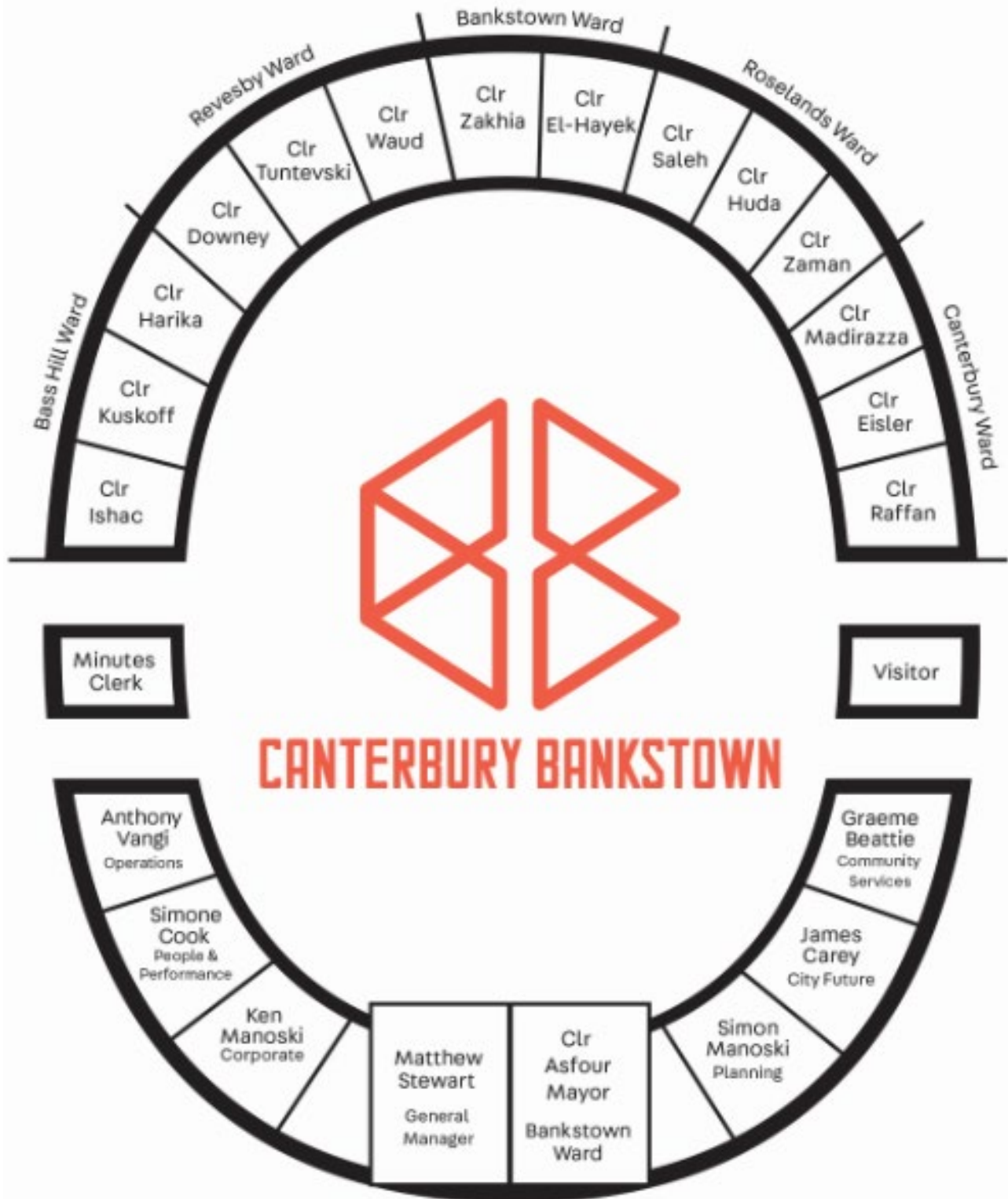




# AGENDA FOR THE ORDINARY MEETING

30 April 2019

# Gallery



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## **1            CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

The following minutes are submitted for confirmation -

1.1	Minutes of the Ordinary Meeting of Council of 26 March 2019 .....	7
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**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MARCH 2019**

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**PRESENT:** His Worship the Mayor, Councillor Asfour,  
Councillors Downey, Eisler, El-Hayek, Harika, Huda, Ishac, Kuskoff, Madirazza,  
Raffan, Saleh, Tuntevski, Waud, Zakhia and Zaman

**APOLOGIES:** There were no apologies.

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**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.03 P.M.**

COUNCIL OBSERVED A MINUTES SILENCE IN MEMORY OF THE VICTIMS OF THE  
CHRISTCHURCH MOSQUE MASSACRE.

**REF:** **CONFIRMATION OF MINUTES**  
**(514)** **CLR. DOWNEY:/CLR. ZAKHIA**

RESOLVED that the minutes of the Ordinary Council Meeting held on 26 February  
2019 be adopted.

- CARRIED

**SECTION 2:** **LEAVE OF ABSENCE**  
Nil

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

In respect of Item 4.2 Local Community Based Donations, Clr El-Hayek declared  
a significant, Non Pecuniary Conflict of Interest due to his association with  
members of the Lebanese Muslim Association and indicated he would vacate  
the Chamber taking no part in debate.

In respect of Item 8.1 – Belmore Sports and Recreation Precinct Masterplan, Clr  
Madirazza declared a significant, Non Pecuniary Conflict of Interest due to his  
association with the Belmore Bowling Club and indicated he would vacate the  
Chamber taking no part in debate.

**CANTERBURY BANKSTOWN**  
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**SECTION 4: MAYORAL MINUTES**

**ITEM 4.1 SHINE A LIGHT FOR UNITY**

**(515) CLR. ASFOUR**

RESOLVED that in response to the Christchurch tragedy, the divisive language and the need to celebrate harmony, I propose to hold a vigil and a call to action to reject hate, embrace harmony and remember those that lost their lives in this terrible act of violence and horror. The vigil will be held on 4 April, 2019 at Wiley Park, the community and leaders from across the LGA and greater Sydney will be invited to come together, to Shine a Light for Unity.

- CARRIED

**ITEM 4.2 LOCAL COMMUNITY BASED DONATIONS**

IN RESPECT OF ITEM 4.2 LOCAL COMMUNITY BASED DONATIONS, CLR EL-HAYEK DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST DUE TO HIS ASSOCIATION WITH MEMBERS OF THE LEBANESE MUSLIM ASSOCIATION AND VACATED THE CHAMBER TAKING NO PART IN DEBATE.

CLR EL-HAYEK TEMPORARILY VACATED THE CHAMBER AT 6.15 PM.

**(516) CLR. ASFOUR**

RESOLVED that

1. Council support the request from Variety B to B Bash and donate \$1,000 towards Team F7500.
2. Council support the request from the Bangladeshi Community School and donate \$1,200 being the waiving of the Centre hire fee and that Bangladeshi Community School be encouraged to apply for a grant in the Council's next Community Grants and Event Sponsorship Program.
3. Council support the request from Royal Flying Doctor Service and donate \$1,000 as part of Club Mt Lewis' fundraising event being held on 3 May 2019.
4. Council support the request from The Lebanese Muslim Association – Parry Park and waive the day fee \$146 for the use of the car park, for a memorial service held on 22 March 2019 following Friday prayers, in memory of the victims of the Christchurch terrorist attack.



**CANTERBURY BANKSTOWN**  
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5. These funds are made available from Council's Community Grants and Events Sponsorship budget.

- CARRIED

CLR EL-HAYEK RETURNED TO THE MEETING AT 6.19 PM.

**ITEM 4.3**  
**(517)**                      **CONGRATULATIONS PREMIER BEREJIKLIAN**  
**CLR. ASFOUR**

RESOLVED that the Mayoral Minute be noted.

- CARRIED

**SECTION 5:                      PLANNING MATTERS**

**ITEM 5.1**  
**(518)**                      **PLANNING CONTROLS FOR BOARDING HOUSES**  
**CLR. EISLER:/CLR. ISHAC**

RESOLVED that

1. Council adopt the Planning Proposal to include site area and frontage controls for boarding houses in the Canterbury LEP 2012 as shown in Attachment A and it be referred to the Department of Planning and Environment for finalisation.
2. Council adopt the amendments to the Canterbury Development Control Plan 2012 (Amendment 5) as shown in Attachment B and that the amendments come into force concurrently with the gazettal of the LEP in accordance with the requirements of the Environmental Planning and Assessment Regulation 2000.
3. A savings and transitional provision be added to the planning proposal. It will apply to development applications that were made up until 1 February 2019 including those currently under appeal.

- CARRIED

**For:-**                      Clrs Asfour, Downey, Eisler, El-Hayek, Harika, Huda, Ishac, Kuskoff, Madirazza, Raffan, Saleh, Tuntevski, Waud, Zakhia and Zaman

**Against:-**                      Nil

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**SUSPENSION OF STANDING ORDERS**

**(519)**

**CLR. TUNTEVSKI:/CLR. EL-HAYEK**

Resolved that:

- i) Permission be granted to those people who have made the necessary application to address Council for five minutes in respect of items 5.2 and 8.1.
- ii) Standing Orders be suspended.
- iii) Standing Orders then be resumed.

- CARRIED

**ITEM 5.2**

**APPLICATION TO AMEND BANKSTOWN LOCAL ENVIRONMENTAL PLAN 2015: 10 SIMMAT AVENUE, CONDELL PARK**

MR MICHAEL WILLIAMSON (APPLICANT) ADDRESSED COUNCIL

**(520)**

**CLR. TUNTEVSKI:/CLR. ISHAC**

RESOLVED that Council adopt the planning proposal as shown in Attachment A and exercise its delegation provided by the Department of Planning and Environment to finalise the plan.

- CARRIED

**For:-**

Clrs Asfour, Downey, Harika, Huda, Ishac, Madirazza, Raffan, Tuntevski, Waud, Zakhia and Zaman

**Against:-**

Clrs Eisler, El-Hayek, Kuskoff and Saleh

**ITEM 8.1**

**BELMORE SPORTS AND RECREATION PRECINCT MASTERPLAN**

IN RESPECT OF ITEM 8.1 – BELMORE SPORTS AND RECREATION PRECINCT MASTERPLAN, CLR MADIRAZZA DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST DUE TO HIS ASSOCIATION WITH THE BELMORE BOWLING CLUB AND VACATED THE CHAMBER TAKING NO PART IN DEBATE.

CLR MADIRAZZA TEMPORARILY VACATED THE CHAMBER AT 6.35 PM.

MR JOHN BOULOS (CEO – SYDNEY OLYMPIC) ADDRESSED COUNCIL

MR STEVE BRISSETT (BELMORE BOWLING CLUB) ADDRESSED COUNCIL

**CANTERBURY BANKSTOWN**  
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**MOTION**                      **CLR. DOWNEY:/CLR. TUNTEVSKI**

That the matter be deferred.

- LOST

**(521)**                              **CLR. EISLER:/CLR. ISHAC**

RESOLVED that

1. Council note the submissions received during the public exhibition of the Masterplan.
2. Council adopt the Masterplan as attached at Attachment A.
3. Council utilise the Masterplan to inform future grant submissions, Section 94 (Section 117) funding and State government State Infrastructure contributions.

- CARRIED

**STANDING ORDERS WERE RESUMED**

CLR MADIRAZZA RETURNED TO THE MEETING AT 6.50 PM.

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

**ITEM 6.1**                              **CODE OF CONDUCT AND CODE OF MEETING PRACTICE**

**(522)**                              **CLR. EISLER:/CLR. TUNTEVSKI**

RESOLVED that

1. Council adopt the Canterbury Bankstown Code of Conduct and Procedures for the Administration of the Code as attached to this report.
2. Council adopt the Draft Code of Meeting Practice (as attached) and agree to publicly exhibit in accordance with the Local Government Act 1993.
3. Council re-affirms its ongoing use of the Panel of Conduct Reviewers as appointed by the Southern Sydney Regional Organisation of Councils.
4. Further reports be provided on the matter, as required.

- CARRIED

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**SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 7.1 CODE OF MEETING PRACTICE - AMENDMENT TO 2019 SCHEDULE OF MEETINGS**  
**(523) CLR. WAUD:/CLR. ISHAC**

RESOLVED that the 2019 Schedule of Council Meetings be amended and the Ordinary Meeting for 16 April 2019 be rescheduled to 30 April 2019.

- CARRIED

**ITEM 7.2 STRONGER COMMUNITIES FUND - QUARTERLY PROGRESS REPORT**  
**(524) CLR. DOWNEY:/CLR. ZAMAN**

RESOLVED that Council note the progress report of the implementation of the Stronger Communities Fund.

- CARRIED

**ITEM 7.3 CASH AND INVESTMENT REPORT AS AT 28 FEBRUARY 2019**  
**(525) CLR. MADIRAZZA:/CLR. KUSKOFF**

RESOLVED that

1. The Cash and Investment Report as at 28 February 2019 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

**SECTION 8: SERVICE AND OPERATIONAL MATTERS**

**ITEM 8.1 BELMORE SPORTS AND RECREATION PRECINCT MASTERPLAN**

THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 521 ON PAGE FIVE OF THESE MINUTES.

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**ITEM 8.2**                      **DEEPWATER PARK AND KELSO PARKLANDS PLAN OF MANAGEMENT**  
**(526)**                              **CLR. DOWNEY;/CLR. WAUD**

RESOLVED that

1. Council adopt the amended Deepwater and Kelso Parklands Plan of Management.
2. Council commence high priority actions arising from the PoM, including:
  - Additional planning for sporting field layouts at Kelso North and Marco; and
  - Undertaking an Expression of Interest for the Homelea Avenue site (former Recreation club).

- CARRIED

**ITEM 8.3**                      **MARKETING THE CITY**  
**(527)**                              **CLR. DOWNEY;/CLR. TUNTEVSKI**

RESOLVED that

1. Council note the outcomes of the Business Leaders audit and priority areas.
2. Council commence the next phase of investigation on promoting the City.
3. Council sponsor the 'Out There Summit' in Bankstown.
4. Council allocate sufficient resources and funds as part of the quarterly review process to respond to the matters outlined in this report.

- CARRIED

**ITEM 8.4**                      **OUTDOOR DINING PILOT PROGRAM**  
**(528)**                              **CLR. ZAKHIA;/CLR. DOWNEY**

RESOLVED that

1. Council note the findings of the NSW Government's Outdoor Dining Pilot program hosted August 2017 – December 2018; and
2. Council to consider the OSBC Outdoor Dining Policy and process when it is released by the NSW Government.

**CANTERBURY BANKSTOWN**  
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3. Council continue to implement the adopted City wide Outdoor Dining Policy, procedure and application process.
4. Council prepare a Night Time Economy Action Plan to promote safe, well managed and inclusive night time activities.

- CARRIED

**ITEM 8.5**                      **CONSERVE YOUR MOTHER LANGUAGE MONUMENT PROPOSAL**  
**(529)**                              **CLR. HUDA:/CLR. DOWNEY**

RESOLVED that

1. The information be noted.
2. Council agree to establish the method for processing community contributions for the project, as outlined in the report.
3. Subject to receiving adequate funding, Council proceed with a more detailed design of the monument in consultation with the community followed by construction

- CARRIED

**ITEM 8.6**                      **WILEY PARK AND STEVENS RESERVE INTERSECTIONS**  
**(530)**                              **CLR. ISHAC:/CLR. ZAKHIA**

RESOLVED that

1. The information be noted.
2. Council note that both the community's and Council's objections to the proposal have been made to the Minister for Roads and the Roads and Maritime Service, as outlined in its previous report (Attachment A).
3. Council negotiate compensation with the Roads and Maritime Service for the loss of Critically Endangered Ecological Community bushland at Wiley Park and open space at Stevens Reserve, as outlined in its previous report (Attachment A).

- CARRIED

**CANTERBURY BANKSTOWN**  
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**SECTION 9: COMMITTEE REPORTS**

**ITEM 9.1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 12 MARCH 2019**  
**(531) CLR. HARIKA:/CLR. WAUD**

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 12 March 2019, be adopted.

- CARRIED

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

**ITEM 10.1 NOTICE OF MOTIONS AND QUESTIONS WITH NOTICE**  
**(532) CLR. ISHAC:/CLR. SALEH**

RESOLVED that the information be noted.

- CARRIED

**ITEM 10.2 CREATIVE CBCITY STRATEGIC PLAN**  
**(533) CLR. RAFFAN:/CLR. EL-HAYEK**

RESOLVED that Council as part of its soon to be completed Creative CBCity Strategic Plan pilot a Community Street Art Program.

- CARRIED

**ITEM 10.3 INVESTING IN CRITICAL LOCAL INFRASTRUCTURE**  
**(534) CLR. DOWNEY:/CLR. TUNTEVSKI**

RESOLVED that

1. Council calls upon the NSW Government to investigate the establishment of a capital investment funding framework for local government, with the view to bringing forward the funding of critical local infrastructure.

**CANTERBURY BANKSTOWN**  
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2. Importantly, the framework is to also consider the option, whereby the NSW Government forward funds critical local infrastructure listed in Councils S94 plans.
3. Council include the above as one of Council's motions for consideration at the 2019 LGNSW Conference.

- CARRIED

**ITEM 10.4**  
**(535)**

**NATIONAL FAMILIES WEEK**

**CLR. SALEH:/CLR. EL-HAYEK**

RESOLVED that Council -

1. Actively promotes and celebrate National Families Week through its range of family friendly services.
2. Provide free general entry to families at Council's Leisure and Aquatic Centres on International Families Day, Wednesday 15 May, 2019.
3. Request the NSW Department of Health to host a series of local forums and/or seminars on positive parenting.

- CARRIED

**SECTION 11:           QUESTIONS FOR NEXT MEETING**

**REF:    PASSING OF ARCHBISHOP STYLIANOS - GREEK ORTHODOX ARCHDIOCESE OF AUSTRALIA**

Clr Clare Raffan requested Council convey its condolences to the Greek Orthodox community at the recent passing of Archbishop Stylianos.

**REF:    ACCESSIBLE PARKING**

Clr Glen Waud requested Council ensure the installation of accessible parking spaces are in accordance with Australian Standards.



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**REF: PROPOSED BANKSTOWN / LIDCOMBE HOSPITAL AND UNIVERSITY**

Clr Steve Tuntevski requested Council make enquiries to the NSW State Government requesting details of the location and construction of the new hospital and university to be situated in the Bankstown LGA.

**REF: ILLEGAL PARKING**

Clr Linda Downey requested Council investigate illegal parking on the sliproad to Henry Lawson Drive near Carinya Road, Picnic Point.

**REF: DRAINAGE - HENRY LAWSON DRIVE**

Clr Linda Downey requested Council investigate drainage on Henry Lawson Drive between Picnic Point and Carinya Road due to water pooling during recent rains.

**REF: TRAFFIC ISSUE - BEACONSFIELD AND QUEEN STREET, REVESBY**

Clr Linda Downey requested advice as to what alternative traffic management options to right hand turn traffic signaling are being investigated at this location to improve traffic safety, as reported to the February Traffic Committee.

**REF: ACCESSIBLE PARKING – FUTURE ELECTIONS**

Clr Alex Kuskoff requested Council write to the NSW Electoral Commission and Australian Electoral Commission requesting they investigate the provision of accessible parking adjacent to polling booths at future elections.

**SECTION 12: CONFIDENTIAL SESSION**

**(536) CLR. DOWNEY:/CLR. TUNTEVSKI**

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 Insurance Renewals and Brokerage Services**

*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

**CANTERBURY BANKSTOWN**  
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**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.10 PM AND  
REVERTED BACK TO OPEN COUNCIL AT 7.12 PM.**

**ITEM 12.1**  
**(537)**

**INSURANCE RENEWALS AND BROKERAGE SERVICES**

**CLR. ISHAC:/CLR. HUDA**

RESOLVED that

1. The information be noted.
2. Given the extenuating circumstances, as outlined in the report, and in accordance with Section 55(3)(i) of the Local Government Act 1993, Council agrees to engage Jardine Lloyd Thompson Pty Ltd for a period of one year, for the provision of Insurance Brokerage Services.
3. The General Manager be authorised to negotiate and enter into a contract and sign all documentation in accordance with Council's resolution, as required.
4. In consultation with Council's Insurance Broker, the General Manager be delegated authority to make the necessary arrangements to adequately insure Council for the 2019/20 financial year, as outlined in the report.

- CARRIED

**THE MEETING CLOSED AT 7.13 P.M**

Minutes confirmed 30 APRIL 2019

.....  
Mayor

## **2 LEAVE OF ABSENCE**



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



## **4 MAYORAL MINUTES**

The following items are submitted for consideration -

4.1	Sri Lankan Terrorist Attacks	25
4.2	The New Bankstown Hospital	27
4.3	Local Community Based Donations	29





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## **Mayoral Minutes - 30 April 2019**

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### **ITEM 4.1                      Sri Lankan Terrorist Attacks**

My heart is heavy that, for a second month in a row, the world has been shaken by barbaric terrorist acts, with the Easter Sunday attacks in Sri Lanka.

The impact is devastating: at the time of writing this the death toll stands at 359 men, women and children that have senselessly and needlessly lost their lives. Within that number are confirmed two Australians, a mother and daughter, killed and two injured.

As I have previously said, our response to such events should be to draw our friends, families and neighbours closer and to resolutely reject the hate and fear that some would happily see spread through our community.

As a sign of respect and in mourning with our Sri Lankan community, I have had the Council's flags in Paul Keating Park and in Campsie lowered to half-mast.

Further, I now ask that we hold a minute's silence to consider the memory of those who were killed and injured, those who have survived these atrocities and the importance of compassion, love and humanity.



### ITEM 4.2

### The New Bankstown Hospital

Last month, I highlighted the many promises made by the NSW Government in the lead up to the NSW State Election; specifically I want to address the promise of a new hospital for Bankstown.

In moving forward with a new hospital, it is important to understand the troubles that face the current one. The greatest failing of the existing hospital is its location; the difficulty of access by any means other than a private car, the absence of any complimentary land use adjoining it and the competition for parking on residential streets.

Even putting aside these concerns however, the only option for expansion of the existing hospital would see any new facility built on former land-fill; an outcome I doubt anyone would support or be happy with.

It follows then that in siting the new hospital, it must be located where it is accessible to our community and focused on the needs of its future patients. The only sensible option to be considered is positioning the new hospital in the Bankstown CBD.

It is in the CBD that there is ready access to public transport options, that there are facilities and complimentary land-use activities and institutions (such as the coming Western Sydney University Campus). To place it away from the CBD would be selling short the numerous opportunities for creating accessible jobs, education, research and healthcare in our region.

As a Council we are in the best position to work with the NSW Government to assist it with achieving the best return on its \$1.3b investment.

It is for this reason that I am asking the NSW Government to establish a suitable steering group to oversee the decision making process for where the new hospital will be located and for the sake of the community, Council needs a seat at that table.



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## Mayoral Minutes - 30 April 2019

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

The following community based organisations have approached Council for financial assistance.

#### **RSAC Charity Sports Lunch**

Recreation Sports and Aquatics Club (RSAC) is a local charity organisation that delivers sports, social and recreational programs for children and adults with a disability in our community.

The Charity Sports Lunch is their primary fundraising event for the year and this year it will be held on Friday, 31 May at the Mount Lewis Bowling Club. Council has been invited to purchase a table for the event at a cost of \$640 which I wholeheartedly support in recognition of the work they do within and support they provide to our community.

#### **Mirath in Mind Annual Event**

The Mirath in Mind will be staging a musical event entitled “Where Oceans meet” along with their Annual Gala Day which is a celebration of Arabic and Lebanese cultures by hundreds of school children.

Now in its ninth year and produced by Mirath, a not-for-profit organisation established in 2010 to promote and keep alive the cultural legacies of the arts, heritage and culture of the Arab and Lebanese communities in Australia, I feel this event is worthy of the request for a \$1000 sponsorship.

#### **Lebanese Muslim Association – Parking at Parry Park during Ramadan**

The Lebanese Muslim Association have requested that Council waives its fees for the use of Parry Park for overflow parking for the Holy month of Ramadan.

Ramadan sees a significant increase in visitation and support for the Lakemba Mosque. The use of Parry Park for overflowing car parking allows the Mosque to safely manage this increased demand and minimise, so far as is possible, the impact on the surrounding community.

The fees, which come to a total value of \$4818, would be otherwise prohibitive for the Association which is a not-for-profit organisation.

#### **Australian Red Cross**

The Australian Red Cross will be conducting a combined team meeting of two local Emergency Services Volunteer Teams, at BLaKC and have requested the room hire of \$96 be waived.

Australian Red Cross is a not-for-profit and provide exceptional support to all Australians in their time of need. I believe this request to be worthy of Council’s support.

## **RECOMMENDATION**

I propose that Council provide the financial assistance as outlined above and that these funds be made available from the Community Grants and Event Sponsorship Program Budget.

## **5 PLANNING MATTERS**

The following items are submitted for consideration -

5.1	Implementation of Hurlstone Park Heritage Assessment Study	33
5.2	Application to Amend Bankstown Local Environmental Plan 2015: 1–17 Segers Avenue, Padstow	43
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5.4	Reporting of (1) Performance for Processing of Development Applications for the first three quarters of the 2018/19 Financial year, (2) Development Applications Approved with a Clause 4.6 Variation for the first three quarters of the 2018/19 financial year, and (3) Planning Related Appeals Currently Before the Land and Environment Court	59
5.5	Impact of Recent Changes in the New South Wales Planning System on Determination Times for Development Applications	63





### **ITEM 5.1                      Implementation of Hurlstone Park Heritage Assessment Study**

**AUTHOR                      Planning**

### **PURPOSE AND BACKGROUND**

In 2016, the former Canterbury Council commissioned a heritage study for Hurlstone Park prepared by the heritage consultant Paul Davies Pty Ltd to facilitate the introduction of further heritage controls for this suburb. The study recommended the listing of 29 heritage items and the creation of seven heritage conservation areas within Hurlstone Park, and was endorsed by Council in April 2017.

A Planning Proposal to implement the recommendations of the study was prepared and exhibited in 2017, and as a result of matters raised, amendments are proposed.

The purpose of this report is to seek Council's endorsement to make changes to and re-exhibit the Planning Proposal and Development Control Plan, and a minor change to Council's Heritage Incentives Policy.

The matter has also been reported to the Canterbury Bankstown Local Planning Panel which has made recommendations about the proposed amendments, and is otherwise supportive of Council proceeding with the Planning Proposal.

