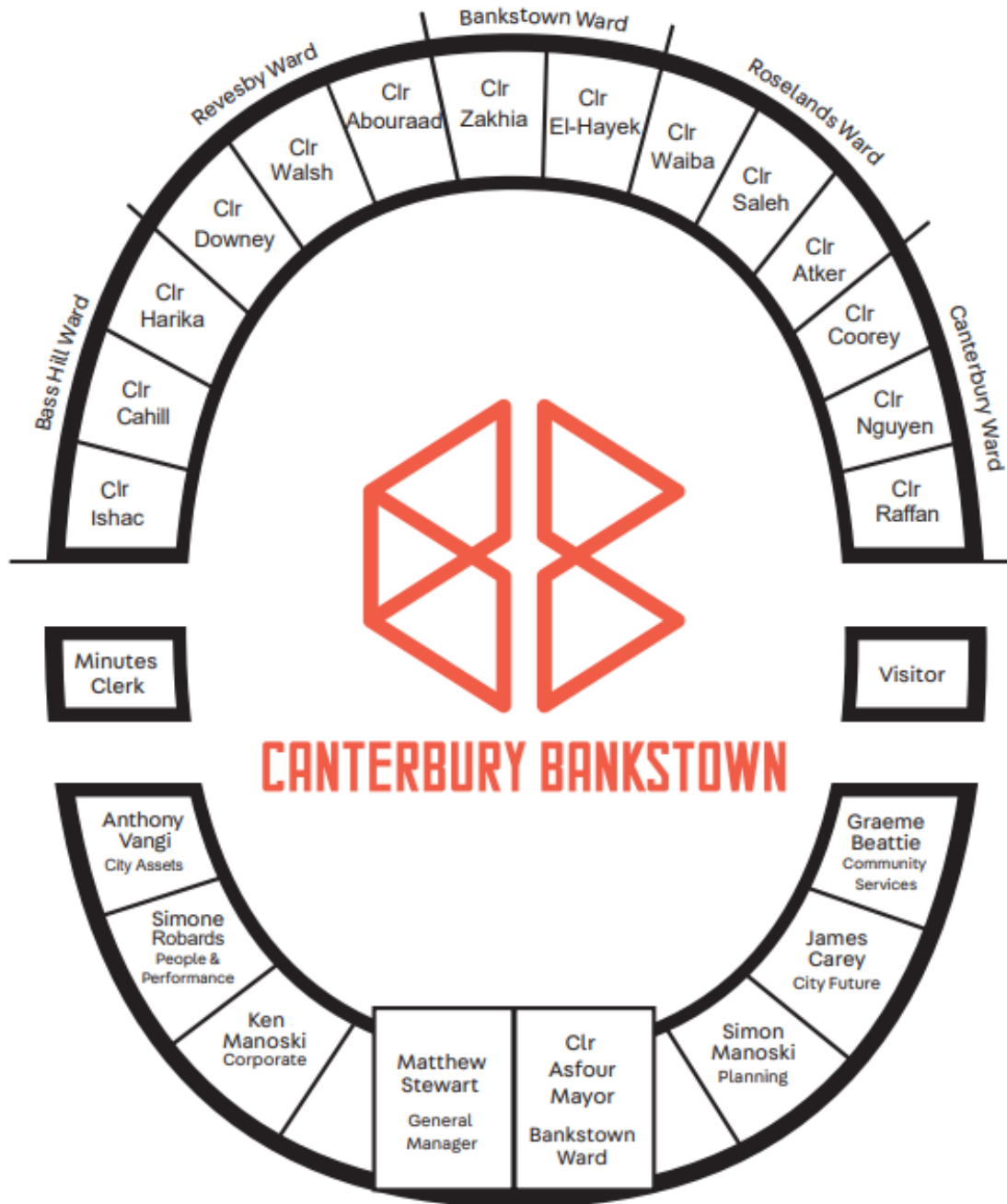




AGENDA FOR THE ORDINARY MEETING

26 April 2022

Gallery



Statement of Ethical Obligations

Oath or Affirmation of Office

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

Conflicts of Interest

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

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1 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The following minutes are submitted for confirmation -

1.1	Minutes of the Ordinary Meeting of Council of 15 March 2022	9
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CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 15 MARCH 2022

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

PRESENT BY AUDIO
VISUAL LINK: Councillor Raffan

APOLOGIES Nil

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.01PM

COUNCILLORS ATTENDING REMOTELY

(42)

CLR. EL-HAYEK:/CLR. DOWNEY

RESOLVED that permission be granted to Councillor Raffan 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.

REF: CONFIRMATION OF MINUTES

(43)

CLR. ZAKHIA:/CLR. DOWNEY

RESOLVED that the minutes of the Ordinary Council Meeting held on 22 February 2022 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

Nil

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
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SECTION 3: DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST

Nil

SECTION 4: MAYORAL MINUTES

ITEM 4.1 BLUETT AWARD

(44) CLR. ASFOUR

RESOLVED that

1. Council publicly thank Council's hard-working staff and all current and past Councillors who are very much a part of the 'Council' team.
2. Council propose an appropriate luncheon for the presentation of the Award by the AR Bluett trustees when they present our plaque in April.
3. The celebratory luncheon be funded from within Council's existing operational budget.

- CARRIED

ITEM 4.2 GREEK INDEPENDENCE DAY

(45) CLR. ASFOUR

RESOLVED that

1. Council's events team coordinate a celebration ceremony in recognition of Greek Independence Day to be held in front of the Anzac Monument in Homer St at Earlwood.
2. Council provide free coffee "tickets" up to value of \$500 which can be used at participating local coffee outlets.
3. The celebration and free coffee tickets will be funded from within Council's existing events budget.

- CARRIED

CANTERBURY BANKSTOWN
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ITEM 4.3
(46) **WESTINVEST FUNDING**
CLR. ASFOUR

RESOLVED that Council compiles a report detailing the projects that may be suitable for funding under the WestInvest program. This report should include the community's input through the Have your Say website and be available for discussion at Council's next ordinary meeting in April.

- CARRIED

ITEM 4.4
(47) **CDSFA CENTENARY**
CLR. ASFOUR

RESOLVED that

1. Council take out a corporate silver sponsorship package to the value of \$5000 at the CDSFA Gala Dinner to be held on 28 May 2022.
2. The funding to be provided from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

ITEM 4.5
(48) **ALGA SUPPORT**
CLR. ASFOUR

RESOLVED that

1. Council supports the national funding priorities of the Australian Local Government Association (ALGA), which would contribute an estimated \$6.46 billion per year to Australia's GDP and create 43,444 jobs;
2. Council agrees to support and participate in the Australian Local Government Association's advocacy for their endorsed national funding priorities by writing to the local Federal Member(s) of Parliament, and all known election candidates in local Federal electorates and the President of the Australian Local Government Association to:
 - a. express support for ALGA's funding priorities;

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- b. identify priority local projects and programs that could be progressed with the additional financial assistance from the Federal Government being sought by ALGA; and
- c. seek funding commitments from the members, candidates and their parties for these identified local projects and programs.

- CARRIED

ITEM 4.6
(49)

SES FLOODS

CLR. ASFOUR

RESOLVED that

1. Council staff compile a report of the damage caused by the flooding, to our roads, facilities and infrastructure, and any recovery building initiatives, with the view of applying for a \$1million funding grant under the Federal Governments Disaster Recovery assistance program.
2. Council write to the NSW Minister for Local Government, Ms Wendy Tuckerman, for any other additional funding.
3. Council write to our SES heroes thanking them once again for their support and help during this crisis.

- CARRIED

ITEM 4.7
(50)

UKRAINE SUPPORT

CLR. ASFOUR

RESOLVED that Council write to the Prime Minister calling on him to “shirtfront” the Russian Ambassador, Dr Aleksey Pavlovsky, by showing him the door and expelling him immediately.

- CARRIED

COUNCIL OBSERVED A MINUTES SILENCE IN MEMORY OF THE INNOCENT LIVES LOST.

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ITEM 4.8
(51) **100 YEARS OF ROTARY**
CLR. ASFOUR

RESOLVED that

1. Council works with Padstow Rotary in planting 100 trees at Amour Park and that the funds be made available through the Greening Our Cities Tree Grant program.
2. A small dedication ceremony be arranged at the project completion to mark this Centenary celebration.

- CARRIED

ITEM 4.9
(52) **LOCAL COMMUNITY BASED DONATIONS**
CLR. ASFOUR

RESOLVED that

1. Council support fee waiver of \$285 for the Gaza Children's Fund event held at Paul Keating Park on Saturday 5 March.
2. Council support the fee waiver of \$1219.50 for the Rotary International's event being held at Bryan Brown Theatre and Function Centre on Thursday 31 March.
3. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

SECTION 5: PLANNING MATTERS

(53) **SUSPENSION OF STANDING ORDERS**
CLR. DOWNEY:/CLR. EL-HAYEK

RESOLVED that

1. Permission be granted to the persons who have made the necessary application to address Council for five minutes.
2. Standing Orders be suspended and Item 5.3 be dealt with now.

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3. Standing Orders then be resumed.

- CARRIED

ITEM 5.3 PLANNING PROPOSAL FOR 445-459 CANTERBURY ROAD, CAMPSIE

MR DENNIS MARKOU ADDRESSED COUNCIL.

MR IAN CADY OF MECONE ADDRESSED COUNCIL.

(54) CLR. EL-HAYEK:/CLR. CAHILL

RESOLVED that

1. The application to amend the draft Canterbury Bankstown Local Environmental Plan proceed to Gateway subject to:
 - (a) Inclusion of a site-specific LEP clause in Part 6 'Additional Local Provisions' that permits the following:
 - a. A maximum building height of 44.1m to Canterbury Road only where the use of the land is a hospital use. The clause will include minimum setbacks for rooftop mechanical plant to maintain solar access to surrounding properties. Due to the site's topography, the clause will also stipulate a maximum building height of 45.5m when measured from the northern side of the site from the future rear lane, inclusive of rooftop mechanical plant
 - b. A maximum Floor Space Ratio (FSR) of 5.1:1 to apply for hospital uses only noting that the final wording of the site specific LEP clause be drafted to avoid any conflict with the operation of any other clauses in the LEP about the application and calculation of the mapped or non-mapped FSR for the site.
 - c. Stipulate minimum setbacks for the building as measured from the Canterbury Road boundary and other site boundaries to maintain solar access to the surrounding properties.
 - d. Include objectives that must be considered in the proposed Local Provision clause as follows:
 - To encourage the development of a hospital to enhance the delivery of health services to the local community.
 - To ensure that the development is compatible with surrounding land uses and site constraints and maintains acceptable solar access to future residential development along Canterbury Road.
 - (b) Prior to public exhibition occurring the following additional information is submitted by the applicant:
 - i. Draft site specific DCP controls that are supported by modelling to protect solar access to future residential apartments on the

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- southern side of Canterbury Road. This is to include controls for minimum building setback and maximum mechanical plant height.
- ii. A NSW Environment Protection Authority accredited Site Auditor to verify the methodology and conclusions of the draft RAP.
 - iii. Additional traffic modelling and other supporting information to address issues raised by Transport for NSW and Council in relation to the Planning Proposal.
- 2. Council prepare a site specific DCP Amendment as outlined in Section 4 of this report and exhibit the DCP Amendment concurrently with the Planning Proposal.
 - 3. A draft Planning Agreement be prepared and exhibit alongside the Planning Proposal, subject to the following:
 - i. Agreement being reached by the applicant and Council on an active transport/cycleway contribution, open space contribution, and accurate costing for pedestrian and traffic management measures prior to the matter being considered by Council.
 - ii. Development contributions under s7.11 or s7.12 being payable in full in addition to any public benefit offer, consistent with Council's Planning Agreement Policy.
 - 4. The applicant updating the supporting studies prior to exhibition to reflect the amendments to the Planning Proposal since lodgement (incl. reduced building height from 56m to 44.1m and 45.5m, maximum Floor Space Ratio of 5.1:1).
 - 5. Subject to the issue of a Gateway Determination, Council exhibit the Planning Proposal, draft site specific DCP and draft Planning Agreement and the matter be reported to Council following the exhibition.
 - 6. Council seek authority from the Department of Planning, Infrastructure and Environment to exercise the delegation in relation to the plan making functions under Section 3.36(2) of the Environmental Planning and Assessment Act 1979.

- CARRIED

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

Against:- Clrs Coorey and Downey

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ITEM 5.1 **SUBMISSION TO THE DISCUSSION PAPER 'A NEW APPROACH TO REZONINGS'**
(55) **CLR. SALEH:/CLR. DOWNEY**

RESOLVED that Council endorse the submission to the Department of Planning and Environment's Discussion Paper '*A New Approach to Rezonings*', as provided in Attachment A.

- CARRIED

CLR COOREY TEMPORARILY RETIRED FROM THE MEETING AT 7.26PM AND
RETURNED TO MEETING AT 7.27PM

ITEM 5.2 **SUBMISSION TO THE DRAFT DESIGN AND PLACE STATE ENVIRONMENTAL**
(56) **PLANNING POLICY**
CLR. CAHILL:/CLR. SALEH

RESOLVED that Council endorse the submission to the Draft Design and Place State Environmental Planning Policy and supporting guides, as provided in Attachment A.

- CARRIED

ITEM 5.3 **PLANNING PROPOSAL FOR 445-459 CANTERBURY ROAD, CAMPSIE**

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 54 ON PAGE SIX OF THESE MINUTES.

SECTION 6: **POLICY MATTERS**

Nil

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SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 2022 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY - CONSIDERATION OF MOTIONS

(57) CLR. COOREY:/CLR. ZAKHIA

RESOLVED that Council endorse the draft motions as detailed in the report.

- CARRIED

ITEM 7.2 CASH AND INVESTMENT REPORT AS AT 28 FEBRUARY 2022

(58) CLR. COOREY:/CLR. ZAKHIA

RESOLVED that

1. The Cash and Investment Report as at 28 February 2022 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

ITEM 7.3 PROPOSED ROAD CLOSURE TERRACE LANE, BANKSTOWN

(59) CLR. COOREY:/CLR. ZAKHIA

RESOLVED that

1. The road closure process be completed as detailed in the report.
2. The Mayor and General Manager be authorised to sign all documentation, under the Common Seal of council if required, to effect the road closure.

- CARRIED

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SECTION 8: SERVICE AND OPERATIONAL MATTERS

ITEM 8.1 THE OPERATION OF A TRIAL ENGAGEMENT PROCESS FOR LAKEMBA TOWN CENTRE, ITS REPLICATION AS A MODEL AND ALTERNATIVES

(60) CLR. SALEH:/CLR. ISHAC

RESOLVED that Council

1. Adopts the proposal to introduce a Councillor Community Engagement Allowance of \$5,000 per Councillor as outlined in the report.
2. Develop rules and guidelines, supported by process mapping, so that Councillors understand this process.
3. Procure a panel of external minute takers to support this model.
4. Amend its policy position regarding the use of Councillor Ward Funds as outlined in the report, as part of Council's 2022/23 Operational Plan and that the current budget allocations be made available for this purpose.

- CARRIED

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 8 MARCH 2022

(61) CLR. HARIKA:/CLR. ABOURAAD

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 8 March 2022, be adopted.

- CARRIED

CLR RAFFAN TEMPORARILY RETIRED FROM THE MEETING AT 7.37PM AND
RETURNED TO THE MEETING AT 7.38PM

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SECTION 10: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

ITEM 10.1 NOTICE OF MOTIONS

(62) CLR. CAHILL:/CLR. ISHAC

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 LOCAL SES AWARDS AND RECOGNITION

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

RESOLVED that Council writes to the newly appointed Minister for Emergency Services and Resilience, Ms Steph Cooke, calling on her to reinstate local awards nights for our SES Canterbury and Bankstown Units and I further call on her to adequately fund these presentation nights, as recognition for the outstanding work they do in keeping our entire community safe.

- CARRIED

CLR WAIBA TEMPORARILY RETIRED FROM THE MEETING AT 7.46PM

ITEM 10.3 SHANE WARNE TRIBUTE

(64) CLR. ZAKHIA:/CLR. ABOURAAD

RESOLVED that

1. Council honours one of this country's greatest cricketers, Shane Warne, by dedicating a tribute page on Council's social and digital media platforms in the week leading up to his State Funeral.
2. Council promotes the upcoming Heart Week to raise awareness about this killer cardio-vascular disease and to empower people to better look after their health.

- CARRIED

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ITEM 10.4
(65) **CLIMATE CHANGE FLOODING**
CLR. ZAKHIA:/CLR. EL-HAYEK

RESOLVED that our Council be represented at the upcoming Franc. Sydney 2022 conference which brings together Government leaders and experts to examine issues like stormwater management and climate change.

- CARRIED

CLR WAIBA RETURNED TO THE MEETING AT 7.46PM

SECTION 11: **CONFIDENTIAL SESSION**

PRIOR TO CONSIDERING THE REPORTS IN CONFIDENTIAL SESSION COUNCILLOR RAFFAN WHO WAS ATTENDING THE MEETING BY AUDIO VISUAL LINK DECLARED THERE WERE NO PERSONS WITHIN SIGHT OR HEARING OF HER.

(66) **CLR. RAFFAN:/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 T16-22 Greenacre Splash Park - Major Landscaping Package

This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

- CARRIED

COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.46PM AND REVERTED BACK TO OPEN COUNCIL AT 7.52PM

ITEM 11.1
(67) **T16-22 GREENACRE SPLASH PARK - MAJOR LANDSCAPING PACKAGE**
CLR. HARIKA:/CLR. ISHAC
RESOLVED that

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1. Pursuant to Section 178(1)(b) of the Local Government (General) Regulation 2021 (the Regulation), Council declines to accept any of the tenders received for the proposed works.
2. Pursuant to Section 178(3)(b) of the Regulation, Council invites fresh tenders in accordance with Section 167 of the Regulation for the proposed works.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

THE MEETING CLOSED AT 7.52PM

Minutes confirmed 26 APRIL 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 Westinvest	29
4.2 What is the NSW Government doing about waste?	31
4.3 Local Community Based Donations	33
4.4 IPART's review of Domestic Waste	34A

Mayoral Minutes - 26 April 2022

ITEM 4.1

Westinvest

This Mayoral Minute is to ensure that our City doesn't miss out on any monies under the NSW Government's \$5 billion WestInvest funding scheme.

At Council's last meeting, I told you about the 3 pots of money set aside for 15 metropolitan LGAs hardest hit by COVID. . . . but the pot of money I want to focus on tonight, is the \$3 billion which has been set aside for Government agencies to deliver transformational projects that are ready to go.

My understanding around the Governments announcement was that Councils would be able to put forward their projects, so they could be considered by these agencies prior to them submitting their applications for funds.

Well, it now appears the 15 LGAs hardest hit by COVID have been left out of this process and late last year, without any fanfare, these agencies quietly submitted their wish lists. . . . that's right, no input from Our Council.

Councillors, I have no reason to doubt the Premier when he says the Agencies' allocation of these funds will not be a replica of the rorting which occurred under the Stronger Communities fund grant scheme, or localised pork barrelling . . . Instead, I prefer to believe our City will receive its fair share of funding to invest in major projects like

- New Velodrome at the Crest
- Upgraded Belmore Stadium
- Stacey Street Underpass
- Cooks River sheet metal piling
- Purchase Canterbury Racetrack
- Sphinx Avenue intersection upgrade (police station)
- Kogarah to Parramatta via Bankstown Transport investigation
- Bankstown Bus Interchange
- Investment in Georges River National Park

Councillors, let's be quite clear on the purpose of this funding under the WestInvest scheme. . . . it was to help LGAs, like ours recover from COVID. . . .and if the NSW Government needed any further proof we need immediate investment and spending on infrastructure to create jobs, they need only look at the latest unemployment figures.

The figures are telling. . . .Sydney's south west has a staggering 9.3 percent unemployment rate, compared to other parts of Sydney with just 1 per cent. . . Businesses haven't recovered and the jobs are gone. . . .

Tonight, I propose to write to the Premier, and the Executive Director of the WestInvest Program, to meet with us, so we can present our case and our projects to be funded by the Government agencies under the \$3 billion set aside for transformational projects.

Councillors I put the Mayoral Minute.

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ITEM 4.2

What is the NSW Government doing about waste?

Councillors,

When residents put out their waste for collection, most don't think twice about what happens to it, or where it ends up!

They rely on us to ensure our trucks turn up each and every week, year round. . . , and deal with it.

Councillors what they don't know. . . and what the NSW State Government won't spruik. . . . is that NSW is facing enormous challenges when it comes to dealing with waste. An increasing population, which in turn means greater consumption, more developmentmore and more waste and a lack of landfills.

And Local Councils are caught in the middle. . .

Councillors, as most of you are aware we are currently in the process of reviewing our waste Contract with VISY . . . due to end on July 1. . . and considering what next in the war against waste. . .

By way of background we collect something like 1,000 tonnes a week from our red bins, and that waste is transported by rail to Goulburn. Contents of the yellow bin goes to Visy's recycling facility at Smithfield and the green waste is sent to Kelso before being sent to Wollongong.

And there could be a purple bin for food and organic waste coming soon.

If I can digress for one moment to highlight the enormity of this issue During the recent torrential rain, Sydney was a matter of days away from avoiding a very smelly situation. . . . the floods closed the main rail line to the Woodlawn waste facility, near Goulburn, which meant 30,000 tonnes of Sydney's waste, collected each day, was held up at transfer stations. And these transfer stations were very close to capacity.

That's what the NSW public wasn't told!

Councillors, I am concerned about these issues and more concerned about what the NSW Government is doing about it. . . . they say they have a vision but we don't need a vision for the next 20 years. . . . we need action now. . .

We need to know that the tens of millions of dollars collected in waste levies from not only our Council, but Councils across the State is going to addressing this crisis and not simply directed into the Government's consolidated revenue bin.

Tonight, I propose to write to the head of the NSW Environment Protection Authority and invite them to address Council and answer questions in relation to what they are doing when it comes to tackling the issue of Waste in our City and across NSW.

Councillors I put the Mayoral Minute.

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ITEM 4.3 Local Community Based Donations

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

The Fairy Wren Movement Incorporated

The Fairy Wren Movement Incorporated, is an organisation established in 2021 to support young people facing eating disorders and other mental health conditions. The Fairy Wren Movement Incorporated is a registered Health Promotion Charity Serving the Southern Sydney, St George and South West regions and the only youth led and state based organisation of its kind.

The Fairy Wren Movement Incorporated hosted a Black Tie fundraiser launch event on 9 April 2022 and is seeking a donation of \$200 towards the fundraiser.

Bankstown District Amateur Football Association (BDAFA)

Bankstown District Amateur Football Association (BDAFA) is hosting a Football4all program for participants of all abilities. This program provides inclusive playing opportunities. The program offers skills, exercises, activities and modified games are designed especially for players with disabilities.

Bankstown District Amateur Football Association is seeking a fee waiver for \$855 for the use of the George Green / Graf Park for this program.

Eid Show Support

The Eid Show promotes a family friendly and Islamic environment for all to celebrate the two most important dates in the Islamic calendar, Eid Al-Fitr and Eid Al-Adha.

This event attracts over 30,000 people over the span of three days from all faiths and cultures in the heartland of the diversity Capital of Australia, Bankstown.

The Eid Show is seeking support to assist for the supply and collection of bins and I propose \$1,000 towards waste management for this community event.

RECOMMENDATION

1. Council support a donation of \$200 for The Fairy Wren Movement Incorporated.
2. Council support the fee waiver of \$855 for the Bankstown District Amateur Football Association (BDAFA) Football4all Program at George Green / Graf Park.

3. Council support a donation of \$1000 to support the Eid Show.
4. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

Councillors I put the Mayoral Minute.

ITEM 4.4

IPART's review of Domestic Waste

Councillors,

The war on wastethat is domestic waste. . . .is about to get a whole lot dirtier. . . . and we must ensure we dig in for the fight, not only for our residents but for the wider community. . . .

We all know firsthand the financial costs and pressures on not only our City, but Cities around the world, when it comes to dealing with domestic waste. . . . And it would be fair to say, NSW is in the midst of what can be termed as a 'waste crisis'. . . .not helped by COAG's bans on the export of Australian generated recyclable materials and ambitious targets set on Local Governments by National waste bodies. Targets like mandating food and garden organics by 2030.

Diminishing landfills, rising waste management charges over the past 10 years and rising costs due to limited processing competition in the sector, and changing and outdated waste policies of the NSW Government, are some of the issues impacting Council. . . .and that's not to mention inflation and rising fuel costs.

All this while Council's return from waste taxes paid the NSW Government for each tonne of garbage, the waste levy, falling. . . . despite the NSW Government jacking up its share of the waste levy by around 148 per cent over the past 10 years. That's right 148 percent which doesn't go towards addressing the waste problem, instead the majority is squirrelled away into consolidated revenue.

Councillors, by way of background, since May 2020, at the request of the NSW Government the Independent Pricing And Regulatory Tribunal (IPART), has been reviewing the Domestic Waste Management Charge (DWMC). . . .just on two years ago. . . and they recently released their Draft report with included these proposals:

- A voluntary peg for DWM charges set at a measly 1.1% for 2022/23 (which is clearly outside the scope of IPARTS authority);
- A restrictive definition of what is classified as a 'domestic waste management service' which is out of touch with the reality of what it takes for Council to deliver waste services;
- A calculation methodology that does not only not cover the cost of waste services, but provides a disincentive to improve and test new services such as our highly successful 'closing the loop on waste'.

But have a listen to the sting in the tail. . . .what is buried in their report are the systemic issues driving up costs. . . . like a lack of state investment in the waste sector, lack of competition and waste insufficient infrastructure for processing and landfilling.

And IPART goes even further, laying the blame fairly and squarely at the NSW Government over its "lack of strategic planning in Sydney". . . .

All of these things they admit are factors outside of Council's control.

Since this Draft Report was made public, our Council, along with a number of other bodies, including SSROC and LGNSW, have been analysing the financial impact these measures, if introduced, will have on Councils and residents in the short term, and the years ahead.

What is clear is if these changes go through the shortfall in funding required just to maintain the current level of service would need to be covered by general rates which will mean the reduction or elimination of other services.

SSROC, which is an association representing 11 metropolitan Councils, including ours, and LGNSW have both prepared submissions which will be presented to the IPART by April 29.

Councillors, the issue of domestic waste is quite complex, and to put it quite succinctly for you, very costly. . . .costs are going up and up and up. . . .and what the State Government and this Draft report are trying to do is throttle our Council, and prevent us from recovering those costs. And if that happens, we will literally be left with a mess on our hands.

Tonight, I call on Council to follow the lead of SSROC and LGNSW and prepare and submit Council's strong objections to the IPART Draft Report before the April 29 deadline.

Councillors I put the Mayoral Minute.

5 PLANNING MATTERS

The following items are submitted for consideration -

- | | | |
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| 5.1 | Consolidated Local Infrastructure Contributions Plan | 37 |
| 5.2 | Planning Proposal for 1 and 1A North Terrace, Bankstown (Bankstown Central shopping centre) | 49 |

ITEM 5.1 Consolidated Local Infrastructure Contributions Plan

AUTHOR Planning

PURPOSE AND BACKGROUND

The report seeks Council's endorsement to exhibit a new local infrastructure contributions plan for Canterbury Bankstown (the draft plan), which will consolidate the three existing plans into one.

ISSUE

Council's current projections under its Local Strategic Planning Statement and Housing Strategy identify that up to an additional 50,000 dwellings will be delivered across the city between 2016 to 2036. The proposed contributions plan will deliver necessary infrastructure upgrades within town centres and suburban areas to manage and support growth needs associated with increasing community demands across city.

An essential element in Council's planning and infrastructure funding frameworks is ensuring Council's contributions plan remains contemporary, undergoes regular review, tests plan assumptions and reviews the works plan certifying that it remains relevant, is reflective of community expectations and supports Council's ability to fund community infrastructure.

The local infrastructure contributions plan presented in this report will enable Council to seek monetary and land contributions from new development to meet the increased demand for infrastructure that will service and support the Canterbury Bankstown community to 2036 and beyond.

This new consolidated plan creates a simpler and more consistent policy for capturing funding for local infrastructure to support growth. It is also an opportunity for Council to update the list of infrastructure that has been identified to support growth in the city to ensure it aligns with Council's strategic priorities.

The changes to contribution rates proposed in this report are comparable with the existing rates, with all rates increasing moderately except those that have reached the current cap set by the State Government.

RECOMMENDATION That -

1. Council exhibit the Draft Canterbury Bankstown Local Infrastructure Contributions Plan as shown in Attachment A.
2. The matter be reported back to Council following the exhibition period.

ATTACHMENTS

[Click here for attachments](#)

- A. Draft Canterbury Bankstown Local Infrastructure Contributions Plan
- B. Comparison of Secondary Dwelling Rates

POLICY IMPACT

The draft plan will repeal the three existing contributions plans from the former Bankstown and Canterbury Councils and provide a set of consistent provisions for local infrastructure contributions.

It aims to fulfil Action E6.12.140 of Connective City 2036: *Prepare a new development contributions plan.*

FINANCIAL IMPACT

The draft plan outlines approximately \$935 million of infrastructure improvement works in Canterbury Bankstown to occur over the next 15 years, of which \$656 million will be fully funded under the plan from local infrastructure contributions paid by new developments. Council will be required to supplement funding for capital work commitments listed in the draft plan with other sources of funding including accumulated unspent contributions, grants, general revenue or loans for approximately \$279 million over 15 years. Under NSW legislation, contributions only cover works attributable to the increased population, where an identified capital work serves the existing population then Council will need to co-fund this work with alternative funding sources.

COMMUNITY IMPACT

The draft plan commits provides for infrastructure works such as open space and recreation facilities, community and cultural facilities, and access and public domain facilities over the next 15 years. The provision of this infrastructure will have a positive impact on the City for existing and new residents and provides necessary financial assistance to Council to adequately support and manage growth across the city.

DETAILED INFORMATION

OVERVIEW

This report seeks Council's endorsement to exhibit a draft consolidated local infrastructure contributions plan for Canterbury Bankstown. Because of the specialised nature of contributions plans and the contributions process, some explanatory information is set out below. A copy of the draft plan is provided at Attachment A.

What is a Contributions Plan?

Local infrastructure contributions (also known as development contributions) are monetary and land contributions from new development that enable Council to provide infrastructure for services and facilities to support growth. The services and facilities can include open space, community facilities, public domain (streetscape) works, roads and transport infrastructure. Local infrastructure contributions are one of many sources of revenue that Council uses to fund new facilities, others include general revenue, grants, and special levies.

Under the Environmental Planning and Assessment (EPA), 1979, Council can only require local infrastructure contributions if it has a local infrastructure contributions plan in place. A contributions plan contains information such as contributions rates, works schedule, justification for the contributions amount, payment details, and mapping of facilities. The plan content is governed by legislation with supporting practice notes, and the plan must undergo community consultation before it is made.

There are two main types of contributions:

Section 7.11 Contributions

These contributions apply to development that directly result in an increased demand for services and facilities. The relationship between new development and the increased demand for services is known as nexus. An example is new housing redevelopment that results in an increase in population, and therefore creates a demand for additional recreation and community facilities. These contributions are capped - unless a variation is sought from the NSW Independent Pricing and Regulatory Tribunal (IPART), no more than \$20,000 per dwelling can be charged in Canterbury Bankstown under current legislation.

Section 7.12 Contributions

These contributions are levied using a percentage rate based on the cost of works. They are often used when there is not a strong relationship or nexus between new development and additional services and facilities. Examples in our current plans include alterations and additions to buildings and new industrial development. Council has more flexibility in spending this type of contributions, but the amount collected is normally less than a Section 7.11 contribution for comparable types of development. Thresholds apply to set the percentage applicable, with contributions applying to development over \$100,000.

What is the current contributions plan framework?

There are three contributions plans currently in effect within the City of Canterbury Bankstown, with a summary of each below:

Canterbury Town Centre & Riverfront Precinct Development Contributions Plan (2011)

This plan enables Council to require contributions for new development in Canterbury Town Centre including the redevelopment area between the town centre and Cooks River. The main facilities provided under the plan are new public domain and road works. This plan requires new development affected by this plan to provide Section 7.11 contributions.

Canterbury Development Contributions Plan (2013)

This plan covers the remainder of the former Canterbury Council area and allows for the levying of both Section 7.11 and 7.12 contributions, depending on the type of development.

Bankstown Development Contributions Plan (2019)

This plan covers the former Bankstown Council area and it also allows for the levying of both Section 7.11 and 7.12 contributions, depending on the type of development. This plan was brought into effect in 2019 to provide the first stage in a consistent approach in contributions between the two former Councils, by replacing the previous Bankstown Plan that only enable levying of Section 7.12 contributions.

Why is consolidation of these plans being proposed?

There has been considerable work invested in consolidating and harmonising planning controls applying to the two former Councils, as well as preparing a consolidated LEP which is currently awaiting gazettal. The advantages of doing this are consistency – having a unified set of controls, and simplicity – having all the controls in one document. The preparation of this draft plan also considered the following matters:

Implementing the recommendations of the Bankstown and Canterbury Master Plans

At the same time as the consolidated plan was being prepared, master planning of these two centres was being carried out. The draft plan considers the specific infrastructure provision required by the Master Plans, reflecting the proposed growth in both centres. Separate contribution rates will apply to both master plan areas. This is in keeping with Action E10.6.196 of Connective City 2036, which is:

Update the Canterbury-Bankstown 7.11 Plan upon completion of the master plans for each centre based on infrastructure needs to respond to planned growth.

Notwithstanding the masterplans for Bankstown and Campsie, the proposed plan will deliver necessary infrastructure upgrades within and outside town centres to help manage and support growth needs associated with increasing community demands. The Contributions plan will also undergo regular review to ensure plan assumptions and the associated works plan remain relevant, reflect community expectations and Council's ability to co-fund community infrastructure.

It is important to note that this is not predicated on any masterplan in any form being adopted by Council. There are currently several planning proposals held awaiting the masterplan outcomes, but notwithstanding, they must be dealt with and in the absence of a Council strategy more will come. There is currently no up to date plan for contributions or infrastructure for ad-hoc proposals and for this reason along this plan is critical for orderly development in our city.

The impact of proposed contributions reforms

The draft plan has been prepared in the context of ongoing reforms of the contributions system proposed by the NSW State Government.

While there has been some uncertainty in preparing a draft plan due to the possibility of major changes to the contributions system that were exhibited by the State Government in 2021, there is no visibility if and when any of the reforms will be implemented. To best enable Council to plan appropriately for local infrastructure, preparation of this draft plan has been progressed.

Should the reforms in part or whole be adopted, then a further report would be prepared on the implications of the reforms on the draft plan along with any proposed changes to Council's contribution plan.

DRAFT STRUCTURE

The proposed structure of the draft plan is as follows:

1. Scope of the Plan

This section outlines where the plan applies and what development it applies to, contribution types and amounts, and exemptions.

2. Calculating the contribution amount

Outlined in this section is how to calculate Section 7.11 and 7.12 contributions.

3. How and when contributions will be imposed

This section refers to indexing, obligations of registered certifiers in applying contributions, cost summary reports, and discounts for secondary dwellings.

4. Paying the contribution

This section explains when and how to pay contributions, indexing, and alternatives to monetary contributions.

5. Other plan matters

Here are included administrative matters such as transitional arrangements, pooling of funds, deferred payments, use of previously collected monies, and monitoring and review.

Appendix A: Definitions

This appendix defines key terms in the plan

Appendix B: Infrastructure schedule and location map

This contains the schedule of works funded under the plan, and a map showing their location.

