crackdown. More than 500 demonstrators were killed. Thousands were injured, including many who were blinded by rubber bullets fired by the police. At least 20,000 people were arrested and held in custody.

Last month marked the one-year anniversary of Amini's death. Video obtained by CNN showed further demonstrations throughout multiple cities in Iran, including capital Tehran, Mashad, Ahvaz, Lahijan, Arak and the Kurdish city of Senandaj.

Many of the protesters shouted "Woman, Life, Freedom," and others chanted slogans against Iranian Supreme Leader Ali Khamenei.

Since the anniversary of Amini's death, Iran has continued its crackdown on women's rights. Its parliament passed draconian new legislation in September, imposing much harsher penalties on women who breach hijab laws. The so-called "hijab bill," which will be enacted for a three-year trial period, sets out various regulations around the wearing of clothing, which if violated can carry up to 10 years in prison.

United Nations experts said the new law could amount to gender apartheid. "Authorities appear to be governing through systemic discrimination with the intention of suppressing women and girls into total submission," the experts said in a statement.

FINANCIAL IMPACT

There are no financial impacts of the motion as written.

CHIEF EXECUTIVE OFFICER'S COMMENT

There are no financial impacts of the motion as written.

Notice of Motions & Questions With Notice - 28 November 2023

ITEM 10.5 Sue Bishop Memorial

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

“That work with the Cooks River Valley Association to install a small memorial plaque in the Ewen Park site to commemorate its late member, and cofounder of ‘Friends of Ewen Park’, Sue Bishop.”

BACKGROUND

I have been approached by the Cooks River Valley Association to support a small but worthy request for a memorial in honour of Sue Bishop. Sue was an ardent and committed volunteer with the Mudcrabs and played a vital role as the co-founder of the Ewen Park bush site alongside Keith Foulcher. In addition to her involvement with the Mudcrabs, Sue was a founding member of the 'Friends of Ewen Park' group.

Sue was known by many for her constant smile and cheerful demeanour, dedicating her time to supporting and working with the local community to improve the health of the Cooks River and surrounds.

Tragically, Sue succumbed to breast cancer at the young age of 63, however she has left behind a lasting legacy, not only with the friendships she created, but the health of our natural environment.

To commemorate Sue's contributions, the CRVA has acquired a modest and inconspicuous memorial rock and plaque. It is hoped that this tribute to Sue can find a fitting place either near the recently completed sandstone seating blocks or in their vicinity. The intention is for this small yet meaningful memorial to serve as a lasting tribute to Sue's legacy in the community.

FINANCIAL IMPACT

The CRVA have already purchased the small memorial rock and plaque therefore the only costs would be associated with providing concrete to set this in the ground.

CHIEF EXECUTIVE OFFICER'S COMMENT

This action is consistent with Council's Memorials Policy, whereby Council may consider, by way of resolution, a proposal for memorial objects. The proposal has been assessed by Council officers and has been found to be consistent with the policy and the proposed site.

Notice of Motions & Questions With Notice - 28 November 2023

ITEM 10.6 New Life for old Hospital

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

“That Council writes to the NSW Health Minister, The Hon Ryan Park MP, urging him to investigate the feasibility of repurposing the existing Bankstown-Lidcombe Hospital and establishing a women’s hospital, like the Royal Hospital for Women, along with other specialised health services and research facilities on the site.”

BACKGROUND

The mayoral minute thanking the NSW Government for their investment in health in our city is to be applauded. And the NSW budget commitment to build a new \$1.3billion Bankstown-Lidcombe hospital, not on the same site, begs the question: what great outcomes could there be for the current hospital site?

With a growing population and thousands more homes expected to be built in our City, the opportunity to retain the health related services on the existing hospital, by repurposing it into a specialist health and research hub is an outstanding investment opportunity for our city.

There is a great opportunity to focus on establishing a Women’s Hospital, specialising in breast care, gynaecology, maternity, newborn intensive care and reproductive medicine for the entire region.

The Royal Hospital for Women at Randwick was born back in 1820 and has evolved into one of Australia’s most prestigious hospitals. It shares a campus with the Sydney Children’s and the Prince of Wales Hospitals.

In July this year, in a milestone for the Hospital, the first woman to receive a uterus transplant in Australia fell pregnant, just three months after undergoing the procedure.