### **ISSUE**

Council endorsement is sought to amend and re-exhibit the Planning Proposal to implement heritage controls in Hurlstone Park. Approval is also sought to prepare and re-exhibit revised amendments to the Canterbury Development Control Plan 2012, and to amend the Heritage Incentives Policy to extend the development application fee waiver to draft heritage listed properties.

This matter was reported to the 1 April 2019 meeting of Canterbury Bankstown Local Planning Panel which recommended the following:

- 1. An amended planning proposal be submitted to the Department of Planning and Environment for an altered Gateway Determination incorporating the changes outlined in the council officers report subject to the changes identified in the discussion section (B) of this report.*
- 2. Upon receiving a revised Gateway Determination, the planning proposal be placed on public exhibition along with associated amendments to Canterbury Development Control Plan 2012.*

3. *The General Manager be given delegated authority to make minor amendments to the Heritage Review, Draft Heritage Items and Heritage Conservation Area State Inventory Sheet forms, provided there is no change to the intention of these documents.*
4. *Council receive a further report outlining the findings of the exhibition period.*

The details and implications of the Local Planning Panel meeting are discussed further in this report. The Local Planning Panel recommendations are supported and this report proposes to proceed accordingly.

## **RECOMMENDATION** That -

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1. An amended Planning Proposal to implement heritage controls in Hurlstone Park be submitted to the Minister for Planning for an altered Gateway Determination incorporating the changes outlined in this report.
2. Upon receiving an altered Gateway Determination, the Planning Proposal be placed on public exhibition.
3. Draft amendments to Chapter B8 Heritage of Canterbury Development Control Plan 2012 also be prepared and exhibited alongside the Planning Proposal.
4. The General Manager be given delegated authority to make minor amendments to the draft Heritage Item and Heritage Conservation Area State Inventory Sheet forms, and to the mapping and wording of the Development Control Plan amendments provided there is no change to the intention of these documents.
5. A further report be submitted to Council following the conclusion of the exhibition period.
6. An amendment be endorsed to the Heritage Incentives Policy to allow the Development Application fee waiver to cover draft heritage items.

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

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- A. Hurlstone Park Proposed Changes
- B. Hurlstone Park Heritage Submissions Map
- C. Hurlstone Park Review City Plan Review
- D. List of Draft Heritage Items in Hurlstone Park
- E. Hurlstone Park SHI Forms
- F. Submitters Table
- G. Canterbury Bankstown Local Planning Panel - Report, 1 April 2019
- H. Canterbury Bankstown Local Planning Panel - Minutes of Meeting, 1 April 2019

## **POLICY IMPACT**

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The key Council policy related to heritage is the Heritage Incentives Policy, which provides heritage incentives for the owners of heritage listed properties including grant funding. It is recommended in this report to extend the development application fee waiver to draft heritage listed properties.

The policy context within which heritage studies and associated planning provisions are prepared is guided by the NSW Heritage Act 1977 and Environmental Planning and Assessment Act 1979.

## **FINANCIAL IMPACT**

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The recommendation contained in this report do not commit Council to expenditure of funds.

## **COMMUNITY IMPACT**

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The recommendations impact on the community of Canterbury-Bankstown through the implementation of further heritage controls for Hurlstone Park. There has been general community support for what has been exhibited to date, with nearly 90% of submissions supporting the proposal. Although there has also been objection to some specific aspects of the proposed initiatives, there has also been support for taking the initiatives further. These matters have however been peer reviewed to ensure what is being recommended to Council is reasonable, based on the most up to date analysis and defensible.

The recommendations are considered to impact positively on the environment of Canterbury Bankstown through protection of properties that have heritage significance and areas that demonstrate conservation value.

## DETAILED INFORMATION

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### Executive Summary

The executive summary below highlights the key amendments recommended to the previously exhibited version of the planning proposal.

#### Overview of submissions

Nearly 90% (223 of the 254) of submissions received were supportive, and over 36% of the total submissions sought an additional Heritage Conservation Area south of the railway line.

#### Review of objections to exhibited draft heritage items

- The draft group at 66, 68, 70, 72, 76, and 78 Crinan Street is recommended not to be listed with the exception of 78 Crinan Street.
- The property at 128 Duntroon Street Street is recommended not to be listed.

#### Exhibited Draft Heritage Conservation Areas (HCAs)

- Consolidation and expansion of draft Melford Street and Melford Street North HCAs recommended.
- Consolidation and expansion of draft Duntroon Street and Hampden Street HCAs added recommended.
- Minor expansion of draft Floss Street HCA recommended.
- Minor changes to draft Crinan Street Shop HCA recommended.
- Draft Tennant Parade HCA recommended to no longer be proceeded with.

#### Request for new Heritage Conservation Areas south of the Railway Line

- A new HCA south of the railway line in the Hopetoun Street / Railway Street area recommended.
- A new HCA in the Starkey Street area was also recommended.

#### Height changes in Hurlstone Park Town Centre Heritage Conservation Areas

- Proposed height reduction from 14 metres to 11 metres recommended to be maintained for the area north of the railway line.
- Proposed height reduction from 14 metres to 11 metres recommended to be further reduced to 9m for the area south of the railway line.
- Refined Development Control Plan controls are recommended.

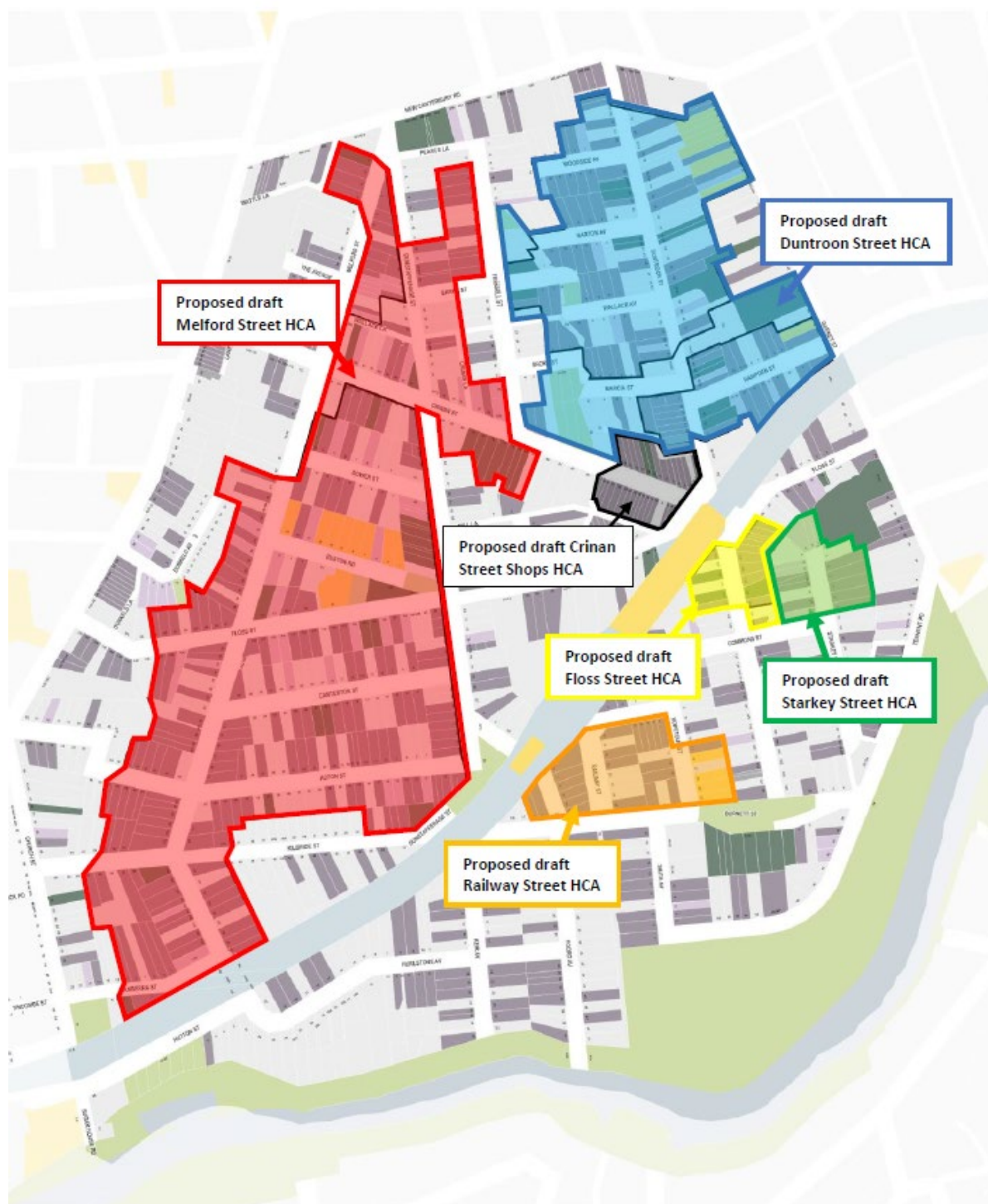
#### Requests for new heritage items

- Support for listing of properties at:
  - 1, 3, 5, 6, 7, 8, 10, and 12 Barton Avenue (houses)
  - 30 Floss Street (shops)
  - 3, 5, and 10 Wallace Avenue (houses)
- Other requests for listing not supported.

## Overall

- Two new HCAs and expansion in area covered by exhibited draft HCAs, some of which have been consolidated and expanded.
- Six draft heritage items no longer recommended for listing (all are however in draft HCAs).
- 12 new properties recommended for heritage listing.
- Height reductions in the town centre supported in the review.

A map indicating the proposed new draft HCA boundaries is shown below:



Note: Properties shaded grey are contributory ranked buildings.

## Canterbury Bankstown Local Planning Panel Meeting

A comprehensive report on the Hurlstone Park heritage initiatives was presented to the Canterbury Bankstown Local Planning Panel Meeting on 1 April 2019. A copy of this report is attached.

The report dealt with a range of issues including:

- Background to the initiatives.
- Endorsement and exhibition of a Planning Proposal in 2017.
- Comments received during the public exhibition.
- An external review by City Plan Heritage of key submission issues.

The Local Planning Panel considered this report and made the following recommendation to Council:

1. *An amended planning proposal be submitted to the Department of Planning and Environment for an altered Gateway Determination incorporating the changes outlined in the council officers report subject to the changes identified in the discussion section (B) of this report.*
2. *Upon receiving a revised Gateway Determination, the planning proposal be placed on public exhibition along with associated amendments to Canterbury Development Control Plan 2012.*
3. *The General Manager be given delegated authority to make minor amendments to the Heritage Review, Draft Heritage Items and Heritage Conservation Area State Inventory Sheet forms, provided there is no change to the intention of these documents.*
4. *Council receive a further report outlining the findings of the exhibition period.*

The discussion referred to in the Part 1 of the Local Planning Panel recommendation also makes specific recommendations in relation to the Planning Proposal. A copy of the minutes of the Local Planning Panel meeting including the above recommendation and discussion is attached.

The Local Planning Panel did not agree with all of the outcomes recommended in the Council officer's report. The key points of difference are:

- The draft Tennent Parade Heritage Conservation Area was not supported by the panel.
- The listing of properties at 66, 68, 70, 72, and 76 Crinan Street; and 28, 32, and 34 Floss Street were not supported by the panel.
- The panel recommended that the site at 36 Floss Street and 118 Duntroon Street have a 9 metre height limit consistent with adjoining sites.
- The inclusion of 26 Floss Street within the Floss Street HCA or any HCA was not supported by the panel.
- While the proposed Railway Street HCA is supported by the Panel to proceed to exhibition, it noted it does not present as a cohesive HCA and further investigation should take place during the exhibition.

The changes recommended by the Local Planning Panel are supported.

It is noted that in relation to the height limit recommendation for 36 Floss Street and 118 Duntroon Street there is currently a development application (DA) for a three storey shop top housing development with boarding house accommodation on this site. The appeal decision referred to in the Panel discussion also stated that three storey development is an appropriate building form for this site. A three storey building is unlikely to be achievable within a 9 metre height limit if Council decides to proceed with the Local Planning Panel recommendations. This issue will need to be resolved as part of the determination of the DA.

The draft Tennent Parade HCA in the previously exhibited Planning Proposal was proposed to change in zoning from R3 Medium Density Residential to R2 Low Density Residential. This was consistent with all residential zoned properties in HCAs where the R2 Low Density Residential was regarded as a better fit in terms of maintaining the single dwelling character of the HCAs. Now the Tennent Parade HCA is not recommended to proceed, the associated proposed zoning change for this HCA is also no longer necessary.

### **Development Control Plan Amendments**

Draft amendments to Chapter B8 Heritage of Canterbury Development Control Plan (DCP) 2012 were also exhibited with the Planning Proposal. The purpose of these amendments was to support the Planning Proposal objectives. They proposed more specific development controls in relation to building elements and form, and provided character statements and criteria for each proposed HCA.

A small number of submissions commented on the amendments. An assessment of these issues is outlined below. These issues were not reported to the Canterbury Bankstown Local Planning Panel Meeting as the scope of panel was confined to the Planning Proposal only (although the panel did make some related comments on the DCP).

#### Issue

No heritage listed building can be shadowed (by surrounding development) for a longer period than it is today

#### Officer Comment

Overshadowing is an amenity issue rather than a heritage conservation one. It is not appropriate to discriminate between heritage and non-heritage properties in this respect. The proposed control also is very arbitrary – if a property received an increase in overshadowing of a very marginal nature and the impact was still acceptable, then this should not be grounds for refusal.

This proposed change is therefore not supported.

#### Issue

Solar panels should be placed at the rear of houses or on garages.

### Officer Comment

Inappropriately located structures such as solar panels can detract from the character of heritage items and properties in HCAs. New controls are recommended to ensure the appropriate siting of structures or installations such as solar panels, satellite dishes, TV antennae etc.

### Issue

If plants of a similar species cannot be used, then the use of plants native to the Hurlstone Park area should be encouraged.

### Officer Comment

Agreed. The use of local native plants is a sound environmental principle. It is recommended that the DCP be amended to encourage the use of plants native to the Hurlstone Park area.

Along with these recommended changes, the DCP will require further consequential amendments if the proposed changes to the Planning Proposal occur including controls for the additional HCAs. The City Plan Review has also recommended more detailed controls for town centre development and the Local Planning Panel also has made commentary that controls be in place to ensure upper level additions in the town centre do not overwhelm existing buildings.

It is also considered that the amended DCP lacks controls in relation to secondary dwellings and could provide incentives to encourage residential use of upper level shop floor space and should be revised accordingly.

It is recommended that draft amendments to Chapter B8 Heritage of Canterbury Development Control Plan 2012 be prepared including and exhibited once an altered gateway determination is received, and the outcomes reported back to Council.

### **Heritage Incentives Policy**

In September 2018 Council adopted a Heritage Incentives Policy to assist in the conservation of heritage items. One of the incentives contained in this Policy is a DA fee waiver for heritage items subject to certain criteria.

In respect of the proposed heritage listings in Hurlstone Park, it is recommended to also extend this fee waiver to the 35 draft heritage items proposed. This is because draft items will also require DAs for works that would ordinarily not require this form of consent, and are also not able to obtain minor works exemptions that only apply to listed items. They also require the same degree of heritage documentation when submitting a DA as for a heritage item.

As such extending the policy to draft heritage items would mean owners are not disadvantaged by the draft heritage listing of their properties, in respect of having to pay for DA fees arising by virtue of this draft listing.



## **Other matters**

The City Plan Review document requires a minor amendment to clarify the scope of the review recommendations for further heritage listings. This will be undertaken before any exhibition of the document.



### **ITEM 5.2                      Application to Amend Bankstown Local Environmental Plan 2015: 1–17 Segers Avenue, Padstow**

**AUTHOR                      Planning**

### **PURPOSE AND BACKGROUND**

This report considers a planning proposal application to amend the zoning, floor space ratio and building height controls for the site at 1–17 Segers Avenue, Padstow.

### **ISSUE**

Council is in receipt of a planning proposal application for the site at 1–17 Segers Avenue, Padstow. The proposal seeks to rezone the site from a R2 Low Density Residential zone (0.5:1 FSR / two storeys) to a B2 Local Centre business zone (2.5:1 FSR / six storeys).

Council's assessment indicates the proposal has strategic merit subject to implementing the recommendations of an independent urban design peer review. The Local Planning Panel considered Council's assessment on 3 April 2019. The Panel, while noting Council's position on the matter, recommended it form part of the broader new LEP process.

Although the Local Planning Panel's recommendation is noted, this report recommends proceeding. The strategic location of the site is considered appropriate for the proposal to proceed to Gateway for the reasons outlined in this report.

### **RECOMMENDATION    That -**

1. Council prepare and submit a planning proposal to the Department of Planning to seek a Gateway Determination for the following amendments to Bankstown Local Environmental Plan 2015:
  - (a) Rezone 1, 1A, 3, 5, 7, 9, 11, 13, 15 and 17 Segers Avenue, Padstow from Zone R2 Low Density Residential to Zone B2 Local Centre.
  - (b) Permit a maximum 2.5:1 floor space ratio subject to:
    - (i) Requiring a minimum 40 metre lot width at the front building line to facilitate higher quality built form and urban design outcomes; and
    - (ii) Applying a minimum 0.5:1 floor space ratio for the purposes of commercial development on the ground floor.Otherwise a maximum 2:1 FSR would apply.
  - (c) Permit a maximum 23 metre building height (six storeys). Any part of the building within two metres of the height limit is solely for the purposes of equipment servicing the building (such as plant, lift motor rooms, fire stairs and the like).
  - (d) Require active street frontages along Segers Avenue and Padstow Pathway.
2. The Gateway process should require further investigations on infrastructure needs to manage the likely effects of the proposal.

3. Council seek authority from the Department of Planning to exercise the delegation in relation to the plan making functions under section 3.36(2) of the Environmental Planning & Assessment Act 1979.
4. Subject to the issue of a Gateway Determination, Council exhibit the planning proposal.
5. Council prepare and concurrently exhibit DCP Amendments to support the planning proposal, and the matter be reported to Council following the exhibition.

## **ATTACHMENTS**

[Click here for attachment\(s\)](#)

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- A. Council's Economic Impact Peer Review
- B. Council's Urban Design Peer Review
- C. Recommended Zoning, FSR and Building Height Changes
- D. Canterbury Bankstown Local Planning Panel - Report, 3 April 2019
- E. Canterbury Bankstown Local Planning Panel - Report, 3 April 2019 (Assessment Findings)
- F. Canterbury Bankstown Local Planning Panel - Minutes, 3 April 2019

## **POLICY IMPACT**

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In relation to the proposed building height, this matter is consistent with Council's South East Local Area Plan. In relation to the proposed zone and floor space ratio, Council's assessment indicates the proposal has strategic merit subject to implementing the recommendations of an independent urban design peer review.

## **FINANCIAL IMPACT**

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A Social Impact and Community Needs Assessment is recommended to investigate local infrastructure needs arising from the proposal. Findings from the investigations would be considered as a basis to be negotiated with the proponent.

## **COMMUNITY IMPACT**

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The recommendations of this report are considered to appropriately manage amenity impacts such as overshadowing. To address the inconsistencies in planning controls with adjoining and surrounding sites, a building height review of the remainder of the block (bound by Padstow Parade, Howard Road, Segers Avenue and Faraday Road) would occur as part of the Comprehensive LEP Review process.

## DETAILED INFORMATION

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### Site Description

The site at 1–17 Segers Avenue, Padstow comprises the following properties (6,158m<sup>2</sup> site area) as shown in Figure 1:

#### Part of the site located north of the Council lane

Property Address	Property Description	Site Area
1 Segers Avenue	Lot 650, DP 1107732	312m <sup>2</sup>
1A Segers Avenue	Lot 651, DP 1107732	312m <sup>2</sup>
3 Segers Avenue	Lot 21, DP 20572	598m <sup>2</sup>
5 Segers Avenue	Lot 221, DP 132286	543m <sup>2</sup>
		Total = 1,765m <sup>2</sup>

#### Part of the site located south of the Council lane

Property Address	Property Description	Site Area
7 Segers Avenue	Lot 23, DP 660642	498m <sup>2</sup>
9 Segers Avenue	Lot 1, DP 385374	664m <sup>2</sup>
	Lot 24, DP 20572	
11 Segers Avenue	Lot 25, DP 20572	702m <sup>2</sup>
13 Segers Avenue	Lot 26, DP 20572	782m <sup>2</sup>
15 Segers Avenue	Lot 27, DP 20572	855m <sup>2</sup>
17 Segers Avenue	Lot 18, DP 16608	892m <sup>2</sup>
		Total = 4,393m <sup>2</sup>

The site forms part of the low density residential area and is zoned R2 Low Density Residential under Bankstown Local Environmental Plan 2015. The current building envelope controls permit a maximum 0.5:1 FSR and 9 metre building height (two storeys). Low-rise dwelling houses and a dual occupancy currently occupy the site.

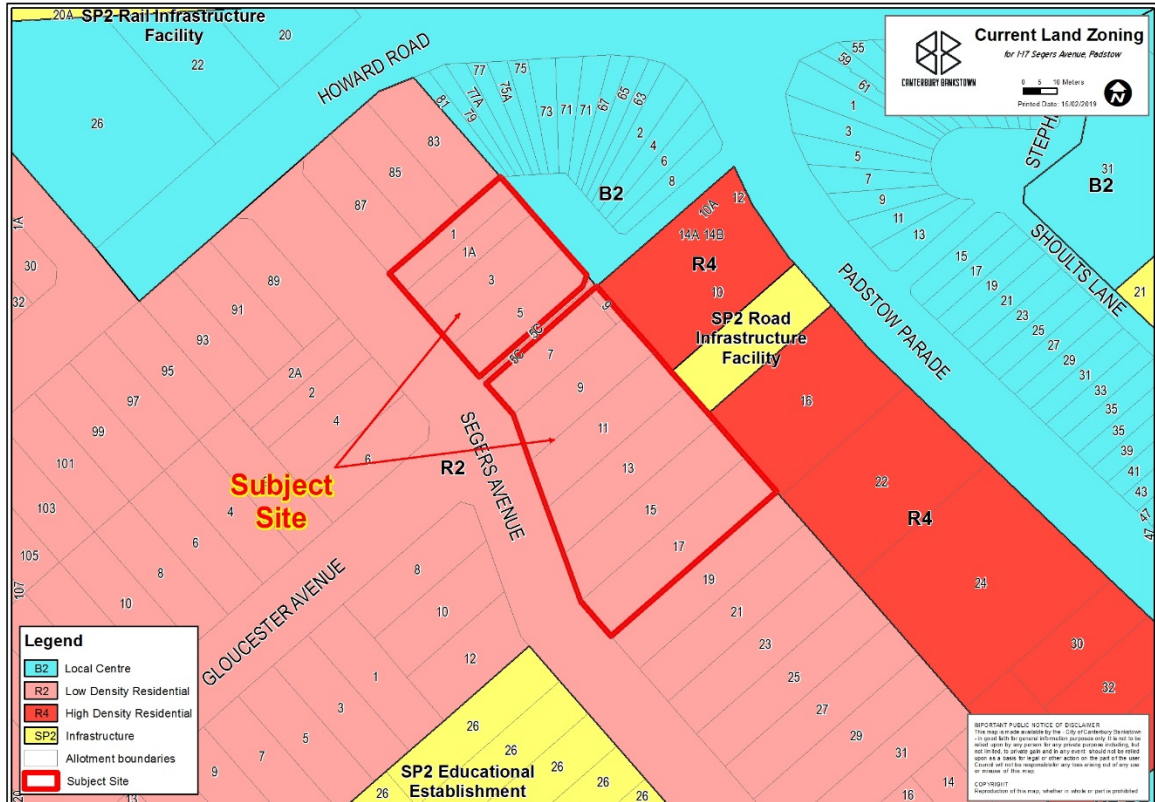
The site does not include the Council lane, known as the Padstow Pathway (5C Segers Avenue). The lane divides the properties into two parts.

In relation to local context, the site adjoins the Padstow Village Centre to the east. The low-rise village centre is zoned B2 Local Centre (1:1–2:1 FSR / four storeys) and R4 High Density Residential (0.6:1 FSR / four storeys). The Council lane (Padstow Pathway) links the site to the railway station. To the west are low-rise dwelling houses and the Padstow Park Public School.

