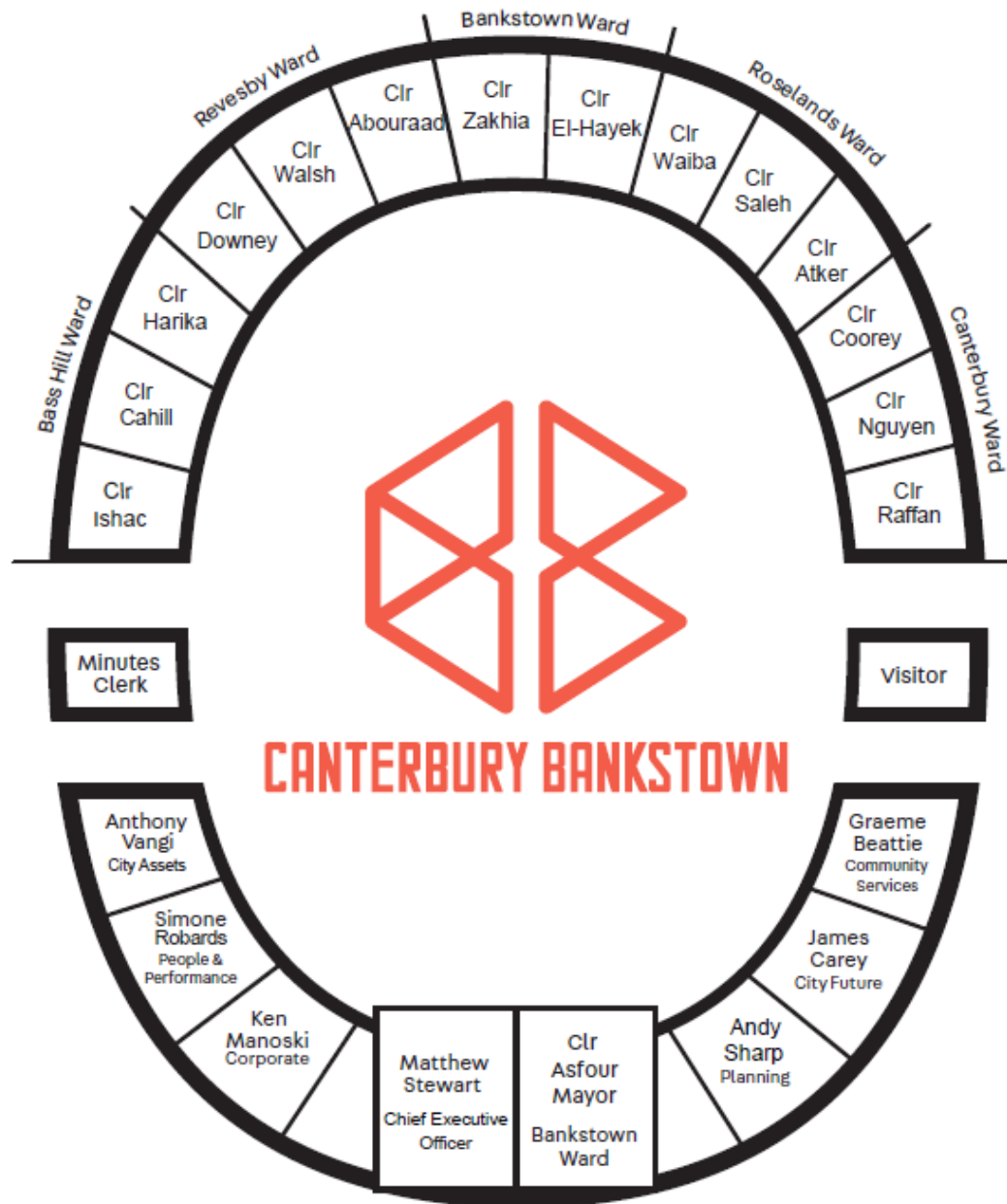




# AGENDA FOR THE ORDINARY MEETING

28 February 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 6 December 2022.....9
- 1.2    Minutes of the Extraordinary Meeting of Council of 13 January 2023 .....23





**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 6 DECEMBER 2022**

---

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

**APOLOGIES:** Councillor Zakhia

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**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.32 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**

**(301)**

**CLR. CAHILL:/CLR. DOWNEY**

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

- CARRIED

**SECTION 2: LEAVE OF ABSENCE**

**(302)**

**CLR. ISHAC:/CLR. ABOURAAD**

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

- CARRIED

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

In respect of Item 4.3 – Local Community Based Donations, Clr Downey declared a Non Pecuniary, Non-significant Conflict of Interest in relation to the donation to the Sydney Lithuanian Club given she is a recently elected board member of the Revesby Workers Club, she will vacate the chamber taking no part in debate.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 6 DECEMBER 2022**

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In respect of Item 11.4 – Legal Matter, Clr Asfour declared whilst he doesn't have any Pecuniary or Non-Pecuniary Conflicts of Interest, given the nature of the matter and as a pre-caution, he will vacate the chamber taking no part in debate.

**SECTION 4: MAYORAL MINUTES**

**ITEM 4.1 CHRISTMAS MESSAGE**  
**(303) CLR. ASFOUR**

RESOLVED that

1. A warm and holy joyous Christmas is wished to all Councillors, their families and to the Executive and staff at Council.
2. A safe and loving Christmas, and prosperous New Year wishes to the residents of this great City.

- CARRIED

**ITEM 4.2 WHERE IS OUR HOSPITAL?**  
**(304) CLR. ASFOUR**

RESOLVED that Councillors keep advocating and using whatever means possible to put pressure on this Liberal Government to honour its promise made some four years ago and to announce the site of the new hospital here in our CBD.