What a great story and an example of what can be achieved when we invest in health

Let’s not just dream about what is possible, but let’s action it today, so our dream will become reality.

FINANCIAL IMPACT

There are no financial impacts of the motion as written.

CHIEF EXECUTIVE OFFICER'S COMMENT

There are no financial impacts of the motion as written.

Notice of Motions & Questions With Notice - 28 November 2023

ITEM 10.7 Bankstown Sporting Hall of Fame

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

“That -

1. Council immediately commence a process to identify local athletes who meet the criteria for induction to the Bankstown Sporting Hall of Fame. With a view to holding an induction ceremony in the first half of 2024 for those that meet the criteria; and,
2. The induction of local sporting icons into the Hall of Fame be scheduled to occur in the last year of each successive term of Council.”

BACKGROUND

Bankstown hosts a well-kept local secret. I refer to the Bankstown sporting hall of fame. The building at Bankstown's Memorial Oval, referred to as ‘The Hall of Fame’, is located next to the John MacKay Indoor Centre.

This building has a multitude of functions, including meetings, cricket scoring and is the base of the third umpire. Additionally, this building houses photos and memorabilia of sporting icons from Bankstown and Canterbury. These include, the Waugh brothers, Steve Mortimer, John and Ilsa Konrads, Rebecca Rippon, Jeff Thomson and many, many more.

The secret of this Bankstown treasure is perhaps too closely guarded, as since the Council amalgamation the inclusion of additional local sporting identities who have represented Australia at the highest level has regrettably lapsed.

I refer to some who are more than entitled to have a photo or reference to their sporting achievements. These worthy individuals include locals Michelle Watson our first Australian Soccer Matilda at World Cup level from 1995, and Ashleigh Gardner current Australian Test and One Day Cricket player. Additionally, The Bankstown Sports Athletic Club boasts eight Olympians at the recent Tokyo Olympics as well as World record holders. I am sure the nomination process will identify many others whose achievements are worthy of this recognition.

It is important that we keep our tradition of appropriately recognising members of our community who have achieved greatness. In the sporting arena inclusion on the Hall of Fame is an extremely fitting form of recognition.

Councillors I commend the motion to you.

FINANCIAL IMPACT

This could form part of the Council's Operational Plan in successive years.

CHIEF EXECUTIVE OFFICER'S COMMENT

This project can form part of each 'Council's' 4 year delivery program and be considered in appropriate Operational Budgets.

Notice of Motions & Questions With Notice - 28 November 2023

ITEM 10.8 Support UNICEF Children's Fund

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

“That Council calls on the Federal Government to increase the humanitarian aid to civilians affected by the conflict in Gaza. I further call on Council to donate \$5,000 to UNICEF Australia’s emergency appeal for Children in Gaza and to promote the appeal on its social media platforms.”

BACKGROUND

Sadly, since that decision was made, thousands of more people have been killed. . . . and in fact there are reports the death toll is as high as 15,000 . . . with 70 per cent being children and woman This unfolding crisis has also left tens of thousands injured, hundreds of thousands stranded and homeless, and buildings and infrastructure decimated.

Hospitals, schools, churches, community centres, restaurants and apartment blocks all targeted with no regard to the articles of the Geneva convention. The latest reports detailing the death of premature babies in the neo-natal ward of the al-Shifa Hospital after electricity was cut off.

Among those killed are doctors, nurses, and humanitarian aid agency workers. More than 100 United Nations employees and 40 media all doing their jobs.

Both here, and across the world, the protests are growing in large numbers, as people voice their concerns at the loss of innocent lives the question being asked is: How many more innocent children must die?

UNICEF is on the ground providing emergency relief, tending to the sick and injured, and comforting families who have lost loved ones. The monies raised worldwide goes to providing much needed relief on the ground.

The loss of innocent lives, particularly children, is of deep concern and any amount of money, no matter how small will go a long way.

Every dollar counts and this is how some of the funds will be used.

- \$90 could provide 18,000 water purification tablets, each able to create up to 5 litres of clean drinking water.

- \$160 could help provide 304 sachets of life-saving therapeutic food.
- \$311 could help deliver a school-in-a-box with enough education supplies to keep 40 students learnings.

FINANCIAL IMPACT

Should this motion be supported it could come from Council's Events and Sponsorship budget.

