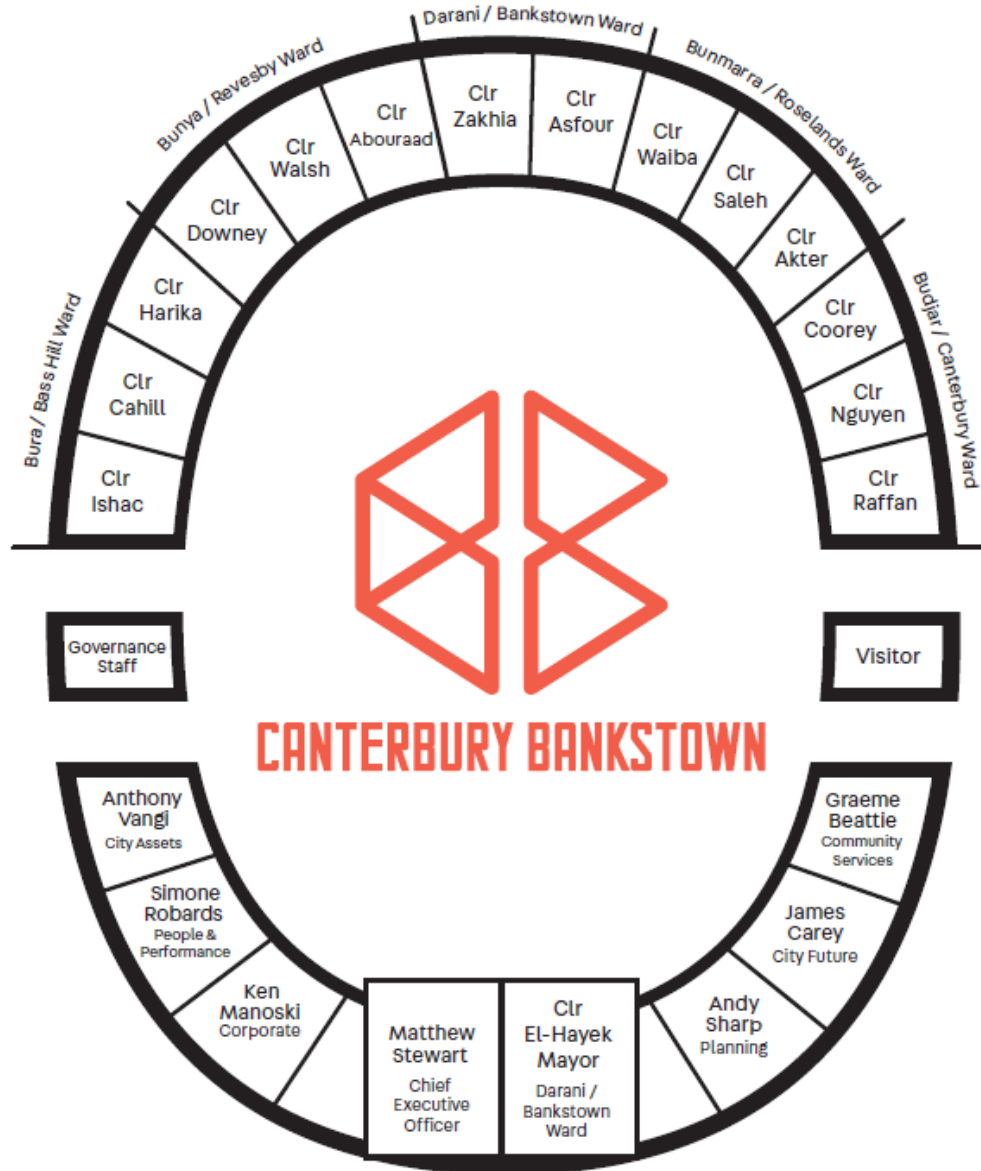




AGENDA FOR THE ORDINARY MEETING

25 June 2024

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 28 May 2024	9
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CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 MAY 2024

PRESENT: Mayor, Councillor El-Hayek
Councillors Abouraad, Akter, Asfour, Cahill, Coorey, Downey, Harika, Nguyen,
Raffan, Saleh OAM, Walsh

APOLOGIES Councillors Ishac, Waiba and Zakhia

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.33 PM.

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

(753)

CLR. DOWNEY:/CLR. ABOURAAD

RESOLVED that the minutes of the Ordinary Council Meeting held on 30 April 2024 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

(754)

CLR. DOWNEY:/CLR. RAFFAN

RESOLVED that Leave of Absence be granted to Clrs Ishac, Waiba and Zakhia due to personal reasons.

- CARRIED

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

Nil

CLR RAFFAN TEMPORARILY VACATED THE CHAMBER AT 6.35 PM.

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SECTION 4: MAYORAL MINUTES

CLR SALEH ARRIVED AT THE MEETING AT 6.36 PM

CLR RAFFAN RETURNED TO THE CHAMBER AT 6.36 PM.

ITEM 4.1 FAREWELL COMMANDER ADAM JOHNSON
(755) CLR. EL-HAYEK

RESOLVED that Council hold a morning tea and award Commander Adam Johnson with a Mayoral Certificate of Recognition.

- CARRIED

ITEM 4.2 WHERE INTERESTING HAPPENS LAUNCH
(756) CLR. EL-HAYEK

RESOLVED that the Mayoral Minute be noted.

- CARRIED

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

AT THIS STAGE OF THE MEETING, IN ACCORDANCE WITH CLAUSE 15.14 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A FIRST WARNING AT 6.43 PM TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

ITEM 4.3 MULTI FAITH MEETING
(757) CLR. EL-HAYEK

RESOLVED that Council convene a meeting to thank religious and spiritual leaders for their ongoing support, and to discuss how Council can work together with them to ensure our community remains united and living in harmony.

- CARRIED

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ITEM 4.4
(758)

LOCAL COMMUNITY BASED DONATIONS
CLR. EL-HAYEK

RESOLVED that

1. Council supports a fee waiver of \$500.00 to the Gangchil Musical Association Inc. towards the Bengali New Years Eve Event.
2. Council supports a donation of \$500.00 to the Bankstown City Choir 50 Year Anniversary event.
3. Council supports a donation of \$750.00 to the Australian Jieh Community Club Sports Day.
4. Council supports a fee waiver of \$500.00 to the Western Districts Joggers and Harriers Fun Run event.
5. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

SECTION 5:

PLANNING MATTERS

ITEM 5.1

REPORT ON COUNCIL'S PERFORMANCE IN THE ASSESSMENT OF DEVELOPMENT APPLICATIONS FOR THE THIRD QUARTER OF THE 2023/24 FINANCIAL YEAR, CLAUSE 4.6 VARIATIONS APPROVED FOR THE THIRD QUARTER OF THE 2023/24 FINANCIAL YEAR, PLANNING RELATED LEGAL APPEALS, AND THE STATUS OF CURRENT PLANNING PROPOSALS

(759)

CLR. DOWNEY:/CLR. ABOURAAD

RESOLVED that the report be noted.

- CARRIED

ITEM 5.2
(760)

DRAFT PLANNING AGREEMENT - 44 KITCHENER PARADE, BANKSTOWN
CLR. ABOURAAD:/CLR. ASFOUR

RESOLVED that

1. Council exhibit the Draft Planning Agreement at Attachment A.

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2. The matter be reported to Council following the exhibition.

- CARRIED

For:- Clrs Abouraad, Akter, Asfour, Cahill, Downey, El-Hayek, Harika, Saleh OAM,
Nguyen, Raffan and Walsh

Against:- Clr Coorey

**ITEM 5.3 DRAFT HOUSEKEEPING AMENDMENTS TO CANTERBURY-BANKSTOWN DCP 2023
AND COMMUNITY PARTICIPATION PLAN**

(761) CLR. ABOURAAD:/CLR. RAFFAN

RESOLVED that

1. Council exhibit the draft housekeeping amendments to the Canterbury-Bankstown Development Control Plan 2023, as provided in Attachment A.
2. Council exhibit the draft housekeeping amendments to the Community Participation Plan, as provided in Attachment B.
3. The matter be reported to Council following the exhibition period.

- CARRIED

For:- Clrs Abouraad, Akter, Asfour, Cahill, Downey, El-Hayek, Harika, Saleh OAM,
Nguyen, Raffan and Walsh

Against:- Clr Coorey

SECTION 6: POLICY MATTERS

Nil

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 CASH AND INVESTMENT REPORT AS AT 30 APRIL 2024

(762) CLR. ABOURAAD:/CLR. DOWNEY

RESOLVED that

1. The Cash and Investment Report as at 30 April 2024 be received and noted.

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2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

ITEM 7.2 **CODE OF MEETING PRACTICE - AMENDMENT TO 2024 SCHEDULE OF MEETINGS**
(763) **CLR. DOWNEY:/CLR. RAFFAN**

RESOLVED that

1. The 2024 Schedule of Council Meetings be amended – whereby the December 2024 Ordinary Meeting of Council be rescheduled from Tuesday 10 December 2024 to Tuesday 3 December 2024.
2. Council agrees to the temporary administrative changes, as outlined in the report.

- CARRIED

SECTION 8: **SERVICE AND OPERATIONAL MATTERS**

ITEM 8.1 **PROPERTY MATTER - 1A LEYLAND PARADE, 1B AND 1C EDISON LANE, BELMORE**
MOTION **CLR. ASFOUR:/CLR. RAFFAN**

That -

1. Council agree to granting a new three-year lease to Belmore Bowling and Recreation Club Ltd located at 1A Leyland Parade, Belmore, 1B and 1C Edison Lane, Belmore.
2. The Mayor and Chief Executive Officer be delegated authority to sign all documentation under the Common Seal of Council, as required.

AMENDMENT **CLR. COOREY:/CLR ABOURAAD**

That –

1. Council agree to grant a new three-year lease, plus a three by three year option to Belmore Bowling and Recreation Club located at 1A Leyland Parade Belmore, 1B and 1C Edison Lane Belmore.
2. The Mayor and Chief Executive Officer be delegated authority to sign all documentation under the Common Seal of Council, as required.

- LOST

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THE AMENDMENT WAS LOST.

(764)

CLR. ASFOUR:/CLR. RAFFAN

RESOLVED that

1. Council agree to granting a new three-year lease to Belmore Bowling and Recreation Club Ltd located at 1A Leyland Parade, Belmore, 1B and 1C Edison Lane, Belmore.
2. The Mayor and Chief Executive Officer be delegated authority to sign all documentation under the Common Seal of Council, as required.

- CARRIED

AT THIS STAGE OF THE MEETING, IN ACCORDANCE WITH CLAUSE 15.14 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A FIRST WARNING AT 7.10 PM TO COUNCILLOR ASFOUR FOR AN ACT OF DISORDER.

AT THIS STAGE OF THE MEETING, IN ACCORDANCE WITH CLAUSE 15.14 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A SECOND WARNING AT 7.10 PM TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

ITEM 8.2

UPDATE ON WESTERN SYDNEY INFRASTRUCTURE GRANTS PROGRAM (FORMERLY WESTINVEST)

(765)

CLR. DOWNEY:/CLR. ABOURAAD

RESOLVED that the WSIG Project Update be received and noted.

- CARRIED

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

ITEM 8.3

CAMPSIE HUB

(766)

CLR. DOWNEY:/CLR. ABOURAAD

RESOLVED that Council proceed with concept planning for the new Campsie Hub based on Option 2 for the reasons outlined in the report.

- CARRIED

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

ITEM 8.4 ADOPTION OF COMMUNITY INFRASTRUCTURE STRATEGIC PLAN

(767) CLR. ABOURAAD:/CLR. CAHILL

RESOLVED that Council adopt the draft Community Infrastructure Strategic Plan 2050 (Attachment A).

- CARRIED

**ITEM 8.5 PROPERTY MATTER - PROPOSED ACQUISITION OF LAND ADJACENT TO THE
INTERSECTION OF MILLER ROAD AND MUNDAMATTA STREET, VILLAWOOD**

(768) CLR. CAHILL:/CLR. ABOURAAD

RESOLVED that

1. The proposed compulsory acquisition of two separate pieces of land (parts of 976 Hume Highway Villawood - Lot H DP36603) owned by TfNSW be approved.
2. The proposed approach, as set out in the report be endorsed.

- CARRIED

SECTION 9: COMMITTEE REPORTS

(769) CLR. SALEH OAM:/CLR. WALSH

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

- CARRIED

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ITEM 9.1 **MINUTES OF THE FIRST PEOPLES ADVISORY COMMITTEE MEETING HELD ON 22 APRIL 2024**

(770) **CLR. SALEH OAM:/CLR. WALSH**

RESOLVED that the minutes of the First Peoples Advisory Committee meeting held on 22 April 2024 be endorsed.

- CARRIED

ITEM 9.2 **MINUTES OF THE ENVIRONMENT ADVISORY COMMITTEE MEETING HELD ON 1 MAY 2024**

(771) **CLR. SALEH OAM:/CLR. WALSH**

RESOLVED that the minutes of the Environment Advisory Committee meeting held on 1 May 2024 be endorsed.

- CARRIED

ITEM 9.3 **MINUTES OF THE COMMUNITY SAFETY ADVISORY COMMITTEE MEETING HELD ON 9 MAY 2024**

(772) **CLR. SALEH OAM:/CLR. WALSH**

RESOLVED that

1. Council support the addition of a representative from the Canterbury Bankstown Inclusive Communities Network to the Community Safety Advisory Committee's Charter.
2. The minutes of the Community Safety Advisory Committee meeting held on 9 May 2024 be endorsed.

- CARRIED

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ITEM 9.4 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 14 MAY 2024**
(773) **CLR. SALEH OAM:/CLR. WALSH**

RESOLVED that the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 14 May 2024, be adopted.

- CARRIED

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

(774) **CLR. SALEH OAM:/CLR. RAFFAN**

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Notice of Motion and Questions with Notice with the exception of Items 10.1, 10.2, 10.5, 10.6, 10.8, 10.12 and 10.13.

- CARRIED

ITEM 10.1 **STATUS OF PREVIOUS NOTICES OF MOTION - MAY 2024**
(775) **CLR. DOWNEY:/CLR. NGUYEN**

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 **VALE EUNICE ROGAN**
(776) **CLR. DOWNEY:/CLR. WALSH**

RESOLVED that Council pays tribute to the late Eunice Rogan by acknowledging the support and tireless work she did on behalf of our City.

- CARRIED

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ITEM 10.3
(777)

VALE TONY BLEASDALE OAM

CLR. SALEH OAM:/CLR. RAFFAN

RESOLVED that Council notes the passing of former Blacktown City Mayor Tony Bleasdale OAM and recognises his tireless work and love for his local community.

- CARRIED

ITEM 10.4
(778)

HONOURING THE LATE BILL BRACKENBURY

CLR. SALEH OAM:/CLR. RAFFAN

RESOLVED that Council honours the late Bill Brackenbury by naming the Ewen Park Sporting Amenities building at Hurlstone Park after him, as a fitting tribute for his significant accomplishments and contributions to sport within the Canterbury Bankstown community.

- CARRIED

ITEM 10.5
(779)

COOKS RIVER - SHEET METAL REMOVAL

CLR. RAFFAN:/CLR. NGUYEN

RESOLVED that Council write to the Treasurer, Daniel Mookhey, seeking the Government to consider funding a pilot project for sheet metal removal on a section of the Cooks River as part of the next NSW Government budget.

- CARRIED

ITEM 10.6

AUSTRALIA POST TO INFORM OUR COMMUNITY

CLR AKTER TEMPORARILY VACATED THE CHAMBER AT 8.17 PM.

MOTION

CLR. RAFFAN:/CLR ABOURAAD

That Council writes to Australia Post CEO, Paul Graham, acknowledging receipt of his letter outlining the reasons for the closure of the Campsie Post office, and further calls on him to relay those reasons to local residents by mail, media and social media platforms.

AMENDMENT

CLR. ABOURAAD:

That Council writes to:

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1. Australia Post CEO, Paul Graham, acknowledging receipt of his letter outlining the reasons for the closure of the Campsie Post Office, and further calls on him to relay those reasons to local residents by mail, media and social media platforms.
2. The Federal Member for Watson the Hon Tony Burke to bring this matter to his attention and seek his assistance in following up Council's correspondence sent to his colleagues the Hon Ministers Katie Gallagher and Michelle Rowland.

THE AMENDMENT WAS ACCEPTED BY THE MOVER OF THE MOTION.

(780)

CLR. RAFFAN:/CLR. ABOURAAD

RESOLVED that Council writes to:

1. Australia Post CEO, Paul Graham, acknowledging receipt of his letter outlining the reasons for the closure of the Campsie Post Office, and further calls on him to relay those reasons to local residents by mail, media and social media platforms.
2. The Federal Member for Watson the Hon Tony Burke to bring this matter to his attention and seek his assistance in following up Council's correspondence sent to his colleagues the Hon Ministers Katie Gallagher and Michelle Rowland.

- CARRIED

ITEM 10.7

INTERSECTION UPGRADE - INTERSECTION OF HENRY LAWSON DRIVE AND THE HUME HIGHWAY AT LANSDOWNE

(781)

CLR. SALEH OAM:/CLR. RAFFAN

RESOLVED that Council writes to Transport for NSW calling on them to fund an upgrade of a well-known traffic blackspot at the intersection of Henry Lawson Drive and the Hume Highway at Lansdowne.

- CARRIED

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ITEM 10.8
(782) **PLANNING FOR A LIVERPOOL METRO EXTENSION**
CLR. WALSH:/CLR. ABOURAAD

RESOLVED that Council, in collaboration with Liverpool City Council, Parramatta City Council and Cumberland City Council, engage with the Minister for Transport and request that the NSW Government identify a suitable corridor, and appropriate station sites, for an extension of the Southwest metro from Bankstown to Liverpool and possible routes to connect Bankstown more directly with Parramatta.

- CARRIED

CLR AKTER RETURNED TO THE CHAMBER AT 8.20 PM

CLR SALEH OAM TEMPORARILY VACATED THE CHAMBER AT 8.29 PM AND RETURNED AT 8.32 PM.

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

ITEM 10.9
(783) **NSW GOVERNMENT NEEDS TO OPEN UP ABOUT ASBESTOS**
CLR. SALEH OAM:/CLR. RAFFAN

RESOLVED that

1. Council writes to Transport for NSW and the EPA calling on them to come clean and advise the community of all asbestos found in our LGA during its recent mulch supply chain investigations.
2. Council call on them to provide detailed reports of what they found and what action was taken and what risks, if any, the community has been exposed to.

- CARRIED

ITEM 10.10
(784) **OPEN SPACE AND PLAYGROUND INVESTIGATIONS**
CLR. SALEH OAM:/CLR. RAFFAN

RESOLVED that Council investigate the potential for open space and playground upgrades of the following locations as part of its 2024/25 Operational Plan:

- A playground at Knox Street Reserve, Belmore; and
- Seating, turf and a public bin at St Jude Crescent Reserve, Belmore

- CARRIED

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ITEM 10.11
(785)

TRAFFIC INVESTIGATION - RYDGE STREET, BELMORE

CLR. SALEH OAM:/CLR. RAFFAN

RESOLVED that Council investigate the potential for a pedestrian crossing at Rydge and Sharp Streets, Belmore.