- CARRIED

AT THIS STAGE OF THE MEETING (6.56 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.

AT THIS STAGE OF THE MEETING (6.56 PM), IN ACCORDANCE WITH CLAUSE 15.4 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A SECOND WARNING TO CLR COOREY FOR AN ACT OF DISORDER.

CLR COOREY TEMPORARILY VACATED THE CHAMBER AT 7.02 PM AND RETURNED TO THE CHAMBER AT 7.03 PM.

CLR DOWNEY VACATED THE CHAMBER AT 7.03 PM AND RETURNED AT 7.07 PM.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 6 DECEMBER 2022**

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AT THIS STAGE OF THE MEETING (7.04 PM), IN ACCORDANCE WITH CLAUSE 15.4 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A THIRD AND FINAL WARNING TO CLR COOREY FOR AN ACT OF DISORDER AND REQUESTED HER TO LEAVE THE CHAMBER.

CLR COOREY REFUSED TO LEAVE THE CHAMBER.

THE MEETING WAS ADJOURNED AT 7.07 PM AND RESUMED AT 7.19 PM.

HIS WORSHIP THE MAYOR, INFORMED THE MEETING THAT THE THIRD WARNING ISSUED TO CLR COOREY, HAD BEEN WITHDRAWN ON THE PROVISION THAT COUNCIL HAS ORDERLY CONDUCT.

CLR AKTER VACATED THE CHAMBER AND RETIRED FROM THE MEETING AT 7.19 PM.

**ITEM 4.3**

**LOCAL COMMUNITY BASED DONATIONS**

In respect of Item 4.3 – Local Community Based Donations, Clr Downey declared a Non Pecuniary, Non-significant Conflict of Interest in relation to the donation to the Sydney Lithuanian Club given she is a recently elected board member of the Revesby Workers Club, she vacated the chamber taking no part in debate.

CLR DOWNEY VACATED THE CHAMBER AT 7.19 PM.

**(305)**

**CLR. ASFOUR**

RESOLVED that

1. Council support a donation of \$1,000.00 towards St John The Beloved Melkite Catholic Parish 2022 Christmas Carols and Fete.
2. Council support a donation of \$1,000.00 towards the 31<sup>st</sup> Australian Lithuanian Days Festival.
3. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

CLR DOWNEY RETURNED TO THE CHAMBER AT 7.20 PM.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 6 DECEMBER 2022**

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**SECTION 5: PLANNING MATTERS**

**ITEM 5.1 DRAFT PLANNING AGREEMENT - 599-603 CANTERBURY ROAD, BELMORE**  
**(306) CLR. DOWNEY:/CLR. CAHILL**

RESOLVED that

1. Council exhibit the draft Planning Agreement and Explanatory Note provided in Attachment A.
2. The matter be reported to Council following the exhibition period.

- CARRIED

**SECTION 6: POLICY MATTERS**

**ITEM 6.1 COUNCIL POLICIES**  
**(307) CLR. ABOURAAD:/CLR. DOWNEY**

RESOLVED that

1. Council endorse the Council-related Development Application Policy, Hoardings and Scaffolding Policy and Guideline, Child Safe Complaints Handling Policy, and the Memorials Policy and the policies be placed on public exhibition.
2. In principle, Council endorse the introduction of the following new fees for memorial trees:
  - Memorial Tree Administration Fee for initial assessment - \$106 (excl. GST)
  - Tree planting, 6 months maintenance and Memorial Tree Certificate - \$1210 (excl. GST)
  - Additional out-of-hours planting request (Weekend and Public Holidays) - \$220 (excl. GST)
3. In accordance with Section 610F of the *Local Government Act 1993*, Council exhibit the proposed fees as required.
4. A further report be brought back to Council, following public exhibition.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 6 DECEMBER 2022**

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**SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS**

Nil

**SECTION 8: SERVICE AND OPERATIONAL MATTERS**

**ITEM 8.1 CLEAN CITY STRATEGIC PLAN AND ACTION PLAN**

**(308) CLR. EL-HAYEK:/CLR. DOWNEY**

RESOLVED that

1. Council endorses the draft Clean City Strategic Plan and Action Plan for public exhibition.
2. A further report be prepared following the close of the exhibition period to consider any submissions received.

- CARRIED

**ITEM 8.2 MANAGING ILLEGAL DUMPING**

**(309) CLR. DOWNEY:/CLR. EL-HAYEK**

RESOLVED that

1. Council continue to focus on priority projects as outlined in the report to curb illegal dumping across the City.
2. Council write to the EPA seeking clarification on future funding and that a portion of the Waste Levy paid each year be paid directly to Councils to focus on Illegal Dumping (as per the previous Better Waste and Recycling Fund).

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
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**ON 6 DECEMBER 2022**

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**SECTION 9: COMMITTEE REPORTS**

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

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 and 9.4.

- CARRIED

**ITEM 9.1 MINUTES OF THE ARTS & CULTURE ADVISORY COMMITTEE**

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

RESOLVED that the minutes of the Arts & Culture Advisory Committee meeting held on 16 November 2022 be endorsed.

- CARRIED

**ITEM 9.2 MINUTES OF THE COMMUNITY SAFETY ADVISORY COMMITTEE**

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

RESOLVED that the minutes of the Community Safety Advisory Committee meeting held on 17 November 2022 be endorsed.

- CARRIED

**ITEM 9.3 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 22 NOVEMBER 2022**

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

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 22 November 2022, be adopted.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 6 DECEMBER 2022**

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**ITEM 9.4**                      **MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD 29 NOVEMBER 2022**

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

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

- CARRIED

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

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

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

RESOLVED that the information be noted.