**Figure 1: Site Map**



**Figure 2: Current Land Zoning Map**



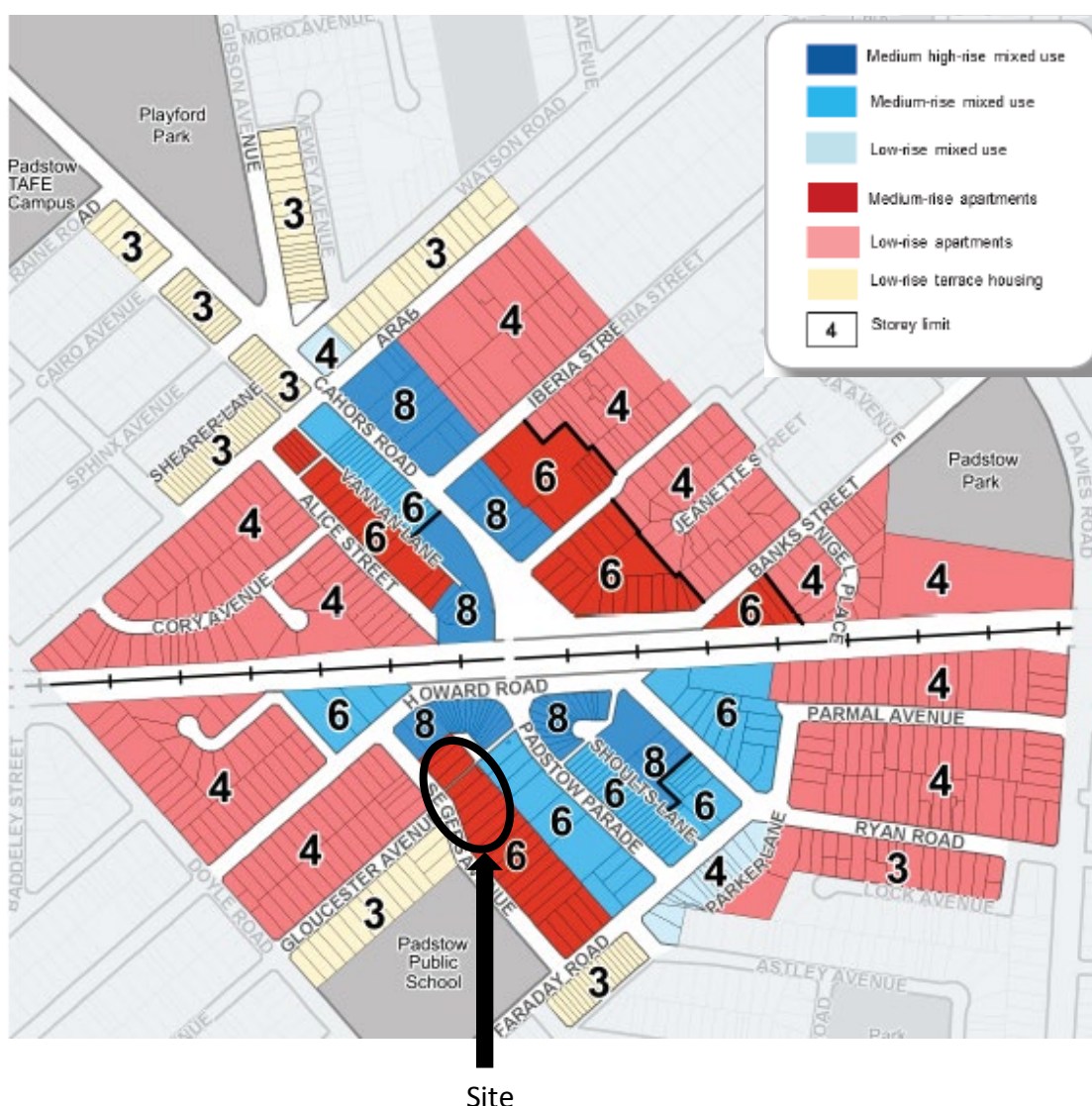


## Background–South East Local Area Plan

At the Extraordinary Meeting of 11 May 2016, the former Bankstown City Council adopted the South East Local Area Plan. The intended outcomes of the South East Local Area Plan are to set out the vision and spatial context for the local area, specify the best ways to accommodate residential and employment growth to 2031 and outline the delivery of supporting infrastructure, facilities and open space.

The South East Local Area Plan (Action L2) proposed to rezone the site from Zone R2 Low Density Residential (0.5:1 FSR / two storeys) to Zone R4 High Density Residential (1.5:1 FSR / six storeys). The intended outcome is to allow medium-rise living choices within a short walking distance of the commercial core and local services.

**Figure 3: South East Local Area Plan – Indicative Height Distribution for the Padstow Village Centre**



However at the Ordinary Meeting of 24 July 2018, Council resolved not to proceed with a planning proposal to implement the South East Local Area Plan. In response to Council's decision, the proponent submitted a planning proposal application to rezone the site to a B2 Local Centre business zone (2.5:1 FSR / six storeys).



## Planning Proposal Application

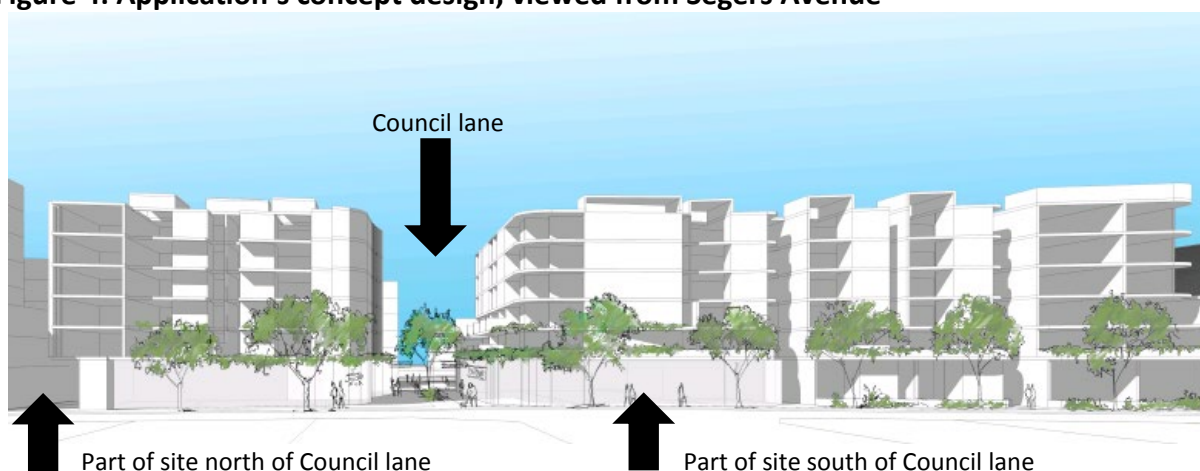
The application proposes to amend the following development controls under Bankstown Local Environmental Plan 2015 for the site at 1–17 Segers Avenue, Padstow:

Development controls	Current controls	South East LAP's proposed controls	Application's proposed controls
Zone	R2 Low Density Residential	R4 High Density Residential	B2 Local Centre
Maximum FSR	0.5:1	1.5:1	2.5:1
Maximum building height	9 metres (two storeys)	20 metres (six storeys)	24 metres (six storeys)

The application proposes a concept design consisting of:

- Shop top housing (six storeys) on the part of the site north of the Council lane (1–5 Segers Avenue) with ground floor shops and 47 dwellings on the upper levels.
- Shop top housing (six storeys) on the part of the site south of the Council lane (7–17 Segers Avenue) with ground floor shops and 96 dwellings on the upper levels.
- 234 parking spaces on the basement level and ground floor.
- Improvements to the Council lane (Padstow Pathway) to occur at the DA stage.

**Figure 4: Application's concept design, viewed from Segers Avenue**



## Assessment Findings

Council's assessment indicates the proposal has strategic merit subject to implementing the recommendations of an independent urban design peer review. In summary, quality design and adequate infrastructure provision are critical if the proposal is to justify a higher FSR and building height on the site.

### Proposed business zone

Council commissioned an independent specialist to undertake an economic impact peer review to determine whether the proposed business zone is appropriate, as shown in Attachment A. The peer review considered key policies such as the Greater Sydney Region

Plan, South District Plan, State Environmental Planning Policies and Ministerial Directions. The peer review concludes that the proposed B2 Local Centre business zone is considered appropriate.

#### Proposed building envelope controls

Council commissioned an independent specialist to undertake an urban design peer review to determine whether the proposed building envelope controls are appropriate, as shown in Attachment B. The peer review considered key policies such as the Greater Sydney Region Plan, South District Plan, State Environmental Planning Policies and Ministerial Directions. The peer review recommends the following building envelope controls based on the proposed B2 Local Centre business zone for the site, as shown in Attachment C:

<b>Development controls</b>	<b>Current controls</b>	<b>Application's proposed controls</b>	<b>Recommended controls based on urban design peer review</b>
Maximum FSR	0.5:1	2.5:1	2.5:1, including a minimum 0.5:1 FSR for the purposes of commercial development on the ground floor.
Maximum building height	9 metres (two storeys)	24 metres (six storeys)	23 metres (six storeys). Any part of the building within 2 metres of the height limit is solely for the purposes of equipment servicing the building (such as plant, lift motor rooms, fire stairs and the like).
Street setback (western boundary)	5.5 metres	Nil–4.5 metres	3 metres (levels 1–4) and 6 metres (levels 5–6)
Side setback (northern and southern boundaries)	0.9 metre	Nil–3 metres (northern boundary) and nil–9 metres (southern boundary)	Nil setback (northern boundary) and 6–9 metres (southern boundary)
Rear setback (eastern boundary)	Determined by the private open space	Nil–4 metres at the closest points to the boundary	3–6 metres

In addition, the peer review supports the proposed 2.5:1 FSR provided:

- The ground floor is limited to commercial floor space (equivalent to 0.5:1 FSR). As the site is being rezoned to a business zone, active street frontages to the Council lane (Padstow Pathway) and Segers Avenue are desirable.
- The ground floor is limited to servicing access only. Car parking should be limited to the basement levels to better activate the ground floor.

Should Council decide to proceed with a planning proposal, the planning proposal and DCP Amendments would implement the recommendations of the peer review.

Within the business zones, Council also applies a minimum lot width requirement to facilitate higher quality built form and urban design outcomes. In this regard, it is proposed to require a minimum 40 metre lot width at the front building line if development is to achieve the maximum floor space ratio. Otherwise a maximum 2:1 FSR would apply.

### Proposed infrastructure

The application is proposing to widen the Council lane that links the site to Padstow Parade. The lane, known as the Padstow Pathway is located at 5C Segers Avenue. The application comments that a planning agreement is not required as the development application process could enforce the lane widening requirements. At this point, the application does not include a planning agreement or any other proposed infrastructure upgrades.

The urban design peer review supports the proposed lane widening as it has the potential to link the Padstow Park Public School to the railway station with an attractive, active and largely car-free pedestrian link, subject to:

- Widening the lane from 3 metres to 6 metres at street level.
- Requiring continuous active retail frontages along the lane to provide pedestrian amenity and safety.
- Providing a pedestrian crossing (at the Gloucester Street intersection) to contribute to a safe journey from the school to the railway station.

Whilst Council's assessment supports this proposal, the assessment also identifies the need for a Social Impact and Community Needs Assessment and Revised Traffic Study to investigate other local infrastructure needs arising from the proposal. In this regard, an appropriate mechanism is required to realise these infrastructure works in a timely manner. This may involve a planning agreement to legally capture the public benefits.

Should Council decide to proceed with a planning proposal, Council may commence discussions with the proponent to prepare a planning agreement. The planning agreement would be separately reported to Council and exhibited jointly with the planning proposal.

### **Local Planning Panel**

In accordance with the Local Planning Panels Direction, issued by the Minister for Planning, the Local Planning Panel considered the application and Council's assessment on 3 April 2019, as shown in Attachments D–E. The Panel's recommendation, as shown in Attachment F, is:

1. *The Panel recommends that the planning proposal not proceed to Gateway determination.*
2. *The Panel considers that the proposal is premature.*
3. *The proposal should be considered in light of (a) the Council's local strategic planning statement; and (b) future town centre studies.*
4. *The proposal does not have site specific merit when looked at in isolation with the surrounding neighbourhood.*
5. *A development control plan is required to be prepared before further consideration of the proposed rezoning of the site. That DCP must ensure delivery of the widening of the through site link.*

Although the Local Planning Panel's recommendation is noted, this report recommends proceeding. The strategic location of the site is considered appropriate for the proposal to proceed to Gateway. The site adjoins the Council lane (Padstow Pathway) and there is the opportunity to improve this mid-block connection to support future growth in the Padstow Village Centre.

The Gateway process would enable Council to formally consult with the community and to commence investigations into the local infrastructure needs arising from the proposal. The exhibition process and additional information would inform a comprehensive review of the proposal prior to reporting the matter to Council for determination.

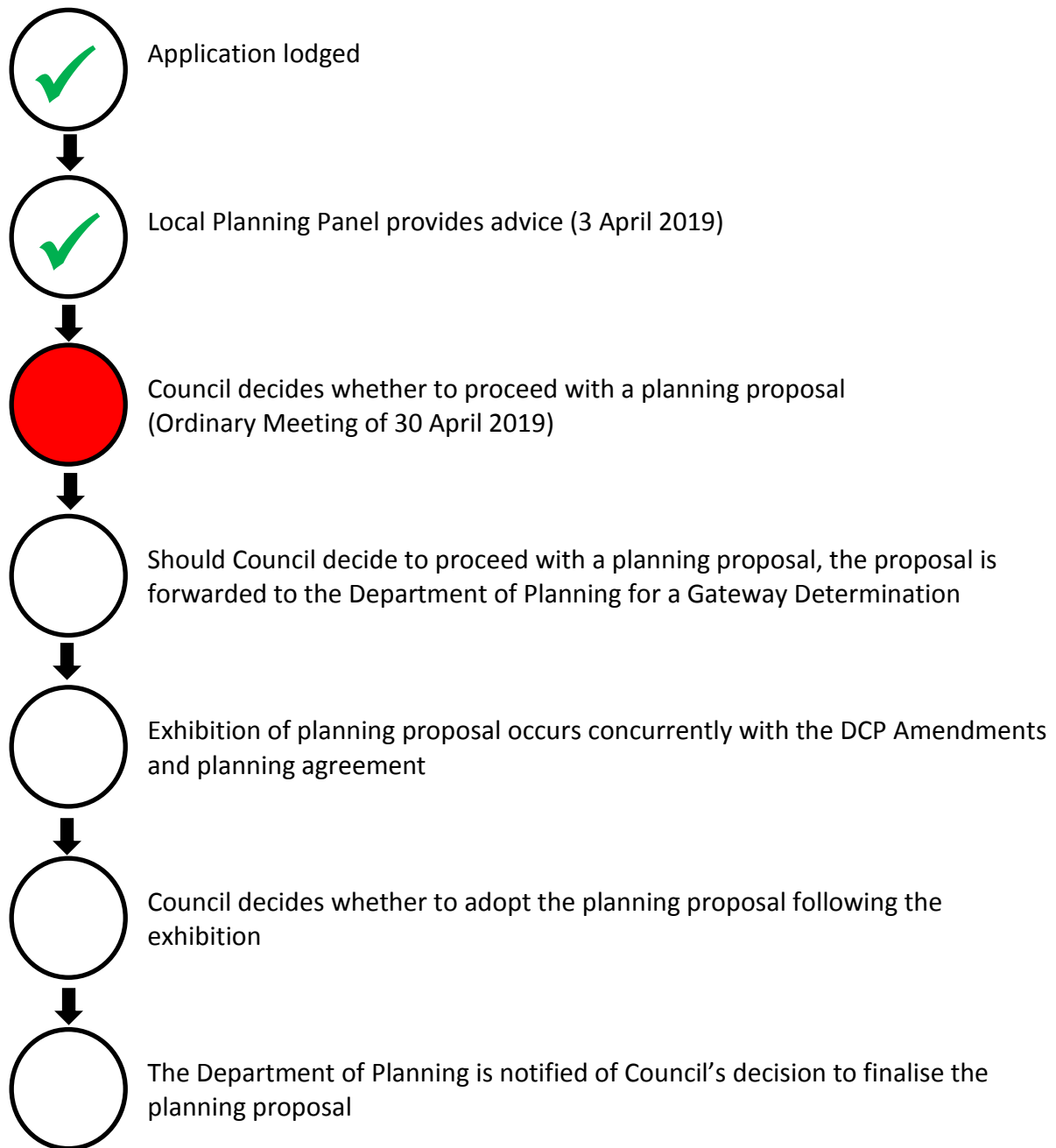
To address the inconsistencies in planning controls with adjoining and surrounding sites, a building height review of the remainder of the block (bound by Padstow Parade, Howard Road, Segers Avenue and Faraday Road) would occur as part of the broader new LEP process.

### **Next Steps**

The next step is to prepare and submit a planning proposal to the Department of Planning to seek a Gateway Determination. The planning proposal would request amendments to Bankstown Local Environmental Plan 2015 and additional studies as outlined in this report. It is also proposed to prepare DCP Amendments and planning agreement to support the planning proposal.

Following the exhibition of the planning proposal and supporting documents, the outcomes would be reported to Council.

**Figure 5: Gateway process**



It is noted that should Council decide to defer or not proceed with a planning proposal, the proponent has appeal rights.



**ITEM 5.3**                      **Draft Voluntary Planning Agreement - 280 Chapel Road, Bankstown**

**AUTHOR**                      **Planning**

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### **PURPOSE AND BACKGROUND**

To consider the exhibition of the Draft Voluntary Planning Agreement and an explanatory note for the property at No. 280 Chapel Road in Bankstown instead of providing seven deficient off-street parking spaces associated with DA-562/2017 consent.

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### **ISSUE**

On 7 May 2018, the Canterbury Bankstown Local Planning Panel issued a deferred commencement consent for a mixed-use development (DA-562/2017) to demolish existing structures and construct a three-storey mixed-use development at No. 280 Chapel Road, Bankstown.

The deferred DA consent is subject to a Voluntary Planning Agreement being entered into between the property owners and Council to pay a monetary contribution instead of providing seven off-street car parking spaces on the site. The property owners have offered to enter into a Voluntary Planning Agreement.

Before Council can enter into a Voluntary Planning Agreement, the Environmental Planning & Assessment Act 1979 requires the draft VPA to be exhibited for a minimum 28 days.

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### **RECOMMENDATION** That -

1. Council exhibit the Draft Voluntary Planning Agreement and Explanatory Note for the property at No. 280 Chapel Road in Bankstown, as shown in Attachment A.
2. The matter be reported back to Council following the exhibition period.

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

- A. Draft Voluntary Planning Agreement and Explanatory Note
- B. Canterbury Bankstown Local Planning Panel - Report, 7 May 2018
- C. Canterbury Bankstown Local Planning Panel Report - Minutes, 7 May 2018

## **POLICY IMPACT**

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The draft Voluntary Planning Agreement is consistent with Council's Voluntary Planning Agreement Policy. The Policy allows Council to consider a monetary contribution to address parking shortfalls for commercial land uses in the Bankstown CBD.

## **FINANCIAL IMPACT**

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The draft Voluntary Planning Agreement will provide a monetary contribution of \$239,908.41 instead of providing seven off-street car parking spaces. The monetary contribution will be used to support the Bankstown City Centre Car Parking Strategy, which outlines the need to provide additional public car parking spaces within the Bankstown CBD.

## **COMMUNITY IMPACT**

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The monetary contribution from the draft Voluntary Planning Agreement will assist Council to provide additional public car spaces in the Bankstown CBD to be used by the general public.



## DETAILED INFORMATION

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### Background

On 7 May 2018, the Canterbury Bankstown Local Planning Panel approved a deferred commencement consent for DA-562/2017 that proposes a three-storey mixed use development at No. 280 Chapel Road, Bankstown, subject to the following condition:

*“A Voluntary Planning Agreement (VPA) to provide for deficient seven car parking spaces in accordance with the offer made by the Applicant in their letter dated 18 March 2018 to the Council shall be entered into prior to the issue of an operational consent.*

*The development contributions required to be paid in the operative part of the consent are not to be taken into account in the VPA, and the VPA payments are in addition to the Section payments in the operative part of the consent.*

*The VPA rates for the parking spaces are to be determined in accordance with the rates for parking in Bankstown Development Control Plan 2015 – Part B5, and indexed in the same way as those rates are indexed under that plan.”*

A copy of the Panel report and the minutes of the meeting is shown in the Attachments B and C.

A VPA is required to be entered into prior to the issuance of an operational DA consent that will allow the property owners to seek a Construction Certificate to commence construction on the site.

However, prior to entering into a VPA, Council has to consider the terms of the draft VPA and exhibit the draft VPA for a minimum 28 days.

### Guiding Principles in preparing a Draft Voluntary Planning Agreement (VPA)

Section 1.8 of Council’s Voluntary Planning Agreements Policy outlines the guiding principles to be considered when preparing a VPA, and the principles are considered to be satisfied in the following manner:

- A planning decision has not been bought or sold through the draft VPA, as the deferred DA consent issued by the Panel on 7 May 2018 is consistent with the Bankstown Local Environmental Plan 2015 and Development Control Plan 2015.
- The draft VPA is being used to provide a positive and reasonable planning outcome by providing additional public car spaces in the Bankstown CBD. The need of additional public car spaces is outlined in Council’s Bankstown CBD Car Parking Strategy.
- There is no conflict of interest as Council has no commercial interest on the subject property.
- The draft VPA will not have significant impact associated with meeting the parking requirements for the proposed development because the monetary contribution will

provide additional public car spaces in the locality for the general public and the subject site is within a walking distance of an existing multi-storey public car park at Brandon Avenue.

- The draft VPA includes a reference that the construction of the parking space will be at the sole discretion of Council and there will be no expectation by the property owners that the timing of the construction will coincide with the development for which the additional contribution has been paid.
- The total monetary contribution of \$239,908.41 (CPI adjusted until the full payment is made) is based on the rate stipulated in the Council's Voluntary Planning Agreements Policy. The current parking offset rate is \$34,272.63 per car space.

### **Draft Voluntary Planning Agreement**

Council's lawyer has prepared the draft VPA and in summary, seeks the following:

- The parties of the draft VPA are Canterbury Bankstown Council and Duyanh Pty Ltd and Kimala Pty Limited.
- Based on the current parking offset rate of \$34,272.63 per car space, the total monetary contribution for offsetting seven car spaces is \$239,908.41.
- The property owners have requested to defer the payment of the full amount after the construction of the development but prior to the issuance of the Occupation Certificate.

Council's VPA Policy allows deferred payment subject to a bank guarantee being provided by the property owners prior to the issuance of the Construction Certificate. The draft VPA reflects the request by the property owners.

A copy of the Draft Voluntary Planning Agreement and the explanatory note is shown in Attachment A.

### **Next Steps**

Before Council can enter into a Voluntary Planning Agreement, Section 7.4 of the Environmental Planning & Assessment Act 1979 requires the draft Voluntary Planning Agreement and an explanatory note to be exhibited for a minimum of 28 days.

Should Council support the exhibition of the draft Voluntary Planning Agreement, the draft VPA and the explanatory note will be exhibited for a minimum of 28 days.

This matter will be reported back to Council following the exhibition period.

**ITEM 5.4**                      **Reporting of (1) Performance for Processing of Development Applications for the first three quarters of the 2018/19 Financial year, (2) Development Applications Approved with a Clause 4.6 Variation for the first three quarters of the 2018/19 financial year, and (3) Planning Related Appeals Currently Before the Land and Environment Court**

**AUTHOR**                      **Planning**

### **PURPOSE AND BACKGROUND**

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The purpose of this report is to inform Council in relation to :

1.     Performance for processing of development applications for the first three quarters of the 2018/19 financial year;
2.     Development applications approved with a Clause 4.6 Variation for the first three quarters of the 2018/19 financial year; and
3.     Planning related legal appeals currently before the Land and Environment Court.

### **RECOMMENDATION**

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That the report be noted.

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

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- A.     Clause 4.6 Register for July to March 2019
- B.     Planning related legal appeals currently before the NSW Land & Environment Court

**POLICY IMPACT**

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This report has no policy implications.

**FINANCIAL IMPACT**

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This report has no financial implications.

**COMMUNITY IMPACT**

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This report has no impacts on the local community.

## **DETAILED INFORMATION**

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### **Processing of development applications for the financial year**

For the first three quarters of the 2018/19 financial year, Council determined 854 development applications and 341 Section 4.55 applications (applications to modify a development consent), with a total capital investment value of \$655,560,050. The median gross determination times for all development applications over the first three quarters of the 2018/19 financial year was 52 days.

New State Government legislation that was introduced in 2018 effectively prevents Council from determining development applications over an extended Christmas/ New Year period, if those applications were notified during that period. Approximately 80% of development applications received by Council are notified and are therefore affected by this legislation.

Another factor affecting development application determination times is a 26% reduction in the number of development applications lodged over the first three quarters of the current financial year compared to the previous financial year.

The combination of the factors discussed above has caused the median determination time to increase from its second quarter result of 40 days. It is anticipated that the median determination time will reduce as the financial year progresses.

There have also been a number of minor matters being referred to the Local Planning Panel for determination since the 2018 Ministerial Direction. Council has worked with the Panel and reached agreement to have delegations for Section 4.55 modification applications returned to Council and there is a further report on the Agenda for the next meeting of the Planning Panel to initiate a process to seek delegation from the Panel so that Council can determine minor development applications. This should further reduce median determination times.

### **Reporting of development applications which involved a Clause 4.6 submission**

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

During the first three quarters of the 2018/19 financial year, a total of 18 variations to an environmental planning instrument were approved. This represents approximately 2% of the total number of development applications determined during this period.

The attached report (Attachment A) is the required report and includes all results for the first three quarters of the current financial year.

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

Attachment B to this report provides details of the appeals currently before the New South Wales Land and Environment Court, as of the end of the third quarter of the 2018/19 financial year.

As at December 2017, Council had 37 active planning related legal matters although some of these were awaiting finalisation of judgements or Section 34 agreements. This figure has substantially reduced to 17 active current planning appeals, 8 of which are awaiting judgement or finalisation of Section 34 agreements.

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

**ITEM 5.5**                      **Impact of Recent Changes in the New South Wales Planning System on Determination Times for Development Applications**

**AUTHOR**                      **Planning**

### **PURPOSE AND BACKGROUND**

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In 2018, the New South Wales Government made a number of changes to the manner in which development applications were to be determined. Whilst the purpose for implementing these changes was sound, the thresholds that were set as part of those changes has impacted determination times for development applications.

This report outlines the changes which have occurred and the resultant impacts. The report also provides a suggested way forward to ensure that Council can continue to deliver on the New South Wales Premier's Priorities, one of which is "making housing more affordable", in part by ensuring faster housing approvals.

### **RECOMMENDATION**

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That the Mayor writes to the New South Wales Minister for Planning to identify the issues being faced by Council in relation to the determination of development applications with a view to entering into a dialogue with the Government to ensure that the Premier's Priorities for making housing more affordable can be met.

### **ATTACHMENTS**

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Nil

## **POLICY IMPACT**

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The recommendation contained within this report does not have any direct policy implications.

## **FINANCIAL IMPACT**

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The recommendation of this report seeks to initiate a dialogue with the New South Wales Government with a view to reducing inefficiencies which have evolved into the development assessment system. If these issues are satisfactorily addressed, there would be a reduction in the number of minor development applications being reported to the Canterbury- Bankstown Local Planning Panel, resulting in faster approval times and associated reduction in cost for small scale development.

## **COMMUNITY IMPACT**

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The inefficiencies which have resulted from the changes to the planning system have had the impact of increasing assessment times for development applications, particularly minor types of applications. A significant proportion of the development applications which Council deals with are for smaller scale developments, such as dwellings, dwelling additions, secondary dwellings, and dual occupancy developments. Determination of these applications in a timely manner has significant benefits to the local community and helps Council deliver on the Premier's Priority for making housing more affordable.

It follows that any improvements to the planning system will result in benefits to our community and particularly "mum and dad" developers who are not regular developers.



## DETAILED INFORMATION

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The former Bankstown City Council and the new Canterbury Bankstown City Council (CB City) have consistently been one of the fastest Councils in New South Wales in the processing of development applications. Faster processing of development applications has significant benefits to the local community and to the New South Wales economy in general. This has been recognised by the New South Wales State Government insofar as the delivery of faster housing approvals is a key strategy aimed at achieving the Premier's Priority of "Making Housing More Affordable".

