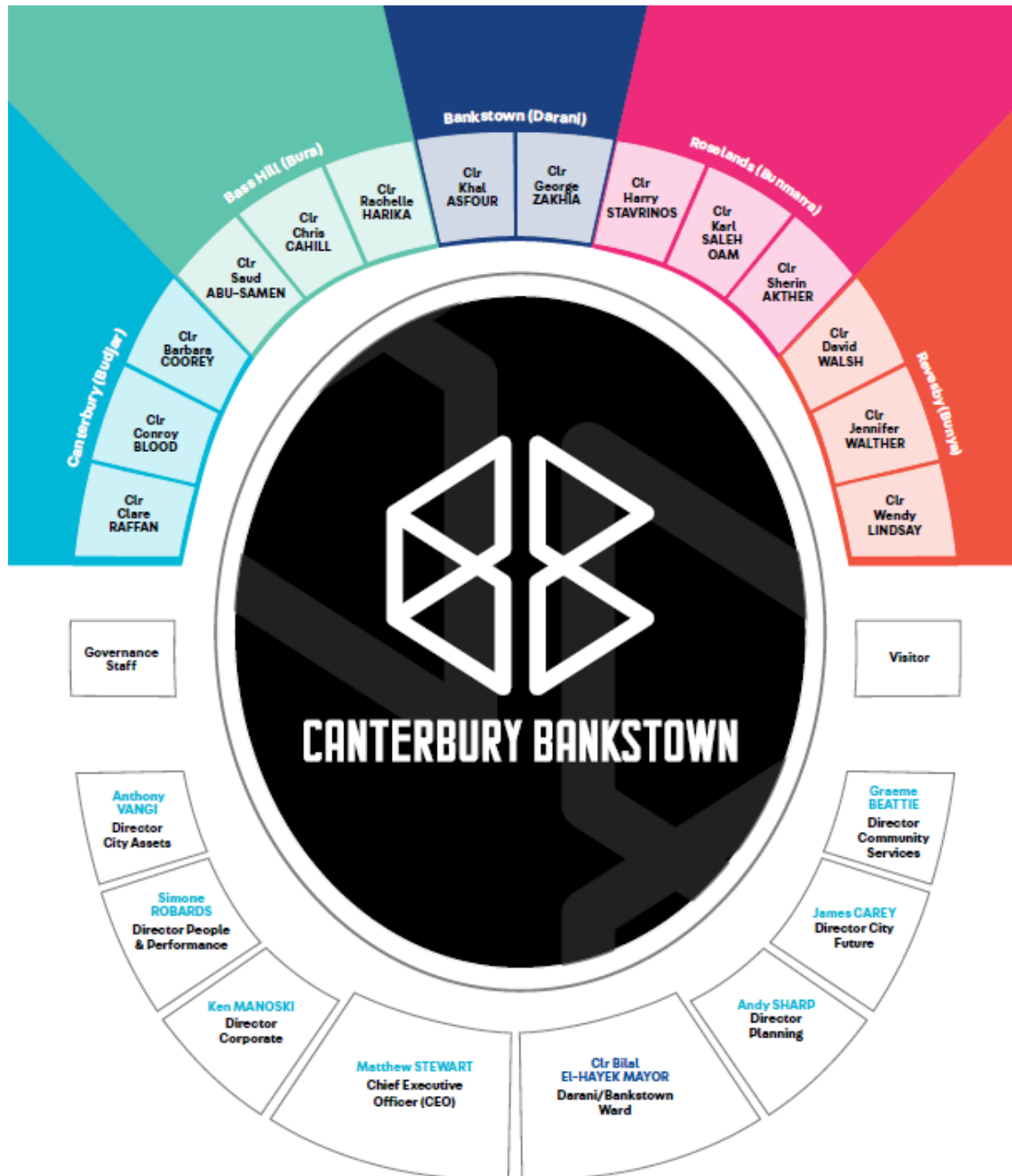




# Agenda for the Ordinary Meeting

3 December 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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|           |   |           |
|-----------|---|-----------|
| <b>1</b>  | <b>LEAVE OF ABSENCE.....</b>  | <b>5</b>  |
| <b>2</b>  | <b>CONFIRMATION OF PREVIOUS MINUTES .....</b>   | <b>7</b>  |
|           | 2.1 Minutes of the Ordinary Meeting of Council of 26 November 2024                        | 9         |
| <b>3</b>  | <b>DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST.....</b>      | <b>29</b> |
| <b>4</b>  | <b>MAYORAL MINUTES .....</b>  | <b>31</b> |
|           | 4.1 RCC 50th Anniversary  | 33        |
|           | 4.2 Christmas Message 2024  | 35        |
|           | 4.3 Local Community Based Donations   | 37        |
| <b>5</b>  | <b>ITEMS OF BUSINESS TO BE RESOLVED BY EXCEPTION .....</b>                                | <b>39</b> |
| <b>6</b>  | <b>PLANNING MATTERS .....</b>   | <b>41</b> |
| <b>7</b>  | <b>POLICY MATTERS.....</b>  | <b>43</b> |
|           | 7.1 Draft Footpath Barbecue Policy  | 45        |
|           | 7.2 Car Share Policy and Associated Fees and Charges                                      | 51        |
|           | 7.3 Councillor Expenses and Facilities Policy   | 57        |
| <b>8</b>  | <b>GOVERNANCE AND ADMINISTRATION MATTERS .....</b>  | <b>61</b> |
|           | 8.1 Property Matter - Ice Skating Club Licence for Part of 17 Phillips Avenue, Canterbury | 63        |
|           | 8.2 Council Advisory Committees and Membership of Other Bodies                            | 69        |
|           | 8.3 Adoption of the Draft Urban Bushland and Biodiversity Strategic Plan                  | 77        |
| <b>9</b>  | <b>SERVICE AND OPERATIONAL MATTERS .....</b>  | <b>83</b> |
| <b>10</b> | <b>COMMITTEE REPORTS .....</b>  | <b>85</b> |
|           | 10.1 Minutes of the Traffic Committee Meetings held on 26 November 2024                   | 87        |
| <b>11</b> | <b>NOTICE OF MOTIONS &amp; QUESTIONS WITH NOTICE .....</b>                                | <b>89</b> |
|           | 11.1 Status of Previous Notices of Motion - December 2024                                 | 91        |
|           | 11.2 Supporting DV Safe Phone - Councillor Jennifer Walther                               | 93        |
| <b>12</b> | <b>CONFIDENTIAL SESSION.....</b>  | <b>95</b> |
|           | 12.1 Property Matter - Acquisition of Bike Path Adjacent to Belfield Bowling Club         |           |
|           | 12.2 Property Matter - 571-577 Punchbowl Road, Lakemba                                    |           |
|           | 12.3 Grant Opportunity - Public Domain Improvements                                       |           |

## **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 26 November 2024 ..... | 9 |
|-----|--|---|





**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

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

**APOLOGIES** Nil

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**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 7.22 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:** **LEAVE OF ABSENCE**  
Nil

**SECTION 2:** **CONFIRMATION OF MINUTES**  
**(33)** **CLR. ZAKHIA:/CLR. STAVRINOS**

RESOLVED that the minutes of the Ordinary Council Meeting held on 22 October 2024 be adopted.

- CARRIED

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

In respect to Item 6.1 - Draft Bankstown City Centre Development Control Plan Post Exhibition Report, Mayor Clr El-Hayek declared a significant non-pecuniary conflict of interest given a reportable donation was made to his 2021 election campaign and that donor has property which is affected by this matter and as such he will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 6.1 - Draft Bankstown City Centre Development Control Plan Post Exhibition Report, Councillor Asfour declared a significant non-pecuniary Conflict of Interest given a reportable donation was made to his 2021 election campaign and that donor has property, which is affected by this matter and as such he will vacate the chamber, taking no part in debate or the decision on the matter.

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**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

In respect to Item 6.1 - Draft Bankstown City Centre Development Control Plan Post Exhibition Report, Councillor Walther declared a significant non pecuniary conflict of interest given her close working relationship with an owner of a property which is affected by the matter and as such she will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 6.4 – Planning Proposal – New Employment Zones, Councillor Zakhia declared a pecuniary conflict of interest given he owns properties that are subject to the planning proposal and as such he will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 6.4 – Planning Proposal – New Employment Zones, Councillor Stavrinou declared a pecuniary conflict of interest given he owns property subject to the planning proposal and as such he will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Mayor El-Hayek declared a significant non-pecuniary conflict of interest given his affiliation and close relationship with owners of properties who are affected by the matter and as such he will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Councillor Asfour declared a significant non-pecuniary conflict of interest given his working relationship with an owner of properties who is affected by the matter and as such he will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Councillor Saleh OAM declared a significant non-pecuniary conflict of interest given his affiliation and close relationship with owners of properties who are affected by the matter and as such he will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Councillor Akther declared a significant non-pecuniary conflict of interest given her close relationship with owners of properties who are affected by the matter and as such she will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Councillor Raffan declared a significant non-pecuniary conflict of interest given her close relationship with an owner of a property who is affected by the matter and as such she will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Councillor Walther declared a significant non-pecuniary conflict of interest given her close working relationship with an owner

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

of a property who is affected by the matter and as such she will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Councillor Stavrinos declared a pecuniary conflict of interest given he owns property within the area referred to in the report and as such he will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Councillor Coorey declared a pecuniary interest given that she owns property in the vicinity of the proposed rezoning area and as such she will vacate the chamber, taking no part in debate or the decision on the matter.

In respect to Item 9.2 – Lakemba Nights Update, Councillor Akther declared a significant non pecuniary conflict of interest given her place of work is in the area and her relationship with other shopkeepers and as such she will vacate the chamber, taking no part in debate or the decision on the matter.

**SECTION 4: MAYORAL MINUTES**

**ITEM 4.1 "MUDCRAB" LETTER**

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

RESOLVED that the Mayoral Minute be noted.

- CARRIED

**ITEM 4.2 GREEK ORTHODOX 60TH ANNIVERSARY**

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

RESOLVED that

1. Council congratulates St Euphemia on their recent celebrations and supports the upcoming 60<sup>th</sup> Anniversary luncheon of All Saints Belmore on 8 December by purchasing a table of 10 at a cost of \$1000.
2. Council invite our Greek church leaders and others to a small morning tea and Certificate of Recognition presentation at Council's Chambers early in the New Year.
3. The Anniversary luncheon and recognition presentation costs are to be met from funds allocated under Council's Grants and Sponsorship Policy.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

**ITEM 4.3**  
**(36)**

**CHRISTMAS IN THE CITY 2024**

**CLR. EL-HAYEK**

RESOLVED that the Mayoral Minute be noted.

