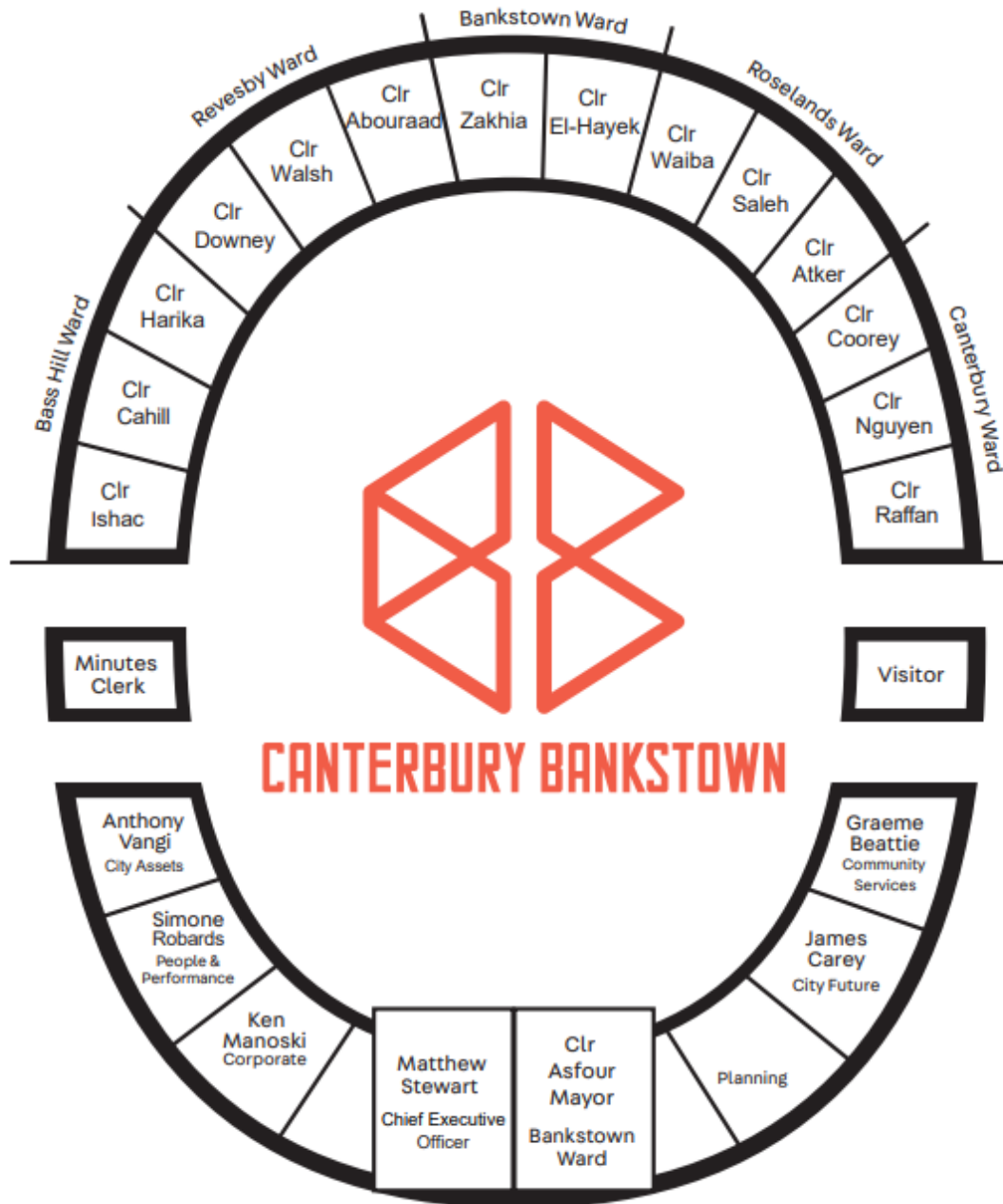




AGENDA FOR THE ORDINARY MEETING

22 November 2022

Gallery



Statement of Ethical Obligations

Oath or Affirmation of Office

In taking the Oath or Affirmation of Office, each Councillor has made a commitment to undertake the duties of the office of councillor in the best interests of the people of Canterbury Bankstown and Canterbury Bankstown Council and that they will faithfully and impartially carry out the functions, powers, authorities and discretions vested in them under the Local Government Act 1993 or any other Act to the best of their ability and judgment.

Conflicts of Interest

A councillor who has a conflict of interest in any matter with which the council is concerned, and who is present at a meeting of the council when the matter is being considered, must disclose the interest and the nature of the interest to the meeting as soon as practicable. Both the disclosure and the nature of the interest must be recorded in the minutes of the Council meeting where the conflict of interest arises. Councillors should ensure that they are familiar with Parts 4 and 5 of the Code of Conduct in relation to their obligations to declare and manage conflicts of interests.

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1 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The following minutes are submitted for confirmation -

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CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 18 OCTOBER 2022

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

APOLOGIES Councillor Raffan

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.31 PM.

ACKNOWLEDGEMENT OF COUNTRY

THE MAYOR, ACKNOWLEDGED THE TRADITIONAL OWNERS OF THE LAND WHERE WE ARE MEETING TODAY THE DARUG (DARAG, DHARUG, DARUK AND DHARUK) AND THE EORA PEOPLES, AND PAID RESPECT TO THEIR ANCIENT CULTURE AND THEIR ELDERS PAST AND PRESENT.

SECTION 1: CONFIRMATION OF MINUTES

(241) CLR. ABOURAAD:/CLR. CAHILL

RESOLVED that the minutes of the Ordinary Council Meeting held on 29 September 2022 be adopted.

- CARRIED

CLR WAIBA ARRIVED IN THE CHAMBER AT 6.33 PM.

SECTION 2: LEAVE OF ABSENCE

(242) CLR. EL-HAYEK:/CLR. HARIKA

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

- CARRIED

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

In respect of Item 4.2 – Local Community Based Donations - October 2022, Mayor Clr Asfour declared a significant, Non Pecuniary Conflict of Interest given that a family member is involved in the administration of Palestinian Christians in Australia and as such he will vacate the meeting taking no part in debate.

CANTERBURY BANKSTOWN
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In respect of Item 4.2 – Local Community Based Donations - October 2022, Clr Abouraad declared a significant, Non Pecuniary Conflict of Interest given that a family member is involved in the administration of St Charbel's Basketball Club and as such he will vacate the meeting taking no part in debate.

SECTION 4: MAYORAL MINUTES

ITEM 4.1
(243) **PURPLE FLAG**
CLR. ASFOUR

RESOLVED that Council write to Multicultural NSW CEO, Joseph La Posta and Destination NSW CEO, Steve Cox calling on them to raise the bar and support our grant application for \$1million from Multicultural NSW to host Ramadan Nights Lakemba in 2023 and 2024.

- CARRIED

ITEM 4.2 **LOCAL COMMUNITY BASED DONATIONS - OCTOBER 2022**

In respect of Item 4.2 – Local Community Based Donations - October 2022, Mayor Clr Asfour declared a significant, Non Pecuniary Conflict of Interest given that a family member is involved in the administration of Palestinian Christians in Australia and as such he vacated the meeting taking no part in debate.

In respect of Item 4.2 – Local Community Based Donations - October 2022, Clr Abouraad declared a significant, Non Pecuniary Conflict of Interest given that a family member is involved in the administration of St Charbel's Basketball Club and as such he vacated the meeting taking no part in debate.

HIS WORSHIP THE MAYOR CLR ASFOUR AND CLR ABOURAAD TEMPORARILY VACATED THE CHAMBER AT 6.36 PM.

The Chief Executive Officer conducted an election for Chairperson in accordance with the Code of Meeting Practice.

COUNCILLOR EL-HAYEK WAS ELECTED CHAIRPERSON.

COUNCILLOR EL-HAYEK ASSUMED THE CHAIR AT 6.37 PM.

(244) **CLR. SALEH:/CLR. COOREY**

RESOLVED that

1. Council support a fee waiver of \$1,754.00 towards St John Ambulance Bankstown District.

CANTERBURY BANKSTOWN
MINUTES OF THE
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2. Council support a donation of \$500.00 towards Palestinian Christians in Australia Gala Dinner.
3. Council support a donation of \$1,000.00 towards St Charbel's Basketball Gala Dinner.
4. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

HIS WORSHIP THE MAYOR CLR ASFOUR AND CLR ABOURAAD RETURNED TO THE CHAMBER AT 6.38 PM.

HIS WORSHIP THE MAYOR CLR ASFOUR ASSUMED THE CHAIR AT 6.38 PM.

ITEM 4.3

NORMA HOLDORF

HIS WORSHIP THE MAYOR ACKNOWLEDGED THE PASSING OF NORMA HOLDORF.

(245)

CLR. ASFOUR

RESOLVED that

1. Council lay two wreaths at the Widows Memorial, Bass Hill site, one in recognition of the role war widows played, the other in memory of Norma Pat Holdorf and her aspirational work.
2. Council dedicate this memorial in Norma Pat Holdorf's memory.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
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SECTION 5: PLANNING MATTERS

ITEM 5.1 HERITAGE GRANT FUND
(246) CLR. DOWNEY:/CLR. ABOURAAD

RESOLVED that

1. Council endorse the recommendations as provided in Attachment A and grants be allocated in accordance with Council's Heritage Incentives Policy.
2. All owners who submitted applications be advised of Council's decision.

- CARRIED

SECTION 6: POLICY MATTERS

Nil

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 DISCLOSURE OF INTEREST RETURNS 2021-22
(247) CLR. ISHAC:/CLR. ABOURAAD

RESOLVED that the tabling of the Disclosure of Interest Returns for 2021-22 be noted.

- CARRIED

ITEM 7.2 CODE OF MEETING PRACTICE - 2023 SCHEDULE OF MEETINGS
(248) CLR. WALSH:/CLR. DOWNEY

RESOLVED that the 2023 Schedule of Council Meetings be adopted.

- CARRIED

CANTERBURY BANKSTOWN
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ITEM 7.3 **PROPOSED LEASEHOLD ACQUISITION OF LAND BY SYDNEY METRO**
(249) **CLR. EL-HAYEK:/CLR. CAHILL**

RESOLVED that

1. The Chief Executive Officer be authorised to negotiate and determine compensation payable to Council for the compulsory leasehold acquisition of the subject land, as outlined in the report.
2. The Mayor and Chief Executive Officer be delegated authority to sign all documentation under the Common Seal of Council, as required.

- CARRIED

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

ITEM 7.4 **UNAUDITED 2021/22 ANNUAL FINANCIAL REPORT**
(250) **CLR. ABOURAAD:/CLR. HARIKA**

RESOLVED that

1. Council resolves that the attached 2021/22 Unaudited Annual Financial Reports, for the financial year ended 30 June 2022 have been prepared in accordance with the relevant sections and parts of the Local Government Act and Regulations and are submitted to Council for its consideration.
2. The Mayor, Deputy Mayor, Chief Executive Officer and Responsible Accounting Officer duly sign the Statement of Council's Unaudited Annual Financial Reports on behalf of the Council.
3. Subject to Items 1 and 2, the Statement and the 2021/22 Unaudited Annual Financial Report be referred to Council's Auditor in finalising the year-end audit process.
4. The Chief Executive Officer be authorised to set the date for the public meeting and give notice in accordance with the Local Government Act 1993.

- CARRIED

CANTERBURY BANKSTOWN
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ITEM 7.5 **CASH AND INVESTMENT REPORT AS AT 30 SEPTEMBER 2022**
(251) **CLR. ZAKHIA:/CLR. NGUYEN**

RESOLVED that

1. The Cash and Investment Report as at 30 September 2022 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 **KELSO SUSTAINABLE RESOURCE RECOVERY FACILITY MASTERPLAN**
(252) **CLR. WALSH:/CLR. ABOURAAD**

RESOLVED that

1. Council adopt the vision and strategic direction set out in the Kelso Sustainable Resource Recovery Facility Masterplan.
2. Council note the initial further investigation to be undertaken in 2022-2023.

- CARRIED

ITEM 8.2 **CALENDAR OF CITY EVENTS AND ACTIVATIONS CALENDAR 2023**
(253) **CLR. SALEH:/CLR. WAIBA**

RESOLVED that

1. Council endorses the proposed calendar of City Events and Activations 2023 as outlined in this report.
2. Ramadan Nights Lakemba be held from 21 March 2023 (Dusk to Dawn) until the end of Ramadan.

- CARRIED

CANTERBURY BANKSTOWN
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ITEM 8.3 HURLSTONE PARK PARKLET TRIAL

CLR SALEH TEMPORARILY VACATED THE CHAMBER AT 7.06 PM AND RETURNED TO THE CHAMBER AT 7.08 PM.

(254) CLR. NGUYEN:/CLR. EL-HAYEK

RESOLVED that

1. Council endorse the introduction of a Parklet trial in Hurlstone Park for a period of 3 months as outlined in the report;
2. A further report be prepared to Council at the conclusion of the trial.

- CARRIED

ITEM 8.4 STORMWATER INFRASTRUCTURE UPGRADE - THE APPIAN WAY, BANKSTOWN

(255) CLR. EL-HAYEK:/CLR. DOWNEY

RESOLVED that

1. Council resolves to commence the process of seeking to reclassify the drainage reserves from community land to operational land;
2. Subject to the Department agreeing to the reclassification, Council agrees to release in favour of Vicinity all rights Council has to the redundant drainage reserves noted as right of drainage 1.22 metres wide in DP746201;
3. Council prepare the required amendments to the Local Environment Plan;
4. Council authorise the Chief Executive Officer to continue to proceed with entering into formal legal documents in formalising the in principle agreement with Vicinity as formerly resolved.

- CARRIED

CANTERBURY BANKSTOWN
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SECTION 9: COMMITTEE REPORTS

(256) CLR. HARIKA:/CLR. ABOURAAD

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Committee Reports, Items 9.1, 9.2, 9.3 and 9.4.