Appendix C: Infrastructure demand and the calculation of contribution rates

This appendix explains the justification for facility provision in the plan and resultant Section 7.11 rates

Appendix D: Cost summary reports

These are report templates used for calculating Section 7.12 contributions.

KEY ISSUES OF THE DRAFT PLAN

Key issues include:

Contribution Rates

Section 7.11 contributions

Current situation: All of the existing contributions plans charge Section 7.11 contributions based on the population forecasts and infrastructure strategies at the time the plans were prepared. The former Canterbury Plans and rates are dated and require review.

Issue: The section 7.11 contributions in the draft plan are based on more recent population growth and infrastructure strategies. This has impacted the contribution rates, with the current and proposed rates for common development types is set out in Table 1 below. No rates exceed \$20,000 per dwelling, to align with IPART requirements. The IPART review process is lengthy and limits the types of facilities Council can levy for, excluding key facilities such as aquatic centres, and most community facilities. For these reasons the IPART approach was not favoured for the plan review.

Table 1: Current vs Proposed Contribution Rates

	1 bedroom dwellings		2 bedroom dwellings		3 bedroom dwellings	
	Current	Proposed	Current	Proposed	Current	Proposed
Bankstown Town Centre	\$8,363	\$10,422	\$14,336	\$16,689	\$20,000	\$20,000
Campsie Town Centre	\$9,317	\$10,336	\$14,549	\$16,552	\$20,000	\$20,000
Rest of LGA	\$8,363 / \$9,317 ¹	\$9,385	\$14,336 / \$14,549 ¹	\$15,028	\$20,000	\$20,000

¹ reflects the existing contributions plans

Recommendation: The proposed rates are comparable with the existing rates, with all rates increasing where rates are not already capped. Most increases are moderate to keep rates at a reasonable level. It is recommended that the proposed rates be adopted for the draft plan.

Section 7.12 contributions

Current situation: Section 7.12 contributions are based on the cost of development with thresholds determining the rate involved. Council uses in its plans the maximum thresholds and rates set by the Environmental Planning and Assessment Regulation 2021.

Issue: The current section 7.12 thresholds have not been adjusted since being introduced in 2005. Over time more and more development has been subject to these contributions due to cost increases in development – creating “bracket creep”. The main impact is on “mum and dad” and small business applicants carrying out alterations and additions to existing houses and businesses.

Recommendation: It is proposed to adjust the thresholds by CPI, which will provide relief to those undertaking small scale developments. The current and proposed rates are set out in the table below. The loss of income if this adjustment is implemented is estimated to be less than \$100,000 per annum, which is minimal compared with the amount of contributions proposed to be collected under the plan.

Table 2: Current v Proposed Section 7.12 Contribution Rates

S7.12 threshold - Existing Plan	S7.12 threshold - Proposed	Contribution rate
Up to and including \$100,000	Up to and including \$150,000	Nil
More than \$100,000 and up to and including \$200,000	More than \$150,000 and up to and including \$300,000	0.5% of development cost
More than \$200,000	More than \$300,000	1% of development cost

Infrastructure to be provided through the Plan

Current situation: The existing plans provide for a total of \$458.7 million worth of infrastructure, with \$295 million being met by contributions, and the remainder \$163.7 million is required to be funded from alternative sources by Council.

Issue: The new plan will provide for an increased level of infrastructure, with \$935 million worth of infrastructure (refer to Table 3). This is a substantial increase in works from the existing plans. It reflects the higher levels of growth forecast to occur in the LGA over the next 15 years compared with previous plans which were based on population forecasts from as early as 2012.

Contributions will provide for \$656 million of this infrastructure, and the balance is intended to be met from alternate sources including accumulated unspent contributions, grants, general revenue or loans. This is because some of the works in the plan also meet demand by the existing population, and s7.11 contributions cannot be used to fully fund such works.

Table 3: Local Infrastructure Breakdown

Type of local infrastructure	Total cost of infrastructure
Open space and recreation facilities	\$557,500,000
Access and public domain facilities	\$227,390,000
Community and cultural facilities	\$150,120,000
Total	\$935,010,000

Key infrastructure items proposed under the consolidated plan have been identified from the detailed analyses prepared for all masterplans (including site specific plans such as Belmore Sports and Recreation Precinct) and other strategic plans. As well as site-specific projects, flexibility has been built into the plan to allow Council to respond to changing priorities over time. Not all of the works proposed in the plan are new, many have been carried across from the existing plans. Previously collected contributions will be used to fund the infrastructure schedule in the draft plan.

Council's current projections under its Local Strategic Planning Statement and Housing Strategy identify that up to an additional 50,000 dwellings will be delivered across the city to 2036. The proposed contributions plan will deliver necessary infrastructure upgrades within town centres to manage and support growth needs associated with increasing community demands across city. Importantly, the Contributions plan will undergo regular review to ensure plan assumptions and the associated works plan remain relevant, reflect community expectations and Council's ability to co-fund community infrastructure.

Projects within the plan have been placed into infrastructure categories which assist in aligning the proposed items. These categories include open space and recreation, access and public domain, and community and culture. Key projects proposed include:

Open Space and Recreation

- Land acquisition – approximately \$122 million
- Leisure and Aquatic Centres – Birrong, Canterbury, Max Parker and Roselands
- Metro Greenspace Spatial Framework Corridors – Cooks River, Salt Pan Creek and Wolli Creek
- Playgrounds
- Site specific masterplans - Belmore Sports and Recreation Precinct, Gough Whitlam and Waterworth Park, Kelso Park North, Salt Pan Creek Reserve, Paul Keating Park

Access and Public Domain

- Bankstown Complete Streets
- Campsie Complete Streets
- Liveable Centres Program – Local Centres and Other Centres
- Cycleways/Active transport routes
- Footpaths
- Pedestrian network facilities upgrades
- Priority bridges

Community and Cultural Facilities

- Campsie Civic Centre Hub/Cultural Precinct
- High priority actions from the draft Community Facilities Strategic Plan – facilities at Greenacre, Hurlstone Park, Padstow, and Villawood

The Infrastructure Schedule in Appendix B of the draft plan contains fuller details of the facilities to be provided.

Recommendation: The draft plan contains a revised works schedule, based on existing strategic work, to service the incoming population.

Exemptions

Current situation: The current plans have provisions to exempt certain developments from contributions. This includes rebuilding from natural disasters, Council developments, and those exempted by State Ministerial Directions. These exemptions are proposed to be carried across into the new plan.

Issue: As part of the plan review work two other development types were considered to have merit in being included in the exemptions:

- Affordable housing by a registered social housing provider, provided the housing remains affordable in perpetuity
- Short term (less than 2 weeks) emergency accommodation by a community service organisation.

Both are forms of social infrastructure that is desirable to encourage in the City and will complement the affordable housing contributions scheme that Council has endorsed.

Modelling indicates that the loss of income arising from these further exemptions is likely to be minimal – approximately 1% of total contributions. Infill multi dwelling housing (up to 50 dwellings) and seniors housing provided by Land and Housing Corporation (former Department of Housing) is currently exempt from paying contributions.

Recommendation: The draft plan proposes to retain existing exemptions, in addition to the ones proposed above.

Refunds and contributions credits

Current situation: Our current plans allow for a refund of paid contributions. This applies essentially where development has not commenced and has therefore not created a demand for infrastructure.

Issue: Council has recently received legal advice that issuing of refunds is contrary to the s7.3(1) of the EPA Act. A transfer of paid contributions or contribution credits between different consents is possible however will be of little value to “mum and dad” developers who have represented the majority of refund recipients.

Recommendation: The plan be amended to no longer permit refunds because of the legislative requirement. Notwithstanding, this approach does not present as good policy and Council officers have separately written to the State Government to highlight the issue and request that the relevant planning provisions under NSW planning law be reviewed to permit refunds in limited circumstances.

In place of refunds, provisions for the transfer of contributions credits be included into the plan.

Secondary Dwellings (“Granny Flats”)

Current situation: Secondary dwellings have proven to be a popular form of development in the LGA, with an estimated 1,000 completions in the period 2016-2021. However, the contribution rate for secondary dwellings is heavily discounted, being 50% of the 1 bedroom rate. Most secondary dwellings are 2 bedrooms.

The discounted rate was introduced for two primary reasons:

- Secondary dwellings were considered a form of affordable housing.
- They provided for extended family accommodation.

Issue: Secondary dwellings are no longer regarded in legislation as affordable housing. A SSROC report prepared in 2020 revealed that secondary dwellings on the private rental market did not provide an affordable housing option.

A survey of adjoining and comparable Councils shows for the most part they either charge the full s7.11 rate or apply a much lesser discount (see Attachment B for a table showing the 16 Councils surveyed and their current rates for secondary dwellings, including Canterbury Bankstown).

Other considerations are:

- Secondary dwellings create a demand for services and facilities as much as any other development and have been built in large numbers in the LGA.
- The principal private open space requirement for secondary dwellings is low. Under State legislation this must be greater than 24m² on the land which the dwelling is located (which can include a balcony/deck).
- Secondary dwellings reduce the amount of private open space available to the main dwelling through their siting, often to a significant extent on smaller lots.
- Applying the current discount means Council would forgo between approximately \$35 million in contributions over the 15-year period of the plan.

Recommendation: Consideration was given to implementing the full plan rates for secondary dwellings given the implications of this type of development on infrastructure. However, this would result in a significant increase in contribution rates, particularly for 2 bedroom secondary dwellings, which would see the rates increased by up to 400%. It is proposed to maintain a discount to secondary dwellings but reflect the discount relative to the secondary dwelling size. This approach continues to acknowledge the important contribution this form of housing provides across the City whilst balancing the need to fund infrastructure demands generated by secondary dwellings across the city.

Table 4: Current v Proposed Secondary Dwelling Contribution Rates

	Secondary dwellings		
	Current rate	Proposed rates	
		1 bedroom	2 bedroom
Bankstown	\$4,181	\$5,211	\$8,345
Campsie	\$4,659	\$5,168	\$8,276
Rest of LGA	\$4,181 / \$4,659 ¹	\$4,692	\$7,514

¹ reflects the existing contributions plans

The loss of revenue compared to Council applying the full rate is approximately \$17.6 million however represents a balanced approach between supporting this form of housing and securing adequate revenue to support associated demands on infrastructure generated.

Centre car parking shortfalls

Current situation: The existing 2013 Canterbury Plan allows s7.11 contributions to be paid if a development has a shortfall of car spaces for non-residential purposes, to provide for additional public car parking. This applies to the following centres:

- Campsie
- Belmore
- Lakemba

- Punchbowl

By comparison the existing Bankstown Contributions Plan does not have provision for payment of contributions for parking shortfalls. Provisions in the Planning Agreement Policy instead allow for a monetary payment to be paid for parking shortfalls in Bankstown and Chester Hill centres.

Issue: There are no specific plans to create additional public car parking spaces in any of the above centres. On this basis, it is not appropriate to continue to levy contributions for car parking in relation to these centres in the draft plan.

Council can however continue to collect contributions for car parking shortfalls using planning agreements. The Planning Agreements approach offers far more flexibility in how any contributions received for shortfall can be spent, particularly as approaches to dealing with car parking in centres have diversified, with alternate measures to reduce car usage (and therefore parking demand) and introducing parking technology to make better use of existing resources becoming more favoured, as in the Bankstown Complete Streets approach. Planning Agreements can also better deal with the intermittent nature of receiving contributions.

Planning Agreements are however more administratively complex compared with levying through a contributions plan, though the impact of this can be mitigated by using standard agreements – an approach used in the former Bankstown. An amendment to the Planning Agreements policy would be required to change the current approach.

Recommendation: Extend the use of Planning Agreements for car parking contributions within the four centres in the existing Canterbury plans.

A further report will be submitted to Council on amendments to the Planning Agreements policy to enable for the provision of car parking, including within the four centres identified above.

NEXT STEPS

Should Council support the recommendations in this report, the Draft Canterbury Bankstown Local Infrastructure Contributions Plan will be exhibited for a minimum of 28 days and in accordance with the Community Participation Plan. Following exhibition, this matter will be reported back to Council with an assessment of any submissions received.

ITEM 5.2 Planning Proposal for 1 and 1A North Terrace, Bankstown (Bankstown Central shopping centre)

AUTHOR Planning

PURPOSE AND BACKGROUND

This report seeks Council support to amend building height, Floor Space Ratio, and residential restrictions on development in Zone B4 Mixed Use for the site at 1 and 1A North Terrace, Bankstown.

ISSUE

Council is in receipt of an application to prepare a Planning Proposal for the site known as the “Bankstown Central” shopping centre located at 1 and 1A North Terrace, Bankstown. The application seeks to amend the building height, Floor Space Ratio (FSR) and restrictions on development relating to ground and first floor residential uses in Zone B4 Mixed Use (Clause 6.9) within the Bankstown Local Environmental Plan 2015 (BLEP 2015). The Planning Proposal does not propose any change to the B4 Mixed Use Zoning of the site and will facilitate residential apartments (including ‘build to rent’), hotel accommodation, student accommodation, serviced apartments, commercial office and new retail floor space on the site.

The Planning Proposal aims to redistribute the substantial density currently permitted on site towards the Bankstown railway station and future Metro station. Increased height controls are also proposed in this area to deliver taller towers commensurate with those proposed for similar sites under the Bankstown Masterplan. The proposed changes would increase the overall Floor Space Ratio (FSR) for the site by 12% from a maximum 3.5:1 to 3.9:1. The envisaged development would be delivered in several stages taking into consideration commercial leases currently in place over the site.

At 114,073m² (11.4ha) the subject land is the largest landholding in the CBD and is one of the most significant proposals in the Canterbury Bankstown Local Government Area (LGA) in terms of projected jobs growth, housing and economic investment. The Planning Proposal would facilitate a total of approximately 8,437 additional jobs when the site is fully redeveloped which is 60% of Council’s target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan.

The Planning Proposal would create capacity for approximately 1,255 new dwellings plus 694 student housing units, equivalent to around 10% to 15% of the CBD’s target of 12,500 dwellings by 2036 in Council’s Housing Strategy. The proposal achieves consistency with the applicable State Government and Council Strategic Policies as it would facilitate a development outcome that would be consistent with Council’s policies including the Local Strategic Planning Statement (LSPS) “Connective City 2036”, the Employment Lands Strategy, Housing Strategy and Affordable Housing Strategy, the Bankstown Complete Streets CBD Transport and Place Plan and the Bankstown Master Plan. The Planning Proposal is also consistent with the Greater

Sydney Commission's objectives in the Greater Sydney Region Plan – South District Plan, and the Collaboration Area Bankstown CBD and Bankstown Airport Place Strategy.

In accordance with the proponent's Letter of Offer and subject to the preparation of a draft Planning Agreement between Council and the proponent, the Planning Proposal would facilitate delivery of the following public benefits and required infrastructure works and upgrades:

- 5,000m² publicly accessible open space (Public Park) along Rickard Road including a playground and urban plaza.
- Extension of Jacobs Street between The Mall and North Terrace into a shared bus and pedestrian way.
- 1,000m² multi-purpose indoor facility including two sports courts or cash contribution up to a value of \$4 million dollars to Council to deliver this facility elsewhere in the CBD.
- 200m² of 'Incubator Space' for business 'start-ups' to be fitted out as a warm shell open plan layout suitable for use as office space.
- Completion of proposed town centre separated cycleway along Rickard Road and Appian Way frontages to the site in accordance with Bankstown 'Complete Streets' requirements.

A detailed assessment of the application submitted to Council indicates the proposal demonstrates strategic and site specific merit as it would:

- Provide development capacity that is consistent with the strategic policy direction and vision for Bankstown CBD as the City's preeminent Strategic Centre as set out in Council's Local Strategic Planning Statement and the Bankstown Masterplan.
- Result in approximately 8,437 additional jobs which is 60% of Council's target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan.
- Allow the significant existing development capacity of the site to be refocussed towards the future Metro Station consistent with the height principles set out in the Bankstown Masterplan.
- Make the site more accessible to the public and integrated into the street network by adding a new road and pedestrian connections.
- Create a substantial new public park to assist Council achieve its vision within the Bankstown Master Plan of all residents in Bankstown being within a 200m to 400m walking catchment of a green open space.
- Facilitate renewal of a site that is highly constrained by long term leases.
- Increase housing choice in Bankstown CBD by increasing the stock of "built to rent", student and key worker housing.
- Deliver a range of increased building heights that will be consistent with the B4 Mixed Use Zoning of the site, its size, strategic location, and controls proposed for comparable sites within the CBD.
- Provide housing for approximately 2,500 new residents within the Bankstown CBD proximate to employment opportunities and high-quality public transport infrastructure, established services and facilities.
- Provide housing and jobs growth in a highly accessible location well served by existing and future planned public transport infrastructure.

Whilst the Council staff and Local Planning Panel consider there is strategic merit to progress to Gateway, the following actions need to be taken should Gateway approval be granted by DPE and before the Planning Proposal is finalised:

- Finalise the planning mechanism within the BLEP 2015 to limit total residential floor space to maintain jobs and employment growth on the site and in the CBD.
- Prepare a draft site-specific development control plan (DCP) to ensure a development outcome that is consistent with the future intended built form of the surrounding area.
- Revised traffic and economic reports to provide clarification, further modelling and justification on certain technical aspects as identified in the peer reviews and comments from TfNSW.
- Continue dialogue with Transport for NSW to undertake traffic modelling to test appropriateness of the proponent's adopted car parking and traffic generation rates to inform the site specific DCP.
- Draft a Planning Agreement that delivers the required infrastructure to support the redevelopment of the site in a staged manner.

RECOMMENDATION That -

1. The application to amend the Bankstown Local Environmental Plan 2015 proceed to Gateway subject to the following (refer to **Figure 4** for a map of the precincts):
 - a. Permit a maximum FSR between 3:1 to 7:1 in four separate precincts and an FSR of 3.9:1 for the site overall.
 - b. Permit a maximum building height of 86m for the Town Centre Precinct, 83m for the North Terrace Precinct, 50m, 67 and 70m for the Rickard Road Precinct and 35m, 46m and 55m for the Stacey Street Precinct.
 - c. Insert a subclause to exclude the subject site from obtaining up to 0.5:1 bonus FSR under Clause 4.4A 'Additional gross floor area for more sustainable development in Bankstown CBD commercial core'. This is to provide certainty regarding the maximum FSRs that will apply to the site.
 - d. Remove the site from the existing Special Provisions Map and amend Clause 6.9 to achieve the intended outcomes as follows:
 - i. Enable residential development within the Rickard Road Precinct without the need to provide commercial premises or other non-residential purposes on the ground and first floor levels; and
 - ii. Stipulate (a) a minimum 50% of non-residential floor space within the Town Centre Precinct and (b) a minimum 40% non-residential floor space across the entire site.
2. Before the plan is finalised:
 - a. Council exhibits a draft Planning Agreement generally in accordance with the planning agreement Letter of Offer received from the proponent dated 4 February 2022 (including the proponents Statement of Intent dated 4 February 2022) to deliver public benefits / infrastructure to meet the needs for the future worker, resident and visitor population, as outlined in Section 4 of the Council report. This

- b. A site specific DCP is prepared and exhibited with the Planning Proposal to define the development controls for all of the development and ensure close integration with the master planning for the Bankstown CBD, and specify the staging of the future development, as outlined in the Council report and this recommendation. The site specific DCP should be finalised before any development applications are submitted and a further clause should be added to the Planning Proposal to this effect. Along with the matters referred to in the Council report the DCP should include details about:
 - i. how affordable housing will be provided on the site, consistent with the Statement of Intent provided by the applicant.
 - ii. car parking rates
 - iii. staging of the construction
 - iv. detailed built form controls
 - v. communal and public open space
 - vi. sustainability / environmental performance
 - vii. long term arrangements for bus lay-bys (in conjunction with TfNSW).
 - c. Council and the proponent continue to work with Transport for NSW (TfNSW) to address traffic and transport related matters raised in TfNSW's preliminary comments received on the Planning Proposal. This should involve resolving the permanent location of the Bankstown bus interchange whether it is located on or off the subject site noting that the removal of the bus layover on the current site will require a rethinking of the way buses move through and layover in Bankstown.
3. The Planning Proposal and the relevant supporting reports are updated prior to the exhibition of the Planning Proposal.
4. After the Planning Proposal, DCP and Planning Agreement have been exhibited, a report be provided to Council outlining submissions received and the proponent's response to the issues raised from the exhibition and if necessary, from the Council report (for this current recommendation).
5. The Planning Agreement is to be finalised and executed before the LEP Amendment is made and published on the NSW Legislation website.
6. Council seek authority from the Department of Planning and Environment to exercise the delegation in relation to the plan making functions under Section 3.36(2) of the Environmental Planning and Assessment Act 1979.

ATTACHMENTS

[Click here for Attachment A](#)

[Click here for Attachments B to F](#)

- A. Canterbury Bankstown Local Planning Panel Meeting Report and Attachments dated 7 March 2022
- B. Minutes of Canterbury Bankstown Local Planning Panel Meeting dated 7 March 2022
- C. Applicant's Revised Draft DCP dated March 2022
- D. Applicant's Revised Landscape Concept Plan dated March 2022
- E. Applicant's Revised Planning Proposal dated March 2022
- F. Applicant's Revised Urban Design Statement dated March 2022

POLICY IMPACT

The Planning Proposal, once finalised and made, would amend the building heights, Floor Space Ratio and permissibility of residential development at ground and first floor level on certain parts of the subject land.

The Planning Proposal will facilitate a development outcome that would be consistent with Council's policies including the Local Strategic Planning Statement (LSPS) "Connective City 2036", the Employment Lands Strategy, Housing Strategy and Affordable Housing Strategy, the Bankstown Complete Streets CBD Transport and Place Plan and the Bankstown Master Plan. The Planning Proposal is also consistent with the Greater Cities Commission's objectives in the Greater Sydney Region Plan – South District Plan, and the Collaboration Area Bankstown CBD and Bankstown Airport Place Strategy.

The LSPS "Connective City 2036" classifies Bankstown as the major centre for the LGA and the economic heart of the city, with 25,000 jobs and 25,000 students by 2036. The LSPS envisages an expected doubling of jobs, an increase in students and visitors and an increase in high density housing in the Bankstown CBD. The assessment of the application submitted to Council indicates the proposal would support this direction.

FINANCIAL IMPACT

There is no financial impact to Council as a result of this proposal.

Independent peer reviews undertaken on behalf of Council have identified opportunities for new social and community facilities, public infrastructure and traffic works required to ensure that the redevelopment of the site functions well, delivers a high quality urban precinct with a mix of appropriate commercial and residential uses and is of a scale that is appropriate for the aspiration of Bankstown CBD to evolve into the future as a key place for jobs growth, education, commercial investment, and higher density residential accommodation.

The Planning Proposal will deliver a range of infrastructure items that would benefit the public at no cost to Council including a new 5,000m² public park, a multi-purpose indoor sports facility, incubator/co-working office space and new cycleways along Rickard Road and The Appian Way.

COMMUNITY IMPACT

Should a Gateway Determination be issued by the Department of Planning and Environment, community and stakeholder consultation will occur as directed by the Gateway conditions and the outcomes reported back to Council after the conclusion of the exhibition period.

Council officers have negotiated with the proponent a Letter of Offer that outlines public infrastructure and public benefits for Council's consideration. This report recommends further negotiations with the proponent to ensure that the public benefits within the Letter of Offer and future draft Planning Agreement are appropriately staged for delivery.

The subject site is the largest privately owned landholding in the Bankstown CBD and the scale of the development has the potential to transform the site into a highly activated and permeable precinct that delivers on Council's vision for local jobs in close proximity to housing, existing and future public transport and a new public park that integrates with the CBD.

The proposal will include new commercial, office, student accommodation and housing that will help to make the Bankstown CBD a more vibrant place and destination. There will be an overall positive impact by creating new jobs growth and provision of housing, hotel and student accommodation located close to existing transport infrastructure.

The key public benefits that would form part of a Planning Agreement with Council and will include works such as a new public park, an extension of Jacobs Street, a multi-purpose indoor facility, incubator space and completion of cycleways along Rickard Road and The Appian Way. Further negotiations with the proponent will be required to finalise the planning agreement in regard to the delivery and staging.

DETAILED INFORMATION

1. SITE DESCRIPTION

The subject site (site) at 1 and 1A North Terrace, Bankstown comprises the following 12 lots as shown in Table 1 and Figure 1.

Table 1: Subject site details

Property Address	Property Description	Current Zone	Site Area
1 and 1A North Terrace, Bankstown	Lot 1 DP 795649 Lot 89A DP 405477 Lot 45 DP 618721 Lot 1 DP 237386 Lot 1 DP 1289891 Lot 23 DP 1117290 Lot 11 DP 746201 Lot 26 DP 1142237 Lot 1 DP 128989 Lot 31 DP 1142236 Lot 22 DP 1117290 Lot 18 DP 1117290	B4 Mixed Use Zone under BLEP 2015	114,073m ²

The site contains a regional shopping centre development known as “Bankstown Central” (previously known as “Bankstown Centro”) which was originally established in 1966. The site is bound by North Terrace to the south, Jacobs Street, The Mall and The Appian Way to the west, Rickard Road to the north and Stacey Street to the east. The site has dimensions of approximately 500m east to west and 270m north to south. The total site area is 114,073m². The Bankstown Central shopping centre is a 2-3 level retail development with associated car parking, loading facilities, landscaped areas. Bankstown Central accommodates anchor tenants including Myer, Target, Big W, Kmart, Woolworths, Dan Murphy’s and a new Coles Supermarket to open in 2022 in addition to approximately 260 specialty stores including a food court. The Bankstown Central site is the largest privately owned landholding within the Bankstown CBD.

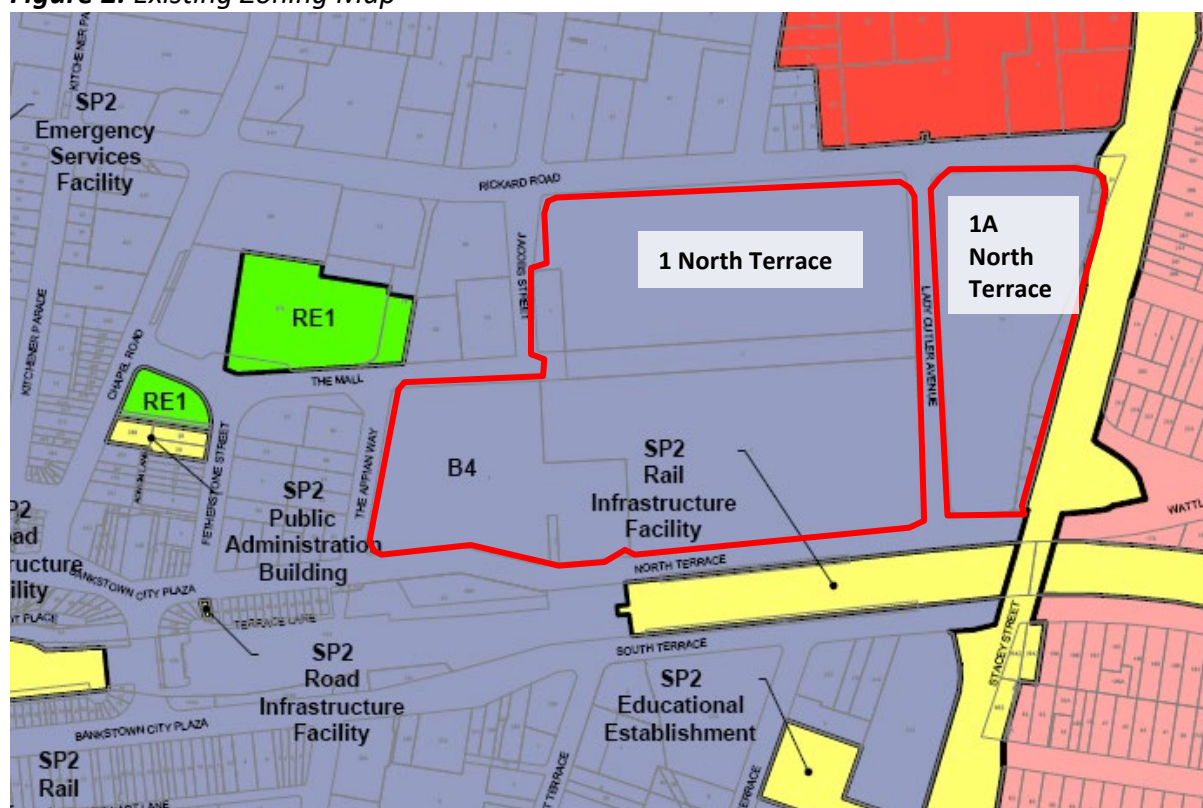
Adjacent to the site to the south is the T3 Bankstown Railway line, to the west is the established commercial shops and offices of the Bankstown CBD, to the north is a mix of medical centres and allied health services and residential apartments and to the east is the arterial road Stacey Street with a low density residential housing area further to the east. The NSW Government is converting the T3 Bankstown Railway Line between Sydenham and Bankstown to a Metro rail line which will commence operation in 2024. The Metro line conversion will result in a new Bankstown Metro Rail Station constructed to the east of the existing Bankstown Railway Station and importantly will establish a north-south pedestrian link across the existing rail line delivering improved connectivity in the CBD.

The site is located in the heart of the Bankstown CBD and approximately 16km south west of the Sydney CBD, approximately 10km east of the Liverpool City Centre and the Parramatta CBD is located approximately 10km north.

Figure 1: Site Map (site outlined in red)



Figure 2: Existing Zoning Map



2. PROPOSAL

Background and Overview of Proposal

In December 2019, Council received an application to amend the BLP 2015. The Planning Proposal is the culmination of several years of discussions between Council and the proponent and represents a concept master plan that has been the subject of iteration and adjustment

in response to Council feedback. The Planning Proposal reflects the design principles developed by specialist urban design consultants commissioned by Council in 2018 to prepare an urban design study to guide redevelopment of the site. Council provided the proponent with the urban design principles in 2019 prior to lodgement of the application with Council.

Following a preliminary assessment by Council and liaison with the proponent, Council wrote to the proponent in March 2020 to request additional information and clarification of the proposal. In July 2020 the proponent submitted an amended Planning Proposal package in response to Council's additional information request. Council wrote to the proponent in December 2020 and further information, including revisions to the Planning Proposal were submitted to Council in July 2021. Further revisions to the Planning Proposal were made and submitted to Council in February 2022, reflecting the outcome of Council's assessment of the application and the preceding discussions between Council and the proponent and the proponent's consultants.

Table 2 summarises the current and proposed controls (as amended in February 2022 by the proponent). Figure 3 shows the proponent's indicative concept site plan.

Figure 3: Applicant's indicative master plan



The Planning Proposal would enable the proponent to achieve its long term vision for the site that would be delivered in stages to enable the following:

- A mix of uses across the site with height and density focussed along North Terrace and near the existing Bankstown railway station and future Metro station.
- Reconfiguration of the existing shopping centre layout to accommodate the proposed additions and staged construction around the existing central retail core.
- New public open spaces such as a new 5,000m² public park and a pedestrian boulevard running east west along northern end of site between Jacob Street and Lady Cutler Drive and public plazas throughout the site.

- Extension of Jacobs Street between The Mall and Northern Terrace for road traffic and pedestrians.
- Removal of the bus interchange from the site and creation of a new permanent layover, with bus stops as required, outside of the site along the proposed Jacobs Street extension. This will be subject to ongoing discussions with TfNSW and an agreement between the proponent, Council and TfNSW on the new location.

Table 2: Summary of proposed controls and intended outcomes of the Planning Proposal

Control	Amendment sought by applicant
Zone	B4 Mixed Use Zone
FSR	3.9:1 (across the entire site) <i>Refer to Table 3 below for FSR details per Precinct</i>
Height of Building	Maximum building height of 86m (controlled by PANS-OPS ceiling of RL 108.2) <i>Refer to Table 3 below for building height details per Precinct</i>
Additional gross floor area for more sustainable development in Bankstown CBD commercial core (Clause 4.4A) <i>This clause provides a bonus of 0.5:1 for development that meets the sustainability criteria.</i>	Insert a subclause to exclude the subject site from the application of this clause. This is because the Planning Proposal does not seek to apply the existing 0.5:1 bonus on the basis the proposed FSRs include uplift that already factors in the maximum FSR sought to ensure certainty that future development will be able to achieve the FSRs proposed. Sustainability requirements will be included in the site specific DCP and BASIX will continue to apply to the residential component of the mixed use development or residential apartment buildings on the site.
Restrictions on development in Zone B4 Mixed Use (Clause 6.9) <i>This clause requires the ground and first floors of new buildings, or changes of use of existing buildings, to be used for commercial or other non-residential uses.</i>	Remove the site from the existing Special Provisions Map and amend Clause 6.9 to achieve the following intended outcomes: <ul style="list-style-type: none"> • Enable residential development within the Rickard Road Precinct without the need to provide commercial premises or other non-residential purposes on the ground and first floor levels; and • Stipulate (a) a minimum 50% of non-residential floor space within the Town Centre Precinct and (b) a minimum 40% non-residential floor space across the entire site.

Council has progressed the draft consolidated Canterbury Bankstown LEP which has been publicly exhibited and is with the Department for finalisation. While this report refers to amending the Bankstown LEP 2015, to avoid any doubt, this application seeks to amend the equivalent clauses and maps within the Canterbury Bankstown LEP once it becomes effective.