- CARRIED

**ITEM 10.2**                      **IMPROVEMENT WORKS - HALDON STREET, LAKEMBA**

**(316)**                      **CLR. SALEH OAM:/CLR. WAIBA**

RESOLVED that

1. Council writes to the Federal Member for Watson, The Hon. Tony Burke MP, and thanking him, and his Government, for the \$1 million commitment in October's Federal budget for upgrades to Haldon Street Lakemba.
2. Acknowledgement also be made to the role the State Member for Lakemba, Mr Jihad Dib MP, played in securing the \$1 million funding.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 6 DECEMBER 2022**

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**ITEM 10.3**                      **ANDREW MOLLOY PICNIC POINT PUBLICATION**  
**(317)**                              **CLR. DOWNEY:/CLR. WALSH**

RESOLVED that

1. Council purchases nine copies of local historian Andrew Molloy's latest tome: *'The History of Picnic Point'* and make them available in libraries and knowledge centres across our City.
2. Council donate Andrew Tierney's book: *'Finding Bunny'* to our library.

- CARRIED

**ITEM 10.4**                      **FINANCIAL PERFORMANCE INDICATORS FOR NSW LOCAL COUNCILS**  
**(318)**                              **CLR. DOWNEY:/CLR. ABOURAAD**

RESOLVED that in light of the NSW Audit Office's recommendation that the Office of Local Government (OLG) progress work on the development of a Performance Measurement Framework, and associated performance indicators, that can be used by councils and the NSW Government in sector-wide performance reporting, Council writes to the NSW Minister for Local Government, The Hon. Wendy Tuckerman MP, seeking her support for the OLG to complete this important work, in consultation with NSW councils.

- CARRIED

**ITEM 10.5**                      **VALE LENORE NELSON - SES CANTERBURY UNIT CONTROLLER**  
**(319)**                              **CLR. EL-HAYEK:/CLR. COOREY**

RESOLVED that

1. Council liaises with the SES Unit at Canterbury to agree on an appropriate plaque to honour the distinguished service of Unit controller Lenore Nelson, who passed away recently.
2. Council propose this tribute to be affixed to the building where she worked over many years.

- CARRIED



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 6 DECEMBER 2022**

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**ITEM 10.6**  
**(320)**

**ELECTION COUNTBACK**

**CLR. WALSH:/CLR. DOWNEY**

RESOLVED that Local Government NSW calls on the NSW Government to:

1. Eliminate the 18-month time limit on replacement by countback.
2. Make countback the only method of filling casual vacancies in multi-member wards.

- CARRIED

**ITEM 10.7**  
**(321)**

**MARION STREET AND EDGAR STREET INTERSECTION - TRAFFIC SIGNAL UPGRADE**

**CLR. HARIKA:/CLR. CAHILL**

RESOLVED that

1. Council writes to Transport for NSW (TfNSW) calling on them to introduce a right turn arrow signal in both directions at the intersection of Marion and Edgar Streets at Bankstown following yet another near fatal collision.
2. The signal phasing be made a priority in the best interests of community safety and saving lives.

- CARRIED

**ITEM 10.8**  
**(322)**

**THE RIVER ROAD AND REVESBY POLICE STATION FUNDING**

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

RESOLVED that

1. Council commends the Federal and NSW Governments on the \$16.4 million funding which will go towards improving safety at the intersection of Marco Avenue and The River Road, Revesby, and for the revitalisation of the Revesby Police Station at the same location.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 6 DECEMBER 2022**

---

2. Council engage with both the Federal and State bodies responsible for the projects with a view of combining them to ensure the best possible outcome for our community.

- CARRIED

**SECTION 11: CONFIDENTIAL SESSION**

**(323)**

**CLR. DOWNEY:/CLR. CAHILL**

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 Items 11.1, 11.2, 11.3, and 11.4 in confidential session for the reasons indicated:

- Item 11.1 Property Matter - Licence to Panania-East Hills RSL Club Limited and Canterbury Bankstown Tennis Association Incorporated, 26A Childs Street, Panania

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

- Item 11.2 T19-23 Bransgrove Road Workshop New Pit

*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.*

- Item 11.3 2024 Local Government Election

*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.*

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 6 DECEMBER 2022**

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Item 11.4 Legal Matter

*This report is considered to be confidential in accordance with Section 10A(2)(g) of the Local Government Act, 1993, as it relates to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.*

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.47 PM AND REVERTED BACK TO OPEN COUNCIL AT 8.06 PM.**

**ITEM 11.1**

**PROPERTY MATTER - LICENCE TO PANANIA-EAST HILLS RSL CLUB LIMITED AND CANTERBURY BANKSTOWN TENNIS ASSOCIATION INCORPORATED, 26A CHILDS STREET, PANANIA**

**(324)**

**CLR. DOWNEY:/CLR. ABOURAAD**

RESOLVED that

1. Council agree in-principle to granting a new 21-year licence to Panania-East Hills RSL Club Limited for *Area A* - containing the car park, netball court and cricket nets- as outlined in the report.
2. Council agree in-principle to granting a new five-year licence to Panania-East Hills RSL Club Limited for *Area C* – containing the Club’s plant and equipment - as outlined in the report.
3. Council agree in-principle to a new five-year Licence to the Canterbury Bankstown Tennis Association for *Area B* - containing the tennis courts – as outlined in the report.
4. Council publicly exhibit the proposed licences in accordance with the requirements of the Local Government Act 1993.
5. At conclusion of the public exhibition period, a further report be provided to Council for its consideration and decision.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 6 DECEMBER 2022**

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**ITEM 11.2**  
**(325)**

**T19-23 BRANS GROVE ROAD WORKSHOP NEW PIT**  
**CLR. EL-HAYEK:/CLR. RAFFAN**

RESOLVED that

1. Council notes that no tenders were received for T19-23 Bransgrove Road Workshop New Pit.
2. Pursuant to Section 178(3)(e) of the Local Government (General) Regulation 2021, Council enter into negotiations with any person (whether or not the person was a tenderer) with a view to entering into a contract in relation to the subject matter of the tender as outlined in the report.
3. Council authorise the CEO to enter into negotiations and enter into agreement with a preferred contractor determined from said negotiations.

