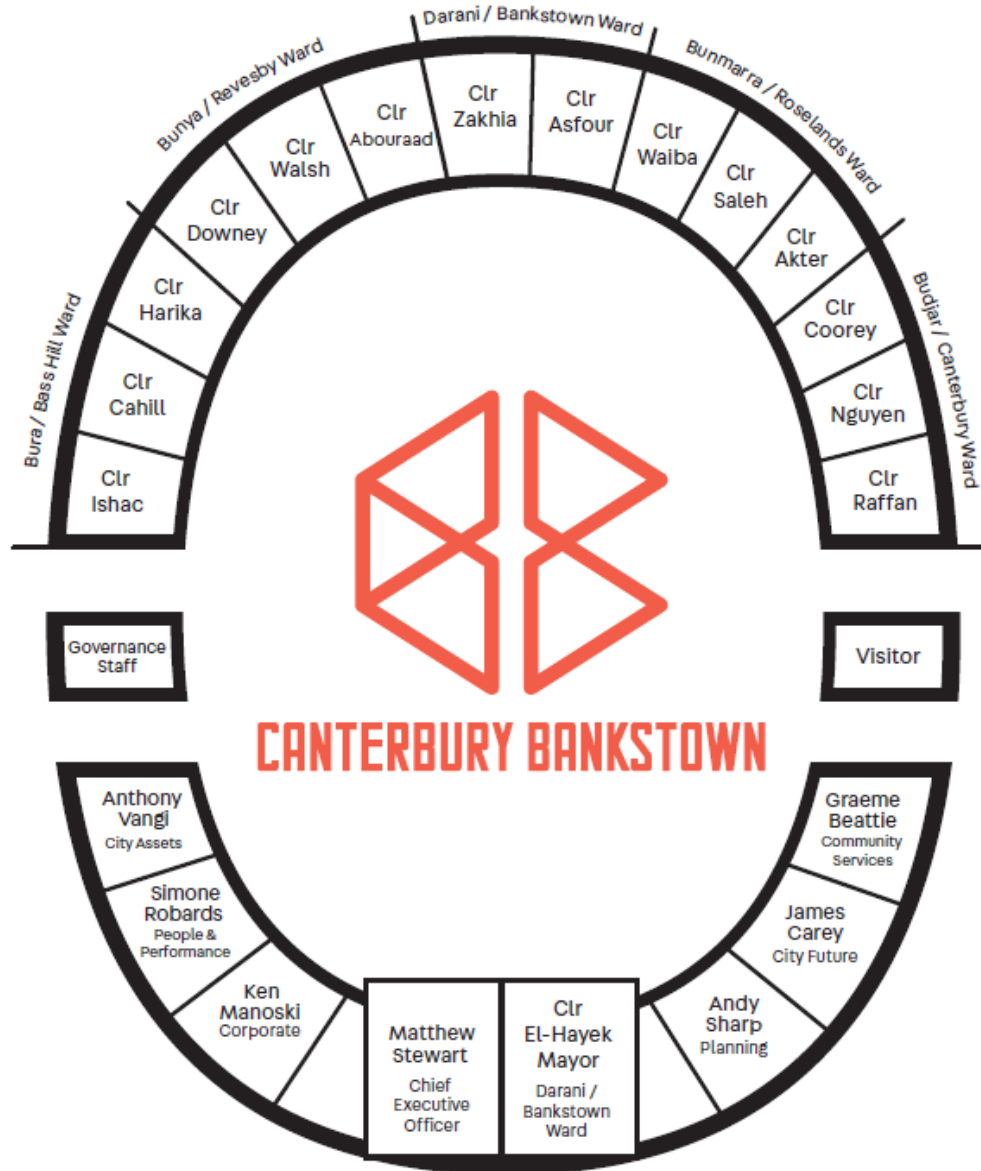




AGENDA FOR THE ORDINARY MEETING

28 May 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 30 April 2024.....	9
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CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 30 APRIL 2024

PRESENT: Mayor, Councillor El-Hayek
Councillors Abouraad, Akter, Asfour, Cahill, Downey, Harika, Ishac, Raffan, Saleh
OAM, Waiba, Walsh, Zakhia

APOLOGIES: Councillors Coorey, Nguyen

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.30 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

(715)

CLR. DOWNEY:/CLR. ZAKHIA

RESOLVED that the minutes of the Ordinary Council Meeting held on 26 March 2024 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

(716)

CLR. DOWNEY:/CLR. RAFFAN

RESOLVED that Leave of Absence be granted to Clrs Coorey and Nguyen due to personal reasons.

- CARRIED

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

In respect to Item 7.5 - LGNSW - Request for Financial Contribution, Councillor Asfour declared a Significant Non-Pecuniary Conflict of Interest given that he is on the board of Local Government NSW and as such will vacate the chamber, taking no part in the debate or decision on the matter.

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SECTION 4: MAYORAL MINUTES

ITEM 4.4 HONOURING ALISON ALLMARK

(717) CLR. EL-HAYEK

RESOLVED that:-

1. Council honour Ms Allmark's memory by reserving the seat she occupied for many years in the Chambers at all meetings leading up to the Council elections in 2024.
2. A plaque is placed behind the seat.
3. Council observe a minute's silence.

- CARRIED

COUNCIL OBSERVED A MINUTE'S SILENCE IN MEMORY OF ALISON ALLMARK

ITEM 4.1 TREVOR NEWTON NAMING

(718) CLR. EL-HAYEK

RESOLVED that Council name the Tennis Court clubhouse at Coleman Park, Georges Hall in Trevor Newton's honour so it will serve as an everlasting legacy.

- CARRIED

ITEM 4.2 ARTIST PETER DAY

(719) CLR. EL-HAYEK

RESOLVED that the Mayoral Minute be noted.

- CARRIED

ITEM 4.3 RAMADAN NIGHTS LAKEMBA

(720) CLR. EL-HAYEK

RESOLVED that Council conduct a root and branch review of how the Ramadan Nights Lakemba event operates, including a review of both sponsorship or income opportunities to reduce costs and ensure its financial viability into the future.

- CARRIED

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ITEM 4.4 HONOURING ALISON ALLMARK

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO 717 ON PAGE TWO OF THESE MINUTES

SECTION 5: PLANNING MATTERS

**ITEM 5.1 DRAFT SUBMISSION TO THE RIVERWOOD HOUSING ESTATE STATE SIGNIFICANT
PRECINCT STAGE 1 REVISED PROPOSAL**

(721) CLR. DOWNEY:/CLR. ABOURAAD

RESOLVED that

1. Council endorses the draft submission at Attachment B and submits it to the Department of Planning, Housing and Infrastructure.
2. Council works with the applicant (Homes NSW) and the Department of Planning, Housing and Infrastructure to ensure the site specific DCP addresses all relevant planning matters identified in the draft submission provided at Attachment B.
3. Council delegate is functions to the Chief Executive Officer to liaise with Homes NSW and the Department of Planning, Housing and Infrastructure to make changes to the exhibited draft DCP to address Council's comments and requirements.
4. A separate report be provided to Council with the final version of the DCP to be adopted by Council and included as a new sub-chapter within the Canterbury Bankstown Development Control Plan 2023.

- CARRIED

FOR:- Clrs Abouraad, Akter, Asfour, Cahill, Downey, El-Hayek, Harika, Ishac, Saleh OAM, Raffan, Waiba, Walsh and Zakhia.

AGAINST:- Nil

ITEM 5.2 SILICA BAN

(722) CLR. HARIKA:/CLR. ZAKHIA

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RESOLVED that the information be noted.

- CARRIED

SECTION 6: POLICY MATTERS

ITEM 6.1 CBCITY ADVOCACY STRATEGIC PLAN
(723) CLR. WALSH:/CLR. ABOURAAD

RESOLVED that the CBCity Advocacy Strategic Plan (Attachment A) and associated advocacy priorities for 2024 (Attachment B) be adopted.

- CARRIED

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 CASH AND INVESTMENT REPORT AS AT 31 MARCH 2024
(724) CLR. DOWNEY:/CLR. ABOURAAD

RESOLVED that

1. The Cash and Investment Report as at 31 March 2024 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

ITEM 7.2 PROPERTY MATTER - LEASE TO THE ICE SKATING CLUB OF NSW CO-OPERATIVE LIMITED - 17A PHILLIPS AVENUE, CANTERBURY
(725) CLR. RAFFAN:/CLR. DOWNEY

RESOLVED that

1. Council agrees in-principle to grant a 3-year Agreement for Lease (AFL) and a further 18-year lease to The Ice-Skating Club of NSW Co-operative Limited (ISC) for 17A Phillips Avenue Canterbury.

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2. Council publicly exhibit the proposed AFL and lease in accordance with the requirements of the Local Government Act 1993.
3. At the conclusion of the public exhibition period, a further report be provided to Council for its consideration and decision.
4. Council agrees to waive rental arrears of \$29,142.90 for the Ice Skating rink premises and that further rental payments continue to be waived up until the time of commencing the Lease.

- CARRIED

ITEM 7.3 QUARTERLY PROGRESS REPORT OF THE 2023/24 OPERATIONAL PLAN, 2022-25 DELIVERY PROGRAM, AND BUDGET TO 31 MARCH 2024

(726) CLR. ABOURAAD:/CLR. ASFOUR

RESOLVED that

1. The quarterly progress report of the 2022-25 Delivery Program and the 2023/24 Operational Plan to 31 March 2024 be noted.
2. The quarterly review of the 2023/24 Budget to 31 March 2024, including proposed budget variations [Attachment C (Annexure C & H)] - as outlined in this report - be adopted.
3. Council allocate Ward Funds as outlined in the report.
4. Councillor participation to the Western Sydney Leadership Dialogue – 2024 East London Study Tour as outlined in the report be noted and endorsed.

- CARRIED

ITEM 7.4 INTEGRATED PLANNING AND REPORTING - REVISED DELIVERY PROGRAM (2022-25), DRAFT OPERATIONAL PLAN (2024/25), AND REVISED RESOURCING STRATEGIES FOR ASSETS AND FINANCE

(727) CLR. ABOURAAD:/CLR. DOWNEY

RESOLVED that

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1. In accordance with Section 406 of the *Local Government Act 1993*, the following Integrated Planning and Reporting Documents be placed on public exhibition:
 - Revised CBCity 2025 incorporating updated Delivery Program 2022-25, draft 2024/25 Operational Plan, 2024/25 Budget, Revenue Policy, Pricing Policy and 2024/25 Schedule Fees and Charges;
 - Revised 2024-34 Asset Management Strategy; and
 - Revised 2024-34 Financial Management Strategy.
2. Council notes the Rates Harmonisation path for both former Council rating structures, as outlined in this report.
3. The proposed Rating and Annual Charges for 2024/25 as outlined in Annexures F and G (forming part of Annexure A to the draft Operational Plan report) be exhibited. The proposal is based on the following:
 - (i) Council's ordinary rates for 2024/25 making provision for an ad valorem structure and an increase to Council's general income equivalent to the percentage of 7.4%, being a 2.5% rate peg increase plus a 4.9% special rate variation increase as determined by the Independent Pricing and Regulatory Tribunal (IPART).
 - (ii) A Minimum Ordinary Residential Rate of \$1,014.75 in respect of each separate parcel of rateable land in the City categorised as Residential land as specified by the Independent Pricing and Regulatory Tribunal (IPART).
 - (iii) A Minimum Ordinary Business Rate of \$1,014.75 for each parcel of rateable land in the City categorised as Business as specified by the Independent Pricing and Regulatory Tribunal (IPART).
 - (iv) Council notes its earlier decision regarding Business Sub-Categories, and adjustments to the business ad valorem rates as outlined in this report.
 - (v) Annual charges from Domestic Waste collection be set at \$620.00 for all Residential properties.
 - (vi) Annual charges from Trade Waste collection be set at \$620.00 for all Business properties in the former City of Canterbury
 - (vii) The maximum mandatory pensioner rebate of \$250.00 per annum. In addition, Council continue to provide a further voluntary rebate, which

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equates to \$40.00 per annum in accordance with Council's 'Rates and Charges Debt Recovery and Hardship Assistance Policy'.

(viii) Annual Charges for Stormwater Management Services as follows:

- Residential Properties
 - Annual Residential Charge of \$25.00 per property.
 - Annual Residential Strata Charge of \$12.50 per property.
- Business Properties
 - Annual Charge of \$25.00 per property plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.
- Mixed Development
 - Adopt the dominant Rating category as applied to the parcel of land as determined by the Valuer General and apply to each relevant property.
 - In the event that a mixed development is 50% residential and 50% business, Council will apply a residential charge.
- Exemptions

In addition to the exemptions stipulated in the *Local Government Act 1993* and the *Local Government (General) Regulation 20*, the following exemptions will also apply in managing the service:

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

4. A maximum rate of interest on overdue rates and charges as specified by the Minister for Local Government (10.5%) be applied.

- CARRIED

ITEM 7.5 LGNSW - REQUEST FOR FINANCIAL CONTRIBUTION

In respect to Item 7.5 - LGNSW - Request for Financial Contribution, Councillor Asfour declared a Significant Non-Pecuniary Conflict of Interest given that he is on

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the board of Local Government NSW and as such vacated the chamber and took no part in the debate or decision on the matter.

CLR ASFOUR TEMPORARILY VACATED THE CHAMBER AT 7.01 PM

(728)

CLR. RAFFAN:/CLR. ZAKHIA

RESOLVED that Council agree to the request by LGNSW (and Genesis Accounting) to contribute the amount of \$1,000 towards the costs of preparing an application to the Australian Taxation office regarding Superannuation payments for Council's Committees/Panels, as outlined in the report.

- CARRIED

SECTION 8: SERVICE AND OPERATIONAL MATTERS

ITEM 8.1

NAMING OF NEW COUNCIL FACILITIES - IAN STROMBORG OAM AND KEVIN HILL OAM

CLR ASFOUR RETURNED TO THE CHAMBER AT 7.02 PM

(729)

CLR. ASFOUR:/CLR. DOWNEY

RESOLVED that

1. Council agree in principle, to name the new playground within Paul Keating Park, the *"Ian Stromborg Playground"*.
2. Council agree in principle, to name the Roberts Park Community Hub the *"Kevin Hill Roberts Park Community Hub"*.
3. Council carryout a community consultation process for the naming of the *"Ian Stromborg Playground"* and the *"Kevin Hill Roberts Park Community Hub"* and that a further report be provided to Council to consider the outcomes of the community consultation process.

- CARRIED

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SECTION 9: COMMITTEE REPORTS

(730) CLR. HARIKA:/CLR. SALEH OAM

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

- CARRIED

ITEM 9.1 MINUTES OF THE COMMUNITY & INCLUSION ADVISORY COMMITTEE MEETING HELD ON 20 MARCH 2024

(731) CLR. HARIKA:/CLR. SALEH OAM

RESOLVED that the minutes of the Community & Inclusion Advisory Committee meeting held on 20 March 2024 be endorsed.