- CARRIED

**ITEM 4.4**  
**(37)**

**LOCAL COMMUNITY BASED DONATIONS**

**CLR. EL-HAYEK**

RESOLVED that

Council support a donation of \$750 towards Bankstown Community Resource Group Christmas event for the hire of Yagoona Community Centre and Ron Whitehead Place.

These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

**SECTION 5:**

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

Nil

**SECTION 6:**

**PLANNING MATTERS**

**ITEM 6.1**

**DRAFT BANKSTOWN CITY CENTRE DEVELOPMENT CONTROL PLAN POST EXHIBITION REPORT**

In respect to Item 6.1 - Draft Bankstown City Centre Development Control Plan Post Exhibition Report, Mayor Clr El-Hayek declared a significant non-pecuniary conflict of interest given a reportable donation was made to his 2021 election campaign and that donor has property which is affected by this matter and as such he vacated the chamber, taking no part in debate or the decision on the matter.

In respect to Item 6.1 - Draft Bankstown City Centre Development Control Plan Post Exhibition Report, Councillor Asfour declared a significant non-pecuniary Conflict of Interest given a reportable donation was made to his 2021 election campaign and

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

that donor has property, which is affected by this matter and as such he vacated the chamber, taking no part in debate or the decision on the matter.

In respect to Item 6.1 - Draft Bankstown City Centre Development Control Plan Post Exhibition Report, Councillor Walther declared a significant non pecuniary conflict of interest given her close working relationship with an owner of a property which is affected by the matter and as such she vacated the chamber, taking no part in debate or the decision on the matter.

HIS WORSHIP THE MAYOR CLR EL-HAYEK AND CLRS ASFOUR AND WALTHER TEMPORARILY VACATED THE CHAMBER AT 7.38PM.

THE DEPUTY MAYOR CLR SALEH OAM ASSUMED THE CHAIR.

**(38)**

**CLR. WALSH:/CLR. BLOOD**

RESOLVED that

1. Council adopt the amendments to the Canterbury-Bankstown Development Control Plan 2023, as provided in Attachment 1.
2. Council grants delegation to the Chief Executive Officer to make administrative amendments and other changes required by the gazettal of the Bankstown Transport Oriented Development State Environmental Planning Policy before the Bankstown City Centre Development Control Plan comes into effect and is published on Council's website.
3. The draft amendments to the Canterbury-Bankstown Development Control Plan 2023 will apply to development applications lodged on or after the date that the Bankstown Transport Oriented Development State Environmental Planning Policy comes into effect.

- CARRIED

**For:-** Clrs Cahill, Harika, Saleh OAM, Raffan, Zakhia, Blood, Stavrinou, Akther, Lindsay, Abu-Samen and Walsh

**Against:-** Clr Coorey

HIS WORSHIP THE MAYOR CLR EL-HAYEK RETURNED TO THE CHAMBER AT 7.41PM AND RESUMED THE CHAIR.

CLRS ASFOUR AND WALTHER RETURNED TO THE CHAMBER AT 7.41PM.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

**ITEM 6.2**                      **REPORT ON COUNCIL'S PERFORMANCE IN THE ASSESSMENT OF DEVELOPMENT APPLICATIONS FOR THE FIRST QUARTER OF THE 2024/25 FINANCIAL YEAR, CLAUSE 4.6 VARIATIONS APPROVED FOR THE FIRST QUARTER OF THE 2024/25 FINANCIAL YEAR, PLANNING RELATED LEGAL APPEALS, AND THE STATUS OF CURRENT PLANNING PROPOSALS**

**(39)**                              **CLR. WALSH:/CLR. RAFFAN**  
RESOLVED that the report be noted.

- CARRIED

**ITEM 6.3**                      **CANTERBURY-BANKSTOWN DESIGN REVIEW PANEL**

**(40)**                              **CLR. ASFOUR:/CLR. CAHILL**

RESOLVED that

1. Council endorse the revised Terms of Reference for the Design Review Panel, as provided in Attachment 1.
2. Council commence an Expressions of Interest process to procure and appoint new panel members for a three-year term.
3. Council extend the existing panel member contracts by six months to allow time to complete the Expressions of Interest process.

- CARRIED

**For:-**                              Clrs Asfour, Cahill, Coorey, El-Hayek, Harika, Saleh OAM, Raffan, Zakhia, Blood, Stavrinou, Akther, Walther, Lindsay, Abu-Samen and Walsh

**Against:-**                      Nil

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

**ITEM 6.4**                      **PLANNING PROPOSAL – NEW EMPLOYMENT ZONES**

In respect to Item 6.4 – Planning Proposal – New Employment Zones, Councillor Zakhia declared a pecuniary conflict of interest given he owns properties that are subject to the planning proposal and as such he vacated the chamber, taking no part in debate or the decision on the matter.

In respect to Item 6.4 – Planning Proposal – New Employment Zones, Councillor Stavrinos declared a pecuniary conflict of interest given he owns property subject to the planning proposal and as such he vacated the chamber, taking no part in debate or the decision on the matter.

CLRS STAVRINOS AND ZAKHIA TEMPORARILY VACATED THE CHAMBER AT 7.46PM.

**(41)**                              **CLR. WALSH:/CLR. CAHILL**

RESOLVED that

1. Council adopt the planning proposal to amend the Canterbury-Bankstown Local Environmental Plan 2023, as provided in Attachment 1.
2. Council submit the planning proposal to the Department of Planning, Housing and Infrastructure to finalise and gazette.
3. Council adopt the amendments to the Canterbury-Bankstown Development Control Plan 2023, as provided in Attachment 2.
4. The amendments to the Canterbury-Bankstown Development Control Plan 2023 will apply to applications lodged on or after the date that the local environmental plan amendments are published on the NSW legislation website.

- CARRIED

**For:-**                              Clrs Asfour, Cahill, Coorey, El-Hayek, Harika, Saleh OAM, Raffan, Blood, Akther, Walther, Lindsay, Abu-Samen and Walsh

**Against:-**                      Nil

CLR ZAKHIA RETURNED TO THE CHAMBER AT 7.47PM.

CLR STAVRINOS RETURNED TO THE CHAMBER AT 7.48PM.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

**ITEM 6.5**

**BELMORE AND LAKEMBA TRANSPORT ORIENTED DEVELOPMENT PRECINCT  
SUBMISSION AND ALTERNATE SCHEME**

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Mayor El-Hayek declared a significant non-pecuniary conflict of interest given his affiliation and close relationship with owners of properties who are affected by the matter.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Councillor Asfour declared a significant non-pecuniary conflict of interest given his working relationship with an owner of properties who is affected by the matter.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Councillor Saleh OAM declared a significant non-pecuniary conflict of interest given his affiliation and close relationship with owners of properties who are affected by the matter.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Councillor Akther declared a significant non-pecuniary conflict of interest given her close relationship with owners of properties who are affected by the matter.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Councillor Raffan declared a significant non-pecuniary conflict of interest given her close relationship with an owner of a property who is affected by the matter.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Councillor Walther declared a significant non-pecuniary conflict of interest given her close working relationship with an owner of a property who is affected by the matter.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Councillor Stavrinis declared a pecuniary conflict of interest given he owns property within the area referred to in the report.

In respect to Item 6.5 - Belmore and Lakemba Transport Oriented Development Precinct Submission and Alternate Scheme, Councillor Coorey declared a pecuniary interest given that she owns property in the vicinity of the proposed rezoning area.

**(42)**

**CLR. WALSH:/CLR. RAFFAN**

RESOLVED that Given the nature and number of disclosures of interest and the lack of quorum, Council delegate to the Chief Executive Officer its functions in considering and determining the matter.

- CARRIED



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

**For:-** Clrs Asfour, Cahill, El-Hayek, Harika, Saleh OAM, Raffan, Zakhia, Blood, Stavrinou, Akther, Walther, Lindsay, Abu-Samen and Walsh

**Against:-** Clr Coorey

**SECTION 7: POLICY MATTERS**

Nil

**SECTION 8: GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 8.1 CODE OF CONDUCT COMPLAINTS REPORT**

CLRS RAFFAN AND BLOOD TEMPORARILY VACATED THE CHAMBER AT 7.56PM AND RETURNED AT 7.57PM.

AT THIS STAGE OF THE MEETING, IN ACCORDANCE WITH CLAUSE 15.14 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A FIRST WARNING AT 7.56PM TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

CLR COOREY TEMPORARILY VACATED THE CHAMBER AT 8.08PM AND RETURNED AT 8.09PM.

AT THIS STAGE OF THE MEETING, IN ACCORDANCE WITH CLAUSE 15.14 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A FIRST WARNING AT 8.13PM TO COUNCILLOR ASFOUR FOR AN ACT OF DISORDER.

**(43) CLR. ASFOUR:/CLR. ABU-SAMEN**

RESOLVED that the information be noted.

- CARRIED

**ITEM 8.2 2023/24 ANNUAL FINANCIAL REPORTS**

CLR ABU-SAMEN TEMPORARILY VACATED THE CHAMBER AT 8.43PM.

MS KAREN TAYLOR FROM AUDIT NSW ADDRESSED COUNCIL.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

**(44)**

**CLR. ASFOUR:/CLR. STAVRINOS**

RESOLVED that

1. Council notes the 2023/24 Annual Financial Reports and Auditors Reports.
2. In accordance with Section 420 of the *Local Government Act 1993*, Council:
  - a. Refer any submissions received regarding Council's Audited Financial Reports or the Auditors Report to Council's External Auditor for their consideration; and
  - b. A further report be prepared to consider any submissions received, if required.

- CARRIED

**ITEM 8.3**

**QUARTERLY REVIEW OF THE 2024/25 OPERATIONAL PLAN AND BUDGET TO 30 SEPTEMBER 2024**

CLR STAVRINOS TEMPORARILY VACATED THE CHAMBER AT 8.41PM AND RETURNED AT 8.42PM.

**(45)**

**CLR. ASFOUR:/CLR. STAVRINOS**

RESOLVED that

1. Council note the quarterly review of the 2024/25 Operational Plan and 2022-25 Delivery Program to 30 September 2024.
2. Council adopt the quarterly review of the 2024/25 Budget to 30 September 2024, including proposed budget variations [Attachment 2 (Annexure C & H)] - as outlined in this report.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

**ITEM 8.4**                      **2023/24 ANNUAL REPORT INCLUDING STATE OF OUR CITY**  
**(46)**                              **CLR. RAFFAN:/CLR. WALSH**

RESOLVED that the 2023/24 Annual Report, incorporating State of Our City report, be endorsed.