CHIEF EXECUTIVE OFFICER'S COMMENT

Council's Events and Sponsorship budget can be adjusted at the next quarterly review to accommodate the motion as written.

Notice of Motions & Questions With Notice - 28 November 2023

ITEM 10.9 Demerge of Canterbury Bankstown Council

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

“That Council immediately halts all work, and financial spending, on preparing its implementation plan to de-amalgamate, until such time the NSW Government gives an iron-clad commitment to fully fund the cost of any de-amalgamation, and all ongoing costs.”

BACKGROUND

FINANCIAL IMPACT

The proposed motion will save the costs of preparing a business case and poll which would exceed \$1,000,000 up front.

Further, with it becoming crystal clear that the NSW Government will not fund up front or ongoing costs for the new Council this will also protect our community from blindly signing up to over \$20,000,000 per year in increased costs that are not tied to any service delivery.

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no financial impact of the motion as written.

Notice of Motions & Questions With Notice - 28 November 2023

ITEM 10.10 Gaza advocacy

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

“That –

1. Council applauds Foreign Minister Penny Wong, Home Affairs Minister Clare O’Neil and Minister for Immigration and Citizenship Andrew Giles, on their compassionate and moral stance by granting 860 temporary visas to Palestinians in Gaza with families living here in Australia.
2. Council urges the Federal Government to use its influence with the United States to secure a permanent ceasefire in Gaza which will bring an end to hostilities and the lifting of cruel sanctions and blockades.
3. Council recognises the impact the conflict is having on residents, many of whom have families in the affected region, and implement practical measures to support them. Measures which could include our customer service staff directing residents to known support services.
4. Council supports the promotion of registered Australian charities, raising donations for the humanitarian cause in Gaza through our established media platforms and our website.”

BACKGROUND

Nil

FINANCIAL IMPACT

I envisage there will be minimal cost to implement this motion.

CHIEF EXECUTIVE OFFICER'S COMMENT

Given that Council will be using its existing media platforms and website to promote any relevant charities, there will be minor financial implications.

Notice of Motions & Questions With Notice - 28 November 2023

ITEM 10.11 Ceasefire and Aid Gaza

I, Councillor Karl Saleh OAM, hereby give notice that at the next Ordinary Meeting of Council I will move the following motion:

“That Council:

1. Applauds the Hon Tony Burke MP for his comments on ABC Radio National on 27th October supporting Canterbury-Bankstown Council's decision to fly Palestinian flag until a ceasefire is declared and to stand in solidarity with our local Palestinian Community.
2. Calls on the Federal Government to continue working with its allies, and the international community, to achieve a permanent ceasefire in Gaza.
3. Calls on the Federal Government to urge the international community to do all they can to bring an end to the humanitarian disaster unfolding in Gaza, and to restore access to food, electricity, water, medicines, and fuel to more than 2 million people, half of which are children.
4. Writes to Prime Minister The Hon Anthony Albanese MP, Foreign Minister The Hon Penny Wong MP and Local Federal Members for Watson, Banks and Blaxland notifying them of our motion and expressing our support for it.”

BACKGROUND

FINANCIAL IMPACT

There is no financial impact as written.

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no financial impact as written.

Notice of Motions & Questions With Notice - 28 November 2023

ITEM 10.12 UWS Milperra

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

“That Council write to the NSW Planning Minister Paul Scully MP and urge that he delay providing final sign off to the rezoning of the land at UWS Milperra site until the NSW Education Minister Prue Car MP has completed her feasibility assessment of retaining the site for educational purposes.”

BACKGROUND

At the last meeting of Council we resolved to write to Prue Car to investigate the feasibility of retaining the site for education purposes.

In order for her office to complete their assessment it is important that she is given enough time to do this properly and accordingly the rezoning should be paused.

This is consistent with the several previous resolutions for this outcome for the community, that it be retained for education not rezoned for housing.

This is our final opportunity to get this right outcome for not only Milperra residents but, the entire region. That outcome, as we have all agreed in this chamber, is that we need more education facilities.

FINANCIAL IMPACT

There should be no impact of the motion as written

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no financial impact of the motion as written.

Notice of Motions & Questions With Notice - 28 November 2023

ITEM 10.13 Giants

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

“That Council write to the captain of the GWS Giants, Toby Greene and Coach, Adam Kingsley to congratulate them on a fantastic 2023 Season and invite them to our December Christmas celebrations.”