- CARRIED

ITEM 9.2 MINUTES OF THE FLOODPLAIN MANAGEMENT COMMITTEE HELD ON 20 MARCH 2024

(732) CLR. HARIKA:/CLR. SALEH OAM

RESOLVED that the recommendations of the Floodplain Management Committee held on 20 March 2024 be endorsed.

- CARRIED

ITEM 9.3 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 27 MARCH 2024

(733) CLR. HARIKA:/CLR. SALEH OAM

RESOLVED that

1. The recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 27 March 2024, be adopted;
2. The revised Internal Audit Charter be adopted by Council;

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3. The ARIC's annual work plan be noted.
4. The ARIC'S annual work plan be endorsed by Council; and
5. The contents of the ARIC's annual report to Council be noted.

- CARRIED

ITEM 9.4
(734)

MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 9 APRIL 2024

CLR. HARIKA:/CLR. SALEH OAM

RESOLVED that

That the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 9 April 2024, be adopted.

- CARRIED

SECTION 10:

NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

(735)

CLR. RAFFAN:/CLR. ABOURAAD

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 10.2, 10.3, 10.4, 10.6, 10.9, 10.11, 10.12 and 10.14.

- CARRIED

ITEM 10.1

STATUS OF PREVIOUS NOTICES OF MOTION - APRIL 2024

(736)

CLR. RAFFAN:/CLR. ABOURAAD

RESOLVED that the information be noted.

- CARRIED

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ITEM 10.2 **OVERHEAD CROSSING AT HENRY LAWSON DRIVE**
(737) **CLR. DOWNEY:/CLR. WALSH**

RESOLVED that:-

1. Council call on Transport for NSW to urgently review its position not to construct an overhead pedestrian crossing at Henry Lawson Drive, near Pozieres Avenue, Milperra, which will provide a safer and more reliable connection for local residents.
2. Council write to the State Member for East Hills, Ms Kylie Wilkinson, urging her to throw her support behind this vital piece of infrastructure and lobby the Government to fund it.

- CARRIED

ITEM 10.3 **PICK UP AND DROP OFF**
(738) **CLR. DOWNEY:/CLR. WALSH**

RESOLVED that:-

1. Council acknowledges the need for safe pick-up and drop-off on-street parking spaces outside medical facilities, particularly larger medical facilities, and to encourage operators to apply to Council to install the necessary signage if it is required.
2. Council review its planning controls to ensure that new developments that have high usage need for drop-off and pick-up areas be required to provide for them at the DA stage of the planning process.

- CARRIED

ITEM 10.4 **TRAFFIC REVIEW; PARK ROAD AND CHILDS STREET, EAST HILLS**
(739) **CLR. WALSH:/CLR. DOWNEY**

RESOLVED that Council investigate options to enhance pedestrian safety at the intersection of Park Road and Childs Street, East Hills for consideration and inclusion in a future Capital Works Program.

- CARRIED

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ITEM 10.5
(740)

MOBILE FOOD VANS

CLR. RAFFAN:/CLR. ABOURAAD

RESOLVED that Council write to the NSW Minister for Planning and Public Spaces, Mr Paul Scully, urging his Department to better communicate the guidelines surrounding the operating of mobile food vans on private land in commercial zones.

- CARRIED

ITEM 10.6
(741)

CLOSURE OF CAMPSIE POST OFFICE

CLR. RAFFAN:/CLR. SALEH OAM

RESOLVED that:-

1. Council writes to the Federal Minister for Finance Katy Gallagher and the Federal Minister for Communications Michelle Rowland, calling on them to intervene in the decision by Australia Post to close the Campsie Post Office.
2. Council calls on Australia Post CEO Paul Graham to publicly release the 'evidence based data' which led to the decision, and to reconsider their position in light of Campsie being identified as a growth centre.

- CARRIED

ITEM 10.7
(742)

HENRY LAWSON DRIVE / THE RIVER ROAD INTERSECTION UPGRADE

CLR. RAFFAN:/CLR. ABOURAAD

RESOLVED that Council write to Transport for NSW calling on them to install traffic signals or a roundabout at the intersection of Henry Lawson Drive and The River Road to improve the safety of movements through the intersection.

- CARRIED

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ITEM 10.8
(743)

RECOGNISING ORTHODOX EASTER
CLR. RAFFAN:/CLR. ABOURAAD

RESOLVED that Council recognises and celebrates the upcoming Orthodox Easter on Sunday May 5, 2024 by erecting banners at each Council administration building in the week leading up to this holiest of days.

- CARRIED

ITEM 10.9
MOTION

NSW GOVERNMENT PLANNING CHANGES - IN THE DARK?
CLR. ISHAC:/CLR. ABOURAAD

That Council continues to collaborate, and challenge, the State Government over its proposed planning changes and not be forced into accepting changes that are not in line with Council's orderly planning, or the community's expectations.

AMENDMENT

CLR. ASFOUR:/CLR. WALSH

That Council continues to work with the State Government over its planning changes to ensure orderly planning and that community expectations are met.

THE AMENDMENT WAS ACCEPTED BY THE MOVER OF THE MOTION.

(744)

CLR. ISHAC:/CLR. ABOURAAD

RESOLVED that Council continues to work with the State Government over its planning changes to ensure orderly planning and that community expectations are met.

- CARRIED

ITEM 10.10
(745)

PROVISION OF PEDESTRIAN CROSSING IN THE VICINITY OF BRUNKER ROAD AND COOPER ROAD INTERSECTION
CLR. RAFFAN:/CLR. ABOURAAD

RESOLVED that Council investigate the need, feasibility and options of installing a pedestrian crossing across Brunker Road in the vicinity of the intersection of Cooper and Brunker Roads, Yagoona. This measure, if implemented would enhance the

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safety of pedestrians needing to cross Brunker Road and continue along Cooper Road, particularly school students attending Birrong Boys High School.

- CARRIED

ITEM 10.11

FLAGPOLES

MOTION

CLR. ZAKHIA:/CLR. ABOURAAD

That:-

1. Council investigates the costs associated with installing an extra flagpole at the current Bankstown flag location.
2. Council alternate, on a weekly basis, the flying of the Aboriginal and Torres Strait Islander Flags, during the period the Palestinian flag remains hoisted.

AMENDMENT

CLR. SALEH:/CLR. WAIBA

That Council investigates the costs associated with installing two extra flagpoles at the current Bankstown flag location to fly the Aboriginal and Torres Strait Islander flags.

THE AMENDMENT WAS ACCEPTED BY THE MOVER OF THE MOTION

(746)

CLR. ZAKHIA:/CLR. ABOURAAD

RESOLVED that Council investigates the costs associated with installing two extra flagpoles at the current Bankstown flag location to fly the Aboriginal and Torres Strait Islander flags.

- CARRIED

ITEM 10.12

KEN MCLEAN RESERVE

(747)

CLR. SALEH OAM:/CLR. DOWNEY

RESOLVED that Council include the upgrade to Ken McLean Reserve, Corner of Harp Street and Nelson Avenue, Belmore as part of Council's next year Capital Works Program for 2024/25.

- CARRIED

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ITEM 10.13 **TRAFFIC INVESTIGATION ALLAMBEE CRESCENT, BEVERLY HILLS**
(748) **CLR. RAFFAN:/CLR. ABOURAAD**

RESOLVED that Council investigate options to improve the safety and amenity of residents by preventing motorists using Allambree Crescent and Moondani Road, Beverly Hills as a short cut to access King Georges Road.

- CARRIED

ITEM 10.14 **COUNCILLOR QUESTIONS**
(749) **CLR. DOWNEY:/CLR. ZAKHIA**

RESOLVED that the matter be deferred to a future Meeting of Council.

- CARRIED

SECTION 11: **CONFIDENTIAL SESSION**

(750) **CLR. RAFFAN:/CLR. ABOURAAD**

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

Item 11.1 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 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.

- CARRIED

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ITEM 11.1
(751)

CODE OF CONDUCT INVESTIGATION REPORT

CLR. CAHILL:/CLR. WALSH

RESOLVED that:-

1. For the reasons outlined in the report by the Code of Conduct Reviewer, Council formally censures Councillor Coorey for breaches of Part 3 (General Conduct Obligations) and Part 7 (Relationship Between Council Officials) of Council's Code of Conduct, under section 440G of the Local Government Act 1993.
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
(752)

CODE OF CONDUCT INVESTIGATION REPORT

CLR. DOWNEY:/CLR. WALSH

RESOLVED that:-

1. For the reasons outlined in the report by the Code of Conduct Reviewer, Council formally censures Councillor Coorey for breaches of Part 3 (General Conduct Obligations) of Council's Code of Conduct, under section 440G of the Local Government Act 1993.
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

THE MEETING CLOSED AT 7.51 PM

Minutes confirmed 28 MAY 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	Farewell Commander Adam Johnson	31
4.2	Where Interesting Happens Launch	33
4.3	Multi Faith Meeting	35
4.4	Local Community Based Donations	37

Mayoral Minutes - 28 May 2024

ITEM 4.1 Farewell Commander Adam Johnson

Councillors

Compassionate . . . warm and friendly. . . . a decent bloke with a big smile they are just a few of the words locals describe outgoing Bankstown Police Commander Adam Johnson.

Commander Johnson's term has come to an end . . . just six weeks shy of his three-year term as boss of arguably one of the State's busiest commands.

He joined the 19 Division at a time when the State Government had imposed COVID lockdowns and tough restrictions. . . you could say it was a "baptism of fire" . . . coming to a new district and being restricted in his face to face dealings with the community.

Since then, he has been an advocate and champion on issues like domestic violence, racial abuse and youth crime in our community. . . he also attended a number of Council-run events on some of these issues.

Commander Johnson was very vocal in his defense of our City at news conferences and would time and time again say: the acts of a handful of people, should not be held against an entire community.

His style of policing was engagement rather than confrontation and held many shopping centre meet and greets with local businesses and members of the community. He built and nurtured relations with the various spiritual and religious leaders, along with charitable and not for profit organisations.

Councillors, Commander Johnson is an inspirational leader who will be sorely missed by our City, and we wish him well in his new role.

To thank him for his service to our community, I propose to hold a morning tea and award him with a Mayoral Certificate of Recognition.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 28 May 2024

ITEM 4.2 Where Interesting Happens Launch

Councillors,

How well do you know our City? I'm guessing most of you will say, quite well!

If I can share a secret, I thought I did too. . . . until I launched Council's exciting new *Where Interesting Happens* website and social platforms. . . . And it's the secret, I don't mind you sharing with others. . . .

Residents in our City and beyond will be amazed by what is happening in our City and what we have to offer. . . . from cafes and restaurants, entertainment, events and attractions, and all those hideaway places that only a few locals would know about. . . .

The Where Interesting Happens site is to promote our City, create investment and jobs and to support our local hospitality industry. . . . attracting visitors and growing our local economy. Promoting hidden gems in our suburbs and neighbourhood centres that you didn't know existed.

I recently spoke with a local resident who told me they travelled to the Sydney CBD to try out new food and sweet venues . . . what's sad about that is we have a number of places in our own backyard, like the Purple Buns burger place, or Kalinas at Georges Hall which specialises in the tantalising tastes from the Balkans. . . and if you are looking for something sweet, Ablas Lebanese patisserie at Greenacre will give you a sugar hit.

But it's not all about the food. . . . it's also about great walkways and scenery like at Sylvan Grove.

Councillors, I encourage you all to visit the website and explore what's on offer and share your experience with your friends and community. . . . and help promote what we have right here in our City a city, Where Interesting Happens

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 28 May 2024

ITEM 4.3 Multi Faith Meeting

Councillors

Our religious and spiritual leaders play an important role in our community. . . and they quietly go about their work seeking no attention or praise

As most of you are aware, a number of recent events have brought our multi-faith community together, in a show of unity and mutual respect their very public unity is testament to their commitment we can all live together in harmony.

Councillors, at a time when the community looks to its spiritual leaders for guidance and support it is important to reach out to them and lend our support.

I propose to convene a meeting, and thank them for their ongoing support, and to discuss how we can work together to ensure our community remains united and living in harmony.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 28 May 2024

ITEM 4.4 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.

Bengali New Years Event – Wiley Park

The aim of this event by the Gangchil Musical Association Inc. is to create unity and excitement amongst the Bengali association and the extended community to celebrate Bengali New Year.

Bengali New Year was hosted on Sunday 21 April 2024 at Wiley Park.

The Gangchil Musical Association Inc. is seeking Council's support by way of a contribution towards fees towards park hire. The total cost of park hire was \$1,161.00, waste charges \$673.00 and amusement device fees \$170.00.

Council support a park hire fee waiver of \$500.00 towards the event.

Bankstown City Choir 50th Anniversary

Bankstown City Choir will be celebrating its 50 Year Anniversary event in August or September this year.

This is a big milestone for the Choir and the Anniversary will raise awareness for younger people in Canterbury-Bankstown who love to sing.

The Choir was founded in 1974 under the sponsorship of Bankstown Council and the Mayor Ald. Ron Lockwood.

Bankstown City Choir is seeking financial support from Council by way of a donation towards their event.

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

Jieh Sport Day

The Australian Jieh Community Club are holding a sport day to connect with the community where they will have different teams for different age groups, young men and women, playing futsal and basketball at the Bankstown Basketball Stadium.

The Australian Jieh Community Club is seeking support from Council by way of a donation towards their event.

Council support a donation of \$750.00 towards the event.

Western Districts Joggers and Harriers Fun Run

The Western Districts Joggers and Harriers are a local community running club based at Lake Gillawarna, Georges Hall for over 50 years. They will be holding a Community Charity Running Festival (Fun Run) on the 14th of July 2024 at Lake Gillawarna, with the proceeds going to local charities.

Western Districts Joggers and Harriers are seeking the waiving of park hire and waste fees. The total cost of this year's event is \$611.00.

Council support a park hire and waste fee waiver of \$500.00 towards the event.

RECOMMENDATION

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.

Councillors, I put the Mayoral Minute.

5 PLANNING MATTERS

The following items are submitted for consideration -

- | | | |
|-----|---|----|
| 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 | 41 |
| 5.2 | Draft Planning Agreement - 44 Kitchener Parade, Bankstown | 45 |
| 5.3 | Draft Housekeeping Amendments to Canterbury-Bankstown DCP 2023 and Community Participation Plan | 49 |

Planning Matters - 28 May 2024

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**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

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

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

RECOMMENDATION

That the report be noted.

ATTACHMENTS

[Click here for Attachments](#)

- A. Clause 4.6 return for January to March 2024 quarter
- B. Planning related court appeals as of 1 May, 2024
- C. List of active planning proposals

POLICY IMPACT

This matter has no policy implications.

FINANCIAL IMPACT

This matter has no financial implications.

COMMUNITY IMPACT

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

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

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

DETAILED INFORMATION

1. DEVELOPMENT APPLICATIONS

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

For the third quarter of the 2023/24 financial year, Council determined 133 development applications and 51 Section 4.55 applications (applications to modify a development consent), with a total capital investment value of \$150,521,433. The median gross determination time for all development applications for the first three quarters was 67 days.

