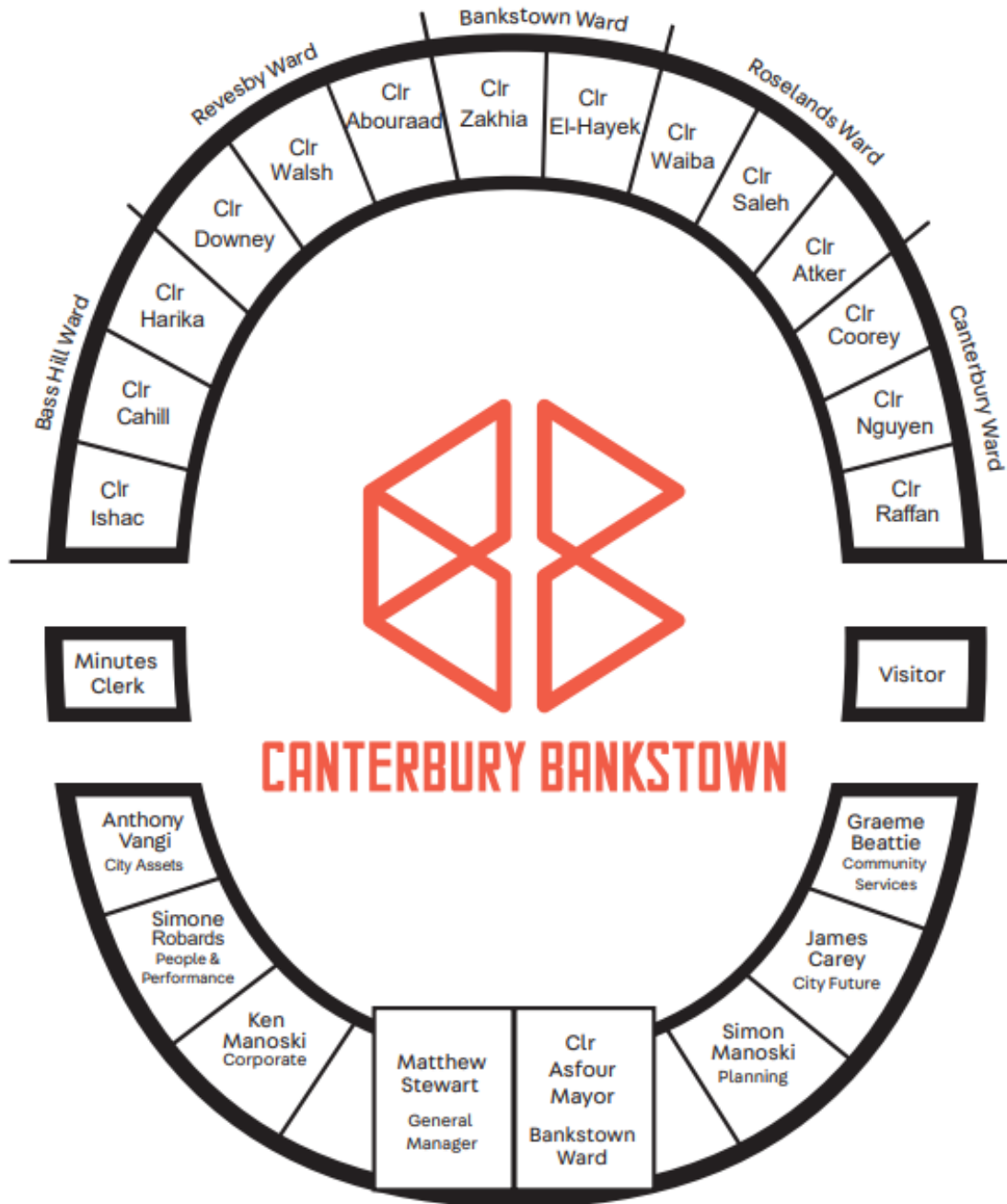




AGENDA FOR THE ORDINARY MEETING

26 July 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.

ORDER OF BUSINESS

1	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	7
1.1	Minutes of the Ordinary Meeting of Council of 23 June 2022	9
2	LEAVE OF ABSENCE.....	25
3	DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST.....	27
4	MAYORAL MINUTES	29
4.1	SBS Campaign	31
4.2	Waiving Sporting Fees	33
4.3	Former Japanese Prime Minister Shinzo Abe Condolence	35
4.4	Local Community Based Donations	37
5	PLANNING MATTERS	39
5.1	Outcome of Exhibition - Planning Proposal for 34 Allan Avenue and Benda Street Reserve in Belmore	41
6	POLICY MATTERS.....	53
7	GOVERNANCE AND ADMINISTRATION MATTERS	55
7.1	Cash and Investment Report as at 30 June 2022	57
7.2	Disclosure of Interest Returns	61
7.3	Proposal to De-amalgamate	63
8	SERVICE AND OPERATIONAL MATTERS	121
8.1	E-Scooters	123
9	COMMITTEE REPORTS	129
9.1	Minutes of the Audit Risk and Improvement Committee meeting held 29 June 2022	131
9.2	Minutes of the Traffic Committee Meeting held on 12 July 2022	133
10	NOTICE OF MOTIONS & QUESTIONS WITH NOTICE	135
10.1	Status of Previous Notices of Motion	137
10.2	Ending Strata-initiated Bankruptcies - Councillor Clare Raffan	139
10.3	Cooks River Upper House Inquiry - Fix the Sheet Metal Piling – Councillor Clare Raffan	141
10.4	Bankstown and Canterbury State Emergency Services Units – Councillor Linda Downey	143
10.5	Inclusive Cricket - Councillor Linda Downey	145

10.6	Menai School Bus - Councillor Linda Downey	147
10.7	Condolence - Murray Kitteringham - Councillor Linda Downey	149
10.8	Community Bus Investigation - Councillor Karl Saleh	151
10.9	Bankstown Women's Health Centre Domestic Violence Campaign – Councillor Sazed Akter	153
10.10	Federal Race Discrimination Commissioner's Anti-Racism Campaign - Councillor George Zakhia	155
11	CONFIDENTIAL SESSION.....	157
11.1	Proposed Acquisition of Property in Canterbury	

1 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The following minutes are submitted for confirmation -

1.1	Minutes of the Ordinary Meeting of Council of 23 June 2022	9
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CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JUNE 2022

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

PRESENT BY AUDIO
VISUAL LINK: Councillors Raffan and El-Hayek

APOLOGIES Nil

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

COUNCILLORS ATTENDING REMOTELY

(119)

CLR. ZAKHIA:/CLR. DOWNEY

RESOLVED that permission be granted to Councillors Raffan and El-Hayek to attend the meeting remotely by zoom.

- CARRIED

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

(120)

CLR. HARIKA:/CLR. DOWNEY

RESOLVED that the minutes of the Ordinary Council Meeting held on 24 May 2022 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

Nil

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

Nil

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JUNE 2022

SECTION 4: MAYORAL MINUTES

ITEM 4.1 INFRASTRUCTURE CONTRIBUTIONS
(121) CLR. ASFOUR

RESOLVED that Council write to the NSW Minister for Planning, Anthony Roberts, seeking an urgent meeting to highlight our City's concerns and to seek clarification so we can plan for our City, and local communities with some certainty.

- CARRIED

ITEM 4.2 FOOTWAY DINING
(122) CLR. ASFOUR

RESOLVED that Council waives the 2022/23 "Outdoor Dining Fee" acknowledging the operational cost implication in the order of \$200,000.

- CARRIED

ITEM 4.3 LOCAL COMMUNITY BASED DONATIONS
(123) CLR. ASFOUR

RESOLVED that

1. Council support a donation of \$1000 for the Padstow Community Care Winter Appeal 2022.
2. Council support the fee waiver of \$1158 for the Lebanese Australian Friendship Association.
3. Council support a donation of \$500 to Kookies N Kream Dance Crew towards their fundraising to travel to the Hip-Hop International Championships in Arizona USA.
4. Council support a fee waiver of \$570 and \$380 Works in Kind donation to the East Hills Charity Car Show.
5. Council support a donation of \$500 to the Australian Federation of Qadisha Maronite Region Limited (AFQMR).
6. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JUNE 2022

ITEM 4.4 JOHN MOUNTFORD

AT THIS STAGE HIS WORSHIP THE MAYOR ACKNOWLEDGED THE PASSING OF JOHN MOUNTFORD.

(124) CLR. ASFOUR

RESOLVED that Council thanks Mr Mountford for dedicating his life to service of our community and our City, Rest in Peace.

- CARRIED

COUNCIL OBSERVED A MINUTES SILENCE IN MEMORY OF JOHN MOUNTFORD.

SECTION 5: PLANNING MATTERS

ITEM 5.1 CANTERBURY BANKSTOWN LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2022

(125) CLR. DOWNEY:/CLR. SALEH

RESOLVED that

1. Council adopt the Canterbury Bankstown Local Infrastructure Contributions Plan 2022 as provided in Attachment A.
2. The Canterbury Bankstown Local Infrastructure Contributions Plan 2022 takes effect on the date published on Council's website.
3. The Canterbury Bankstown Local Infrastructure Contributions Plan 2022 repeals the Canterbury Development Contributions Plan 2013, Canterbury Town Centre and Riverfront Precinct Development Contributions Plan 2011 and Bankstown Development Contributions Plan 2019 on the date published on Council's website in accordance with the Environmental Planning and Assessment Regulation 2021.
4. In finalising the Canterbury Bankstown Local Infrastructure Contributions Plan 2022, the General Manager be given authority to make formatting and other minor changes to the Plan, provided these do not change its intent or policy position.

- CARRIED

For:- Ctrs Asfour, Abouraad, Akter, Cahill, Downey, El-Hayek, Harika, Ishac, Nguyen, Raffan, Saleh, Waiba, Walsh and Zakhia

Against:- Clr Coorey

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JUNE 2022

ITEM 5.2 **PLANNING PROPOSAL FOR WSU MILPERRA SITE AT 2 AND 2A BULLECOURT AVENUE, MILPERRA (RZ-3/2020)**

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

RESOLVED that the matter be deferred for;

1. Councillors to receive a full briefing on the NSW government gateway approval.
2. Milperra Residents to be informed in writing of the NSW government's gateway approval and its implications prior to Council giving consideration to the matters outlined in Item 5.2.
3. Council to write to the Federal Education Minister, Mr Jason Clare, and request his intervention in order to retain this site as an educational facility for NSW public school students and the local Milperra Community.
4. Council to not finalise the site specific DCP until matters listed under Item 5.2, point 4 (page 50) of the 23 June 2022 business paper are resolved.

- CARRIED

For:- Clrs Asfour, Abouraad, Akter, Cahill, Coorey, Downey, El-Hayek, Harika, Ishac, Nguyen, Raffan, Saleh, Waiba, Walsh and Zakhia

Against:- Nil

ITEM 5.3 **EXHIBITION OF PLANNING PROPOSAL - 30 TREVENAR STREET, ASHBURY**

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

RESOLVED that

1. Council notes this report.
2. The Mayor and General Manager request an urgent meeting with the Minister for Planning and Homes to seek NSW Government financial support to acquire the land for public open space purposes.
3. In July 2022, the General Manager advise Council of the outcome of any meeting with the Minister for Planning and Homes together with a recommendation on whether or not to proceed with the Planning Proposal.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JUNE 2022

ITEM 5.4 **DRAFT HOUSEKEEPING AMENDMENTS TO THE COMMUNITY PARTICIPATION PLAN**

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

RESOLVED that

1. Council exhibit the draft amendments to the Community Participation Plan for a minimum 28 days, as provided in Attachment A.
2. The matter be reported to Council following the exhibition period.

- CARRIED

SECTION 6: POLICY MATTERS

Nil

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 **LOCAL GOVERNMENT REMUNERATION TRIBUNAL - DETERMINATION OF MAYOR AND COUNCILLOR FEES 2022/2023**

(129) **CLR. DOWNEY:/CLR. CAHILL**

RESOLVED that

1. Effective from 1 July 2022, Council continues to apply the maximum fees structure for the Mayor and Councillors, as determined by the Local Government Remuneration Tribunal, being:
 - Mayoral Additional Fee \$92,180 p.a.
 - Councillor Annual Fee \$31,640 p.a.
2. The current Additional Fee for the Deputy Mayor, being 15% of the Mayors Additional Fee, be re-confirmed.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JUNE 2022

ITEM 7.2 **ADOPTION OF THE INTEGRATED PLANNING AND REPORTING SUITE – COMMUNITY STRATEGIC PLAN (CBCITY 2036); DELIVERY PROGRAM 2022-25 AND OPERATIONAL PLAN 2022/23 (CBCITY 2025); RESOURCING STRATEGY FOR ASSETS, FINANCE AND WORKFORCE, AND THE COMMUNITY ENGAGEMENT FRAMEWORK, POLICY AND TOOLKIT**

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

RESOLVED that

1. In accordance with *S402-406* of the *Local Government Act 1993*, the Integrated Planning and Reporting documents, including the Community Strategic Plan (CBCity 2036); Resourcing Strategies (Assets, Finance and Workforce); Delivery Program 2022-25 and Operational Plan 2022/23 including Budget and Schedule of Fees and Charges (collectively known as CBCity 2025); and the Community Engagement Framework, Policy and Toolkit, be adopted.
2. Those members of the community that provided formal submissions be thanked and advised of Council's responses in this report.
3. In accordance with the relevant sections of the *Local Government Act 1993*, Council makes the following Rates and Charges – former Bankstown City Council:

3.1 Rating

Subject to the provisions of the *Local Government Act 1993*, an ordinary rate be made and levied for the rating year 1 July 2022 to 30 June 2023 upon the land value of all rateable land within the former Bankstown City Council categorised as Residential or Business as detailed in the following table:

Category / Sub-Category	Ad-Valorem Rate	Minimum Rate
Residential – Ordinary	0.00217268	\$850.00
Business – Commercial Large	0.00657236	\$850.00
Business – Commercial General	0.00602919	\$850.00
Business – Industrial Large	0.00657236	\$850.00
Business – Industrial General	0.00602919	\$850.00
Business – Ordinary	0.00548602	\$850.00
Bankstown Town Centre Special – see 3.1.1	Nil	Nil

The residential and business ad valorem rates in the table above have been adjusted to account for year 2 (2022/23) of the eight-year gradual

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JUNE 2022

harmonisation process in order to have one harmonised rating structure for the City by 1 July 2028.

3.1.1 Bankstown Town Centre Special Rate

In implementing its overall rating strategy, Council had agreed to discontinue levying the Bankstown CBD Special Improvement Rate from 1 July 2022. This decision has been applied in setting Council's 2022/23 rating structure.

3.1.2 Bankstown Airport

For properties where an ex-gratia payment in lieu of rates is applicable, Council will apply an equivalent ad-valorem rate or minimum charge that applies to the Business – Industrial General sub-category.

3.2 Domestic Waste Management Service Charges

Subject to provision of Sections 496, 501, 502 and 504 of the *Local Government Act 1993*, annual Domestic Waste Management Charges be made and levied on a pro-rata quarterly basis for the year 1 July 2022 to 30 June 2023, as follows:

Type of Charge	Short Name	Annual Charge
An Annual Domestic Waste Management Service charge per service for each parcel of Rateable Residential land for which a service is available.	Domestic – Waste Management	\$585.00
Each additional service in respect of single dwelling premises.	Domestic Waste Extra Service	\$324.00
Each additional service in respect of multi residential units - 240L.	Domestic Waste Extra Strata Service	\$357.00
Each additional service in respect of multi residential units - 660L.	Domestic Waste Extra Strata Service	\$983.00
Each additional service in respect of multi residential units - 1100L.	Domestic Waste Extra Strata Service	\$1,607.00
Each additional service in respect of recycling.	Extra Recycling Service	\$91.00
Each additional service in respect of Greenwaste.	Extra Green Waste Service	\$148.00
Rateable Vacant Land	Domestic Waste Vacant Land	\$154.00
Each additional service in respect of multi residential unit - single bins	Domestic Waste Extra Service Strata single bin	\$186.00

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JUNE 2022

3.3 Stormwater Management Charges

Council make and levy an annual stormwater management service charge for the year 1 July 2022 to 30 June 2023 as follows:

Description of Charge	Charge
Annual residential property charge	\$25.00
Annual residential strata property charge	\$12.50
Annual business property charge per 350 square metres or part there-of for non-vacant business land	\$25.00
Annual business property charge per 350 square metres or part there of surface land area for strata business unit (proportioned to each lot based on unit entitlement) not less than \$5.00.	\$25.00
Mixed Developments – see below	

3.3.1 Mixed Developments

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

3.3.2 Bankstown Airport

- For properties where an ex-gratia payment in lieu of rates is applicable, Council will apply an annual Stormwater Management Charge of \$25.00 per property plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.

3.3.3 Exemptions

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

3.4 Interest Rate on Overdue Rates & Charges

Subject to the provisions of Section 566(3) of the *Local Government Act 1993* the rate of interest charged on overdue rate instalments be set at the

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JUNE 2022

maximum rate specified by the Minister for Local Government from time to time. The rate of interest payable on overdue rates and charges for the period 1 July 2022 to 30 June 2023 (inclusive) will be 6.0% per annum.

3.5 Voluntary Pensioner Rebate

In addition to the current maximum pensioner rebate of \$250.00 per annum, Council continue to provide a further voluntary rebate, totalling \$40.00 per annum in accordance with Council's 'Rates and Charges, debt recovery and Hardship Assistance Policy.

4. In accordance with the relevant sections of the *Local Government Act 1993*, Council makes the following Rates and Charges – former Canterbury City Council:

4.1 Rating

Subject to the provisions of the *Local Government Act 1993*, an ordinary rate be made and levied for the rating year 1 July 2022 to 30 June 2023 upon the land value of all rateable land within the former Canterbury City Council categorised as Residential or Business as detailed in the following table:

Category / Sub-Category	Ad-Valorem Rate	Minimum Rate
Residential – Ordinary	0.00189735	\$850.00
Business – Commercial Large	0.00573948	\$850.00
Business – Commercial General	0.00526515	\$850.00
Business – Industrial Large	0.00573948	\$850.00
Business – Industrial General	0.00526515	\$850.00
Business – Ordinary	0.00479081	\$850.00

The residential and business ad valorem rates in the table above have been adjusted to account for year 2 (2022/23) of the eight-year gradual harmonisation process in order to have one harmonised rating structure for the City by 1 July 2028.

4.2 Domestic Waste Management Service Charges

Subject to the provisions of Sections 496, 501, 502 and 504 of the *Local Government Act 1993*, annual Domestic and Non-Domestic Waste Management Charges be made and levied on a pro-rata quarterly basis for the year 1 July 2022 to 30 June 2023, as follows:

CANTERBURY BANKSTOWN

MINUTES OF THE

ORDINARY MEETING OF COUNCIL

HELD IN COUNCIL CHAMBERS

ON 23 JUNE 2022

Type of Premises	Short Name	Annual Charge
An Annual Domestic Waste Management Service charge per service for each parcel of Rateable Residential land for which a service is available.	Domestic Waste Service	\$585.00
Properties categorised as Business (with or without residential accommodation)	Waste Management – Business	\$585.00
Each additional service.	Domestic Waste Extra Service	\$324.00
Each additional service in respect of multi residential units - 240L.	Domestic Waste Extra Strata Service	\$357.00
Each additional service in respect of multi residential units - 660L.	Domestic Waste Extra Strata Service	\$983.00
Each additional service in respect of multi residential units - 1100L.	Domestic Waste Extra Strata Service	\$1,607.00
Each additional service in respect of recycling.	Extra Recycling Service	\$91.00
Each additional service in respect of Greenwaste.	Extra Green Waste Service	\$148.00
Rateable Vacant Land	Domestic Waste - Vacant	\$154.00

4.3 Stormwater Management Charges

Council make and levy an annual stormwater management service charge for the year 1 July 2022 to 30 June 2023 as follows:

Description of Charge	Charge
Annual residential property charge	\$25.00
Annual residential strata property charge	\$12.50
Annual business property charge per 350 square metres or part there-of for non-vacant business land	\$25.00
Annual business property charge per 350 square metres or part there of surface land area for strata business unit (proportioned to each lot based on unit entitlement) not less than \$5.00.	\$25.00
Mixed Developments – see below	

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JUNE 2022

4.3.1 Mixed Developments

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

4.3.2 Exemptions

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

4.4 Interest Rate on Overdue Rates & Charges

Subject to the provisions of Section 566(3) of the *Local Government Act 1993* the rate of interest charged on overdue rate instalments be set at the maximum rate specified by the Minister for Local Government from time to time. The rate of interest payable on overdue rates and charges for the period 1 July 2022 to 30 June 2023 (inclusive) will be 6.0% per annum.

4.5 Voluntary Pensioner Rebate

In addition to the current maximum pensioner rebate of \$250.00 per annum, Council continue to provide a further voluntary rebate, totalling \$40.00 per annum, in accordance with Council's 'Rates and Charges, Debt Recovery and Hardship Assistance Policy.

5. Council endorse the adjustment to Council's full time equivalent employee resources, as outlined in the report.
6. Council adopt the proposed Financial Management and Asset Management Strategies and actions, as outlined in the report.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JUNE 2022

ITEM 7.3 2022-2026 DISABILITY INCLUSION ACTION PLAN

(131) CLR. RAFFAN:/CLR. EL-HAYEK

RESOLVED that

1. Council adopt the 2022-2026 Disability Inclusion Action Plan (Attachment A) and consider the actions as part of future operational plans.
2. Discussions be held with representatives of Dylan Alcott's Sport4All program to assess the feasibility of Council participating in the program.

- CARRIED

ITEM 7.4 CASH AND INVESTMENT REPORT AS AT 31 MAY 2022

(132) CLR. DOWNEY:/CLR. CAHILL

RESOLVED that

1. The Cash and Investment Report as at 31 May 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 ADOPTION OF SPORTS FACILITIES STRATEGIC PLAN

(133) CLR. ABOURAAD:/CLR. WALSH

RESOLVED that Council adopt the Sports Facilities Strategic Plan (Attachment A) and begin implementing the priority actions.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JUNE 2022

SECTION 9: COMMITTEE REPORTS

- ITEM 9.1 MINUTES OF THE LAKEMBA RAMADAN EVENT WORKING GROUP MEETING HELD ON 25 MAY 2022**
- (134) CLR. SALEH:/CLR. WAIBA**
- RESOLVED that the minutes of the Lakemba Ramadan Event Working Group meeting be endorsed.
- CARRIED

- ITEM 9.2 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 14 JUNE 2022**
- (135) CLR. HARIKA:/CLR. ISHAC**
- RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 14 June 2022, be adopted.
- CARRIED

SECTION 10: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

- ITEM 10.1 NOTICE OF MOTIONS**
- (136) CLR. DOWNEY:/CLR. ISHAC**
- RESOLVED that the information be noted.
- CARRIED

CLR ZAKHIA RETIRED FROM THE CHAMBER AT 7.43 PM.