- CARRIED

ITEM 10.12

MOTION

HOLDING OF A POLL AT THE SEPTEMBER 2024 LOCAL GOVERNMENT ELECTIONS REGARDING COMMUNITY SUPPORT FOR A COUNCIL DE-AMALGAMATION

CLR. COOREY:/CLR ABOURAAD

That Council:

1. Hold a poll concurrently with the 14 September 2024 Local Government elections asking the question: "Do you support the de-amalgamation of Canterbury Bankstown Council to reinstate Canterbury and Bankstown Councils?"
2. Complete a desktop business case internally for a de-amalgamation of the two former council areas, addressing:
 - a. The financial advantages and disadvantages of a demerger. This should include: consideration of the division and sharing of assets and liabilities; service standards and shared services; rate levels and charges.
 - b. The community of interest and geographic cohesion of the existing LGA compared to the former council areas.
 - c. The historical and traditional values of the former LGAs and the impact on them of the amalgamation into CBC.
 - d. The impact of a demerger on democratic representation for residents in each of the former council areas.
 - e. The impact of a demerger on the employment of current staff and possibility of redeployment to the demerged former council areas.
3. Prepare a report, including the desktop business case and de-amalgamation costings, to be presented to a Council Meeting no later than June 25. The report should include:
 - a. The data and analysis as outlined in point 2.(a) - (e), without any recommendations.
 - b. Detail the process and basis for any information which will be provided to residents about the poll.

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4. By August 1, develop a page on its website, social media and other means, all providing access to the desktop report, to advertise that a demerger poll will take place.

AMENDMENT

CLR. WALSH:

That the matter be deferred to the next Ordinary Meeting of Council.

THE AMENDMENT WAS ACCEPTED BY THE MOVER OF THE MOTION.

(786)

CLR. COOREY:/CLR. ABOURAAD

RESOLVED that the matter be deferred to the next Ordinary Meeting of Council.

- CARRIED

ITEM 10.13

COUNCILLOR QUESTIONS

(787)

CLR. COOREY

RESOLVED that

1. Has loan funding been finalised for the construction of the Canterbury Aquatic Centre, and if not why not?

Comment from CEO

This matter was subject to a confidential report to Council at the 27 February 2024 Ordinary Meeting and is subject to a further report on tonight's agenda recommending finalization of the loan.

2. Have contracts been finalised with the successful tenderer for the construction of the Canterbury Aquatic Centre, and if not why not?

Comment from CEO

This matter was subject to a confidential report to Council at the 7 December 2023 Ordinary Meeting and the contract was entered into.

3. What discussions have taken place between the previous owner of the Campsie Centre in relation to Council vacating the building, and what compensation would be paid to Council in relation to the vacating of such site?

Comment from CEO

Council has strata ownership within the Campsie Centre and has not had any discussions regarding it vacating the building or any sale or compensation associated with vacation or sale.

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4. What were the circumstances behind the UWS prepaying approximately \$12 million in monies to Council re the lease payments relating to a 99 year lease occupancy of the lands owned by Council?

Comment from CEO

The circumstances are subject to confidential reports to council in December 2016, December 2017, July 2017 and June 2018.

5. What is the role of each person engaged in Executive Services and what is the yearly budget for such a department?

Comment from CEO

The staffing within Executive Services is resolved by Council in its Councillor Expenses and Facilities Policy, and Councillors were provided information on 7 September 2023 and 16 January 2024 in regards to the previous structure and restructure process for Executive Services. Following this Councillors were provided information on 27 March and 16 May updating Councillors on the process and outcome of the restructure. The budget is the salary of those Executive services staff listed in my email on 16 May and staff salary information is of a personal nature.

How many persons are engaged in photography and or media for Canterbury Bankstown Council for the period 1 January 2022 to current date?

Comment from CEO

3 Media staff and 1 multimedia staff member.

How many media personnel are engaged by Canterbury Bankstown Council and what is the budget (and role for each person) for such services for the period 1 January 2022 to current date?

Comment from CEO

3 persons (2 media officers and their team leader) with the budget for each person being their salary and staff salary information is of a personal nature.

- CARRIED

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SECTION 11: CONFIDENTIAL SESSION

(788) CLR. DOWNEY:/CLR. RAFFAN

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 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.

Item 11.2 Loan Borrowing - Canterbury Leisure and Aquatics Centre

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 11.3 Contract Extension for T79-18 (General Waste Receipt and Processing Services)

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

- CARRIED

COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 8.48 PM AND REVERTED BACK TO OPEN COUNCIL AT 9.22 PM.

IN ACCORDANCE WITH CLAUSE 7.49 OF THE PROCEDURES FOR THE ADMINISTRATION OF THE CODE OF CONDUCT, COUNCILLOR COOREY MADE A SUBMISSION ON THE CODE OF CONDUCT REVIEWERS RECOMMENDATION. COUNCILLOR COOREY THEN TEMPORARILY RETIRED FROM THE MEETING AT 9.00 PM.

IN RESPECT TO ITEM 11.1 – CODE OF CONDUCT REPORT THE COMPLAINANT COUNCILLOR VACATED THE CHAMBER TAKING NO PART IN DEBATE AT 9.00 PM.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 MAY 2024

ITEM 11.1 **CODE OF CONDUCT INVESTIGATION REPORT**
(789) **CLR. RAFFAN:/CLR. AKTER**

RESOLVED that

1. For the reasons outlined in the report by the Code of Conduct Reviewer, Council formally censures Councillor Coorey under section 440G of the Local Government Act 1993 for breaches of Part 3 (General Conduct Obligations), Part 7 (Relationship between Council Officials), and Part 8 (Access to Information and Council Resources) of Council's Code of Conduct.
2. The matter be referred to the Office of Local Government for further action under the misconduct provisions of the Local Government Act 1993.

- CARRIED

ITEM 11.2 **LOAN BORROWING - CANTERBURY LEISURE AND AQUATICS CENTRE**
(790) **CLR. ABOURAAD:/CLR. RAFFAN**

RESOLVED that Council accepts the NSW TCorp's proposed loan facility, as outlined in this report.

- CARRIED

CLR COOREY AND THE COMPLAINANT COUNCILLOR RETURNED TO THE CHAMBER AT 9.09 PM.

ITEM 11.3 **CONTRACT EXTENSION FOR T79-18 (GENERAL WASTE RECEIPT AND PROCESSING SERVICES)**
(791) **CLR. WALSH:/CLR. ABOURAAD**

RESOLVED that

1. Council agrees to the five-year extension of its waste disposal contract with Veolia Environmental Services (Australia) Pty Ltd, as outlined in the report.
2. The Chief Executive Officer be authorised to sign the five-year extension of the contract and sign all documentation in accordance with Council's resolution.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 MAY 2024

THE MEETING CLOSED AT 9.23 PM.

Minutes confirmed 25 JUNE 2024

.....
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 James Kelly Obit	33
4.2 Children of Palestine Dinner	35
4.3 Local Community Based Donations	37

Mayoral Minutes - 25 June 2024

ITEM 4.1 James Kelly Obit

Councillors

Tonight, I would like to pay tribute to a great local, James “Jim” Kelly, who passed away suddenly after suffering a massive bleed to the brain.

Jim was affectionately known by most who knew him as one of nature’s gentlemen, someone who put others before himself.

He was a tireless volunteer, an advocate, a critic and most of all a loving, caring man who put his family first.

Jim was the President of the Bankstown Historical Society and was passionate about our City’s rich history. He was also the President and Treasurer of the Bankstown Art Society, winning numerous art prizes, and was awarded life membership in 2005.

He was also known to get his hands dirty from time to time and was secretary of the Bankstown Garden Club. . . . Some of you may have come across him helping with the covers at Jensen Oval, as he was also a volunteer member of the Bankstown District Cricket Club.

His contributions to the community were recognised when he was awarded the 2019 Banks Volunteer of the year Award.

James “Jim” Kelly, an inspirational local, rest in peace.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 25 June 2024

ITEM 4.2 Children of Palestine Dinner

Councillors

The contents of this Mayoral Minute may be uncomfortable to hear but it is a stark reminder of the plight of the innocent Palestinian children in Gaza. . . .

14,000 children. . . that's right 14,000 children . . . have been killed and thousands more maimed and injured since October last year . . .

Many of those killed managed to flee the bombs raining down on them. . . and the unimaginable war atrocities . . . only to perish from a lack of food, poor sanitation and dehydration. . .

Unimaginable suffering and trauma which will be etched in the minds of these innocent children for generations to come. . .

The world is now mobilising to respond to their cries for help with humanitarian and charitable organisations on the ground coordinating aid and relief. . . .

On the frontline are organisations like UNICEF, and partners, providing food, bottled water, tents, blankets, hygiene kits and fuel. They also offer mental health and psychological support.

The extent of aid is not only limited to those on the ground in Gaza but to the many refugees that have now settled in Australia. . . and I can tell you I have met many of those refugees that are grateful for the second-hand clothing, food hampers and offers of accommodation.

Councillors, reflect for one moment on the humanitarian disaster unfolding, and remember that the innocent children caught up in the fighting have no say in their destiny.

Tonight, I propose to call on like-minded community members and organisations to support my Children of Palestine dinner to raise funds for the children in Gaza. Given the importance of this issue I encourage our community to support the holding of this event with either the provision of food and venue, or attendance. I propose that the dinner be a ticketed event with UNICEF, with all proceeds going directly to their Children of Gaza Crisis Appeal and that there would be no financial impact on Council.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 25 June 2024

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.

East Hills Charity Car Show

The East Hills Charity Car Show is an annual community-based event held at Kelso Park which attracts car lovers from all over NSW. It is a great family day out with the goal of the event to support a different charity each year. The event is being held on the 29 September this year.

This year, the event will be supporting PanKind – Pancreatic Cancer Foundation.

It is recommended that Council support a park hire fee waiver of \$596 and a donation of \$400 for Works in Kind (electrical services) towards this event.

Bardwell Park Alcoholics Anonymous

Alcoholics Anonymous is an international fellowship of men and women to help others recover from alcoholism.

The Bardwell Park Alcoholics Anonymous Group has been running for nearly 40 years and have been hiring Earlwood Senior Citizens Centre to conduct their meetings every Tuesday for 20 years.

The hall hire fee for the next financial year will be \$1,539.20. It is recommended that Council support a fee waiver of \$750 towards the hire of the Earlwood Senior Citizens Centre.

RECOMMENDATION That -

1. Council support a fee waiver of \$596 and \$400 Works in Kind donation to The East Hills Charity Car Show.
2. Council support a fee waiver of \$750 towards the hire of the Earlwood Senior Citizens Centre.
3. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

Councillors, I put the Mayoral Minute.

5 PLANNING MATTERS

The following item is submitted for consideration -

- 5.1 Recommendation from the Commissioner of Fire +Rescue NSW regarding
274-276 Canterbury Road, Canterbury 41

Planning Matters - 25 June 2024

ITEM 5.1 Recommendation from the Commissioner of Fire +Rescue NSW regarding 274-276 Canterbury Road, Canterbury

AUTHOR Planning

PURPOSE AND BACKGROUND

This matter is reported to Council because, under the Environmental Planning and Assessment Act 1979, the recommendation from the Commissioner of Fire + Rescue NSW in relation to 274-276 Canterbury Road, Canterbury is required to be tabled at a Council meeting.

We are currently assessing an application for a building information certificate submitted by Mrs Chrissy Dodd (a representative for the current owner KVP Industries Pty Ltd). Seeking the comments of Fire + Rescue NSW is a requirement for our assessment of the application.

ISSUE

This matter relates to a development project where the original development consent (DA-393/2013) was modified by the NSW Land and Environment Court. However, an amended construction certificate was not obtained and works progressed on site. A building Information Certificate was applied for and, as part of our assessment of this application, we sought comment from Fire + Rescue NSW.

Legislation requires the comments from the Commissioner Fire + Rescue NSW to be tabled at a Council meeting and that is the purpose of this report. As the requirements of Fire + Rescue NSW have been satisfied, a fire safety order is not required to be issued by Council.

RECOMMENDATION

That the recommendations of the Commissioner of Fire + Rescue be noted.

ATTACHMENTS [Click here for attachment](#)

- A. Report of Commissioner of Fire + Rescue NSW

POLICY IMPACT

This matter has no policy implications.

FINANCIAL IMPACT

This matter has no financial implications.

COMMUNITY IMPACT

This matter does not have any negative outcomes for our community.

DETAILED INFORMATION

Development consent no. (DA-393/2013) was granted by the Land & Environment Court on 22 September 2014 for a four-storey building, with a partial 5th floor level. The approved building is a mixed use commercial and residential (shop top housing) development with three levels of basement parking.

A Construction Certificate (application no. C-CCPC-34-2017) was approved on 9 February 2017 by a Private Certifier (Mr Maurice Freixas).

A subsequent Section 4.56 Modification application (no DA-393/2013/D) was approved by the NSW Land and Environment Court on 2 June 2021 for the reconfiguration of levels and structural changes, resulting in two additional apartments (17 apartments in total) with associated internal and external changes.

On 11 October 2021, the Private Certifier was replaced by another Private Certifier (Resicomm Certifiers Pty Ltd).

The modifications to the development consent that were approved by the Court meant that an amended construction certificate should have also been obtained for the modified works prior to undertaking them.

However, on 7 November 2023, Council received an application for a Building Information Certificate (BIC). This application (BC-163/2023) sought to regularise the works that had been undertaken to the development without a prior amended Construction Certificate.

Our assessment of the BIC has concluded that the development as completed is generally in accordance with the terms of modified approval that was issued by the Land and Environment Court on 2 June 2021.

As is required by the Environmental Planning and Assessment Act 1979 (the Act), an application was made on 5 February 2024 to Fire + Rescue NSW (FRNSW) under Part 9.32 of the Act for an inspection of the completed development. This application was made on the basis that the Private Certifier is refusing to issue the occupation certificate because of the absence of a construction certificate relating to the modified development consent.

On 29 April 2024, the FRNSW issued an Inspection Report and recommended that Council:

- a. Review Items 1 to 5 as listed in the Report*
- b. Address any other deficiencies identified on the premises*

FRNSW's advice is included at attachment A. Their response also advised that Schedule 5, Part 8, Section 17(2) of the Act requires any report or recommendation from the Commissioner of FRNSW to be tabled at a Council meeting. FRNSW is awaiting Council's advice in this regard.

Council's Development Unit has reviewed the report of FRNSW and are satisfied that the five items raised in the FRNSW Report have been rectified. Council's Fire Safety Officer has inspected the premises and is satisfied with the outcome. On this basis, no fire safety orders are warranted, and it is recommended that Council note the recommendations of the Commissioner of FRNSW.

6 POLICY MATTERS

The following item is submitted for consideration -

6.1 Car Share Policy

47

Policy Matters - 25 June 2024

ITEM 6.1 **Car Share Policy**

AUTHOR **City Future**

PURPOSE AND BACKGROUND

At the 27 June 2023 Ordinary Council Meeting, Council resolved that “Council review the provision and possible locations for dedicated car share spaces in the City”. The development of a Car Share Policy is also identified in the 2023-24 Operational Plan.

The purpose of this report is to seek Council’s in principle support of the draft Car Share Policy for it to be placed on public exhibition.

ISSUE

Car share services allow people to access a car for a short period and pay only for the duration used and/or distance travelled. It is a convenient and cost-effective method to reduce dependency on, and duplication of, private vehicles. This policy is a way of formalising Council's support for car share operators and the benefits that car sharing provides to the local community both socially, environmentally and financially.

This Policy will provide a framework for the application, installation and management of designated car share spaces in public streets and car parks owned or managed by Council.

RECOMMENDATION That -

1. Council endorse the draft Car Share Policy and associated fees and charges outlined in the body of the Report to be placed on public exhibition; and
2. A further Report be brought back to Council, following public exhibition.

ATTACHMENTS [Click here for attachment](#)

- A. DRAFT Car Share Policy

POLICY IMPACT

The draft Policy has been developed to be consistent with the principles and approach outlined in the Transport for NSW Technical Direction, Traffic and Transport TTD 2018/001 – 26 October 2018, Guidelines for on-street fixed space car share parking.

The introduction of the Car Share Policy and provision of dedicated car share spaces supports the aspirations of the Community Strategic Plan and contributes to the Moving and Integrated destination. Connective City 2036, Council's Local Strategic Planning Statement, has established mode shift targets for Canterbury-Bankstown to decrease the use of private vehicles and increase the percentage of residents utilising public transport and active transport.

FINANCIAL IMPACT

It is proposed that fees be included in Council's Schedule of Fees and Charges to recover any costs associated with assessment of requests, installation of signage and management of dedicated car share spaces for car share vehicles.

COMMUNITY IMPACT

Car share may help to reduce the demand for on-street car parking and may also be influential in helping to shift travel mode from private motor vehicle to active and public transport modes. Adoption of this Policy will articulate Council's commitment to an ambitious movement and place plan that prioritises better public transport, travel mode options and space for community. In addition to the engagement on the draft Policy, residents and businesses in the immediate vicinity of a proposed designated car share space will be consulted during the application process.

DETAILED INFORMATION

Car share is a mode of publicly accessible car rental that provides the opportunity to use a car and only pay for the time used and/or the distance travelled. It is a convenient and cost-effective method to reduce reliance on private vehicles.

Different models of car share have been operating across Sydney for over 15 years. These include peer to peer (where individuals provide access to their private vehicle) or where a designated car share operator provides access to a fleet of vehicles through a membership scheme. Like all registered vehicles, car share operators can legally park their vehicles in unrestricted parking, however having access to a designated space provides the community with greater awareness of the location and availability of vehicles and further supports their use.

There are currently no designated car share spaces across Canterbury-Bankstown, although car share services are already operating utilising unrestricted street parking spaces. According to GoGet's 2023 Annual Survey, the car share provider has over 3,500 members who reside within the Canterbury-Bankstown local government area. There are several other providers operating across Sydney.

Draft Car Share Policy

The draft Car Share Policy applies to car parking spaces that are owned or managed by Council within the Canterbury Bankstown Local Government Area (LGA) and to car share operators that provide access to vehicles for members of car share scheme.

The Policy does not apply to:

- Peer-to-peer car rental schemes where an individual will provide public access to their privately owned and registered vehicle for a fee;
- Long-term car rental schemes; and
- Agreements between car share operators and private parties for parking vehicles on private property, for example in residential complexes or within privately managed car parks.

The draft Car Share Policy will provide a framework for the application, installation and management of designated car share spaces in public streets and car parks owned or managed by Council. The Policy objectives are to:

- Encourage sustainable modes of transport;
- Alleviate demand for car parking;
- Reduce private vehicle ownership;
- Reduce vehicle traffic and emissions;
- Increase uptake of public and active transport; and
- Increase social inclusion by providing access to a range of vehicles to all households.

The draft Car Share Policy provides guidance to prospective car share operators on:

- Eligibility requirements;
- Obligatory requirements;
- Application and installation process of designated car share spaces; and
- Management of dedicated car share spaces.

Fees and Charges

Across New South Wales there are a number of different approaches undertaken by local Council's to manage costs associated with car share in their LGA. Generally, all Council's with specific policies to manage car share have a set fee for applying or installing signage related to dedicated car share spaces. Some Council's charge an annual fee for the use of the dedicated space, while others also have a separate higher fee if the dedicated space is located in a metered parking area.

The below table provides a comparative analysis of car share fees and charges across Greater Sydney based on 23-24 prices.

	Application Fee	Signage (Sign & Stems)	New space (Combined application and Signage)	Annual Fee for Metered Area	Annual fee
Bayside	\$315.00	\$1,055.00	◆	◆	◆
Georges River	◆	◆	\$1,620.00	\$975.00	◆
Burwood	◆	◆	\$1,300.00	\$980.00	◆
Inner West	\$179.80	\$422.40	◆	◆	\$192.60
North Sydney	\$540.00	\$1,360.00	◆	◆	\$460.00
City of Ryde	◆	◆	\$749.00	\$890.00	\$328.00
Mosman	◆	◆	\$1,550.00	◆	\$1,000.00
Canada Bay	\$279.00	\$1,270.00	◆	\$965.00	◆
Randwick	◆	◆	\$721.00	◆	\$350.00
City of Sydney	◆	◆	\$2,620.00	◆	\$182.00
Parramatta	\$496.00	◆	◆	\$2,985.00	\$198.00

Currently across Canterbury-Bankstown, demand for public parking is managed solely through the use of time restrictions in high-demand areas such as town centres. There is no metered parking or resident parking permit schemes. This means a large proportion of parking available across the City is unrestricted and therefore, car share operators are legally able to utilise local streets to park vehicles without the need to apply for dedicated spaces. The benefit of a dedicated space is that it provides consistency and clarity for the user on when and how to access a vehicle, and greater visibility for the car share operator. For this reason, many car share operators choose to apply for dedicated spaces.

