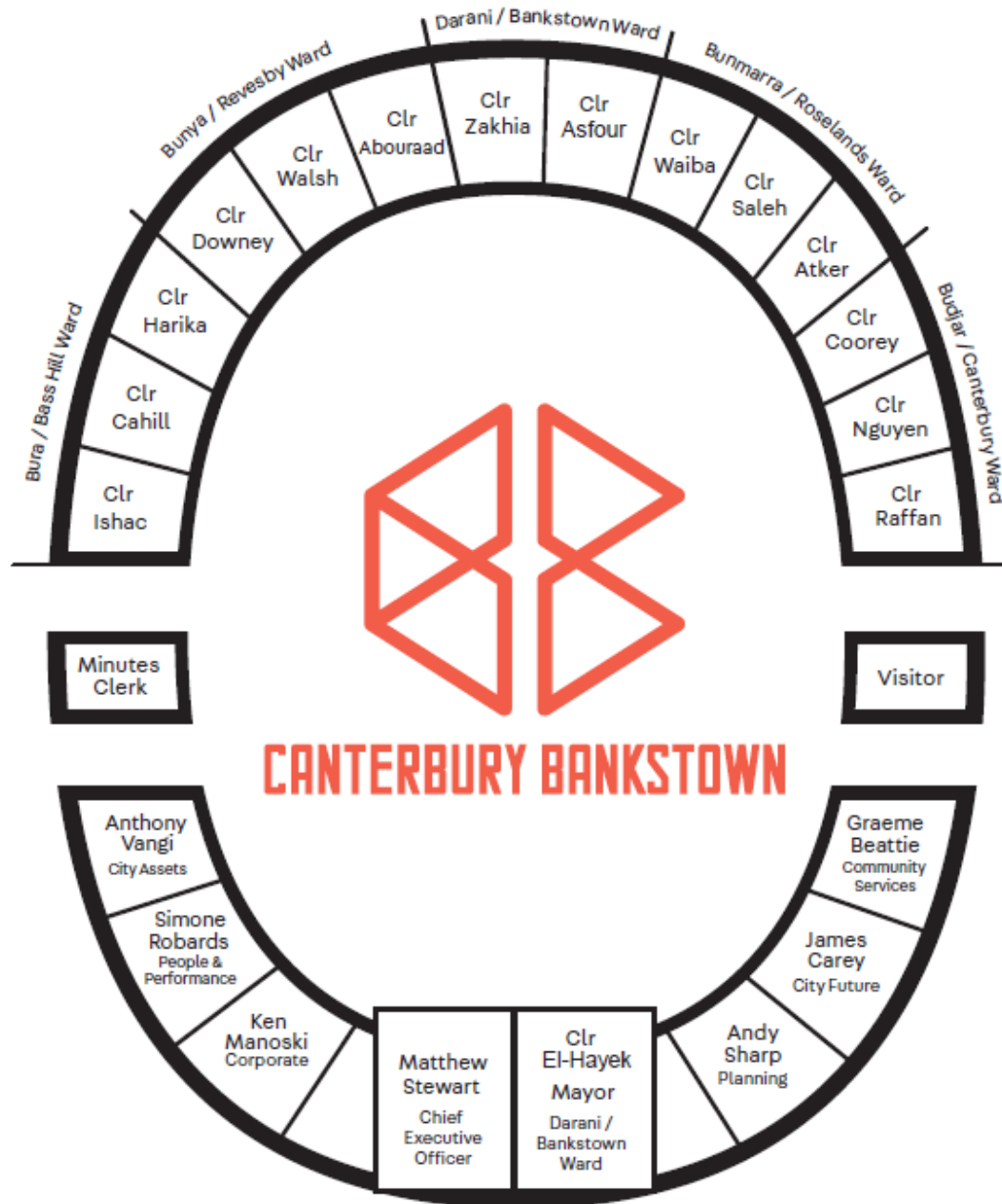




AGENDA FOR THE ORDINARY MEETING

23 May 2023

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 18 April 20239
- 1.2 Minutes of the Extraordinary Meeting of Council of 11 May 2023.....17

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 18 APRIL 2023

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

APOLOGIES Nil

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.43 P.M.

ACKNOWLEDGEMENT OF COUNTRY

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

SECTION 1: CONFIRMATION OF MINUTES

(399)

CLR. ZAKHIA:/CLR. CAHILL

RESOLVED that the minutes of the Ordinary Council Meeting held on 28 March 2023 be adopted.

- CARRIED

CLR COOREY REQUESTED HER NAME BE RECORDED AS HAVING VOTED AGAINST THIS RESOLUTION.

SECTION 2: LEAVE OF ABSENCE

Nil

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

In respect of Item 4.3 – Local Community Based Donations, Clr El-Hayek declared a Non Pecuniary, Non-significant Conflict of Interest due to a previous working relationship with one grant recipient, and as such, he will vacate the chamber taking no part in debate.

In respect of Item 4.3 – Local Community Based Donations, Clr Asfour declared a Non Pecuniary, Non-significant Conflict of Interest due to a relationship with one of the grant recipients, and as such, he will vacate the chamber taking no part in debate.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 18 APRIL 2023

SECTION 4: MAYORAL MINUTES

ITEM 4.1 LOCAL GOVERNMENT SUMMIT
(400) CLR. ASFOUR

RESOLVED that Council write to the recently appointed Minister for Local Government, The Hon. Ron Hoenig MP, congratulating him on his appointment and calling on him to convene a Local Government Summit, to examine the sustainable funding of the Local Government sector to ensure its viability and future.

- CARRIED

ITEM 4.2 DUNC GRAY VELODROME, BASS HILL
(401) CLR. ASFOUR

RESOLVED that Council write to the newly appointed Minister for Sport, The Hon. Steve Kamper MP, congratulating him on his appointment and asking him for whatever assistance he can give in relation to funding and the future of the Velodrome site.

- CARRIED

ITEM 4.3 LOCAL COMMUNITY BASED DONATIONS

IN RESPECT OF ITEM 4.3 – LOCAL COMMUNITY BASED DONATIONS, CLR EL-HAYEK DECLARED A NON PECUNIARY, NON-SIGNIFICANT CONFLICT OF INTEREST DUE TO A PREVIOUS WORKING RELATIONSHIP WITH ONE GRANT RECIPIENT, AND AS SUCH, HE VACATED THE CHAMBER TAKING NO PART IN DEBATE.

IN RESPECT OF ITEM 4.3 – LOCAL COMMUNITY BASED DONATIONS, CLR ASFOUR DECLARED A NON PECUNIARY, NON-SIGNIFICANT CONFLICT OF INTEREST DUE TO A RELATIONSHIP WITH ONE OF THE GRANT RECIPIENTS, AND AS SUCH, HE VACATED THE CHAMBER TAKING NO PART IN DEBATE.

HIS WORSHIP THE MAYOR CLR ASFOUR AND CLR EL-HAYEK TEMPORARILY VACATED THE CHAMBER AT 6.50 PM.

THE DEPUTY MAYOR CLR RAFFEN ASSUMED THE CHAIR.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 18 APRIL 2023

(402)

CLR. RAFFAN

RESOLVED that

1. Council support a donation of \$1,000.00 to the Bankstown Sports Little Athletics Centre Incorporated to support Filtomas Finekifolau's representation at the 2023 Chemist Warehouse Australian Junior Athletics Championships.
2. Council support a donation of \$2,200.00 towards the Australian International Multicultural (AIM) Association Business Awards on the 19 May 2023.
3. Council support a fee waiver for AusRelief for the ground hire of Parry Park on the 19 May 2023 of \$508.00.
4. Council support a fee waiver for Community Minds Inc. for the hire of 'Courthouse Reserve' on 20 April 2023, of \$156.00.

- CARRIED

HIS WORSHIP THE MAYOR AND CLR EL-HAYEK RETURNED TO THE CHAMBER AT 6.52PM.

HIS WORSHIP THE MAYOR RESUMED THE CHAIR.

SECTION 5:

PLANNING MATTERS

Nil

SECTION 6:

POLICY MATTERS

Nil

SECTION 7:

GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1

CASH AND INVESTMENT REPORT AS AT 31 MARCH 2023

(403)

CLR. WALSH:/CLR. ABOURAAD

RESOLVED that

1. The Cash and Investment Report as at 31 March 2023 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 18 APRIL 2023

- CARRIED

CLR RAFFAN TEMPORARILY VACATED THE CHAMBER AT 6.52 PM AND RETURNED AT 6.54 PM.

AT THIS STAGE OF THE MEETING (6.54 PM), IN ACCORDANCE WITH CLAUSE 15.4 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A FIRST WARNING TO CLR COOREY FOR AN ACT OF DISORDER.

SECTION 8: SERVICE AND OPERATIONAL MATTERS

Nil

SECTION 9: COMMITTEE REPORTS

(404) CLR. HARIKA:/CLR. ZAKHIA

RESOLVED that in accordance with Council's Code of Meeting practice, Council adopts all the recommendations of the Committee Reports; 9.1, 9.2, 9.3, 9.4, 9.5 and 9.6.

- CARRIED

ITEM 9.1 MINUTES OF THE ARTS & CULTURE ADVISORY COMMITTEE MEETING HELD ON 15 MARCH 2023

(405) CLR. HARIKA:/CLR. ZAKHIA

RESOLVED that the minutes of the Arts & Culture Advisory Committee meeting held on 15 March 2023 be endorsed.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 18 APRIL 2023

ITEM 9.2 MINUTES OF THE COMMUNITY SAFETY ADVISORY COMMITTEE MEETING HELD ON 16 MARCH 2023

(406) CLR. HARIKA:/CLR. ZAKHIA

RESOLVED that the minutes of the Community Safety Advisory Committee meeting held on 16 March 2023 be endorsed.

- CARRIED

ITEM 9.3 MINUTES OF THE YOUTH ADVISORY COMMITTEE MEETING HELD ON 20 MARCH 2023

(407) CLR. HARIKA:/CLR. ZAKHIA

RESOLVED that the minutes of the Youth Advisory Committee meeting held on 20 March 2023 be endorsed.

- CARRIED

ITEM 9.4 MINUTES OF THE ENVIRONMENT ADVISORY COMMITTEE MEETING HELD ON 22 MARCH 2023

(408) CLR. HARIKA:/CLR. ZAKHIA

RESOLVED that the minutes of the Environment Advisory Committee meeting held on 22 March 2023 be endorsed.

- CARRIED

ITEM 9.5 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD 29 MARCH 2023

(409) CLR. HARIKA:/CLR. ZAKHIA

RESOLVED that

1. The recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 29 March 2023, be adopted;
2. The revised ARIC Charter be adopted by Council;

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 18 APRIL 2023

3. The ARIC's annual work plan be noted.
4. The ARIC'S annual work plan be endorsed by Council;
5. The ARIC's strategic work plan be noted.
6. The ARIC's strategic work plan by endorsed by Council; and
7. The contents of the ARIC's annual report to Council be noted.

- CARRIED

ITEM 9.6 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 11 APRIL 2023**
(410) **CLR. HARIKA:/CLR. ZAKHIA**

RESOLVED that the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 11 April 2023, be adopted.

- CARRIED

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

ITEM 10.1 **STATUS OF PREVIOUS NOTICES OF MOTION - APRIL 2023**
(411) **CLR. EL-HAYEK:/CLR. RAFFAN**

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 **INTERIM HERITAGE ORDER - ST PAUL'S ANGLICAN CHURCH - CHAPEL ROAD,**
(412) **BANKSTOWN**
CLR. COOREY:/CLR. ZAKHIA

RESOLVED that the matter be deferred for onsite inspection and briefing and a further report be provided to the Council meeting on 27 June 2023.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 18 APRIL 2023

ITEM 10.3 **PLANNING PROPOSAL FOR UNWIN STREET PROPERTIES**
(413) **CLR. COOREY:/CLR. ISHAC**

RESOLVED that Council ask the Minister to initiate an emergency Planning Proposal to rezone the following lands (and their associated lots) from Low Density Residential (R2) to Public Recreation (RE1):

- 14, 16 & 18 Unwin Street Earwood;
- 16 - 18 Bayview Avenue, Earwood;
- 2 Unwin Street, Earwood.

- CARRIED

ITEM 10.4 **TARAWIH - RAMADAN NIGHTS LAKEMBA 2023**
(414) **CLR. EL-HAYEK:/CLR. SALEH OAM**

RESOLVED that Council assists the local community to hold Tarawih (Ramadan Prayers) in Haldon Street on Wednesday 19 April 2023.

- CARRIED

SECTION 11: **CONFIDENTIAL SESSION**

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

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 T44-23 Paul Keating Park Playground

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 7.13 PM AND
REVERTED BACK TO OPEN COUNCIL AT 7.30 PM.**

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 18 APRIL 2023

ITEM 11.1 **T44-23 PAUL KEATING PARK PLAYGROUND**
(416) **CLR. EL-HAYEK:/CLR. RAFFAN**

RESOLVED that

1. Council accepts the tender received from Regal Innovations Pty Ltd for an amount of \$5,383,800.00 (excluding GST) for the Paul Keating Park Playground.
2. The Chief Executive Officer be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

THE MEETING CLOSED AT 7.32 P.M.

Minutes confirmed 23 MAY 2023

.....
Mayor

CANTERBURY BANKSTOWN
MINUTES OF THE
EXTRAORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 11 MAY 2023

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

APOLOGIES Councillors Akter and Ishac

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 7.35PM.

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.

LEAVE OF ABSENCE

(417) CLR. ABOURAAD:/CLR. DOWNEY

RESOLVED that Leave of Absence be granted to Clrs Akter and Ishac due to personal reasons.

- CARRIED

CLR WAIBA ARRIVED IN THE CHAMBER AT 7.39PM.

CLR SALEH OAM ARRIVED IN THE CHAMBER AT 7.40PM.

CLR COOREY TEMPORARILY VACATED THE CHAMBER AT 7.42PM AND RETURNED AT 7.43PM.

SECTION 1: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 1.1 MAYORAL ELECTION - MAY 2023 TO SEPTEMBER 2023

(418) CLR. DOWNEY:/CLR. WALSH

RESOLVED that

1. In accordance with Schedule 7 of the Local Government (General) Regulation 2021 the Chief Executive Officer, as the Returning Officer, conduct the Election of the Mayor.
2. In the event that there be more than one (1) nomination, the method of voting be open voting.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
EXTRAORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 11 MAY 2023

His Worship the Mayor Clr Asfour vacated the Chair at 7.44pm. The Chief Executive Officer assumed the role of Returning Officer.

The Returning Officer called for nominations in writing for the office of Mayor for the period May 2023 to September 2023.

The following nomination was received:-

CLR EL-HAYEK

THE RETURNING OFFICER THEN DECLARED CLR EL-HAYEK ELECTED TO THE OFFICE OF MAYOR FOR THE PERIOD MAY 2023 TO SEPTEMBER 2023.

AT THIS STAGE HIS WORSHIP THE MAYOR, CLR EL-HAYEK ASSUMED THE CHAIR AT 7.46PM.

THE MEETING CLOSED AT 8.20PM.

Minutes confirmed 23 MAY 2023

.....
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 Emergency Services Levy (ESL)	25
4.2 WestInvest Funding Allocations - Review	27
4.3 Deamalgamation - Update	29
4.4 Local Community Based Donations	31

Mayoral Minutes - 23 May 2023

ITEM 4.1 Emergency Services Levy (ESL)

Councillors,

My very first Mayoral Minute and an issue which is close to my heart and one which affects ratepayers in our City. It concerns the Emergency Services Levy (ESL).

There is no doubt the previous Liberal Government has left the 128 Councils across the State struggling to balance budgets whilst at the same time managing the expectations of the community. The rising cost of living, and the increasing costs to do business contributing to our woes.

As you would have read recently, the temporary subsidy we have been receiving in relation to the Emergency Services Levy won't be provided moving forward and councils will need to absorb this unexpected cost and in our Council's case, this will add p\$2million dollars this next financial year!

One important point that must be made loudly, is the Emergency Services Levy was enacted in legislation by the previous Government and payable by councils from the first of July 2017 - yes, just another example of sneaky 'cost-shifting'!

To put things simply, what Council is being asked to pay, along with inflation and increased Council costs, means any IPART approved rate rises will be swallowed up to cover the levy!

Councillors, we all admire and applaud the wonderful work the Emergency Services do in our City, and ensuring their funding, and where the dollars are spent, needs to be a high priority of this Government.

And let's face it, this is just another example of the black hole left for them to mop up. . . they should be sending out an S.O.S!

I will be writing to the Treasurer, The Hon. Daniel Mookhey MLC, the Minister for Emergency Services, The Hon. Jihad Dib MP and the Minister for Local Government, The Hon. Ron Hoenig MP, to review and restore the Emergency Services Levy subsidy for 2023/24.

I will further ask them to consider legislation which will separate the Emergency Services Levy from the rate peg, and to explore other options to meet the levy, and establish a fairer system, without putting a further burden on local councils.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 23 May 2023

ITEM 4.2

WestInvest Funding Allocations - Review

Councillors,

I will attempt not to continually attack the previous Liberal Government over their blatant disregard for our City, however, the distribution and allocation of funding under the WestInvest grants scheme leaves a very sour taste.

Let's be very clear, the intention of the WestInvest scheme was honourable . . . distributing billions of dollars from the proceeds of the sale of the Westconnex toll road back into the community.

Funds which would go to Councils hardest hit during COVID lockdowns, State bodies/agencies and local organisations - funds which would be used towards transformational projects needed by the community and most importantly create local jobs.

But the honourable intentions were thrown out the window when honourable members got involved and played politics! The result was a disgraceful bias against our City.

We were clearly disadvantaged and overlooked on some key projects, instead, the funding was diverted and showered on certain councils, or electorates.

A prime example of the disparity was clearly evident in our bid for funding for our Leisure and Aquatic facilities you guessed it, not one cent, despite an impressive, and compelling application - I would have thought our presentation and case for the Max Parker Aquatic and Leisure Centre at Revesby was a sure thing.

And, some of you will be shocked to learn that neighbouring councils including Liverpool, Burwood, Cumberland and others received more than \$278 million in grants for their pools. If I crunch the numbers for you, overall our Council received \$260 per capita of WestInvest funding, compared to the highest Council, Hawksbury, at \$2032.

Councillors, without doubt we were short-changed, and we must reach out to the ensure the unallocated WestInvest funding applied for by the various State Bodies and agencies, finds its way towards our City.

I propose we write to the NSW Treasurer, The Hon. Daniel Mookhey MLC, urging him to back calls by his colleagues for a review into the allocation of funding, and to ensure our City is fairly treated when the final allocation is dispensed.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 23 May 2023

ITEM 4.3

Deamalgamation - Update

Councillors,

De-amalgamation.

We as a Council have clearly stated our position and most of you have clearly articulated your views.

We have also noted the draft business case, and as you are all aware we have a workshop pending to discuss the outcomes of our consultation with staff and the community, the business case and to understand what the NSW Government's process requires us to consider as part of any next steps.

This is an important issue, and an issue we need to finalise. . . .

What needs to be raised here tonight, is we have a new Government, a Government which is indicating they will not stand in the way of Councils which present a sound and feasible business case to demerge.

But what we have no clarity about, is, will they be paying for the upfront and ongoing costs associated with any de-amalgamation.

Councillors, we need to know this Government's position, so we can make an informed decision, and appraise our community.

I propose, Council writes to the Minister for Local Government The Hon. Ron Hoenig MP to meet with him to discuss this matter. The outcome, and his clear direction from the meeting, will come back to Councillors at a workshop. I also propose to invite the Deputy Secretary of the Office of Local Government to attend that Councillor workshop to provide an update on OLG's approach to supporting de-amalgamations in NSW.

Councillors, I put the Mayoral Minute.

Mayoral Minutes - 23 May 2023

ITEM 4.4

Local Community Based Donations

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

Little Wings

Little Wings is a registered charity that provides a free, safe and professional flight and ground transportation service to seriously ill children from regional and rural NSW communities, enabling families to access vital medical care that is only available in Sydney and Newcastle children hospitals.

In 2022 Little Wings commenced a return and earn fundraising program in conjunction with local schools and they have recycled over 50,000 bottles. As the program continues to grow Little Wings are in need of 20 more recycling bins and are seeking Councils support.

The estimated cost associated with Council providing 20 recycling bins is \$1060.00.

RECOMMENDATION

1. Council support Little Wings with the provision of 20 recycling bins at an estimated cost of \$1060.00.

Councillors, I put the Mayoral Minute.

5 PLANNING MATTERS

The following items are submitted for consideration -

- | | | |
|-----|---|----|
| 5.1 | Report on Council's Performance in the Assessment of Development Applications for the third quarter of the 2022/23 financial year, Clause 4.6 Variations Approved for the third quarter of the 2022/23 financial year, Planning Related Legal Appeals, and the status of current Planning Proposals | 35 |
| 5.2 | Heritage Grant Fund | 41 |
| 5.3 | Post Exhibition of Planning Proposal, Draft Development Control Plan and Draft Planning Agreement: 445 Canterbury Road, Campsie | 45 |
| 5.4 | Post-Exhibition for Proposed Amendment to Planning Agreement - Palms Hotel Planning proposal 165-185 Hume Highway, Greenacre | 55 |

Planning Matters - 23 May 2023

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

AUTHOR **Planning**

PURPOSE AND BACKGROUND

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

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

RECOMMENDATION

That the report be noted.

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

- A. Clause 4.6 return for third quarter 2022/23
- B. List of planning related Court appeals (as of 1 May 2023)
- C. Active Planning Proposals list

POLICY IMPACT

This matter has no policy implications.

FINANCIAL IMPACT

This matter has no financial implications.

COMMUNITY IMPACT

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

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

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

DETAILED INFORMATION

1. DEVELOPMENT APPLICATIONS

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

For the third quarter of the 2022/23 financial year, Council determined 174 development applications and 71 Section 4.55 applications (applications to modify a development consent), with a total capital investment value of \$120,063,135. The median gross determination times for all development applications for the quarter was 59 days.

Reporting of development applications which involved a Clause 4.6 submission

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

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

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

Attachment B to this report provides details of the appeals currently before the New South Wales Land and Environment Court, as of 1 May 2023. The attached list identifies a total of 17 active appeals. The report also provides information on appeals that have been finalised between 1 July 2022 and 1 May 2023. In that period there were ten matters settled by way of a Section 34 agreement after amendments were made to the proposal to address Council's contentions. Five appeals were discontinued by the applicant and three appeals upheld but only after the applicant submitted amended plans as part of the Court process to address Council's contentions. In addition, there were three appeals heard by the Court where we are currently awaiting judgement.

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

2. PLANNING PROPOSALS

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

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

Council currently has 11 planning proposals in progress which are outlined in the attachment to this report (and divided into stages represented in Figure 1 below). The largest of Council's applicant-initiated Planning Proposals remains as Bankstown Central, with an approximate capital investment value of \$1.3 billion. There are several other major urban renewal proposals at various stages of the process, including Chester Square, and two private hospitals.



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

Three of Council's Planning Proposals are with the Department for finalisation, two are with the Department awaiting a Gateway Determination to proceed to exhibition and three have been lodged and under assessment to progress to a Local Planning Panel Meeting.

Public Spaces Legacy Program

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

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

Council submitted the Planning Proposals to implement the Bankstown City Centre Master Plan and Campsie Town Centre Master Plan with the Department on 31 March 2022 and 5 August 2022 respectively. Both planning proposals are under assessment by the Department and no timeframe has been provided by the Department regarding when a Gateway determination would be issued.

In February 2023, the Department advised Council that it supported Council's position that the delays in exhibiting the Bankstown and Campsie Master Plan planning proposals were beyond the control of Council and therefore the final funding amount of \$1,925,000 (of the total \$5.5 million) would be released without further delay. An invoice has been issued by Council to the Department for \$1,925,000 which is awaiting payment.

Planning Matters - 23 May 2023

ITEM 5.2 Heritage Grant Fund

AUTHOR Planning

PURPOSE AND BACKGROUND

The purpose of this report is for Council to endorse applications made under Council's Heritage Grant Fund for the 2023-24 Financial Year.

ISSUE

Council's Heritage Incentives Policy provides for an annual grant fund, which offers grants up to \$5,000 per property for the conservation and maintenance of heritage items.

Council received 16 applications during this funding round. It is recommended that grant funding be provided to 12 applications, which meet the assessment criteria as outlined in this report.

RECOMMENDATION That -

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

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

- A. Recommended grant funding
- B. Heritage Incentives Policy

POLICY IMPACT

Council adopted the Heritage Incentives Policy (the Policy) at its Ordinary Meeting of 25 September 2018, as provided in Attachment B.

The Policy provides for a Heritage Grant Fund, which is a grant program for projects which involve the conservation and/or repair of heritage items within the Canterbury-Bankstown Local Government Area.

The Policy (page 6) also requires Council to form a Council Heritage Reference Group or alternative group to assess the applications and provide recommendations to Council. For the previous round of grant funding, there were insufficient community nominations to form the Heritage Working Group. Council also contacted the NSW Office of Environment and Heritage to assist in considering the applications. However, the NSW Office of Environment and Heritage declined to participate due to the perceived conflict of interest with State listed heritage items. Council officers explored other options and it was decided to form an alternative group (as per the Policy) to consider the applications, consisting of Council's Heritage Advisor and Council officers.

For the current round of grant funding, it was decided to continue with the alternative group to consider the applications in a timely manner, consisting of Council's Heritage Advisor and Council officers. The group's recommendations are outlined in Attachment A.

FINANCIAL IMPACT

The Heritage Grant Fund provides grants of up to \$5,000 per property. Only one application per heritage item can be submitted per financial year.

For external maintenance works there is no requirement to provide matching funding. For other works, grant funding is on a dollar-for-dollar basis but not exceeding 50% of the total cost of the approved works and up to a maximum of \$5,000.

Should Council decide to endorse the recommendations of this report, the total cost to Council would be \$55,000, consistent with the budget allocated for this initiative. The full budget will be expended for 2022/23.

COMMUNITY IMPACT

The recommendations will have a positive community impact through the restoration of heritage items, which may not otherwise occur if funding assistance was not provided.

DETAILED INFORMATION

Heritage Grant Fund

In February 2023, Council notified heritage item owners of the Heritage Grant Fund for the 2023-24 Financial Year. Council received 16 applications seeking funding.

Consideration of applications

According to the Heritage Incentives Policy, Council must consider the following matters in assessing applications for funding:

- Applicants have demonstrated they have the necessary finance to undertake the approved works.
- Applicants have taken responsibility for routine maintenance of their properties.
- Applicants have read and understood the terms and conditions stipulated in the Policy.
- Applicants have lodged a valid application form with the necessary background information for Council to process the application.
- The property is an identified heritage item under Schedule 5 of the Bankstown Local Environmental Plan 2015 and Canterbury Local Environmental Plan 2012.
- Council is satisfied that the proposal will positively contribute to the heritage significance of the building or place.

In considering the applications, Council is recommended to provide grant funding to 12 applications, which meet the above assessment criteria as outlined in Attachment A.

Next steps

Once endorsed by Council, the next steps are:

- Council officers will advise owners who submitted applications of the outcomes.
- For the unsuccessful applications, Council officers and Council's Heritage Advisor will provide feedback to the owners.
- For the successful applications, Council will provide funding at the completion of works in accordance with the Heritage Incentives Policy.

ITEM 5.3 **Post Exhibition of Planning Proposal, Draft Development Control Plan and Draft Planning Agreement: 445 Canterbury Road, Campsie**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

The purpose of this report is to provide a summary of the feedback received during the exhibition of a planning proposal, draft site-specific Development Control Plan (DCP), and draft Planning Agreement for the land at 445 Canterbury Road, Campsie. The planning proposal and associated documents aim to facilitate the redevelopment of the site for the purpose of a private hospital. With the exhibition period concluded, the planning proposals are now ready to be submitted to the Department of Planning and Environment for finalisation.

ISSUE

The planning proposal and accompanying draft site-specific DCP and draft Planning Agreement were exhibited from 21 September to 25 November 2022. Subsequently, a revised version of the draft Planning Agreement and Explanatory Note were exhibited from 29 March 2023 to 1 May 2023. During these exhibition periods, we received feedback from two State agencies and 14 members of the community.

The public exhibition resulted in minor changes to the draft site-specific DCP. However, no changes to the planning proposal or draft Planning Agreement are proposed based on the feedback received during the exhibition.

For a comprehensive overview of the planning proposal, please refer to the previous Council report dated 15 March 2022, provided in Attachment O.

RECOMMENDATION That -

1. Council adopts the planning proposal, as shown in Attachment A, and submits it to the NSW Department of Planning and Environment for finalisation.
2. Council endorses the draft site specific Development Control Plan for 445 Canterbury Road, Campsie as shown in Attachment B to amend the Canterbury DCP 2012 and the subsequent draft Consolidated DCP and that it be brought into effect once the LEP amendment is finalised and published on the NSW Legislation website.
3. Council endorses the draft Planning Agreement, as provided in Attachment C, and authorises the Chief Executive Officer to enter into the Planning Agreement.

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

- A. Exhibition Version – Campsie Hospital planning proposal
- B. Post Exhibition Draft Site Specific DCP
- C. Planning Agreement and Explanatory Note – 445 Canterbury Road Campsie
- D. Council response to HPG DCP comments
- E. Post-Exhibition Final Submissions Report
- F. Flood Emergency Response Plan
- G. NSW SES Response to Campsie Private Hospital
- H. Northrop Response to NSW SES Submission
- I. NSW SES Response to Flood Emergency Response Plan
- J. HPG Response to Submissions
- K. Marsdens Final Flood Assessment
- L. Campsie Town Centre Final Flood Planning Assessment
- M. Council response to NSW SES comments
- N. TfNSW's Submission and Council Response
- O. Council Report of 15 March 2022 – 445 Canterbury Road Campsie

POLICY IMPACT

The planning proposal aligns with the objectives and priorities set forth in the Greater Sydney Region Plan 'A Metropolis of Three Cities' and the South District Plan. It enables the establishment of a new private hospital within the Eastern Lifestyle and Medical Precinct, as identified in Council's Local Strategic Planning Statement 'Connective City 2036.' The proposal also supports the Campsie Town Centre Master Plan's objective of creating 7,500 jobs in the Campsie Strategic Centre, while strengthening connections to the existing Canterbury Hospital and surrounding allied health services. Currently, there are approximately 4,300 workers in Campsie.

The proposed use of the site for a hospital is permissible under the B6 Enterprise Corridor Zone of the Canterbury Local Environmental Plan 2012 (CLEP 2012). The planning proposal aligns with the zone objectives, including the facilitation of a new hospital to provide employment opportunities, contribute to the revitalisation of Canterbury Road, and support urban renewal.

Presently, the site has a maximum Height of Building (HOB) restriction of 12m, and there is no Floor Space Ratio (FSR) specified in the CLEP 2012. The planning proposal seeks to amend the CLEP 2012 to increase the maximum building height on the site from 12m to 45.5m (equivalent to RL 72.75). The proposed hospital development will adhere to a maximum FSR of 5.1:1. These changes are consistent with the aims and objectives outlined in the Campsie Town Centre Master Plan regarding the scale of the proposed hospital.

The accompanying Site-specific Development Control Plan (DCP) for 445 Canterbury Road, Campsie will provide detailed planning controls and building design guidance for the future Development Application related to the construction and operation of the hospital on the site.

FINANCIAL IMPACT

The proposal is expected to have a positive economic impact, generating approximately 453 jobs in the healthcare sector once operational. This contribution represents around 14% of the additional jobs target set for Campsie Town Centre to achieve 7,500 jobs by 2036. Furthermore, the proposal has an estimated Capital Investment Value of approximately \$125 million.

A draft Planning Agreement has been prepared and exhibited alongside the planning proposal, and it was subsequently re-exhibited after finalisation. The draft Planning Agreement aims to facilitate the delivery of various public benefits and required infrastructure works and upgrades to support the future hospital use on the site. These include:

- Dedication of a 3.5m wide site frontage setback along Canterbury Road, which will be constructed as part of the future Development Application.
- Dedication of a 6m wide pedestrian through-site link along the eastern boundary of the land.
- Dedication of a 9m wide laneway to the Council.
- Provision of public art on the site, with a minimum value of \$150,000.

- Provision of a 205m2 pocket park with an easement for public access.
- Provision of a pair of kerb ramps, pedestrian crossings, and two bus stops near the site.
- Monetary contributions totalling \$105,000 towards the Council's provision of a new cycleway and the development/improvement of public open spaces in Campsie.

The proponent is responsible for delivering the above works at no cost to the Council. It's important to note that the draft Planning Agreement does not exempt the future State Significant Development Application from the payment of section 7.11/7.12 development contributions to the Council.

COMMUNITY IMPACT

The planning proposal underwent a public exhibition period from 21 September to 25 November 2022, during which feedback was collected from various stakeholders.

Responses were received from the following State agencies:

- NSW State Emergency Services (SES)
- Transport for New South Wales (TfNSW)

Additionally, the council received a total of 14 submissions from the community, consisting of five general submissions in support, six objections, and three neutral submissions. Based on the feedback received from the proponent, minor changes have been made to the draft site-specific DCP. These changes are considered insignificant and do not necessitate further notification of the draft DCP. No modifications are proposed for the planning proposal or draft Planning Agreement as a result of the public exhibition.

The planning proposal aims to bring positive community and social impacts to the Canterbury Bankstown LGA by facilitating the provision of new health services in Campsie. The site's location within the Eastern Lifestyle and Medical Precinct addresses the current absence of private acute, sub-acute, and non-acute hospital care within the Canterbury Bankstown LGA. As part of the broader allied health services precinct in Campsie, the proposal seeks to enhance the existing health support and services available in the Canterbury Local Area.

This planning proposal would benefit the community by offering increased choices in healthcare services that are presently unavailable in the existing Canterbury Hospital and within the wider context of the Canterbury Bankstown LGA. The future hospital on the site would also create employment opportunities in the health sector and associated support industries.

While there may be temporary impacts on the public during the construction phase, these effects will be outweighed by the long-term benefits that this planning proposal aims to facilitate. The site-specific DCP includes comprehensive building and design controls to ensure a high-quality development that minimises operational impacts on surrounding properties. The community will benefit from proposed public infrastructure and substantial public benefits outlined in the Planning Agreement. Adequate conditions will be imposed on future Development Applications (DAs) to appropriately manage the construction's impact on the community, neighbouring properties, and the environment.

DETAILED INFORMATION

Overview of the Planning Proposal

The site in question is currently zoned as B6 Enterprise Corridor under the Canterbury Local Environmental Plan 2012 (Canterbury LEP 2012), which allows for hospitals with development consent. The existing permissible building height on the site is 12m, and there is currently no Floor Space Ratio (FSR) specified.

The site currently consists of a single-story commercial development with three commercial tenancies facing Canterbury Road and a vehicle repair facility facing Stanley Street. Each tenancy has its own at-grade parking, and the site has a total of five vehicle access points, three along the Canterbury Road frontage and two along the Stanley Street frontage (refer to Figure 1).



Figure 1: Site and its surrounding locality (Source: Ethos Urban)

The planning proposal aims to introduce site-specific planning controls to enable the construction of a new private hospital. This involves the following amendments to the current LEP and subsequent Draft Consolidated Canterbury Bankstown LEP:

Planning Controls	Existing	Proposed
Zone	B6 Enterprise Corridor	B6 Enterprise Corridor (<i>no change</i>)
Floor Space Ratio (FSR)	No FSR applicable to the site	5.1:1 if development is for the purposes of a hospital only
Height of Buildings (HOB)	12m	A maximum building height of 45.5m equivalent to RL72.75 (44.1m on the Canterbury Road frontage)
Part 6 Local Provision (new site specific clause)	Not applicable	<ul style="list-style-type: none">Includes the following objectives in the proposed Local Provision clause:<ul style="list-style-type: none">Encourages the development of a hospital to enhance health services to the local community.

Planning Controls	Existing	Proposed
		<ul style="list-style-type: none"> – Ensures the development is compatible with surrounding land uses and site constraints, while maintaining acceptable solar access to future residential development along Canterbury Road. – Dedicates a small pocket park (approximately 205m²) in the northwest corner of the site. – Stipulates minimum setbacks for the building, measured from the Canterbury Road boundary and other site boundaries, to maintain solar access to surrounding properties.

No other changes are proposed for the current LEP or the subsequent Draft Canterbury Bankstown Local Environment Plan (CBLEP). There are no proposed mapping changes.

A render of the indicative concept design for the development is shown in Figure 2.



Figure 2: Indicative concept reference design (Source: Supplemental Urban Design Review, Dickson Rothschild)

On 29 March 2022, Council passed a resolution to support the proposal to proceed to the Gateway determination (refer to Attachment O).

The planning proposal received a Gateway determination on 23 June 2022, allowing it to proceed subject to specific gateway conditions. The Gateway determination issued by the Department did not require the submission of a Site Audit Statement regarding contamination or suitability. However, this matter will be addressed as a submission requirement during the future Development Application stage. The legal drafting of the clauses will be finalised by the Parliamentary Counsel's Office post-exhibition, following guidance from the Department.

The planning proposal is accompanied by a draft Planning Agreement, which outlines the infrastructure requirements necessary for the development and will be delivered by the proponent through the State Significant Development Application process. The draft Planning Agreement and accompanying explanatory note can be found in Attachment C - *Draft Planning Agreement and Explanatory Note* (exhibition version).

Community Consultation

In accordance with Section 2.12 of the Council's Community Participation Plan, the planning proposal, draft site-specific DCP, and draft Planning Agreement with an explanatory note were placed on public exhibition for a minimum of 28 days, from 21 September to 25 November 2022. The exhibition process included the following:

- Display on the Council's "Have Your Say" website.
- Notification in the local newspaper.
- Written notification to affected property owners, totalling over 3,250 properties through 4,400 letters.
- Email notification to State/Public agency authorities.

Furthermore, a revised version of the Draft Planning Agreement and Explanatory Note was placed on exhibition for a minimum of 28 days, from 29 March to 1 May 2023.

Public Exhibition Responses

During the exhibition periods, a total of 14 submissions were received from the community, consisting of five general submissions in support, six objections, and three neutral submissions. The key matters raised in these submissions were as follows:

- Building height and solar access.
- Positive community benefit.
- Privacy concerns.
- Traffic and parking impacts.
- Increased built form.
- Fulfilling the health needs in Campsie.
- Amenity considerations.
- Lack of consultation.

A summary of the issues raised, along with Council's responses, can be found in Attachment E - *Post-exhibition Final Submissions Report*.

State Agency Referrals and Consultation

In accordance with Section 3.34(2)(d) of the Environmental Planning and Assessment Act 1979, the Council consulted the following State agencies following the Gateway Determination issued by the Department of Planning:

- Transport for New South Wales (TfNSW).
- NSW Police.
- School Infrastructure.

- Sydney Water.
- Telstra.
- Ausgrid.
- Transdev.
- Environment and Heritage Group of NSW Department of Planning and Environment.
- Sydney Local Health District.
- Environmental Protection Authority.
- State Emergency Service (SES).

Submissions were received from Transport for NSW and the NSW State Emergency Service. The summary of agency submissions and Council's response is provided below:

Transport for New South Wales (TfNSW)

TfNSW did not raise any objections to the proposal. They provided comments on the 'Updated Traffic Assessment Report' regarding the proposed traffic control measures along Canterbury Road. Council considered these comments, acknowledging the need for traffic management and mitigation measures. It was noted that the proposed intensification of use would only be applicable if a hospital is built in accordance with the proposed LEP amendments. Detailed traffic and transport analysis will be required in the State Significant Development Application (SSDA) stage, ensuring compliance with transport and accessibility impact assessments. These conditions must be resolved before the hospital's operation commences.

State Emergency Services (SES)

The NSW State Emergency Service (SES) provided comments regarding relevant Ministerial Directions and the proposal's consistency with the NSW Flood Prone Land Policy. Council sought further information from the proponent and provided it to the SES for consideration. After reviewing the information, the SES acknowledged that the issues raised had been addressed in the proponent's response. Council agrees with the SES's assessment that the overall flood impact is minor and manageable, and flood implications should be addressed through passive measures in the Flood Emergency Response Plan. Detailed flood management analysis will be required in the SSDA process, and these conditions must be resolved before the hospital's operation commences.

Revisions to Development Control Plan

A draft site-specific Development Control Plan (DCP) has been prepared by the Council to govern the site and ensure that the objectives and intended outcomes of the planning proposal are achieved. The exhibited DCP, available in Attachment B, includes tracked changes that highlight the modifications made as a result of the exhibition process. The draft DCP encompasses specific controls related to the following aspects:

- Site Layout and Setbacks
- Built Form
- Solar Access
- Public Domain, Deep Soil, Landscaping
- Pocket Park
- Through Site Link
- Access and Movement

- Materials and Finishes
- Water Sensitive Urban Design, Flooding and Energy Efficiency
- Public Art

Following the exhibition period, changes were made to the site-specific DCP, including:

- Additional development controls to ensure the inclusion of a 205m² Pocket Park with an easement for public access, as well as shading devices or awnings to protect patients, visitors, and staff from inclement weather.
- Inclusion of references to the Apartment Design Guidelines (ADG) to ensure that solar access is provided and maintained for existing and future residential developments on the southern side of Canterbury Road.
- Changes to Section 3.1 Key Design Principles to provide clarity of intent and improve readability.

These proposed modifications to the site-specific DCP are of a minor nature and do not warrant re-exhibition.

Revisions for Draft Planning Agreement and Explanatory Note

Revisions have been made to the draft Planning Agreement since its initial exhibition with the planning proposal. The Council report for this planning proposal, dated 15 March 2022, noted the following:

"It is Council's intention to further negotiate with the applicant regarding the monetary contributions for the design and construction of new cycleways and the acquisition of 80 Duke Street for public open space (items 5 and 10 in Table 3). Additionally, the contribution for the bus stop will be confirmed in preparation for a draft Planning Agreement to be agreed upon by Council and the applicant for public exhibition, in conjunction with the Planning Proposal and site-specific DCP."

At the Council's request, the applicant increased the monetary contribution offer for the cycleway from \$25,000 to \$30,000 and the offer for acquiring 80 Duke Street Campsie from \$75,000 to \$85,000.

On 13 March 2023, Council representatives, along with Mills Oakley (acting on behalf of the applicant) and Lindsay Taylor Lawyers (acting on behalf of the Council), met to discuss the proposed changes to the draft Planning Agreement.

During the meeting, Council officers agreed on a process that would be followed if the LEP Amendment made by the Department does not align with the planning proposal, such as a lower Floor Space Ratio or building height lower than what was exhibited.

The revised draft Planning Agreement includes new clauses that require the developer to provide Council with a feasibility report, prepared by an expert experienced in assessing development feasibility. This report will demonstrate the extent to which the change to the LEP Amendment, compared to the exhibited planning proposal, adversely affects the development's feasibility. The developer's proposed changes to the scope of development contributions will also be included for Council's consideration.

It has been agreed that Council and the Applicant will proceed to expert determination only if the Council does not agree with the revised scope of development contributions proposed by the Developer. These proposed clauses do not modify any other obligations set within the draft Planning Agreement and, therefore, do not require re-exhibition of the Planning Agreement.

Next Steps

Upon Council's approval of the planning proposal, site-specific DCP amendment, and the draft Planning Agreement for 455 Canterbury Road, Campsie, the Council will submit the Planning Proposal to the Department of Planning and Environment for finalisation and amend the Canterbury LEP and the subsequent draft consolidated Canterbury Bankstown LEP accordingly.



ITEM 5.4 **Post-Exhibition for Proposed Amendment to Planning Agreement - Palms Hotel Planning proposal 165-185 Hume Highway, Greenacre**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

The purpose of this report is to advise Council on the outcome of the public exhibition of an amendment to the Planning Agreement in connection with the planning proposal at 165-185 Hume Highway, Greenacre. The amendment relates to an administrative issue that has been raised by the Department of Planning and Environment (the Department) at the finalisation stage of the LEP Amendment making process. The Department is not able to finalise the LEP Amendment unless Council nominates itself as the public acquisition authority for a portion of the site to be zoned RE1 Public Recreation Zone.

On 28 March 2023, Council resolved to support an amendment to the Planning Proposal to nominate itself as the public acquisition authority for the RE1 Public Recreation Zone portion of land at 167 Hume Highway, Greenacre. As part of the Planning Agreement between Council and the proponent, 600m² of the site will be dedicated as RE1 Public Recreation zoned land to increase the adjacent Peter Reserve to a larger public park of approximately 1,200m². To facilitate this, Council also resolved to exhibit an amended Planning Agreement, to ensure that should Council be required to acquire the site, it would be at a nominal cost of \$1.

ISSUE

The amended Planning Agreement has been exhibited between 12 April 2023 and 11 May 2023 in accordance with the requirements of Council's Community Participation Plan. One submission was received during the exhibition period in favour of the amendments.

Now that exhibition is complete, it is recommended that Council adopt the amended draft Planning Agreement. Should Council decide to proceed, Council will write to the Department to advise that Council agrees to nominate itself as the public acquisition authority for the RE1 Zoned portion of land, in accordance with the amended Draft Planning Agreement.

RECOMMENDATION That -

1. Council endorse the updated Planning Agreement and authorise the Chief Executive Officer to execute the agreement on behalf of Council, including any other administrative changes that does not alter the intent.
2. Once executed, Council write to the Department of Planning and Environment to advise that Council nominates itself as the relevant public acquisition authority for the RE1 zoned land and submit the land reservation acquisition map to the Department.

ATTACHMENTS

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

- A. Revised Draft Planning Agreement - Post Exhibition
- B. Revised Draft Explanatory Note - Post Exhibition
- C. Draft Amended Land Aquisition Map for Bankstown Local Environmental Plan 2015
- D. Palms Hotel Proposed Amendment to Planning Agreement Report from 28 March 2023 Council Meeting

POLICY IMPACT

The draft Planning Agreement between Council and the proponent facilitates 600m² of the site to be zoned RE1 Public Recreation Zone and will be dedicated to Council, at no cost, to increase the adjacent Peter Reserve to a larger public park of approximately 1,200m². The amendments sought under the draft Planning Agreement do not change the outcome of the Planning proposal supported and address administrative issues only.

FINANCIAL IMPACT

There would be financial cost to Council to acquire the RE1 zoned portion of the site under the Just Terms Act. The proposed new clause within the amended Planning Agreement significantly reduces the risk to Council by ensuring that should Council need to acquire the land, it would be for a nominal amount of \$1 only.

COMMUNITY IMPACT

The Planning proposal was placed on public exhibition from 12 April to 11 May 2023. One submission was received during the exhibition period which was in favour of the proposal. The proposed amendments to the Planning Agreement do not change the public benefits and infrastructure that has been previously agreed by the developer and Council to be delivered in connection with the Planning proposal for this site.

DETAILED INFORMATION

Council and the proponent previously executed a Planning Agreement in May 2022 in connection with the planning proposal. The executed Planning Agreement identified public infrastructure and benefits that would be delivered by the proponent including monetary contributions for affordable housing, a district level community and recreation facility, improvements to public transport nodes and the embellishment of Peter Reserve. The Planning Agreement also includes the dedication of 600m² of land at 167 Hume Highway, Greenacre (Palms Hotel site) to expand the existing Peter Reserve.

On 9 December 2022, the Department requested clarification regarding whether Council nominates itself as public acquisition authority for the RE1 zoned portion of the site. In accordance with Clause 8 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation), a planning proposal may not contain a proposed reservation of land unless a public authority is designated as the acquisition authority, in this instance, Council.

To enable the LEP Amendment to be gazetted, Council must notify the Department to confirm it grants concurrence to be the public acquisition authority for the RE1 zoned portion of land.

On 28 March 2023, Council resolved to nominate itself as the public acquisition authority for the RE1 zone portion of land and to exhibit the draft amended Planning Agreement, which ensure that in the event Council was required to acquire the property (not through a land dedication), that the cost incurred to Council would be limited to \$1.

A copy of the amended draft Planning Agreement and draft Explanatory Note is attached to this report. Please refer to Attachments A and B.

Public Exhibition and Responses Received

In accordance with Section 2.12 of Council's *Community Participation Plan*, the amended draft Planning Agreement was placed on public exhibition for a minimum of 28 days, from 12 April 2023 to 11 May 2023. A draft Land Reservation Acquisition Map was exhibited alongside the draft Planning Agreement to show the portion of land that would be subject to acquisition by Council. The exhibition process included:

- Display on the Council 'Have your Say' website
- Public notices in the local 'Torch' newspaper
- Notification letters to property owners and occupiers affected by changes to the proposed rezoning (723 properties and 982 letters), and
- A physical copy of the notified documents in the Campsie and Bankstown customer service centres.

Submissions from the community

One submission was received during the exhibition period. The submission was in favour of the proposed amendment. Based on the outcome of the public exhibition period, no changes are recommended to be made to the draft Planning Agreement or the draft Land Reservation Acquisition Map.

Next Steps

Subject to Council's resolution to endorse the recommendations of this report, the following steps will apply:

- Council and the developer execute the amended Planning Agreement
- Upon execution of the amended Planning Agreement, Council write to the Department to advise the Council nominates itself to be the acquisition authority, and
- Provide the amended Land Reservation Acquisition map to the Department to include as part of the LEP amendment gazettal process.

6 POLICY MATTERS

The following item is submitted for consideration -

6.1 Resilient CBCity Strategy

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ITEM 6.1 Resilient CBCity Strategy

AUTHOR City Future

PURPOSE AND BACKGROUND

The purpose of this report is to provide a summary of the feedback received on the Draft Resilient CBCity Strategy (the strategy) and present the strategy for adoption and implementation.

ISSUE

Council has prepared a Draft Resilient CBCity Strategy which provides a framework for supporting and creating a more connected, collaborative and responsive City that can withstand and recover from shock events and chronic stresses, ensuring that no one in our community is left behind and recognising our responsibility to future generations. The strategy presents five Directions that will guide our approach to building and strengthening the resilience of Council and our community.

At the Ordinary Meeting on 28 February 2023, Council resolved to place the Draft Resilient CBCity Strategy on public exhibition and that a further report be brought to Council at the conclusion of the exhibition period to consider any submissions received.

The Draft Resilient CBCity Strategy was placed on public exhibition from 14 March to 16 April 2023. A total of eight submissions were received.

RECOMMENDATION That

1. Council adopts the Resilient CBCity Strategy.
2. A Resilient CBCity Action Plan be prepared to support the strategy's implementation.

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

- A. Resilience Strategy Staff Engagement Report (September 2021)
- B. Resilience Strategy Engagement Report (October 2021)
- C. Exhibition Engagement Outcomes Report COMM-11-43175 (April 2023)
- D. Draft Resilient CBCity Strategy (April 2023)
- E. Community Group submission with responses Resilience 2023

POLICY IMPACT

The Draft Resilient CBCity Strategy has no policy impact and is Council's first resilience strategy. The strategy addresses Council's commitment to resilience, identified in Evolution 9 Sustainable and Resilient Places of Connective City 2036.

Council's adoption of this strategy is in alignment with the Resilient Sydney program (of which Canterbury Bankstown is a member council) and in line with relevant Australian and NSW Government policy on resilience and disaster preparedness.

FINANCIAL IMPACT

There are no immediate financial implications related to the adoption of this strategy.

Financial risk is greatest if no action is taken to address resilience challenges, as investment in resilience and disaster risk reduction minimises human and economic losses. Financial implications will be more clearly identified and quantified in developing a Resilient CBCity Action Plan.

COMMUNITY IMPACT

Adoption of this strategy will articulate Council's commitment to leadership and accountability in building and strengthening resilience.

The Draft Resilient CBCity Strategy addresses a range of shocks and stresses that are increasingly affecting residents, businesses, the environment and other relevant stakeholders. With an estimated resident population of more than 500,000 by 2036, it is essential that Council and the community focus on building resilience to better manage the acute shocks and chronic stresses that will inevitably impact the City.

The strategy has been developed with extensive community engagement. The Resilience Strategy Engagement Report (Attachment D) captures and reports the community views on the local resilience challenges and community strengths and vulnerabilities which have been used to inform the strategy. The Exhibition Engagement Outcomes Report COMM-11-43175 (Attachment C) summarises the community feedback received following exhibition of the Draft Resilient CBCity Strategy.

DETAILED INFORMATION

Background

Resilience is “the capacity of individuals, communities, institutions, businesses and systems to survive, adapt and grow no matter what kinds of chronic stresses and acute shocks they experience”.

The City of Canterbury Bankstown has been an active participant in the Resilient Sydney program since its inception in 2015. That program delivers on the aims and actions of the 2018 metropolitan Resilient Sydney Strategy. The Resilient Sydney Strategy was developed in collaboration with 33 metropolitan councils across Greater Sydney, including Canterbury-Bankstown.

The role of local government in planning for community resilience has become increasingly central. Recent events, including heatwaves, floods, bushfires, and a disease pandemic, demonstrate the increasing impacts on Council and our community. At the same time, many people in our community experience daily pressures such as financial and housing stress, a lack of transport, and social isolation that can make it harder for them to cope during emergencies. In December 2022, the Resilient Sydney Office reported that one in two (52%) of its 33 member councils have or are developing local resilience plans.

The Draft Resilient CBCity Strategy is Council’s first resilience strategy, and it demonstrates our commitment to ensuring CBCity is able to survive, adapt and thrive, no matter what challenges we face today and as our diverse community grows and changes in future.

Public Exhibition

The Draft Resilient CBCity Strategy was on public exhibition from 14 March to 16 April 2023 via:

- Council’s ‘Have Your Say’ website; and
- Council’s Clean & Green e-Newsletter.

Exhibition Outcomes

Feedback was generally supportive of the Draft Resilient CBCity Strategy. The ‘Have Your Say’ page received:

- 235 unique visitors to the project initiating 348 visit sessions with 438 views/impressions of the project information;
- 68% of visitors viewed the project information a single time while 31% of visitors viewed the project multiple times;
- 69% of visitors accessed the project by typing the exact URL followed by 15% via an external website and 13% via a search engine;
- Five documents were provided in the project’s library and there were 65 documents downloaded; and
- Total viewing time on Have Your Say was five hours 44 minutes.

A total of eight responses were received during the exhibition period; six through the Have Your Say and two responses via direct email.

The majority were supportive with one response seeking greater clarity on how these initiatives will solve the problems. This will be addressed as part of the Resilient CBCity Action Plan where the specific actions will be identified.

A detailed response was provided to one submission as it listed a number of different areas and pages. All issues were deemed to be addressed by the current document or will be addressed in other actions plans or strategies under development (See attached).

Internal Review

There were a number of administrative/textural changes made to the content and formatting, resulting from further internal review during the exhibition period. These do not result in substantive changes and do not impact the plans, except where mentioned in this report.

Changes to the Draft Resilient CBCity Strategy

As a result of the consultation and further internal review, the following actions were undertaken to amend the Draft Resilient CBCity Strategy:

- Update the Strategy with current statistics as reported in the 2021 Census
- Remove mention of Resilient NSW as they no longer exist as an authority
- Include the Australian Red Cross as a key Partner

Conclusion

Feedback received during public exhibition demonstrates community support for the Draft Resilient CBCity Strategy. A number of community members also expressed interest in being involved in the development of a Resilient CBCity Action Plan to support the strategy.

It is recommended that the Draft Resilient CBCity Strategy is adopted and Council prepare a Resilient CBCity Action Plan to support the strategy's implementation.

7 GOVERNANCE AND ADMINISTRATION MATTERS

The following items are submitted for consideration -

7.1	Integrated Planning and Reporting - Revised Delivery Program (2022-25), Draft Operational Plan (2023/24), and revised Resourcing Strategies for Assets and Finance	69
7.2	Cash and Investment Report as at 30 April 2023	93
7.3	Integrated Planning and Reporting - Quarterly Progress of the 2022/23 Operational Plan and Budget to 31 March 2023	97
7.4	Local Government Remuneration Tribunal - Determination of Mayor and Councillor Fees 2023/2024	107
7.5	Alcohol Free Zone's (AFZ) and Alcohol Prohibited Area's (APAs)	111
7.6	Request for New Lease Agreement for 82 Brighton Avenue, Croydon Park (former Croydon Park Bowling Club)	115

Governance and Administration Matters - 23 May 2023

ITEM 7.1 Integrated Planning and Reporting - Revised Delivery Program (2022-25), Draft Operational Plan (2023/24), and revised Resourcing Strategies for Assets and Finance

AUTHOR City Future

PURPOSE AND BACKGROUND

The *Local Government Act 1993 (Sect 406)* requires all councils to prepare a suite of integrated planning and reporting (IPR) documents comprising:

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

The suite was adopted by Council in 2022 following the December 2021 Local Government Elections.

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 the following revised IPR documents for public exhibition:

- Revised Delivery Program 2022-25 incorporating Draft 2023/24 Operational Plan, 2023/24 Budget, Revenue Policy, Pricing Policy and 2023/24 Schedule Fees and Charges;
- Revised 2023-33 Asset Management Strategy; and
- Revised 2023-33 Financial Management Strategy.

RECOMMENDATION That -

1. In accordance with Section 406 of the *Local Government Act 1993*, the following Integrated Planning and Reporting Documents be placed on public exhibition:
 - Revised Delivery Program 2022-25 incorporating draft 2023/24 Operational Plan, 2023/24 Budget, Revenue Policy, Pricing Policy and 2023/24 Schedule Fees and Charges;
 - Revised 2023-33 Asset Management Strategy; and
 - Revised 2023-33 Financial Management Strategy.

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 2023/24 as outlined in Annexures F and G (forming part of Attachment A to this report) be exhibited. The proposal is based on the following:
 - (i) Council's ordinary rates for 2023/24 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 \$990.00 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 \$990.00 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 \$605.00 for all Residential properties.
 - (vi) Annual charges from Trade Waste collection be set at \$605.00 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 be applied.

ATTACHMENTS

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

-
- A. CBCity 2025: Revised Delivery Program 2022-25 incorporating the draft 2023/24 Operational Plan, Budget and Schedule of Fees and Charges
 - B. Revised Financial Management Strategy 2023-2033
 - C. Revised Asset Management Strategy 2023-2033

POLICY IMPACT

Integrated Planning and Reporting documents are 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 actions to be delivered in 2023/24 which will contribute to the Delivery Program 2022-25. It also details Council's Revenue Policy, Budget, and Schedule of Fees and Charges for the 2023/24 financial year.

Supporting strategies for finance and asset ensure that Council is on track to achieve its commitments to the community. Budgets are reviewed regularly for amendment to maintain currency and to ensure the reflect Council decisions.

COMMUNITY IMPACT

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

DETAILED INFORMATION

More than just a Plan

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.

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 the following revised IPR documents for public exhibition:

- Revised Delivery Program 2022-25 incorporating draft 2023/24 Operational Plan, 2023/24 Budget, Revenue Policy, Pricing Policy and 2023/24 Schedule Fees and Charges;
- Revised 2023-33 Asset Management Strategy; and
- Revised 2023-33 Financial Management Strategy.

DELIVERY PROGRAM 2022-25 AND OPERATIONAL PLAN 2023/24

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 revised Delivery Program will focus on a range of priorities including:

- Leading the way to create a cool, clean and green city by increasing the tree canopy and progressing a new Community Recycling Facility at Kelso Park;
- Taking a more customer-centric approach to service delivery, aligning services with community expectations, and using data and technology to improve service provision (e.g. using artificial intelligence and cameras on trucks to monitor and maintain the road conditions);
- Being a good corporate citizen by promoting sustainability, resilience, safety, compliance, accountability, volunteerism and open government;
- Improving road and footpath conditions, and building active transport corridors;
- Advocating for the community and our City, especially ensuring better outcomes from NSW Government planning and infrastructure initiatives (e.g. transforming Canterbury and Bankstown-Lidcombe Hospitals into state- of-the-art facilities);
- Master planning for our local and village centres i.e. Belfield, Belmore, Canterbury, Lakemba, Punchbowl and Wiley Park; and
- Marketing the City, promoting investment, and providing for the creative and cultural needs of our community (e.g. Campsie Cultural Hub, night time economy, destination events).

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

Annual Operational Plans expand on the priorities in the Delivery Program by identifying the specific services and projects Council will provide in that financial year. The draft Operational Plan 2023/24 will see Council spending \$57.2M* on capital works across the City including:

- \$8 million for upgrades at community buildings and leisure and aquatic facilities;
- \$11 million for road, car park, bridge and traffic upgrades;
- \$7.7 million for our parks, playgrounds and sporting facilities;
- \$2 million for water quality improvements; and
- \$4 million for town centres.

**Figure represents draft capital works budget for 2023/24 and excludes projects that will be carried over from current financial year for delivery during 2023/24.*

Key highlights include:

- Keeping the city and 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;

- Commencing engagement and planning for new Campsie Cultural Hub, Panania Library and Knowledge Centre and the Roberts Park Community Hub;
- Designing new community facilities at Griffith Park, Bankstown, and constructing a new community facility at Thurina Park;
- Commencing planning for future upgrades at Belmore and Lakemba town centres;
- Upgrading playgrounds at Bennett Park, Croydon Park, Deverall Park, Ewen Park, Roma Reserve, The Crest and exercise equipment at Cairds Avenue Reserve;
- Constructing a BMX track;
- City-wide road rehabilitation including Edgar Street at Condell Park, Urana Road at Villawood, Loch Street at Campsie, Bishop Street at Revesby, and The Boulevard at Punchbowl; and
- Sporting facility upgrades at The Crest, Bass Hill, and Croydon Park.

The Revised Delivery Program 2022-25 incorporating draft 2023/24 Operational Plan, 2023/24 Budget, Revenue Policy, Pricing Policy and 2023/24 Schedule Fees and Charges is Attachment A 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 ten-year Asset Management Plan, ten-year Long Term Financial Plan and a three-year Workforce Strategy. Only the Asset and Finance Strategies require review in this part of the Integrated Planning and Reporting cycle.

Financial Management Strategy (FMS) and Long-Term Financial Plan (LTFP) –ten years

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, increasing replacement cost and depreciation of Council's infrastructure assets 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 B to this report.

Asset Management Strategy – ten years

Council has one of the most advanced and well-populated asset management systems in NSW Local Government to manage its asset base of roads, buildings, parks, drainage infrastructure and other community assets (with a total gross replacement cost in excess of \$5.6 billion). 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 ten-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 C to this report.

EXHIBITION

The draft Integrated Planning and Reporting Suite will be exhibited for comment from 24 May to 21 June 2023.

FINANCIAL MANAGEMENT

Economic Context

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

Evidently – and despite Council's approved Special Rate Variation (SRV) – Council LTFP foreshadows ongoing long-term financial challenges, particularly in terms of its ability to optimally maintain and replace its infrastructure asset base of around \$4B.

As has been discussed at length – like all councils – we too continue to feel the effects of several long-standing debilitating policies which continue to erode Council's ability to 'keep-up' with the growth in operating costs and our limited ability to expand our income base.

Council's current short-term financial position is considered stable from a cashflow perspective and importantly is able to support the ongoing management of Council's operations.

That said, without doubt, the broader economic/external environment we operate in is having a significant influence on our operation, particularly issues such as:

- Limited/reducing Government funding/grants;
- Inflationary pressure;
- The impact of increasing non-discretionary costs such as energy costs, levies and the current labour market;
- Lack of suppliers, inflated contract/tender pricing and prevailing weather conditions;
- Revaluation of assets and its impact on the cost of replacing/renewing assets;
- Government cost-shifting, which amounts to almost \$60M of Council's annual operating costs; and
- The numerous shortcomings of the Government's rate-pegging strategy/policy.

Council's broader financial position continues to reflect a Net Result of negative \$8.9M. 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 \$30.6M (negative \$34.5M in 2022/23).

Our Long-Term Financial Plan

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:

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

Council's LTFP highlights Council's steps to address this imbalance and importantly provides a path which ensures Council remains financially sustainable. Despite the steps taken to date, recent macro-economic events, especially escalating inflation in the economy, have presented additional challenges for Council on its path to Long Term financial sustainability.

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 macro-economic events continue to impact council operations through supply chain issues, staffing of operations for service delivery, rapid rising inflationary pressures on Council's budget and particularly the escalating costs in managing the ongoing replacement of Council's infrastructure assets.

Council estimates that the total direct financial impact of the pandemic on Council's operations was estimated to be around \$26M. Council continues to feel the effects of the financial impact of the pandemic, particularly its impact on Council's ability to replace 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 impacts 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 Framework and 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 2023/24 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, whilst dealing with the ongoing financial challenges faced

Revenue Policy

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

General Rates and Annual Charges

On the 29 March 2017, the NSW Parliament passed the Local Government Amendment (Rates – Merged Council Areas) Bill 2017 providing rate protection for residents of NSW Merged Councils. The Bill effectively froze rates on their current paths for a period of 5 years, an obligation which continued until 30 June 2021 – including Council's ability to restore the former Canterbury Council's Infrastructure Levy - totalling \$5.1M per annum – which ended in 2019.

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 eight-year gradual rates harmonisation strategy. The 2023/24 rating year reflects the third year of the strategy.

Council's parameters in terms of setting its rating structures for 2023/24, are 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;
- Reflect an anticipated staged growth of around 750 dwellings throughout the year. In total, Council's net increase in rating income is expected to be around \$10.5M; and
- As indicated above, gradually harmonising Council's Residential and Business ad valorem rates over an eight-year period (Year 3 of 8).

Councillors should note that despite Council's approved 2023/24 rate-peg being set at 2.5%, IPART's general rate-peg for all NSW councils for 2023/24 is set at 3.7%. IPART has similarly fixed Council's ongoing rate-peg for the following two financial years (2024/25 and 2025/26) at 2.5%.

It is estimated that the differential between both rate-peg's will result in a reduced level of income of around \$2.2M in 2023/24 and a total of around \$9.2M by 2025/26. The differential will continue to compound into the future. Council is unable to adjust and/or recoup the differential amount – unless it conducts and/or lodges a new SRV application.

Separately, in accordance with section 566(3) of the Local Government Act 1993, the Minister has determined that the Maximum Interest Rate on Overdue Rates and Charges for the period 1 July 2023 to 30 June 2024 (inclusive) will be 9.0% per annum. As is the case each year, the maximum amount/percentage will be applied, as required.

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 – Commercial General	Major Shopping Centres (Bankstown / Roselands) Business Bankstown CBD, Campsie, Local Centres
Business Industrial Large – Industrial General	Business Parks, Major Industrial Areas 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 differential between the residential ad valorem rate and the business ad valorem rate as at 30 June 2022 was 1:2.7.

The ad valorem differential is being gradually/equally changed over a four-year period. Indicatively, the new differentials for ad valorem rates in each rating category will be as follows:

Business Sub-Categories					
Rating Sub-Category	Differential from Residential Ordinary 2021/22	Differential from Residential Ordinary 2022/23	Differential from Residential Ordinary 2023/24	Differential from Residential Ordinary 2024/25	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.

Approach to Rates Harmonisation

The Government has passed a number of changes to the *Local Government Act 1993*, including changes relating to the harmonisation of rate paths for newly merged Council's.

By way of background, in 2016 the NSW Government mandated that amalgamated Council's must maintain its former Council's rate path (rate freeze) till 30 June 2020 which was extended to 30 June 2021.

As part of the legislative changes, newly merged Council's now have the discretion to harmonise their former Council rate paths over a period of up to eight-years, commencing 1 July 2021. In accordance with this amendment Council's residential and business ad valorem rates will be gradually harmonised over an eight-year period from 1 July 2021 in order to have one harmonised rating structure by 1 July 2028. The gradual harmonisation of residential and business ad valorem rates will minimise the harmonisation impact on our ratepayers in any one financial year. Refer to Annexures F and G later in this Section.

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 structures; 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 the Council's approach and determined it to 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

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 \$3.8M in net terms for 2023/24, approximately \$0.8M of which is Council's discretionary concession.

Domestic Waste Management Fee

Council, during 2020/21, harmonised its domestic 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, 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 \$605 for 2023/24 reflecting an increase of 3.7%.

Annexure E of the Financial Statements in this Operational Plan 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 in value and/or Council's ongoing ability to deliver the stormwater initiatives proposed under the plan.

Annexure H of the Financial Statements in this Operational Plan provides details of the Stormwater Levy funded projects for 2023/24.

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 3.0% per year.

Official interest rates have raised rapidly over the last 12 months, from their historically all-time lows. Council had seen a rapid decline in interest income over last few financial years. If the official interest rate remains at current levels, the recent increases will flow through to increased interest income for Council as previous investments mature and are reinvested at higher prevailing interest rates.

Budgeted interest income over the short-medium term has been revised to reflect the current interest rate environment. In total, Council expects its interest income to increase by \$4.6M in 2023/24 from the low base of investment interest income expected in 2022/23.

Councillors should note that only a proportion of the expected increase (\$1.8M) is available for general operational purposes (General Funds). Council is required to restrict the balance of the increase (\$2.8M), given that the interest earned relates to cash reserves held for specific/statutory purposes (eg. Domestic Waste Reserve and Development Contributions Reserve).

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 2023/24 fees and charges by 3.7%, 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 is 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 2023/24 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.

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 2023/24 of up to \$85M over the next ten years to fund Council's adopted Leisure and Aquatics Strategy. An initial loan of \$43.2M will be required commencing in 2023/24 and be drawn down as required to fund the Canterbury Leisure and Aquatics Facility (the Facility). The requirement for the loan – and the required amount – will be reflected in Council's 2023/24 once Council considers and determines the outcome of the construction contract for the 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.

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

Despite the current high inflationary environment, 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 2022/23 which has seen recent inflation rise above the RBA's target.

Despite inflation rates sitting at around 7%, and the Producer Price Index for heavy and civil engineering construction supplies of around 9% - as a guide - Council has had to force to maintain costs to a minimum of around 2.5%, to accommodate and/or reflect relevant escalation in proposed budgets for the 2023/24 financial year, particularly those of a contractual nature.

Employee Costs

Although the Local Government Award negotiations are yet to be finalised, Council's employee costs in the 2023/24 Budget include a forecast award increase of 4.5% and an increase in the superannuation guarantee rate to 11.0%. Council's full-time equivalent (FTE) employee numbers (organisational structure) for the 2023/24 financial year is set at 1,493 being 1,483 permanent FTEs and ten temporary grant funded FTEs.

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 \$90.1M has been reflected in the 2023/24 Budget to reflect this cost – an increase of around \$12.2M compared to that originally planned for 2022/23.

The increase largely reflects the impact of revaluing Council's \$4B asset base – which aims to appropriately reflect the rising estimated cost of replacing all of Council's infrastructure assets – and its impact on annual depreciation expense. Council's expects the cost of the ongoing statutory revaluation process to continue to exponentially increase over the coming years – and further diverge our financial capacity fund depreciation expense in the future.

Council assesses depreciation annually as part of preparing and reviewing its Asset Management Strategy.

Planned 2023/24 Budget

Council's expected operating result for the 2023/24 financial year is;

Category	2023/24 Original \$M	2022/23 Original \$M	Difference \$M
Operating Revenue	387.4	357.4	30.0
Operating Expenditure	396.3	366.4	29.9
Operating Deficit (Including Capital Income)	(8.9)	(9.0)	0.1
Less Capital Grants and Contributions	21.7	25.5	(3.8)
Total Operating Result	(30.6)	(34.5)	3.9

The 2023/24 Budget is assessed against the 2022/23 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 2023/24 is estimated to be negative \$30.6M, this is an improvement of \$3.9M when compared to Council's 2022/23 Original Budget.

Once capital grants and contributions are added, Council's projected Operating Result for the year is expected to be negative \$8.9M.

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

Revenue Budget

Council's Revenue Budget (excluding capital grants and contributions) for 2023/24 is expected to be \$365.7M, an increase of \$33.9M (10.2%) to that originally planned for 2022/23. A break-up by income category is as follows

Category	2023/24 Original \$M	2022/23 Original \$M	Variance \$M
Rates / Domestic Waste	291.1	274.0	17.1
User Charges / Fees	20.8	19.1	1.7
Interest	11.3	6.7	4.6
Other Revenue	14.7	14.3	0.4
Grants - Operating	21.2	12.6	8.6
Other Income	6.6	5.1	1.5
Total	365.7	331.8	33.9

The variation of \$33.9M, is a result of the following movements:

Component	Variance \$M
Rating Revenue	15.4
Domestic Waste	1.7
Interest Income	4.6
User Fees & Charges	1.7
Operating Grants	8.6
Other Revenues	0.4
Other Income	1.5
Total	33.9

Revenue projections for 2023/24 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 \$20 (3.7%) 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 \$4.6M, 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 \$21.7M in funds for various capital outcomes throughout 2023/24.

Type	Amount
Development Contributions	15.0
Town Centres/Civic Precinct	3.0
Roadworks/Traffic – Various	2.0
Buildings - BLaKC	1.0
Open Space	0.7
Total	21.7

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 \$396.3M, an increase of \$29.8M (8.1%) to that adopted for 2022/23.

A break-up of each operating expenditure category is as follows:

Category	2023/24 \$M	2022/23 \$M	Variance \$M
Employee Costs	170.1	157.7	12.4
Borrowing Cost Expense	1.4	0.8	0.6
Depreciation	90.1	77.9	12.2
Materials & Services	120.9	120.1	0.8
Other Expenses	13.8	10.0	3.8
Total	396.3	366.5	29.9

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 2023/24 financial year are set at 1,493 being 1,483 permanent FTEs and ten temporary grant funded FTEs.

The budgeted increase in employee costs of \$12.4M is largely attributable to the Local Government Award Increase of 4.5% and its broader impact on employee entitlements. The budgeted employment costs also include the raising of the superannuation guarantee amount for employees from 10.5% to 11.0% for 2023/24.

Borrowing Costs

Borrowing costs have increased by \$0.6M in 2023/24 which are the interest charges on the loan for the Canterbury Leisure and Aquatics facility – on the basis that Council determines its decision regarding the construction contract. If it were to proceed, the first tranche of the initial loan – expected to be around \$43.2M – will be reflected in Council's 2023/24 budget and drawn down at the appropriate time.

Depreciation

Depreciation expense has increased by \$12.2M in 2023/24 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 increase by around \$4.6M or 3.5% when compared to Council's adopted 2022/23 budget. The increase in Materials, Services and Other Expenses mainly relates to:

- An increase in the SES and Fire Board levies of \$2.4M; and
- Street lighting electricity costs anticipated to increase by \$2.0M or (10%).

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 the Financial Statements in this 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 2023/24 budget, the identified framework provides Council with a level of confidence in determining an effective approach to formulate its long-term planning.

In 2023/24, 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 quite considerably.

Council's total expenditure on assets throughout 2023/24 (excluding any potential carryovers from the current financial year) is expected to be approximately \$57.2M.

Project Area	Amount \$,000
Buildings	8.0
Car Parks	0.2
Drainage Conduits	2.0
Waste Management	16.0
Town Centres	4.0
Open Space	7.3
Park/Street Furniture	0.4
Pathways and Boardwalks	0.1
Road Pavement	10.6
Operational Assets	8.6
TOTAL CAPEX	57.2

As in previous years, the 2023/24 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.

A significant number of carryovers from the 2022/23 capital works program are anticipated and will be rolled over into the 2023/24 program to enable completion of these important community projects. The current environment, namely due to the supply chain issues, resourcing, market conditions and the ability to attract contractors has led to large delays with projects.

Annexure I of the Financial Statements in this Operational Plan summarises Council's capital works program for 2023/24.

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 Councils capital works program.

In net terms, Council's level of Reserves, both those imposed by legislation or established by Council are forecast to total \$375.0M by 30 June 2024, a net increase of \$29.4M.

With the planned capital program of \$57.2M, asset replacement reserves are estimated to increase by \$11.3M during 2023/24.

A summary of restrictions made and used can be found in Annexure D of in Financial Statements of this Operational Plan.

Liquidity and Performance Indicators

Based on the proposed 2023/24 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 2023/24 financial year are expected to be as follows:

Indicator	Target	2023/24
Unrestricted Current Ratio	>150%	143%
Debt Service Ratio	<10%	0.80%
Unrestricted Cash	>\$0	\$12.8M

Based on all the cash movements noted above, Council's budget reflects an increase in cash of \$29.6M, which accounts for both internal and external restricted funds expected to be received and utilised throughout 2023/24.

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 in the report by the:

- Revised Delivery Program 2022-25 incorporating Draft 2023/24 Operational Plan, 2023/24 Budget, Revenue Policy, Pricing Policy and 2023/24 Schedule Fees and Charges;
- Revised 2023-33 Asset Management Strategy; and
- Revised 2023-33 Financial Management Strategy.

The documents will be exhibited for comment to 21 June 2023 and a further report submitted to Council.

Governance and Administration Matters - 23 May 2023

ITEM 7.2 Cash and Investment Report as at 30 April 2023

AUTHOR Corporate

PURPOSE AND BACKGROUND

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

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

ISSUE

This report details Council's cash and investments as at 30 April 2023.

RECOMMENDATION That -

1. The Cash and Investment Report as at 30 April 2023 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 April 2023 Investment Report

POLICY IMPACT

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

FINANCIAL IMPACT

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

COMMUNITY IMPACT

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

DETAILED INFORMATION

Cash and investment summary – as at 30 April 2023

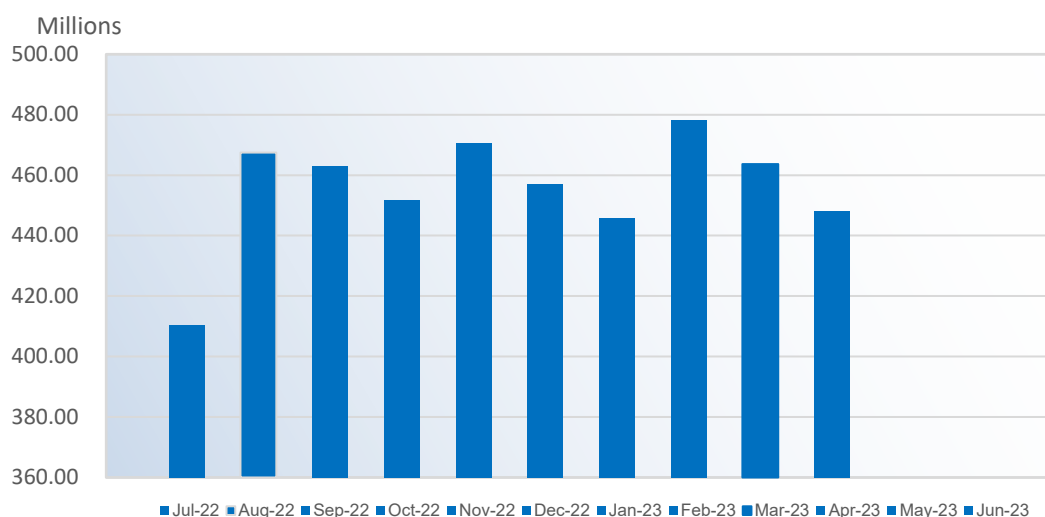
In total, Council's cash and investment holdings as at 30 April 2023 is as follows:

Cash and investments	\$
Cash at bank	1,172,433
Deposits at call	40,724,199
Term deposits	320,000,000
Floating Rate Notes	45,570,661
Workers compensation security deposit	4,686,000
Bonds	36,000,000
Total cash and investments	448,153,293

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 portfolio balances are made up of cash balances at month end held for external restrictions (e.g. unspent developer contributions, domestic waste reserves and unexpended grants), internal restrictions (e.g. infrastructure reserves, employee leave provisions, cash deposits and other reserves) and unrestricted cash (Council's working capital). The following graph outlines Council's closing cash and investment balances from July 2022 to April 2023.

Summary of Council's investment interest income earned for the period to 30 April 2023 is as follows:

Cash and investments rolling monthly balance 2022-2023



Interest income	April 2023 \$	Year-to-date April 2023 \$
Budget	736,792	7,367,917
Actual interest	1,033,741	9,075,978
Variance	296,949	1,708,061
Variance (%)	40.30%	23.18%

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	10.4	100
Working capital funds (0-3 months)	2.4	100
Short term (3-12 months)	21.8	100
Short – medium (1-2 years)	30.6	70
Medium (2-5 years)	34.8	50
Long term (5-10 years)	0	5
Total cash and investments	100%	

Portfolio allocation	
	Actual % of portfolio
Cash at bank	0.3
Deposits at call	9.1
Term deposits	71.4
Floating Rate Notes	10.2
Workers compensation security deposit	1.0
Bonds	8.0
Total cash and investments	100%

Councillors should also note that in response to a question received at the April 2023 Ordinary Meeting, Council's Investment Advisor has provided information regarding early termination of term deposits (page 14 of attachment). Council is currently consulting with several institutions to determine whether Council has the flexibility – and understand the likely cost/financial-impact – to withdraw certain longer-dated term deposits and re-invest them at current market rates. Subsequent Council reports will outline the outcome and/or decisions regarding the matter.

Governance and Administration Matters - 23 May 2023

ITEM 7.3 Integrated Planning and Reporting - Quarterly Progress of the 2022/23 Operational Plan and Budget to 31 March 2023

AUTHOR City Future

PURPOSE AND BACKGROUND

This report provides a summary of progress on the delivery of Council's 2022/23 Operational Plan from 1 January to 31 March 2023.

Separately, the report considers Council's financial results and proposed budget adjustments for the March 2023 quarterly budget review period.

ISSUE

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

The report demonstrates the organisation's performance in delivering the actions outlined in CBCity 2025 (Council's 2022-25 Delivery Program and 2022/23 Operational Plan). This key document for our City translates 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; and
- Budget Review.

RECOMMENDATION That -

1. Council note the quarterly review of the 2022/23 Operational Plan to 31 March 2023, as outlined in the report.
2. Council adopt the March 2023 Quarterly Budget Review, as outlined in this report.
3. That Council note the revised Administrative Guidelines Debt Management and Recovery of Rates and Annual Charges as outlined in this report.

ATTACHMENTS

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

- A. Quarter Three Report of the Operational Plan 2022/23 - Summary Report
- B. Quarter Three Report of the Operational Plan 2022/23 - Detailed Report
- C. March Revision Review
- D. March Revision Reports
- E. Draft Administrative Guidelines Debt Management and the Recovery of Rates and Annual Charges

POLICY IMPACT

The review of progress in implementing our IP&R documents is prepared in accordance with Section 406 of the *Local Government Act 1993* and the NSW Office of Local Government Integrated Planning and Reporting Guidelines, which require regular progress reports to be provided to Council and community on the delivery of the Community Strategic Plan and Council's Delivery Program and Operational Plan. Reports are provided to Council each quarter outlining Council's financial position and progress of the Operational Plan.

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

FINANCIAL IMPACT

The report presents Council's operating result at 31 March 2023.

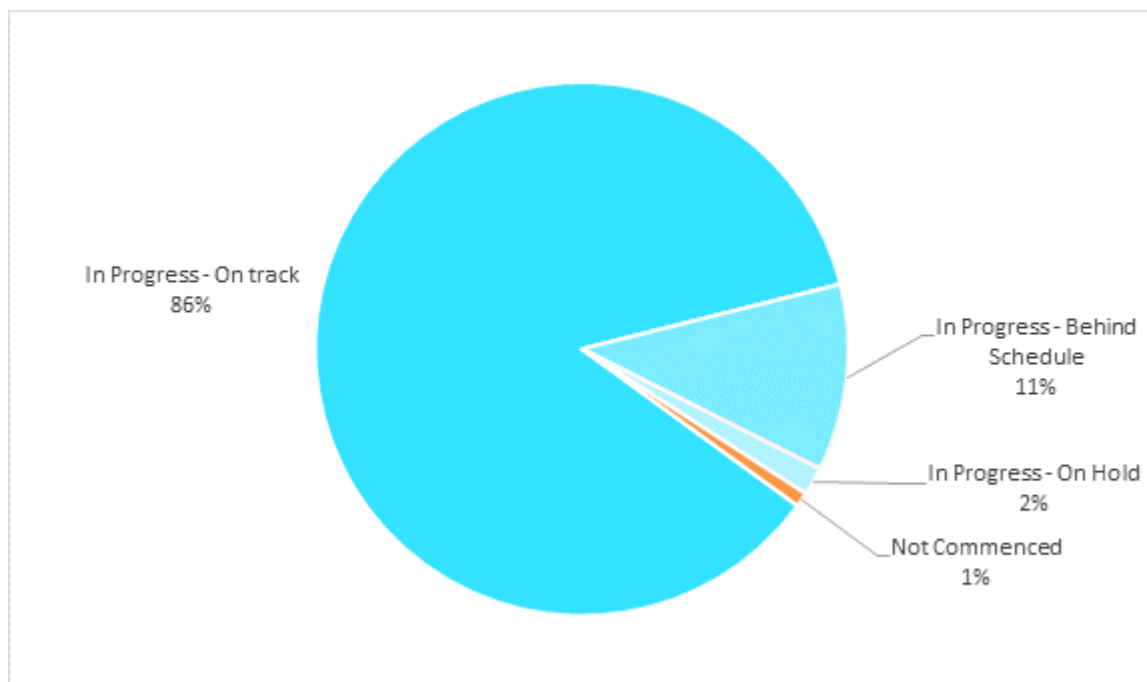
COMMUNITY IMPACT

The report ensures accountability for the commitments made to the community in Council's IP&R documents and annual budgets. It provides the community with an understanding of Council's performance in delivering its yearly Operational Plan and budget at 31 March 2023.

DETAILED INFORMATION

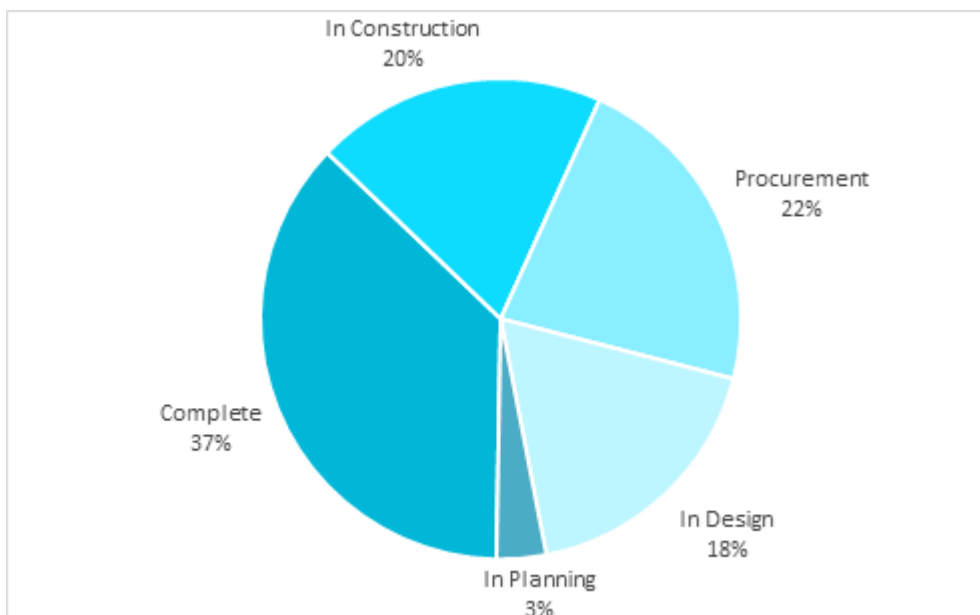
PART A - Quarterly progress on the delivery of the 2022/23 Operational Plan to 31 March 2023

At the close of quarter three, 86% of the Operational Plan's programs and initiatives for 2022/23 on target for completion by June 2023. Council remains in a good position to substantially complete most operational activities for the 2022/23 Financial year by the end of June.



At the close of quarter three 2022/23, 20% of Council's capital works program was under construction and 37% was complete.

Of the 111 completed projects, 44 were roads, bridges and traffic management projects, 30 were building projects, 26 were open space projects, six were drainage and water devices and five were town centre projects. Value of completed projects is \$25.4 million at the end of quarter three with \$54.9 million committed to projects in the design/construction stage.



Attachment A provides an overview of key highlights and achievements for this quarter structured around the seven destinations of Council's IP&R documents. Detailed actions for the entire 2022/23 Operational Plan, as well as tracking against key measures for CBCity 2025, are outlined in Attachment B. In combination, they highlight the progress of many important projects and initiatives and confirm our continued commitment to delivering CBCity 2036, the City's Community Strategic Plan, to the community.

Other highlights for the 1 January to 31 March 2023 quarter are summarised below.

Safe and Strong

- 129 community development events/programs were held between January and March 2023, including the annual Bus-to-Beach program which saw more than 1,000 residents travel to Cronulla beach to beat the summer heat.
- The 2023 Senior's Festival took place from 30 January to 17 February with almost 70 different events and more than 1,000 seniors participating.

Clean and Green

- Council continued the "Wheelie Good Compost" giveaway for residents with three events held in quarter three with 11,000 bags of compost collected by residents.
- With leadership from Council staff the community have been hard at work getting the Riverwood Community Garden back to its growing best.
- The autumn community native plant giveaway was held at Campsie, Chester Hill, Greenacre and Riverwood Library and Knowledge Centres during the quarter with over 2,500 seedlings being provided to the community alongside four 'Gardening for Biodiversity' talks.

Prosperous and Innovative

- The beginning of a new year is a time of celebration for cultures and communities across our diverse city with New Year's Day, Australia Day, Orthodox Christmas, Lunar New Year and Ramadan all happening or commencing in the period between January and end of March.
- The Lunar New Year Bankstown event returned to Saigon Place this year with approximately 10,000 people attending. A second Lunar New Year celebration was held at Campsie on Anzac Mall and Anzac Park with approximately 8,000 people attending.
- The Figtrees Pop-up Café commenced operation outside the Bankstown Art Centre in March.

Moving and Integrated

- In keeping with Council's target of being a carbon neutral city, work was undertaken in partnership with Ausgrid to replace 245 existing halogen and fluorescent public lights with predominantly LED light sources which are substantially more energy efficient and have much longer operational lifespans.
- Council continued to provide education and engagement on road safety issues during the quarter, being involved in a number of events and activities, including a cycle skills and road safety school holiday activity for children and road safety talks at Lakemba Library and Knowledge Centre for newly arrived Bangladeshi women.

Healthy and Active

- The official opening of the Greenacre Splash Park took place on 14 January 2023. With a range of water play options including an Australian-first four-dump bucket splash feature, and free of charge to all, it has already been a hit during the summer season.
- The parks and gardens teams have been busily working on planting, pruning and preparing Council's open spaces and playing fields for the coming winter sports season, including installing goalposts and field marking activities.
- Council libraries have continued to work hard to make available more resources in languages other than English as well as expand the range of programs being offered for our culturally diverse communities. An updated list of resources in other languages is now available at each of our libraries which can help residents to find books, movies and other resources in their preferred language.

Liveable and Distinctive

- The Western Sydney University (WSU) campus opposite Paul Keating Park opened its doors to students in March for the commencement of the 2023 year.
- Work has also commenced on the public domain around the WSU tower, with upgrades to Paul Keating Park and a public plaza with seating and natural shade just some of the things that will be delivered in the coming months.

Leading and Engaged

- There were three citizenship ceremonies held this quarter, one in each month from January to March 2023. Across the three ceremonies 982 people were welcomed into the City and became Australian Citizens. The event held on 21 March was also the first CBCity Ceremony where attendees were gifted the Australian National Flag, Australian Aboriginal Flag and the Torres Strait Island Flag.
- Canterbury Bankstown Council would also like to congratulate the winners of our 2023 Australia Day Awards:
 - Citizen of the Year - Ms Poompavai Arasu;
 - Volunteer of the Year - Dr Yaser Mohammad;
 - Young Citizen of the Year - Ms Khadijah Habbouche;
 - Organisation of the Year - Creating Links (NSW) Ltd; and
 - Jack Munday Environmental and Heritage Award - Mr Ranjith Evas.
- Council was advised this quarter that two of its applications under the WestInvest Community Project Grants - Competitive Round were successful. These were the Electrifying the City and Creating a Walking City submissions.

PART B – March 2023 Quarterly Budget Review

Financial Performance

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

Having reflected all required adjustments, Council's revised Operating Result is expected to be a surplus of \$28.3M, an improvement of \$4.8M (or \$2.6M when adjusted for one-off capital grants and contributions), when compared to the result forecast as part of the December revision process.

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 \$10.5M, mainly related to the Heavy Patching Flood Grant \$10.2M;

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.

Separately, Council's capital works and acquisition program is now expected to be \$185.6M, having decreased by \$36.8M during the quarter. The adjustments largely relate to timing adjustments of budgeted expenditure where projects will not be completed or commenced within the 2022/23 financial year and have now been rescheduled to 2023/24 or a future period. These adjustments are a part of Council's ongoing review which ensures that the capital works and acquisition program reflects the planned pattern of expenditure.

In reflecting the adjustments made as a part of this revision, Council's level of cash and cash equivalents is expected to decrease by approximately \$0.6M (assuming no carryovers exist at 30 June 2023).

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

Further detailed analysis regarding the 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.

Administrative Guidelines Debt Management and Recovery of Rates and Annual Charges

Council's Administrative Guidelines Debt Management and Recovery of Rates and Annual Charges have been updated to provide ratepayers with a better understanding of Council's debt recovery processes for outstanding rates and charges.

The minor updates to the guidelines now step through each of the rates and charges recovery procedures that Council undertakes - particularly to accord with the Office of Local Government's own Debt Management and Hardship Guidelines and Council's debt recovery arrangements/contracts.

The updated guidelines ensure that Council has proactive measures to ensure prompt payment, minimise default, follow up ratepayers, recover debts fairly, assess hardship claims and monitor debt. The updated guideline work in conjunction with Council's adopted Rates and Charges Debt Recovery and Financial Hardship Assistance Policy to provide robust, fair and transparent procedures outlining how Council will communicate with ratepayers, collect monies owing, assess hardship claims and, where necessary, recover overdue payments to manage debt.

A copy of the updated guidelines are attached to the report.

Conclusion

This report and Attachments A and B provide a progress report for the delivery of the 2022/23 Operational Plan. This ensures Council is meeting its obligations under the IP&R Framework and contributes to the ongoing enhancement of good governance across Council. The data contained within these reports will also be made available on Council's website.

Further, this report provides a summary and detailed analysis (see Attachments C and D) regarding the March 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.

Governance and Administration Matters - 23 May 2023

ITEM 7.4 Local Government Remuneration Tribunal - Determination of Mayor and Councillor Fees 2023/2024

AUTHOR Corporate

PURPOSE AND BACKGROUND

Pursuant to Section 241 of the *Local Government Act 1993*, the NSW Local Government Remuneration Tribunal (Tribunal) determines, on an annual basis, the amount of fees to be paid to Mayors and Councillors in each category of Councils.

In addition, Section 239 of the *Local Government Act 1993* requires the Tribunal to determine the categories of Councils at least once every three years.

In accordance with the *Local Government Act 1993*, the Tribunal undertook a review of the categories and allocation of councils into each category as part of this review. As a result of this review, the Tribunal has revised categories of general purpose councils and created new categories. This now includes a new category of Metropolitan Major. Canterbury-Bankstown Council has been recategorised into the new 'Metropolitan Major' category.

ISSUE

To advise Council of the determination made by the NSW Local Government Remuneration Tribunal regarding Mayor and Councillor fees for the financial year 2023/24 and the categorisation of Councils.

RECOMMENDATION That -

1. Council note the Local Government Remuneration Tribunal decision to re-categorise Council from *Metropolitan Large* to the newly established *Metropolitan Major* category for the purposes of fees paid to Councillors and Mayors.
2. Effective from 1 July 2023, Council continues to apply the maximum fees structure for the Mayor and Councillors, as determined by the Local Government Remuneration Tribunal, being:
 - Mayoral Additional Fee \$106,960 p.a.
 - Councillor Annual Fee \$34,590 p.a.
3. The current Additional Fee for the Deputy Mayor, being 15% of the Mayors Additional Fee, be confirmed.

ATTACHMENTS [Click here for attachment](#)

- A. 2023 Local Government Remuneration Tribunal Determination

POLICY IMPACT

The annual review and determination of Mayor and Councillor fees by the Tribunal are regulatory requirements as set by the *Local Government Act 1993*. Under Section 248 and 249 of the *Local Government Act 1993*, Councils may fix the annual fees in accordance with the appropriate determination of the Tribunal, or otherwise the minimum fee will apply.

FINANCIAL IMPACT

Necessary funds for the Mayor and Councillors fees will be met from Council's 2023/24 Budget.

COMMUNITY IMPACT

There is no community impact.

DETAILED INFORMATION

On 27 April 2023, in accordance with the *Local Government Act 1993*, the NSW Local Government Remuneration Tribunal determined the council categories and Mayor and Councillor fees for the financial year 2023/24.

Categorisation of Councils

For its 2023 review, the Tribunal undertook an extensive examination of the categories, criteria and allocation of councils into each of the categories.

The Tribunal examined statistical and demographical data, with population data sourced from Australian Bureau of Statistics (ABS) 2021 Census (the latest available data).

Evidence reviewed established the need to differentiate between some Large Metropolitan councils. Comparison data reviewed included population, operating revenue, and submission evidence relevant to section 239 of the *Local Government Act 1993*. This examination further exposed the gap between Metropolitan Large and Major CBD categories, thus resulting in the Tribunal establishing a new category to bridge the gap. As a result of the extensive review, the Tribunal determined the creation of a new category, Metropolitan Major.

The Metropolitan Major category has been proposed by Council since amalgamation. Council has responded to the Tribunal's review for annual determinations via submissions in 2017, 2019 and 2022, outlining the need to establish a new category of Metropolitan Major that better reflects Council's distinct differences from other councils such as significant population size and councillor representation ratios.

In its 2023 review, the Tribunal supported Council's submission to include a new category, Metropolitan Major, with a population criteria threshold of 400,000 in the determination. The Tribunal note that Councils categorised as Metropolitan Major have a sphere of economic influence and provide regional services considered to be greater than those of other metropolitan councils.

A break-down of categorises of Metropolitan Councils – as determined by the Remuneration Tribunal (section 239) of the LG Act effective 1 July 2023 – is outlined on page 29 of the attached report.

Councillor Fees

In determining Councillor fees, the Tribunal must give effect to the NSW Public Sector Wages Policy 2022 and the *Industrial Relations (Public Sector Conditions of Employment) Regulation 2014*.

Currently Councillors are paid the following annual fee in accordance with the Tribunal's 2022/2023 determination –

Mayoral Additional Fee*	\$92,180
Councillor Annual Fee	\$31,640
* 15% of Mayoral Additional Fee is paid to the Deputy Mayor	

Having regard to the latest determination, the following minimum and maximum fees for 2023/24 for the Mayor and Councillors for the new Metropolitan Major category – being the category which Council has been placed in, is shown below.

Description	Minimum \$	Maximum \$
Mayoral Additional Fee*	41,960	106,960
Councillor Annual Fee	19,760	34,590

* 15% of Mayoral Additional Fee is paid to the Deputy Mayor

A copy of the Tribunal's determination is attached (Attachment A).

The determination was gazetted in the NSW Government Gazette on 5 May 2023 and will be effective on and from 1 July 2023.

Council has previously resolved that 15% of the Mayor's additional fees be allocated to the Deputy Mayor for the term of office. It is recommended that the current Deputy Mayor fees will remain to reflect Council's determination.

Governance and Administration Matters - 23 May 2023

ITEM 7.5 Alcohol Free Zone's (AFZ) and Alcohol Prohibited Area's (APAs)

AUTHOR Community Services

PURPOSE AND BACKGROUND

The purpose of this report is to recommend the extension of Alcohol-Free Zones and Alcohol Prohibited Areas for a further 4-year period and that the proposed sites be placed on exhibition for a 30-day period with the inclusion of one additional location.

ISSUE

Alcohol Free Zones (AFZ) are established in public roads, footpaths and car parks where the consumption of alcohol is prohibited. Alcohol Prohibited Areas (APA) are established in public places, or part of a public place, and include parks or reserves, or other space that has been established by Council where the consumption of alcohol is prohibited. The purpose of AFZs and APAs is to discourage anti-social behaviour and social disturbances that can arise from the consumption of alcohol in public spaces.

Canterbury Bankstown Council's Alcohol-Free Zone and Alcohol Prohibited Areas Policy states that AFZs are reviewed every four years in line with guidelines set out in the Local Government Act 1993 which states the duration limit is a maximum of 4 years. While APAs have no maximum durations date, Canterbury Bankstown Council's policy states they will be reviewed on the same schedule as AFZs. There are currently 19 APAs and 21 AFZs with current signage expiring in May 2023.

RECOMMENDATION

That Council endorse that the proposed Alcohol-Free Zones and Alcohol Prohibited Areas are placed on Public Exhibition.

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

- A. Location of Alcohol Free Zones within Canterbury Bankstown LGA
- B. Proposed Additional Alcohol Free Zone

POLICY IMPACT

The recommendations of this report comply with Council's Alcohol-Free Zones and Alcohol Prohibited Areas Policy.

FINANCIAL IMPACT

Funds for the update of existing signage and the installation of new signage will be met from the existing operational budget.

COMMUNITY IMPACT

The AFZ's and APA's assist Council in its strategic direction of Safe and Strong by seeking to ensure that specific areas within the LGA safe and welcoming for all. The signs allow Police to act on anti-social behaviour involving alcohol and have a positive impact on the community.

DETAILED INFORMATION

Following consultation with NSW Police representatives from Bankstown, Campsie and Burwood Police Area Commands (PACs), the proposed locations for the 2023 – 2027 AFZs and APAs include all previous locations with the addition of a thoroughfare in Greenacre for which we have received concerns of graffiti, alcohol and drug use.

The process for establishing AFZs and APAs is set out in the Local Government Act 1993 and Ministerial Guidelines 2009. While the Act allows Councils to have Enforcement Officers, ie, employees of a Council authorised in writing by the Commissioner of Police to enforce the AFZs and APAs, CBCity relies on the three PACs to enforce the AFZs and APAs.

The Local Government Act 1993 Section 632A and 642 outlines the offences related to Alcohol Prohibited Areas and Alcohol-Free Zones.

In summary, a Police Officer or an Enforcement Officer may seize any alcohol (and the bottle, can, receptacle or package in which it is contained) that is in the immediate possession of a person in an AFZ or APA if the Officer has reasonable cause to believe that the person is drinking, about to drink, or has recently been drinking, alcohol in the AFZ or APA.

Any alcohol or container seized under this section is, by virtue of the seizure, forfeited if seized by a Police Officer—to the State.

Any alcohol seized under this section may be disposed of immediately by tipping it out or be otherwise disposed of in accordance with directions given by the Commissioner of Police or the Council (as the case requires).

A Council may declare any public place in the Council's area to be an *alcohol prohibited area* for the purposes of this section. However, establishing an *alcohol-free zone* requires community consultation.

The process to renew the AFZ's and APA's according to Local Government Act 1993 and Ministerial Guidelines 2009 is:

- Publish a notice of the proposal via local newspapers, social media and newsletters. The community will have 30 days to provide representations or objections;
- Proposal sent to Police Local Area Commander and officer in charge of the police station nearest to proposed zones, relevant liquor licenses and secretaries of registered clubs, NSW Anti-discrimination Board, and organisations representing Aboriginal or culturally and linguistically diverse groups within the local area;
- There will be a timeframe of 30 days to respond with representations or objections.
- Council adoption of AFZs and APAs by resolution;
- Inform applicants and relevant services listed above of resolution;

- AFZs and APAs signs installed and/or updated; and
- Notify public of the establishment of AFZ and APAs seven days prior to them being active.

A list of current AFZs and APAs is attachment A. The one proposed new alcohol free zone, which was requested by a resident and supported by Police, is attachment B.

Governance and Administration Matters - 23 May 2023

ITEM 7.6 Request for New Lease Agreement for 82 Brighton Avenue, Croydon Park (former Croydon Park Bowling Club)

AUTHOR Community Services

PURPOSE AND BACKGROUND

The Korean Society of Sydney (KSS), as a not for profit organisation, have a current lease with Council for 82 Brighton Avenue, Croydon Park (former Croydon Park Bowling Club). The lease agreement commenced on 2 May 2003 and expired 1 May 2023. This lease agreement is now on a month by month hold over clause for a maximum period of 12 months (1 May 2024).

Recently the KSS were successful in obtaining funding via ClubGrants to undertake a variety of works at the premises. However, through the ClubGrants Program the funding body has requested evidence of longer-term tenancy of the facility before they will release the funding.

Therefore, KSS have now approached Council to request a new lease agreement.

ISSUE

As this lease agreement has an expiry on the hold over clause, Council needs to address this request within the next 12 months. However, due to the added complexity of ClubGrants requiring evidence of the KSS tenure beyond May 2024 for the Croydon Park facility to release their funding, the KSS has requested that Council expedite the process.

RECOMMENDATION That -

1. Council agree in-principle to offer the KSS the opportunity to enter into a new five year lease, with a further five year option, with similar terms and conditions as in their current agreement with Council, as outlined in the report.
2. Council publicly exhibit the proposed lease in accordance with the requirements of the *Local Government Act 1993*.
3. At the conclusion of the public exhibition period, a further report be provided to Council for consideration.

ATTACHMENTS

Nil

POLICY IMPACT

The proposed new lease agreement is consistent with Council's Generic Plan of Management and in line with the provisions of the *Local Government Act 1993*.

FINANCIAL IMPACT

The proposed annual rent for the agreement payable to Council is \$15,000 which is in line with their current rent and will be subject to yearly CPI increases.

The current lease agreement which commenced in 2003 has KSS as being solely responsible for all maintenance of the building, including any capital improvements.

As part of the proposed new lease agreement, KSS will continue to have responsibility for all existing and future maintenance. This responsibility will now be governed by the Asset Report and KSS will be responsible for funding all required works identified in this report rather than this cost being borne by Council.

It is apparent from building inspections of the facility that only minimal maintenance has been undertaken since KSS have had management of the facility. Therefore, in 2021 Council engaged a consultant to prepare an Asset Report to understand the condition of the building, compliance status and restoration costs.

The Asset Report indicated that an estimated \$2 million is required over the next five years to bring the facility up to required standards.

To fund the priority works, ClubGrants have allocated \$200,000 subject to a longer term lease being confirmed. The Korean Society are required to provide co-contribution of \$150,000 comprised of \$100,000 of their own funds and \$50,000 in kind from community leaders. Council has allocated \$200,000 in the 2022/2023 Operational Plan to cover the works identified.

COMMUNITY IMPACT

The Korean Society of Sydney have a long proud history of providing a varying range of community services and events. The facility is well utilised and supports the provision of these activities and acts as a hub for the Korean community.

DETAILED INFORMATION

The Korean Society of Sydney (KSS) have a current lease with Council for 82 Brighton Avenue, Croydon Park (former Croydon Park Bowling Club). The lease agreement commenced on 2 May 2003 and expired 1 May 2023. The agreement is now on a month by month hold over clause for a maximum period of 12 months (1 May 2024). There is a separate licence agreement with KSS for the associated car park linked to the tenancy of the facility.

Under the current lease agreement KSS are solely responsible for all maintenance, compliance and structural issues in the building. Council has been working with KSS regarding concerns with the existing maintenance practices and have consistently reiterated to KSS their building maintenance requirements and responsibilities for the building. These concerns have placed a real focus in relation to compliance matters, including asbestos management and fire safety compliance.

While there has been limited investment in the past, more recently the KSS have understood their obligations as demonstrated by multiple applications for funding for building works. It is recommended that Council agree in principal to offer a new five year lease, and a further five year option in Council's favour only if KSS have demonstrated they are meeting all requirements in regards to outstanding building repairs and maintenance.

The KSS request for a lease is consistent with Council's Generic Plan of Management (PoM) as the land is categorised as *General Community Use* and therefore Council may grant a lease, licence or other estate over this community land to organisations and persons, community groups, sports clubs and associations, non-government organisations, charities, community welfare services, non-profit organisations and government authorities.

The proposed annual rent for the agreement payable to Council is \$15,000 which is in line with their current rent, and will be subject to yearly CPI increases.

Current Condition of Facility

In 2021 Council engaged a consultant to prepare an Asset Report to understand the current condition of the building, its compliance status and restoration costs.

The Asset Report indicated that an estimated \$2 million is required over the next five years in works to bring the facility up to the required standards. The following table identifies the priority works required.

	Funding Source	Building Asset Report Actions
1.	ClubGrants funding – Stage 1 This is work that can be undertaken immediately and can be funded under the ClubGrants program.	<ul style="list-style-type: none"> • Exit signage repairs and extended coverage • Emergency lighting repairs and extended coverage • Electronic monitoring access control and surveillance system
2.	Korean Society to fund This is work that can be undertaken immediately but ClubGrants have indicated cannot be funded with their grant.	<ul style="list-style-type: none"> • Fire Management Plan preparation • Fire Emergency Evacuation Plan and Diagrams • Extinguisher and Fire Blanket Repairs and Installation • External ground surface tactile indicators
3.	Council to undertake works	<ul style="list-style-type: none"> • Roof Structure repairs and roof cover replacement • Gutter and downpipe upgrades • Windows repairs
4.	ClubGrants funding – Stage 2 This is work that needs to be undertaken after Council has completed the roof replacement.	<ul style="list-style-type: none"> • Internal Walls and Ceilings construction • Exterior perimeter wall finishes replacement- • Internal floor finishes and cover replacements

Council has not proceeded with a new lease agreement, or repair works to the roof, until such time as there was an understanding of the obligations and requirements for KSS and a willingness and ability for them to fund and implement the necessary works.

Recently, KSS were successful in obtaining \$200,000 through the ClubGrants program to undertake a variety of works at the premises. Council understands they had to provide matching funding with the grant. KSS have advised their co-contribution of \$150,000 is comprised of \$100,000 of their own funds and \$50,000 in kind from community leaders. Council also has a capital works project in the current 2022/23 budget for the roof works.

Since the announcement of funding, Council has been working closely with KSS to ensure the proposed works are in line with the recommendations of the Asset Report. Council will seek confirmation from KSS that ClubGrants are satisfied that all conditions have been met and funding is available.

The Asset Report is clear on what works need to be undertaken immediately. As the ClubGrants funding is only for certain works the KSS will need to undertake other required works required under the new lease agreement at their own cost. It should also be noted that any works undertaken by the KSS must be signed off by Council to ensure the scope is correct, that contractors are qualified and in possession of approved work plans / insurances etc, and that the conditions to work on Council buildings have been met.

Suggested Approach to Request

Subject to Council supporting the proposed tenure and primary terms and conditions for a new lease agreement, it is now proposed that in accordance with the relevant provisions of Section 46 and Section 47 of the *Local Government Act 1993*, that Council:

- publicly exhibit the intended lease arrangements with KSS;
- provide the community an opportunity to convey any relevant feedback regarding the intended arrangements; and
- that following the exhibition process, a further report be provided to Council for consideration.

8 SERVICE AND OPERATIONAL MATTERS

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

9 COMMITTEE REPORTS

The following item is submitted for consideration -

9.1	Minutes of the Traffic Committee Meeting held on 9 May 2023	125
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Committee Reports - 23 May 2023

ITEM 9.1 **Minutes of the Traffic Committee Meeting held on 9 May 2023**

AUTHOR **City Assets**

PURPOSE AND BACKGROUND

Attached are the minutes of the Canterbury Bankstown Council Local Traffic Committee meeting held on 9 May 2023.

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 9 May 2023, be adopted.

ATTACHMENTS [Click here for attachment](#)

A. Traffic Committee Minutes - 9 May 2023

POLICY IMPACT

The matter has no policy implications to Council.

FINANCIAL IMPACT

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

COMMUNITY IMPACT

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

10 NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

The following items are submitted for consideration -

10.1	Status of Previous Notices of Motion - May 2023	129
10.2	"A True Heart, The Fights of My Life", by Billy Dib - Councillor Khal Asfour	131
10.3	Underrepresentation of Women in Local Government - Councillor Clare Raffan	133
10.4	Cultural Precincts in Canterbury Bankstown Council - Councillor Clare Raffan	135
10.5	Electric Vehicle Charging Stations in Canterbury Bankstown - Request for an Update - Councillor Linda Downey	137
10.6	Investigation for a new bridge in Parry Park - Councillor Karl Saleh OAM	139
10.7	Review of WestInvest - Councillor Karl Saleh OAM	141
10.8	Reinstatement of the upfront HECS discount - Councillor Charlie Ishac	143
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10.10	Canterbury Town Centre - Councillor Barbara Coorey	147
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Notice of Motions & Questions With Notice - 23 May 2023

ITEM 10.1 **Status of Previous Notices of Motion - May 2023**

AUTHOR **Corporate**

ISSUE

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

RECOMMENDATION

That the information be noted.

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

- A. Status of NOMs - May 2023
- B. Outgoing correspondence related to NOM resolutions
- C. Incoming correspondence related to NOM resolutions

Notice of Motions & Questions With Notice - 23 May 2023

ITEM 10.2

"A True Heart, The Fights of My Life", by Billy Dib

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

“That Council purchases nine copies of boxing champion Billy Dib’s inspirational book, “A True Heart, The Fights of My Life” and makes them available in our library and knowledge centres across the City.”

BACKGROUND

Our City has produced many great sporting legends, and two-time world boxing champion, Billy Dib, is one of them.

The 37-year-old who grew up in Greenacre, is without question a role model and an inspiration to many young people, not only in our City but across the world.

His recently released book is an emotional roller coaster ride which takes us on a very personal journey, of his childhood struggles with asthma, his torment at having to go to school because of bullying and overcoming adversity to become world boxing champion.

Along the way his strong faith is tested, losing his first wife to cancer, and then facing the “toughest fight of his life” after being diagnosed with cancer.

In the book, Billy explains his destiny was forged when he first set foot in a ring and his advice to young people is simple -set the bar high and chase your dreams.

This is a very personal account of a local boy who has done our City proud and his story should be shared.

I envisage a copy of the book be made available to each of our nine libraries and knowledge centres across the City.

FINANCIAL IMPACT

The recommended retail price for this publication is \$29.95 (incl. GST) for paperback and \$58.68 (incl. GST) for hardcopy.

CHIEF EXECUTIVE OFFICER'S COMMENT

The cost of purchasing nine copies of this publication can be funded from Council's 'Book Vote'.

Notice of Motions & Questions With Notice - 23 May 2023

ITEM 10.3 Underrepresentation of Women in Local Government

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

“That Council write to The Hon. Jodie Harrison MP, Minister for Women, The Hon. Ron Hoenig MP, Minister for Local Government and The Hon. Steve Kamper MP, Minister for Multiculturalism, to alert them to the underrepresentation of women, especially Culturally and Racially Marginalised women, in local government, and request they consult with stakeholders, seeking feedback on the impediments women face in the local government sector.”

BACKGROUND

A couple of weeks ago, I represented our City at the Australian Local Government Women’s Association (ALGWA) conference hosted by Forbes Shire Council, whose staff and Mayor Phyllis Miller, did a wonderful job following the devastation of the town during the floods.

One of the presentations struck a chord, and I became interested in spreading the research done by Tanya Jakimow, Associate professor of the Australian National University, titled A Picture of Diversity and Descriptive Representation in NSW Councils, a report following the December 2021 Local Government Elections.

The key findings of the report was that the increase in women’s representation at the local level has benefited white women only whilst the percentage of Culturally and Racially Marginalised (CARM) women councillors has remained static.

The report goes on to state that CARM women remain grossly underrepresented relative to their size in the population making up only 5.8% of councillors in greater Sydney and 1.4% in rural/regional NSW. The biggest concern is the underrepresentation of CARM women, who comprise 13.1% of the population, but only 5.8% of councillors, an underrepresentation of 7.3% points.

Clearly, efforts to improve gender equity in local government need to focus on increasing the numbers of CARM women contesting and winning council elections. When it comes to the representation of CARM people in regional and rural councils, the picture is less encouraging. Only 23 CARM men and 12 CARM women were elected outside of Metropolitan Sydney, a tiny 2.7% and 1.4% of councillors respectively.

The report also finds that women have almost achieved gender parity in the north and east of Sydney (49.1%) but remain underrepresented in Western Sydney (39.6%) and regional /rural NSW (37.3%). The majority of councils in regional and rural NSW had an increase in female

representation (56%) of councils, 29% were unchanged and only 15.4% experienced a decrease in the 2021 elections. Only 1.2% of the 81 independent councillors in Sydney are CARM women.

The report ends with findings that women make up 44% of councillors but only 36.4% of mayors in Greater Sydney and 37.3% of councillors in regional and rural NSW but only 24.2% of mayors.

These results reflect global trends, where women are underrepresented at the intra-level of local government (that is, they occupy lower positions within each level of government).

When I look at our Council since its formation in 2017, it's good to see that all our wards, except one, have had female representatives. My Canterbury ward has led the way with 5 out of the 6 councillors being women. Our council had the first woman elected to wear a hijab in Cllr Nadia Saleh, the first Cllr of Nepalese heritage in Cllr Bhadra Waiba and the first woman Cllr of Bangladeshi heritage in Cllr Zazeda Akter. Of that we can be proud, but with over 120 nationalities in our LGA, we still have far to go to reflect the population of the society we govern.

FINANCIAL IMPACT

There is no financial impact for this motion.

CHIEF EXECUTIVE OFFICER'S COMMENT

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

Notice of Motions & Questions With Notice - 23 May 2023

ITEM 10.4 Cultural Precincts in Canterbury Bankstown Council

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

“That Council

1. undertake community consultation on their thoughts on identifying, developing and promoting specific Cultural Precincts throughout the city.
2. A report be brought back to Council on the findings of the engagement.”

BACKGROUND

Canterbury Bankstown is one of the world’s truly successful multicultural cities. Our City has many unique precincts that celebrate these different cultures and are central to the visitor experience. Examples include Saigon Place, a vibrant Vietnamese eat street in the Bankstown CBD, and Haldon Street, Lakemba promoting its unique Arabic experience. While not all suburbs or town centres have a distinct character, there are other parts of our City that have an opportunity to develop their own unique point of difference.

While it was disappointing to hear Inner West has already claimed Marrickville Road between Livingstone Road and Victoria Road as ‘Little Greece’, places such as Earlwood have the opportunity to have their own brand to encourage people to come and experience the City.

There is an opportunity to not only solidify the current precincts and develop a clear approach to their marketing and promotion, to strengthen the cultural and visual theming of the precincts and to identify new and emerging precincts such as Earlwood. Subject to positive feedback from the community, Council could consider the development of a Cultural Precincts Plan which will provide the mechanism to engage with the community further on specific actions and locations

FINANCIAL IMPACT

I anticipate that this engagement could be undertaken as part of Council regular engagement programs through Have Your Say and therefore would have very minimum budget implications.

CHIEF EXECUTIVE OFFICER'S COMMENT

The motion as written can be considered as part of the 2023/24 operational plan.

Notice of Motions & Questions With Notice - 23 May 2023

ITEM 10.5 Electric Vehicle Charging Stations in Canterbury Bankstown - Request for an Update

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

“Councillors receive an updated report on the status of establishing EV charging stations in our City, and any potential implications.”

BACKGROUND

We are all aware councils across Sydney, along with ours, are gearing up to accommodate people who are switching to electric cars by providing Electric Vehicle (EV) charging stations.

You would have seen the recent newspaper article which highlighted the City of Sydney and their plans, doubling the number of EV chargers in carparks, requirements for all new apartment buildings to accommodate them and even retrofitting existing blocks. And then there are the roadside options.

As you are all aware, our Council was recently granted \$10 million dollars of WestInvest funding to Electrify our City, funding to be spent on solar projects and EV charging stations.

We have also been liaising with SSROC who are working on a consolidated regional plan for charging stations, to ensure there is a consistent and informed approach by all councils.

An indication of the necessity to act now, is best summed up in a report to the City of Sydney by consultants SGS Economics, which forecasts as many as 200-350 public chargers would be needed by 2035.

FINANCIAL IMPACT

The motion as written does not have any financial impact.

CHIEF EXECUTIVE OFFICER'S COMMENT

There are no financial implications for the motion as written.

Notice of Motions & Questions With Notice - 23 May 2023

ITEM 10.6 Investigation for a new bridge in Parry Park

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

“That Council investigate a potential location and estimated cost for constructing a pedestrian bridge over the Sydney Water Chanel in Parry Park to provide improved access to the new playground recreation area.”

BACKGROUND

Since Council has constructed the new playground in Parry Park it has become very popular with families and children. It is a wonderful new addition to our area.

The Sydney Water canal is very important for taking away stormwater from streets and homes, however it also acts as a barrier to people wanting to access the playground from the East to West of Parry Park. The Parry Park Masterplan identifies the need for a new bridge to remove this barrier.

I am proposing that Council identifies the preferred location of a bridge consistent with the masterplan and prepares a cost estimate for consideration as part of future budgets and to assist with seeking grant funding.

FINANCIAL IMPACT

I estimate that reviewing the preferred location and preparing a costing could be developed as part of our ongoing capital works program development.

CHIEF EXECUTIVE OFFICER'S COMMENT

The motion as written could be considered as part of Council's capital works program investigations with information being available in advance of the 2024/25 capital works program consideration by Council.

Any consideration will be consistent with the Parry Park Masterplan.

Notice of Motions & Questions With Notice - 23 May 2023

ITEM 10.7 Review of WestInvest

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

“That Council write to the NSW Government calling for a public review of the application selection process for all WestInvest projects under the Competitive Community Project Round.”

BACKGROUND

I wish to add my voice to the many community groups who were overlooked as part of the Westinvest funding process. Many community organisations, including the Riverwood Community Centre, spent significant money and time preparing WestInvest applications. Despite being told the applications were very good and that they scored highly, it appears that the final selection may not have been based on merit but political pork-barrelling by the previous Government.

Council’s own applications experienced a similar unjustified and questionable assessment.

I am calling on the new NSW Government to get to the bottom of how WestInvest projects were selected by revealing to the public any advice and recommendations prepared by WestInvest to the Government and what, if any, changes were eventually made by the Government to the final selection of projects.

The City of Canterbury Bankstown is one of the largest LGA’s in metropolitan Sydney, and was the area most heavily affected by COVID 19 lockdowns. We are known to have high areas of disadvantage and yet applications from Council and our many dedicated community and sporting groups were overlooked in the selection process.

As one of the LGA’s that received the lowest amount of funding by population, the funding allocated should be prioritised towards our community organisations and our City.

FINANCIAL IMPACT

The motion as written does not have any financial impact.

CHIEF EXECUTIVE OFFICER'S COMMENT

The motion as written is consistent with the similar concerns experienced with Council's applications that were unsuccessful.

Notice of Motions & Questions With Notice - 23 May 2023

ITEM 10.8 Reinstatement of the upfront HECS discount

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

“That Council write to the Federal Education Minister, The Hon Jason Clare MP, requesting the urgent reinstatement of the upfront HECS payment discount.”

BACKGROUND

About 40,000 university students who pay their tuition upfront will now stop getting a 10 per cent discount on their fees under the new Federal Labor government. A hidden change contained in the party's policy costing documents released right before the election revealed a costing detail. When questioned by journalists about the policy, which has not been announced, a Labor spokesperson confirmed it by claiming it was a “responsible change”.

Responsible for whom?

Young people face the highest repayment rates in more than 10 years for their HECS debt due to inflation. The confirmed Labor axing of the scheme for upfront payments will cost students \$144m over the first 4 years alone.

In a climate where countries are competing to produce talent that can keep economies competitive this is simply wrong. This is not looking after students, working families or businesses who are all trying to compete globally. Rather the Federal government wants to open the borders and flood the market with foreign degrees at the expense of our kids.

This simply must be reversed and as a priority.

FINANCIAL IMPACT

There are no material costs associated with making these representations

CHIEF EXECUTIVE OFFICER'S COMMENT

There are no financial implications for the motion as written.

Notice of Motions & Questions With Notice - 23 May 2023

ITEM 10.9 Federal Pharmacy Changes

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

“That Council writes to the Federal Health Minister, The Hon Mark Butler, calling on him to urgently review the 60-day dispensing policy for pharmacists which will come into effect from 1 September 2023.”

BACKGROUND

Pharmacists in our City, and indeed around the country, have expressed grave concerns about the 60-day dispensing Policy announced in the recent Federal Budget, and the potential impact it could have on their livelihoods.

From 1 September 2023 patients can receive double the number of 100 medicines listed on the Pharmaceutical benefits Supply (PBS), including those that treat diabetes, depression, reflux, high cholesterol and many others.

According to the National President of the Pharmacy Guild of Australia, Professor Trent Twomey, the changes will mean pharmacies will have to make some tough decisions that will see some shut their doors, others to shut on weekends, or opening later in the morning or closing in the early evening. The result will mean patients will miss out on vital medicines and health services.

Professor Twomey also claims an estimated 1000 pharmacies will simply walk away and close their doors. This is supported by their financial analysis which reveals that pharmacists could lose around \$170,000 per annum.

There are even reports staff will be cut, and pharmacies will begin charging for services like blood pressure and diabetes checks which are currently free. And even charging for prescription deliveries which will impact pensioners and those with mobility issues.

FINANCIAL IMPACT

There is no financial impact to Council

CHIEF EXECUTIVE OFFICER'S COMMENT

There is no financial impact of the motion as written

Notice of Motions & Questions With Notice - 23 May 2023

ITEM 10.10 Canterbury Town Centre

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

“That council be briefed on the matter and subsequently prepare an urgent report to be presented at the ordinary June Council meeting regarding the Canterbury Town Centre Upgrade to include the following:

- Program and scope of works
- Proper and committed timeline for the program and scope of works
- Budget and source of funding for the works.”

BACKGROUND

The Canterbury Town Centre upgrade works has been the subject of much debate and angst in the general community.

Whilst it is acknowledged that there are other statutory bodies such as Ausgrid who are involved in the project (in relation to power outages etc) the community needs a proper constructive timeframe for the completion of these works.

It has been over two years since the project was started. The former mayor stated in a newsletter that stage 2 was expected to be completed by early 2022. It's now almost mid 2023 and the project is nowhere near completion.

The conditions on Canterbury Road are very hazardous for pedestrians and the project needs to be completed urgently. We do not want a pedestrian fatality.

FINANCIAL IMPACT

Given the motion calls for information there should be minimal costs

CHIEF EXECUTIVE OFFICER'S COMMENT

A report can be prepared for Council's June Ordinary Meeting.

It should be noted that project officers have shared information on power outage programming dictated by Ausgrid with Councillors and the community. The outages at the end of May and early July will enable works to be significantly progressed towards completion.

Notice of Motions & Questions With Notice - 23 May 2023

ITEM 10.11 Judy Finlayson Memorial

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

“That Council liaise with the Wolli Creek Preservation Society and the family of the late Judy Finlayson to provide an appropriate memorial for the late Judy Finlayson”

BACKGROUND

Judy was a true Aussie living treasure given her tireless work to save the Valley from the onslaught of the M5 motorway. It was due to her work and many others that ensured that we now have the very splendid urban bushland which is a stone's throw away from parts of the densest parts of Sydney Metro – ie Wolli Creek and Greens Square.

“The miracle is that Wolli Creek valley is still here. It took us 20 years to stop the M5 blasting a highway right through it. Now I watch families wandering in nature's classroom every day, just taking their time to enjoy the bush. It's a win I never take for granted. Judy Finlayson”

29 September 2019

Message from Judy re Cooks River Alliance

Vale Judy and we Sydneyiders express our deepest gratitude to you for your efforts for ensuring we have Wolli Creek Valley in the pristine condition that it is in.

FINANCIAL IMPACT

At this time the motion calls for a discussion with the family

CHIEF EXECUTIVE OFFICER'S COMMENT

The motion as written, to have a discussion with the family of Judy Finlayson, can be accommodated. Discussions will be guided by the relevant provisions of Council's Memorials Policy, as required.

11 CONFIDENTIAL SESSION

11.1 Unsolicited Proposal - Greenacre Community Place

11.2 Property Matter - Canterbury Golf Course

11.3 Canterbury Leisure and Aquatic Centre Redevelopment

11.4 Recycling contract

Chief Executive Officer's Statement

Confidentiality

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

CONFIDENTIAL SESSION

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

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

RECOMMENDATION

That, in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Items 11.1, 11.2, 11.3 , and 11.4 in confidential session for the reasons indicated:

Item 11.1 Unsolicited Proposal - Greenacre Community Place

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

Item 11.2 Property Matter - Canterbury Golf Course

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

Item 11.3 Canterbury Leisure and Aquatic Centre Redevelopment

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

Item 11.4 Recycling contract

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.