- ITEM 10.2 CONGRATULATIONS TO THE HENRY LAWSON DRIVE-POZIERES INTERSECTION ACTION GROUP**
- (137) CLR. DOWNEY:/CLR. EL-HAYEK**
- RESOLVED that Council acknowledges the Henry Lawson Drive-Pozieres Intersection Action Group, for their relentless “people power” safety campaign in driving Transport for NSW to install a red-light speed camera at the intersection of Henry Lawson Drive and Pozieres Avenue at Milperra.
- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JUNE 2022

ITEM 10.3
(138)

LIVE SCREENING OF AUSTRALIA'S FIFA WORLD CUP CAMPAIGN
CLR. EL-HAYEK:/CLR. SALEH

RESOLVED that a report be brought back to the next meeting of Council on the feasibility, costs and benefits of providing live screening of Australia's 2022 FIFA World Cup™ campaign with the report to consider:

- A preferred location;
- The timing and number of games possible to show;
- Other activities to occur during the screening;
- Licencing requirements and guidelines;
- Costs and other resource implications;
- An estimate of the crowd numbers expected to attend the live-screening events;
- Consideration should be given to partnering or promoting existing planned events with the LGA and wide Metro area.

- CARRIED

ITEM 10.4
(139)

ASHBURY NETBALL CLUB
CLR. NGUYEN:/CLR. ABOURAAD

RESOLVED that Council explore basic upgrades to improve the existing amenity and supporting infrastructure at the Ashbury Netball Club site as part of Council's regular maintenance and in the ongoing review of Council's operational plan and capital works budget.

- CARRIED

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

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

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 23 JUNE 2022

SECTION 11: CONFIDENTIAL SESSION

(140) CLR. COOREY:/CLR. ISHAC

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

Item 11.1 Stormwater Infrastructure Upgrade - The Appian Way, Bankstown

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.

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 8.03 PM AND
REVERTED BACK TO OPEN COUNCIL AT 8.09 PM.**

ITEM 11.1 STORMWATER INFRASTRUCTURE UPGRADE - THE APPIAN WAY, BANKSTOWN

(141) CLR. DOWNEY:/CLR. WALSH

RESOLVED that Council agree to the proposed approach, as outlined in the report.

- CARRIED

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

THE MEETING CLOSED AT 8.11 PM.

Minutes confirmed 26 JULY 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 SBS Campaign	31
4.2 Waiving Sporting Fees	33
4.3 Former Japanese Prime Minister Shinzo Abe Condolence	35
4.4 Local Community Based Donations	37

Mayoral Minutes - 26 July 2022

ITEM 4.1 SBS Campaign

Councillors,

It was 6.30pm... on the 24th of October, 1980... nearly 42 years ago... the father of television, Bruce Gyngell, proudly announced... "Good evening and welcome to multicultural television"... It was the birth of Channel 0/28... the network that is now SBS.

From those early days... where most households struggled to get any reception... to the digital transformation of today... SBS has evolved and created a massive radio and television Network... a conduit for multicultural communities... and truly bringing the world into our homes...

In 1992, SBS moved into new premises at Artarmon which were officially opened by our own Honourable Paul Keating... the purpose at the time was to be located near the other major Networks... As we know they have now all moved out...

Councillors, thirty years on, it's time for SBS to once again evolve and relocate and plant its roots into a diverse, multicultural community which aligns with its charter and values...

The Federal Minister for Communications Michelle Rowland has opened the door with the announcement she will be pursuing a feasibility study into the relocation of SBS to Western Sydney.

And right now, we as a Council, have a once in a lifetime opportunity, to make a new home for SBS in our City... with a vision to create an exciting and ambitious cultural and media hub. An opportunity to form a partnership with the multicultural broadcaster in one of our centres which will breathe new life into the precinct... a partnership that will showcase our vibrant multicultural community, create hundreds of jobs and attract major investment from not only across our City but potentially from around the globe...

It is also an opportunity which I am sure will be attractive to some of the major corporations which are already heavily invested in our City... so, let's dream big.

Councillors, some of you would be aware a proposal was pulled together in 2018 and presented to the former Federal Minister for Communications and included:

- A media zone called 'Campsie Cultural and Creative Centre where SBS, creative industries and people at all stages of education and life can intersect with SBS to share, learn and innovate
- A Story Museum with multimedia formats, digital art and a living archive that taps into the stories of CBCity's cultural groups, whose stories are directly connected to the spirit and meaning of SBS

- Historic Orion Cinema refurbished and expanded as an arthouse cinema and multipurpose meeting space with two new 250 seat theatres and a multimedia complex, which draws from SBS content and can host film festivals and special events
- A new Campsie Library and Knowledge Centre to attract local residents to visit, get engaged with and activate SBS Square.

A lot has changed since that proposal and it's time to review and update our options.

Councillors, there is no doubt the newly elected Federal Government is committed to looking at feasible options to relocate SBS... and I say to you... why not right here in our City... Let's not miss this opportunity.

It's important that we have a contemporary vision for Campsie that our community can not only be proud of but benefit from. Therefore, I propose Council updates the SBS proposal we shared with the previous Federal Government.

I further propose that in order to maximise our chances of securing such an important partner to grow not only jobs in our city, but our city itself, that Council identify any other suitable sites it can propose, that it identifies any major city partners, like Vicinity, which may have something to offer our bid, and that we continue to both publicly promote our bid and ensure that, together with Community Partners and industry experts, actively engage with the Federal Government so we can ensure SBS is relocated to our multicultural heartland.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 26 July 2022

ITEM 4.2 Waiving Sporting Fees

Councillors,

Unprecedented and constant heavy rain has played havoc across our City and caused major disruption and damage. . . homes flooded, our roads damaged, building sites shut down for days and our recreational parks and most of our sporting facilities waterlogged. . .

Meteorologists describing the weather event as a 'rain bomb' . . . a one in a 130-year event. . . but that is no consolation to those in our community left to mop up, or who have suffered a financial hit. . .

Tonight, I would like to highlight our sporting community, and the financial impacts on the many organisations and federations which run sport in our City.

As you are all aware, several of our sporting facilities were forced to close because they were considered unsafe to play on, along with other factors including the long-term damage that would be done to surfaces if sporting groups were allowed on them. . .

That in effect meant that thousands of players missed out on their weekly games. . . and in some instances, grounds were so badly affected they were closed for weeks on end. I will add our Council staff worked closely with sporting bodies to ensure minimal disruption.

What Councillors must realise is that these sporting bodies are not multi-million-dollar outfits that are dripping with money. . . but rely on mums and dads paying their registration fees . . . they rely on the weekend BBQ, the canteens, the sausage sizzles to keep them afloat. . . and to enable them to keep their fees down . . . and putting it simply. . . when the grounds are closed and there are no games, they take a financial hit. . .

Councillors, we have been approached by several sporting groups for Council to realise this is an extraordinary weather event and to extend a helping hand. . .

So tonight, I propose that we support our winter sporting organisations. . . as we did for our business community in waiving footway dining fees. . . and waive the fees for winter sports which were affected by the weather for a period of two months. I further propose Council offers a range of complimentary passes to affected members at outdoor sporting venues, like golf courses, that were impacted by the weather but not eligible for the fee waiver. The cost to Council for this support is estimated to be up to \$100,000 which will be considered as part of Council's quarterly review process.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 26 July 2022

ITEM 4.3

Former Japanese Prime Minister Shinzo Abe Condolence

Councillors,

The assassination of former Japanese Prime Minister Shinzo Abe has left a country in mourning... and an outpouring of tributes and condolences flooding in from around the world.

The 67 year old... Japan's longest serving Prime Minister... was shot dead less than three weeks ago by a 'loner' while giving a political speech on a street in the city of Nara. Despite frantic attempts by paramedics and his aides to revive him, he died in hospital several hours later.

Shinzo was a shrewd politician... regaining power in 2012... during a turbulent political era, which saw something like 14 leaders in 20 years precede him...

One of the most transformative figures of the post war era, he tried to bolster the flagging economy using his own brand of what was termed "Abenomics... print more money... supercharge Government spending... and drive structural reform.

He was a charismatic figure and some of his greatest achievements lay in Foreign affairs... spending many hours on the road, traversing more countries than any of his predecessors... and leaving an indelible mark on our world leaders... In fact, he came to Sydney in 2017 and was the first Japanese Prime Minister to visit Darwin... a moving visit to pay his respects at Darwin's Cenotaph war memorial.

Councillors, the death of Shinzo Abe is somewhat significant for our City, as well as a having a strong Japanese community here, we also have a Sister City relationship, with Suita... And what is quite eerie is the shooting took place only about 30 kms away... that's a little more than from here to Sydney...

I am proud of our sister city agreement which was signed in 1989 and the collaboration that exists.

So tonight, I propose we write to the Mayor of Suita City, Keiji Goto and the Japanese Consul-General, Mr Kiya Masahiko, on behalf of our City and offer our deepest condolences on the passing of Shinzo Abe.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 26 July 2022

ITEM 4.4 Local Community Based Donations

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

Bankstown Women's Health Centre

Bankstown Women's Health Centre has recently commenced the provision of an NDIS service. The Bankstown Women's Health Centre offers a free teenage hub for girls with a disability to socialise and learn new skills through a range of activities such as dance, games, cooking and music.

Bankstown Women's Health Centre is a non-government charity organisation and is seeking a fee waiver of \$688 to support the hire of the Belmore Youth Resource Centre.

Council support a fee waiver of \$688.

Bankstown City Lions Football Club

The Bankstown City Lions Football Club hosted a free coaching clinic at Jensen Park for females in the Canterbury Bankstown area during the July school holidays.

This clinic was organised to raise awareness of female football in the area. Several A League Women players attended the coaching clinic.

Bankstown City Lions Football Club is seeking a hirer fee waiver of \$360 for the hire of Jensen Park.

Council support a fee waiver of \$360.

North Bankstown Soccer Club

On Sunday 26 June, North Bankstown Soccer Club in conjunction with a local community organisation, Metro Assist, hosted a multi-cultural soccer gala day at Graf Park, for male and female players, as part of the nationally celebrated Refugee week.

Approximately 50 players, plus their families, attended this very successful event celebrating diversity and community connections for families, many of whom were recent arrivals to Australia.

North Bankstown Soccer Club is seeking a hirer fee waiver of \$285 for the hire of Graf Park.

Council support a fee waiver of \$285.

RECOMMENDATION

1. Council support a fee waiver of \$688 for the Bankstown Women's Health Centre.
2. Council support a fee waiver of \$360 for the Bankstown Lions Football Club.
3. Council support a fee waiver of \$285 for the North Bankstown Soccer Club.
4. 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 item is submitted for consideration -

- | | |
|---|----|
| 5.1 Outcome of Exhibition - Planning Proposal for 34 Allan Avenue and Benda Street Reserve in Belmore | 41 |
|---|----|

ITEM 5.1 Outcome of Exhibition - Planning Proposal for 34 Allan Avenue and Benda Street Reserve in Belmore

AUTHOR Planning

PURPOSE AND BACKGROUND

At its Ordinary Meeting of 26 October 2021, Council resolved to prepare a Planning Proposal to rezone 34 Allan Avenue, Belmore (upon which an occupied dwelling currently sits) from Zone RE1 Public Recreation to Zone R3 Medium Density Residential, and rezone Benda Street Reserve (which is currently maintained open space) from R3 Medium Density Residential to RE1 Public Recreation.

The intent of rezoning of 34 Allan Avenue, Belmore is to align the zoning of the site with its existing use as a dwelling house.

The rezoning would also remove the lot from the land reservation acquisition map as the land is not considered a priority for acquisition for public open space against a number of other high priority acquisitions needed across the City. The land is approximately 505m² and is currently occupied by a privately owned dwelling house. A Council owned reserve adjacent to 34 Allan Avenue, known as Dinora Street Reserve is not affected by this Planning Proposal and will be retained as open space.

The intent of rezoning of Benda Street Reserve from Zone R3 Medium Density Residential to RE1 Public Recreation is to reflect its longstanding use as public open space. The reserve has a site area of approximately 720m² and is in Council ownership.

A Planning Proposal (Attachment A) was submitted by Council to the Department of Planning and Environment (the Department) in December 2021. The Department issued a Gateway Determination (Attachment B) on 14 April 2022 which authorises Council to act as the local plan-making authority in relation to the Planning Proposal.

Following receipt of the Gateway Determination, the Planning Proposal was exhibited in accordance with the requirements of the Gateway Determination. This report intends to outline feedback received following the exhibition of the Planning Proposal and recommends a way forward.

ISSUE

The following matters were presented to Council at its 26 October 2021 Ordinary Meeting in relation to the strategic merit for the planning proposal:

- Council's historic Open Space Needs Study for Belmore-Lakemba Precinct in 1993 recommended acquisition of 34 Allan Avenue in Belmore for the purposes of Public Open Space.

- The gazettal of the Canterbury Local Environmental Plan 178 (Belmore-Lakemba Precinct) in October 1998 confirmed the proposed acquisition and rezoning of the subject site for the purposes of public open space. Although zoned for open space, the subject site has remained in private ownership and has continued to be used for the purposes of a residential dwelling.
- The Canterbury Open Space Strategy (the Open Space Strategy) 2017 provides strategic directions for development and management of open spaces in the former City of Canterbury Council LGA. The Open Space Strategy was informed by the Canterbury Open Space Needs Review (the Needs Review) 2015. A review of the Needs Review 2015 made no findings in relation to the Dinora Street Reserve or Benda Street Reserve when assessing the provision of open space in this area of Belmore.
- Despite sitting within an R3 Medium Density zone, the existing development along Allan Avenue and on immediately surrounding streets remains predominantly low scale comprising one and two storey detached dwellings and dual occupancies which feature backyards for private recreation. The density in this area of Belmore has not increased substantially in the past 30 years since 34 Allan Avenue was identified for open space requirements and therefore, demand for additional open space has not changed during this period. The land also abuts a small park, known as Dinora Street Reserve. Expansion of the park to this land will add little value to this predominantly low-density locality.
- The proposed rezoning will ensure Council funds are available for strategically important land to serve the future needs of the LGA such as better linking open spaces to create green corridors and where higher density renewal shows an increased demand for additional public and open space to be delivered alongside the planned growth.
- The land is considered to be of low priority for Council's acquisition for the purposes of public open space.

The Planning Proposal was exhibited from 11 May to 10 June 2022. A total of 11 submissions were received. These consist of 10 public submissions and one submission from Sydney Water. The submission from Sydney Water did not oppose the Planning Proposal and the comments received are addressed within this report.

Two submissions supported the Planning Proposal, one submission partially supported the Planning Proposal, three submissions opposed the Planning Proposal and four submissions were neutral. The issues raised by the neutral submissions were in relation to the future of Dinora Street Reserve and the future potential upgrading of Benda Street Reserve which are not Planning Proposal matters. Council's response to the submissions received are outlined and addressed within the Submissions Report at Attachment C.

Some of the key issues raised during the exhibition include the concern regarding potential for a residential flat development at 34 Allan Avenue, the possible loss of existing public reserves, loss of existing tree canopy and possible increased traffic and associated noise.

Also, some submissions made incorrect assumptions that the existing Council reserves (Benda Street Reserve and Dinora Street Reserve) were to be rezoned to Zone R3 Medium Density Residential. This has been addressed at Attachment C.

RECOMMENDATION That -

1. Council note the findings of the exhibition, issues raised by the public submissions and Council's response to the submissions.
2. Council adopt the exhibited Planning Proposal as shown in Attachment A.
3. Council exercise local plan-making authority functions under the Gateway Determination to finalise this Planning Proposal and advise all respondents of its decision.

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

- A. Planning Proposal-Exhibition Version
- B. Gateway Determination, April 2022
- C. Council response to submissions

POLICY IMPACT

Council's adoption of this Planning Proposal will result in amendments to the Canterbury Local Environmental Plan (the LEP) 2012, and Consolidated Canterbury Bankstown LEP once effective, to change the zoning and associated planning controls that apply to land at 34 Allan Avenue, Belmore and Benda Street Reserve, Belmore.

The Canterbury Development Control Plan 2012/Consolidated Canterbury Bankstown DCP will provide relevant detailed planning controls to ensure future development at 34 Allan Avenue, Belmore permissible in the R3 Medium Density Zone (which is consistent with the surrounding properties) is appropriately designed.

The report proposes no other changes to Council policies.

FINANCIAL IMPACT

34 Allan Avenue, Belmore is currently zoned RE1 Public Recreation and is subject to the provisions of the Land Acquisition (Just Terms Compensation) Act, 1991 (the Act) if Council was to acquire the property.

The Planning Proposal reflects that planning for new open space is reviewed by Council and adapts over time to respond to changes in policy direction and community expectations. This approach ensures that Council funds are allocated to strategically important land to serve the future needs of the LGA where higher density renewal substantiates the need for additional public open space.

In regard to Benda Street Reserve, the reserve is currently owned by Council and the intent of the proposed rezoning is to formalise the long standing use of the land as a public reserve. There are no financial implications to Council that would arise from its rezoning.

COMMUNITY IMPACT

Whilst being zoned for the purposes of public recreation open space, the land at 34 Allan Avenue, Belmore is privately owned and being used for the purposes of a residential dwelling.

Benda Street Reserve is currently used for the purpose of open space, however is zoned for residential uses.

The purpose of the Planning Proposal is to amend the zoning for both sites to reflect their current uses, provide certainty for the landowner of 34 Allan Avenue, Belmore and to confirm Council's intention for Benda Street Reserve to remain public open space.

DETAILED INFORMATION

Site and Locality Description

34 Allan Avenue, Belmore

34 Allan Avenue, Belmore is legally described as Lot B DP 355867, is rectangular, has a frontage of 16.76m to Allan Avenue, has a depth of 31m and has a total site area of approximately 505m².

34 Allan Avenue, Belmore is a single storey residential dwelling, comprising a garage and outbuildings as indicated in Figure 1 below. It is zoned RE1 Public Recreation under the Canterbury Local Environmental Plan 2012 (CLEP 2012) as shown in Figure 2. The property is in private ownership. The Land Reservation Acquisition (LRA) Map in CLEP 2012 identifies the site for acquisition by Council for open space purposes.

Benda Street Reserve

Benda Street Reserve is a Council owned public park, located approximately 125m to the east of 34 Allan Avenue, Belmore. The reserve has a frontage of 20.09m to Allan Avenue, a depth of 35.89m and a total site area of approximately 720m².

The surrounding residential development is zoned predominantly R3 Medium Density Residential, consisting of one and two storey detached dwellings and dual occupancies. The site is adjacent to Dinora Street Reserve to the east.



Figure 1: Aerial location map of 34 Allan Avenue and Benda Street Reserve

The context of the sites is illustrated in Figures 3-6. The site is located approximately 800m north west of Belmore Railway Station and approximately 700m south of Punchbowl Road. Belmore Boys High School and Belmore North Public School are located within a walking distance of 400m to the east.

Other public open spaces in the vicinity include Knox Street Reserve and Peel Street Reserve located approximately 340m north and 410m south from 34 Allan Avenue.