BACKGROUND

It was always going to be a tough season for the Giants, especially under their newly appointed coach Adam Kingsley. And tough it was, the Giants found themselves in the bottom four from Round 12 and in 14th position by Round 15. At the start of the season, most experts predicted that the Giants wouldn't make the top eight.

However from that point they definitely proved their critics wrong! They won 7 of the last 9 games to secure a spot in the finals. In the finals, they comfortably beat St Kilda and Port Adelaide away from home and in front of hostile crowds. Both these teams finished above GWS during the regular season. The Giants became so good winning away from home that they developed the reputation as being the “Anytime, Anywhere Giants”.

Unfortunately, in the Grand Final qualifier they missed out by 1 point from reaching the Grand Final against Collingwood who finished first in the regular season and went on to comfortably win the Grand Final.

A special mention must go to their captain Toby Greene who kicked a career best 66 goals and was named All-Australian captain for 2023. This was an extraordinary effort and a display of quality leadership from their captain.

Thank you GWS for a wonderful season and all the best for 2024!!!

FINANCIAL IMPACT

There is no financial impact of this motion.

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no financial impact of the motion as written.

Notice of Motions & Questions With Notice - 28 November 2023

ITEM 10.14 Bill to amend the Local Government Act – De Amalgamation Plebiscites

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

“That Council write to the Minister of Local Government supporting the proposed legislative changes to the Local Government Act to introduce binding plebiscites on demerging.”

BACKGROUND

NSW Greens MLC Dr Amanda Cohn has given notice to NSW Parliament that she will introduce a bill to amend the Local Government Act to introduce binding plebiscites for the demerger of the 2016 forcibly merged councils.

It is understood that the bill will be introduced into the upper house in the November sitting, most likely on the 22nd of November.

The Bill would require the Minister to hold plebiscites on demerging when petitioned to do so by more than 10% of the electors of a former council area.

If electors in all former areas petition the Minister the plebiscites would be held across the whole of the new council area councils but would be counted per former council area.

If a majority of electors in a former area vote to demerge the Minister is bound to demerge that former area.

A For and Against case would be prepared by government to inform the community of the implications of the demerger prior to the plebiscite.

The bill also clarifies the cost that the minister must pay being only the one off immediate costs as well as the cost of the plebiscite.

Importantly the bill requires that the current councillors remain in place and work with a transition manager while the demerger mechanics are undertaken.

If a petition to demerge is received by the Minister before April 2024 then the plebiscite is likely to be held in lieu of the council elections in September 2024.

If successful the Minister would then have to demerge the council and hold fresh councillor elections within 12 months. The demerger would occur the day prior to the elections.

The bill, although introduced by the Greens, would implement Labor's current policy on council demergers.

The bill will support proper democratic process on demergers. Unfortunately the forced mergers occurred with no democratic process.

The plebiscites would give council a clear indication of the wishes of the community on the future of how their council is structured.

FINANCIAL IMPACT

The cost of the plebiscite will be less than an ordinary election of councillors.

CHIEF EXECUTIVE OFFICER'S COMMENT

Whilst the motion as written does not present a financial impact for Council, if the Bill was to be enacted I envisage that Council would still be required to prepare a detailed implementation plan which determines both the one-off and ongoing costs required to demerge Council. The cost of the detailed implementation plan is estimated at around \$400K-\$600K.

11 CONFIDENTIAL SESSION

11.1 Property Matter - Proposed acquisition of property in Earlwood

11.2 T66-23 Minor Concrete Works (Maintenance Works Only)

11.3 Code of Conduct Investigation Report

Chief Executive Officer's Statement

Confidentiality

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

CONFIDENTIAL SESSION

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

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

RECOMMENDATION

That, in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Items 11.1, 11.2 and 11.3 in confidential session for the reasons indicated:

Item 11.1 Property Matter - Proposed acquisition of property in Earlwood

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.

Item 11.2 T66-23 Minor Concrete Works (Maintenance Works Only)

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

Item 11.3 Code of Conduct Investigation Report

This report is considered to be confidential in accordance with Section 10A(2)(i) of the Local Government Act, 1993, as it relates to alleged contraventions of any code of conduct requirements applicable under section 440.