Reporting of development applications which involved a Clause 4.6 submission

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

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

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

Attachment B to this report provides details of the appeals currently before the New South Wales Land and Environment Court, as of 1 May 2024. The attached list identifies a total of 16 active appeals. The report also provides information on appeals that have been finalised between 1 July 2022 and 1 May 2024. In that period there were 31 matters settled by way of a Section 34 agreement after amendments were made to the proposal to address Council's contentions. Seven appeals were discontinued by the applicant, four were dismissed and six appeals upheld but only after the applicant submitted amended plans as part of the Court process to address Council's contentions. There is one appeal awaiting judgement.

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

2. PLANNING PROPOSALS

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

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

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



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

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

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

Planning Matters - 28 May 2024

ITEM 5.2 Draft Planning Agreement - 44 Kitchener Parade, Bankstown

AUTHOR Planning

PURPOSE AND BACKGROUND

This report seeks Council approval to exhibit a draft planning agreement in relation to 44 Kitchener Parade, Bankstown.

ISSUE

In August 2021, the Local Planning Panel considered a development application (DA 605/2019) to demolish existing structures and construct a seven storey mixed use development under the provisions of State Environmental Planning Policy (Affordable Rental Housing) 2009 at 44 Kitchener Parade, Bankstown. The issue is the proposed development was unable to provide three off-street parking spaces for the commercial floor space. If is not possible to accommodate these three spaces on the site, the property owner has the option to address this shortfall through a monetary contribution via a planning agreement.

The Local Planning Panel approved the development application on a deferred commencement basis, subject to the property owner and Council reaching an agreement on the monetary contribution required to be paid in-lieu of providing the three additional off-street parking spaces.

The property owner has agreed in-principle to enter into a planning agreement, which is the subject of this report. The next step would be to exhibit the draft planning agreement, and for Council to decide whether to enter into the planning agreement following the exhibition.

RECOMMENDATION That -

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

ATTACHMENTS

[Click here for Attachments](#)

- A. Draft Planning Agreement
- B. Consistency with Council's Planning Agreements Policy and Canterbury-Bankstown DCP 2023 (Chapter 3.2-Parking)
- C. Local Planning Panel Report and Minutes - DA 605/2019

POLICY IMPACT

The draft planning agreement, which proposes to make a monetary contribution in-lieu of providing three off-street parking spaces, is consistent with Council's Planning Agreements Policy and Canterbury-Bankstown Development Control Plan 2023 (Chapter 3.2 - Parking), as it was current at the time of the development consent (DA 605/2019).

FINANCIAL IMPACT

The draft planning agreement will make a monetary contribution of \$125,911.83 in lieu of providing three off-street parking spaces. The monetary contribution is set aside for the construction of public parking spaces as detailed in Council's Bankstown CBD Car Parking Strategy.

COMMUNITY IMPACT

This financial contribution will be used to invest in additional public parking spaces within the Bankstown CBD, benefiting those who live, work and visit the area.

DETAILED INFORMATION

Background

At the Meeting of 2 August 2021, the Local Planning Panel considered a development application (DA 605/2019) to demolish existing structures and construct a seven storey mixed use development comprising a two-level basement car park, two levels of commercial floor space and 14 residential apartments at 44 Kitchener Parade, Bankstown.

However, due to the site constraints, the site is unable to accommodate three additional off-street parking spaces. As it is not possible to accommodate these three spaces on the site, the applicant has the option to address this shortfall through a monetary contribution via a planning agreement under Council's Planning Agreement Policy and Canterbury-Bankstown Development Control Plan 2023 (Chapter 3.2-Parking), as it was in force at the time of the development assessment (DA 605/2019).

The Local Planning Panel therefore approved the development application on a deferred commencement basis, subject to the applicant and Council reaching an agreement on the monetary contribution required to be paid in-lieu of providing three off-street parking spaces. The Local Planning Panel report is provided in Attachment C. Subsequent Section 4.55 Modification application was approved in January 2024 to allow applicants more time to fulfil the deferred commencement condition.

Planning Agreement

In response to the Local Planning Panel's determination, the property owner has provided in-principle support to enter into a planning agreement. The intended outcome of the planning agreement is to make a monetary payment of \$125,911.83 in-lieu of providing three off-street parking spaces.

A draft planning agreement has been prepared in accordance with Council's Planning Agreements Policy (the Policy), as provided in Attachment A. Clause 1.8 of the Policy outlines the principles that govern whether Council should enter into a planning agreement.

The draft planning agreement is recommended for exhibition for the following key reasons:

- The draft planning agreement is acceptable on planning grounds as there is a clear public benefit. The contribution to be received under the draft planning agreement will help the implementation of the Bankstown CBD Car Parking Strategy, which aims to provide public parking at strategic locations in the Bankstown CBD;
- The public parking will be always available for use by the general public and will not be available exclusively to service the demand generated by the proposed development; and
- The draft planning agreement represents the cost of constructing a parking space in line with the Policy.

Attachment B provides details on the consistency with Council's Planning Agreements Policy and Canterbury-Bankstown Development Control Plan 2023 (Chapter 3.2-Parking).

Next Steps

Should Council support the exhibition of the draft planning agreement, the exhibition will be held for a minimum 28 days. The matter would be reported to Council following the exhibition.

ITEM 5.3 Draft Housekeeping Amendments to Canterbury-Bankstown DCP 2023 and Community Participation Plan

AUTHOR Planning

PURPOSE AND BACKGROUND

This report proposes to exhibit draft housekeeping amendments to the Canterbury-Bankstown Development Control Plan 2023 (DCP) and Community Participation Plan (CPP). These amendments seek to:

- Address changes in State Government or construction standards policy;
- Respond to decisions of Council;
- Address a number of matters that resulted from the consolidation of the former Bankstown and Canterbury DCPs; and
- Ensure our plans remain current and encourage best-practice design and development outcomes.

ISSUE

Council's planning rules aim to promote orderly development that contributes to a beautiful and sustainable City. The planning rules apply to development applications and planning proposals and comprise the Canterbury-Bankstown Local Environmental Plan 2023 and supporting planning documents, namely the DCP and CPP. The DCP and CPP matters are subject of this report.

The DCP provides objectives and development controls to enhance the function, design, and amenity of development. The CPP establishes how Council engages with the community in carrying out its land use planning functions.

Council carries out periodic reviews to ensure the DCP and CPP are up to date and simple to understand. A review by Council officers identifies the need for draft housekeeping amendments to address certain issues, as outlined in this report. The issues include addressing Council resolutions, responding to State planning reforms, reinstating former provisions that were inadvertently omitted during the consolidation of the former DCPs, and providing additional guidance on the interpretation of some existing development controls. These issues are addressed in detail as part of the Issues Paper at Attachment C, and are summarised in this report.

It is proposed to exhibit the draft DCP and CPP amendments in accordance with the CPP, with a further report to Council following the exhibition period.

RECOMMENDATION 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.

ATTACHMENTS

[Click here for Attachments](#)

- A. Draft housekeeping amendments to Canterbury-Bankstown Development Control Plan 2023
- B. Draft housekeeping amendments to Community Participation Plan
- C. Issues Paper

POLICY IMPACT

This matter is consistent with Council's *Connective City 2036* and Operational Plan (Ref 6.2.2, page 122), which requires Council to review and amend Council's planning framework as required to ensure currency, suitability, and compliance. The exhibition of the proposed amendments will occur in accordance with Council's CPP, which requires a minimum 28 day exhibition period.

FINANCIAL IMPACT

This matter has no financial implications for Council.

COMMUNITY IMPACT

This matter supports our community to understand planning, design and regulatory matters that create a better place.

DETAILED INFORMATION

Canterbury-Bankstown Development Control Plan 2023

The DCP is a planning document which supports the Canterbury-Bankstown Local Environmental Plan 2023 by providing objectives and development controls to enhance the function, appearance, and amenity of development. The DCP came into effect in June 2023 and applies to development applications, modification applications, and determination reviews.

The draft housekeeping amendments propose to address issues relating to:

- Safe access to medical centres;
- Parking for places of worship;
- National and State planning and standard changes;
- Tidy up of issues relating to the consolidation of the former Bankstown and Canterbury controls;
- Provide clarification to existing controls;
- Ensure currency and best-practice in design and sustainability to support design excellence objectives in the LEP; and
- Other minor administrative updates.

These matters are addressed in detail below.

Key Issue 1: Council resolution to investigate safe access to medical centres

A Notice of Motion acknowledged the need for medical centres to provide safe access for visitors, particularly seniors and people with disabilities who are currently being dropped off some distance away from medical centres.

It is proposed to address this issue by requiring development applications to provide at least one car space for safe drop-off and pick-up, either on-site or on-street based on availability, safety and a parking study.

Key Issue 2: Council resolution to review parking for places of public worship

A Notice of Motion requested Council to review ways to manage parking for new or expanding places of public worship.

The review looked at other councils' planning rules and best practice across Australia, and considered issues raised in development applications and court appeals. Council officers also visited places of public worship of different faiths in Canterbury-Bankstown (both in and out of centres) to observe traffic and parking movements before and after services.

The review found that:

- Traffic congestion and increased demand for on-street parking are issues in relation to places of public worship during normal services and special events.
- Most councils require places of public worship to provide on-site parking and apply a numerical parking rate based on gross floor area.

- The existing parking rate is appropriate for smaller places of public worship where the gross floor area of the assembly area is 500m² or less, or a rate based on a parking study, if the applicant is seeking a reduced parking provision.
- For larger places of public worship that tend to draw from a regional catchment area, a parking study is required to validate whether the existing parking rate is adequate given the greater reliance on cars.
- Development applications need to provide additional details to assess the impact and management of traffic and parking on the surrounding area.

In considering the review findings, it is proposed to address this issue by:

- For places of public worship located outside a centre (B2, B4 Zone) and where the gross floor area of the assembly area is 500m² or less; applying a parking rate of one car space per 5m² of the assembly area or a rate based on a parking study, if the applicant is seeking a reduced parking provision.
- For places of public worship located within a centre (B2, B4 Zone) or where the gross floor area of the assembly area is greater than 500m²; applying a parking rate of one car space per 5m² of the assembly area. However, this rate is to be validated through a parking study, to be submitted with the application.
- Requiring parking studies to make comparisons with similar sized places of public worship (i.e., like for like) in relation to capacity and vehicle occupancy rates.
- Requiring management plans to provide additional details on the function and operation of indoor and outdoor spaces on the site; circulation of people and vehicles within the site; control measures to manage on-site and on-street parking; and complaints handling and resolution procedures.
- Including internal circulation spaces and covered outdoor areas as 'assembly areas' for the purpose of determining the most appropriate parking rate.

Key Issue 3: National and State planning changes

Existing control	Draft housekeeping amendment								
<p><u>SEPP names</u></p> <p>The DCP refers to certain State Environmental Planning Policies, including the SEPP No 65 (Design Quality of Residential Apartment Development), SEPP (Affordable Rental Housing) 2009 and SEPP (Building Sustainability Index: BASIX) 2004.</p>	<p><u>All Chapters</u> – Reference the new SEPP names as listed below.</p> <table border="1"> <thead> <tr> <th>Former name</th><th>New name</th></tr> </thead> <tbody> <tr> <td>SEPP (Affordable Rental Housing) 2009</td><td>SEPP (Housing) 2021</td></tr> <tr> <td>SEPP No 65 (Design Quality of Residential Apartment Development)</td><td>SEPP (Housing) 2021</td></tr> <tr> <td>SEPP (Building Sustainability Index: BASIX) 2004</td><td>SEPP (Sustainable Buildings) 2022</td></tr> </tbody> </table> <p>Reason: To correspond with the Department of Planning, Housing and Infrastructure's changes to the SEPP names.</p>	Former name	New name	SEPP (Affordable Rental Housing) 2009	SEPP (Housing) 2021	SEPP No 65 (Design Quality of Residential Apartment Development)	SEPP (Housing) 2021	SEPP (Building Sustainability Index: BASIX) 2004	SEPP (Sustainable Buildings) 2022
Former name	New name								
SEPP (Affordable Rental Housing) 2009	SEPP (Housing) 2021								
SEPP No 65 (Design Quality of Residential Apartment Development)	SEPP (Housing) 2021								
SEPP (Building Sustainability Index: BASIX) 2004	SEPP (Sustainable Buildings) 2022								
<p><u>Electric vehicle charging equipment</u></p> <p>The DCP does not contain controls in relation to electric vehicle charging equipment.</p>	<p><u>Chapter 3.2 (Parking)</u> – Require the indoor car parks of apartments and shop top housing to include ceiling cable trays to allow residents to install electric vehicle charging stations to individual bays, when required.</p> <p>Reason: To support the National Construction Code and Council's Resilient CBCity Strategy, which require parking spaces</p>								

Existing control	Draft housekeeping amendment
	in high density development to have access to electric vehicle charging equipment.
<p><u>Parking rate for gyms</u></p> <p>The DCP does not contain a parking rate for gyms. Development applications must submit a parking study.</p>	<p><u>Chapter 3.2 (Parking)</u> – Introduce a parking rate for gyms, being three spaces per 100m² gross floor area.</p> <p>Reason: To provide additional guidance in the assessment and determination of proposed gyms, taking into consideration the recommended parking rate in the Transport for NSW’s Guide to Traffic Generating Developments and Draft Guide to Transport Impact Assessment.</p>
<p><u>Parking rate for shop top housing in the former Bankstown LGA</u></p> <p>The DCP provides a parking rate for retail/business premises on the ground floor, however not for other potential uses.</p>	<p><u>Chapter 3.2 (Parking)</u> – Update the parking rate to also apply to commercial premises and health services facilities on the ground floor.</p> <p>Reason: To correspond with the Department of Planning, Housing and Infrastructure’s change to the definition of shop top housing. The definition broadens ground floor uses to include commercial premises and health services facilities.</p>
<p><u>On-street waste collection</u></p> <p>The DCP does not identify limitations to Council’s on-street waste collection service to inform development proposals.</p>	<p><u>Chapter 3.3 (Waste Management)</u> – Inform proposals that Council’s waste trucks cannot provide on-street waste collection services at locations where waste trucks are not permitted to stop in accordance with road rules e.g., ‘no stopping’ zones.</p> <p>Reason: To comply with the Transport for NSW’s road rules.</p>
<p><u>Access handle width</u></p> <p>The DCP requires a minimum 3.5m width for battle-axe handle driveways.</p>	<p><u>Chapter 3.5 (Subdivision)</u> – Increase the minimum width to 3.75m.</p> <p>Reason: To be consistent with the Australian Standards AS 2890.1, which requires a minimum 3.75m width to address safety and sight distances.</p>

Key Issue 4: Reinstate former provisions that were inadvertently omitted during the consolidation of the former DCPs