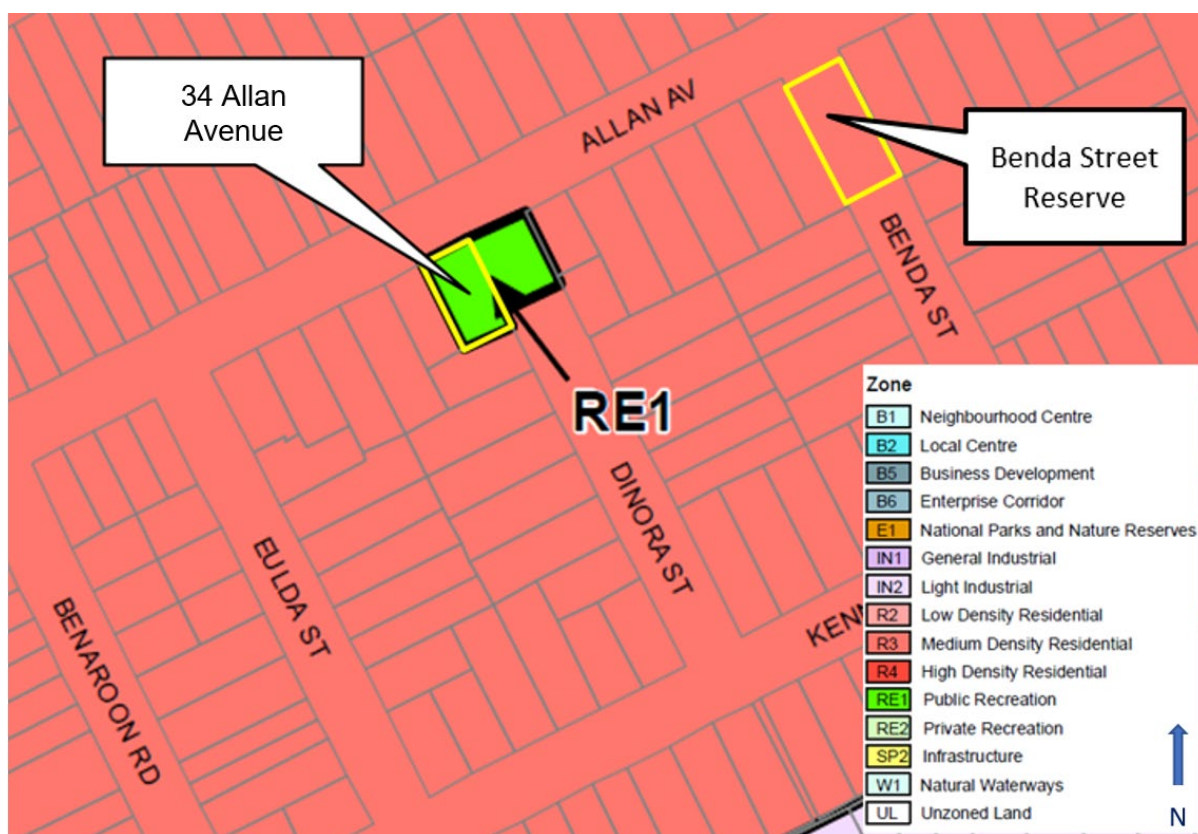


Figure 2: Existing zoning map indicating 34 Allan Avenue and Benda Street Reserve



Figure 3: View from Allan Avenue (34 Allan Avenue is on the left)



Figure 4: View from Allan Avenue to Dinora Street Reserve (34 Allan Avenue is on the right)



Figure 5: View from Dinora Street to the Reserve (34 Allan Avenue is on the left)

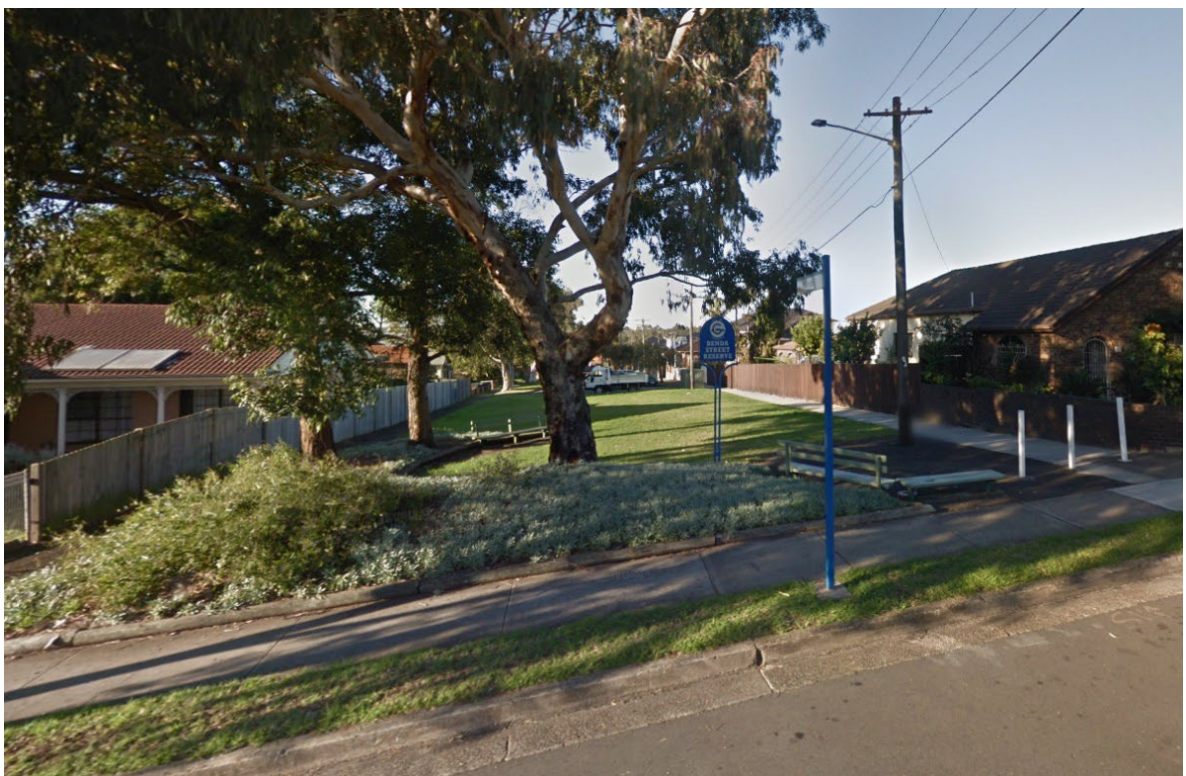


Figure 6: Benda Street Reserve, as viewed from Allan Avenue, located 125m to the east of 34 Allan Avenue, Belmore

Planning Proposal

At its Ordinary Council Meeting of 26 October 2021, Council resolved to prepare and submit a Planning Proposal for 34 Allan Avenue, Belmore and Benda Street Reserve, Belmore to seek a Gateway Determination. A Planning Proposal was prepared by Council and lodged with the Department in December 2021.

For the property at 34 Allan Avenue, Belmore, currently used as a private residential dwelling, the Planning Proposal intends to achieve the following objectives and outcomes:

- Rezone the site from Zone RE1 Public Recreation to Zone R3 Medium Density Residential to reflect the existing use of the site
- Remove the reservation of land for open space given the property has been identified as a low priority and therefore no longer required by Council in light of other higher open space demands across the city
- Provide certainty for the landowner and the community as to the long term land use envisaged for the site
- Ensure Council funds are reallocated to acquisition of land for open space where future growth is planned and where the greatest need for additional public open space is required, and
- Reflects Council's planning and delivery of public open space that adapts over time to respond to changes in population growth, strategic policy direction and community expectations.

In regard to land at Benda Street Reserve, the Planning Proposal intends to achieve the following objectives and outcomes:

- Rezone the site from Zone R3 Medium Density Residential to Zone RE1 Public Recreation to reflect the existing use of the site
- Reflect and formalise the long standing use of the land as public open space and to safeguard its use for this purpose, and
- Provide certainty for the community as to the long term land use envisaged for the site.

The proposed changes to the CLEP 2012 are summarised in the table below:

Planning Controls	Existing Controls	Proposed Controls
34 Allan Avenue, Belmore		
Zone	RE1 Public Recreation	R3 Medium Density Residential
Floor Space Ratio (FSR)	Nil	0.5:1
Maximum Height of Building (HOB)	Nil	8.5m (to match surrounding development of one and two storeys)
Minimum Lot Size	Nil	460m ²
Land Reservation Acquisition (LRA)	Applies for the purposes of public open space	Remove the land from the Land Reservation Acquisition Map

Planning Controls	Existing Controls	Proposed Controls
Benda Street Reserve, Belmore		
Zone	R3 Medium Density Residential	RE1 Public Recreation
Floor Space Ratio (FSR)	0.5:1	Nil
Maximum Height of Building (HOB)	8.5m	Nil
Minimum Lot Size	460m ²	Nil

Gateway Determination

On 14 April 2022, the Department issued a Gateway Determination that authorises Council to proceed with exhibition of the Planning Proposal and for Council to act as the local plan-making authority in relation to the Planning Proposal.

Exhibition

In accordance with the Gateway Determination and Section 3 of Council's *Community Participation Plan*, the Planning Proposal was placed on public exhibition for 30 days, from 11 May to 10 June 2022. The exhibition process included:

- Display on the Council 'Have your Say' website
- Public notices in the 'Torch' newspaper
- Notification letters to property owners and occupiers affected by changes to the proposed rezoning. (574 properties in the vicinity were notified and 812 notification letters were issued)
- Email notification to public authorities as required by Gateway Determination:
 - Ausgrid
 - Sydney Water

It is noted that the Inner West Times is no longer published, however a website is maintained for the Times newspaper ('Local News Plus') that provides a link to the Torch Newspaper website where all advertisements regarding Planning Proposals are provided and can be viewed.

Submissions from the community

A total of 10 submissions were received from the community during the exhibition period, of which two submissions supported the Planning proposal, one partially supported, three submissions opposed the Planning Proposal and the remaining four were neutral in their response. Council's response to the submissions is outlined in Attachment C.

The key reasons provided in the submissions for no support or partial support and/or neutral status include the following matters for Council's consideration:

- Potential for new residential flat buildings to be introduced in the area
- More private vehicle traffic associated with new development

- Loss of existing public reserves/existing tree canopy cover
- Adverse impacts on residential amenity associated with increased traffic in the locality
- Reduction of street parking availability
- Adverse amenity impact associated with new/improved facilities provided on Benda Street Reserve, and
- Loss of area for potential future recreation space in the area.

It is noted that some submissions misinterpreted the intended outcomes of the Planning Proposal and were of the view that Benda Street Reserve and Dinora Street Reserve were being rezoned to Zone R3 Medium Density Residential. Council Officers contacted all 10 community respondents to discuss the submissions received and clarified that the intent of the Planning Proposal was not to zone the two existing reserves to a residential zone and that only the privately owned property at 34 Allan Avenue, Belmore was proposed to be rezoned to R3 Medium Density Residential. In addition to contacting all respondents, Council's Have Your Say page for this Planning Proposal was updated on Tuesday 16 June 2022 with additional text that clarified the above matters.

Submission from the public authorities

Council received a submission from Sydney Water. The submission confirms that the Planning Proposal does not require assessment by Sydney Water at this stage. Council has noted comments made by Sydney Water and no amendments to the Planning Proposal are required in response to the Sydney Water submission.

No other public authority submissions were received.

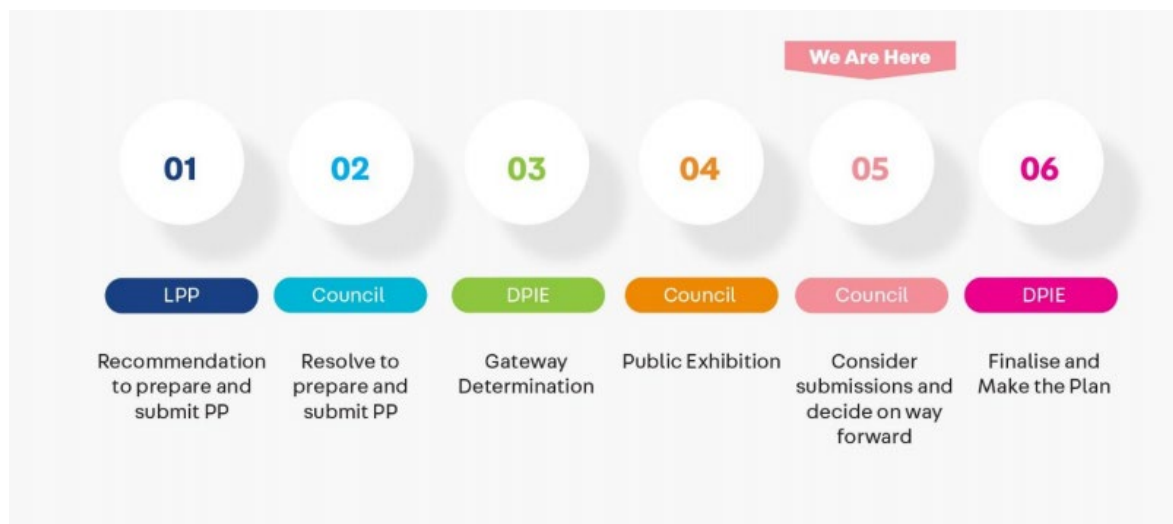
Next Steps

It is recommended that:

- Council adopt the exhibited Planning Proposal as shown in Attachment A.
- Council note the findings of the exhibition, the issues raised by public submissions and Council's response to the submissions.
- Council exercise local plan-making authority functions under the Gateway Determination to finalise this Planning Proposal and advise all respondents of its decision.

Should Council decide to endorse the Planning Proposal for 34 Allan Avenue, Belmore and Benda Street Reserve, Belmore, Council will forward the Canterbury LEP 2012 mapping amendments to the Department of Planning and Environment for finalisation. The Gateway Determination requires the LEP amendment to be completed by 14 October 2022.

Once finalised, the changes will take effect on the date when the LEP amendment is published on the NSW Legislation website.



6 POLICY MATTERS

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

7 GOVERNANCE AND ADMINISTRATION MATTERS

The following items are submitted for consideration -

7.1	Cash and Investment Report as at 30 June 2022	57
7.2	Disclosure of Interest Returns	61
7.3	Proposal to De-amalgamate	63

Governance and Administration Matters - 26 July 2022

ITEM 7.1 Cash and Investment Report as at 30 June 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 30 June 2022.

RECOMMENDATION That -

1. The Cash and Investment Report as at 30 June 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 June 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 30 June 2022

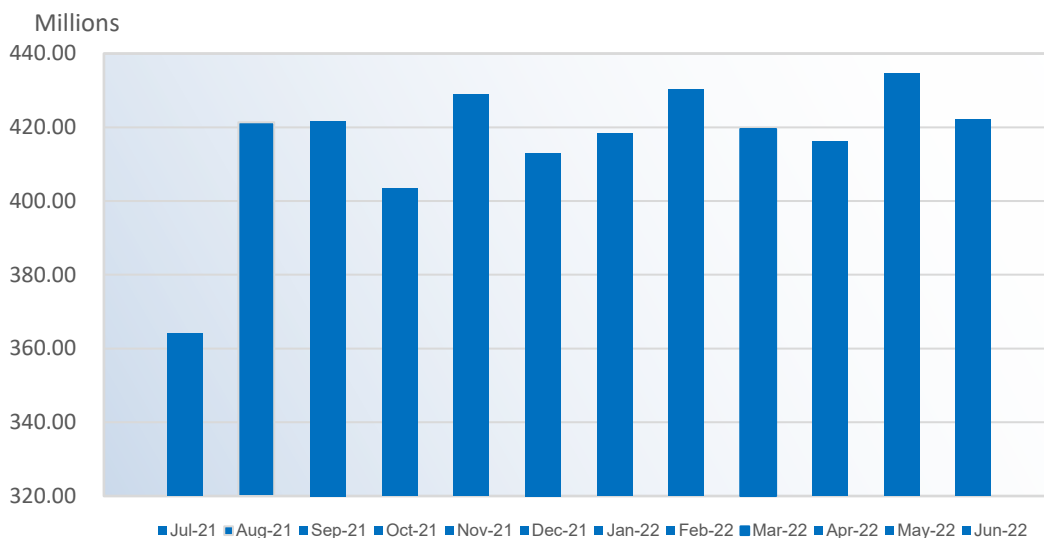
In total, Council's Cash and Investments holdings as at 30 June 2022 is as follows:

Cash and Investments	\$
Cash at Bank	764,231
Deposits at Call	64,573,208
Term Deposits	271,000,000
Floating Rate Notes	44,996,730
Workers Compensation Security Deposit	4,686,000
Bonds	36,000,000
Total Cash and Investments	422,020,169

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 2021 to June 2022.

Summary of Council's investment interest income earned for the period to 30 June 2022 is as follows:

Cash and Investment Rolling Monthly Balance 2021-2022



Interest Income	June 2022 \$	Year-to-date June 2022 \$
Budget	476,875	5,722,500
Actual Interest	532,240	5,343,351
Variance	55,365	(379,149)
Variance (%)	11.61%	(6.63%)

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	16.5	100
Working Capital Funds (0-3 months)	5.7	100
Short Term (3-12 months)	10.8	100
Short – Medium (1-2 years)	20.8	70
Medium (2-5 years)	46.2	50
Long Term (5-10 years)	0	5
Total Cash and Investments	100%	

Portfolio Allocation	
	Actual % of Portfolio
Cash at Bank	0.2
Deposits at Call	15.3
Term Deposits	64.3
Floating Rate Notes	10.6
Workers Compensation Security Deposit	1.1
Bonds	8.5
Total Cash and Investments	100%

Governance and Administration Matters - 26 July 2022

ITEM 7.2 Disclosure of Interest Returns

AUTHOR Corporate

PURPOSE AND BACKGROUND

In accordance with the requirements of Council's Code of Conduct (sections 4.21, 4.25, 4.26 and 4.27), amendments to Disclosure of Interest Returns and new Returns lodged by Staff appointed to designated positions in the Organisation structure are required to be submitted to the General Manager and tabled at a meeting of the Council.

ISSUE

During the reporting period (1 May to 30 June 2022) three new returns were lodged by designated staff. The Disclosure of Interest Returns are tabled as required by Council's Code of Conduct under sections 4.26 and 4.27.

RECOMMENDATION

That the tabling of the Disclosure of Interest Returns be noted.

ATTACHMENTS

Nil

POLICY IMPACT

This matter addresses Council requirements under the Local Government Act. In accordance with the Government Information (Public Access) Act 2009 Regulations Pecuniary Interest returns of the designated persons are open access information.

FINANCIAL IMPACT

There is nil financial impact.

COMMUNITY IMPACT

There is nil community impact.

Governance and Administration Matters - 26 July 2022

ITEM 7.3 Proposal to De-amalgamate

AUTHOR Corporate

PURPOSE AND BACKGROUND

At its Ordinary Meeting in July 2021, Council considered a motion from Councillor Downey concerning the merits of a proposal to de-amalgamate Canterbury Bankstown Council and reconstitute the former Canterbury City Council and Bankstown City Council.

In the main, Council has resolved to:

- Obtain external advice to analyse the relevant considerations and merits of de-amalgamating (or not) Canterbury Bankstown Council;
- Provide a costed Community Engagement Plan and poll details, inclusive of sources of funding; and
- Based on this report, Council look to establish its position and engage with our community and ask them if they support de-amalgamation to reconstitute the former local government areas.

ISSUE

This report is prepared in response to Council's resolutions regarding the matter. The report canvases several key issues for Council's consideration, including:

- The legislative changes made by the Government pertinent to the issue;
- The Government's reform process which led to the amalgamation of the two former councils;
- Canterbury Bankstown Council's journey to-date;
- De-amalgamation considerations – including an independent financial assessment; and
- Options Council might consider to progress the matter.

A comprehensive assessment of relevant issues associated with the matter are detailed further in the report.

RECOMMENDATION That -

1. Council note the information, as outlined in the report.
2. Council consider the suggested options as outlined in the report – or other alternate option(s) – in determining the matter.

ATTACHMENTS

[Click here for attachment\(s\) A to K](#)

[Click here for attachment\(s\) L to T](#)

- A. Attachment A - OLG - Circular 21-07 - Commencement of Local Government Amendment Act 2021
- B. Attachment B - NOM De-amalgamation Business Proposal (27 July 2021)
- C. Attachment C - MM - Demerger Business Case Underway (22 February 2022)
- D. Attachment D - NOM and Minutes - DeMerge (24 May 2022)
- E. Attachment E - De-amalgamation Guidelines - Minister Response to Council (10 June 2022)
- F. Attachment F - Former Bankstown City Council - Fit for the Future Improvement Proposal
- G. Attachment G - Former Canterbury City Council – Fit for the Future Improvement Proposal
- H. Attachment H - Extracts from IPART's Fit for the Future Assessment
- I. Attachment I - 2016.03.22 - Delegate Report Examination of proposal to amalgamate Bankstown and Canterbury City Councils (22 March 2016)
- J. Attachment J - Local Government Boundaries Commission Report - CBCity (April 2016)
- K. Attachment K - Rates Harmonisation and Financial Stability Report (4 February 2021) (Extraordinary Business Paper)
- L. Attachment L - Special Rate Variation and Minimum Rate Application Canterbury Bankstown Council (May 2021)
- M. Attachment M - CBCity Financial Management Strategy & Long Term Financial Plan 2022-32
- N. Attachment N - Local Boundaries Commission Report – Snowy Valleys (February 2021)
- O. Attachment O - Local Boundaries Commission Report – Cootamundra Gundagai (February 2021)
- P. Attachment P - ILGRP Report – Revitalising Local Government (October 2013)
- Q. Attachment Q - Morrison Low High Level Assessment for Proposed Canterbury Bankstown - De-amalgamation (June 2022)
- R. Attachment R - Campsie Administration Building Future State Analysis and Condition Assessment (July 2022)
- S. Attachment S - EY Separation Program (July 2022)
- T. Attachment T - Submission to IPART on Canterbury Council's 'Fit for the Future' – Hurlstone Park Association Inc (July 2015)

POLICY IMPACT

As a result of recent amendments made to the *Local Government Act 1993* (the Act), new councils may within ten years of the constitution of their new area, submit a written business case to the Minister for Local Government setting out a proposal for the de-amalgamation of the area – whether to reconstitute the former areas or different areas.

Whilst having no specific policy position on the matter at present, Council's resolution concerning the matter clearly seeks to understand the merits of de-amalgamating prior to establishing its position and determining whether a business case to de-amalgamate is submitted to the Minister.

This report canvases several key elements of consideration for Council. Importantly, this report presents a high-level assessment of the financial implications of what the likely costs to merge will be, as well as exploring issues around scale and capacity, maintaining local identity, local representation and associated operational risk likely to arise as a result of de-amalgamating, what an appropriate Community Engagement Plan may include if we were to consult with the community on the matter and observations associated with conducting Council polls.

The report also provides commentary on the options to constitute different areas, other than simply re-establishing the former areas. The report briefly assesses both the Independent Local Government Review Panel's recommendations and the thoughts of certain community groups wishing to amalgamate with other local government areas.

FINANCIAL IMPACT

As resolved, Council commissioned Morrison Low to provide an independent high-level assessment of the likely financial impact and other considerations associated with de-amalgamating.

Whilst explained in detail further in the report, in the main, their assessment identifies that the likely minimum costs to de-amalgamate would be as follows:

Total One-Off / Upfront Costs –funded by the NSW Government

DESCRIPTION	CCC \$M	BCC \$M	TOTAL \$M
One-Off /Upfront Costs	24.0	29.2	53.2
One-Off / Upfront Costs – Campsie Admin	13.0	-	13.0
TOTAL One-Off / Upfront Costs	37.0	29.2	66.2

Total Ongoing / Recurrent Costs – funded by Ratepayers or the NSW Government

DESCRIPTION	CCC \$M	BCC \$M	Total \$M
TOTAL ONGOING / RECURRENT COSTS – ANNUAL	9.5	11.4	20.9

Estimated Average Annual Increase per rateable property – Residential and Business

DESCRIPTION	CCC \$	BCC \$	Total \$
AVERAGE RATE INCREASE – ANNUAL	175	166	170

In submitting a Business Case, certainly the decision regarding who funds both upfront and ongoing/recurrent costs plays a significant part in any decision that Council makes and indeed what the Minister may decide/determine.

In accordance with *Section 218CC(6) of the Act*:

The Minister is, by making grants under section 620 or using money otherwise appropriated by Parliament for the purpose, to ensure that the cost of any de-amalgamation of the new area resulting from a business case submitted under this section is fully funded.

Based on the above, it is arguable whether *the cost of any de-amalgamation* refers to the *upfront costs* only or indeed includes the expected *annual ongoing/recurrent costs* that would apply each year forever.

Naturally, Councillors will need to carefully consider how a Business Case best articulates what proposed funding model should apply if Council were to de-amalgamate. That said, one would imagine that the Minister's decision would consider the financial impact of a Business Case and apply a *public interest* test when considering what the NSW Government would in fact consider to be appropriate/feasible in funding a proposal.

While it is reasonable to expect the whole cost of the de-amalgamation of the new area resulting from a business case submitted to be fully funded as per the legislation, if Council were to consider any other option to fund ongoing costs, this would be borne by ratepayers and residents through either increased rates, a reduction in services or a mix of both. These matters and others are further examined in this report to assist Councillors to determine their position on the matter.

In terms of the estimated costs – Councillors should note that Morrison Low's assessment is in line with the experience of actual de-amalgamations from around Australia, including relatively recent de-amalgamations in regional Queensland. In the Queensland experience the ongoing rate increases were borne by the ratepayers in perpetuity.

This report also provides details of what a likely Community Engagement Plan may consist of if Council were to undertake further expenditure to survey residents. If Council were to consider applying ongoing rate increases on ratepayers then this is considered important, though if all costs are borne by the NSW Government it would be less important.

A suggested comprehensive city-wide engagement plan, which aims to consult with all ratepayers and our community, would cost as follows:

Estimated Community Engagement Plan (CEP)

DESCRIPTION	ESTIMATED COST \$K
Proposed Community Engagement Plan	
Community Information Flyer and Survey Mailout	210
Survey Return and Analysis	25
Website and Have Your Say Development (including on-line survey and translation)	22
Statistically Significant Phone Survey	25
TOTAL COST	282
Further Community Engagement Options	
Hotline	10
Community Information Sessions	10
Establish Representative Panel	150
Council Poll – Conducted in September 2024 – Ordinary Election	250
TOTAL COST - FURTHER OPTIONS	420
TOTAL COST - COMMUNITY ENGAGEMENT PLAN	702

COMMUNITY IMPACT

Council's journey to-date has been positive. Council now has an established financial path which addresses both the former Councils' long-term financial pressures and importantly incorporates the economic benefits that scale and capacity and strong leadership present for Council.

Despite CBCity's relatively short existence, Council has made significant inroads into transforming our city – balancing among many issues – the transition of the two former councils, our new identity, formulating new strategies and direction, and importantly providing clarity in terms of place-making and planning for growth throughout our Local Government Area.

Council has both weathered and dealt with many challenges over the past six years – including the ICAC inquiry into the former Canterbury Council arising from a vacuum of place-based spatial planning, the economic and financial pressures facing the local government sector and communities and COVID-19 – and continues to show the capacity, ability and resilience to manage within a complex environment and deliver a high standard and uninterrupted level of service throughout our community, including record levels of expenditure on infrastructure throughout our Local Government Area.

That said, the issue of de-amalgamating continues to be raised by some Councillors and parts of our community for various reasons. This report provides requested analysis and a compendium of background information to enable Council to consider its position with regards to progressing the matter.

DETAILED INFORMATION

1. LEGISLATIVE CHANGES

- 1.1. In May 2021, The *Local Government Amendment Act 2021* (Amendment Act) was passed by the NSW Parliament.
- 1.2. Amongst the several changes, the *Amendment Act* also provided a process for councils constituted within the last 10 years to submit a business case with supporting reasons to the Minister for a de-amalgamation of an area.
- 1.3. In its Circular dated 27 May 2021 – *Commencement of Local Government Amendment Act 2021* – OLG indicated that further information on the process will be separately provided to councils (Attachment A).
- 1.4. As part of the *Amendment Act – Section 218CC – Proposals for de-amalgamations* – was inserted into the *Local Government Act 1993*. In the main, the *Section 281CC* states that:
 - 1) *The new council may, within 10 years of the constitution of the new area, submit a written business case to the Minister setting out—*
 - a. *a proposal for the de-amalgamation of the new area, whether by reconstituting the former areas or constituting different areas, and*
 - b. *the reasons in support of the proposal.*
 - 2) *The Minister must, within 28 days after the business case is submitted, refer the de-amalgamation proposal to the Boundaries Commission with a direction that it conduct an inquiry and report on the proposal.*
 - 3) *Without limiting subsection (2) or Section 263, the Boundaries Commission may in its report recommend that—*
 - a. *the de-amalgamation proposal be supported, or*
 - b. *the de-amalgamation proposal be rejected, or*
 - c. *a different de-amalgamation proposal be supported.*
 - 4) *The Minister must ensure that the report of the Boundaries Commission is publicly released within 48 hours after it is provided to the Minister.*
 - 5) *The Minister must, within 28 days after the report is provided to the Minister, provide a written response to the new council setting out—*
 - a. *whether or not the Minister supports the de-amalgamation proposal, or a different de-amalgamation proposal recommended by the Boundaries Commission, and*

- b. *the reasons for the Minister's decision, and*
- c. *if the Minister supports the de-amalgamation proposal or the different de-amalgamation proposal—the anticipated time frame for giving effect to the proposal.*

6) *The Minister is, by making grants under section 620 or using money otherwise appropriated by Parliament for the purpose, to ensure that the cost of any de-amalgamation of the new area resulting from a business case submitted under this section is fully funded.*

1.5. Despite OLG's indication that further information on the process will be separately provided to councils – they have indicated (verbally) that the preparation of the guidelines was not a priority and/or forthcoming. On 10 June 2022 the Minister did respond on the matter – details of Ministers response in Section 2.7 below.

2. COUNCIL'S DECISIONS TO-DATE

2.1. As a result of the changes to *the Act*, Council – at its July 2021 Ordinary Meeting (Attachment B) – resolved:

That Council obtain external advice analysing the relevant considerations for Council to consider the merits of de-amalgamating (or not) Canterbury Bankstown Council to re-constitute the former Canterbury and Bankstown Councils. Councillors are to be briefed on the outcome of the analysis.

2.2. In scoping the external brief – Council were mindful of OLG's commitment that further information on the process would be separately issued to councils – and as such were awaiting OLG's advice. This would ensure that Council include a relevant/required element to appropriately assess the merits of a de-amalgamation.

2.3. Despite several enquiries, OLG were unable to advise as to when or if relevant instructions/guidance would be disseminated to councils regarding the matter.

2.4. In September 2021, Council commissioned Morrison Low to carry out a high-level review/assessment of:

- Extrapolating the former Council's financial performance/positions and compare that with Canterbury Bankstown Council's financial performance/position;
- Estimating the likely one-off de-amalgamation costs;
- Estimating the likely ongoing benefits/costs resulting from the amalgamation; and

- Estimating the likely impact the above would have on the former Councils and their Ratepayers, if a de-amalgamation were to proceed.
- 2.5. In February 2022, Council endorsed a Mayoral Minute – *Demerger Business Case Underway* – indicating that though our review had commenced, that Council also write to the NSW Minister for Local Government and calling on the Minister to release the guidelines and/or relevant information so that Council could appropriately consider this with both an open mind and our communities’ best interest at heart (Attachment C).
- 2.6. In May 2022, Council further considered the matter and resolved that (Attachment D):
- 1) *Council awaits and considers the independent review regarding de-amalgamation – as resolved by Council at its Ordinary Meeting on 27 July 2021.*
 - 2) *The report includes a costed Community Engagement Plan and poll details, inclusive of sources of funding, for Council’s consideration.*
 - 3) *Council receives a report on the matter at its July 2022 Ordinary Meeting.*
 - 4) *In light of the report, Council establish its position and engage with our community and ask them if they support de-amalgamation to restore former Canterbury and Bankstown Councils.*
- 2.7. On 10 June 2022, the Minister responded to the Mayor (Attachment E) indicating that:
- No guidelines were necessary as *the Act* sets out the relevant procedures;
 - The NSW Government is not proposing to provide further guidance or guidelines on the process established by *Section 218CC*;
 - The provision is a stand-alone provision relating to ‘new’ councils. It is for the council to frame the proposal; and
 - A ‘business case’ must include matters referred to in *Section 218CC(1)(a)* and *(b)* to trigger the requirement to submit the business case referred to the Boundaries Commission.

3. DECISION TO AMALGAMATE THE FORMER COUNCILS

In considering the matter, it’s important to initially provide a brief background regarding the NSW Government’s process and decision-making to amalgamate the former Bankstown (BCC) and Canterbury (CCC) Councils.

3.1 NSW Government's Reform Process

The NSW Government's assessment roadmap to forcibly merge several councils largely commenced in 2013 – and evolved into its *Fit for the Future* (FFF) assessment process of all councils.

3.1.1 Whilst quite a detailed process - broadly, the NSW Government:

- established an Independent Local Government Review Panel (ILGRP) – tasked with formulating options for a stronger and more effective system of local government; and
- subsequently commissioned IPART to assess each councils *scale and capacity* to stand-alone – particularly referring to a council's ability to engage effectively across community, industry and governments - and importantly their ability to remain *financially sustainable*.

3.1.2 In brief, the ILGRP (*Attachment P – Page 105*) had recommended the following for each former Council:

- In terms of Bankstown City Council (BCC):
 - supported a 'no Change' option; or
 - combine as a strong Joint Organisation with Liverpool, Fairfield, Camden, Wollondilly Councils; and
 - as an alternative, BCC could be merged with Canterbury as part of the South sub-region – though they did not include it as one of their final options.
- In terms of Canterbury City Council (CCC):
 - Amalgamate with Hurstville, Kogarah and Rockdale; or

Combine with the above Councils as a strong Joint Organisation – though to also include Sutherland; and
 - As an alternative, CCC could amalgamate with Bankstown – though they did not include it as one of their final options.
- Councillors should note that the above recommendations were the views of the ILGRP and not endorsed and/or supported by the former Councils, at the time.

3.1.3 Subsequently - as part of the FFF process - Councils were required to submit either a:

- **Merger Proposal** – being a proposal from agreed councils to merge with one or more other councils to achieve sufficient scale and capacity; or
- **Council Improvement Proposal** – being for councils that currently have sufficient scale and capacity without any structural change or are proposing changes to achieve scale and capacity without merging with another council.

3.1.4 In complying with the Government FFF framework, both former Councils resolved to submit a *Council Improvement Proposal*.

3.2 Bankstown City Council Improvement Proposal (Attachment F)

3.2.1 In the main, Bankstown City Council's improvement proposal:

- Clearly documented its ability to stand-alone – both in terms of scale and capacity and from a financial perspective – subject to implementing its proposed SRV - see below; and
- in the event that the NSW Government determines that BCC was unable to stand-alone – then an amalgamation with components of Strathfield Council presented the greater synergy to BCC's existing position.

3.2.2 From a financial perspective, the former BCC proposal separately indicated that it:

- Had already realised operational/cost efficiencies of around \$7M per annum;
- Was well-across its asset management obligations – having confidence that its information was accurate and a true reflection of the state, condition and value of all its assets; and
- Determined the need for an SRV of \$17M to remain financially sustainable.

3.3 Canterbury City Council's Improvement Proposal (Attachment G)

3.3.1 In the main, Canterbury City Council's improvement proposal:

- Similarly suggested its ability to stand-alone – both in terms of scale and capacity and from a financial perspective – subject to

introducing/applying several financial reforms as outlined in their proposal and 2014/15 Long Term Financial Plan - see below; and

- in the event that the NSW Government determines that CCC was unable to stand-alone then an amalgamation with one or more of the St George councils would be their preference – and not Bankstown.

3.3.2 The former CCC's proposal – which was underpinned by their 2014/15 Long-Term Financial Plan – indicated that it was:

- Reliant on their *Infrastructure Levy* (\$5M – as at 2018/19) continuing to be levied;
- Implementation of their *Sustainability Levy* – 24% increase in rates per annum to assist in managing both operational and infrastructure needs;
- Increases in charges to sporting fields and leasing out areas of aquatics centres and parks for income generating activities;
- Reducing the frequency of street cleaning – including roadway kerb/gutter cleaning, festivals to only one per year;
- Required to cut free nature strip mowing;
- Accept further deterioration of roads, footpaths, parks and buildings; and
- Borrowing \$36.5M to address infrastructure backlog issues at the time rather than obtaining further rating income – which was based on debt servicing costs/obligations stretching over 30 years.

3.3.3. Having considered the Proposals, IPART had assessed all councils and identified/categorised them as either *Fit* or *Unfit* – based on their set methodology.

IPART had determined the following for each former Council:

FORMER COUNCIL	BCC
Former Bankstown City Council	Fit for the Future
Former Canterbury City Council	Unfit for the Future

Extracts from IPART's Assessment of *Council Fit for the Future Proposals – Final Report*, referencing both former Councils is attached – Attachment H.

In the main, IPART's Financial Assessment of both former Council's was on the basis that the above financial sustainability measures – as outlined in

their Improvement Plan and Long-Term Financial Plans - would be implemented.

3.3.4 Following IPART's assessment – In October/November 2015, the NSW Government's Fit for the Future reform process further required councils to indicate three (3) merger preferences, as follows:

- *Unfit Councils*: required to nominate their merger preferences
- *Fit Councils*: required to nominate their merger preference if they neighbour a council that was not fit due to scale and capacity

On that basis, both former councils resolved the following:

	Preference 1	Preference 2	Preference 3
Former Bankstown City Council	Bankstown	Strathfield	Canterbury
Former Canterbury City Council	Bankstown	Hurstville	St George Councils

3.3.5 On 6 January 2016, the Minister for Local Government referred the NSW Government's own proposal to merge the local government areas of Bankstown City Council and Canterbury City Council to the Acting Chief Executive of the Office of Local Government for examination and report under *the Act*.

The Government's decision was quite interesting, in that it largely disregarded all information and/or suggested recommendations sought as part of their Fit for the Future process - including IPART's financial assessment of the two former councils, the ILGRP's recommendations and both former Councils suggested merger options.

3.3.6 A copy of the Delegates Report and Local Government Boundaries Commission Report supporting the proposed merger, is attached for Councillors information - Attachment I and J.

3.3.7 Subsequently, on 16 May 2016, the Governor forcibly dissolved the former Councils and proclaimed our new area as Canterbury Bankstown Council.

3.3.8 Notwithstanding the Government's decision to forcibly merge both Bankstown and Canterbury Council's, the recent changes to the *Local Government Act 1993* now provide an opportunity for councils to re-assess the NSW Government's 2016 decision.

Indeed, the desire to de-amalgamate continues to be raised by some Councillors and some members of our community – and as such the matter needs to be carefully considered.

4. CANTERBURY BANKSTOWN COUNCIL (CBCity)

4.1. Scale and Capacity – CBCity

4.1.1 As Councillors would agree, despite CBCity's relatively short existence, Council has made significant inroads into transforming our city – balancing among many issues - the transition of the two former councils, our new identity, formulating new strategies and direction, community expectation and financial stability.

4.1.2 One key measure adopted for our city is establishing transparency and clarity in terms of place-making and planning for growth throughout our area. Importantly, Council's Masterplan Program ensures that we apply:

- a strategic framework and proactive approach to planning for our places and town centres – providing our community the certainty and openness on where and how growth will occur;
- planning controls that are contemporary and provide best-practice design, sustainability and built form outcomes that drive positive outcomes and importantly meet community needs and expectations; and
- prevent ad-hoc and/or poor outcomes or a fragmented approach to dealing with individual development proposals – which open Council to criticism, appeals/challenges or enabling other Government authorities and agencies to determine outcomes.

Importantly, Council's considered approach addresses both the inconsistent and/or poor approach to strategic planning that existing at the former Canterbury Council – inadequate/poor planning which ultimately exposed it and/or led to the ICAC inquiry.

4.1.3 Whilst our progress has been positive – it has also come with several challenges. Despite this, Council is now well placed – and setting a clearer path for the future – particularly from a financial perspective.

4.1.4 As indicated above - our financial journey is well documented. Council has been transparent, has shared our strategy with our community and importantly, it has been independently validated by IPART.

4.1.5 Whilst short-lived, our financial landscape has significantly evolved when compared with the financial issues/pressures faced by the former Councils. Indeed, one may question how prepared the former councils would have been and/or whether they would have had the capacity to respond to the challenges that we have faced since the merger. Inevitably, we will never know.

4.1.6 Since the merger, Council has faced, balanced and dealt with many challenges, particularly:

- Significant, unexpected and/or unfunded transition costs to bring the two former councils together;
- Inability to realise KPMG's expected economies of scale - particularly IT related services/contracts;
- Lack of flexibility to deal with existing commitments, contracts and liabilities;
- Rate freeze legislation imposed by the NSW Government;
- Diminishing Government grants and contributions, ongoing cost-shifting from other tiers of Government and the inadequacy of the rate-pegging limits set by IPART – particularly in terms of covering escalating increases in non-discretionary cost (eg. State Government charges, Emergency Services Levy, election costs);
- Pandemics, floods and fire; and
- General/broader economic condition – interest rates, inflation and general market-forces.

4.1.7 Clearly, and whilst difficult to tangibly articulate/calculate – the financial impact of some of our challenges have been quite substantial – though Council has been able to effectively manage their impact from within our existing financial framework/long-term financial plan.

4.1.8 CBCity has been able to demonstrate that it's a progressive organisation - successfully weathering the many challenges faced since merging. As a new organisation, we are well advanced, continuing to mature and consistently realising operational savings.

4.1.9 Our progress is evident – having successfully transitioned through the various critical economic layers one would expect a merged entity to fulfil – particularly in terms of:

- realising potential cost savings;
- re-calibrate our balance sheet;
- funding cash reserves to meet our current and future liabilities; and
- establishing the required financial capacity to deliver on our commitments and community needs.

4.1.10 Graphically, this is best demonstrated as follows:



- 4.1.11 Despite diverging views, Council's success to-date – in part – is arguably attributable to its size, presence within metropolitan Sydney and capacity to manage the many challenges – particularly our ability to absorb unforeseen economic contingencies/extraordinary-events, such as COVID19's financial impact, general supply and demand issues and employee resourcing constraints.
- 4.1.12 Whilst withstanding the above difficulties/challenges, we continue to deliver record levels of capital works and replacement programs – which would not have been achievable by the former council's as stand-alone entities.
- 4.1.13 Council's journey is still in its infancy – though well advanced compared to other merged councils. Council has both demonstrated and continues to realise the objectives set by Council and indeed exceeded the NSW Government's expectations – being \$4.5M per annum whilst Council's estimated savings and efficiencies re-invested in our operations amount to around \$21M. Importantly, our Financial Management Strategy and LTFP has been validated by IPART.
- 4.1.14 Whilst having set in place and secured our financial future, Council's agenda now turns to establishing the broader economic development opportunities for our City – a desire to both promote and advance a higher standard of living and a sense of belonging across our entire community.
- 4.1.15 As a large Metropolitan Council – with a clear vision articulated in our Community Strategic Plan and Local Strategic Planning Statement – Council now has the impetus to step into the next phase of our journey - driving economic growth, the development of required infrastructure and

capitalising on our regional significance/competitiveness within metropolitan Sydney.

4.2. A Closer Look at Our Financial Journey To-Date

4.2.1 Council's long-term financial considerations are of no surprise. Indeed, Council has clearly articulated how our financial constraints stem from both former councils LTFP limitations.

4.2.2. Following the merger, CBCity's immediate objective – from a financial perspective – was to:

- both understand/validate and establish the true landscape of the former Council's financial position;
- determine the adequacy of available funding required to deliver on our community's expectations around service delivery; and
- determine the adequacy of available funding to maintain infrastructure assets to current standards, ensure their adequacy to deliver on agreed services to our community and prevent further deterioration across our asset base – valued at \$4.9B.

4.2.3 Having regard to the above, the following is a summary of some of the more pertinent issues realised/discovered in managing Councils financial obligations – and importantly formulating our long-term financial plans:

- At the time of merging, both former councils short to medium term financial positions – from a cashflow perspective – were sound and stable (albeit at the cost of capital and replacing assets);
- Both former councils had one of the lowest *cost-per-capita* and *employee-per-population* ratios amongst all Metropolitan council's;
- Council had established and put into effect a detailed transition plan, which quite quickly realised several administrative and operational savings totalling around \$7M per annum – representing around 3% of our cost-base (excluding depreciation).
- Given Council's strong focus and commitment to continuous/business improvement, it was also able to review and re-assess several processes/practices and introduce certain reforms which, delivered on a further estimated \$14M of efficiencies throughout the organisation.

These included items such as:

- Where feasible – capitalising on available economies of scale;

- Continuous improvement approach to refining processes and realising administration efficiencies;
- Streamlining depot operations to effectively manage services; and
- Rationalising end-of-life assets;

4.2.4 That said, the above savings and/or resources have since been largely redirected to strengthening other services, balancing other operational and capital budget requirements and/or funding other costs pressures – particularly stemming from escalating non-discretionary costs (eg. NSW Government charges), cost-shifting, decreasing Government grants and reducing returns on cash investments.

4.2.5 In terms of transitioning our organisation, it is estimated that around \$25M was spent on bringing the two organisations together – some \$15M more than the *Council Implementation Fund* provided to Council by the NSW Government. Inevitably, Council was required to absorb the funding gap from within its existing operations.

4.2.6 With respect to the former CCC, CBCity was also required to consider the following:

- Unable to extend their long-standing Infrastructure Levy (\$5M per annum) due to the NSW Government's Rate Freeze Policy;
- The specific savings/other-income measures identified in the former CCC's Long-Term Financial Plan were never implemented by the former Council and given their nature, were rejected by the new CBCity – particularly as we have reviewed our policies and/or approach to managing our services and assets.

As a result, Council was required to also absorb the financial measures – estimated at around \$4M per annum;

- Address the financial impacts associated with several poor/antiquated contracts – eg. fleet management, IT and waste management;
- Correcting several capital/infrastructure non-disclosures and/or reporting requirements, including:
 - Buildings, roads and stormwater drainage – totalling \$54M;
 - Under-estimating the infrastructure backlog value - \$99M;
 - Inaccurate condition rating for certain assets;

- Understating depreciation expense – around \$6M per annum; and
 - Overstating useful lives on a range of assets.
- The lack of and/or limited ability to generate available General Funds for capital replacement purposes at the time of amalgamation – by way of example, only \$6.2M of General Funds were committed for asset replacement purposes in CCC's 2014/15 Capital Budget.

Councillors should note that the above amount (\$6.2M) incorporates the former Council's *Infrastructure Levy* (\$5M) - which was subsequently lost following the merger. If not for the *Infrastructure Levy* at the time, the former Council would have had only \$1M of General Funds for asset replacement purposes – which if not addressed would have presented a serious financial constraint, particularly in terms of managing asset/infrastructure and LTFP issues for the city in the future.

4.2.7 Developed/adopted a sophisticated strategic asset management approach to managing our long-term asset needs – and importantly determined clarity around:

- The true estimated cost of replacing Council's entire asset base – \$4.9B;
- Understanding the value/state of our current asset base - \$3.6B;
- Accumulated depreciation of \$1.3B – being the value/amount our assets have depleted over time;
- Clarity around asset, conditions, useful lives and required maintenance funding;
- Developed a reliable approach to determining Council's level of annual depreciation expense and using it as a reasonable/reliable indicator in setting required infrastructure reserve funds and our annual capital replacement programs; and
- Understanding the correlation between our annual capital replacement program and impacts on asset back-logs/renewals.

4.2.8 Notwithstanding the many challenges and economic pressures faced, one of Council's most encouraging outcomes is the increased level of spending on capital works and infrastructure. Comparatively, as a merged entity, Council has been able to both fund and deliver large-scale capital programs, when compared to the former Councils.

4.2.9 The year-on-year comparison is as follows:

	13/14 \$M	14/15 \$M	15/16 \$M	16/17 \$M	17/18 \$M	18/19 \$M	19/20 \$M	20/21 \$M	21/22 \$M	22/23 \$M
BCC	42.8	31.8	25.5	-	-	-	-	-	-	-
CCC	10.1	12.8	14.4	-	-	-	-	-	-	-
CBCity	-	-	-	78.7	59.5	60.3	59.2	88.5	170.2	100.0
TOTAL	52.9	44.6	39.9	78.7	59.5	60.3	59.2	88.5	170.2	100.0

4.2.10 Council's current scale and capacity sees Council delivering a program twice the size of the former council's combined program (ie. Council's 2022/23 compared with the former Council's 2013/14 financial year results).

4.2.11 In summary – CBCity had estimated the following shortfall in available funding to support our operations and asset replacement programs as follows:

IMPACT ON OPERATIONS	ANNUAL	SINCE MERGER \$M
Former BCC – Underfunding Depreciation – 2015 Value	17	102
Former CCC – Loss of SRV – Infrastructure Levy – 2018 Value	5.3	31
Former CCC – Service Cuts, Fees, Asset Deterioration – 2015 Value	4.2	26
Former CCC – Understated Depreciation – 2015 Value	6.0	36
TOTAL Funding Shortfall	32.5	195

4.2.12 In carefully considering the above – the previous term of Council fulfilled one of its more critical requirements as a governing body – that being to implement an SRV that would ensure the financial sustainability of the Council for generations to come.

4.2.13 The above briefly outlines some of the issues that Council has had to consider and reflect in its long-term financial plan. These issues will again need to be carefully considered in formulating the likely financial impact/consequences for each former Council's long-term financial plans – and importantly what it will mean for each ratepayer – if a de-amalgamation were to proceed.

4.3 Service Delivery and Governance

4.3.1 Notwithstanding the challenges we have faced since merging – arguably our strength and the pace of our success is largely attributable to our size

and scale. Despite the differing views, Council has – as a merged entity - clearly been able to drive:

- A greater focus on good governance, strategically planning for our city, building community confidence and being accountable;
- Community consultation – ensuring our community have an opportunity to have their say on Council matters;
- Invest in business improvement, innovation and best practice;
- Establish effective internal and performance auditing; and
- Support our people through established workforce & leadership strategies.

4.3.2 Some of the more pertinent examples which highlight our success include:

- Bringing management of the Morris lemma Indoor Sports Centre in-house with a new business model increased usage, improved cost efficiency, and reduced Council's exposure to the inconsistent commercial market offering – whilst also rectifying poor governance arrangements around the contracting of this service.
- Bringing management and consolidation of the Learn to Swim Program in-house, reviewing and implementing a new business model, we now provide a direct service to the community, saving money and improved level of customer service.
- Bringing legal services in-house not only saved \$1 million per annum in legal expenses for CBCity it also allowed the organisation to utilise a greater amount of legal advice from the in-house counsel, resulting in better outcomes for Council and the community.
- Redesign of the capital works process with the creation of a new Project Management Framework, improved planning, design and execution of capital works projects, increased the number of capital works projects delivered annually.
- Strategic approach to community assets ensures the best outcome for the community for various major asset groups. For example, in 2018 Council adopted a Playgrounds and Play Spaces Strategic Plan to guide the future provision, development and management of playgrounds and play spaces over the next decade. The Strategic Plan was developed with a focus on providing quality, diverse and accessible play experiences that support a range of age groups and abilities.
- The adoption of the CBCity's Leisure and Aquatic Strategic Plan. This Strategy has been developed, funded and is now being implemented including the current Greenacre Splash Park project and significant

infrastructure replacements for Canterbury Leisure and Aquatics facility (commencing 2022/23) and Max Parker Leisure and Aquatic facility (commencing 2025/26). In total, \$170M (current dollars) worth of leisure and aquatic infrastructure will be delivered.

- Better use of data and technology to improve the lives of residents, workers and visitors to Canterbury-Bankstown has resulted in the Smart City website portal and Road Map, investment in smart infrastructure including Smart poles, city sensors, Internet of Things (IoT) devices, free WiFi, installation of CCTV surveillance in Bankstown's Civic Precinct, the Close the Loop on Waste operations project, a 'Magical' app for visitors to the Bankstown Gardens, providing an interactive crossover of the virtual and physical environment and encourages game play for children; and phasing in an electric corporate fleet including charge points in Council's carparks.
- From July 2022, 100% of Council's electricity will be derived from renewable sources. Working under SSROC's Electricity Tender, and in partnership with 24 Sydney LGAs, Council signed an agreement that delivers 20% of our total energy from the Moree Solar Farm at a fixed price until December 2030 and the remaining 80% is supplied from via a retail agreement at a fixed price to December 2026 with an option to extend to December 2030.
- Leading water quality initiatives for the Cooks River including running programs on behalf of smaller councils without the capacity to deliver these larger environmental projects.
- CBCity has led and managed the reporting illegal dumping (RID) program on behalf of member Councils. The program delivers a significant reduction in illegal dumping and associated clean-up costs. The program has delivered many instances of successful prosecutions and fines for illegal dumping.
- CBCity's new scale and capacity has also allowed it to invest in upgrading and modernising the former Canterbury Council's plant and fleet. This was to bring it into line with the condition and age of a properly maintained and safe fleet.

By way of example, Council;

- discarded the former CCC's spray booth system which was being used to enhance the appearance of old/out-dated vehicles so as to appear as if they were still new.
- Addressed poor/inefficient practices, particularly maintaining and/or restoring end-of-useful life assets given the lack of capital funding to replace assets – which were also exposing Council to a number of safety concerns/issues; and
- Ceased the fabrication of trailers and their use – which failed to meet Australian Safety Standards.

The above changes allowed services to be harmonised and help deliver improved efficiencies in service delivery and throughout our operations – leading to reduced maintenance costs, less downtime and increased productivity.

- The City Futures Directorate - sets Council's future direction by advancing the sustainability, liveability and prosperity of the City. The department includes statutory Integrated Planning and Reporting, Community Outcomes, Economic Development, and Environmental and Sustainability initiatives.
- Strategic Planning Capacity in the Planning Directorate are responsible for city-wide planning. The new Council has built on the capacity of the Team to internally deliver strategic planning documents such as new city wide LEP, a number of Masterplans for major centres, LSPS and other strategy documents.
- The People and Performance Directorate- using scale to deliver savings and efficiencies that has been able to deliver HR business partnering; organisational development and business improvements. CBCity can now deliver internally organisational learning and development through internal systems and people resources.

A new business improvement team helps the organisation with reviews of services and enables teams to deliver greater productivity, efficiencies, and savings; increased investment in new systems and people to deliver improved risk management and self-insurance outcomes.

- Expanded the former CCC's Internal Audit Services from 0.6 FTE to now having 2.0 FTE's to support our organisation in ensuring overall compliance, corporate risk management and providing advice on efficiency and effectiveness measures.

4.3.3. Having established the above – it is recognised that our ongoing agenda is continuing to enhance our understanding and achieving the high-quality and efficient service delivery expected of our community.

- 4.3.4 Council's 2022-25 Delivery Program examines the important issues facing our City and outlines the priorities for the Council term to ensure that services continue to meet community expectations in terms of quality and value for money.

The 2022-25 Delivery Program will focus on a range of priorities including:

- leading the way to create a cool, clean and green city – through transparent planning, clear targets and direct action (e.g. increasing the tree canopy; establishing of a solar farm in the City; and progressing a new Sustainable Resource Recovery Facility at Kelso);
- taking a more customer-centric approach to service delivery (e.g. verge mowing, town centre maintenance), aligning services with community expectations, strategies and available resources, and using data and technology to improve service provision;
- improving overall road condition and pursuing data and technology solutions to improve infrastructure maintenance e.g. using artificial intelligence and cameras on trucks to monitor and maintain the road conditions;
- marketing the City and aligning services with the evolving creative needs of our community (e.g. Campsie Cultural and Civic Precinct, night time economy);
- advocating for the community and our City, with better outcomes from NSW Government planning and infrastructure initiatives (e.g. transforming Canterbury and Bankstown-Lidcombe Hospitals into state-of-the-art facilities); and
- masterplanning for our local and village centres i.e. Canterbury, Lakemba, Belmore; Belfield Village; Punchbowl; and Wiley Park.

- 4.3.5 Having transitioned our organisation, our focus now turns to establishing clear principles and standards – particularly refining service levels to optimise community life – whilst ensuring its delivery is within our means and/or available resources. The required actions will form part of Council's ongoing Delivery and Annual Operational Planning process.

4.3 Our Workforce

- 4.4.1 A key strength of Council's operations is its people – who have a great depth of knowledge, experience and a strong relationship with our community.

- 4.4.2 As a new entity, Council placed great emphasis on establishing a new culture – built upon a commitment to strong staff engagement and a vision to be a *leading organisation that collaborates and innovates*.
- 4.4.3 Developing and sustaining a constructive culture has been critical to our ability to integrate our processes and systems, while continually delivering service excellence to our community.
- 4.4.4 From the outset – Council recognised that for the merge to be successful – it was important the organisation felt blended rather than either of the former organisations feeling subordinate – or a feeling of a ‘takeover’.
- 4.4.5 Our focus on culture, our philosophy of working smarter and more efficiently, and our emphasis on building organisational capability and creating functional structures with employees, have enabled us to establish and align appropriate strategic objectives, resources, policies processes and networks while continuing to serve our community.
- 4.4.6 Despite the growing concern with skill shortages and a highly competitive labour market – Council has focused and placed a high priority on developing the talents of its workforce and investing in workforce development strategies, building our leaders capabilities and providing them with opportunities to grow their careers - as our point of difference to retaining and attracting skilled personnel.
- 4.4.7 The resultant dividend of investing in our people speaks for itself – our ability to realise significant efficiencies and importantly effectively compete with the external market in terms of providing services for our community.
- 4.4.8 Indeed, Council’s success in transitioning and/or acknowledging our progress has been recognised on numerous occasions. Some of the more notable acknowledgements received by Council include:
- *Innovative Leadership and Management 2017* - Highly Commended by Local Government Professionals – an award focussed on the implementation of a comprehensive program to transition the former Councils to the new CBCity.
 - *HRD Best Change Strategy 2018* – Winner – an award focussed on the change strategy using Kotter’s Change Model.
 - *AHRI Wayne Cassio Organisational Development Award 2018* - Finalist - an award focussed on the change strategy using Kotter’s Change Model.
 - *Organisational Change 2021* - Winner - Local Government Professionals – an award focussed on the framework and principles that underpinned our decision making in response to the COVID-19 pandemic.

- *People Workplace and Well-being* - Highly Commended – Local Government Professionals – an award focussed on CBC Reimagined – how we are thriving following the COVID-19 pandemic.
- *AR Bluett Memorial Award 2022* – Winner – an award which recognises the most progressive council in all aspects of council operations and services.

4.4.9 Notwithstanding the diverging views on amalgamations – it must be acknowledged that the above is largely made possible and/or indeed attributable to Council having the strategic capacity to be able to both invest and realise the benefits that one would expect of larger local government entities.

4.4 Our Financial Management Strategy (FMS) and Long-Term Financial Plan (LTFP)

4.5.1 Council's financial position, FMS and its LTFP is well documented. Indeed, the above implications and shortfall in funding inherently were/are issues associated with the former councils – and now requiring Council to address in setting its path to ensure its ongoing financial sustainability.

4.5.2 As Councillors would be aware, the first important step to addressing our financial constraints was determined by our inaugural Council, as follows:

- **February 2021** – Council endorse the required pathway/strategy and measures to ensuring our financial sustainability – Attachment K – *Rates Harmonisation & Financial Sustainability*; and
- **May 2021** - IPART's subsequent endorsement of Council's Special Rate Variation – Attachment L – *Special Variation & Minimum Rate Application Canterbury Bankstown Council*.

4.5.3 Broadly, the objectives of the SRV was to:

- Establish required funding to enhance certain service/operational levels;
- Start to address unfunded asset replacement / backlog requirements; and
- Fund our Leisure and Aquatic Strategic Plan.

- 4.5.4 Council's approved SRV will see Council raising a further \$40M in rating income by 2025/26. A breakdown of the funding and its application is as follows:

SRV FUNDING	ANNUAL \$M
Restore Former CCC Infrastructure Levy	5
Additional Funding – Asset Replacement	26
Additional Funding – Service Enhancement	4
Additional Funding – Leisure & Aquatics Strategy	5
TOTAL SRV FUNDING	40

Council's SRV will be implemented over the coming four financial years – allowing Council to progressively transition to addressing/delivering on the above objectives.

- 4.5.5 In noting the above, Councillors should also be mindful of:

- Despite reflecting the approved SRV funds in our LTFP, our asset management plans suggest that a further/additional \$20M per annum is required to ensure that our asset base remains at the optimum level – that is, fully funding annual depreciation expense.
That said, Council is confident that over time it will be able to manage the above gap by identifying opportunities to bring about further efficiencies in our operations and rationalising existing assets/facilities in responding to our community's needs.

- 4.5.6 Naturally, any demerge business case will also need to consider the above issue and importantly each former Council's financial capacity to address/manage its financial impact.

Council's Financial Management Strategy and Long-Term Financial Plan is attached for Councillors information – Attachment M.

5. DE-AMALGAMATION CONSIDERATIONS

5.1. Would De-amalgamating Be Better for Our Community

- 5.1.1 The motivation, rationale and indeed, community sentiments are often central in any debate concerning amalgamations and de-amalgamations.

Fundamentally, the challenge to structural reforms is to balance two seemingly opposing views/agendas, being:

- The need for increased scale and capacity that will enable councils to remain sustainable, efficient, provide adequate services and be valued partners in the system of government; and

- Keeping the ‘local’ in local government so that community identity and local representation are maintained – ideally being responsive to ‘political’ and ‘street-level’ concerns.

5.1.2 Polling conducted by the ILGRP (*Attachment P – Page 73*) at the time of their review interestingly found that:

- *For the overwhelming majority of people, issues of local government operations and reform are not ‘top of mind’;*
- *When amalgamation proposals are first raised, they lack majority community support and attract strong opposition from a substantial minority – around 25% - 30%;*
- *However, when people are prompted to give a more considered view, there is a much more even split between those in favour and those opposed;*
- *Supporters of amalgamation point to potential efficiencies, savings and improvements to services; and*
- *Opponents are chiefly concerned about loss of identity and representation, as well as the risk of large, inattentive bureaucracy.*

The ILGRP’s findings were not too dissimilar with Council’s experience and/or observations when engaging with our community on our SRV. Once the basis for the change was carefully explained to interested ratepayers/residents, they understood/appreciated the basis of and/or reasons for the SRV.

Naturally, there are certain parts of our community that will have a fixed view and/or ideology regarding the matter – though in the main, Council’s experience is that most ratepayers/residents are far more concerned about broader economic and social issues such as the cost-of-living, employment and safety rather than Council’s logo or ward and/or local government boundaries.

Overwhelmingly – ratepayers/residents generally expect councils to efficiently provide services in an efficient and timely manner – and ensure overall value for money.

5.1.3 Despite being forced to merge, Council has been able to demonstrate that as an amalgamated entity, it has had a greater propensity to achieve and deliver – in terms of scale and capacity – than what each former Council would have been able to achieve individually.

- 5.1.4 That said, some Councillors and residents will always prefer more local than larger/regional Councils – perceiving that they provide certain inherent advantages, such as:
- Greater access to Councillors / representation;
 - Greater flexibility in setting service levels and local issues;
 - Greater influence on outcomes and operations; and
 - View that smaller councils are more responsive to community needs.
- 5.1.5 Ultimately, the opportunity for Council is being able to achieve both the benefits of scale and capacity whilst at the same time being locally responsive to their community's needs.
- 5.1.6 Councillors and our community need to objectively consider and determine what is in the community's best interest. If ratepayers are being asked to foot the bill, then residents must also be given timely and accurate information about what the benefits, disadvantages, cost and likely impacts of any proposed change would be.
- 5.1.7 To further assist Councillors on the matter, this report provides further analysis which may assist with Council's ultimate decision on the matter.

5.2. Relevance of Scale and Capacity

- 5.2.1 In discussing the appropriateness of de-amalgamating – it's important in part to reflect/consider some of the issues facing local government in NSW and what it generally means for councils in the future.
- 5.2.2 For decades, local governments focus has centred on amalgamations, cost-shifting, rate-pegging and demands for more state and federal funding. Meanwhile the financial sustainability of many councils – and their capacity to deliver the services communities need – has arguably declined.
- 5.2.3 Notwithstanding the 2016 reforms to merge several Metropolitan Councils – the Sydney region has largely remained unchanged for half a century. Despite the modernisation and advances in all service sectors – Australia's global city is still divided amongst thirty-four (34) councils.
- 5.2.4 The ILGRP's (*Attachment P – Page 7*) finding suggest that:
- many metropolitan councils lack the scale and resources to play an important role in metropolitan Sydney;
 - there is deepening divide between a privileged east and a struggling west; and

- gaps in coordination amongst State agencies have made matters worse.
- 5.2.5 The ILGRP (*Attachment P – Page 7*) strongly suggested that there was a need to revitalise the system of local government to ensure that it will remain sustainable and fit-for-purpose well into the middle of the 21st Century – and amalgamations is one important part to achieving this.
- 5.2.6 Arguably, the benefits of larger local government councils provide a greater opportunity, ability, and importantly the capacity to both deliver on the strategic and economic growth throughout the region and locally deliver on the required services and infrastructure for their community's.
- 5.2.7 Indeed, the discussion is not isolated to NSW only. Interestingly, the ILGRP (*Attachment P – Page 32*) quote the Queensland Local Government Reform Commission review where they argued that:

The challenges confronting Queensland in the coming decades require governments of all levels to be high capacity organisations with the requisite knowledge, creativity and innovation to enable them to manage complex change....This requires a local government structure which responds to the particular characteristics of the regional economies emerging over the coming decades, recognising communities of interest are developing rapidly and differently across the regions due to improved transportation, telecommunications and economic interdependencies. This structure needs to give rise to local governments capable of responding to the sometimes quite diverse demands by these communities and of enough size and scale to generate cost efficient and effective services.

- 5.2.8 The Panel (*Attachment P – Page 32*) note that the concept of strategic capacity highlights this aspect of reform, particularly:
- the need for councils to shift their focus towards a more strategic view of their operations;
 - to have the ability to respond to the diverse and changing needs of different communities; and
 - to take on new functions or deliver improved services in order to meet those needs.
- 5.2.9 The above implies a move to larger, more robust organisations that can generate increased resources through economies of scale and scope, and then 'plough back' efficiency gains into infrastructure and services.
- 5.2.10 The ILGRP (*Attachment P – Page 32*) identified that the key elements of strategic capacity in local government are measured by the following attributes:

- having a more robust revenue base and increased discretionary spending;
- Scope to undertake new functions and major projects;
- ability to employ wider range of skilled staff;
- Knowledge, creativity and innovation;
- Advanced skills in strategic planning and policy development;
- Effective regional collaboration;
- Credibility for more effective advocacy;
- Capable partner for State and federal agencies;
- Resources to cope with complex and unexpected change; and
- High quality political and managerial leadership.

5.2.11 Whilst we continue to grow and evolve – Council’s journey to-date is a notable example that when executed effectively – amalgamations can and do work.

5.2.12 In reflecting on the above key elements – Council has been able to successfully work-through, demonstrate and in most cases fulfilled the outcomes expected of having the right/appropriate strategic capacity.

5.2.13 Ultimately – the decision as to what is best and/or most effective - should be balanced and based on appropriate data/information - and importantly supported by our community.

5.3. Maintaining Local Identity

5.3.1 Opponents of larger amalgamated councils tend to rely heavily on the argument that local identity is lost in bigger local government areas; that larger councils will pay less attention to specific needs of different suburbs or neighbourhoods and will fail to take steps to maintain their character.

5.3.2 Interestingly, the ILGRP (*Attachment P – Page 78*) found no evidence that loss of local identity is an inevitable consequence of creating larger local government areas – though it did indicate that in some rare cases where communities are so different, or so fiercely independent, that forcing them to share a local council is considered unwise.

5.3.3 That said, the ILGRP (*Attachment P – Page 78*) also acknowledged that a greater effort needs to be made after an amalgamation, or in large, growing local

government areas, to maintain a sense of local identity and place. The ILGRP (*Attachment P – Page 78*) indicate that many established large councils have successfully done this – applying the concept of *place management* – which ultimately looks to retain the emotional attachment/connection, sense of place and uniqueness.

- 5.3.4 Indeed, the concept is not new – and was well established in both former councils. Whilst our new Council’s transition has focused on providing a strong governance framework, scale and capacity and financial security for our City – equally we have ensured that we acknowledge the concept of place as a fundamental principle for our City – and that it features prominently as an important strategic principle/driver in its LSPS.
- 5.3.5 Having harmonised the organisation, the current focus is now on providing, promoting and delivering on agreed ways to maintain and support local identity and the unique characteristics of our suburbs and Wards.
- 5.3.6 That said, Council’s approach also needs to be measured and balanced – ensuring equity across the entire local government area whilst also preserving our financial sustainability.

Naturally, fulfilling our community’s demand for increased services and facilities comes at the expense/cost of managing our assets and servicing our liabilities.

Indeed, the former Canterbury City Council’s Long-Term Financial Plan clearly recognised the need to cut services and increase user charges and fees in order to generate additional funding for the replacement of assets – measures which CBCity needed to address/manage in addressing its LTFP.

5.4. Assessment of Local Representation & Population

- 5.4.1 Councillor representation and population size are often the subject of debate when determining an optimum size of a local government area.
- 5.4.2 Councillors are largely required to carry out a dual role – that being a *member of the governing body* and that of an *elected person/official*.
- 5.4.3 Generally, a Councillor’s role – in terms of a *member of the governing body* – is seen as deliberative - including planning, resource allocation, policy development and performance monitoring. These functions give rise to the concept of Councillors forming and behaving as a *board of directors*.
- 5.4.4 Equally, the role of the Councillor is required to represent and/or advocate on behalf of their constituents – which is what is often seen/observed and/or expected of Councillors by our community.

- 5.4.5 In considering the matter further – it’s important to understand what the span of population and population per Councillor ratios are amongst the larger Metropolitan Councils. A snapshot of the data is as follows:

**Larger Metropolitan Councils – OLG Group 3 Category
OLG Data – 2019/2020**

COUNCIL	POPULATION	POPULATION / COUNCILLOR
Canterbury Bankstown	377,917	25,194
Blacktown	374,451	24,963
Northern Beaches	273,499	18,233
Parramatta	257,197	17,146
Sydney	246,343	24,634
Cumberland	241,521	16,101
Sutherland	230,611	15,374
Liverpool	227,585	20,690
Fairfield	211,695	16,284
Inner West	200,811	13,387
Bayside	178,396	11,893

- 5.4.6 If we were to purely focus on a Councillor role being as a *member of the governing body*, then arguably the size of the Council and/or its population is of a lesser consequence - given that the nature of decision-making amongst councils is similar and/or consistent.
- 5.4.7 Conversely, the issue is somewhat different when assessing it from the perspective of an *elected person/official* – where the ratio of population per Councillor would be a more important factor in fulfilling one’s role.
- 5.4.8 Interestingly, when reviewing Council’s Merger Proposal - the Local Government Boundaries Commission Report (*Attachment J – Page 7*) indicated that:

“Given modern communications technology, the Delegate did not believe that implementation of the proposal would adversely affect the representational rights of electors in the proposed new area. He did, however, concede that the high level of disadvantage and proportionately lower socioeconomic characteristics of the area were a factor to be considered. He noted that while the facts under this criterion are not in favour of the merger proposal, they did not constitute a significant argument against it.”

- 5.4.9 Based on this – the Boundaries Commission determined that their view was that the Delegate adequately considered this issue.

- 5.4.10 Arguably, the issue is not necessarily about increasing the number of Councillors, but more about how best to effectively manage the volume, workload and/or burden placed on Councillors in fulfilling their role as an elected official.

Naturally, Councillors have the option to increase the level of administrative support and/or facilities to assist with the issue, though more importantly, a greater focus should be placed on advocating for the role shifting from largely being a 'volunteer' role to more of a professional, full-time one, which is appropriately remunerated – similar to that of members of parliament at the State and Federal levels and indeed the approach taken by other States with regards to the issue.

- 5.4.11 Nevertheless – the information is quite important when considering the matter. Councillors are best placed to assess the significance, their ability to respond and associated workload that comes with representing constituents from each Ward and more broadly the entire community.

5.5. The Role of the NSW Boundaries Commission

- 5.5.1 In cases where a council does – in accordance with *Section 218CC* of the *Local Government Act 1993* - submit a *Business Case* to the Minister to de-amalgamate, then:

The Minister must, within 28 days after the business case is submitted, refer the de-amalgamation proposal to the Boundaries Commission with a direction that it conduct an inquiry and report on the proposal (Section 218CC (2))

- 5.5.2 Where the Minister receives a proposal and refers it to the Boundaries Commission, the Commission is required to assess the proposal based on the following criteria:

Functions of the Boundaries Commission – Section 263(3)

When considering any matter referred to it that relates to the boundaries of areas or the areas of operations of county councils, the Boundaries Commission is required to have regard to the following factors—

- *the financial advantages or disadvantages (including the economies or diseconomies of scale) of any relevant proposal to the residents and ratepayers of the areas concerned,*
- *the community of interest and geographic cohesion in the existing areas and in any proposed new area,*
- *the existing historical and traditional values in the existing areas and the impact of change on them,*

- *the attitude of the residents and ratepayers of the areas concerned,*
- *the requirements of the area concerned in relation to elected representation for residents and ratepayers at the local level, the desirable and appropriate relationship between elected representatives and ratepayers and residents and such other matters as it considers relevant in relation to the past and future patterns of elected representation for that area,*
- *the impact of any relevant proposal on the ability of the councils of the areas concerned to provide adequate, equitable and appropriate services and facilities,*
- *the impact of any relevant proposal on the employment of the staff by the councils of the areas concerned,*
- *the impact of any relevant proposal on rural communities in the areas concerned,*
- *in the case of a proposal for the amalgamation of two or more areas, the desirability (or otherwise) of dividing the resulting area or areas into wards,*
- *in the case of a proposal for the amalgamation of two or more areas, the need to ensure that the opinions of each of the diverse communities of the resulting area or areas are effectively represented,*
- *such other factors as it considers relevant to the provision of efficient and effective local government in the existing and proposed new areas.*

5.5.3 Indeed, Councillors would be aware that the Boundaries Commission were required to originally assess the proposed merger of BCC and CCC – where they supported the Delegate’s key recommendation that *the proposed merger should proceed*.

5.5.4 Whilst it is uncertain as to what their approach and/or comment would be however, one would image that any De-amalgamate Business Case would need to be both compelling and/or be able to overwhelmingly demonstrate/articulate that the Boundaries Commission’s original assessment was now not in the public interest.

5.5.5 Interestingly, since the 2016 amalgamations, there have been two de-amalgamation proposal put to the Minister, being:

- De-amalgamate the existing Snowy Valley Shire – back to the former Tumbarumba Shire and Former Tumut Shire; and
- De-amalgamate the existing Cootamundra Gundagai Regional Council – back to the former Gundagai Shire and former Cootamundra Shire.

The outcome of these proposals are as follows:

COUNCIL	BOUNDARIES COMMISSION	COMMISSIONER(S) DISSENTING REPORT	MINISTER
Snowy Valley	Proposal be Implemented	1 Commissioner recommended Proposal not be implemented	De-amalgamate Not approved by Minister
Cootamundra Gundagai	Proposal not be implemented	2 Commissioners recommended Proposal be implemented	De-amalgamate Not approved by Minister

5.5.6 A copy of the Local Government's Boundaries Commission Report for both of the above de-amalgamate proposals are attached for Council's information – Attachment N and O.

5.6. Potential Operational Risks arising from De-amalgamations

5.6.1 In considering the matter, there are a number of significant potential financial and non-financial operational risks arising from the particular de-amalgamation that Councillors will need to consider – particularly given the passage of time and changes that have occurred since merging – some six years ago.

5.6.2 These risks can be managed, though it is important that Councillors are cognisant of them in considering the matter. Some examples of issues to be considered include:

- Transition structure, approach and process for the de-amalgamation;
- Transitional costs – beyond those funded by NSW Government - may be more significant than originally identified – and will need to be funded by the proposed/former councils – as was the case when merging the former councils;
- Efficiencies and/or economies of scale generated by CBCity and projected in this analysis may not be delivered by the new councils;

- Implementation costs may be higher, due to structure changes required to deliver similar strategic capacity for each of the two Councils;
- Decisions subsequent to the de-amalgamation may increase cost base of the de-amalgamated Councils – that is increasing service levels will come at a cost;
- Establishing a fully functioning new organisational structure, given some skills are difficult to source in the current employment market;
- The cultural separation of the CBCity organisation may not go well resulting in low morale, increased staff turnover rate, etc. This would reduce business performance and prolong the time it takes for transition to effectively operate the new councils;
- Service levels have risen across the merged CBCity community dissatisfaction may occur if services are returned to the original levels; and
- The financial performance of the de-amalgamated Council is less than that modelled, resulting in the need to either reduce services, find efficiency gains and/or further increased rates to address the operating deficit.

5.6.3 The risks from a two Council de-amalgamation will have challenges associated with unpacking and establishing new service levels, organisational operating procedures, systems, processes, policies, plan and organisational behaviours.

5.6.4 Perhaps the largest risk arises from the fact that the future councils, who will make many of these key decisions, are yet to be elected. Their political alignment, policy program and priorities will not be known for some time and may impact on the realisation of any planned benefits.

5.6.5 Ultimately, given the passage of time and importantly now having established a more accurate representation of the former Canterbury City Council's financial position - the notion of suggesting that a de-amalgamation will allow the former Council's to return to 'the way it was before' is unrealistic.

Both former Council's LTFP's – and subsequent findings identified by CBCity - suggest the need for significant reforms needing to be made for both former entities if they are to remain sustainable.

5.6.6 Separately, a copy of the NSW ILGRP's final report – *Revitalising Local Government* is attached (Attachment P) for Councillors information – which provides an in-depth assessment of our sector and suggested

reforms – particularly the ILGRP on pertinent issues such as scale and capacity and amalgamations.

5.7. Understanding the Likely Cost to De-amalgamate

5.7.1 Overview of Findings

5.7.1.1 Council commissioned Morrison Low (ML) to provide an independent high-level assessment of the likely financial impact and other considerations associated with a de-amalgamation – Attachment Q.

Having regard to Council's scope (refer to Section 2.4), ML's report assesses several key themes, including:

- Estimating high-level ongoing financial costs and savings including changes to service/asset costs derived from the merger;
- Estimating the one-off de-amalgamation costs;
- Government funding of one-off de-amalgamation costs;
- Distribution of ongoing merger costs and benefits identified by CBCity;
- Identifying capacity and operational benefits for the merged council;
- Scale and capacity benefits for the merged council;
- Limited financial assessment and performance against some of the OLG performance indicators; and
- Considering the potential risks

5.7.1.2 Whilst Councillors are encouraged to carefully consider ML's comprehensive report, the more pertinent findings/details of the report are noted/highlighted that:

- Council identified and has/is implementing several key strategies to ensure the ongoing viability for CBCity as a sustainable service provider;
- Having an established comparative starting point for the former councils and CBCity, their assessment confirmed that there was an estimated financial gap between the former Councils and CBCity's current financial position of some \$34M – which in effect supports/substantiates that Council's decision to apply for the SRV that directly stems from the LTFP constraints of the former councils;

- The financial difference is justified and aligned to the proposed initiatives of the former councils, that were identified prior to the merger but not implemented, and the asset management review outcomes of the former councils, undertaken by CBCity; and
- Despite the funding gap - the merger harmonisation process separately generated operational improvement benefits that have positively impacted the financial expenditure structure of the Council by around \$21M.

5.7.2 Costs and Benefits

5.7.2.1 Having carried out a high-level financial assessment, the review estimates that the *one-off de-amalgamation costs* for each proposed / former Council would be as follows:

DESCRIPTION	CCC \$M	BCC \$M	Total \$M
One-Off /Upfront Costs	24.0	29.2	53.2
One-Off / Upfront Costs – Campsie Admin	13.0	-	13.0
TOTAL ONE-OFF / UPFRONT COSTS	37.0	29.2	66.2

5.7.2.2 A detailed explanation of the nature of the *one-off / up-front costs* are explained in ML's report on pages 20 – 24.

5.7.2.3 ML have assumed that if the Minister approved a Business Case to demerge, then the NSW Government will fund Council's *one-off upfront costs*, totalling \$66.2M – which incorporates the cost of \$13.0M to renew the Campsie Administration Building – see section 5.8 of this report.

In submitting a Business Case, certainly the decision regarding who funds both upfront and ongoing/recurrent costs plays a significant part in any decision that Council makes and indeed what the Minister may decide/determine.

In accordance with *Section 218CC(6)) of the Act*:

The Minister is, by making grants under section 620 or using money otherwise appropriated by Parliament for the purpose, to ensure that the cost of any de-amalgamation of the new area resulting from a business case submitted under this section is fully funded.

Based on the above, it is arguable whether *the cost of any de-amalgamation* refers to the *upfront costs* only or indeed includes the expected *annual ongoing/recurrent costs* that would apply each year forever.

Naturally, Councillors will need to carefully consider how a Business Case best articulates what proposed funding model should apply if Council were to de-amalgamate.

That said, one would imagine that the Minister's decision would consider the financial impact of a Business Case and apply a *public interest* test when considering what the NSW Government would in fact consider to be appropriate/feasible in funding a proposal.

While it is reasonable to expect the whole cost of the de-amalgamation of the new area resulting from a business case submitted to be fully funded as per the legislation, if Council were to consider any other option to fund ongoing costs, this would be borne by ratepayers and residents through either increased rates, a reduction in services or a mix of both. Councillors will need to consider this mix in selecting an option for the business case, should it choose to submit one. The ongoing costs are explored in the next section of this report.

- 5.7.2.4 Separately, the report identifies an allocation of CBCity's estimated *ongoing/recurrent savings & costs* needing to be re-instated for the proposed de-amalgamated councils. The allocation is based on both councils having similar levels of services, restoring/re-stating estimated savings, efficiencies and/or economies of scales derived by CBCity and applying obligations that were not in place prior to the merger.

A summary of the estimated *ongoing/recurrent savings & costs* that would need to be re-instated for each proposed/former council is as follows:

DESCRIPTION	CCC \$M	BCC \$M	Total \$M
Governance Costs	0.5	0.7	1.2
Operational Assets	0.6	0.2	0.8
Organisation and Corporate Planning	5.0	6.4	11.4
Workforce Resourcing	3.3	4.2	7.5
TOTAL ONGOING / RECURRENT COSTS	9.5	11.4	20.9

- 5.7.2.5 A detailed explanation of the nature of the ongoing / recurrent costs are explained in ML's report on pages 11-14 and pages 20-24.
- 5.7.2.6 Based on the above and by way of an indicative illustration – the estimated average rates (includes both Residential and Business) for each proposed/former council would be as follows – excluding all one-off/upfront costs funded by the NSW Government:

DESCRIPTION	CCC \$	BCC \$	Total \$
Ongoing / Recurrent Costs (\$,000)	9,478	11,422	20,900
Rates Assessment	54,243	69,003	123,246
AVERAGE ANNUAL INCREASE – RESIDENTIAL & BUSINESS	175	166	170

5.7.2.7 Whilst the above is an indicative average based on all properties throughout our local government area, the likely increase for ratepaying properties – excluding those who pay a minimum rate is as follows:

DESCRIPTION	CCC \$	BCC \$	Total \$
Ongoing / Recurrent Costs (\$,000)	9,478	11,422	20,900
Rates Assessment – Number of Properties	31,795	46,144	77,939
AVERAGE ANNUAL INCREASE – RESIDENTIAL & BUSINESS	298	248	268

5.7.2.8 Additionally, if Council were to quarantine businesses from the impact of any rate increase, as a result of de-amalgamating, (assuming this option is chosen) the average increase that would need to be borne by residential properties only (excluding minimum rated properties) would be as follows:

DESCRIPTION	CCC \$	BCC \$	Total \$
Ongoing / Recurrent Costs (\$,000)	9,478	11,422	20,900
Rates Assessment – Number of Properties	29,528	42,169	71,697
AVERAGE ANNUAL INCREASE – RESIDENTIAL ONLY	321	271	292

5.7.2.9 As Councillors would appreciate, whilst the above figures are indicative averages, the estimated increase between suburb to suburb will vary greatly given the wide-ranging land valuations across each proposed/former local government area.

By way of example – if we were to focus on residential properties (and exclude minimum rated properties) only – the estimated average increase for each suburb would be as follows:

**Former Canterbury City Council - Average Suburbs Impact
Residential Ratepayer Only (excluding Minimums)**

SUBURB	ANNUAL INCREASE Including Business Properties \$	ANNUAL INCREASE Excluding Business Properties \$
Ashbury	297	418
Hurlstone Park	290	409
Earlwood	274	386
Croydon Park	271	382
Campsie	244	343
Canterbury	237	333
Kingsgrove	209	294
Belfield	208	293
Clemton Park	207	291
Riverwood	207	291
Narwee	205	289
Lakemba	204	287
Wiley Park	202	284
Belmore	201	283
Beverly Hills	195	275
Punchbowl	193	272
Roselands	187	264

**Former Bankstown City Council - Average Suburbs Impact
Residential Ratepayer Only (excluding Minimums)**

SUBURB	ANNUAL INCREASE Including Business Properties \$	ANNUAL INCREASE Excluding Business Properties \$
Lansdowne	252	355
East Hills	221	312
Bankstown	209	295
Padstow Heights	206	290
Potts Hill	205	289
Picnic Point	205	288
Padstow	200	282
Greenacre	200	281

SUBURB	ANNUAL INCREASE Including Business Properties \$	ANNUAL INCREASE Excluding Business Properties \$
Condell Park	199	280
Mount Lewis	196	276
Panania	194	273
Revesby	193	272
Yagoona	184	259
Milperra	183	257
Sefton	181	256
Revesby Heights	180	253
Birrong	178	251
Chester Hill	178	250
Bass Hill	176	247
Georges Hall	175	246
Villawood	173	243
Regents Park	163	230
Chullora	-	-

5.7.2.10 If ongoing costs are not funded by the NSW Government (assuming this option is chosen), then the above increases would be in addition to the current SRV being implemented by CBCity.

5.7.2.11 ML have indicated that the estimated de-amalgamation costs (excluding Campsie Administration Centre) are largely within the ranges of the de-amalgamation costs associated with the Queensland's demerger experience and Wellington's reorganisation and therefore are reasonable to be used for comparative assessment of the de-amalgamation proposal for CBCity.

5.7.2.12 Whilst the high-level assessment has provided some general understanding of what the financial impact may be if a de-amalgamation were to proceed – the assessment should be considered as being a minimum cost – given that experience suggests that estimates tends to rise as more detailed assessments/reviews are carried out. That said, the indicative financial impacts noted above are considered adequate/appropriate to use in preparing a business case to the Minister, and/or to consult with our community if Council determines to do so.

Naturally, Council may seek a more comprehensive/forensic 'line-by-line' examination to accurately test and validate all the costs and benefits that the de-amalgamated councils would need to incorporate into their operational structures – though the exercise would not be

considered an ideal return on investment.

5.8. Campsie Administration Centre

- 5.8.1 Evidently - and given its significance - any decision to de-amalgamate will need to carefully consider how to address the future outcome of the Campsie Administration Building (the Building).
- 5.8.2 As Councillors would have noted above, Council's one-off /upfront costs to de-amalgamate incorporates an estimated \$13M to make-safe and appropriate for use as Council's Administration Building, given its numerous constraints/limitations.
- 5.8.3 To assist with the matter, it's important that Councillors are aware of relevant information in determining its decision, particularly to understand:
- The background and/or history associated with the existing building/site;
 - the Buildings useful-life, condition, limitations and compliance issues;
 - the likely cost to remediate the Building to meet relevant Australian Standards - importantly to ensure it is fit-for-purpose; and
 - assess the opportunity cost of remediating the existing building versus constructing a new/equivalent building and development potential for the site - having regard to Council's Campsie Masterplan.
- 5.8.4 To assist with its assessment, Council has commissioned/obtained an independent report – Attachment R – to both evaluate and/or appraise the above.

Whilst Councillors can carefully analyse the independent report – the main elements identified/confirmed in the report are outlined below.

5.8.5 Background / History

- In 1963, the former Canterbury City Council constructed the Campsie Administration Building (the Building) – which incorporated the former Council's administrative functions, customer service and Council Chambers.
- In 2007, the former Council commenced a process to investigate the feasibility of redeveloping the Campsie Civic Centre Precinct – particularly the option of entering a Public Private Partnership (PPP)

to redevelop the site.

The former Council's proposal/masterplan included the prospect of constructing new Council Chambers, administrative offices, central library and an early childhood health centre as part of the redevelopment.

- Following its investigations – in 2012 the former council had determined that the project was not financially viable/feasible, particularly given the impact of the global financial crisis and the likely cost of delivering Councils required facilities.
- Given its impending redevelopment – very little funding was allocated by the former Council towards maintaining and/or servicing the building – prior to the amalgamation.

5.8.6 Current Condition/Limitations

- The Building is 59 years old (useful life is 40-60 years) and is nearing the end of its useful life. Council recently prepared a Facility Asset Management Plan – which fortuitously indicates that the remaining life could be extended for another 18 years - subject to regular maintenance and repairs being performed.
- At present, there are several limitations to the functional performance of the Building and non-compliances ranging from public access to the customer service centre, air conditioning reliability, amenity and availability of bathrooms, poor vertical transport (lifts) performance and water ingress.
- Public access to the customer service centre is poor due to the lack of accessible passageway from the car park to the main entry in the Building, with the only alternative means of access via the roadside pathway, which would necessitate a drop off or extensive travel by foot/wheelchair which is impractical.
- The current Council Chambers are not ideally suitable for holding public meetings of Council. Notwithstanding the current maintenance issues, the chambers require additional seating as well as a suitable public gallery separated from Councillors, updated amenities, a compliant and functional kitchen, modern IT equipment and accessibility upgrades.
- Whilst the air conditioning central plant has sufficient capacity to meet the demand, the equipment is approaching the end of its useful life and cannot reliably maintain internal temperatures during periods of peak demand.

- The bathrooms throughout the Building are largely inadequate, extending from the lack of bathrooms for members of the public visiting the customer service centre, including insufficient accessible bathrooms and male staff located in the annexure building.
- Broadly, the Building Code of Australia non-compliance relate to major fire compartmentalisation and essential services coverage throughout the building.
- The external structure of the Building is considered to be fair to poor condition, with statutory compliance and accessibility below industry average with major remedial works required in the short term to ensure they remain fit for purpose.
- The car park surface is in poor condition, with extensive cracking and crazing at stopping and transition points across the car park.
- A major consideration in evaluating the long-term strategy for the Building is to consider the extent of the existing non-compliance and that any major refurbishment will more than likely trigger the requirement to upgrade the Building where the works are significant.

5.8.7 Remediation vs New Office Accommodation – Financial Assessment

- As part of its assessment, Council has sought independent estimates to establish the likely cost to remediate the existing Building - and extend its useful life for a further eighteen (18) years.
- Separately, Council has also compared the above cost with/against the estimated cost of constructing a new building of similar size/footprint, which would offer a fit for purpose building for both Council's administrative purposes and broader community use.
- Whilst a comprehensive assessment is included in the attached report (Attachment R), a summary of the estimated financial impact is as follows:

DESCRIPTION	Remediate Current Building \$M	Construct New Building \$M
Capital Expenditure – One-off /up-front cost	13.0	19.6
Maintenance Costs – Ongoing / Recurrent Costs – 18 Years	6.8	14.9
Total Cost – Over 18 Years	19.8	34.5
Remaining Useful Life After 18 Years	-	40

Note: After 18 years, the construction of a new building will retain its value (\$20M) to the community as an asset whilst a remediated building will have a zero value – and be a liability which will need to be demolished.

- As Council will note, the likely cost to construct a new A-Grade, purpose-built building of similar size/footprint would cost \$19.6M, some \$7.6M more than simply remediating the existing Building.
- Importantly, after 18 years – assuming the Building is appropriately maintained – a new building will still have a useful life of around 40 years - unlike the existing building, which will likely need to be demolished.
- In terms of its offering - a new Building would also deliver a far healthier, environmentally sensitive solution that enhances the experience and promotes the wellbeing of the staff/occupants, providing a greater level of natural light and air quality.
- Constructing a new building may potentially allow for multiple/additional sources of funding, which will further improve the feasibility and/or opportunity to deliver a viable/sustainable outcome.
- Nevertheless – and for the purposes of estimating our likely one-off / upfront costs – we have utilised the remediation costs/figures in preparing the likely de-amalgamation financial impact.

That said, if Council does determine/resolve to submit a Business Case to de-amalgamate, it may at that point choose to incorporate a *new build* estimate in formulating its one-off / upfront costs which, if approved – will be funded by the NSW Government.

- As Council will clearly note – whilst the option to remediate the existing building may financially be the lowest/cheapest option – it doesn't present an ideal long-term return on investment for Council.

Irrespective of Council's decision to de-amalgamate or not, this Council or a newly formed council, has the opportunity to provide the community a far greater and improved outcome on the current site. This is further explored/discussed in the following section.

5.8.8 Further Options/Considerations Regarding the Building/Site

- As Council would be aware, *Connective City 2036* - Council's LSPS - identifies Campsie as a strategic centre. The document notes that Council-owned land provides significant opportunities for new community infrastructure.
- Council's land (land where Annex is situated – not current Campsie Administration Building) could act as a catalyst for change in Campsie,

enabling the delivery of new community and cultural facilities; expanded open space; underground car parking; adaptive re-use of the Orion building; or a mix of residential and commercial use.

- This direction has more recently been strengthened through the adoption of the Campsie Town Centre Masterplan which provides that existing community and cultural facilities will be consolidated on the Campsie Civic and Cultural Hub (CC&CH) to support both the current and future populations. This aligns with best practice in community facility design and provision, which recommends a range of different spaces and functions be provided on a single site.
- Council envisions that the CC&CH will provide for the following:
 - The relocation of Campsie library;
 - Green space, including an expanded Loft Gardens;
 - General community use space for meetings, activities or events, including spaces to hire;
 - A base for the delivery of local community services and programs;
 - Services, programs and activities for different user groups, such as young people or older people and multi-cultural communities;
 - Adaptive re-use of the Orion Theatre;
 - Specialist arts and culture spaces and facilities; and
 - A mix of other uses including employment-generating floor space or mixed-use development.
- The co-location of services will enable the pooling of resources and a more integrated and innovative approach to service delivery. Indeed, Council intends to co-locate compatible services, which would enable maximal use of land, for instance through shared, rather than separate, parking areas.
- Council's CC&CH also provides an opportunity to locate community facilities close to public transport and leverage the activity generating uses along Beamish Street. It will provide activity day and night supporting a wide array of user groups. The CC&CH will also respond to the Council's Local Strategic Planning Statement vision to deliver arts and community uses on a consolidated site in Campsie.
- With the new investment in the Metro, the potential identified in the Campsie Town Centre Masterplan and the grant application for funding from WestInvest - provides Council an opportunity to now

deliver a noteworthy outcome for our community.

- Indeed, replacing Council's current building is now a more compelling option when compared to the refurbishment and maintenance of the existing buildings on Site. Clearly, constructing a new building would:
 - provide a more functional and productive workplace, improving both employee and customer experiences;
 - better connect the administrative centre to precinct elements such as the Metro station, open space and active transport assets;
 - better utilise the site, offering additional land use potential anticipated by the Masterplan which can potentially provide revenue to Council;
 - act as a catalyst for additional public and private sector investment in Campsie;
 - benefit from multiple/additional funding sources; and
 - importantly, provide Council with a new building with a usable life of between 40-60 years, rather than the estimated 18 years – if we were to refurbish the existing building.
- Whilst both options provide Council with a way forward – one would conclude that the additional benefits of a new and expanded build, when compared to a remediation/refurbishment, provide a greater long-term economic and social benefit for our community.
- Irrespective of whether Council de-amalgamates or not – Council should carefully consider/contemplate the opportunity that a new CC&CH provides and that CBCity's vision for our existing site and building, continues to be an important initiative that may be realised in the near future.

5.9. Separation Program

5.9.1 As was the case when merging – a comprehensive transition plan will need to be prepared to appropriately guide Council in separating our organisation. Given its criticalness, Council has obtained a high-level assessment/guide from Ernst & Young (EY) - Council's original partner used to merge the former councils - as to the required steps/processes that it would need to consider if a Council were to proceed to de-amalgamate – Email Attached – Attachment S.

5.9.2 Naturally, a detailed proposal would need to be obtained if Council were to proceed with a de-amalgamation, however as a guide, EY initial scope to support a 'separation' exercise would include three (3) phases, being:

DESCRIPTION	ESTIMATED COST \$M
Phase 1: High Level Separation Scoping Costing Exercise	0.1
Phase 2: Detailed Separation Design and Costing Exercise	0.3
Phase 3: Separation Execution Support – 18 months	2.1
ESTIMATED COST	2.5

5.9.2 As Council will note – the likely cost to assist with transitioning our organisation would be in the order of \$2.5M. Council has identified this likely cost as a one-off / up-front cost (part of our estimated \$66.2M) and as such should appropriately be funded by the NSW Government.

5.10. Other Considerations / Options

5.10.1 As Council would acknowledge – a decision to de-amalgamate is significant and above-most needs to ensure that it will provide a greater opportunity and/or outcome to effectively deliver on all the essential elements expected from our system of local government.

5.10.2 Whilst the focus of this report is to consider re-establishing the former council areas, it would be prudent/appropriate that Council also consider and/or rule-out other boundary change options or more of an expanded structure, particularly again exploring the opportunity and/or effectiveness of introducing Joint Organisation structures, as suggested by the ILGRP.

5.10.3 Clearly, there are many options – particularly those previously expressed by the former Council's, the ILGRP and certainly more recently the views of parts of our community as to their thoughts on the matter.

5.10.4 In determining its decision, Council should canvas the options noted by the ILGRP (Section 3.12 above) and the alternate options presented by the former councils – as part of their Fit for the Future Improvement Proposals (Section 3.21 and 3.31 above).

5.10.5 Separately, Council may also want to consider the views of ratepayers, residents and particular community groups – such as the Hurlstone Park Association – who have strongly advocated for parts of Canterbury Ward to be amalgamated with Inner West Council – submission to IPART's Fit for the Future proposal attached – Attachment T.

5.10.6 Whilst the options suggested by others departs from Council's intended resolution, it is raised for the awareness of Council in considering this matter.

5.11 Council Poll & Community Engagement Plan

Council's resolution of May 2022, separately requested that:

- *This report includes a costed Community Engagement Plan and poll details, inclusive of sources of funding, for Council's consideration; and*
- *In light of the report, Council establish its position and engage with our community and ask them if they support de-amalgamation to restore former Canterbury and Bankstown Councils.*

An assessment of and/or details pertaining to the above is as follows.

5.11.1 Council Polls

5.11.1.1 By way of background/information, Council Polls:

- must be conducted on a Saturday, including the Saturday of an ordinary election;
- not mandatory or binding on a Council; and
- conducted to gauge elector's opinion on a matter. That said, Council should note that a large proportion of electors are not necessarily ratepayers in our local government area.

5.11.1.2 Council should also note that:

- Council polls are best conducted during an ordinary election – particularly to limit the administrative cost whilst also providing a greater opportunity to engage with all electors;
- As indicated above - polls are not mandatory and as such if a poll not held on an ordinary election, then:
 - it's highly likely that elector participation would be extremely low; and
 - the likely cost to conduct a stand-alone poll – similar to an ordinary election - costing in the order of \$1.5M - \$2M;
- An assessment of Council's rating database indicates that around 30% of property owners have their notice sent to an alternate address – thereby suggesting/assuming that a large proportion of them may not necessarily be electors in our local government area;

- Business ratepayers are generally not registered to vote – and as such would not participate in a poll. This would mean that up to 8,000 business ratepayers – including their supply chains and employees they represent - would not have their say in a poll – although would likely bear a proportion of any ongoing costs if rates were to increase.

That said, if Council were inclined to consider conducting a poll, then on balance it would be best to wait until the September 2024 Local Government Ordinary Election and carryout the poll at that stage.

5.11.1.3 Council has canvassed the issue of conducting polls with the NSW Electoral Commission (NSWEC). They had indicated that:

- the likely cost of conducting a poll at the next Ordinary Local Government Election would equate to a further cost of 10% to the election – estimated at around \$250K; and
- NSWEC indicated that they would not support running a poll during the next State Government Election – given the inconsistency in State and Local Government boundaries and the likely impact/confusion it would have on administering a poll and electors.

5.11.1.4 In summary - Council Polls held at the time of a Local Government Election are generally considered quite an effective mechanism to engaging with the majority of our ratepaying community.

That said, the important decision for Council is one of timing. Evidently, Council has the option to defer the matter and await the outcome of a Council Poll – though this will ultimately delay Council’s decision by some 2 years – and places the matter in the hands of the next term of Council to determine how it will best proceed on the matter.

5.12 Community Engagement Plan (CEP)

5.12.1 If Council were to proceed to carry out a CEP it would need to be inclusive of both ratepayers (residential and business ratepayers) and residents’ views on the matter.

5.12.2 A comprehensive CEP may consist of the following:

- ***De-amalgamation Community Information Flyer and Survey***
 - A mailout of an informative flyer and hard copy survey to all ratepayers and residents across the city. The survey would be reply paid and have a unique identifier to allow online or hard copy completion of the survey while preventing duplicate responses.

- ***Website and Have Your Say Pages***

- Dedicated website pages and *Have Your Say* page to provide additional background information, links to Council reports and other important pages, frequently asked questions, copies of the flyer (including financial implications of the proposal), information about next steps etc.
- All information would be translated.

- ***Statistically Significant Phone Survey***

- This would involve a detailed phone survey of a random selection of residents to ensure we are gaining information from a representative cross-section of our community.

5.12.3 Whilst the above plan/approach amply provides the whole community the opportunity to have their say on the matter, Council may want to consider complementing the above with other mechanisms/options, including:

- ***Hotline***

- Establish a hotline to enable ratepayers and residents to discuss their matter (the usual translation service would also be available).

- ***Community Information Sessions***

- Face to face and online community information sessions in each ward – to support accessibility and those interested in finding out more about the matter.

- ***Establish Representative Panel***

- Establish a panel of residents;
- Preparation of multiple forums and materials to educate the panel on the issue; and an eventual polling of the panel about the issue; and

The panel would be demographically representative of the residents and businesses in the LGA.

- ***Conduct Council Poll***

- Conduct a Council Poll during the September 2024 Local Government Elections.

5.12.4 The estimated/likely cost to conduct the above is as follows:

DESCRIPTION	ESTIMATED COST \$K
Proposed Community Engagement Plan	
Community Information Flyer and Survey Mailout	210
Survey Return and Analysis	25
Website and Have Your Say Development (including on-line survey and translation)	22
Statistically Significant Phone Survey	25
TOTAL COST	282
Further Community Engagement Options	
Hotline	10
Community Information Sessions	10
Establish Representative Panel	150
Council Poll – Conducted in September 2024 – Ordinary Election	250
TOTAL COST - FURTHER OPTIONS	420
TOTAL COST - COMMUNITY ENGAGEMENT PLAN	702

5.12.5 Naturally Council have been elected as representatives of the community and have the discretion to lodge a business case on their behalf, though if Council were to desire seeking further data from the community to inform its decision on the matter it is suggested that the proposed CEP items totalling \$282,000 be undertaken as a minimum.

If Council resolves to proceed with a consultation, it is proposed to commence the required planning and engagement process immediately. This will enable Council to obtain the community's sentiments on the matter in a timely fashion.

6. SUGGESTED OPTIONS

6.1 Overview of Options

6.1.1 In progressing the matter, the following suggested options are presented for Council's consideration:

1. ***Do-nothing*** – Council may determine not to proceed with any further consultation and not submit a Business Case to de-amalgamate; or
2. ***Commence an engagement process with our community*** – Council may immediately commence a process of engaging with our community on the matter, providing a number of options for the community's consideration.

The options provided would detail the alternate funding models being:

- a funding model where the NSW Government fund both the estimated up-front and ongoing/recurrent costs to de-amalgamate - in perpetuity;
- a funding model where the NSW Government would only fund upfront costs and Council would need to fund all ongoing costs (this would be borne by ratepayers and residents by increased rates, a reduction in services or a mix of both).

Following the community engagement process, Council consider a further report outlining the outcome of the community engagement process; and determine whether to submit a Business Case to the Minister; or

3. ***Conduct a Poll at the next Local Government Ordinary Election*** – Council may defer any further consideration of the matter for two (2) years in order to conduct a Poll at the September 2024 Local Government Election; and have the matter considered by the next term of Council; or
4. ***Submit a Business Case to the Minister – Full Funding Model*** – Council may determine to submit a Business Case to the Minister to de-amalgamate the Council and restore the former Canterbury City Council and Bankstown City Council.

This option would require the NSW Government to fund both the estimated up-front and ongoing/recurrent costs to de-amalgamate - in perpetuity.

Importantly, this option presents no upfront and/or ongoing financial impact for the Ratepayer.

5. ***Submit a Business Case to the Minister – 10 Year Funding Model*** – Council may determine to submit a Business Case to the Minister to de-amalgamate the Council and restore the former Canterbury City Council and Bankstown City Council.

This option would require the NSW Government to fund the estimated up-front cost to de-amalgamate as well as the annual ongoing/recurrent de-amalgamation costs for 10 years – to coincide/equate with the new council's Community Strategic Planning (CSP) framework cycle as required under *the Act*.

This option would give the new councils 10-years to consider how best to manage and/or fund the ongoing/re-current de-amalgamation costs (beyond the initial 10-year period) when developing their CSP

and suite of Integrated Planning and Reporting requirements – particularly their Delivery and Long-Term Financial Plans.

This option provides the new council 10 years to determine how best to fund the ongoing/recurrent de-amalgamation costs and whether there would be any or ongoing financial impact for the Ratepayer beyond that period.

6. **Submit a Business Case to the Minister – Service and Funding Review Model** – Council may determine to submit a Business Case to the Minister to de-amalgamate the Council and restore the former Canterbury City Council and Bankstown City Council.

This option would require the NSW Government to fund the estimated up-front cost to de-amalgamate whilst the annual ongoing/recurrent de-amalgamation costs be funded by either increasing rates and/or cutting services – as part of Council’s de-amalgamation Business Case.

This option presents a financial impact for the Ratepayer and/or a reduction in service levels.

- 6.1.2 Irrespective of what option Council may determine to pursue – it is also suggested/recommended that if a Business Case was to be submitted to the Minister, that Council emphasise that Council/Councillors be left to oversee any transition process and that no Administrator be appointed.
- 6.1.3 If Council were to consider Option 2 above, a suggested Community Engagement Plan would be as follows:

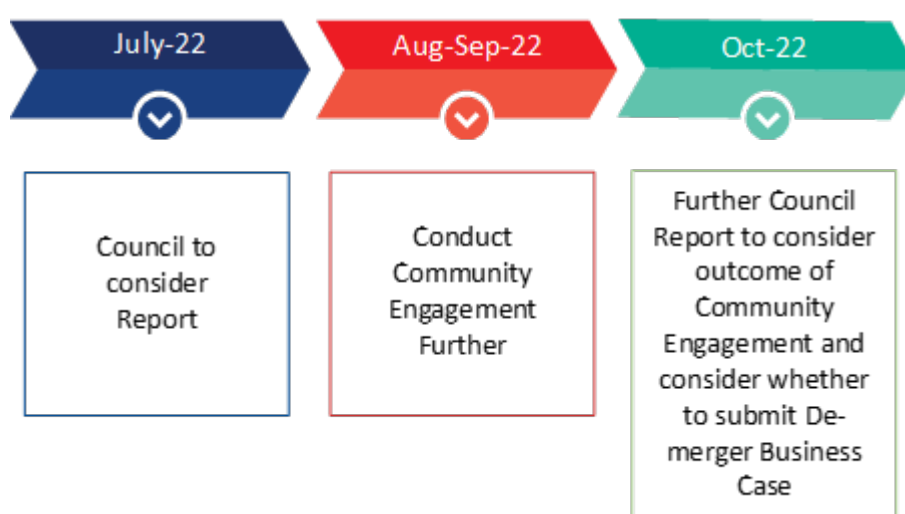
Stage 1 - Community Engagement

- Prepare and distribute a Community Information Flyer, establish website content and conduct a phone survey – refer to 5.12.2 above.
- It is suggested that the further engagement options noted in 5.12.3 above are *not* carried out by Council, as part of this process.
- In terms of the likely financial impact on Residential Ratepayers – Council’s consultation process convey its position on its suggested funding model – whereby the impact to Ratepayers would be equivalent to the ‘Annual Increase Excluding Business Properties’ – see Section 5.7.2.9;
- As outlined in 5.12.4 the estimated costs to conduct the above is as \$282,000. This funding would need to be accommodated as part of the forthcoming quarterly review process.

- If Council were to agree to proceed, it is proposed that the Mayor, in consultation with Councillors and the General Manager, finalise the content and distribute the flyer, as required.
- It is recommended that the community be given four (4) weeks to respond to the Community Information Flyer.

Stage 2 - Considering a Community Engagement Outcome and Preparation of Business Case

- Following the completion of Stage 1 above – and as a guide - Council may want to consider navigating through the following suggested steps/process and timeframe.



- Subject to Council further considering the matter at its Ordinary Meeting in October 2022, Council may then resolve to formally seek the Minister's support to de-amalgamate. In doing so, Council will need to be mindful of and/or do the following:
 - Submit a written Business Case within ten years of the constitution of our new area, which in our case would be by May 2026;
 - The Business Case would require Council to submit a proposal for the de-amalgamation of Canterbury Bankstown Council – either seeking to re-establish the former Councils or alternatively proposing a different option for the Minister to consider; and
 - Articulate the reasons in support of the proposal.
- As has been mentioned earlier, councils have not been provided with details of what the process would be and/or what the contents of a Business Case would include, though the Minister has indicated that it

is for the council to determine how best to frame the contents of a proposal.

- Notwithstanding the above, a Business Case proposal would most likely resemble and/or cover the themes/criteria required by the Local Government Boundaries Commission – as set out under in *Section 263(3) of the Act* (see the above section - *The Role of the NSW Boundaries Commission*).
- That said, Council may also wish to further consider other certain/pertinent issues prior to deciding to prepare a Business Case to de-amalgamate, particularly in terms of whether:
 - a more comprehensive/forensic examination be carried out to accurately test and validate all the costs and benefits that the de-amalgamated councils would need to incorporate into their operational structures;
 - Council needs to liaise/consult with other local government entities/councils – if there is any impact on them;
 - If submitted well in advance, should Council’s Business Case seek to implement the de-amalgamation to coincide with the next Local Government Ordinary Election in September 2024;
 - Council choose to wait until September 2024 and conduct a Council Poll as part of the 2024 Local Government Ordinary Elections – where it will again provide our community the opportunity to have their say on the matter – likely cost of this process will be around \$250K.
- Whilst the above points will be canvassed in more detail as part of its subsequent report, they are pertinent issues that Council should be both mindful of and/or start considering – given their implication.
- Alternatively, Council may decide not to proceed any further with matter, at the time.

8 SERVICE AND OPERATIONAL MATTERS

The following item is submitted for consideration -

8.1 E-Scooters

123

ITEM 8.1 E-Scooters

AUTHOR City Future

PURPOSE AND BACKGROUND

In April this year, Transport for New South Wales (TfNSW) hosted a Mobility Summit during which the Minister for Infrastructure, Cities and Active Transport, The Hon. Rob Stokes MP, announced the opportunity for interested councils to participate in a state-wide trial of E-Scooters.

The purpose of this report is to update Council on the proposed trial and resolve Council's current position in relation to E-Scooter use, having regard to current legislation.

ISSUE

Across the City, there has historically been a high reliance on private car travel. In recent years, innovation in the form of shared E-Bikes and E-Scooters has made active transport more accessible for people. As the use of E-Scooters continues to increase, it is important for Council to consider the potential implications of their use on our current walking and cycling network.

The TfNSW E-Scooter trial will be rolled out later this year for an initial six month period, with the potential of an additional six month extension pending the trial's success. The purpose of the trial is to evaluate the feasibility of E-Scooters, particularly in relation to replacing trips in private vehicles and observe if any behavioural changes towards public transport occur as a result of the availability of the E-Scooters.

Currently the predominant use of 'for hire' E-Scooters is in large capital cities and regional centres where there are larger public plaza spaces, wider footpaths, and dedicated cycleways without the need to dismount. This infrastructure is more compatible with E-Scooter mobility.

There are a number of key factors that need to be considered when assessing the feasibility of participating in a E-Scooter trial. Deficiencies in the regulation and compliance process, the lack of supporting infrastructure, problems with informal parking and storage, and the risk to pedestrians from unsafe riders has led to limited success in providing E-Scooter services across Metropolitan Sydney. Safely realising the potential benefit of E-Scooters and other similar forms of active transport has several implications for infrastructure and the interaction between different modes of transport.

RECOMMENDATION

That Council monitor the implementation of the NSW Government's E-Scooter trial and use the outcomes of the trial to help inform Council's strategic transport planning, including future E-Scooter use in Canterbury-Bankstown.

ATTACHMENTS

Nil

POLICY IMPACT

This report is consistent with Council's Active Transport Action Plan in that it acknowledges the growing use of micro mobility options such as E-Scooters as an emerging trend.

FINANCIAL IMPACT

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

It is important to note that should Council take up the option to participate in the trial, there is no dedicated funding from TfNSW to support implementation or provision of dedicated infrastructure. All costs associated with delivering the trial would be Council's responsibility and budget implications would need to be considered as part of any future annual budgeting processes.

COMMUNITY IMPACT

This report acknowledges the emergence of E-Scooters as a growing mode of transport and community interest. It also outlines the risks associated at this early stage of trialling, and the challenges and lessons learnt from previous experiences.

DETAILED INFORMATION

E-Scooters have increasingly become a more mobile and affordable way to travel, catalysing the rapid expansion of both privately and publicly owned E-Scooters across Australia. E-Scooters have the potential to transform the way we travel within Canterbury-Bankstown by alleviating traffic congestion and providing a suitable alternative to private vehicle travel.

As part of the recent NSW Active Transport Mobility Summit, The Hon. Rob Stokes MP announced that a council-led trial involving E-Scooter providers would begin during late 2022. The trial involves a six month program with the option of extending the trial for an additional six months pending the trial's success. Transport for NSW (TfNSW) have invited councils and their nominated E-Scooter providers to make a submission by 30 September 2022 to be considered for the trial.

Although initiated by the NSW Government, councils will be responsible for funding the E-Scooter trial. The program will be locally driven by interested councils, with the NSW Government assisting in providing the geographical mapping system and helping with the data collection of the program. Importantly, councils will be responsible for upholding the regulatory framework and objectives of the program and communicating with providers to implement the E-Scooter trial.

In addition to the above, there are a number of key factors that need to be considered when assessing the feasibility of the City of Canterbury Bankstown's participation in the E-Scooter trial.

Existing Regulatory Framework

Within NSW, any vehicle with a motor is classed as a motor vehicle under the *Road Transport Act 2013* and must be registered for use on NSW roads unless it has been made specifically exempt from registration. Additionally, motor vehicles must be appropriately licensed unless exempt.

In NSW, E-Scooters are classified as motor vehicles but cannot be registered as there are no applicable Australian Design Rules (ADRs) for them, which therefore currently prohibits their use on NSW roads and road related areas such as footpaths and shared paths.

As part of the trial, E-Scooters will be able to operate on shared paths and public roads, but will not be allowed on pedestrian footpaths and footpaths through our town centres.

Supporting Infrastructure

It is important to note that while E-Scooters are an increasingly popular mode of transport, there are a number of factors that need to be considered when making provision for their use.

Concerns about E-Scooters blocking footpaths and creating trip hazards have been widespread nationally, particularly among disability groups, and parking of E-Scooters around centres will undoubtedly block the limited pedestrian paths that we have connecting stations, shops and transport interchanges.

That E-Scooters will not be allowed on pedestrian footpaths and footpaths through our town centres significantly restricts the range and available routes for them to 'legally' get around our City and to introduce them would certainly lead to regulatory issues that the NSW Police would need to address.

Australia still experiences low rates of helmet wearing which contributes to frequent head injuries in crashes. This behavioural concern, coupled with the braking issues and the lack of stability that E-Scooters provide, and that the only place they can be used in our major centres is on the road in conflict vehicles, gives rise to serious concerns regarding the safety of the E-Scooter trial.

The biggest opportunity for E-Scooters to influence mode shift is around short trips, to key destinations such as town centres and train stations. The most likely centre for success is the Bankstown CBD, though with much of the Bankstown CBD impacted by construction over the next 12 months and work on the Metro line from Sydenham to Bankstown ongoing this area is not suitable for an E-Scooter trail at this time.

As mentioned above they can be used on shared paths in this trial, though the disconnected nature of our current active transport network means that E-Scooter trial participants will be forced onto local roads, again posing a risk to both E-Scooter users and vehicles.

As Council continues to build the walking and cycling network through implementation of the Active Transport Action Plan, we anticipate the development of a network of share paths that will better support E-Scooters in the future.

Next Steps

After careful consideration, it is recommended that Council does not participate in the E-Scooter trial at this time. Rather, the NSW Government trial of E-Scooters provides Council with the opportunity to observe the success of the trial in other areas, making use of the learned experiences of other councils to inform decisions around the future planning of Active Transport networks within Canterbury-Bankstown.

9 COMMITTEE REPORTS

The following items are submitted for consideration -

- | | | |
|-----|--|-----|
| 9.1 | Minutes of the Audit Risk and Improvement Committee meeting held
29 June 2022 | 131 |
| 9.2 | Minutes of the Traffic Committee Meeting held on 12 July 2022 | 133 |

Committee Reports - 26 July 2022

ITEM 9.1 Minutes of the Audit Risk and Improvement Committee meeting held 29 June 2022

AUTHOR Corporate

PURPOSE AND BACKGROUND

In accordance with section 428A of the Local Government Act (1993) the City of Canterbury Council has established an Audit Risk and Improvement Committee (ARIC) which meets on a quarterly basis.

The purpose of this report is to consider the minutes of the meeting of the ARIC held on 29 June 2022. Matters arising from the meeting that may be of particular interest to Council include:

- At the Ordinary Council meeting held on 26 April 2022 council resolved that:

Council appoints a councillor representative (non-voting) for membership on the Audit Risk and Improvement Committee (subject to eligibility criteria being met) Item 9.2(4)

The Mayor, under delegation has appointed Councillor Bilal El-Hayek as the councillor representative to the Audit Risk and Improvement Committee for his term in council. This is a non-voting role. Accordingly, Councillor El-Hayek was welcomed to the meeting; and

- An update on the interim audit of the financial statements for the period ended 30 June 2022 was provided and there were no major issues to note.

ISSUE

To consider the recommendations of the Audit Risk and Improvement Committee (ARIC).

RECOMMENDATION

That the recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 29 June 2022, be adopted.

ATTACHMENTS [Click here for attachment](#)

- A. Minutes of the Audit Risk and Improvement Committee meeting held 29 June 2022

POLICY IMPACT

The reporting of the Minutes of the Committees meetings to Council complies with the requirements of the Internal Audit Guidelines (for Local Government) and the approved Audit Risk and Improvement Committee Charter.

FINANCIAL IMPACT

There are no financial impacts arising from the recommendations of the Committee.

COMMUNITY IMPACT

Council maintains an independent Audit Risk and Improvement Committee in accordance with the Local Government Act.

Committee Reports - 26 July 2022

ITEM 9.2 **Minutes of the Traffic Committee Meeting held on 12 July 2022**

AUTHOR **City Assets**

PURPOSE AND BACKGROUND

Attached are the minutes of the Canterbury Bankstown Council Local Traffic Committee meeting held on 12 July 2022.

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

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

ISSUE

Recommendations of the Canterbury Bankstown Council Traffic Committee meeting.

RECOMMENDATION

That the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 12 July 2022, be adopted.

ATTACHMENTS [Click here for attachment](#)

A. Minutes of the Traffic Committee Meeting held on 12 July 2022

POLICY IMPACT

The matter has no policy implications to Council.

FINANCIAL IMPACT

Potential costs arising out of recommendations of the Traffic Committees are detailed in each report and included in either current Operational Budgets or Future Works Programs for Roadworks/Traffic Facilities.

COMMUNITY IMPACT

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

10 NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

The following items are submitted for consideration -

10.1 Status of Previous Notices of Motion	137
10.2 Ending Strata-initiated Bankruptcies - Councillor Clare Raffan	139
10.3 Cooks River Upper House Inquiry - Fix the Sheet Metal Piling – Councillor Clare Raffan	141
10.4 Bankstown and Canterbury State Emergency Services Units – Councillor Linda Downey	143
10.5 Inclusive Cricket - Councillor Linda Downey	145
10.6 Menai School Bus - Councillor Linda Downey	147
10.7 Condolence - Murray Kitteringham - Councillor Linda Downey	149
10.8 Community Bus Investigation - Councillor Karl Saleh	151
10.9 Bankstown Women's Health Centre Domestic Violence Campaign – Councillor Sazeda Akter	153
10.10 Federal Race Discrimination Commissioner's Anti-Racism Campaign – Councillor George Zakhia	155

Notice of Motions & Questions With Notice - 26 July 2022

ITEM 10.1 **Status of Previous Notices of Motion**

AUTHOR **Office of the General Manager**

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. Notice of Motion Table
- B. Correspondence sent in relation to Notice of Motions
- C. Correspondence received in relation to Notice of Motions

Notice of Motions & Questions With Notice - 26 July 2022

ITEM 10.2 Ending Strata-initiated Bankruptcies

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

“That Council:

1. Lends its voice to support elderly Earlwood couple Nitsa and Spiros Tzavellas as they fight bankruptcy and being thrown out of their family home of 50 years.
2. Council to write to the NSW Minister for Fair Trading to review their case and to examine implementing law reforms to protect elderly pensioners and others from strata-initiated bankruptcies.”

BACKGROUND

The case of Nitsa and Spiros Tzavellas is nothing short of scandalous and highlights serious shortcomings in the Strata Schemes Management Act 2015.

How an elderly couple, aged 78 and 81, can be thrown out of their home of 50 years beggars belief... and their only ‘crime’ is they couldn’t afford upgrades to their Earlwood unit which were voted upon by their body corporate.

Their nightmare started in 2019 when the owners’ corporation – also known as a body corporate, strata committee or owners’ strata plan – voted to upgrade the old aluminium windows and raise a special levy to pay for it.

The cost allocated to the Tzavellases’ apartment was \$18,234.17.

This was despite the pensioner couple begging their neighbours not to vote to proceed with the works as they couldn’t afford any costs. Left with little choice, the couple was forced into a payment plan, repaying instalments of \$660 a fortnight for nearly two years... that was nearly half their pension of \$1,488.80.

After receiving legal advice, the couple stopped paying but in October last year the Owners’ Corporation pursued them through the courts and they were ordered to pay \$23,066, inclusive of legal costs.

Councillors, that debt has now grown to around \$44,000 and they were forced to list their home for sale. They are also fighting in court to avoid being declared bankrupt as this would allow court appointed trustees to conduct a 'fire sale' just to cover the amount owing. Their bid to stop this fire sale returns to court in a few weeks.

For this couple, there is some good news as a *Go Fund Me* page set up by a local has raised nearly \$61,000, with one generous donor chipping in \$5,000.

But what is at issue here, is an analysis of bankruptcies in 2018/19 by a leading financial service, revealed 12 per cent of all bankruptcy applications were by owners' corporations.

I will also add that a random check at one court list by the same organisation on one day in the past two months showed one third of listings were strata bodies bankrupting individuals.

An issue the NSW Government cannot ignore and must urgently seek to reform.

FINANCIAL IMPACT

The motion does not present any financial impact for Council.

GENERAL MANAGER'S COMMENT

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

Notice of Motions & Questions With Notice - 26 July 2022

ITEM 10.3

Cooks River Upper House Inquiry - Fix the Sheet Metal Piling

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

“That Council:

1. Writes to The Hon. Mark Buttigeig MLC seeking his support to instigate an Upper House Inquiry to help identify the NSW Government Department responsible for the maintenance and management of the Cooks River Catchment and sheet metal piling, and;
2. Writes to all NSW MPs in the river catchment area, urging them to support the Upper House Inquiry which is in the best interests of their communities and for the long-term health of the Cooks River.”

BACKGROUND

The Cooks River, a significant body of water traversing through a number of LGAs, in need of maintenance and management. . . but which Government entity or body is responsible for the Catchment area?

That’s the question the NSW Government will not or cannot answer!

And it’s not through a lack of trying to find out.

This Council has passed a number of motions and written countless letters to Government Departments and Ministers over many, many years but it’s always the same response. . . New don't quite know but let's work it out later.

Councillors will no doubt be aware there are significant priorities when it comes to the long-term health of the Cooks River. Issues and risks like biodiversity degradation, water quality, inundation and waterway access. And of course, the deteriorating sheet metal piling.

The problem our Council faces is who do we deal with when it comes to these significant issues.

We know the remediation of the sheet metal piling along the Cooks River is a high priority for residents, community and environmental groups and indeed Council. And it is issues like this that should be addressed by the NSW Government under the WestInvest program... if only

they knew which NSW Government body was responsible, as they are the ones who must take the lead and lodge an application for their assets.

The Hon. Mark Buttigeig MLC is quite familiar with these issues and the frustrations our Council is facing, and as a resident in the catchment area, is perfectly placed to be a part of this important inquiry.

FINANCIAL IMPACT

The motion does not present any financial impact for Council.

GENERAL MANAGER'S COMMENT

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

Notice of Motions & Questions With Notice - 26 July 2022

ITEM 10.4 Bankstown and Canterbury State Emergency Services Units

We Councillors, Bilal El-Hayek and Linda Downey, hereby give notice that at the next Ordinary Meeting of Council we will move and second the following motion:-

“That Council:

1. Host a “Mayor’s Thank You BBQ” for our local Bankstown and Canterbury State Emergency Services units in recognition of their dedication and outstanding efforts following several major storm related events in recent months, and for their ongoing work in our community.
2. Write to the NSW Minister for Emergency Services and Resilience, The Hon. Steph Cooke MP to initiate a recruitment campaign for more State Emergency Services personnel, and to ensure they are properly funded and resourced. This call to action is to bolster low numbers and to address the impacts of climate change both now and into the future.”

BACKGROUND

Councillors, hosting a BBQ for these local State Emergency Services heroes is the very least we can do... and it will add a lot more than the NSW Government is doing... our recent correspondence to the NSW Minister for Emergency Services and Resilience, The Hon. Steph Cooke MP asking her to restore funding for the localised State Emergency Services award nights was met with ‘sweet nothings’...

A good old-fashioned BBQ will bring together both local State Emergency Services teams and will go some way in showing our appreciation for what they do for our community.

Since the beginning of the year, we have experienced three separate weather events that have cause major flooding, road closures, evacuations and homes damaged... And without fail, among the first responders were our local State Emergency Services crews... mostly volunteers who put their lives on the line to save others...

And, this was again on show during the past few weeks, as residents and animals were evacuated along the Georges River, near Lansvale.

Whether it is floods, fires, storms or road emergencies, our State Emergency Services crews are there to help in some way or another... and let’s face it often undermanned and under-resourced...

That’s why in the face of all these climate-related issues, we need to beef up our emergency services, so we can be adequately prepared for whatever mother nature throws at us.

FINANCIAL IMPACT

I understand that the likely cost of putting on a BBQ would be around \$500. Given it worthy cause – and minimal cost – I propose that the event be funded from Council's Community Grants and Sponsorship Program.

GENERAL MANAGER'S COMMENT

Given its value/cost, the motion, as written, can be funded from Council's Community Grants and Sponsorship Program.

Notice of Motions & Questions With Notice - 26 July 2022

ITEM 10.5 Inclusive Cricket

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

“That Council acknowledges the quiet achievers in our community, in particular the Primary Club of Australia, for their contribution and support of the Recreation, Sports and Aquatics Club’s (RSAC) inclusive cricket program for people with disabilities.”

BACKGROUND

Councillors, I had the pleasure of attending the launch of the RSAC cricket program at Memorial Oval, Bankstown on Sunday 19 June and it was a real eye opener.

The program is a partnership between the RSAC and the Bankstown District Cricket Club (BDCC) and provides cricketers with disabilities - of any ability - the opportunity to train for and play cricket to the highest elite level (Special Olympics or NSW Disability Intellectual Cricket), or just for fun.

Along with the support and generosity from the Bankstown Sports Club, the BDCC and our Council, the program has been running fortnightly for the past 10 years, all year round.

A program which relies on funding, goodwill and the committed army of volunteers.

I would like to single out the Primary Club of Australia for their continued support. They recently poured sponsorship funds into the RSAC Cricket Program which allowed them to purchase very much needed full range cricket gear for its players. These players often rely on the funds they receive from the NDIS to allow them to participate.

An outstanding contribution that is very much appreciated and another example of the goodwill that exists in our City.

FINANCIAL IMPACT

The motion does not present any financial impact for Council

GENERAL MANAGER’S COMMENT

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

Notice of Motions & Questions With Notice - 26 July 2022

ITEM 10.6

Menai School Bus

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

“That Council writes to the NSW Minister for Education, The Hon. Sarah Mitchell MLC and the NSW Transport Minister, The Hon. David Elliott MP, calling on them to stop putting school children’s lives at risk and honour a promise to provide students with a direct bus service from Padstow North and Padstow Heights to Menai High School.”

BACKGROUND

You will be quite concerned to hear that schoolchildren who live in and around Padstow Heights and Padstow North are spending more than three hours a day getting to and from Menai High school. Something like 100-150 students are forced to catch a bus from their homes to Padstow Station, only to hop on another bus to head back in the direct from where they came and onto their school.

Parents have complained about their children’s safety being put at risk as they have to cross a number of busy roads to catch the current bus service. They are also concerned about the fact they are spending additional hours travelling to and from school.

For many students they have no choice but to attend Menai High School because of the catchment area they reside in, and the expectation is a bus service is provided to service their catchment area, meaning the bus would collect students at Padstow Heights and Padstow North and go onto their school.

In fact, one parent whose child had switched schools to attend Menai High School was told the education catchment areas were changing at the start of 2022 and a bus would be operating by the start of the school year.

Councillors, we are now at the end of July and the parents and students are all still waiting at the bus stop with no sign of a bus. The NSW Government must make good on their promise and steer the bus in their direction!

FINANCIAL IMPACT

The motion does not present any financial impact for Council.

GENERAL MANAGER’S COMMENT

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

Notice of Motions & Questions With Notice - 26 July 2022

ITEM 10.7

Condolence - Murray Kitteringham

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

“That Council acknowledges the outstanding contribution to the community of one of our local educators, Murray Kitteringham, the former principal of Sir Joseph Banks High School, who passed away suddenly last month.”

BACKGROUND

Councillors, the sudden and unexpected passing of popular 51-year-old school Principal Murray Kitteringham has left many locals who knew him in shock and a school community in mourning.

Mr Murray was held in high regard by his colleagues, students past and present, parents and the broader community.

His commitment to public education and ensuring that every child was given an opportunity to achieve their goals and to learn in a safe and healthy environment, earned him many accolades.

He was very much loved and will be sorely missed. Condolences to his wife and family.

FINANCIAL IMPACT

The motion does not present any financial impact for Council.

GENERAL MANAGER’S COMMENT

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

Notice of Motions & Questions With Notice - 26 July 2022

ITEM 10.8 Community Bus Investigation

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

“That Council investigates the feasibility and costs associated with operating a community bus service, or services, across our City.”

BACKGROUND

Our neighbours at Strathfield Council operate and run a community bus service, known to locals as the Strathfield Connector. It is a free commuter service which currently runs every 60 mins from 7am-7pm seven days a week.

The bus takes both residents and visitors around the Strathfield area and is a ‘connector’ with local shops, restaurants and businesses.

Some of the main stops include Strathfield Square, the DFO, Sydney Markets and Homebush.

The bus is heavily promoted and there is a separate page on Council’s website outlining routes travelled, number of passengers and information for those who require wheelchair accessibility.

There is also a section which calls on the community to take out sponsorship packages to assist in the operating costs of the four buses.

I would like to examine the financial viability of operating a similar service here in our City.

FINANCIAL IMPACT

The recommendation does not have any financial impact.

GENERAL MANAGER’S COMMENT

There is no cost implication arising from the proposed motion as written.

Notice of Motions & Questions With Notice - 26 July 2022

ITEM 10.9

Bankstown Women's Health Centre Domestic Violence Campaign

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

“That Council:

1. Acknowledges the Bankstown Women’s Health Centre for the outstanding work they do in our community, in particular the work they do in raising awareness about domestic violence against women.
2. I further call on Council to promote their latest video campaign, ‘*Let’s Talk*’ on our social and digital media platforms.”

BACKGROUND

Ending violence against women and providing victims with help and support is very much what the Bankstown Women’s Health Centre is all about.

They pride themselves on being an independent, non-profit organisation run by women, for women and their families. And they offer a range of support services which focus on taking care of the mind, body and emotions.

It is their goal to empower the community, leading to a safe place for all women and their families.

Our City here at Canterbury Bankstown is the largest LGA in NSW with a population of nearly 375,000, and a diverse multicultural community from over 130 different countries.

Many are affected by socio-economic disadvantage, from culturally and linguistically diverse backgrounds, or affected by social exclusion.

And it is this group that is identified as being vulnerable and susceptible to suffer domestic violence at the hands of a violent partner.

You will be shocked to learn that in NSW there are more than 2,500 domestic violence cases logged by police every month, and many more left unreported. Sadly, one woman a week, on average, is murdered by her current or former partner, and 1 in 4 women have experienced some form of domestic violence.

The ‘*Let’s Talk*’ video is promoted as a ‘*tree of hope*’ for both victims and survivors and deals with ingrained social attitudes and what can be done.

I encourage its promotion.

I encourage its promotion and acknowledge the work of CEO Mariam Mourad and the volunteers of the Bankstown Women's Health Centre.

FINANCIAL IMPACT

The motion does not present any financial impact for Council.

GENERAL MANAGER'S COMMENT

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

Notice of Motions & Questions With Notice - 26 July 2022

ITEM 10.10 Federal Race Discrimination Commissioner's Anti-Racism Campaign

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

“That Council reinforces its strong stance against racism by supporting the Federal Race Discrimination Commissioner's latest anti-racism campaign by encouraging youth groups, or community organisations to record anti-racism messaging. It is envisaged the slickly produced material will be potentially distributed throughout the community, schools and on social and digital media platforms.

I further propose Council makes available our new recording facility, StudioVenture, at no cost, for a one-week period and subject to availability, to enable them to record these messages.”

BACKGROUND

The Federal Race Discrimination Commissioner, Mr Chin Tan, just two weeks ago launched a national campaign: *Racism. It Stops With Me* initiative. If it sounds familiar, it should be! It is the same campaign launched in 2012 that provided assistance to people and organisations to learn about racism and take action to create change.

The relaunch followed a number of consultations with people who have experienced racism and how a national anti-racism campaign could assist in combatting this issue. A number of expert advisory groups and practitioners from diverse sectors and communities contributed to the new campaign.

In launching the 'refreshed' campaign, the Commissioner said it was in response to recent events and would go some way to addressing major challenges to realising racial equity in this country.

It is clear the campaign targets those in the community that have never been the targets of racial abuse and urges them to speak out and do more.

The three key objectives of the campaign are:

1. To engage more Australians in conversations about racism and anti-racism.
2. To expand the campaign's focus to include institutional and systemic racism, in addition to interpersonal forms of racism. To engage more Australians in conversations about racism and anti-racism.
3. To provide more Australians with tools and resources to engage in active anti-racism.

I am not for one moment suggesting racism is rife in our community but believe we should be supporting the Federal Race Discrimination Commissioner's renewed push to raise awareness. And, I believe the motion before Council, is in line with the campaign's objectives.

FINANCIAL IMPACT

I understand that the estimated cost of making Council's StudioVenture available intermittently to our youth groups and non-for-profit community organisations throughout a one-week period is expected to cost around \$500. Given that the amount is minor, I propose that the initiative be funded from Council's allocation for its grants and sponsorship program.

GENERAL MANAGER'S COMMENT

Given its value/cost, the motion, as written, can be met from funding allocated for Council's grants and sponsorship program.

11 CONFIDENTIAL SESSION

11.1 Proposed Acquisition of Property in Canterbury

General Manager's Statement

Confidentiality

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

CONFIDENTIAL SESSION

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

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

RECOMMENDATION

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

Item 11.1 Proposed Acquisition of Property in Canterbury

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.