- CARRIED

ITEM 9.1 MINUTES OF THE YOUTH ADVISORY COMMITTEE

(257) CLR. HARIKA:/CLR. ABOURAAD

RESOLVED that the minutes of the Youth Advisory Committee meeting held on 19 September 2022 be endorsed.

- CARRIED

ITEM 9.2 MINUTES OF THE FLOODPLAIN MANAGEMENT COMMITTEE HELD ON 21 SEPTEMBER 2022

(258) CLR. HARIKA:/CLR. ABOURAAD

RESOLVED that the minutes of the Floodplain Management Committee meeting held on 21 September 2022, be endorsed.

- CARRIED

ITEM 9.3 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 11 OCTOBER 2022

(259) CLR. HARIKA:/CLR. ABOURAAD

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 11 October 2022, be adopted.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
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ITEM 9.4 **MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD 10 OCTOBER 2022**

(260) **CLR. HARIKA:/CLR. ABOURAAD**

RESOLVED that

1. The recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 10 October 2022, be adopted;
2. Council approves the Annual Internal Audit Plan for 2022-23.

- CARRIED

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

ITEM 10.1 **STATUS OF PREVIOUS NOTICES OF MOTION - OCTOBER 2022**

(261) **CLR. ZAKHIA:/CLR. EL-HAYEK**

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 **HONOURING IAN HOLMES**

(262) **CLR. NGUYEN:/CLR. EL-HAYEK**

RESOLVED that

1. Council acknowledges the outstanding contribution and service to the footballing community by Canterbury & District Soccer Football Association Chief Executive Officer, Mr Ian Holmes.
2. Council hosts a morning tea and presents him with a certificate of recognition, as a gesture of thanks for an illustrious career spanning more than 50 years.

- CARRIED

CANTERBURY BANKSTOWN
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ITEM 10.3
(263)

CANTERBURY ICE RINK

CLR. COOREY:/CLR. SALEH

RESOLVED that Council

1. Urgently write to the Premier, Minister for Sport and WestInvest stating the full support of the council elected body for the continuation of the Canterbury Olympic Ice Rink which has been operating from the site since 1971 and also ensure they are aware that Council recognises:
 - a) that the Canterbury Olympic Ice-Skating Rink is of great significance for the local community together with the rest of the local metropolitan Sydney.
 - b) the importance of the Canterbury Ice Skating Rink (being next to the soon newly constructed Canterbury Aquatic Centre at a cost of \$43 million) as part of a sports precinct for the local government area.
2. Invite Canterbury Olympic Ice Rink to provide a confidential briefing to Council on its current asset state and the scope of its WestInvest application.
3. That a new long term ground lease is being finalised and will shortly be presented to Council for its consideration.

- CARRIED

ITEM 10.4
(264)

BREAST CANCER AWARENESS MONTH

CLR. ABOURAAD:/CLR. CAHILL

RESOLVED that Canterbury Bankstown Council promote Breast Cancer Awareness Month. October is Breast Cancer Awareness Month, an annual campaign to raise awareness about the impact of breast cancer.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
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ON 18 OCTOBER 2022

SECTION 11: **CONFIDENTIAL SESSION**
Nil

THE MEETING CLOSED AT 7.40 PM.

Minutes confirmed 22 NOVEMBER 2022

.....
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	Invitation to Councillors - Mud Crabs Christmas Gathering	27
4.2	Canterbury Hospital - Thanks to Chris Minns MP	29
4.3	Supporting Aged Care	31
4.4	Vale Alison Megarrity	33
4.5	Local Community Based Donations	35

Mayoral Minutes - 22 November 2022

ITEM 4.1 Invitation to Councillors - Mud Crabs Christmas Gathering

Councillors,

I recently received some lovely correspondence that I wanted to share with you all. The letter I am referring to was from the Cooks River Valley Association and the Mudcrabs.

If you don't know, the Mudcrabs, which are affiliated with the Cooks River Valley Association, are a volunteer environmental group, or Eco warriors that care for the Cooks River and its foreshore.

They are a passionate group that care for the environment, and their aim is to restore and repair the natural bushland, and land, along the river and clean up rubbish and debris. Their work with various other agencies and stakeholders in the catchment area to improve the health of the river is to be applauded.

Councillors, when I receive letters like this, commending us and Council staff, you can be assured I will crow about it and let the rest of the community know the work we are doing to breathe life into our rivers.

I particularly note their thanks in relation to the support given to them in terms of professional advice and the provision of tools and plants.

To show their appreciation for Council's vision and foresight, they have invited all Councillors to their end of year Christmas gathering on Sunday 4 December 2022.

Tonight, I propose to write to the Mudcrabs and acknowledge the work they do in our community, and I further encourage you all to take up their Christmas invitation.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 22 November 2022

ITEM 4.2

Canterbury Hospital - Thanks to Chris Minns MP

Councillors,

Nothing lasts forever!

And tending to or looking after what you have prolongs its life but there comes a time when you must renew.

As is the case of the Canterbury Hospital.

Officially opened in October 1929... some 93 years ago... it was originally built to accommodate 28 patients for a population of 70,000 and it won't surprise you to learn that soon after opening staff were using the verandas to triple the bed numbers...

Fast forward to 1998, and under the Bob Carr Labor Government the hospital was rebuilt to cater for a growing local population of around 220,000 people.

But what has happened since then is nothing short of shameful!

Despite the numerous pleas from many quarters including the State member for Canterbury, Sophie Cotsis and myself, and the vast number of clinicians and staff using the hospital, the staff and public have been left to cope with what has been described as "third world conditions".

We have all heard the stories of people turning up to Canterbury Hospital only to be faced with long waits or inadequate care due to how under resourced the hospital is!

Councillors, despite the rallies, notices of motions, media headlines and outcry from doctors and nurses nothing has moved the NSW Liberal Government into funding for Canterbury hospital.

But there is hope.

Tonight, I propose we write to the NSW Opposition Leader, the Hon. Chris Minns MP and thank him for supporting our community and breathing new life into the Canterbury Hospital.

His election commitment to inject \$225 million over three years is a major shot in the arm for the outdated facility... adding 120 beds, more operating theatres and birthing rooms and an expansion of the emergency department and paediatric facilities very much needed.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 22 November 2022

ITEM 4.3 Supporting Aged Care

Councillors,

The dignity of our older Australians is an issue we as a community should take seriously, as it touches each and every one of us - a parent, grandparent, a neighbour, or someone we know.

Getting older is something we cannot escape, that is of course unless someone discovers the mythical fountain of youth spring, then all we have to worry about is how to survive on an overcrowded planet.

The majority of older Australians prefer to be independent and stay in their own homes but unfortunately there are many others who for a variety of reasons, like no family support, ailing health conditions, or a lack of facilities look to aged care facilities in their later years. Not a choice they make lightly but out of necessity.

As you will hear later, there are hundreds of aged care facilities and nursing homes which are spread throughout our City, but they are overwhelmed and bursting at the seams. And the sad reality is that with an ageing population we cannot keep up with the demand for more facilities.

Councillors, tonight I highlight the initiative of the Antiochian Archdiocese at Punchbowl and their efforts to deliver an 80-bed aged care facility to provide support for our community.

The aged care centre is designed to provide a high standard of attention and loving support.

To show Council's support, I propose we arrange for a Bronze Package Sponsorship Package at their upcoming fundraising dinner, the funds to go towards fitting out the newly built facility. The Bronze Package is valued at \$5,000 and it is proposed that the funds be made available from the Community Grants and Event Sponsorship Program Budget.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 22 November 2022

ITEM 4.4 Vale Alison Megarrity

Councillors,

Some very sad news to share tonight with the death of the former State Labor Member for Menai, Alison Patricia Megarrity.

The courageous 61-year-old, who fought many political battles, succumbed to an aggressive and persistent cancer, passing away peacefully last week.

Ms Megarrity was elected to parliament in 1999, and served her community for 12 years, before stepping down because of a family illness.

She was a passionate and committed local member and a respected voice in the Carr Government. She held various Parliamentary Secretary roles, and in 2007 was appointed to a newly created role of Assistant Speaker.

Prior to entering State politics, Ms Megarrity served on Liverpool Council, and if I can add, Local Government, where most good politicians start their careers.

Councillors, Alison Patricia Megarrity, will be remembered for her loyalty, her integrity and her good humour. But, most of all she will be remembered as a loving wife and mother.

Our thoughts and prayers go out to her husband, Robert, and her two sons, Liam and Glyn.

A funeral service celebrating her life will be held at St Joseph's Catholic Church, at Moorebank on Friday 25th November.

Rest In Peace.

(Minutes silence).

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 22 November 2022

ITEM 4.5

Local Community Based Donations

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

Help for Hirschsprung Disease

Help for Hirschsprung Disease is a not for profit organisation established to help families whose children suffer from Hirschsprung Disease and other bowel diseases.

Help for Hirschsprung Disease has been around for six years providing vital support for children and their families.

Help for Hirschsprung Disease is hosting their annual Christmas Party for children suffering with Hirschsprung disease and all other bowel diseases and they are seeking support to assist with funding their event.

Council support a donation of \$500.00.

Bankstown Community Resource Centre (BCRG)

For the past five years Bankstown Community Resource Centre, has been running an annual 'Black Santa' event for local Aboriginal and Torres Strait Islander families. This is a celebration of Aboriginal and Torres Strait Islander culture with their children, families and community that are from the Canterbury Bankstown area. This year's event will be held at C.A.R.E.S Trebartha Street, Bass Hill.

Children and families enjoy a smoking ceremony, a traditional dance performance and of course a visit from Santa as well as Christmas arts and crafts, a jumping castle, face painting and rides.

Council support a fee waiver of \$535 towards the booking of C.A.R.E.S Trebartha Street, Bass Hill and \$162 waste cost for the event.

Indonesian Community Council NSW

The Indonesian Community Council Inc is a non-profit organisation representing the Indonesian diaspora in NSW and other groups who are interested in Indonesian affairs.

On 13 November 2022, Nahdlatul Ulama celebrated Santri's day at Yagoona Community Centre. This is a day to celebrate the heroism of the entire Indonesian nation.

Council support a fee waiver of \$129.90 towards the hire of the Yagoona Community Centre.

RECOMMENDATION

1. Council support a donation of \$500.00 towards Help for Hirschsprung Disease.
2. Council support a fee waiver for Bankstown Community Resource Centre Group of \$535.00 towards the booking of the C.A.R.E.S Trebartha Street, Bass Hill.
3. Council support a fee waiver for Bankstown Community Resource Centre Group of \$162.00 towards the waste costs associated with the hire of the C.A.R.E.S Trebartha Street, Bass Hill.
4. Council support a fee waiver of \$129.90 for Indonesian Community Council towards the hire of Yagoona Community Centre.
5. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

Councillors, I put the Mayoral Minute.

5 PLANNING MATTERS

The following items are submitted for consideration -

- | | | |
|-----|--|----|
| 5.1 | Report on Council's Performance in the Assessment of Development Applications for the first quarter of the 2022/23 financial year, Clause 4.6 Variations Approved for the first quarter of the 2022/23 financial year and Planning Related Legal Appeals | 39 |
| 5.2 | Removal of Caveat - 297-299 Canterbury Road, Canterbury | 45 |
| 5.3 | WSU Milperra Planning Proposal Submission | 49 |

Planning Matters - 22 November 2022

ITEM 5.1 **Report on Council's Performance in the Assessment of Development Applications for the first quarter of the 2022/23 financial year, Clause 4.6 Variations Approved for the first quarter of the 2022/23 financial year and Planning Related Legal Appeals**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

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

1. Performance for processing of development applications for the first quarter of the 2022/23 financial year;
2. Development applications approved with a Clause 4.6 Variation for the first quarter of the 2022/23 financial year; and
3. Planning related legal appeals currently before the Land and Environment Court.
4. Active Planning Proposals.

RECOMMENDATION

That the report be noted.

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

- A. Clause 4.6 register for 1st quarter of 2022/23 financial year
- B. List of planning related legal appeals
- C. List of active Planning Proposals

POLICY IMPACT

This matter has no policy implications.

FINANCIAL IMPACT

This matter has no financial implications.

COMMUNITY IMPACT

The timely processing of development applications increases housing stock, provides employment opportunities, additional facilities for the community and improves the appearance of the City. Council's record of being one of the fastest Councils in metropolitan Sydney for processing development applications is a significant benefit for the community and industry in this regard.

However, it is also important to ensure that the community is protected from inappropriate development. This report will detail that in instances where Council has not supported poor development outcomes, Council has been successful in defending a majority of appeals lodged by applicants, or in affecting changes to a proposal to advance it to a point that it satisfactorily meets relevant planning rules and represents orderly development.

The progression of Planning Proposals stimulates the NSW economy, creates jobs and housing, delivers infrastructure, provides public benefits to the community and facilitates urban renewal across the city where appropriate and it can be demonstrated that a change to planning rules will result in improved outcomes to the locality based on a broad number of factors, including economic, social and environmental factors.

DETAILED INFORMATION

1. DEVELOPMENT APPLICATIONS

Processing of development applications for the first quarter of the 2022/23 financial year

For the first quarter of the 2022/23 financial year, Council determined 207 development applications and 86 Section 4.55 applications (applications to modify a development consent), with a total capital investment value of \$265,273,247.53. The median gross determination times for all development applications was 75 days.

Reporting of development applications which involved a Clause 4.6 submission

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

During the first quarter of the 2022/23 financial year, a total of three variations to an environmental planning instrument were approved. The report provided at Attachment A is the required report and includes all results for the first quarter of the current financial year.

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

Attachment B to this report provides details of the appeals currently before the New South Wales Land and Environment Court, as of 5 November 2021. The attached list identifies a total of 14 appeals. At the commencement of the 2020/21 financial year, there were 33 active appeals, with the current listing representing a 58% reduction in appeal numbers.