An analysis has been undertaken of the advantages and disadvantages of imposing an annual fee for car share providers. This analysis balances the use of public space by a private company against the intent of encouraging and supporting car share operators to provide services within the City.

Option	Advantage	Disadvantage
No Annual Fee	<ul style="list-style-type: none"> Consistent with Councils' current approach to parking across the LGA. Supports uptake of car sharing by residents as car share usage costs remain competitive with no added surcharges to pay for use. Encourages car share operators to apply. Community benefit through providing lower cost alternative to private car ownership. More formalised spaces available to limit floating spaces. 	<ul style="list-style-type: none"> No additional revenue to Council. Reputation risk (perceived conflict in providing space in the public domain to a private company). Acts as a disincentive to car share operators.
Annual Fee	<ul style="list-style-type: none"> Revenue generation for Council. Manages perception of private business getting public space for free. Manages demand for dedicated spaces. 	<ul style="list-style-type: none"> Car Share operators tends to pass on the cost to the car share user through surcharges. Car share users will find alternatives rather than paying extra charges for car share. Car share operators will continue to operate floating spaces. Added administrative costs to Council (revenue versus staff resources).

With consideration of this, and understanding the local market, and the desire to reduce the demand for private vehicle ownership across the LGA, it is proposed that no annual fee be charged for dedicated car share spaces at this time. This is consistent with the objectives and intent of the draft Car Share Policy. It also delivers on Council's broader strategic priorities set out in the Community Strategic Plan (CSP) and Local Strategic Planning Statement (LSPC). It is proposed this (and other associated fee's outlined below) be reviewed in line with Council's Schedule of Fees and Charges annually.

To cover the cost of administering the application process and engagement, it is proposed that the fees be consistent with existing fees for roads infrastructure and traffic management.

The proposed fees will be:

Application/ Assessment Fee	\$301.00
Car Share Sign - Installation sign & post (each). This may require reporting to the Canterbury-Bankstown Traffic Committee.	\$762.00
Bay Marking (chargeable at actual cost)	Quote

The above requirement for the applicant to pay for all infrastructure is consistent with the majority of Councils who facilitate such a program. These costs have taken into consideration:

- Administration and management costs of implementing the car share scheme;
- Resource time; and

- Community benefits of car share.

NEXT STEPS

Subject to endorsement of the draft Car Share Policy, the policy document and associated fees and charges will be placed on public exhibition.

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

7 GOVERNANCE AND ADMINISTRATION MATTERS

The following items are submitted for consideration -

7.1	Integrated Planning and Reporting - Adoption of CBCity 2025 (incorporating the updated Delivery Program 2022-25 and Operational Plan 2024/25), Asset Management Strategy 2024-34 and Financial Management Strategy 2024-34	55
7.2	2024 Local Government Elections - Important Dates and Events	69
7.3	Local Government Remuneration Tribunal - Determination of Mayor and Councillor Fees 2024/25	79
7.4	Cash and Investment Report as at 31 May 2024	83
7.5	2024-2028 CBCity Positive Ageing Plan	87
7.6	Naming of New Council Facilities - Ian Stromborg OAM and Kevin Hill OAM	93

Governance and Administration Matters - 25 June 2024

ITEM 7.1 **Integrated Planning and Reporting - Adoption of CBCity 2025 (incorporating the updated Delivery Program 2022-25 and Operational Plan 2024/25), Asset Management Strategy 2024-34 and Financial Management Strategy 2024-34**

AUTHOR **City Future**

PURPOSE AND BACKGROUND

The *Local Government Act 1993* (ss402-406) requires all councils to prepare a suite of integrated planning and reporting (IPR) documents comprising:

- Community Strategic Plan for the City (minimum ten years);
- Delivery Program for the Council (Council term);
- Operational Plan for the Council (prepared annually);
- Resourcing Strategy for Council covering Asset Management (ten years), Financial Management (ten years) and Workforce Planning (Council term); and a
- Community Engagement Framework, Policy and Toolkit.

IPR documents are important because they set out a vision, priorities and goals, and the strategies and actions to achieve them. The IPR Framework provides a reporting structure to communicate progress to the community.

In accordance with the Act, the current suite of documents was adopted by Council in 2022 following the December 2021 Local Government elections. Documents must be reviewed regularly to ensure goals and actions are still relevant.

ISSUE

The IPR suite of documents have been reviewed in accordance with legislative requirements. Documents requiring updating were considered by Council at its Ordinary Meeting of 30 April 2024, and resolved to be placed on exhibition. Exhibition occurred from 1 May to 7 June 2024.

This report summarises community submissions and presents the following revised/updated IPR documents for adoption:

- CBCity 2025 incorporating an updated Delivery Program 2022-25, 2024/25 Operational Plan, 2024/25 Budget, Revenue Policy, Pricing Policy and 2024/25 Schedule Fees and Charges; and
- Council's 2024-34 Resourcing Strategies - Asset and Financial Management Strategies.

RECOMMENDATION That -

1. In accordance with s402-406 of the *Local Government Act 1993*, Council's revised Integrated Planning and Reporting documents, including Council's updated Delivery Program 2022-25, and Operational Plan 2024/25 incorporating the Budget and Schedule of Fees and Charges (collectively known as CBCity 2025); Asset Management Strategy 2024-34; and Financial Management Strategy 2024-34, be adopted.
2. Those members of the community that provided formal submissions be thanked and advised of Council's responses in this report.
3. In accordance with the relevant sections of the *Local Government Act 1993*, Council makes the following Rates and Charges – Former Bankstown City Council:

3.1 Rating

Subject to the provisions of the *Local Government Act 1993*, an ordinary rate be made and levied for the rating year 1 July 2024 to 30 June 2025 upon the land value of all rateable land within the former Bankstown City Council categorised as Residential or Business as detailed in the following table and subject to a minimum rate:

Category / Sub-Category	Ad-Valorem Rate	Minimum Rate
Residential – Ordinary	0.00135361	\$1,014.75
Business – Commercial Large	0.00497452	\$1,014.75
Business – Commercial General	0.00395931	\$1,014.75
Business – Industrial Large	0.00497452	\$1,014.75
Business – Industrial General	0.00395931	\$1,014.75
Business – Ordinary	0.00294410	\$1,014.75

The residential and business ad valorem rates in the table above have been adjusted to account for year 4 (2024/25) of the eight-year gradual harmonisation process in order to have one harmonised rating structure for the City by 1 July 2028.

3.1.1 Bankstown Airport

For properties where an ex-gratia payment in lieu of rates is applicable, Council will apply an equivalent ad-valorem rate or minimum charge that applies to the Business – Industrial General sub-category.

3.2 Domestic Waste Management Service Charges

Subject to provision of Sections 496, 501, 502 and 504 of the *Local Government Act 1993*, annual Domestic Waste Management Charges be made and levied on a pro-rata quarterly basis for the year 1 July 2024 to 30 June 2025, as follows:

Type of Charge	Short Name	Annual Charge
An Annual Domestic Waste Management Service charge per service for each parcel of Rateable Residential land for which a service is available.	Domestic – Waste Management	\$620.00
Each additional service in respect of single dwelling premises.	Domestic Waste Extra Service	\$343.00
Each additional service in respect of multi residential units - 240L.	Domestic Waste Extra Strata Service	\$378.00
Each additional service in respect of multi residential units - 660L.	Domestic Waste Extra Strata Service	\$1040.00
Each additional service in respect of multi residential units - 1100L.	Domestic Waste Extra Strata Service	\$1,708.00
Each additional service in respect of multi residential units - 240L.	Extra Recycling Service	\$170.00
Each additional service in respect of recycling.	Extra Recycling Service	\$96.00
Each additional service in respect of Greenwaste.	Extra Green Waste Service	\$157.00
Rateable Vacant Land	Domestic Waste Vacant Land	\$163.00
Each additional service in respect of multi residential unit - single bins	Domestic Waste Extra Service Strata single bin	\$196.00
Single residential large household service	Domestic Waste Extra Service	\$850.00

3.3 Stormwater Management Charges

Council make and levy an annual stormwater management service charge for the year 1 July 2024 to 30 June 2025 as follows:

Description of Charge	Charge
Annual residential property charge	\$25.00
Annual residential strata property charge	\$12.50
Annual business property charge per 350 square metres or part there-of for non-vacant business land	\$25.00
Annual business property charge per 350 square metres or part there of surface land area for strata business unit (proportioned to each lot based on unit entitlement) not less than \$5.00.	\$25.00
Mixed Developments – see below	

3.3.1 Mixed Developments

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

3.3.2 Bankstown Airport

- For properties where an ex-gratia payment in lieu of rates is applicable, Council will apply an annual Stormwater Management Charge of \$25.00 per property plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.

3.3.3 Exemptions

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

3.4 Interest Rate on Overdue Rates & Charges

Subject to the provisions of Section 566(3) of the *Local Government Act 1993* the rate of interest charged on overdue rate instalments be set at the maximum rate specified by the Minister for Local Government from time to time. The rate of interest payable on overdue rates and charges for the period 1 July 2024 to 30 June 2025 (inclusive) will be 10.50% per annum.

3.5 Voluntary Pensioner Rebate

In addition to the current maximum pensioner rebate of \$250.00 per annum, Council continue to provide a further voluntary rebate, totalling \$40.00 per annum in accordance with Council's 'Rates and Charges, debt recovery and Hardship Assistance Policy'.

4. In accordance with the relevant sections of the *Local Government Act 1993*, Council makes the following Rates and Charges – former Canterbury City Council:

4.1 Rating

Subject to the provisions of the *Local Government Act 1993*, an ordinary rate be made and levied for the rating year 1 July 2024 to 30 June 2025 upon the land value of all rateable land within the former Canterbury City Council categorised as Residential or Business as detailed in the following table and subject to a minimum rate:

Category / Sub-Category	Ad-Valorem Rate	Minimum Rate
Residential – Ordinary	0.00138288	\$1,014.75
Business – Commercial Large	0.00508208	\$1,014.75
Business – Commercial General	0.00404492	\$1,014.75
Business – Industrial Large	0.00508208	\$1,014.75
Business – Industrial General	0.00404492	\$1,014.75
Business – Ordinary	0.00300776	\$1,014.75

The residential and business ad valorem rates in the table above have been adjusted to account for year 4 (2024/25) of the eight-year gradual harmonisation process in order to have one harmonised rating structure for the City by 1 July 2028.

4.2 Domestic Waste Management Service Charges

Subject to the provisions of Sections 496, 501, 502 and 504 of the *Local Government Act 1993*, annual Domestic and Non-Domestic Waste Management Charges be made and levied on a pro-rata quarterly basis for the year 1 July 2024 to 30 June 2025, as follows:

Type of Premises	Short Name	Annual Charge
An Annual Domestic Waste Management Service charge per service for each parcel of Rateable Residential land for which a service is available.	Domestic Waste Service	\$620.00
Properties categorised as Business (with or without residential accommodation)	Waste Management – Business	\$620.00
Each additional service.	Domestic Waste Extra Service	\$343.00
Each additional service in respect of multi residential units - 240L.	Domestic Waste Extra Strata Service	\$378.00
Each additional service in respect of multi residential units - 660L.	Domestic Waste Extra Strata Service	\$1,040.00
Each additional service in respect of multi residential units - 1100L.	Domestic Waste Extra Strata Service	\$1,708.00
Each additional service in respect of multi residential units - 240L.	Extra Recycling Service	\$170.00
Each additional service in respect of recycling.	Extra Recycling Service	\$96.00
Each additional service in respect of Greenwaste.	Extra Green Waste Service	\$157.00
Rateable Vacant Land	Domestic Waste - Vacant	\$163.00
Single residential large household service	Domestic Waste Extra Service	\$850.00

4.3 Stormwater Management Charges

Council make and levy an annual stormwater management service charge for the year 1 July 2024 to 30 June 2025 as follows:

Description of Charge	Charge
Annual residential property charge	\$25.00
Annual residential strata property charge	\$12.50
Annual business property charge per 350 square metres or part there-of for non-vacant business land	\$25.00
Annual business property charge per 350 square metres or part there of surface land area for strata business unit (proportioned to each lot based on unit entitlement) not less than \$5.00.	\$25.00
Mixed Developments – see below	

4.3.1 Mixed Developments

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

4.3.2 Exemptions

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

4.4 Interest Rate on Overdue Rates & Charges

Subject to the provisions of Section 566(3) of the *Local Government Act 1993* the rate of interest charged on overdue rate instalments be set at the maximum rate specified by the Minister for Local Government from time to time. The rate of interest payable on overdue rates and charges for the period 1 July 2024 to 30 June 2025 (inclusive) will be 10.50% per annum.

4.5 Voluntary Pensioner Rebate

In addition to the current maximum pensioner rebate of \$250.00 per annum, Council continue to provide a further voluntary rebate, totalling \$40.00 per annum, in accordance with Council's 'Rates and Charges, Debt Recovery and Hardship Assistance Policy.

ATTACHMENTS

[Click here for attachments](#)

-
- A. CBCity 2025 - Delivery Program 2022-25 and Operational Plan 2024/25
 - B. Financial Management Strategy 2024-34
 - C. Asset Management Strategy 2024-34
 - D. CBCity 2025 and Resourcing Strategies Exhibition - Submissions Table

POLICY IMPACT

The IPR suite of documents have been prepared in accordance with the Office of Local Government's IPR Framework including the IPR Guidelines and Handbook for Local Government in NSW (September 2021).

FINANCIAL IMPACT

The 2024/25 Operational Plan sets out Council's Revenue Policy, Budget and Schedule of Fees and Charges for the 2024/25 financial year. Budgets are reviewed regularly for amendment to maintain currency and to ensure they reflect Council decisions.

The Long-Term Financial Plan further details financial forecasts for the next decade. The Asset Management Strategy outlines costs to maintain Council assets over the next decade.

COMMUNITY IMPACT

CBCity 2025 (incorporating the updated Delivery Program and 2024/25 Operational Plan) and revised Resourcing Strategies for Finance and Assets ensure that Council continues to focus on the priorities identified by the community and that resources are properly allocated to address them.

DETAILED INFORMATION

Under the *Local Government Act 1993*, councils are required to develop a hierarchy of plans known as the Integrated Planning and Reporting (IPR) Framework. The plans focus on short and long-term issues facing the City and aim to anticipate the needs and expectations of current and future communities.

All documents are based on ongoing and specific community engagement activities to ensure that they continue to reflect community and stakeholder priorities and aspirations.

Format

The IPR documents are structured around seven Destinations or key themes:

1. Safe and Strong;
2. Clean and Green;
3. Prosperous and Innovative;
4. Moving and Integrated;
5. Healthy and Active;
6. Liveable and Distinctive; and
7. Leading and Engaged.

The IPR documents must be reviewed regularly to monitor progress towards projected outcomes. This report presents the following revised IPR documents for adoption:

- CBCity 2025 incorporating the updated Delivery Program 2022-25, 2024/25 Operational Plan, 2024/25 Budget, Revenue Policy, Pricing Policy and 2024/25 Schedule Fees and Charges;
- Asset Management Strategy 2024-34; and
- Financial Management Strategy 2024-34.

This year forms the last year of the current 2022-25 Delivery Program.

DELIVERY PROGRAM 2022-25 AND OPERATIONAL PLAN 2024/25

Council's Delivery Program identifies the important priorities for the Council term. Council responds to these through the delivery of 29 key services which encompass Council's operations. Each Service is made up of a range of activities, for example, within the Seniors Support 'service', activities include Meals on Wheels, seniors community development and capacity building.

Each service has a series of performance measures and targets to give an indication of the volume of the service, the effectiveness of the service and/or the satisfaction with the service.

This year forms the last year of the current 2022-25 Delivery Program and is the last for this Council term. Highlights of the revised plan include:

- Advocating for the community and our City, especially for better outcomes from NSW Government planning and infrastructure initiatives;
- Inspiring our people and promoting volunteerism including preparation of a new Social Justice Charter and Youth Action Plan;
- Encouraging net zero emission practices and providing new electric vehicle car charging stations;

- Using data and technology to improve service provision (e.g., using artificial intelligence on our garbage truck cameras to detect illegal dumping, graffiti and contaminated recycling);
- Promoting active, healthy lifestyles with great programs and modern recreation facilities including further progress on the construction of redevelopment of the Canterbury Leisure and Aquatic Centre; and
- Continuing the planning and design phases for major infrastructure projects including the Campsie Hub; Panania Library and Knowledge Centre; Roberts Park Community Hub; Belmore and Lakemba town centre upgrades, Goondah Reserve embellishment; and a new Community Recycling Centre at Kelso Park.

A full list of priorities is set out in the Delivery Program.

Annual Operational Plans expand on the priorities in the Delivery Program by identifying the specific services and projects Council will provide in that financial year. The 2024/25 Operational Plan will see Council spending \$115.5 million on capital works across the City including:

- \$52.4 million for upgrades at buildings and leisure and aquatic centres;
- \$26.1 million for road, footpath, car park, bridge and traffic upgrades;
- \$22.3 million for our parks, playgrounds and sporting facilities; and
- \$4.4 million for stormwater improvements.

**Figure represents capital works budget for 2024/25 and excludes projects that will be carried over from current financial year for delivery during 2024/25. See below “Post exhibition – Financial Budget Changes” for more information.*

Key highlights for 2024/25 (incl. carry overs) include:

- City-wide road rehabilitation including sections of Moorefields Road, Roselands; The River Road, Revesby Heights; Highcliff Road, Earlwood; Yanderra Street, Condell Park; and Mulga Street, Punchbowl;
- A new BMX track at Deepwater Park, and sportsfield upgrades at Beaman Park, Earlwood; Croydon Park, Croydon Park; and The Crest, Bass Hill (including replacement of its synthetic hockey surface);
- Delivery of a new community facility at Thurina Park, Villawood;
- Support for a new Centre of Excellence at the Belmore Oval Sports Complex;
- Launch of a new corporate website;
- 25 new footpaths across the City; and
- 16 playground upgrades including four new level-one playspaces at Deepwater Park, Milperra; Ewen Park, Hurlstone Park; Lambeth Reserve, Picnic Point; Wiley Park, Wiley Park; and 12 level two and three playgrounds across the City.

CBCity 2025 incorporating the updated Delivery Program 2022-25, 2024/25 Operational Plan, Budget, Revenue Policy, Pricing Policy and 2024/25 Schedule Fees and Charges is Attachment A to this report.

RESOURCING STRATEGY

The Resourcing Strategy ensures that Council has all of the resources it needs to deliver on its commitment to the community. It comprises a ten-year Asset Management Plan, ten-year Long Term Financial Plan and a three-year Workforce Strategy. Only the Asset and Finance Strategies require review in this part of the Integrated Planning and Reporting cycle.

Financial Management Strategy (FMS) and Long-Term Financial Plan (LTFP) – ten years

Council's current financial position and performance (from a cashflow perspective) is considered sound and stable. That said, Council's long-term financial plan forecasts a number of financial challenges, particularly in adequately funding Council's required asset maintenance and backlog requirements.

In the main, Council's LTFP:

- Identifies some of the financial pressures Council continues to face, in terms of escalating non-discretionary costs, cost-shifting, increasing replacement cost and depreciation of Council's infrastructure assets and reduction in government grants, particularly allocations made to Council under the Financial Assistance Grant program;
- Reflects Council's approach to managing growth, throughout the local government area, particularly from a financial perspective; and
- Addresses funding under several scenarios to meet Council's ongoing asset maintenance, asset renewal and backlog estimates.