- CARRIED

**ITEM 8.5**                      **CASH AND INVESTMENT REPORT AS AT 31 OCTOBER 2024**  
**(47)**                              **CLR. HARIKA:/CLR. SALEH OAM**

RESOLVED that

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

- CARRIED

**ITEM 8.6**                      **CALENDAR OF CITY EVENTS AND ACTIVATIONS 2025**  
**(48)**                              **CLR. HARIKA:/CLR. SALEH OAM**

RESOLVED that Council endorse the proposed calendar of City Events and Activations 2025 as outlined in this report.

- CARRIED

**SECTION 9:                      SERVICE AND OPERATIONAL MATTERS**

**ITEM 9.1**                      **UPDATE ON WESTERN SYDNEY INFRASTRUCTURE GRANTS PROGRAM (WSIG)**  
**(49)**                              **CLR. RAFFAN:/CLR. STAVRINOS**

RESOLVED that the WSIG Project Update be received and noted.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

**ITEM 9.2**

**LAKEMBA NIGHTS UPDATE**

In respect to Item 9.2 – Lakemba Nights Update, Councillor Akther declared a significant non pecuniary conflict of interest given her place of work is in the area and her relationship with other shopkeepers and as such she vacated the chamber, taking no part in debate or the decision on the matter.

CLR ABU-SAMEN RETURNED TO THE CHAMBER AT 8.49PM.

CLRS AKTHER AND LINDSAY TEMPORARILY VACATED THE CHAMBER AT 8.50PM.

**MOTION**

**CLR. SALEH OAM:/CLR. STAVRINOS**

That

1. Council endorse the recommended stallholder fee of \$600 per night in 2025 to be incorporated into Council's Fees and Charges.
2. The event footprint be extended to include an area south of Gillies as per Attachment 4 with conditions as set out in this report. In addition, Railway Parade be open to traffic subject to an independent risk assessment.
3. Council maintain 'Ramadan' in the event name being; 'Lakemba Nights during Ramadan'.
4. In accordance with Section 55(3)(i) of the *Local Government Act 1993*, Council acknowledge and agree to acquire the appropriate meridian barriers from the Meridian Defence Group, based on the extenuating circumstances as outlined in the report.
5. Council write to The Hon. John Graham, MLC, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism, seeking an urgent meeting regarding State Government funding for the event.

**AMENDMENT**

**CLR. STAVRINOS:/CLR. COOREY**

That

1. Council endorse the recommended stallholder fee of \$600 per night in 2025 to be incorporated into Council's Fees and Charges.
2. The event footprint be extended to include an area south of Gillies as per Attachment 4 with conditions as set out in this report. In addition, Railway Parade be open to traffic subject to an independent risk assessment.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

3. Council maintain 'Ramadan' in the event name being; 'Lakemba Nights during Ramadan'.
4. In accordance with Section 55(3)(i) of the *Local Government Act 1993*, Council acknowledge and agree to acquire the appropriate meridian barriers from the Meridian Defence Group, based on the extenuating circumstances as outlined in the report.
5. Council write to The Hon. John Graham, MLC, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism, seeking an urgent meeting regarding State Government funding for the event.
6. Council conduct a trial to allow the seven shop owners from 154-176 Haldon Street, Lakemba to have their stalls outside their shop front as part of the Lakemba Nights during Ramadan festival.

**THE AMENDMENT WAS WITHDRAWN**

**(50)**

**CLR. SALEH OAM:/CLR. STAVRINOS**

RESOLVED that

1. Council endorse the recommended stallholder fee of \$600 per night in 2025 to be incorporated into Council's Fees and Charges.
2. The event footprint be extended to include an area south of Gillies as per Attachment 4 with conditions as set out in this report. In addition, Railway Parade be open to traffic subject to an independent risk assessment.
3. Council maintain 'Ramadan' in the event name being; 'Lakemba Nights during Ramadan'.
4. In accordance with Section 55(3)(i) of the *Local Government Act 1993*, Council acknowledge and agree to acquire the appropriate meridian barriers from the Meridian Defence Group, based on the extenuating circumstances as outlined in the report.
5. Council write to The Hon. John Graham, MLC, Minister for the Arts, Minister for Music and the Night-time Economy, and Minister for Jobs and Tourism, seeking an urgent meeting regarding State Government funding for the event.

- CARRIED

CLRS AKTHER AND LINDSAY RETURNED TO THE CHAMBER AT 8.53PM.

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**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

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**SECTION 10: COMMITTEE REPORTS**

Nil

**SECTION 11: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE**

**(51) CLR. ZAKHIA:/CLR. STAVRINOS**

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all of the recommendations of the Notice of Motions and Questions with Notice with the exception of Items 11.2, 11.4 and 11.5.

- CARRIED

**ITEM 11.1 STATUS OF PREVIOUS NOTICES OF MOTION - NOVEMBER 2024**

**(52) CLR. ZAKHIA:/CLR. STAVRINOS**

RESOLVED that the information be noted.

- CARRIED

**ITEM 11.2 TICKETLESS PARKING LEGISLATION**

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

RESOLVED that Council continues to voice its strong opposition against the NSW Government's legislation removing ticketless parking fines by:

1. Compiling bodycam footage of aggressive behaviour towards Council's parking officers and sending it to the NSW Minister for Finance, the Hon. Courtney Houssos MP, for review and assurance that our staff will be protected from such attacks.
2. Council prepares a report outlining the costs to implement the changes under the new legislation which takes into consideration the safety of our parking officers and the costs associated with providing physical tickets on vehicles.
3. Based on the report (point 2), engages with other Councils to form an alliance to call on the NSW Minister to detail her plan to compensate Councils for the

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

costs to implement safety measures AND outline her plans for compensation and rehabilitation of rangers injured in the course of carrying out their duties.

4. Seeking legal advice about the implications of defying the new legislation and relinquishing our role in the enforcement of parking fines to the NSW police, or another NSW Government Department.
5. Write to the Minister for Finance the Hon. Courtney Houssos MP calling on her to:
  - (a) Provide information as to what stakeholders were consulted;
  - (b) Provide information on the impetus for the introduction of the Bill; and
  - (c) Provide a copy of the Minister's risk assessment of moving away from ticketless fines would have on Council and officers.
6. Council writes to NSW Minister for Finance the Honourable Courtney Houssos MP to assist Council's in delivering parking tickets in a faster and more accessible way for use when using physical tickets comprises the safety of parking officers.

- CARRIED

**ITEM 11.3**  
**(54)**

**PARKING MARKING IN BELMORE**  
**CLR. ZAKHIA:/CLR. STAVRINOS**

RESOLVED that Council investigate the feasibility of painting line-markings on the road in the Belmore Town Centre to maximise the number of parking spaces available. This report is to also investigate having angled parking in side streets in close proximity to the Belmore Town Centre.

- CARRIED

**ITEM 11.4**  
**(55)**

**INVESTIGATIONS TO STAMP OUT DUMPING ON HENRY LAWSON DRIVE**  
**CLR. WALTHER:/CLR. STAVRINOS**

RESOLVED that Council:

1. Investigate the installation of visible, solar-powered surveillance cameras as a deterrent to illegal dumping along Henry Lawson Drive, between Milperra and Padstow Heights, with consideration given to areas where dumping has been

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

reported previously, and other known hot spots, and brief Council on the findings.

2. Write to the NSW State Government seeking:
  - a. Strengthening of penalties under the Protection of the Environment Operations Act 1997 (NSW) to address illegal dumping more effectively; and
  - b. Greater assistance in managing illegal dumping along Henry Lawson Drive, given its classification as a NSW State road passing through largely National Park area, to reduce the burden on Council.

- CARRIED

**ITEM 11.5**  
**MOTION**

**SUPPORTING THE NSW NURSES AND MIDWIFES ASSOCIATION**  
**CLR. BLOOD:/CLR. COOREY**

That Council:

1. Acknowledges the importance of nurses and midwives as the backbone of our health system, and the critical role they play in supporting the health and wellbeing of residents in the Canterbury Bankstown Local Government Area;
2. Calls on the Minns Labor Government to back the NSW Nurses and Midwives Association and agree to their current claims, in order to stem the flow of these skilled workers from the profession and interstate;
3. Writes to The Hon. Chris Minns MP, Premier of NSW, The Hon. Daniel Mookhey MLC, Treasurer of NSW, The Hon. Sophie Cotsis MP, Minister for Industrial Relations, and The Hon. Ryan Park MP, Minister for Health, and send copies to local Member for Bankstown the Hon. Jihad Dib MP, and local Member for East Hills Ms Kylie Wilkinson outlining Council's resolution; and
4. Requests Clr Conroy Blood work with Mayor Bilal El-Hayek to draft the Council letter, taking into consideration the suggested template.

**AMENDMENT**

**CLR. ASFOUR:/CLR. STAVRINOS**

That Council:

1. Acknowledges the importance of nurses and midwives as the backbone of our health system, and the critical role they play in supporting the health and wellbeing of residents in the Canterbury Bankstown Local Government Area;



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

2. Calls on the Minns Labor Government to continue to negotiate in good faith with the NSW Nurses and Midwives Association to support the nurses and midwives at Canterbury and Bankstown Hospitals.

**THE AMENDMENT WAS CARRIED TO BECOME THE MOTION.**

CLRS ZAKHIA AND LINDSAY STOOD FOR A DIVISION

**For:-** Clrs Raffan, Walsh, Abu-Samen, Cahill, Harika, Asfour, Stavrinis, Saleh, Akther and El-Hayek

**Against:-** Clrs Blood, Zakhia, Coorey, Walther and Lindsay

**(56) CLR. ASFOUR:/CLR. STAVRINOS**

RESOLVED that Council:

1. Acknowledges the importance of nurses and midwives as the backbone of our health system, and the critical role they play in supporting the health and wellbeing of residents in the Canterbury Bankstown Local Government Area;
2. Calls on the Minns Labor Government to continue to negotiate in good faith with the NSW Nurses and Midwives Association to support the nurses and midwives at Canterbury and Bankstown Hospitals.

- CARRIED

CLR HARIKA TEMPORARILY VACATED THE CHAMBER AT 9.17PM AND RETURNED AT 9.19PM.