Existing control	Draft housekeeping amendment
<p><u>Types of applications that the DCP applies to</u></p> <p>The DCP indicates it applies to the assessment and determination of development applications.</p>	<p><u>Chapter 1.1 (Introduction and Administration)</u> – Clarify that the DCP applies to the assessment and determination of development applications, modification applications and determination reviews.</p> <p>Reason: Reinstates the provision of the former Canterbury DCP 2012 (Part A, clause A1.9, page 4).</p>

Existing control	Draft housekeeping amendment
<p><u>Savings provision</u></p> <p>At its Ordinary Meeting of 25 May 2021, Council adopted the Canterbury-Bankstown Development Control 2023. The resolution included a savings provision for the DCP to apply to development applications lodged on or after the date that the DCP came into effect.</p>	<p><u>Chapter 1.1 (Introduction and Administration)</u> – Repeat the savings provision in the DCP.</p> <p>Reason: Reinstates the approach taken by the former Bankstown DCP 2015 (Introduction, page 3) and former Canterbury DCP 2012 (Part A, clause A1.9, page 4), which is to have the savings provision sit in the DCP. This would make it easier for applicants to find the savings provision in the DCP, rather than referring to the Council minutes.</p>

Key Issue 5: Provide additional guidance on the interpretation of some existing development controls

Existing control	Draft housekeeping amendment
<p><u>Tree vandalism</u></p> <p>The existing controls permit the removal of dead trees as exempt development. However, the exempt criteria do not consider whether the dead trees were the subject of tree vandalism, such as applying chemicals, drilling, wounding trunks/roots, and other actions that cause injury or damage to trees.</p>	<p><u>Chapter 2.3 (Tree Management)</u> – Define tree vandalism and strengthen controls to protect trees on public and private land from tree vandalism.</p> <p>Reason: The additional guidance would permit the removal of dying or dead trees as exempt development provided Council is satisfied that the condition of the trees is not the subject of tree vandalism. Otherwise, approval is required under Council’s Tree Management Order, and may require landowners to replace dead trees.</p> <p>This amendment follows a Notice of Motion (February 2024), which raised concern about incidents of tree vandalism, such as 85 reported breaches of Council’s Tree Management Order involving wilful damage to protected trees in 2022-23.</p>
<p><u>Torrens Title subdivision of dual occupancies in the former Canterbury LGA</u></p> <p>Policy 53-056 of the former Canterbury City Council contains the controls in relation to the Torrens Title subdivision of dual occupancies in the former Canterbury LGA.</p>	<p><u>Chapter 5.2 (Residential Accommodation)</u> – Transfer Policy 53-056 to the DCP.</p> <p>Reason: To make it easier for applicants to view Council’s planning rules in relation to the Torrens Title subdivision of dual occupancies in the former Canterbury LGA. The consolidation of the planning rules would mean repealing Policy 53-056 to streamline Council’s policy register.</p>
<p><u>Treatment of blank facades</u></p> <p>The existing controls require development to architecturally treat blank walls that can be</p>	<p><u>Chapters 5.1, 5.2, 6.1, 7.1 and 8.1</u> – Provide additional guidance on requirements to treat blank walls.</p>

viewed from the street or other public domain area (such as railway corridors) by incorporating public art, variation in building materials and/or other architectural design methods to Council's satisfaction.	<p>Reason: The additional guidance would limit the extent of blank walls in the business zones and high density residential zone by requiring development to include certain facade features.</p> <p>Where adjacent development is unlikely to occur in the short term, blank side walls should include public art or murals.</p>
<p><u>Public domain improvements</u></p> <p>The existing controls do not provide guidance for development to improve the look and amenity of the streetscape by undergrounding street power lines.</p>	<p><u>Chapters 5.1, 5.2, 6.1 and 7.1</u> – Provide additional guidance for development to underground street power lines.</p> <p>Reason: The existing controls require new buildings in the business zones and high density residential zone to carry out public domain works to improve the look and amenity of the streetscape for residents, shoppers, workers and visitors (e.g., new footpaths and street tree planting).</p> <p>The additional guidance would require new buildings to underground any street power lines fronting the site. This would occur as part of the public domain works and would assist to achieve greater street tree canopy.</p>

Other issues

Attachments A and C outline other issues that the draft housekeeping amendments propose to address.

Community Participation Plan

The CPP is a planning document which establishes how Council engages with the community in carrying out its land use planning functions. The CPP came into effect in November 2019 and applies to development applications and planning proposals.

The draft housekeeping amendments propose to address the following key issue:

Existing control	Draft housekeeping amendment				
The CPP does not identify the exhibition period for Council-related development applications.	<p>Amend Table 1 (page 7) by adding the following row:</p> <table border="1"> <tr> <th>Development Application</th><th>Minimum public exhibition period</th></tr> <tr> <td>Application for development consent for council-related development</td><td>28 days</td></tr> </table> <p>Reason: To ensure the CPP is consistent with the Council-related Development Application Policy, as adopted by Council at its Ordinary Meeting of 28 February 2023.</p>	Development Application	Minimum public exhibition period	Application for development consent for council-related development	28 days
Development Application	Minimum public exhibition period				
Application for development consent for council-related development	28 days				

Next Steps

The next step is to exhibit the draft housekeeping amendments for public comment, with a further report to Council following the exhibition period.

6 POLICY MATTERS

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

7 GOVERNANCE AND ADMINISTRATION MATTERS

The following items are submitted for consideration -

- | | | |
|-----|---|----|
| 7.1 | Cash and Investment Report as at 30 April 2024 | 63 |
| 7.2 | Code of Meeting Practice - Amendment to 2024 Schedule of Meetings | 67 |

Governance and Administration Matters - 28 May 2024

ITEM 7.1 Cash and Investment Report as at 30 April 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 30 April 2024.

RECOMMENDATION That -

1. The Cash and Investment Report as at 30 April 2024 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

ATTACHMENTS [Click here for Attachments](#)

- A. Arlo Advisory Monthly Investment Report April 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 30 April 2024

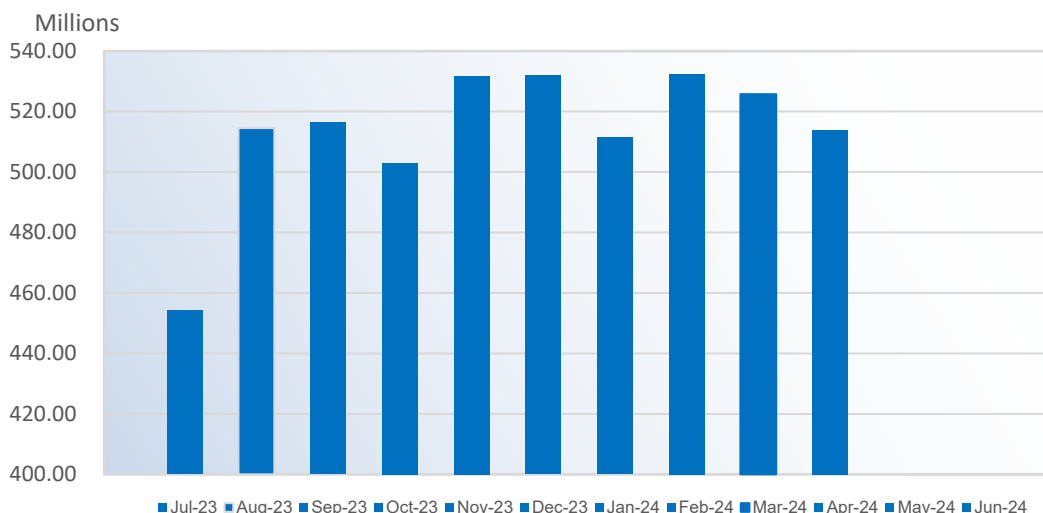
In total, Council's cash and investment holdings as at 30 April 2024 is as follows:

Cash and investments	\$
Cash at bank	1,056,665.82
Deposits at call	24,528,376.59
Term deposits	389,017,588
Floating Rate Notes	61,074,872.50
Bonds	38,166,803.20
Total cash and investments	513,844,306.12

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	4.9	
Working capital funds (0-3 months)	14.0	100
Short term (3-12 months)	31.8	100
Short – medium (1-2 years)	28.4	70
Medium (2-5 years)	19.6	50
Long term (5-10 years)	1.3	5
Total cash and investments	100%	

Portfolio allocation	
	Actual % of portfolio
Cash at bank	0.2
Deposits at call	4.8
Term deposits	75.7
Floating Rate Notes	11.9
Bonds	7.4
Total cash and investments	100%

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

Interest income	April 2024 \$	Year-to-date April 2024 \$
Budget	1,841,250	18,412,500
Actual interest	2,080,241	19,241,412
Variance	238,991	828,912
Variance (%)	12.98%	4.5%

Governance and Administration Matters - 28 May 2024

ITEM 7.2 **Code of Meeting Practice - Amendment to 2024 Schedule of Meetings**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

To amend the adopted 2024 Schedule of Council Meetings.

ISSUE

It is proposed that the December 2024 Ordinary Meeting be rescheduled from Tuesday, 10 December 2024 to Tuesday, 3 December 2024, for the reasons as outlined in the report.

RECOMMENDATION 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.

ATTACHMENTS

Nil

POLICY IMPACT

The report presents no policy impacts.

FINANCIAL IMPACT

The report has no financial impacts.

COMMUNITY IMPACT

The report does not present any significant impacts for the community.

DETAILED INFORMATION

Issue

As has been raised with me in the past, a number of festive season events/functions are generally held during the month of December – particularly by the many community groups throughout our local government area.

Generally, the community groups tend to invite both the Mayor and Councillors to those events in their civic role/capacity to indeed celebrate with their organisation/stakeholders and importantly support and acknowledge the great work they do.

Given Council's requirement to hold a meeting throughout December and importantly provide Councillors added scope to be able to attend relevant festive season events/functions, it is proposed that Council's scheduled December 2024 Ordinary Meeting be moved from Tuesday, 10 December 2024 to Tuesday 3 December 2024.

Proposed Administrative Changes

In considering the matter, temporary administrative changes will need to be applied to ensure that Council observes relevant provisions of the Local Government Act 1993 and Code of Meeting Practice requirements, in terms of preparing and distributing the Agenda and Business Paper.

The proposed changes are as follows:

Description	Date
Councillors to submit proposed Notice of Motions or Questions with Notice	By 11:00am on Thursday, 28 November
Distribution of Notice of Ordinary Meeting, Agenda and Business Paper to Councillors	Friday, 29 November
Public access to Agenda and Business Paper	Friday, 29 November
Request from Public to speak at Public Forum	Prior to 12 noon on Tuesday 3 December

The above temporary changes are not considered substantial, nor do they significantly depart from Council's current provisions of the Code – and as such may be adopted for the purposes conducting the December 2024 Ordinary Meeting.

The above administrative requirements/timeframes will revert to Council's standard Code of Meeting Practice provisions for all future meetings.

8 SERVICE AND OPERATIONAL MATTERS

The following items are submitted for consideration -

8.1	Property Matter - 1A Leyland Parade, 1B and 1C Edison Lane, Belmore	73
8.2	Update on Western Sydney Infrastructure Grants Program (formerly WestInvest)	77
8.3	Campsie Hub	81
8.4	Adoption of Community Infrastructure Strategic Plan	91
8.5	Property Matter - Proposed Acquisition of Land Adjacent to the Intersection of Miller Road and Mundamatta Street, Villawood	101

Service and Operational Matters - 28 May 2024

ITEM 8.1 **Property Matter - 1A Leyland Parade, 1B and 1C Edison Lane, Belmore**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

The purpose of this report is to advise Council of the outcome of the exhibition period for the proposed new lease with Belmore Bowling and Recreation Club Ltd (the Club) for the property located at 1A Leylands Parade, Belmore, and 1B and 1C Edison Lane, Belmore.

On 27 February 2024, Council resolved to agree in principle to enter into a three-year lease with no option with the Club and to publicly exhibit the proposed lease in accordance with the requirements of the Local Government Act 1993.

ISSUE

To note the recent exhibition of the proposed three-year lease with the Club at 1A Leylands Parade, Belmore, and 1B and 1C Edison Lane, Belmore – whereby six submissions were received with no objections raised regarding the proposed new lease.

That being said, it is proposed that Council agree to granting a three year lease to the Club.

RECOMMENDATION 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.

ATTACHMENTS

[Click here for Attachments](#)

- A. Report to 27 February 2024 Ordinary Council Meeting - Item 8.1 - Property Matter - 1A Leyland Parade, 1B and 1C Edison Lane, Belmore

POLICY IMPACT

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

FINANCIAL IMPACT

The recommended action retains the level of rental for the site currently being paid by the Club.

COMMUNITY IMPACT

The current facility is nearing the end of its asset life. At the same time the demand and use of the facility has steadily declined over time. Currently there is only one of the original three greens being used. The proposed lease will allow the Club to temporarily continue to operate for the next three years. During this time the Club have indicated that they will explore opportunities with other organisations.

DETAILED INFORMATION

Public Exhibition

Public exhibition for the proposed Lease took place from 19 March 2024 to 23 April 2024 in accordance with the requirements of the *Local Government Act 1993*.

The public exhibition consisted of the following:

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

The “Have Your Say Page” had 217 views with six submissions received. Five submissions expressed support for the new lease and one submission was an enquiry about the lease i.e., if the intention was to lease the property or was it an invitation to tender. No objections were received to the proposed lease.

Plan of Management

The proposed use of the land aligns with the core objectives identified in the adopted Generic Plan of Management for the site.

Recommendation

Given that there have been no objections to the proposed lease, it is recommended Council enter into a new three-year lease with the Club based on the agreed terms and conditions.

Service and Operational Matters - 28 May 2024

ITEM 8.2 Update on Western Sydney Infrastructure Grants Program (formerly WestInvest)

AUTHOR City Future

PURPOSE AND BACKGROUND

At the August 2023 Council Meeting, an update was provided on the outcome of Council's funding applications under the WestInvest program. Since this update, and following the change of NSW Government, the WestInvest program has been rebranded to the Western Sydney Infrastructure Grants Program (WSIG).

The purpose of this report is to provide an update on the status of Council's WSIG projects, as detailed in Attachment A.

ISSUE

After a period of review and negotiation, the Funding Deeds for all WSIG funded projects have now been executed. Program timing across Council's WSIG projects has been updated following the execution of the Funding Deeds.

The projects announced under the Local Government Allocation have commenced project planning/design as part of Council's 2023/24 Capital Works Program. Competitive Round projects have been identified to commence as part of the draft 2024/25 Capital Works Program.

RECOMMENDATION

That the WSIG Project Update be received and noted.

ATTACHMENTS

[Click here for Attachments](#)

-
- A. WSIG Program Update Number 2

POLICY IMPACT

This report, as written, does not have a direct policy impact. The projects funded under this program are in alignment with Council's strategic position and existing adopted strategies and plans for broader community impact. After the consideration of legal advice sought by Council, further amendments were made to the Funding Deeds, which allowed Council to progress with signing.

FINANCIAL IMPACT

This report, as written, does not have a direct financial impact.

Project budgets were updated following the execution of the Funding Deeds to align with grant milestone payments. Further budget updates will continue to be managed through Council's Annual Budget and Quarterly Review process.

COMMUNITY IMPACT

The delivery of these projects is a once in a generation opportunity to deliver much needed infrastructure to our City and will deliver a range of social, cultural, economic or environmental benefits to the community. Due to the transformative nature of these projects, Council will be engaging with the community at the suitable stages of each project.

DETAILED INFORMATION

As reported to the August 2023 Council meeting, a number of councils participated in a joint legal review of the draft Funding Deed. As a result of this review and subsequent negotiations, minor updates were made to the Funding Deed and Council has since executed the revised agreements.

Funding Deeds for projects funded through the Local Government Allocation were executed in November 2023. This has enabled Council to commence planning and design of the six projects funded through the Local Government Allocation as part of the 2023/24 Capital Works Program. As each project scope varies in nature, value, and complexity, the projects are currently progressing at different stages, with most either in project planning and scoping or concept design development. Construction of milestone one projects within the Local Traffic Program will be completed by the end of the first quarter of 2024/25.

Deeds for the Competitive Round projects were executed later, in March 2024 and these projects are identified for commencement in the draft 2024/25 Capital Works Program.

The recent rebranding of the WestInvest Program to the Western Sydney Infrastructure Grants Program (WSIG) has required Council to sign Deed of Variations for each project. While this alters the original Funding Deeds, the changes are administrative in nature and do not impact delivery of the projects.

As stated in the original Funding Deeds, Council is required to provide quarterly reports to the Western Sydney Infrastructure Grants Program Office (WSIGPO). These reports outline the status of each project, including budget and communications. This allows the WSIGPO to monitor the performance of the projects and maintain accountability of the applicant to meet the requirements of the WSIG funding. Council continues to meet this quarterly requirement.

A further condition of funding is the requirement to prepare a Monitoring and Evaluation Plan for each project. The Plan considers Council's performance in delivering each project and the extent to which the intended outcomes and benefits have been realised. Draft Plans for the Local Government Allocation projects have been submitted to the WSIGPO and are currently under review. Once approved, Council will be required to report against the Plan during the project implementation phase and for up to two years post commissioning.

The WSIG Project Update (Attachment A) provides a detailed update on the status of Council's engagement with the program, project priorities and the next steps to be undertaken. The summary table below provides an overview for the purposes of this report.

Project Status - Local Government Allocation
Revitalising Campsie Civic Precinct <ul style="list-style-type: none"> • Stage: Concept design • Current Status: WSIG Funding Deed executed, principal design consultant engaged, location options investigated and reported to Council • Next Steps: Concept design to be prepared, update to Councillors, community consultation to be undertaken for the approved concept design
Panania Library and Knowledge Centre <ul style="list-style-type: none"> • Stage: Tender and appointment – design consultant • Current Status: WSIG Funding Deed executed, request for quotation for principal design consultant is closed and under evaluation • Next Steps: Appoint principal design consultant and commence concept design
Wran District Park (known as Goondah Reserve Embellishment) <ul style="list-style-type: none"> • Stage: Concept design • Current Status: WSIG Funding Deed executed, Community Engagement and Communications Plan developed, early works commenced, principal design consultant engaged, concept design commenced • Next Steps: Concept design to be prepared, update to Councillors, community consultation to be undertaken for the approved concept design
Roberts Park Community Hub <ul style="list-style-type: none"> • Stage: Concept design • Current Status: WSIG Funding Deed executed, principal design consultant engaged, concept design prepared, community consultation on design completed • Next Steps: Concept design to be updated following community feedback, Development Application to be lodged
Belmore and Lakemba Town Centre Renewal <ul style="list-style-type: none"> • Stage: Project planning and scoping • Current Status: WSIG Funding Deed executed, request for quotation for principal design consultant is currently being prepared • Next Steps: Update to Councillors on scope, finalise project brief and deliverables, appoint principal design consultant and commence concept design
Local Traffic Program <ul style="list-style-type: none"> • Stage: Construction of Milestone 1 projects • Current Status: WSIG Funding Deed executed, concept design finalised for Milestone 1 projects, construction of Milestone 1 projects commenced • Next Steps: Complete Milestone 1 projects, planning for Milestone 2 projects
Project Status – Competitive Round
Creating a Walking City <ul style="list-style-type: none"> • Stage: Planning and scoping • Current Status: WSIG Funding deed executed • Next Steps: Finalise project planning and commence detailed
Electrifying the City <ul style="list-style-type: none"> • Stage: Planning and scoping • Current Status: WSIG Funding Deed executed • Next Steps: Finalise project brief and scope, site investigation of EV charger locations, confirm suitable location for Solar Farm

Service and Operational Matters - 28 May 2024

ITEM 8.3 **Campsie Hub**

AUTHOR **City Future**

PURPOSE AND BACKGROUND

At the 26 March 2024 Ordinary Meeting, Council resolved that “Council include a further option for the design of the new Campsie Cultural Hub that considers the entire Council owned land within the Campsie civic precinct”.

The purpose of this report is to provide an update on the work undertaken in response to the resolution of Council.

ISSUE

In December 2023, Council endorsed the appointment of a design consultant to prepare a concept for the Campsie Cultural Hub. This follows the successful application and subsequent funding under the Western Sydney Infrastructure Grants Program (formerly WestInvest).

The scope of the design includes a new central library, flexible community spaces, civic spaces, a music hub, improvements to the Orion Centre and public domain improvements. The original scope was based on the premise of retaining the existing Campsie administration building (excluding the annex). Based on the resolution of Council at the March meeting, the brief has been expanded to consider the best outcome when considering the future of the entire precinct.

RECOMMENDATION

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

ATTACHMENTS

Nil

POLICY IMPACT

The planning work undertaken to date, and the subsequent work on the additional concept option, is consistent with previous resolutions of Council and adopted policy positions, such as the 2023/24 Operational Plan, Campsie Masterplan, Council's Local Strategic Planning Statement, Connective City 2036 and considers the resolution of Council on 27 June 2023 not to proceed with the refurbishment of the existing Campsie Administration building as it was not considered financially responsible.

FINANCIAL IMPACT

This project has been funded through the Western Sydney Infrastructure Grants Program (formerly WestInvest) and Developer Contributions.

As noted in the report to Council in June 2023, the Campsie Administration Building requires over \$17M worth of maintenance works. Council will be required to make a significant financial decision to resolve the future of this building no matter which approach it decides to take.

Subject to which option is resolved, the concept design will be further developed. At this time a report will be provided to Council with the updated project scope and revised costs of the project.

COMMUNITY IMPACT

This project promises to be a pivotal initiative that goes beyond traditional concepts of infrastructure. It is poised to significantly enhance various aspects for the community, delivering a broad spectrum of benefits ranging from cultural and educational enrichment to economic prosperity and enhanced regional identity. The establishment of the Hub stands as a cornerstone for fostering cultural and community infrastructure in Campsie.

There are no changes to what is proposed to be delivered in the project scope, rather an additional option has been developed that considers the layout and best location for the new facility. A summary of the options can be found in the body of the report including the broader community benefits of the preferred option.

DETAILED INFORMATION

The Project

Campsie is set to undergo significant transformational change, evolving beyond its physical landscape to become a civic and cultural nucleus for inner Sydney.

The Campsie Town Centre Masterplan identifies the opportunity for a new civic, community and cultural service at the Campsie Civic Centre site, creating a new, vibrant, focal point for the community.

The new facility is poised to emerge as a central hub, offering a range of new and consolidated facilities tailored to meet the needs of both residents and workers, a facility our community has been waiting for and deserves. It is the first stage of bringing the aspirations of the Campsie Masterplan to life.

The Western Sydney Infrastructure Grants Program (formerly WestInvest) enabled Council to bring this vision to life. In December 2023, Council endorsed the appointment of a design consultant to prepare a concept for the Campsie Cultural Hub.

The scope of the design includes approximately 4,500 square metres of floor space over four storeys and will include:

- 3,000 square metre new library, including multipurpose meeting space, office space, complementary commercial/retail and back-of-house spaces;
- 1,100 square metre multimedia and cultural space;
- 300 square metre music hub;
- Improvements to the Orion Theatre (subject to heritage constraints);
- 1,500 square metre civic plaza with employment-generating spaces of up to 150 square metres; and
- 4,000 square metre outdoor open spaces.

The original scope of works was contained to the area marked in red below (Figure 1).

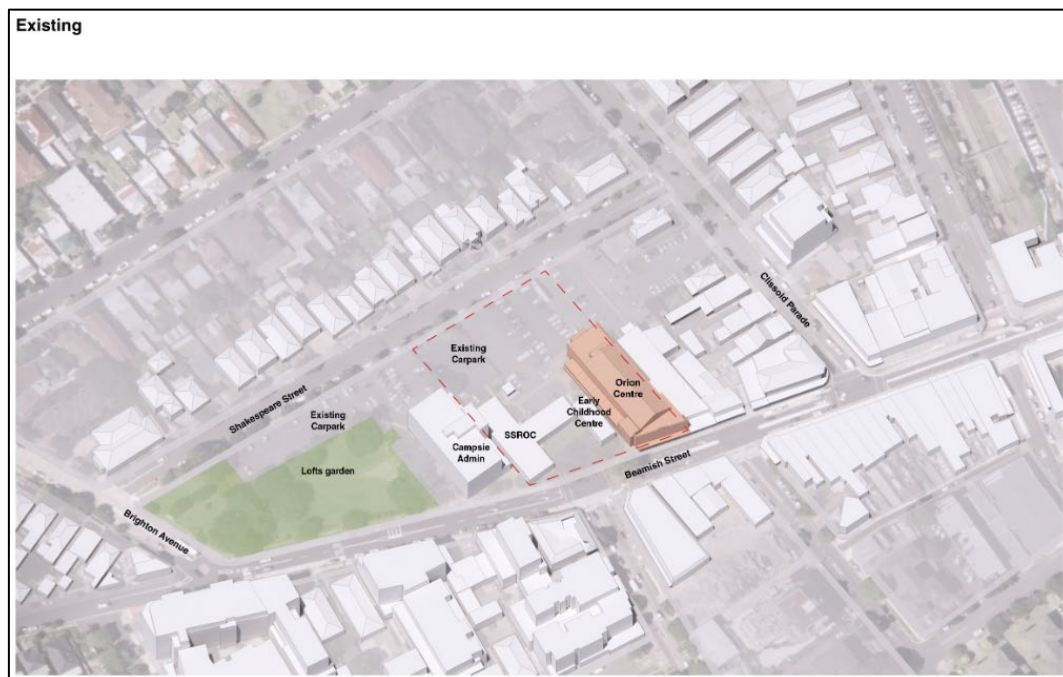


Figure 1

Campsie Cultural Hub – Option 1

This option is referred to as the ‘Campsie Cultural Hub’, as the primary purpose of the facility is to provide cultural services (library, meeting spaces, music).

Following the appointment of the design consultant, an initial concept was commenced based on the option of locating the new building on the existing carpark site backing on to Shakespeare Street. The Hub would sit behind and be connected to the Orion Centre.

Option 1 would see the existing administration building retained. This proposal would see a temporary public domain and remediated area between the administration building and plaza. This was proposed to be temporary until such time as Council made a future decision on the Campsie Administration Building, noting that it can’t continue to operate in the long term without substantial investment.

The option provides the opportunity for improvement to the Orion Centre, subject to heritage constraints. However, it is to be noted that this may need to be temporarily closed for a period of time to allow for the works due to the development of the hub adjacent the building.

The current carparking will be reduced in size to make way for the new building.



Figure 2 (Option 1 – Campsie Cultural Hub)

Campsie Hub – Option 2

On 26 March 2024 Council resolved "that Council include a further option for the design of the new Campsie Cultural Hub that considers the entire Council owned land within the Campsie civic precinct".

As a result of this resolution, the design consultant was requested to investigate the entire precinct to determine the best outcome if there were no constraints placed on its location. Having undertaken a detailed urban design exercise, an alternative option (Option 2) has been developed.

This option is referred to as the 'Campsie Hub' as it has allowed for a broader function.

The new building is proposed to be located addressing Beamish Street, Lofts Garden and a new public plaza. It involves incorporating the Campsie administration building into the new facility. This option would result in the existing aged infrastructure being demolished and replaced with a state of the art facility.

The option includes a new plaza located between the new Campsie Hub and the Orion Theatre, rather than a temporary solution as proposed in Option 1. The existing trees along Beamish Street will be retained and new trees added to the plaza with improved shade and shelter.

The Site Plan ensures continuous operation of the Orion Centre with opportunity for improvement, subject to heritage constraints.

The current carparking will be maintained for use by staff, the community and visitors to the Orion Theatre.



Figure 3 (Option 2 – Campsie Hub)

Options Assessment

A review has been undertaken setting out the pros and cos of both options. A summary table is provided below.

Option	Pros	Cons
Option 1 – Campsie Cultural Hub	<p>Cultural Hub is connected to the Orion Centre to allow for easy access</p> <p>Allows for a future decision on the Council administration building</p>	<p>Overshadowed plaza</p> <p>Poor visibility and connectivity to Beamish Street</p> <p>Temporary plaza / domain</p> <p>Orion Centre will have to temporary close</p> <p>Reduced car parking</p> <p>Location of Hub adjacent residential buildings may cause disruption</p>
Option 2 – Campsie Hub	<p>Improved connectivity and visual presence with Beamish Street</p> <p>Superior solar access</p> <p>Activation and connection to Lofts Garden</p> <p>Orion Centre can remain operational</p> <p>Permanent plaza</p> <p>Existing carpark can be retained</p> <p>Incorporates new space for staff, customer service and Council chambers</p>	<p>Hub is disconnected from the Orion Centre</p> <p>Relies on demolition of the existing Council administration building</p>

Preferred Option

The advice provided by the independent Consultant engaged to undertake the design has confirmed that Option 2 is the preferred option.

As summarised above, Option 1 would mean the Campsie Cultural Hub would have limited visibility and connectivity to Beamish Street. It would create a one-sided plaza, resulting in a less appealing public domain including the necessity for a remediated area between the plaza

and the Council admin building and reduced car parking. It would also require the temporary closure of the Orion Centre, resulting in loss of revenue and amenity for the community.

From a placemaking perspective retaining the existing administration building creates a significant divide between the planned urban design spaces of the existing open space and the new facilities and public domain.

Option 2 locates the new Campsie Hub prominently addressing Beamish Street, Lofts Garden and a new public plaza. It provides improved pedestrian access to the site and links the residential areas to the north east to Beamish Street. The building and plaza will have access to sun and light throughout the year. Such space is lacking in Campsie on the northern side of the railway line.

The recommended Site Plan will complete the Beamish Street frontage down to Lofts Garden, providing better perceptions of safety and encourage more people to use the open space. The Site Plan ensures continuous operation of the Orion Centre with the opportunity for future expansion if required. The current carparking will be maintained for use by staff, the community and visitors to the Orion Theatre.

By considering the precinct as a whole, the preferred option (Option 2) will maximise the cultural, economic, educational and social benefits of the project that can't be realised otherwise.

Implications for the existing Administration Building

Option 2 as recommended does require the demolition of the existing administration building. However, this does not mean the activities and services are no longer provided. Rather, it would allow the existing functions currently occurring in the building (Customer Service, staff area) and old functions such as a chamber space for Council meetings to be reintroduced should Council wish, to be incorporated into a new purpose-built facility.

As reported to Council in June 2023, the Council administration building at Campsie is 60 years old and does not meet current building code and accessibility standards and therefore community needs. To extend the life of the building, the Facilities Asset Management Plan (FAMP) identifies over \$17M worth of maintenance works required (excluding the former Council Chambers) and provides no improvement in compliance, accessibility or function.

Option 2 as proposed would address the long-term maintenance liability Council must address while still continuing to deliver all of the services and activities the building currently provides.

Conclusion

Campsie is set to undergo significant transformational change, evolving beyond its physical landscape to become a civic and cultural nucleus for inner Sydney. The development of a new community building in Campsie will see the introduction of state-of-the-art facilities dedicated to community activities and cultural enrichment. This project is poised to emerge as a central hub, offering a range of new and consolidated facilities tailored to meet the needs of both residents and workers. It is a facility our community has been waiting for and deserves.

The proposed Campsie Hub is not merely a physical infrastructure project but a once in a generation opportunity to provide services that create a vibrant, resilient, and connected community. It positions Campsie as a dynamic and thriving destination for generations to come.

The Campsie Town Centre Masterplan identified the opportunity for a new civic, community and cultural service at the Campsie Civic Centre site. Council now has the opportunity to reimagine the site, as demonstrated through Option 2, to maximise the site potential as well as ensure the cultural, economic, educational and social benefits of the project can be delivered. Therefore, it is recommended that Council proceed with concept planning for the new Campsie Hub based on Option 2 for the reasons outlined in the report.

ITEM 8.4 Adoption of Community Infrastructure Strategic Plan

AUTHOR City Future

PURPOSE AND BACKGROUND

Council has recently completed an extended period of community engagement on the draft Community Infrastructure Strategic Plan (the Plan). The purpose of this report is to provide a summary of the feedback received on the Plan, outline updates proposed for the Plan based on community feedback, and to present the updated Plan to Council for adoption.

ISSUE

The Canterbury-Bankstown Community Infrastructure Strategic Plan (the Plan) is the first strategic plan addressing community building assets for the City. Commonly referred to as social infrastructure or community facilities, community infrastructure includes a group of assets that are provided for the community from which services and programs can be provided and where activities, events and functions can be undertaken.

The most common types of Council provided community infrastructure include libraries, meetings halls, neighbourhood centres, cultural and creative facilities, early childhood health centres, senior citizens' centres, leased spaces and scout and girl guide halls. The term can also encompass other Council facilities, including leisure and aquatic centres and open space, these have not been included in this draft Plan, as planning for these facilities are guided by other Council strategies including the Leisure and Aquatic Strategic Plan and the Sports Facilities Strategic Plan.

Canterbury-Bankstown has an extensive and diverse range of community infrastructure, with many of these assets ageing, no longer fit for purpose, built in a different era for prior generations who had markedly different needs from the people of 2024 and beyond.

Maintaining the status quo is no longer a viable option for Council. Many of the facilities covered under the Plan are due for renewal or replacement and are not meeting the needs of our community. The Plan recommends renewal through a process of consolidation of older assets and where appropriate upgrading existing assets into new multipurpose community facilities.

The Plan will be used by Council to inform planning, funding and prioritisation of the delivery of infrastructure going forward. It will also inform where Council will look for opportunities with external partners for the provision of new facilities, including delivery models and shared used of facilities to ensure the needs and demands of the existing and future community continue to be met.

RECOMMENDATION

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

ATTACHMENTS

[Click here for Attachments](#)

- A. Draft Community Infrastructure Strategic Plan
- B. Submissions on the draft Community Infrastructure Strategic Plan

POLICY IMPACT

The draft Plan is the first combined Strategic Plan for the City focusing on these assets and will supersede all previous studies.

The Plan responds to the Asset Management Strategy by addressing the two most pressing issues faced by local government. Namely the development of funding and resourcing strategies in order to address the growing asset renewal gap and to clear existing unfunded renewals within a reasonable timeframe. This will enable the optimisation of renewal and maintenance budgets to minimise overall costs and impacts to the community.

The Plan supports the aspirations of the Community Strategic Plan, CBCity 2036, by contributing to the 'Safe and Strong' destination. It will do so by facilitating the provision of high quality, fit for purpose buildings for use and where services can be provided to the community.

The Plan also delivers specifically on the Council's Local Strategic Planning Statement, Connective City 2036, Action E7.7.149 to "Develop a community facilities strategic plan to ensure opportunities for multipurpose community infrastructure".

FINANCIAL IMPACT

The Plan provides a long-term strategic direction for the future provision of community infrastructure for the community.

While there is no immediate financial impact as a result of this Report, the Plan provides direction for approximately \$329M worth of assets. This represents a significant financial burden to Council, and importantly only represents the cost of a like for like replacement of facilities built 30 years prior and to different standards. The actual cost of delivering replacement assets will be much higher as any new facility will be required to meet modern provision standards.

The Plan provides recommendations for assets, however any proposals to divest or dispose of assets will be subject to a specific report to Council for consideration. Where the Plan recommends divestment, it is proposed the proceeds of any sale should be allocated towards the provision of new and/or replacement community infrastructure.

Delivery of infrastructure identified in the Plan will be subject to Council's prioritisation, budget allocation and capital works processes.

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. As mentioned above, community facilities represent a significant proportion of Council's asset portfolio and, as a community resource, represent a strong financial commitment by Council to the community.

It is important to note, where the Plan recommends planned decommissioning, renewal and divestment of a Council facility, this does not mean the immediate closure of the facility. The Plan includes a direction to ensure consideration of service continuity.

Council will undertake further community engagement and needs analysis as part of delivery of any new community infrastructure identified in the Plan.

DETAILED INFORMATION

The Plan identifies three major challenges for the future provision of community infrastructure for the City. Understanding these challenges provides the necessary basis for decision making and investment in Canterbury-Bankstown Council's network of community infrastructure. These challenges are:

- Managing an ageing network of community infrastructure;
- Meeting the needs of the existing and future population; and
- Funding and financing of community infrastructure.

Managing an ageing network of community infrastructure

The Plan provides recommendations for 149 facilities across Canterbury-Bankstown. Of these 73 percent (four in five facilities) are over 30 years old and in average condition, with some nearing the end of their economic service life. Both of these factors contribute to higher maintenance and compliance costs which will continue to escalate as these assets continue to age.

Between 2020 and 2022, Council spent approximately \$5.3M on capital works across 21 facilities within the community infrastructure asset category covered under this Plan. Funding for maintenance was mainly sourced through general revenue, and the bulk of this expenditure was spent on minor upgrades.

It is important to note, continued incremental investment on legacy assets only slows their rate of decline (rather than bringing these assets up to modern provision standards), but at the same time, ongoing investment in these ageing facilities impacts Council's ability to fund new and fit for purpose facilities that are better placed to service the needs of the community.

Meeting the needs of the existing and future population

Many of the facilities provided by Council are ageing, no longer fit for purpose, built in a different era for prior generations. Some of the facilities are basic in design, often only accommodating single user groups. Typically, these facilities include a hall, kitchenette, amenities, limited storage space and limited or no provision of air conditioning or technology. Significant retrofitting is required to meet current standards including accessibility requirements. In addition to not meeting the community's needs, they represent risk to Council.

Whilst some facilities are well situated in Council's key commercial centres and transport nodes, there are a number of facilities that are located out of centres, isolated from other facilities and public transport, limiting access to certain parts of the community. Some facilities are also in low density residential areas, thereby restricting community uses in order to minimise impacts on adjoining residents.

The branding of facilities for a specific purpose, such as a scout hall or senior citizens centre, is also not reflective of the broad range of uses often carried out in these facilities. All the above mentioned factors impact on community utilisation of community infrastructure.

Funding and financing of community infrastructure

The main funding source for community facilities comes from general funds. Council relies on grant funding to assist in covering the cost of delivering new facilities to supplement gaps in funding. Grant funding (such as Western Sydney Infrastructure Fund) is generally nonrecurrent, available periodically on a competitive basis and not always guaranteed.

Development contributions have a direct relationship with population growth as the result of new development, and legislatively can only be utilised for specific works identified in Council's development contributions plan. In Canterbury-Bankstown, while there will be growth, approximately 80 percent of the anticipated 2036 population is existing, which limits the amount of development contributions available to assist in funding of community infrastructure.

THE PLAN

How the plan was developed

As part of the development of the Plan, several key phases and tasks were undertaken to ensure Council had a holistic understanding of the community infrastructure currently being provided across the City which included:

- Reviewing of existing Council strategies, studies and policies;
- Audit and mapping of Council and external community infrastructure, including location and distribution of Council and external community infrastructure to understand patterns of provision across the City;
- Collecting the perspectives of users of community infrastructure in the City, including analysis of patterns of use, and perceptions of Council-owned and external community infrastructure across the LGA; and
- Early consultation with stakeholders to determine community infrastructure needs by sector and demographic groups.

Hierarchy of community infrastructure

Community infrastructure includes a broad group of assets. The Plan provides direction for the following types of community infrastructure:

- Libraries;
- Community centres and halls;
- Scout and girl guide halls;
- Cultural facilities;
- Senior citizens centres;
- Men's sheds;
- Youth centres;
- Early learning centres;
- Child health care centres; and
- Public toilets in key town centres and open space.

Other community infrastructure not covered by the draft Plan include:

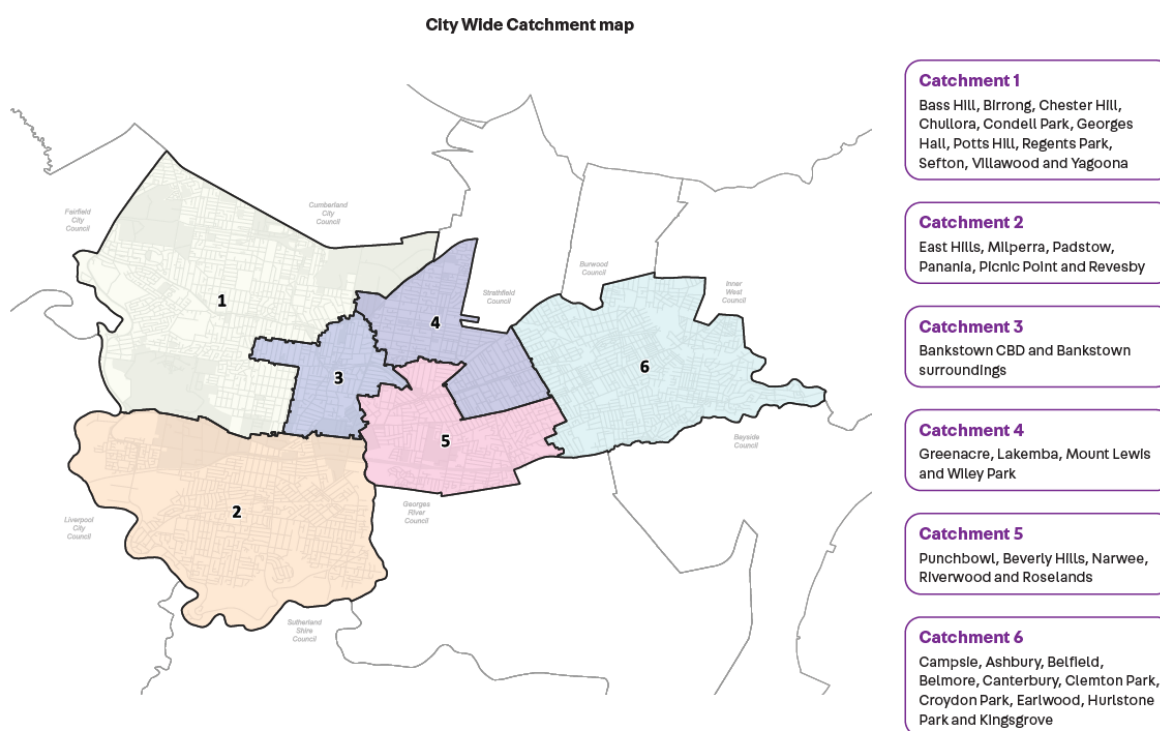
- Council's operational buildings such as the Bankstown and Campsie administration buildings and works depots;
- Bowling clubs;
- Investment properties;
- Leisure and aquatic centres;
- SES headquarters; and
- Sporting facilities including amenities buildings and clubhouses.

These facilities (with the exception of Leisure and Aquatics facilities and sporting facilities) have not been included in the Plan as they are required for Council to undertake its governance and administrative responsibilities or are for specialised uses with no community access, such as SES headquarters.

Structure of the Plan

The Plan defines the local government area into six geographical catchment areas, this approach is consistent with the methodology that informed the preparation of Council's Local Strategic Planning Statement, *Connective City 2036*. The Plan provides a set of recommendations for each of the catchment areas based on their current and anticipated future characteristics that include:

- Existing community facility provision;
- Quality and condition of existing facilities;
- Forecast population growth and community needs; and
- Provision of community infrastructure by other providers including schools and registered clubs.



High level recommendations

More broadly, the Plan sets out the following key directions:

- Consolidate assets into multipurpose clusters targeting specific outcomes;
- Maintain reduced number of standalone facilities for specific needs;
- Consolidate youth facilities with existing recreation facilities and open space;
- Consider planning controls to encourage/facilitate provision of community spaces in new developments in key town centres;
- Pursue partnerships with the Department of Education and other providers for shared use of facilities; and
- Unlocking of divestment opportunities to assist in funding the delivery of improved community facilities.

Catchment Area Outcomes

Key long-term recommendations identified for each catchment are as follows:

Catchment 1

- Multipurpose community facilities at Condell Park, Georges Hall and Villawood;
- New district level library and knowledge centre (including community spaces) at Chester Hill; and
- New Youth focused facility within the catchment.

Catchment 2

- Multipurpose community facilities in Padstow and Revesby; and
- New district level library and knowledge centre (including community spaces) in Panania.

Catchment 3

- Multipurpose community centre at Griffith Park, Bankstown;
- Multipurpose community centre at Paul Keating Park;
- Reconfigure and/or renovate Bankstown Library and Knowledge Centre to accommodate increased community demand; and
- Expand the Bankstown Arts Centre to support the long-term operation and visitor access.

Catchment 4

- Multipurpose community centre and branch library and knowledge centre at Roberts Park, Greenacre;
- New district level library and knowledge centre (including community spaces) at Lakemba; and
- New Youth focused facility within the catchment.

Catchment 5

- Improve access to community meeting rooms at Morris Iemma Indoor Sports Centre;
- Investigate renewal of the Riverwood Community Centre dependent on funding opportunities that may become available; and
- Work with development partners to explore opportunities for provision of community spaces as part of redevelopment of the Roselands Leisure and Aquatic Centre and adjoining Roselands shopping centre.

Catchment 6

- New district level library and knowledge centre and Community Hub (including community spaces) at Campsie; and
- Multipurpose community centre and branch library and knowledge centre in Earlwood.

Current community infrastructure projects

The following multipurpose community facilities are currently in various stages of planning and design. The planning for these new facilities has considered the high-level principles contained within the Plan.

- New multipurpose facility at Panania including a new Library and Knowledge Centre and associated community spaces, this facility will consolidate the existing senior citizens centre, baby health clinic and the existing library into the new facility;

- New multipurpose community centre at Roberts Park, consolidating the spaces within the existing community centre, Greenacre Senior Citizens centre and Greenacre Library and Knowledge Centre into the new facility;
- Campsie Hub including a new library and knowledge centre, civic meeting facilities, music hub and indoor and outdoor community spaces;
- New multipurpose community centre at Thurina Park, Villawood comprising of new meeting spaces and community hall; and
- New multipurpose facility at Griffith Park, Bankstown including consolidation of spaces within the Bankstown Senior Citizens Centre into a new facility.

Operational considerations

The Plan makes recommendations specific to the building condition/ asset rather than providing an assessment or comment on any of the services, community groups or hirers that may operate from a facility.

The directions for operational requirements such as leases, casual hirers and the like will be addressed in the Community Facilities Policy (under development).

ENGAGEMENT

Public exhibition and community engagement process

Given the significance and future financial commitments associated with this Plan, public exhibition of the draft Community Infrastructure Strategic Plan was conducted over an extended period of four months, from 3 December 2023 through to 31 March 2024.

As part of this process, a number of tools were used to engage with stakeholders including Council's "Have Your Say" page, Facebook and other social media, posters at community facilities available for general hire, targeted emails to users and lessees of community facilities and face to face meetings with interested stakeholders.

The "Have Your Say" page was viewed by 811 people, 23 people provided feedback via the Have Your Say survey form and eight people provided direct email submissions. As noted earlier in the report, Council will undertake further community engagement and needs analysis as part of the planning process and delivery for any new community infrastructure identified in the Plan.

Summary of public submissions

The "Have Your Say" page provided the community with the opportunity to provide feedback on the draft Plan, but also on how, why and when they use Council facilities. Of the 23 surveys completed, over 80% of respondents used Council facilities more frequently than once a month. The most commonly accessed facilities were libraries, local community spaces and public toilets and this reflected the services being accessed; borrowing books or attending community classes, and accessing services for children and families. Almost 80% of respondents also utilised non-Council-run community facilities, such as sporting clubs, registered clubs and places of worship.

Respondents used Council facilities because they are often close to home, accessible and cost effective, and in many cases, Council was the only provider. When they used non-Council-run facilities it was because they were considered to be newer, cleaner, better maintained, and met their requirements better.

Common areas for improvement in Council facilities were the need for commercial kitchens, storage space, access to better technology (e.g., audio visual equipment), better connectivity with public transport, the need for accessible toilets and facilities, and air conditioning.

In addition to the surveys completed, there were eight formal submissions, and these are outlined in Attachment B. Key themes from the formal submissions were;

- Importance of well located and designed facilities to cater for a range of users;
- Locating of facilities with other uses including commercial and recreational areas;
- Importance of other service providers (currently utilising Council facilities) in providing services to the community and the need to retain these facilities;
- Need for public toilet facilities to cater for a range of users (including adult changing facilities); and
- Community infrastructure provided by the others including registered clubs should not be relied on to replace Council facilities.

Amendments to the Plan

A number of changes have been made to the Plan following public exhibition as the result of feedback and other administrative changes. The Plan has also been updated to:

- Incorporate administrative changes including typos, reference corrections, grammar and clarifications;
- Include a new direction for owner-initiated planning proposals including State Government led initiatives that result in higher population forecast than those identified in the Plan to be supported by community infrastructure analysis;
- Include a new direction for new lease agreements to be accompanied by a Building Condition Asset Report, this reflects existing Council processes;
- Include a new direction to ensure that the principles of the Plan apply to new assets not currently identified in the Plan; and
- Provide additional notations to reflect assets that are heritage items listed under the Canterbury-Bankstown Local Environmental Plan 2023.

CONCLUSION

Canterbury-Bankstown has a strong history in providing services and facilities for the community, reflecting our aspiration for a City that is Safe and Strong. The priority works outlined in the Plan will be considered as part of future Delivery Programs and Operational Plans and form the basis of investment into community infrastructure into the future to ensure Council continues to provide community facilities to meet the needs of the community.

Service and Operational Matters - 28 May 2024

ITEM 8.5 **Property Matter - Proposed Acquisition of Land Adjacent to the Intersection of Miller Road and Mundamatta Street, Villawood**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

Council is proposing to upgrade the intersection of Mundamatta Street and Miller Road Villawood, by installing a roundabout in Miller Road. To do so it will need to acquire two small pieces of land (totalling 52.6 square metres in area), owned by Transport for NSW (TfNSW) for the construction work. TfNSW, as the landowner requests that Council compulsorily acquire the land.

Council's authority is requested for the proposed land acquisition and for the Chief Executive Officer to proceed with the compulsory acquisition of the land under the Land Acquisition (Just Terms Compensation) Act and negotiate and determine any compensation payable to TfNSW based on a valuation provided by a registered valuer.

ISSUE

Council proposes to compulsorily acquire freehold land from TfNSW for the purpose of road widening to help with the facilitation of the construction of a new roundabout in Miller Road, Villawood.

RECOMMENDATION 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.

ATTACHMENTS

Nil

POLICY IMPACT

The report has no policy impact.

FINANCIAL IMPACT

The cost of purchasing the land can be funded from Blackspot grant funding for the project.

COMMUNITY IMPACT

The acquisition, and conversion of the subject land will provide for the safe and effective functioning of the intersection for our community.

DETAILED INFORMATION

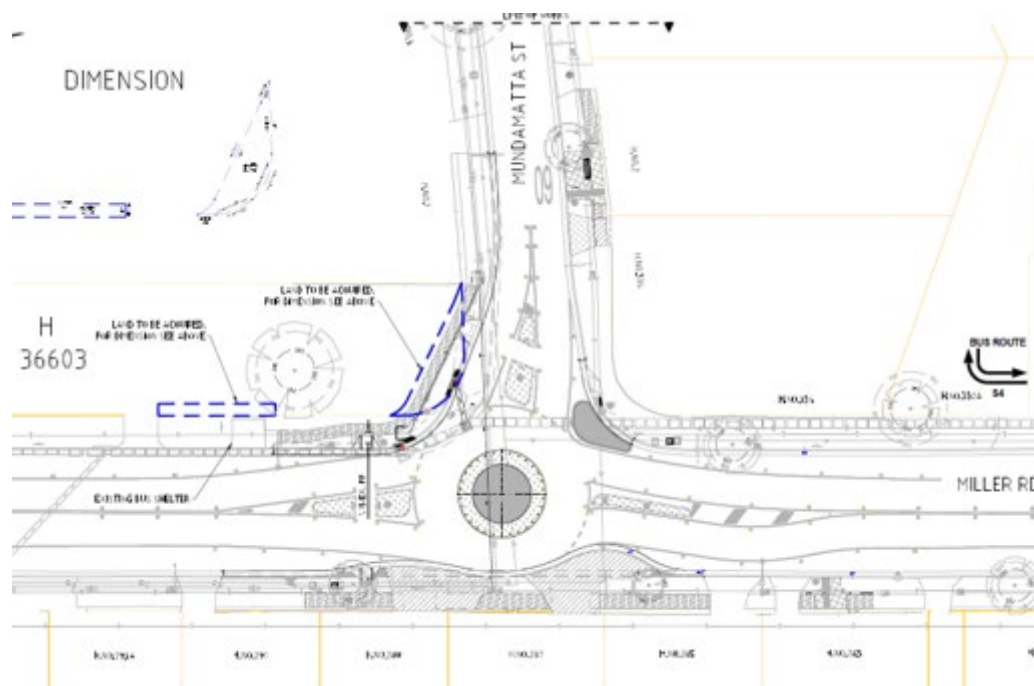
Background

Council is proposing to compulsorily acquire two separate pieces of land (parts of 976 Hume Highway Villawood - Lot H DP36603) owned by TfNSW at the intersection of Mundamatta Street and Miller Road, Villawood for the upgrade of the intersection by way of construction of a roundabout. The land from which the proposed pieces are to come is a small section of “Remembrance Driveway” between Miller and Woodville Roads (refer to below diagram).

Aerial photographs showing the parcel referred to as 976 Hume Highway (Remembrance Driveway portion outlined in blue) and proposed land acquisition (Portion of which outlined in yellow)



A diagram illustrating the detailed proposed treatment of the intersection and showing the two pieces of land proposed to be acquired (totalling 52.6 square metres in area), appears below.



There have been concerns for the safety of road users of this intersection due to the relatively high number of injury accidents associated with cross traffic movements. Due to the high volume of traffic on Miller Road, motorists exiting Mundamatta Road have difficulties turning right onto Miller Road under the current 'Give-Way' controls. Those injuries and accidents can be mitigated by the installation of a roundabout which can both improve pedestrian accessibility and moderate vehicle traffic speeds.

The proposal needs to be designed and built so as to maintain vehicular access to the directly affected properties on Miller Road. To facilitate access to those properties, Miller Road needs to be widened which requires Council acquiring land for the south-western corner of the intersection.

The footway will also be widened which allows the bus stop in this location to be reconstructed so as to comply with the Disability Discrimination Act (DDA) standards for bus stops. This will provide access for people with limited mobility, vision impairment, and ensure pedestrian safety by providing a buffer from the kerb to the path.

Funding

Council has been successful in obtaining an additional grant for this project from the programme for TfNSW's "Blackspot location" improvement funding to local roads authorities.

Communications with TfNSW

TfNSW has requested that Council compulsorily acquire the land in line with the provisions of the Land Acquisition (Just Terms Compensation) Act (LA(JTC) Act. Council will seek to negotiate with TfNSW on settlement of terms such as the compensation amount, survey and registration costs and terms and conditions of a construction licence. TfNSW has also advised that the proposed land acquisition will require its collaboration with the Remembrance Driveway Council.

TfNSW has indicated that Council can be granted access to the land for construction purposes subject the parties first entering:

1. A mutually suitable Deed (in accordance with Section 29 of the LA(JTC) Act; and
2. A licence to occupy such land (and additional working space) at nominal consideration once the deed is executed by the parties. The licence term to continue until Council becomes the formal owner of the land.

Legal Context

Council is the Roads Authority for the purposes of, and in accordance with, the Roads Act 1993. Part 12 of the Roads Act authorises Roads Authorities to acquire land for “.... Any of the purposes of the Act”.

Such acquisition may be by either:

- Agreement with the owner/s; or
- compulsory process, in accordance with the Land Acquisition (Just Terms Compensation) Act 1991; or
- a combination of both (e.g., a compulsory acquisition on prior agreed terms with the “to-be-dispossessed” owner).

Widening or otherwise re-configuring the geometry of an existing road/s in appropriate circumstances is a valid purpose (referable to general responsibility for road work and traffic regulation for the purposes of Parts 6 and 8 of the Act) for Council as the relevant responsible Roads Authority in this instance.

Our legal advisers have confirmed that the request from TfNSW that Council undertake the acquisition by way of compulsory acquisition is a reasonable request in the circumstances and that Council has the power to do so.

Considerations

The proposed compulsory acquisition of the parcels of land is supported as the construction of the roundabout will provide for the safe and effective functioning of the intersection for our community. On this basis the following recommendation for proposed action is provided to Council.

Proposed Approach

- (a) The proposed compulsory acquisition of the land identified in the report, for the purposes of improving road safety and widening/ better configuring of the subject roads' intersection, be authorised;
- (b) The Chief Executive Officer be authorised to negotiate with the owner of the land to determine suitable compensation for the acquisition of the land, based on a valuation provide by a registered valuer and in accordance with Council's obligations as prescribed by the Land Acquisition (Just Terms Compensation Act 1991;
- (c) Authority be granted to negotiate and enter-into a construction licence for the associated work, including but also extending beyond, the area to be acquired by Council for road-widening purposes;
- (d) If the acquisition referred to in recommendation pertaining to (a), (b) and (c) above cannot be negotiated by agreement, or if required pursuant to the terms of any agreement with TfNSW, then Council agree to:
 - (i) Acquire the land by compulsory acquisition under sections 186 and 187 of the Local Government Act 1993 (NSW) and in accordance with the requirements of the Land Acquisition (Just Terms Compensation) Act 1991 (NSW);
 - (ii) Approve the making of an application to the Minister of Local Government for the issue of a proposed Acquisition Notice under the Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the land AND THAT Council request that the Minister for Local Government approve a reduction in the notification period from ninety (90) days to sixty (60) days; and
 - (iii) Approve the making of an application to the Governor for the publication of an Acquisition Notice in the NSW Government Gazette under Land Acquisition (Just Terms Compensation) Act 1991 (NSW) with respect to the land.
- (e) The Mayor and Chief Executive Officer be delegated authority to sign all documentation under the Common Seal of Council, as required;
- (f) The cost of acquisition be funded from Blackspot grant funding received by Council; and
- (g) Upon acquisition of the land referred to in resolution (a) above, it be classified as operational land in accordance with Section 31 of the Local Government Act 1993.

9 COMMITTEE REPORTS

The following items are submitted for consideration -

9.1	Minutes of the First Peoples Advisory Committee Meeting Held on 22 April 2024	109
9.2	Minutes of the Environment Advisory Committee Meeting Held on 1 May 2024	113
9.3	Minutes of the Community Safety Advisory Committee Meeting Held on 9 May 2024	115
9.4	Minutes of the Traffic Committee Meeting Held on 14 May 2024	119

Committee Reports - 28 May 2024

ITEM 9.1 **Minutes of the First Peoples Advisory Committee Meeting
Held on 22 April 2024**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

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

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

ISSUE

Endorsement of the First Peoples Advisory Committee minutes.

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

RECOMMENDATION

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

ATTACHMENTS

[Click here for Attachments](#)

- A. Minutes of the First Peoples Advisory Committee meeting held on 22 April 2024

POLICY IMPACT

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

FINANCIAL IMPACT

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

COMMUNITY IMPACT

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

DETAILED INFORMATION

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

ITEM D: ADDITIONAL PLAQUE AT THE JOHN PARKES MONUMENT IN EARLWOOD OVAL

RECOMMENDATION

THAT Council support the Advisory Committee's request for the unveiling ceremony to be held on Wednesday 20 March 2024 in the afternoon.

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no cost implications arising from the recommendation.

Committee Reports - 28 May 2024

ITEM 9.2 **Minutes of the Environment Advisory Committee Meeting
Held on 1 May 2024**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

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

The minutes of the Environment Advisory Committee meeting are attached.

ISSUE

Endorsement of the Environment Advisory Committee minutes.

RECOMMENDATION

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

ATTACHMENTS

[Click here for Attachments](#)

- A. Minutes of the Environment Advisory Committee meeting held on 1 May 2024

POLICY IMPACT

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

FINANCIAL IMPACT

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

COMMUNITY IMPACT

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

Committee Reports - 28 May 2024

ITEM 9.3 Minutes of the Community Safety Advisory Committee Meeting Held on 9 May 2024

AUTHOR Corporate

PURPOSE AND BACKGROUND

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

The minutes of the Community Safety Advisory Committee meeting are attached.

ISSUE

Endorsement of the Community Safety Advisory Committee minutes.

The recommendations and requested Council actions of the Community Safety Advisory Committee are listed in the Detailed Information section of this report.

RECOMMENDATION

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.

ATTACHMENTS

[Click here for Attachments](#)

- A. Minutes of the Community Safety Advisory Committee meeting held on 9 May 2024

POLICY IMPACT

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

FINANCIAL IMPACT

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

COMMUNITY IMPACT

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

DETAILED INFORMATION

The recommendations and requested Council actions from the Community Safety Advisory Committee are listed below.

ITEM 7: ADVISORY COMMITTEE MEMBER ORGANISATIONS

RECOMMENDATION

THAT Council support the addition of a representative from the Canterbury Bankstown Inclusive Communities Network to the Community Safety Advisory Committee's Charter.

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no cost implications arising from the recommendation. Should Council endorse the recommendation the Charter for the Advisory Committee will be amended accordingly.

Committee Reports - 28 May 2024

ITEM 9.4 **Minutes of the Traffic Committee Meeting Held on 14 May 2024**

AUTHOR **City Assets**

PURPOSE AND BACKGROUND

Attached are the minutes of the Canterbury Bankstown Council Local Traffic Committee meeting held on 14 May 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 14 May 2024, be adopted.

ATTACHMENTS

[Click here for Attachments](#)

A. Traffic Committee Meeting Minutes: 14 May 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.

10 NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

The following items are submitted for consideration -

10.1	Status of Previous Notices of Motion - May 2024	123
10.2	Vale Eunice Rogan - Councillor Linda Downey	125
10.3	Vale Tony Bleasdale OAM - Councillor Clare Raffan	127
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10.6	Australia Post to Inform Our Community - Councillor Clare Raffan	133
10.7	Intersection Upgrade - Intersection of Henry Lawson Drive and the Hume Highway at Lansdowne - Councillor Rachelle Harika	135
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10.9	NSW Government Needs to Open Up About Asbestos - Councillor Karl Saleh OAM	139
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10.11	Traffic Investigation - Rydge Street, Belmore - Councillor Karl Saleh OAM	143

10.12	Holding of a Poll at the September 2024 Local Government Elections Regarding Community Support for a Council De-Amalgamation - Councillor Barbara Coorey	145
10.13	Councillor Questions - Councillor Barbara Coorey	151

Notice of Motions & Questions With Notice - 28 May 2024

ITEM 10.1 **Status of Previous Notices of Motion - May 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 May 2024
- B. Outgoing Correspondence
- C. Incoming Correspondence

Notice of Motions & Questions With Notice - 28 May 2024

ITEM 10.2 Vale Eunice Rogan

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

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

BACKGROUND

Eunice Rogan will be remembered by many in the community as a loving, caring and compassionate woman who was the ‘rock’ that supported the late State Member for East Hills, Pat Rogan OAM. A position he held from 1973-1999. Aged 86, she passed peacefully at her nursing home after a period of being unwell.

Eunice lived in Padstow most of her life and was at her husband’s side during many arduous campaigns and parliamentary sessions. Mr Rogan served as an MP for 25 years during which time he was the driving force behind the duplication of the East Hills railway line, the construction of the Padstow TAFE, and the bridge at Menai, to name just a few of his achievements.

He was also the Chairman of a Select Committee looking at prostitution, President of the Revesby Workers Club and boss of Clubs NSW.

It is unquestionable, Eunice’s unwavering support and occasional “quiet word” in her husband’s ear, was instrumental in our community being in a better place.

She will be sadly missed by her daughters, Vicki and Corinne, and grand-children, and all those whose lives she touched.

A funeral service will be held at the Woronora Lawn Cemetery, at 10:00am tomorrow Wednesday 29 May 2024.

FINANCIAL IMPACT

There is no financial impact as written.

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no financial implications with this motion as written.

Notice of Motions & Questions With Notice - 28 May 2024

ITEM 10.3 Vale Tony Bleasdale OAM

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

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

BACKGROUND

Tony Bleasdale OAM, 78, has been remembered by those who knew him as a larger than life character that championed the cause of Western Sydney and the ‘underdog’.

He migrated to Australia in 1963 and worked as a bricklayer, leading to a career in the building industry that would span 40 years. He also established a labour hire business and was a passionate advocate as a union official.

He was elected a Councillor in 1996 and served as Mayor from 2019.

Clr Bleasdale died suddenly on his way home from a study trip to China. He was farewelled by hundreds of people including the NSW Premier Chris Minns.

He is survived by his wife Nina, his children and grandchildren.

FINANCIAL IMPACT

There is no financial impact of this motion.

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no financial impact of the motion as written.

Notice of Motions & Questions With Notice - 28 May 2024

ITEM 10.4 Honouring the Late Bill Brackenbury

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

“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.”

BACKGROUND

Born in Belmore in 1907 and residing in Hurlstone Park for most of his life, the late Bill Brackenbury is one of the most recognisable names in football in our City. He served as Canterbury District Soccer Football Association’s secretary treasurer for more than 25 years, was the secretary of the NSW Amateur Soccer Football Federation and was the founding member of the Hurlstone Park Wanderers at the age of 16.

Mr Brackenbury was a Football Canterbury life member and an inductee in their hall of fame. And he was honoured by the naming of the Bill Brackenbury Cup, football’s prestigious Premier League Competition.

In fact, he was a champion player in the 1930s, and in later years coached and mentored many junior teams.

The naming of the facility is full supported by the Hurlstone Park Wanderers who have suggested naming the building the Bill Brackenbury Pavilion. An announcement they would like to make at their upcoming Centenary Gala Dinner in June.

A fitting tribute for a man who dedicated his life to football and our community.

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 - 28 May 2024

ITEM 10.5 Cooks River - Sheet Metal Removal

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

"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."

BACKGROUND

As both a Councillor and Chair of the Cooks River Alliance I have been long advocating for government funding and support to improve the Cooks River. The Council has passed several motions urging the NSW Government to address issues with the river's banks and water quality. In September 2019, we requested information on plans for bank removal and rehabilitation. In February 2020, we demanded clarity on ownership of sheet metal piling. In July 2022, we called for better management of the river. In June 2023, we asked for a review of catchment management, focusing on coordination for the Cooks River.

Despite some misinformation being spread in the community, there have been numerous successes and achievements including:

- Significant progress on the Catchment Management Plan (which covers to the end of the tidal-zone of the Cooks River) which will identify priorities and responsibilities to improve river health. This will also investigate ownership of the for sheet metal piling and concrete channel replacement;
- Funding of \$7 million to Council for the construction of a wetland to treat stormwater at Parry Park (upper section of the Cooks River); and
- Identification and funding of priority safety works along the River.

I am also pleased to let the community know that the Government has allocated \$1 million over four years for the Cooks River Alliance to create a comprehensive "Master Plan" for the whole catchment (beyond the tidal area). This plan will guide to the River beyond the CMP.

I also support the Cooks River Valley Association's proposal for sheet metal piling and concrete channel replacement, and for legislative changes to address stormwater issues. However, their own plan recognises the costs are anywhere between \$610 million to \$2.5 billion depending on the length of foreshore addressed. Once the Catchment Management Plan is prepared, we will have a clearer idea of priorities, however, there is an opportunity to trial the removal and replacement of sheet metal piling on a section of the river to determine the most appropriate methods, the practicality and costs.

FINANCIAL IMPACT

There are no financial impacts of this NoM as written. Funding of sheet metal removal would be covered as part of any Government funding.

CHIEF EXECUTIVE OFFICER'S COMMENT

There are no impacts of this motion as written.

Notice of Motions & Questions With Notice - 28 May 2024

ITEM 10.6 Australia Post to Inform Our Community

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

“That Council writes to 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.”

BACKGROUND

I raised the issue of the Campsie Post Office closing, and it was resolved to write to the CEO Paul Graham for an explanation on behalf of concerned locals.

In a letter received by Council on 17 May 2024, Mr Graham cited a number of reasons for the closure which included the lease ending at the site, financial losses of more than \$800,000 over the past three years and the dwindling number of people coming through their doors.

Their decision was based on the facts above.

The viability of the store, and the alternative “postal” options available to residents, must be communicated to the community through the post, newspapers and on social media platforms.

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 - 28 May 2024

ITEM 10.7 Intersection Upgrade - Intersection of Henry Lawson Drive and the Hume Highway at Lansdowne

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 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.”

BACKGROUND

The intersection at the Hume Highway, Henry Lawson Drive and Woodville Road is arguably one of the busiest intersections in our City. Tens of thousands of cars travelling through the T-intersection which is still a vital link for commuters travelling from North/South and East/West.

Most Sydneysiders are familiar with the intersection because of the iconic Meccano set of lights gantry which was built in 1962 and revitalised recently following a community survey which showed over 90 per cent of people supporting the structure.

The debate and conjecture around upgrading the intersection have been raging for more than a decade and to date nothing has progressed. The intersection is dangerous, traffic bottlenecked and there is still no right hand turn into the Hume Highway from Henry Lawson Drive.

The intersection served a useful purpose in the 60s and 70s but is in dire need of an upgrade to meet the growing needs of the burgeoning population.

Some of the ideas being thrown around includes construction of a tunnel under the Hume Highway, taking the North/South traffic.

This major project requires the NSW Government to commit funding and urgently address the shortcomings of this landmark location.

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 - 28 May 2024

ITEM 10.8 Planning for a Liverpool Metro Extension

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

“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.”

BACKGROUND

The conversion of the Bankstown heavy rail line to Metro standards is set to start in August, with an expected completion date in late 2025. This is not an attempt to re-debate the merits of that decision.

Though the next 12 months will be very disruptive, the Sydenham-to-Bankstown corridor will emerge with a state-of-the-art public transit system with high frequency turn-up-and-go services. However, we are left with one shortcoming compared to the existing system. Whilst the heavy rail ran through Bankstown to Yagoona, Birrong, and beyond, the new Metro will instead terminate at Bankstown. The Metro will not follow the heavy rail corridor beyond Bankstown because a new corridor due west to Liverpool was considered a more appropriate alignment. However, that extension has not been designed and at present there are no plans to build it.

Our recently adopted Advocacy Strategy included an item to "prioritise the Bankstown to Liverpool Metro extension." It is important we advocate, and if necessary, help plan, to realise the full potential of the Southwest Metro. An extension to Liverpool would not merely replace the existing service; it would offer something new for suburbs that presently lack good public transport. It would also provide a faster, more direct route between two of Western Sydney's most important city centres.

Further, Transport for NSW should also investigate the most appropriate route to provide a direct connection between Bankstown and Parramatta. Parramatta has recently released its long-term vision for its City which clearly sees a future Parramatta to Bankstown connection as being critical to its success, while we certainly want to be connected to the jobs, health and education there. A true 30-minute city as envisaged by the NSW Government is critical to the prosperity of our residents.

The strategic planning for these important connections can allow us to grow our city with the right focus, and most importantly support opportunity rather than sterilise it for future generations.

FINANCIAL IMPACT

There is no financial impact of getting the NSW Government to undertake this forward planning work.

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no financial impact of the motion as written.

Notice of Motions & Questions With Notice - 28 May 2024

ITEM 10.9 NSW Government Needs to Open Up About Asbestos

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

“That 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.

I further 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.”

BACKGROUND

On the 14 February 2024 Council staff received a call from TfNSW advising that they have tested mulch that they installed in Wiley Park due to the TfNSW upgrade of the intersection of Canterbury Road and King Georges Road, and found it contained bonded asbestos. They subsequently also advised that asbestos had been found within the rail corridor at two sites being Bankstown and Punchbowl.

They provided no information, advised they would do further testing, advised that they would secure the sites, advised that they would fix it and advised that they would keep the community informed.

Their way of providing information to the community is to list the site on the EPA website with no details. This is not good enough.

<https://www.epa.nsw.gov.au/working-together/community-engagement/updates-on-issues/rozelle-parkland-asbestos-investigation/sites-being-investigated-for-asbestos-in-mulch-and-results#sites>

I understand that no information has been provided to Council to enable it to understand the nature and extent of this issue. This is not good enough.

I understand we are not even aware of whether the asbestos has been satisfactorily cleaned up? This is not good enough.

Transport for NSW and the EPA must do better. They need to provide Council a detailed close out report on this matter and they also need to inform the local community of what they found and what they did.

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 - 28 May 2024

ITEM 10.10 Open Space and Playground Investigations

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 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”

BACKGROUND

I have been engaging with several residents about our forward works program and playground strategic plans.

I understand that Council is not able to create every new space and replace every old playground immediately, however, some investigations as part of the next budget would ensure these initiatives get the right priority in future budgets and might also enable a shovel ready grant application should one eventuate, which could accelerate delivery of these important improvements.

FINANCIAL IMPACT

The investigations would inform the development of works programs and therefore this request does not commit Council to funding works at this time.

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no financial impact of the motion as written.

Notice of Motions & Questions With Notice - 28 May 2024

ITEM 10.11 Traffic Investigation - Rydge Street, Belmore

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 potential for a pedestrian crossing at Rydge and Sharp Streets, Belmore.”

BACKGROUND

I have been asked by residents in the vicinity of Rydge and Sharp Streets, Belmore, about the potential for a pedestrian crossing.

I am seeking our traffic team undertake an investigation to see if the area meets the minimum standards for a pedestrian crossing which could then be prioritised for funding through the Blackspot and other Transport for NSW programs.

FINANCIAL IMPACT

This investigation would be undertaken through our normal processes.

CHIEF EXECUTIVE OFFICER'S COMMENT

There are no cost implications of the motion as written. The Traffic and Transport Services Team can add this to their investigation workplan.

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ITEM 10.12 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 - 28 May 2024

ITEM 10.13 Councillor Questions

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

1. Has loan funding been finalised for the construction of the Canterbury Aquatic Centre, and if not why not?
2. Have contracts been finalised with the successful tenderer for the construction of the Canterbury Aquatic Centre, and if not why not?
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?
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?
5. What is the role of each person engaged in Executive Services and what is the yearly budget for such a department?
6. How many persons are engaged in photography and or media for Canterbury Bankstown Council for the period 1 January 2022 to current date?
7. 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?

11 CONFIDENTIAL SESSION

11.1 Code of Conduct Investigation Report

11.2 Loan Borrowing - Canterbury Leisure and Aquatics Centre

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

Chief Executive Officer's Statement

Confidentiality

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

CONFIDENTIAL SESSION

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

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

RECOMMENDATION

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

Item 11.1 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.