CB City's ability to determine applications faster than most metropolitan Councils has been recognised through the inclusion of Council in the development of a "Development Application Best Practice Guide" and other pilot programs being developed by the Government.

The Government also champions CB City's culture and results in development application processing through a case study included on their website. Importantly, this case study is highlighted as a model for delivering faster housing approvals.

To support the Premier's commitment to deliver 61,000 housing completions on average per year, the Government has indicated that it will focus on two targets, one of which is that 90 per cent of housing approvals will be determined within 40 days by 2019. Applications for housing are generally of a significantly lower level of complexity than other forms of development, such as large scale multi-storey residential development, industrial development and the like. Whilst the Premier's Priority aims for 90 per cent of housing approvals determined within 40 days by 2019, in the past financial year, CB City determined all forms of development in a median time of 40 days.

The ability to consistently deliver approvals faster than other Councils requires constant monitoring, adjustment and continual improvement of those systems. In this regard, it is worth highlighting that Council is currently undertaking an end-to-end process review of its development assessment system with a view to moving to soft copy lodgement in the upcoming financial year, with associated benefits to applicants and the community. When inefficiencies are introduced to the assessment process, the tools that Council has in place makes it possible to identify those inefficiencies and to quantify their impact.

However, new policy decisions have the ability to adversely impact on current assessment systems and result in unforeseen implications. This has been evident with three key factors affecting assessment times which are dealt with in the following sections of this report.

Three key factors have influenced these results, all of which are factors that are beyond the control of Council. The implication is that the assessment time cannot be reduced to the same level as previous financial years unless changes are initiated to address the causes of the increase in assessment times. Even with those changes in place, it is possible that a median assessment time for all forms of development of 40 days may be unachievable in the long term.

The median processing time for development applications at the close of the first three quarters of the 2017/18 financial year was 42 days. At the same time in the current 2018/19 financial year, the median determination time is 52 days.

## Referral of development applications to the Canterbury Bankstown Local Planning Panel

On 23 February 2018, the Minister for Planning announced a Direction which identified certain types of development applications which would be required to be determined by a Local Planning Panel. The types of development applications which the Direction required to be referred to a Local Planning Panel for determination include:

1. Applications where there is a conflict of interest. This includes applications where the land owner is Council, a Councillor, a member of staff who is principally involved in the assessment of development applications, a member of parliament, or a relative of those persons.
2. Applications where 10 or more unique submissions have been received by way of objection.
3. Development which contravenes a development standard by more than 10%.
4. Sensitive development. This includes designated development, development to which *State Environmental Planning Policy No. 65- Design Quality of Residential Apartment Development* applies, development where a developer has offered to enter into a voluntary planning agreements, development involving demolition of a heritage item, development for sex services premises and restricted premises, and licenced premises.

Prior to Panels being established, many Councils, including Canterbury Bankstown City Council (CB City), have or had delegation instruments which would identify types of development which must be referred to elected Council for determination. A number of application types referred to above would have been referred to elected Council in the case of CB City, with some key exceptions that have significant implications for assessment times.

The complication arises when attempting to implement what is effectively a delegation instrument across a number of Sydney Councils. The main issues that have arisen for CB City are:

- (a) A number of small scale development applications are currently being referred to the Local Planning Panel (The Panel) for determination such as dwellings, secondary dwellings, dual occupancy development and various outbuildings because they meet the referral criteria established by the Minister for Planning of breaching a development standard by more than 10%. Under the referral criteria, "determination" of the application by the Panel would mean that even applications that are proposed to be refused would be required to be referred to the Panel for determination under the current arrangements.

- (b) In many instances, a 10% variation to a development standard does not provide adequate opportunity for a small scale development to respond to a particular site issue. As an example, under the provisions of Clause 4.3 (2B)(a) of Bankstown Local Environmental Plan 2015, the maximum wall height for a secondary dwelling is 3.0 metres. Any time the wall height of the proposed development exceeds 3.3 metres, the development application must be reported to the Panel for determination, due to the proposal involving a development that seeks a variation to a development standard of more than 10%. After accounting for standard floor to ceiling heights and slab thickness, any localised issues such as slope or flood affectation (as examples) has the potential to lead to a breach of the standard by more than 10%.
- (c) What constitutes a unique submission is not defined and Council has received legal advice which suggests that additional submissions from the same household, or multiple submissions from the one person raising new issues in each letter, will be categorised as “unique submissions”.
- (d) Council has received a number of development applications for demolition of Council buildings and other minor works to council assets. As this is a development which involves land owned by Council, the application must be determined by the Panel.

It is acknowledged that there should be certain types of development which should be determined by a Panel. However, the settings have been set at such a low threshold that recent agendas for the Panel have seen the following types of applications referred to the Panel for determination.

- Refusal of a secondary dwelling because the wall height exceeds 3.3 metres due to flooding and design issues.
- Demolition of a Council asset solely because of Council ownership of the asset.
- Replacement of a fire damaged villa home to its original state because the wall height of the former building (which was built prior to any height control being a part of the Local Environmental Plan) now exceeds the current height control. The development application proposed to reinstate the building at the exact same height as the building which was destroyed by fire. This is also the same height as the adjoining buildings in the same complex.

Typically, between 1 and 5 items each month are referred to the Panel for determination. The monthly nature of the meetings, coupled with the time to prepare the agenda, can see some of these applications which would have previously required less than 40 days to determine, now taking upwards of 60 days to determine. Further, the cost of the meetings exceeds \$10,000 each, and so there are budgetary impacts associated with having these matters dealt with by the Panel.

Council is in discussions with the Panel to seek delegation on some of these matters, but the Panel is restricted in what it can delegate back to Council.

## **Changes to Community Participation Requirements**

In 2018, Clause 2.22 was inserted into the *Environmental Planning and Assessment Act 1979*. The clause enacted mandatory community participation requirements for community participation by planning authorities with respect to the exercise of relevant planning functions. The mandatory requirements include public exhibition of development applications for a minimum period, public notification requirements and the giving of reasons for decisions by planning authorities.

Schedule 1 to the Clause sets out the community participation requirements and identifies minimum notification periods for a development application. In most cases, this will be 14 days, which is the same as CB City's notification requirements for small scale developments. Clause 16 of Part 1 of the Schedule states that the period between 20 December and 10 January (inclusive) is excluded from the calculation of a period of public exhibition. The effect of this is that a development application for a new single storey dwelling which would have ceased exhibition on 20 December (meaning that notification would have commenced on or after 7 December) would now be extended until 11 January, effectively making the notification period a 36 day notification period.

The practice of the former Canterbury and Bankstown Councils over at least the past 20 years has been to extend the notification period for small scale developments from 14 days to 21 days over the Christmas/ New Year period and this practice has occurred without complaint from the community. Larger scale developments have also previously been notified by Council for a lengthier period.

In addition to extending the notification period, the legislation also prevents Council from making any determination on those affected applications during this period. This also means that Council is unable to refuse inappropriate forms of development which the community have clearly opposed during this period.

Whilst well intentioned and not dissimilar to Council's own practices of affording greater time to the community to comment on development applications over the Christmas/ New Year period, the particular settings adopted in the legislation have had obvious implications upon Council's processing times. Those settings are the length of the notification period and the inability to determine applications during that extended period.

### **General reduction in the number of development applications received**

The number of development applications lodged at the close of the 3<sup>rd</sup> quarter of the current financial year was 981. This compares with 1,323 applications lodged at the close of the 3<sup>rd</sup> quarter of the previous 2017/18 financial year. This represents a 26% decline in development applications submitted to Council.

Anecdotal evidence suggests that this reduction in the number of development applications being submitted is being mirrored in other Councils across the Sydney metropolitan region. This is partly because of a downturn in the market generally, but also because of the increased take up of exempt and complying development. The result is that a number of smaller development applications which could previously be considered to be a “Fast Track” style of development application no longer make up the total number of applications submitted to Council. The obvious outcome is that the caseload that Council is dealing with is more complex and takes longer to assess, with associated implications for assessment times.

Together with the other factors identified in this report (i.e. the loss of the ability to deal with minor matters under delegation, and the inability to determine applications over an extended Christmas/ New Year period), the reduction in development applications has the overall impact of inflating the median determination time for all development applications.

## **Conclusion**

CB City is recognised as a leader in the assessment of development applications. The State Government has introduced changes aimed at making the assessment system more robust and Council is supportive of these changes. However, selected “settings” contained in these initiatives have had the effect of impacting determination times, to the detriment of the community.

Council strongly supports the NSW Premier’s Priority for making housing more affordable by ensuring faster housing approvals. Accordingly, it is considered appropriate for Council to enter into a constructive dialogue with the NSW State Government to address some of the inefficiencies which have recently been introduced to the State’s planning system



## **6            POLICY MATTERS**

The following items are submitted for consideration -

6.1	All Politics is Local - ALGA Proposal	73
6.2	Community Engagement Policy and Framework	79
6.3	Dunc Gray Velodrome - Interim Operating Agreement	83





### **ITEM 6.1                      All Politics is Local - ALGA Proposal**

**AUTHOR                      City Future**

#### **PURPOSE AND BACKGROUND**

The Federal Government is responsible for significant areas that impact on the nation such as defence and foreign affairs, trade, commerce, immigration, social service, education and telecommunications. However the Federal Government is also involved, mainly through funding, in many things that impact on the local area day to day. As a result councils, as the level of government that is closest to communities, are in a unique position to help the Commonwealth deliver on their priorities and meet the local needs of our residents.

#### **ISSUE**

With the lead up to the federal election to be held on 18 May 2019, the Australian Local Government Association have develop a report called "All Politics is Local" (attachment A). This document outlines 12 proactive policy initiatives that will optimise a Commonwealth/local government partnership and provide solutions to the challenges our communities are facing.

The Association is calling on all Local Government to speak in a unified manner and ensure all Federal Members contesting the election from all political parties understand and commit to these priorities.

#### **RECOMMENDATION    That -**

1. In principle, Council endorse the initiatives outlined in the Australian Local Government Association's (ALGA's) Report titled 'All Politics is Local' (Attachment A).
2. Council write to candidates contesting the Federal Election, seeking their commitment and support of the initiatives proposed by ALGA.

#### **ATTACHMENTS**

Nil

## **POLICY IMPACT**

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Broadly, the initiatives accord with Council's views and position on the issues presented by ALGA.

## **FINANCIAL IMPACT**

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There is no financial impact associated with this recommendation

## **COMMUNITY IMPACT**

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The issues raised and presented by ALGA present initiatives and/or suggestions that the Federal Government should note as being matters of importance for our community.

## DETAILED INFORMATION

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In order to provide an agreed platform for Local Government in the lead up to the federal election to be held on 18 May 2019, the Australian Local Government Association have collaborated with State and territory local government associations to develop a report called “All Politics is Local” (attachment A). This document outlines 12 proactive policy initiatives that will optimise a Commonwealth/local government partnership and provide solutions to the challenges our communities are facing.

In summary it is seeking:

*The commitment of all political parties, party leaders and individual candidates to deliver for local communities, through a partnership with local government, by supporting our initiatives in the federal election*

### **The 12 Initiatives**

The report outlines 12 initiatives each with an outline of the issue, why this is important to the community, and the key proposals (funding or policy shifts) required to support our local community. The 12 initiatives are:

- INITIATIVE 1: Repair federal funding to local government
- INITIATIVE 2: Realise the productive potential of Australia’s freight routes
- INITIATIVE 3: Boost safety on local roads
- INITIATIVE 4: Promote equitable access to community services
- INITIATIVE 5: Protect communities from the impacts of natural disasters
- INITIATIVE 6: Support communities with their climate change response
- INITIATIVE 7: Promote healthier communities
- INITIATIVE 8: Foster Indigenous well-being and prosperity
- INITIATIVE 9: Support communities on their digital transformation journeys
- INITIATIVE 10: Strengthen Australia’s circular economy
- INITIATIVE 11: Support local government’s current work in addressing affordable housing and homelessness issues
- INITIATIVE 12: Address the South Australian road funding anomaly

### **Relevance to Canterbury Bankstown**

Each of these Initiatives has the potential to benefit the residents and broader community of Canterbury Bankstown. For example:

#### ***Repairing Federal Funding***

A significant policy request is for the Federal Government to provide greater funding direct to Local Government under the Federal Assistance Grants (FAG).

Local government currently receives general purpose funding from the Australian Government in the form of Financial Assistance Grants. These grants, established in the 1970s, has largely remained relatively unchanged for more than twenty years.

In 1996, Financial Assistance Grants were equal to around 1 per cent of Commonwealth taxation revenue. This has declined by around 43% in relative terms over the past 20 years, and now they amount to approximately 0.55% (2018) of Commonwealth tax revenue.

The relative decline in Financial Assistance Grants funding to local government has made it harder for councils to develop and maintain services and infrastructure in their communities. ALGA is calling for '1% plus partnership programs' – this calls for the next federal government to restore core local government funding of Financial Assistance Grants to at least 1% of Commonwealth taxation revenue and add funding for partnership programs where agreed.

Naturally, how FAG money is best and/or most effectively distributed amongst councils throughout the each state is the subject of further consideration.

### ***Promote equitable access to community services***

The report proposes a \$300 million Community Infrastructure Program over 4 years to support the construction of new community facilities. Council has a significant number of facilities in need of repair or replacement to meet the growing needs of our community.

### ***Support communities with their climate change response***

The report proposes a Climate Change Partnership Fund of \$200 million over 4 years. Council is in the process of developing a Resilience Plan for our City which will outline actions we will undertake to help manage and adapt to the foreseeable impacts of climate change on our operations and service delivery. Federal Funding will be critical to implement recommendations from the Resilience Plan.

### ***Support communities on their digital transformation journeys***

Council has been recently successful in obtaining over \$1M under the Smart Cities and Suburbs Program to improve our waste services. The report proposes the continuation of this program with a further \$100M per year for 4 years. This demonstrates the value and benefits if such a program.

### ***Strengthen Australia's circular economy***

The report proposes a national waste and resource recovery strategy and a a national accreditation system for products with recycled-content. With the current waste challenges facing Council including impacts from China's National Sword Policy there is a critical need for the federal Government to take a leadership role. To provide on-shore processing capacity for recycled materials, it is necessary to stimulate an Australian recycling industry, rather than shipping our waste to countries such as China, Malaysia and India. There is a need for greater investment, regulatory reform and policy development and support from Federal Government to create new markets for recycled materials and ensure a sustainable future for kerbside recycling, local resource recovery, remanufacturing and local Australian jobs.

## **Conclusion**

The report concludes that this could add an estimated \$8.97 billion to national GDP and create an estimated 24,000 jobs over the first three years.

Developing a stronger partnership between the Commonwealth and local government can go a long way towards decreasing the existing inequality across Australian regions and delivering positive outcomes for Australian communities.

It is proposed that Council support the ALGA by writing to those current and proposed members contesting the election to determine their position in relation to each of the 12 Initiatives listed in the report.



### **ITEM 6.2                      Community Engagement Policy and Framework**

**AUTHOR                      City Future**

#### **PURPOSE AND BACKGROUND**

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Engaging with our communities assists Council to understand what is most important to the community now and into the future. Council's aspiration is to be an organisation that puts engagement at the centre of everything we do and such, has developed the Community Engagement Policy and Framework.

At the 26 February 2019 Ordinary Meeting, Council viewed and authorised the public exhibition of the draft Community Engagement Policy and Framework.

This report provides an overview of community feedback from exhibition period which was held from 27 February 2019 to 28 March 2019.

#### **ISSUE**

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The Community Engagement Policy and Framework provides Council with a consistent and best practice approach to how we engage with the community.

#### **RECOMMENDATION    That -**

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1.     The information in this report be noted; and
2.     The Community Engagement Policy and Framework be formally adopted.

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

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- A.     Community Engagement Policy
- B.     Community Engagement Framework
- C.     Submission Table

## **POLICY IMPACT**

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A destination in Council's Community Strategic Plan, 2028 CBCity, is to be a 'Leading and Engaged' Council who engages, involves and empowers its community to participate in decisions that affect them. Community feedback was broadly supportive of the draft Community Engagement Policy and Framework.

## **FINANCIAL IMPACT**

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There is no financial impact.

## **COMMUNITY IMPACT**

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This policy and framework formalise Council's commitment to timely, appropriate and effective engagement with the community and outlines when and how community engagement should occur, who should be engaged, and how outcomes should be reported on issues or decisions that are Council's responsibility.



## DETAILED INFORMATION

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At the Ordinary Meeting of 26 February 2019, Council resolved to exhibit the draft Community Engagement Policy and Framework. The exhibition period was 27 February 2019 to 28 March 2019.

To support this exhibition the community engagement team hosted two community information pop-ups at:

- Hurlstone Park town centre (near the station); and
- Campsie library.

### Key Findings

Community feedback received over the exhibition period was supportive of the draft Community Engagement Policy and Framework.

Key themes raised by the community were:

- More engagement is a good thing;
- Community engagement should be meaningful, open, honest and transparent;
- Council should show how feedback will impact the decision-making process; and
- Evaluating engagement is an important step.

Key statistics for the project's community consultation period were:

- The project page/s on Have Your Say had 294 visitors – Aware;
- 69 visitors viewed two or more project pages - Informed;
- There were 107 downloads of project documents i.e. draft Policy and Framework – Informed;
- Three submission were received over the exhibition period - Engaged.
- 30 conversations were hosted at the community information pop-ups with 43 surveys completed.

Council received three written submissions over the exhibition period. Refer to attachment C for a summary of the submissions and responses. No changes are proposed as a result of the submissions.

The Community Engagement Framework acknowledges the IAP2 Australasia Community Engagement Model. Working with the principles and guidance outlined in the Community Policy and Framework, Council has an opportunity to strengthen our relationships and increase engagement with our community, local businesses, community groups and other stakeholders including Socio-CALD communities. It also provides for capacity to create a consistent experience for the community when engaging with Council.

Upon adoption, a copy of the Community Engagement Policy and Framework, associated information and resources will be made available to the public on Council's website and will ensure that community engagement is integrated into the business of Council to support decision making, build relationships and strengthen Council's connection with the community.

All future projects undertaken by Council will adhere to the Policy and Framework.



### **ITEM 6.3                      Dunc Gray Velodrome - Interim Operating Agreement**

**AUTHOR                      City Future**

#### **PURPOSE AND BACKGROUND**

In May 2019, the ongoing management of the Dunc Gray Velodrome is set to return to Council. Previous Council reports have considered the future cost implications for the ongoing management of an international facility for the State of NSW, with little direct and tangible benefit for the majority of our residents and/or local community.

Council staff have been working collaboratively with the NSW Office of Sport, to determine what arrangements could be put in place for the NSW Government to take on the capital improvements and operation of the facility as a State run Olympic legacy venue which would provide for State and National sporting needs.

This report provides Council with an interim solution to continue to operate the facility until a more permanent solution is determined.

#### **ISSUE**

Council has identified significant cost implications associated with both the ongoing operations and immediate capital upgrades which are beyond Council's ability to fund. As a result, several options have been explored including interest from the NSW Government to invest in a major upgrade to the facility and manage it in the long term.

Whilst no formal endorsement/agreement was made, the previous Minister of Sport did agree to further investigate viable options to ensure that the facility remains open and appropriately utilised by the broader community.

That said, this report seeks Council's endorsement to allow the General Manager to negotiate an appropriate interim arrangement with the NSW Government to continue to operate the facility for a period of up to two years, while a more definitive decision is made regarding its longer term use.

Councillors should note that the interim arrangement will include a commitment by both Council and the NSW Government to fund the operations of the facility.

A more detailed assessment of the broader parameters is noted further in the report.

## **RECOMMENDATION** That -

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1. In principle, Council agree to enter into an interim agreement with the NSW Government and other existing tenants/users to continue to operate and/or utilise the Dunc Gray Velodrome, as outlined in the report.
2. The General Manager be authorised to negotiate and enter into an appropriate interim agreement with the NSW Government and other existing tenants/users to continue to operate and/or utilise the Dunc Gray Velodrome, as outlined in the report.
3. Relevant funding be made available in Council's 2019/20 Budget to administer the above arrangements.
4. Council continue to work with the NSW Government on determining the future use options and/or outcomes for the Dunc Gray Velodrome.
5. Council be provided with further reports as required.

## **ATTACHMENTS**

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Nil

## **POLICY IMPACT**

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This report does not have any policy implications. It is consistent with the current Plan of Management for the site.

## **FINANCIAL IMPACT**

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The proposed approach provides Council with a well-balanced financial option which ensures that the facility remain open in the interim whilst the operational running costs are partly underwritten by the NSW State Government.

Whilst this provides a short term solution, it does not provide any clarity and/or direction as to how Council would resolve the significant asset maintenance issues associated with the facility – estimated at around \$4M - \$5M.

That said, Council will ensure it clearly identifies all major repairs and/or works required and factor them in determining the longer term solution/outcome for the facility.

## **COMMUNITY IMPACT**

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The outcomes of the proposed arrangements would have significant State and National Sporting benefits.

If the NSW Government agree to take over the facility it will not only be upgraded to meet National Cycling standards, but it is also proposed to incorporate other Olympic sporting activities including table tennis, badminton and rock climbing.

## DETAILED INFORMATION

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### Background

As Councillors would be aware, Council's Velodrome was constructed as part of the NSW Government's Olympics infrastructure program to host the 2000 Olympic Games.

Following the completion of the games, arrangements were made for the facility to be managed by the Bankstown District Sports Club till May 2019, at which time the facility would revert back to Council.

With this in mind, over the past four years Council has contemplated how best to deal with the future use and/or ongoing options for the facility, particularly given the significant running/operating costs associated with the facility.

By way of a brief background, Council has carried out the following assessment/reviews:

- In 2016, an initial report was considered which indicated that continuing to operate the facility came at significant cost and as such may not represent best value to the community. Preliminary advice in the report indicated demolition and construction of a synthetic field would be more cost effective while providing increased access to quality sporting fields required by the local community.
- While the facility does not provide a direct local need, Council did recognise that it does provide a broader state and national sporting benefit. As a result, the Council resolved to discuss this matter, including possible funding options for the facility, with both the Federal and NSW Government.
- In August 2018, Council considered a further report which included an update on ongoing discussions with the NSW Office of Sport and their willingness to consider a future role in the facility, including major capital investment to bring it up to international standards as well as operating and maintaining the facility on a long term arrangement.
- Through this process, NSW Office of Sport engaged an external consultant to prepare a Design Report and options, which was prepared to form part of a Business Plan to be considered by the State Government for them to take on the management and upgrade of the facility. This would involve the combination of cycling and other Olympic sports in the infield of the Velodrome.
- Council also resolved that it consider the NSW Government's Design Report taking into consideration the longer term uses and funding options for the Dunc Grey Velodrome.
- Following this, the Mayor met with the then Minister for Sports, Mr Stuart Ayres, who expressed an interest in the facility and acknowledged that the NSW Government has an obligation to take on this Olympic legacy, as it has done with many other facilities purpose-built for the 2000 Sydney Olympics.

- In February 2019, Council resolved that it call on both State Labor and Liberal Leaders to support the NSW Government's commitment (if elected) to support investing in the necessary funds to upgrade and operate the Dunc Gray Velodrome and also write to the NSW Minister for Sport, the NSW Shadow Minister for Sport and our Local State Member seeking their support.
- Despite Council writing to the above Leaders, it has not received any response. Separately and following the recent State Election, a new Minister for Sport has been sworn in, being the Hon. John Sidoti MP, who no doubt will be briefed on the matter.

### **Interim Agreement**

Council understands that the Office of Sport are preparing a package of information to present to the new Minister based on previous discussions regarding the matter.

Whilst not formally advised, the Office of Sport have acknowledged a willingness to work with Council with the view to entering into an appropriate interim arrangement to continue to operate the facility for a period of up to two years, while a more definitive decision is made regarding its longer term use. The basis of the arrangement will be such that both Council and the NSW Government will both contribute funds to operate and manage the facility.

Whilst preliminary, the broader parameters of the arrangement would include:

- Both Council and the NSW Government contributing funding to cover the net operating costs of the facility – estimated to be around \$550K per annum;
- The NSW Government – as Council's agent – will manage the day-to-day operations of the facility, being for a period of two years;
- Ensure that existing tenants and/or users continue to enjoy the use of the facility; and
- Both Council and the NSW Government continue to investigate and promote other worthy uses in managing the facility.

Naturally and subject to Council's agreement to proceed, any arrangement will clearly notate all reasonable obligations to be met by both Council and the NSW Government.

### **Proposed Approach**

Subject to its consideration, it is proposed that Council agree for the General Manager to negotiate a mutually agreeable arrangement, which ensures that the Velodrome continue to operate and serve the broader community, whilst a longer term solution is determined.

Separately, Council continue to work closely with the Office of Sport on future options and report to Council on the matter, as required.





## **7            GOVERNANCE AND ADMINISTRATION MATTERS**

The following items are submitted for consideration -

7.1	2019-20 Draft Operational Plan, Budget and Schedule of Fees and Charges	91
7.2	Quarterly Performance Report - January to March 2019	111
7.3	Sydney Metro Interface Agreement Negotiations and Representatives for Traffic & Transport Management Group and Design Review Panel	115
7.4	Donating to Local Charities	119
7.5	Cash and Investment Report as at 31 March 2019	123



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## Governance and Administration Matters - 30 April 2019

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### ITEM 7.1                      2019-20 Draft Operational Plan, Budget and Schedule of Fees and Charges

**AUTHOR**                      City Future

#### **PURPOSE AND BACKGROUND**

The NSW Integrated Planning and Reporting requirements (Local Government Act 1993 S402-406) include the need for Council to develop a Delivery Program and supporting annual operational plans. Together, these documents represent Council's response as an organisation to the 10 year community strategic plan for the City – *CBCity 2028*:

- The 2018-21 Delivery Program sets out the principal services Council will undertake, priorities, service commitments, transformative actions and measures for the next three years. It was adopted in June 2018; and
- The Operational Plan provides one year detail outlining the financial resources to be allocated and the projects to be completed each financial year. It includes a breakdown of Council's operating budgets and planned expenditure, as well as other financial information, and Council's Revenue Policy, Pricing Policy and Schedule of Fees and Charges. Operational Plans are prepared annually and, following a minimum 28 day exhibition period, are adopted by Council prior to 1 July each year.

The aim of both documents is to maintain and improve services, deliver on infrastructure needs, and provide a tangible contribution to *CBCity 2028*.

#### **ISSUE**

This report seeks Council's endorsement to exhibit the draft 2019-20 Operational Plan, including the draft 2019-20 Budget (and accompanying financial statements), and the draft 2019-20 Schedule of Fees and Charges.

#### **RECOMMENDATION** That -

1. In accordance with Section 405 of the *Local Government Act 1993*, the draft Operational Plan 2019-20, including the draft 2019-20 Budget and draft 2019-20 Schedule of Fees and Charges be placed on public exhibition.
2. The proposed Rating and Annual Charges for 2019-20 as outlined in Annexures F and G (forming part of Attachment A to this report) be adopted. The proposal is based on the following.
  - (a) For areas covered by the former City of Bankstown

- (i) Council's ordinary and special (CBD Infrastructure Improvement) rates for 2019-20 making provision for an ad valorem structure and an increase to Council's general income equivalent to the percentage of 2.7%, as specified by the Independent Pricing and Regulatory Tribunal (IPART).
- (ii) A Minimum Ordinary Residential Rate of \$620.70 in respect of each separate parcel of rateable land in the City categorised as Residential land.
- (iii) A Minimum Ordinary Business Rate of \$759.00 for each parcel of rateable land in the City categorised as Business.
- (iv) Annual charges from Domestic Waste collection be set at \$550.00 for all Residential properties.
- (v) The maximum mandatory pensioner rebate of \$250.00 per annum. In addition Council continue to provide a further voluntary rebate, which equates to \$40.00 per annum in accordance with Council's 'Rates and Charges Debt Recovery and Hardship Assistance Policy'.
- (vi) Annual Charges for Stormwater Management Services as follows:
  - **Residential Properties**
    - Annual Residential Charge of \$25.00 per property.
    - Annual Residential Strata Charge of \$12.50 per property.
  - **Business Properties**
    - Annual Charge of \$25.00 per property plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.
  - **Mixed Development**
    - Adopt the dominant Rating category as applied to the parcel of land as determined by the Valuer General and apply to each relevant property.
    - In the event that a mixed development is 50% residential and 50% business, Council will apply a residential charge.
  - **Exemptions**

In addition to the exemptions stipulated in the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, the following exemptions will also apply in managing the service:

    - Council-owned land;
    - Bowling and Golf Clubs - where the dominant use is open space;
    - Properties zoned:

- Open space 6(a);
- Private Recreation 6(b); and
- Rural

(vii) A maximum rate of interest on overdue rates and charges as specified by the Minister for Local Government.

(b) For areas covered by the former City of Canterbury

- (i) Council's ordinary rates for 2019-20 making provision for an ad valorem structure and an increase to Council's general income equivalent to the percentage of 2.7%, as specified by the Independent Pricing & Regulatory Tribunal (IPART).
- (ii) A Minimum Ordinary Residential Rate of \$695.80 in respect of each separate parcel of rateable land in the City categorised as Residential land.
- (iii) A Minimum Ordinary Business Rate of \$695.80 for each parcel of rateable land in the City categorised as Business.
- (iv) Annual charges from Domestic Waste collection be set at \$485.00 for all Residential and Business properties.
- (v) The maximum mandatory pensioner rebate of \$250.00 per annum. In addition Council to provide a further voluntary rebate, which equates to \$40.00 per annum in accordance with Council's 'Rates and Charges Debt Recovery and Hardship Assistance Policy'.
- (vi) Annual Charges for Stormwater Management Services as follows:
  - **Residential Properties**
    - Annual Residential Charge of \$25.00 per property.
    - Annual Residential Strata Charge of \$12.50 per property.
  - **Business Properties**
    - Annual Charge of \$25.00 per property plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.
  - **Mixed Development**
    - Adopt the dominant Rating category as applied to the parcel of land as determined by the Valuer General and apply to each relevant property.
    - In the event that a mixed development is 50% residential and 50% business, Council will apply a residential charge.

- **Exemptions**

In addition to the exemptions stipulated in the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, the following exemptions will also apply in managing the service:

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

(vii) A maximum rate of interest on overdue rates and charges as specified by the Minister for Local Government.

3. A further report be submitted to Council at the conclusion of the exhibition period.

## **ATTACHMENTS**

[Click here for attachment\(s\)](#)

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- A. 2019-2020 Draft Budget
- B. 2019-2020 Draft Fees and Charges
- C. 2019-2020 Draft Operational Plan

## **POLICY IMPACT**

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The draft Operational Plan has been prepared in accordance with the Local Government Integrated Planning and Reporting Framework.

## **FINANCIAL IMPACT**

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The draft Operational Plan sets out Council's draft Revenue Policy, Budget and Schedule of Fees and Charges for the 2019-20 financial year.

## **COMMUNITY IMPACT**

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The draft Operational Plan details the projects, activities and finances to implement in 2019-20 to align to 2018-21 Delivery Program. The Operational Plan is a pivotal integrated planning document which ensure that Council continues to focus the priorities identified by the community and that resources are properly allocated to address them.

## DETAILED INFORMATION

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Under the Local Government Act, councils are required to develop a hierarchy of plans known as the Integrated Planning and Reporting (IPR) Framework. This Framework requires councils to draw their various plans together and to understand how they interact.

Importantly, IPR opens the way for councils and their communities to have important conversations about funding priorities, service levels, preserving local identity, and planning in partnership with other agencies, businesses and residents for a better future.

Council's priorities as outlined in the 2018-21 Delivery Program continue to focus on:

- being future focussed and Smart, pursuing opportunities for investment and creativity;
- protecting and conserving our environment, and in particular reducing litter and illegal dumping;
- becoming a more healthy, safe and active City;
- being a City that is easy to move around in for cyclists, pedestrians, public transport and cars; providing more options for people to get where they are going;
- having well-designed attractive centres which preserve the identity and character of local villages;
- being caring and inclusive, celebrating our identity and showing that we are proud of who we are, and
- being a leading Council, governing responsibly and openly, listening to the community and speaking for them to achieve better outcomes for the City.

This draft Operational Plan expands on the 2018-21 Delivery Program by identifying the specific services and projects Council will provide during the 2019-20 financial year. Highlights of the services and projects contained in the draft Operational Plan are outlined below and are in line with the Destinations adopted in CBCity 2028.

### Leading and Engaged

Council's size, capacity and sphere of influence gives it a considerable platform on which to advocate for a better City on behalf of the residents, ratepayers and businesses. It is a leading council in the NSW local government sector and one of the biggest employers in the region, with a budget that exceeds \$400 million including a \$101 million capital program. During 2019-20, Council will push for quality local outcomes from State planning initiatives; work with government agencies and providers to establish shared service arrangements; and seek better health, education, transport and safety solutions. Council will continue to lead and sponsor projects which contribute to better outcomes in our region including our support for biodiversity conservation reforms, and hosting Sydney RID operations and the Cooks River alliance of councils.

### Prosperous and Innovative

Council has started delivering on its Smart CBCity Road Map which focusses on providing the framework and infrastructure necessary to attract talent, encourage innovation, and create more jobs for the City. An exciting project to be undertaken in 2019-20 is the 'Closing the Loop on Waste' project. Council has matched the more than \$1 million in funding secured for the project which will use technology to change the way residents provide and receive



communication on waste management issues. A City Activation Strategy and calendar of major events like Ramadan Nights Lakemba and Bankstown Bites will also ensure success for these important goals.

### Moving and Integrated

2019-20 will see over \$42 million expended on road and transport programs so that vehicles and people can move more safely around the City. This includes \$5 million to upgrade bridges, pathways and boardwalks at sites like Hector Street and Wolumba Street, Chester Hill. Other significant roadworks are planned for Chapel Road, Bankstown; Croydon Street, Lakemba; Kingsgrove Road, Belmore; Christina Road, Villawood; Highcliff Road, Earlwood; and The River Road, Revesby. These are only a few of the nearly 200 separate road and transport projects to be delivered in 2019-20.

### Safe and Strong

Council will work towards being more child friendly through a Child Friendly CBCity Strategy which will inform future planning and development for Council services and facilities for a most-valued portion of our community. The Disability Inclusion Action Plan will also continue to be rolled out. In 2019-20, this includes constructing new bus stop pads and tactile ground surface indicators at various locations, providing accessible barbecues in parks, accessibility improvements at the Beulah Vista Museum, and upgrades to accessible amenities in Council's Customer Experience office in Bankstown. Stronger Communities Funds will be used during 2019-20 to establish a mobile change facility for use at events throughout the City.

Funds will be allocated for improvements at Children's Centres at Chester Hill, Earlwood, and Yagoona, the Orien Centre, and Greenacre Citizens Centre.

### Liveable and Distinctive

A Local Strategic Planning Statement will be a significant step towards a new Local Environmental Plan for the City which will ensure that we can spatially define the values and characteristics that contribute to our local identity. Creating liveable and distinctive town centres continues to be a priority with significant improvements planned for Canterbury and Revesby Town Centres. An exciting design competition held in 2018-19 for the Canterbury Town Centre ensured that we had imaginative and modern options for the improvements to be delivered in 2019-20. A number of smaller scale interventions at various town centres will enhance the public domain and test our approach to town centre development.

### Healthy and Active

Those in our community who are committed to the overall well-being of themselves and their families, will be excited about the 94 different projects totalling over \$133 million for infrastructure improvements which will contribute to the healthy minds and healthy bodies of our community. This includes more than \$1.1 million for library resources, a new playground in Parry Park, a new playing surface at Kelso Park South, and major sporting upgrades at Beaumont Park, Potts Park, Punchbowl Tennis Courts, and Gordon Parker Reserve.

## Clean and Green

Council operations are committed to a clean and more sustainable City. In 2019-20, nearly \$15 million will be allocated for environmental projects including a litter collection device at the Cooks River; upgrade of the waste collection fleet, waterway restorations at Rorie Reserve, Padstow; stormwater harvesting at Jim Ring Reserve, Birrong; and a solar microgrid in the City.

Council is also using Smart technology to improve the eight million domestic waste services undertaken throughout the City each year, and is protecting and conserving the biodiversity of the City through litter reduction; reducing the impact of pest animals; connecting the community with nature; and promoting the importance of native bees in our ecosystem.

The Operational Plan, like CBCity 2028, acknowledges that change is ahead. Council will always work to ensure that this change is managed well and in an atmosphere of open and frank discussion. The population increases expected for Canterbury-Bankstown will see a greater demand for services and facilities. The 2019-20 Operational Plan ensures that the Canterbury-Bankstown of today, and the Canterbury-Bankstown of tomorrow can meet the demands ahead and continue to be a City that's thriving, dynamic and real.

## Financial Management

Despite the loss of a Special Rate Variation (SRV) generating income of around \$4.7 Million for capital purposes (Infrastructure and Renewal Levy - specifically for the former Canterbury Council area only), Council's financial performance and position is considered sound and stable to support the future planning for our City. Council's Financial Management Strategy ensures we are well placed to continue to deliver on our commitment to slow expense-growth, accelerate spending on infrastructure, meet the ongoing challenges to our long term financial sustainability, and manage our liabilities for future generations.

Our strategy includes measures to tackle and absorb the broader economic environment and ensure we are ready to respond to issues, such as:

- The expected growth in housing and its impact on our service and infrastructure needs;
- Revitalising and re-investing in our CBD, town centres, libraries and recreational facilities;
- Enforcement of required regulatory and compliance standards expected of our community;
- Preserving our fragile natural environment;
- Building confidence in our City by identifying relevant opportunities to support our local economy and attract investment; and
- Taking a positive and leading role in responding to the reforms set out by the NSW Government.

## **Financial Framework and Objectives**

Council's financial approach provides the required framework for managing its objectives and financial decision making. This focuses on continuing to ensure that the financial parameters, principles and objectives applied in developing the budget to achieve a balance between financial stability, sustainability, asset maintenance, construction and the provision of services to our community.

The principal financial objectives are to:

- provide adequate investment in recurrent operational and asset replacement programs/projects;
- incorporate all necessary governance and administrative costs required in delivering Council's objectives;
- manage cash restrictions based on agreed policies and statutory requirements;
- meet the cost of accrued liabilities such as loan repayments and employee entitlements as they fall due; and
- maintain a sound financial position.

Council's financial goals continue to include:

- maintaining an adequate level of unrestricted working funds and liquidity levels to preserve our sound financial position;
- increasing non-rates revenue through investing in income generating activities, effective pricing and property management;
- providing affordable services through productivity and efficiency improvements which will also include a continued assessment of core/non-core services being provided to the community; and
- achieving an optimum balance in satisfying our financial objectives and other planned activity outcomes.

The budget is premised on a number of elements, including:

- no increase in rates above that approved by the Independent Pricing and Regulatory Tribunal (IPART);
- unless known, the growth in other revenues and operational costs be increased to reflect Council's pricing principles outlined in the Long Term Financial Plan;
- eliminating recurrent loan borrowing programs for asset replacement purposes;
- redirecting savings in debt servicing costs towards asset replacement purposes; and
- maintaining strategic indicators and cash restrictions at acceptable levels.

### **2019-20 Planned Budget**

Council's focus for the forthcoming financial year continues to be about balancing the provision of services, delivering on infrastructure and preserving/managing on our cash reserve position.

As is the case each year, the various broader economic elements, service expectations and revenue projections have been assessed in formulating Council's 2019-20 budget. The framework applied in setting Council's budget is as follows.

### **REVENUE POLICY**

Where evident, revenue budgets have been adjusted to reflect known issues, while others are largely estimated around current year trends. Council has also incorporated a number of industry specific factors, where applicable (see below).

## **General Rates and Annual Charges**

On the 29 March 2017, the NSW Parliament passed the Local Government Amendment (Rates – Merged Council Areas) Bill 2017 providing rate protection for residents of NSW Merged Councils. The Bill effectively froze rates on their current paths for a period of 4 years, an obligation which continues until 30 June 2020.

Given this, Council is required to:

- Maintain both former Council's rate structure whereby rate assessments are based entirely upon property valuations (ad valorem) but with minimum rates applying where appropriate;
- Incorporate a permissible rate increase of 2.7%, as determined/set by the NSW Government;
- Reduce its income (specifically for the former Canterbury Council area only) by \$4.7M as a result of its SRV ending on 30 June 2019; and
- reflect an anticipated staged growth of around 1300 dwellings throughout the year.

In total, Council's net increase in rating income is expected to be around \$1.6M. Councillors should note that Council will continue to allocate rating income raised from its remaining Special Rate Variation (Sustainability Levy) for the former City of Canterbury for the purposes of renewing assets within the former City of Canterbury area.

Annexures F and G in the financial statements summarise the rate in the dollar and minimum charges for each category.

### **Minimum Rates**

Proposed minimum rates reflect a 2.7% increase to that levied throughout 2019-20.

### **Special Rates – Bankstown CBD Town Centre**

Council's special rate in respect of the Bankstown CBD Town Centre has similarly been increased by 2.7%. Any expenditure will reflect projects and priorities based within the CBD.

### **Pensioner Rates**

Approximately 20,500 pensioner ratepayers qualify for Council's voluntary rate rebate and the State Government's mandatory rate rebate, which are granted to persons in receipt of the pensioner concession cards. The maximum mandatory rebate, which is 55% funded by the State, is \$250.00 per annum.

In accordance with Council's proposed rates and charges, debt recovery and Hardship Assistance Policy, an additional voluntary rebate which equates to \$40.00 per annum will be provided to all eligible pensioners. The total rebate will cost Council approximately \$3.2 million in net terms for 2019-20 of which approximately \$0.8 million is Council's discretionary concession.

## **Domestic Waste Fee**

The impact of tipping fees and other non-discretionary industry costs will require Council to increase the Domestic Waste Levy for the forthcoming financial year (see below). Currently there are different waste services being provided to the residents of the former Canterbury and Bankstown Councils.

These services will be harmonised once the existing contracts expire in 2019-20. That said, Council's policy is to grandfather the former councils' fees at the time of the amalgamation and apply any increases proportionally to the two former local government areas, reflective of the increased cost of waste operations.

Having calculated the reasonable costs in managing the service, the 2019/20 proposed fees are expected to increase by \$30 per property to reflect an annual charge as follows:

- The former City of Bankstown: \$550.00; and
- The former City of Canterbury: \$485.00.

Notwithstanding the increase, Council's proposed rates are still considered reasonable when compared to other councils who provide a similar/comparable three bin service.

Annexure E provides the financial details relating to the service.

## **Stormwater Levy**

The City of Canterbury Bankstown is the principal authority responsible for the local management of stormwater. On behalf of the public, Council:

- maintains stormwater drainage pipes;
- implements essential flood mitigation measures to protect life, property and infrastructure;
- conserves the natural waterways of the City;
- harvests and reuses stormwater to reduce potable water use;
- protects water quality in our creeks and rivers by installing water sensitive urban design features and pollution control devices; and
- protects riparian bushland and other natural assets from the impacts of urban runoff.

In recognition of Councils' key role in stormwater management, the NSW Government made amendments to the *Local Government Act 1993* (amended October 2005) and the *Local Government (General) Regulation 2005* (amended April 2006) to allow councils the option of levying a stormwater management service charge. The charge was introduced to help council to cover some or all of the costs of providing new or additional stormwater management services to eligible land, above and beyond those that council could provide with their own funds.

The implementation of the charge recognises that increasing urbanisation has resulted (and continues to result) in a significant increase in impervious surfaces and has significantly increased the volume of stormwater (and therefore pollutant loads) flowing into urban waterways and urban drainage systems. These pressures have increased the costs of stormwater management for local councils.

In accordance with Section 496A of the *Local Government Act 1993* and *Local Government (General) Regulation 2005*, Council has in place a Stormwater Charge on eligible properties within Canterbury-Bankstown. In managing the annual charge the following structure will be applied:

### **Residential Properties**

Annual Residential Charge of \$25.00 per property.

Annual Residential Strata Charge of \$12.50 per property.

### **Business Properties**

Annual Charge of \$25.00 per property plus an additional \$25 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.

### **Mixed Development**

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

### **Exemptions**

In addition to the exemptions stipulated in the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, the following exemptions will also apply in managing the service:

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

Annexure H provides details of the Stormwater Levy funded projects for 2019-20.

### **Other Fees and Charges**

The general principle being applied is that fees should reflect true costs less the amount Council is willing to subsidise as a community service obligation. In general, it is proposed to increase the 2019-20 fees and charges by 2.7%, subject to rounding where required. Details of each charge are attached in Section 5.

### **Loan Borrowings**

Council's long-term financial strategy reflects a budgeting model whereby General Fund Revenue is generated to maintain our infrastructure asset replacement program and that loans will only be acquired to support certain community self-funding initiatives that Council endorses. At present, Council has not identified and/or planned for any such initiatives and as such does not propose to obtain any new borrowings as part of its 2019-20 budget.

## **Interest Income**

Council will continue to carefully manage its investment portfolio having regard to prevailing market conditions, industry benchmarks and allowable investment opportunities, as they arise. Having regard to Council's current investments and market expectations, Council's budget includes a weighted average return of around 2.0% per annum.

## **COSTING PARAMETERS AND ASSUMPTIONS**

### **Inflation**

Inflation expectations are as per the Reserve Bank of Australia (RBA) target, which is set at a rate of 2.5%.

As a guide, Council's costs have been adjusted by 2.5% to accommodate and/or reflect relevant escalation in proposed budgets for the 2019-20 financial year, particularly those of a contractual nature.

### **Employee Costs**

Council's employee costs in the 2019-20 Budget include an award increase of 2.5%. Council's full time equivalent employee numbers (organisational structure) for the 2019-20 financial year is set at 1,410.

### **Depreciation Expense**

Council's operating expenses include an amount for Depreciation Expense, a non-cash item which aims to broadly account for the level of use/consumption of assets on an annual basis. An amount of \$67.3 million has been reflected in Council's 2019-20 Budget to reflect this cost. Council assesses depreciation annually as part of preparing and reviewing its Asset Management Strategy.

## **PRICING OF GOODS AND SERVICES (PRICING POLICY)**

Council establishes its pricing levels through a range of factors, which are broadly dependent on the nature of the good or service being provided and the extent to which Council recognises an obligation to subsidise provision of the good or service. Council's Pricing Policy is subject to review on an annual basis or where appropriate, according to need. Where appropriate, Council will assess and apply a user pays model in setting its pricing based on the following provisions:

### **Cost of provision**

The cost to Council of providing goods or services is a primary consideration when determining pricing. Council recognises that rational and relevant pricing decisions can only be made when there is a full understanding of the cost to Council and the community, of resourcing specific service areas.

## Community Service Obligations

Council acknowledges that it has an obligation to provide some goods and services as a community service. As a result, Council accepts responsibility for at least partially funding these goods and services from other sources of revenue. This is reflected in varying degrees of pricing subsidy, dependant on the nature of the good or service being provided. Where it is not feasible to collect fees from private beneficiaries for a good or service, which provides a wider community benefit, full subsidy will be applied. Where cost-recovery can be achieved but Council recognises an obligation in terms of equity and social justice considerations, and the merit and well-being of the community, an appropriate level of subsidisation will be applied.

## Private Benefit

Some goods and services provided by Council are not provided on the basis of wider community benefit, and are used by private beneficiaries. Goods or services of a commercial nature will be subject to commercially competitive pricing principles, which reflect market conditions and full cost recovery.

Where Council are engaged in providing any commercial/business operations, it will price such services at full cost recovery, to cover both the cost of capital and a commercial rate of return.

Council will look to generate an agreed positive return on assets so as to not reduce financial viability. Where required, Council will ensure compliance with 'competitive neutrality' provisions of the National Competition Policy and categorisation (i.e. category 1 or 2 business activity). Council has not identified any category 1 or 2 business activities for the 2019-20 budget.

## Statutory Limitation

It is acknowledged that certain fees, charges and levies are set by legislation and Council has no control over pricing in these circumstances.

## Planned 2019-20 Budget

The expected operating result for the 2019-20 financial year is:

Description	2018-19 Original \$,000	2018-19 Original \$,000	Difference \$,000
Operating Revenues	314,017	304,202	9,815
Operating Expenses	329,538	316,555	12,983
Net Operating Result Before Capital Grants and Contributions	(15,521)	( 12,353)	(3,168)
Capital Grants/ Contributions	25,243	20,688	4,555
Total Operating Result	9,722	8,335	1,387

The 2019-20 Budget is assessed against the 2018-19 Original Budget given that it provides a comparable base to assess the broader movement between financial years. Council's Net



Operating Result before Capital Grants and Contributions is estimated to be negative \$15.5 million. Once capital grants and contributions are added, Council's projected Operating Result for the year is expected to be positive \$9.7 million.

A break-up of both the Revenue and Operating Budgets proposed for the forthcoming financial year is shown below.

#### Revenue Budget

Council's Revenue Budget (excluding capital grants and contributions) is expected to be \$314.0 million, an increase of \$9.8 million (3.2%) to that originally planned for 2018-19. A break-up by income category is as follows:

Category	2019-20 \$,000	2018-19 \$,000	Variance \$,000
<b>Rates / Domestic</b>	233,977	228,395	5,582
<b>Charges / Fees</b>	26,023	25,667	356
<b>Interest</b>	10,380	9,175	1,205
<b>Grants – Operating</b>	23,865	21,966	1,899
<b>Other</b>	19,772	18,999	773
<b>Total</b>	<b>314,017</b>	<b>304,202</b>	<b>9,815</b>

The variation of \$9.8 million, is a result of the following movements:

Component	Variance \$
<b>Rating Revenue</b>	\$1.6M
<b>Domestic Waste</b>	\$3.9M
<b>Other Fees and Revenues</b>	\$0.8M
<b>Interest Income</b>	\$1.2M
<b>User Fees &amp; Charges</b>	\$0.4M
<b>Operating Grants</b>	\$1.9M
<b>Total</b>	<b>\$9.8M</b>

Revenue projections for 2019-20 have been set to reflect known elements and/or current year trends. An explanation of the major variations is as follows:

- Council has factored in the loss of income for a former Canterbury Special Rate Variation of \$4.7M;
- Reflected the approved 2.7% rate-pegging limit to its rating revenue budget and expected growth in properties throughout the local government area;

- Council's annual Domestic Waste Levy for residential properties will increase by \$30 per annum which reflects a general increase in the cost of providing the service and the longer term costs associated with replacing plant, bins and rehabilitating various waste facilities;
- Operating Grants, including the Financial Assistance Grant, are included where the grant has been confirmed and the level of funding can be reliably calculated, and additional grant funds will be reported during the year as part of the quarterly budget reviews; and
- Council's level of interest income is expected to increase by \$1.2M, which is a reflection expected market conditions and the estimated level of cash on hand throughout the year; and

In terms of specific purpose capital grants and contributions, Council expects to receive approximately \$25M of funds for various capital outcomes throughout 2019-20. A summary of those contributions is as follows:

Type	Amount \$
Development Contributions	13.0M
Roadworks/Traffic – Various	7.3M
Bridges	3.4M
Waste Management	0.8M
Open Space	0.6M
Other	0.1M
<b>Total</b>	<b>25.2M</b>

Council's Budgeted Income Statement, which outlines the various revenue categories is attached in Annexure A.

#### Operating Expenses (OPEX)

Council's proposed operating expenditure budget is analysed to ensure that allocations are comparable to current trends. Council's Operating Expenditure Budget is expected to be \$329.5 million, an increase of \$13.0 million (4.1%) to that adopted for 2018-19. A break-up of each operating expenditure category is as follows:

Category	2019-20 \$,000	2018-19 \$,000	Variance \$,000
Employee Costs	140,040	132,303	7,737
Borrowing Cost Expense	470	0	470
Depreciation	67,306	66,425	881
Materials & Contract	84,076	82,114	1,963
Other Expenses	37,646	35,713	1,933
<b>Total</b>	<b>329,538</b>	<b>316,555</b>	<b>12,983</b>

A summary of the major variations by category is as follows.

### Employee Costs

A comprehensive planning process has been carried out to ensure that the Employee Costs budget accurately reflects required resources in managing Council's operations.

Council resolved at the February meeting to set Council's full time equivalent (FTE) employee numbers (organisational structure) for the 2019-20 financial year at 1,410.

The FTE increase was based on Council performing service reviews, staff realignments and the quarterly budget review identified existing consulting and contractor expenses that could be transitioned to employee costs. This transition sees the 2018-19 establishment of 1388.4 increase to 1410.0 and be offset by a decrease in expenditure budgets for contractors, consultants and other expenditure.

The budgeted increase in employee costs of \$7.7 million is largely attributable to the Local Government Award Increase of 2.5% and its broader impact on employee entitlements (e.g. superannuation) as well as the costs associated with the new FTE positions.

### Material / Contracts and Other Expenses

Materials and Contracts and Other Expenses are expected to increase by around \$3.9M or 3.3% when compared to Council's adopted 2018-19 budget.

The increase in Other Expenses mainly relates to:

- Implementing the Lighting the Way program where in December 2017 Council resolved to accelerate the rollout of LED streetlights. Stage one costs of the program for the 2019-20 financial year are forecast at \$2 million. As a result of this energy efficiency initiative, street lighting electricity and maintenance costs are expected to decrease which will offset the initial costs of the program over a number of years;
- An increase in costs of around \$1.3M to manage specific grant funded projects, which will be undertaken throughout the year; and
- Other Expenses which include items such as utility costs, insurance costs, tipping fees, banking fees and other statutory levies (e.g. EPA levy). Increases in these expenses are largely of a non-discretionary nature.

Council's position, although still considered sound, suggests that the impact of increasing non-discretionary costs (those largely imposed upon us by the State), will continue to grow at a rate far greater than planned inflation/CPI. This will have a significant impact on our longer term ability to absorb similar cost increases in the coming years and/or continue to preserve our current sound financial position.

Council's Budgeted Income Statement, which outlines the various OPEX categories is attached in Annexure A.

### Capital Works (CAPEX)

Council continues to improve its approach to managing its infrastructure, with a rolling schedule of comprehensive condition assessments of infrastructure assets from year to year.

This allows Council to clearly determine the extent of funding required to restore or rationalise certain assets within the City. Although the management and financial impact requires a long-term commitment well beyond the 2019-20 budget, the identified framework provides Council with a level of confidence in determining an effective approach to formulate its long term planning.

In terms of 2019-20, Council's focus will largely be to ensure the timely replacement / maintenance of existing assets throughout the Local Government Area.

That said, Council will also be carefully considering its long term asset management requirements, particularly addressing its backlog and broader long term initiatives for the Local Government Area. Further details are contained within Councils Asset Management Strategy.

Council's total expenditure on assets throughout 2019-20 (excluding any potential carryovers from the current financial year) is expected to be approximately \$101.6 million.

A break-up of expenditure is as follows:

<b>Project Area</b>	<b>Amount \$,000</b>
Bridges	5,031
Buildings	6,989
Street Furniture	155
Car parks	2,232
Drainage Conduits	2,342
Flood Mitigation Structures	350
Waste Management	13,215
Town Centres	9,624
Kerb and Gutter	1,945
Irrigation	275
Open Space	7,926
Other Structures	1,270
Park Furniture	340
Park Lighting	1,055
Park Signs	350
Pathways and Boardwalks	4,102
Road Pavement	21,044
Traffic Management Devices	7,874
Water Courses	1,100
Water Quality Devices	720
Operational Assets	13,650
<b>TOTAL CAPEX</b>	<b>101,590</b>

As in previous years, the 2019-20 Budget is well balanced with a strong focus on asset maintenance/replacement, complemented with priority initiatives.

Of Council's capital budget, an amount of \$83.4 million will be spent on replacing and/or restoring ageing infrastructure throughout the City.

Annexure I and J summarise Council's capital works program for 2019-20.

### Cash Reserves

A large component of Council's capital works program is reliant on the use of dedicated Reserve funds, held to fund future projects and/or initiatives throughout the city and the prudent management of its liabilities.

In addition, Council's Development Contribution Reserves form an integral part of Council's capital works program.

In net terms, Council's level of Reserves, both those imposed by legislation or established by Council will total \$267.3 million, a net decrease of \$18.4 million.

Notwithstanding a planned capital program of \$101.6 million, asset replacement reserves are estimated to increase by \$44.1 million during 2019-20.

A summary of restrictions made and used can be found in Annexure D of Attachment A.

### Liquidity and Performance Indicators

Based on the proposed 2019-20 Budget, Council's major financial indicators continue to meet accepted industry standards and convey a sound financial position.

Council's major financial indicators for the 2019-20 financial year are expected to be as follows:

Indicator	Target	2019-20
Unrestricted Current Ratio	>150%	242%
Debt Service Ratio	<10%	0.0%
Unrestricted Cash	>\$0	\$3.7M

Based on all the cash movements noted above, Council's budget reflects a decrease in cash of \$18.4 million, which accounts for both internal and external restricted funds expected to be received and utilised throughout 2019-20.

Council will continue to maintain a sound level of liquidity and reserves to manage any foreseen fluctuations and/or uncertainties that may eventuate. This together with other measures are demonstrated by Council's financial indicators, which with the exception of the operating performance ratio (as highlighted in Council's new Long Term Financial Plan) continue to meet and in some cases are estimated to exceed accepted industry levels.

## **Communication and Engagement**

The draft 2019-20 Operational Plan (incorporating 2019-20 Budget and Schedule of Fees and Charges) will be exhibited for a minimum 28 days during an engagement program which includes:

- Advertisements in local papers including the Torch, The Express, Inner West Times and local language newspapers;
- Exhibition through the Haveyoursay online forum;
- Copies available in Council's libraries and Customer Service centres;
- Exhibition through the corporate website.

Submissions will be reported to Council in June 2019 with recommendations for any necessary changes.

## **CONCLUSION**

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Council's goal is to continue to maintain and improve services, delivering on infrastructure, and to deliver tangible benefits from the new Council structure. The projects and budget outlined in the draft 2019-20 Operational Plan preserves Council's sound financial position while aiming to balance community expectations in terms of operational and infrastructure outcomes.

The draft 2019-20 Operational Plan incorporating 2019-20 Budget and Schedule of Fees and Charges are submitted for Council's consideration and approval for its release for public exhibition and comment.

The draft Operational Plan will be submitted for adoption in June 2019 following the conclusion of the exhibition period.

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## Governance and Administration Matters - 30 April 2019

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### ITEM 7.2 Quarterly Performance Report - January to March 2019

**AUTHOR** City Future

#### **PURPOSE AND BACKGROUND**

To present the third quarter performance against Council's 2018-19 Operational Plan activities including capital works and financial performance for the three month period January to March 2019.

#### **ISSUE**

This report has been prepared in accordance with the requirements of the Integrated Planning and Reporting Framework which stipulates that regular progress reports are required to be provided to Council and the community. At the City of Canterbury Bankstown, they are provided on a quarterly basis.

It demonstrates the organisation's performance during the period 1 January 2019 to 31 March 2019 in delivering the actions outlined in Council's 2018-19 Operational Plan. The Operational Plan is a key plan for our city. It translates our priorities and services, set out in our Delivery Program, into measureable actions for the financial year.

In providing information on performance measures, status of projects, highlights and achievements, this report is divided into the following components:

- Operational result;
- Capital result; and
- Financial performance.

#### **RECOMMENDATION** That -

1. Council notes the quarterly performance report ending 31 March 2019.
2. Council adopt the March 2019 Quarterly Budget Review as outlined in this report.

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

- A. Third Quarter Executive Summary - 2018-19 Operational Plan
- B. Third Quarter Detailed Report - 2018-19 Operational Plan
- C. Budget 2018-2019 March Revision
- D. March Revision Budget Review

## **POLICY IMPACT**

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The quarterly review is prepared in accordance with Schedule 1 of the Local Government Amendment (Planning and Reporting) Bill 2009, which requires regular progress reports to be provided to Council and community. Council currently generates reports on a quarterly basis to ensure thorough monitoring of the commitments it has made to the community.

## **FINANCIAL IMPACT**

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The report presents Council's operating result as at 31 March 2019.

## **COMMUNITY IMPACT**

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The report provides the community with an understanding of Council's performance in delivering its yearly Operational Plan as well as an update on the financial position as at 31 March 2019.



## **DETAILED INFORMATION**

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### **Operational Result**

Broadly, Council's Operational Plan is progressing well, with 91% of projects listed currently on track to be completed this year.

Attachment A provides an overview of key highlights and achievements from the first quarter around the seven destinations. The destinations are: Safe & Strong; Clean & Green; Prosperous & Innovative; Moving & Integrated; Healthy & Active; Liveable & Distinctive; and Leading & Engaged. They help to identify how Council is progressing towards achieving the community's aspirations in each of these areas.

Detailed actions for service areas are outlined in Attachment B.

### **Capital Result**

The City of Canterbury Bankstown's adopted 2018-19 Capital Works Program contains an investment of approximately \$96 million which equates to the delivery of 492 projects.

In the third quarter, 28% of projects are currently in progress, with 41% already complete. A snapshot of capital works progress across the city is provided in Attachment A.

### **Financial Performance**

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

Having reflected all required adjustments, Council's revised Operating Result is expected to be a surplus of \$0.5M, an improvement of \$2.0M to the result forecast as part of the December revision process. A summary of the major issues, which reflect the adjustment have been noted below.

Council's capital works and acquisition program is now expected to be \$96.0M, having increased by \$0.7M for this quarter. The variation largely relates to new grants received during the quarter as well as timing adjustments of budgeted expenditure where projects will not be completed or commenced within the 2018-19 financial year but rather throughout the 2019-20 financial year. These adjustments are a part of Council's ongoing review which ensures that the capital works and acquisition program reflects the planned pattern of expenditure.

In reflecting the adjustments made as a part of this revision, Council's level of cash and equivalents are expected to increase by approximately \$1.3M (assuming no carryovers exist at 30 June 2019).

Further detailed analysis regarding the March review, including the Quarterly Budget Review Statements, is provided in Attachments C and D. The review contains details of any major variations which are reflected by the adjustments detailed in the Quarterly Budget Review Statements.

## **Conclusion**

The Quarterly Report (Attachments A and B) provide a progress report for the third quarter of Council's 2018-19 Operational Plan. The provision of this report ensures Council is meeting its obligations under the Integrated Planning and Report Framework and contributes to the ongoing enhancement of good governance across Council. The data contained within these reports will also be made available on Council's website.

**ITEM 7.3**                      **Sydney Metro Interface Agreement Negotiations and Representatives for Traffic & Transport Management Group and Design Review Panel**

**AUTHOR**                      **City Future**

### **PURPOSE AND BACKGROUND**

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Sydney Metro obtained Planning Approval from the Department of Planning and Environment for the delivery and operations of the Sydenham to Bankstown component of the City And Southwest Metro project (Metro Southwest) – the conversion of the existing T3 Sydney Rail Line to a Metro Line from Sydenham to Bankstown stations.

At the February 2019 Council meeting, Council considered a report on the current Sydney Metro project and a recommendation to enter into an Interface Agreement to better coordinate issues between Council and Sydney Metro (Attachment A). At the meeting Council resolved that the matter be deferred to the next available meeting of Council.

### **ISSUE**

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Since this report, the State election has occurred and the Government has recommitted to delivering the Sydenham to Bankstown Metro as soon as possible. As noted in the previous report there are Conditions of Approval issued by the Department of Planning requiring Metro to consult with Council. Sydney Metro has formed a Traffic & Transport Liaison Group (TTLG) and Design Review Panel (DRP) in which Council staff are nominated to attend. In addition Sydney Metro has proposed the development of an Interface Agreement which is a document that sets out the process and interaction between the Metro Team and contractors and Council.

Notwithstanding Council's position on this project, the Government are proceeding with the works. Therefore it is important for staff to represent Council and the community at any stakeholder meetings and to formalise working arrangements to ensure the communities issues are responded to. Council will be also required to provide responses to many issues raised by Metro, such as detailed station design, utility design and work permit for access to Council assets, ownerships and maintenance. As such, more effective lines of communication and agreements are required to ensure impacts on Council assets are kept to a minimum. This will also ensure that any issues or changes to the project can be reported back to Council and further suggestions for improvements to any interface issues, including temporary transportation, can be made.

For the above reasons it is considered Council should partake in the necessary working groups and that Council negotiate appropriate terms to enter into the Interface Agreement as set out in the February 2019 report.

## **RECOMMENDATION**

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That Council delegate to the General Manager to negotiate appropriate terms and enter into an Interface Agreement with Sydney Metro.

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

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- A. Previous Report to Council

## **POLICY IMPACT**

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This report has no policy impact.

## **FINANCIAL IMPACT**

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Adoption of the recommendation will enable Council to streamline processes for interacting with Metro. Efficient processes will enable Council to save funds which would have to be spent on further resourcing to meet Metro's required turnaround times.

## **COMMUNITY IMPACT**

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Adoption of the recommendations will enable Council to better respond to issues affecting our community and environment.



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## Governance and Administration Matters - 30 April 2019

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### ITEM 7.4 Donating to Local Charities

**AUTHOR** Corporate

#### **PURPOSE AND BACKGROUND**

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The purpose of this report is to present options to Council in response to its resolution with respect to donating to local charities.

By way of background, Council had resolved that the General Manager prepare a report to Council, on ways it can help coordinate the donation of money by residents and ensure local charity groups receive a direct benefit.

#### **ISSUE**

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Council has carried out an assessment of how best it can support and promote agreed charity(s) through various means available to Council.

Details of Council's assessment and findings are outlined further in the report.

#### **RECOMMENDATION** That -

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1. Council support the promotion of registered charities, as outlined in the report.
2. Relevant Council policies and the Instrument of Delegation be amended to reflect the changes, as outlined in the report.

#### **ATTACHMENTS**

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Nil

## **POLICY IMPACT**

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The decision to support the report is consistent with Council's broader commitment and support of those in need throughout our community. This decision will provide the agreed charity a vehicle to reach our large community and where possible, obtain financial support for their worthy cause.

Subject to its decision, Council's *Rates and Charges, Debt Recovery and Hardship Assistance Policy* will be amended to permit the promotion of charities as part of its distribution of rate notices to its ratepayers.

Separately, Council's Community Grants and Event Sponsorship Policy will also need to be amended to reflect the proposed changes.

## **FINANCIAL IMPACT**

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If endorsed, the cost of this initiative would minor in nature and can be funded from within Council's annual budget.

## **COMMUNITY IMPACT**

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The intent of this initiative is to promote local charities whose goals are focused on providing care, services, facilities and other resources for the local community. In this way, there is a positive impact on the Canterbury-Bankstown community.



## DETAILED INFORMATION

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The promotion of local charities by Council is consistent with Council's purpose and the Community's expectations. Indeed, Council does have the capacity and/or ability to promote worthy recipients through various means to residents and/or the community, in general.

Following Council's consideration and resolution, Council has assessed how best it can help coordinate the donation of money by residents to local charities, particularly with the view to:

- Providing a simple and cost effective approach to donating to local charities;
- Maintain financial separation between Council and donors/charities; and
- Maintain tax deductibility status of any donations for donors.

Broadly, Council's assessment, which included looking to the practices of other councils and legislation, concluded that:

- The most efficient way to assist would be to identify and promote a charity through Council's various platforms, and
- Directly utilising the specific transaction and banking systems/processes established by the relevant charity would be more efficient for both the donor and recipient.

By way of example, the more prominent avenues available to Council in promoting agreed charities could include:

- Promotion in conjunction with Council's rates notices - including a dedicated flyer with Council's rate notice promoting an agreed charity(s);
- Include details on Council's website listing the charity(s) and dedicated links to their website; and
- Promotion through Council's digital and print platforms and publications, where appropriate.

Councillors should note that whilst Council's assessment included whether it could promote the charity(s) on the actual rate notice, it did present a number of constraints, particularly given the regulatory requirements/obligations needing to be met and/or our ongoing ability to promote council services, as required.

For these reasons, it was determined that a separate/dedicated flyer included with Council's rate notice would be more effective, particularly given that it will better ensure consistency in quality, messaging and the creative process in promoting the agreed charity(s).

Naturally, Council would need to determine how best to establish who to partner with and in turn promote and/or endorse.

Whilst there are various options available to Council, a more balanced/structured approach would be that in consultation with Councillors, the Mayor would annually determine the proposed charity(s) that Council endorse and/or support throughout the forthcoming financial year. Indeed, this may coincide with the charity that Council supports as part of the annual Mayoral Ball.

The proposed approach would be quite similar to the current delegation provided to the Mayor to appoint and/or vary members to Council's Advisory Committees, Reference Groups and External Bodies. For clarity, it is proposed to update Council's Instrument of Delegations to the Mayor to appropriately endorse the above approach.

Once determined, Council will in turn commence promoting the agreed charity, as outlined above.

Subject to Council's consideration of this matter, Council will look to implement this initiative on 1 July 2019, coinciding with the issue of its annual rates notice for the coming financial year.

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## Governance and Administration Matters - 30 April 2019

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### ITEM 7.5                      Cash and Investment Report as at 31 March 2019

**AUTHOR**                      Corporate

#### **PURPOSE AND BACKGROUND**

In accordance with clause 212 of the Local Government (General) Regulation 2005, the Responsible Accounting Officer must provide the council with a written report each month, which sets out the details of all money that council has invested under section 625 of the Local Government Act 1993.

Council's investments are managed in accordance with Council's investment policy. The report below provides a consolidated summary of Council's total cash investments.

#### **ISSUE**

This report details Council's cash and investments as at 31 March 2019.

#### **RECOMMENDATION**    That -

1.     The Cash and Investment Report as at 31 March 2019 be received and noted.
2.     The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

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

- A.     CPG Research & Advisory Monthly Investment Report March 2019

## **POLICY IMPACT**

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Council's investments are maintained in accordance with legislative requirements and its Cash and Investment Policy.

## **FINANCIAL IMPACT**

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Interest earned for this period has been reflected in Council's financial operating result for this financial year. Council's annual budget will be reviewed, having regard to Council's actual returns, as required.

## **COMMUNITY IMPACT**

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There is no impact on the community, the environment and the reputation of Canterbury Bankstown.

## DETAILED INFORMATION

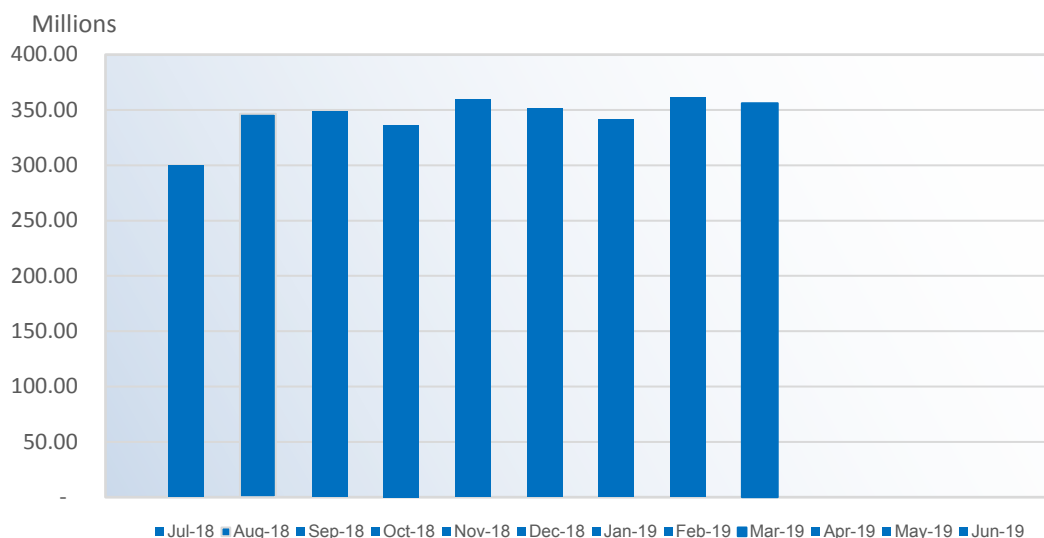
### Cash and Investment Summary – as at 31 March 2019

In total, Council's Cash and Investments holdings as at 31 March 2019 is as follows:

Cash and Investments	\$
Cash at Bank	1,705,070
Deposits at Call	36,822,973
Term Deposits	258,230,000
Floating Rate Notes	59,351,341
<b>Total Cash and Investments</b>	<b>356,109,384</b>

Council's level of cash and investments varies from month to month, particularly given the timing of Council's rates and collection cycle, its operations and carrying out its capital works program. The following graph outlines Council's closing cash and investment balances from July 2018 to March 2019.

Cash and Investment Rolling Monthly Balance 2018-2019



A summary of Council's investment interest income earned for the period to 31 March 2019 is as follows:

Interest Income	March 2019 \$	Year-to-date March 2019 \$
Budget	718,750	6,468,750
Actual Interest	881,126	7,498,948
Variance	162,376	1,030,198
Variance (%)	22.59%	15.93%

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

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

<b>Maturity Profile</b>		
	<b>Actual % of Portfolio</b>	<b>Policy Limits %</b>
<b>Cash</b>	10.8	100
<b>Working Capital Funds ( 0-3 months)</b>	3.9	100
<b>Short Term ( 3-12 months )</b>	34.6	100
<b>Short – Medium ( 1-2 years )</b>	14.1	70
<b>Medium ( 2-5 years )</b>	36.0	50
<b>Long Term ( 5-10 years )</b>	0.6	5
<b>Total Cash and Investments</b>	100%	

<b>Portfolio Allocation</b>	
	<b>Actual % of Portfolio</b>
<b>Cash at Bank</b>	1
<b>Deposits at Call</b>	10
<b>Term Deposits</b>	72
<b>Floating Rate Notes</b>	17
<b>Total Cash and Investments</b>	100%

## **8 SERVICE AND OPERATIONAL MATTERS**

The following items are submitted for consideration -

8.1	Draft Bankstown Complete Streets Transport and Place Plan	129
8.2	Wiley Park Draft Masterplan	137
8.3	Ramadan Fee Increase 2019	145
8.4	Ewen Park Improvement Plan - Update	149





### ITEM 8.1                      Draft Bankstown Complete Streets Transport and Place Plan

**AUTHOR**                      City Future

#### **PURPOSE AND BACKGROUND**

The draft *Bankstown Complete Streets Transport and Place Plan* is a strategic framework to guide transport and streetscape improvements in the Bankstown CBD. It provides the overall vision, principles and key strategies as well as draft concepts for each street. It also provides a prioritised action plan which, if adopted, would be implemented progressively over the next 20 years.

The draft Plan is presented for endorsement for public exhibition, with the results to be reported back to Council.

#### **ISSUE**

Over the coming 20 years the number of jobs, students and residents in the Bankstown CBD is planned to double, which will put more demand on our streets and transport network.

There are also existing issues in the CBD such as safety, high car use, time delays, difficulties accessing parking, inefficient uses of land, areas with poor amenity and a poor image/perception of Bankstown.

To support the positive transformation of the CBD and address the key issues, Council requires an integrated transport and streetscape plan to ensure the city centre is both an accessible and appealing destination.

#### **RECOMMENDATION** That -

1. Council exhibit the attached draft *Bankstown Complete Streets Transport and Place Plan* in accordance with the community consultation plan.
2. A further report to Council be made following public exhibition.

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

- A. Draft Bankstown Complete Streets Transport and Place Plan

## **POLICY IMPACT**

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The draft *Bankstown Complete Streets Transport and Place Plan* is consistent with the Community Strategic Plan, particularly the Council commitments in the following two areas:

Liveable and Distinctive:

- *“Make town centres liveable and distinctive”*
- *“Plan for a liveable, safe, attractive public domain”*
- *“Our town centres are transformed through the Complete Streets approach”*

Moving and Integrated:

- *“Plan for safe, attractive transport hubs that support all modes of transport”*
- *“Enable more journeys to be made without a car”*
- *“Provide pedestrian and cycle routes”*
- *“Promote and undertake road safety initiatives”*

The Plan will provide guidance for all operational matters and capital works projects in the Bankstown CBD including:

- CBD Property Renewal Strategy and associated master plans/ studies;
- CBD Parking Strategy;
- Griffith Park Master Plan;
- Paul Keating Park Master Plan;
- Walking and cycling plans;
- Capital works program.

The Plan will also provide guidance for development assessment within the CBD on matters such as street interface, parking and access, upgrades of the public domain and contributions. Some major developments that could be affected include Western Sydney University, Bankstown Central Shopping Centre and the Compass Centre site.

## **FINANCIAL IMPACT**

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The recommendations of the draft *Bankstown Complete Streets Transport and Place Plan* are proposed to be implemented over the next 20 years. Funding for specific projects will be considered as part of the annual Operational Plan and forward capital works.

## **COMMUNITY IMPACT**

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The recommendations of the draft *Bankstown Complete Streets Transport and Place Plan* will have a significant positive impact on the community in terms of improvements to transport, access, streetscapes, safety and greenery in the CBD, as well as a significantly improved image of Bankstown CBD.

The recommendations were informed by visioning workshops and surveys with residents, businesses and government agencies conducted early in the project, as well as comprehensive analysis of issues by transport, urban design and landscape architecture consultants.

Further comprehensive public consultation is proposed to be undertaken in the coming months to ensure the plan addresses the diverse input and opinions in the community.

## DETAILED INFORMATION

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### Background

In March 2016 Council endorsed in principle the CBD Property Renewal Strategy which included high-level plans for council-owned sites and outlined a number of investigations and master plans to be undertaken. As part of this, Council agreed to commission consultants to prepare a high-level traffic and transport strategy for the Bankstown CBD.

The objectives of the project as set out in the tender were to:

- Identify the strengths and weaknesses of the existing movement systems and public domain design and build on the qualities;
- Provide baseline measurements for future comparisons.
- Formulate an evidence-based vision, recommendations and concepts for the street network and movement systems with an integrated approach to transport planning and public domain design;
- Utilise a balanced transport approach that supports and integrates all modes of transport with priority given to pedestrians, then bicycles and public transport, then business services/ deliveries; then car share/taxis, then private vehicles and parking.
- Take a design-led approach with the creation of great places and space, putting the public domain and the overall user experience at the forefront of investigations and recommendations.
- Address problems with existing and future levels of congestion within the CBD and provide recommendations for better management of movements in the short and long term.

### What is 'Complete Streets'

The term 'Complete Streets' is used internationally to describe a best practice approach where streets provide both a transport function as well as a 'place' function. Streets represent the biggest public space in the city and need to provide smart mobility to move people efficiently and also become appealing destinations that attract people and support thriving businesses.

The Complete Streets approach:

- Designs for all users (all ages, abilities and backgrounds);
- Designs for all modes (walking, cycling, public transport and cars);
- Designs for all functions (movement, sitting, socialising, shopping, eating);
- Prioritises people and safety.

The key outcomes of a Complete Streets approach is:

- Slower safer streets for pedestrians, cyclists and motorists;
- Better access and wayfinding to key destinations;
- A more attractive CBD with high quality footpaths, furniture and landscaping;
- Benefit to businesses with more pedestrian activity and improved city image;
- A greener CBD with more trees and shade, cooler streets and reduced carbon emissions;
- A healthier community with more active transport, reduced obesity and improved mental health.

## **Project Process**

The project involved the following steps as part of its development:

- Detailed analysis including, streetscape urban design analysis and mapping, traffic surveys and model development and pedestrian behaviour mapping.
- Initial community engagement comprising online 'Have Your Say' Survey, street intercept surveys and workshops with local businesses, government agencies and Council staff
- Development of draft vision, principles, strategies
- Testing of proposed strategies against 'business as usual' in the traffic model.
- Concepts developed for each street and draft report prepared.

## **Key Issues in developing the Plan**

The following key issues were identified throughout the analysis and engagement:

1. Higher than average car use: 74% of Bankstown residents drive to work vs 68% in Parramatta and 69% Greater Sydney. 85% of employees in Bankstown drive to work.
2. Safety: Every year in Bankstown CBD there are on average 195 road accidents, 17 pedestrians hit by cars, 3 cyclists hit by cars and 1 fatality.
3. The large quantity of public parking generates high traffic. Unrestricted free parking attracts commuters instead of shoppers and visitors to the detriment of businesses.
  - Bankstown has 1,666 spaces (50% time restricted, 100% free)
  - Blacktown has 1,272 spaces (94% time restricted, 100% free)
  - Kogarah has 572 spaces (40% time restricted and paid)
  - Liverpool has 2,265 spaces (70% paid parking)Additionally there are over 3,500 car spaces in Bankstown Central shopping centre.
4. Buses are impacting the CBD: While bus use is encouraged, many bus routes overlap and take a convoluted circuit through the CBD causing noise and design issues on numerous streets. The two bus layover areas are an inefficient use of valuable land and impact amenity and safety.
5. Limited amenity/ poor city image: A quantitative survey found 72% of streets have limited design qualities. 82% of respondents surveyed thought making the streets more attractive was important.
6. Limited activity: High pedestrian activity is limited to the areas immediately outside the train station and the entries to Bankstown Central – this should be extended into other CBD streets to support more businesses.

## Draft Bankstown Complete Streets Transport and Place Plan

A summary of the report is provided below and the full report is provided at Attachment A.

### Vision

*Bankstown CBD is a desirable destination to live, work and visit, famous for its cultural diversity and walkable streets bustling with life. Whether by foot, bike, bus, train or car it is easy to get into and around the city centre safely and conveniently. Bankstown is a leader in smart design and is a celebrated example of town centre transformation that has retained its distinctive qualities.*

### Principles

1. Integrate transport planning and city design to enhance the image, liveability, street life, safety and walkability of the CBD.
2. Prioritise pedestrians first, then cyclists, then public transport, then service vehicles, then private vehicles, to enhance mobility and ensure a balanced transport system.
3. Vibrant - Design streets to enhance commerce in Bankstown and maximise street life both day and night.
4. Efficient - Utilise street space as efficiently as possible to optimise space for other functions such as footpaths, outdoor dining and landscaping.
5. Safe - Ensure streets are safe for all users through slow design speed, traffic calming, safe crossings and separated lanes.
6. Green - Promote sustainable low-energy transport modes and incorporate trees, landscaping and water-sensitive drainage.
7. Smart - design streets which are flexible and adaptive to technological change.
8. Equality - accommodate all ages, abilities, genders and incomes.
9. Design excellence - Promote high-quality streets and open spaces which enhance the identity of Bankstown.
10. Culture - Celebrate the diversity and cultural identity of Bankstown's residents and businesses.
11. Use evidence-based decision making.
12. Maintenance - Ensure streets and open spaces are well-kept and are pleasant places to experience.

### Key Strategies

- a. Minimise traffic through the CBD with an effective ring road to provide good access to the edges and parking stations
- b. Relocate public parking stations to the edge of the CBD along the ring road.
- c. Use smart technology to better manage parking to serve visitors and businesses. No net increase in public parking.
- d. Simplify bus routes and better integrate station and layover space.
- e. Create slow, safe CBD streets.
- f. Create high amenity CBD streets.
- g. Create focus areas for outdoor dining, the night time economy and events.
- h. Connect regional cycling links through the CBD.
- i. Connect cultural destinations with an identity focused Cultural Trail.
- j. Create an 'Activity Spine' linking key destinations with transport.

## Master Plan

The master plan designates the primary function of each street in the CBD as either a Ring Road, Neighbourhood Street, Transit Street, Shared Zone (pedestrians and vehicles), Pedestrian/ Cycle only, or Laneway. The master plan also shows the cycle routes and major bus routes through the CBD.

The key elements of the master plan are:

- Complete the ring road to provide good access to the edges of the CBD.
- Two additional 10km/hr shared zones in the central CBD to create new destination spaces and discourage through-traffic (The Appian Way and Fetherstone Street).
- Two sections of road closed to vehicles to create new public spaces and reduce through-traffic (Fetherstone Street and Olympic Parade). NOTE: These are long term proposals.
- Simplified bus routes via the extension of Jacobs Street and consolidation of bus stops and layover areas.
- New cycle routes via separated bike lanes and shared paths linking north-south and east-west through the CBD.
- New mid-block pedestrian connections to be provided as part of future developments.

## Concept Design

Concepts have been prepared for each street in the CBD to indicate how the master plan could be implemented. The designs are indicative and do not take into account all services and constraints but are intended to visualise how it could look and feel, to guide future detailed design and to develop initial cost estimates.

The streetscape upgrades would be implemented progressively over a 20 year timeframe and each street would undergo further detailed design and community consultation prior to any works or changes being implemented.

## Action Plan

The action plan lists all the operational and capital works recommendations and assigns a level of priority to each as well as a cost estimate to assist with budgeting.

## **Community Consultation**

A six week public exhibition period is proposed to commence at the start of May using the following methods:

- Have Your Say website with interactive maps and visualisations for each street, downloads and online survey;
- Temporary street stall/ activation near Bankstown train station with posters, tablets and other technology to show the plan with staff on-hand to answer questions.
- Letters to all addresses and landowners within the study area (residents and businesses);
- Letters to relevant government agencies.

- Advertisements in the local newspapers.
- Advertisements on Council's website and social media.
- Posters in the foyer of Council office, BLaKC and Bankstown Arts Centre.
- Information sessions with key stakeholders.

Following public exhibition a report will be presented to Council to summarise the feedback received and subsequent recommendations.





### **ITEM 8.2                      Wiley Park Draft Masterplan**

**AUTHOR                      City Future**

#### **PURPOSE AND BACKGROUND**

This masterplan creates the long term vision for the Wiley Park Open Space at Wiley Park. The masterplan is a 20-year plan recommending future uses and layout of recreational features for the destination park. The draft masterplan is presented for public exhibition and the results be reported back to Council.

#### **ISSUE**

Wiley Park suburb within the Canterbury Bankstown Local Government Area is entering a transformational period with significant pressure within the suburb to support growing use and need from the community. This presents a unique opportunity to enhance Wiley Park open space, shifting the focus to more intensive uses and enhancing this significant people-friendly place.

The purpose of the masterplan is to formulate a stakeholder and community led vision, a holistic masterplan, and a prioritised action / implementation plan for the future of the Wiley Park open space. The masterplan will take a design-led approach to create great places and improve the function of the existing well-loved park and playspace. It will put the public domain and the overall user experience at the forefront of investigations and recommendations. The draft Wiley Park Masterplan is attached to this report (Attachment A).

#### **RECOMMENDATION    That -**

1.     Council exhibit the attached draft Wiley Park Masterplan.
2.     A further report to Council be made following public exhibition.

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

- A.     Wiley Park Masterplan Community Engagement Stages 1 and 2 December 2018
- B.     Wiley Park Draft Masterplan April 2019

## **POLICY IMPACT**

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The masterplan provides a strategic framework to guide future decisions for Wiley Park as a destination park and playspace. It provides for passive and active recreation spaces, multiple access points and pathways, green connections, improvements to the pond and cascading water channel, and recommends minor changes to meet accessibility standards and improved usage of the existing amphitheatre building.

Council policy positions set out in the 'Playgrounds and Play Spaces Strategic Plan' and 'Draft Cultural Plan' have been integrated into this masterplan.

## **FINANCIAL IMPACT**

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The masterplan has been funded by the Stronger Communities Fund (\$100,000.00) with an additional \$20,000.00 from general fund in 2018-19.

In addition, Council's capital works budget for 2018-19 allocates \$100,000.00 to initiate design of the ponds and cascade system, and a future funding is proposed towards construction in the draft budget for 2020-21. The masterplan will inform future grant submissions, discussions with the NSW Government as part of the future planning under the Sydenham to Bankstown precinct planning and future Council s94 Plan reviews.

## **COMMUNITY IMPACT**

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The Wiley Park Masterplan proposes design and use reflecting community diversity. In preparation of the masterplan, consultation was undertaken with various key stakeholders as well as drop in sessions with the community and targeted focus groups. A summary report of the Community Engagement undertaken to date under two distinct stages, is attached to this report (Attachment B).

Further community engagement will occur over the next month while the draft masterplan is publicly exhibited. Completion of evidence based engagement will result in the provision of a masterplan reflecting the communities' needs and aspirations.

## DETAILED INFORMATION

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### Background

Wiley Park is defined by the street boundaries shown on the aerial (Figure 1). The original Wiley's Park was bequeathed to the Municipality of Canterbury in 1895 by Mr John F. Wiley, for the purposes of a recreation ground for the benefit of the public. Over time the site has been adapted for use as a football field and associated grandstand, and outdoor velodrome, ornamental parkland and waterway improvements, and 'Bicentennial-initiative' amphitheatre building improvements.

In the south-west corner the site also contains a significant stand of remnant bushland classified as 'Critically Endangered Ecological Community' (CEEC) under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC).

These edges to Wiley Park are dominated by poor quality roadside environments, facing the key regional corridor/arterial roads Canterbury Road to the south and King Georges Road to the west, and the local residential street Edge Street to the north, Clio Street to the east. A proposed RMS road widening initiative is planned for this intersection with a projected forecast loss of 22 mature trees from this important bushland.

In its current state, the park has an overall character of disparate uses, a poor quality water feature and pond system, a lack of logical access, connection and legibility throughout, and perceived public safety issues. That said, the park is very popular with the local and visitor community and is capable of supporting large community gatherings. At 7.8ha, the site is large in a local context and has significant potential. It is the only open space in the suburb of Wiley Park.

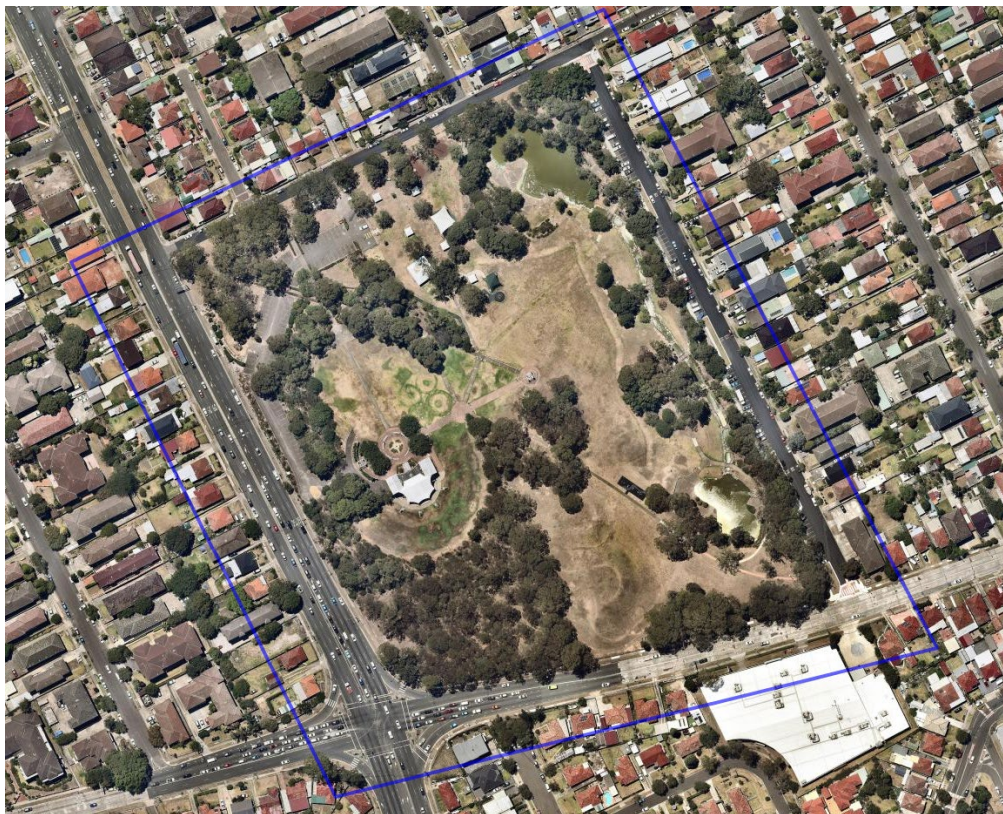
Wiley Park is an important open space provision for the suburbs of Wiley Park and Lakemba. It is part of the Wiley Park and Lakemba Station Precincts. As Wiley Park's only large park, the masterplan aims to unite the parklands and create a place that reveals the diverse Wiley Park community, and provide a diversity of public uses including passive recreation, active recreation, playspace, cultural community performance space and improved amenity.

### The Draft Masterplan

The aim of the Masterplan is to create a vision and masterplan for the Wiley Park open space, an important social, cultural and recreational space for the community. The masterplan is a 20 year plan guiding the future of Wiley Park's key open space.

Four key Masterplan Principles were established by the Project Team early while working with the community:

1. A connected active park
2. A community park
3. A healthy park
4. A park that celebrates water



**Figure 1. Aerial view of Wiley Park**

## **Masterplan Objectives**

- Improve public amenity, access to and safety around and within the site
- Improve the open space to provide a district-level playground facility and associated active and passive open spaces, associated café, amenities, shade, circulation and access pathways
- Review parking options and provide recommendations for re-configuring on-site car parking to maximise efficiency and minimise effect on bushland area
- Provide recommendations for preservation, enhancement and protection of bushland, whilst promoting interaction with and of interpretation of biodiversity values
- Reimagine the future of the amphitheatre building to maximise amenity value and use, and associated formal landscaped area
- Provide recommendations for management of water within the site, including potential for primary or secondary contact, water play, water feature, and biodiversity and water quality improvements
- Engage with key stakeholders and community
- Include best practice environmental sustainability initiatives
- Improve legibility throughout site including connections to Wiley Park Station, access points and pathways linking to local residential developments
- Improve edge treatments to site perimeter including distinct entry points, fencing, planting, view corridors, surrounding street upgrades
- Integrate with the State Government proposals, including Active Transport Corridor and Linear Park (also known as the Southwest Greenway), A3 planning and RMS Easing Sydney Congestion - Pinch Point Program (road widening)

## **Consultation**

Council undertook two stages of community consultation and engagement from August through to December 2018. The first consultation asked people what they loved about Wiley Park and what they would like to see improved. The second consultation focused on the key improvement ideas emerging from those questions.

### **Stage 1 – Initial information gathering**

- Pop-up stalls in Wiley Park in August and September 2018
- Community Workshop
- Online Survey through Council's 'Have Your Say' website over 4 weeks
- Flyers letter-box dropped to local catchment
- On-site poster notifications
- Direct email to key stakeholders including Councillors
- Invitation to direct email to project team

### **Stage 2 – Workshopping seven emerging key ideas/ initiatives**

- Pop-up stalls in Wiley Park in November and December 2018
- Notification through Council's 'Have Your Say' website over 4 weeks
- On-site poster notifications
- Direct email to key stakeholders including Councillors
- Invitation to direct email to project team

## **THE MASTERPLAN SUMMARY**

### ***Seven Key Masterplan Initiatives – in order of Community Importance:***

1. Restored Ponds
2. Improved Play Opportunities
3. (Improved Playground and Picnic Facilities, combined with above)
4. The Fitness Circuit
5. More Opportunities for Getting Active
6. Park Paths, Lighting and Seating
7. Improved Amphitheatre Building and amphitheatre

## **Other considerations**

### ***Aboriginal Heritage and Scar Trees***

Council commissioned an independent Aboriginal Heritage Assessment Report during the masterplan process to peer review previous conflicting studies, and assess the potential for Aboriginal scar trees across the site, in particular within the CEEC bushland where tree loss is proposed by the RMS road-widening works. The conclusion is that no Aboriginal Scar trees were noted on site.

### ***Horizon Theatre***

During the community engagement process Council received a petition from the Horizon Theatre Group and supporters as they perceived their tenancy within the Bicentennial Amphitheatre building was under threat. Council subsequently met, consulted and worked closely with the theatre group to understand how they use the amphitheatre building for their theatre workshops, productions and community events. Council engaged an independent Architect to review current usage and provide a considered opinion on where improvements



could be made to optimise usability for the existing tenants, and Council's obligations for provision of access to inform future works. The Masterplan proposes to retain the building and improve it to meet current standards.

### ***RMS Proposed Road Widening***

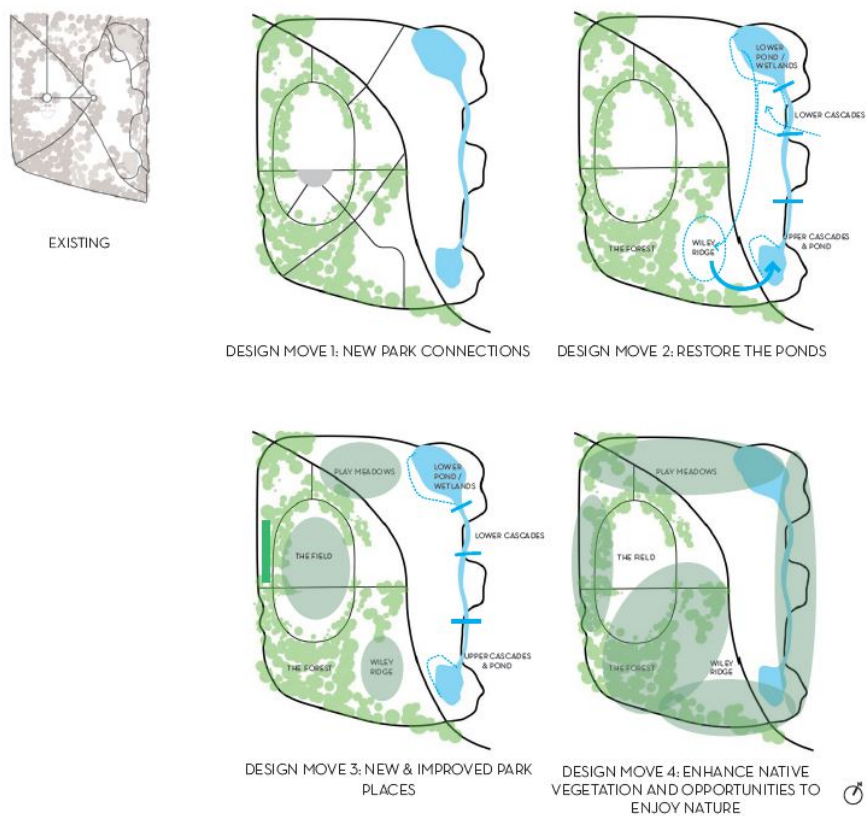
Council is currently in negotiation with the Roads and Maritime Services (RMS) regarding compulsory acquisition and compensation for loss of biodiversity values associated with the proposed road widening project at the King Georges Road and Canterbury Road intersection. This is subject to a separate report.

### **Next Steps**

Council will exhibit the draft Wiley Park Masterplan and a subsequent report will be brought to Council for masterplan adoption.



**Figure 2. Draft Masterplan Layout – Wiley Park**



**Figure 3. Key Design Moves – Park Connections, Restored Ponds, Park Places, Access to Nature**





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## Service and Operational Matters - 30 April 2019

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### **ITEM 8.3                      Ramadan Fee Increase 2019**

**AUTHOR                      City Future**

#### **PURPOSE AND BACKGROUND**

Council resolved at the Ordinary Meeting of 26 February 2019 to place on public exhibition an increase in the fees and charges for the cost of the Ramadan street stall application. It was proposed that the fee increase from \$1,000 to \$2,250 to cover part of the costs of running the month long event.

#### **ISSUE**

The fees and charges were exhibited from 27 February 2019 through to 26 March 2019. This report outlines the results of the exhibition and recommends amendments to the fees.

#### **RECOMMENDATION**

That Council adopt the following fee structure for the 2018/19 stall applications:

- \$1,500 for stalls located north of the Lakemba rail line
- \$2,250 for stalls located south of the Lakemba rail line

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

A.     Ramadan Fee Increase Summary of Submissions

## **POLICY IMPACT**

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This report proposes a change to the Fees and Charges.

## **FINANCIAL IMPACT**

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The expenditure for activities in Lakemba during Ramadan is expected to be in excess of \$300,000. The estimated income based on \$2,250 was expected to be \$141,750. The revised proposal as outlined in this report would reduce expected income by \$6,000. As noted above this will only partially offset the costs associated with running the month long event.

## **COMMUNITY IMPACT**

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Council has worked with local businesses, the police and fire brigade to develop a unique approach that supports local business vitality, ensures public safety, and protects public infrastructure during the Ramadan festivities. Businesses may obtain approval from council to set up a street stall in Lakemba Town Centre, to sell food and drink or other goods during Ramadan. They must abide by strict conditions. Council's food safety and enforcement officers undertake additional patrols in Lakemba during Ramadan to ensure stall holders meet the conditions of their approval. Local police also work with Council officers to patrol the Town Centre during this period.

The approach has been very successful, with people from all over Sydney coming to Lakemba during Ramadan to sample the great food on offer, and local businesses significantly benefiting from this influx. At the same time community safety has been a priority.

## DETAILED INFORMATION

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In 2018 the Ramadan Event over the 30 days attracted over 250,000 visitors. Furthermore Lakemba is transformed into a vibrant bazaar like atmosphere.

At the February 2019 Council meeting it was resolved to place on public exhibition an increase in the fees and charges for the cost of the Ramadan street stall application. The fee increase exhibited was a change from \$1,000 to \$2,250 to cover part of the costs of running the month long event. This includes new initiatives and running costs for 2019 including:

- Increased lighting to raise pedestrian safety and improve the overall aesthetics of the event.
- A park and ride service.
- The issuing to each stall holder a Safe Food Handling Kit.
- An additional road closure (now 4 weekends) and extended time. For each road closure a partial closure on Gillies Street has been introduced.
- Roving entertainment options during the first road closure night.
- Additional event collateral linked to the branding of the event.
- Additional risk management and first aid.
- Additional policing, emergency management and security.
- Additional waste management.
- Increased staffing supporting the event (events and regulatory staff).
- Toilets located for the entire month.

To cover some of these additional costs it was proposed to increase to the Ramadan street stall application fee from \$1,000 to \$2,250 (incl. GST).

### Exhibition

Council exhibited the proposed fees and charges for the Ramadan street stall application for a period of 28 days from 27 February 2019 through to 26 March 2019. During this time the proposed fees and charges were displayed on the “Have your Say” page on Council’s website as well as in the Council column in The Express and The Torch newspapers. Council staff also undertook face to face consultation with businesses in the area.

Council received 18 submissions during this period (refer to attachment A).

11 submissions opposed the proposed fee increase with businesses situated on both Railway Parade and Haldon Street. Four submissions supported the fee increase and three submissions were neutral.

The main concern over the fee increase was due to the scale of increase from the previous year.

During the engagement period feedback from the businesses located in Railway Parade were most vocal about the fee increase. The reasons given were:

- They are located a distance from where the majority of people gather.

- They were different as the food they prepare is to be taken away and consumed at a later time.
- They don't receive the same benefits (eg; patronage) compared to Haldon Street.
- They do not have a road closure in their street.

### **Review of Submissions**

Based on a review of the submissions it is proposed that there is no change to the exhibited increase for stalls (\$2,250) located in Haldon Street and The Boulevard north of the Rail line. The reason for maintaining the fee in this location is these stalls receive all of the benefits of the improvements proposed and these are located in the centre of the site.

Having reviewed the submissions for those properties south of the rail line (including Railway Parade and Haldon Street south) it is proposed that the fee be increased to \$1500. This will partially cover some of the fixed costs for the event (such as food handling). In order to keep costs down it is proposed that the decorative lighting and decorations will not be undertaken south of the railway line.

The total cost of running the event is in excess of \$300,000. The stall fees only partially covers these costs. The total proposed fee equates to \$70.30 per night. For comparison Cumberland Councils new Ramadan Food Festival charges up to \$372.50 per night for a powered stall.

The estimated income based on \$2,250 was expected to be \$141,750. The revised proposal as outlined in this report would reduce expected income by \$6,000.

It is also proposed that a future review be undertaken to determine the extent of stalls in the centre and if there is a requirement to concentrate stalls only south of the rail line.

### **ITEM 8.4                      Ewen Park Improvement Plan - Update**

**AUTHOR                      City Future**

#### **PURPOSE AND BACKGROUND**

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In July 2018 Council considered a report which proposed several recommendations including:

- A revised design for a meeting space at Ewen Park;
- Retaining Hurlstone Memorial Reserve as open space which will provide a town centre park for the Hurlstone Park community;
- Confirming a design for Lang Road bridge which considers future connections modified built and natural form in the vicinity of the bridge; and
- That engagement with the broader community, local residents and specific stakeholders for Ewen Park and Lang Road Bridge be conducted before any final works are undertaken.

This report outlines the findings of the community engagement and public exhibition and proposes next steps.

#### **ISSUE**

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Council have a number of active projects in the Hurlstone Park area that require a balanced and coordinated approach to the planning and delivery of critical community infrastructure. Responding to the recommendations of the Council report of 24 July 2018, the Ewen Park Improvement Plan (the Plan) was prepared for public exhibition and community consultation with the local residents and stakeholders. Council engaged consultants McGregor Coxall to help prepare the Plan.

The Plan outlined proposed upgrades to a range of community assets in Hurlstone Park with a specific focus on the Ewen Park site.