The document is Attachment B to this report.

Asset Management Strategy – ten years

Council has one of the most advanced and well-populated asset management systems in NSW Local Government to manage its asset base of roads, buildings, parks, drainage infrastructure and other community assets (with a total gross replacement cost in excess of \$5.8 billion). In relation to these existing assets, there are three critical issues:

1. The cost of maintenance and renewal is going up;
2. There is a gap between the funding available for ongoing maintenance and renewal of our assets and what should be spent to keep assets in reasonable condition; and
3. Some assets are beyond maintenance and need to be replaced.

The Asset Management Strategy is a ten-year plan to address both the Renewal Gap and to manage the Asset Backlog in a reasonable timeframe. It contains a funding strategy which has been aligned with the Long-Term Financial Plan (LTFP) and provides for all Council assets to have a current Asset Management Plan detailing the whole lifecycle of the asset including responsibilities and accountabilities for the delivery, routine maintenance, partial capital renewal and (as required) the disposal or renewal of the asset.

The document is Attachment C to this report.

POST EXHIBITION - FINANCIAL BUDGET CHANGES

Throughout the exhibition period, Council's 2024/25 budget has been adjusted to reflect items not known at the time of preparing the draft Budget. The net financial impact of those changes is reflected in the tables and/or information below:

Item	Exhibited Budget \$'000	Revised Budget \$'000	Change \$'000
INCOME			
Rates and Annual Charges	308,349	309,708	1,359
Grants & Contributions - Capital	29,470	31,774	2,304
	427,068	430,731	3,663
EXPENDITURE			
Borrowing Costs	3,435	3,293	(142)
Other Expenses	10,224	9,378	(846)
	420,074	419,086	(988)
NET CHANGE	6,993	11,645	4,652

By way of summary, some of the more notable changes were made as a result of the following issues:

- Having set the rate in the dollar, reflect an adjustment to Rates income and Domestic Waste Management income based on expected properties throughout the local government area;
- An increase in Capital Grants and Contributions to be received of \$2.3M, for details refer to the capital works section;
- The net adjustment in borrowing costs to reflect the actual drawdown of the \$44M loan facility for the Canterbury Leisure and Aquatic Centre; and
- A reduction in the statutory Emergency Services Levies of \$0.8M as advised by Revenue NSW.

Capital Works (CAPEX)

A summary of the capital budget adjustments are as follows;

Item	Exhibited Budget \$'000	Revised Budget \$'000	Changes \$'000
Bridges	945	945	-
Buildings	7,470	52,415	44,945
Carparks	807	1,207	400
Drainage Conduits	5,147	4,373	(774)
Waste Management	1,000	1,000	-
Town Centres	260	260	-
Other Structures	1,000	1,000	-
Open Space	17,565	20,915	3,350
Park/Street Furniture	1,255	1,255	-
Park Lighting	100	100	-
Pathways and Boardwalks	5,416	5,617	201

Road Pavement	17,878	17,890	12
Traffic Management Devices	470	470	-
Water Courses and water quality devices	-	-	-
Operational Assets	8,379	8,079	(300)
TOTAL CAPEX	67,693	115,526	47,833

The above table incorporates the following changes:

- Addition of \$44.0M loan facility funding for the construction of Canterbury Leisure and Aquatic Centre being transferred from the 2023/24 capital works budget;
- Addition of approximately \$2.3M for grant funded capital projects approved during the exhibition period including \$2.0M from the Western Sydney Infrastructure Grants Program allocated to the Goondah Reserve Embellishment project;
- Increases to the Wiley Park Playspace construction of \$0.6M and Griffith Park community centre \$0.5M, Garema Circuit carpark renewal \$0.4M; and
- Other minor alterations to project budgets.

A number of carryovers from the 2023/24 capital works program are anticipated to be rolled over into the 2024/25 program to enable completion of these important community projects. The current environment - namely current economic conditions - has had an impact on the delivery of Council's program of works. Supply chain issues, resourcing, market conditions and the ability to attract contractors has led to delays with capital projects.

Fees and Charges

As noted, Council has varied certain fees and charges to reflect certain adjustments, particularly statutory fees advised during the exhibition period, administrative/text changes made to the content and formatting, alignment of certain fees and reducing, where appropriate, certain fees applied by Council.

A summary of the changes is as follows:

Fee or Charge	Exhibited Fee (excl. GST)	Revised/New Fee (excl. GST)	Reason for Change
	\$	\$	
LIBRARY SERVICES AUSTRALIAN INTERLIBRARY RESOURCE SHARING			
Express - (delivery within 2 hours),as set by the State Library of NSW . Copy: Electronic Delivery	58.26	59.45	Fees set by the Australian Library and Information Association for 2024/25
Express - (delivery within 2 hours),as set by the State Library of NSW. Loan: Postal delivery or courier equivalent included in the loan Fee	73.95	75.45	
Rush -(delivery within 24 hours), as set by the State Library of NSW. Copy: Electronic delivery	38.81	39.55	
Rush -(delivery within 24 hours), as set by the State Library of NSW. Loan : Postal delivery or courier equivalent included in the loan Fee	52.05	55.73	
Core - (delivery within 4 working days),to special, university and	18.55	19.82	

charging libraries. Copy: Electronic Delivery			
Core - (delivery within 4 working days),to special, university and charging libraries. Loan: Postal delivery or courier equivalent included in the loan Fee	29.91	30.55	
EVENTS INFRASTRUCTURE PROVISION			
Provision of Power (for use of existing power currently available and not for new infrastructure) per 10 amp required	27.27	-	Replaced with below fee
Provision of Power (for use of existing power currently available and not for new infrastructure) per 15 amp required	50.00	-	Replaced with below fee
Provision of Power (for use of existing power currently available and not for new infrastructure) per each power outlet (10 amp or 15 amp)	-	50.00	Replaces above fees due to an increase in the cost of hiring of generators
EVENTS SPACE HIRE Activations (2-3 Hrs Duration) changed to EVENTS SPACE HIRE Activations (2-4 Hrs Duration)			Updated as some activations run for 4 hours

EXHIBITION

Council approved the exhibition of the IPR documents at its meeting held on 30 April 2024. Exhibition occurred from 1 May 2024 to 7 June 2024. A number of strategies were used to ensure that the exhibition achieved good coverage of the City:

- Notices published in the electronic version of local papers – The Torch and translated in local Chinese, Vietnamese, Arabic and Greek newspapers;
- All documents made available at Customer Service Centres and on Council's website, including ability to submit comments directly via Haveyoursay;
- Documents available in hard copy on request (two residents requested a hardcopy); and
- Email to all staff and notice in internal newsletter.

Exhibition in the digital environment indicated a very good awareness and ‘informed’ status of participants:

- There were 1,480 views of the information and 1,011 visitors;
- Visitors engaged with the project information on the Have Your Say digital platform for over 24 hours; and
- There were 364 downloads of the documents.

As a result of the exhibition, 14 submissions were received and are summarised in Attachment D. This feedback covered the following matters:

- Support for active and public transport options in the City, including questions about specific locations and projects;
- Support for initiatives supporting the arts;
- A desire for parking to be considered in private development;
- Request for additional information relating the Community Satisfaction Survey summarised in the document;

- Support for more proactive regulation on tree removal, heavy vehicle parking, illegal dumping, improved waste management education, improved car parking and sewerage in waterways;
- Questions related to fees and charges for aquatics, sporting and community facilities; and
- Request for Council to undertake a car share trial.

The submitters will each receive a response from Council regarding their comments.

AMENDMENTS TO THE PLANS

No amendments have been proposed to the plans as a result of the submissions received for the reasons set out in Attachment D to this report.

As a result of internal review during the exhibition period, CBCity 2025 (incorporating the Delivery Program and Operational Plan) and Financial Management Strategy (FMS) and Long-Term Financial Plan (LTFP) and the Asset Management Strategy were amended to:

- reflect Council's Draft Budget adjustments identified throughout the exhibition period as outlined above;
- Include a new action to develop a Net Zero Pathway to guide Council services to achieve Net Zero emissions;
- Include an action to reflect risk management and internal audit initiatives;
- Include a new action to explore market options for a photographic database as part of the Local History Collection Review in our Library Service; and
- Adjust key performance indicators for each service to better reflect data capture and service outcomes.
- Adjustments to capital project budgets as summarised above;
- 5 Project were brought forward into this years program: New Exeloo in Lakemba town centre; Yagoona KU preschool works; Hillcrest Reserve footpath, replacement of play equipment; resurfacing Highcliffe Road Earlwood.

There were also a number of administrative/textural changes made to the content and formatting of the IPR Suite, resulting from further internal review during the exhibition period. These did not result in substantive changes and do not impact on the substance of the documents, except where mentioned in this report.

CONCLUSION

Council's goal is to provide residents with high quality facilities and services, and to position the City to best capture future opportunities.

Our IPR suite ensures sufficient attention is given to strategic decision-making at the local level. It details future direction, significant initiatives and projected budgets to guide progress and measure performance. Each annual operational plan is a further step towards achieving the goals outlined in our long-term plans.

Governance and Administration Matters - 25 June 2024

ITEM 7.2 2024 Local Government Elections - Important Dates and Events

AUTHOR Corporate

PURPOSE AND BACKGROUND

Councillors would be aware that the NSW local government elections will take place on Saturday 14 September 2024.

This report details important dates and events that must take place prior to and following the September 2024 election and importantly outline a proposed schedule of statutory and operational events required to be carried out with the new Council.

ISSUE

To advise Council of the important dates and events for the 2024 local government election and subsequent consideration regarding the new Council.

RECOMMENDATION That -

1. The information be noted.
2. Council's 2024 Ordinary Meeting Schedule be varied to tentatively include a further Ordinary Meeting to be held on either Tuesday, 1 October 2024 or Tuesday, 15 October 2024, for the purposes of electing the Mayor.
3. Council authorise the outgoing Mayor to continue to fulfil Council's civic and ceremonial functions for the period between Election Day and the holding of the Mayoral Election, as outlined in the report.

ATTACHMENTS [Click here for attachment](#)

- A. 2024 Pre-Election Guide for Councils

POLICY IMPACT

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

FINANCIAL IMPACT

There are no financial impacts.

COMMUNITY IMPACT

There are no community impacts.

DETAILED INFORMATION

Background

As Councillors would be aware, the NSW Local Government elections will be held on 14 September 2024. As a result, this report is to both inform Councillors of important/relevant dates and events prior to and following the September 2024 election and subsequent considerations relating to the new Council.

Important dates and events – Pre-election

Closure of Electoral Rolls

- Electoral Rolls for the Local Government election will close at 6pm on 5 August 2024.
- This is particularly relevant for Council as it is also the date when Non-Residential Rolls close. Under the *Local Government Act 1993* (the Act), all non-resident owners, occupiers and ratepaying lessees of rateable land in each local government area are eligible to vote at Local Government elections.
- Relevant information regarding Council's Non-Residential Rolls, including eligibility criteria and the process for making a claim for inclusion on the non-residential rolls, is available on Council's websites.

Information for Candidates

- Candidate nominations open at 8am on 5 August 2024 and close 12pm on 14 August 2024. Further information about how to nominate and register as a candidate is available on the NSWEC's website at www.elections.nsw.gov.au.
- The NSWEC provides support and assistance to candidates to help them understand their legal obligations regarding political donations and electoral expenditure.
- In due course, the Office of Local Government (OLG) will launch an online candidate information tool. The interactive resource will provide candidates with an introduction to the roles and responsibilities of councils and councillors – end ensure that candidates are equipped with an understanding of what their role and responsibilities will be as a councillor if they are elected. The tool will be available on OLG's website at www.olg.nsw.gov.au.

Regulated / Electoral Period

- As Councillors would be aware, both Council and Councillors are required to observe a 40 day electoral period in the lead up to an Ordinary Election.
- The regulated/electoral period for the upcoming local government election will commence on 5 August 2024 and ceases at 6pm on 14 September 2024.

- During this period Council cannot publish material considered to be “electoral matter”. This includes:
 - Any matter likely to affect or is capable of affecting the result of any election;
 - Material likely to influence or is capable of influencing an elector in relation to the casting of his or her vote at any election;
 - the name of a candidate at any election, party, photograph printed matter that purports to depict any such candidate or to be a likeness or representation of any such candidate; and
 - Council publications that promote the achievements of Council.
- Councillors should also note that in accordance with Council’s Code of Conduct, Councillors should be aware of the following provisions:
 - *Section 8.17* - You must not use council resources (including council staff), property or facilities for the purpose of assisting your election campaign or the election campaigns of others unless the resources, property or facilities are otherwise available for use or hire by the public and any publicly advertised fee is paid for use of the resources, property or facility.
 - *Section 8.18* - You must not use the council letterhead, council crests, council email or social media or other information that could give the appearance it is official council material:
 - a) for the purpose of assisting your election campaign or the election campaign of others, or
 - b) for other non-official purposes.
- Separately, Councillors who intend on being candidates are not prevented from attending or presiding over Council arranged or community events in the lead up to the election. Naturally, Councillors would need to be mindful of not actively campaigning for re-election at these events.

Attendance at Community Events

- Notwithstanding the requirements imposed on Councillors during the Regulated/Electoral Period, Councillors will continue the need to exercise their official functions in the lead up to the election. This is both permissible and appropriate.
- Councillors who are candidates may continue to attend or preside over council-arranged or community events in the lead up to the election in an official capacity.
- However, Councillors who are candidates must not use council arranged events that they attend in an official capacity to actively campaign for re-election.

Media Comment

- There is nothing to prevent Councillors who are candidates from offering media comment, provided that comment is not made in an advertisement, newspaper column, or a radio or television broadcast paid for by the council or produced by the council or with council resources.
- When making media and any other public comment, mayors and councillors should continue to comply with the council's adopted media policy.

Caretaker Period

- As Councillors would be aware, Councils are required to observe a Caretaker Period in the lead up to an Ordinary Election. The Caretaker Period commences on 16 August 2024 and ceases on 14 September 2024.
- During this period Council must not make any major decisions that would impact the incoming Council Section 393(b) of the *Local Government (General) Regulation 2021*.
- During this period, councils, Chief Executive Officers, General Managers and other delegates of councils (other than a joint regional planning panel, a local planning panel or the Central Sydney Planning Committee) must not exercise the following functions:
 - Enter into any major contract or undertaking involving an expenditure or receipt by a council – in Council's case this equates to an amount of equal to or greater than \$1,921,730;
 - Determine a "controversial development application", except where a failure to make such a determination would give rise to a deemed refusal, or such a deemed refusal arose before the commencement of the caretaker period; and
 - Appointing or reappointing the Council's Chief Executive Officer/General Manager (except for temporary appointments).
- That said, Council is not prevented from carrying out its day to day operations during the caretaker period. Decisions which can be made during this period include:
 - Managing operations / services, including all regulatory functions;
 - Considering Planning Proposals; and
 - Implementing legislative changes, as required.

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

Advisory Committees / External Bodies

- As Councillors would be aware, Council has established a number of Advisory Committee and/or Working Group to provide for the participation of Councillors and community representatives in the delivery of services and programs.
- Separately, Council has established and/or participates in the ongoing operations of other bodies – such as Council’s Audit, Risk and Improvement Committee, Traffic Committee and planning panels.
- In accordance with the Terms of Reference of Council’s Advisory Committees, Working Groups and other Council bodies, Council note that:
 - Council’s Advisory Committees and Working Groups cease to operate as at 30 June 2024 – except for Council’s Aboriginal and Torres Strait Islander Advisory Committee, which will continue to operate; and
 - Given its statutory obligations, Council’s Audit, Risk and Improvement Committee will continue to operate;
- In terms of other external bodies, Council note that it will continue to participate on relevant external bodies, as required; and
- A further report regarding establishing relevant Council’s Advisory Committee, Working and/or statutory Committees and participating on External Bodies be provided to the new Council, following the election.

Delegations During the Election Period

- The Local Government Act stipulates that all current Councillors and Mayors elected by Councillors cease to hold their civic office on Election Day, being 14 September 2024.
- This will mean that that councils will be without a governing body from 14 September 2024 until the declaration of the election.
- Council’s existing Instrument of Delegation provides the relevant/necessary delegations to the GM to ensure the ongoing operations of the Council.
- That said, OLG’s Pre-election guide for Councils 2024 (attached) indicates that Council’s may consider authorising the outgoing Mayor to continue exercising the *civic and ceremonial functions* normally exercised by the Mayor, should they wish to.
- On that basis, it is proposed that the outgoing Mayor continue to fulfil the Council’s civic and ceremonial functions for the period between Election Day and the holding of the Mayoral Election, following the ordinary election (see below).
- Naturally, the current Mayoral Fee and associated facilities (as per Councillors Expenses and Facilities Policy) would continue to apply during this period.

Important Dates and Events – Post Election

Declaration of the Poll

- Given that postal votes may be received up to 13 days after the election (i.e. Friday 27 September 2024) it is unlikely that the declaration of the polls will take place prior to 30 September 2024.

Councillors Oath & Affirmation

- All Councillors elected at the 14 September 2024 elections must take an oath of office or make an affirmation of office at or before the first meeting of the new council.
- Given its timing, it is proposed that the CEO carries out this process prior to Council's first Ordinary Meeting to elect the new Mayor and Deputy Mayor – see following section.

Election of Mayor and Deputy Mayor:

- In accordance with the Local Government Act, the election of the Mayor, following an Ordinary Election, must take place within 21 days of the declaration of the poll.
- As indicated above, it is unlikely that the declaration of the poll will occur towards the end of September 2024.
- The Local Government Act and Council's Code of Meeting Practice requires that Councillors be provided at least three 3 days' notice of a Council Meeting.
- On that basis – and having regard to the provisions of calling an Ordinary Meeting - it is proposed that the following dates be set for an Ordinary Meeting to elect the Mayor and Deputy Mayor (should Council resolve to elect one):
 - Suggested Date: Tuesday, 1 October 2024;
 - Subsequent/Back-Up Date: Tuesday, 15 October 2024.
- New Councillors will formally be advised of the relevant date, accordingly.

Countback for Casual Vacancy

- In accordance with the requirements of the Local Government Act 1993, Council must resolve at its first meeting following the 14 September 2024 election, if a countback election is to be held to fill any casual vacancy that occurs within 18 months after the date of the Ordinary Election (section 393C of the *Local Government (General) Regulation 2021*).

- In Council's case, this would be determined at its Ordinary Meeting when electing the Mayor – and Deputy Mayor should Council resolve to elect one.
- In cases where councils that do not resolve to fill vacancies using a countback at their first meeting after the election will be required to fill vacancies by way of a by-election.
- By way of background, Council has previously elected/resolved to apply the Countback provisions of the *Local Government Act 1993* and Regulation as outlined above.

Councillor Induction

- In accordance with the NSW Office of Local Government requirements, Council will provide the newly elected Councillors with a comprehensive Induction program, relevant readings and material, as well as a series of briefings on certain strategic and/or operational issues to ensure that they are informed of their roles, responsibilities and duties when they assume office.
- Whilst Council's induction program will occur over several months, it is proposed that the first of a number of induction sessions will be held throughout October 2024, particularly to ensure that Councillors are fully informed of their responsibilities and/or obligations required under Council's Code of Conduct framework, Council's Code of Meeting Practice and the Councillor Expenses and Facilities Policy.
- Similarly, throughout November 2024 a series of workshops/briefings will also be held to provide Councillors with relevant information on relevant strategic, current and/or emerging issues.
- Relevant details and information will be provided to Councillors, post the election.