- CARRIED

**ITEM 11.3**  
**(326)**

**2024 LOCAL GOVERNMENT ELECTION**  
**CLR. WALSH:/CLR. RAFFAN**

RESOLVED that

1. Pursuant to Section 296(2) and (3) of the Local Government Act 1993 NSW (the Act), that an election arrangement be entered into by contract for the Electoral Commissioner to administer all elections of the Council.
2. Pursuant to Section 296(2) and (3) of the Act, as applied and modified by Section 18, that a Council Poll arrangement be entered into by contract for the Electoral Commissioner to administer all Council Polls of the Council.
3. Pursuant to Section 296(2) and (3) of the Act, as applied and modified by Section 18, that a Constitutional Referendum arrangement be entered into by contract for the Electoral Commissioner to administer all Constitutional Referenda of the Council.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 6 DECEMBER 2022**

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**ITEM 11.4                      LEGAL MATTER**

In respect of Item 11.4 – Legal Matter, Clr Asfour declared whilst he doesn't have any Pecuniary or Non-Pecuniary Conflicts of Interest, given the nature of the matter and as a pre-caution, he vacated the chamber taking no part in debate.

CLR ASFOUR VACATED THE CHAMBER AND RETIRED FROM THE MEETING AT 8.07 PM.

CLR RAFFAN ASSUMED THE CHAIR AT 8.07 PM.

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

RESOLVED that Council note and support the required actions as outlined in this report.

- CARRIED

**THE MEETING CLOSED AT 8.08 P.M.**

Minutes confirmed 31 JANUARY 2023

.....  
Mayor



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**EXTRAORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 13 JANUARY 2023**

---

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

**APOLOGIES** Councillors Downey, Ishac and Saleh OAM

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**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 2.02 PM.**

**ACKNOWLEDGEMENT OF COUNTRY**

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

**LEAVE OF ABSENCE**

**(328) CLR. EL-HAYEK:/CLR. ABOURAAD**

RESOLVED that Leave of Absence be granted to Clr Downey, Clr Ishac and Clr Saleh OAM due to personal reasons

- CARRIED

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

In respect of Item 1.2 – Investigation Outcome – Allegations of corrupt conduct made by the Member for Bankstown and the Member for East Hills concerning Council officials, Clr Asfour declared a significant, non-pecuniary conflict of interest given the nature of allegations made against him and will vacate the Chamber taking no part in debate.

**SECTION 1: GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 1.1 CODE OF MEETING PRACTICE - 2023 SCHEDULE OF MEETINGS**

**(329) CLR. HARIKA:/CLR. EL-HAYEK**

RESOLVED that Council's scheduled Ordinary Meeting for Tuesday, 31 January 2023, be cancelled.

- CARRIED

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**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**EXTRAORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 13 JANUARY 2023**

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**ITEM 1.2**                      **INVESTIGATION OUTCOME - ALLEGATIONS OF CORRUPT CONDUCT MADE BY THE MEMBER FOR BANKSTOWN AND THE MEMBER FOR EAST HILLS CONCERNING COUNCIL OFFICIALS**

In respect of Item 1.2 – Investigation Outcome – Allegations of corrupt conduct made by the Member for Bankstown and the Member for East Hills concerning Council officials, Clr Asfour declared a significant, non-pecuniary conflict of interest given the nature of allegations made against him and vacated the Chamber taking no part in debate.

HIS WORSHIP THE MAYOR CLR ASFOUR TEMPORARILY VACATED THE CHAMBER AT 2.06 PM.

CLR RAFFAN ASSUMED THE CHAIR AT 2.06 PM.

**(330)**                      **CLR. WALSH:/CLR. ABOURAAD**

RESOLVED that

1. Council receive and note the findings of the independent investigation and review contained in the Reports.
2. Council receive and note, under separate cover, sealed hardcopy of confidential council reports relevant to the investigation.
3. Council note that pursuant to the Order, the Reports have been provided to the Minister for Local Government.
4. Council notes that for transparency purposes, the Reports have been provided to the following:
  - (a) Independent Commission Against Corruption;
  - (b) Department of Planning and Environment; and
  - (c) Chair, Audit and Risk Committee, Canterbury Bankstown Council.

- CARRIED

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

HIS WORSHIP THE MAYOR CLR ASFOUR RETURNED TO THE MEETING AT 2.20 PM AND ASSUMED THE CHAIR.



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**EXTRAORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 13 JANUARY 2023**

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**SECTION 2: COMMITTEE REPORTS**

**ITEM 2.1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 3 JANUARY 2023**

**(331) CLR. HARIKA:/CLR. EL-HAYEK**

RESOLVED that the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 3 January 2023, be adopted.