Figure 4: Proposed precinct map including proposed maximum FSRs and height of buildings

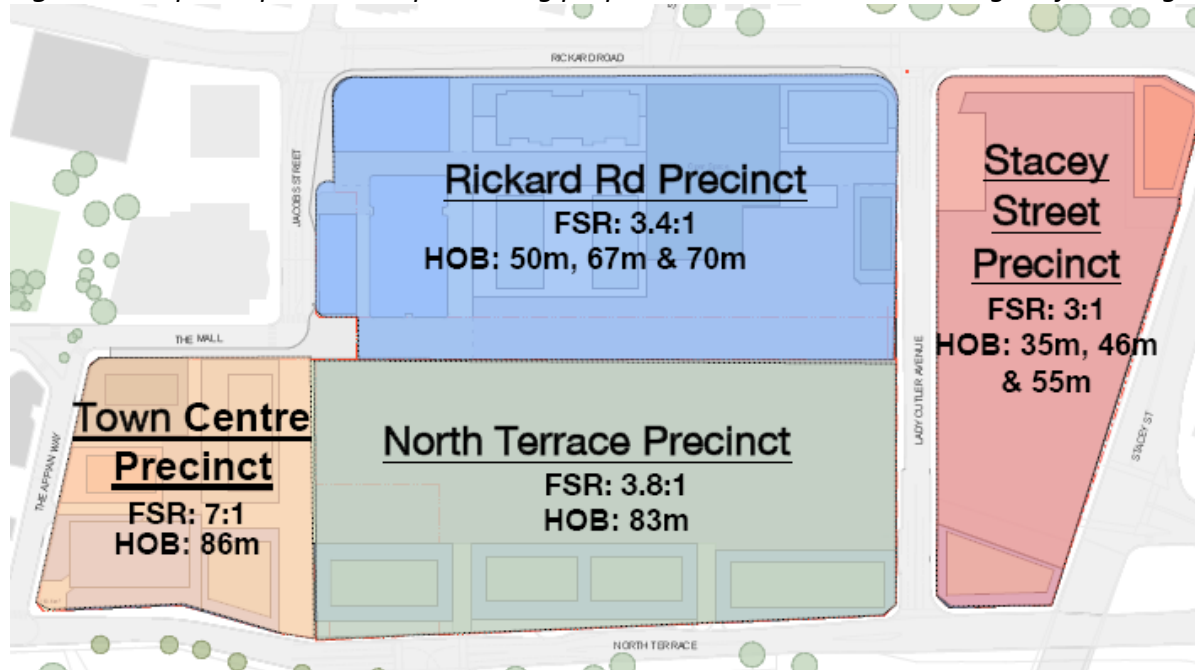


Figure 5: Existing Floor Space Ratio Map

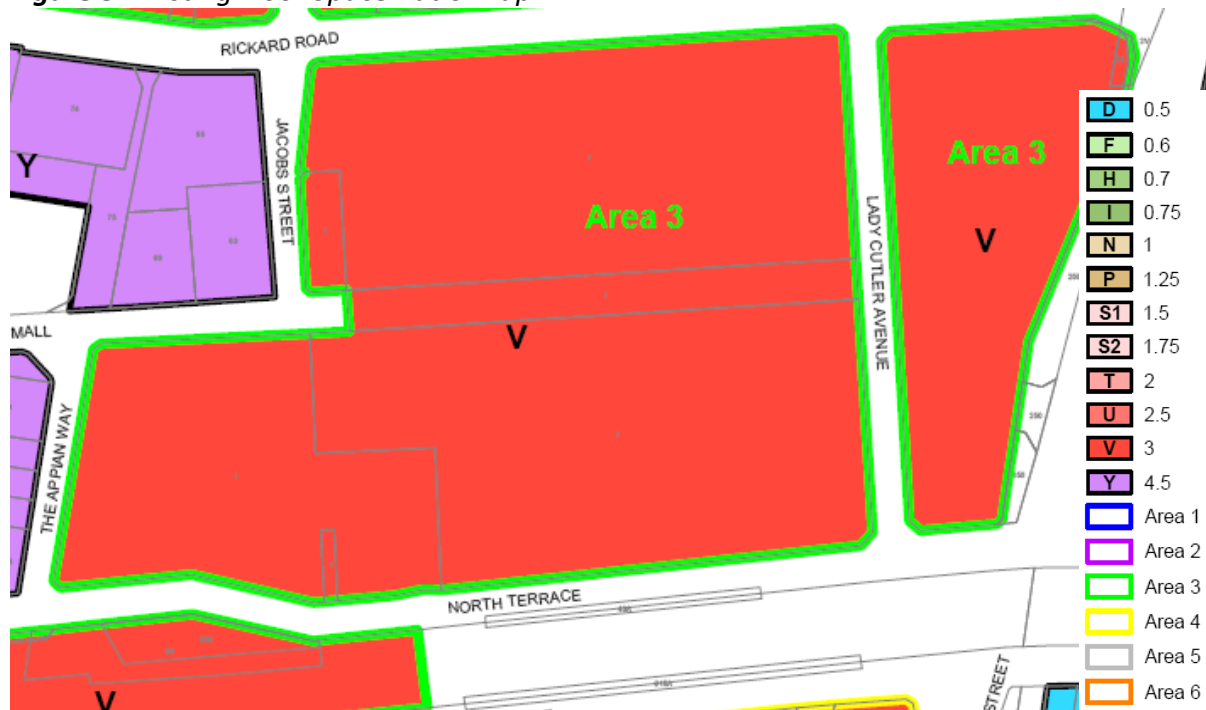


Figure 6: Applicant's Proposed Floor Space Ratio Map

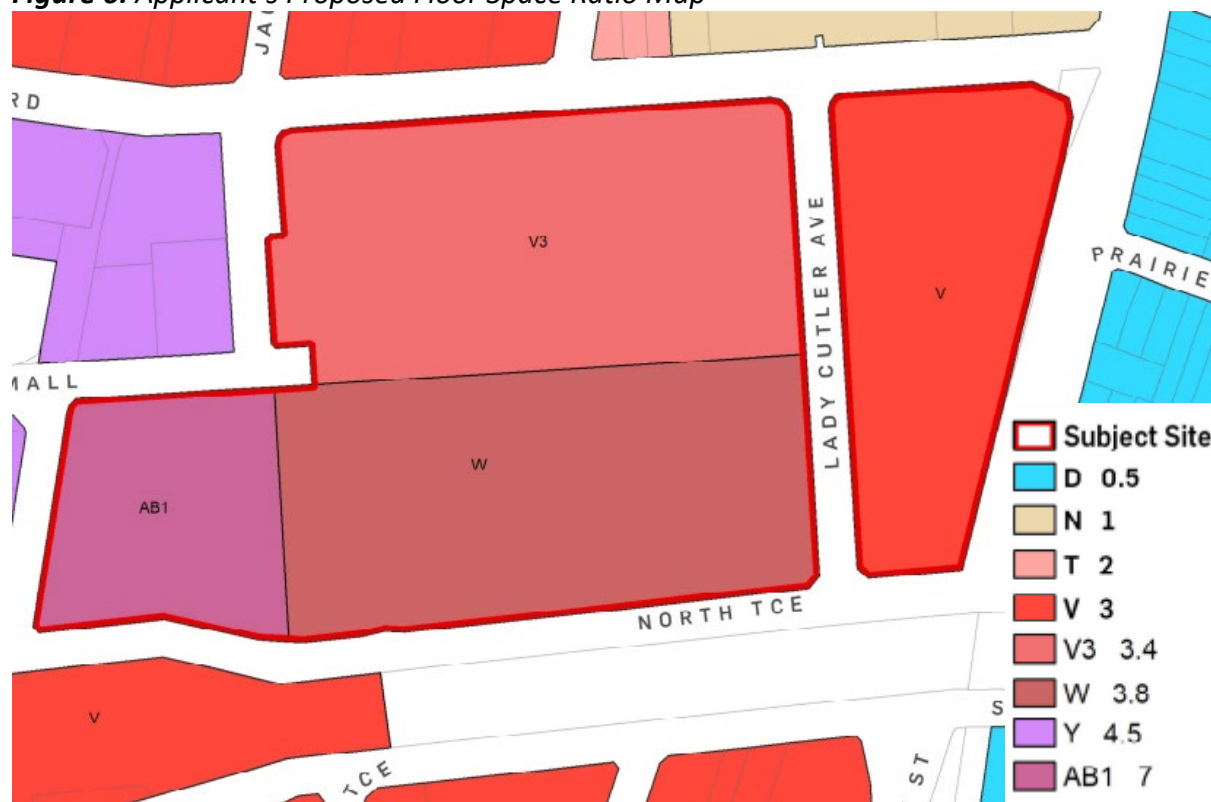


Figure 7: Existing Building Height Map

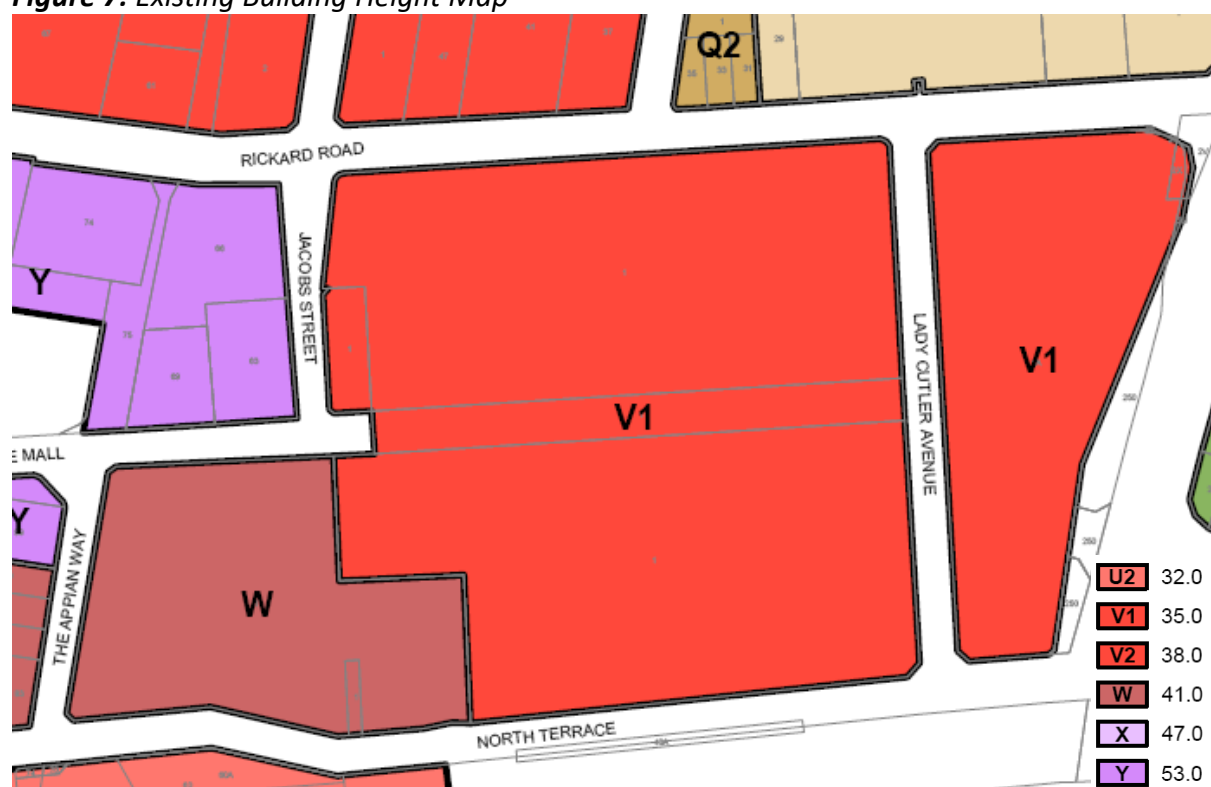


Figure 8: Applicant's Proposed Building Height Map

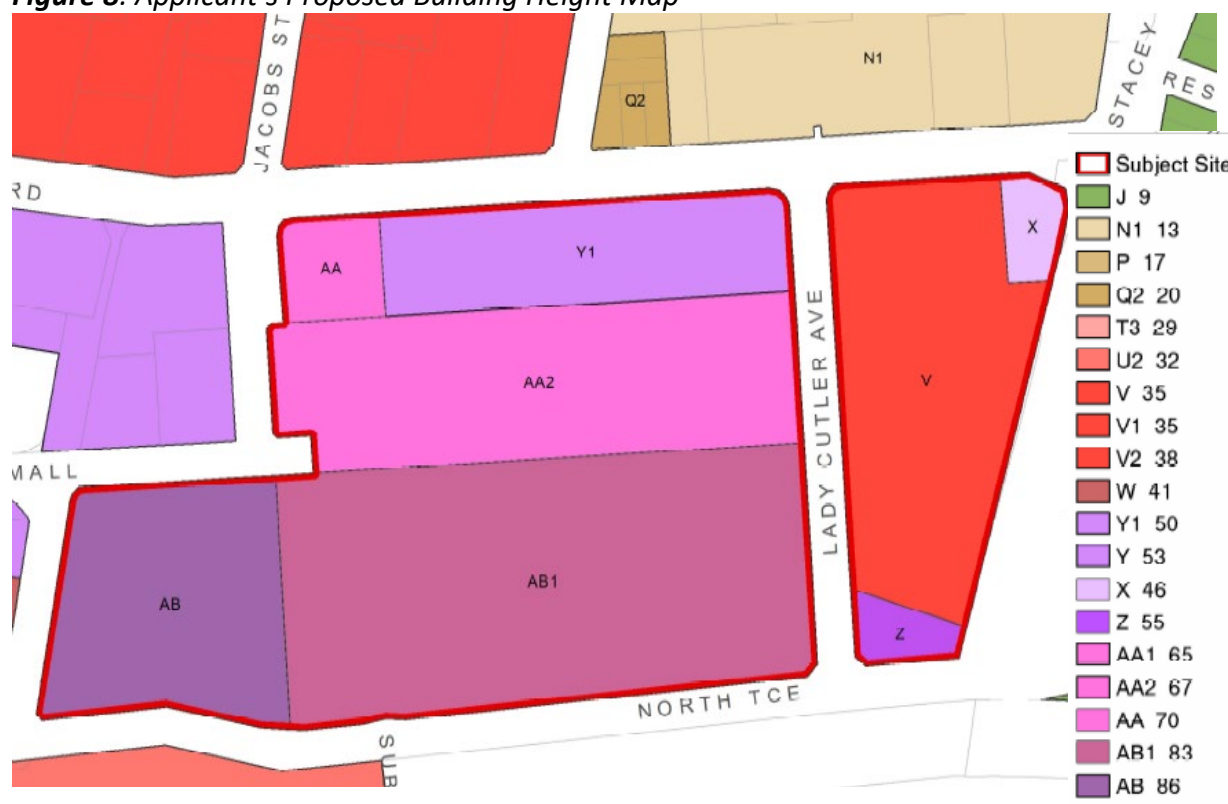
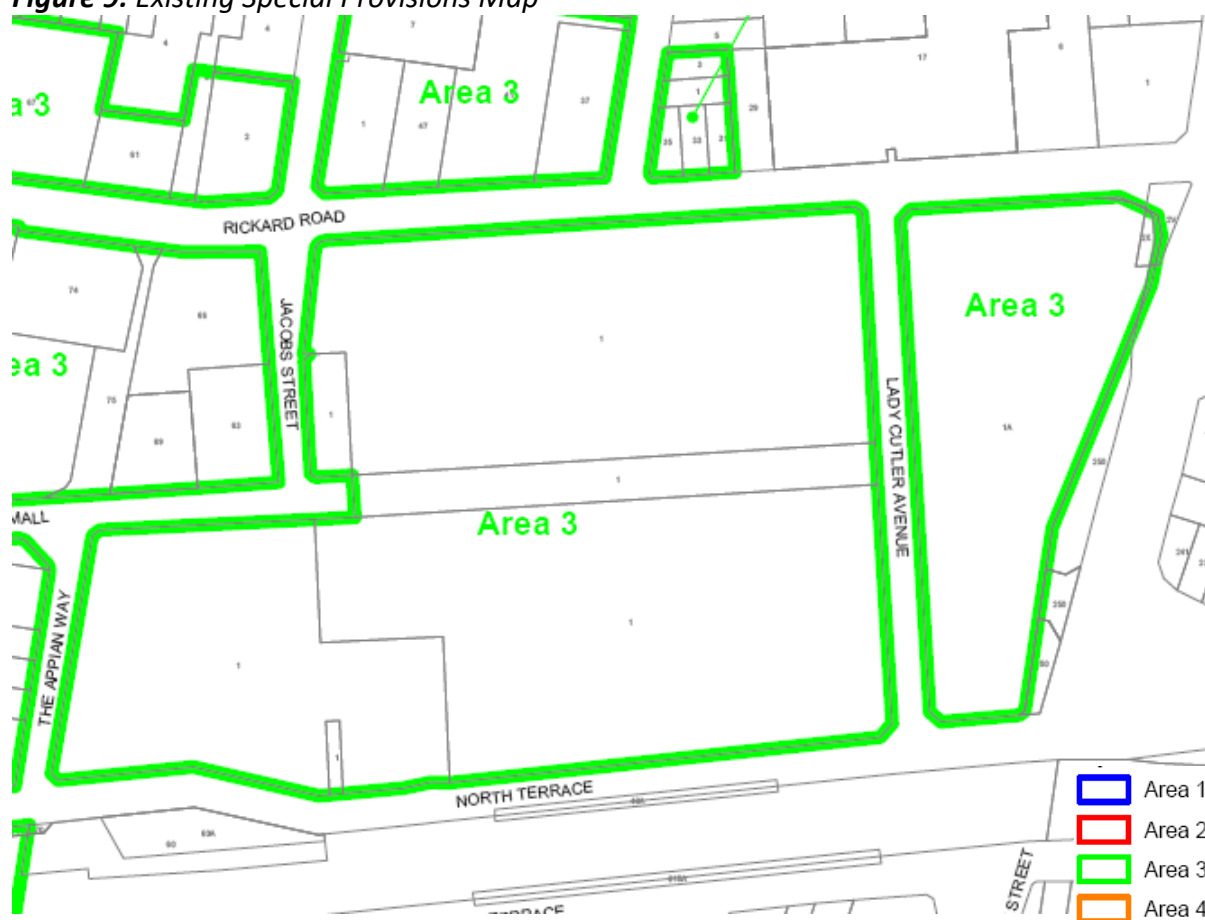


Figure 9: Existing Special Provisions Map



The Planning Proposal is supported by the following technical studies and supporting documentation submitted by the proponent:

- Planning proposal report prepared by Urbis.
- Applicant's Response to Request for Information, Draft Site Specific Development Control Plan and Revised Planning Proposal Supporting Reports (July 2020) including:
 - Revised Planning Proposal Diagrams prepared by FJMT.
 - Bankstown Market Assessment prepared by Urbis.
 - Updated Transport Impact Assessment prepared by GTA Consultants.
 - LEP Mapping prepared by Urbis.
 - Retail Development Potential Assessment prepared by Urbis.
- Revised Planning Proposal Maps and Metrics prepared by Urbis and FJMT (February 2022).
- Concept Design and Urban Design Report prepared by FJMT.
- Preliminary Traffic Impact Assessment prepared by Colston, Budd, Rogers and Kafes.
- Revised Transport Impact Assessment prepared by GTA Consultants.
- Preliminary Aeronautical Height Assessment prepared by Landrum & Brown Worldwide.
- Community Needs Analysis prepared by Urbis.
- Economic Analysis 'Becoming the Magnetic Centre of the Region' prepared by Urbis.
- Draft BLEP 2015 Mapping prepared by Urbis.
- Landscape Concept Master Plan prepared by FJMT and Urbis.
- Revised Draft Site Specific Development Control Plan prepared by Urbis.
- Record of Feedback from Council on concept Master Plan submitted by proponent.
- Letter of Offer and Affordable Housing Statement of Intent prepared by Vicinity Centres.

A site specific draft Development Control Plan has been submitted by the proponent that provides objectives and development controls to guide the future development of the site. The Development Control Plan submitted with the Planning Proposal will be amended by Council for exhibition concurrently with the Planning Proposal and draft Planning Agreement.

Council commissioned external consultants to prepare traffic, social and economic peer reviews of the application.

Development Outcome and Yields

The Planning Proposal includes the following key elements (refer to Table 3 below for details):

- The redevelopment of the site from a shopping centre to a genuine mixed-use precinct, including retail, commercial offices, hotel and serviced apartments, residential (including build to rent), student and key worker accommodation (for health workers and the like) that will complement the location of the Western Sydney University Campus (Bankstown) and potential future new Bankstown Hospital.
- The significant improvement in the public domain in the heart of the CBD, including the provision of new public open space in the form of a public park and new pedestrian focussed boulevards and plazas.
- Creation of four precincts for the site (Town Centre, Rickard Road (north and south), North Terrace and Stacey Street, refer to Figure 4) to assist with master planning the large site consistent with the intended staging and retention of large sections of the current shopping centre.
- Provide a variety of height controls across the site up to 86m and to consolidate density towards the future metro station and North Terrace and height transition to surrounding properties in line with the Bankstown Master Plan.

- Allow residential apartment buildings along the northern side of the site to Rickard Road without the need to provide commercial uses at ground and first floor level.

To achieve the above, the proposal seeks to facilitate the following development yields:

- Retail: 15,041m² (in addition to existing 91,000m² retail floor space)
- Commercial offices: 119,117m²
- Hotel: 439 rooms plus 89 serviced apartments
- Residential: 1,255 apartments
- Student Accommodation: 694 units
- Childcare: 891m²
- New public open space: 5,000m² public park plus 5,615m² pedestrian focussed plazas and boulevards.

The table below provides details of the potential Gross Floor Area that would result from the proposed maximum Floor Space Ratios and building heights for each Precinct.

Table 3: Summary of proposed FSRs, building height and resultant yield by precinct

Precinct	Proposed Max FSR*	Maximum Proposed Building Height (storeys approximates only)	Proposed Gross Floor Area Yield
Town Centre	7:1	86m (RL 108.2 PANS-OPS), approx. 25 storeys	106,437m ²
Rickard Road	3.4:1	Precinct North - 50m and 70m, Approx. 15 to 20 storeys Precinct South - 67m, approx. 19 storeys	127,882m ²
North Terrace	3.8:1	83m, approx. 20 - 25 storeys (subject to mix of uses)	139,824m ²
Stacey Street	3:1	North Tower – 46m, approx. 11-13 storeys South Tower – 55m, approx. 16 storeys Remaining central shopping centre core retained at 35m	73,380m ²
Total	3.9:1	-	447,523m²

**Note: The bonus 0.5:1 FSR currently permitted on the site under Clause 4.4A “Additional gross floor area for more sustainable development in Bankstown CBD commercial core” in BLEP 2015 currently applies to the site. The above density calculations quoted do not include the 0.5:1 bonus FSR as this is not proposed to apply to the site under the proponent’s Planning Proposal.*

The Planning Proposal will increase from the existing 3.5:1 (inclusive of the 0.5:1 sustainability bonus under Clause 4.4A) to a maximum FSR of 3.9:1 for the site overall. It is not proposed to apply the LEP sustainability bonus to the site. The total GFA of the site when developed to the maximum proposed FSR is 447,523m², which is 48,268m² more than the maximum possible floor space under the existing 3.5:1 FSR across the site.

It is estimated that the concept proposal would yield approximately 1,255 apartments plus 694 student housing units. The hotel accommodation component will result in 439 rooms plus 89 serviced apartments.

Each precinct will contain a different proportion of residential and non-residential land use. Due to the indicative nature of the development concept, the proponent has not submitted a detailed breakdown of the exact GFA of each land use proposed for each tower in each Precinct. The Planning Proposal will set the overarching parameters for the overall maximum floor space and minimum commercial/non-residential requirements for the site with the future development applications for the site to provide details on how each precinct will provide the mixed development outcomes consistent with the intent as set out by the planning proposal.

Figure 9A: Initial 3D render of concept development outcome for the site submitted with the application



Letter of Offer for Delivery of Public Infrastructure

In accordance with the proponent's Letter of Offer and subject to the preparation of a draft Planning Agreement between Council and the proponent, the Planning Proposal would facilitate delivery of the following public infrastructure works located on or near the site to support the intensification proposed for the site:

- 5,000m² publicly accessible open space (Public Park) along Rickard Road including a playground and urban plaza.
- Extension of Jacobs Street between The Mall and North Terrace into a shared bus and pedestrian way.
- 1,000m² multi-purpose indoor facility including two sports courts or cash contribution up to a value of \$4 million dollars to Council to deliver this facility elsewhere in the CBD.
- 200m² of 'Incubator Space' for business 'start-ups' to be fitted out as a warm shell open plan layout suitable for use as office space.
- Completion of proposed town centre separated cycleway along Rickard Road and Appian Way frontages to the site in accordance with Bankstown 'Complete Streets' requirements.

2.1 Canterbury Bankstown Local Planning Panel

In accordance with the Minister for Planning's *Local Planning Panels Direction* for Planning Proposals, the Local Planning Panel considered Council's assessment report and draft Planning Proposal on 7 March 2022 to provide advice to Council whether the matter should proceed to Gateway. The Panel's comments and recommendations, as provided in Attachment B, are:

Panel Comments

"The Panel supports the Planning Proposal which is consistent with the relevant Council and State Government strategic plans as outlined in the report to the Panel.

The Panel suggests the inclusion of the following matters as part of the recommendation to the Council:

- a Clarification of ownership and timing of delivery of the public park*
- b Ensuring that the proposed DCP be prepared prior to public exhibition and finalised prior to any development applications arising from the Planning Proposal being assessed.*
- c Ensure that the DCP will include (along with the various matters identified in the report) the following matters:*
 - car parking rates*
 - affordable housing target*
 - staging of the construction*
 - detailed built form controls*
 - communal and public open space*
 - long term arrangements for bus lay-bys (in conjunction with TfNSW).*
- d Confirming that the Planning Agreement will be finalised and executed prior to the amended LEP coming into operation and that the Planning Agreement benefits will be in addition to the standard development contributions.*
- e Finalising in the planning agreement the staging of the delivery of the benefits.*

The Panel also notes that Council has put forward its view to TfNSW about possible solutions for the long term bus arrangements, but that the issue still needs to be resolved. The Council staff recommendation highlights the importance of resolving this issue, and that is supported by the Panel."

Panel Recommendation

"The application to amend the Bankstown Local Environmental Plan 2015 proceed to Gateway subject to the following (refer to Figure 4 in the Council report for a map of the precincts):

1.
 - a. *Permit a maximum FSR between 3:1 to 7:1 in four separate precincts and an FSR of 3.9:1 for the site overall.*
 - b. *Permit a maximum building height of 86m for the Town Centre Precinct, 83m for the North Terrace Precinct, 50m, 67m and 70m for the Rickard Road Precinct and 35m, 46m and 55m for the Stacey Street Precinct.*
 - c. *Insert a subclause to exclude the subject site from obtaining up to 0.5:1 bonus FSR under Clause 4.4A 'Additional gross floor area for more sustainable development in Bankstown CBD commercial core'. This is to provide certainty regarding the maximum FSRs that will apply to the site.*
 - d. *Remove the site from the existing Special Provisions Map and amend Clause 6.9 to achieve the intended outcomes as follows:*
 - i. *Enable residential development within the Rickard Road Precinct without the need to provide commercial premises or other non-residential purposes on the ground and first floor levels; and*
 - ii. *Stipulate (a) a minimum 50% of non-residential floor space within the Town Centre Precinct and (b) a minimum 40% non-residential floor space across the entire site.*
2. *Before the plan is finalised:*
 - a. *Council exhibits a draft Planning Agreement generally in accordance with the planning agreement Letter of Offer received from the proponent dated 4 February 2022 (including the proponents Statement of Intent dated 4 February 2022) to deliver public benefits / infrastructure to meet the needs for the future worker, resident and visitor population, as outlined in Section 4 of the Council report. This would be subject to the standard development contributions under s7.11 and s7.12 being payable in addition to the public benefits being provided consistent with Council's Planning Agreement Policy. The planning agreement is to include clarification of details of ownership / easement, construction and short and long term maintenance of the public park together with the timing of providing each of the benefits (including the whole of public park at one time).*
 - b. *A site specific DCP is prepared and exhibited with the Planning Proposal to define the development controls for all of the development and ensure close integration with the master planning for the Bankstown CBD, and specify the staging of the future development, as outlined in the Council report and this recommendation. The site specific DCP should be finalised before any development applications are submitted and a further clause should be added to the Planning Proposal to this effect. Along with the matters referred to in the Council report the DCP should include details about:*
 - (i) *how affordable housing will be provided on the site, consistent with the Statement of Intent provided by the applicant.*
 - (ii) *car parking rates*
 - (iii) *staging of the construction*
 - (iv) *detailed built form controls*
 - (v) *communal and public open space*

- (vi) *long term arrangements for bus lay-bys (in conjunction with TfNSW).*
- c. *Council and the proponent continue to work with Transport for NSW (TfNSW) to address traffic and transport related matters raised in TfNSW's preliminary comments received on the Planning Proposal. This should involve resolving the permanent location of the Bankstown bus interchange whether it is located on or off the subject site noting that the removal of the bus layover on the current site will require a rethinking of the way buses move through and layover in Bankstown.*
3. *The Planning Proposal and the relevant supporting reports are updated prior to the exhibition of the Planning Proposal.*
4. *After the Planning Proposal, DCP and Planning Agreement have been exhibited, a report be provided to Council outlining submissions received and the proponent's response to the issues raised from the exhibition and if necessary, from the Council report (for this current recommendation).*
5. *The Planning Agreement is to be finalised and executed before the LEP Amendment is made and published on the NSW Legislation website.*
6. *Council seek authority from the Department of Planning and Environment to exercise the delegation in relation to the plan making functions under Section 3.36(2) of the Environmental Planning and Assessment Act 1979."*

Community Submissions

Prior to LPP Meeting, Council placed an advertisement in the Torch Newspaper and sent letters to surrounding property owners and occupiers to advise that the Planning Proposal was to be considered by the Panel's at the Local Planning Panel Meeting on 7 March 2022, advise on where information on the Planning Proposal could be obtained and to invite submissions on the matter.

There were no submissions received by Council in relation to the Panel's consideration of this Planning Proposal.

Response to Local Planning Panel Recommendations

Council staff agree with the Local Planning Panel recommendations, and they have been incorporated into this report. The clarifications, proposed DCP controls, and planning agreement matters will be addressed prior to exhibition of the Planning Proposal, should it receive a Gateway Determination to progress.

2.2 Relevant Planning Applications for the Site

Development Application for Commercial Development

A recent development consent has been issued on this site which is a relevant consideration. On 19 July 2021 development consent was granted to DA-528/2020 for a commercial development in the north western corner of the site at the Rickard Road and Jacob Street intersection as shown in Figures 11-13 below:

- Demolition of the existing bus interchange and associated buildings near the north-west corner of the site.
- The construction of a new commercial development comprising two eight-storey commercial office towers with rooftop plant and one part five/part six-storey commercial office tower, with ground levels containing retail, wellness and food & beverage uses in an 'Eat Street' configuration.
- Construction of two levels of basement car parking, providing 322 car parking spaces.
- Changes to the existing shopping centre and existing at-grade car parking.
- The provision of access, basement car parking, and associated public realm works and landscaping.

Overall, the buildings incorporate 29,686m² of office floor space and approximately 6,000m² of retail floor space. The approved development was designed to the maximum 35m building height currently applicable under the BLEP 2015.

The approved development is consistent with the Planning Proposal insofar as the footprint of the approved development sits wholly within the Rickard Road North Precinct and will maintain a clear 20m wide pedestrian access boulevard that acts as an extension to The Mall. The northern most tower (Tower 2) is located in the proposed 70m building height under the Planning Proposal. Subject to an LEP amendment being made consistent with this planning proposal, the proponent will be required to obtain a new development consent for any increase in the height of Tower 2 to achieve the proposed 70m building height.

Figure 10: Approved development site plan (DA-528/2020). Red arrow shows The Mall pedestrian access (20m wide)

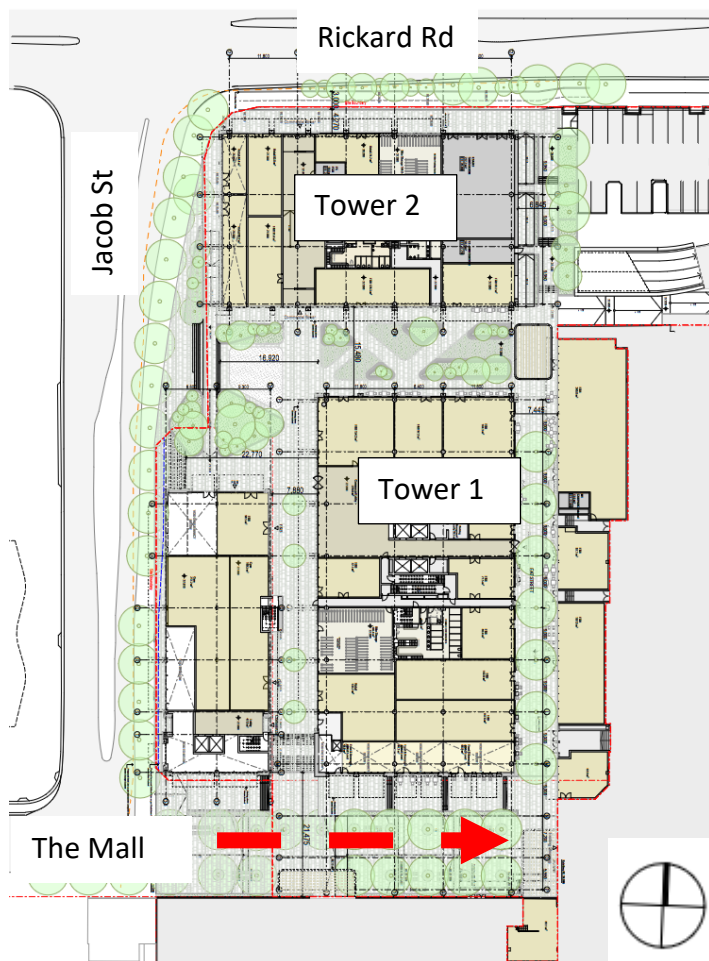


Figure 11: Approved commercial development (DA-528/2020) as viewed from Jacob Street. The extension of The Mall is shown on the right.

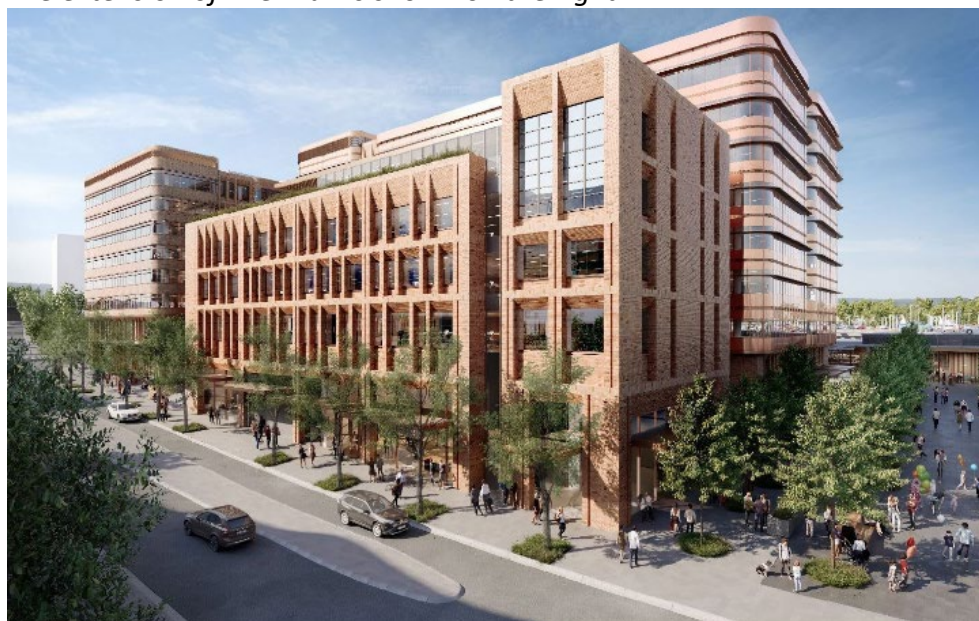


Figure 12: Approved commercial development (DA-528/2020) as viewed from the extension of The Mall pedestrian access, looking north.



3. ASSESSMENT OF KEY ISSUES

In relation to the proposed amendments to the BLEP 2015, Council's assessment findings indicate the application has strategic merit as it will:

- Provide development capacity that is consistent with the strategic policy direction and vision for Bankstown CBD as the City's preeminent Strategic Centre as set out in Council's Local Strategic Planning Statement and the Bankstown Masterplan.
- Result in approximately 8,437 additional jobs which is 60% of Council's target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan.
- Allow the significant existing development capacity of the site to be refocussed towards the future Metro Station consistent with the height principles set out in the Bankstown Masterplan.
- Make the site more accessible to the public and integrated into the street network by adding a new road and pedestrian connections.
- Create a substantial new public park to assist Council achieve its vision within the Bankstown Master Plan of all residents in Bankstown being within a 200m to 400m walking catchment of a green open space.
- Facilitate renewal of a site that is highly constrained by long term leases.
- Increase housing choice in Bankstown CBD by increasing the stock of "built to rent", student and key worker housing.
- Deliver a range of increased building heights that will be consistent with the B4 Mixed Use Zoning of the site, its size, strategic location, and controls proposed for comparable sites within the CBD.
- Provide housing for approximately 2,500 new residents within the Bankstown CBD proximate to employment opportunities and high quality public transport infrastructure.
- Provide a diverse range of housing and jobs growth in a highly accessible location well served by existing and future planned public transport infrastructure.