Council Meetings – Post Election

- Post-election, Council has scheduled the following Ordinary Meetings for the remainder of 2024 (excluding Ordinary Meeting to elect the Mayor as outlined above) as follows:
 - Tuesday, 22 October 2024;
 - Tuesday, 26 November 2024; and
 - Tuesday, 3 December 2024.
- Amongst other items that will be considered at the above Meetings, importantly, Council will also consider and adopt a number of essential matters, including:
 - Council's Code of Conduct and associated Policies;
 - Establish its Advisory Committees for the term of Council;
 - Reaffirm Council's association/membership with relevant External Bodies;
 - Council's Instrument of Delegations from Council to the Mayor and CEO; and
 - Adopt Councillor Expenses and Facilities Policy.

- Naturally, newly elected Councillors will accordingly be advised of all relevant post-election requirements, as required.

Pecuniary Interest Returns

- In accordance with the Local Government Act, all Councillors elected at the 14 September 2024 election will be required to complete and lodge with Council a Pecuniary Interest Returns form within three months of being elected. Councillors will be provided with relevant details at the relevant time.

Governance and Administration Matters - 25 June 2024

ITEM 7.3 Local Government Remuneration Tribunal - Determination of Mayor and Councillor Fees 2024/25

AUTHOR Corporate

PURPOSE AND BACKGROUND

Pursuant to Section 241 of the *Local Government Act 1993*, the NSW Local Government Remuneration Tribunal (Tribunal) determines, on an annual basis, the amount of fees to be paid to mayors and councillors in each category of councils.

In addition, Section 239 of the *Local Government Act 1993* requires the Tribunal to determine the categories of councils at least once every three years. The Tribunal last undertook a significant review of the categories in 2023 when it created a new category of Metropolitan Major.

Canterbury-Bankstown Council was recategorised into the new 'Metropolitan Major' category in recognition of its provision of significant regional services including major health, education and retail and the size of its population. The Tribunal will next review these categories in 2026.

ISSUE

To advise Council of the determination made by the NSW Local Government Remuneration Tribunal regarding Mayor and Councillor fees for the financial year 2024/25.

RECOMMENDATION That -

1. Effective from 1 July 2024, Council continues to apply the maximum fee structures for the Mayor and Councillors, as determined by the Local Government Remuneration Tribunal, being:
 - Mayoral Additional Fee \$110,970
 - Councillor Annual Fee \$35,890
2. The current Additional Fee for the Deputy Mayor, being 15% of the Mayors Additional Fee, be confirmed.

ATTACHMENTS [Click here for attachment](#)

- A. Local Government Remuneration Tribunal 2024 Annual Determination

POLICY IMPACT

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

FINANCIAL IMPACT

Necessary funds for the Mayor and Councillors fees will be met from Council's 2024/25 Budget.

COMMUNITY IMPACT

There is no community impact.

DETAILED INFORMATION

The *Local Government Act 1993* (LG Act) requires the Local Government Remuneration Tribunal (“the Tribunal”) to report to the Minister for Local Government by 1 May each year on its determination of the maximum and minimum amounts of fees to be paid to mayors, councillors, and chairpersons and members of county councils.

On 29 April 2024, in accordance with the *Local Government Act 1993*, the Tribunal determined the Mayor and Councillor fees for the 2024/25 financial year.

A summary of the Tribunal’s determination is as follows.

Councillor Fees

Councillors will find attached the Tribunal’s report and determination under Section 239 and 241 of the Local Government Act 1993.

Councillors will note:

- the Tribunal’s basis to determining the fee structure and information pertaining to categorisation of NSW councils;
- submissions made with respect to the matter; and
- the Tribunal’s determination – as it relates to the 2024/25 financial year.

The Tribunal’s determination notes (clause 70 and 71) the following:

- *The Tribunal considered a range of factors in determining the amount to increase minimum and maximum fees payable to Councillors and Mayors. This included economic data, including the Consumer Price Index, Wage Price Index, full-time adult average weekly ordinary time earnings, NSW Public Sector increases, and Local Government State Award increases. It also considered the Base Cost Change model used by IPART in setting the rate peg for 2024-25.*
- *On this occasion the Tribunal has determined that a 3.75% per cent increase will apply to the minimum and maximum fees applicable to existing categories.*

Having regard to the latest determination, the following minimum and maximum fees for 2024/25 for the Mayor and Councillors for the Metropolitan Major category – being the category which Council has been placed in, is shown below.

Description	Minimum \$	Maximum \$
Mayoral Additional Fee	43,530	110,970
Councillor Annual Fee	20,500	35,890

Currently, Councillors are paid the following annual fee in accordance with the Tribunal's 2023/2024 determination.

Description	\$
Mayoral Additional Fee*	106,960
Councillor Annual Fee	34,590

** 15% of Mayoral Additional Fee is paid to the Deputy Mayor*

The determination will be effective on and from 1 July 2024.

Having regard to the broader expectations, workload and accountabilities associated with being both a member of one of the largest governing bodies in the State, whilst also fulfilling your duty to the community as an elected official - it is appropriate for Councillors to be paid the maximum amounts – as determined by the Tribunal.

Council should also note that it has previously resolved that 15% of the Mayor's additional fees be allocated to the Deputy Mayor for the term of office. On that basis, it is recommended that the current Deputy Mayor fees will remain to reflect Council's determination.

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

Categorisation of Councils

Section 239 of the Local Government Act 1993 provides that at least once every 3 years, the Tribunal determine the categories of councils and mayoral offices and to place each council and mayoral office into one of those categories.

Council is currently categorised as a *Metropolitan Major Council*.

The Tribunal also noted that it had conducted an extensive review of categories in 2023 and decided that the categories would next be considered in 2026.

The Tribunal's Report, which details each category and how councils are categorised is attached for Councillors information.

Governance and Administration Matters - 25 June 2024

ITEM 7.4 Cash and Investment Report as at 31 May 2024

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 includes Council's cash and investments as at 31 May 2024.

RECOMMENDATION That -

1. The Cash and Investment Report as at 31 May 2024 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 May 2024

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 May 2024

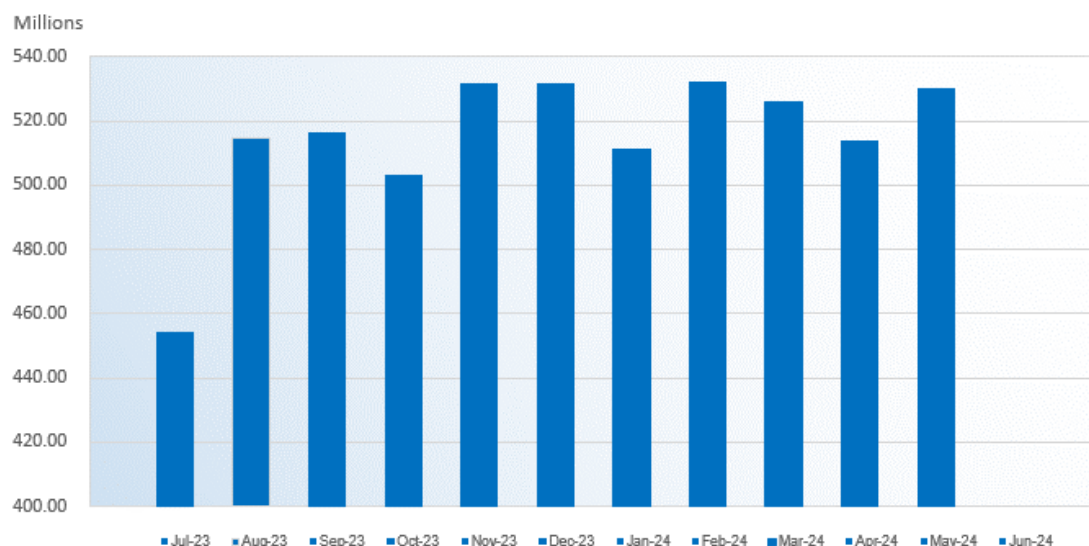
In total, Council's cash and investment holdings as at 31 May 2024 is as follows:

Cash and Investments	\$
Cash at bank	5,415,903
Deposits at call	31,327,300
Term deposits	394,017,588
Floating Rate Notes	61,105,775
Bonds	38,175,878
Total cash and investments	530,042,444

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



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	6.9	100
Working capital funds (0-3 months)	17.6	100
Short term (3-12 months)	27.2	100
Short – medium (1-2 years)	29.1	70
Medium (2-5 years)	19.2	50
Long term (5-10 years)	-	5
Total cash and investments	100%	

Portfolio allocation	
	Actual % of portfolio
Cash at bank	1
Deposits at call	5.9
Term deposits	74.3
Floating Rate Notes	11.6
Bonds	7.2
Total cash and investments	100%

A summary of Council's investment interest income earned for the period to 31 May 2024 is as follows:

Interest income	May 2024 \$	Year-to-date May 2024 \$
Budget	1,841,250	20,253,750
Actual interest	2,087,448	21,328,860
Variance	246,198	1,075,110
Variance (%)	13.37%	5.31%

Governance and Administration Matters - 25 June 2024

ITEM 7.5 2024-2028 CBCity Positive Ageing Plan

AUTHOR **Community Services**

PURPOSE AND BACKGROUND

For Council to adopt the CBCity Positive Ageing Plan 2024-2028 (Plan).

The draft Plan was placed on public exhibition from 15 May – 5 June 2024 to seek 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, five formal submissions were received. The submissions have been considered and an updated Plan is presented for adoption.

ISSUE

The Plan's vision is to create an aged friendly city where seniors feel informed, healthy, active, safe, resilient and included. The Plan is made up of actions designed to improve services, access and information for seniors in Canterbury-Bankstown.

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 senior residents are addressed through effective action on the identified objectives.

RECOMMENDATION

That Council adopts the 2024-2028 CBCity Positive Ageing Plan.

ATTACHMENTS [Click here for attachment](#)

- A. 2024-2028 CBCity Positive Ageing Plan

POLICY IMPACT

The Positive Ageing Plan recommendations do not supersede or conflict with current Council policies.

FINANCIAL IMPACT

The Positive Ageing 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 senior residents and deliver the best possible services that are responsive to their specific needs. This will help create an age friendly city where seniors feel informed, healthy, active, safe, resilient and included.

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

The recommended actions of the Plan will have an 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 seniors and their diverse needs in CBCity and promote a community where seniors can age in place.

DETAILED INFORMATION

The development of the Plan has involved:

- Desktop research;
- Guidance from the NSW Ageing Strategy 2021-2031
- 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

The development of the Plan is a result of community engagement, analysis of local dementia data and stakeholder consultation. Community engagement for the development of this Plan was undertaken over a number of years due to the impacts of the COVID-19 pandemic.

The Plan was also informed by input from our key community stakeholders, senior residents, Canterbury-Bankstown Dementia Alliance, senior visitors, people who work in the area, local primary students, and young people within our CBCity youth programs (to understand their perspectives and needs for seniors).

What we heard:

- 38 per cent felt valued by their community;
- 44.42 per cent felt Council public spaces and buildings are age friendly; and
- 57.97 per cent can use public transport easily.

Challenges and barriers
<ul style="list-style-type: none">• Lack of access to transport• Lack of technology access, skills, and knowledge• Lack of appropriate affordable housing options
Emerging issues and needs
<ul style="list-style-type: none">• Dementia• Increase in ageing discrimination• Social isolation

What we will do (priorities and actions)

Priority 1 – Living in aged friendly environments
<ul style="list-style-type: none">• Improve access to our CBCity by ensuring footpaths across the LGA are accessible for everyone.• Increase awareness of ageism, age discrimination and elder abuse.• Provide sector support and development for the aged care sector.• Create liveable housing in CBCity.• Increase access in the community public domain.
Priority 2 – Participate in inclusive communities
<ul style="list-style-type: none">• Increase opportunities for social connections for seniors.• Increase provision of educational programs for seniors.• Increase capacity building for seniors.

Priority 3 – Staying Safe, Active and Healthy
<ul style="list-style-type: none"> • Increase opportunities for seniors to stay safe, active and healthy. • Increase safe and age-appropriate public spaces to stay active and healthy.
Priority 4 – Being resilient and informed
<ul style="list-style-type: none"> • Increase knowledge on age-appropriate services and opportunities. • Increase opportunity to access local communities. • Increase confidence and use of technology by seniors.
Priority 5 – Living in a Dementia Friendly City
<ul style="list-style-type: none"> • Support People with dementia to feel more valued in the community. • Raise awareness and reduce the stigma of dementia in CBCity. • Increase service provision for the dementia sector. • Work towards becoming a Dementia Friendly City.

Actions

- There are 17 proposed actions to address the 5 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 15 May – 5 June 2024. A summary of the Plan was developed and translated into 5 community languages, Arabic, Simplified Chinese, Traditional Chinese, Greek and Vietnamese. During the exhibition:

- 130 people viewed the webpage
- 5 people contributed
- 5 people provided comments

A summary of the comments received included; that the Plan looks beyond the 4-year timeframe and considers ageing from a life course approach. There were recommendations for activities and classes for seniors to be increased and the need to look at transport and housing.

Details of the submissions include:

Date received	Comments/feedback
Friday 24 May	<p>We prefer more activity programs will be created in our CB City to bring the old aged out and help them have more chances enjoying healthy socialize together .</p> <p>In mean time as we know The Liverpool City Council is doing very well in organising many workshops runs by qualified professional to help seniors enjoy time out and happy learning something new Art Class, Chair Yoga Class, Gentle Exercise, Taichi, Meditation, Tech., ..three times /weekly with Coffee and Healthy Brunch complement after each class .</p> <p>Why not us ?</p>
Monday 27 May	This is an excellent plan that looks beyond the 4-year timeframe and really considers ageing from a lifecourse approach. Well done to the team.

Tuesday 28 May	<p>Everything in the plan is excellent. It needs expanding to add</p> <ul style="list-style-type: none"> *increasing housing, * reducing pollution, and *improving urban design, * improving community connections among people * improving transport and the surrounds of public transport * increasing beauty <p>Housing - older women are the fastest growing homeless group. Councils need to play a major role in increasing the supply of affordable housing.</p> <p>Pollution - causes dementia so efforts to reduce it need to be part of the plan - electrifying everything, community batteries, solar power, tree planting, white streets and roof tops, cycle ways, "Cycling without Age" , cleaning the Cooks River, using citizen scientists, community gardens, parks and piazzas that encourage multigenerational interactions, planning to co-locate child services and nursing homes</p> <p>Transport - railway stations surrounds are ugly and not designed with older people in mind, Canterbury Station and bus stops are terrible places to wait, it's hard to walk on Canterbury Road - noisy and ugly with many empty shops. We need walk-able live-able design, with an beautiful civic spaces. The council building in Campsie is an unattractive building comparing very unfavourably with neighbouring council spaces.</p>
Wednesday 29 May	<p>Thank you for preparing this plan which is most interesting.</p> <p>As a member of Canterbury Aquatic Centre for over 20 years, I am disappointed that no attempt has been made to offer an alternate venue to continue the Senior's Fit and Strong exercise class that ran there for many years.</p> <p>I wrote to Council and to the Centre many months before its 2021 closure asking these classes be relocated to a nearby centre (e.g. Canterbury Town Hall), but was told this was not possible. I was directed to other centres in the Council area, such as Morris lemma in Riverwood.</p> <p>Council ran a fitness class during the 2024 seniors' week at Hurlstone Park Memorial Hall which I attended. It was excellent, and we were again encouraged to join the instructor's regular classes at Morris lemma, again too far for me to attend.</p> <p>I regularly check building progress of the new Canterbury aquatic centre where I understand these classes will resume. It is clearly many months behind schedule and will run beyond the prescribed 2025 opening timeline.</p>

	Please consider running Council initiated seniors' fit and strong exercise classes in Canterbury area.
Tuesday 4 June	<p>(On behalf of the team at Inclusive and Diverse Communities)</p> <p>"We noticed it's very senior-focused. On Page 21, Priority 2- Participating in Inclusive Communities.</p> <p>It would be good if Council recognised that seniors is not a homogenous group but made up of several sub-groups such as CaLD, Aboriginal and Torres Strait Islanders, LGBTIQ+. Council offerings need to be strategically planned to be inclusive of all seniors regardless of their backgrounds (e.g. inclusive leadership, inclusive artwork, inclusive language, etc). Council needs to take leadership in raising awareness among local communities of the various sub-groups of seniors and their right to full participation in the community".</p>

The comments raised in the submissions have been considered by Council. Council will contact those who provided comment on the Positive Ageing Plan, provide them feedback and advise of the existing Active Seniors Programs. Given this, no amendments are recommended to be implemented to the Plan.

Governance and Administration Matters - 25 June 2024

ITEM 7.6 Naming of New Council Facilities - Ian Stromborg OAM and Kevin Hill OAM

AUTHOR Community Services

PURPOSE AND BACKGROUND

Council at its meeting on 30 April 2024 resolved to:

- Agree in principle, to name the new playground within Paul Keating Park, the *“Ian Stromborg Playground”*, and to name the Roberts Park Community Hub the *“Kevin Hill Roberts Park Community Hub”*.
- Carry out a community consultation process for the naming of the two facilities and that a further report be provided to Council to consider the outcomes of the community consultation process.

The purpose of the report is to advise Council of the outcome of the exhibition period to name the new playground within Paul Keating Park *“Ian Stromborg Playspace”* and the new Community Hub at Roberts Park as *“Kevin Hill Roberts Park Community Hub”*.

ISSUE

To report back to Council on the results of the Community Engagement conducted for the naming of the Ian Stromborg Playspace within Paul Keating Park, Bankstown and the Kevin Hill Roberts Park Community Hub in Greenacre.

RECOMMENDATION

That Council name

1. the new playspace in Paul Keating Park the *“Ian Stromborg Playspace”*.
2. the new Community Hub in Roberts Park the *“Kevin Hill Roberts Park Community Hub”*.

ATTACHMENTS [Click here for attachments](#)

- A. Mayoral Minute Council Meeting February 23rd 2016
- B. Minutes Council Meeting 23rd February 2016
- C. Council Meeting Report 30th April 2024

POLICY IMPACT

The recommendations of this report meet the requirements of Council's Naming Policy and do not require approval from the Geographical Names Board.

FINANCIAL IMPACT

Signage costs have already been incorporated into the budget for both of these projects.

COMMUNITY IMPACT

The proposal to name the new playground within Paul Keating Park "Ian Stromborg Playspace" and the new Community Hub at Roberts Park as "Kevin Hill Roberts Park Community Hub" will continue to honour the outstanding contributions made by Ian and Kevin to our community in perpetuity.

DETAILED INFORMATION

Public Exhibition

The proposal to name the new playground at Paul Keating Park the “Ian Stromborg Playspace” and the new community hub at Roberts Park as “Kevin Hill Roberts Park Community Hub” was placed on public exhibition from 17-30 May 2024 on Council’s web site on the “Have Your Say Page”

IAN STROMBORG

Given the significant impact that Ian Stromborg OAM has made to the City, as expected, there was significant community support for this project, with the only objection being that from a misunderstanding of the proposal.

During this time 142 people visited the webpage, and the community engagement team received four contributions and three people selected to follow the project.

142 visited the webpage



4 contributions



3 following this project



Below is a summary of comments received.