- CARRIED

**SECTION 3: CONFIDENTIAL SESSION**

**(332) CLR. RAFFAN:/CLR. ABOURAAD**

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 3.1 in confidential session for the reasons indicated:

Item 3.1 T29-23 Redevelopment of Canterbury Leisure and Aquatic Centre - Principal Contractor

*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 2.25 PM AND  
REVERTED BACK TO OPEN COUNCIL AT 2.31 PM.**

**ITEM 3.1 T29-23 REDEVELOPMENT OF CANTERBURY LEISURE AND AQUATIC CENTRE -  
PRINCIPAL CONTRACTOR**

**(333) CLR. RAFFAN:/CLR. CAHILL**

RESOLVED that

1. Pursuant to Regulation 178(3), Council decline to accept the tenders received from Lipman Pty Ltd and ADCO Group.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**EXTRAORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 13 JANUARY 2023**

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2. Pursuant to Regulation 178(3)(e), Council enter into individual negotiations with the abovementioned proponents, with the view to entering into a contract in relation to the subject matter of the tender.
3. Pursuant to Regulation 178(4), Council declines to invite fresh tenders and determines to enter negotiations with the two proponents on the basis that:
  - a) Having regard to all the circumstances, no submission was assessed as satisfying all the objectives in the request for tender;
  - b) both proponents demonstrated that they have the potential to meet Council's objectives and requirements under the Request for Tender; and
  - c) Given the advanced nature of this procurement process and the details provided in each submission, it is considered that Council can achieve the desired outcome for the project through a negotiated process.
4. A further report be submitted to Council, at the conclusion of these negotiations, for its consideration.

- CARRIED

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

**THE MEETING CLOSED AT 2.32 PM.**

Minutes confirmed 28 FEBRUARY 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    Turkey and Syria Earthquakes	33
4.2    Milperra Campus	35
4.3    Local Community Based Donations	37





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## Mayoral Minutes - 28 February 2023

---

### ITEM 4.1 Turkey and Syria Earthquakes

Councillors

4.17am local time on 7 February 2023, a devastating earthquake struck Turkey and Syria. The 7.8 magnitude quake sent waves of death and destruction across both countries, with tremors felt in neighbouring Lebanon and Greece. The aftershocks pulsating and reverberating, and instilling fear in the already traumatised people.

And, when the dust settled, and the dawn broke, the realisation of this natural disaster became evident. Tens of thousands of people dead, many more thousands missing and more than 100,000 left homeless.

Graphic footage capturing multi-storey buildings collapsing in a matter of seconds, like a deck of cards, trapping and killing the innocent victims. No warning and little chance of survival, as most were still asleep in their beds.

The debris and carnage resembling a war zone. Mounds of boulders and twisted metal and the stark realisation that beneath the mess many victims entombed. Some people gave accounts of losing multiple family members, one man telling how he lost 60 members of his family.

For me the images, and miraculous stories of survival, were the only glint of light to an awful tragedy. The vision of a newborn baby being pulled out of a collapsed building, passed around from one rescuer to another like a rag doll. This child was still attached to its mother by the umbilical cord, Sadly, the mother had perished.

Other images like the man sitting on a concrete slab holding his trapped teenage daughter's hand, not letting go, and not far away another father reaching through a steel grill and comforting his small child as he poured water into a bottle cap to give him a drink.

But what was heart wrenching were the families standing silently, listening for voices beneath the rubble, and the surge of people scurrying from all directions chanting "God is great", as each survivor is freed by search and rescue teams.

Perhaps, the story of Mustapha, buried and freed after 12 days defines what the human spirit is all about. . . calling his wife and loved ones from the back of an ambulance, trying to convince them he was alive. His first words were: are my parents alive? When he arrived at the hospital he was able to kiss the forehead of his newborn baby son, born three days after the quake hit, and reunite with wife and parents .

The world response to this tragedy was instantaneous with offers of food, clothing, manpower and money pouring in. Aid agencies and medical staff mobilising on the ground setting up tent cities and makeshift hospitals. The humanitarian effort is gargantuan, and we must add our voice and assist.

Councillors, on behalf of the residents of our city, I extend our deep condolences to the people of Turkey and Syria and urge residents to support the fundraising efforts by the various charitable organisations like Emergency Action Alliance, Save the Children, CARE, UNICEF, World Vision and Medecins Sans Frontieres.

I also urge all of you to support a “fundraising” motion which will come before you a little later.

Can we now please stand for a minute’s silence.

Councillors, I put the Mayoral Minute.

---

## Mayoral Minutes - 28 February 2023

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### ITEM 4.2

### Milperra Campus

Councillors

If you haven't all realised it by now, there is a State election looming and marginal seats are like moths to a light. The State held seat of East Hills is one such seat and there have been any number of polities, ready and willing to hold the sitting member's hand.

One such politician is the Minister for Sport, Alister Henskens, or should I say the MP for Kur-rin-gai, a leafy north shore seat about an hour and 15 mins from East Hills.

His latest foray into matters affecting our Council was in the SMH on 23 February 2023, a few days ago, in a story headlined: 'We'll lose a campus and get nothing': Anger, as Uni sells once public land.

When the State member Wendy Lindsay could not be contacted for comment by the newspaper, Mr Henskens was quick to point the finger at Council, reportedly saying that Council had been involved in the closure of the Milperra campus (WSU) because it provided land for the new Bankstown CBD campus.

Those comments cannot go unchallenged.

The reality is WSU were at the time sourcing several sites in the CBD and if they didn't find a suitable location they would go elsewhere. And further to this, they always said the CBD campus was separate to Milperra campus which they were always divesting.

Let's be crystal clear, Council did not shut down or have any role to play in the closure of the Milperra campus.

In fact, Council rejected an application by Mirvac to develop the site which would see approximately 430 houses built, this was later overturned by the NSW Liberal Government.

And, you won't be surprised to know that final approval is expected after the election.

Council also made a submission to a parliamentary committee urging the Government to retain the 20-hectare site for the community.

Furthermore, I wrote to the NSW Government calling on them not to "sell off" the land, only to receive a response from the Hon. Kevin Conolly MP on 7 October 2020 stating that the "WSU Milperra campus is surplus land and was not needed for school purposes".

Councillors, let's be in no doubt, the real culprit here is the NSW Government and the losers have been the people of Milperra.

I resolve that this Mayoral Minute be a record to correct any ambiguity about Council's position in relation to the Milperra campus.

Councillors, I put the Mayoral Minute.

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## Mayoral Minutes - 28 February 2023

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### ITEM 4.3

### 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.

#### **We Australians are Creative Inc. (WACCI)**

We Australians are Creative Inc. (WAACI) is a not-for-profit Australian organisation, that is networking creativity in Australia. WAACI believes that creativity has no boundaries, limitations, nationalities, religions, colour, racial differences, or any other barriers humans erect around themselves. WAACI supports emerging creative artists to promote their work and arrange creative networking.

WAACI is collaborating with Cross Over Stories, arranging the theatrical performances on the stories written by well-known Sydney creative artist Avijit Sarkar at the Bankstown Art Centre on 7 February 2023 and 14 February 2023.

It is noted that, at the time of the 28 February 2023 Council meeting the events will have already occurred however, there was not an opportunity to submit this request to an earlier Council meeting, as there was not an Ordinary Meeting of Council in January 2023.

Council support a donation of \$500.00 towards the hire of Bankstown Arts Centre.

#### **RECOMMENDATION**

That Council support a donation of \$500.00 to WAACI to assist with the hire of Bankstown Arts Centre.

Councillors, I put the Mayoral Minute.



## **5 PLANNING MATTERS**

The following items are submitted for consideration -

- |     |   |    |
|-----|---|----|
| 5.1 | Draft Planning Agreement - 599-603 Canterbury Road, Belmore   | 41 |
| 5.2 | Exhibition of Draft Development Control Plan Amendments   | 45 |
| 5.3 | Report on Council's Performance in the Assessment of Development Applications for the second quarter of the 2022/23 financial year, Clause 4.6 Variations Approved for the second quarter of the 2022/23 financial year, Planning Related Legal Appeals, and the status of current Planning Proposals | 51 |





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## Planning Matters - 28 February 2023

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**ITEM 5.1**                      **Draft Planning Agreement - 599-603 Canterbury Road, Belmore**

**AUTHOR**                      **Planning**

### **PURPOSE AND BACKGROUND**

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This report summarises the exhibition of a draft planning agreement for 599-603 Canterbury Road, Belmore, and recommends that Council enter into the planning agreement.

The draft planning agreement was exhibited from 14 December 2022 to 5 February 2023. During this time, two submissions were received.

### **ISSUE**

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The NSW Land and Environment Court considered an appeal in relation to a proposed residential flat building at 599-603 Canterbury Road, Belmore. The Court issued a deferred commencement consent subject to the landowner dedicating land at the rear of the site for lane widening purposes.

In December 2022, Council resolved to exhibit a draft planning agreement to satisfy the deferred commencement condition. The next step is to determine if Council should enter into the planning agreement.

### **RECOMMENDATION** That -

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1. Council enter into the planning agreement for 599-603 Canterbury Road, Belmore, as provided in Attachment A.
2. The Chief Executive Officer be given delegated authority to sign the planning agreement on Council's behalf, and to make minor wording changes to amend its draft status as long as these changes do not affect the intent of the agreement.

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

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- A. Draft Planning Agreement and Explanatory Note
- B. Council Report – Ordinary Meeting of 6 December 2022

## **POLICY IMPACT**

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This matter meets the requirements of the Environmental Planning and Assessment Act 1979, the Department of Planning and Environment's Practice Note on Planning Agreements and Council's Planning Agreements Policy.

## **FINANCIAL IMPACT**

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There are no financial implications in relation to this matter. The land dedication will be provided free of cost by the landowner, without any reimbursement or contributions offset by Council. A condition of the development consent requires the landowner to construct the lane widening to Council's satisfaction.

## **COMMUNITY IMPACT**

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The proposed widening of Waverley Lane will result in a broader public benefit for the surrounding community by enhancing the useability and function of this laneway.

## DETAILED INFORMATION

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### Background

In December 2020, the NSW Land and Environment Court issued a deferred commencement consent for the construction of a five storey residential flat building with basement parking at 599-603 Canterbury Road, Belmore. The deferred commencement condition required the landowner to enter into a planning agreement with Council. This is to dedicate an area of land (123.5m<sup>2</sup>) measuring three metres (depth) along the northern boundary of the site for lane widening purposes. The development site is shown on the map below edged in blue, with the land dedication area shown in red:



At its Ordinary Meeting of 6 December 2022, Council resolved to exhibit the draft planning agreement, and to report the matter to Council following the exhibition period.

The draft planning agreement provides a number of benefits to Council. The land dedication will be provided free of cost by the landowner, without any reimbursement or contributions offset by Council. It will enable Waverley Lane to be progressively widened as future development occurs in this locality. A condition of the development consent also requires the landowner to construct the lane widening to Council's satisfaction.

The Council report of 6 December 2022 (as provided in Attachment B) summarises the key aspects of the planning agreement.

## Exhibition

Council exhibited the draft planning agreement and explanatory note from 14 December 2022 to 5 February 2023. The exhibition process included:

- Notification on Council's website and local newspaper
- Notification letters to adjoining property owners
- Displays at Council's Customer Service Centres (Bankstown and Campsie).

Council received two submissions in response to the exhibition as summarised below:

Submission	Issue	Comment
1 [Business owner]	<p>The submitter relies on vehicle access to the eastern part of Waverley Lane to enable access for large vehicles that are part of a business.</p> <p>The submitter has asked to be consulted on a plan to accommodate them when construction takes place. If the vehicles cannot access the laneway or have to be stored somewhere else whilst this work takes place, the submitter seeks to be financially compensated.</p>	<p>The draft planning agreement is specific to the dedication of the laneway land after construction. It does not regulate construction activities on the site.</p> <p>The DA conditions of consent are the relevant mechanism to regulate construction activities on the site. Council or Traffic Committee approval is required for any road closures arising from construction works. While efforts would be made to minimise closure of the lane, it cannot be guaranteed that a closure would not occur at some time, the impacts of which must be considered by the Traffic Committee and notification must occur.</p>
2 [Resident]	<p>This submission supports the draft planning agreement.</p>	<p>Noted.</p>

## Next Steps

In considering the submissions, it is recommended that Council enter into the planning agreement with the landowner, and that the Chief Executive Officer be given delegated authority to sign the planning agreement on behalf of Council and make any administrative amendments that do not alter the intent of the planning agreement.

### ITEM 5.2                      Exhibition of Draft Development Control Plan Amendments

**AUTHOR**                      **Planning**

#### **PURPOSE AND BACKGROUND**

This report summarises the exhibition of draft amendments to the Consolidated Development Control Plan and recommends that Council adopt the draft amendments.

#### **ISSUE**

In 2020, Council prepared the Draft Consolidated Local Environmental Plan (the Draft LEP). The Draft LEP is to be Council's principal planning document to regulate land use across the city. The Draft LEP aligns Council's policy positions and gives effect to the first stage of *Connective City 2036*, which is to integrate current land use strategies into Council's planning framework. The Draft LEP is currently with the Minister for final sign-off.

In 2021, Council prepared the Draft Consolidated Development Control Plan (the Draft DCP). The Draft DCP supports the Draft LEP by providing additional objectives and planning controls to enhance the function, design and amenity of development.

In 2022, Council resolved to exhibit draft amendments to the Draft DCP. The intended outcomes of the draft amendments are:

- To implement a Land Use Safety Study, which considers the risk of a potential rupture of the Moomba to Sydney Pipeline and to adequately mitigate the impacts within the East Hills, Panania, Revesby and Padstow centres.
- To implement administrative amendments identified through the Department of Planning and Environment's review of the Draft LEP and other changes to State policy.

Council exhibited the draft amendments from December 2022 to February 2023 and received 14 submissions. In considering the submissions, it is proposed to make the following key changes:

- Strengthen the objectives that correspond with the requirements for development adjacent to the pipeline corridor.
- Specify that the safety management study requirement is to apply to certain uses, and residential development/subdivision of land in excess of 50 dwellings per hectare.

#### **RECOMMENDATION** That -

1. Council adopt the amendments to the Canterbury-Bankstown Development Control Plan 2022, as provided in Attachments A and B.
2. The amendments to the Canterbury-Bankstown Development Control Plan 2022, as provided in Attachment A, are to come into effect on the date that the Canterbury-Bankstown Local Environmental Plan 2022 comes into effect. The amendments are to apply to development applications lodged on or after this date.

3. The amendments to the Canterbury-Bankstown Development Control Plan 2022, as provided in Attachment B, are to come into effect on 1 May 2023. The amendments are to apply to development applications lodged on or after this date.

## **ATTACHMENTS**

[Click here for attachments](#)

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- A. Draft amendments to the Draft DCP
- B. Proposed amendments to clause numbering system in National Construction Code
- C. Council Report – Ordinary Meeting of 29 September 2022
- D. Summary of Submissions

## **POLICY IMPACT**

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As part of the Draft LEP and Draft DCP making process, the Department of Planning and Environment identified the need for a Land Use Safety Study to inform the planning controls for development near the Moomba to Sydney Pipeline. The implementation of the study findings together with some administrative amendments are the subject of the draft amendments to the Draft DCP.

## **FINANCIAL IMPACT**

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This matter has no financial implications for Council.

## **COMMUNITY IMPACT**

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The preparation of the Draft LEP and Draft DCP constitutes a significant public benefit as it will bring greater consistency to the planning controls currently applying in the Canterbury-Bankstown Local Government Area. This will facilitate a streamlined development assessment process and provide greater consistency in planning controls across the Local Government Area that will benefit both residents and industry alike.

The Draft LEP and Draft DCP are products of significant research, analyses and strategic planning, with the Draft LEP having been reviewed and approved by the Department of Planning and Environment and officers have advised its gazettal is imminent. Therefore, the updated Draft DCP being in place is important to support orderly development.

## DETAILED INFORMATION

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### Exhibition

At its Ordinary Meeting of 29 September 2022, Council resolved to exhibit draft amendments to the Draft DCP. The Council report is provided in Attachment C. The intended outcomes of the draft amendments are:

- To implement a Land Use Safety Study, which considers the risk of a potential rupture of the Moomba to Sydney Pipeline and to adequately mitigate the impacts within the East Hills, Panania, Revesby and Padstow centres.
- To implement administrative amendments identified through the Department of Planning and Environment's review of the Draft LEP and other changes to State policy.

Council exhibited the draft amendments from 14 December 2022 to 5 February 2023. The exhibition process included:

- Notification on Council's website and local newspaper
- Displays at Council's Customer Service Centres (Bankstown and Campsie)
- Notification letters to property owners in the East Hills, Panania, Revesby and Padstow centres
- Notification letters to relevant State agencies and neighbouring councils
- Notification letter to the pipeline operator of the Moomba to Sydney Pipeline.