AT THIS STAGE OF THE MEETING, IN ACCORDANCE WITH CLAUSE 15.14 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A SECOND WARNING AT 9.19PM TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

**ITEM 11.6 BINS AND DOG OFF LEASH AREAS ALONG GOOLAY'YARI**

**(57) CLR. ZAKHIA:/CLR. STAVRINOS**

RESOLVED that Council:

1. Acknowledges the importance of the Cooks River foreshore as a sacred site for First Nations people, and as vital greenspace providing significant amenity;
2. Notes resident concerns with waste management, particularly with the bin at the end of the bridge near Foord Avenue;

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

3. Council receives a briefing in February 2025 that:
  - a. Outlines current procedures for waste collection and cleaning procedures and considers alternatives that may inhibit the build-up of odours;
  - b. Explores the feasibility of increasing the number of bins between Illawarra Road and Maria Street along the Cooks River foreshore; and
  - c. Explores the feasibility of adding additional dog off-leash areas with necessary amenities, or dedicated dog parks, along the Cooks River foreshore.

- CARRIED

**SECTION 12:           CONFIDENTIAL SESSION**

**(58)                   CLR. STAVRINOS:/CLR. WALTHER**

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 Item 12.1 in confidential session for the reasons indicated:

Item 12.1 Old Bankstown Library Site – Property Update

*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.*

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 9.20PM AND REVERTED BACK TO OPEN COUNCIL AT 9.25PM.**

**ITEM 12.1           OLD BANKSTOWN LIBRARY SITE – PROPERTY UPDATE**

**(59)                   CLR. ZAKHIA:/CLR. ASFOUR**

RESOLVED that

1. Council approves the preparation and execution of a Termination Deed in relation to the Voluntary Planning Agreement for 62 The Mall, Bankstown, in accordance with s203(5) of the *Environmental Planning and Assessment Regulations* 2021, and delegates authority to the Chief Executive Officer to finalise all necessary arrangements to give effect to this resolution.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 NOVEMBER 2024**

---

2. A further report be presented to Council on the options for the Site, including their full financial benefits and implications.

- CARRIED

**THE MEETING CLOSED AT 9.25PM.**

Minutes confirmed 3 DECEMBER 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    RCC 50th Anniversary            | 33 |
| 4.2    Christmas Message 2024          | 35 |
| 4.3    Local Community Based Donations | 37 |





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## Mayoral Minutes - 03 December 2024

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### ITEM 4.1                      RCC 50th Anniversary

Councillors,

I would like to share this meaningful quote from former British Prime Minister Sir Winston Churchill before acknowledging the outstanding contributions of the Riverwood Community Centre over the past 50 years.

He said: “We make a living by what we get, but we make a life by what we give.”

Reflect on the meaning behind those words. . . “we make a life by what we give”. . . And in the case of the Riverwood Community Centre, many lives have been made by the generosity, support and care given to them.

The seeds of the Riverwood Community Centre were sown way back in 1974 when a handful of locals met at the Riverwood Public School. They wanted to be the “voices of Riverwood” and their objective was to find a building and provide voluntary services and activities to support the local community. . .In 1977 their dream was realised, when their modest centre, which operated out of a fibro house, was opened and was manned by dedicated volunteers.

Since those early days, the centre has grown into a thriving hub, offering NDIS and aged care support, counselling for families, emergency relief and food hampers for those in need, and a youth drop-in space. They are also heavily involved in community development programs, including operating a community garden.

Their success and contribution to our city can be measured by the more than 16,000 people supported in the last 12 months.

Councillors, at their recent 50-year celebrations, I heard the story of a public housing tenant, who knocked on the centre’s door some 25 years ago in need of help. . .They welcomed him with open arms and helped him through a very difficult period. . . you will be pleased to learn that the tenant is now a volunteer at the centre helping others in need, and his three children are studying medicine at Westmead Hospital.

There are many similar stories, like that of our very own Deputy Mayor Karl Saleh OAM, who arrived in Australia in 1988, and lived in the Riverwood Housing Estate, adjacent to the centre, along with many migrants who had fled Lebanon. He fondly tells the story it was like a backyard for his four children. His leadership and advocacy on behalf of the centre continue today.

Tonight, I congratulate and thank the Riverwood Community Centre on their 50-year milestone, and present the Chairperson of the board, Ms Pauline Gallagher OAM, with this Mayoral Minute on behalf of our City. I also note Ms Gallagher, who is with us in the public gallery has served as CEO, and more recently as Chairperson for more than 40 years.

I put the Mayoral Minute.



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## Mayoral Minutes - 03 December 2024

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### ITEM 4.2 Christmas Message 2024

Councillors,

Where has the year gone!

It seemed like only yesterday I was wishing you all a Merry Christmas as my first term as Mayor. . . . the fact the year has flown by means that we have either been too busy at work or home, or we love what we do that we can't get enough. . . . I'm not sure about most of you but I think I fit into both categories. . . .

As reported last week, Council has had a stellar year on many fronts, delivering the everyday services the community expects like our waste collection, maintaining our parks and roads, and ensuring our community centres, leisure and aquatic centres and libraries meet the increasing demands.

The year saw progress on the tireless work we have done master planning our centres, a number of major projects and works completed or started, and of course our support continued to the many community and sporting organisations through grants.

Throughout the year we hosted many cultural events and festivals like Bankstown Bites, Ramadan Nights Lakemba, lunar New Year and of course welcoming more than 2500 new citizens.

As we put the year behind us, for many people in our City, it is a time to celebrate Christmas. . . Christmas means different things to many people. . . whether it is practising one's faith, spending time with family and loved ones or simply having a much needed break. Most of our heavy manufacturing and non-retail businesses close as do our schools.

This Christmas I would like to reflect on those that are struggling to make ends meet, the homeless and those suffering around the world. I pray for peace and harmony . . . .and for those who can help those in need, I urge you to give generously, or volunteer your time like the many who prepare Christmas meals and help feed the homeless. . . .

Throughout this festive period, I urge you all to stay safe, slow down on our roads and for all those cooling off in our pools and waterways, please don't take risks and stick to the water safety rules. . .

Councillors, to all of you, and your families. . . . to the Executive, and staff here at Council . . . to all our residents and to all our businesses. . . I wish you a safe and Merry Christmas and for those not working an enjoyable holiday break. . .

Councillors, I put the Mayoral Minute.



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## Mayoral Minutes - 03 December 2024

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

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

#### **Fitness for Purpose (Swim Brothers and Her Swim)**

Fitness for Purpose is a not-for-profit community organisation that provides religiously and culturally sensitive swimming, learn to swim and ocean safety program across South-West Sydney and predominately in the Canterbury Bankstown area (Swim Brothers and Her Swim).

The group has developed a documentary that captures the journeys of CALD communities and individuals in their pursuit of swimming, explores their unique experiences with swim and surf culture, and sheds light on the opportunities, challenges, and achievements realised through collaboration.

The premiere of the documentary is scheduled for 10th December 2024, and is to be held at the Bankstown Bryan Brown Theatre.

Alongside the premiere, the event will include a fundraiser and panel discussions, offering a platform for meaningful conversations around shared visions, organizational values, and the communities supported. The event aims to foster a "community of practice," strengthening the collective impact.

Fitness for Purpose are seeking the support of Council towards are seeking a donation of \$2700 to cover venue hire costs.

I recommend that Council support a donation of \$1,000 towards the venue hire costs for this event.

#### **RECOMMENDATION**

That Council support a donation of \$1,000 towards Fitness for Purpose towards the cost of venue hire for the Documentary Launch and associated activities.

Councillors, I put the Mayoral Minute.



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





## **6 PLANNING MATTERS**

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



## **7            POLICY MATTERS**

The following items are submitted for consideration -

|     |  |    |
|-----|--|----|
| 7.1 | Draft Footpath Barbecue Policy                   | 45 |
| 7.2 | Car Share Policy and Associated Fees and Charges | 51 |
| 7.3 | Councillor Expenses and Facilities Policy        | 57 |



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## Policy Matters - 03 December 2024

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### ITEM 7.1                      Draft Footpath Barbecue Policy

**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 with approval.
- At its Ordinary Meeting of 22 October 2024, Council resolved to place the Draft Footpath Barbecue Policy and supporting fees and charges on public exhibition. The exhibition took place from 25 October to 22 November 2024. Eight submissions were received.
- In considering the submissions, it is recommended that Council adopt the Footpath Barbecue Policy and fees and charges, with minor amendments as outlined in this report.

### RECOMMENDATION    That -

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1. Council adopt the Footpath Barbecue Policy and fees and charges, as provided in Attachment 1.
2. The Footpath Barbecue Policy be supported for a 12-month trial.
3. A further report be provided at the end of the trial.

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

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1. Draft Footpath Barbecue Policy
2. Public Exhibition Responses

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

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- This Policy has been created to allow businesses to extend their operations onto Council footpaths by setting up footpath barbecues for commercial purposes. This new policy will provide businesses with an opportunity for additional trade and growth, as this activity is not currently covered under the existing Commercial Use of Footways Policy.
- 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 provide a summary of the feedback received on the Draft Footpath Barbecue Policy (Policy) and Fees and Charges and present them for adoption and implementation.

### Background

Council's priority is to seek ways to enhance local economic activity in centres and suburban areas to provide local business support and a diverse range of dining experiences in a manner that responsibly manages the shared use of public spaces whilst ensuring pedestrian safety is maintained. These efforts are endorsed by Council through the Economic Development Strategy Plan 2036, and Council's Operational Plan 2024/25.

Council has prepared a Draft Footpath Barbecue Policy and associated Fees and Charges which provide a framework to set out Canterbury-Bankstown Council's (Council) management principles for the commercial use of barbecue cooking on footpaths under the care and control of Council and establishes the licensing criteria for businesses that apply to use footpaths for barbecue cooking.

On 22 October 2024 Council resolved to place the Draft Policy and Fees and Charges on public exhibition and that a further report be brought to Council at the conclusion of the exhibition period to consider any submissions received.

The Draft Policy and Fees and Charges was placed on public exhibition from Friday 25 October 2024 to Friday 22 November 2024. A total of eight submissions were received.

The Policy has been designed as a customer facing document that sets out the proposed assessment criteria and guidance for the implementation of footpath barbecues. The Policy is to be read in conjunction with the existing Commercial Use of Footways Guidelines. It is designed to provide a consistent, transparent, simple and equitable process for the application for footpath barbecue licence.