Date received	Comments
17 May 2024	Changing the name makes no difference to the park. Therefore I and my family object. Spend this money on making the park better. Build another slide or swing instead.
20 May 2024	<p>I would like to express my full support of this proposal to create the Ian Stromborg Play Space. Ian Stromborg is my father and he served on Council throughout much of my childhood and into early adulthood.</p> <p>I can honestly say that he put his heart and soul into the best interests of the local area through his role as Bankstown Councillor. I saw the hours he put into this role and the much thought he put into considering what would be best for Bankstown and his residents.</p> <p>I have absolutely no doubt that his wisdom, curiosity, optimism and high moral and ethical standards have left the City a better place. I truly couldn't be more proud of him.</p> <p>As a lifelong resident he is so proud of the area and has certainly done his bit to contribute to the greater good. People like my father who are so incredibly community-minded are actually quite rare today and any accolades are so deserved.</p>

	Thank you to Bankstown City Council for taking this important step in recognising my Dad. It's a fitting tribute for him and a wonderful way for our family to fondly remember this significant chapter in our lives.
20 May	I think it is appropriate to name facilities in our local government area after persons who have made a major contribution or significantly promoted the area. Having read the background on Ian Stromborg, there is no doubt of his significant input and dedication which has seen great improvements in our area. Naming the Park after him would be a wonderful recognition of the many years not just of service but positive development.
21 May	This is a great idea - Ian was a great mayor and did a lot for our city.

KEVIN HILL OAM

There were 48 people who visited the Have Your Say webpage regarding the new community hub at Roberts Park being named as “Kevin Hill Roberts Park Community Hub” and no objections or comments were received.

Recommendation

Given that there were no objections received from the community, it is recommended that Council endorse the naming of the facilities the “Ian Stromborg Playspace” and the “Kevin Hill Roberts Park Community Hub.

8 SERVICE AND OPERATIONAL MATTERS

The following item is submitted for consideration -

- | | |
|--|----|
| 8.1 Greenacre Community Place Urban Design Study | 99 |
|--|----|

Service and Operational Matters - 25 June 2024

ITEM 8.1

Greenacre Community Place Urban Design Study

AUTHOR

City Future

PURPOSE AND BACKGROUND

Council has recently completed community engagement to guide future outcomes for the Greenacre Community Place Precinct (GCP Precinct). The purpose of this report is to provide a summary of the work undertaken in the urban design study which was used to develop the planning framework, outline feedback received throughout the engagement period and to provide direction for next steps.

ISSUE

The GCP Precinct is Council owned land in the heart of Greenacre. The site has been the subject of a number of previous planning reviews and studies. At the May 2023 Council meeting, Council resolved to undertake a community facilities and open space planning process for the GCP Precinct and that a further report be submitted to Council.

The draft GCP Precinct Framework, arising from the urban design study (Attachment A), supports recommendations from the Leisure and Aquatics Strategic Plan and the Community Infrastructure Strategic Plan, previously adopted by Council.

RECOMMENDATION That -

1. Council adopt the draft GCP Precinct Framework (Attachment B).
2. Council undertake an Expression of Interest (EOI) process, in accordance with the principles outlined in the report, to seek interest by community groups and organisations to deliver the Indoor Recreation Facility component of the GCP Precinct Framework.
3. A further report to Council be prepared advising on the outcomes of the EOI process.
4. Council commences the process to align the land use zoning as outlined in the report.

ATTACHMENTS

[Click here for attachments](#)

- A. Greenacre Community Place Urban Design Study
- B. Draft Greenacre Community Place Precinct Framework
- C. Site opportunities and constraints
- D. Submission table

POLICY IMPACT

The draft GCP Precinct Framework supports the aspirations of the Community Strategic Plan, CBCity 2036, by contributing to the 'Safe and Strong' destination. It supports the provision of high quality, fit for purpose buildings where services can be provided to the community.

The draft GCP Precinct Framework also delivers specifically on the Council's Local Strategic Planning Statement, Connective City 2036, Action E7.9.151 to "Advocate for and participate in the delivery of joint-use and shared facilities with relevant agencies and private sector stakeholders".

The draft GCP Precinct Framework is also consistent with the recommendations of the Community Infrastructure Strategic Plan 2050. Greenacre is located in Catchment 4 as defined by the plan, specifically, "Investigate options and locations for appropriate provision of a 'Youth Hub' to service catchment 4 including additional provision of indoor recreational facilities".

It builds on the recommendations of the Leisure and Aquatic Strategic Plan in relation to the former Greenacre Pool site by integrating the site into the broader GCP Precinct and it supports the Youth Action Plan 2020-2024 objective for "*Youth Friendly places and spaces*".

FINANCIAL IMPACT

There is no immediate financial impact as a result of this report. The GCP Precinct Framework includes a number of actions (land use changes, possible future land acquisition and open space improvements), each of these will be considered separately as part of future Operational Plans and budgets.

The proposed EOI and landuse change as outlined in this report, will be undertaken utilising existing resources. It is proposed that a further report to Council be prepared advising the outcomes of the EOI process.

The draft GCP Precinct Framework provides planning guidance, which in turn can be used for direction in applications for grant funding that may become available from time to time.

Note, the decommissioning and remediation of the former Greenacre Pool site will occur as part of Council's 2024/25 capital works program.

COMMUNITY IMPACT

Community facilities contribute to the quality of life and overall well-being of our residents. They provide social, economic and environmental benefits to the community.

The Greenacre Library and Knowledge Centre will be decommissioned and relocated into the new multipurpose community facility at Roberts Park Greenacre upon its completion.

At this stage there are no plans to relocate the existing Council owned (KU operated) childcare, early childhood health facility and public toilet. However, Council will investigate opportunities for consolidation of these community uses into any new Indoor Recreation Facility as part of the EOI process.

It is important to note that the GCP Precinct Framework principally applies to the Council landholdings within the GCP Precinct. Actions that impact on surrounding privately owned land will be subject to further consultation and engagement.

Further community consultation will be undertaken as part of any EOI process for delivery of outcomes identified in the draft GCP Precinct Framework.

DETAILED INFORMATION

Council has recently completed community engagement on a draft urban design study to guide future outcomes for the Greenacre Community Place Precinct (GCP Precinct).

The scope of work for the urban design study included:

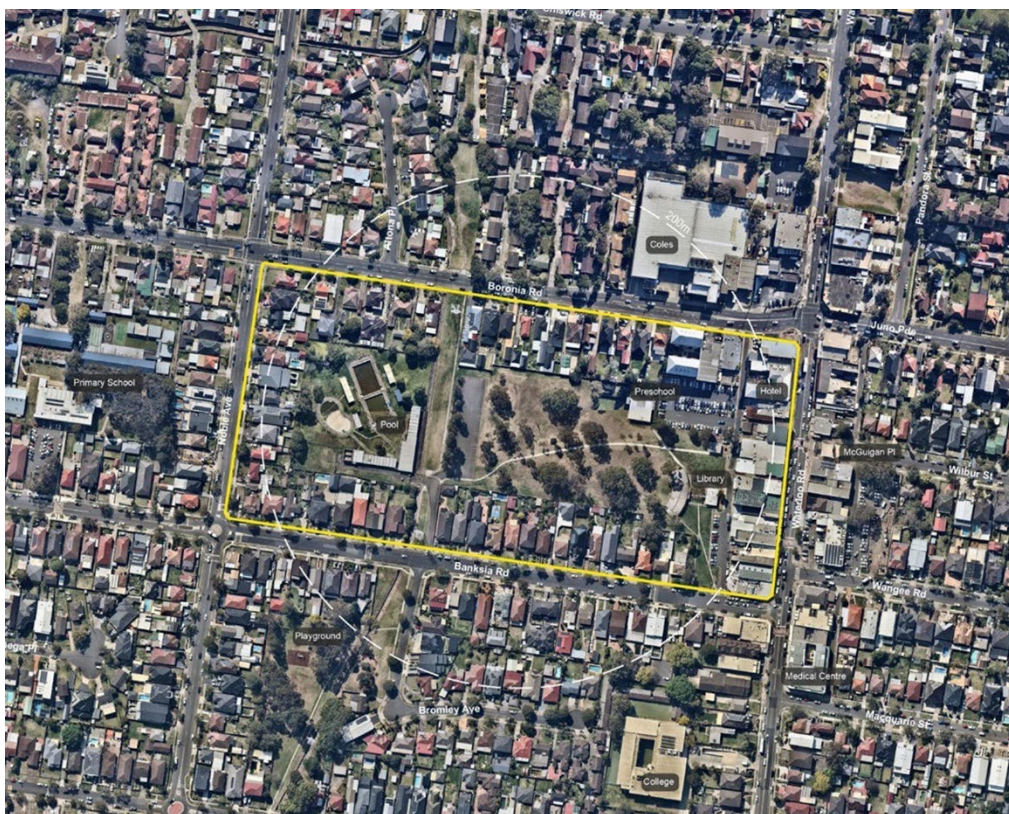
- Identification of constraints and opportunities for the site including activation, amenity, pedestrian and vehicular access, safety and traffic;
- Preparation of a community infrastructure needs analysis to identify community needs for the locality, both for the immediate Greenacre Town Centre and broader local area;
- Identification of open space outcomes to support the function of the Greenacre Town Centre and broader local area;
- Identification of opportunities for improved vehicular access and carparking to support the function of GCP Precinct and Greenacre Town Centre and any proposed future uses;
- Provide recommendations for statutory planning controls and development controls; and
- Development of a draft GCP Precinct Framework to guide future planning requirements for a recreational facility, to be delivered as part of a future Expression of Interest process.

The Study Area

The urban design study focused on the GCP Precinct as well as the adjacent properties to appropriately consider the site context. As a result, the broader study area incorporates a section of the main retail shopping area fronting Waterloo Road, as well as public parkland, community buildings such as a library, childcare centre, public toilet, car park and the site of the former Greenacre Leisure and Aquatic Centre.

It is rectangular in shape, approximately 469 metres along the northern boundary and 214 metres along the western boundary. The study area is bound by Boronia Road to the north, Waterloo Road to the east, Banksia Road to the south and Noble Avenue to the west. The perimeter of the study area is predominantly bounded by residential dwellings west of Waterloo Road.

While the urban design study considered the context of the broader study area, the draft GCP Precinct Framework focuses on the Council land holdings within the GCP Precinct. It does not make recommendations for planning changes to the residential or commercial properties within the study area.



The GCP Precinct

The GCP Precinct is a significant Council land holding within the study area. Historically it has been the base for a number of community facilities within the Greenacre Town Centre, but is currently poorly utilised as the result of a variety of factors including:

- Ageing facilities due to renewal, demonstrated by the decision to relocate the Greenacre Library and Knowledge Centre to Roberts Park and decommissioning the former Greenacre Leisure and Aquatic Centre;
- Lack of a street frontage;
- Access to the site for both pedestrians and vehicles is limited;
- Lack of passive surveillance as the result of rear fences of surrounding residences and service areas for commercial premises fronting Waterloo Road;
- Visual amenity impacted by the high voltage power lines and the drainage canal splitting the site; and
- Environmental factors include flooding constraints.

Planning for the GCP Precinct

The GCP Precinct has been the subject of a number of planning reviews and studies by Council.

The former Bankstown Council prepared a series of Local Area Plans to underpin Council's statutory planning framework. The North East Local Area Plan (NELAP) was developed for the former Bankstown LGA and included the Greenacre Town Centre and the GCP Precinct. The NELAP included a number of recommendations aimed at activating the GCP Precinct.

Canterbury-Bankstown Council adopted the Leisure and Aquatics Strategic Plan and the Community Infrastructure Strategic Plan, both guide and are reflective of Council's decisions to date for this area. This includes the decommissioning of Greenacre pool and the provision of a new multipurpose community facility at Roberts Park (which will accommodate the new Greenacre Library and Knowledge Centre), both of which are included in the 2024/25 financial year. Notwithstanding, the role of GCP Precinct in supporting the function of the Greenacre Town Centre and broader locality remains unchanged.

In May 2023, as part of a consideration of an Unsolicited Proposal for the area, Council resolved to undertake a community facilities and open space planning process for the GCP Precinct to provide more specific direction to the future uses and facilities within the GCP Precinct.

As a result, a draft urban design study, needs analysis a draft GCP Precinct Framework has been prepared to provide recommendations for community infrastructure that is required to address those needs, and determine the most appropriate spatial framework for this to occur.

Community Needs Analysis

As outlined in the report, a community needs analysis for the broader Greenacre area was undertaken to identify the specific needs and gaps within the community to inform and guide the effective planning for the precinct and prioritise community infrastructure. The following table summarises the outcomes of this work according to different demographics:

Need	Children	Young people and students	Ageing population	Cultural diversity initiatives	People living with a disability
Open space – Passive and active	X	X	X	X	X
Community Spaces – gatherings, parties etc	X	X	X	X	X
Indoor Courts	X	X	X		X
Outdoor Courts	X	X	X		X
Office space	X	X	X	X	X
Inclusive play spaces	X	X	X		X
Safe movement, walking and cycling connections	X	X	X		X

Urban Design Study

The urban design study undertaken included an analysis of the site opportunities and constraints (Attachment C) which are summarised below:

- Vehicular access is currently limited to the service lane to the east and driveway access to the former Greenacre Leisure and Aquatic Centre to the west;
- Pedestrian permeability is limited especially to Waterloo Road from the central area;
- Surveillance is a major concern due to the lack of passive surveillance to the central area from surrounding residential and commercial properties;

- Concrete channel forms a barrier by dissecting the former Greenacre Leisure and Aquatic Centre from the rest of the central area;
- High voltage power result in some physical barriers in addition to impacting on visual amenity; and
- New development has occurred on some residential lots surrounding the central area, limited mostly to lower forms of residential development (dual occupancies and secondary dwellings).

GCP Precinct Framework

Based on the design principles identified within the urban design study, along with the community needs analysis, the GCP Precinct Framework (Attachment B) was then developed.

The GCP Precinct Framework sets high level actions to facilitate the following outcomes and improve utilisation of the site:

- Indoor recreation facility to be located on the site to address the lack of indoor recreation facilities in the area and more broadly across the City;
- Improvement of vehicular access and vehicular circulation within the central area to support the function of the Greenacre Town Centre, future uses and general locality including recreational areas, car parking;
- Improve pedestrian permeability including improving links to Waterloo Road and to Noble Avenue to the west; and
- Explore opportunities to naturalise the concrete channel traversing the site to improve general amenity.

The purpose of the Framework is to guide the future use and redevelopment of the Council owned land in the GCP Precinct. It also considers the opportunity and implications on adjacent private land within the study area.

Community engagement

Public exhibition of the draft urban design study and Framework was conducted over a period of 29 days, between 21 May and 18 June 2024.

As part of this process, a number of tools were used to engage with stakeholders including Council's "Have Your Say" (HYS) page, posters at the Greenacre Library and Knowledge Centre, flyers distributed to properties directly adjacent to the GCP precinct and a mailout of 1,243 letters to adjoining landowners and occupiers.

The HYS page was viewed by 721 people, 24 people provided feedback via the HYS survey form and eight people provided direct email submissions. One person provided feedback over the phone.

Out of the respondents, 67 percent were supportive, whilst 33 percent were not in support.

As noted earlier in the report, Council will undertake further community engagement as part of the planning process and delivery for any new community infrastructure identified in the GCP Precinct Framework.

Summary of public submissions

The HYS page provided the community with the opportunity to review and comment on the draft urban design study and subsequent Framework. The HYS page allowed respondents to provide formal submissions, alternatively they were able to provide direct submissions to Council via email. A table outlining the details of all the submissions received has been included as Attachment D.

Key themes from the submissions received were;

- Support for investment in the GCP Precinct;
- Requests for more outdoor infrastructure to support informal community gathering, such as picnic tables, BBQ area, basketball courts;
- Expansion of the existing library facility and renewal of the pool;
- Request for a pool in Greenacre;
- The need to focus on child and family friendly spaces;
- Indoor spaces for community gathering and recreation;
- Support for improved pedestrian access to and from the site, more specifically from the shopping precinct along Waterloo Road;
- Consideration of increased traffic movements;
- Request for additional parking;
- Concerns around setbacks to adjoining residences;
- Measures to mitigate speeding vehicles in surrounding streets;
- Concerns raised about ongoing anti-social behaviour within the GCP Precinct and that any further upgrades need to be mindful of this;
- Heritage considerations/interpretation for community buildings such as the childcare, early childhood centre, library;
- Support for the retention of the KU operated Council owned childcare centre; and
- Concerns around future uses.

Amendments to the Plan

After considering the feedback received during the public exhibition minor changes have been made to the draft GCP Precinct Framework as follows:

- Clarification of the future of the KU operated Council owned childcare, early childhood health centre and public toilet; and
- Minor amendment to ensure any future Plan to develop on this site has minimum setbacks to consider interface with adjoining properties to mitigate/manage any potential impacts.

Other matters and issues identified in the submissions will be addressed as part of the detailed planning for the GCP Precinct.

Next Steps – Delivery of Framework

Subject to Council adopting the draft GCP Precinct Framework, there are a number of delivery options to progress the various components.

Indoor Recreation Facility

Council could directly construct and deliver the future Indoor Recreation Facility. However, it is recognised that Council has limited capacity and resources to fund brand new community facilities noting the current asset backlog identified in the Asset Management Strategy for existing assets.

An alternative delivery model is by an external community partner through an EOI process. Historically, this type of delivery model has been employed by local government and other government agencies through a process of making land available for community groups to build community facilities. Common types of facilities include those delivered by Scouts, Girl Guides, PCYC and YMCA. This type of delivery model by other providers is by no means a new way of delivering community infrastructure and is reflective of the recommendations of various Council strategies for joint uses and partnerships.

Given the interest from some community groups and organisations to deliver an indoor recreation facility already, demonstrated by the Unsolicited Proposal considered by Council at the May 2023 Council meeting, it is recommended that this approach be tested through an open EOI process.

Should Council pursue delivery of this aspect of the GCP Precinct Framework by an external community partner, the following criteria would be employed in addition to Council's standard process and requirements for EOI's including:

- Requirement to address the provisions and general principles of the Unsolicited Proposals Policy and associated guidelines where applicable; and
- Adoption of criteria for the management of any subsequent indoor recreation facility including requirements for general, fair, equitable community access.

Land use changes

The *Canterbury-Bankstown Local Environmental Plan 2023* (LEP) applies the *SP2 Infrastructure Zone*, with *Community Facilities* as the nominated land use, a nine metre maximum Height of Building (HOB) and no Floor Space Ratio (FSR) control to the Council land holdings within the precinct.

The land is classified as *Operational Land* under the *Local Government Act*.

In order to reflect the intended future use of the GCP Precinct, an amendment would be required to apply the *RE1 Public Recreation Zone* to Community Place, within the GCP Precinct. Importantly, the *RE1 Public Recreation Zone* lists *Community Facilities* and *Recreation facilities (indoor)* as permissible land uses, whereby the latter land use is currently prohibited under the *SP2 Infrastructure Zone*.

It is important to note that future uses and activities for any resulting facility will be limited to those permitted under the *RE1 Public Recreation Zone*. Any future proposals for specific uses will be subject to the development approval process.

The EOI process will include a requirement for any proponent to prepare a site specific plan to ensure provisions are put in place to guide orderly development of the GCP Precinct and indoor recreation facility. The Plan would be required to include provisions for setbacks, vehicular and pedestrian access and amenity provisions etc.

It is proposed that Council prepare and submit a planning proposal for Gateway to deliver the above land uses changes for Council land holdings. This would be undertaken concurrently with the EOI and, where required, incorporate any other changes to development standards.

Access and connections to the Precinct

As noted previously, the draft GCP Precinct Framework focuses only on Council land holdings. However, it identifies opportunities to improve connections through the site which has the potential to impact surrounding private land.

While these connections are not specifically required to support the operation of an indoor recreation facility within the GCP Precinct, they would improve connectivity to and from the GCP Precinct and would positively contribute to its activation, useability and utilisation.

Other land use changes

To ensure, future access to Noble Avenue is realised, it is recommended that Council commence negotiations with Land and Housing Corporation (LAHC) for the future acquisition of their property located on 131 Noble Avenue, Greenacre. This includes the application of the *RE1 Public Recreation Zone* to the land and associated inclusion in the *Land Reservation Acquisition Map* subject to agreement from LAHC, noting that this may not be required, should an alternative agreement for the purchase of the property be negotiated.