It is noted that the applicant has since provided an updated Planning Proposal and supporting documents to align these documents with the proposal considered by the Local Planning Panel. These documents were provided after the Local Planning Panel Meeting of 7 March 2022 and reflect the assessment of the Planning Proposal by Council Officers and bring these documents up to date given the changes to the Planning Proposal since its lodgement in 2019. The documents are attached to this report and include the following:

- Revised Draft Development Control Plan.
- Revised Landscape Concept Plan.
- Revised Planning Proposal.
- Revised Urban Design Statement.

These updated documents do not impact the Council Officer assessment or the change the recommendations of this report.

4.1 Consistency with Strategic Planning Framework

4.1.1 Greater Sydney Region Plan – A Metropolis of Three Cities

The Greater Sydney Region Plan (GRSP) was released by the GSC in March 2018. It provides a 40-year vision for the Greater Sydney region and is designed to inform district and local plans and the assessment of Planning Proposals.

The Greater Sydney Region Plan identifies several key objectives around the need to ensure communities are healthy, resilient and socially connected; and improving housing supply to all groups in the community. The proposal will facilitate economic investment in the Canterbury Bankstown LGA during the construction and operational phases, provide significant new employment generating floor space and housing and will assist with Bankstown further evolving into its strategic centre role.

The Planning Proposal is consistent with several planning objectives in the GSRP. These include:

- Objective 4: Infrastructure use is optimised.
- Objective 6: Services and infrastructure meet communities' changing needs.
- Objective 7: Communities are healthy, resilient and socially connected.
- Objective 10: Greater housing supply.
- Objective 14: A Metropolis of Three Cities - integrated land use and transport creates walkable and 30 minute cities.
- Objective 22: Investment and business activity in centres.

4.1.2 South District Plan

The GSC released the South District Plan on 18 March 2018 to give effect to the GSRP. The South District Plan contains priorities and actions to guide the development and planning of the south district while improving the district's social, economic and environmental assets. The redevelopment of the site that would result from this proposal will deliver a genuine mixed use precinct and increased opportunities for social interaction on the site through a new public park, pedestrian boulevards and plazas and improved interface with the new Metro station and relationship with surrounding land uses and street network. The proposal aligns with the following South District Planning Priorities:

- Planning Priority S3 – Providing services and social infrastructure to meet people's changing needs.
- Planning Priority S4 – Fostering healthy, creative, culturally rich and socially connected communities.
- Planning Priority S9 – Growing investment, business opportunities and jobs in strategic centres.
- Planning Priority S12 – Delivering integrated land use and transport planning and a 30-minute city.

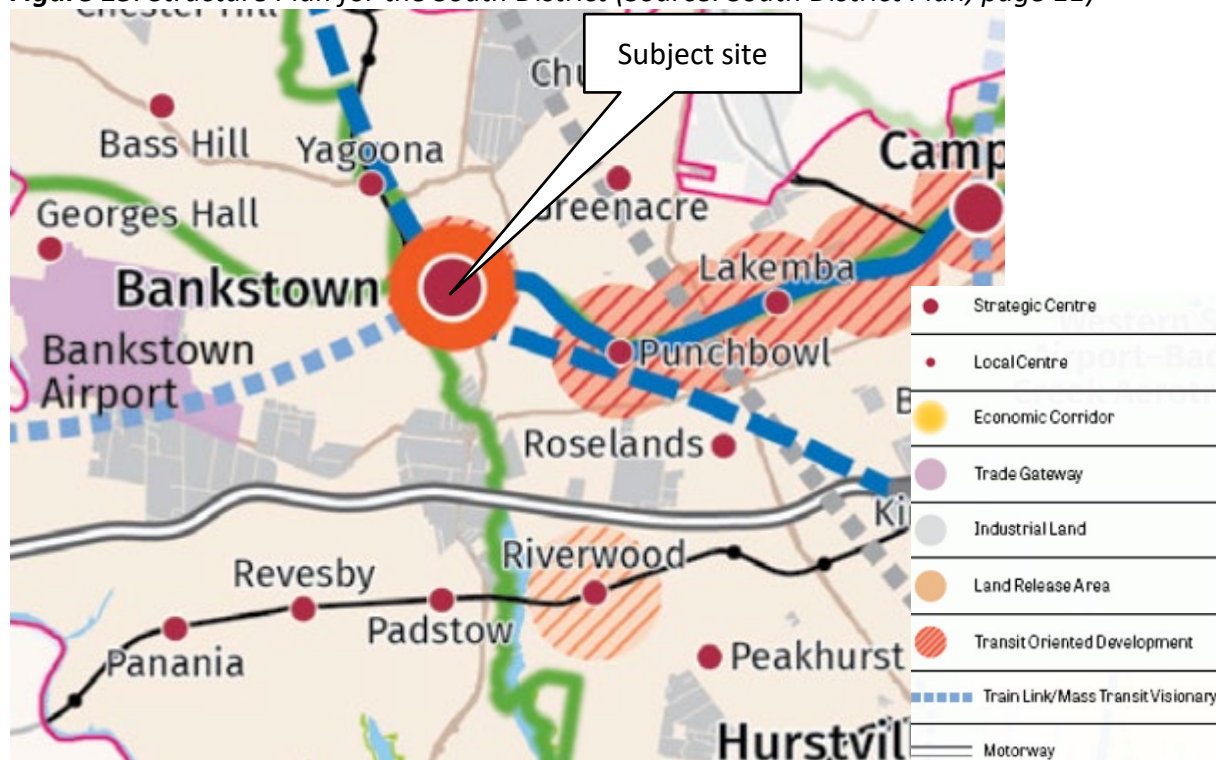
The application will enable the delivery of transit-oriented development and co-locate facilities and services which is consistent with the principles for strategic centres in the South District Plan. The proposal will contribute to the 30 minute city vision of the Plan by providing employment opportunities and new housing within the same location and adjacent to a future Metro station with high frequency services to other strategic centres and the broader Sydney Region.

The proponent has committed to the delivery of public infrastructure and benefits including a new public park, an indoor multi-purpose facility, incubator space/co-working offices, cycleways and extension of Jacob Street to improve connectivity within the Bankstown CBD. These facilities will enhance walkability and cycling within the Bankstown strategic centre.

The proposal will deliver approximately 8,000 jobs to 2036 which is a significant contribution towards the South District Plan 2036 baseline target of 17,000 jobs for Bankstown. The proposal will also achieve consistency with the following Bankstown specific actions within the South District Plan:

- Encourage new lifestyle and entertainment uses to activate streets and grow the night-time economy.
- Facilitate the attraction of office and commercial floor space and provide opportunities to allow commercial and retail activities to innovate.
- Encourage activation of secondary streets.
- Improve integration with existing and future rail and bus transport infrastructure in the Bankstown city centre.

Figure 13: Structure Plan for the South District (Source: South District Plan, page 11)

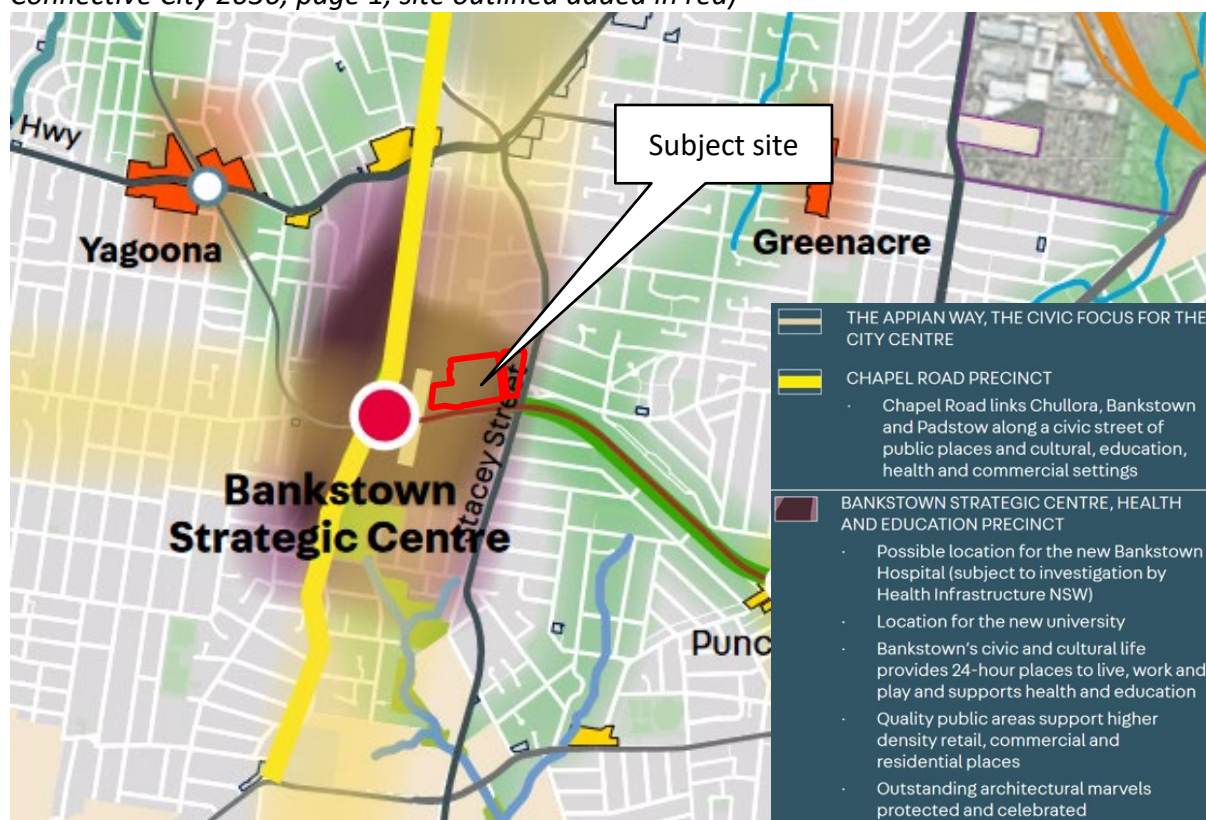


4.1.3 Local Strategic Planning Statement – ‘Connective City 2036’

The LSPS Connective City 2036 establishes a hierarchy of centres within the LGA and identifies Bankstown and Campsie as Strategic Centres, consistent with the GSRP and South District Plan and provides 10 “Evolutions” that will shape and deliver the objectives of the LSPS. The LSPS grants Bankstown “City Centre” status which is the highest categorisation in the city and notes that Bankstown along with Campsie, as the other Strategic Centre in the LGA, will be the key focus for jobs, cultural activities and housing.

The LSPS sets a housing target of 50,000 additional dwellings accommodating 80% of increased housing supply in established centres and sustainable growth in local village and small village centres. The LSPS nominates the Bankstown City Centre as the “economic heart of the City”, with targets for 25,000 jobs and 25,000 students by 2036. The LSPS also seeks to encourage visitor accommodation, affordable housing and provide for art and cultural services. The Planning Proposal is well positioned to deliver jobs (through retail and commercial office floor space), housing, visitor/hotel accommodation and social and community facilities in accordance with the objectives of the LSPS.

Figure 14: The LSPS 'Connective City 2036' plan showing the location of the site (Source: *Connective City 2036*, page 1, site outlined added in red)



The Planning Proposal is consistent with the primary objectives of the LSPS as it relates to the site, including providing high density housing near public transport, evolution of larger centres into vibrant urban places, provision of commercial and street-fronting retail space, local jobs and civic places. The Proposal will facilitate the delivery of residential accommodation and employment floor space on a site that is suitable for the scale and intensity proposed given the size of the site, its location within the CBD and near public transport infrastructure, the minimal overall amenity impacts to the adjacent areas and connectivity to nearby centres.

4.1.4 Bankstown City Centre Master Plan

As recommended in the Bankstown City Master Plan (Master Plan), Council resolved for the Bankstown Central application to proceed independently of the Master Plan, as it requires more detailed analysis and assessment given the size and complex nature of the site. The Master Plan provides direction on desired future through-site links, the location of open space and the seeking a minimum 50% of total floor space on the Town Centre Precinct of the Bankstown Central site to be employment-generating uses. The Master Plan identifies the opportunity for multi-purpose indoor sports facilities to be delivered as part of any redevelopment of key sites such as Bankstown Central (Action 1.1.5).

The adopted Master Plan also includes indicative height principles for the site based on the intensification strategy, noting that height of building controls and other matters will be tested and resolved separately through the Planning Proposal process. It is noted that the incentive clause mechanisms within the Master Plan do not apply to the Bankstown Central site in recognition of the large size of the site and its ability to be staged over time and deliver a significant proportion of future housing and jobs growth.

The Planning Proposal to implement the Bankstown Master Plan was submitted to the Department of Planning and Environment in March 2022. Council staff have been supportive of considering a separate Planning Proposal for this site given its size, complexity, public benefit offer, and the need for further detailed analysis and design considerations to be addressed during the preparation of a site specific DCP. Notwithstanding, the Bankstown Masterplan has provided principles for this site which have been reflected in the Planning Proposal.

Figure 15: Bankstown City Centre Master Plan 'Framework Map'

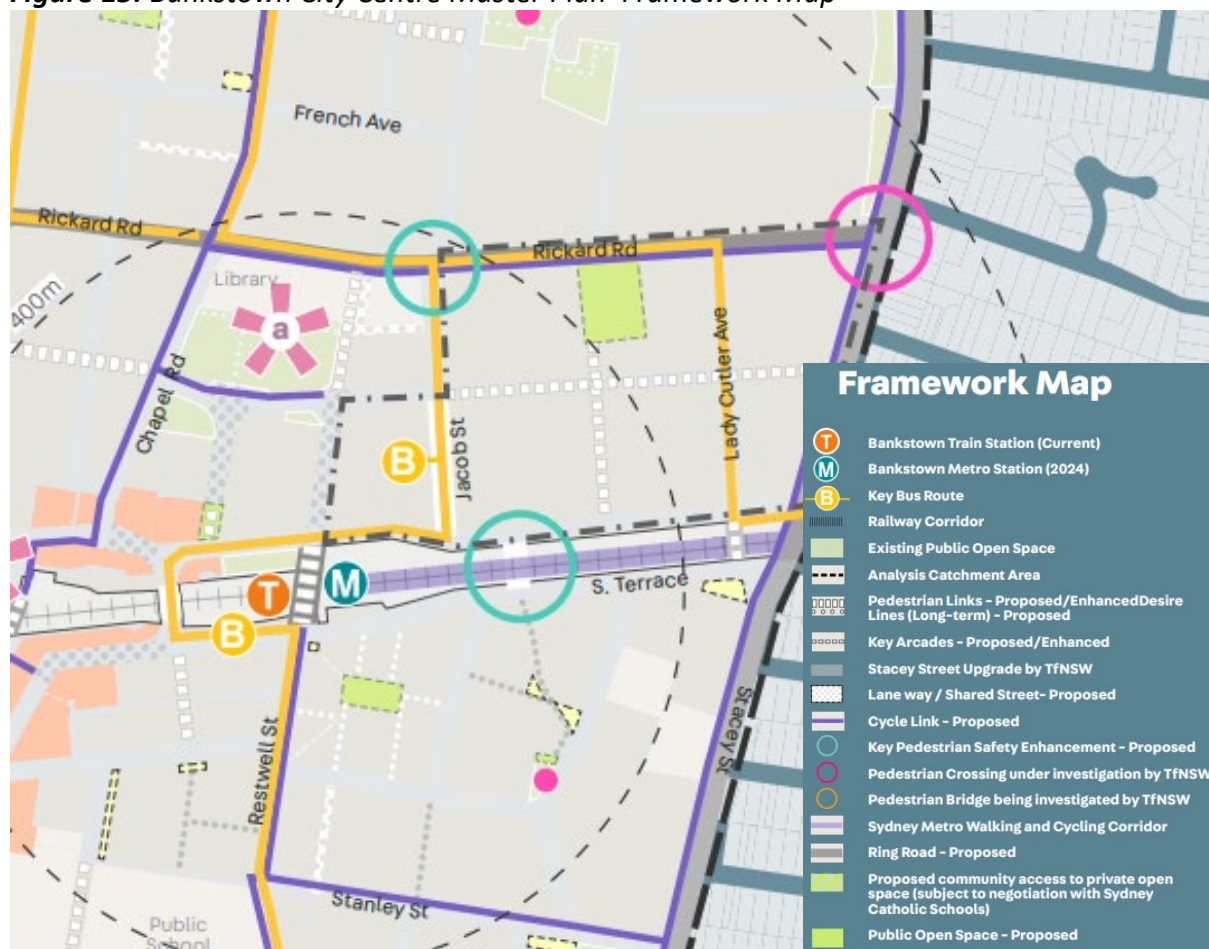
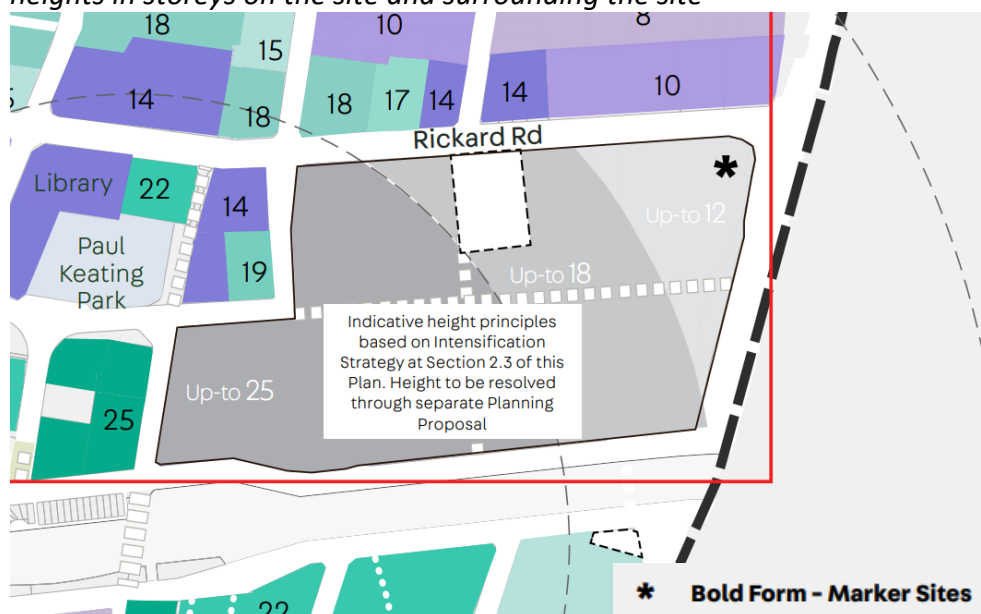


Figure 16: Bankstown City Centre Master Plan 'Bankstown Land and Zoning Map'



Figure 17: Bankstown City Centre Master Plan 'Proposed Building Heights Map' showing heights in storeys on the site and surrounding the site



4.2 Urban Design and Concept Structure Plan

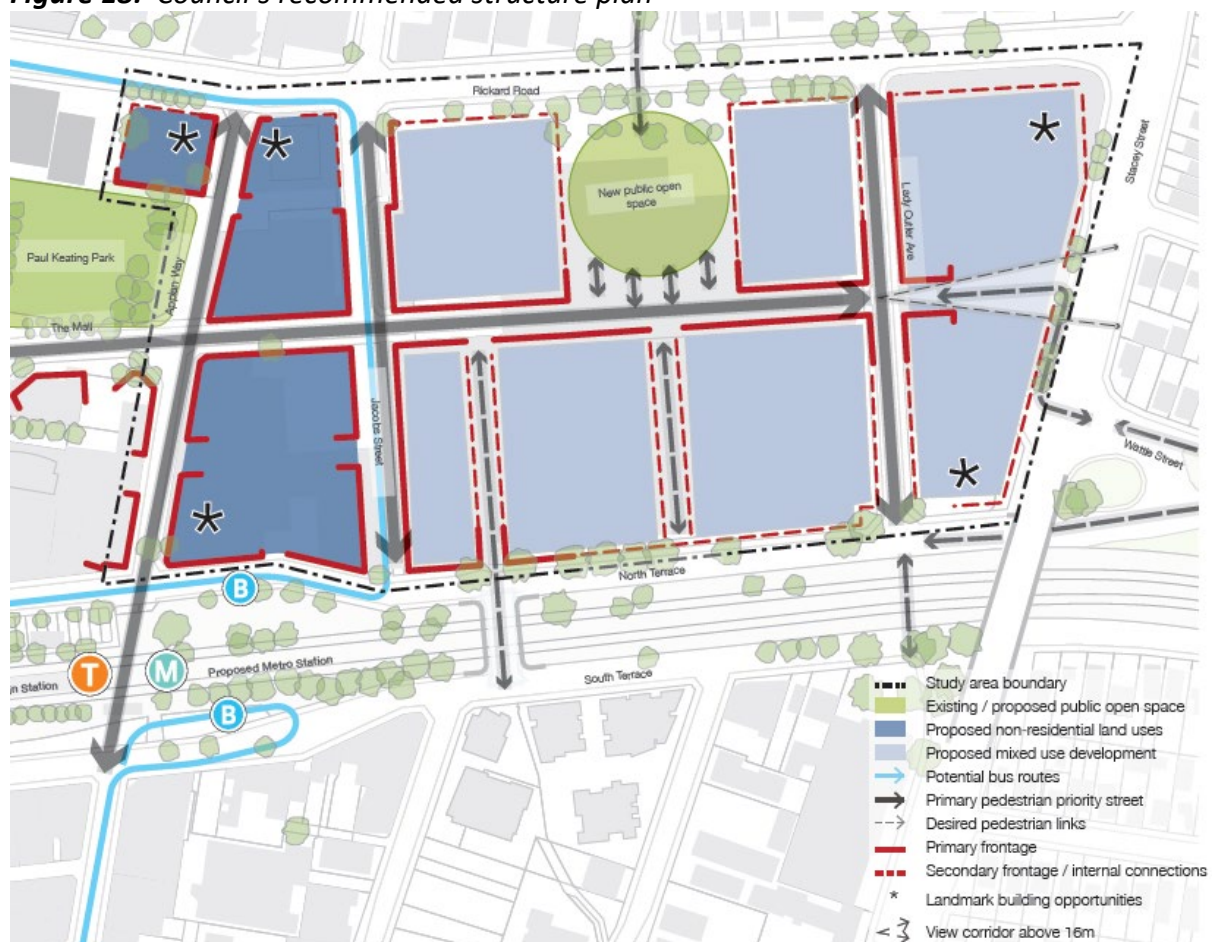
Council officers have held constructive discussions with the landowner and provided feedback on future master planning for the Bankstown Central site since 2015. Urban design and structure planning work was also undertaken in 2019 and urban design principles provided to the proponent as a guide for a future Planning Proposal in December 2019.

The Planning Proposal generally reflects the dialogue between Council and the proponent and incorporates key urban design principles developed by a Council commissioned Urban Design Study prepared by specialist urban design consultants. This document, known as the *Bankstown Central Urban Design Study* of November 2019, informs the Council's assessment of the Planning Proposal on the following 10 key urban design "structuring elements" for the redevelopment of the site:

1. A new central open space/public park of 5,000m².
2. Jacobs Street is extended between Rickard Road and North Terrace.
3. An east-west link as an extension of The Mall running between Jacobs Street and Lady Cutler Drive.
4. Land bound by the Appian Way, Rickard Road, Jacobs Street and North Terrace to be reserved for commercial land uses. Residential land uses to be minimised in order to facilitate employment generating floor space and uses.
5. Pedestrian linkages between North Terrace and the new east west link.
6. Active frontages onto all streets and open spaces.
7. Breaking up the site into smaller city blocks with new roads and internal pedestrian connections to make the site more permeable for pedestrians, outward facing with active frontages and better integrated with the surrounding area.
8. Optimise the site layout to facilitate the easy movement of people to and from public transport facilities and interchanging with other transport modes.
9. Encourage walking by locating car parking on the periphery of the centre.
10. Appian Way is the primary north south pedestrian link for the centre (noting the 'centre' includes land beyond the site to the east).

The structure plan suggested by Council in 2019 illustrates these 10 structuring elements (see Figure 19 below).

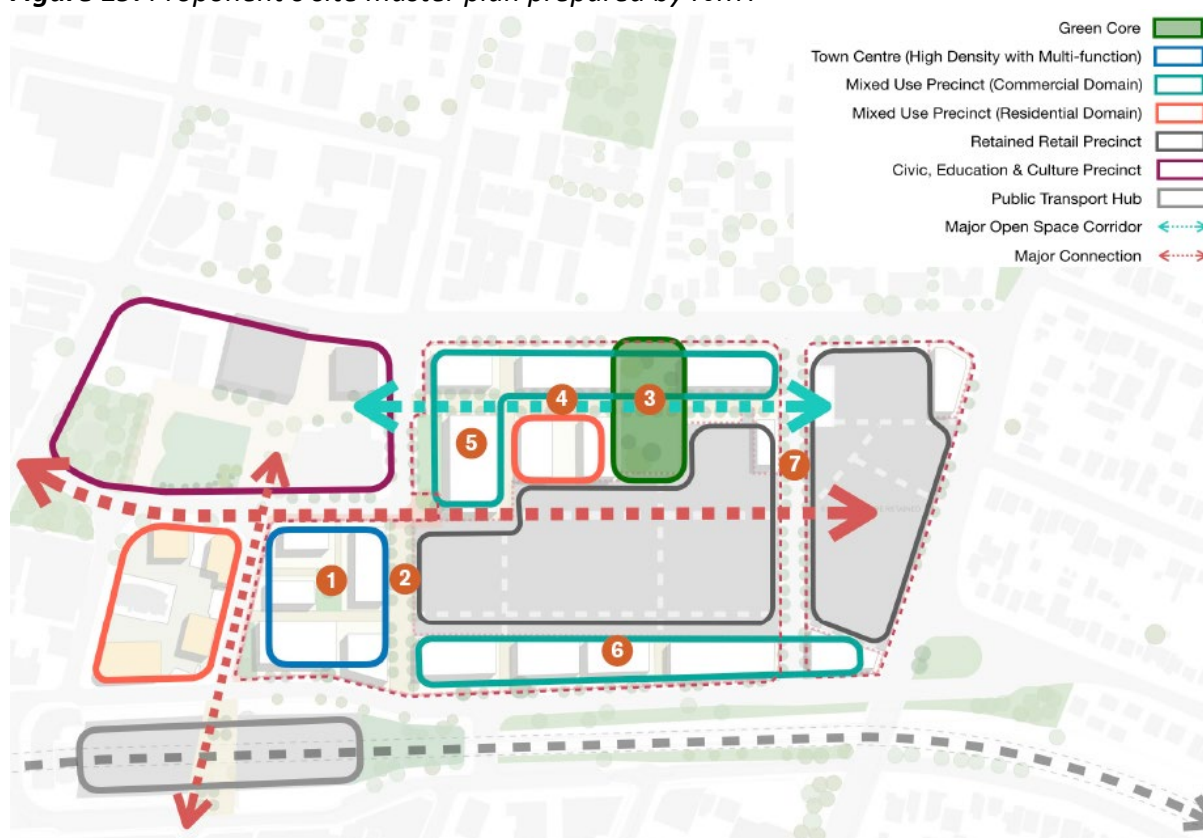
Figure 18: Council's recommended structure plan



The structure plan submitted by the proponent adheres to most of the principles developed by Council, and importantly provides a 5,000m² public park located on Rickard Road, extends Jacob Street and commits to 50% minimum employment generating uses for the Town Centre Precinct. Some of the differences between the 10 key urban design “structuring elements” developed by SJB Architects and the Planning Proposal include:

- The main east-west link is to the north of The Mall.
- The extension of The Mall through the site is to be pedestrian only and an internalised link through the shopping centre rather than an ‘open to the air’ thoroughfare.
- No new north south links between The Mall and North Terrace due to retention of the core central areas of the existing shopping centre.
- No changes to the Stacey Street Precinct in terms of providing pedestrian links.

Figure 19: Proponent’s site master plan prepared by FJMT



The proposed departures from Council’s suggested structure plan do not necessarily hinder achieving the desired outcomes. Of the above differences, a significant departure is that the east-west link suggested as an open extension of The Mall has been provided as an extension from Civic Drive to Lady Cutler Avenue. The Planning Proposal will facilitate instead of a dedicated street, an internalised east-west pedestrian link extending from The Mall to Lady Cutler Avenue. This new internalised pedestrian link will deliver similar positive pedestrian only connectivity outcomes within an all-weather protected environment. A pedestrian only link is also consistent with Council’s Bankstown Complete Streets policy.

The proponent’s east west link to the north off The Mall in addition to the internalised east-west extension of The Mall will also improve connectivity between the northern part of the site, the eastern edge of the CBD and the CBD core and rail/Metro stations to the west and south-west by linking with The Appian Way and Jacob Street extension.

Whilst an “open to sky” east west link as an extension of The Mall is not proposed in the proponent’s concept design due to the physical constraints imposed by the continued operation of the shopping centre, it is the position of Council staff that this Planning Proposal does not prevent such a thoroughfare being delivered as a longer term outcome for the site. The Planning Proposal vision includes retention of a vast majority of the existing shopping centre, which physically limits the ability to deliver a new pedestrian or slow traffic street through the middle of the site.

The other remaining inconsistencies between the proposal and Council’s suggested structure plan are relatively minor and will be further examined and addressed in the site specific DCP to be prepared and publicly exhibited by Council concurrently with the Planning Proposal and Planning Agreement. The key matters that will be addressed in the site specific DCP will include, but not limited to:

- Character statements and design objectives for each precinct
- Staging
- Active street frontages
- Podium and tower setbacks.
- Street wall height
- Building separation
- Landscaped areas
- Public open space and landscaping
- Solar access
- Environmental sustainability
- Car parking and vehicle loading, and
- Design quality (incl. principles for varied building heights).

Environmental Sustainability

To ensure future development on the site achieves a high standard of environment sustainability and building performance, the site specific DCP will include the requirement for an Environmentally Sustainable Design (ESD) report to be submitted with DAs to confirm what building design measures will be implemented to reduce construction waste and to minimise energy and water consumption once operational.

The DCP will also require commercial development to be designed consistent with the requirements of the National Construction Code, the National Australian Built Environment Rating System (NABERS), as well as certification under the Green Star and WELL rating systems. Future residential redevelopment of the site will be required to comply as a minimum with the relevant BASIX and NatHERS requirements. Further, the site specific DCP will include sustainability requirements such as the following which will also be implemented as part of the Bankstown City Centre Development Control Plan:

- Deep soil landscape controls for increased tree canopy across the site
- Reduced heat reflectivity and absorption controls for new buildings
- Revised natural ventilation controls
- Natural refrigerants for all cooling systems
- Stormwater collection and reuse
- Green roofs and green wall design, and

- Maximum car parking rates.

4.3 Floor Space Ratio

The Planning Proposal seeks an increase in FSR for the site overall from 3.5:1 to 3.9:1 which equates to approximately 48,300m² of additional floor space. The existing and proposed FSRs for each precinct are as follows:

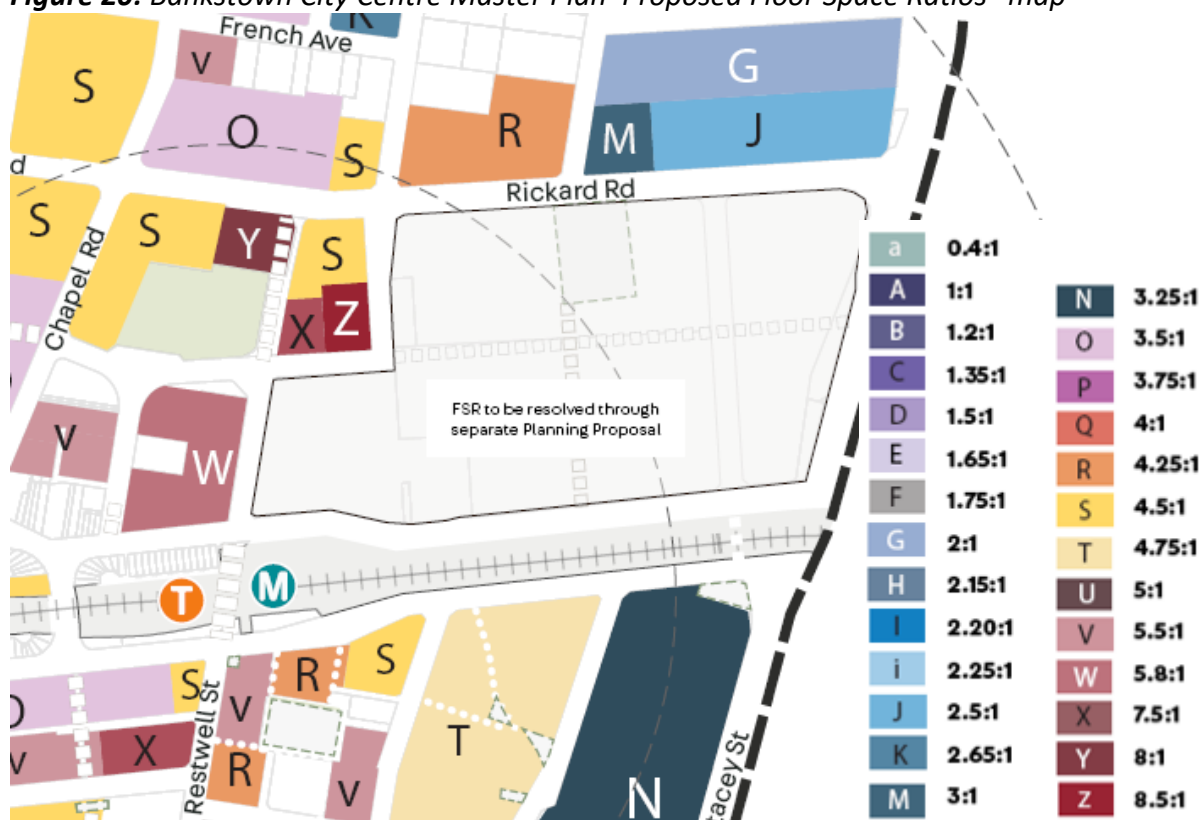
Table 4: Summary of current and proposed Floor Space Ratios for the subject site

Precinct	Current FSR	Current FSR + sustainability bonus (CI 4.4A)	Proposed FSR	Difference
Town Centre Precinct	3:1	3.5:1	7:1	+ 3.5:1
North Terrace Precinct	3:1	3.5:1	3.8:1	+ 0.3:1
Rickard Road Precinct	3:1	3.5:1	3.4:1	- 0.1:1
Stacey Street Precinct	3:1	3.5:1	3:1	- 0.5:1

The FSR of 7:1 proposed on the Town Centre Precinct seeks to capitalise on the location of that precinct close to the CBD core and within 50m of the Bankstown railway station and future Metro station. The increased FSRs for the Town Centre Precinct (7:1) and North Terrace (3.8:1) are supported by Council officers as the higher FSR is located in areas that are best suited to higher building density, and thus employment and dwelling floor space, due to their proximity to mass transit transport services, the minimal environmental impacts likely to occur on the surrounding area as a result of tall towers in these locations, and the location of nearby proposed public facilities including parks and open space within short walking distance. Further discussion of the solar impact analysis of this proposal is provided below under 4.4. Building Height.

Higher FSRs in these locations will also provide a logical transition in FSRs proposed within the Bankstown City Centre Master Plan on adjoining sites to the west and south which ranges from 4.25:1 to 8.5:1 (refer to the figure below). In context of the Master Plan, the proposed FSRs for the site are consistent with those on other strategically important sites within close proximity to the future Metro Station.

Figure 20: Bankstown City Centre Master Plan ‘Proposed Floor Space Ratios’ map



To ensure employment floor space is delivered to assist Council in achieving its jobs growth target the Planning Proposal will include a planning mechanism in BLEP 2015 to impose a minimum non-residential development floor space control of 50% for the Town Centre Precinct and a minimum 40% non-residential floor space across the entire site. The details of the planning mechanism will be included in the Planning Proposal prior to exhibition.

The precinct based approach to applying different FSRs to each precinct is considered a logical and practical means of locating density in the right location and delivering the vision for the site and the Bankstown CBD. The precinct based FSRs will be reflected in the draft BLEP 2015 maps and assist with the staged delivery of public benefits linked with a Planning Agreement.

The proposed FSRs in this Planning Proposal are consistent with Council’s objectives for the future growth of the Bankstown CBD in the LSPS and in the Master Plan and to cater for the expected worker and resident population by 2036. The use of an overall FSR is mainly to assist with comparisons with the current overall FSR under BLEP 2015. This has no impact on the FSRs sought for the proposal which remain as per the proposed FSRs for each precinct as outlined in Table 4 and an overall FSR for the site is not proposed to be applied as an LEP Amendment.

4.4 Building Height

The Planning Proposal will allow the site to deliver increased building heights consistent with Council’s and the State Government’s future desired character and adopted strategic vision of the Bankstown CBD.

The tallest building heights are proposed on the western and southern sides of the site, forming a cluster of taller towers in a future CBD core. This approach is supported as it is located closer to the Bankstown Railway and future Metro Station and forms a synergy with future development on the Compass Site (83-85 and 99 North Terrace and 62 The Mall) which permits towers up to 83m/approx. 25 storeys, Western Sydney University at 83m and the 'Hoyts' cinema site (63 The Mall) up to 74m/19 storeys. The proposed building heights will progressively lower in height across the site from south west to north and east to provide a scale transition with the areas to the north and east of the site.

The proposed heights are constrained to the maximum PANS-OPS building heights permitted under aeronautical constraints imposed by proximity of the site with Bankstown Airport. The maximum building height limit of RL 108.2 is consistent with the Airspace Constraints Study commissioned by Council as part of the Bankstown City Centre Master Plan. It is anticipated that referral of the Planning Proposal to the Bankstown Airport operator, Sydney Metro Airports and the relevant Commonwealth authorities such as Civil Aviation Safety Authority (CASA), would be undertaken by Council consistent with the conditions of a Gateway determination.

The recommended building heights have been assessed for solar access impacts and found that height has been located in areas to minimise impacts. The proposed building heights will maintain solar access to key public spaces including the future public park facing Rickard Road located on the site and the future extension of The Appian Way that will form a new pedestrian plaza between the existing heavy rail line and the new Metro station (to be delivered by 2024). A majority of the overshadowing will fall onto the railway corridor to the south of the site, to the east of the future Metro Station.

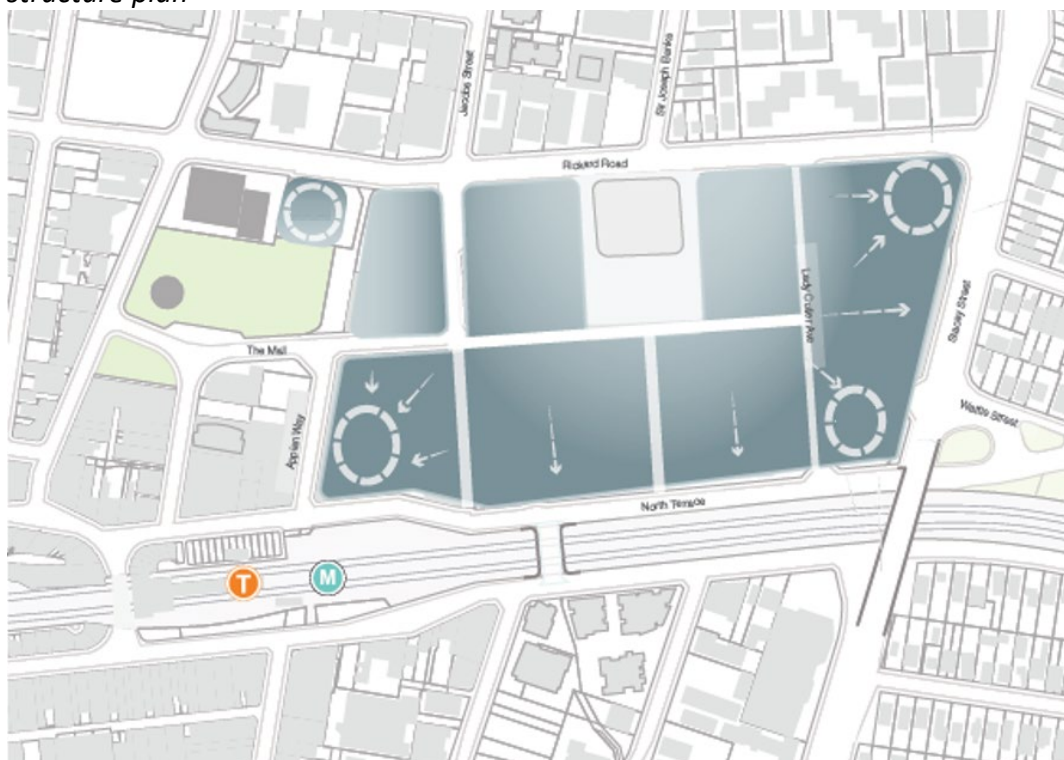
The site specific DCP to be prepared by Council will ensure the varied distribution of heights is controlled to provide a visually interesting skyline as the site develops with some variation in tower heights. Development controls such as building separation, podium/street wall heights, setbacks, solar access, car parking and landscaped areas will assist with providing appropriate built form outcomes consistent with the objectives of the Planning Proposal and strategic vision for Bankstown CBD.

The Planning Proposal building heights are compatible with the building heights envisaged for the site as part of Council's suggested structure plan of 2019. The structure plan recommended landmark towers in the north east, north west, south west and south east corners of the site and opportunities for the tallest towers to be located in the south west corner (referred as the Town Centre Precinct in this Planning Proposal), along North Terrace and on the eastern side of the site.

Council's suggested structure plan recommends towers up to RL108.2 (approximately 25 storeys) in the Town Centre and Stacey Street Precincts which is the maximum permitted under PANS-OPS aeronautical operational constraints imposed by Bankstown Airport airspace safety requirements (refer to

Council's assessment of the proposal has given regard to the design principles for the site in the suggested structure plan and the Bankstown Master Plan, and it supports locating the tallest towers in the Town Centre Precinct (up to 86m) and along the southern edge of the North Terrace Precinct (up to 83m). The location of these taller building heights aligns with the Bankstown Master Plan which proposes towers ranging in height from 19 to 25 storeys closest to the Town Centre Precinct including sites ranging from 15 to 25 storeys on the southern side of the railway line (see Figure 21).

Figure 22: Recommended landmark tower locations (circled) from Council's suggested structure plan



A discussion of the key matters addressed during the assessment of building height implications for each Precinct is provided below.

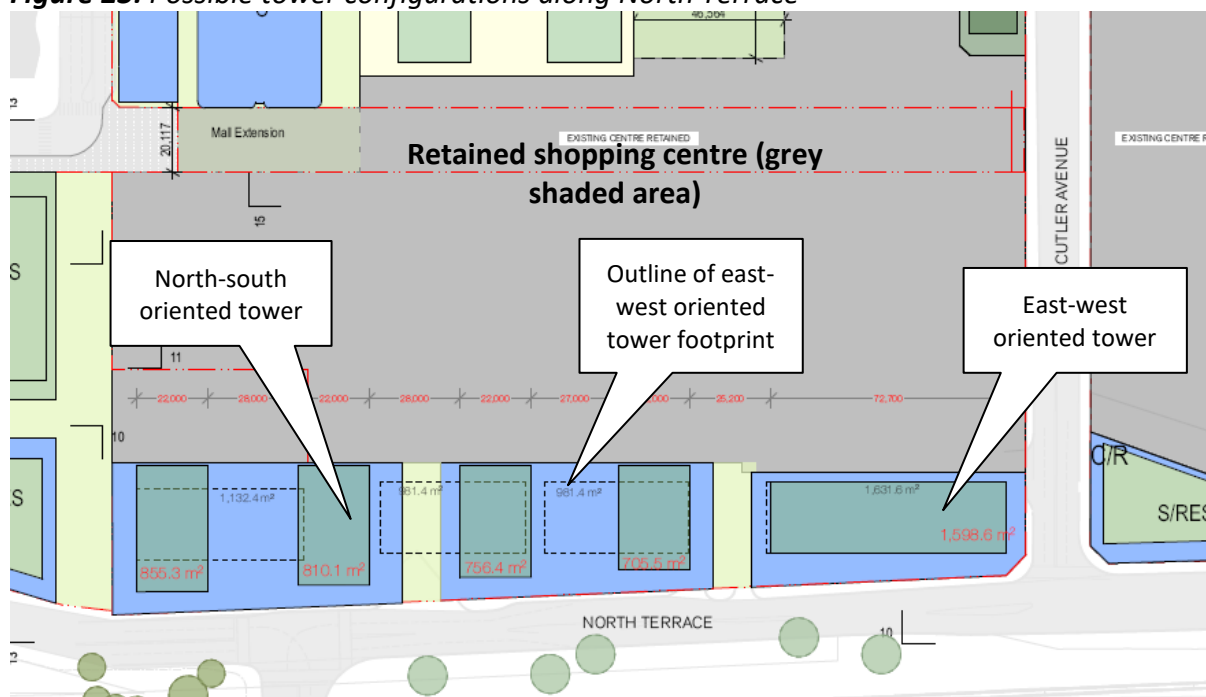
Town Centre Precinct and North Terrace Precinct

Council's assessment of the building heights for the Town Centre precinct considered potential solar access impacts on The Appian Way and onto the proposed pedestrian concourse to be constructed between the existing Bankstown railway station and the future Metro station as an extension of Restwell Street. Council's Bankstown Master Plan designates The Appian Way and Restwell Streets as 'Key Streets' and development must maintain solar access to 50% of these streets between 12pm-2pm on the Winter Solstice.

The solar analysis conducted for the proposal illustrates that 86m tower heights (RL 108.2) has no impact on the solar access achievable on the future Metro Station concourse between 12-2pm, nor will the proposal cast shadows onto the Appian Way after 11.30am on the Winter Solstice.

The Planning Proposal seeks to enable towers up to 83m along the North Terrace frontage of the site (on the southern edge of the North Terrace Precinct). Because the concept design seeks to retain the central core of the existing shopping centre, this will create a relatively narrow strip of land along North Terrace where four towers are proposed to be located. The proponent provided building footprints showing towers up to 72m in length may be provided in this location in an east-west orientation due to the constraints of the site. See figure below.

Figure 23: Possible tower configurations along North Terrace



The figure above also shows indicative alternative tower forms orientated north-south which could have 22m lengths to North Terrace. Council's preference is for towers along North Terrace to have a north-south orientation to minimise visual bulk and building mass. Taller, narrower tower forms in a north-south orientation would also have the potential to minimise solar access impacts to the residential development to the south along South Terrace. It is intended to manage this issue by including objectives, and development controls if necessary in the site specific DCP to ensure towers along North Terrace minimise visual bulk and mass and maximises building separation to provide visual interest and higher amenity of occupants on and off the site in accordance with SEPP 65 and the Apartment Design Guide.

The site specific DCP will require any towers on the site to demonstrate through solar access modelling that the private open space and key living spaces of adjoining residential properties will not be adversely impacted on the Winter Solstice by future development on the site.

Stacey Street Precinct

Two towers are proposed to 'bookend' the Stacey Street precinct which comprises land bound by Stacey Street, Rickard Road, Lady Cutler Drive and North Terrace. The northern tower height of 46m will act as a marker for the eastern edge of the Bankstown CBD. The southern tower will have a maximum building height of 55m and will provide a transition to the taller towers to the west in the North Terrace Precinct. The site specific DCP will include controls to ensure noise, odour and other amenity impacts from road traffic on Stacey Street and noise from the railway line are appropriately managed to ensure amenity of residents within future residential towers will be protected.

The tower heights proposed in the planning proposal give regard to the building height 'Intensification Strategy' of the Bankstown Master Plan which provides a coherent approach to applying heights across the Bankstown CBD with the tallest buildings and thus greater population density near the Bankstown railway station/future Metro station and reducing building heights the further distance from that central point. The proposed tower heights of 46m (corner Stacey St and Rickard Rd) and 55m (corner Stacey St and North Terrace) also consider the fact that the majority of the Stacey Street Precinct will remain a lower scale retail shopping centre building as part of this Planning Proposal.

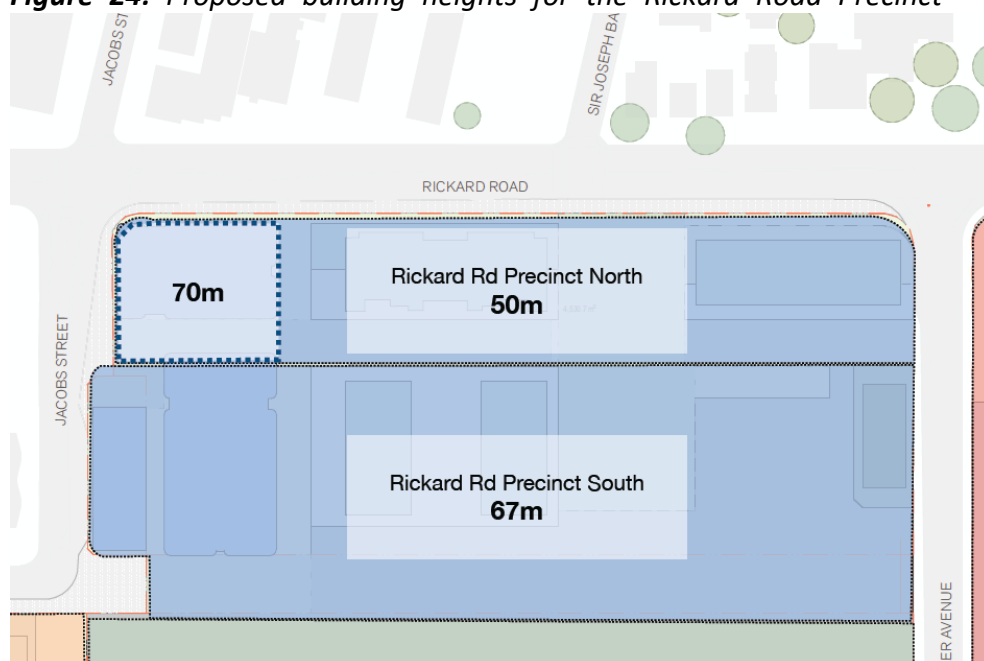
The Stacey Street Precinct is proposed to be developed as the final two stages by the proponent. The proponent has advised that leases for the two largest tenancies within the Stacey Street Precinct, Woolworths and Big W, expire in 2046. Dan Murphy's lease expires in 2036. The constraints imposed by the large size of these anchor tenancies, and the long term lease expirations, will dictate when the Precinct will be available for redevelopment. For these reasons, the Planning Proposal will not increase the building height above the central core of the existing shopping centre and the existing 35m maximum building height will be maintained for the majority of the Stacey Street Precinct.

Rickard Road Precinct

The Rickard Road Precinct is split into two precincts, with the Rickard Road North Precinct proposing a predominant maximum building height of 50m with a 70m building height on the western end of the North Precinct, at the intersection of Jacob Street and Rickard Road. This 70m building height is taller than Council's suggested structure plan which recommends a 35m building height (approximately 10 storeys) along the entire northern side of the Rickard Road Precinct. The proposed 50m height is acceptable as it will be consistent with the 48m to 61m maximum building height along the northern side of Rickard Road opposite the site under the Bankstown Master Plan. The taller tower element up to 70m on the western edge of the North Precinct is supported by Council, despite the departure from Council's suggested structure plan on the basis that a 70m building height:

- Demarcates an important corner within the CBD to the site and acts a landmark tower that signals the entrance to the northern 'core' of the CBD and creates a strong visual presence on the Bankstown Central site.
- Creates a small cluster of taller towers along this part of Rickard Road that transitions from the 70m tower element (approx. 20 storeys), to Council's 11 storey Civic Tower and terminating at the proposed WSU Bankstown campus tower (19 storeys, 83m). The proposed 70m height is similar to the maximum building heights opposite to the northern side of Rickard Road of 17 and 18 storeys.
- Achieves this additional height without impacting solar access to key public open space on and off-site.
- Enhances the prominence and stature of Rickard Road as a key thoroughfare/boulevard which is a roadway of a scale that is able to support taller towers in this location.

Figure 24: Proposed building heights for the Rickard Road Precinct – North and South



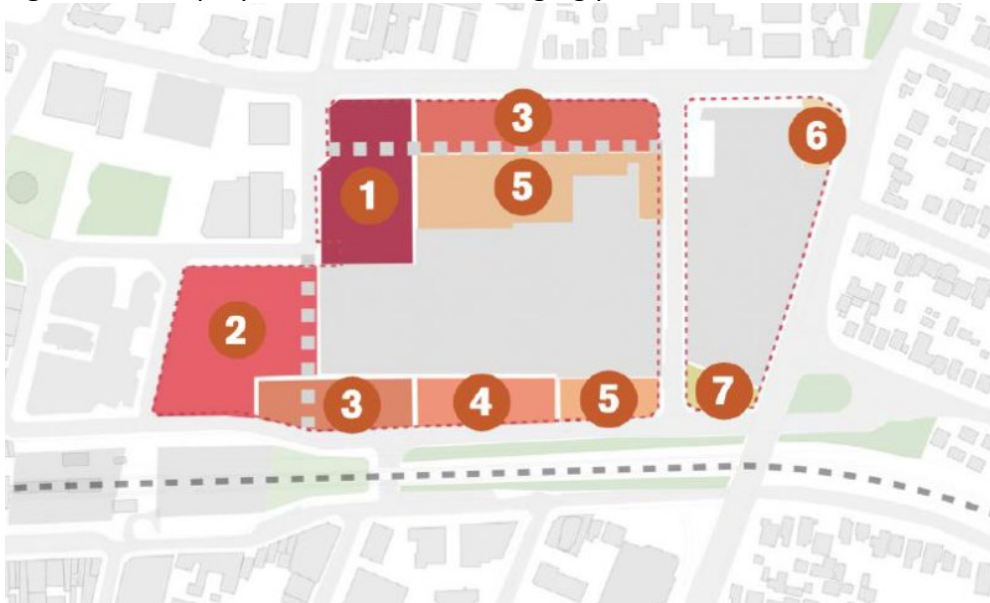
4.5 Staging

The Planning Proposal envisages delivery over seven stages (refer to **Figure 25**). The proposed staging is largely influenced by the timing of commercial lease expiration of large retail tenants within the Bankstown Central shopping centre site. The staging of the Planning Proposal is important to understand how redevelopment will occur over the site over the coming years, as well as how a future planning agreement for public benefits would be linked to each stage:

Stage	Indicative Timeframe
Stage 1: Bus Precinct	2020-2025
Stage 2: Town Centre	2022-2027
Stage 3: North Terrace West + Rickard Road North	2023-2029
Stage 4: North Terrace Centre	2028-2032
Stage 5: North Terrace East + Rickard Road South	2030-2034
Stage 6: Stacey Street Precinct North	2032-2036
Stage 7: Stacey Street Precinct South	2034-2038

The proponent has provided reasonable detail regarding the constraints and Council is supportive of the staging of the delivery of the project, however the key public benefits including the public park, multi-purpose indoor facility and incubator space should be delivered as early as possible to ensure the increased resident and worker population on the site is able to use these facilities once they commence occupying the site.

Figure 25: The proponent's indicative staging plan



In light of the above, Council makes the following comments regarding the proponent's proposed staging:

- It is not desirable or practical for delivery of the new public park to be split across two stages with no certainty regarding when the second part of the park will be completed. The first part of the park completed would be located within the surrounding existing car parking with poor connectivity and activation with the existing centre.
- The Jacob Street extension should be carried out in a single stage, not split across two stages (Stages 2 and 3). This is to ensure that vehicle traffic, including buses, is able to move efficiently through the Bankstown CBD particular given the conversion of The Appian Way to pedestrian focussed shared zone.

Council recognises that despite the lease expiration timing issue, the delivery of the project is dependent on a number of external factors and broader economic influences. Council is cognisant that the staging provided by the proponent is indicative only and there is no guarantee that the timing proposed for the commencement of each stage of the project will proceed as nominated by the proponent.

Notwithstanding, the delivery of public infrastructure works that are required to support the intensification of the site must be delivered in a logical sequence that is linked to the redevelopment stages and incorporated into the Planning Agreement that Council will continue to negotiate with the proponent to maximise certainty around the delivery of these items.

4.6 Affordable Housing

The proposal as originally lodged in 2019 included provision of 5% affordable housing on-site which was equivalent to around 48 affordable rental units. A peer review of the planning proposal commissioned by Council identified a future need for affordable housing for persons living in the Bankstown CBD noting that *"High density Bankstown CBD living is likely to become a place for not only lone person households but also couples with children too due to the*

services within reach and affordable housing choice". The peer review report supports the provision of 5% affordable rental housing on the site.

Over the course of the assessment of the application, Council exhibited and adopted the Bankstown Master Plan in late 2021. The Master Plan includes mechanisms to incentivise new development to deliver affordable housing, new infrastructure and employment generating floor space through an incentive height and floor space system. For sites to receive a Floor Space Ratio uplift of more than 1:1 above the current maximum FSR controls, the delivery of one of the following will be required:

- The delivery of on-site infrastructure,
- The delivery of affordable housing, or
- The delivery of substantial employment generating floor space (greater than 50%).

The Master Plan stipulates that development that is providing onsite infrastructure, or more than 50% employment generating floor space will not be required to contribute to affordable housing. The Master Plan defines 'on-site infrastructure as any of the following:

- Through-site links.
- Open space (new or expansions of existing).
- Sports and recreational facilities.
- Multi-purpose facilities.

While the application is being progressed separately to the Bankstown Master Plan Planning Proposal, it is important that it reflects its principles. One of the key principles of the Master Plan is for key sites to include delivery of 50% employment generating floor space in the Town Centre Precinct. The proposal adopts this requirement for the Town Centre Precinct and also proposes 40% employment generating floor space across the site overall and new public open space and a multi-purpose sporting facility. If the site were within the Master Plan area, there would be no requirement to deliver affordable housing. It is acknowledged that the controls within the Master Plan in relation to uplift were not necessarily envisaged to apply to large sites of the scale of the Bankstown Central site (11.4ha) and therefore comparisons of the site with surrounding, smaller sites which are subject to the Master Plan incentive planning mechanisms, is not an instructive comparison.

It is important to note that the site is not currently built to its maximum potential and the proponent has the ability to submit a Development Application for shop top housing across the site. If a DA was submitted under current planning rules it would not be required to deliver any affordable housing or public infrastructure as identified in this Planning Proposal.

As noted in this report, the Planning Proposal has the potential to supply 60% of Council's target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan. This is a significant contribution towards fulfilling the targets of Council and may reduce development pressures on other areas within the LGA. In addition, the Letter of Offer submitted by the proponent will include provision of public infrastructure that will benefit the residents and workers on the site in the future, as well as people that visit from outside of the site.

The proponent has submitted an Affordable Housing Statement of Intent which makes the following comments:

- The provision of affordable housing will be explored by the land owners.
- The proposal will facilitate key worker accommodation within the site which could help support the delivery of employment generating uses on the Site and across the Bankstown CBD including future infrastructure like a new hospital in the CBD, the provision of allied health services and expansion of education uses within the CBD, including WSU.
- Subject to its financial viability, the proponent will consider the provision of a component of affordable housing on the site as the design of the residential components are developed.
- The proponent is in discussions with WSU regarding the potential for student accommodation to be delivered on the site to support its initial demand.
- It is the proponent's intention to retain ownership of any affordable housing delivered on the site. This poses a barrier as to how affordable housing will be incorporated into the Build to Rent (BTR) given such housing will not be able to be transferred to Council or other party to be managed.

For the reasons above, Council has accepted that affordable housing will not be a mandatory requirement of the Planning Proposal as the required minimum employment generating floor space will be delivered across the site.

4.7 Public Benefit/Infrastructure Needs

The proponent has provided a Letter of Offer that outlines a commitment to deliver a range of public infrastructure and community benefits to be delivered following the finalisation of the Planning Proposal and the making of the LEP Amendment. The items in the Letter of Offer are summarised in the table below and include the proponent's proposed method of delivery and timing. Further negotiation is required between Council and proponent to ensure the scope of works, delivery and timing is acceptable. The items contained in the Letter of Offer will be ultimately included as part of a Planning Agreement to be exhibited and finalised post Gateway.

Table 5: Requested items for Public Benefit and required infrastructure works

Public Infrastructure/benefit	Proponent's Delivery and Timing
1 An easement over a 5,000m ² publicly accessible open space (Public Park) along Rickard Road including a playground and urban plaza. The Proponent will deliver the works and create an easement over the park in favour of Council to facilitate public access. The park would remain in the ownership of Vicinity.	To be delivered in stages with the northern portion of the park to be delivered prior to the issue of the Occupation Certificate (OC) for Towers L and M. The southern portion of the park to be delivered prior to the issue of the OC for Towers Q and R. Capped at a total cost of \$5.5 million excluding demolition and costs associated with reconfiguring the Centre to construct the park. Council comment: The staged delivery of the park is not supported as there is no certainty when the second portion will be delivered. This is an important component of the long term success of this site and should be delivered in a single stage. The total cost has yet to be reviewed by Council.
2 Extension of Jacobs Street between The Mall and North Terrace into a shared bus and pedestrian way to North Terrace	The Proponent to demolish and clear the land of all structures and improvements where the Jacobs Street extension is to be located within the eastern side of the Town Centre Precinct. That part of the site would be then handed over to Council to construct the road

	<p>prior to the first OC being granted for redevelopment of the Town Centre Precinct.</p> <p>Upon Council's completion of the road works the land will be subdivided, and ownership transferred to Council. All costs associated with the land subdivision would be borne by the Proponent.</p> <p>Council comment: Council does not object in principle to the proposed delivery and timing of this item. However, the transfer of ownership of the future Jacobs Street extension to Council should occur at the time of the first OC as they are likely to be multiple OCs related to this Precinct.</p> <p>It is Council's expectation that the design and construction of the Jacobs Street extension would be delivered by the applicant (in consultation with Council) as a requirement of any future DA for the Town Centre Precinct as is the standard practice for other large scale redevelopment in the Canterbury Bankstown LGA.</p>
3 Deliver a 1,000m ² Multi-Purpose Facility (MPF) for two indoor courts and enter into long term lease with Council to operate.	<p>Council to provide the Proponent with a 30-year triple net lease for \$1 net rent plus outgoings including land tax in relation to the MPF. The intention being the MPF is leased with a "peppercorn" rent with ongoing maintenance and operational costs to be borne by Council and offset with income generated from its operation.</p> <p>The delivery of the MPF will be subject to DA approval and the MPF GFA is to be allocated based on bonus GFA over and above the FSR allocated to the Land as shown on the FSR map or otherwise available to the site.</p> <p>If a suitable location is not identified and agreed between the proponent and Council the proponent will provide a monetary contribution of up to \$4million to Council for construction of the facility elsewhere within the Bankstown area.</p> <p>Council comment: Council accepts ongoing management of the facility and does not object in principle to the proposed 'peppercorn rent' arrangement, however the costing for the \$4million monetary contribution has not yet been reviewed by Council. Council has yet to form a position on offsetting the MPF GFA as additional FSR over and above the proposed FSR of 3.9:1 with this to be resolved through the preparation of the planning agreement.</p>
4 Deliver 200m ² of Incubator Space to be fitted out as a warm shell open plan layout suitable for use as office space and enter into long term lease with Council to operate.	<p>Council to provide the Proponent with a 30-year triple net lease for \$1 net rent plus outgoings including land tax. The intention being the Incubator Space is leased with a "peppercorn" rent with ongoing maintenance and operational costs to be borne by Council and offset with any income generated from its operation.</p> <p>The delivery will be subject to DA approval and the Incubator Space's GFA is to be allocated based on bonus GFA over and above the FSR allocated to the Land as shown on the FSR map or otherwise available to the site.</p> <p>Council comment: Council accepts ongoing management of the facility and does not object in principle to the proposed 'peppercorn</p>

	rent' arrangement, however Council has yet to form a position on offsetting the incubator space GFA as additional FSR over and above the proposed FSR of 3.9:1.
5	<p>Completion of proposed town centre separated cycleway along the southern side of Rickard Road and the eastern side of The Appian Way frontages to the site in accordance with Complete Streets requirements.</p> <p>Works to be delivered in accordance with Complete Streets requirements and staged to align with the delivery of each adjoining building within the detailed concept masterplan.</p> <p>Council comment: Council does not object in principle to the proposed delivery and timing of this item. However, in the event there is an opportunity to deliver the works prior to when the proponent proposes, Council should be able to seek funding for the works from the proponent and the item removed from the Planning Agreement.</p>

4.8 Transport and Access

Vision for Bankstown CBD under the Master Plan and Complete Streets

The Complete Streets CBD Transport and Place Plan was adopted by Council in October 2019. The Complete Streets plan provides a vision and detailed framework to transform Bankstown into a more liveable, safe and attractive City. The core principle of Complete Streets is to provide well-designed, quality streets so that whether by foot, bike, bus, train or car it is easy to get into and around the city centre safely and conveniently. Complete Streets seeks to make the Bankstown CBD a desirable destination to live, work and visit, famous for its cultural diversity and walkable streets.

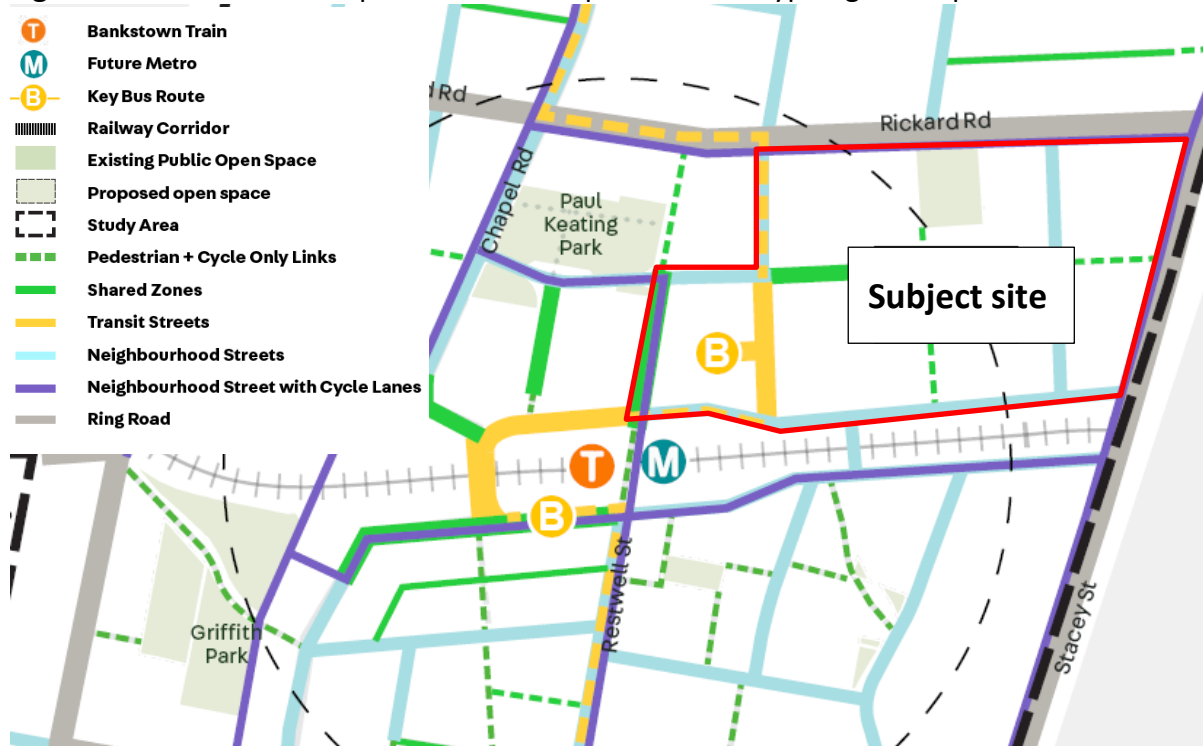
The key strategies of Complete Streets relevant to the Planning Proposal are:

- Strategy D – Simplify bus routes and better integrate station and layover space.
- Strategy E – Slower, safer CBD streets.
- Strategy F – High amenity CBD streets.
- Strategy H – Connect regional cycling links through the CBD.
- Strategy J – Create pedestrian priority 'Activity Spine' linking key destinations with transport

Council provided the proponent with these principles prior to the lodgement of the application and the Planning Proposal has addressed these requirements through providing the Jacob Street extension, providing an east-west extension through the site, including pedestrian focused boulevards and plazas, and committing to deliver the cycleway along Rickard Road and The Appian Way.

Complete Streets has been developed through detailed microsimulation traffic modelling undertaken by independent traffic consultants. The modelling included consideration of how the Bankstown CBD street network will respond to and require changes to accommodate traffic and parking demands from future development and increasing pedestrian/cycling movements. Complete Streets also has considered the potential Bankstown Central redevelopment and provides recommended street changes on and around the site to cater for the planned growth on the site (refer to the figure below).

Figure 26: Bankstown Complete Streets ‘Proposed Street Typologies’ map



The Bankstown City Centre Master Plan builds on the vision and detailed traffic modelling work completed in Complete Streets by providing new building height and density controls as well as identifying new public open space and other public infrastructure that is required for Bankstown to develop into the future. A key change that is included in the Bankstown Master Plan is the introduction of a maximum parking rate for private development in the inner core area (approximately 400m walking distance from Bankstown railway station). Outside this core area, a reduced minimum and upper maximum parking rate will apply. The rates have been informed by Council’s Off-Street Parking and Servicing/Loading Study for Bankstown.

Figure 27: Master Plan changes to car parking within the core city centre and outside of core city centre. Site is shown in red.



The table below provides a review of the proponent's proposed reduced car parking rates against the rates in the Bankstown Master Plan for the inner core area. The car parking rates in the Master Plan will be included as part of the Bankstown City Centre DCP to be prepared in conjunction with the Bankstown City Centre Planning Proposal.

Table 6: Review of proponent's car parking rates against Bankstown Master Plan

Land use type	Recommended Planning Proposal rate	Bankstown City Centre Master Plan Rate – maximum car parking rate (inner CBD core area)	Supported by Council?
Office premises	0 to 0.5 spaces / 100m ² GFA	1.25 space / 100m ² GFA	Yes
Retail premises	3 to 3.5 spaces / 100m ² GFA	1.25 space / 100m ² GFA	Yes – however further justification is required to demonstrate reasonableness of higher rate against the Master Plan.
Residential apartment buildings and shop top housing	1, 2 and 3 Bedroom and visitors: Ranging from 0 to 1 space / dwelling	1 Bedroom: 0.5 space / dwelling 2 Bedroom: 1 space / dwelling 3 bedroom: 1.5 space / dwelling Visitor: 1 space / 10 dwellings	Yes – however slight adjustments to the rates are recommended to align with RMS Guide to Traffic Generating Development
Hotel	0 to 0.2 spaces / room	Not addressed in Master Plan	Further detail required post-Gateway. See assessment discussion below under 'Assessment of the Traffic and Transport Implications of the Planning Proposal'
Student accommodation	0.1 spaces / apartment	Not addressed in Master Plan	
Child care centre	Nil	Not addressed in Master Plan	

Permanent Bus Interchange Location - Council's Position

A key public transport issue that affects the Bankstown CBD and Planning Proposal that has yet to be progressed by TfNSW relates to the future permanent location of the bus interchange for Bankstown that is currently within the Bankstown Central site. The issue of the permanent location of the bus interchange is not yet resolved despite several years of Council requesting TfNSW prioritise the matter for resolution in consultation with Council and Vicinity.

On 14 May 2021, Council approved a development application for minor partial demolition of elements of the existing Bankstown Central shopping centre. The approved works will accommodate the relocation of the existing bus interchange to a new interim location for bus layover within the site, between The Mall and North Terrace, with associated line markings, pedestrian crossings and bus stops. The new temporary bus layover will provide 10 bus layover bays (both on-site and on-street).

These works have commenced, and it is expected the temporary interchange will commence operation in 2022. Once operational, the existing bus interchange on the Bankstown Central site fronting Jacob Street will close and be converted to a customer car park.

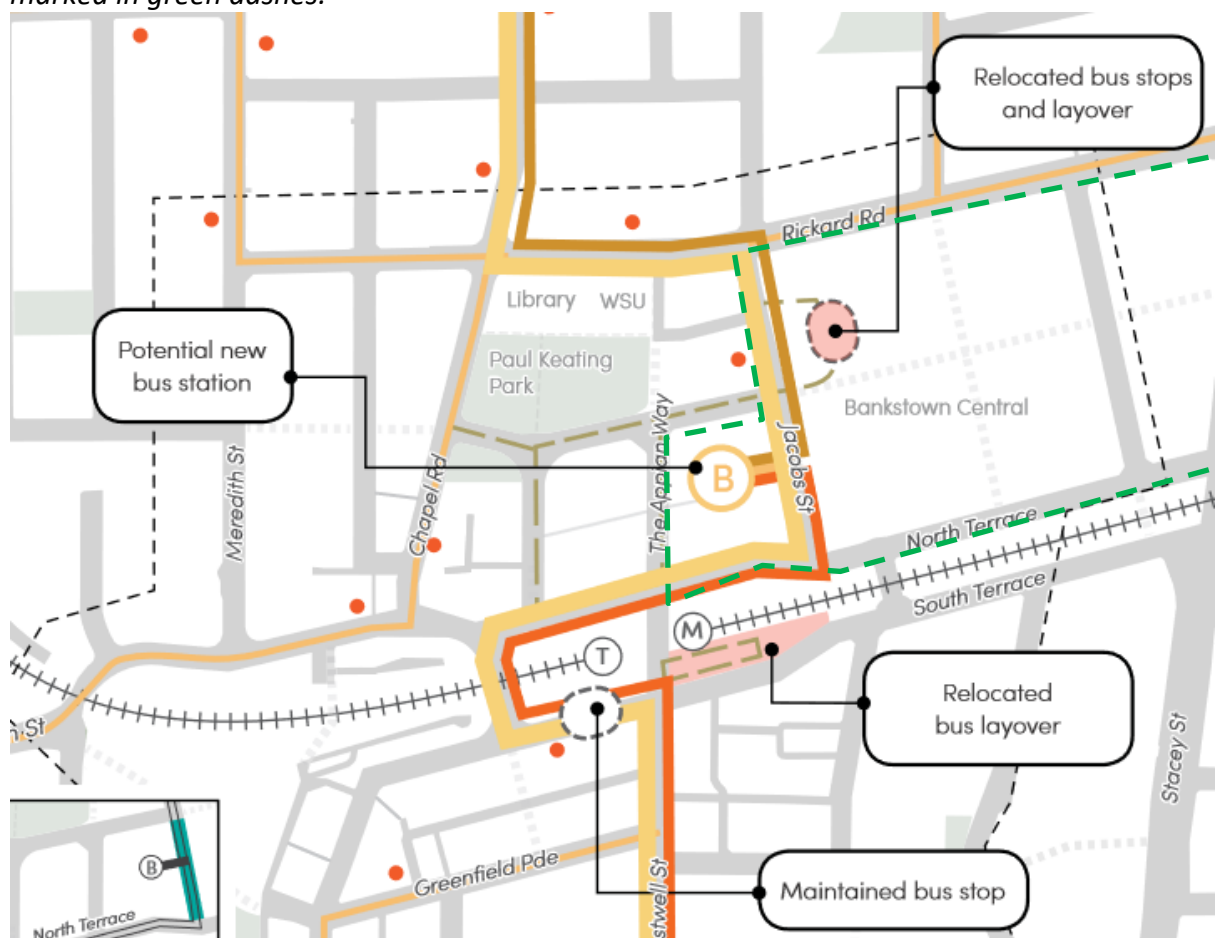
Figure 28: Approved temporary bus layover (DA-529/2020) & map with location shaded



Council's Complete Streets nominates the bus interchange in the Town Centre Precinct as a new permanent location as part of a reconfiguration and rationalisation of the bus routes that run through the Bankstown CBD noting that this is ultimately a decision for TfNSW. The reasons for this preferred permanent location are:

- Simplified north-south bus services along one route.
- Results in an amalgamated bus interchange (currently two) on the north side of the future Metro station. This location allows service to be integrated with the future Metro and service key destinations, including the future WSU campus, Bankstown Central and Saigon Place.
- Includes layover space and allows for the removal of existing layover space south of the railway.
- Less bus movements across the bridge (due to amalgamated bus interchange).

Figure 29: Future public transport network map (from Complete Streets p127). The site is marked in green dashes.

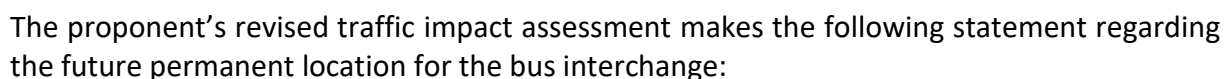


Permanent Bus Interchange Location – Proponent’s Position

The proponent considers that the provision of a bus station within the CBD – such as on the Bankstown Central site – is considered unnecessary. Rather, the adoption of an on-street bus stop arrangement is considered preferable for the long-term planning of the CBD for the following reasons:

- It supports the provision of a productive CBD by avoiding the inefficient use of land.
- It improves bus operating travel times by avoiding deviations off the road network carrying the bus services.
- It places bus services in the public domain where buses are visible (not hidden within a station) and will promote public transport use.
- It improves the experience for users of the buses by allowing persons to wait in weather protected but open-air areas, with high levels of amenity and security provided from adjacent land use.
- Aligns with the Complete Streets objective of simplifying bus routes through the CBD and with the arrangement envisaged within that document for Bankstown Plaza South.
- Is proximate to other transport services including Bankstown railway station/future Metro station.

Figure 30: Proponent's Jacobs Street Extension Concept Design



The location of bus layover should support productive places. To this end locating layover outside of centres where compact form and walkability are key features should be considered. Where layover is located within a centre it should be located away from streets with high levels of active frontages and areas of pedestrian activity. Within centres options to minimise the footprint of the layover should be thoroughly investigated”.

While it is evident that Council and the land owner (Vicinity) have differing opinions on the permanent location of the bus interchange, both parties are willing to work towards a solution that aligns with the objectives of Bankstown Complete Streets and intended outcomes of the Planning Proposal.

TfNSW has yet to provide any response or clarification on the preferred location for the bus interchange. At the meeting in February 2022 between Council and TfNSW, TfNSW Officers advised the project will be progressed however no certainty has been provided when a decision will be made. It is noted that TfNSW did not object to the relocation of the existing bus interchange under DA-529/2020 and provided recommended conditions of development consent for Council to include in the DA determination.

Council awaits a response from TfNSW on this matter and will participate in discussions with TfNSW and Vicinity on resolving the permanent location for the bus interchange or layover. However, given Council has requested a decision from TfNSW for several years, the assessment of the Planning Proposal can no longer be delayed and must progress. The Planning Proposal can proceed towards Gateway while the bus interchange matter is resolved by TfNSW, Council and Vicinity. Any revisions necessary to accommodate the bus interchange on the site can be made post-Gateway as stipulated by conditions of the Gateway determination.

Early Engagement with TfNSW

Council has continued to engage with TfNSW during the preparation of the Bankstown Complete Streets Place Strategy and during the preparation of the Bankstown City Centre Master Plan. Similarly, Council has engaged with TfNSW early in the process for this Planning Proposal and requested initial high level feedback on the Planning Proposal in August 2021 following receipt of the amended proposal and response to information request from the proponent in July 2021.

TfNSW provided preliminary comments to Council regarding the Planning Proposal on 24 December 2021. Council met with TfNSW in February 2022 to discuss the letter and will continue to engage with TfNSW as the Planning Proposal progress. However, Council notes that most of the issues raised by TfNSW in their preliminary comments are broader transport issues that have already been addressed in the Bankstown Complete Streets Place Strategy and Bankstown Master Plan.

Following the meeting with TfNSW, Council provided copies of the Bankstown Complete Streets Place Strategy including the associated traffic modelling files, the adopted Bankstown City Centre Master Plan including its supporting traffic study to assist with TfNSW's further review of the broader traffic and transport implications across the Bankstown CBD. As noted above, Council has sought to engage with TfNSW across all significant strategic planning projects.

The table below provides a response to each of the matters raised by TfNSW and how the matters have either already been addressed in previous work completed by Council or are proposed to be addressed once there is greater certainty regarding the Planning Proposal, post-Gateway.

The proponent has also provided a response to the TfNSW letter and clarified the scope for further work to be done post-Gateway as it pertains to this Planning Proposal. Council concurs with the proponent's response and approach to separate traffic and transport matters that are relevant to the Planning Proposal and for other matters that fall outside the scope of the Planning Proposal and require a separate response by Council.

Transport for NSW Issue	Council Response
<p><u>Existing conditions assessment</u></p> <p>Define the existing conditions of the transport system serving the master plan site, addressing the levels of performance for all transport modes, including walking, cycling and freight.</p>	<p>Response: Council has completed this work as part of Bankstown Complete Streets.</p> <p>Council and the proponent's traffic consultant can work together to review and amend the existing traffic modelling prepared for Bankstown Complete Streets if necessary to reflect any changes to existing conditions since the model was completed.</p>
<p><u>Connections</u></p> <p>Assess the impacts and opportunities arising from the master plan proposal on travel demands and operation of the rail and bus networks and future Metro.</p> <p>Define a clear, permeable and accessible precinct network of walking and cycling connections to help achieve a sustainable transport system to accommodate the master plan proposal.</p>	<p>Response: Bankstown Complete Streets already provides details on how the road and transport infrastructure will be improved to cater for planned growth across the entire CBD, including the Bankstown Central site. The Bankstown City Centre Master Plan also provides details on how walking and cycling will integrate with the future Metro.</p> <p>Details on the pedestrian and cycling connections will be included in the site specific DCP and will be consistent with Bankstown Complete Streets. The proponent will be required to address this in the DA stage of the project.</p>
<p>Investigate opportunities for a permanent bus interchange in consultation with TfNSW and Council.</p>	<p>Response: Council has approached TfNSW on this matter with no clear direction or resolution from TfNSW. Council will continue to prioritise this matter and seek to progress towards a decision with TfNSW and Vicinity.</p> <p>Council considers this matter can progress concurrently with the Planning Proposal and should be resolved before exhibition of the Planning Proposal occurs.</p>
<p><u>Traffic generation rates</u></p> <p>Traffic generation rates should be identified through empirical evidence (i.e. surveys of similar land uses with comparable characteristics) with consideration of cumulative impacts of other known traffic generating developments within the area of influence.</p>	<p>Response: Council's traffic impact assessment peer review has identified some additional information that is required to provide justification for traffic generation rates used by the proponent.</p> <p>Council will request this information post-Gateway and update the Planning Proposal and support reports prior to exhibition.</p>
<p><u>Transport Modelling</u></p> <p>The following three stage modelling approach should be considered:</p> <ol style="list-style-type: none"> 1. Strategic transport modelling using existing model resources (i.e. STM and STFM) to identify travel demands, patterns and mode splits. 2. Appropriate modelling software that considers route choice based on travel time delay and dynamic/coordinated traffic signal operations (i.e. 	<p>Response: 'Aimsun' microscopic modelling has already been independently completed which informed the Bankstown Complete Streets analysis and recommendations.</p> <p>Council has provided the microscopic modelling results to TfNSW along with the supporting reports and documents including the Traffic Modelling Report, Transport and Place Analysis and Workshop Summary.</p>

Transport for NSW Issue	Council Response
<p>microsimulation, hybrid model, or mesoscopic model).</p> <p>3. Intersection modelling - based on the flows from the above modelling exercise.</p>	
<p>The above modelling approach should include a base year model, future years base case (without development), and a separate model with full development and background traffic growth. Consultation should be undertaken with TfNSW and Council to agree on the year the future base should be modelled.</p>	<p>Response: As above, Bankstown Complete Streets already provides details on how the road and transport infrastructure will be improved to cater for planned growth across the entire CBD, including the Bankstown Central site.</p>
<p>The proponent's traffic consultant should collaborate with TfNSW and Council to identify and agree on the geographical boundary/extent of the model study area which will be based on the output from the strategic models (Item #1 above), key travel links to measure impacts of development traffic on travel time and intersections to be modelled.</p>	<p>The detailed microsimulation model completed for Bankstown Complete Streets can be reviewed and adjusted by Council and/or the proponent in consultation with TfNSW if required. There should be no need to create a new traffic model.</p> <p>This matter can be undertaken post-Gateway and resolved before the matter is reported to Council post-exhibition.</p>
<p><u>Identified Road and Transport Infrastructure</u></p> <p>Based on the above modelling outputs, identify transport and road infrastructure requirements to support the proposed increase in floor space and changes to land use. Staging based on trigger points linked to GFA/masterplan stages should be identified.</p>	<p>Response: To be addressed in site specific DCP and DA stage.</p> <p>Bankstown Complete Streets identifies transport and road infrastructure requirements to support the proposed increase in floor space and changes to land use across the entire CBD including the Bankstown Central site.</p> <p>The proponent has provided an indicative staging plan that comprises seven stages to 2036 and potentially beyond. Council will work with the proponent and TfNSW as required to ensure necessary transport infrastructure is delivered at each stage of the development. This can be addressed within the site specific DCP and be required to be detailed at the DA stage when the final design and development yields are confirmed.</p>
<p>The proponent's traffic consultant will be required to work in collaboration with Council and TfNSW to develop a precinct network of walking and cycling connections linked to the master plan site to help achieve a sustainable transport system.</p>	<p>Response: To be addressed in site specific DCP and DA stage.</p> <p>The Bankstown Complete Streets already identifies Council's preferred and recommended walking and cycling in and around the Bankstown Central site. The proponent's concept development plan also has considered how pedestrian movements will be integrated as the site redevelops.</p> <p>The site specific DCP can include refinements and more detailed controls in relation to these matters. Council intends to work with the proponent and will consider input from the proponent's traffic consultant in developing the site specific DCP.</p>

Transport for NSW Issue	Council Response
<p><u>Funding of transport and road network infrastructure</u></p> <p>High level strategic/concept engineering plans overlayed on an aerial to scale should be developed to determine feasibility including any third party land components.</p>	<p>Response: These matters fall outside the scope of the Planning Proposal.</p>
<p>Strategic cost estimates of any identified walking, cycling, and road infrastructure required in support of the Planning Proposal should be prepared. These costs should align with the NSW Global Rates.</p>	<p>The Bankstown Complete Streets is a holistic vision and comprehensive plan that identifies required transport infrastructure for the Bankstown CBD. Further, the Greater Sydney Commission's <i>Collaboration Area – Bankstown CBD and Bankstown Airport Place Strategy</i> includes an action for TfNSW to lead the development of a place-based integrated transport strategy that considers the health, academic, research and training precinct, growth at Bankstown CBD and connectivity to, from and within the Collaboration Area. This work has yet to be finalised.</p>
<p>In consultation with Council, DPE and TfNSW, identify a planning/funding mechanism to deliver the identified transport infrastructure.</p>	<p>Ideally the issues raised by TfNSW should be resolved through the place-based integrated transport strategy for the Bankstown CBD. Any recommendations of the place-based integrated transport strategy would be expected to be incorporated in the Gateway determination.</p> <p>Council welcomes the opportunity to continue a dialogue with State Government agencies on this matter.</p>

Assessment of the Traffic and Transport Implications of the Planning Proposal

The Planning Proposal was supported by a Transport Impact Assessment which found that the additional traffic generated by the indicative development yield is unlikely to have a notable impact on the operation of the road network in the future, subject to the adoption of progressive car parking and traffic generation rates nominated by the proponent's traffic consultant. The Transport Impact Assessment also notes that approximately 4,775 car spaces would be required for the proposal, an increase of 1,475 car spaces over the existing parking provision on-site.

An independent peer review of the Transport Impact Assessment commissioned by Council concludes that the proposal will have an increased traffic and parking impact on the Bankstown CBD road network and provides six recommendations for further information to be provided to ensure the impacts can be managed. The six recommendations are provided below.

- *Recommendation 4 – Car parking:* further detailed justification will be required during subsequent applications to ensure adequate parking is provided for the various uses. This should consider all land uses, temporal parking demands, and the cross-utilisation of parking spaces.

- *Recommendation 5 – Traffic generation:* The rates for residential hotel and student accommodation are accepted. It is acknowledged that adopting reduced parking rates would result in reduced trip rates. Further clarification is regarding the retail and commercial trip generation used in the modelling. Further justification will be required during subsequent applications to ensure road network impacts are adequately considered and mitigated.

Comment: Council considers the car parking rates, and resultant traffic generation, for the proposal requires resolution prior to the Planning Proposal being finalised. Council will address Recommendation 4 and 5 by including car parking rates in the site specific DCP to be prepared by Council for the site, to be informed by further information (and traffic modelling) from the proponent. Applying maximum car parking rates for the site in the DCP will be considered, to minimise traffic impacts, consistent with Council’s Bankstown Complete Streets and Master Plan.

- *Recommendation 6 – Traffic Impacts:* justification is required for the adopted parking rates, insofar as where they have significant influences on generated trip volumes, and further intersection analysis is required to ensure that the ultimate road network impacts have been adequately considered across all scenarios.

Comment: Regarding Recommendation 6, Council Officers have requested the above additional information from the proponent and will address this component post-Gateway Determination on the basis the matter does not materially impact the overall conclusions of the traffic peer review report. Recommendations 1, 2 and 3 outline the following clarification and additional information should be submitted during the subsequent DA stages for the project to ensure site connectivity and traffic and parking impacts of future development is appropriately managed:

- *Recommendation 1 – Walking and cycling:* confirm safe and compliant connectivity to the surrounding network, and adequate internal provisions (i.e., bicycle parking, end of trip facilities etc.). A Green Travel Plan is recommended to be prepared with any DAs lodged.
- *Recommendation 2 – Public transport:* further stakeholder engagement will be required to ensure that the relocation of the bus interchange and creation of a transit only Jacob Street extension outcomes are consistent with the requirements of the subject site and TfNSW.
- *Recommendation 3 – Loading and logistics:* a Servicing Management Plan is to be prepared during subsequent DA stages to confirm the capacity of the existing loading dock to accommodate increased servicing demands generated by the proposed development, and the appropriateness of the existing loading dock to service the entire development safely and efficiently.

Comment: On the basis that recommendations 1, 2 and 3 raised in the peer review report can be resolved at the future DA stages of the project and have no consequential bearing on the assessment of the Planning Proposal, these matters will therefore not be pursued in this Planning Proposal as they relate to detailed design development beyond the higher level scope of this Planning Proposal stage of the project.

4.9 Economic implications

The Planning Proposal is supported by an economic analysis Market Depth Assessment and Retail Development Potential Assessment. Overall, the analysis suggests that a future retail redevelopment/expansion within the centre of the quantum proposed can be supported “within the next 10 years”. Further, the analysis concludes there is strong demand for residential apartments, short term accommodation, commercial offices and moderate demand for student accommodation.

The proposal will have significant direct and indirect economic implications on the Bankstown CBD and overall LGA by virtue of the magnitude of potential economic stimulation generated by redevelopment of the large 11.4ha site. The Planning Proposal has the capacity to deliver approximately 8,437 additional jobs when the site is fully redeveloped which is 60% of Council’s target of 14,000 new jobs in the Bankstown CBD by 2036 as outlined in the adopted Bankstown City Centre Master Plan.

The Planning Proposal indicates that it will also provide approximately 1,255 new dwellings which contributes 10% of the CBD’s target of 12,500 dwellings by 2036.

A peer review report prepared for Council by independent economic specialists which concludes that the economic analysis undertaken for the Planning Proposal is generally acceptable in context of the strategic policy direction of the State Government and Council for Bankstown CBD to 2036, however it recommends clarification is sought from the proponent prior to exhibition of the Planning Proposal. These clarifications include:

- Assess level of impact of proposed commercial office space on other centres in the LGA.
- Assess current commercial office stock and market to clarify underlying and developing demand and uptake of commercial stock.
- Consideration of existing short-term accommodation in the area and clarification of how catchment share estimates were calculated to establish visitor nights.
- Further details on the likely mix of tenancies in the proposed additional 15,041m² retail floor space.
- Refining student population numbers for the WSU Bankstown CBD campus and longer term targets within Council’s LSPS.

Council will work with the proponent to address the above matters during the post-Gateway phase of the Planning Proposal as the clarifications do not materially impact the underlying assessment and conclusions reached by the peer review consultant report or its support for the Planning Proposal.

Council recognises the difficulties in establishing a definitive forecast for some industries such as retail and hotel uses given the COVID-19 pandemic and possible long term structural implications on spending and travel habits. The peer review report acknowledges the major uncertainties created by, and likely to flow from, the COVID-19 pandemic and recommends a flexible approach should be considered for the commercial floor space, in particular, to develop into other uses (dependent on demand and market up-take) but while *“still maintaining a sufficient level of non-residential floor space in order for Bankstown to develop into one of the largest strategic, administration centre in the Sydney’s south-west”*. Council’s approach to require a minimum 40% non-residential floor space across the site and minimum 50% non-residential floor space on the Town Centre Precinct does not mandate a particular

retail, business or office premises use and therefore is consistent with this flexible approach recommended in the peer review report.

5. OTHER CONSIDERATIONS

Council has assessed this planning proposal against the justification matters outlined in the Department's *Local Environmental Plan Making Guide (December 2021)* and has prepared a draft Planning Proposal (as an attachment to the CBLPP report held at Attachment A). The purpose of the draft Planning Proposal is to demonstrate whether there is justification for a proposal to proceed to Gateway based on consistency with the relevant State planning policies and Ministerial Directions.

A key matter for consideration is management of the likely impacts resulting from the proposal, these are primarily; managing increased traffic and car parking demand, built form and building design, solar access on the surrounding area including key public spaces and ensuring a logical staged delivery of the future redevelopment of the site that maximises public benefits and the efficient operation of the site and Bankstown CBD.

Council's assessment concludes that the proposal presents both strategic and site-specific merit and identifies the need for some further information to be provided prior to exhibition, should Council decide to progress this Planning Proposal.

6 POLICY MATTERS

The following items are submitted for consideration -

- | | | |
|-----|--|-----|
| 6.1 | Code of Meeting Practice and Councillor Expenses and Facilities Policy | 109 |
| 6.2 | Child Safety Policy and Code of Conduct | 115 |

ITEM 6.1 Code of Meeting Practice and Councillor Expenses and Facilities Policy

AUTHOR Corporate

PURPOSE AND BACKGROUND

As Councillors would be aware, at the 22 February 2022 Ordinary Council meeting Council resolved to publicly exhibit the draft Code of Meeting Practice and the Draft Councillor Expenses and Facilities Policy in accordance with the requirements of the Local Government Act 1993.

ISSUE

Code of Meeting Practice

The Local Government Act 1993 (Section 361) specifically requires Council's draft Code of Meeting Practice to be publicly exhibited for comment, prior to its adoption, for a period of 28 days and allow a period of 42 days for receipt of submissions. Council has met these requirements. Details of the submissions received are provided in the body of the report.

Councillor Expenses and Facilities Policy

The Local Government Act 1993 (Section 253) stipulates that the draft Councillor Expenses and Facilities Policy must be publicly exhibited for a period of 28 days. Council has met this requirement. Details of the submissions received are provided in the body of the report.

RECOMMENDATION That -

1. The draft Code of Meeting Practice (Attachment B) be adopted.
2. The draft Councillor Expenses and Facilities Policy (Attachment C) be adopted.

ATTACHMENTS [Click here for attachment](#)

- A. Previous Report to Council - 22 February 2022
- B. Code of Meeting Practice
- C. Councillor Expenses and Facilities Policy

POLICY IMPACT

Adoption of the Code of Meeting Practice and the Councillor Expenses and Facilities Policy ensures Council abides by good governance practices and meets its legislative obligations. Furthermore, these documents supersede the previous documents adopted by the former Council.

FINANCIAL IMPACT

The report has no financial impact.

COMMUNITY IMPACT

The adoption of both Council's Code of Meeting Practice and Councillor Expenses and Facilities Policy ensures Council is accountable to the community and meets legislative requirements whilst supporting Council's elected representatives to perform their role as a Councillor.

DETAILED INFORMATION

Code of Meeting Practice

Council is required by the provisions of the Local Government Act (s360) and Local Government (General) Regulation 2021 (s232) to adopt a Code of Meeting Practice that incorporates the mandatory provisions of the Office of Local Government's Model Code of Meeting Practice. The attached draft Code of Meeting Practice meets these requirements.

The draft Code was exhibited for a period of 29 days (Tuesday 1 March 2022 to Wednesday 30 March 2022) with submissions accepted for up to 42 days (11 April 2022).

Highlights from the Community Consultation were:

- 98 visitors initiated 118 views of the Code of Meeting Practice;
- 49 copies of the Code were downloaded
- 41 reads of the draft Code via the document reader tool (Issuu) with viewers spending on average 4mins:28secs viewing the document;

Three participants provided feedback during the exhibition period, one comment not related to the Code of Meeting Practice. The other two comments relevant to the Code are shown below:

Hurlstone Park Ref: COMM-11-32412	<p>My thanks to the Governance team within CBCity for this document. I appreciate how much work goes into creating this for both public display and execution by council eventually.</p> <p>I have every confidence that the Model Meeting Code of Practice is being adhered to here in line with the word and the spirit of the Local Government Act.</p>	Noted
Lakemba Ref: COMM-11-31378	<p>I am disappointed that CBC have not considered the legal principle of due / fair process. The agenda and attached papers to be submitted / tabled at a meeting should be available 7 days before the meeting so that members of the public and attendees have a chance to review all the material put to the meeting and perform their due diligence. As there are no deadline-imposed items can be added at the last minute to prevent proper scrutiny.</p> <p>I am also disappointed that Section 16.1 re conflict of interest does not impose stronger requirements subject to penalty and also require anyone with a</p>	<p>The Local Government Act 1993 and the OLG's Model Code of Meeting Practice requires that Council's provide the business paper to Councillors at least three days prior to the Council meeting.</p> <p>Council currently provides the business paper to Councillors 4 days prior to the meeting.</p> <p>Simultaneously, the business paper is also made available to the public for their information.</p>

	<p>conflict of interest to report all those conflicts to the meeting and recuse themselves from voting. I understand that State Govt law has imposed requirements of conflict of interest and pecuniary disclosure that are being treated with non-conformity by council.</p>	<p>The Code separately deals with situations where matters are urgent and need to be considered by Council. At the meeting, matters of urgency must be agreed to by the Mayor and in turn by Council, prior to being considered.</p> <p>Conflicts of interest requirements are considered in detail in the Code of Conduct and are not required to be fully restated in the Code of Meeting Practice.</p>
--	---	---

There are no recommended amendments to the draft Code of Meeting Practice following consideration of the submissions received.

Councillors Expenses and Facilities Policy

The draft Policy meets the requirements of Section 252 of the Local Government Act 1993. The Policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to assist them in undertaking their civic duties.

The draft policy was publicly exhibited for 29 days from Tuesday 1 March 2022 to Wednesday 30 March 2022 with submissions accepted for up to 42 days (11 April 2022)

Highlights from the Community Consultation were:

- 97 visitors initiating 116 views of the draft Policy;
- 49 copies of the draft Policy were downloaded; and
- 50 reads of the draft policy on the document reader tool (Issuu) with readers spending on average 03mins:24secs viewing the document.

Feedback

Two participants provided feedback during the exhibition period, one response not related to the draft Councillors Expenses and Facilities Policy. The response relevant to the Policy is commented on below:

Bankstown Ref: COMM- 11- 31379	I believe that the amounts mentioned in the document, regarding expenses, reimbursements etc for each councillor and the mayor are more than reasonable considering the amount of time and effort required to undertake the role.	Noted
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There are no recommended amendments to the draft Councillors Expenses and Facilities policy following consideration of the submissions received.

ITEM 6.2 **Child Safety Policy and Code of Conduct**

AUTHOR **Community Services**

PURPOSE AND BACKGROUND

The purpose of this report is to provide a summary of the community feedback received on the draft Child Safety and Well-being Policy (Policy) and Child Safe Code of Conduct (Code), and to present the draft Policy and Code for adoption.

ISSUE

At the Ordinary Meeting on 22 June 2021, a Mayoral Minute noted that we want the community to know that as a Council we are committed to being a Child Safe organisation and that we will advocate for and promote the safety of all children within our community.

Our statement of commitment acknowledges children as individuals with rights; that we have zero tolerance for child abuse and neglect; and our focus will be on treating all children with fairness and respect.

The Draft Policy and Code were placed on public exhibition from 14 July 2021 to 4 August 2021. A total of four submissions were received during this period. All comments were reviewed and addressed, as outlined in the Detailed Information section of the report.

RECOMMENDATION That -

Council adopts the Child Safety and Well-being Policy and Child Safe Code of Conduct, as outlined in the report.

ATTACHMENTS [Click here for attachments](#)

- A. Child Safety and Well-being Policy
- B. Child Safe Code of Conduct

POLICY IMPACT

The adoption of the draft Policy and Code will support us in ensuring we are a Child Safe Organisation as required under the *Children's Guardian Act 2019*. These documents also lay the foundation for other child safe documents and procedures aimed at keeping children safe both within Council and the community.

The Policy outlines Council's commitment to embedding a culture of safety for children throughout the organisation. Council aims to meet and maintain the National Principles for Child Safe Organisations and the NSW Child Safe Standards.

The Code further demonstrates Council's commitment to being a Child Safe Organisation and to leading and promoting child safety within the community.

FINANCIAL IMPACT

There is no direct financial impact as a result of the Policy or Code.

COMMUNITY IMPACT

The Policy and Code encourage child safety within the community. Both documents outline Council's expectations of its workers when interacting and engaging with children.

Four submissions received during the public exhibition period were in support of the Policy and the Code.

DETAILED INFORMATION

Public Exhibition

The Draft Child Safety and Well-being Policy and the Child Safe Code of Conduct were placed on public exhibition during the period 14 July 2021 to 4 August 2021. The project was placed on the 'Have Your Say' webpage for the duration of the exhibition to both inform the community of the project and offer a chance to provide feedback.

Public Exhibition Results

Over the course of the public exhibition period, a total of four submissions were received. The project was promoted through Council's social media channels, as well as print media. It was circulated through Council News EDM and appeared in *The Torch* on the 28 July 2021.

Over the three-week period, three social media broadcasts were published across Council's social media platforms. These include:

- Facebook (2694 views)
- Instagram (728 views)
- Twitter (617 views)

The results of the 'Have Your Say' engagement component included:

- 317 viewings of project information by 181 visitors;
- The Policy was downloaded 55 times;
- The Code of Conduct was downloaded 46 times;
- The Mayor Minute was downloaded 21 times; and
- Four submissions were received, supporting the draft Policy and Code.

As a result of these submission, changes were made to the draft Policy (section 5.1).

The community feedback details are as follows:

Comment 1:

'Please consider adding an acknowledgment that children with disability can be particularly vulnerable and that some children with disability may need support to be able to communicate about their safety'.

Comment 2:

'In the section of the policy about children's participation, you can consider adding that you will provide multiple avenues for children to have their voice heard including through conversations, art, the use of visuals for children with disability, groups and online'.

No further amendments were made to the Policy.

Overall, all submissions received supported the Policy and the Code.

Next Steps

Having considered the submissions, it is proposed that Council adopts the Child Safety and Well-Being Policy and the Child Safe Code of Conduct and that the policy documents be made available on Council's Policy Register.

7 GOVERNANCE AND ADMINISTRATION MATTERS

The following items are submitted for consideration -

7.1	Cash and Investment Report as at 31 March 2022	121
7.2	Quarterly Progress Report of the 2021/22 Operational Plan and Budget to March 2022	125
7.3	Draft Integrated Planning and Reporting Suite – Community Strategic Plan 2036, Delivery Program (2022-25), Operational Plan (2022/23), Resourcing Strategy for Assets, Finance and Workforce, and the Community Engagement Framework, Policy and Toolkit	133
7.4	Councillor Disclosure of Interest Returns	157

Governance and Administration Matters - 26 April 2022

ITEM 7.1 Cash and Investment Report as at 31 March 2022

AUTHOR Corporate

PURPOSE AND BACKGROUND

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

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

ISSUE

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

RECOMMENDATION That -

1. The Cash and Investment Report as at 31 March 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 March 2022

POLICY IMPACT

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

FINANCIAL IMPACT

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

COMMUNITY IMPACT

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

DETAILED INFORMATION

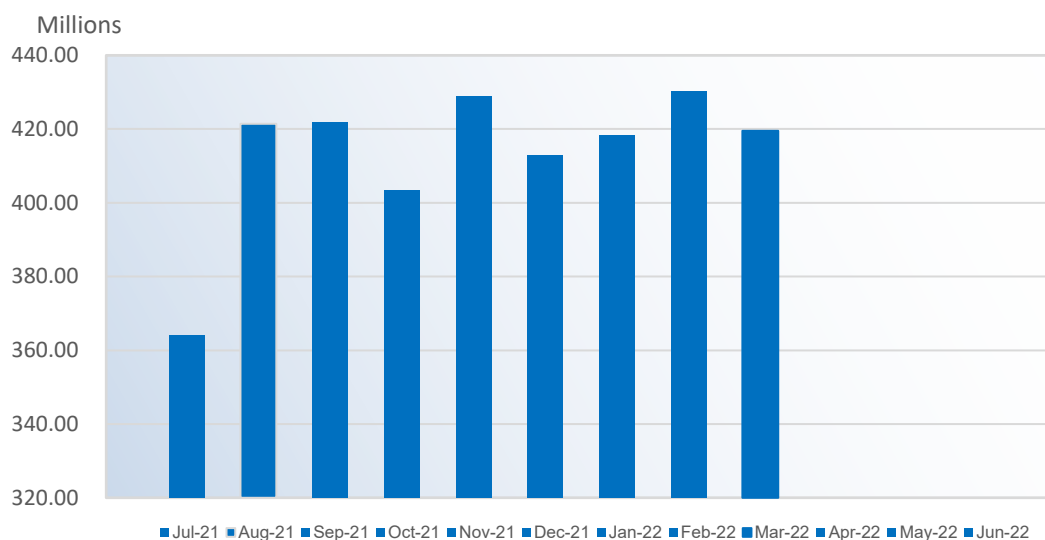
Cash and Investment Summary – as at 31 March 2022

In total, Council's Cash and Investments holdings as at 31 March 2022 is as follows:

Cash and Investments	\$
Cash at Bank	744,179
Deposits at Call	71,594,155
Term Deposits	269,000,000
Floating Rate Notes	37,496,730
Workers Compensation Security Deposit	4,686,000
Bonds	36,000,000
Total Cash and Investments	419,521,064

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.

Cash and Investment Rolling Monthly Balance 2021-2022



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

Interest Income	March 2022 \$	Year-to-date March 2022 \$
Budget	476,875	4,291,875
Actual Interest	439,036	3,884,036
Variance	(37,839)	(407,839)
Variance (%)	(7.93%)	(9.50%)

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	18.4	100
Working Capital Funds (0-3 months)	2.9	100
Short Term (3-12 months)	13.9	100
Short – Medium (1-2 years)	17.3	70
Medium (2-5 years)	47.5	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	17.1
Term Deposits	64.1
Floating Rate Notes	8.9
Workers Compensation Security Deposit	1.1
Bonds	8.6
Total Cash and Investments	100%

Governance and Administration Matters - 26 April 2022

ITEM 7.2 Quarterly Progress Report of the 2021/22 Operational Plan and Budget to March 2022

AUTHOR City Future

PURPOSE AND BACKGROUND

The review provides a summary of progress on the delivery of Council's 2021/22 Operational Plan. Separately, the report considers the review of Council's financial results and proposed budget adjustments for the March 2022 Quarterly Budget Review period.

ISSUE

This report has been prepared in accordance with the requirements of the Integrated Planning and Reporting Framework which stipulates that regular progress reports are required to be provided to Council and the community.

It demonstrates the organisation's performance in delivering the actions outlined in Council's 2021/22 Operational Plan and the 2018-22 Delivery Program. These are key documents for our City as they translate our priorities and services into measurable actions for the financial year and Council term.

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

- Operational Plan progress; and
- Financial performance.

RECOMMENDATION That -

1. Council note the quarterly review of the 2021/22 Operational Plan to 31 March 2022, as outlined in the report.
2. Council adopt the March 2022 Quarterly Budget Review, as outlined in this report.
3. Council allocate Ward Funds as outlined in the report.

ATTACHMENTS [Click here for attachments](#)

- A. Quarter 3 Report 2021/22 Operational Plan- Summary
- B. Quarter 3 Report 2021/22 Operational Plan- Detailed
- C. March 2022 Revision Budget Review
- D. March 2022 Revision Budget Reports

POLICY IMPACT

The review integrated planning documents is prepared in accordance with Section 406 of the Local Government Act, 1993, which requires regular progress reports to be provided to Council and community. Council currently generates reports on a quarterly basis to ensure thorough monitoring of the commitments it has made to the community.

FINANCIAL IMPACT

The report presents Council's operating result as at 31 March 2022.

COMMUNITY IMPACT

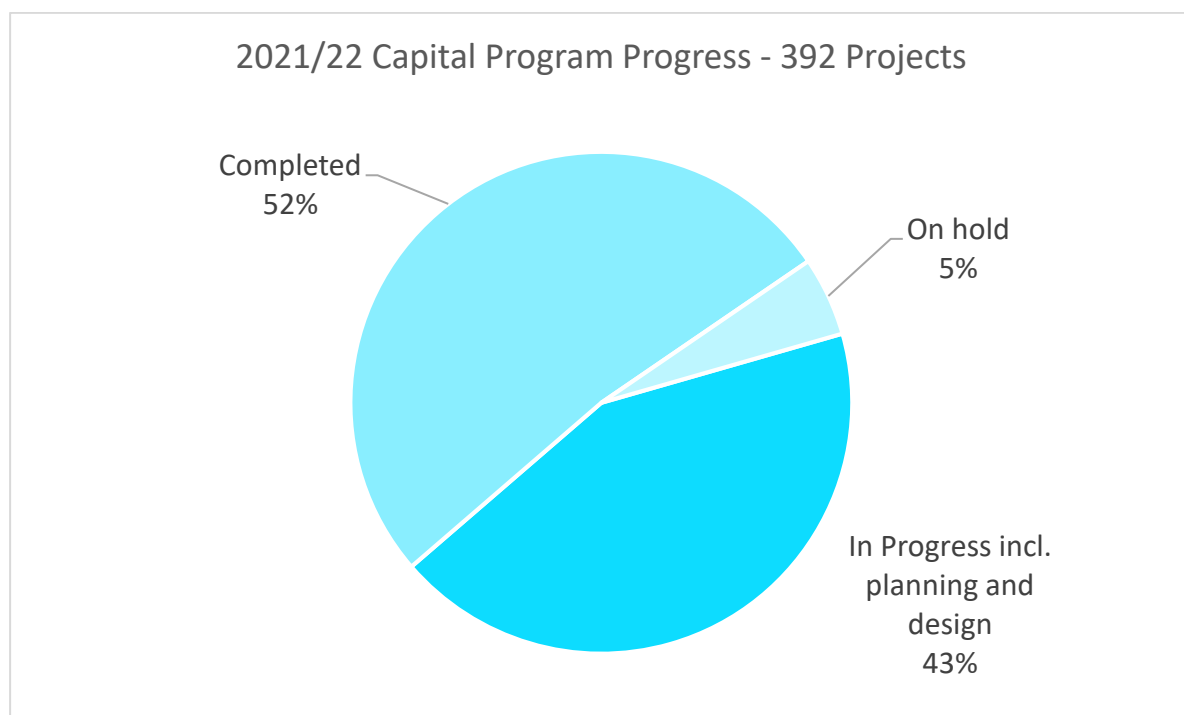
The report provides the community with an understanding of Council's performance in delivering its undertakings with respect to the City's 10-year Community Strategic Plan – CBCity 2028 as outlined in the 2018-22 Delivery Program and 2021/22 Operational Plan. It also provides an update on the financial position as at 31 March 2022.

DETAILED INFORMATION

PART A – Quarterly progress of the 2021/22 Operational Plan to March 2022

Progress on Council's Operational Plan has been good considering the challenges imposed by COVID-19 and extreme weather including flooding across the City. A total of 71% of projects are listed as complete or on track for completion by June 2022. Projects which have fallen behind schedule are beginning to regain momentum as conditions become more favourable.

At the conclusion of quarter three, 95% of Council's Capital Program was either completed, under construction or in design. Of the 203 completed projects, there were 104 roads and transport projects, 16 stormwater projects, 33 building projects, and 50 sportsfield, playground and open space projects. Council has completed \$44.4 million worth of capital works projects in 2021/22.



Attachment A provides an overview of key highlights and achievements for the quarter structured around the seven Destinations from CBCity 2028. The destinations are: Safe & Strong; Clean & Green; Prosperous & Innovative; Moving & Integrated; Healthy & Active; Liveable & Distinctive; and Leading & Engaged. They show how Council is progressing towards achieving the community's aspirations in each of these areas.

Detailed actions for the entire 2021/22 Operational Plan are outlined in Attachment B.

The combined attachments A and B highlight the progress of many important projects and initiatives and confirm our continued commitment to Council's contribution to CBCity 2028. Key highlights for the quarter are outlined below under each of the seven CBCity 2028 Destinations.

Leading & Engaged

- Bluet Award – CBCity won NSW's Most Prestigious Local Government Award as the most progressive large council in NSW in 2021. Trustee Chairman, Les McMahon, praised Council's performance amid pandemic conditions and stated that 'Canterbury Bankstown Council is a remarkable council ... delivering innovative programs to its community'. CBCity's submission highlighted many achievements, including Closing the Loop in Waste Management, Chasing Healthy Minds & Bodies, encouraging female leaders in our community and our organisation, and holding the largest citizenship ceremony in Australia, to name just a few.
- Submission to the NSW Parliamentary Inquiry into the planning and delivery of school infrastructure.
- Community Strategic Plan community survey.

Safe & Strong

- Seniors Festival – Reconnecting including first ever launch of Tovertafel, an interactive games console to stimulate the mind and body.
- Youth Week events held.
- Harmony Week events held.

Clean & Green

- Response to heavy rain including 500 additional call centre calls in one day.
- Flooding in various catchments resulted in the spread of various Priority Aquatic Weeds. Council's Bushcare staff worked closely with the Biosecurity Officer to map and treat the new infestations.
- Reimagining Kelso - Sustainable Resource Recovery Centre engagement commenced.
- Widening of 570m of Milperra Drain to reduce the risk of flooding for nearby residential and industrial properties.
- The PEERS3 renewable Energy Contract was confirmed – as of 1 July 2022 Council will purchase all of its electricity from 100% renewable energy.

Prosperous & Innovative

- Major events including Rudd Park Opening, Greek Independence Day, Sydney Symphony Orchestra, Australia Day.
- Bankstown and Campsie Lunar New Year held with SBS and Bankstown RSL becoming Gold Media Partners and Bankstown Sports Club a Silver Partner.

Moving & Integrated

- 104 road and transport projects completed.
- 21 traffic improvement projects submitted to the SaferRoads Blackspot Program.
- Road resurfacing projects completed for Alison Street, Dispensary Lane, Ninth Avenue, Robertson Street, Ellesmere Street, Parmal Avenue, Rosebank Street, Minnie Lane, Erica Crescent.
- Marion Street works trialled recycled crushed glass (RCG) as part of the road upgrade.

Healthy & Active

- Greenacre Splash construction progressed.
- Sports Facilities Strategic plan exhibited for comment.
- \$1 million in grant funding received for upgrades to Memorial Oval.
- Band Hall Reserve and Vale of Ah Reserve Dog Off Leash Areas completed.

- Deverall Park Tennis Courts resurfaced.
- Lake Gillawarna shelter upgrade completed.

Liveable & Distinctive

- Belmore Town Centre upgrades.
- Work on a Draft Affordable Housing Contribution Scheme for Bankstown City Centre commenced which will create affordable housing stock in City.
- Bankstown Masterplan adopted.

PART B – March 2022 Quarterly Budget Review

Financial Performance

Following a review of the third quarter's financial performance, Council's broader financial position continues to reflect a Net Result of positive \$27.3M. Once adjusted for one-off capital grants and contributions (which establishes/provides the true result of managing our day-to-day operations), Council's net result further declines to negative \$43.7M.

The Covid-19 pandemic continued to impact Council's operating performance during the second quarter of the year. The State Government lockdown forced the closure of numerous Council services and Council implemented a number of relief measures to provide financial assistance to the community and businesses that have been experiencing financial hardship. The loss of income due to service shutdowns and cost of additional relief measures totalling \$2.4M have been accounted for as part of Council's 2021/22 budget.

In terms of our quarterly review – and as is the case each quarter - Council's ongoing commitment to refining/reviewing our cost-base, particularly through ongoing efficiency improvements throughout our operations, ensures that we are making every effort to deal with the pressures, as noted above.

Some of the broader aspects of the changes impacting this quarter are summarised as follows:

- Council is expecting to receive a number of new specific purpose Grants and Contributions. In total, budgeted income from Grants and Contributions is expected to increase by \$11.1M, mainly due to the advance payment of a large portion of the 2022/23 Financial Assistance Grant \$8.8M, which will be restricted and released for use in the 2022/23 Financial year.;
- Council is to receive \$0.4M from Transport NSW as compensation regarding M6 extension works.

A complete summary of the major proposed changes is outlined in Attachment C.

Throughout this review, Council Operating Result has improved by \$12.3M (or \$11.7M when adjusted for one-off capital grants and contributions), when compared to the result forecast as part of the December revision process. A summary of the major proposed changes is outlined in Attachment D.

Regarding service reviews, staff realignments and quarterly budget reviews completed during the March quarter;

- A priority focus in the draft Delivery Program and Operational Plan is to improve to the look and feel of our town centres. To achieve these improvements that respond to the community's feedback, four additional FTEs are required to administer the strategic cross-functional approach with the operational service areas, focusing on whole-of place management, data management and budget management.
- As per the August 2021 Council report, a minor realignment of the Children's Services Team was undertaken as a result grant funding received through Start Strong Preschool Funding for a period of three years for Council to provide Preschool services. The establishment of one full time Early Childhood Education Teacher role will enable Council to manage the program and achieve licensing requirements.

This will see the existing establishment of 1478 increase to 1483.

Separately, Council's capital works and acquisition program is now expected to be \$170.2M, having increased by \$1.2M for this quarter. These adjustments are a part of Council's ongoing review which ensures that the capital works and acquisition program reflects the forecast pattern of expenditure and additional capital grants identified throughout the quarter. Other adjustments relate to timing adjustments of budgeted expenditure, where projects will not be completed or commenced within the 2021/22 financial year and have now been rescheduled to 2022/23. These adjustments are a part of Council's ongoing review which ensures that the capital works and acquisition program reflects the forecast pattern of expenditure.

In reflecting the adjustments made as a part of this revision, Council's level of cash and cash equivalents is expected to decrease by approximately \$2.2M (assuming no carryovers exist at 30 June 2022).

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

Description / Project	Councillor	Allocation
Nepalese Monument	Waiba	\$5,000

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

Conclusion

This report and Attachments provide a progress report for the 2021/22 Operational Plan, and the 2021/22 Budget. This ensures Council is meeting its obligations under the Integrated Planning and Report Framework and contributes to the ongoing enhancement of good governance across Council.

Further, this report provides a summary and detailed analysis (see Attachments C and D) regarding the March Quarter financial review, including the Quarterly Budget Review Statements. The review contains details of any major variations which are reflected by the adjustments detailed in the Quarterly Budget Review Statements.

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

Governance and Administration Matters - 26 April 2022

ITEM 7.3 **Draft Integrated Planning and Reporting Suite – Community Strategic Plan 2036, Delivery Program (2022-25), Operational Plan (2022/23), Resourcing Strategy for Assets, Finance and Workforce, and the Community Engagement Framework, Policy and Toolkit**

AUTHOR **City Future**

PURPOSE AND BACKGROUND

The Local Government Act (Sect 406) requires all councils to prepare a suite of integrated planning and reporting (IPR) documents comprising:

- Community Strategic Plan for the City (minimum 10-years);
- Delivery Program for the Council (Council term);
- Operational Plan for the Council (prepared annually);
- Resourcing Strategy for Council covering Asset Management (10-years), Financial Management (10-years) and Workforce Planning (Council term); and
- Community Engagement Framework, Policy and Toolkit.

ISSUE

The IPR documents must be reviewed regularly to monitor progress towards projected outcomes and in particular, must be reviewed following a Council election.

This report presents new and revised IPR documents for public exhibition.

RECOMMENDATION That -

1. In accordance with Section 406 of the Local Government Act 1993, the draft Integrated Planning and Reporting Documents, including the draft Community Strategic Plan, draft Resourcing Strategy, draft Delivery Program, draft Operational Plan including Budget and draft 2022/23 Schedule of Fees and Charges, draft Community Engagement Framework, Policy and Toolkit, be placed on public exhibition.
2. Council notes the Rates Harmonisation path for both former Council rating structures, as outlined in this report.
3. The proposed Rating and Annual Charges for 2022/23 as outlined in Annexures F and G (forming part of Attachment B to this report) be exhibited. The proposal is based on the following:
 - (i) Council's ordinary rates for 2022/23 making provision for an ad valorem structure and an increase to Council's general income equivalent to the percentage of 7.8%,

being a 2.5% rate peg increase plus a 5.3% special rate variation increase as determined by the Independent Pricing and Regulatory Tribunal (IPART).

- (ii) A Minimum Ordinary Residential Rate of \$850.00 in respect of each separate parcel of rateable land in the City categorised as Residential land as specified by the Independent Pricing and Regulatory Tribunal (IPART).
- (iii) A Minimum Ordinary Business Rate of \$850.00 for each parcel of rateable land in the City categorised as Business as specified by the Independent Pricing and Regulatory Tribunal (IPART).
- (iv) Council notes its earlier decision regarding Business Sub-Categories, and adjustments to the business ad valorem rates as outlined in this report.
- (v) Annual charges from Domestic Waste collection be set at \$585.00 for all Residential properties.
- (vi) Annual charges from Trade Waste collection be set at \$585.00 for all Business properties in the former City of Canterbury
- (vii) The maximum mandatory pensioner rebate of \$250.00 per annum. In addition, Council continue to provide a further voluntary rebate, which equates to \$40.00 per annum in accordance with Council's 'Rates and Charges Debt Recovery and Hardship Assistance Policy'.
- (viii) Annual Charges for Stormwater Management Services as follows:
 - **Residential Properties**
 - Annual Residential Charge of \$25.00 per property.
 - Annual Residential Strata Charge of \$12.50 per property.
 - **Business Properties**
 - Annual Charge of \$25.00 per property plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.
 - **Mixed Development**
 - Adopt the dominant Rating category as applied to the parcel of land as determined by the Valuer General and apply to each relevant property.
 - In the event that a mixed development is 50% residential and 50% business, Council will apply a residential charge.

- **Exemptions**

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

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

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

ATTACHMENTS

[Click here for attachments](#)

- A. Draft Community Strategic Plan - CBCity 2036
- B. Draft 2022-25 Delivery Program and 2022/23 Operational Plan and Budget
- C. Draft Resourcing Strategy – 2022-32 Financial Management Strategy
- D. Draft Resourcing Strategy – 2022-32 Asset Management Strategy
- E. Draft Resourcing Strategy – 2022-25 Workforce Strategy
- F. Draft Community Engagement Framework
- G. Draft Community Engagement Policy
- H. Draft Community Engagement Toolkit

POLICY IMPACT

The draft suite of Integrated Planning and Reporting documents has been prepared in accordance with the Office of Local Governments Integrated Planning and Reporting Guidelines for Local Government in NSW (September 2021).

FINANCIAL IMPACT

The draft Operational Plan sets out Council's draft Revenue Policy, Budget and Schedule of Fees and Charges for the 2022/23 financial year. The budget has been premised on providing as many business-as-usual services and facilities as possible, and with the need to be flexible and sensitive to changing community needs during 2022/23.

The Delivery Program projects spending for the Council term and the Financial Management Strategy includes projections on spending for the next 10 years. Budgets are reviewed regularly for amendment to maintain currency and to ensure they reflect Council decisions.

COMMUNITY IMPACT

The draft Delivery Program, Operational Plan and Resourcing Strategies ensure that Council continues to focus the priorities identified by the community and that resources are properly allocated to address them.

DETAILED INFORMATION

It's more than just a legal requirement

Communities do not exist in isolation – they are part of a larger natural, social, economic and political environment. Council's plans and strategies also do not exist in isolation – land use and infrastructure planning support social, environmental and economic outcomes, and vice-versa – they are all connected and must therefore be integrated.

Under the Local Government Act 1993, Councils are required to develop a hierarchy of plans known as the Integrated Planning and Reporting (IPR) Framework. IPR requires councils to draw their various plans together and understand how they interact. It also acknowledges that the City is constantly changing and that decisions made now may have a long 'lead' time before they are realised in the future.

All documents are based on ongoing and specific community engagement activities to ensure that the IPR documents continue to reflect community and stakeholder priorities and aspirations.

Format

The IPR documents are structured around seven Destinations or key themes.

1. Safe and Strong;
2. Clean and Green;
3. Prosperous and Innovative;
4. Moving and Integrated;
5. Healthy and Active;
6. Liveable and Distinctive; and
7. Leading and Engaged.

CBCity 2036

The Community Strategic Plan sits at the top of Council's planning hierarchy and is the highest-level plan that a Council will prepare. Its purpose is to identify the community's priorities and aspirations for the City's future and to provide direction for how to get there.

The Community Strategic Plan:

- underpins all we do at Council, ensuring that successive terms work towards agreed outcomes, setting funding priorities and shaping internal policy;
- links to plans in other levels of government e.g. Greater Sydney Regional Plan;
- capitalises on the City's status as a Strategic Centre and major health and education precinct;
- provides the base on which to prepare Delivery Programs, annual Operational Plans and supporting resourcing strategies; and is
- a catalyst for collaboration, advocacy and future funding.

The revised Community Strategic Plan – CBCity 2036 – reaffirms the Community Vision or a *Thriving, Dynamic and Real City*. It also proposes **seven Transformations** or ‘game changers’ They are:

- we are a ‘Child Friendly City’;
- the City has its own solar farm;
- a network of Smart infrastructure is constructed across the City;
- there is a rapid transport connection between Kogarah and Parramatta via Bankstown;
- Canterbury and Bankstown-Lidcombe Hospitals are transformed into state-of-the-art facilities;
- our town centres are transformed through the Complete Streets approach; and
- a collaboration is formed where local and state services are delivered through a single lens.

The document is Attachment A to this report.

DELIVERY PROGRAM 2022-25 AND OPERATIONAL PLAN 2022/23

The Delivery Program examines the important issues facing the Council 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.

A full list of priorities is set out in the Delivery Program.

The annual Operational Plans expand on the priorities in the Delivery Program by identifying the specific services and projects Council will provide. The Operational Plan 2022/23 will see Council spending \$96.4 million on capital works across the City including:

- \$60 million on upgrades at community buildings and leisure and aquatic facilities;
- \$12.6 million on road, car park, bridge and traffic upgrades;
- \$4 million on our parks, playgrounds and sporting facilities;

- \$3.2 million water quality improvements;
- \$1.5 million on footpaths and boardwalks; and
- \$1.7 million on town centres.

Key highlights include:

- protecting and promoting local biodiversity including habitat box and hollow management, powerful owl monitoring, and ibis management;
- keeping the city cool with more tree planting and a Towards Net Zero Emissions Plan;
- delivering an annual calendar of events, including Ramadan Nights Lakemba, Lunar New Year and Bankstown Bites;
- improving or consolidating ageing assets to provide new, modern, multipurpose community facilities including designing the new Griffith Park community facility; constructing new community facilities at Hurlstone Park and Thurina Park, and commencing construction of the new Canterbury Leisure and Aquatic Centre;
- developing infrastructure and programs that foster grass roots, recreation and lifestyle sports including a new synthetic playing field at Padstow Park; upgrading sporting amenities buildings including Bennett Park, Croydon Park, Memorial Oval, O'Neill Park and Parry Park; and sportsfield improvements at Croydon Park and Lance Hutchinson Reserve;
- planning for current and future generations including adopting a range of key strategic documents relating to transport, community facilities, public art and town centre masterplans;
- enhancing the quality of open space across the city including playground upgrades at Burnett Reserve, East Hills Park and Josephine Reserve; concept designs for new playspaces at Deepwater Park and Ewen Park; and improving the Cup and Saucer Creek bike path;
- facilitating movement around the City for all users including road rehabilitation in Beamish Street, Campsie; Bonds Road, Riverwood; Fitzpatrick Street, Revesby; Miller Road, Chester Hill, and Lancaster Avenue, Punchbowl, and advocating for improved infrastructure at Stacey Street and Henry Lawson Drive; and
- improving activity, accessibility, connectedness and attractiveness of the public domain by upgrading the Rawson Road Greenacre town centre and commencing the Campsie Complete Streets project.

The document is Attachment B to this report.

RESOURCING STRATEGY

The Resourcing Strategy ensures that Council has all of the resources it needs to deliver on its commitment to the community. It comprises a 10-year Asset Management Plan, 10-year Long Term Financial Plan and a three-year Workforce Strategy.

Financial Management Strategy (FMS) and Long Term Financial Plan (LTFP)

Council's current financial position and performance (from a cashflow perspective) is considered sound and stable. That said, Council's long-term financial plan forecasts a number of financial challenges, particularly in adequately funding Council's required asset maintenance and backlog requirements.

In the main, Council's LTFP:

- identifies some of the financial pressures Council continues to face, in terms of escalating non-discretionary costs, cost-shifting and reduction in government grants, particularly allocations made to Council under the Financial Assistance Grant program;
- reflects Council's approach to managing growth, throughout the local government area, particularly from a financial perspective; and
- addresses funding under several scenarios to meet Council's ongoing asset maintenance, asset renewal and backlog estimates.

The document is Attachment C to this report.

Asset Management Strategy – 10 years

Council has one of the most advanced and well-populated asset management systems in NSW Local Government to manage its \$4 billion asset base of roads, buildings, parks, drainage infrastructure and other community assets. In relation to these existing assets, there are three critical issues:

1. the cost of maintenance and renewal is going up;
2. there is a gap between the funding available for ongoing maintenance and renewal of our assets and what should be spent to keep assets in reasonable condition; and
3. some assets are beyond maintenance and need to be replaced.

The Asset Management Strategy is a 10-year plan to address both the Renewal Gap and to manage the Asset Backlog in a reasonable timeframe. It contains a funding strategy which has been aligned with the LTFP and provides for all Council assets to have a current Asset Management Plan detailing the whole lifecycle of the asset including responsibilities and accountabilities for the delivery, routine maintenance, partial capital renewal and (as required) the disposal or renewal of the asset.

The document is Attachment D to this report.

Workforce Strategy - 3 years

Council employs in excess of 1,400 staff across a wide variety of disciplines and professions and is committed to effective workforce planning to ensure it has the right people in the right jobs, in the right place at the right time.

The Workforce Strategy 2022-2025 draws together Council's ambition of creating a *community that loves their community* and purpose of *together we create a great city we love*. The Strategy is a collaborative approach for using data and evidence to develop and maintain

an agile, sustainable, and well distributed workforce across council to deliver on its strategic objectives.

The Strategy contains three People Priorities to ensure Council is prepared for immediate and long-term workforce demands. They are to:

1. inspire people with ambition and purpose through engaging our people to create a great city we love;
2. reimagine our workplace culture through empowering our people to make a difference; and
3. find better ways to do things through building a digital and growth mindset into what we do.

The document is Attachment E to this report.

EXHIBITION and COMMUNITY ENGAGEMENT FRAMEWORK, POLICY AND TOOLKIT

Under Section 402A of the Local Government Act 1993 all councils in NSW are required to develop and implement a Community Engagement Strategy. Council's Community Engagement Strategy is comprised of a Community Engagement Policy, Community Engagement Framework and Community Engagement Toolkit, together with the Community Participation Plan, which guides development assessment and planning processes.

The draft Integrated Planning and Reporting Suite will be exhibited for comment from 2 May to 3 June 2022. In addition to the usual engagement activities undertaken for significant matters, Council will be holding five drop-in sessions, one in each Ward to provide more opportunity for face-to-face discussion with the community and to enhance community participation prior to Council adoption. This is in accordance with the attached Community Engagement Strategy and Toolkit.

The documents are Attachments F, G and H to this report.

FINANCIAL MANAGEMENT

Council's Financial Management Strategy (FMS) and Long Term Financial Plan, sets out the parameters which look to respond to the ongoing challenges to long term financial sustainability, and manage liabilities for future generations.

Despite the many financial challenges faced by Council including the loss of a previous Special Rate Variation (SRV), the capping of rates income, the ongoing cost shifting from other levels of government, the reduction in federal government general purpose grants, the ongoing financial impact of the global coronavirus pandemic, the emergence of cost rises above income growth, and supply chain issues, Council's current financial position is considered sound from a cashflow perspective and able to support the ongoing management of Councils operations.

Council's broader financial position continues to reflect a Net Result of negative \$1.4M. Once adjusted for one-off capital grants and contributions (which establishes/provides the true result of managing our day-to-day operations), Council's net result further declines to negative \$24.4M (negative \$35.0M in 2021/22).

Council's long-term financial plan supports the decisions Council has taken to address these challenges, including a successful application to IPART for a Special Rate Variation, and importantly developing a path to ensure we remain financially sustainable including:

- ongoing maintenance of our infrastructure assets;
- pressure to both align and/or increase service levels across the local government area;
- increases in non-discretionary costs, such as the emergency services levy, local government election costs and waste levies; and
- recouping the loss of rating revenue to fund services/capital (i.e. former Canterbury Council Special Rate Variation - \$5.1M per year).

The Long-Term Financial Plan highlights Council's steps to address this imbalance and importantly provides a path which ensures Council remains financially sustainable.

Council has an ongoing commitment to refining/reviewing its cost base, particularly through ongoing efficiency improvements throughout operations, to ensure that every effort is made to deal with the pressures noted above.

Recent relaxing of COVID-19 virus restrictions has assisted in reducing the virus's impact on Council's operations. However, the COVID-19 pandemic continues to impact council operations through supply chain issues, staffing of operations for service delivery and the flow on to rising inflationary pressures on Councils costs. In responding to the crisis, Council has provided a number of community initiatives and support packages to assist its community throughout the pandemic.

Council estimates that the total direct financial impacts of the pandemic on Council's operations is estimated to be around \$24M to date. The impact has come at the expense of replacing infrastructure assets throughout the local government area.

More broadly, Council's Financial Management Strategy addresses long term financial sustainability challenges including a commitment to slow expense-growth, adequately fund the maintenance and renewal of infrastructure, and manage liabilities for future generations.

Council's FMS includes measures to tackle and absorb the broader economic environment and ensure that it is ready to respond to issues such as:

- harmonising services and revenue funding across the local government area;
- the expected growth in housing and its impact on service and infrastructure needs;
- revitalising and re-investing in the CBD, town centres, libraries and recreational facilities;
- enforcement of required regulatory and compliance standards expected by the community;
- preserving the City's fragile natural environment;
- building confidence in the City by identifying relevant opportunities to support the local economy and attract investment; and
- taking a positive and leading role in responding to the reforms set out by the NSW Government.

Financial Objectives

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

The principal financial objectives are to:

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

Council's financial goals continue to include:

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

The 2022/23 budget is premised on a number of elements, including:

- an adjustment to rates income as approved by the Independent Pricing and Regulatory Tribunal (IPART);
- unless known, the growth in other revenues and operational costs be increased to reflect Council's pricing principles outlined in the Long-Term Financial Plan;
- commencement of a loan borrowing program to partially fund the proposed new Canterbury Leisure and Aquatic facility; and
- maintaining strategic indicators and cash restrictions at acceptable levels.

Amidst our known financial challenges, Council's focus for the forthcoming financial year will again centre on balancing our need to provide effective services throughout the community, delivering on infrastructure and preserving/managing our cash reserve position.

Revenue Policy

- **General Rates and Annual Charges**

On the 29 March 2017, the NSW Parliament passed the Local Government Amendment (Rates – Merged Council Areas) Bill 2017 providing rate protection for residents of NSW Merged Councils. The Bill effectively froze rates on their current paths for a period of 5 years, an obligation which continued until 30 June 2021 – including Council’s ability to restore the former Canterbury Council’s Infrastructure Levy – which would have equated to \$5.1M if it were reflected in Council’s 2022/23 Budget – which ended in 2019. When compounded, the cumulative loss of rating income from the levy totals around \$14.9M.

Separately, the NSW Government originally required all merged councils to implement a new aligned rating system by 1 July 2021. Subsequently, the Government agreed to allow merged councils to gradually harmonise their former council rating structures over an 8-year period, rather than needing to complete the process by 1 July 2021.

As part of Council’s 2021/22 Operational Plan process, Council agreed to adopt an 8-year gradual rates harmonisation strategy. The 2022/23 rating year reflects the second year of the strategy.

Councils parameters in terms of setting its rating structures for 2022/23, is as follows:

- a permissible rate increase of 7.8% (rate-peg of 2.5% and SRV of 5.3%), as determined/set by the IPART;
- reflects an anticipated staged growth of around 750 dwellings throughout the year; and
- as indicated above, gradually harmonising Council’s Residential and Business ad valorem rates over an 8-year period (Year 2 of 8).

Business Sub-Categories

As part of its 2021/22 Operational Planning process, Council established new subcategories for the business rating category. The sub-categories are based on the parameters and/or hierarchy of commercial and industrial zones, as adopted in our Local Strategic Planning Statement.

Given the higher volume of pedestrian traffic, increased retail exposure, and proximity location to the centre of activities in suburbs, business sub-categories and a rating differential provides greater fairness and equity to Council’s rating structure. Business ratepayers operating outside established commercial zones and city centres, are not provided the same level playing field as businesses located inside of these areas. Businesses who choose to position themselves in these locations do so specifically for the benefits of that location.

On this basis, Business Sub-Categories established and applied for the 2021/22 financial year – were as follows:

Business Sub-Categories	
Rating Sub-Category	Local Strategic Planning Statement (LSPS) Hierarchy
Business – Commercial Large	Major Shopping Centres (Bankstown / Roselands)
Business – Commercial General	Bankstown CBD, Campsie, Local Centres
Business – Industrial Large	Business Parks, Major Industrial Areas
Business – Industrial General	All Other Industrial Areas
Business – Ordinary	Village, Small & Neighbourhood Centres

Based on the above, each business throughout the local government area has been assigned to a new sub-category. The current differential between the residential ad valorem rate and the business ad valorem rate is 1:2.7.

The ad valorem differential will be gradually/equally adjusted over a 4-year period. Indicatively, the proposed differential rate/ratio for ad valorem rates in each rating category will be as follows:

Business Sub-Categories					
Rating Sub-Category	Current (2021/22) Differential from Residential Ordinary	Proposed Differential from Residential Ordinary 2022/23	Proposed Differential from Residential Ordinary 2023/24	Proposed Differential from Residential Ordinary 2024/25	Proposed Differential from Residential Ordinary 2025/26
Business – Commercial Large	1:2.7	1:3.025	1:3.350	1:3.675	1:4
Business – Commercial General	1:2.7	1:2.775	1:2.850	1:2.925	1:3
Business – Industrial Large	1:2.7	1:3.025	1:3.350	1:3.675	1:4
Business – Industrial General	1:2.7	1:2.775	1:2.850	1:2.925	1:3
Business – Ordinary	1:2.7	1:2.525	1:2.350	1:2.175	1:2

Naturally, the respective differential rates/ratios will separately be set and determined by Council as part of each annual planning process.

Minimum Rates

Council commenced its minimum rates harmonisation from 1 July 2021 in accordance with its approved IPART proposal. The main purposes of Council's minimum rate application to IPART in 2021 was to:

- harmonise the former Council's rating structure; and
- deliver a fairer and more equitable rating structure.

By way of background, in 2020/21, 30.6% of the council's ratepayers were paying the minimum rate. Without the proposed minimum rate increases the dollar gap between ratepayers paying the minimum rate and ratepayers paying the ad valorem rate would continue to grow in the future.

Residents living in standard houses would effectively bear a greater percentage of the rating burden if the minimum rate was not increased, despite all ratepayers having the same access to council's services. IPART had considered Council's approach and determined it be appropriate/reasonable.

As part of Council's rates harmonisation strategy and approved SRV, Council's minimum rates will be adjusted to \$850 in 2022/23 and \$990 in 2023/24.

Special Rates – Bankstown CBD Town Centre

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.

Pensioner Rates

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

In accordance with Council's proposed rates and charges, debt recovery and Hardship Assistance Policy, an additional voluntary rebate which equates to \$40.00 per year will be provided to all eligible pensioners. The total rebate will cost Council approximately \$3.0M in net terms for 2022/23, approximately \$0.8M of which is Council's discretionary concession.

Domestic Waste Management Fee

Council, during 2020/21, harmonised its waste operations. The new service and contracts reflect increased/standardised service levels throughout the local government area, across all waste services.

In setting its fee, Council is required to:

- apply cost recovery principles in setting its fee, including the need to account for increasing non-discretionary state government costs, such as tipping fees and levies;
- reflect the increased service levels costs;
- reflect required capital resourcing to accommodate the new service and restore relevant cash reserves (former Canterbury Council); and
- maintain adequate cash reserves for ongoing vehicle and bin replacement, including tip rehabilitation and deploying Council's waste strategy.

Council harmonised the annual Domestic Waste Management fee across the local government area in 2021/22. The proposed Domestic Waste Management fee will be set at \$585 for

2022/23. Whilst IPART had suggested an increase of 1.1% to the fee, Council's proposed adjustment has been set at 0.9%.

Annexure E provides the financial details relating to the service.

Stormwater Levy

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

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

In recognition of Councils' key role in stormwater management, the NSW Government made amendments to the Local Government Act 1993 (amended October 2005) and the Local Government (General) Regulation 2005 (amended April 2006) to allow councils the option of levying a stormwater management service charge.

The charge was introduced to help council to cover some or all of the costs of providing new or additional stormwater management services to eligible land, above and beyond those that council could provide with their own funds.

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

These pressures have increased the costs of stormwater management for local councils. In accordance with Section 496A of the Local Government Act 1993 and Local Government (General) Regulation 2021, Council has in place a Stormwater Charge on eligible properties within Canterbury- Bankstown. In managing the annual charge, the following structure will be applied:

Residential Properties

Annual Residential Charge of \$25.00 per property. Annual Residential Strata Charge of \$12.50 per property.

Business Properties

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

Mixed Development

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

Exemptions

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

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

It should be noted that this charge, set by legislation, has not changed (not even CPI). Since being first introduced. In reality this is a decline over time.

Annexure I of the Financial Statements in Part 5 of the Operational Plan provides details of the Stormwater Levy funded projects for 2022/23.

Interest Income

Council will continue to carefully manage its investment portfolio having regard to prevailing market conditions, industry benchmarks and allowable investment opportunities, as they arise. Having regard to Council's current investments and market expectations, the budget includes a weighted average return of around 1.75% per year.

With official interest rates at historically all-time lows, Council has seen a rapid decline in interest income over last few financial years. It is expected that the Reserve Bank will begin increasing official interest rates over the 2022/23 financial year. However, these increases will take some time to flow through to increased interest income for Council due to the timing of maturities and re-investments. Budgeted interest income over the short-medium term have been revised to reflect the current low interest rate environment.

In total, Council expects its interest income to increase slightly by \$0.1M in 2022/23 from the low base of investment interest income forecast for 2021/22.

Other Fees and Charges

The general principle being applied is that fees should reflect true costs less the amount Council is willing to subsidise as a community service obligation. In general, it is proposed to increase the 2022/23 fees and charges by 0.7%, subject to rounding where required.

Council's approach to setting its fees and charges is based on the following broad parameters.

Pricing of Goods and Services (Pricing Policy)

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

Cost of provision

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

Community Service Obligations

Council acknowledges that it has an obligation to provide some goods and services as a community service. As a result, Council accepts responsibility for at least partially funding these goods and services from other sources of revenue. This is reflected in varying degrees of pricing subsidy, dependent on the nature of the good or service being provided. Where it is not feasible to collect fees from private beneficiaries for a good or service, which provides a wider community benefit, full subsidy will be applied.

Where cost-recovery can be achieved but Council recognises an obligation in terms of equity and social justice considerations, and the merit and well-being of the community, an appropriate level of subsidisation will be applied.

Private Benefit

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

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

Council looks to generate an agreed positive return on assets so as to not reduce financial viability. Where required, Council will ensure compliance with 'competitive neutrality' provisions of the National Competition Policy and categorisation (i.e. category 1 or 2 business activity). Council has not identified any category 1 or 2 business activities for the 2022/23 budget.

Statutory Limitation

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

Details of each charge are attached in Section 5 of the Operational Plan.

Loan Borrowings

Council's long-term Financial Management Strategy reflects a budgeting model whereby General Fund Revenue is generated to maintain our infrastructure asset replacement program and that loans will only be acquired to support certain community self-funding initiatives that Council endorses.

Council is scheduled to begin a borrowing program during 2022/23 of up to \$85M over the next 10 years to fund Council's adopted Leisure and Aquatics Strategy. An initial loan of \$43M will be required commencing in 2022/23 and be drawn down as required to fund the Canterbury Leisure and Aquatics Facility.

As part of Council's approved Special Rate Variation by IPART funding has been made available to service new loan borrowings for the implementation of Council's adopted Leisure and Aquatics Strategy. The Canterbury Leisure and Aquatics facility and loan have been included in the 2022/23 operational plan and budget. Specific timing, budgets and loan funding for other projects in the Leisure and Aquatics Strategy will be identified as part of future annual Operational Plans.

Costing Parameters and Assumptions

Inflation

Inflation expectations are as per the Reserve Bank of Australia (RBA) target, which is a band set at a rate of between 2.0% and 3.0%. Inflation has been impacted by the COVID pandemic, global factors and supply chain issues during 2021/22 which has seen recent inflation rise above the RBA's target.

As a guide, Council's costs have been adjusted by 2.5% to accommodate and/or reflect relevant escalation in proposed budgets for the 2022/23 financial year, particularly those of a contractual nature.

Employee Costs

Council's employee costs in the 2022/23 Budget include an award increase of 2.0%. Council's full-time equivalent (FTE) employee numbers (organisational structure) for the 2022/23 financial year is set at 1,483.

Depreciation Expense

Council's operating expenses include an amount for Depreciation Expense, a non-cash item which aims to broadly account for the level of use/consumption of assets on an annual basis. An amount of \$77.9M has been reflected in the 2022/23 Budget to reflect this cost. Council assesses depreciation annually as part of preparing and reviewing its Asset Management Strategy.

Planned 2022/23 Budget

Council's expected operating result for the 2022/23 financial year is:

Category	2022/23 Original \$M	2021/22 Original \$M	Difference \$M
Operating Revenue	363.7	357.6	6.1
Operating Expenditure	365.1	358.4	6.7
Operating Deficit (Including Capital Income)	(1.4)	(0.8)	(0.6)
Less Capital Grants and Contributions	23.0	34.2	11.2
Total Operating Result	(24.4)	(35.0)	10.6

The 2022/23 Budget is assessed against the 2021/22 Original Budget given that it provides a comparable base to assess the broader movement between financial years.

Council's Net Operating Result before Capital Grants and Contributions for 2022/23 is estimated to be negative \$24.4M, this is an improvement of \$10.6M when compared to Council's 2021/22 Original Budget.

Once capital grants and contributions are added, Council's projected Operating Result for the year is expected to be negative \$1.4M.

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

Revenue/Income Budget

Council's Revenue Budget (excluding capital grants and contributions) for 2022/23 is expected to be \$340.7M, an increase of \$17.3M (5.3%) to that originally planned for 2021/22. A break-up by income category is as follows:

Category	2022/23 Original \$M	2021/22 Original \$M	Variance \$M
Rates / Domestic	274.3	256.0	18.3
User Charges / Fees	19.1	19.2	(0.1)
Interest	6.7	6.6	0.1
Other Revenue	14.1	13.6	0.5
Grants - Operating	21.4	22.4	(1.0)
Other Income	5.1	5.6	(0.5)
Total	340.7	323.4	17.3

The variation of \$17.3M, is a result of the following movements:

Component	Variance \$M
Rating Revenue	14.8
Domestic Waste	3.5
Interest Income	0.1
User Fees & Charges	(0.1)
Operating Grants	(1.0)
Total	17.3

Revenue projections for 2022/23 have been set to reflect known elements and/or current year trends. An explanation of the major variations is as follows:

- Reflected the approved 7.8% (rate-pegging limit of 2.5% and SRV of 5.3%) to its rating revenue budget and expected growth in properties throughout the local government area;
- Council's annual Domestic Waste Levy for residential properties will increase by \$5 (0.9%) per year which reflects a general increase in the cost of providing the service and the longer-term costs associated with replacing plant, bins and rehabilitating various waste facilities – see Domestic Waste Fee section above for detailed explanation;
- Operating Grants, including the Financial Assistance Grant, are included where the grant has been confirmed and the level of funding can be reliably calculated, and additional grant funds will be reported during the year as part of the quarterly budget reviews; and
- Council's level of interest income is expected to increase by \$0.1M, which is a reflection expected market conditions and the estimated level of cash on hand throughout the year.

In terms of specific purpose capital grants and contributions, Council expects to receive approximately \$23.0M in funds for various capital outcomes throughout 2022/23.

Type	Amount \$M
Development Contributions	15.0
Roadworks/Traffic – Various	7.2
Open Space	0.8
Total	23.0

Operating Expenses (OPEX)

Council's proposed operating expenditure budget is analysed to ensure that allocations are comparable to current trends. Council's Operating Expenditure Budget is expected to be \$365.1M, an increase of \$6.7M (1.9%) to that adopted for 2021/22. A break-up of each operating expenditure category is as follows:

Category	2022/23 \$M	2021/22 \$M	Variance \$M
Employee Costs	157.4	152.3	5.1
Borrowing Cost Expense	0.8	0.1	0.7
Depreciation	77.9	75.5	2.4
Materials & Services	115.0	118.3	(3.3)
Other Expenses	14.0	12.2	1.8
Total	365.1	358.4	6.7

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

Employee Costs

A comprehensive planning process has been carried out to ensure that the Employee Costs budget accurately reflects required resources in managing Council's operations. Council's full time equivalent (FTE) employee resources for the 2022/23 financial year are set at 1,483.

The budgeted increase in employee costs of \$5.1M is largely attributable to the Local Government Award Increase of 2.0% and its broader impact on employee entitlements. The budgeted employment costs also include the raising of the superannuation guarantee amount for employees from 10.0% to 10.5% for 2022/23.

Borrowing Costs

Borrowing costs have increased by \$0.7M in 2022/23 which are the interest charges on the loan for the Canterbury Leisure and Aquatics facility. The first tranche of the initial loan of \$43M is expected to be drawn down in the fourth quarter of 2022/23.

Depreciation

Depreciation expense has increased by \$2.4M in 2022/23 to reflect capitalisation of new assets and infrastructure revaluations which provided amendments to infrastructure values and useful lives resulting in increased depreciation charges.

Material / Services and Other Expenses

Materials, Services and Other Expenses are expected to decrease by around \$1.5M or 1.1% when compared to Council's adopted 2022/23 budget.

The decrease in Materials, Services and Other Expenses mainly relates to:

- Adjusting for one off election costs \$2.3M in 2021/22 (funded from councils dedicated reserves); and
- Investing in the next stage of Council's LED streetlighting program \$1.6M with the pay back of reduced electricity charges in future years

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

Council's Budgeted Income Statement, which outlines the various OPEX categories, is attached in Annexure A of Part 4 of the Operational Plan.

Capital Works (CAPEX)

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

This allows Council to clearly determine the extent of funding required to restore or rationalise certain assets within the City. Although the management and financial impact requires a long-term commitment well beyond the 2022/23 budget, the identified framework provides Council with a level of confidence in determining an effective approach to formulate its long-term planning.

In 2022/23, Council's focus will largely be to ensure the timely replacement / maintenance of existing assets throughout the Local Government Area.

As outlined previously, Council's ability to maintain its ongoing funding for asset management purposes is aligned to the approved special rate variation from IPART. Without increasing its revenue base (Rates) Council's ability to fund depreciation would have continued to erode/reduce.

Council's total expenditure on assets throughout 2022/23 (excluding any potential carryovers from the current financial year) is expected to be approximately \$96.4M.

Project Area	Amount \$M
Bridges	0.8
Buildings (including Canterbury Leisure and Aquatics Centre)	60.0
Car parks	1.8
Drainage Conduits	1.8
Waste Management	2.3
Town Centres	1.7

Open Space	3.6
Park/Street Furniture	0.7
Park Lighting	0.3
Pathways and Boardwalks	1.5
Road Pavement	8.5
Traffic Management Devices	0.4
Water Courses and Water Quality Devices	0.8
Operational Assets	12.2
TOTAL CAPEX	96.4

As in previous years, the 2022/23 Budget is well balanced with a strong focus on asset maintenance/replacement, complemented with priority initiatives. Of Council's capital budget, an amount of \$34.8M will be spent on replacing and/or restoring ageing infrastructure throughout the City.

The draft capital works budget for 2022/23 incorporates projects to be funded from the consolidated draft Canterbury Bankstown Local Infrastructure Contributions Plan that is currently on exhibition. Any changes required to the draft 2022/23 capital works program based on the Council's determination of the consolidated draft Canterbury Bankstown Local Infrastructure Contributions Plan will be included at an appropriate quarterly budget review during 2022/23 for Council consideration.

Annexure J and K summarises Council's capital works program for 2022/23.

Cash Reserves

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

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

In net terms, Council's level of Reserves, both those imposed by legislation or established by Council are forecast to total \$345.2M by 30 June 2023, a net increase of \$28.0M.

With the planned capital program of \$96.4M, asset replacement reserves are estimated to increase by \$4.0M during 2022/23.

A summary of restrictions made and used can be found in Annexure D of Part 4 of the Operational Plan.

Liquidity and Performance Indicators

Based on the proposed 2022/23 Budget, Council's major financial indicators continue to meet accepted industry standards and convey a sound financial position.

Council's major financial indicators for the 2022/23 financial year are expected to be as follows:

Indicator	Target	2022/23
Unrestricted Current Ratio	>150%	145%
Debt Service Ratio	<10%	0.43%
Unrestricted Cash	>\$0	\$8.1M

Based on all the cash movements noted above, Council's budget reflects an increase in cash of \$28.0M, which accounts for both internal and external restricted funds expected to be received and utilised throughout 2022/23.

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

CONCLUSION

Council's goal is to provide residents with high quality facilities and services and position the City to best capture future opportunities. Our integrated planning suite ensures sufficient attention is given to strategic decision-making at the local level. It details future direction, significant initiatives and projected budgets to guide progress and measure performance. Each annual operational plan is a further step towards achieving the goals outlined in our long term plans.

CBCity 2036 sets the vision and direction for Canterbury-Bankstown to 2036. It was shaped by our community and key stakeholders and reflects their views. It is supported at Council by the:

- Delivery Program for the Council (Council Term);
- Operational Plan for the Council (prepared annually);
- Resourcing Strategy for Council covering Asset Management (10-years), Financial Management (10 Years) and Workforce Planning (Council Term); and the
- Community Engagement Framework, Policy and Toolkit.

Together this Integrated Planning and Reporting Suite assists Council and the community to turn aspirations to reality.

Governance and Administration Matters - 26 April 2022

ITEM 7.4

Councillor Disclosure of Interest Returns

AUTHOR

Corporate

PURPOSE AND BACKGROUND

Council elections took place on 4 December 2021 and subsequently the polls were declared on 21 December 2021. In accordance with Section 4.21 of the Code of Conduct a Councillor must complete and lodge with the General Manager, within three months after becoming a Councillor a Disclosure of Interest Return as prescribed in Schedule 2 of the Code of Conduct.

Further, in accordance with Section 4.25 of the Code of Conduct the returns lodged with the General Manager must be tabled at the first meeting of council after the last day for lodgement.

All Councillors lodged their Returns in accordance with statutory requirements.

ISSUE

Disclosure of Interest Returns are tabled for Council's notation.

RECOMMENDATION

That the tabling of Councillors 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

The report has no financial impacts.

COMMUNITY IMPACT

The report has no community impacts.

8 SERVICE AND OPERATIONAL MATTERS

The following item is submitted for consideration -

8.1 WestInvest Program

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ITEM 8.1 WestInvest Program

AUTHOR City Future

PURPOSE AND BACKGROUND

The NSW Government recently announced the \$5 billion WestInvest program. The WestInvest program is a grant funding program that is targeted to Western Sydney councils to fund transformational infrastructure projects.

The program has been broken down into two different funding streams:

\$3 billion NSW Government Project Fund – funding made available to the NSW Government agencies to deliver transformational projects that are ready to go.

\$2 billion Community Project Fund –

- *Local Government Allocation:* Approximately \$400 million directly allocated to 15 Local Government Areas to advance local projects. Each council will be eligible for between \$20 million and \$35 million, depending on population size; and
- *Competitive Round:* Approximately \$1.6 billion open to non-government organisations, charitable organisations, community groups, not-for-profit and Local Councils.

Canterbury-Bankstown has been identified as being eligible under the Local Government Allocation and is eligible to apply under the Competitive Round.

ISSUE

The funding program presents an opportunity for Canterbury-Bankstown Council to submit applications under the Local Government Allocation and the Competitive Rounds of funding.

Applications under the Competitive Round of funding require a Registration of Interest to be completed before an application is submitted. The Local Government Allocation only requires an application.

This report sets out potential projects that could be applied for under the Local Government Allocation and the Competitive Rounds of funding. In identifying potential applications, projects must comply with one or more of the WestInvest Focus Areas, align with the liveability criteria of the funding and most importantly deliver transformational change and maximise community benefit to Canterbury Bankstown.

RECOMMENDATION That -

1. Applications for projects identified for submission under the Local Government Allocation round of funding proceed in accordance with the detail set out in the Table 1 of this report.

2. Based on the Registration of Interest forms being eligible, applications for projects identified for submission under the Competitive Round of funding proceed to full application in accordance with the detail set out in the Table 2 of this report.

ATTACHMENTS

[Click here for attachment](#)

- A. WestInvest Program - Information on Council Applications

POLICY IMPACT

This report is consistent with the requirements of the WestInvest Program Guidelines. The projects outlined in this report have been selected based on their alignment with Council's strategic position, existing adopted strategies and plans and broader community impact.

FINANCIAL IMPACT

This report, as written, does not have a direct financial impact. Given the uncertainty of any success or approval of funding via WestInvest, these projects have not been reflected in the current DRAFT 2022/23 Budget. It is also to be noted that the proposed matching funding from Developer Contribution is subject to the update to the current Contributions Plans.

If approved, costs associated with delivering the projects outlined in this report will be considered as part of Council's Quarterly Review process following the outcome of Council's WestInvest applications.

COMMUNITY IMPACT

The delivery of these projects is a once in a generation opportunity to deliver much needed infrastructure to our City. The delivery of projects funded under the WestInvest program will deliver social, cultural, economic or environmental benefits to the community. The delivery of these projects will result in significant new or improved infrastructure to the community across the City and for some of the identified projects, regionally.

DETAILED INFORMATION

WestInvest Program Criteria

The NSW Government's WestInvest program is a grant funding program targeted to 15 Sydney councils to fund transformational infrastructure projects. Infrastructure projects eligible for funding must address one or more of the program six focus areas, drive transformational change at a local, LGA or regional scale and demonstrate community support.

The six focus areas of the program include:

- Quality green and open spaces
- Community Infrastructure
- School modernisation
- Arts and cultural facilities
- High street activation
- Local traffic programs

The minimum funding amount that can be applied for eligible projects is \$250,000. There is no cap on the amount of funding that can be applied for, so long as the project is of a transformational scale and meets the criteria of the WestInvest program.

All eligible applications will be assessed against the following five criteria:

- **Liveability (20%)** – demonstrate how the project will enhance or improve liveability for a defined community.
- **Transformational (20%)** – demonstrate how the project's liveability outcomes will endure over time, and /or can augment community benefits with other initiatives and/or capitalises on a time-limited opportunity.
- **Value for Money (20%)** – demonstrate that the project is cost effective and will deliver benefit to the community.
- **Deliverability (20%)** – demonstrate that the applicant has the capacity and expertise to deliver the project within budget and timeframe and has or can obtain all necessary approvals and consents.
- **Viability (20%)** – demonstrate that the owner of the infrastructure can manage and maintain it.

Applications cannot fund ongoing operational, maintenance or services costs or improvements.

Application Process

For the *Local Government Allocation*, applications are currently open and close on 27 June 2022. The NSW Government has indicated they will progressively assess and determine applications as they are submitted.

There are two steps to the assessment of an application under the *Local Government Allocation* and these are:

1. **Eligibility review.** This step will assess all projects to ensure the applicant and the project meet all eligibility requirements.
2. **Project assessment.** All eligible applicants and projects will be assessed against the criteria in the Guidelines.

For the *Competitive Round* there are three steps to the assessment of an application. The steps are:

1. **Eligibility review.** This step will assess all projects to ensure the applicant and the project meet all eligibility requirements.
2. **Project assessment.** All eligible applicants and projects will be assessed against the criteria in this Guideline.
3. **Program alignment.** This step will ensure final projects chosen are aligned with the key objectives of the WestInvest program to deliver benefits to all 15 eligible LGAs, all six focus areas, deliver benefits to communities at a local, LGA and regional scale.

For the Competitive Round, a Registration of Interest (ROI) was required to be submitted to determine eligibility of the project and applicant. Registrations of Interest opened early April and closed on 21 April 2022.

Unfortunately, as the ROIs closed on Thursday 21 April, this did not allow time to seek Council approval of submitted projects despite a request for an extension in time. As a result, a ROI was submitted for projects as outlined in this report, however these can be withdrawn if Council wishes.

If Council approves the submitted projects and the Government (through WestInvest) deems them eligible, applications for this round open on 2 May 2022 and close on 27 June 2022. Successful applicants will be notified from November 2022.

Eligible applicants for this round also include non-government organisations, charitable organisations or community and sporting groups. Community interest in this program is high, and Council has already received a number of enquiries from groups looking to submit a funding application in the competitive round.

While Council endorsement is not required for others to submit an initial Registration of Interest, the funding guidelines do stipulate that written Landowners' Consent is required by applicants when submitting their final application. Council is in support of projects that focus on upgrading existing community infrastructure and align with Council's strategic direction.

Community Feedback

Given the scale of the WestInvest funding opportunity, Council provided residents with the opportunity to submit their feedback on potential WestInvest projects on the Have Your Say website. The exhibition period ran from Wednesday 2 March 2022 - Tuesday 22 March 2022. Survey respondents were able to drop a pin on the mapped location of potential projects along with a description of the project.

A total of 248 submissions were received and identified a wide range of projects and local improvements.

The top three themes from the feedback were:

- Increasing the number of trees in the LGA (26 submissions)
- Upgrade of playgrounds and supporting infrastructure (22 submissions)
- Footpath upgrades (14 submissions)

The NSW Government also separately ran its own consultation process for the WestInvest fund on their Have Your Say website in March with the exhibition period ending on 31 March 2022.

A high-level summary has been provided to Council, with 190 survey respondents providing feedback on the LGA. The top three focus areas from this feedback were:

- Parks, urban spaces and green space (30%)
- Enhancing community infrastructure (17%)
- Local traffic programs (17%)

Potential Projects

In identifying potential projects that could be considered for funding through the WestInvest program, a number of factors were considered:

- Consistency of projects with the eligibility and assessment criteria listed in the Program Guidelines;
- Community consultation and feedback;
- Alignment with an adopted Strategic Plan or Masterplan;
- Projects that have already been identified by Council but are currently unfunded;
- Projects previously submitted to Government as part of COVID-19 support;
- The ability to access funding co-contributions for projects through Council's Development Contributions Plans;
- Ensuring projects cover a range of infrastructure categories and locations across the City; and
- Projects that can be delivered in accordance with the timeframes set out in the WestInvest program.

It should be recognised that this funding program represents a once in a generation opportunity for Council to deliver transformational projects that have previously been identified, however do not have the ability to fund in their entirety. Accessing the WestInvest funding and leveraging from Council's existing resources, e.g. development contributions (s7.11), will provide the matching funds to bring these projects to fruition.

Importantly projects that have been identified in the development contributions Works Schedules have already been through a strategic planning and conceptual process and have sufficiently progressed to be considered for this WestInvest funding opportunity.

Outlined in the Tables below are the projects that Council is recommending be submitted for the WestInvest program including application amount and indicative round.

Table 1. - Potential Projects for the WestInvest Program – Council Allocation

Project name	Project Description	Ward	Application Amount	Matching Funds	Indicative Round
Revitalising Campsie Civic Precinct	Deliver a new library and community / cultural / civic space in the town centre which will commence with community engagement and planning prior to any decision on the location and works.	Canterbury	\$10 million	\$10 million (\$7.11)	Council Allocation
Roberts Park Community Hub	Deliver a new integrated multipurpose community facility and childcare centre at Greenacre on the former YMCA site	Bankstown	\$5 million	\$5 million (\$7.11)	Council Allocation
Panania Library and Knowledge Centre	Deliver a new Library and Knowledge Centre at Panania on the existing library/senior citizens centre site	Revesby	\$5 million	\$5 million (\$7.11)	Council Allocation
Town Centre Renewal – Belmore and Lakemba	Deliver town centre renewal and upgrades including pedestrian safety, economic activation, street trees and asset replacement in Belmore and Lakemba.	Roselands	\$5 million	\$5 million (\$7.11)	Council Allocation
Wran District Park	Deliver a new district Park.	Bass Hill	\$5 million	Wran District Park	Deliver a new district Park.
Local Traffic Program	Deliver upgraded traffic improvements in key locations.	Various	\$4 million	\$1 million (\$7.11)	Council Allocation

Table 2. - Potential Projects for the WestInvest Program – Competitive

Project name	Project Description	Ward	Application Amount	Matching Funds	Indicative Round
Creating a Walking City	Deliver priority walking connections across the City.	Various	\$10 million	Nil	Competitive
PlayCity	Deliver priority new and upgraded playspaces across the City.	Various	\$10 million	Nil	Competitive
Georges River and Cooks River Blue and Green Grid	Deliver regional active transport connections, recreation and environmental enhancements along the river corridors.	Various	\$20 million	Nil	Competitive
Electrifying the City	Design and deliver a new solar farm and deliver new Electrical Vehicle (EV) charging facilities.	Various	\$10 million	Nil	Competitive
Griffith Park Precinct	Deliver a new integrated multipurpose community facility and open space improvements in Griffith Park.	Bankstown	\$20 million	Nil	Competitive
Max Parker Leisure and Aquatic Centre	Deliver a new leisure and aquatic centre at Revesby.	Revesby	\$25 million	Nil	Competitive
Salt Pan Creek Masterplan	Deliver a new recreational precinct on the old Salt Pan Creek tip site	Roselands	\$30 million	Nil	Competitive

9 COMMITTEE REPORTS

The following items are submitted for consideration -

- | | | |
|-----|--|-----|
| 9.1 | Minutes of the Lakemba Ramadan Event Working Group meetings held on 17 March and 13 April 2022 | 171 |
| 9.2 | Minutes of the Audit Risk and Improvement Committee meeting held 29 March 2022 | 173 |
| 9.3 | Minutes of the Traffic Committee Meeting held on 12 April 2022 | 177 |

Committee Reports - 26 April 2022

ITEM 9.1 **Minutes of the Lakemba Ramadan Event Working Group meetings held on 17 March and 13 April 2022**

AUTHOR **Corporate**

PURPOSE AND BACKGROUND

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

The minutes of the Lakemba Ramadan Event Working Group are attached.

ISSUE

Endorsement of the Lakemba Ramadan Event Working Group minutes.

RECOMMENDATION

That the minutes of the Lakemba Ramadan Event Working Group meeting be endorsed.

ATTACHMENTS [Click here for attachments](#)

- A. Minutes of the Lakemba Ramadan Event Working Group meeting held on 17 March 2022
- B. Minutes of the Lakemba Ramadan Event Working Group meeting held on 13 April 2022

POLICY IMPACT

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

FINANCIAL IMPACT

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

COMMUNITY IMPACT

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

Committee Reports - 26 April 2022

ITEM 9.2 Minutes of the Audit Risk and Improvement Committee meeting held 29 March 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 March 2022. Matters arising from the meeting that may be of particular interest to Council include:

- Ms Carole Ferguson has been appointed the Chair for the term of the Committee (Item 5.1);
- The new Charters for the Audit Risk and Improvement Committee and Internal Audit were endorsed and have been referred to Council accordingly (Item 5.1);
- The Committee has resolved to refer the matter of councillor representation on the committee (non-voting member and subject to eligibility criteria) to council for consideration (Item 5.1); and
- The ARIC's Annual Report to Council has been finalised and is presented to Council (Item 5.1).

ISSUE

To consider the recommendations of the Audit Risk and Improvement Committee (ARIC), including the approval of the new Charters for the ARIC and Internal Audit.

Separately, the Committee supported that a Councillor representative form part of Council's Committee. Subject to Council's consideration, the nominated Councillor would be determined by the Mayor, as per his current delegation to appoint members to all other Committees and External Bodies.

RECOMMENDATION That -

1. The recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 29 March 2022, be adopted;
2. The new Charters for the Audit Risk and Improvement Committee and Internal Audit be endorsed by council;

3. The new Charters for the Audit Risk and Improvement Committee and Internal Audit be adopted by council;
4. Council considers the appointment of a councillor representative (non-voting) for membership on the Audit Risk and Improvement Committee (subject to eligibility criteria being met); and
5. The contents of the ARIC's Annual Report to Council are noted.

ATTACHMENTS

[Click here for attachments](#)

- A. Minutes of the Audit Risk and Improvement Committee meeting held 29 March 2022
- B. DRAFT Audit Risk and Improvement Committee Charter
- C. DRAFT Internal Audit Charter
- D. CBC Audit Risk and Improvement Committee Annual Report to Council | 2021

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 April 2022

ITEM 9.3 **Minutes of the Traffic Committee Meeting held on 12 April 2022**

AUTHOR **City Assets**

PURPOSE AND BACKGROUND

Attached are the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 12 April 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 April 2022, be adopted.

ATTACHMENTS [Click here for attachment](#)

- A. Minutes of the Traffic Committee Meeting held on 12 April 2022
- B. Electronic Extraordinary Minutes of the Traffic Committee Meeting held on 22 April 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 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 while required.

10 NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

The following items are submitted for consideration -

10.1 Notice of Motions	181
10.2 SEPP Planning - Councillor Linda Downey	183
10.3 Local Environmental Plan - Councillor Linda Downey	185
10.4 Ukraine Condolences - Councillor Linda Downey	187
10.5 Lakemba Ramadan Event	187A

Notice of Motions & Questions With Notice - 26 April 2022

ITEM 10.1 **Notice of Motions**

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 attachments](#)

- 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 April 2022

ITEM 10.2 SEPP Planning

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 Planning Minister Anthony Roberts calling on him to review his decision to scrap the draft Design and Place State Environmental Planning Policy (SEPP), in particular to rules requiring all developments to mitigate and adapt to the risks of climate change.”

BACKGROUND

Councils across NSW have again been left scratching their heads over a decision by the Planning Minister Anthony Roberts to scrap the draft Design and Place State Environmental Planning Policy (SEPP). He has with the stroke of a pen dumped carefully considered planning rules which put a premium on environmental standards.

Two years of reform work and hundreds of submissions from industry leaders, Councils, Environment groups and many others, down the drain. . . . And surprise, surprise, where did he elect to make this announcement?

None other than at a packed lunch organised by the developer’s group, the Urban Taskforce.

And that wasn’t all he told the developers! He also told the gathering the Government would not be making any changes to the current design guide for apartments.

On a local level, this decision will potentially impact among other things our sustainability goals and green targets when it comes to our master planning in the Bankstown and Campsie CBDs.

Councillors, but of major concern is the blinkered approach being taken to addressing climate change. And scrapping these new rules means that there is no longer a requirement to consider the risks of floods and fires before building new homes.

We have just been through flooding and torrential rain, and residents and Council are still counting the damage bill to local infrastructure and homes. And it wasn’t that long ago we were fighting bushfires. . . .

We must fight this rash decision in the best interests of our City and the community.

FINANCIAL IMPACT

I envisage there will be no financial impacts given that the motion only seeks to write to the NSW Planning Minister.

GENERAL MANAGER'S COMMENT

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

Notice of Motions & Questions With Notice - 26 April 2022

ITEM 10.3 Local Environmental Plan

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

“That –

1. Council calls on the Federal Member for Banks, David Coleman, to stop misleading the community in relation to our Local Environment Plan, which is currently being assessed by the NSW Government, for his own political agenda.
2. Furthermore, Council writes to the NSW Minister for Planning, Anthony Roberts, calling on him, or his department, to release the advice provided to Federal Member David Coleman on which he is publicly propagating this misleading information.”

BACKGROUND

Federal Liberal Member David Coleman has overstepped the mark and is confusing locals in the Federal seat of Banks with his constant misinformation about our LEP. . . . all for political gain.

Residents in East Hills, Panania, Picnic Point, Revesby and Padstow. . . to name just a few suburbs . . . have been bombarded with glossy pamphlets, letters and social media posts and don't know what to believe.

On December 10, 2021 he declared on social media that Council's **Plan was defeated and rejected by the NSW State Government** quite bizarrely, even before the Planning Department advised Council there was a delay but not defeated.

This post was followed up with the usual fanfare and letter writing to residents, taking credit for having the plan rejected. . . . despite never lodging an objection, or submission during the consultation and engagement period.

But, his latest post on March 11, 2022, is what has locals scratching their heads. The Federal Member has done a 360 . . . his social media posts and letters to residents now state that there is **no final decision** and **the Plan remains under consideration**.

He goes even further and shifts the blame onto the NSW State Government accusing them of giving him **contrasting advice** Well, I would like to see that advice!

It's obvious what is going on here! There is an upcoming Federal Election and the Federal member is quite clearly making political mileage out of a local issue. Where does he stand on the cost of living and wages for workers, where does he stand on more funding for TAFE, or supporting our struggling manufacturing businesses in our City. . . . not a word. . . .

If he is compelled to update the community on our LEP, I encourage him to start by telling the community about the NSW Government housing targets imposed on our City and go from there. . . .

FINANCIAL IMPACT

I envisage there will be no financial impacts given that the motion only seeks to write to the relevant Federal and State Members.

GENERAL MANAGER'S COMMENT

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

Notice of Motions & Questions With Notice - 26 April 2022

ITEM 10.4 Ukraine Condolences

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

“That we write to the Ukrainian Ambassador to Australia, His Excellency Mr Vasyl Myroshnychenko, extending our deepest sympathies and condolences to the people of Ukraine caught up in the ongoing military invasion.

We further condemn the violence targeting local Government representatives, many of whom have lost their lives as a result of leading their communities.”

BACKGROUND

24 February, 2022. . . . just on 2 months since Russia invaded Ukraine. . . .Tens of thousands of innocent people killed, maimed and left homeless. And there is no end in sight.

The bombs continue to rain down, as Cities and key infrastructure buildings are levelled by the advancing Russian military.

And also caught up in the middle of this conflict are local Government leaders.

We welcome a speedy end to this insanity and wish all Ukrainians peace and safe passage through these terrible, terrible times.

FINANCIAL IMPACT

I envisage there will be no financial impacts given that the motion only seeks to write to the Ambassador regarding the matter.

GENERAL MANAGER’S COMMENT

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

Notice of Motions & Questions With Notice - 26 April 2022

ITEM 10.5 Lakemba Ramadan Event

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

“That Council thanks the Community, Staff and NSW Government on running a safe and wonderful celebration of Ramadan in Lakemba”.

BACKGROUND

After two years of Ramadan being impacted by Covid, this year has been the best Lakemba Ramadan ever.

I would like to thank the community not only for their support but for behaving well and making this event a safe place for families.

I would like to thank Staff for helping all the stall holders and community be safe and supported over this important time.

I would also like to thank the NSW Government, especially Mark Coure MP, Minister for Multiculturalism and the CEO of Multicultural NSW Mr Joseph La-Posta, for providing \$250,000 funding to help us close roads and do all the extra things that make this event great. I look forward to this ongoing support so that the event can continue at this great level we had experienced on 2022.

FINANCIAL IMPACT

Thanking the Community. Staff and NSW Government does not have a financial impact.

GENERAL MANAGER’S COMMENT

The Motion as written presents no financial impact for Council.

11 CONFIDENTIAL SESSION

11.1 Property Matter - 491 Henry Lawson Drive, Milperra

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 Property Matter - 491 Henry Lawson Drive, Milperra

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.