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

2. PLANNING PROPOSALS

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

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

Council currently has 11 Planning Proposals in progress which are outlined in the attachment to this report (and divided into stages in Figure 1 below). In addition, one private proposal is related to Council’s master planning program and is located within the Lakemba Precinct. It is Council’s intention to include the Lakemba proposal as part of the Lakemba Master Plan.

The largest of Council’s applicant initiated Planning Proposals is for Bankstown Central, with an approximate capital investment value of \$1.3 billion. There are several other major urban renewal proposals at various stages of the process, including Chester Square, and two private hospitals.

Three of Council’s Planning Proposals are with the Department of Planning and Environment to be finalised, two are being prepared for exhibition or are on exhibition, and four are with the Department awaiting a Gateway determination to proceed to exhibition.



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

Public Spaces Legacy Program

The Public Spaces Legacy Program was announced by the NSW State Government in August 2020 in response to the COVID-19 pandemic with the key purpose to provide funding to Councils to deliver new public and open space to protect the health of the community and to provide economic and jobs stimulus. The program supports Councils to accelerate the assessment of development applications and Planning Proposals that create new capacity to meet the demand for housing and employment over the next decade.

All Planning Proposals and regionally significant development applications related to this program have been finalised or are with the Department for finalisation. Council met the target of a median DA timeframe of 59 days at 30 June. The remaining commitment required the consolidated LEP to be completed by June 2021. Council has submitted its draft consolidated LEP to the Department which is currently in the process of finalising the legal instrument.

Council has completed Stage 1 of the Legacy Program. Stage 2 involves Council exhibiting Planning Proposals to implement the Campsie and Bankstown Master Plans in order to receive a total of \$5.5 million for public open space. Consistent with the Council resolutions on 25 August 2020 (item 8.1) and 8 December 2020 (also item 8.1) these funds will be directed towards improvement and upgrades to Paul Keating Park.

On 1 October 2021, Council received a letter from the Department proposing a variation to the funding agreement to allow an additional 18 months to the timeframe for exhibiting the Planning Proposals. Council has agreed to the variation, and the variation was executed between Council and the Department on 18 November 2021. The updated timing is outlined in the table below.

Since that variation agreement was finalised, Council submitted the Planning Proposals to implement the Bankstown City Centre Master Plan and Campsie Town Centre Master Plan with the Department on 31 March 2022 and 5 August 2022 respectively. Both Planning Proposals are under assessment by the Department and no timeframe has been provided by the Department regarding when a Gateway determination would be issued. On this basis, it is improbable that Council would be able to exhibit the Planning Proposal before 31 December 2022 given the likely additional work and State Agency consultation that may be required by the conditions of the Gateway determinations for both Planning Proposals.

In light of these delays, which are primarily the result of the Department, Council will write to the Department to seek an extension to the variation to the funding agreement to allow an additional 12 months to the timeframe for exhibiting the Planning Proposals.

Milestone	Amount of Funding	Status
1. Execution of the funding agreement	\$825,000	Completed
2. Execution of the variation to the funding agreement	\$2,750,000	Completed
3. Exhibit the Planning Proposals to implement the Campsie and Bankstown Master Plans by 31 December 2022	\$1,925,000	In progress

Planning Matters - 22 November 2022

ITEM 5.2 **Removal of Caveat - 297-299 Canterbury Road, Canterbury**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

This report seeks Council's consent for the withdrawal of a redundant caveat on land at 297-299 Canterbury Road, Canterbury. The caveat was placed on the property to ensure compliance with the provisions of a Voluntary Planning Agreement (VPA). The developer has now fulfilled all obligations under the VPA and the caveat is no longer required.

ISSUE

To seek Council's consent for the removal of a redundant caveat registered on title for the land at 297-299 Canterbury Road, Canterbury.

RECOMMENDATION That -

1. Council consent to the removal of the caveat placed on 297-299 Canterbury Road, Canterbury from the single lot and any subdivided lot titles.
2. The Mayor and Chief Executive Officer be given delegated authority to sign all documentation under the Common Seal of Council, as required.

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

- A. Voluntary Planning Agreement
- B. Caveat

Planning Matters - 22 November 2022

POLICY IMPACT

There are no policy impacts.

FINANCIAL IMPACT

Costs to remove the caveat are included in the existing operational budget.

COMMUNITY IMPACT

There are no community impacts.

Planning Matters - 22 November 2022

DETAILED INFORMATION

Council entered into a VPA in December 2017 for 297-299 Canterbury Road, Canterbury, as provided in Attachment A. The VPA required the dedication of land to widen Clunes Lane at the rear of the site to service a new development.

The developer for the site was required to register the VPA on the title of the land but this did not occur. Therefore, Council registered a caveat on the title in July 2020 to alert any prospective purchasers of the existence of the VPA. A copy of the caveat is provided at Attachment B.

The development has since progressed with a plan of subdivision approved by Council and registered by Land Registry Service, which subdivides the land to provide for road widening at Clunes Lane.

The registration of the plan of subdivision means that the VPA requirements are fulfilled and the caveat is redundant. The developer has requested the removal of the caveat due to the restriction it imposes on the land.

The caveat withdrawal will apply to all land titles on which the caveat burdens, including any strata lots as the property is proposed for strata subdivision.

Council is recommended to remove the caveat as it is no longer required.

Planning Matters - 22 November 2022

ITEM 5.3

WSU Milperra Planning Proposal Submission

AUTHOR

Planning

PURPOSE AND BACKGROUND

The purpose of this report is to update Council on the proposed amendment to the Bankstown Local Environmental Plan 2015 for land at 2 and 2A Bullecourt Avenue, Milperra (Western Sydney University Milperra Campus) and to seek Council's endorsement to make a submission to the Department of Planning and Environment during the public exhibition of the Planning Proposal.

At its Ordinary Council Meeting of 24 August 2021, Council resolved not to proceed with the Planning Proposal for the WSU Milperra site. On 1 June 2022, the Department issued a Gateway determination that permits the Planning Proposal to proceed to exhibition, subject to conditions.

The Department of Planning and Environment placed the Planning Proposal on exhibition from 1 November and will complete exhibition on 14 December 2022. The Minister for Planning and Homes is the decision maker for this Planning Proposal, not Council, therefore Council's role in the Planning Proposal process is limited to making a submission during the public exhibition period.

As required by the process, Council has commenced exhibition of a draft Site Specific Development Control Plan and draft Planning Agreement from 1 November to 29 November 2022. Following exhibition, a review of submissions and further discussions with the Proponent, the draft DCP and Planning Agreement may be re-exhibited and will then be reported to Council for adoption.

ISSUE

Despite resolving to not support the Planning Proposal at its Ordinary Council meeting on 23 August 2021, the NSW Department of Planning and Environment approved the application to proceed. Therefore, it is important that Council makes a submission to the Department of Planning and Environment during the public exhibition period to ensure any technical planning and design issues relating to the Planning Proposal are raised with, and considered by, the Department of Planning and Environment before a final decision is made.

RECOMMENDATION

That Council endorses the draft submission at Attachment A and the submission is made to the Department of Planning and Environment.

ATTACHMENTS

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

- A. Draft Council Submission to Department of Planning and Environment
- B. Department of Planning and Environment notification letter sent to surrounding properties

POLICY IMPACT

This report proposes no changes to Council policies.

FINANCIAL IMPACT

Given a Gateway Determination has been issued and the NSW Government is the Planning Proposal Authority, it is recommended that Council makes a submission during the exhibition of the Planning Proposal to ensure Council's views are taken into consideration before a final decision is made by the Minister for Planning and Homes.

COMMUNITY IMPACT

If the Planning Proposal is finalised by the Minister for Planning and Homes, the redevelopment of the site will proceed, and there will be an impact on the surrounding community as a result of the new residential and commercial development on the site. By making a submission to the Department of Planning and Environment during the public exhibition of the Planning Proposal, Council's views must be taken into consideration before a final decision is made on this matter by the Minister. The draft submission attached to this report addresses some technical planning issues that Council requests the Department and proponent address to minimise potential impacts on the surrounding community.

DETAILED INFORMATION

1. EXHIBITION OF DRAFT PLANNING DOCUMENTS

The Department of Planning and Homes has placed on exhibition the Planning Proposal from 1 November to 14 December 2022 and a copy of the documentation can be accessed via the Department's Planning Portal website. The Department of Planning and Environment, not Council, as the Planning Proposal Authority is responsible for the exhibition of the Planning Proposal and sent letters to properties within a 500m radius of the site. A copy of the letter sent by the Department is held at Attachment B.

The Planning Proposal proposes to amend the Bankstown Local Environmental Plan 2015 as outlined in the table below.

The amendments to the Bankstown LEP 2015 applying to the subject site is shown in the table below:

Table 1: summary of current and proposed controls

	Current controls	Proposed controls
Zone	SP2 Infrastructure (Educational Establishment) SP2 (Electricity Transmission or Distribution Network)	<ul style="list-style-type: none">• R1 General Residential (new zone – not currently in the BLEP or proposed as part of the new Consolidated Canterbury Bankstown LEP nearing completion)• B1 Neighbourhood Centre• RE1 Public Recreation• C2 Environmental Conservation (new zone not currently in the BLEP or proposed as part of the new Consolidated Canterbury Bankstown LEP nearing completion))• SP2 Infrastructure (Drainage)
Height of Building	N/A	<ul style="list-style-type: none">• 11m (B1 zone and part R1 zoned land near Bullecourt Avenue)• 9m (remaining land)
Floor Space Ratio	N/A	<ul style="list-style-type: none">• 0.5:1 (properties fronting Ashford Avenue)• 1:1 (B1 zone)• Sliding scale FSR for remaining R1 zoned land
Lot size	N/A	<ul style="list-style-type: none">• 300m² (general residential zone)• Include a provision to vary to the minimum lot size provision for varied housing types (124m² – 300m² lots)
Lot size of community title subdivision	N/A	<ul style="list-style-type: none">• Include Zone R1 General Residential as an exclusion to the minimum lot size for community title subdivision
Number of dwellings	N/A	<ul style="list-style-type: none">• Limit the number of dwellings on the site to 430 dwellings
Terrestrial biodiversity	Site is not mapped	<ul style="list-style-type: none">• Map the extent of terrestrial biodiversity area on the site (the remnant Cumberland Plain woodland in the north east corner)

Council resolved at its 24 August 2021 Meeting to not support the Planning Proposal. As a result of Council no longer being designated the Planning Proposal Authority for the application, Council does not have a decision making role and the final decision will be made by the Minister for Planning and Homes following receipt of the recommendation of the Sydney South Planning Panel which is acting as the Planning Proposal Authority. Council's resolution on the basis that the site should be used for ongoing education use is acknowledged.

To ensure the views of Council are received by the Department during the exhibition period, the draft submission at Attachment A provides a summary of the key technical issues that Council considers must be addressed in the event the Planning Proposal is made by the Minister following exhibition. These issues include:

- Clarifying the management of traffic and transport related matters;
- Review and respond to design related matters set out in the draft DCP;
- Undertake contamination investigation required under the Site Audit Statement;
- Resolve the Planning Agreement for re-exhibition of the final draft prior to adoption by Council.

Exhibition of draft Site Specific Development Control Plan and draft Planning Agreement

In accordance with its resolution of 23 August 2022, Council has placed on exhibition a draft site specific Development Control Plan and the draft Planning Agreement that was received from Mirvac. The exhibition of these documents commenced on 1 November 2022, concurrently with the Planning Proposal, and are available on Council's Have Your Say website.

Council will continue to liaise with Mirvac regarding the details of draft Planning Agreement are acceptable to Council. The key issues that remain unresolved include the following:

- The amount of offset sought by Mirvac against future Section 7.11 Development Contributions for local open space is higher than what is supported by Council as the offsets proposed would result in other public infrastructure investment not being funded.
- Two of the three public parks that Mirvac intends to dedicate to Council will include the bioretention wetlands and also serve as stormwater detention basins. These functions will impact the usability of these public parks as genuine public recreation open space. Council will not accept dedication of these two public reserves due to the significant financial cost for ongoing maintenance in perpetuity.

2. NEXT STEPS

Council will continue to work towards refining the site specific DCP and draft Planning Agreement following the end of the exhibition period and re-exhibit the final draft versions of the two documents. Any exhibition undertaken over the Christmas period will be extended to account for the holiday period.

Council will consider a report following the exhibition of the final draft versions of the site specific DCP and Planning Agreement and will make a decision whether to finalise and adopt the DCP and whether to execute the Planning Agreement with Mirvac. These two documents will only come into effect should the Minister for Planning and Homes decide to make the amendment to Council's LEP to rezone the site and make changes to enable the redevelopment of the land for a new residential area.

6 POLICY MATTERS

The following item is submitted for consideration -

6.1 Community Facilities: Policy principles	57
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ITEM 6.1 Community Facilities: Policy principles

AUTHOR Community Services

PURPOSE AND BACKGROUND

To outline general policy principles specific to the equitable management, allocation and use of Council's Community Facilities provided to community groups, sporting associations or other approved organisations under a formal lease or licence agreement with Council.

ISSUE

In 2009, Bankstown City Council adopted a Community Facilities Policy (CFP) that comprised of guiding principles on the transparent and equitable management of Council's community facilities. Implementation of this policy not only improved accountability for the maintenance and running costs associated with facilities but also provided a transparent and documented process for their allocation. This Policy is out of date and requires engagement with the community, review and consideration by Council.

The former Canterbury City Council did not have such a policy and had a range of ad-hoc arrangements with many arrangements not managed in the community interest. A review of the Policy will certainly benefit a greater community outcome for transparency and asset management.

A review of this policy approach, in a consultative way with our stakeholders and residents, is timely for the whole City.

At the outset of the Policy review it is important for Council to establish high level general policy principles which is the focus of this report.