Connections to other surrounding streets including Boronia Road would be undertaken on an opportunity basis outside of any changes to the LEP to limit Council's acquisition liability. This could be in the form of through connections arising from a future review of broader planning provisions for the locality.

As outlined above, planning for land outside of the Council land holdings, including zoning changes, will be subject to a future broader review of the planning controls of the Greenacre Town Centre and surrounding locality.

CONCLUSION

Canterbury-Bankstown has a strong history working with community organisations and groups in providing services and facilities for the community, reflecting our aspiration for a City that is Safe and Strong.

Subject to the adoption of the draft GCP Precinct Framework it is proposed that Council undertake an EOI process to seek interest from community groups and organisations for delivery of an Indoor Recreation Facility and the required supporting infrastructure consistent with the draft GCP Precinct Framework.

It is also proposed that Council prepare and submit a planning proposal for Gateway to deliver the required land uses changes for Council land holdings as outlined in this report. This will be done concurrently to ensure any changes that may be required to the HOB controls in addition to changes in zoning are considered holistically and undertaken at the same time.

All other actions will be considered as part of the development of future Operational Plans.

9 COMMITTEE REPORTS

The following items are submitted for consideration -

- | | | |
|-----|---|-----|
| 9.1 | Minutes of the Traffic Committee Meeting Held on 11 June 2024 | 111 |
| 9.2 | Minutes of the Floodplain Management Committee held on 12 June 2024
and 19 June 2024 | 113 |

Committee Reports - 25 June 2024

ITEM 9.1 **Minutes of the Traffic Committee Meeting Held on 11 June 2024**

AUTHOR **City Assets**

PURPOSE AND BACKGROUND

Attached are the minutes of the Canterbury Bankstown Council Local Traffic Committee meeting held on 11 June 2024.

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

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

ISSUE

Recommendations of the Canterbury Bankstown Council Traffic Committee meeting.

RECOMMENDATION

That the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 11 June 2024, be adopted.

ATTACHMENTS [Click here for attachment](#)

A. Traffic Committee Meeting Minutes 11 June 2024

POLICY IMPACT

The matter has no policy implications to Council.

FINANCIAL IMPACT

Potential costs arising out of recommendations of the Traffic Committees are detailed in each report and included in either current Operational Budgets or Future Works Programs for Roadworks/Traffic Facilities.

COMMUNITY IMPACT

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

Committee Reports - 25 June 2024

ITEM 9.2

Minutes of the Floodplain Management Committee held on 12 June 2024 and 19 June 2024

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 12 June 2024 and 19 June 2024.

ISSUE

Endorsement of the Floodplain Management Committee minutes. Noting that:

- at the 12 June 2024 meeting, the Committee were provided with a summary of the community feedback from the engagement undertaken for the draft Prospect Creek Flood Risk Management Study and Plan.
- at the 19 June 2024 meeting, the Committee reviewed the final draft Prospect Creek Flood Risk Management Study and Plan and endorsed the document to be presented to Council.

RECOMMENDATION

That the recommendations of the Floodplain Management Committee held on 12 June 2024 and 19 June 2024 be endorsed.

ATTACHMENTS

[Click here for attachment](#)

- A. Minutes of the Floodplain Management Committee 12 June 2024
- B. Minutes of the Floodplain Management Committee 19 June 2024

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 12 June 2024 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 Duck River Flood Study; and
- Upcoming engagement on the draft Catchment and Waterways Strategic Plan.

Matters arising from the 19 June 2024 meeting that may be of particular interest to Council include:

- The Committee reviewed the final draft Prospect Creek Flood Risk Management Study and Plan and endorsed the document to be presented to Council.

10 NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

The following items are submitted for consideration -

10.1	Status of Previous Notices of Motion - June 2024	119
10.2	Hampden Road Reserve Playground - Councillor Karl Saleh OAM	121
10.3	No to Georges River Land Grab - Councillor Karl Saleh OAM	123
10.4	'Meanwhile Use' for Affordable Retail and Commercial Spaces - Councillor Charlie Ishac	127
10.5	Heavy Vehicle Fines - Councillor Rachelle Harika	129
10.6	Yarn Bombing - Councillor Christopher Cahill	131
10.7	Getting Our Fair Share - Councillor Charbel Abouraad	133
10.8	Holding of a Poll at the September 2024 Local Government Elections Regarding Community Support for a Council De-Amalgamation - Councillor Barbara Coorey	135
10.9	Council Meeting Webcast - Councillor Barbara Coorey	141
10.10	Earlwood HPA Tree Removal - Councillor Barbara Coorey	143
10.11	Rescission of DA 1512/2023 - Councillor Barbara Coorey	147

Notice of Motions & Questions With Notice - 25 June 2024

ITEM 10.1 **Status of Previous Notices of Motion - June 2024**

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 Previous Notices of Motion - June 2024
- B. Outgoing Correspondence
- C. Incoming Correspondence

Notice of Motions & Questions With Notice - 25 June 2024

ITEM 10.2 Hampden Road Reserve Playground

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

“That Council investigate the acceleration of the upgrade to Hampden Road Reserve Lakemba as part of Council’s forward works programs and that in the interim the adopted ward funds for furniture upgrade – Lakemba playground be allocated towards upgrade of furniture in Hampden Road Reserve.”

BACKGROUND

I have had several residents talk to me about Hampden Road Reserve asking if this can be upgraded.

I have visited the reserve, and I notice that many mothers and families with children who live in the surrounding apartments are using this playground reserve on a regular basis. Particularly students and families after and before (Hampden Road Public School and Al-Resala College) are due to finish the school.

While this playground is listed for retention and future replacement in the playground strategy it could benefit from an earlier upgrade which would consider scope including:

- Seating areas with Shelter in the shade;
- Rubbish bins;
- Public drinking water tap; and
- Rubber soft fall.

FINANCIAL IMPACT

The ward funds have already been voted, this motion seeks to direct them to this playground. Should the playground priority be accelerated this would form part of a future works program.

CHIEF EXECUTIVE OFFICER'S COMMENT

There are no financial impacts of the motion as written.

Notice of Motions & Questions With Notice - 25 June 2024

ITEM 10.3 No to Georges River Land Grab

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. Note the Mayoral minute from Georges River to initiate a land grab for part of Canterbury Bankstown.
2. Write to Georges River providing them with a copy of this motion and clearly advise that Canterbury Bankstown Council does not agree to any boundary change.
3. Write to the minister for Local Government and the chair of the Boundaries Commission to advise them of Canterbury Bankstown Council’s opposition to the Georges River Plan.”

BACKGROUND

At the time of submitting this motion the Mayor of Georges River Council has a Mayoral minute on their agenda for Monday 24 June 2024 to consider a boundary adjustment calling on the following:

This Motion proposes that the General Manager submit a proposal to the Minister for Local Government (Minister) to alter the boundary of the local government area (LGA) of Georges River Council by incorporated parts of the Bayside and Canterbury Bankstown LGAs. Specifically, the proposal would be to incorporate the following:

- *The part of the Bayside LGA which previously comprised the former Rockdale LGA bounded by the geographical borders of the former Rockdale LGA being the Georges River, Cooks River, Wolli Creek and therefore excluding the Sydney Airport; and*
- *The part of the Canterbury Bankstown LGA comprising the land which is south of the M5 Motorway, west of King Georges Road and east of Salt Pan Creek.*

As Councillors are aware, the LG Act (Section 263 (3)) sets out several factors that the Boundaries Commission is required to consider for any proposal for changes to LGA boundaries. Factors such as:

- financial advantages/disadvantages to the residents and ratepayers of the areas concerned;
- the community of interest and geographic cohesion;
- historical and traditional values and the impact of change;

- attitude of residents and ratepayers;
- requirements of the area concerned in relation to elected representation.
- impact on ability of councils to provide adequate, equitable and appropriate services and facilities; and
- any impact on employment of council staff.

Georges River state the following:

In relation to the incorporation of the part of the Canterbury Bankstown LGA, the present situation is that the boundary the Georges River and Canterbury Bankstown follows the M5 Motorway to the east but follows a number of lower order roads which has the effect of dividing small communities within the suburbs of Riverwood, Narwee and Beverly Hills. The use of local roads in dividing LGAs has the effect of creating isolated pockets of the community which are subject to different community services and planning. This isolation of areas within these suburbs is particularly evident in a small part of the Canterbury Bankstown LGA in Narwee that is south of the T8 Airport & South railway line and north of Broadarrow Road and also in the part of the Georges River LGA in Beverly Hills that is south of Broadarrow Road but north of the railway line.

By using a significant physical feature that the motorway represents in already dividing Riverwood, Narwee and Beverly Hills, the adoption of this significant feature to delineate the boundaries of the respective LGAs avoids the creation of isolated communities in the examples given above. Accordingly, the proposal reflected in resolution of this minute is a realignment of the boundary with Canterbury Bankstown in Riverwood, Narwee and Beverly Hills so that the small isolated area along those suburbs are part of a single LGA.

Unfortunately, the Mayoral Minutes proposed by Georges River clearly fails to consider the other important factors under the LG Act listed above. For example:

- There is no community driver for this. Where is the community consultation? The Mayoral minute gives no real community benefit for this and one can only assume there is some political driver. Georges River must stop playing politics and leave our City alone.
- Not only has there been no community consultation, there has been no consultation or engagement with Canterbury Bankstown staff, our Mayor or ward Councillors. Georges River must stop playing politics and leave our City alone.
- What is the financial benefit to any ratepayer? Canterbury before, and Canterbury Bankstown now, have invested significant ratepayers funds into the Riverwood wetlands, the Morris Iemma Indoor Sports Centre, the new Library, the turf cricket wickets, the Riverwood Community Centre and so much more. This land grab would effectively be stealing from the ratepayers of Canterbury Bankstown and it's not on. Georges River must stop playing politics and leave our City alone.
- If there was to be a sensible conversation about our boundary with Georges River there are many more options that would make more sense such as moving the boundary south to the railway line. Georges River must stop playing politics and leave our City alone.

This issue seems to be brought up by Georges River just before elections as a political stunt. If I have not already made my point clear above, Georges River must stop playing politics and leave our City alone.

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 - 25 June 2024

ITEM 10.4 'Meanwhile Use' for Affordable Retail and Commercial Spaces

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

“That Council investigates opportunities to allow for ‘meanwhile use’ for affordable retail and commercial spaces in our centres and write to the Minister for Planning and Public Spaces to investigate enabling State-wide policy.”

BACKGROUND

As our city centres evolve, we often encounter vacant shop fronts and commercial spaces. These areas are victims of sites waiting to be amalgamated or pending development outcomes that have yet to commence. Unfortunately, these empty shop fronts create inactive gaps in our main streets and centres, leaving blank spaces waiting for the next opportunity, waiting for something to happen.

Enter the concept of “meanwhile use.” During a recent study trip to London, I discovered a scheme designed to activate these vacant spaces. Meanwhile use allows landlords to offer temporary contracts, enabling community groups, small businesses, or creatives to occupy these spaces with the understanding that they will eventually vacate.

In London, meanwhile use has served as a stepping stone not only for artists but also for textile designers, carpenters, tech start-ups, charities, and even kombucha brewers. This practical approach isn’t far-fetched; it has been successfully implemented in Australia as well. The “Renew Newcastle” initiative, for instance, demonstrates how activating vacant shop fronts can transform the vibrancy and attractiveness of city centres – and even contribute to its brand.

As a council, we should explore how our planning controls and strategic plans can support similar initiatives. By reducing red tape, we can encourage landowners and potential businesses, artists, and creatives to utilise these spaces effectively and integrate this into our DA process to allow ‘meanwhile uses’ whilst sites are pending re-development. This aligns with our Creative City Strategic Plan, which aims to identify opportunities for reusing vacant properties and fostering creative uses.

I also seek to write to the Minister for Planning and Public Spaces to investigate a State-wide approach that will allow meanwhile uses as exempt development for short-term use of sites in waiting.

FINANCIAL IMPACT

There is no financial impact with this motion as written.

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no financial impact with this motion as written.

Notice of Motions & Questions With Notice - 25 June 2024

ITEM 10.5 Heavy Vehicle Fines

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 Minister for Finance Courtney Houssos urging her to urgently review the lenient fines when it comes to heavy vehicles parking in residential streets.

I further call on Council to write once again to the Minister for Roads John Graham, seeking a response to Council’s resolution of 27 February 2024, calling on him to crackdown on heavy and long vehicles parking in residential areas by introducing tough new rules to deregister repeat offenders’ vehicles for three months.”

BACKGROUND

The issue of heavy and long vehicles parking in our suburban neighbourhoods is still rife and it appears there is no will by the NSW Government to support Councils by imposing tougher penalties.

In the past 12 months to 17 June 2024, Council issued 4287 infringement notices and you will be surprised to learn that the fine for parking longer than the hour is a measly \$129 with no loss of point.

Under NSW Road Laws, heavy vehicles (4.5 tonnes or more), and long vehicles (7.7 metres or longer) and are not allowed to park in built up areas for more than 1 hour, unless otherwise permitted.

The complaints from residents are loud and clear with safety and loss of parking spaces at the top of their grievances.

Let’s be very clear, the operators of these vehicles have no respect, or regard for the law, or the community, and are happy to pay fines rather than park their vehicles in designated areas or holding yards.

Its time they were slapped with heavier penalties and other deterrents to stamp out this flagrant disregard of the road rules.

FINANCIAL IMPACT

There is no financial impact with this motion as written.

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no financial impact with this motion as written.

Notice of Motions & Questions With Notice - 25 June 2024

ITEM 10.6 Yarn Bombing

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

“That Council meets with Panania residents, Anna Prasad and Jodi Philip, to explore the merits of their proposal to introduce “yarn bombing” in their local area.”

BACKGROUND

Yarn bombing is a form of street art that uses textiles rather than paint.

The colourful displays are knitted or crocheted and are temporarily wrapped around objects in a public space. Yarn bombers generally opt to cover trees, poles, or maybe even public benches.

The concept of Yarn bombing is not new and is a growing trend around the World. In fact, 11 June is recognised as International Yarn Bombing Day.

The benefits of yarn bombing are many. It brings the community together to create colourful works, it beautifies and brightens the local area, and the finished works may inspire others to take up crafts.

Then there are the many positive stories and mental health benefits that knitting and crocheting in a group can have.

The proposal by the two Panania residents, who run a weekly knitting and crochet group out of the Picnic Point Bowling Club, is to ensure their project is done with the approval and support of Council.

FINANCIAL IMPACT

There are no financial implications with this motion as written.

CHIEF EXECUTIVE OFFICER'S COMMENT

There are no financial implications with this motion as written.

Notice of Motions & Questions With Notice - 25 June 2024

ITEM 10.7 Getting Our Fair Share

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

“That Council call on the NSW Government to reallocate the \$36 Million clawed back from Hornsby Council to Canterbury Bankstown Council to fully fund Ramadan Nights for five years.”

BACKGROUND

As you may recall, Council has previously raised concerns over the allocation of the Stronger Communities Fund - funding established to support amalgamations – and in particular significant funding to Hornsby Council, even though they did not merge.

Fast forward eight years and now we have all seen the recent media articles where the NSW Government has ordered Hornsby Shire Council to repay \$36 million for a project they haven't progressed to date with that funding.

The Government should be redistributing the retuned funds to councils that have demonstrated funding needs that have broader regional benefits.

We have all heard how big Ramadan Nights is, attracting over 1.5 million people, making it a truly regional if not State significant event. We are also aware of the escalating costs. Unfortunately, the Government's commitment to funding the event has finished and we have had no news if they are willing to continue supporting this event that is the biggest in NSW outside Vivid, I certainly haven't found anything in the recently announced NSW State Budget.

We have all heard that The NSW Government has budget pressures, but here is an opportunity to reallocate this money, rightly clawed back from Hornsby, and for the funds to be given to councils who are struggling to deliver significant projects and events that have regional and state significance.

This is an opportunity for our Council to get its fair share of funding and an opportunity for the NSW Government to demonstrate its ongoing commitment to Ramadan Nights and all of the residents and businesses of Canterbury Bankstown and of course the wide Sydney region that enjoy this event.

I call on the NSW Government to fully fund Ramadan nights while we undertake our review to overhaul this major event into a more commercially viable one that can be sustainable into the future.

FINANCIAL IMPACT

There is no financial 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 - 25 June 2024

ITEM 10.8 Holding of a Poll at the September 2024 Local Government Elections Regarding Community Support for a Council De-Amalgamation

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

“That Council:

1. Hold a poll concurrently with the 14 September 2024 Local Government elections asking the question: “Do you support the de-amalgamation of Canterbury Bankstown Council to reinstate Canterbury and Bankstown Councils?”
2. Complete a desktop business case internally for a de-amalgamation of the two former council areas, addressing:
 - a. The financial advantages and disadvantages of a demerger. This should include: consideration of the division and sharing of assets and liabilities; service standards and shared services; rate levels and charges.
 - b. The community of interest and geographic cohesion of the existing LGA compared to the former council areas.
 - c. The historical and traditional values of the former LGAs and the impact on them of the amalgamation into CBC.
 - d. The impact of a demerger on democratic representation for residents in each of the former council areas.
 - e. The impact of a demerger on the employment of current staff and possibility of redeployment to the demerged former council areas.
3. Prepare a report, including the desktop business case and de-amalgamation costings, to be presented to a Council Meeting no later than June 25. The report should include:
 - a. The data and analysis as outlined in point 2. (a)-(e), without any recommendations.
 - b. Detail the process and basis for any information which will be provided to residents about the poll.
4. By August 1, develop a page on its website, social media and other means, all providing access to the desktop report, to advertise that a demerger poll will take place.”

BACKGROUND

I feel compelled to bring this motion forward now because I cannot ignore the wishes of the tens of thousands of Canterbury Council (former) residents who have signed a 7,000 signature petition calling for a council demerger. After eight years as part of the Canterbury Bankstown Council, I believe it is now time to give all residents a say.

The NSW State Government forcibly amalgamated 45 councils across NSW into 20 new Local Government Areas in 2016, aiming to create economies of scale via larger councils. The mergers were based on purely financial criteria contained in a KPMG report - that the NSW Government never publicly released - which purportedly claimed councils could collectively make savings of \$2 billion over 20 years, keep rates low and maintain services.

Eight years on – the rates have increased by over 36 percent and with a projected further increase of 30 percent from the 2026/27 Financial Year on, the savings have resulted in operating losses of over \$100 million over the eight years and the traditional services of Council have almost diminished over this period of time.

It has been an economic and political disaster for all parties concerned with the CB residents and ratepayers suffering.

Since 2016, many Canterbury (as have Bankstown) residents have called for the return of their former Council. De-amalgamation campaigners from the Canterbury end have collected thousands of signatures from our community since 2017 requesting the return of their LGA.

This mirrors campaigns across the state. To date, demerger proposals have been either submitted (or prepared) by Inner West Council, Snowy Valleys and Cootamundra-Gundagai as well as CBC.

Bayside Council last month resolved to prepare a desktop financial analysis on demerging, and campaigners in Guyra have also presented their case to the Office of Local Government

The former NSW Planning Minister Anthony Roberts described the amalgamations as *“a failed piece of policy”* in March 2023. Furthermore, NSW Local Government Minister Ron Hoenig said in a letter to the Demerge NSW Alliance in July 2023 that:

“I consider the policy of forced council amalgamations to have been one of the worst public policy decisions in the local government sector in many years”.

Others, such as economist and local government expert, Dr Joseph Drew, have said the mergers *“largely failed to deliver”* economies of scale and financially sustainable councils. Even the Institute of Public Affairs stated two years after the mergers that because the KPMG report was never released in full to the public, or even public servants implementing the program, *“the evidential basis for the changes is difficult to fully establish”*.