Overall there were high levels of engagement during the exhibition period with the community actively responding through the various engagement platforms. The findings from the engagement show a range of community support and concerns for the proposals in the Plan.

#### **RECOMMENDATION    That -**

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1. Council proceed to detailed design for components of the plan including:
  - Lang Road bridge – including kayak launch area and foreshore treatment; and
  - Younger Parade to Lang Road pathway.

2. Council proceed with detailed design for Option A, which includes the installation of an outdoor education meeting space in Ewen Park and a community meeting space at the Hurlstone Park Memorial Reserve for reasons detailed in this report.
3. Remaining works of the Improvement Plan are placed in forward works program for future consideration.

## **ATTACHMENTS**

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Nil

## **POLICY IMPACT**

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The Plan and associated works schedule will guide the future works program for the site. The development of the Plan is consistent with the former Ewen Park Plan of Management, the former Canterbury Open Space Strategy and the Playground and Playspace Strategy.

## **FINANCIAL IMPACT**

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Council has funds committed in the 2018-19 operational budget for components of the Plan. Remaining works in the Plan will be considered as part of future Delivery Programs.

## **COMMUNITY IMPACT**

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The final outcomes will have an impact on the local Hurlstone Park residents and the broader Canterbury Bankstown community. The recommendations include further consultation during the detailed design stage of components to help ensure a positive outcome can be reached balancing their varied views and vision for the site.

## DETAILED INFORMATION

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In July 2018 Council considered a report which proposed several recommendations including:

- A revised design for a meeting space at Ewen Park;
- Retaining Hurlstone Memorial Reserve as open space which will provide a town centre park for the Hurlstone Park community;
- Confirming a design for Lang Road bridge which considers future connections modified built and natural form in the vicinity of the bridge; and
- That engagement with the broader community, local residents and specific stakeholders for Ewen Park and Lang Road Bridge be conducted before any final works are undertaken.

Responding to the recommendations of the Council report of 24 July 2018, the Ewen Park Improvement Plan (the Plan) was prepared for public exhibition and community consultation. Council engaged consultants McGregor Coxall to help prepare the Plan.

The Plan outlined possible works and improvements to community assets in Hurlstone Park at the Ewen Park site including:

- The replacement of the Lang Road shared pedestrian/cycleway bridge;
- The design and installation of a destination playground equipment in Ewen Park;
- The future capacity of the sporting fields and buildings to support the Hurlstone Park Wanderers Football Club (HPWFC);
- The scale and type of future community meeting place/facility for the Ewen Park site and/or other Hurlstone Park sites;
- The re-organisation of the community zones/uses within the Ewen Park site;
- The current and future connections of the Cooks River and Greenway cycleways;
- The installation of a footpath connection between Lang Road and Foord Avenue; and
- The consideration of a new kayak/canoe launch facility.

### Consultation

The community consultation and exhibition commenced with the distribution of 3,500 project postcards to all properties in Hurlstone Park and nearby residential communities in Earlwood and Dulwich Hill. The exhibition, which was held from December 2018 – January 2019, included a variety of stakeholder engagement sessions at events, pop-ups and onsite sessions and resulted in 245 submissions, including 19 direct written submissions and 226 online responses.

The majority of the respondents were from the surrounding area with 58% living in Hurlstone Park, 20% in Earlwood and 15% in Dulwich Hill. Additionally 49% of respondents identified as members of local associations such as Cooks River Valley Association and HPWFC.

The online survey had some targeted questions on key components of the Plan, those being the Lang Road pedestrian bridge, Younger Avenue – Lang Road pathway link, scale and type of future community meeting place/facility for the Ewen Park site and the overarching Ewen Park landscape.



Findings from the survey (and direct submissions) are shown below.

### Direct submissions

19 written submissions were received three of which were accepted after the closing date of the exhibition period. The majority of these submissions supported the overall plan but also expressed a level of concern regarding particular components of the plan. The direct submissions were considered as part of the above table, of these concerns:

- Five respondents raised the issue of cyclist and pedestrian conflict on existing and proposed paths in particularly the formalisation of the path between Younger Parade and Lang Road, consistent with the online feedback;
- Three respondents requested the retention of the earth mounds near the playground area, consistent with the online feedback; and
- One respondent submitted a detailed response and community petition regarding the location and scale of the proposed community meeting place.

The petition was supported by 73 local residents, the majority of which were residents of Tennent Parade and adjacent streets. The petition premised on seven statements regarding the concept design / scale and type of future community meeting place / facility for the Ewen Park site. Examples of these statements include the design *“does not promote pedestrian permeability and visual connection with the golf course* and the design *does not address crime prevention through environmental design (CPTED)”*.

### Engagement results

Plan component	Support	Do not support	Key themes
Lang Road pedestrian bridge	89%	11%	<ul style="list-style-type: none"><li>• Pedestrian safety concern regarding high speed cyclists</li></ul>
Younger-Lang footpath link	67%	33%	<ul style="list-style-type: none"><li>• Concerned for loss of pedestrian/dogwalking peace/pleasure if cycling amenity is increased</li><li>• Preference for natural pathway</li><li>• Pedestrian safety concern regarding cyclists</li></ul>
Scale and type of future community meeting place/facility for the Ewen Park site	62%	38%	<ul style="list-style-type: none"><li>• Submissions prioritised upgrades to existing buildings/sports facilities</li><li>• Support for some meeting space adjacent to the river</li><li>• Support for a community building in Town Centre</li></ul>
Ewen Park open space	71%	29%	<ul style="list-style-type: none"><li>• Preserve mounds to reduce use for ball sports and protect usage for picnics</li></ul>

### Summary of engagement

The Plan was prepared to convey a coordinated, holistic vision for the various works that have been proposed for the site over a number of years. Previous plans for individual components

had been prepared in isolation from each other without consideration of the impact or opportunity presented by each project. In addition, a number of new opportunities had also become available that must be considered in the future planning for this area.

It is clear that there is community support for principles in the new Plan however there were varied responses in relation to some of the individual components that form the plan. It is also evident that a percentage of the community still have concerns about some elements of the Plan.

Since the community consultation, Council has undertaken further investigations and feasibility assessments regarding the proposed community meeting space in Ewen Park. This work has revealed that there are some significant constraints associated with the proposed construction of a community meeting space at the site, namely flood risk and access and egress requirements. A summary of these can be found below.

### **Site constraints**

The former tennis court areas at Ewen Park are the highest locations within the park with levels varying approximately by one metre, from the southern end of the courts to the northern extremity of the courts. The McGregor Coxall concept design proposes a bridge landing at Ewen Park on the former tennis court area.

Early investigations for a community facility within Ewen Park indicated that the finished floor level would have been below the established Flood Planning Level (FPL) for Ewen Park, but would require substantial and costly design interventions to weather proof it.

This means that the building could be expected to be flood impacted in certain flood events. In order to satisfy flood mitigation requirements substantial ramping and/or stairs would be required for the building to be accessible and would require elevating the building. Whilst this is manageable from a design perspective, it is considered that this would add considerable cost to the project and not represent value for money given that other options exist.

It is considered that a review of the proposal is warranted and the provision of a more flood resilient facility which can be constructed and be capable of inundation without effect, would represent a better solution. Such a facility would not be constricted by the more stringent flood inundation compliance requirements yet could still provide a functional space suited to a wide range of uses. As a weather protected space, these uses could include an ecological learning space, informal meeting space and/or shelter for larger groups to name a few.

### **Other considerations**

Recently Sydney Metro advised they will no longer undertake compulsory acquisition of the former Canterbury Bowling Club site. As a result there is an opportunity to repurpose the site for community space to better service the whole catchment. This approach is in accordance with the former Canterbury Community and Cultural Facilities Strategy (2016) which identified the need for a community meeting room and community centre for the Canterbury, Earlwood, Hurlstone Park and Ashbury catchment.

The Canterbury Bowling Club site represents a viable option as a community site given its close proximity to Ewen Park (1.5 kilometres, which would take 5 minutes by bicycle or 15 minutes on foot). The redevelopment of this community building would mean no additional building footprint on existing public open spaces, while the building is well positioned to serve the wider community and catchment area.

### Previous commitments

As part of this project Council acknowledges that former plans and commitments had been made to various community groups located in this area. This Council reports has taken into account these commitments and provides direction for a balanced approach towards the development of community infrastructure for the broader community that responds to the community aspirations and needs.

### Options

Option A – Provision of two community amenities:

- The first is an architecturally-designed and purpose-built outdoor education / meeting space in Ewen Park adjacent to the river. This type of amenity can be designed and constructed in a way that considers the site constraints associated with built form in flood risk areas whilst balancing Council's financial obligations for sound asset management. An outdoor meeting space that will provide greater flexibility for the community to gather for outdoor learning, community engagement etc in a weather protected environment whilst also being in close proximity to the Cooks River. There is also the opportunity of incorporating environmental sustainable design elements into the facility such as display spaces to demonstrate environmental projects and the inclusion of solar panels incorporated into the roof design. See following exemplar images.



- The second is a small dedicated community building in Hurlstone Park Memorial Reserve. The proposed building in the town centre, provides greater access to transport options and will activate town centre activity. In addition, initial assessment demonstrated greater flexibility and opportunities with this site. The proposed meeting space would be a small dedicated community building that could be used / hired by the local community. An additional benefit of this option is that a community facility in the town centre could benefit from the legacy site and associated proceeds from the sale (this being a condition of sale of that site) of a nearby property that was dedicated for the purpose of community facility in Hurlstone Park.

- The Plan identifies a longer term project to upgrade to the sports amenities building on the northern side of Ewen Park (HPWFC) which would include the provision of multipurpose meeting space and accessible toilets. Whilst the focus of such a facility would be about bringing the soccer amenities up to an appropriate standard, enhancement and inclusion of amenities for a multipurpose community meeting space and accessible toilet should be considered.

**Option B – Provision of one community amenity and park upgrade:**

- The provision of one community meeting space as planned on the river. The proposed meeting space would be dedicated community building that could be used or hired by the local community. As outlined above initial investigations have indicated there will significant engineering, compliance and financial constraints in designing and constructing this type of facility in this location.
- The embellishment of the Hurlstone Park Memorial Reserve with additional open space amenities including shade, paths and landscape works to activate the town centre park.
- The Plan identifies a longer term project to upgrade to the sports amenities building on the north-western side of Ewen Park (HPWFC) which would include the provision of multipurpose meeting space and accessible toilets. The focus would only be about bringing the soccer amenities up to an appropriate standard.

## **Conclusion**

Having reviewed all of the submissions, the current constraints at Ewen Park, the future of other facilities in the area, it is recommended that Council proceed with Option A.

Option A provides the multipurpose facilities which cater to a variety of users, while also allowing for appropriately located amenities in accessible locations. On the whole, it represents sound financial management principles and takes a place-based whole-of-community approach.

It is noted that a significant number of submissions were from Cooks River Valley Association who were after a meeting space. The provision of a covered meeting space can still meet the needs of the community, provide an opportunity to display and demonstrate environmental projects, while still addressing the significant flood constraints on the site. They would also have access to the new community meeting space at Hurlstone Park (only 850 metres away) as well as other spaces including the future room associated with the sporting amenity upgrade as well as at Canterbury. Further engagement with users will be undertaken as part of the detailed design process.

## **9 COMMITTEE REPORTS**

The following items are submitted for consideration -

- |     |  |     |
|-----|--|-----|
| 9.1 | Minutes of the Integrated Transport Advisory Committee Meeting held on 6 March 2019          | 159 |
| 9.2 | Minutes of the Audit, Risk and Improvement Committee Meeting held on 13 March 2019           | 161 |
| 9.3 | Minutes of the Environmental Sustainability Advisory Committee Meeting held on 20 March 2019 | 163 |
| 9.4 | Minutes of the Prosperity & Innovation Advisory Committee Meeting held on 8 April 2019       | 165 |
| 9.5 | Minutes of the Traffic Committee Meeting held on 9 April 2019                                | 167 |



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## Committee Reports - 30 April 2019

---

**ITEM 9.1**                      **Minutes of the Integrated Transport Advisory Committee Meeting held on 6 March 2019**

**AUTHOR**                      **Corporate**

### **PURPOSE AND BACKGROUND**

---

Council resolved to establish its Advisory Committees and Reference Groups on 24 October 2017.

Attached are the minutes of the Integrated Transport Advisory Committee meeting held on 6 March 2019.

### **ISSUE**

---

Endorsement of the Integrated Transport Advisory Committee minutes.

### **RECOMMENDATION**

---

That the minutes of the Integrated Transport Advisory Committee meeting held on 6 March 2019, be endorsed.

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

---

- A.     Minutes of the Integrated Transport Advisory Committee meeting held on 6 March 2019

## **POLICY IMPACT**

---

The Advisory Committees are based on the key themes that form the basis to delivering Council's Community Strategic Plan. Advisory Committees and Reference Groups have specific Terms of Reference, as well as Guidelines and Rules for their operation.

## **FINANCIAL IMPACT**

---

In accordance with the Council's Guidelines and Rules, the Advisory Committee does not have the power to incur expenditure or to bind Council but may recommend action and initiatives to Council.

## **COMMUNITY IMPACT**

---

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



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## Committee Reports - 30 April 2019

---

### **ITEM 9.2                      Minutes of the Audit, Risk and Improvement Committee Meeting held on 13 March 2019**

**AUTHOR                      Corporate**

#### **PURPOSE AND BACKGROUND**

Canterbury Bankstown Council established the Audit, Risk and Improvement Committee in October 2017. The Committee consists of independent members and is governed by the Audit, Risk and Improvement Committee Charter.

#### **ISSUE**

Recommendations of the Audit, Risk and Improvement Committee.

#### **RECOMMENDATION**

That the recommendations contained in the minutes of the Audit, Risk and Improvement Committee meeting held on 13 March 2019, be adopted.

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

- A.     Minutes of the Audit Risk and Improvement Committee meeting held on 13 March 2019

**POLICY IMPACT**

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There is no policy impact.

**FINANCIAL IMPACT**

---

There is no financial impact.

**COMMUNITY IMPACT**

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There is no community impact.

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## Committee Reports - 30 April 2019

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### **ITEM 9.3                      Minutes of the Environmental Sustainability Advisory Committee Meeting held on 20 March 2019**

**AUTHOR                      Corporate**

#### **PURPOSE AND BACKGROUND**

---

Council resolved to establish its Advisory Committees and Reference Groups on 24 October 2017.

Attached are the minutes of the Environmental Sustainability Advisory Committee meeting held on 20 March 2019.

#### **ISSUE**

---

Endorsement of the Environmental Sustainability Advisory Committee minutes.

#### **RECOMMENDATION**

---

That the minutes of the Environmental Sustainability Advisory Committee meeting held on 20 March 2019, be endorsed.

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

---

- A.     Minutes of the Environmental Sustainability Advisory Committee meeting held on 20 March 2019

## **POLICY IMPACT**

---

The Advisory Committees are based on the key themes that form the basis to delivering Council's Community Strategic Plan. Advisory Committees and Reference Groups have specific Terms of Reference, as well as Guidelines and Rules for their operation.

## **FINANCIAL IMPACT**

---

In accordance with the Council's Guidelines and Rules, the Advisory Committee does not have the power to incur expenditure or to bind Council but may recommend action and initiatives to Council.

## **COMMUNITY IMPACT**

---

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

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## Committee Reports - 30 April 2019

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### **ITEM 9.4                      Minutes of the Prosperity & Innovation Advisory Committee Meeting held on 8 April 2019**

**AUTHOR                      Corporate**

#### **PURPOSE AND BACKGROUND**

---

Council resolved to establish its Advisory Committees and Reference Groups on 24 October 2017.

Attached are the minutes of the Prosperity & Innovation Advisory Committee meeting held on 8 April 2019. Also attached are the minutes of the Reference Groups that report to this Advisory Committee.

#### **ISSUE**

---

Endorsement of the Prosperity & Innovation Advisory Committee minutes.

#### **RECOMMENDATION**

---

That the minutes of the Prosperity & Innovation Advisory Committee meeting held on 8 April 2019, be endorsed.

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

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- A.    Minutes of the Prosperity & Innovation Advisory Committee meeting held on 8 April 2019
- B.    Minutes of the Arts & Culture Reference Group meeting held on 6 March 2019
- C.    Minutes of the Business Leaders Reference Group meeting held on 11 February 2019
- D.    Minutes of the Lakemba Ramadan Event Reference Group meeting held on 7 December 2018
- E.    Minutes of the Lakemba Ramadan Event Reference Group meeting held on 11 February 2019
- F.    Minutes of the Lakemba Ramadan Event Reference Group meeting held on 8 March 2019
- G.    Minutes of the Lakemba Ramadan Event Reference Group meeting held on 27 March 2019

## **POLICY IMPACT**

---

The Advisory Committees are based on the key themes that form the basis to delivering Council's Community Strategic Plan. Advisory Committees and Reference Groups have specific Terms of Reference, as well as Guidelines and Rules for their operation.

## **FINANCIAL IMPACT**

---

In accordance with the Council's Guidelines and Rules, the Advisory Committee does not have the power to incur expenditure or to bind Council but may recommend action and initiatives to Council.

## **COMMUNITY IMPACT**

---

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

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## Committee Reports - 30 April 2019

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**ITEM 9.5**                      **Minutes of the Traffic Committee Meeting held on 9 April 2019**

**AUTHOR**                      **Operations**

### **PURPOSE AND BACKGROUND**

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Attached are the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 9 April 2019.

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

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

### **ISSUE**

---

Recommendations of the Canterbury Bankstown Council Traffic Committee meeting.

### **RECOMMENDATION**

---

That the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 9 April 2019, be adopted.

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

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A.     Minutes of the Traffic Committee Meeting held on 9 April 2019

## **POLICY IMPACT**

---

This matter has no policy implications to Council.

## **FINANCIAL IMPACT**

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Potential costs arising out of recommendations of the Traffic Committees are detailed in future Works Programs for Roadworks/Traffic Facilities.

## **COMMUNITY IMPACT**

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



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

The following items are submitted for consideration -

10.1 Notice of Motions and Questions with Notice	171
10.2 Hate Speech	173
10.3 Targeting Illegal Dumping Prevention Program in Campsie	175
10.4 Mosquitoes	177
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10.6 Climate Change	181
10.7 Fire Services and Electricity substations	183
10.8 Support for CALD Families	185



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## Notice of Motions & Questions With Notice - 30 April 2019

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**ITEM 10.1**                      **Notice of Motions and Questions with Notice**

**AUTHOR**                      **Office of the General Manager**

### **ISSUE**

The attached schedules provide information to questions raised at Council's March Ordinary meeting and also a status report on Notice of Motions resolved at previous meetings.

### **RECOMMENDATION**

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That the information be noted.

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

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- A.    Notice of Motion Table
- B.    Questions with Notice
- C.    Correspondence relating to Notice of Motions



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## Notice of Motions & Questions With Notice - 30 April 2019

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### ITEM 10.2            Hate Speech

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

“That Council -

1.     Condemn the discriminating, divisive and hate-inciting comments made by Senator Fraser Anning in the aftermath of the Christchurch terrorist attack.
2.     Calls on the NSW and Federal governments to:
  - a.     address the issue of hate-speech, and
  - b.     investigate whether there is a need to develop resources for schools to respond to such incidences of public hate speech.”

### BACKGROUND

---

In April, we saw a rare display of multi-partisanship in the Australian Senate, as members came together, despite their political differences, to censure Sen. Fraser Anning, effectively condemning in the strongest terms available, for his divisive and hateful comments in the aftermath of the Christchurch terrorist attack.

Our community is one of the most diverse in Australia and I know the impact of both the attack and the despicable comments made which were felt by many, particularly our migrant and younger residents. This is not ok.

We need to send a clear message to our community, particularly the most vulnerable in our youth, and to those who would subscribe to the Senator’s sentiments, that we stand, as leaders within our community, for unity, for respect, for compassion and for harmony and that we will not tolerate hate-speech in any form.

I question whether this is enough, though, which is why I am also asking for Council to write to both the NSW and Australian governments to seek their action on stamping out hate-speech and also in investigating the need for developing resources for our children to withstand and support each other in the face such hate.



---

## Notice of Motions & Questions With Notice - 30 April 2019

---

### **ITEM 10.3                      Targeting Illegal Dumping Prevention Program in Campsie**

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

“That –

1.     A targeted program be established for addressing illegal dumping hotspots in Campsie that encompasses surveillance, enforcement and education.
2.     Councillors receive a briefing on Council’s current approaches to reducing illegal dumping.”

### **BACKGROUND**

---

Our community have expressed their concerns to us, that illegal dumping is an important issue that needs to be addressed.

When unwanted items are dumped in streets and parks, as a result, our city appears untidy and un-cared for, reducing community pride and cleanliness.

One of these streets where this is most prevalent is Seventh Avenue, Campsie. Our community deserves clean streets and suburbs, so I would like to see targeted action so that offenders illegally dumping are penalised for their actions.





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## Notice of Motions & Questions With Notice - 30 April 2019

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### **ITEM 10.4            Mosquitoes**

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

“That –

1. Council write to the State Government requesting the development of a Georges River Mosquito Management Plan.
2. Council write to the Mayor Sutherland Shire Council, Mayor of Liverpool Council and the Mayor of Georges River Council to seek their support and propose a similar request to the Government.”

### **BACKGROUND**

---

In the December Ordinary Council meeting I raised public health concerns about a possible Ross River fever outbreak along the suburbs of the Georges River. It is my understanding that Council had been advised that NSW Health has a Mosquito Arbovirus monitoring program. My enquires into this matter revealed that they do not have an active prevention or action program, for if and when viruses such as Ross River fever are detected in local mosquito populations. So far there has been one confirmed case of Ross River fever and mosquitoes detected with the Edge Hill Virus in Picnic Point.

In order to prevent Mosquito borne virus public health outbreaks, I ask the State Government to take a comprehensive approach to the management of mosquitos, by developing a Georges River Mosquito Management Plan that clearly identifies when and how population control and prevention measures are required, as well as a plan for continued community education and awareness.



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## Notice of Motions & Questions With Notice - 30 April 2019

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### **ITEM 10.5                      Supporting New Citizens to be Water Safe**

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

“That Council investigate options to support its newest citizens to develop water safety awareness.”

### **BACKGROUND**

---

Although fewer people across Australia drowned in 2018, this fall has not been enough to reverse the trend of a growing death toll on our waterways which had been increasing for three years. My particular concern is that our newest citizens are at a greater risk of drowning having not necessarily had the benefit of growing up in an aquatic-rich society such as the one we enjoy here in Australia.

I note that a number of organisations, including Royal Lifesaving Australia, have been working to address this at risk component of our community through various programs. I also acknowledge the tremendous work Council does with its private swimming pool compliance inspections, however as a provider of public pools there would be opportunity to develop water safety awareness.

Accordingly, I am asking that Council investigate options for supporting our newest citizens in developing their water safety awareness.



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## Notice of Motions & Questions With Notice - 30 April 2019

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### ITEM 10.6                      Climate Change

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

“That Council:

1. Prepare a plan with strong targets and clear actions on how we as a Council can mitigate the impacts of Climate Change for our community.
2. As part of its 2019-2020 Operational Plan, consider a program to work with our community to increase awareness and understanding of how our changing climate may impact their day-to-day lives and how to adapt.”

### BACKGROUND

---

We are being warned of the impending urgency to reduce the use of fossil fuels and limit greenhouse gas emissions to levels consistent with keeping the increase in global temperatures below 2°C over pre-industrial levels. The latest Bureau of Meteorology and CSIRO “State of the Climate Report 2018” warns that Australia’s climate has already warmed to just over 1°C since 1910, leading to an increased frequency of extreme heat events, extreme storms and unpredictable water supply and drought. Climate Change is already impacting on our communities.

Council is currently investing in renewable energy, electric vehicles, reducing waste to landfill and increasing recycling. However, if we are to help mitigate the full impacts of climate change on our residents, businesses and future generations, we need to show leadership in all our actions. We need to work with our community to increase awareness of how our changing climate may impact day-to-day lives, and business operations, and provide useful tips, steps and measures of how to help mitigate and adapt to living in a changing climate.



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## Notice of Motions & Questions With Notice - 30 April 2019

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### ITEM 10.7 Fire Services and Electricity substations

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

“That staff consider the location and nature of fire services and electricity substations during the assessment of development applications and require developers to produce details, and make space available, where appropriate for these services to be integrated within the building design.

Further, Council staff engage with Ausgrid to ensure that electrical substations are not located in unsightly and prominent locations in front of developments.”

### BACKGROUND

---

Several developments across the City of Canterbury Bankstown have recently been constructed where, following construction, fire services and substations have been installed to service these developments prominently in front of the building. This detracts from the visual aesthetic of the street and results in poor outcomes for local residents.

It is understood that Development Services have draft planning controls, as part of housekeeping changes to the Development Control Plans currently on Exhibition, and has also produced standard conditions to be placed on larger developments to attempt to overcome these poor outcomes. However, it is acknowledged that Development Services are limited by, for example, the requirements of Ausgrid in relation to the location and design of fire services and substations.

An example of such a development is below:







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## Notice of Motions & Questions With Notice - 30 April 2019

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### ITEM 10.8                      Support for CALD Families

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

“That Council request NSW Health provide additional or increased family support services and domestic violence prevention programs for culturally and linguistically diverse communities.”

### BACKGROUND

---

I was shocked and saddened to read of the death of a wife and mother, allegedly at the hands of her husband, recently in Sydney's southwest. I understand that this is now the latest of a number of incidents where domestic violence has struck a community of culturally and linguistically diverse (CALD) background.

There has been, understandably, an enormous reaction to domestic violence generally, including our own Council resolving to support our community. The message I have heard loudly and clearly from our community is that CALD families need more support from NSW Health to ensure that the key messages are heard and services accessed.

I seek Council writes to the NSW Government with a request that this additional support for CALD families in being informed about and accessing support services and domestic violence prevention programs be provided.



## **11        QUESTIONS FOR NEXT MEETING**



## **12        CONFIDENTIAL SESSION**

### **12.1   T13-19 Canterbury Bankstown Council Pole Inspections, Treatment, Data Collection and Reporting**

# **General Manager's Statement**

## **Confidentiality**

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

## **CONFIDENTIAL SESSION**

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

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

### **RECOMMENDATION**

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

Item 12.1 T13-19 Canterbury Bankstown Council Pole Inspections, Treatment, Data Collection and Reporting

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