RECOMMENDATION That -

1. Council endorses the Community Facilities Policy general principles outlined in this report.
2. Council note that the principles and a comprehensive consultation process with the community and relevant stakeholders will inform the development of a new Community Facilities Policy.
3. An updated Community Facilities Policy will be brought back to Council prior to formal exhibition.

ATTACHMENTS

Nil

POLICY IMPACT

Council is seeking a policy that will encapsulate all of Council owned or controlled facilities, including Council facilities covered by commercial rental, leasing, or licensing arrangements.

While this policy will address the use of Council's Community Facilities, it does not consider the actual physical asset (buildings) where many of these uses are carried out. A separate *Community Infrastructure Strategic Plan* will be developed to inform planning, funding and prioritisation of Council's physical community infrastructure including their condition, future replacement or enhancement. This assessment will be undertaken in conjunction with the development of the Community Facilities Policy to ensure alignment of service and function.

The aim is to provide general policy principles that will inform the development of an aligned Canterbury-Bankstown Council community facilities policy.

FINANCIAL IMPACT

The former Bankstown City Council CFP provided a significant subsidy to a range of community groups and organisations for their use of Council's Community Facilities. This subsidy is funded by the ratepayers of the Canterbury Bankstown LGA. To date, these groups and organisations make a small annual contribution toward the significant operational and maintenance costs of these assets.

The former Canterbury Council has varied arrangements with some groups paying very little and receiving additional Council resources to their operations, while others pay commercial or slightly subsidised commercial rates.

The structure of any subsidy and how it is applied will be reviewed as part of broad community consultation and will be incorporated in a revised City wide Community Facilities Policy for Council's consideration.

COMMUNITY IMPACT

Community consultation for the former Bankstown City Council Policy took place well before it was adopted in 2009. The consultation was to assess the needs of community based not-for-profit groups and future support required for community organisations. However, this solely related to the former Bankstown Council LGA and associated community facilities and is over 10 years old. It is overdue for review and to ensure that it meets the current community needs.

Former Canterbury Council had no equivalent policy and applied an ad-hoc approach to the matter and a City wide policy will benefit Council, stakeholders and the community greatly.

DETAILED INFORMATION

Background

In 2009, Bankstown City Council adopted a Community Facilities Policy (CFP), on the use and management of Council's community facilities. This Policy provided consistent principles of usage regarding tenure, annual fees, outgoings, maintenance and respective responsibilities for both Council and the community groups. It also increased the use of some of these facilities through shared use.

The former Bankstown Policy does not cover applications for use by:

- individuals,
- private or family use,
- religious groups in the practice of their religion,
- business' or commercial organisations, or
- Federal and State Government agencies other than childcare centres and political organisations.

The Policy, however, does stipulate several criteria for an organisation to be eligible to come under the policy such as being a legally constituted (incorporated) association, or auspiced by an incorporated not-for-profit body. This was due to the significant subsidy delivered through this policy.

The Policy comprised a set of general principles and procedures to be followed for determining fees, charges and conditions for lease or licenced use of Council's community facilities, through the creation of a *Community Capital Contribution Fee*.

It was imperative that all financial arrangements must be documented, transparent and in accordance with legislative requirements. This expectation is a requirement of the new policy being developed to ensure high levels of probity in the management of these community facilities.

Community facilities for the purposes of a lease or licence is the buildings and associated amenity structures but may also include the immediate surrounding community land where agreed by Council. It does not include sporting grounds or fields.

Conversely, the former Canterbury Council did not have an equivalent policy and took an ad-hoc approach where every lease and licence is in some way different to the next across fees and charges, maintenance expectations, tenure, capital replacement obligations and Council servicing of facilities on a day to day basis.

In order to provide an aligned Canterbury Bankstown policy on Community Facilities, general principles have been considered to establish the essence of Council's approach to community facilities in the LGA and most importantly, to guide the development of this new policy for Council's consideration.

Proposed general policy principles

It is proposed that the following principles will apply to the future allocation, use and management of Council's Community Facilities covered by an aligned Canterbury-Bankstown Council Community Facilities Policy:

- Council is committed to equitable and non-discriminatory access to its facilities;
- Community facilities will generally be managed to optimise their use and availability to the Canterbury Bankstown community. Wherever practicable, they will be available for multipurpose, optimum and equitable use by community groups or other approved organisations;
- Priority will be given to community groups or other approved organisations which promote access to facilities for all sections of the Canterbury Bankstown community.
- Multipurpose use will be a key consideration in the planning, design, allocation, and management of Council's community facilities. Wherever possible, Council will endeavour to co-locate similar or compatible user groups in a community facility suitable for multipurpose use;
- User organisations will contribute to the costs of providing the facility, and for associated management, maintenance and minor improvement costs. All financial arrangements must be documented, transparent and in accordance with legislative requirements. Council will expect a high level of probity in the management of its community facilities;
- Formal Council approval must be obtained prior to entering into a lease or licence agreement for a 'Community Facility'.

Next Steps on preparation of the new Canterbury Bankstown CFP

Council will be undertaking a comprehensive community and stakeholder consultation plan around the proposed guiding (policy) principles identified in this report.

This community and stakeholder consultation will take some time to complete and analyse following which a revised City wide policy will be presented to Council for its consideration.

7 GOVERNANCE AND ADMINISTRATION MATTERS

The following items are submitted for consideration -

7.1	2021/22 Annual Financial Reports	63
7.2	Code of Conduct Complaints Report	73
7.3	Integrated Planning and Reporting Update - 2021/22 Annual Report and Quarterly Review of the 2022/23 Operational Plan and Budget to 30 September 2022	75
7.4	Cash and Investment Report as at 31 October 2022	83
7.5	Organisational Structure	87

Governance and Administration Matters - 22 November 2022

ITEM 7.1 2021/22 Annual Financial Reports

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

Councillors will recall considering Council's Unaudited 2021/22 Annual Financial Reports at its meeting in October 2022 and resolving to refer them to our External Auditor in finalising the year-end process.

Having completed the audit, in accordance with Sections 418 and 419 of the Local Government Act 1993, Council's 2021/22 Audited Annual Financial Reports, including the Auditors Report, were publicly exhibited and are now being presented to Council for information.

ISSUE

These financial reports are for the financial year ending 30 June 2022.

Council's External Auditor has expressed an "Unmodified Opinion", on Council's 2021/22 general purpose financial statements, meaning that our statements reflect a true and fair view of our financial performance and position for the year.

In brief, as at 30 June 2022 Council's financial position is considered sound and stable. This is an excellent result considering the financial challenges posed by the Covid-19 pandemic.

Council's net operating result for the year was a surplus of \$24.3M exceeding the original budget estimate of a \$0.8M deficit. Once adjusted for one-off capital grants and contributions (which establishes/provides the true result of managing our day-to-day operations), Council's net result declines to a deficit of \$13.3M comparing favourably to the original budget deficit of \$35.0M. Council also delivered a large capital works program with the addition of over \$80M of assets.

Councillors would be aware of the processes that have commenced to address our long-term funding needs and ensure Council is financially sustainable to deliver on its service requirements and the replacement of infrastructure.

Section 420 of the Act also allows for any person to make submissions to Council with respect to the audited financial statements or Auditor's Reports, which must be received by Council within seven days of the public meeting.

The Act requires that Council assess all submissions and take such action as it considers appropriate in addressing the matter. In the event that Council receives any submissions, details of the issues and proposed actions will be reported to the next Ordinary Meeting of Council.

Copies of all submissions received will be referred to the Council's External Auditor. Council's Auditor, being the NSW Audit Office, will be in attendance this evening to address Council on the 2021/22 Audited Annual Financial Reports.

RECOMMENDATION That -

1. Council note the 2021/22 Annual Financial Reports and Auditor Reports.
2. Any submissions received and proposed actions relating to those submissions will be reported back to Council at the next Ordinary Meeting, if required.
3. Copies of all submissions received will be referred to Council's External Auditor.

ATTACHMENTS [Click here for attachment](#)

- A. Canterbury-Bankstown Council Annual Financial Statements and Auditor Reports 2021/22

POLICY IMPACT

Council has met all related legislative requirements as set out in the Local Government Act 1993, associated Regulations and Local Government Code of Accounting Practice and Financial Reporting.

It is noted that any KMP declarations are done so in accordance with Accounting Standards for Auditing purposes only and do not give rise to a conflict of interest when noting the Financial Reports and associated audits.

FINANCIAL IMPACT

This report conveys that Council's financial position is considered strong and stable as at 30 June 2022. That said, Councillors would be aware of Council's requirement to address its longer-term financial requirements.

The results to 30 June 2022 confirm the forecast financial position of Council, as outlined in its long-term Financial Strategy, as well as the journey currently underway for Council to address its long-term funding needs and ensure Council is financially sustainable to deliver on its service requirements and the replacement of infrastructure.

COMMUNITY IMPACT

There is no direct community impact resulting from this report.

DETAILED INFORMATION

Executive Summary

Councillors will note Council's financial performance (before capital grants and contributions) is reported as a deficit of \$13.3M, which reflects a number of non-cash accounting entries (eg. adjusting for the revaluation of assets and depreciation expense), which contribute to Council's deficit position.

This is reflected by not funding replacement of assets at the same rate they are aging and/or deteriorating. This is not a new issue to Councillors but one our long term financial plan has addressed.

Whilst having no immediate cash/financial impact, the information does provide and/or suggests that there is a longer-term imbalance of available funding to both manage our service expectations and ensure that adequate funding is allocated for asset maintenance and as previously noted, this matter is being addressed as part of Council's decision to adjust its rating income over the next 4 financial years.

Council's financial reports provide a detailed assessment of Council's performance and position however, overall, some of the more pertinent details of our results are as follows:

- Total combined Net Operating Result of \$24.3M, and a Net Result before Grants and Contributions of (\$13.3M) – incorporates/reflects estimated shortfall (depreciation) in required funding to replace and/or renew our assets;
- Capital Expenditure for the year of \$80M, and total infrastructure asset base of \$4.0B (Net Carrying Amount / Written Down Value);
- Total Cash and Investment of \$421.9M, of which \$21.6M is unrestricted;
- Total Liabilities of around \$134.1M, which are largely of an employee nature, payables to suppliers and tip remediation works;
- Council's combined cost to bring existing infrastructure to a satisfactory standard - estimated at around \$68.6M; and
- No outstanding borrowings.

More broadly, Council's detailed financial results are outlined below.

COVID-19

The COVID-19 pandemic continued to impact Council finances in the 2021/22 financial year, by approximately \$7.2M, through loss of income from government-imposed shutdowns, income that was indirectly impacted by the crisis and other relief measures provided by Council.

With most restrictions now lifted Council has not budgeted any further impacts in the 2022/23 financial year. Any ongoing impacts that are identified during the 2022/23 financial year be provided as part of the quarterly review budget process reported to Council as part of its annual Integrated Planning and Reporting requirements.

As a precaution, Council has held cash and cash equivalents on hand for operational needs to ensure we manage any adverse cashflow impacts from any delays in recouping council receivables, especially from rates. As at 30 June 2022 Council's Rates Outstanding ratio was higher than previous years (see note F5-1).

Financial Performance

Overall, Council's short-term financial position as at 30 June 2022 is well placed and performed well against its original budget forecast. A summary of Council's financial performance for the reporting period is as follows:

Canterbury-Bankstown Council Financial Performance – Year Ending 30 June 2022

Description	2021/22 Budget \$'000	2021/22 Actual \$'000	2020/21 Actual \$'000
INCOME FROM CONTINUING OPERATIONS			
Rates and Annual Charges	253.1	257.6	247.6
User Charges and Fees	19.2	18.7	17.6
Interest and Investment Income	6.6	6.2	6.2
Other Revenues	13.6	15.7	15.1
Grants and Contributions - Operating	25.2	28.5	25.2
Grants and Contributions - Capital	34.2	37.6	39.9
Other Income	5.6	6.6	6.2
Total Income from Continuing Operations	357.6	370.9	357.8
EXPENSES FROM CONTINUING OPERATIONS			
Employee Benefits and On-costs	152.3	139.4	142.1
Borrowing Costs	0.1	0.1	0.1
Materials and Services	118.4	102.3	103.3
Depreciation and Amortisation	75.5	83.0	75.3
Other Expenses	12.1	11.2	14.0
Net Loss from Disposal of Assets	0.0	10.6	16.1
Total Expenses from Continuing Operations	358.4	346.6	350.9
OPERATING RESULT FROM CONTINUING OPERATIONS	(0.8)	24.3	6.9
Net Operating Result for the period before grants and contributions provided for capital purposes	(35.0)	(13.3)	(33.1)

Comparison with Original Budget

Once adjusted for specific capital grants and contributions, Council's Net Operating Result was a deficit of \$13.3M compared to an original budgeted deficit of \$35.0M. This is primarily due to:

- Rates and annual charges \$4.4M greater than original budget. There was a change to the requirements for financial statement presentation that was not reflected with the original budget. Pensioner rates subsidies were previously shown as part of grants and contributions and now are required to be shown in the rates and annual charges income (\$2.2M rates and \$0.6M domestic waste);
- User charges and fees \$0.6M less than original budget due to greater than original budget impact from COVID-19;
- Other revenues \$2.1M greater than original budget. Insurance recoveries not budgeted for in original budget \$0.8M and recovery of legal debt recovery costs not budgeted for in original budget due to a cessation of recovery action for COVID-19 relief \$1.1M;
- Operating grants and contributions \$3.4M greater than original budget. Council was successful in obtaining additional operational grants during the financial year and reported these to council through the quarterly review budget process. Examples of additional grants received included the; prepayment of the 2022/23 Financial Assistance Grant resulting in an additional \$3.5M, Open Streets Campsie Festival \$0.5M, and Ramadan Nights \$0.2M;
- Capital grants and contributions \$3.4M greater than original budget. Council only budgets for capital grants when we are successful in applying for grants. Additional capital grants received during the financial year are reported to Council through the quarterly review budget process. Examples of additional grants received included; Roads to Recovery Grants of \$1.7M, RTA Roadworks Grants of \$1.1M, and Drainage related grants of \$0.6M;
- Interest and investment income \$0.4M less than original budget. The interest rate environment remained at historically low levels for the majority of the financial year, until the Reserve Bank began lifting official interest rates in May. The low interest rate environment meant that as existing investment deposits matured, they were reinvested at the much lower prevailing rates. Council is likely to see an increase in interest income over coming financial years as higher rates flow through to Council's investment portfolio. Council made adjustments to forecast interest income during the year as part of quarterly budget review process;
- Employee costs \$12.9M less than original budget. A number of factors contributed to employee costs being lower than original budget including vacancies from higher turnover of employees during COVID-19 and a tight labour employment market, a higher than budgeted discount rate for employee leave entitlements (ELE) which reduced Councils ELE expenses for the year, lower than budgeted staff training costs, and an increased amount of capitalised labour.

- Materials and service costs \$16.1M less than original budget. Project delays as a result of the impact of COVID-19 and wet weather affected the provision of some services and maintenance resulting in lower than originally budgeted costs including tipping fees \$3.6M, consulting costs \$3.2M, material costs \$2.0M, contractor costs \$1.9M, utility costs \$1.1M printing, advertising and promotion costs \$1.1M, insurance costs \$0.9M, communication costs \$0.7M and plant and equipment hire \$0.5M.
- Depreciation expense was \$7.5M more than original budget estimates mainly due to a one-off accelerated depreciation charge for the Canterbury Leisure and Aquatic Centre, which is due to close in 2022/23 of \$4.2M, and a further increase of \$2M depreciation expense for building infrastructure resulting from that asset class being revalued as at 30 June 2021;
- Other expenses \$0.9M less than original budget mainly due to lower than budgeted EPA levies as a result of reduced tipping; and
- Council does not budget for any net losses on disposal of assets unless known at the time of preparing the original budget. The majority of the losses relate to write-offs of various infrastructure assets as part of Council's asset renewal program, particularly as infrastructure assets are renewed and/or replaced.

Comparison with Previous Year Result

When assessing Council financial performance to that of the previous year, Councillors would note that Council's Net Operating Result for the year improved from a surplus \$6.9M in 2020/21 to a surplus of \$24.3M for 2021/22.

Whilst having provided Councillors with detailed movements and/or variation to costs in previous Council reports, broadly, the major variations are due to:

- increased rates and annual charges of \$10M as a result of the allowable rate-peg increase (2%), increased domestic waste charges \$4.7M and growth from new dwellings;
- increased user charges and fees \$1.1M – largely attributable to fees and charges waived as a result of COVID 19;
- decreased net losses on the disposal of assets of around \$5.5M – asset disposal vary from year to year based on the completion of any significant capital works projects and classes of infrastructure being revalued, lower asset write offs from previous year included buildings \$2.3M, other structures \$1.8M and land improvements \$1.7M;
- increased one-off grants and contributions received during the year of around \$1.0M;
- decrease in employee expenses of \$2.7M;
- decrease in materials and services expenditure of \$1.0M;
- increased one-off and ongoing depreciation charges related to asset fair value revaluations as outlined above; and

- decrease in other expenses of \$2.8M – largely attributable to lower EPA levies paid as a result reduced tipping this financial year of \$2.7M.

Overall, the above variations provide some insight into the macro and micro economic impacts on Council's budget, particularly in managing non-discretionary costs which we have limited control over and managing Council's income streams, particularly throughout the COVID 19 period.

That said, Council financial performance again demonstrates our commitment to ensuring a stable financial position, the effective management of Council's operations and cashflow, particularly during the difficult economic environment that we have all endured.

Financial Position

Broadly, Council's financial position reflects the following balances:

Canterbury-Bankstown Council Statement of Financial Position – as at 30 June 2022

Description	\$M
FINANCIAL POSITION	
Current Assets	186.9
Non-Current Assets	4,277.7
Total Assets	4,464.6
Current Liabilities	98.0
Non-Current Liabilities	36.1
Total Liabilities	134.1
Net Assets / Equity	4,330.5
CASH & INVESTMENTS	
External Restrictions	242.9
Internal Restrictions	157.4
Unrestricted Cash	21.6
Total Cash & Investments	421.9

Council has a sound level of liquidity (cash & investments) to deal with ongoing operational requirements and contingencies, including preserving specific cash and investments for future asset replacement programs, protecting its liabilities and satisfying Council's statutory obligations.

In terms of assets, Council capitalised a further \$80.8M throughout the period. Primarily, most funds were allocated to replacing/renewing Council's infrastructure assets, such as roads (\$21.4M), parks & reserves (\$3.5M), stormwater management (\$2.2M), footpaths (\$2.2M) and buildings (\$2.7M).

Council is similarly well placed to meet its short and long-term obligations (current and non-current liabilities), such as employee entitlements, payments to its creditors within the coming financial year.

Performance Ratios

NSW councils are required to report their performance against certain set financial ratios and benchmarks set by the State Government. Notwithstanding the varied scale and size of all councils, the ratios provide a basis to annually compare all councils on a consistent basis.

A summary of Council's performance ratios, when compared to the benchmarks is as follows:

Ratio	Industry B/Mark	CBC (2021/22)	CBC (2020/21)	CBC (2019/20)	B/Mark (2020/21)
Operating performance	>0%	(0.81%)	(5.41%)	(2.77%)	No
Own source operating Revenue	>60%	82.2%	81.8%	86.4%	Yes
Unrestricted current	>150%	303%	350%	412%	Yes
Debt service cover	>2X	724X	85X	62X	Yes
Rates and annual charges outstanding	<5.0	6.2%	6.3%	5.5%	No
Cash expense (months)	>3.0	16.2	14.5	14.2	Yes
Building & infrastructure renewals	>100%	78.2%	77.5%	62.0%	No

As at 30 June 2022, Council exceeded all operational related financial benchmarks except operating performance, and rates and annual charges outstanding. This is primarily due to the impacts of the Covid-19 pandemic, non-cash net losses from adjustments on infrastructure assets, lower interest income and the required funding to match the depreciation expense of infrastructure assets.

Council's rates and charges outstanding ratio currently sits above the industry benchmark. This was a result of the Covid-19 relief measures that were put in place by Council for ratepayers suffering financial hardship, though will be addressed in the current financial year.

Separately, Council's building & infrastructure renewals ratio improved slightly from the previous financial year due to the large capital works program delivered in 2021/22 related to asset and infrastructure renewals. Despite the improvement in this ratio, the ratio is still well below the industry benchmark and highlights the long-term funding issues currently being addressed by Council in order for Council to continue to deliver, maintain and renew the infrastructure and services expected by the community. Councillors would be well aware of this issue, particularly as detailed in Council's Financial Management Strategy incorporating Council's Long Term Financial Plan.

Annual Financial Reports

A complete set of Council's 2021/22 financial reports are attached, for Council's information. As indicated earlier, Council's Auditor will be in attendance to address Council on the matter and provide a more detailed assessment of Council's results.

ITEM 7.2 Code of Conduct Complaints Report

AUTHOR Corporate

PURPOSE AND BACKGROUND

Council is required to annually complete and submit relevant Code of Conduct complaints statistics to the Office of Local Government.

The reporting period is 1 September 2021 to 31 August 2022.

Council carries out an assessment of all formal complaints received throughout the year, as they relate to Councillors and the Chief Executive Officer.

Where necessary, Council's procedures require certain complaints to be independently assessed (e.g. referred to a Conduct Reviewer) and relevant action taken, as determined/required.

The Return is required to report on Code of Conduct complaints relating to Councillors and the Chief Executive Officer only.

Attached is the required annual return for the preceding reporting period. There were two complaints recorded for the period, and accordingly resolved in accordance with relevant procedures.

The return will be forwarded to the Office of Local Government as required.

ISSUE

To note the attached Code of Conduct Complaints Statistics Report prepared for the Office of Local Government.

RECOMMENDATION

That the information be noted.

ATTACHMENTS [Click here for attachment](#)

- A. Code of Conduct Complaints Statistics

POLICY IMPACT

The requirements of the Code of Conduct have been met.

FINANCIAL IMPACT

There is no financial impact.

COMMUNITY IMPACT

There is no community impact.

Governance and Administration Matters - 22 November 2022

ITEM 7.3 **Integrated Planning and Reporting Update - 2021/22 Annual Report and Quarterly Review of the 2022/23 Operational Plan and Budget to 30 September 2022**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

In line with the requirements of the *Local Government Act 1993*, the report presents the 2021/22 Annual Report for endorsement.

The report also provides a summary of the progress on the delivery of Council's 2022/23 Operational Plan from 1 July to 30 September 2022.

Separately, the report considers the review of Council's financial results and proposed budget adjustments for the September 2022 quarterly budget review period.

ISSUE

Councils are required to submit several reports and returns annually, as required by the *Local Government Act 1993*, Integrated Planning and Reporting (IP&R) Guidelines, and by the Office of Local Government.

The 2021/22 Annual Report provides statutory information as required under Section 428 of the *Local Government Act 1993* and contains a copy of the audited Financial Statements of the Council (addressed in a separate report in this business paper).

The quarterly report demonstrates the organisation's performance against the 2022/23 Operational Plan and Budget during the period 1 July to 30 September 2022.

RECOMMENDATION That -

1. The 2021/22 Annual Report be endorsed.
2. The quarterly progress report of the 2022/23 Operational Plan to 30 September 2022 be noted.
3. The quarterly review of the 2022/23 Budget to 30 September 2022 as outlined in this report be adopted.
4. Council allocate Ward Funds as outlined in the report.

ATTACHMENTS

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

- A. 2021/22 Annual Report
- B. Quarter One Review of the 2022/23 Operational Plan - Summary Report
- C. Quarter One Review of the 2022/23 Operational Plan - Detailed Report
- D. September 2022 Revision Budget Reports
- E. September 2022 Revision Budget Review

POLICY IMPACT

The Community Strategic Plan, Delivery Program, and Operational Plan are prepared in accordance with the Local Government Integrated Planning and Reporting (IP&R) Framework. The Annual Report provides a year view of Council's performance in a given financial year against the objectives in those documents and also contains a number of statutory reporting obligations. It supports the reports provided to Council each quarter on Council's financial position and progress of the Operational Plan.

The reports are prepared to meet all related legislative requirements as set out in the *Local Government Act 1993*, associated Regulations, and Local Government Code of Accounting Practice and Financial Reporting.

FINANCIAL IMPACT

The quarterly report presents Council's operating result as at 30 September 2022.

COMMUNITY IMPACT

The report ensures accountability for the commitments made to the community in Council's Integrated Planning documents and annual budgets. It provides the community with an understanding of Council's performance in delivering its yearly Operational Plan as well as an update on the current Operational Plan and Budget at 30 September 2022.

DETAILED INFORMATION

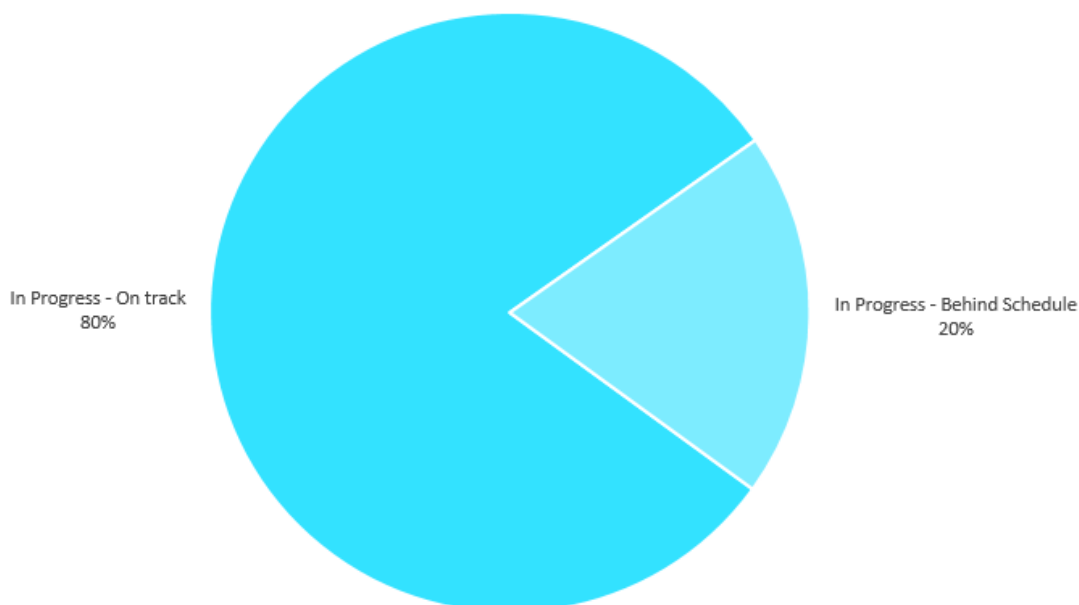
PART A – 2021/22 Annual Report

The Annual Report (Attachment A) reflects upon Council's achievements of the 2021/22 financial year. In line with the *Local Government Act 1993* and supporting Integrated Planning and Reporting Guidelines, the report is required to be endorsed by Council and published to Council's website within five months of the end of financial year.

While the Annual Report addresses a diverse range of statutory reporting information, it is more than a legislative requirement – it provides an important source of information about business performance (and the continued impacts of COVID-19 on service delivery) and key achievements (like being awarded the highest accolade in local government – the A.R. Bluett for the most progressive Council in NSW) and provides a snapshot in time for the community and staff to reflect and plan for the future.

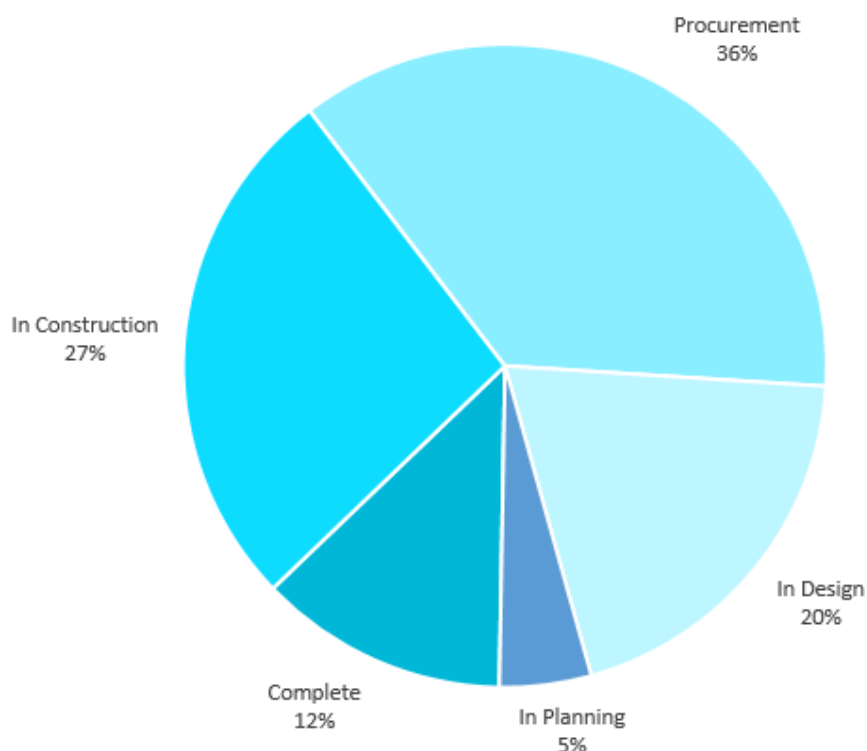
PART B1 - Quarterly progress of the 2022/23 Operational Plan to 30 September 2022

At the close of the first quarter, 80% of the Operational Plan's programs and initiatives for 2022/23 on target for completion by June 2023. This is considered a strong result and reflective of the 'back to business' operations as we recover from COVID-19 restrictions and extreme weather events.



With the 1 July to 30 September 2022 quarter being the first without any significant COVID-19 restrictions in almost two years, and coming to the end an extremely wet winter, Council staff have applied themselves with renewed vigour in an effort to get back on top of the services and development programs which have been previously impacted.

At the close of the first quarter, 27% of Council’s capital program was under construction and 12% was complete. Of the 30 completed projects, nine were roads, bridges and traffic management projects, six were building projects, nine were open space projects, four were drainage and water devices and two were town centre projects. Value of completed projects at the end of quarter one is \$4.9 million with a further \$33.4 million committed to projects in design or construction stage.



Attachment B provides an overview of key highlights and achievements for this quarter structured around the seven destinations of Council’s IP&R documents. Detailed actions for the entire 2022/23 Operational Plan are outlined in Attachment C. In combination, they highlight the progress of many important projects and initiatives and confirm our firm and continued commitment to Council’s contribution to CBCity 2036.

Other highlights for the 1 July to 30 September 2022 quarter are summarised below.

Leading and Engaged

- Council was recognised as the 2022 winner of the RH Dougherty Award for *Reporting to Your Community* for the proactive, COVID-19 communications campaign *Ready Set Go*. It recognised Council’s efforts for going above and beyond for our community as it withstood some of the harshest lock-down restrictions in NSW. The campaign educated and eased concerns as people returned to our facilities and ensured they felt informed and welcomed back.
- Holding of three Citizenship Ceremonies.

Safe and Strong

- Holding of NAIDOC week events from 2 July till 10 July including a Family Fun Day, two movie screenings and the hosting of the Yulunga Traditional Indigenous Games.
- Preparations for a First Nations Youth Group and delivery of Council's first Children's Summit.
- Completion of a draft Community Infrastructure Strategic Plan.
- Hosting over 80 workshops and classes for local seniors ranging from exercise classes to craft classes.
- Funding of 116 local projects valued at \$495,212 under the 2022/23 Community Grants and Event Sponsorship Program.
- Facilitation of the 2022 ClubGRANTS round with a presentation of \$1.165million to 54 community projects.

Clean and Green

- Established a Clean City Steering Group to develop medium and high priority actions for the year.
- Investigated options to improve recycling and close the loop for the community recycling.
- Celebration of National Tree Day in July with two planting days at Band Hall Reserve. 180 volunteers attended and 1,540 native seedlings were planted.
- Collaboration with "Renewables for Sydney" to explore a new model for multi-unit dwellers, renters and businesses to access renewable energy and increase commercial solar opportunities.

Prosperous and Innovative

- Welcomed 11,470 people to art and performance centres.
- Exhibition of an Aboriginal Heritage Study to inform master planning and a forthcoming city-wide heritage review.
- Undertook tender process to progress toward Smart Parking for Marion Street.

Moving and Integrated

- Completing background research for the Public Parking Management Study.
- Completing all planning and design for the 2022/23 roads and footpaths maintenance and improvement program.
- Constructing/replacing 60 metres of road despite the significant wet weather events.

Healthy and Active

- Holding futsal and netball competitions at the Morris lemma Indoor Sports Centre.
- Nearing completion of the Ewen Park Outdoor Learning Centre.
- Tendering for the construction of the Canterbury Leisure and Aquatic Centre construction tender and completing concept design for the Max Parker Leisure and Aquatic Centre.

Liveable and Distinctive

- Implementation of the new city-wide Development Contributions Plan commencing 1 September 2022, which will inform the delivery of infrastructure funded through development contributions across Canterbury-Bankstown.
- Unveiling of the Nepalese Monument.
- Continued master planning of Canterbury, Lakemba and Belmore Local Centres.

PART B2 – September 2022 Quarterly Budget Review

Financial Performance

Following a review of the first 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 \$20.2M, an increase of \$29.2M to that set as part of the original budget process. The increase is predominantly due to operational budget carryovers of \$12.5M, as resolved by Council at the August Council meeting that are largely grant related, the recognition of new Grants and Contributions income not known at the time of preparing the original budget of \$48.6M.

Council's capital works and acquisition program is now expected to be \$219.6M, having increased by \$119.6M to that originally proposed. The adjustment largely relates to the need to account for carryovers (2021/22) resolved by Council at the August Council meeting and additional grant funded projects identified throughout the first quarter less projects that have been deferred. 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 our carryover program and other adjustments made as a part of this revision, Council's level of cash and cash equivalents are expected to increase by approximately \$4.6M (assuming no carryovers exist at 30 June 2023).

Having completed the review, Council's major ratios remain at acceptable industry levels.

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

As part of Council's ongoing assessment of services, Council's full time equivalent (FTE) establishment will slightly increase by 0.4, to oversee the preparation and issue of Planning Certificates and support the functions of the Unit. This role is self-funded by income generated by Planning Certificates and will reduce the reliance on external contract staff to fulfil this function of Council.

This will see the existing establishment of 1491.4 increase to 1491.8.

In addition, requests to allocate the following Ward Funds for specific projects have been received and will be reflected as part of the quarterly review process.

Description/Project	Councillor	Allocation
Balmoral Ave, Croydon Park - Pram Ramp	Coorey	\$325

Conclusion

The Annual Report and Quarterly Reports detail Council's progress towards addressing the priorities and meeting the outcomes of the Delivery Program and the Community Strategic Plan for the City. They ensure Council is meeting obligations under the Integrated Planning and Report Framework, financial reporting requirements and they contribute to the ongoing enhancement of good governance across Council.

The data contained within these reports will also be made available on Council's website.

Governance and Administration Matters - 22 November 2022

ITEM 7.4 Cash and Investment Report as at 31 October 2022

AUTHOR Corporate

PURPOSE AND BACKGROUND

In accordance with Clause 212 of the Local Government (General) Regulation 2021, the Responsible Accounting Officer must provide the Council with a written report each month, which sets out the details of all money that council has invested under Section 625 of the Local Government Act 1993.

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

ISSUE

This report details Council's cash and investments as at 31 October 2022.

RECOMMENDATION That -

1. The Cash and Investment Report as at 31 October 2022 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

ATTACHMENTS [Click here for attachment](#)

- A. Imperium Markets Monthly Investment Report October 2022

POLICY IMPACT

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

FINANCIAL IMPACT

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

COMMUNITY IMPACT

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

DETAILED INFORMATION

Cash and investment summary – as at 31 October 2022

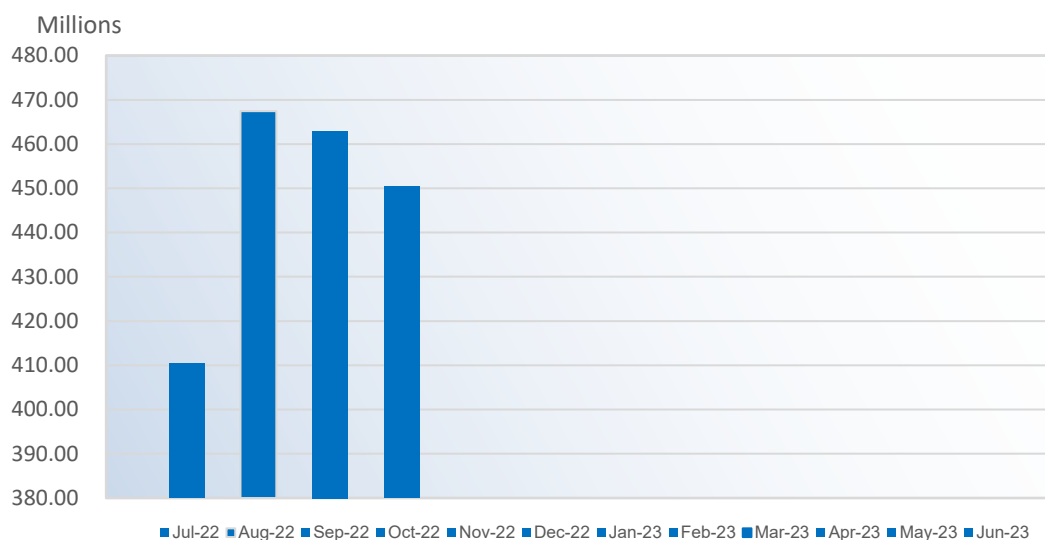
In total, Council's cash and investment holdings as at 31 October 2022 is as follows:

Cash and investments	\$
Cash at bank	1,317,458
Deposits at call	61,770,628
Term deposits	310,000,000
Floating Rate Notes	36,648,928
Workers compensation security deposit	4,686,000
Bonds	36,000,000
Total cash and investments	450,423,014

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 2022 to June 2023.

Summary of Council's investment interest income earned for the period to 31 October 2022 is as follows:

Cash and investments rolling monthly balance 2022-2023



Interest income	October 2022 \$	Year-to-date October 2022 \$
Budget	501,875	2,007,500
Actual interest	815,074	2,824,360
Variance	313,199	816,860
Variance (%)	62.41%	40.69%

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

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

Maturity profile		
	Actual % of portfolio	Policy limits %
Cash	15	100
Working capital funds (0-3 months)	4	100
Short term (3-12 months)	13.9	100
Short – medium (1-2 years)	30.1	70
Medium (2-5 years)	37	50
Long term (5-10 years)	0	5
Total cash and investments	100%	

Portfolio allocation	
	Actual % of portfolio
Cash at bank	0.3
Deposits at call	13.7
Term deposits	68.8
Floating Rate Notes	8.2
Workers compensation security deposit	1
Bonds	8
Total cash and investments	100%

Governance and Administration Matters - 22 November 2022

ITEM 7.5 **Organisational Structure**

AUTHOR **Chief Executive Officer**

PURPOSE AND BACKGROUND

The NSW *Local Government Act 1993* (Section 333) requires councils to review the organisation structure within twelve months after any ordinary election of Council.

ISSUE

The current structure is serving our community well and it must be reviewed and/or reconfirmed as per s333 of the *Local Government Act 1993*.

RECOMMENDATION

That in accordance with Section 333 of the NSW *Local Government Act 1993*, Council re-determines its organisational structure (Senior Staff), as contained in this report.

ATTACHMENTS

Nil

POLICY IMPACT

Councillors have responsibility, in consultation with the Chief Executive Officer, to determine the following:

- a) the senior staff positions within the organisation structure of the Council;
- b) the roles and reporting lines (for other senior staff) of holders of senior staff positions;
- c) the resources to be allocated towards the employment of staff.

The senior staff positions have been set by Council and this report seeks to reconfirm those positions.

Resources have been allocated by Council for the employment of staff in adopting its annual budget.

FINANCIAL IMPACT

There is no financial impact as a result of reconfirming the organisational structure.

COMMUNITY IMPACT

This organisational structure provides the capability, capacity, definition and clarity needed to manage the required resources to achieve the Community Vision and Destinations and our organisational goals and mission.

DETAILED INFORMATION

Organisational resilience has developed from our strong focus on culture, our philosophy of working smarter and more efficiently, and our emphasis on building organisational capability and creating functional team structures with employees. This has provided the necessary stability to navigate several challenges and disruptions to our organisation and our community.

Firstly, several external events continue to disrupt our organisation and community. The pandemic, ongoing rain events, labour shortages, inflation and supply chain disruptions have required confident and stable leadership.

Secondly, we are facing the unusual challenge of delivering an expanded capital works program within the context of labour shortages, inflation and supply chain disruption. The funding from the NSW State Government's WestInvest program will also create additional pressure on western Sydney councils as we compete for scarce resources. This will require us to draw on our scale and capacity to ensure the delivery of the program to the benefit of our growing community.

Thirdly, the financial pressures faced by councils is increasing exponentially. We are anticipating a significant increase to employee costs as a result of future Award increases. We are also adjusting estimates and costings across many budget items to account for inflation, supply issues and market competition.

Finally, the impact of challenges and disruptions on our workforce cannot be underestimated. Our employees have been required to navigate through several work and life adjustments in recent years. The challenges identified in this report have resulted in workplace disruption, changing workloads and a level of uncertainty among our people, all of which impact mental, emotional and social health. The possibility of de-amalgamation creates more uncertainty and further disruption which is concerning our employees and impacting our ability to attract new talent in an already tight labour market. This will require confident leadership and organisational stability to minimise the impact of this on service delivery.

Despite these challenges, we have continued to achieve several successes across our services and operations culminating in being awarded the AR Bluettt Memorial Award in March 2022, the state's oldest and most prestigious award recognising excellence in local government.

Organisation Structure

In light of the challenges and resourcing requirements, together with the requirements of our Delivery Program, it is proposed to reconfirm Council's organisational structure and it is recommended that Council re-determine its structure in accordance with Section 333 of the *NSW Local Government Act 1993*, as indicated in Figure 1.



Figure 1 –Organisational Structure of Senior Staff

Our current organisational structure, culture, capacity and capabilities have enabled us to respond rapidly and effectively to these challenges. A change in structure within the context of our current environment and challenges would be de-stabilising for the employees who serve our community.

Fundamentally, the structure will continue to provide the foundations needed to ensure Council is effective and successful in day-do-day service delivery as well as managing the many challenges we face. This structure consists of:

- The Chief Executive Officer (1);
- Six (6) Senior Staff

8 SERVICE AND OPERATIONAL MATTERS

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

9 COMMITTEE REPORTS

The following item is submitted for consideration -

- | | |
|--|----|
| 9.1 Minutes of the Community & Inclusion Advisory Committee meeting held
on 10 October 2022 | 95 |
|--|----|

Committee Reports - 22 November 2022

ITEM 9.1 **Minutes of the Community & Inclusion Advisory Committee meeting held on 10 October 2022**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

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

The minutes of the Community & Inclusion Advisory Committee held on 10 October 2022 are attached.

ISSUE

Endorsement of the Community & Inclusion Advisory Committee minutes.

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

RECOMMENDATION That -

1. The minutes of the Community & Inclusion Advisory Committee meeting held on 10 October 2022 be endorsed.
2. Council increase the number of community representatives on the Community & Inclusion Advisory Committee from ten to twelve.

ATTACHMENTS [Click here for attachment](#)

- A. Minutes of the Community & Inclusion Advisory Committee meeting held on 10 October 2022

POLICY IMPACT

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

FINANCIAL IMPACT

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

COMMUNITY IMPACT

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

DETAILED INFORMATION

The recommendations and requested Council actions of the Community & Inclusion Advisory Committee are listed below.

ITEM 8: CHARTER AMENDMENT – NUMBER OF COMMUNITY REPRESENTATIVES

Due to the number of nationalities in our City, the Chairperson proposed the number of community representatives on the Committee be increased.

RECOMMENDATION

THAT Council consider increasing the number of community representatives on the Community & Inclusion Advisory Committee from ten to twelve.

CHIEF EXECUTIVE OFFICER'S COMMENT

Should Council endorse the recommendation, the Charter for this Advisory Committee will need to be amended. There is no cost implication arising from the recommendation.

10 NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

The following items are submitted for consideration -

10.1 Status of Previous Notices of Motion - November 2022	101
10.2 Defibrillators - Community Buildings and Sporting Facilities - Councillor Charbel Abouraad	103
10.3 Aged Care Funding - Thanks to the Federal Minister for Health and Aged Care - Councillor Rachelle Harika	105
10.4 Library Services - 1,000 Books Before School Challenge - Councillor Rachelle Harika	107
10.5 Potholes - Call for Additional Funding - Councillor Bilal El-Hayek	109
10.6 Greening of Unwin Street, Earlwood - Councillor Clare Raffan	111
10.7 Establishment of an Annual Mayoral Christmas Toy and Hamper Drive – Councillor George Zakhia	113
10.8 Swimming in the Georges River - Councillor Linda Downey	115
10.9 Proposed Telecommunications Tower - Holden Street, Ashbury - Councillor Barbara Coorey	117

10.10 Ramadan Nights in Lakemba - Thank you to The Hon. Mark Coure MP – Councillor Jessie Nguyen	119
10.11 Celebrating Fatherhood - Councillor Sazeda Akter	121
10.12 Ordinary Council Meetings at Campsie - Councillor Barbara Coorey	123
10.13 Verge Mowing - Councillor Barbara Coorey	125
10.14 Golden Heart Charity Organisation - Fundraising Efforts - Councillor Jessie Nguyen	127

Notice of Motions & Questions With Notice - 22 November 2022

ITEM 10.1 **Status of Previous Notices of Motion - November 2022**

AUTHOR **Corporate**

ISSUE

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

RECOMMENDATION

That the information be noted.

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

- A. Status of NOMs Report - November 2022
- B. Correspondence Issued

Notice of Motions & Questions With Notice - 22 November 2022

ITEM 10.2

Defibrillators - Community Buildings and Sporting Facilities

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

“That Council investigates the possibility of expanding the number of defibrillators across its community buildings and sporting facilities. This should also consider broader issues such as volunteer training/education, costs associated with the maintenance and ongoing services.”

BACKGROUND

Over 30,000 people suffer from a Sudden Cardiac Arrest incident every year in Australia. Without a defibrillator, if you suffer cardiac arrest you have less than a 5% chance of survival. An operational defibrillator, that is accessible and in the hands of a trained first responder, can assist until an Ambulance arrives and increases your chances of survival to up to 70%.

At present a number of sporting clubs or leasees have purchased a defibrillator and ensure training for relevant committee members and volunteers is carried out. They also cover maintenance costs and ensure their defibrillator is up to date.

Often this has been achieved with the support of various grants and fund-raising initiatives though it isn't as widespread as I would have hoped.

It's not a simple matter of just buying units and putting them around, and so I believe that Council is uniquely placed to investigate this broader issues of deploying more devices, including the impact and risks associated with any volunteer training or education required and costs associated with the maintenance and ongoing servicing of defibrillators. We might also be best placed to identify any grant funding opportunities that may be available to local clubs and groups to provide join the roll out themselves.

Obviously, this is a large undertaking and one I would like to see considered as part of our next Operational Plan.

FINANCIAL IMPACT

There is no immediate financial impact as a result of this motion.

CHIEF EXECUTIVE OFFICER'S COMMENT

The recommendation as written has no financial impacts. The investigation of the installation of defibrillators in community buildings and sporting facilities can be incorporated as part of Council's 2023/24 Operational Plan.

Notice of Motions & Questions With Notice - 22 November 2022

ITEM 10.3 Aged Care Funding - Thanks to the Federal Minister for Health and Aged Care

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

“I propose that Council writes to the Federal Minister for Health and Aged Care, The Hon. Mark Butler MP, applauding him on his Government’s commitment to older Australians in care, in particular the recent budget announcement which sets aside a \$3.9 billion package of reforms for the aged-care sector.

I further propose he writes to the operators of aged care facilities in our City detailing the package of reforms and the increased support available to them.”

BACKGROUND

Councillors,

The Albanese Government’s announcement of a \$3.9 billion package of reforms for the aged care sector is a shot in the arm and long overdue. Under the previous Federal Coalition Government, funding in the sector over the past 10 years, has failed to keep pace with the growing demands and there are some operators struggling.

The recent Royal Commission into Aged Care Quality and Safety was scathing and found the aged care system failed to meet the needs of its older and vulnerable citizens. It went on further to say it did not deliver uniformly safe and quality care.

To put it simply, in too many cases the system was found to be uncaring and neglected those in most need.

Councillors, it won’t surprise you to learn there are hundreds of aged care and nursing home facilities littered across our City, run by many different operators and caring for thousands of locals.

However, what may come as some surprise, is that there are a number that are struggling financially because of the increasing cost pressures, higher standards of clinical care, an increase in administrative and compliance costs and staff shortages.

A performance survey conducted by a prominent accounting firm showed that two in three nursing homes are operating at a loss and residential care homes were losing \$14 per bed a day.

Our City, like most others, is faced with an ageing population and the demand on these facilities will only increase. Therefore, it is in all our best interests both now, and into the future, we all care for those who cannot care for themselves.

FINANCIAL IMPACT

The motion does not present any financial impact for Council.

CHIEF EXECUTIVE OFFICER'S COMMENT

The motion, as written, presents no financial impact for Council.

Notice of Motions & Questions With Notice - 22 November 2022

ITEM 10.4 Library Services - 1,000 Books Before School Challenge

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

“That Council trials a revolutionary learning initiative “1,000 Books Before School” Program in the Canterbury Bankstown Council libraries in an attempt to curb the alarming decline in literacy levels, not only in our City, but across the country.”

BACKGROUND

I thought it appropriate to begin by quoting from renowned novelist George R.R. Martin who wrote: “A reader lives a thousand lives before he dies. The man who never reads lives only one.”

Appropriate because the 1,000 Books Before School program targets children aged between 0-5 years old and encourages parents, preschools, playgroups and childcare centres to read 1,000 books to their children before they begin formal schooling.

The purpose is to help develop a child’s literacy skills, promote a daily reading habit, instil a love of learning and knowledge at a young age opening up their minds to different ideas and creativity.

There is very clear research which shows that building literacy skills of children before they start school is fundamental to their success at school.

As a developed nation, the latest OECD figures on literacy levels show things are pretty crook. In the year 2000, around 12 per cent of children were found to have the lowest level of reading proficiency, and that figure has gone downhill since. In 2018, of the 40,000 students tested, something like 40 percent were unable to read at a “proficient standard”.

The initiative is based on a concept by country and western singer Dolly Parton who created the Dolly Parton Imagination Library. The program mails children, including Australian children, a free book each month and fosters a love of learning.

It should be noted that some Councils, including Parramatta have also embraced the concept which also offers incentives and gifts to children and parents who decide to take up the challenge.

On a final note, the benefits and learning experience for our children, in particular our CALD communities, is an investment in their futures.

FINANCIAL IMPACT

This program will be fully funded through Council's Library Priority Grants. No additional funds will be required.

CHIEF EXECUTIVE OFFICER'S COMMENT

This program can be incorporated into the Library Services Program through the Library Priority Grants and is a positive initiative to enhance early childhood learning.

Notice of Motions & Questions With Notice - 22 November 2022

ITEM 10.5 Potholes - Call for Additional Funding

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

“That Council writes to the Minister for Local Government of NSW, The Hon. Wendy Tuckerman MP, calling on her Government to support Councils affected by extreme weather conditions by shovelling more cash into funding for pothole and road repairs.

I further call on the Minister to review the roads grants made available to Councils, with the view of increasing them, given the very real warnings about climate change.”

BACKGROUND

The NSW Government must acknowledge and accept that Local Councils in metropolitan Sydney are struggling to keep pace with the deteriorating conditions of our roads due to the unpredictable and inclement weather.

Councils, like ours, which are carrying out temporary repairs to damaged roads, are faced with the situation of returning to repair the same stretch of road over and over again because of the extreme rain events.

To put it simply, our road crews are working around the clock and the constant rain is stifling attempts for a more permanent fix.

A couple of facts to highlight:

- We have over a thousand kms of roads to maintain across our LGA.
- Hundreds of thousands of cars and trucks, traverse through our City because of our Central City location.
- Since the beginning of 2022, Council has carried out temporary repairs to around 1650 pot holes across the entire LGA.
- The cost to Council is estimated to be in the hundreds of thousands of dollars and growing.

Councillors, the NSW Government recently announced they will be investing \$50 million to help regional and rural councils to fix the huge number of potholes which developed after the extreme wet weather.

While nobody here tonight would begrudge our country cousins from receiving this much needed funding, it is imperative that the NSW Government needs to heed the call of Councils across Sydney and the greater metropolitan area and shovel out some extra cash for us.

The call for more funding is also backed up by motoring bodies including the NRMA, who alarmingly recorded something like 26,440 calls for assistance in July and August alone.

And they are not alone. . . LGNSW is also on the record calling on the State Government to increase funding on roads and to Councils so they can address this emergency.

So, let's get the funding rolling in, so we can steamroll this issue.

FINANCIAL IMPACT

The motion does not present any financial impact for Council. The motion, as written, proposes Council writes to the NSW Government requesting additional funding.

CHIEF EXECUTIVE OFFICER'S COMMENT

The motion, as written, presents no financial impact for Council.

Notice of Motions & Questions With Notice - 22 November 2022

ITEM 10.6 Greening of Unwin Street, Earlwood

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

“Council investigates options of transforming Unwin Street, Earlwood into a ‘green street’ creating a sustainable, environmental corridor linking Wolli Creek Regional Park and Waterworth Park.

I further call on Council to voice their opposition to any proposed sale of vacant Sate Government land in Unwin Street, and support it being handed over to the National Parks and Wildlife service.”

BACKGROUND

We have an opportunity to create something special for our community and we must explore the many possibilities.

The Wolli Creek Preservation Society is a passionate group that have the best interests of the community in mind and have done much work on enhancing the local fauna and flora and the protection of the local environment.

Their vision is to create a green corridor linking Waterworth Park with the nearby Regional Park, a vision which will see more green space and introduce bird and plant species.

They have openly shared their vision which includes:

- Installing a raingarden/wetland an at the bottom of Unwin St.
- Encourage street tree plantings on both sides with mixed small tree species like the local white-flowered Blueberry Ash.
- Regenerate low heath vegetation between Bayview and Unwin Streets and to revegetate the surrounds with mixed plantings of species local to the Regional park.

Councillors, this vision and the well-intentioned objectives will go some way to enhance the water quality, preserve and showcase the native bush and protect the creek. The community will benefit by experiencing the Wolli Creek wilderness and the rich ecology and cultural heritage.