Recently there were two Bills before the NSW Parliament that sought to create pathways to de-amalgamations. Late last year, Upper House MP Dr Amanda Cohn introduced a Bill into Parliament which would have allowed binding plebiscites to be held in regard to council de-amalgamations. Then, in February this year, NSW Local Government Minister Ron Hoenig introduced a Bill to amend the law, removing provision of initial costs from the Local Government Act and requiring support of the merged council to proceed.

Despite widespread support from crossbench MPs, unfortunately neither Labor nor the Coalition voted for Dr Cohn's Bill, which would have provided a simple way forward, with the cost of a referendum borne by the State Government. The Liberals said they will amend the Labor bill, but not to create a direct pathway for a demerger referendum.

Furthermore, Dr Cohn's Bill would have required the cost a demerger be borne by the State Government.

The NSW Government did a political backflip from the amendment that they voted for in the previous government requiring the government for the full costs of the demerger.

The legislation now as introduced and supported by Labor and the Liberals removes the total cost obligation on the state government (re demerger) with an offer of a \$5 million grant only plus loans (re demerger) only on the proviso that the Council supports the demerger with a business case, including the Boundaries Commission support with the potential Ministerial veto being exercised.

The issue is clearly gaining momentum, while the original objections to the merged councils remain valid. There has been a loss of democratic representation under CBC because, for example in Canterbury six councillors who represent residents from the former Canterbury Council area (three from Canterbury Ward and three from Roselands Ward) can be outvoted on any issue by the nine others from the remaining three wards (Bankstown, Revesby and Bass Hill). That contrasts with the former Canterbury Council which had 10 councillors representing only Canterbury issues, meaning we controlled our own destiny. We also had a popularly elected Mayor.

Under Section 218 of the Local Government Act, councils have only 10 years in which to initiate a de-amalgamation and the cheapest way for a council to do this is via a poll held with a council election. Thus, it would be a relatively inexpensive way to gauge the sentiment of the community on the matter by holding a poll at the September 14 council election.

To inform residents before this poll, staff should prepare a desktop business case, with financial and other social modelling. This information should then be widely distributed in the community before the poll.

Finally, letting the people have a say in September could also allow the council to go forward into the next term safe in the knowledge that it has its communities behind it.

Financial. The cost of a poll is estimated to be around 10 per cent of the total election cost.

FINANCIAL IMPACT

No financial impact was provided by Councillor Coorey when submitting her NOM.

CHIEF EXECUTIVE OFFICER'S COMMENT

Councillors will recall considering several Mayoral Minutes, Notice of Motions and indeed Comprehensive briefings and Council Reports on the broader matters and/or issues raised in Councillor Coorey's NOM.

In considering the matter, I note the following:

- Councillors will recall considering *Item 7.3 – proposal to De-amalgamate* and *Item 2.2 – Business Case for the De-amalgamation of the City of Canterbury Bankstown*, at its Ordinary Meeting on 26 July 2022 and Extraordinary Meeting on 13 September 2022, respectively.
- The reports considered by Council comprehensively addressed the specific elements requested in the NOM, particularly the likely financial impact if Council was to demerge.
- To repeat this work is likely to cost in the order of \$100,000 and take several months to complete. A peer review may cost half of that and take just as long.
- Councillors may recall that at the time, Council's desktop financial analysis suggested that the estimated one-off, up-front costs of demerging would be in the order of \$53.2M (former CCC - \$24M / former BCC - \$29.2M) and total ongoing / annual recurrent cost of around \$20.9M (former CCC - \$9.5M / former BCC \$11.4M).
- Notwithstanding Council's considerations on the matter to-date, importantly its most recent decision, *Item 10.9 - Demerge of Canterbury Bankstown Council* (NOM – Councillor Asfour – 28 November 2023), resolved that Council:
 1. *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.*
 2. *Writes to the Minister for Local Government, Mr Ron Hoenig MP advising him of Council's decision and outlining the reasons for taking this stance.*
- More recently, the Government introduced the *Local Government Amendment (De-amalgamation) Bill 2024*, which is awaiting assent and proclamation.
- Having regard to Council's most recent decision and/or its current policy position on the matter, the pertinent changes to the *Local Government Act 1993* state/include:
 - Limiting Government funding of up to \$5M to offset the financial impacts of a de-amalgamation, if it were to be agreed to by the Minister; and
 - Before giving a Business Case to the Minister, the need to consult with the community, by way of publicly exhibiting a copy of a Council's Business Case – which importantly must include details of:

- The estimated financial impacts of the de-amalgamation;
 - An estimate of the rates and charges that the councils for the de-amalgamated areas may make and levy after de-amalgamation; and
 - Details of future sustainability, long-term strategic plans and service delivery capacity of the proposed councils to be constituted as a result of the proposed de-amalgamation.
- As Councillors will note, the changes clearly require councils to carefully assess – and in detail – articulate how Council proposes that the de-amalgamated councils are to operate and remain financially sustainable as separate entities.
 - Preliminary estimates obtained at the time of preparing Council’s Reports in 2022 suggested that a cost of around \$2M - \$3M would need to be incurred in order to prepare the necessary information required under the *Local Government Act 1993* and/or expected by the Minister. Again, this would need to be carried out before a council consulted with its community on the matter in accordance with the new legislation as part of the de-merge process.

A poll is not part of the ‘new’ de-merge process set forth in the legislation.

- Conducting a poll as to whether electors support/not- support a de-amalgamation would cost around \$300K and should be resolved and with the NSW Electoral Commission by July.

Notice of Motions & Questions With Notice - 25 June 2024

ITEM 10.9 Council Meeting Webcast

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

“That Council amends the Code of Meeting Practice to allow for direct live webcast of Council Ordinary Monthly Meetings.”

BACKGROUND

Since the merger has taken place the Council meetings have taken place at Bankstown Chambers to the detriment of the residents of the eastern side of the LGA. Residents cannot make the trip – who for some would be in excess of 40 minutes in peak hour to attend the council meetings.

Most of the councils in Sydney Metropolitan have live web cast of their meetings.

State and Federal Parliaments also do the same.

Live web cast promotes accountability, transparency, community participation and access and equity in the Council Meetings.

It also enables the residents and ratepayers to see first hand how their council is functioning and to see the debates and decisions first hand.

The current status quo relies on a rerun being placed on council webpage by 11 am the following morning. This adds to extra resources being devoted to ensure this happens whereas the direct live webcasting would be an efficient and timely use of council resources (as most council do in Sydney - particularly the Innerwest Council, Georges River, Bayside, Strathfield, Canada Bay, Fairfield Council, Campbelltown Council, Sutherland and Liverpool Council.

Canterbury Bankstown Council one of the largest councils in Australia needs to step and follow suit with all the councils that are providing this service to the residents and ratepayers.

FINANCIAL IMPACT

There would be no financial impacts of the motion.

CHIEF EXECUTIVE OFFICER'S COMMENT

Council's current practice fully accords with the Model Code of Meeting practice.

Councillors would be aware that the Code of Meeting practice will be reviewed and readopted by the new Council following the September 2024 Council elections.

There would be no savings as a result of the motion, there would be no financial impact of the motion as written.

Notice of Motions & Questions With Notice - 25 June 2024

ITEM 10.10 Earlwood HPA Tree Removal

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

“That Council immediately cease all plans to remove the trees in Clarke St Earlwood and surrounding streets until the following:

- a) Council releases and explains the project scope of the works to the community and local ward councillors, all alternative options that have or have not been investigated , new tree species, maturity of trees and replanting timeline.
- b) Council releases all the reports it has relied upon for the project including infrastructure works etcetera.
- c) That council hold a public information session at a time that interested persons can attend (ie weekends or week nights) in a local hall in Earlwood re the project.”

BACKGROUND

The community has been rallying against the removal of the trees in Clark Street Earlwood and surrounding streets. Whilst the traffic calming measures and works are beneficial for pedestrian safety, it is imperative that Council explore all options prior to making the decision to remove over 15 trees in a very busy congested part of Earlwood which relies on the tree canopy for shade and coolness during the hot dry summer months.

Council needs to have the community on side prior to any final decision making for these trees which are so valued and cherished in Earlwood.

We need to be transparent and engaging with the local community in the decision of how the environmental impact will be minimized by a mature planting of an appropriate species immediately.(if that is the only option available after all options have been explored and made public)

Until the above happens Council is not to move to chop these trees down (particularly the ones marked with a pink X)

FINANCIAL IMPACT

No financial impact provided by Councillor Coorey at the time of submitting this motion.

CHIEF EXECUTIVE OFFICER'S COMMENT

This contract has commenced, and the financial impact of this motion is unknown at this time. The financial implications in relation to contract termination and grant funding for the Earlwood HPA project would require further detailed investigations and negotiations.

Further, if council was to suspend the contractor it would likely result in additional financial costs to Council under the delay provisions of the contract, this would also need to be explored if Council were to consider delay to the project.

Council has been quite transparent with the community and has outlined its reasons why the 15 non-native Hill Weeping Fig trees need to be replaced. This broader High Pedestrian Activity project and tree replacement have been funded by a grant through the NSW Government to improve pedestrian safety within the Town Centre.

In fact, the consultation and engagement process were thorough, including letters sent to surrounding businesses some 15 months ago. This engagement followed several complaints by business owners about significant damage to infrastructure and complaints from our community about the impact on footways.

Furthermore, Council conducted additional engagement in October 2023, as part of the High Pedestrian Activity Area (HPAA) project. This included details of the proposal and associated plans on council's website, letters distributed to 257 residents / businesses and 134 owners within the immediate area.

There was also a Have Your Say engagement page established to hear from the community. It is important to point out that notification of the removal and replacement of the non-native trees with appropriate alternative trees was part of both engagement programs.

The information relating to this project, the specific impact on trees being removed and the proposed consultation was provided by email to ward Councillors on 6 October 2023.

Most respondents were supportive of the proposal. You will find this information on our Have Your Say engagement page which provides a link to our previous engagement program.

By way of background, the current trees are non-native Hill Fig Trees that have outgrown their current location. These are not the right trees for a built-up urban environment and whilst they have been causing damage to the aerial infrastructure and awnings and footpath, they have also been causing damage to infrastructure beneath the ground.

Root barriers and trimming were considered however this was not deemed in the best interests of the health or stability of these trees. The Earlwood HPA project also involves significant kerb and drainage works which will impact the current trees and therefore delaying the removal of the trees means that no other work can proceed and the project will be halted and delay costs may begin accumulating.

Given the above it is in the best interests of the centre and the trees that they are replaced with a suitable alternative.

- The trees are not being lost.
- The HPA project involves replacement trees.

There has been some commentary in the community about replacement with non-native trees. Notwithstanding that the existing trees are non-natives, the originally proposed replacement of Crepe Myrtles were consistent with other trees nearby, shed in winter to maximise sunlight when needed and grow such that they are suitable for this type of urban environment.

Whilst some comments have been made about biodiversity it is important to note that Council has more trees than we can count that contribute to the biodiversity of our city, and we are developing and will later this year consult on our new Biodiversity Strategy. However, it is unlikely that collections of trees in a built-up retail precinct will be critical to the city-wide biodiversity. It is most important that we have species that provides the best long-term amenity and safety for our community.

Notwithstanding, in response to species concerns Council is currently seeking feedback on alternate native tree replacement options instead of the Crepe Myrtles. Feedback through Have Your Say and with direct engagement with businesses will inform a final species selection.

Notice of Motions & Questions With Notice - 25 June 2024

ITEM 10.11 Rescission of DA 1512/2023

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

“That Council:

1. Rescind the DA-1512/2023 and refer the matter to the Commonwealth for determination of the status of Cumberland Plain Woodland (CPW) at the Milperra Campus site.
2. Engage with the Wallangang Aboriginal Corporation to determine the future of the Campus.
3. Release the Memorandum of Understanding between Council and University of Western Sydney to all Councillors within seven days of the date of this resolution being carried.”

BACKGROUND



Photo 1: University of Western Sydney Milperra Campus

The University of Western Sydney Milperra Campus covers 30 ha of what was once public land, donated to the NSW Government exclusively for educational purposes, in perpetuity. It was subsequently transferred to UWS. This much loved Campus is currently being rezoned to facilitate a major Mirvac housing estate and sits fenced off and abandoned, awaiting demolition.

Canterbury Bankstown Council have signed a Memorandum of Understanding. UWS have built a replacement campus on what was once a second parcel of public land, the former Rickard Rd council carpark and open ground areas in Bankstown CBD.

The Campus not only represents an important educational resource and source of employment, it has significant biodiversity values due the extensive presence of remnant Cumberland Plain Woodland. CPW is listed as a Critically Endangered Ecological Community under the Commonwealth Environment Protection and Biodiversity Conservation Act, (EPBC Act). CPW is present at the campus as a contiguous three hectare remnant at the corner of Bullecourt Avenue and Horsley Road and dozens of mature trees throughout the site.

Remnant bushland trees at the Campus include *Acmena smithii* (Lilly Pilly), *Angophora costata* (Sydney Red Gum), *A. floribunda* (Rough Barked Apple), *Eucalyptus botryoides x saligna* (Sydney Blue Gum), *E. moluccana* (Grey Box), *E. siderophloa* (Grey Ironbark), *E. sideroxylon* (Red Ironbark) and *E. tereticornis* (Forest Red Gum).

A patch of CPW is protected under the EPBC Act if:

- The patch is at least 0.5 hectares in extent.
- If the tree canopy represents at least 10 percent cover.
- The understorey including native grasses and herbs is more than 50 percent native species.

The threshold for understorey percentage cover is met irrespective of whether the patch has been slashed as indicated on page 11 of Native Flora on the Cumberland Plain, Western Sydney. An Identification Guide. Teresa James 2016. The threshold for understorey percentage cover is 30% if a patch is greater than five hectares.

The listing of CPW under the EPBC Act confers the protection of the Commonwealth and it can only be destroyed with Commonwealth consent. While Mirvac have fenced off two hectares of the Bullecourt Avenue / Horsley Road remnant for “Environmental Conservation”, this is only part of the CPW present at the Campus and the destruction of CPW throughout the site without consent appears to be in breach of the Act.



Photo 2: Part of the Bullecourt Avenue / Horsley Road CPW remnant



Photo 3: The Unfenced Bullecourt Avenue / Horsley Road CPW remnant

The patch of CPW illustrated in Photo 3 is contiguous with the area shown in Photo 2. Even were it to be considered in isolation it clearly meets the threshold for listing as Critically Endangered under the Act.

- The patch is one hectare in extent.
- The tree canopy (Grey Box and Forest Red Gum) represents at least 10 percent cover.
- The understorey while slashed is more than 50 percent native species as illustrated in Photo 4 below.

That this patch has been deliberately left unprotected is at the very least reason to cancel Mirvac's Application to Demolish the Campus approved by Canterbury Bankstown Council on 31 May 2024, and refer this development to the Commonwealth.

The pending approval of DA-1512/2023 was not debated at the last Council General Meeting of 28 May 2024. This DA is for the "Demolition of all buildings and structures". The community have a right to ask "How will this impact remnant CPW at the site?"

I draw Council's attention to the clause in the EPBC Act which states "If a patch of CPW is greater than five hectares, is connected to other patches of CPW and contains at least one mature tree per ha it is deemed to have national significance conferring protection as a CEEC". Given the Campus site is 30 hectares and contains dozens of mature remnant CPW canopy trees, the argument can be made that the entire site is protected under the Act.

To my knowledge, no referral has been made to the Commonwealth Environment Minister in regard to this proposed development. I therefore draw Council's attention to the self assessment and referral obligations in the EPBC Act that require development proponents to seek approval from the Minister prior to taking actions that might have harmful impacts on a CEEC, such as CPW.

As the authority responsible for the rezoning of the Campus, the NSW Government has obligations

FINANCIAL IMPACT

No financial impact was provided by Councillor Coorey in relation to this motion

CHIEF EXECUTIVE OFFICER'S COMMENT

DA-1512/2023 (DA) contemplates demolition of selected buildings and structures in four stages. The works include the disconnection of utility services and the demolition of all nominated buildings to ground level.

The DA does not permit the compromise of any Cumberland Plain Woodland; nor any impact on alleged scar trees. It seeks to remove two specific trees, which is supported arborists' reports, on the edge of the bitumen carpark. One requires urgent attention due to severe decay and the other is impacted by termites and decay fungi. Both of these trees must be removed due to their fatal condition and the impact their continued existence poses to other stands of trees.

Further, if the motion were granted, section 4.57 of the Environmental Planning & Assessment Act 1979 (Act) would come into play, which states at point 7:

4.57 Revocation or modification of development consent

(7) If a development consent is revoked or modified under this section, a person aggrieved by the revocation or modification is entitled to recover from—

a) The Government of New South Wales—if the Planning Secretary is responsible for the issue of the instrument of revocation or modification, or

- b) *The council—if the council is responsible for the issue of that instrument, compensation for expenditure incurred pursuant to the consent during the period between the date on which the consent becomes effective and the date of service of the notice under subsection (3) which expenditure is rendered abortive by the revocation or modification of that consent.*

Compensation for the revocation is not canvassed in the motion, but could be extensive.

There may also be a prohibition on Councillors considering this motion under section 4.8 of the Act, advice would need to be sought, however the Act says:

4.8 Exercise of consent authority functions on behalf of councils where local planning panel constituted:

(1) This section applies in respect of an area of a council for which a local planning panel has been constituted.

(2) The functions of a council as a consent authority in respect of any such area are not exercisable by the councillors. They are exercisable on behalf of the council by:

- a) The local planning panel, or*
- b) An officer or employee of the council to whom the council delegates those functions.*

The legal question that I have not had the time to canvass is whether rescinding a development consent is an “exercise of consent authority functions”. It certainly would appear to be so. The consent has been granted in the normal course, and this is an attempt to circumvent that approval. If that is the case, the motion is not lawful. If Council wishes to consider supporting the motion I recommend it seek legal advice on its ability to do so in relation to Clr 4.58 of the Act in the first instance.

On a final reading of the Act relating to revoking a consent. It says (and I have emphasised the relevant part) at section 4.57 point 1:

*4.57 Revocation or modification of development consent
(cf previous s 96A)*

(1) If at any time it appears to—

- a) the Planning Secretary, having regard to the provisions of any proposed State environmental planning policy, or*
- b) a council (being the consent authority in relation to the development application referred to in this subsection), **having regard to the provisions of any proposed local environmental plan,***

that any development for which consent under this Division is in force in relation to a development application should not be carried out or completed, or should not be carried out or completed except with modifications, the Planning Secretary or council may, by instrument in writing, revoke or modify that consent.

It would appear that a consent authority can only revoke a consent having regards to the provisions of a proposed LEP. The entirety of the section appears to only operate on this basis.

In the case of WSU, there is no longer a draft LEP and there are no proposed LEP's. That would suggest that this section cannot be applied. If Council wishes to consider supporting the motion, I recommend it seek also legal advice on its ability to do so in relation to cl 4.57 of the Act in the first instance.

The Wallangang Aboriginal Corporation is a family run corporation based at La Perouse. Council does not normally work with particular Aboriginal Corporation's based outside of Canterbury Bankstown. We have our own First Peoples Advisory Committee and the relevant Local Aboriginal Land Council for this site is Gandangarra Local Aboriginal Land Council.

Council required the development of a Memorandum of Understanding (MoU) to outline its approach and probity for an entirely different matter at its Confidential Session of the Ordinary Meeting in July 2017. The MoU has no relationship to DA-1512/2023 or in fact any relationship to any of the lands that comprise the WSU Milperra Campus. The MoU did not identify any land for a CBD University Campus.

The confidential document was prepared by lawyers and is also subject to confidentiality.

11 CONFIDENTIAL SESSION

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

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 Item in confidential session for the reasons indicated: