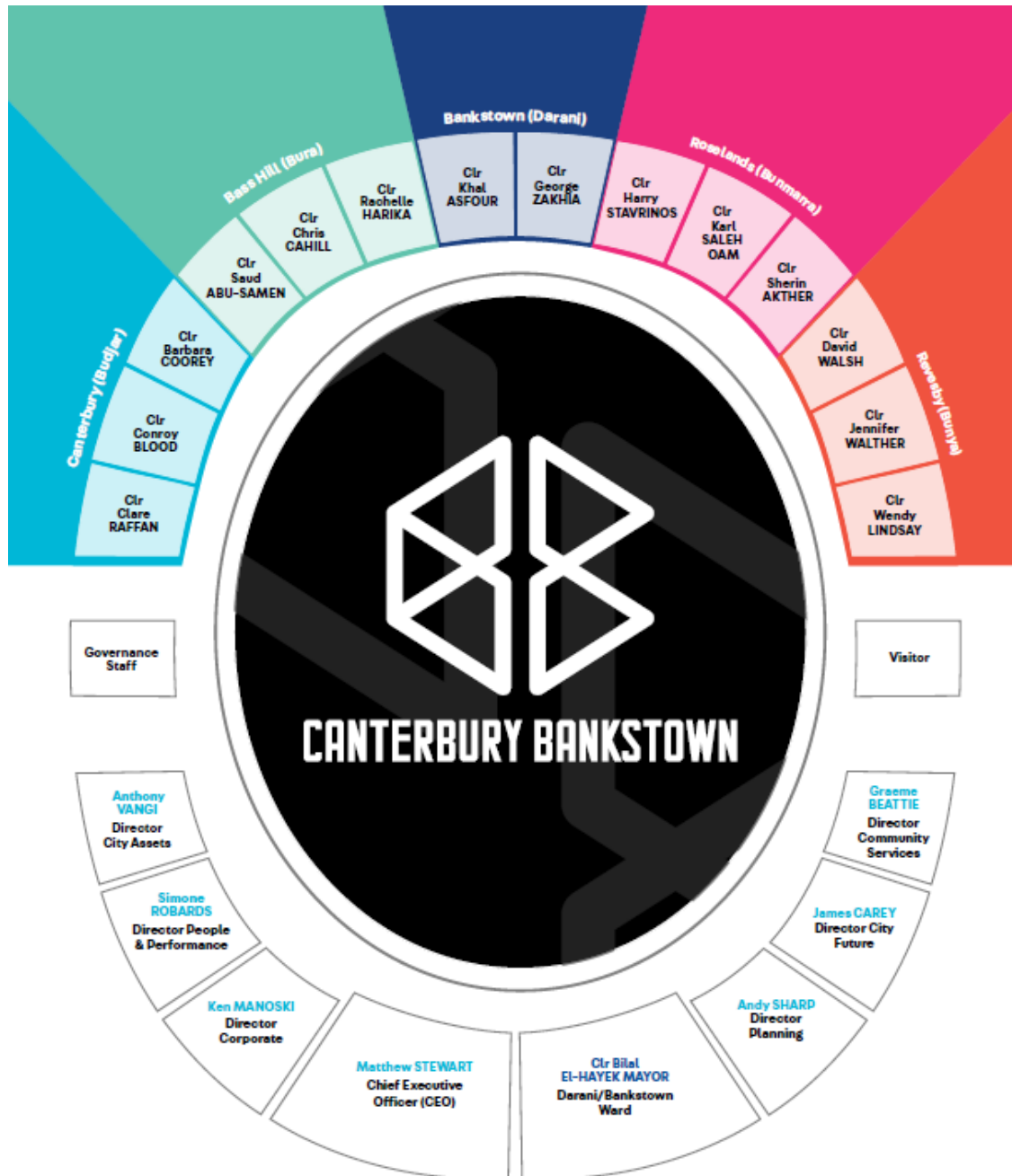




# Agenda for the Ordinary Meeting

22 October 2024





## **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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# ORDER OF BUSINESS

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## **1 LEAVE OF ABSENCE**





## **2            CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

The following minutes are submitted for confirmation -

- 2.1    Minutes of the Ordinary Meeting of Council of 27 August 2024 .....9
- 2.2    Minutes of the Ordinary Meeting of Council of 15 October 2024 .....11



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 AUGUST 2024**

---

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

**APOLOGIES** Councillor Akter

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**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.34 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**  
**(863)** **CLR. ZAKHIA:/CLR. CAHILL**

RESOLVED that the minutes of the Ordinary Council Meeting held on 23 July 2024 be adopted.

- CARRIED

**SECTION 2:** **LEAVE OF ABSENCE**  
**(864)** **CLR. ABOURAAD:/CLR. ISHAC**

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

- CARRIED

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

In respect to Item 5.2 – Council's Draft Submission to the Bankstown Accelerated Transport Orientated Development (TOD) Precinct Proposal, Mayor El-Hayek declared a significant non pecuniary conflict of interest given a reportable donation was made to his election campaign and the donor as well as his employer have property that is within the precinct proposal area and as such he will vacate the chamber, taking no part in debate or the decision on the matter.

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In respect to Item 5.2 – Council’s Draft Submission to the Bankstown Accelerated Transport Orientated Development (TOD) Precinct Proposal, Councillor Asfour declared a significant non pecuniary conflict of interest given his role on the Board of Bankstown RSL and a reportable donation was made to his election campaign where both the Bankstown RSL and the donor have property that is within the precinct proposal area and as such he will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 11.1 - EOI 03-24 Women’s Rest Centre in Campsie and Lakemba, Mayor El-Hayek declared a significant non pecuniary conflict of interest due to his association with the Lebanese Muslim Association and as such he will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 11.1 - EOI 03-24 Women’s Rest Centre in Campsie and Lakemba, Councillor Asfour declared a pecuniary conflict of interest due to his working relationship with the Lebanese Muslim Association and as such he will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 11.1 - EOI 03-24 Women’s Rest Centre in Campsie and Lakemba, Councillor Saleh declared a significant non pecuniary conflict of interest due to his association with the Lebanese Muslim Association and as such he will vacate the chamber, taking no part in debate or the decision on the matter.

**SECTION 4: MAYORAL MINUTES**

**ITEM 4.1 REMEMBERING LALZAWAMI FRANKCOM**

**(865) CLR. EL-HAYEK**

RESOLVED that

1. Council set aside an agreed location at Leslie Muir Reserve, Canterbury to plant a tree and install a plaque as a memorial tribute to honour and recognise her selfless humanitarian work.
2. The funds for acquiring the tree and plaque be accommodated from within Council’s operational budget.

- CARRIED

**CANTERBURY BANKSTOWN**  
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CLR NGUYEN ARRIVED IN THE CHAMBER AT 6.43 PM.

**ITEM 4.2**  
**(866)**                      **THANK YOU TO OUTGOING COUNCILLORS**  
**CLR. EL-HAYEK**

RESOLVED that the Mayoral Minute be noted.

- CARRIED

**ITEM 4.3**  
**(867)**                      **MINISTERS' AWARDS FOR WOMEN IN LOCAL GOVERNMENT**  
**CLR. EL-HAYEK**

RESOLVED that Council acknowledges Clr Downey's accomplishment by hosting a morning tea in our boardroom.

- CARRIED

CLR COOREY TEMPORARILY VACATED THE CHAMBER AT 6.53 PM.

**ITEM 4.4**  
**(868)**                      **LOCAL COMMUNITY BASED DONATIONS**  
**CLR. EL-HAYEK**

RESOLVED that

1. Council support a fee waiver of \$750.00 towards the hire of Padstow Senior Citizen Hall, as outlined in the report.
2. Council support a donation of \$500 to AMUST towards its event to celebrate its tenth anniversary.
3. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

**ITEM 4.5**  
**(869)**                      **CLOSURE OF THE TORCH**  
**CLR. EL-HAYEK**

RESOLVED that the Mayoral Minute be noted.

- CARRIED

**CANTERBURY BANKSTOWN**  
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CLR COOREY RETURNED TO THE CHAMBER AT 6.57 PM.

**SECTION 5: PLANNING MATTERS**

**ITEM 5.1 REPORT ON COUNCIL'S PERFORMANCE IN THE ASSESSMENT OF DEVELOPMENT APPLICATIONS FOR THE 2023/24 FINANCIAL YEAR, CLAUSE 4.6 VARIATIONS APPROVED FOR THE FOURTH QUARTER OF THE 2023/24 FINANCIAL YEAR, PLANNING RELATED LEGAL APPEALS, AND THE STATUS OF CURRENT PLANNING PROPOSALS**

**(870) CLR. WALSH:/CLR. ISHAC**

RESOLVED that the report be noted.

- CARRIED

**ITEM 5.2 COUNCIL'S DRAFT SUBMISSION TO THE BANKSTOWN ACCELERATED TRANSPORT ORIENTED DEVELOPMENT (TOD) PRECINCT PROPOSAL**

In respect to Item 5.2 – Council's Draft Submission to the Bankstown Accelerated Transport Orientated Development (TOD) Precinct Proposal, Mayor El-Hayek declared a significant non pecuniary conflict of interest given a reportable donation was made to his election campaign and the donor as well as his employer have property that is within the precinct proposal area and as such he would vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 5.2 – Council's Draft Submission to the Bankstown Accelerated Transport Orientated Development (TOD) Precinct Proposal, Councillor Asfour declared a significant non pecuniary conflict of interest given his role on the Board of Bankstown RSL and a reportable donation was made to his election campaign where both the Bankstown RSL and the donor have property that is within the precinct proposal area and as such he would vacate the chamber, taking no part in debate or the decision on the matter.

HIS WORSHIP THE MAYOR CLR EL-HAYEK AND CLR ASFOUR TEMPORARILY VACATED THE CHAMBER AT 7.23 PM.

THE DEPUTY MAYOR CLR HARIKA ASSUMED THE CHAIR.

**(871) CLR. RAFFAN:/CLR. CAHILL**

RESOLVED that

1. Council endorse the draft Submission to the Bankstown Rezoning Package EIE and the proposed pathway changes to support TOD Precincts EIE.

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2. The CEO have delegation to make final drafting and administrative updates to the submission.

- CARRIED

**For:-** Clrs Abouraad, Cahill, Downey, Harika, Ishac, Nguyen, Raffan, Waiba, Walsh and Zakhia

**Against:-** Clr Coorey

CLR ISHAC TEMPORARILY VACATED THE CHAMBER AT 7.23 PM AND RETURNED AT 7.25 PM.

CLR SALEH RETIRED FROM THE MEETING AT 7.25 PM.

HIS WORSHIP THE MAYOR CLR EL-HAYEK RETURNED TO THE CHAMBER AT 7.40 PM AND RESUMED THE CHAIR.

CLR ASFOUR RETURNED TO THE CHAMBER AT 7.40 PM.

**SECTION 6:** **POLICY MATTERS**  
  
Nil

**SECTION 7:** **GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 7.1** **QUARTERLY PROGRESS REPORT OF THE 2023/24 OPERATIONAL PLAN, DELIVERY PROGRAM AND BUDGET TO JUNE 2024**

AT THIS STAGE OF THE MEETING, IN ACCORDANCE WITH CLAUSE 15.4 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A FIRST WARNING AT 7.45 PM TO COUNCILLORS COOREY AND RAFFAN FOR AN ACT OF DISORDER.

AT THIS STAGE OF THE MEETING, IN ACCORDANCE WITH CLAUSE 15.4 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A SECOND WARNING AT 7.46 PM TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

**(872)** **CLR. DOWNEY:/CLR. ABOURAAD**

RESOLVED that

1. Council note the quarterly review of the 2023/24 Operational Plan and 2022-25 Delivery Program to 30 June 2024.
2. Council adopt the June 2024 Quarterly Budget Review as outlined in this report.

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3. Council authorise the budget variations for the June 2024 Quarter – as outlined in Attachment C – Annexure A.
4. Council authorise the carryover of budgets to complete certain capital and operating projects - including capital grant income - commenced throughout the 2023/24 financial year – as outlined in report.
5. Council adopt the budget adjustment's for grants awarded to Council during this quarter - as outlined in the report - and that the variations be reflected in the September 2024 Quarterly Budget Review for 2024/25, accordingly.
6. Council apply all rates and charges written off during the year to its rating databases in satisfying its obligation under the *Local Government Act 1993* and *Local Government (General) Regulation 2021*, as outlined in the report.
7. Council note the write-off of sundry debts for the 2023/24 financial year, as outlined in the report.
8. Council notes the attached report on the provision of expenses and facilities to the Mayor and Councillors, for the period 1 January 2024 to 30 June 2024.

- CARRIED

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

**ITEM 7.2 CASH AND INVESTMENT REPORT AS AT 31 JULY 2024**

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

RESOLVED that

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

- CARRIED

**ITEM 7.3 CREATION OF EASEMENTS FOR DRAINAGE AT 24 CLAPHAM ROAD AND 23 MARY STREET, REGENTS PARK**

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



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RESOLVED that

1. Council authorise the creation of the relevant easements, as outlined in the report.
2. The Chief Executive Officer be given authority to finalise and execute any necessary documentation, in accordance with the parameters set out in the report.

- CARRIED

**SECTION 8: SERVICE AND OPERATIONAL MATTERS**

**ITEM 8.1 RAMADAN NIGHTS LAKEMBA REVIEW 2024**  
**(875) CLR. HARIKA:/CLR. CAHILL**

RESOLVED that

1. Subject to funding, Council endorse the running of the event to continue every night during Ramadan (except one night to be given over to public prayers and a street-based Iftar Dinner).
2. Council investigates feasibility and costs associated with the placement of all event stalls on the road within a defined geographical precinct as proposed in Attachment A.
3. Council continues to seek NSW Government funding to secure the long-term future for the event.
4. A further report be presented to the new Council once Government funding is confirmed, addressing matters set out in the report.

- CARRIED

**SECTION 9: COMMITTEE REPORTS**

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

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

- CARRIED

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**ITEM 9.1**                      **MINUTES OF THE FIRST PEOPLES ADVISORY COMMITTEE MEETING HELD ON 23 JULY 2024**

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

RESOLVED that the minutes of the First Peoples Advisory Committee meeting held on 23 July 2024 be endorsed.

- CARRIED

**ITEM 9.2**                      **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 13 AUGUST 2024**

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

RESOLVED that the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 13 August 2024, be adopted.

- CARRIED

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

**(879)**                      **CLR. CAHILL:/CLR. ISHAC**

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Notice of Motions and Questions with Notice with the exception of Items 10.1, 10.2, 10.3, 10.4, 10.7, 10.8, 10.9, 10.10, 10.11 and 10.12.

- CARRIED

**ITEM 10.1**                      **STATUS OF PREVIOUS NOTICES OF MOTION - AUGUST 2024**

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

RESOLVED that the information be noted.

- CARRIED

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**ITEM 10.2**                      **INCREASED PENALTIES AND MEASURES FOR UNAUTHORISED REMOVAL OF TREES ON PUBLIC LAND**

CLR HARIKA TEMPORARILY VACATED THE CHAMBER AT 8.24 PM AND RETURNED AT 8.26 PM.

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

RESOLVED that Council

1.     Recognises the significant environmental, aesthetic, and community value of trees on public land.
2.     Acknowledges the successful prosecution of offenders within the current statutory framework, and advocates for increasing the value of fines using a well-established tree valuation method known as the Burnley Method.
3.     Formally write to the Minister for Planning and Public Spaces to introduce and enforce tougher penalties for the vandalism and unauthorised removal of trees on public land, including the adoption of the Burnley Method to calculate fines based on the economic value of trees. This method calculates a tree's value based on its height, girth, canopy spread, and overall condition, ensuring fines reflect the true value of the tree.
4.     Council reviews its approach to unauthorised removal of trees as outlined in this motion.

- CARRIED

**ITEM 10.3**                      **PRIVATE CERTIFIERS**

**(882)**                      **CLR. DOWNEY:/CLR. ABOURAAD**

RESOLVED that Council

1.     Recognises the critical role that private certifiers play in ensuring the safety, compliance, and quality of building work in New South Wales (NSW).
2.     Acknowledges the increasing concerns and complaints from residents, builders, and developers regarding poor certification practices by private certifiers, which have led to non-compliant and defective building work.
3.     Formally write to the Minister for Planning and Public Spaces to raise Council's concerns outlined in this motion.

- CARRIED

CLR WAIBA TEMPORARILY VACATED THE CHAMBER AT 8.29 PM AND RETURNED AT 8.31 PM.

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**ITEM 10.4**                      **BRINGING BACK THE EARLWOOD FESTIVAL**  
**(883)**                              **CLR. RAFFAN:/CLR. NGUYEN**

RESOLVED that Council write to the NSW Government seeking their support and financial contribution to the community and local businesses for them to bring back the Earlwood Village Festival.

- CARRIED

**ITEM 10.5**                      **GRAFF PARK PARKING IMPROVEMENTS**  
**(884)**                              **CLR. CAHILL:/CLR. ISHAC**

RESOLVED that Council reviews parking arrangements for the carpark at the northern entry to Graff Park as outlined in the motion.

- CARRIED

**ITEM 10.6**                      **GLASSOP STREET RESERVE - STOP FEEDING BIRDS**  
**(885)**                              **CLR. CAHILL:/CLR. ISHAC**

RESOLVED that Council erect 'Do Not Feed The Birds' signs outlining what, if any, penalties apply in the Glassop Street Council Reserve.

- CARRIED

**ITEM 10.7**                      **THANK YOU**

THIS MATTER WAS CONSIDERED LATER IN THE MEETING. SEE RESOLUTION NO. 890 ON PAGE THIRTEEN OF THESE MINUTES.

**ITEM 10.8**                      **SHORT CHANGED FROM THE HOUSING SUPPORT PROGRAM**  
**(886)**                              **CLR. ISHAC:/CLR. ABOURAAD**

RESOLVED that Council

1. Write to the Prime Minister, the Hon Anthony Albanese MP, the Hon Catherine King MP, Minister for Infrastructure, Transport, Regional Development and Local Government, and the Hon Clare O'Neil MP, Minister

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for Housing, Homelessness and Small Business, requesting they explain why we were unsuccessful in receiving funding to complete crucial place-based planning for key centres in our LGA under the Federal Government's Housing Support Program.

2. Recognises the significant efforts made by Council in actively participating in the planning for the Accelerated TOD program and the Low to Mid Rise Housing SEPP. This outcome in no way reflects the quality of our work, and we must continue to develop place-based masterplans to ensure our community is not forced into a 'one size fits all' approach.

- CARRIED

**ITEM 10.9**

**GO THE BULLDOGS**

In respect to Item 10.9 – Go the Bulldogs, Mayor El-Hayek declared a non significant non pecuniary conflict of interest due to his association and community work he does with the GWS Giants and as such he would vacate the chamber, taking no part in debate or the decision on the matter.

HIS WORSHIP THE MAYOR CLR EL-HAYEK TEMPORARILY VACATED THE CHAMBER AT 8.45 PM.

THE DEPUTY MAYOR CLR HARIKA ASSUMED THE CHAIR.

**(887)**

**CLR. ABOURAAD:/CLR. ISHAC**

RESOLVED that Council

1. Installs street banners at available locations in support of the Canterbury Bulldogs and GWS Giants as they enter the NRL and AFL Finals.
2. Investigate options to decorate Burwood Road, Belmore in support of the Bulldogs campaign towards the grand final.

- CARRIED

HIS WORSHIP THE MAYOR CLR EL-HAYEK RETURNED TO THE CHAMBER AT 8.52 PM AND RESUMED THE CHAIR.

CLR RAFFAN TEMPORARILY VACATED THE CHAMBER AT 8.49 PM AND RETURNED AT 8.51 PM.

**ITEM 10.10**

**PROUDLY ACKNOWLEDGING OUR OLYMPIANS AND PARALYMPIANS**

**(888)**

**CLR. ZAKHIA:/CLR. ABOURAAD**

RESOLVED that Council acknowledges and commends:

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1. The outstanding performances and sportsmanship by the Australian Olympians at the Paris Olympic Games;
2. The personal sacrifices made by the Australian Olympians, their families and friends who have supported them;
3. The efforts of Managers, Coaches and their support teams in enabling the Australian Olympians to achieve performances which we are all very proud of; and
4. The upcoming efforts of the Australian Paralympic Team as they commence competition in Paris on Wednesday 28 August”

- CARRIED

**ITEM 10.11**  
**(889)**

**JUDY FINLASON MEMORIAL**

**CLR. COOREY:/CLR. ZAKHIA**

RESOLVED that Council reallocate a portion of my Ward funds (\$5,000) towards the memorial for the late Judy Finlason and staff work with the family to deliver an appropriate solution.

- CARRIED

CLR ISHAC TEMPORARILY VACATED THE CHAMBER AT 8.53 PM AND RETURNED AT 8.55 PM.

**ITEM 10.12**

**COUNCILLOR QUESTIONS**

CLR CAHILL TEMPORARILY VACATED THE CHAMBER AT 8.59 PM AND RETURNED AT 9.02 PM.

CLR. NGUYEN TEMPORARILY VACATED THE CHAMBER AT 9.00 PM AND RETURNED AT 9.02 PM.

In accordance with the requirements of section 3.15 of the Code of Meeting Practice, the Chief Executive Officer provided an oral response to each of the questions from Councillor Coorey.

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**ITEM 10.7                      THANK YOU**

CLR COOREY TEMPORARILY RETIRED FROM THE MEETING AT 9.17 PM AND RETURNED AT 9.20 PM.

**(890)                      CLR. ISHAC:/CLR. ABOURAAD**

RESOLVED that Council receive and note Clr Ishac's expression of gratitude for the friendship and support during his time on Council.

- CARRIED

**SECTION 11:                      CONFIDENTIAL SESSION**

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

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

Item 11.1 EOI 03-24 Women's Rest Centre in Campsie and Lakemba

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

Item 11.2 Proposed Freehold Compulsory Acquisition of Council Land by Transport for NSW

*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 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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**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 9.39 PM AND  
REVERTED BACK TO OPEN COUNCIL AT 9.55 PM.**

**ITEM 11.1                      EOI 03-24 WOMEN'S REST CENTRE IN CAMPSIE AND LAKEMBA**

In respect to Item 11.1 - EOI 03-24 Women's Rest Centre in Campsie and Lakemba, Mayor El-Hayek declared a significant non pecuniary conflict of interest due to his association with the Lebanese Muslim Association and as such he would vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 11.1 - EOI 03-24 Women's Rest Centre in Campsie and Lakemba, Councillor Asfour declared a pecuniary conflict of interest due to his working relationship with the Lebanese Muslim Association and as such he would vacate the chamber, taking no part in debate or the decision on the matter.

HIS WORSHIP THE MAYOR CLR EL-HAYEK AND CLR ASFOUR TEMPORARILY VACATED THE CHAMBER AT 9.44 PM.

THE DEPUTY MAYOR CLR HARIKA ASSUMED THE CHAIR.

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

RESOLVED that

1.     Having considered the submissions received in response to the expression of interest process, Council agrees to invite the following proponents to submit a Tender to operate the Lakemba and Campsie Women's Rest Centres:
  - a)    The Chinese Australia Services Society to fulfil the requirements to operate the Campsie Women's Rest Centre for a period of twelve (12) months, as outlined in the report;
  - b)    The Islamic Women's Association of Australia and the Lebanese Muslim Association to fulfil the requirements to operate the Lakemba Women's Rest Centre for a period of twelve (12) months, as outlined in the report.
2.     A further report be provided to Council to finalise the Selective Tender process.
3.     The remaining proponents be thanked for their submission with regards to the matter.

- CARRIED

HIS WORSHIP THE MAYOR CLR EL-HAYEK RETURNED TO THE CHAMBER AT 9.46 PM AND RESUMED THE CHAIR.



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 AUGUST 2024**

---

CLR ASFOUR RETURNED TO THE CHAMBER AT 9.47 PM.

**ITEM 11.2                      PROPOSED FREEHOLD COMPULSORY ACQUISITION OF COUNCIL LAND BY  
TRANSPORT FOR NSW**

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

RESOLVED that

1. Council acknowledge TfNSW's proposal to compulsorily acquire parts of the subject land, as outlined in the report.
2. Council agree to the Suggested Approach in dealing with the matter, as outlined in the report.

- CARRIED

**ITEM 11.3                      CODE OF CONDUCT INVESTIGATION REPORT**

IN ACCORDANCE WITH CLAUSE 7.49 OF THE PROCEDURES FOR THE ADMINISTRATION OF THE CODE OF CONDUCT, COUNCILLOR COOREY MADE A SUBMISSION ON THE CODE OF CONDUCT REVIEWERS RECOMMENDATION. COUNCILLOR COOREY THEN RETIRED FROM THE MEETING AT 9.49 PM.

**(894)                      CLR. RAFFAN:/CLR. ASFOUR**

RESOLVED that

1. Councillor Coorey be formally censured for the breach 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 9.55 PM.**

Minutes confirmed 22 OCTOBER 2024

.....  
Mayor



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 15 OCTOBER 2024**

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**PRESENT:** Councillors Abu-Samen, Akther, Asfour, Blood, Cahill, Coorey, El-Hayek, Harika, Lindsay, Raffan, Saleh, Stavrinou, Walsh, Walther, Zakhia

**APOLOGIES:** Nil

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Prior to the commencement of the meeting, the Chief Executive Officer conducted an election for Chairperson in accordance with Council's Code of Meeting Practice.

**COUNCILLOR EL-HAYEK WAS ELECTED CHAIRPERSON.**

**THE CHAIRPERSON DECLARED THE MEETING OPEN AT 6.04 PM.**

**ACKNOWLEDGEMENT OF COUNTRY**

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

**SECTION 1: LEAVE OF ABSENCE**

Nil

**SECTION 2: DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST**

Nil

**SECTION 3: GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 3.1 OATH AND AFFIRMATION OF OFFICE BY COUNCILLORS**

**(1) CLR. WALSH:/CLR. ZAKHIA**

RESOLVED that the report be noted.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 15 OCTOBER 2024**

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**ITEM 3.2**                      **MAYORAL ELECTION - OCTOBER 2024 TO SEPTEMBER 2026**  
**(2)**                              **CLR. WALSH:/CLR. CAHILL**

RESOLVED that

1. In accordance with Schedule 7 of the Local Government (General) Regulation 2021 the Chief Executive Officer, as the Returning Officer, conduct the Election of the Mayor.
2. In the event that there be more than one (1) nomination, that the election is to proceed by way of open voting.

- CARRIED

The Chairperson vacated the Chair at 6.06 pm. The Chief Executive Officer assumed the role of Returning Officer.

The Returning Officer called for nominations in writing for the office of Mayor for the period October 2024 to September 2026.

The following nomination was received:

CLR EL-HAYEK

**THE RETURNING OFFICER THEN DECLARED CLR EL-HAYEK ELECTED UNOPPOSED TO THE OFFICE OF MAYOR FOR THE PERIOD SEPTEMBER 2024 TO OCTOBER 2026.**

**AT THIS STAGE HIS WORSHIP THE MAYOR CLR EL-HAYEK ASSUMED THE CHAIR AT 6.07 PM.**

**ITEM 3.3**                      **ELECTION OF DEPUTY MAYOR**  
**(3)**                              **CLR. WALSH:/CLR. RAFFAN**

RESOLVED that

1. Council elects a Deputy Mayor for the period October 2024 to September 2025.
2. The fee for the Deputy Mayor be set at 15% of the Mayoral fee per annum for the term of office.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 15 OCTOBER 2024**

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3. In accordance with Section 7 of the Local Government (General) Regulation 2021, the Chief Executive Officer, as the Returning Officer be requested to administer the Election of the Deputy Mayor.
4. In the event that there be more than one (1) nomination, that the election is to proceed by way of open voting.

- CARRIED

The Returning Officer called for nominations in writing for the office of Deputy Mayor for the period October 2024 to September 2025.

The following nomination was received:-

CLR SALEH OAM

**THE RETURNING OFFICER THEN DECLARED CLR SALEH OAM ELECTED UNOPPOSED TO THE OFFICE OF DEPUTY MAYOR FOR THE PERIOD OCTOBER 2024 TO SEPTEMBER 2025.**

CLR RAFFAN TEMPORARILY VACATED THE CHAMBER AT 6.57 PM AND RETURNED AT 7.04 PM.

CLR ABU-SAMEN TEMPORARILY VACATED THE CHAMBER AT 7.00 PM AND RETURNED AT 7.04 PM.

**ITEM 3.4                      2024 LOCAL GOVERNMENT ELECTION - CASUAL VACANCY IN CIVIC OFFICE - COUNTBACK OPTION**

**(4)                              CLR. WALSH:/CLR. RAFFAN**

RESOLVED that pursuant to section 291A(1)(b) of the Local Government Act 1993, Council declares that casual vacancies occurring in the office of a councillor within 18 months after the last ordinary election of councillors for the Council on 14 September 2024 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the Chief Executive Officer to notify the NSW Electoral Commission of the Council's decision within 7 days of the decision.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 15 OCTOBER 2024**

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**THE MEETING CLOSED AT 7.18 PM.**

Minutes confirmed 22 OCTOBER 2024

.....  
Mayor

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





## **4            MAYORAL MINUTES**

The following items are submitted for consideration -

4.1	Vale Aunty Jennifer Newman	35
4.2	Lebanon Statement	37
4.3	Shopping Trolleys	39
4.4	Australia Day Honours 2025	41
4.5	Local Community Based Donations	43



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## Mayoral Minutes - 22 October 2024

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### ITEM 4.1                      Vale Aunty Jennifer Newman

Councillors,

As the Cooks River flows, so too were the hundreds of tributes flowing to acknowledge the passing of Aunty Jennifer Newman.

Aunty Jennifer, a proud Wiradjuri woman, was a fearless advocate and champion of the Cooks River, or should I say Goolay'yari, and was a driving force in restoring the river's health and preserving its rich Aboriginal culture and heritage. The spirit of this sacred meeting place and its history dating back thousands of years, was kept alive through her vivid storytelling and talks. . . . And how proud she was sharing the stories with local schoolchildren.

It wasn't only local schoolchildren that were beneficiaries of her knowledge, she travelled across Australia and the indeed the world promoting her rich culture to community groups and in places of academia.

She was renowned for her unique style and acknowledgement to country. I recall listening to a welcome to country recorded at North Sydney about 10 years ago and it was captivating. To hear her telling a story of her journey to North Sydney, through Wangal and Cadigal country, and the old people and descendants and their connection to the land.

Aunty Jennifer was President of the Cooks River Valley Association, a member of the NSW Civil and Administrative Tribunal and served on several community boards.

Councillors, she was a living treasure and an institution in our City. A memorial service to celebrate her life was recently held at Gough Whitlam Park, a location requested by her family because of her connection to the Cooks River region. I acknowledge and support the use of Council's facility and the waiving of minor costs to hold this event.

Can I now please ask you to stand for a minute's silence to honour the memory of this proud Wiradjuri woman.

Councillors, I put the Mayoral Minute.



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## Mayoral Minutes - 22 October 2024

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### ITEM 4.2 Lebanon Statement

Councillors,

It's not easy to bring this Mayoral Minute before Council but circumstances and recent events in Lebanon necessitate me to do so. . . .

My birthplace, and the birthplace of tens of thousands of residents in our City is burning. . . . blasted by intense bombing raids that are both relentless and deadly. . . . The devastation in and around the capital, Beirut, once described as the Paris of the Middle East is heartbreaking. . . apartment blocks, shopping malls, schools and hospitals all coming under fire. . . . Piles of rubble, twisted metal and plumes of smoke hanging over the city.. . .

The physical scars of the landscape pale in comparison to the thousands of lives lost and the physical and mental scars of those injured or left homeless. . . . and according to the United Nations the number of refugees from the Gaza and Lebanon crisis is around 1 million. . . . 1 million men, women and children. . . where are they sleeping. . . what about food, clothes and the day-to-day things like washing and going to the bathroom. . . .

The scale of this humanitarian crisis and the numbers of lives lost and injured, will not be known until peace returns to the region. . . however, an insight into what is happening on the ground has been given to US President Joe Biden in an open letter dated 2 October 2024 and signed by ninety-nine volunteer American surgeons, physicians and nurses. . . They spent a total of 254 weeks at hospitals and clinics tending to the wounded.

The details contained in the letter are harrowing and I'll quote from it, one surgeon wrote: "I've never seen such horrific injuries on such a massive scale. Our bombs cutting down women and children by the thousands. Their mutilated bodies a monument to cruelty".

Another surgeon told of the malnutrition, miscarriages, women giving birth without proper supervision or anaesthesia, infection and disease spreading without insulin, electricity or clean water.

Councillors, as each day passes and more bombs rain down, the death toll continues to grow. The latest reports put the death toll in Gaza and Lebanon around 45,000, mostly innocent civilians with a high number of those children.

All lives matter, no matter the colour of your skin, your religious beliefs or your place of birth. . . The world must unite and demand an end to hostilities. . .

Tonight, I propose we fly the Lebanese flag at Bankstown and Campsie on Friday 22 November 2024, to coincide with the National Day of Lebanon (Independence Day) and to liaise with religious leaders and support them holding an interfaith prayer vigil, and if required have our own candlelight vigil.

Councillors, I put the Mayoral Minute.



### ITEM 4.3                      Shopping Trolleys

Councillors,

Shopping trolleys, most of us can't do without them but ask most Councils and they will tell you something different.

Like most residents, I do the supermarket aisle run, hoping to get a trolley that doesn't have dodgy wheels that jam, and watching as my wife loads it to breaking point. . . . And like most, I do the right thing and return the trolley to the store.

However, there are some shoppers who are taking the easy option, and we are seeing an increasing number of shopping trolleys that are abandoned on our streets, in our parks and even in our waterways. . . . and all with little, or no accountability from the major supermarkets.

That's right, the major chains that are making billions of dollars in profits each year. . yet they've put the handbrake on investing in more smart trolleys that they can track or immobilise trolleys when leaving the stores' boundaries.

Not only are these trolleys an eyesore in our parks and reserves, but they also pose a safety risk to pedestrians and road users and have an environmental impact when they are dumped in our drains and rivers.

Councillors, recent changes to the Public Spaces (Unattended Property) Bill do not go far enough. . . .the evidence is in plain sight . . . one example in the past month or so, has been a park, which I won't name, in our City that has had a dozen trolleys dumped there and despite several reports to the "trolley tracker app" nothing was done. . . . And, if I can share the extent of this problem, since the "trolley tracker" was launched it has taken more than 3 million reports.

The Bill plays into the hands of the supermarkets, and for large Councils like ours, it would cost millions of dollars to monitor and police, collect and store thousands and thousands of abandoned trolleys.

Councillors, it's time to take on the supermarkets and stop their wheels from spinning. Tonight, I'm calling on Council to compile a list of major supermarkets in our City and the methods by which their trolleys are leaving their stores' boundaries. We should also write to the CEOs of the major retailers demanding an explanation on how they collect abandoned trolleys, and how they plan to stop this from occurring. I hope this will assist us in dealing with this scourge, and before more drastic action, like collecting every single abandoned trolley and recycling them is considered.

Councillors, I put the Mayoral Minute.





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## Mayoral Minutes - 22 October 2024

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### ITEM 4.4                      Australia Day Honours 2025

Councillors,

Time flies, especially when there is a Council election in the year! It seems like yesterday that we were honouring our incumbent Australia Day awards honourees. . . . and you guessed it, it's that time of the year again where we call on everyone in our City to nominate someone they believe has made a real difference in the community.

Selfless local heroes who don't seek recognition, or fame but who leave enormous positive impacts on our lives by creating a great place that we all love.

The awards will be the first for our new Councillors, and so will be extra special and I hope that all Councillors will bring their goodwill and love of our community to share the award nomination details far and wide across our great City. Share with all the carers of the elderly and the disabled, volunteers, community leaders, mentors and role models. People who have made a real difference in your life, the life of others and made the fabric of life in Canterbury-Bankstown great.

The award categories include:

- Citizen of the Year;
- Young Citizen of the Year;
- Volunteer of the Year;
- Community Organisation of the Year;
- Community Women of the Year; and
- Jack Munday Environment and Heritage Award.

Councillors, tonight I propose we go out to the community in support of seeking nominations in the categories listed above.

The winners of the awards will be announced at the Australia Day Ceremony when a group of residents will also proudly become Australian Citizens.

Nominations Forms and all details will be available on Council's website.

In all that this world, and our citizens have endured this year, I look forward to the joy of reviewing the stories of these unsung heroes and indeed of the day itself.

Councillors, I put the Mayoral Minute.



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## Mayoral Minutes - 22 October 2024

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### **ITEM 4.5                      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.

#### **Creating Links**

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

Creating Links will be hosting an End of Year celebration on 15 November 2024 at Birrong Aquatic and Leisure Centre. This event is for children and young people in foster care who have faced unique challenges and obstacles throughout the year. Creating Links anticipates approximately 250 to 300 guests with approximately 40 volunteering staff members to attend this event.

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

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

#### **Zonta Club of Sydney West Inc.**

The Zonta Club is a leading global organisation of professionals who aim to "Build a Better World for Women and Girls".

The Zonta Club have requested that Council sponsor an award in their 2024 Citizenship Awards. These awards recognise the civic contribution of Year 10 students. The value of the sponsorship is \$300, and I believe it is fitting that Council contribute this small amount in the name of recognition.

I recommend that Council support the Zonta Club as a way of recognising the talented and dedicated youth that we are blessed to have in our City through a \$300 donation.

#### **Gandangara Local Aboriginal Land Council**

Gandangara Local Aboriginal Land Council (GLALC) provides a range of cultural, land management, wellbeing, employment and training services to Aboriginal people across south-west Sydney.

This year, they are celebrating their 40<sup>th</sup> anniversary on 30 November 2024. The event will not only highlight their past achievements, but set the stage for their ongoing commitments and future endeavours.

GLALC are seeking Council's support for this celebration.

I recommend that Council support the GLALC as a way of recognising their contribution to our city, through a \$500 donation.

#### **RECOMMENDATION**

1. Council support a donation of \$500 towards Creating Links End of Year celebration towards the cost of entry to the pool for their clients for this event.
2. Council support a donation of \$300 towards Zonta Club of Sydney West.
3. Council support a donation of \$500 towards the GLALC's 40th year anniversary celebration.
4. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

Councillors, I put the Mayoral Minute.

## **5        ITEMS OF BUSINESS TO BE RESOLVED BY EXCEPTION**



## **6 PLANNING MATTERS**

The following items are submitted for consideration -

- |     |  |    |
|-----|--|----|
| 6.1 | Street Barbecue Cooking  | 49 |
| 6.2 | Canterbury Transport Oriented Development Precinct Submission and Alternate Scheme | 53 |





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## Planning Matters - 22 October 2024

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### ITEM 6.1                      Street Barbecue Cooking

**AUTHOR**                      Planning

### SUMMARY

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Street food culture is a key contributor to the vibrancy of our community, offering a platform for cultural expression, business growth, and culinary diversity. Street food activities in Canterbury-Bankstown occur during festivals and events and may involve barbecue cooking.

Recently, there has been growing interest from local food businesses to carry out barbecue cooking on footpaths for commercial purposes. The issue is Council does not have a policy to manage this activity in a way that aligns with public safety, hygiene, and accessibility standards.

The purpose of this report is to prepare and exhibit a draft policy and fees to manage this activity via a licencing process under section 68 of the Local Government Act 1993. The draft policy would address issues such as location, operating hours, insurance, hygiene, and cleaning requirements.

This report also proposes to conduct a 12-month trial to review the operation of the policy and to report the review findings to Council.

### RECOMMENDATION    That -

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1.     Council exhibit:
  - (a)   The draft policy to manage barbecue cooking on footpaths as provided in Attachment A,
  - (b)   Proposed new fees and charges as outlined in the report to support the policy.
2.     The draft policy be supported by a 12-month trial.
3.     The matter be reported to Council following the exhibition period.

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

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1.     Footpath Barbecue Policy

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

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This matter is consistent with Council's Local Strategic Planning Statement '*Connective City 2036*', which sets the vision for land uses in Canterbury-Bankstown to 2036. Action 3.8 (page 53) seeks ways to enhance local economic activity in centres and suburban areas.

This matter is also consistent with Council's Operational Plan 2024/25 (page 116), which seeks ways to provide local business support and a diverse range of dining experiences in a manner that responsibly manages the shared use of public spaces.

## **STRATEGIC IMPACT**

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This matter has financial implications for Council to manage the licence and compliance process. It is proposed to amend Council's fees and charges to introduce the following fees to support the policy:

- \$250 application and inspection fee; and
- \$1,000 annual licence fee during the 12-month trial period.

It is also proposed to review the fees as part of the 12-month trial to ensure this initiative is cost neutral to Council, which will form part of the post-trial report back to Council.

## DETAILED INFORMATION

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### Purpose

The purpose of this report is to prepare and exhibit a draft policy and new fees and charges to manage barbecue cooking on footpaths via a licencing process under section 68 of the Local Government Act 1993. This report also proposes that the policy support a 12-month trial to review the operation of the policy and to report the review findings to Council.

### Background

Street food culture is a key contributor to the vibrancy of our community, offering a platform for cultural expression, business growth, and culinary diversity. Street food activities occur during festivals and events and may involve barbecue cooking.

Recently, there has been growing interest from local food businesses seeking to carry out barbecue cooking on footpaths for commercial purposes. The issue is Council does not have a policy to manage this activity in a way that aligns with public safety, hygiene, and accessibility standards.

### Discussion

The intended outcome of the draft policy is to manage the commercial use of footways in order to:

- Maintain public safety;
- Ensure equitable access;
- Develop vibrant, open and multifaceted street life;
- Provide an attractive city in keeping with the local character;
- Support economic vitality and local commercial development;
- Balance the use of the public space;
- Maintain and improve amenity;
- Maintain effective footways management; and
- Ensure the protection of permanent infrastructure.

The draft policy would only apply to approved food businesses and would require applicants to apply for a licence under section 68 of the *Local Government Act 1993*.

If approved, applicants must comply with the requirements of the draft policy, licence approval, and relevant legislation such as the *Liquor Act 2007*, *Smoke Free Environment Act 2000* and *Food Act 2003*.

Key requirements include:

- Obtaining public liability insurance;
- Limiting barbecue cooking to the section of footpath located in front of the approved food business;
- Limiting barbecue cooking to only one food premises per block for any day of the week;
- Limiting operation to occur only during daylight hours;
- Ensuring there is effective waste disposal;
- Removing all equipment at the end of each trading day;
- Cleaning the footpath and removing any stains at the end of each trading day;

- Not allowing the storage of oils or fats on the footpath, or spills and staining from fats and oils; and
- Not allowing permanent barbecue or other outdoor cooking structures to be placed on footpaths.

### **Recommended Approach**

The Local Government Act 1993 requires Council to exhibit the draft policy and fees for a minimum 28 days. The matter is to be reported to Council following the exhibition period.

It is also recommended that Council conduct a 12-month trial period to review the operation of the policy. The intended outcome is to assess business interest and address permit approvals, operational, and compliance issues. The review findings are to be reported to Council to ensure the policy balances business growth with maintaining and improving amenity.

### **ITEM 6.2                      Canterbury Transport Oriented Development Precinct Submission and Alternate Scheme**

**AUTHOR                      Planning**

### **SUMMARY**

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The purpose of this report is to seek Council's endorsement of a draft submission for the Canterbury Transport-Oriented Development (TOD) Precinct Plan. The submission proposes an alternative approach to the NSW Government's TOD controls for the precinct.

In February 2024, Council requested that Canterbury and Campsie be identified as 'Accelerated Precincts,' recognising prior Council-led master planning. Despite this, the NSW Government confirmed in May 2024 that Canterbury would be designated as a TOD Precinct, applying standard controls, including a six-storey height limit and a 2.5:1 Floor Space Ratio (FSR) for areas within 400 metres of Canterbury Station.

In July 2024, the Government released guidelines allowing Councils to propose alternate schemes, provided they deliver equal or greater housing than the standard TOD controls. Based on existing master planning work, Council has prepared a submission that concentrates development in areas that are well-connected and unconstrained by flooding, heritage, or poor access.

The submission and alternative scheme are presented in the Urban Design Report (Attachment 1) and Planning Report (Attachment 2), supported by technical studies (Attachment 3). It is noted that only updated studies are attached. Technical studies exhibited can be viewed at <https://haveyoursay.cbcity.nsw.gov.au/planning-canterbury-local-centre> and have been available publicly since 23 September 2024. Council's endorsement is sought to submit these to the NSW Department of Planning, Housing, and Infrastructure (DPHI).

Council exhibited its submission and alternate scheme from 23 September to 6 October 2024. During this time, 97 unique submissions were made, of which 59 percent supported Council's alternate approach, compared to 16 percent who supported the Government's standard TOD controls. Nine (9%) percent explicitly opposed Council's master plan, compared to 18 percent who explicitly opposed the Government's standard TOD controls. The remainder of submissions neither supported or opposed a particular scheme, but made general comments on specific issues.

Pending the Government's final decision, Council will need to revise its overall planning framework and Development Control Plan (DCP) for Canterbury.

## **RECOMMENDATION** That -

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1. Council endorse the submission and alternative scheme.
2. The Urban Design, Planning Reports, and supporting studies be submitted to the NSW Department of Planning, Housing, and Infrastructure.
3. Council prepare and exhibit draft DCP amendments to guide future development.

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

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1. Urban Design Report - Council Submission to Canterbury TOD Precinct
2. Planning Report - TOD Submission
3. Updated Studies and Analysis
4. Response to Submissions
5. Letter to Council from Department of Planning, Housing and Infrastructure

## INTEGRATED PLANNING AND REPORTING ALIGNMENT

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- Council's 2024-25 Operational Plan Action 17.2 Place Planning for the City is for preparation of master plans for a number of centres, including Canterbury. Due to the announcement of Canterbury being a TOD Precinct by the NSW Government in May 2024, the Master Planning for Canterbury has been developed to inform an alternative Scheme.
- This Action is consistent with Council's Local Strategic Planning Statement (LSPS), *Connective City 2036* and the supporting Housing Strategy, which identifies Canterbury as a 'Local Centre', and a focus for housing growth, noting the target for 80 percent of housing growth to be in the City's centres.
- The alternative scheme is consistent with Council's LSPS Actions to develop design-led, place-based master plans for each centre that are holistic and consider urban design, amenities, community infrastructure, activation and connectivity to and through centres and places.
- The alternative scheme aligns with Council's CBCity 2036 Community Strategic Plan. In particular, it delivers on Council's vision to be Liveable and Distinctive and provides for well planned, attractive and sustainable centres to meet the needs and aspirations of the community.
- The alternative scheme sets the framework for planning controls in Canterbury, consistent with what a master plan achieves. As such, it is recommended Council consider and endorse the alternative scheme.
- By adopting a place-based planning approach, the alternative scheme responds more appropriately to Canterbury's needs than the State-imposed Transport-Oriented Development (TOD) Precinct controls. This approach enables the delivery of critical community infrastructure, including new open spaces, laneways, through-site connections, and activated spaces for local jobs, economic growth, and social and cultural activities—outcomes that the State-imposed TOD controls would not achieve.

## STRATEGIC IMPACT

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- This report sets out Council's submission and an alternative approach to the NSW Government's TOD Precinct controls for the Canterbury Local Centre. The NSW Government's approach is to apply standardised controls to allow six storey residential flat buildings within 400 metres of Canterbury Station, with further permissibility of four storey apartments within 800 metres under draft Low to Mid Rise Housing Reforms. This is all regardless of heritage or context.
- Council's alternate approach is based on holistic, place-based and design-led planning that takes into account local needs and aspirations and delivers tangible community benefits such as a new public plaza, improved connections and enabling investment and renewal in Canterbury. It protects areas not suitable for density within 800 metres of Canterbury Station from being developed inappropriately, and seeks to expand heritage

and character preservation. These outcomes are not possible under standardised TOD and draft Low to Mid Rise Housing controls.

- Council's alternate plan is based on comprehensive master planning and technical analysis, and aligns with Council's strategic planning framework, which seeks to accommodate 80 percent of housing growth in well located centres, including Canterbury.

## DETAILED INFORMATION

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### Purpose

This report outlines Council's submission and alternative approach to the State Government's Transit-Oriented Development (TOD) controls for the Canterbury Local Centre. It requests Council's endorsement of this approach, which balances future housing growth with the creation of civic spaces, public domain improvements, and the protection of low-density and heritage areas.

### Background

Since October 2022, Council has been developing a master plan for the Canterbury Local Centre, guided by comprehensive urban design and technical analysis. In December 2023, the State Government released draft TOD and Low to Mid Rise controls for selected centres across NSW, including Canterbury. Despite Council's objections to applying the Tier 2 TOD and Mid-Rise Housing controls, the NSW Government designated Canterbury as a TOD Tier 2 Precinct in May 2024.

Faced with a tight deadline, Council is required to propose an alternative approach that delivers at least the same amount of housing as the TOD scheme by October 2024, or the standard controls will apply. To meet this challenge, Council has shifted its strategy for the Canterbury Master Plan, presenting an alternative structure plan that responds to local constraints and opportunities, such as flooding and heritage areas.

Proposed amendments to planning controls prioritise areas suitable for renewal, particularly those within 400 to 800 metres of the future Metro station, with good access to open spaces, public transport, and services. Further work is required to refine public domain planning and built form controls to ensure cohesive, vibrant streetscapes, solar access, and green spaces. This will be addressed through the development of a new Development Control Plan (DCP) for Canterbury and other centres.

This alternative approach continues Council's advocacy for orderly growth and development to meet the City's evolving housing and employment needs. Since 2019, Council has implemented a robust planning framework, including the "Connective City 2036" Local Strategic Planning Statement (LSPS), the Housing Strategy, and a master planning program aimed at delivering 50,000 additional homes by 2036. This framework emphasises place-based, transit-oriented development, with a goal of locating 80 percent of new homes within walking distance of centres and transport hubs.



In contrast, the State Government's standard TOD controls focus on fast-tracking development through uniform guidelines, which risks undermining Council's longstanding approach to carefully planned, place-based growth. Council's alternative scheme ensures that Canterbury retains its unique character while incorporating necessary housing and job growth, supported by appropriate infrastructure and services. A one-size-fits-all approach will not deliver a comprehensive plan that optimises future growth in Canterbury.

Council's analysis of the TOD controls versus its alternative approach suggests that the TOD plan would likely yield 850 to 930 dwellings (including Low to Mid Rise reforms). In contrast, the Council's alternative scheme, informed by detailed design analysis, technical input, and community feedback, facilitates in the order of 1,000 dwellings, within a place-based master plan.

Council's goal is to continue implementing the Canterbury Local Centre Master Plan through this modified approach, in line with the State Government's timeframe, to ensure planning controls that reflect the unique characteristics of Canterbury and meet the community's needs.

## **Discussion**

### Objectives

1. Deliver a place-based planning outcome that continues to advance the Canterbury Local Centre Master Plan through an alternative implementation pathway.
2. Propose an alternative scheme to the NSW Government's standardised TOD precinct controls, addressing key issues such as land use, building density, design, affordable housing, infrastructure provision, and heritage
3. Provide a framework for further planning, particularly the preparation of amendments to the Canterbury Bankstown Development Control Plan (DCP) to guide development in Canterbury and similar centres.

### The Plan

Council's alternative approach for Canterbury focuses on a place-based strategy that integrates development with the unique character of the area. The plan is based on the following key objectives:

1. **Accommodate Forecasted Growth:** Meet housing, population, and job growth targets through a structured framework that balances development with the needs of the community.
2. **Achieve Design Excellence:** Establish guidelines for height, massing, landscaping, setbacks, materials, and density to ensure development results in attractive, functional, and sustainable urban environments.
3. **Enhance Quality of Life:** Ensure that all development contributes positively to the local area by improving access to services, open spaces, and creating lively, safe, and engaging public spaces.
4. **Improve Mobility:** Prioritise pedestrian and cyclist safety and comfort, while also supporting the efficient movement of public transport, freight, and service vehicles.

5. **Protect Unique Characteristics:** Safeguard and enhance the rare and special attributes of the Canterbury area, preserving local heritage and reinforcing its distinctive character.
6. **Promote Sustainability:** Design for environmental sustainability, including minimising adverse impacts on the natural environment and adapting to climate change.
7. **Ensure Transition between Buildings:** Maintain appropriate building separation and transitions to ensure a balanced and harmonious urban form.
8. **Comply with State Legislation:** Ensure all developments meet the State's design requirements, including those specified in the Apartment Design Guide.
9. **Improve Open Spaces:** Increase the quality and accessibility of open spaces, ensuring these areas are functional and contribute to community well-being.
10. **Create Vibrant, Mixed-Use Centres:** Foster centres with a diverse mix of activities and uses that promote social interaction and economic vitality

The structure plan is provided in the Urban Design Report at Attachment 1, and extracted below.

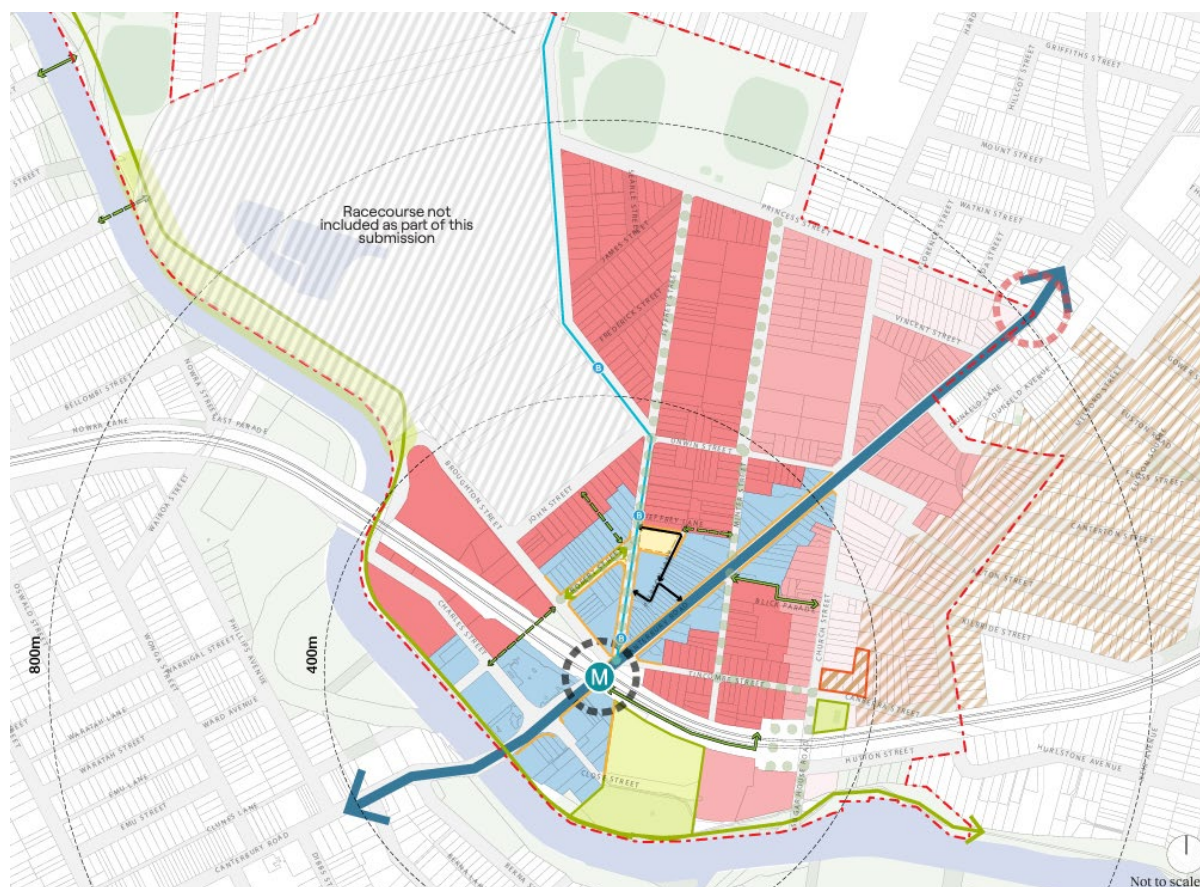


Figure 1. Structure Plan

## Land use

To support these objectives, the following changes are proposed in Council's alternative approach to land use zoning:

- **B2 Zone Extension:** Extend the B2 zone to include additional sites along Robert Street and further northeast along Canterbury Road from the intersection with Minter Street.

- **R2 Zoning for Heritage Areas:** Introduce R2 zoning along Church Street's eastern side to reflect the area's heritage character.
- **Beulah Vista Permitted Use:** At 15 Church Street, allow the heritage-listed building known as Beulah Vista to be used for office space, educational facilities, or public administration to ensure its continued significance while providing for a range of compatible uses.
- **High-Density Areas:** For properties at 17-29 Tincombe Street and 98-102 Minter Street, allow retail premises and indoor recreational facilities as part of a larger consolidated site, to promote a mix of uses in these areas.

Council's alternative approach to TOD controls extends the radius for high-density housing beyond the 400 metres from the station where appropriate. At the same time, it prohibits such development in areas that seek to maintain a lower-density character or where accessibility to the centre is limited. The prohibition of residential flat buildings in the B2 Local Centre Zone is retained to ensure active, non-residential uses on the ground floor.

A map of the proposed land use changes is provided as part of the Planning Report at Attachment 2.

#### Minimum lot size provisions

The NSW Government's standard TOD controls specify a minimum site frontage of 21 metres. However, Council's alternative proposal recommends increasing this to 30 metres to maximise active frontages along key streets such as Canterbury Road, Jeffrey Street, and Roberts Street. This increase will also ensure that building services, waste management, and landscaping are adequately accommodated within the frontage. A minimum lot size of 1,500 square metres would apply to all R4-zoned lands within the study area.

#### Building Height

The Government's standard TOD controls set a uniform maximum building height of 22 to 24 metres within 400 metres of Canterbury Station. In contrast, Council's alternative approach tailors height controls to different areas of growth:

- **Canterbury Station Area:** Height controls around Canterbury Station range from 29.5 metres to 81.5 metres, with a predominant height of 42 metres along Canterbury Road.
- **Opportunity Sites:** For sites further from the station (within 800 metres), such as those near Canterbury Park and the racecourse, building heights increase to 23 metres. These sites benefit from proximity to open space and maintain accessibility to the station while transitioning from higher-scale development to surrounding lower-density areas.
- **Specific Adjustments:**
  - South of the Cooks River, building heights remain at 8.5 metres and 18 metres to protect R3 and R4 zoned properties.
  - Sites containing strata-titled residential flats that are not feasible for redevelopment will retain existing height controls of 11.5 metres and 21 metres.
  - On the western side of Church Street, building heights will be limited to 18 metres to create a gradual transition to the heritage conservation area.

Additionally, rooftop gardens and open spaces will be encouraged to improve amenity and environmental sustainability as set out in Attachment 2.

### Floor Space Ratio (FSR)

The State Government's TOD Program permits a Floor Space Ratio of up to 2.5:1 for all Residential Flat Buildings and Shop Top Housing anywhere within 400 metres of the stations (measured in a straight line).

The alternative scheme proposes a range of FSR controls, from 1:1 to 5:1, aligned with the proposed building heights. This variation allows for more interesting streetscapes and mitigates potential amenity impacts by providing a range of housing options and building typologies.

- **Public Benefits:** Sites with FSRs exceeding 5:1 will be required to offer public benefits, such as through-site links or public open spaces.
- **Underground Floor Space Bonus:** Council will introduce an underground floor space bonus, similar to the Bankstown and Campsie Master Plans. This bonus encourages supermarkets, community facilities, and entertainment venues to be located underground, allowing street-level areas to be used for more active, dynamic purposes.

### Affordable Housing

The Government's TOD controls propose a two percent affordable housing levy for the Canterbury centre. Feasibility studies show that Council can deliver three percent affordable housing in this area. Accordingly, Council proposes phasing in a three percent levy over two years to ensure more affordable housing stock in Canterbury.

### Infrastructure

Community engagement and analysis of Canterbury's current infrastructure have identified several gaps, particularly in open space and connectivity. Key infrastructure improvements proposed in Council's alternative scheme include:

1. **Civic Plaza:** A new civic plaza of at least 1,500 square metres to create a community heart and open space within the centre.
2. **Mid-block Connectivity:** A new through-site link between Robert Street and John Street to improve connectivity and provide services for new developments.
3. **Setbacks and Public Domain:** Increased setbacks to enhance the public domain and improve the tree canopy.
4. **Civic Street:** Creation of a new civic street along Robert Street, prioritising pedestrian space and slow vehicle movement.
5. **Cycling Pathways:** Investigating options for shared cycle pathways, both on- and off-street.
6. **Cooks River Access:** Enhanced public access along the Cooks River frontage.
7. **Public Space at Tincombe and Minter Streets:** New public space and through-site links to improve connectivity and open space provision in this area.

Council's Planning Report requests that these items be included in the Canterbury-Bankstown Local Environmental Plan 2023 (LEP) to ensure they must be delivered in order to achieve the proposed density.





*Figure 2. Potential Civic Plaza as recommended by Council's alternate scheme.*

### Heritage

While Council's alternative scheme allows for high-density growth, it also seeks to protect Canterbury's heritage. Council proposes listing additional heritage sites and extending the Melford Street Heritage Conservation Area to include 13-23 Canberra Street, Hurlstone Park, ensuring the preservation of local character alongside development.

### Design and sustainability excellence

Future amendments to the DCP will embed sustainability and design excellence into development guidelines. Additionally, the "Connecting to Country" principle will be incorporated into major projects, requiring advice from Council's design review panel. Design excellence for education and health facilities will also be considered, as these projects can significantly impact local character.

Council also proposes expanding active frontage controls to include Robert Street, the new Civic Plaza, and the proposed park south of the railway line.

Proposed planning control changes under Council's alternate plan are detailed in the planning report at Attachment 2.

## Community Consultation

Council actively engaged the community early in the master planning process for Canterbury and conducted a two-week exhibition of its submission and alternative plan, in line with the NSW Department of Planning, Housing, and Infrastructure's (DPHI) guidelines for TOD Precincts.

### *Early Engagement (19 September – 23 October 2022)*

This initial engagement focused on gathering community perspectives on what makes Canterbury unique, what needs improvement, and ideas for future growth and change. The key themes from the community feedback are summarized below, with responses detailing how Council's alternative plan addresses these concerns. A full report is provided in Attachment 3.

- **Movement and Access:**

The community called for improved active transport options (walking and cycling), better connectivity to the Cooks River, and enhanced traffic flow and laneway management.

**Response:**

Council's alternative plan, outlined in Attachment 1, includes a movement framework for active transport, which will be used to inform DCP controls and guide future improvements in transport infrastructure. The plan also seeks to enhance connections to the river and throughout the centre by introducing new service laneways, reducing reliance on Canterbury Road, and creating new through-site links.

- **Character and Built Form:**

The community stressed the importance of preserving Canterbury's fine grain character, protecting special and historic buildings, and ensuring better design outcomes for new developments.

**Response:**

The alternative plan aims to protect Canterbury's unique character through new DCP controls, which preserve the existing lot pattern along Canterbury Road while allowing for flexibility in development. The plan also proposes the inclusion of 15 new heritage items and the expansion of the Melford Street Heritage Conservation Area to safeguard historic sites. It is also proposed to further investigate a number of items as part of a forthcoming city-wide review. Council's Local Environmental Plan (LEP) already contains a design excellence clause, which will be strengthened under this submission.

- **Community Infrastructure and Open Space:**

The community expressed a desire for strategically located community facilities and open spaces, as well as more opportunities for recreation, particularly along the Cooks River.

**Response:**

The alternate plan proposes a new Civic Plaza at the heart of Canterbury, offering valuable open space and play areas. Additionally, further opportunities for recreation may be provided with the development of green space at the former bowling club site.

- **Activities and Economy:**

The community wants a lively, dynamic centre with a variety of local businesses and services, along with a new civic and commercial hub.

**Response:**

Council's alternative plan includes a new civic hub along Robert Street and a plaza at its eastern end, which will serve as the centre for business and civic activities. The increased development capacity will boost local jobs and support a vibrant economy.

- **People in Place:**

The community emphasised the need for new public spaces that promote social cohesion and connection, as well as improvements to the public domain and the integration of First Nations culture and stories.

**Response:**

The Civic Plaza proposed in the alternative plan will create a new public space that fosters community interaction. Further DCP controls will guide public realm improvements, with a strong emphasis on "Connecting to Country" as a key measure of design excellence in the area.

- **Sustainability and Resilience:**

The community called for better sustainability practices, increased tree canopy, and stronger protections for the environment and the ecology of the Cooks River.

**Response:**

The alternative plan supports sustainability through the improvement of tree canopy coverage, with more specific sustainability measures to be addressed in the DCP.

*Community engagement on Council's submission and alternate plan – 23 September to 6 October*

Due to the compressed timeframe, Council conducted a two-week consultation period on the alternative approach to TOD. The consultation reached 22,217 people, resulting in 97 unique submissions. Of the written submissions:

- Fifty nine percent supported the alternative approach, either partially or fully;
- Nine percent opposed the Council's alternate approach;
- Sixteen percent preferred the Government's standard TOD approach; and
- Eighteen percent objected to the Government's standard TOD approach.

The remainder of submissions neither supported or opposed a particular scheme, but made general comments on specific issues.

**Key matters Raised in Submissions:**

1. Support for key directions in Council's alternate approach, including its holistic approach to considering the future of Canterbury, the proposed density, the provision of new open spaces, improved public realm and the provision of affordable housing.
2. Concerns with the distribution of density, with a number of submissions relating to the lack of density proposed on the opposite side of the Cooks River and outside of the proposed areas of change.
3. Transport was a key issue, with the community raising concerns with the traffic conditions along Canterbury Road, the lack of parking along Canterbury Road, lack of sufficient pedestrian crossings and the need for improved walking and cycling connections and conditions, especially with poor footpaths and lack of space for walking and amenities.

In response to submissions, the following changes have been proposed to Council's proposed alternate plan:

Item	Proposed change	Rationale
New movement framework	A movement framework has been developed based on community feedback, analysis of the centre by Council's independent transport consultant and review by Council staff. This framework will inform further Council investigation for improved cycle and walking infrastructure, streetscape improvements and inform future DCP controls.	Active transport infrastructure and movement through and within Canterbury is critical to creating a vibrant centre, and ensure people can safely use active transport means to move around, either for recreation or as an alternate means of transport.
Changes to height and floor space ratio map	<p>In response to a number of site-specific submissions, the following changes are proposed to Council's alternate plan:</p> <ul style="list-style-type: none"><li>▪ <b>Various sites at John Street, Robert Street and Jeffrey Street:</b> Modest increase to FSRs from 2.45:1 to 2.5:1 along Jeffrey Street, Robert Street and John Street.</li><li>▪ <b>65-71A Jeffrey Street:</b> Increase FSR from 4:1 to 4.5:1 with increase in height to 68m.</li></ul>	<p>These changes resulting in increased height and floor space ratios have been tested and considered appropriate given the potential for public benefit and infrastructure. Specifically:</p> <ul style="list-style-type: none"><li>▪ Sites along John Street and Robert Street are capable of accommodating a service lane and through-site link to minimise waste and driveway entries along the new Robert Street main civic street.</li><li>▪ Sites along Jeffrey Street have capacity to provide a re-aligned service laneway in addition to an expanded civic plaza.</li></ul>



Item	Proposed change	Rationale
	<ul style="list-style-type: none"> <li>▪ <b>73 Jeffrey Street:</b> Increase FSR from 3:1 to 5:1 with increase in height to 77.5m.</li> <li>▪ <b>Consolidated block bounded by Canterbury Road, Minter and Tincombe Streets:</b> Amend FSR on from 2.5-5:1 to 4.5:1 across the whole site with increase in height to 52.5-81.5m.</li> <li>▪ <b>59A King Street, Canterbury:</b> Increase FSR from 2:1 to 2.2:1 and height from 23 metres to 29.5 metres.</li> <li>▪ <b>212-226 Canterbury Road and 2-8 Close Street,</b> no change to FSR, but increase in height to 27-36m.</li> </ul>	<ul style="list-style-type: none"> <li>▪ The consolidated site surrounded by Canterbury Road, Tincombe Street and Minter Street has capacity to provide public plaza space and through-site links, as well as be a catalyst for change on the south-eastern side of Canterbury Road.</li> <li>▪ At King Street, the site was tested more closely following a site specific review, and is considered capable of accommodating a modest increase in density whilst also appropriately transitioning to adjoining development to the south, and the racecourse and open space to the north and west.</li> <li>▪ Sites at Canterbury Road and Close Street have had FSR maintained, but height increased to allow scope for additional setbacks, and improved through-site connections.</li> </ul>
Additional permitted uses	<p>It is proposed that the following additional permitted uses be added to the R4 High Density Residential properties at 17-29 Tincombe Street and 98-102 Minter Street, Canterbury:</p> <ul style="list-style-type: none"> <li>▪ Retail premises</li> <li>▪ Recreation facility (indoor)</li> </ul>	<p>These sites are part of a large, consolidated land holding that is partially zoned B2 Local Centre. In order to ensure a coordinated and consolidated approach to redevelopment, the additional permitted uses will allow for the site to be developed as a whole, whilst still allowing for a ground floor residential interface along Minter and Tincombe Streets.</p>
Heritage	<p>It is proposed that the following items be added for further heritage investigation:</p> <ul style="list-style-type: none"> <li>▪ 124 to 128 Canterbury Road – group of shop fronts</li> <li>▪ 178 Canterbury Road – intact historic building which complement 180-184 Canterbury Road</li> </ul>	<p>These items were added following a review of submissions by the community, and were deemed by Council’s heritage officers that they warrant further investigation for listing for potential meeting heritage significance criteria and complementing other surrounding heritage items.</p>

Item	Proposed change	Rationale
	<ul style="list-style-type: none"> <li>214-224 Canterbury Road – an intact group of shop fronts.</li> </ul>	

The extent of change is in response to submissions. There are no significant variations in the extent of change. It is therefore recommended that these changes are incorporated into the alternative plan for Canterbury to be proposed to DPHI.

### Options for Consideration

This report recommends that Council endorse and implement the alternative approach for the Canterbury Local Centre.

While decision-making authority for Transport-Oriented Development (TOD) Precincts rests with the NSW Government, the Department of Planning, Housing and Infrastructure (DPHI) has acknowledged the substantial work undertaken by Council in developing its submission and alternative plan. In response, DPHI has committed to presenting a comprehensive package of changes to planning controls, following a review of the draft planning and urban design proposal (see Attachment 4 for the letter from DPHI).

If Council chooses not to support the alternative approach, the NSW Minister for Planning and Public Spaces, or their delegate, may take one of the following actions:

- **Option 1:** Implement the NSW Government’s standard TOD controls for Canterbury, which permit six-storey residential flat buildings and shop-top housing within 400 metres of Canterbury Station.
- **Option 2:** Proceed with the implementation of the alternative approach as outlined in the attached documentation, regardless of Council’s decision.

### **Strategic Planning Considerations**

A ‘do nothing’ approach is not viable. The NSW Government has made it clear that it will either implement its standard TOD controls or adopt Council’s alternative approach, which emphasises holistic, place-based, and design-led planning. Although Council initially objected to the application of this particular TOD program in Canterbury, the request was not granted. In response, Council has presented a comprehensive plan that aligns with its strategic objectives and addresses community aspirations for civic spaces, revitalisation, and community benefits identified during early engagement.

It is noted that the recently reported Parliamentary Inquiry into the Development of the Transport Oriented Development Program reported its finding. The findings refer to Canterbury Bankstown Council’s submission (reported to Council in February 2024), highlighted Council’s local planning as an example of “where nuanced local application of master planned outcomes still preserves the strategic intent of housing delivery but does it in a way that actually builds community in a positive sense”.

As also noted in the letter from the DPHI in Attachment 5, Council has demonstrated its capacity to lead the way in how local planning can balance the delivery of housing in strategic, well-serviced locations, whilst providing strong community based outcomes and public benefit with economic revitalisation and investment. These benefits include new parks and plazas, laneways and new connections, a new main street and improved experience for people that live in, work in or visit Canterbury.

The Inquiry builds on this approach suggested by Council in its recommendations and notes, which state:

***“Recommendation 1***

*That the NSW Government continue to work in collaboration with local councils and key stakeholders on building community understanding of housing reforms, including the TOD program.”*

***“4.102 ... the committee heard evidence advocating for a place-based, master planning approach to developing in areas impacted by the housing reforms. The committee considers that a place-based approach to planning is necessary to respond to the unique infrastructure and amenity needs of local communities. The Committee acknowledges that, in places where Council came to agreement on TOD staging, Councils were given an opportunity to do master planning.”***

***“4.112 Finally, the committee understands that greater density of existing urban areas may be necessary to reduce the biodiversity loss and other impacts associated with urban sprawl. At the same time, we are deeply concerned that the current Transport-Oriented Development (TOD) program makes insufficient provision for mitigating negative impacts of increased density, including the potential loss of tree canopy and deep soil in urban areas.”***

***“4.113 In particular, the committee notes concerns that the provisions under the TOD program could lead to a significant reduction in the number of mature trees in metropolitan areas. As noted by many stakeholders, these trees provide significant amenity and climate benefits, and we do not accept the argument that reduction of trees in metropolitan areas is an acceptable trade-off for limiting urban sprawl in western Sydney”***

Council’s alternate approach demonstrates Council’s capability providing outcomes that improve Canterbury, deliver on local needs and aspirations and respond to the unique circumstances of the centre, particularly in terms of existing development, natural assets such as the Cooks River, connectivity and barriers, heritage and character, as well as providing improved built form outcomes to improve sustainability and green infrastructure delivery.

**Recommended Approach**

It is recommended that Council endorse the alternative approach for the Canterbury Local Centre. Upon endorsement, Council officers will proceed with implementing this approach, including the preparation of a Development Control Plan (DCP). The final implementation will depend on DPHI’s decision regarding changes to planning controls.



## **7        POLICY MATTERS**

The following item is submitted for consideration -

7.1   Corporate Governance Policies	71
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## Policy Matters - 22 October 2024

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### ITEM 7.1 Corporate Governance Policies

**AUTHOR** Corporate

### SUMMARY

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- Good governance is critical for ensuring that Council meets its legal and ethical compliance and that decisions are made in the best interests of our community.
- In adhering to this, Council is required to adopt a number of corporate governance policies, which guide both Councillors and staff in meeting their obligations under the Local Government Act 1993.
- Council's policies are largely based on relevant requirements as set out by the NSW Office of Local Government – commonly referred to as Model Codes - and/or other relevant Government agencies such as ICAC and the NSW Ombudsman.
- The purpose of this report is to:
  - Adopt Council's Codes and Policies – which make-up and support its corporate governance framework; and
  - Having regard to Section 252 and 253 of the *Local Government Act 1993*, endorse the Draft Councillor Expenses and Facilities Policy and exhibit it for public comment.

### RECOMMENDATION That -

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1. Council endorse the Draft Councillor Expenses and Facilities Policy for the purpose of public exhibition. A further report be submitted to Council, following the conclusion of the public exhibition period.
2. Council adopts the following policies/documents as outlined in the report:
  - Code of Conduct
  - Code of Meeting Practice
  - Complaints Management Policy
  - Councillor and Staff Interaction Policy
  - Councillor Induction and Professional Development Policy
  - Fraud and Corruption Prevention Policy
  - Gifts and Benefits Policy

- Instrument of Delegation
  - Public Interaction and Meeting Disclosure Policy
  - Statement of Business Ethics
  - Public Interest Disclosures Policy
  - Media Policy
  - Social Media Policy
- 

## **ATTACHMENTS**

[Click here for attachments](#)

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1. Draft Councillor Expenses and Facilities Policy
2. Code of Conduct
3. Code of Meeting Practice
4. Complaints Management Policy
5. Councillor and Staff Interaction Policy
6. Councillor Induction and Professional Development Policy
7. Fraud and Corruption Prevention Policy
8. Gifts and Benefits Policy
9. Instrument of Delegation
10. Public Interaction and Meeting Disclosure Policy
11. Statement of Business Ethics
12. Public Interest Disclosures Policy
13. Media Policy
14. Social Media Policy



## INTEGRATED PLANNING AND REPORTING ALIGNMENT

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- The policies/documents are aligned with the *Leading and Engaged* destination of the CBCity 2036 Community Strategic Plan.
- Adoption of the policies/documents the subject of this report ensures Council abides by good governance practices and meets its legislative obligations.
- The adoption of these policies provides our community the assurance that relevant policies and practices are in place to ensure that Council meets its obligations under the *Local Government Act 1993* and its Corporate Governance Framework.

## STRATEGIC IMPACT

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- Relevant funding is annually reflected in Council's operational budget to accommodate requirements associated with these policies.

## DETAILED INFORMATION

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### Purpose

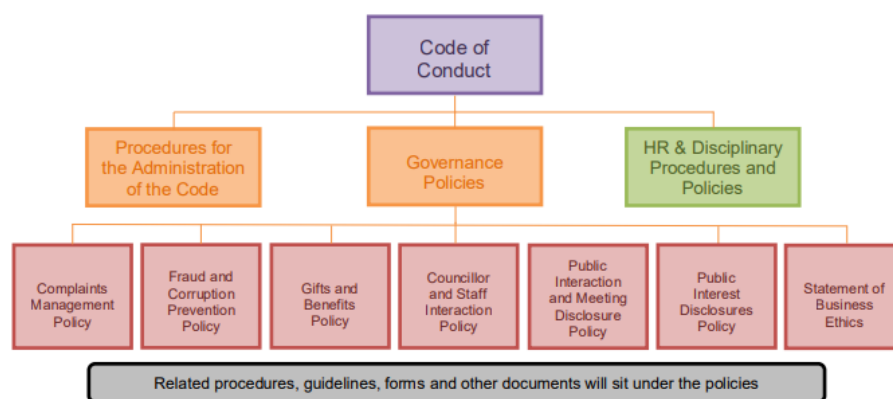
- The purpose of this report is to:
  - Adopt Council's Codes and Policies – which make-up and support its corporate governance framework; and
  - Having regard to Section 252 and 253 of the *Local Government Act 1993*, endorse the Draft Councillor Expenses and Facilities Policy and exhibit it for public comment.

### Discussion

#### **Code of Conduct Framework**

- Council's Code of Conduct is the central component of Council's Code of Conduct Framework, and is supplemented by the Procedures for the Administration of the Code and a series of policies (shown below) that facilitate the administration of the Code as they relate to gifts and benefits, fraud and corruption prevention, complaints management and other key aspects of ethical behaviour.

#### **Corporate Governance Framework**



- Councillors will be familiar with these policies, having considered them as part of the recent Councillor Induction Workshops conducted with all Councillors.
- Where relevant, these policies are based on certain Model Codes issued by the NSW Office of Local Government and other Guidelines published by Government Agencies, such as the NSW Ombudsman's Office and ICAC.
- A brief outline of each policy is provided below.

- **Code of Conduct**

- The Code of Conduct is Council’s principal governance policy and is an important foundation for a strong ethical culture. The Model Code of Conduct sets the minimum standards of conduct for Council officials. It is prescribed by regulation to assist Council officials to:
  - Understand and comply with the standards of conduct that are expected of them;
  - Enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence; and
  - Act in a way that enhances public confidence in local government.

- **Code of Meeting Practice**

- The Code of Meeting Practice is made under Section 360 of the *Local Government Act 1993* and the *Local Government (General) Regulation 2021*.
- The Code of Meeting Practice provides a set of meeting rules to ensure more accessible, orderly, effective and efficient meetings. It applies to all meetings of councils and committees of council of which all the members are councillors.

- **Complaints Management Policy**

- The Complaints Management Policy sets out a formal framework for managing complaints from the public to Council and seeks to facilitate a consistent, fair and equitable resolution to customer complaints and encompasses the unreasonable conduct of complainants.

- **Councillor and Staff Interaction Policy**

- The Councillor and Staff Interaction Policy guides both Councillors and Staff in exercising their civic duty by specifically addressing their interaction with and receipt of advice from authorised staff, as nominated and authorised by the Chief Executive Officer.

- **Fraud and Corruption Prevention Policy**

- The Fraud and Corruption Prevention Policy outlines the expectations and responsibilities of all Council Officials and other persons who perform functions on behalf of Council, and provides the mechanism for reporting suspected fraud, misconduct and corrupt conduct.

- The Policy ensures that mechanisms are in place to protect the integrity, security and reputation of Council, and it articulates Council’s position of having zero tolerance to both fraud and corruption as well as its commitment to the prevention, deterrence, detection and investigation of all forms of fraud and corrupt conduct.
- **Gifts and Benefits Policy**
  - The Gifts and Benefits Policy outlines the basis on which Council will manage the offer and acceptance of gifts, hospitality and benefits in accordance with the obligations set out in Council’s Code of Conduct.
- **Public Interaction and Meeting Disclosures Policy**
  - The Public Interaction and Meeting Disclosures Policy complements the legislative requirements Council Officials must adhere to, and assists with establishing the method in which the Mayor, Councillors and Council’s senior staff interact with the public on matters before Council, unsolicited proposals and requests for Council support in an ethical, open and transparent manner.
- **Statement of Business Ethics**
  - The Statement of Business Ethics outlines the standards of behaviour and ethical business dealings expected of people doing business with Council and provides guidance when conducting business with Council. It also explains the mutual obligations and role of all parties. This business may include the supply of goods and services, use of contractors and consultants, assessment of development applications and other general dealings.
- **Public Interest Disclosures Policy**
  - The Public Interest Disclosures Policy ensures Council’s compliance with the requirements of the *Public Interest Disclosures Act 2022* (PID Act), by having the appropriate mechanisms in place to support and protect staff and Councillors making protected disclosures in accordance with the PID Act.

### ***Other Council Policies***

- **Councillor Induction and Professional Development Policy**
  - The Councillor Induction and Professional Development Policy demonstrates Council’s commitment to ensuring that the Mayor and Councillors have access to induction and ongoing professional development which will assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the *Local Government Act 1993*.

The Policy satisfies Council's requirement under the provisions of sections 183 to 185 of the *Local Government (General) Regulation 2021* to provide induction training and ongoing professional development for Councillors.

▪ **Instrument of Delegations**

- Section 377 of the *Local Government Act 1993* enables a Council to delegate to the Chief Executive Officer, or any other person or body, any of the functions of the Council excepting a range of functions so specified.
- The Instrument of Delegations outlines delegations from Council to the Mayor and Chief Executive Officer, including powers, duties, authorities and functions under specified legislation.
- The Chief Executive Officer is delegated all functions of the Council under the *Local Government Act 1993* and any other legislation subject to limitations outlined in the attached Instrument of Delegations. In turn the Chief Executive Officer has the authority to sub-delegate certain functions to other staff, as required.
- The proposed delegations have been prepared to ensure the efficient operation of Council's functions and services, particularly between Council Meetings.

▪ **Media Policy**

- The Media Policy provides a framework to assist Council when dealing with the media and to ensure that media engagement by Council Officials is consistent, accurate and professional, and enhances the Council's reputation. The Policy clearly states who can issue a media release/statement and discuss topics related to Council matters when approached by the media for comment.

▪ **Social Media Policy**

- The purpose of the Social Media Policy is to provide a clear and aligned set of standards and guidance for Council officials, including Councillors, on the appropriate use of official Social Media platforms when representing the City of Canterbury Bankstown (Council), and interacting with the community.
- The Social Media Policy is based on the Model Social Media Policy developed by the OLG.

- **Draft Councillor Expenses and Facilities Policy**
  - The Councillor Expenses and Facilities Policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to assist them in undertaking their civic duties.
  - It has been updated in accordance with the *Local Government Act 1993* and *Local Government (General) Regulation 2021* and complies with the Office of Local Government’s Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.
  - In accordance with the requirements of section 253 of the *Local Government Act 1993*, this Policy must be placed on public exhibition for a period of 28 days, prior to its formal adoption.
- The table below provides information on the previous adoption date for each policy listed in the report.

**Table 1 - Previous Adoption Dates of Policy Documents**

<b>Policy Document</b>	<b>Previously Adopted by Council</b>
<b>Code of Conduct</b>	22 February 2022
<b>Code of Meeting Practice</b>	26 April 2022
<b>Complaints Management Policy</b>	22 February 2022
<b>Councillor and Staff Interaction Policy</b>	22 February 2022
<b>Councillor Induction and Professional Development Policy</b>	22 February 2022
<b>Fraud and Corruption Prevention Policy</b>	22 February 2022
<b>Gifts and Benefits Policy</b>	22 February 2022
<b>Instrument of Delegation</b>	22 February 2022
<b>Public Interaction and Meeting Disclosure Policy</b>	22 February 2022
<b>Statement of Business Ethics</b>	22 February 2022
<b>Public Interest Disclosures Policy</b>	22 February 2022
<b>Media Policy</b>	28 November 2023
<b>Social Media Policy</b>	22 February 2022
<b>Councillor Expenses and Facilities Policy</b>	Adopted on 26 April 2022 then amended and re-adopted on 24 October 2023

### **Recommended Approach**

Having regard to Council’s requirements under the *Local Government Act 1993* and associated Regulation, it is recommended that:

- Council endorse the Draft Councillor Expenses and Facilities Policy for the purpose of public exhibition. A further report be submitted to Council, following the conclusion of the public exhibition period.
- Council adopts the following policies/documents as outlined in the report:
  - Code of Conduct;
  - Code of Meeting Practice;
  - Complaints Management Policy;
  - Councillor and Staff Interaction Policy;
  - Councillor Induction and Professional Development Policy;
  - Fraud and Corruption Prevention Policy;
  - Gifts and Benefits Policy;
  - Instrument of Delegation;
  - Public Interaction and Meeting Disclosure Policy;
  - Statement of Business Ethics;
  - Public Interest Disclosures Policy;
  - Media Policy; and
  - Social Media Policy.





## **8 GOVERNANCE AND ADMINISTRATION MATTERS**

The following items are submitted for consideration -

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## Governance and Administration Matters - 22 October 2024

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### ITEM 8.1 Request for Extension of Lease of Land by Sydney Metro and SouthWest

**AUTHOR** Corporate

### SUMMARY

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- At its Ordinary Meeting in September 2022, Council approved a proposal from Sydney Metro to compulsory acquire leasehold interest to multiple lots of Council owned land located on both the north and south sides of Bankstown Railway Station (North and South Terrace) to facilitate construction of the new Metro station.
- The original lease term was scheduled for two-years - ending in November 2024.
- Sydney Metro City and Southwest (Sydney Metro) has requested an extension of the lease to continue construction work for the Bankstown Metro Station on the north side of the Railway station for a further 12 months as part of the broader Sydney Metro City and Southwest project.
- Council approval is sought to the request for the extension of the lease until November 2025 under the same terms and conditions, and the same valuation as originally negotiated for the leasehold acquisition.

### RECOMMENDATION That -

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1. Council authorise the Chief Executive Officer to negotiate and determine the terms of the extension of the leasehold interest of Council land on the north side of Bankstown Railway Station (North Terrace).
2. The Chief Executive Officer be delegated authority to sign all documentation, as required.

### ATTACHMENTS [Click here for attachments](#)

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1. Letter and Plan Proposing Extension
2. Previous Report dated 29 September 2022

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

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- The report aligns with the Leading and Engaged destination in Council's Delivery Program and Operational Plan as it relates to property management.
- As the request pertains to land on the north side only, any impact on the community is expected to be minimal.
- Council will receive fair compensation (based on the previous determination) for the compulsory leasehold acquisition of the land by Sydney Metro.

## **STRATEGIC IMPACT**

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- Council will be entitled to receive further compensation, reflective of the extended use of the land on the north side of Bankstown Railway Station, being \$42,885 per annum.
- The report has no implications for Council's Workforce and Asset management strategies.

## DETAILED INFORMATION

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### Purpose

- Sydney Metro (SM) is requesting to extend its current leasehold interest for the land on the north side of Bankstown Railway Station (refer to attached plans) - from 20 November 2024 till 20 November 2025.

### Background

- Council at its meeting on 29 September 2022, approved a proposal from SM to compulsory acquire leasehold interest to multiple lots of Council owned land located on both the north and south sides of Bankstown Railway Station (North and South Terrace) to facilitate construction of the new Metro station.
- The original lease term was scheduled for two-years - ending in November 2024.

### Discussion

- SM is progressing with its works to construct the new Metro Station at Bankstown.
- Whilst originally acquiring leasehold interest to multiple lots of Council owned land – SM only require the ongoing use of part of Council's land on the northern side of the station – for a further twelve (12) months, till 20 November 2025.
- SM had previously exercised its statutory powers under the Land Acquisition (Just Terms Compensation) Act 1991 to compulsorily acquire the leasehold interest for the north and south side of the Bankstown railway station.
- SM are now proposing to negotiate a Section 30 Agreement, which allows the parties to finalise the leasehold extension without changes to the previously agreed compensation terms.
- SM's offer is based on the same rate per square metre for the land as determined previously by the Valuer General for the original two-year lease – being \$42,885 per annum (northern side only).
- The current lease fee/rent remains commensurate with current market rates - and therefore is considered reasonable for the short-term extension.
- As originally agreed, SM will restore the land to its original condition at the conclusion of the lease term extension.

### Recommended Approach

In the interest of completing the project – it is recommended that Council:

- Council authorises the Chief Executive Officer to negotiate and determine the terms of the extension of the leasehold interest of Council land on the north side of Bankstown Railway Station (North Terrace) – as outlined in the report.
- The Chief Executive Officer be delegated authority to sign all documentation, as required.

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## Governance and Administration Matters - 22 October 2024

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### ITEM 8.2                      Ramadan Nights Lakemba - Update

**AUTHOR**                      City Future

### SUMMARY

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- In August 2024 Council considered a report related to the planning for Ramadan Nights Lakemba in 2025 and beyond.
- The purpose of this report is to provide Council with a further update on the issues discussed and endorsed in the August 2024 report, and to seek further recommendations to continue to progress the planning of this event.
- Four key issues for Council endorsement at this stage in the ongoing planning are:
  - Revision of the event layout and confirmation of stall location;
  - Stallholder fees and charges;
  - the number of days the event is to be held; and
  - Renaming and branding of the event.

### RECOMMENDATION    That -

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1. Council endorse a revised stallholder layout (attachment 2) with stalls to be relocated from the footpaths onto the roads;
2. Council exhibit adjusted stallholder fees of \$600 per night in 2025 to be paid directly to Council and that there be no other stalls;
3. Council investigate the costing of running of the event Thursday to Sunday only;
4. Council endorse the renaming and rebranding of the event to 'Lakemba Nights'.

### ATTACHMENTS                      [Click here for attachments](#)

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1. Council Report Ramadan Nights 27 August 2024
2. Lakemba Nights Event Site Plan
3. Proposed 2025 Lakemba Nights Budget

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

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- Ramadan Nights Lakemba is Council's Signature Event and outlined as a major deliverable in the 2024/25 Operational Plan.
- Specifically, The Operational Plan identifies "a review of Ramadan Nights Lakemba" (ref 16.1). This report forms part of that review.
- The event makes a major contribution to realising Council's Community Strategic Plan, CBCity 2036 with noteworthy economic, social and cultural community benefits.
- The event is highlighted in a number of supporting strategies and plans including the Economic Development Strategy 2036 and The Night-time Economy Action Plan 2021 to 2026.
- Changes to the event will require the strengthening and further development of important underpinning documents such as new Stallholder Terms and Conditions.
- In the current context of what is happening in the Middle East, this event is arguably the most significant in the country when it comes to showcasing community harmony and mutual respect amongst the community.

## **STRATEGIC IMPACT**

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- The planning, curation and management of this event has a significant draw-down on Council revenue and staff commitment from across the organisation. Current event expenses are approximately \$3.24 million.
- The recommendations in this report have been proposed to mitigate some of these escalating costs. This includes a proposed change in stall holder fees from \$6,000 to \$600 per night (total fee subject to the number of days the event is held)
- An application to State Government seeking \$5.5 million over the next three years has been submitted and a decision is pending.
- Without State Government funding the event is likely to be in the order of \$800,000 over the proposed budget in the 2024/25 Operational Plan (total net cost approx. \$2M).
- Notwithstanding that some State Government funding is likely, it is proposed that Council investigate the reduction in the number of days the event will operate (Thursday to Sunday) to reduce costs, and impact on local residents.
- The proposed changes to the stall location have been introduced to improve the overall safety and risk management of the event.
- The report also notes the purchase of traffic management devices (Meridian barriers which are easily removable metal vehicle mitigation barricades) which will assist with reducing future operating costs for managing the street closures.



## DETAILED INFORMATION

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### Purpose

- To provide Council with a further update on the issues discussed and endorsed in the August 2024 Report, and to seek further recommendations to continue to progress the planning of this event.

### Background

- There have been several Council Reports and Mayoral Minutes (most recent are December 2023, April 2024, August 2024) setting out both the benefits of Ramadan Nights Lakemba and the challenges.
- In summary the benefits are:
  - The event is now of National and State significance and attracts almost 1.6 million people during the holy month of Ramadan.
  - It is the second largest event in the country, outside of Vivid, and the largest and longest in duration, of any kind, being run and managed by a local council in all of Australia.
  - Attendees come from across Greater Sydney, New South Wales, Australia and overseas.
  - The event generates a strong positive return to the local and state economy.
  - The event is an excellent demonstration of community harmony and mutual respect amongst peoples of all nationalities and religions.
  - Delivery of the event by Council is rated very favorably by attendees with unique cultural experience, food quality and safety rated good to very good by over 95 percent of attendees in 2024, and overall experience of the 2024 event (measured from 1,135 surveys) rating the event as four and a half stars out of five.
- The challenges in running such a significant event are:
  - Between 2019 and 2024, attendance at Ramadan Nights Lakemba grew by over 500 percent. With event growth has come increased operational costs primarily related to internal specialist staff and services, as well as external escalating costs due to paid policing, traffic control, crowd management and security.
  - Significant and ongoing discontent amongst nearby residents concerning noise management, sleep and other lifestyle disturbances, waste and smell issues, and safety.
  - Deep concern from some in the local Muslim community who view the event as 'commercial' and not in keeping with the values of Ramadan including prayer, fasting, personal reflection and giving.
  - It is a huge logistical operation and on any one night, there are approximately 120 staff and contractors on site to ensure a safe and successful event.
  - The cost to run this event in 2024 for the month of Ramadan was just over \$3 million and whilst partly offset by a \$500,000 grant from Multicultural NSW in 2023 and 2024, the bulk of the funding comes from Council's general revenue.

## Discussion

- At the 27 August 2024 Council Meeting, Council considered a number of matters for resolution and further investigation. The table below provides updates relevant to the August 2024 report.

Aug Council Report Item	Update
Subject to funding, Council endorse the running of the event to continue every night during Ramadan (including one night for public prayers and a street based Iftar Dinner).	<ul style="list-style-type: none"><li>The current event plan has been based on the event running every night – Monday to Wednesday to midnight, and Thursday to Sunday to 2:00 am.</li><li>With funding from the Government uncertain, and costs escalating significantly, it is proposed Council reduce the number of days the event will operate (Thursday to Sunday) to reduce costs (refer to benefits and potential risks later in this report).</li><li>The exact dates of when the event commences and ends are yet to be finalised.</li><li>Further work is required to determine how the prayer and Iftar dinner is to operate.</li></ul>
Council investigates feasibility and costs associated with the placement of all event stalls on the road including adjustments required to the median strip.	<ul style="list-style-type: none"><li>Feasibility and costing has been completed.</li><li>Detailed road measurements in consultation with internal staff and external traffic and risk experts has deemed it feasible to place all event stalls on the road.</li><li>Approvals have been given by Transport for NSW to replace the current raised median strips with lower painted and textured traffic management strips (Council should note that a number of these already exist on Haldon Street so this work would be consistent with what is already there in part.)</li><li>Surveys and discussions with stallholders over the last two years have indicated their preference for stalls to be on the road.</li><li>Placing stalls on the road should allow better regulation and management of stalls, whilst keeping footpaths clear for event attendees to access all other shops and services.</li><li>In 2025 it will be feasible to position up to 60 stalls on the roads – all of these will be on Haldon Street, with food trucks to be sited on The Boulevarde, and Railway Parade activated with lighting and seating to support businesses as indicated in attachment 2.</li><li>A grant from Transport for NSW for \$500,000 secured in September under their Permit, Plug Play Program will enable Council to purchase marquees for stallholders. These purchases will assist in the cost to Council with the remaining costs indicated in the attached budget for 2025.</li></ul>

Aug Council Report Item	Update
Council continues to seek NSW Government funding to secure the long-term future for the event.	<ul style="list-style-type: none"> <li>▪ A detailed proposal has been submitted to Destination NSW (DNSW) advocating for a partnership between Council and the State Government and seeking funding support of \$5.5M over the next three years.</li> <li>▪ A decision by DNSW is still pending.</li> <li>▪ The proposed budget for Ramadan Nights Lakemba 2025 provided in attachment 3, indicates the likely cost of running the event, based on a contribution of \$1.73 million from the State Government for the 2025 event. It also indicates the impact should this contribution not be realised.</li> <li>▪ A further report to Council will be provided once the outcome of the funding proposal is known.</li> <li>▪ Further referenced above, is a recent \$500,000 grant from Transport for NSW to purchase event-related assets and infrastructure which will help lower some operational costs.</li> </ul>
A further report be presented to the new Council once Government funding is confirmed, addressing matters set out in the report.	<ul style="list-style-type: none"> <li>▪ As a decision on this by the State Government is still pending, a further update will be provided at the December 2024 Council Meeting.</li> </ul>
Reviewing logistics including provision of power and marquees for stallholders.	<ul style="list-style-type: none"> <li>▪ Thanks to the grant funding from Transport for NSW, Council will be able to offer stallholders standard marquees.</li> <li>▪ Sufficient space in the street has been allocated for silent generators to provide power to the stallholders.</li> </ul>
Seeking necessary approvals from Transport for NSW.	<ul style="list-style-type: none"> <li>▪ Council sought approval to close the railway bridge to allow for stalls. However, due to the extensive bus movements as a result of the Metro construction, approval was not given.</li> <li>▪ The event footprint is therefore proposed to be similar to 2023.</li> <li>▪ As already outlined, Transport for NSW has provided necessary approvals for other requirements of the event to operate.</li> </ul>
Developing firmer costs of traffic and security by seeking quotes for 2025.	<ul style="list-style-type: none"> <li>▪ Council staff are in the process of reviewing tendered quotes for security management and traffic management.</li> <li>▪ An update will be provided at the December 2024 Council Meeting on this item.</li> </ul>
Exploring options to reduce the cost of traffic control measures such as the purchase of meridian traffic barriers.	<ul style="list-style-type: none"> <li>▪ Thanks to the funding from Transport for NSW, Council is in the process of procuring Meridian Barriers.</li> </ul>

## Recommended Actions

- At the August Council meeting Council resolved to investigate feasibility and costs associated with the placement of all event stalls on the road including adjustments required to the median strip. As noted above, this investigation has confirmed the feasibility and approvals for this to occur.
- In order to address the increased costs of the event, it is proposed that the stall holder fees increase. It is to be noted that one stall will be made available to relevant charities and not for profits during the event. This stall will be offered free of charge and will be allocated to organisations through an Expression of Interest process.
- In addition, it is proposed that the event name be changed to signify that the event is not explicitly tied to a religious practice.
- With State Government funding having not been confirmed, escalating costs and significant impacts on residents mean other options to reduce costs and impacts are required. Therefore, a recommended action is to reduce the event to operate only on Thursdays to Sunday. This recommendation is consistent with previous Council reports where this option was identified.
- Based on the updated information above, the following further recommendations are proposed for Council endorsement with their associated benefits and risks.

Recommendation	Benefits	Potential Risks
<b>Recommendation 1:</b>  Council endorse a revised stallholder layout (attachment 2) with stalls to be relocated from the footpaths onto the roads,	<ul style="list-style-type: none"> <li>▪ Give Council greater control over the event space, enabling improved stallholder management with regard to food safety, cuisine curation and vendor selection,</li> <li>▪ This new model effectively ends the nexus between the stallholder and the property owner or lessee.</li> <li>▪ Allow Council to increase stallholder fees to cover a greater proportion of the event costs without imposing a heavy financial burden on the stallholder (noting they often paid higher fees to the local businesses).</li> <li>▪ Support a level playing field for interested stallholders where those who cannot pay the highest fees to the property or business</li> </ul>	<ul style="list-style-type: none"> <li>▪ Lead to 'unofficial' stalls continuing to be set up on the footpaths necessitating stronger regulatory enforcement, risk to staff, and the need for police intervention.</li> <li>▪ Animosity towards Council by property owners and lessees who stand to lose money by not being able to 'on-sell' their space. This is offset by helping to eliminate the liability risk to Council, should an accident or incident happen on the footpath. Council is the owner of this asset and because there have been no significant incidents or accidents, the issue of who is the responsible party has not yet been tested.</li> </ul>

Recommendation	Benefits	Potential Risks
	<p>owner, are not disadvantaged in any bidding war.</p> <ul style="list-style-type: none"> <li>▪ Help ensure there is equal access to all hospitality business owners, in and around Haldon Street, to have an opportunity to provide a stall. This is not the case with the current event set-up where public assets on the street such as seating, bus stops, and bins, prevent some stalls being approved.</li> <li>▪ Improve event management and regulatory control over stall size, set up, materials used, space taken, food quality, and power usage. It is proposed that each stallholder be supplied a 3x3 metre marquee by Council to help ensure some standardisation. Council to also provide provision for power through generators. The increased stallholder fees will cover these costs.</li> <li>▪ Consistent-looking stalls and signage will elevate the event aesthetic.</li> <li>▪ Address cooking smell concerns from non-food businesses and other organisations such as chemists, doctors, banks, Mosques, by removing cooking operations out from under the canopies above the footpath.</li> <li>▪ Improve safety for staff in dealing with stallholders.</li> <li>▪ Enhance the safety and cleanliness of the footpaths which are often tainted and spoiled by cooking oil and</li> </ul>	

Recommendation	Benefits	Potential Risks
	<p>other materials under the current event model.</p> <ul style="list-style-type: none"> <li>▪ Help address resident concerns by clearly defining an event precinct that has been designed to situate all stallholders as far away as possible from high density residential buildings.</li> <li>▪ Keep all footpaths clear which could lead to improved sales for all businesses in the precinct by increasing footfall directly outside of their premises and not be impeded by stalls on the footpath.</li> </ul>	
<p><b>Recommendation 2:</b></p> <p>Council exhibit adjusted stallholder fees to \$600 per night in 2025 to be paid directly to Council</p>	<ul style="list-style-type: none"> <li>▪ The fee will increase the income up to \$18,000 depending on the number of nights the event eventually operates (currently \$6,000)</li> <li>▪ This will offset some of Council's costs</li> <li>▪ This fee is projected to actually lower costs for stallholders as currently the stallholder pays the Council \$6,000 in fees in addition to paying the business owner anywhere between \$15,000 and \$30,000 to be sited outside their shop.</li> <li>▪ This fee of \$600 per night is comparatively favorable when benchmarked against other major events in Australia e.g., Parramatta Lanes stalls up to \$3,000 per night, ACT Multicultural Festival over \$1,000 per stall per day, Sydney Lunar Festival over \$1,300 per stall per night.</li> <li>▪ This fee will include hire of the stall space, power, waste management, and</li> </ul>	<ul style="list-style-type: none"> <li>▪ Animosity towards Council by business and property owners who stand to lose money by not being able to 'on-sell' their space.</li> </ul>

Recommendation	Benefits	Potential Risks
	the provision of a 'stall kit' containing essential items such as pop-up marquee, as well as food safety briefings and information.	
<p><b>Recommendation 3:</b></p> <p>Council investigate the costing of running of the event Thursday to Sunday only</p>	<ul style="list-style-type: none"> <li>At this stage the Government has not confirmed any funding for the event. With no funding the net cost to Council (after fees and charges and sponsorship) is in the order of \$2M. Reducing the number of days will reduce this overall cost to Council, help contain escalating costs, and go a long way to addressing the significant impacts on residents.</li> </ul>	<ul style="list-style-type: none"> <li>As noted in the August 2024 Council report reducing the days will likely result in an increase in the number of unregulated businesses trying to operate on those days when there is no event.</li> <li>Risk of people attending Monday to Wednesday expecting the event and stalls to be operating</li> <li>Stall holders will have reduced income causing backlash.</li> </ul>
<p><b>Recommendation 4:</b></p> <p>Council endorse the renaming and rebranding of the event to 'Lakemba Nights'.</p>	<ul style="list-style-type: none"> <li>Renaming and rebranding the event from 'Ramadan Nights, Lakemba' to 'Lakemba Nights' to uncouple what is seen as the 'commercial' nature of the event from its 'religious' significance.</li> <li>Align with what the media already refers to, and is colloquially known as 'Lakemba Night Markets'</li> <li>Still maintain the link with Ramadan when the event is held</li> <li>continuing to give opportunities to the Muslim community to participate in initiatives such as public prayers and a street based Iftar.</li> <li>This concept has support from the stakeholder groups Council has consulted with (stallholders, businesses, local Islamic leaders)</li> </ul>	<ul style="list-style-type: none"> <li>There are no identified negative consequences of this change.</li> </ul>

<b>Recommendation</b>	<b>Benefits</b>	<b>Potential Risks</b>
	following the event in 2024.	

#### **Recommended Steps Going Forward:**

- Subject to Council's adoption of the above three recommendations, the next steps are to:
  - Place on public exhibition the increase stallholder fees;
  - Continue to develop firmer costings for traffic and security by reviewing tendered quotes;
  - Review the cost savings and the reduction of negative impacts on local residents if the event is to operate only on Thursdays to Sunday;
  - Hold a community information session to allow stakeholders and community to find out about the changes to the fees, change of name, location of stalls and possible reduction in the number of days the event is to be held;
  - Confirm the dates for Ramadan Nights 2025;
  - Prepare collateral to rename and rebrand the event to 'Lakemba Nights; and
  - Return to Council with an updated Report on the above issues.



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## Governance and Administration Matters - 22 October 2024

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### ITEM 8.3                      Greenacre Childcare Centre

**AUTHOR**                      **Community Services**

### SUMMARY

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- Council's Greenacre Childcare Centre (the facility) - located at 35 Waterloo Road, Greenacre – is currently leased to the Melkite Catholic Eparchy of Australia, New Zealand and All Oceania (MCEA).
- Council's lease to MCEA commenced in December 2014 and is set to expire on 31 December 2024.
- The facility – and particularly its use for childcare services – is an important and vital service provided for our community, and which ideally should continue to be used for such a purpose/service.
- Council has determined that the most effective approach to providing the service is via an experienced external operator – who will be able to best service the community.
- Having regard to the relevant provisions of the *Local Government Act 1993*, it is proposed that Council commence an open tender process to source a suitable operator to carry out the required service.
- To ensure its ongoing commercial viability, it is proposed that the lease period for the facility be five (5) years with a further five (5) year option – and a lease rent which is commercial in nature.
- Until a decision is made, the current lease with MCEA will continue to operate on a month by month hold over basis.

### RECOMMENDATION    That -

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1. Having regard to the relevant provisions of the Local Government Act 1993, Council agree to carry out an Open Tender process for the management of the Greenacre Childcare Centre for a period of five (5) years with a five (5) year option – as outlined in the report.
2. A further report be provided to Council to consider the outcome of the tender process, accordingly.

### ATTACHMENTS

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Nil

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

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- Management of Councils Community Facilities is well defined in Councils 2024/25 Operational Plan.
- Specifically, the plan identifies the need for a safe and strong community that is inclusive, unites, celebrates and cares. This is also evident in Councils Child Friendly Action Plan.

## **STRATEGIC IMPACT**

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- Council is committed to equitable and non-discriminatory access to its facilities. An open and streamlined tender process will ensure that the most suitable organisation is selected to manage this Council asset. By offering a long term five + five-year agreement – and of a commercial nature - Council will ensure the successful applicant can invest in the facility where relevant.

## DETAILED INFORMATION

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### Purpose

- For Council to consider and agree to carry out an open tender process for the management of the Greenacre Childcare Centre.

### Background

- Greenacre Childcare Centre currently operating as Roberts Park Early Learning Centre, located at 35 Waterloo Road, Greenacre (also known as 87a Waterloo Road), has been managed by Melkite Catholic Eparchy of Australia, New Zealand and All Oceania (MCEA) since 2014. The lease for the facility is due to expire on 31 December 2024.
- Previous to this, KU Children's Services had managed the facility for the 10 years prior.
- In satisfying Council's requirements under the Local Government Act 1993 and associated Regulations to enter into a new lease agreement, an open tender process is proposed to commence for the management of this long day care children's facility.

### Discussion

#### *Current Service*

- Roberts Park Early Learning Centre is currently licensed for 57 children at this facility and provides long day care for children up to the age of five.
- The facility – and particularly its use for childcare services – is an important and vital service provided for our community, and which ideally should continue to be used for such a purpose/service.
- Council has determined that the most effective approach to providing the service is via an experienced external operator – who will be able to best service the community.

#### *Open Tender Process*

- Having regard to the above – and Council's legislative obligations under the Local Government Act 1993 - it is proposed that Open Tender process be conducted to source a suitable operator to carry out the required service.
- Whilst the specific details/expectations of Council's requirements will be reflected in its tender document, generally, proponents will be required to satisfy and/or substantiate a number of essential elements, including:
  - Experience in the provision of Long Day Care Services;
  - Relevant accreditation and licencing requirements to operate the service;
  - Specific support for special needs children;
  - Asset maintenance and repairs obligations; and
  - Financial/commercial considerations; and

- To ensure its ongoing commercial viability, it is proposed that the lease period for the facility be five (5) years with a further five (5) year option.
- The tender process will be carried out in accordance with Section 55 of the *Local Government Act 1993*, the *Local Government (General) Regulation 2021* and Council's Procurement Policy.
- As the Roberts Park facility was market tested previously, it is not currently under Council's Community Facilities Policy. The outcome of this process may assist in forming our approach to managing childcare facilities and will be reviewed as part of the review of the policy.

### **Recommended Approach**

On that basis, it is recommended that:

- Having regard to the relevant provisions of the *Local Government Act 1993*, Council agree to carry out an Open Tender process for the management of the Greenacre Childcare Centre for a period of five (5) years with a five (5) year option – as outlined in the report.
- That a further report be provided to Council to consider the outcome of the tender process, accordingly.

---

## Governance and Administration Matters - 22 October 2024

---

### ITEM 8.4                      Unaudited 2023/24 Annual Financial Reports

**AUTHOR**                      **Corporate**

### SUMMARY

---

- Council's Draft 2023/24 Unaudited Annual Financial Reports are now completed and in accordance with Section 413 of the *Local Government Act 1993* (the Act) and *Local Government (General) Regulation 2021* - must be referred for Audit to our External Auditor.
- As part of its requirements, Council must also form an opinion as to whether the Council's Financial Statements reflect a true and fair position and that they have been drawn up in accordance with the Local Government Act, the Australian Accounting Standards and the Local Government Code of Accounting Practice and Financial Reporting.
- Once adopted, Council will be able to finalise the audit process which includes the receipt of the Auditor's Report.
- Subject to their being no significant changes to Council's financial reports, a complete assessment of Councils' year-end financial results will be presented to the Council at its November 2024 Ordinary Meeting.
- Council's Auditor will also attend the November meeting to outline their opinion of the results.

### RECOMMENDATION    That -

---

1. Council resolves that the attached 2023/24 Unaudited Annual Financial Reports, for the financial year ended 30 June 2024 have been prepared in accordance with the relevant sections and parts of the Local Government Act 1993 and the Local Government (General) Regulation 2021 and are submitted to Council for its consideration.
2. The Mayor, Deputy Mayor, Chief Executive Officer and Responsible Accounting Officer duly sign the Statement of Council's Unaudited Annual Financial Reports on behalf of the Council.
3. Subject to Items 1 and 2, the Statement and the 2023/24 Unaudited Annual Financial Report be referred to Council's Auditor in finalising the year-end audit process.
4. The Chief Executive Officer be authorised to set the date for the public meeting and give notice in accordance with the Local Government Act 1993.

## ATTACHMENTS

[Click here for attachments](#)

---

1. Draft Unaudited 2023/24 Annual Financial Statements

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

---

- The adoption of the recommendations will ensure that Council meets the legislative requirements regarding annual financial reporting and auditing of its financial performance for the year ended 30 June 2024.
- The adoption of the recommendations will assist Council meets its Operational and Delivery Plan goals of being Leading and Engaged including the delivery of action 7.3.3 of the Operational Plan.

## **STRATEGIC IMPACT**

---

- Notwithstanding any further adjustments that may be required as part of the audit process, the attached reports fairly present Council's operating result and financial position for the year and accords with relevant accounting records.
- The financial reports provide the community with an understanding of Council's financial performance and financial position as at 30 June 2024. The financial reports also assess Council's financial performance against industry benchmarks. The financial reports also play an important role in Council's financial planning and the development of its Long-Term Financial Plan, by providing reliable historical performance data and financial position base line.
- A more complete assessment of Council's results will be provided when the audit process is completed, and financial reports are presented to Council in November 2024.
- Preparation of the financial reports has been undertaken within existing Finance Unit resources, along with support from other Units across Council. Auditor remuneration for work undertaken is budgeted annually in accordance with Annual Engagement Plan from the Audit Office NSW.

## DETAILED INFORMATION

---

### Purpose

- The purpose of this report is to seek Council approval to refer the 2023-24 draft Financial Statements to the Audit Office of NSW for audit purposes – as required under the *Local Government Act 1993*.
- Once the External Audit process is finalised, Council's Financial Statements – including a detailed commentary of its performance - will be provided to Council, at the November 2024 Ordinary Meeting.

### Discussion

#### ***External Audit Process***

- In accordance with Section 413(1) of the Act, Council is required to prepare and refer its financial reports for audit.
- In accordance with Section 413(2) of the Act, Council is required to form an opinion as to whether the Council's Financial Statements reflect a true and fair position and that they have been drawn up in accordance with the Local Government Act, the Australian Accounting Standards and the Local Government Code of Accounting Practice and Financial Reporting.
- The process of accepting the financial reports includes the Mayor, Deputy Mayor, Chief Executive Officer and Responsible Accounting Officer declaring on behalf of Council that:
  - The annual financial reports have been prepared in accordance with:
    - The Local Government Act 1993 (NSW) (as amended) and the Regulations made thereunder;
    - The Australian Accounting Standards and other pronouncements of the Australian Accounting Standards Board; and
    - The Local Government Code of Accounting Practice and Financial Reporting.
  - Separately, Council also attests to the fact that to its knowledge and belief, that the reports:
    - Presents fairly the Council's operating result and financial position for the year; and
    - Accords with Council's accounting and other records.



- The Mayor, Deputy Mayor, Chief Executive Officer and Responsible Accounting Officer also declare on behalf of Council that they are not aware of any matter that would render the Reports false or misleading in any way.
- It should be noted that having regard to relevant guidelines and reporting requirements, Council has determined that it does not have any significant Business Activities to declare and report on in its financial reports.
- Subsequent to these Statements being signed, the Financial Statements will be referred to the Audit Office of NSW for audit.

#### ***Audit, Risk and Improvement Committee***

- Councillors should note that the Draft Financial Statements have also been provided to the Audit, Risk and Improvement Committee (ARIC) to provide committee members with an opportunity to review the Draft Financial Statements and submit any questions or feedback for consideration while the statements are with the Audit Office of NSW.
- The ARIC have endorsed Council's financial performance for the year ended 30 June 2024 and noted that *...they were pleased with the outcomes of Council's financial performance for the year and the preparation of the accounts. The Committee commend to Council the excellence of work and candour of responses.* Refer to ARIC Minutes

#### ***Following External Audit Process***

- Subject to the completion of the Audit, Council must:
  - Fix a date whereby it proposes to present its audited financial reports, together with the auditor's report to the public – anticipated to be Council's November 2024 Ordinary Meeting;
  - Give public notice of the date so fixed; and
  - Send a copy of the auditor's report on the council's financial reports, together with a copy of the council's audited financial report, to the Office of Local Government.

#### **Recommended Approach**

Having regard to the requirements of the Local Government Act 1993 and associated Regulation, it is recommended that:

- Council resolves that the attached 2023/24 Unaudited Annual Financial Reports, for the financial year ended 30 June 2024 have been prepared in accordance with the relevant sections and parts of the Local Government Act 1993 and the Local Government (General) Regulation 2021 and are submitted to Council for its consideration.

- The Mayor, Deputy Mayor, Chief Executive Officer and Responsible Accounting Officer duly sign the Statement of Council's Unaudited Annual Financial Reports on behalf of the Council.
- Subject to Items 1 and 2, the Statement and the 2023/24 Unaudited Annual Financial Report be referred to Council's Auditor in finalising the year-end audit process.
- The Chief Executive Officer be authorised to set the date for the public meeting and give notice in accordance with the Local Government Act 1993.

---

## Governance and Administration Matters - 22 October 2024

---

**ITEM 8.5**                      **Code of Meeting Practice - 2025 Schedule of Meetings**

**AUTHOR**                      **Corporate**

### SUMMARY

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- In accordance with Section 365 of the *Local Government Act 1993* and Council's Code of Meeting Practice (the Code), Council is required to meet at least ten times each year, each time in a different month.
- Having regard to Section 3.1 of Council's Code of Meeting Practice, this report nominates the proposed meeting dates for 2025.
- Separately, Council's Code (Section 3.1) requires Council – by way of resolution – to set the frequency, time, date and place of its Ordinary Meetings.
- On that basis, this report proposes a series of Ordinary Meetings for Council's Consideration.

### RECOMMENDATION

---

That the frequency, time, dates and place for the 2025 Schedule of Council Meetings as detailed in the report, be adopted.

### ATTACHMENTS

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Nil

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

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- The schedule primarily follows Council's Code of Meeting Practice whereby Ordinary Meetings are held on the fourth Tuesday of each month unless the meetings conflict with other activities.
- Formal notification of each meeting will be made in accordance with Council's Code of Meeting Practice.

The report aligns with the Leading and Engaged destination in Council's Operational Plan – ensuring good governance and compliance with the Local Government Act 1993.

## **STRATEGIC IMPACT**

---

There are no Integrated Planning and Reporting requirements. The matter is a statutory requirement.

## DETAILED INFORMATION

---

### Purpose

- To set Council's Ordinary Meeting schedule for 2025.

### Background

- In accordance with Section 365 of the *Local Government Act 1993* and Council's Code of Meeting Practice (the Code), Council is required to:
  - Meet at least ten times per year, each time in a different month; and
  - Set the frequency, time, date and place of its Ordinary Meetings for the following year.

### Discussion

- Generally, Council's Ordinary Meetings are held on the fourth Tuesday of each month – unless certain circumstances, activities and/or events require an Ordinary Meeting to be scheduled to an alternate week.
- On that basis, it is proposed that Council's Ordinary Meeting schedule for 2025 be set as follows:
  - 25 February
  - 25 March
  - 29 April
  - 27 May
  - 24 June
  - 22 July
  - 26 August
  - 23 September
  - 28 October
  - 18 November
  - 2 December
- Councillors should note that the exceptions proposed for 2025 year are as follows:
  - The November Ordinary Meeting has been scheduled for Tuesday 18 November 2025 to avoid a conflict with the LGNSW Conference - which will be held from Sunday 23 November to Tuesday 25 November 2025. This will ensure that there is a quorum of Councillors for the Meeting; and
  - The December Ordinary Meeting has been moved to the first Tuesday of the month due to the Christmas-New Year period.

- In the event that Council needs to subsequently vary the date for any other Ordinary Meeting/s of Council – be it to provide for the Australian Local Government Association Conference, once the date is set for the Conference or any other issues/circumstances which may arise - a further report will be submitted suggesting an alternate date/s.
- Council's Ordinary Meetings will be held in the Council's Chambers.
- The Public Forum will commence at 6.00pm followed by Council Ordinary Meeting – which will commence immediately after the Public Forum.
- In cases where there is no Public Forum scheduled, Council's Ordinary Meeting will commence at 6.00pm.

### **Recommended Approach**

On that basis, it is recommended:

- That the frequency, time, dates and place for the 2025 Schedule of Council Meetings as detailed in the report, be adopted.

---

## Governance and Administration Matters - 22 October 2024

---

**ITEM 8.6**                      **Cash and Investment Report as at 30 September 2024**

**AUTHOR**                      **Corporate**

### SUMMARY

---

- 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.
- This report is to certify that Council's investments are made in accordance with the Local Government Act 1993, the Regulation and Council's Investment Policy.
- It is recommended that Council note the matter.

### RECOMMENDATION

---

That -

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

### ATTACHMENTS

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[Click here for attachment](#)

1. Arlo Advisory Monthly Investment Review September 2024

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

---

- The adoption of the recommendations will ensure that Council meets the legislative requirements regarding Council's investment portfolio as at 30 September 2024.
- The adoption of the recommendations will assist Council meets its Operational and Delivery Plan goals of being Leading and Engaged including the delivery of action 7.3.4 of the Operational Plan.

## **STRATEGIC IMPACT**

---

- Councils total Investment and Cash position was \$595.9 million at 30 September 2024, with investments earning interest of \$3.4 million for the month which is favourable compared to the budget.
- For the month of September, the total portfolio (excluding cash) provided a sound return of +0.40 percent (actual), outperforming the benchmark AusBond Bank Bill Index return of +0.36 percent (actual).
- On an annualised basis, the total portfolio (excluding cash) provided a return of +4.95 percent per annum, outperforming the AusBond Bank Bill Index return of +4.45 percent per annum.
- Overall, Council:
  - Maintains a well-constructed investment portfolio – and continues to maximise returns in the current challenging economic environment;
  - Is well diversified across the various horizons; and
  - Has sufficient cash available at all times (typically at least ~5-10% is held in overnight cash accounts) for ongoing liquidity/operational requirements



## DETAILED INFORMATION

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### Purpose

- The purpose of this report is to advise Council of funds invested in accordance with Section 625 of the Local Government Act 1993. Additionally, the report provides details and certification as required by Section 212(1) of the Local Government (General) Regulation 2021.

### Background

- Council invests funds which are not required in the short term for any other purpose. These investments are governed by strict legislative requirements and Council's Investment Policy.
- The Responsible Accounting Officer must report to Council monthly details of the funds invested and certify that they have been made in accordance with the legislation and Council policy.

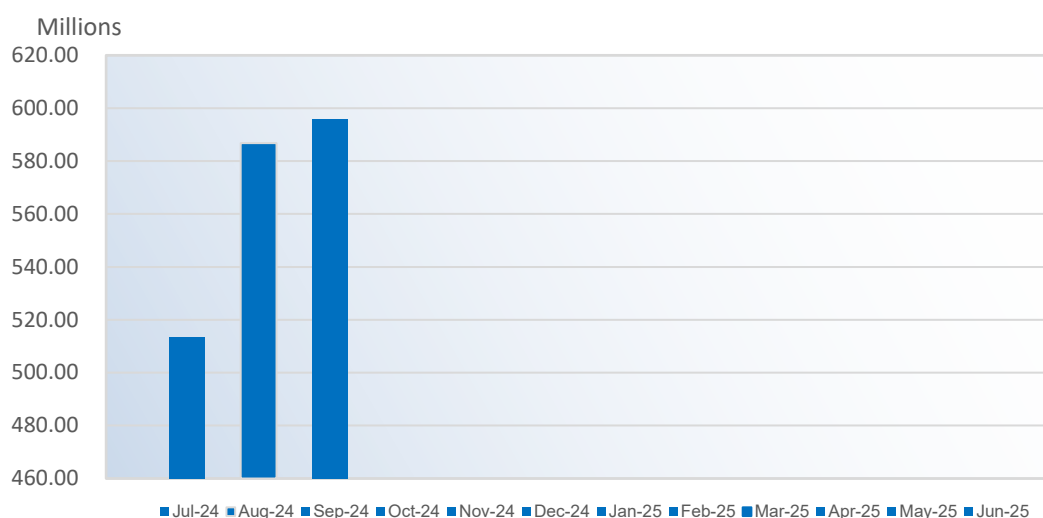
### Discussion

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

Cash and Investments	\$
Cash at Bank	739,783
Deposits at Call	27,580,626
Term Deposits	445,017,588
Floating Rate Notes	84,304,273
Bonds	38,264,675
<b>Total cash and investments</b>	<b>595,906,945</b>

- Council's level of cash and investments varies from month to month, particularly given the timing of Council's rates and collection cycle, its operations and carrying out its Capital Works Program.
- The 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).
- Council Officers closely monitor ongoing cash flow to ensure adequate funding for day-to-day operations and to maintain adequate levels of working capital.
- The following graph outlines Council's closing cash and investment balances from July 2024 to September 2024:

### Cash and investments rolling monthly balance 2024-2025



- 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	4.8	100
Working capital funds (0-3 months)	10.7	100
Short term (3-12 months)	33.5	100
Short – medium (1-2 years)	30.6	70
Medium (2-5 years)	20.4	50
Long term (5-10 years)	-	5
Total cash and investments	100%	

Portfolio allocation	
	Actual % of portfolio
Cash at bank	.12
Deposits at call	4.63
Term deposits	74.68
Floating Rate Notes	14.15
Bonds	6.42
Total cash and investments	100%

- A summary of Council's investment interest income earned for the period to 30 September 2024 is as follows:

<b>Interest income</b>	<b>September 2024 \$</b>	<b>Year-to-date September 2024 \$</b>
<b>Budget</b>	1,672,917	2,171,325
<b>Actual interest</b>	2,171,325	6,484,328
<b>Variance</b>	498,408	1,465,578
<b>Variance (%)</b>	29.79%	29.20%

#### **Certification by Responsible Accounting Officer**

- In accordance with Section 212(1)(b) of the Local Government (General) Regulation 2021, Council's Responsible Accounting Officer certifies that all investments have been made in accordance with the Act, the Regulations, and Council's Investment Policy.



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## Governance and Administration Matters - 22 October 2024

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**ITEM 8.7**                      **Disclosure of Interest Returns 2023-2024**

**AUTHOR**                      **Corporate**

### **SUMMARY**

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- In accordance with Clause 4.25 of Councils Code of Conduct, all Disclosure of Interest Returns lodged with the Chief Executive Officer must be tabled at the first meeting of Council held after the last day for lodgement (30 September 2024).
- All relevant returns have been completed and are tabled for Council's notation.
- It is recommended the report be noted.

### **RECOMMENDATION**

---

That the tabling of the Disclosure of Interest Returns for 2023-2024 be noted.

### **ATTACHMENTS**

---

Nil

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

---

- This report addresses Council's requirements under the Code of Conduct.
- In accordance with the *Government Information (Public Access) Act 2009 and Regulation*, Pecuniary Interest Returns are open access information and will be placed on Council's website in a redacted format.

## **STRATEGIC IMPACT**

---

- This matter has no direct financial impact upon Council's adopted budget.
- The report demonstrates transparency in Local Government and ensures Council is accountable to the community and meets legislative requirements.
- The report has no impacts on Council's Workforce and Asset Management Strategies.

## **DETAILED INFORMATION**

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### **Purpose**

- In accordance with Clause 4.25 of Council's Code of Conduct (Code), all Disclosure of Interest Returns lodged with the Chief Executive Officer must be tabled at the first meeting of Council held after the last day for lodgement (30 September 2024).

### **Discussion**

- In accordance with Council's Code, Disclosure of Interest Returns of Councillors, Audit Risk and Improvement Committee members, Canterbury Bankstown Local Planning Panel and Design Review Panel members, and the Executive Leadership Team for 2023-24 have been completed and are tabled for Council's notation.

### **Recommended Approach**

Having complied with the requirements of Council's Code, it is recommended that:

- The tabling of the Disclosure of Interest Returns for 2023-2024 be noted.





## **9            SERVICE AND OPERATIONAL MATTERS**

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



## **10 COMMITTEE REPORTS**

The following items are submitted for consideration -

- |  |     |
|--|-----|
| 10.1 Minutes of the Traffic Committee Meetings held on 10 September 2024<br>and 8 October 2024 | 125 |
| 10.2 Minutes of the Audit Risk and Improvement Committee Meeting held<br>14 October 2024       | 127 |



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## Committee Reports - 22 October 2024

---

### **ITEM 10.1**                      **Minutes of the Traffic Committee Meetings held on 10 September 2024 and 8 October 2024**

**AUTHOR**                      **City Assets**

### **SUMMARY**

---

- Attached are the minutes of the Canterbury-Bankstown Council Local Traffic Committee meetings held on 10 September 2024 and 8 October 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.

### **RECOMMENDATION**

---

That the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 10 September 2024 and 8 October 2024, be adopted.

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

---

1. Traffic Committee Meeting Minutes - 10 September 2024
2. Traffic Committee Meeting Minutes - 8 October 2024

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

---

- As an important part of our implementation of the Traffic Committee actions, the report contributes to Moving and Integrated destination where we are an accessible city with great local destination and many options to get there.

## **STRATEGIC 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.

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## Committee Reports - 22 October 2024

---

### ITEM 10.2                      Minutes of the Audit Risk and Improvement Committee Meeting held 14 October 2024

**AUTHOR**                      Corporate

### SUMMARY

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- In accordance with Section 428A of the Local Government Act (1993), the City of Canterbury Bankstown Council has established an Audit Risk and Improvement Committee (ARIC) which meets on a quarterly basis.
- The purpose of this report is to consider the minutes of the meeting of the ARIC held on 14 October 2024.
- Matters arising from the meeting that may be of particular interest to Council include:
  - **Item 5.1** – The Committee has completed its review of the Draft Financial Statements for the period ended 30 June 2024; and
  - **Item 5.5** – The Committee has endorsed the 2024-25 Annual Internal Audit Plan. This represents year 4 of the strategic internal audit plan. This Plan is now referred to Council for approval.

### RECOMMENDATION

---

That the recommendations contained in the minutes of the Audit Risk and Improvement Committee meeting held on 14 October 2024, be adopted.

### ATTACHMENTS                      [Click here for attachments](#)

---

1. Minutes of the Audit Risk and Improvement Committee meeting held 14 October 2024
2. CBC Annual Internal Audit Plan | 2024-25

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

---

- As an important part of our governance structure, the Audit Risk and Improvement Committee contributes to the Leading and Engaged destination where we are a well-governed city with brave and future focused leaders.

## **STRATEGIC IMPACT**

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Nil.



## DETAILED INFORMATION

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- *Refer to minutes of the Audit Risk and Improvement Committee meeting held 14 October 2024.*



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

The following items are submitted for consideration -

11.1 Status of Previous Notices of Motion - October 2024	133
11.2 Clean, Green and Local - Councillor David Walsh	135
11.3 Improving Short Term Parking in Belmore - Councillor Karl Saleh OAM	137
11.4 Lebanon Aid - Councillor George Zakhia	139
11.5 Celebrating Ochi Day - Councillor Clare Raffan	141
11.6 Aunty Jennifer Cooks River Alliance	143



---

## Notice of Motions & Questions With Notice - 22 October 2024

---

**ITEM 11.1**                      **Status of Previous Notices of Motion - October 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](#)

---

1.     Status of Previous Notices of Motion October 2024
2.     Outgoing Correspondence
3.     Incoming Correspondence



---

## Notice of Motions & Questions With Notice - 22 October 2024

---

### ITEM 11.2                      Clean, Green and Local

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

“That Council:

1. Examines the "Clean, Green and Local NSW 2024" policy agenda of the Nature Conservation Council of NSW and prepares a report considering each item and whether:
  - a. It is already consistent with existing or future adopted Council policy; or
  - b. If not consistent with Council policy, make a recommendation as to whether it is appropriate to be adopted in full, in part or not at all, along with reasons why.
2. Presents this report at a future Council meeting, outlining further steps necessary to adopt newly recommended initiatives.”

### BACKGROUND

---

The 2024 policy platform of the Nature Conservation Council of NSW sets down a number of recommendations for local government in several conservation topic areas: Bushland, Green Space and Trees; Climate and Energy; Water Quality and Conservation; and Waste ([https://assets.nationbuilder.com/natureorg/pages/6469/attachments/original/1723177147/Clean\\_Green\\_and\\_Local\\_2024.pdf](https://assets.nationbuilder.com/natureorg/pages/6469/attachments/original/1723177147/Clean_Green_and_Local_2024.pdf))

Canterbury Bankstown is a very forward-looking and environmentally aware Council. The CBCity 2036 Community Strategic Plan includes "Clean and Green" as one of its seven key Destinations and forms the basis of a suite of environmental policies. At the same time, it is important to measure ourselves against current advocacy to ensure our environmental policies and programs are consistent and up to date with best practice.

While not all of their policies may be relevant to CBCity, and some may be more important than others, it provides a good framework to identify both the good work Council is already doing, and those areas for further improvement.

## **FINANCIAL IMPACT**

---

There is no financial impact of the resolution as written.

## **CHIEF EXECUTIVE OFFICER'S COMMENT**

---

Council staff can complete the report as recommended within existing resources. Any recommendations and associated impact on resources will be considered as part of the report back to Council.



---

## Notice of Motions & Questions With Notice - 22 October 2024

---

### ITEM 11.3 Improving Short Term Parking in 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;

1. Engage with Sydney Metro to ensure the minimisation of any parking impacts on Belmore Town Centre during the construction of their works. This should include regular meetings to advise them of community impacts as they arise.
2. Make inquiries with Campsie RSL to explore the possibility of negotiating a lease to utilise their land adjacent to Acacia Lane in Belmore for additional parking. The intention would be to use this space as a temporary free parking area for shoppers in Belmore Town Centre.
3. Monitor parking in the Belmore Town Centre regularly throughout the day to ensure time limits are being adhered to.
4. Explore the possibility of adding more loading zones in the centre and parking availability around the centre in general to support shopkeepers with the efficient operation of their businesses, this should include an investigation of the rear lanes.”

### BACKGROUND

---

As the Bankstown to Sydenham rail line has closed to upgrade the line to Metro standards we have seen several pain points in Belmore with the loss of parking spaces.

As a member of the public, I attended a meeting with shopkeepers and Metro staff which pleasingly resulted in the accelerated staged release of carparking spaces to increase available parking with several parking spots already being released, with more to come over the next few weeks.

I would encourage anyone with any issues to contact the information line 1800 171 386 to raise any concerns. I have found them to be very responsive.

Sydney Metro acknowledged the conversion period will be difficult and disruptive for many passengers, and at my request will do more to assist local businesses impacted by the construction.

Council staff have the expertise and the local knowledge to work with Sydney Metro in identifying pain points and solutions and that is why I am asking that regular meetings occur in the interests of local businesses and residents. They also have the expertise to review existing parking arrangements around the centre to make any other long lasting improvements.

## **FINANCIAL IMPACT**

---

There is no financial impact as the resolution is written.

## **CHIEF EXECUTIVE OFFICER'S COMMENT**

---

There is no financial impact as the resolution is written.

---

## Notice of Motions & Questions With Notice - 22 October 2024

---

### ITEM 11.4                      Lebanon Aid

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

“That Council writes to the Prime Minister Anthony Albanese, and NSW Premier Chris Minns, to stand with the innocent victims of Lebanon, and to increase financial funding and aid to a country facing a humanitarian crisis.”

### BACKGROUND

---

As another bomb drops on Lebanon, the city of Beirut and surrounding areas is being drawn into a conflict not of their choosing.

Apartment blocks, hospitals and schools are being bombed, thousands killed or injured. Aid groups are racing to help as many as 1.2 million people—or nearly a quarter of the country’s population—who have been forced from their homes by the conflict.

World Aid agencies are crying out for financial aid and assistance to provide the basics like, food, clothing, medical supplies and shelter. And when the bombing stops, and the dust settles the country will need to be rebuilt.

Today a quarter of a million Australians report Lebanese ancestry, according to the 2021 census with than 20 per cent of the country's Lebanese community living in the Canterbury-Bankstown local government area. This is an issue that affects our community.

The Australian Government has moved quickly in evacuating thousands of Australians out of the country through special flights, many leaving behind loved ones unsure of what the future holds for them. However more needs to be done.

Since 7 October 2023, the Federal Government’s total humanitarian aid package to support civilians in Lebanon was \$84.5 million, that funding was before the latest bombings. In stark contrast, the Australian Government has provided more than \$1 billion to the people of Ukraine.

Both the Federal and State Governments must do more as the country faces a humanitarian disaster.

## **FINANCIAL IMPACT**

---

There is no financial impact on Council with a call for the State and Federal Government to increase financial aid.

## **CHIEF EXECUTIVE OFFICER'S COMMENT**

---

There is no impact of the resolution as written.

---

## Notice of Motions & Questions With Notice - 22 October 2024

---

### ITEM 11.5                      Celebrating Ochi Day

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

“That Council, in support of our Greek and Cypriot community members, supports and recognises the celebration of “Ochi Day” in Earlwood and Bankstown on 28 October 2024 as outlined in this motion.”

### BACKGROUND

---

October marks an important day in the history of Greece and its people. Observed each year on 28 October, Oxi Day (also referred to as Ohi or Ochi) is also known as “Day of No”, commemorates General Ioannis Metaxes’ refusal to Italy’s Benito Mussolini, to give free access for Italian troops to invade and occupy strategic areas of Greece during World War II. This ultimately led to Greece’s involvement in the war on the side of the Allies.

This day is a cherished national holiday celebrated annually in Greece, Cyprus and by their ancestral communities worldwide, which sees their streets and homes decorated with the Greek flag and communities observing parades and services.

Greek culture and heritage is a meaningful part of the local community and rich cultural fabric of Canterbury-Bankstown. Nowhere is this more evident than in Earlwood, where over 24 percent of residents recognise their Greek or Cypriot ancestry.

In recognition of this momentous part of modern Greek history, I propose that the Greek flag be raised on 28 October in Earlwood and Bankstown in recognition of the annual Oxi Day celebrations.

### FINANCIAL IMPACT

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There is no financial impact of the resolution as written.

### CHIEF EXECUTIVE OFFICER'S COMMENT

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The minor costs of flag raising can be accommodated from within Council’s current operational plan.



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## Notice of Motions & Questions With Notice - 22 October 2024

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### ITEM 11.6                      **Aunty Jennifer Cooks River Alliance**

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

“That –

1. As a Councillor, and a Chair of the Cooks River Alliance, I would like to acknowledge the passing of Wiradjuri woman and Cooks River Valley Association Member, Jennifer Newman. Her advocacy for the river and its community over many years has been instrumental in restoring the river’s health and ensuring its Aboriginal culture and heritage preserved.
2. Council liaise with the family of Jennifer Newman to determine an appropriate recognition and report back to Council.”

### **BACKGROUND**

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The Cooks River Alliance is a partnership between organisations in the Cooks River Catchment, including Bayside Council, Canterbury-Bankstown Council, Inner West Council, Strathfield Council and Sydney Water.

The Alliance proudly tells the story on its website that Aboriginal people lived along the Cooks River for more than a thousand generations and how they developed a strong custodianship for Aboriginal heritage and the environment.

It was this rich cultural history that Jennifer Newman, or Aunty Jennifer as she was known, kept alive through her storytelling. Her passing is a great loss for the community, and she will be sorely missed.

Her advocacy and support included:

- Translating complex cultural and ecological knowledge through storytelling;
- Supporting and leading river related initiatives, including donating her time to the Wurridjal Festival; and
- Being an active and long-serving member of the Cooks River Valley Association, including terms as President and Vice President.

Aunty Jennifer also had an innate capacity to interpret the spirit of the river, sharing this through her stories and acknowledgements of Country. This wisdom and unique style of sharing will be forever lost on future generations.

She would often refer to the importance that rivers play in our lives, and like the Cooks River she advocated for, her life played an important role in all our lives.

## **FINANCIAL IMPACT**

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There are no financial implications with this motion as written.

## **CHIEF EXECUTIVE OFFICER'S COMMENT**

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There are no financial implications with this motion as written.



## **12        CONFIDENTIAL SESSION**

### **12.1   Proposed Acquisition of Property in Lakemba**

# **Chief Executive Officer's Statement**

## **Confidentiality**

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

## **CONFIDENTIAL SESSION**

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

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

### **RECOMMENDATION**

That, in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Item 12.1 in confidential session for the reasons indicated:

#### **Item 12.1 Proposed Acquisition of Property in Lakemba**

*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.*