The Policy provides:

- 1) Eligibility requirements and an outline of the conditions:
  - Permanent barbecues are not permitted;
  - Cooking on the footpath is allowed once a week on a designated day between the hours of 10:30 AM and 6:00 PM;
  - No sales may occur on public land; any monetary transactions must take place within the business premises;
  - Have a minimum three-metre-wide footpath;
  - Hold a current outdoor dining approval;
  - Businesses must have current development approval to cook and prepare food;
  - Must not have any restriction in the current development consent for the business that limits outside trade;

- Only business that have development approval to cook with charcoal are permitted to apply for the use of charcoal barbecues on Councils footpath. All other food premises are eligible for gas barbecues;
  - Be able to accommodate the barbecues or cooking station within the designated cooking area;
  - Be able to accommodate the required health and safety equipment within the designated cooking area;
  - Be able to meet applicable food safety requirements including the Australia New Zealand Food Standards Code, Food Act 2003 and Food Regulation 2015 and the NSW Food Authority's 'Guidelines for Food Businesses at Temporary Events'; and
  - Be able to remove and store the equipment on a private premises at the end of each trading day (not at the food premises).
- 2) An outline of the application process and proposal requirements:
- A detailed diagram of the barbecue area layout, showing the locations of handwashing facilities, sneeze guards, barriers, fire safety equipment, and food serving areas;
  - A nominated day for cooking on the footpath (with any changes requiring an additional application);
  - A Risk Management Plan outlining measures to mitigate risks to customers and pedestrians;
  - Strategies for controlling potential environmental impacts, including odours and smoke;
  - A plan detailing how the applicant will clean the footpath after use; and
  - A Waste Management Plan for the responsible disposal of waste generated during activities.
- 3) Information on the responsibilities for the cost and cleaning associated with a footpath barbecue.

To cover the cost of administering the application process and licence, the following fees and charges were exhibited.

| <b>Street barbecue fees exhibited</b>               |         |
|---|---------|
| Application fee                                     | \$250   |
| Annual licence fee during the 12-month trial period | \$1,000 |

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.



## Discussion

### Community Consultation

The feedback exhibition period was from Friday 25 October 2024 to Friday 22 November 2024.

The Policy, existing Commercial Use of Footways Guidelines and Fees and Charges were displayed on Council's Have Your Say website for the above dates. During the exhibition period there was 249 views of webpage, with 151 visitors and 8 contributors.

The Have Your Say EDM reached:

Email recipients: 1,825

Total click throughs: 93

Click-through Rate: 5.1 percent

### Summary of submissions

In total there were eight Have Your Say form submissions received.

In summary, the feedback on the introduction of Footpath Barbecues in our City, along with the draft Policy and Guidelines, reflected a mix of support and opposition. While there was some support for the Draft Footpath Policy, some concerns were raised with the contents of the Policy, suggesting consideration of specific aspects may be necessary.

We received feedback that footpath barbecuing can support and promote food culture in Canterbury Bankstown, however the draft Policy is too restrictive.

One submission opposed the footpath barbecues due to safety concerns for children and the elderly and others commenting fees were too high and the policy was too restrictive, overcomplicated and may cause conflict with local businesses (refer to Attachment 2).

These submissions have been considered and minor amendments made to the Policy.

The benefits to footpath barbecuing include:

- Increase economic activity;
- Increase in income through additional pedestrian traffic to the location and patronage for businesses; and
- Develop vibrant, open and multifaceted street life.

In relation to the draft fees, the proposed fee structure is considered to be in line with Council's Fees and Charges regarding the Commercial Use of Council Footways.

Although no other councils in NSW currently allow footpath barbecuing, a comparative summary of other council fees and charges per square metre per year for the commercial use of footways is outlined in the table below:

| Councils          | Commercial Use of Footway Application/Assessment fee | Licence Annual fee (per square metre) |
|-------------------|--|---------------------------------------|
| CBCity            | \$254  | \$141 – \$184                         |
| Georges River     | \$275  | \$265 – \$390                         |
| Randwick City     | \$217  | \$254 - \$824                         |
| City of Paramatta | \$163.35   | \$109 - \$575                         |

\*note: average size of space required varies depending on space available outside the food premises – should be in line with space allocated for outdoor dining.

It is also recommended that all costs associated with the application for a licence, footpath barbecue design, maintenance and cleaning - including the removal of footpath barbecues after each use are solely the responsibility of the applicant business.

It is expected that a business would generate additional revenue and / or gain a competitive advantage through operating a street barbecue and, as such, should be accountable for these costs.

#### Changes to the Footpath Barbecue Policy and Fees and Charges

As a result of the consultation and further internal review, the following amendments were undertaken to the Draft Footpath Barbecue Policy:

- Addition of conditions and minimum requirements for consideration; and
- Addition of proposal requirements that must accompany the application to be considered to address health, safety and environmental concerns.

Regarding the Fees and Charges, it is proposed that no changes be made to those previously exhibited. At the conclusion of the 12-month trial period, the fees can be re-evaluated, and any necessary adjustments to the licence fee can be made.

#### **Recommended Approach**

Feedback received during the public exhibition indicates some community support for the Draft Footpath Barbecue Policy and fees and charges. While a few community members raised concerns about the fees and charges, comparisons with other Sydney local Councils demonstrate that the proposed fees are fair. Additionally, some expressed concerns about the restrictive nature of the Policy. However, to ensure public safety and amenity, the proposed requirements and conditions are necessary.

It is recommended that the amended Draft Footpath Barbecue Policy and Fees and Charges is adopted.

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.

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## Policy Matters - 03 December 2024

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### ITEM 7.2

### Car Share Policy and Associated Fees and Charges

### AUTHOR

City Future

## SUMMARY

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- Council has prepared a draft Car Share Policy which provides a framework to guide Canterbury-Bankstown Council's approach to the application, installation and management of designated car share spaces in public streets and car parks owned or managed by Council.
- On 25 June 2024 Council resolved to place the draft Car Share Policy and proposed fees and charges on public exhibition and that a further report be brought to Council at the conclusion of the exhibition period to consider any submissions received.
- The draft Policy and proposed fees and charges were placed on public exhibition from Wednesday 24 July 2024 to Wednesday 14 August 2024. The purpose of this report is to provide a summary of the feedback received on the draft Car Share Policy and associated fees and charges during recent community consultation.

## RECOMMENDATION

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That Council adopt the draft Car Share Policy (Attachment 1) and associated fees and charges.

## ATTACHMENTS

[Click here for attachments](#)

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1. Draft Car Share Policy
2. Submission Table

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

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- Council's 2024-25 Operational Plan identifies Private and Public Transport as a key service provided to the community. The development and adoption of a Car Share Policy is listed as an action under item 23.1 Strategic Transport Planning.
- The introduction of the Car Share Policy and provision of designated car share spaces supports the aspirations of the Community Strategic Plan and contributes to the Moving and Integrated destination. Connective City 2036, Council's Local Strategic Planning Statement, has established mode share targets for Canterbury-Bankstown to decrease the use of private vehicles and increase the percentage of residents utilising public transport and active transport.

## **STRATEGIC IMPACT**

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- It is proposed that fees be included in Council's Schedule of Fees and Charges to recover any costs associated with assessment of requests, installation of signage and management of designated car share spaces for car share vehicles.
- Car share may help to reduce the demand for on-street car parking and may also be influential in helping to shift travel mode from private motor vehicle to active and public transport modes. Adoption of this Policy will articulate Council's commitment to an ambitious movement and place plan that prioritises better public transport and increased travel mode options.

## DETAILED INFORMATION

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### Purpose

- On 25 June 2024 Council resolved to place the draft Car Share Policy (the draft Policy) and proposed fees and charges on public exhibition and that a further report be brought to Council at the conclusion of the exhibition period to consider any submissions received. This report provides a summary of the feedback received on the draft Policy and associated fees and charges during recent community consultation.

### Background

- Car share is a mode of publicly accessible car rental that provides the opportunity to use a car and only pay for the time used and/or the distance travelled. It is a convenient and cost-effective method to reduce reliance on private vehicles whilst also providing the community with access to an alternative sustainable mode of transport.
- Like all registered vehicles, car share operators can legally park their vehicles in unrestricted parking, however having access to a designated space provides the community with greater awareness of the location and availability of vehicles and further supports their use.
- There are currently no designated car share spaces across Canterbury-Bankstown, although car share services are already operating utilising unrestricted street parking spaces. According to GoGet's 2023 Annual Survey, the car share provider has over 3,500 members who reside within the Canterbury-Bankstown local government area.

### Discussion

- The draft Policy applies to car parking spaces that are owned or managed by Council within the Canterbury-Bankstown Local Government Area (LGA) and to car share operators that provide access to vehicles for members of a car share scheme.
- The draft Policy does not apply to:
  - Peer-to-peer car rental schemes where an individual will provide public access to their privately owned and registered vehicle for a fee;
  - Long-term car rental schemes; and
  - Agreements between car share operators and private parties for parking vehicles on private property, for example in residential complexes or within privately managed car parks.
- The draft Policy will provide a framework for the application, installation and management of designated car share spaces in public streets and car parks owned or managed by Council.
  - Eligibility requirements;
  - Operational obligations;
  - Application and installation process of designated car share spaces; and
  - Management of designated car share spaces.

- To cover the cost of administering the application process and engagement, the following associated fees and charges were exhibited (consistent with existing roads infrastructure and traffic management fees).

| <b>Car Share fees and charges exhibited</b>            | <b>Fees</b> |
|--|-------------|
| Application/assessment fee                             | \$301.00    |
| Car Share signage – installation of each sign and post | \$762.00    |
| Bay Marking (chargeable at actual cost)                | Quote       |

### **Public Exhibition**

- The draft Policy and associated Fees and Charges were placed on public exhibition on Council's Have Your Say website from Wednesday 24 July 2024 to Wednesday 14 August 2024.
- The "Have Your Say" page was viewed by 243 people, 19 people provided feedback via the Have Your Say survey form and one direct email submission was received. Further detail on the submissions received is outlined in Attachment 2.

### **Summary of public submissions**

- There was a strong level of support for the introduction of designated car share spaces across Canterbury-Bankstown and the draft Policy. Two common themes emerged from the feedback and a response has been summarised below.

| <b>Submission theme</b>  | <b>Response</b>   |
|--|---|
| The draft Policy included a requirement for car share operators to provide vehicles which have a minimum four-star Vehicle Emission Star Rating (VESR). The intent of this requirement was to ensure the fleet of vehicles provided would be as environmentally sustainable as possible. A large number of the submissions received raised concerns this would restrict the range of vehicles available for use, with many Sports Utility Vehicles (SUVs), seven-seater passenger vehicles and minivans not meeting this rating. | The feedback identifies a relevant position in relation to emission ratings for some vehicles. Therefore, it is proposed to amend this condition to prefer operation of car share vehicles with superior emission standard and fuel efficiency given the car share operator must demonstrate that the larger vehicle is a high environmental performer for its class. |
| The draft Policy included a maximum booking duration of three days. The intent of this was to ensure there is a high turnover of users or increased opportunity for vehicle availability. A number of submissions raised concerns that this period of time was too short, and would restrict users being able to access a vehicle to use on "long weekend" style tips.   | The restriction in the number of days is in recognition that car share is not a replacement for car hire services. However, it is noted that there is benefit in a slightly longer hire, therefore it is proposed to increase the maximum booking duration from three days to four days.  |

|  |   |
|--|---|
|  | <p>A large proportion of parking available across the City is unrestricted and therefore, car share operators are legally able to utilise local streets to park vehicles without the need to apply for designated spaces. Should members of the car share scheme wish to access a vehicle for longer than the four day period proposed, car share operators can provide vehicles in unrestricted parking areas.</p> |
|--|---|

- There was one submission which directly opposed the provision of designated car share spaces due to the loss of public car parking spaces available, citing a low provision of car parking spaces and an increase in density and demand. The reduction in parking through the introduction of car share is considered a low-level impact to the surrounding parking conditions and will be assessed on a case by case basis.
- Data collected on existing car share schemes operating across Australia indicates that one car share vehicle can replace up to ten private vehicles. The Policy and the use of designated car share spaces will be reviewed after 12 months, with car share operators required to regularly provide data to Council to help understand the impact of the Policy.
- There was no feedback received directly on the proposed fees and charges to support administration of the Policy once adopted. These fees and charges will be reviewed on an annual basis in line with the development of Council's full Schedule of Fees and Charges.

### **Amendments to the draft Policy**

- A number of changes have been made to the draft Policy following public exhibition as the result of feedback. The draft Policy has also been updated to:
  - Incorporate administrative changes including typos, reference corrections, grammar and clarifications;
  - Include a condition that designated car share spaces be reviewed on an annual basis;
  - Remove the four-star VESR requirement, and instead require the car share operator to demonstrate the vehicle is a high environmental performer for its class; and
  - Increase the maximum booking duration from three days to four days.
- The updated Policy is provided in Attachment 1.

### **Recommended Approach**

- As the City grows, the movement system will need to change to support the level of amenity required by the community. While Council continues to support mode-shift targets that would see a reduction in private vehicle use and an increase in the use of public and active transport options, encouraging the use of car share provides an opportunity to reduce private vehicle ownership across the City.

- It is therefore recommended that Council adopt the draft Car Share Policy and associated fees and charges.



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## Policy Matters - 03 December 2024

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### ITEM 7.3                      Councillor Expenses and Facilities Policy

**AUTHOR**                      **Corporate**

### SUMMARY

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- The purpose of this report is to provide a summary of the community feedback received on the draft Councillor Expenses and Facilities policy and present the policy for adoption and implementation.
- At its Ordinary Meeting on 22 October 2024, Council resolved to place the Policy on public exhibition and that a further report be brought to Council at the conclusion of the exhibition period to consider any submissions received.
- The draft policy was placed on public exhibition from Friday 1 November 2024 to Friday 29 November 2024. A total of seven submissions were received.

### RECOMMENDATION

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That Council adopts the Councillor Expenses and Facilities policy.

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

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1. Draft Councillor Expenses and Facilities Policy
2. Councillor Expenses and Facilities Policy Public Exhibition Responses

## INTEGRATED PLANNING AND REPORTING ALIGNMENT

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- The draft Policy is aligned with the *Leading and Engaged* destination of the CBCity 2036 Community Strategic Plan.
- Adoption of the Policy provides Councillors and our community the assurance that Council is meeting its obligations under the Act, Regulation and Council's Corporate Governance Framework.

## STRATEGIC IMPACT

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- Relevant funding is annually reflected in Council's operational budget to accommodate requirements associated with the draft Policy.

## DETAILED INFORMATION

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### Purpose

- To consider feedback received by the community on the Policy.
- To seek Council's adoption of the Policy.

### Background

- Under section 252 of the Act, Council is required to review and adopt the Councillor Expenses and Facilities policy within 12 months of the commencement of a new Council term. The report addresses this requirement.
- At its Ordinary meeting on 22 October 2024, Council resolved to place the Policy on public exhibition and requested that a further report be brought to Council at the conclusion of the exhibition period to consider any submissions received.
- In accordance with the requirements of section 253 of the Act, the Policy was placed on public exhibition for a period of 28 days.

### Discussion

- 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.
- The draft Policy has been reviewed in accordance with Council's Policy Framework to ensure the Policy is consistent with the Act, Regulation and OLG Guidelines.

#### **Public Exhibition**

- The draft Policy was placed on public exhibition on Council's Have Your Say website from Friday 1 November 2024 to Friday 29 November 2024.
- The "Have Your Say" page was viewed by 127 people and the draft Policy was downloaded 41 times.
- Six respondents provided feedback via the Have Your Say survey form and one direct email submission was received.

#### **Summary of public submissions**

- There was broad support for the draft Policy. Two respondents directly supported the draft policy and one "didn't mind the values stated".
- Three respondents believe the allowances for travel expenses are too high and one respondent commented that Mayoral and Councillor allowances were generally too high.
- Further detail on the submissions received and Council's response to feedback is outlined in Attachment 2.

#### **Amendment to draft policy**

- Given the use of the facility and its reliance for current issue, news and information to assist Councillors in fulfilling their official function, it is proposed that the current provision for accessing newspapers be reinstated.

### **Recommended Approach**

- Having considered the submissions, no changes are recommended to the policy.
- It is recommended that the draft Councillor Expenses and Facilities Policy is adopted and implemented.

## **8 GOVERNANCE AND ADMINISTRATION MATTERS**

The following items are submitted for consideration -

- |     |   |    |
|-----|---|----|
| 8.1 | Property Matter - Ice Skating Club Licence for Part of 17 Phillips Avenue, Canterbury | 63 |
| 8.2 | Council Advisory Committees and Membership of Other Bodies                            | 69 |
| 8.3 | Adoption of the Draft Urban Bushland and Biodiversity Strategic Plan                  | 77 |



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## Governance and Administration Matters - 03 December 2024

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### ITEM 8.1                      Property Matter - Ice Skating Club Licence for Part of 17 Phillips Avenue, Canterbury

**AUTHOR**                      Corporate

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### SUMMARY

- At its Ordinary Meeting in July 2024, Council agreed to grant a new three-year Agreement for Lease (AFL) and a further eighteen-year Lease to the Ice-Skating Club (ISC) for 17A Phillips Avenue, Canterbury (report attached).
- The lease arrangement provided for a total lease period of 21 years – consisting of a three-year period to repair/construct the ice-skating facility and a further 18-years to operate the facility.
- The ISC have approached Council requesting a further licence over part of 17 Phillips Avenue, Canterbury – Tasker Park, for use as a compound site to enable the Club to undertake construction on the Ice-Skating Rink premises.
- Should Council support the ISC's request, it is proposed that the licence agreement would run in parallel with the AFL term of three-years with a provision to extend the licence in six month increments if construction works are delayed for any reason.

### RECOMMENDATION    That -

1. Council agree in-principle to grant a three-year licence to the Ice Skating Club of NSW Co-operative Limited (ISC) for part of 17 Phillips Avenue, Canterbury.
2. Council authorise the Chief Executive Officer to negotiate with the ISC and determine the terms of the licence of Council's land located at 17 Phillips Avenue Canterbury – as outlined in the report.
3. In accordance with the *Local Government Act 1993*, the proposed licence be publicly exhibited.
4. Following the exhibition process, a further report be provided to Council for its consideration and decision.

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

1. Report to 30 April 2024 Council Meeting
2. Report to 23 July 2024 Council meeting

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

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- Licensing of the land at 17 Phillips Avenue, Canterbury to the ISC aligns with the objective of Council's Delivery Plan of Safe and Strong and demonstrates Council's commitment to ensuring our buildings meet the community's needs and are well used.

## **STRATEGIC IMPACT**

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- The report has no direct impact on Council's budget.



## DETAILED INFORMATION

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### Purpose

- The Purpose of the report is to consider a request from the Ice Skating Club (ISC) for a licence over part of 17 Phillips Avenue, Canterbury – Tasker Park for use as a compound site to enable the Club to undertake construction on the Ice Skating Rink premises.
- Council approval in-principle is sought to negotiate a new licence agreement with the ISC, based on the following:
  - A licence term of three-years with a provision to extend the licence in six month increments if construction works are delayed for any reason;
  - No rent to be payable by ISC for the licence agreement – which is consistent with the AFL conditions;
  - The ISC will be responsible for make good of the compound area at the end of the licence agreement, restoring the land back to its original condition; and
  - The ISC will be required to lodge a bank guarantee with Council for make good costs.

### Aerial showing proposed licence area to ISC outlined in pink



### Background

- The Canterbury Olympic Ice Rink is located at 17A Phillips Avenue, Canterbury. The Ice Rink has been operating for approximately 50 years with various ground leases being entered into between Council and the ISC over this period.
- The Ice Rink has been closed since August 2022 due to the roof and building requiring works to continue to operate. The ISC has been successful in obtaining Westinvest funding to carry out the necessary works to the building.

- Council at its meeting on 23 July 2024, agreed to grant a new three-year Agreement for Lease (AFL) and a further eighteen-year Lease to the ISC for 17A Phillips Avenue, Canterbury (see attached report).
- In accordance with the above – the lease has been entered into with the ISC and they have commenced their project.

## **Discussion**

- The AFL for the ISC building provides for a three-year construction period with the ability to extend with six month increments if construction is not complete within the three-year period. Once construction is completed and an occupation certificate is issued, then the lease for the building will commence.
- Under the terms of the AFL, no rent is payable as the ISC will not have an income source for this period. In this regard, it is recommended that the ISC also pay no fees for the licence for the proposed compound site.
- The ISC will be responsible for restoring the land to its original condition at the conclusion of the licence term. It is also proposed that the ISC provide Council a bank guarantee for make good works.
- Council may grant a short-term licence such as that requested by the ISC under the provisions of Section 46 of the *Local Government Act 1993* – though the proposed licence must first be exhibited for public comment before Council can formally agree to the matter.
- The ISC as an established not for profit entity that provides programs for the community such as recreational ice-skating, ice-hockey, speed skating and figure skating. The repair/construction of the facility will provide for the ongoing uses – though in a new modern purpose-built facility.
- Therefore, the ISC's request to licence adjoining Council land to construct the building is supported.

## **Recommended Approach**

It is recommended that Council:

- Agree in-principle to grant a three-year licence to the Ice Skating Club of NSW Co-operative Limited (ISC) for part of 17 Phillips Avenue, Canterbury.
- Authorise the Chief Executive Officer to negotiate with the ISC and determine the terms of the licence of Council's land located at 17 Phillips Avenue Canterbury – as outlined in the report.

- In accordance with the *Local Government Act 1993*, the proposed licence be publicly exhibited – and provide the community the opportunity to comment on the proposed arrangement.
- Following the exhibition process, a further report be provided to Council for its consideration and decision.



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## Governance and Administration Matters - 03 December 2024

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### ITEM 8.2 Council Advisory Committees and Membership of Other Bodies

AUTHOR Corporate

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### SUMMARY

- The purpose of this report is to consider:
  - The establishment of Council’s proposed Advisory Committee structure, guidelines and charters for the current term of Council; and
  - Information regarding Council’s participation in other bodies.
- This report proposes the establishment of four Advisory Committees consisting of Councillor and Community representatives. These Committees will make recommendations to Council in accordance with their Charter.
- Proposed Guidelines and Charters for the Committees are included in the Attachments. These documents will assist and provide information for Committee members on their role, the management and conduct of meetings, attendance requirements, voting requirements and confidentiality.
- This report also provides details of other bodies that have Councillor representation and information relating to the Traffic Committee and Council’s Audit Risk and Improvement Committee.
- The report seeks Council’s endorsement of the Advisory Committee structure, guidelines and charters and to call expressions of interest from the community to participate in the committees.

### RECOMMENDATION That -

1. Council approve the Advisory Committee structure as detailed in the report.
2. Council adopt the draft Community Advisory Committee and Working Group Guidelines and Charters, as attached; and
3. Expressions of Interest be sought from community representatives for membership of Advisory Committees, as outlined in the report.

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

1. Community Advisory Committee and Working Group Guidelines
2. Advisory Committee Charters

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

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- The appointment of community representatives to the Advisory Committees aligns with the objective of Council's Delivery Plan of Leading and Engaged by demonstrating Council's commitment to community representation and open governance and will provide Council with advice for the ongoing management of services to our community.

## **STRATEGIC IMPACT**

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- The establishment of Advisory Committees will have no direct impact on Council's budget as Committees do not have the power to incur expenditure.
- The Committees cannot make binding decisions on behalf of Council but may recommend actions and initiatives to Council.

## DETAILED INFORMATION

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### Purpose

The purpose of the report is to provide information on the Audit Risk and Improvement Committee, Traffic Committee and other bodies that have Councillor representation, and to seek Council's endorsement for:

- The structure of Advisory Committees for the term of the Council;
- Advisory Committee and Working Group guidelines and charters; and
- Calling Expressions of Interest from community representatives to participate in Advisory Committees.

### Background

- At the beginning of each new term of Council, Advisory Committees are established by Council to provide for the participation of Councillors and community representatives in the delivery of services and programs.
- The operation of Advisory Committees is governed by guidelines and individual charters for the Committee and these documents are included in the attachments.
- Committees make recommendations to Council in accordance with their Charter.
- The Committees cannot make binding decisions on behalf of Council.
- Recommendations of Committees will become resolutions of Council if they are adopted by Council.
- Committees do not have the power to incur and/or commit Council to any expenditure.

### Discussion

#### Advisory Committees

The Advisory Committees proposed to be established for the current term of Council are as follows:

- Arts and Culture;
- Environment;
- First Peoples; and
- Youth.

#### Selection for Advisory Committee membership

In accordance with existing practice, it is proposed that:

- An Expressions of Interest (EOI) process be conducted/called by the Chief Executive Officer to seek nominations for community representatives and Councillors to participate on Council's Committees; and
- As indicated in Council's Instrument of Delegation, the Mayor will determine community and Councillor representatives and/or delegates to all Committees, Groups and other bodies, as required.

## **Working Groups**

Council's Guidelines separately provide for Working Groups to be established to assist with administering any operational matters, as required.

Council is represented on a number of other bodies, as detailed below.

## **Statutory Committees**

### **■ Canterbury-Bankstown Traffic Committee**

- The Committee is established under the Roads Act 1993 and the Road Transport Act 2013. Whilst Council facilitates operation of the Committee, it is not a Council Committee.
- The Committee has no decision-making powers and is a technical review committee.
- It advises on matters that Council has been delegated authority, such as certain prescribed traffic control devices and facilities.
- Where Council plans to exercise its delegated functions for traffic it must refer those matters to the Committee prior to exercising its delegated functions.
- The Committee meets on a monthly basis and comprises representatives from Council, Transport for NSW, Police, Fire and Rescue, State Transit Authority, U-Go Mobility and local State Members of Parliament.

Council's representative is the Mayor (or their delegate).

### **■ Audit Risk and Improvement Committee**

- The Audit Risk and Improvement Committee (ARIC) is an independent advisory committee.
- The Local Government Act 1993 and the Local Government (General) Regulation 2021 require each council in NSW to have an audit, risk and improvement committee that continuously reviews and provides independent advice to the council on how it is functioning and managing risk.
- The Committee has been established in accordance with the Office of Local Government Guidelines for Risk Management and Internal Audit for councils in NSW (November 2023) (Guidelines) and currently consists of three independent external members, for whom the current term ends in March 2025.
- A process to recruit and appoint three independent members and a councillor representative (non-voting) for a new four-year term will shortly commence and the matter will be determined by the Mayor under delegation.
- All new members will be assessed against an eligibility criteria, as set out in the Guidelines.
- Independent members are remunerated at \$2,000.00 per meeting and \$2,500.00 for the chairperson.
- The Committee is required to meet at least on a quarterly basis.
- The Committee's Charter will be reviewed upon appointment of the new Committee and referred to Council for adoption.



## **Other Bodies**

### **▪ Bankstown City Aged Care**

- Bankstown City Aged Care is an aged care provider and charity established by the former Bankstown City Council in 1972 to look after the frail and aged in the local Bankstown area.
- The organisation is now its own not for profit entity and Council representation is detailed in its constitution as the Mayor (or their delegate) and one Councillor per ward.

### **▪ Canterbury Bankstown Flood Risk Management Committee**

- The Committee assists in the development and implementation of Flood Risk Management Plans.
- The Committee does not consider specific development proposals/applications but focuses on broader catchment-wide management issues, Council policies and strategies affecting flood prone lands.

Council's representative is the Mayor (or their delegate).

### **▪ Cooks River Alliance**

- The Alliance comprises local councils and Sydney Water, who are working together with communities for a healthy Cooks River catchment.

Council's representative is the Mayor (or their delegate).

### **▪ Georges River Combined Councils Committee**

- The Committee comprises local councils, state agencies and community representatives, whose purpose is to work together to protect, conserve and enhance the Georges River.
- The Committee also coordinates the Georges Riverkeeper Program.

Council's representative is the Mayor (or their delegate).

### **▪ Parramatta River Catchment Group**

- The Group is an alliance of local councils, state agencies and community representatives, whose purpose is to work together to sustain the health of the Duck River catchment which flows into the Parramatta River.

Council's representative is the Mayor (or their delegate).

### **▪ Canterbury Bankstown / Georges River Bushfire Management Committee**

- The Committee has the key responsibility of ensuring statutory obligations are met with regard to the coordination and communication of bushfire planning, mitigation and fire suppression activities in the Canterbury-Bankstown and Georges River local government areas.

Council's representative is the Mayor (or their delegate).

▪ **Sydney South Planning Panel**

The Planning Panel:

- Determines ‘regionally significant’ development applications.
- Acts as the Planning Proposal Authority (PPA) for planning proposals and undertakes rezoning reviews not supported by Council.
- Council can nominate two community representatives and two alternate representatives on the Panel.
- Currently, these positions are filled by Councillors.
- Advice from the NSW Government suggests that Council set their own fee for community representatives. It is proposed that Council continue to pay an amount of \$600.00 per meeting, as scheduled by the Panel.

▪ **Australian Local Government Women’s Association**

- The Association has a NSW Branch Executive Committee.
- The Association aims to further women’s knowledge of local government functions, protect the interests/rights of women in local government, take action regarding issues of particular interest to women in relation to local government bodies or legislation, and supports and encourages women in local government.

Councillors can apply separately for membership of the Association.

▪ **ClubGRANTS Local Committee**

- The Committee meets four times per year to provide advice and identify priorities for consideration by licensed clubs in their allocation of gaming revenue to local community projects.

The Committee has no Councillor representation.

▪ **NSW Public Libraries Association**

- The Association is the peak body that represents the interests and development of public libraries in metropolitan NSW, including Sydney and regional urban centres.

Council’s representative is the Mayor (or their delegate).

▪ **Southern Sydney Regional Organisation of Councils (SSROC)**

- SSROC provides a forum for the exchange of ideas between member councils, and an interface between governments, other councils and key bodies on issues of common interest.
- SSROC acts as a facilitator for joint activities between councils which provides benefits through economies of scale.
- Member councils can reduce costs of procurement, share the costs of engaging external assistance if needed.
- SSROC provides Councillors and staff with a wide network of expertise and views on local government issues.
- SSROC also provides a means of resolving issues and challenges that cross municipal boundaries, such as the environment and transport.

Council’s representatives are the Mayor and one Councillor, as well as two alternate delegates.

- **Bankstown Airport Community Aviation Consultation Group**
  - The Group provides a forum for consultation on operations and developments at the Airport precinct.

Council's representative is the Mayor (or their delegate).



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## Governance and Administration Matters - 03 December 2024

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### ITEM 8.3                      Adoption of the Draft Urban Bushland and Biodiversity Strategic Plan

**AUTHOR**                      City Future

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#### SUMMARY

- The draft Urban Bushland and Biodiversity Strategic Plan (the draft Plan) is the first strategic plan developed to focus on protecting, managing and enhancing biodiversity within Canterbury-Bankstown.
- It will provide Council with the overarching strategic direction to guide policy amendments, management requirements and new initiatives for Council to ensure the long-term survival of the wealth of native species and ecological communities in the City.
- The draft Plan was placed on public exhibition from 3 July to 24 July 2024. The purpose of this report is to provide a summary of the feedback received on the draft Plan, outline updates proposed based on community feedback, and to present the updated Plan to Council for adoption.

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#### RECOMMENDATION

That Council adopt the draft Urban Bushland and Biodiversity Strategic Plan (Attachment 1).

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

1. Draft Urban Bushland and Biodiversity Strategic Plan
2. General Submission Table
3. Canterbury Bankstown Climate Action Network Submission Table
4. Cooks River Alliance Submission Table
5. Wolli Creek Preservation Society Submission Table
6. Lydia Feng Submission Table
7. Paul Laverty Submission Table

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

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- The draft Urban Bushland and Biodiversity Strategic Plan supports the aspirations of the Community Strategic Plan and contributes to the Clean and Green destination. The draft Plan will also provide a new strategic approach for ecological management across the whole of Canterbury-Bankstown.
- Council's Operational Plan 2024/25 identifies "Bushland and Biodiversity" as one of the key services Council delivers to the community. The development and adoption of the Urban Bushland and Biodiversity Strategic Plan is listed as a specific action under item 4.1 Bushland and Biodiversity Strategic Planning.