FINANCIAL IMPACT

The motion does not present any financial impact for Council.

CHIEF EXECUTIVE OFFICER'S COMMENT

The recommendation as written has no financial impacts. The investigation into design options can be incorporated as part of Council's 2023/24 Operational Plan.

Notice of Motions & Questions With Notice - 22 November 2022

ITEM 10.7 Establishment of an Annual Mayoral Christmas Toy and Hamper Drive

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

“Council establishes an annual Mayor’s Christmas Toys and Hamper Drive and supports local charitable and not-for profit organisations, and the Canterbury Bankstown Chamber of Commerce, to make this Christmas special for many needy children and their families in our City.

I further call on Council to promote and encourage community participation through the media and on all its social and digital media platforms.”

BACKGROUND

It’s starting to look a lot like Christmas!

Christmas trees are going up and the Christmas lights are coming out of their boxes.

Major retailers have already started advertising their pre-xmas sales and the tills are ringing, as mums and dads are getting in early to beat the rush.

In fact, I have it on good authority Santa and his elves have been working overtime to ensure the sleigh is full and in readiness for the long trip from the North Pole.

But, with the Christmas joy, comes the stark reality that there are some families in our City who are doing it tough, and simply cannot afford to give presents, or splash out on a feast.

The latest census reveals the residents of our City are among the poorest when it comes to their medium household income with very little savings, and most, if not all of their money going towards their rent, rising bills and the basics.

Councillors, this initiative is about bring some joy to as many of these families as possible.

I envisage that as in the past, Council staff will work with the charitable and not for profit organisations, as well as the Canterbury Bankstown Chamber of Commerce, to ensure delivery to those families who need it most. I’ll be wearing my Christmas hat and helping with deliveries and I hope some of my fellow Councillors do too.

With less than 30 sleeps before the big guy in the red suit makes his rounds, let’s all do our bit to make this Christmas extra special.

FINANCIAL IMPACT

It is anticipated that the receiving and sorting of non-perishable items and new toys (no second hand used toys) could be undertaken as part of daily operations for customer service and libraries up until Christmas and that engagement with our local charitable and not-for profit organisations would fit within business as usual work with the network.

CHIEF EXECUTIVE OFFICER'S COMMENT

The Motion as written can be accommodated with receiving and sorting of good being managed with modified responsibilities within our business as usual operations. Networking with our local charitable and not-for profit organisations is a key function of Council's Diversity Officer which can be accommodated by Community Services for the 4 weeks up to Christmas.

To ensure donations reach those for which they are intended, acceptance of donations would need to close Wednesday 21 December 2022.

Notice of Motions & Questions With Notice - 22 November 2022

ITEM 10.8 Swimming in the Georges River

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

“Council work with the Georges Riverkeeper to identify suitable swimming locations on the river, and where appropriate apply for grant funding, under Sydney Water’s Urban Plunge Program.

I further urge Council staff to participate in the upcoming Urban Plunge Tech Summit on 25 November 2022, showcasing techniques and innovations that can make swimming and aquatic recreation in our waterways easier, cheaper and safer to deliver.”

BACKGROUND

An interesting story on Channel Nine News a couple of weeks ago highlighted an initiative by Sydney Water which will fast track the delivery of more waterway swimming and recreation opportunities across a number of communities.

Some of the communities include those along the Parramatta River and Canada Bay.

The vision to identify appropriate locations and enable our residents to use our waterways and soak up the wonderful recreation areas is long overdue. And our backyard is just as good, if not better than others, and we must do what we can to ensure we are afforded the same opportunities.

The Urban Plunge initiative is designed to accelerate the delivery of these opportunities in the rivers, creeks, lakes and inlets of our cities and suburbs. And in doing so, create green and connected places, transforming amenity, recreation and health.

My understanding is the Urban Plunge is looking for partners, Councils like ours, along with technology, processes and investment to support opening new swimming sites.

I also understand there are funding opportunities and support available to Councils to entice them to take the plunge. Opportunities which include:

- up to \$1 million for projects that help you get in the water
- up to \$750,000 for ideas to get on the water
- up to \$500,000 for better access around the water.

Also providing advice on:

- identifying suitable sites
- understanding key constraints
- developing appropriate solutions to enable safe aquatic recreation.

Councillors, the opportunities which are available are “breathtaking”, and I call on Council staff to utilise a report on the Georges River which came before Council in 2018, and to further attend the Urban Plunge Tech Summit on 25 November 2022 at Parramatta Square, or in person or online, so we can be better informed.

FINANCIAL IMPACT

The Urban Plunge Tech Summit is a free event and has no financial impact.

CHIEF EXECUTIVE OFFICER'S COMMENT

The motion, as written, presents no financial impact for Council at this stage. Any future grant would need to be considered as part of the budget process.

Notice of Motions & Questions With Notice - 22 November 2022

ITEM 10.9 Proposed Telecommunications Tower - Holden Street, Ashbury

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

1. "Writes urgently to the Minister for Customer Service and Digital Government, Minister for Small Business, Minister for Fair Trading Mr Victor Dominello and Minister for Planning Mr Anthony Roberts seeking urgent representations from residents in relation to the proposed network site at 165-169 Holden Street Ashbury by the NSW Telco Authority.
2. Writes urgently to the NSW Telco Authority seeking no action on this installation until information in relation to the proposed network site at the site known as 165-169 Holden Street Ashbury is provided to Councillors and residents.
3. Seeks an undertaking from the NSW Telco Authority that no works are to be carried out on the subject land until further notice.
4. Requests that the NSW Telco Authority provides Councillors and residents with studies in relation to radio frequency and in particular studies that rebut the following statement made in correspondence dated 13 October 2022 signed by James McIver Senior Planner for Catalyst One Pty Ltd
5. Notes that based on the preliminary assessment and proposed implementation of safeguards, it is anticipated that the proposal is unlikely to pose a risk to the environment."

BACKGROUND

I have been approached by concerned residents who have been notified of yet another communications installation. This installation is proposed on Sydney Water Land at 165-169 Holden St, Ashbury and there is very little detail for the residents to evaluate how it may impact their lives and ongoing health.

My motion seeks to ensure that appropriate information is provided to the community and that real and meaningful engagement occurs before any final decision.

I note that while Council as an adjoining landowner has been notified, it is unfortunately permitted without consent, which means there is nothing we can do other than to employ the relevant ministers to pause and listen.

FINANCIAL IMPACT

There is no financial impact of making representations.

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no financial impact of the motion as written.

For completeness of information I have provided a copy of the referral which details information about the installation.

ATTACHMENTS

[Click here for attachment](#)

- A. Notice of intention to carry out development by NSW Telco Authority

Notice of Motions & Questions With Notice - 22 November 2022

ITEM 10.10

Ramadan Nights in Lakemba - Thank you to The Hon. Mark Coure MP

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

“Council writes to the NSW Minister for Multiculturalism, The Hon. Mark Coure MP to acknowledge his support and say “thank you” for approving \$1 million of grant funding which will go towards hosting our City’s major event, Ramadan Nights Lakemba.”

BACKGROUND

It was around 9am on 7 November 2022, and the Mayor takes an unexpected “million-dollar” phone call. An exuberant Minister for Multiculturalism, Mark Coure, delivered the good news that our City will be receiving \$500,000 a year over the next two years to assist us in the organisation and hosting of Ramadan Nights Lakemba.

As you will all be aware, this event attracts more and more visitors each year, and can be truly listed as one of NSW's major events. This year’s month-long event attracted around 1.2 million visitors, and saw people travel from across Sydney, interstate and from around the world.

The sights, smells, and sounds of Ramadan Nights Lakemba are something that everyone should experience for themselves.

While events like these bring the community together, attract investment for our City and local businesses, and great for tourism, they do come at a cost to Council. The Grant funding will go a long way to assist Council in continuing to make this event a success.

I ask that all Councillors join me in thanking Minister Mark Coure for his bipartisan approach when it comes to grant-funding for Ramadan Nights Lakemba. He has shown he has put the best interests of our City and its huge multicultural community which resides here first.

FINANCIAL IMPACT

No financial impact for a thank you letter.

CHIEF EXECUTIVE OFFICER'S COMMENT

The motion as written has no financial impact.

Notice of Motions & Questions With Notice - 22 November 2022

ITEM 10.11 Celebrating Fatherhood

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

“Council celebrates and supports new mothers by recognising the supportive role new fathers play during this very special family time. I congratulate Council on their initiative, ‘New Fathers’ Meet Up’, and look forward to its launch and promotion early next year.”

BACKGROUND

As most of you are aware, I am a new mother and have recently given birth to a baby girl, Sarah Yusra Zaman, and if I can share with you that bringing new life into the world is the most joyous occasion and a time of happiness and joy.

I have found that there are many support networks and services available to new mums, but very little for new dads. Men also need support during this period and can sometimes feel ignored or out of their depth.

I want to congratulate Council staff on their new initiative, New Fathers’ Meet Up, which aims to bring new dads together to share their experiences and learn more about their child’s development. They will also learn how to talk and play with their babies.

I am told the meetings will be held at the Bankstown Library and Knowledge Centre community room, and of course new dads are encouraged to give mums a break and bring their new bubs along.

FINANCIAL IMPACT

The motion supports Council initiatives.

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no financial impact of the motion as written.

Notice of Motions & Questions With Notice - 22 November 2022

ITEM 10.12 Ordinary Council Meetings at Campsie

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

“That Council prepare an updated report outlining the costs associated with reactivating the Campsie Admin Council chambers for public Council meetings with a view to sharing the meetings throughout the year between the two Chambers”

BACKGROUND

Council previously considered this matter in 2018. Since then, there have been a number of operation upgrades to the building, such as some fire safety and roof repairs and so it is now timely to get a further report into what needs to be done in order to make the chambers safe and compliant for use, and also accommodate meetings with all councillors and the public in line with Code of Meeting Practice.

FINANCIAL IMPACT

Council received reports in 2018 and a comprehensive review of the building was done as part of the demerge business case. I envisage that it would not cost much for a review specific to activation of just the chambers in the Campsie Admin building and that this cost could be met from the operation budget.

CHIEF EXECUTIVE OFFICER'S COMMENT

It is estimated that this independent review would cost in the order of \$5,000 - \$10,000 and this this could be accommodated within Council's building and infrastructure budgets to provide some certainty and clarity for council in relation to what needs to be done to reactivate the chambers in line with the BCA, Code of Meeting Practice and community expectations.

Notice of Motions & Questions With Notice - 22 November 2022

ITEM 10.13 Verge Mowing

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

“That Council investigate the costs for reintroducing verge mowing to any verges that were previously maintained by Council for persons without capacity to tend to their own verge”

BACKGROUND

Council is in the process of reviewing its Verge Mowing Policy and as part of the current Operation Plan, this will culminate in a workshop with Councillors to review the service before next year’s operational plan is adopted.

My motion seeks to ensure that as part of this review there is specific costings shared with all councillors in relation to the costs for reintroducing verge mowing to any verges that were previously maintained by Council for persons without capacity to tend to their own verge.

FINANCIAL IMPACT

I imagine no financial impact of this costing investigation as the review is already part of the operation plan for 2022/23.

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no financial impact of the motion as written.

Notice of Motions & Questions With Notice - 22 November 2022

ITEM 10.14 Golden Heart Charity Organisation - Fundraising Efforts

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

“Council acknowledges and praises the Golden Heart Charity Organisation, in particular the President of the Vietnamese-Australian Medical Association, Dr Vinh Bin Lieu OAM, for their outstanding fundraising efforts in raising much-needed funds for the Bankstown-Lidcombe Hospital.

I propose Council recognises the Golden Heart Charity Organisation, and Dr Vinh Bin Lieu OAM, with a certificate of thanks on behalf of our entire community.”

BACKGROUND

The kindness and generosity of people never ceases to amaze me! This was clearly evident at the Golden Heart Charity dinner which was held recently.

The charitable organisation consists of many Chinese and Vietnamese associations, as well as business groups and the Lions Club. Their goal this year was to raise \$219,000, funds which would go towards buying a sophisticated laser machine for the Bankstown-Lidcombe Hospital.

The night was a resounding success and so far, nearly \$150,000 has been promised and there is hopefully more coming.

By way of background, the Golden Heart Charity Organisation began fundraising in 2008, and since then have raised hundreds of thousands of dollars for many worthy causes, like flood and bushfire victims, local hospitals and refugees.

A special mention must also go to Dr Vinh Bin Lieu, OAM, a driving force behind the event and a major part of the Charity. Dr Lieu has dedicated his life, to bettering the lives of others, after fleeing his mother country by sea following the Vietnam War.

After arriving, the young trainee doctor managed to secure a place at Sydney University, later setting up a practice in our city where he continues to treat our community.

Councillors, now it is our turn to say thank you and show our appreciation on behalf of all our residents.

FINANCIAL IMPACT

No financial impact for a certificate of thanks.

CHIEF EXECUTIVE OFFICER'S COMMENT

The motion as written has no financial impact.

11 CONFIDENTIAL SESSION

11.1 Property Matter - Unsolicited Proposal by Bankstown District Sports Club

11.2 Property Matter - Heartbreak Ridge Paint Ball, 2 Maxwell Avenue, Milperra

11.3 T21-23 Croydon Park Precinct Upgrade

Chief Executive Officer's Statement

Confidentiality

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

CONFIDENTIAL SESSION

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

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

RECOMMENDATION

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

Item 11.1 Property Matter - Unsolicited Proposal by Bankstown District Sports Club

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

This report is considered to be confidential in accordance with Section 10A(2)(f) of the Local Government Act, 1993, as it relates to matters affecting the security of the Council, Councillors, Council staff or Council property.

Item 11.2 Property Matter - Heartbreak Ridge Paint Ball, 2 Maxwell Avenue, Milperra

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

Item 11.3 T21-23 Croydon Park Precinct Upgrade

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.