## **STRATEGIC IMPACT**

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- There is no immediate financial impact as a result of the Plan however priority actions will be considered in the preparation of future delivery programs and operational planning budgets.
- Development controls, grants, and delivery partnerships will also be utilised to deliver on actions outlined in the Plan.

## DETAILED INFORMATION

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### Purpose

- The draft Urban Bushland and Biodiversity Strategic Plan (the draft Plan) will enable Council to meet our statutory obligations for biodiversity protection and will guide conservation and enhancement of terrestrial and aquatic biodiversity, so that it is protected for current and future generations.
- The purpose of this report is to provide a summary of the feedback received on the draft Plan during public exhibition, outline updates proposed based on community feedback, and to present the updated Plan to Council for adoption.

### Background

- Since European settlement, it is estimated that nearly 94 percent of the City's native bushland and habitat for native wildlife has been lost. This has led to the remaining six percent of native bushland and habitat becoming highly fragmented and significantly degraded by a variety of urban pressures.
- However, Canterbury-Bankstown still contains large areas of native bushland, plants and animals with significant conservation value. However are at risk of extinction, varying from vulnerable to critically endangered. Council has an obligation to protect and manage these locations to ensure the long-term survival of these vegetation communities, plants and animals and that no further local extinctions occur.
- The draft Urban Bushland and Biodiversity Strategic Plan is the first plan focused on biodiversity for the City. The draft Plan will provide Council with the overarching strategic direction to guide the protection, management and enhancement of bushland and biodiversity across the City. It also acknowledges the need for a collaborative approach with the community, developers and volunteer organisations.

### Discussion

- The draft Plan will guide the conservation and enhancement of biodiversity within Canterbury-Bankstown. The draft Plan identifies six focus areas to be addressed:
  - Biodiversity planning;
  - Biodiversity knowledge and data;
  - Ecological restoration;
  - Ongoing conservation management;
  - Partnerships, education and community participation; and
  - Funding, research and monitoring.

### Public exhibition and community engagement process

- The draft Plan was placed on public exhibition from 3 July to the 24 July 2024 to seek further feedback from the community and stakeholders.

- As part of this process, a number of tools were used to engage with stakeholders including Council's "Have Your Say" page, Facebook and other social media, and targeted emails to volunteer organisations and community members subscribed to environmental updates. The "Have Your Say" page was viewed 577 times, had 69 downloads of the draft Plan, and 16 contributions were made through formal submissions on the Have Your Say page. Four larger email submissions were also directly received by Council.

### **Summary of public submissions**

- There was a high level of support for the draft Plan, but also a broad desire for Council to improve the way it manages natural areas. While some of the submissions were specific to a particular reserve or location, most were general statements that could be applied across all locations containing bushland and biodiversity. The key themes emerging from the submissions included:
  - Support for the proposed changes to planning controls and local planning instruments;
  - General passion for bushland and biodiversity and a desire to see it managed to a higher level;
  - Questions regarding canopy cover, street tree planting, and our work to enhance the urban forest in Canterbury-Bankstown;
  - Support for initiatives to improve bushland and biodiversity management;
  - Opportunities for Council to work with the local community, including Wolli Creek Preservation Society, Canterbury Bankstown Climate Action Network and the Cooks River Alliance; and
  - A desire for Council to provide additional information regarding some of the actions and concepts that did not specifically require updates to the Plan.
- Further detail on each of the general submissions can be found in Attachment 2. Council would like to acknowledge the detailed contributions received and thank the community for their support and high level of engagement with this project.
- Five of the submissions were longer and quite technical in nature, all of which were considered in detail by Council and changes made to the draft Plan accordingly. These submissions have been outlined in further detail and responded to separately in Attachments 3, 4, 5, 6 and 7.

### **Amendments to the Plan**

- After review of the feedback received during the public exhibition process, the draft Plan has been updated to:
  - Further affirm Council's commitment to conserve and enhance our natural environment for the protection of locally indigenous species, populations and ecological communities;
  - Articulate some of the submissions received during the public consultation period in the 'what we have heard' section;



- Acknowledge that while National Parks are not directly managed by Council, better management of areas surrounding these National Parks are required to ensure they are not negatively impacted by external factors;
  - Identify future impacts of sea level rise on local biodiversity through the addition of a new action;
  - Identify how appropriate riparian corridor widths are being assessed and determined for land adjacent to watercourses through updates to an existing action;
  - Include a new action to create an interactive map that residents can use to identify appropriate species to plant in their backyards;
  - Revise community education actions to include illegal dumping, irresponsible pet ownership, bird feeding and new educational material;
  - Revise all maps within the Plan to add landmarks and ensure they are more legible; and
  - Revise the prioritisation of existing actions and add additional detail to actions for the following focus areas:
    - Biodiversity Planning;
    - Biodiversity Knowledge and Data;
    - Ecological Restoration; and
    - Partnerships, Education and Community Participation.
- A number of the submissions focused on Council’s approach to tree canopy. It is acknowledged this is an important component to support biodiversity, however Council's commitment to increase canopy cover in parks, verges and nature strips will be outlined in a separate body of work Council is undertaking for the development of an Urban Forest Strategic Plan (currently under development).

### **Recommended Approach**

- The Urban Bushland and Biodiversity Strategic Plan will provide Council with overarching strategic direction to guide the protection, management and enhancement of bushland and biodiversity across the City. The priority works outlined in the Plan will be considered as part of future Delivery Programs and Operational Plans to ensure Council continues to support a range of different programs and initiatives to deliver a Clean and Green City.
- It is recommended that Council adopt the draft Urban Bushland and Biodiversity Strategic Plan (Attachment 1) and begin implementing the priority actions.



## **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 item is submitted for consideration -

10.1 Minutes of the Traffic Committee Meetings held on 26 November 2024 87



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## Committee Reports - 03 December 2024

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**ITEM 10.1**                      **Minutes of the Traffic Committee Meetings held on 26 November 2024**

**AUTHOR**                      **City Assets**

### **SUMMARY**

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- Attached are the minutes of the Canterbury-Bankstown Council Local Traffic Committee meetings held on 26 November 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**

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That the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 26 November 2024, be adopted.

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

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1. Minutes of the Traffic Committee Meeting held 26 November 2024

## **INTEGRATED PLANNING AND REPORTING ALIGNMENT**

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- 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**

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- 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.



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

The following items are submitted for consideration -

|   |    |
|---|----|
| 11.1 Status of Previous Notices of Motion - December 2024   | 91 |
| 11.2 Supporting DV Safe Phone - Councillor Jennifer Walther | 93 |



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## Notice of Motions & Questions With Notice - 03 December 2024

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**ITEM 11.1**                      **Status of Previous Notices of Motion - December 2024**

**AUTHOR**                      **Chief Executive Officer**

### **ISSUE**

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

### **RECOMMENDATION**

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That the information be noted.

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

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1.     Status of Previous Notice of Motions - December 2024
2.     Outgoing Correspondence
3.     Incoming Correspondence



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## Notice of Motions & Questions With Notice - 03 December 2024

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### ITEM 11.2                      Supporting DV Safe Phone

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

“That Council investigate;

1. The feasibility of partnering with DV Safe Phone, a charity that repurposes de-commissioned mobile phones for those escaping domestic violence.
2. Identifying and assessing opportunities for Council to donate its de-commissioned mobile phones to DV Safe Phone for repurposing and distribution through frontline domestic violence services and shelters.
3. Ways to raise community awareness about DV Safe Phone, encouraging local residents and businesses to contribute to the initiative by donating their unused or old mobile phones.”

### BACKGROUND

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Domestic violence continues to be a significant issue affecting individuals and families within the Canterbury Bankstown Local Government Area. Access to a working mobile phone can provide a vital lifeline for survivors, allowing them to connect with emergency services, support networks, and essential resources.

DV Safe Phone is an Australian charity that works with frontline domestic violence services and shelters to provide repurposed mobile phones to those affected by domestic violence. DV Safe Phone collects, repairs, and provides free mobile phones to domestic violence survivors, through over 360 Domestic Violence and Law Enforcement Agencies, Safe Houses, and Hospitals Australia-wide.

These phones offer a critical tool for survivors to contact emergency services, support networks, and essential resources.

As part of Council’s ongoing commitment to addressing domestic violence and supporting vulnerable members of our community, partnering with DV Safe Phone presents an opportunity to repurpose Council’s de-commissioned mobile phones for a meaningful cause. This initiative aligns with Council’s sustainability goals by diverting electronic waste from landfill while directly supporting domestic violence survivors.

Through this partnership, Council can lead by example, demonstrating how repurposing technology can create a positive social impact. Additionally, raising awareness of this initiative within the broader community can further amplify its reach and effectiveness.

This initiative complements Council's ongoing commitment to addressing and stamping out domestic violence through education, awareness, and support services. By investigating this partnership, we as a Council can demonstrate leadership, promote greater community engagement, and make a tangible difference for survivors of domestic violence within our community.

An old phone could save a life.

<https://raisely-images.imgix.net/dvsafephone/uploads/dv-safe-phone-partner-pack-2023-pdf-e2561b.pdf>

## **FINANCIAL IMPACT**

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Given that the motion calls for the matter to be investigated, I would expect that there is no financial impact associated with the motion, as written.

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

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The motion – as written - does not present any financial impact for Council. Given its nature – being the disposal of obsolete equipment - the matter will need to be considered in the context of the relevant provisions of the *Local Government Act 1993* and applicable Council Policies for managing its assets/equipment.

## **12        CONFIDENTIAL SESSION**

12.1 Property Matter - Acquisition of Bike Path Adjacent to Belfield Bowling Club

12.2 Property Matter - 571-577 Punchbowl Road, Lakemba

12.3 Grant Opportunity - Public Domain Improvements

# **Chief Executive Officer's Statement**

## **Confidentiality**

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



## **CONFIDENTIAL SESSION**

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

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

### **RECOMMENDATION**

That, in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Items 12.1, 12.2 and 12.3 in confidential session for the reasons indicated:

#### **Item 12.1 Property Matter - Acquisition of Bike Path Adjacent to Belfield Bowling Club**

*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 12.2 Property Matter - 571-577 Punchbowl Road, 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 12.3 Grant Opportunity - Public Domain Improvements**

*This report is considered to be confidential in accordance with Section 10A(2)(d)(ii) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council.*