Council received 14 submissions in response to the exhibition. A summary of the submissions is provided in Attachment D.

### Proposed Changes to the Draft DCP Amendments

Council officers reviewed the submissions and recommend the following changes to the Draft DCP Amendments, as provided in Attachment A, in response to issues raised:

Issue	Proposed change to the Draft DCP Amendments
<u>Development adjacent to the pipeline corridor</u> The submission from the pipeline operator requests an added objective to ensure development does not create a risk to life or property and does not compromise the safe operation of a pipeline.	<p>The objectives of the proposed DCP Amendments are:</p> <ul style="list-style-type: none"><li>• To identify matters for consideration in the assessment of development on land adjacent to the pipeline corridor.</li><li>• To provide for consultation with relevant pipeline operators about certain development during the assessment process.</li></ul> <p>It is proposed to add the following objectives:</p> <ul style="list-style-type: none"><li>• To ensure development incorporates measures to adequately mitigate the impacts of exposure to a pipeline.</li><li>• To ensure development does not compromise the safe operation of the Sydney to Moomba Pipeline.</li></ul> <p>Reason: The proposed objectives expand on the intended outcomes of the DCP Amendments, which are to ensure measures are in place to adequately mitigate the impacts of exposure to pipelines, and to ensure development do not compromise the safe operation of the Sydney to Moomba Pipeline.</p>



Issue	Proposed change to the Draft DCP Amendments
<p><u>Safety management studies</u></p> <p>The submission from the pipeline operator requests to apply the requirement for safety management studies to sensitive uses and development that triggers land use change (i.e. large subdivision of land and residential development in excess of 50 dwellings per hectare).</p> <p>The thresholds may read:</p> <ul style="list-style-type: none"> <li>• new residential development with a density of 1 dwelling per 200m<sup>2</sup> of site area or higher,</li> <li>• new boarding houses and co-living housing with 6 or more bedrooms,</li> <li>• subdivision of land with a density of 50 dwellings per hectare or higher.</li> </ul>	<p>The DCP Amendments currently require the erection of new buildings in the East Hills, Panania, Revesby and Padstow centres to submit a safety management study. The purpose of the study is to ensure development does not compromise the safe operation of the pipeline.</p> <p>It is proposed to amend this requirement by specifying that certain uses and certain residential development/subdivision of land are required to submit a safety management study.</p> <p>Reason: The intended outcome is to refer safety management studies to the pipeline operator for comment. The pipeline operator seeks to provide comment on significant development, such as:</p> <ul style="list-style-type: none"> <li>• certain uses (correctional centres, early education and care facilities, educational establishments, entertainment facilities, function centres, health services facilities, hotel or motel accommodation, places of public worship, respite day care centres, seniors housing, service stations, shops),</li> <li>• new residential development with a density of 1 dwelling per 200m<sup>2</sup> of site area or higher,</li> <li>• new boarding houses and co-living housing with 6 or more bedrooms,</li> <li>• subdivision of land with a density of 50 dwellings per hectare or higher.</li> </ul> <p>The pipeline operator does not seek to provide comment on development that do not involve significant land use change such as single detached dwellings. The proposed change addresses this issue.</p>

The above changes are considered to be of a minor nature and do not warrant re-exhibition.

## Other Issues

The DCP Amendments reference certain clauses in the National Construction Code, which development must comply with to adequately mitigate the impacts of exposure to the pipeline. The National Construction Code is a Commonwealth document, which provides technical provisions for the design and construction of buildings.

The issue is the Australian Building Codes Board is releasing a revised version of the National Construction Code 2022 on 1 May 2023. The revised version will change the clause numbering system. To address this issue, it is proposed to update the DCP in May 2023 to correspond with the new clause numbers in the National Construction Code, as provided in Attachment B. This update is administrative only, and will not change the intent of the DCP provisions.

## **Next Steps**

Should Council decide to adopt the draft amendments, the next step is to place a public notice on Council's website to state that the DCP amendments are to come into effect on the date that the Canterbury-Bankstown Local Environmental Plan 2022 comes into effect. The DCP amendments would apply to development applications lodged on or after this date.

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## Planning Matters - 28 February 2023

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**ITEM 5.3**                      **Report on Council's Performance in the Assessment of Development Applications for the second quarter of the 2022/23 financial year, Clause 4.6 Variations Approved for the second quarter of the 2022/23 financial year, Planning Related Legal Appeals, and the status of current Planning Proposals**

**AUTHOR**                      **Planning**

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### **PURPOSE AND BACKGROUND**

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

1. Performance for processing of development applications for the second quarter of the 2022/23 financial year;
2. Development applications approved with a Clause 4.6 Variation for the second 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.

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

- A. Clause 4.6 return for October 2023 - December 2023 quarter
- B. List of planning related legal appeals as of 6 February, 2023
- C. List of Active Planning Proposals

## **POLICY IMPACT**

---

This matter has no policy implications.

## **FINANCIAL IMPACT**

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This matter has no financial implications.

## **COMMUNITY IMPACT**

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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

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### 1. DEVELOPMENT APPLICATIONS

#### **Processing of development applications for the second quarter of the 2022/23 financial year**

For the second quarter of the 2022/23 financial year, Council determined 231 development applications and 76 Section 4.55 applications (applications to modify a development consent), with a total capital investment value of \$285,042,012.00. 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 second quarter of the 2022/23 financial year, a total of three variations to an environmental planning instrument were approved. The report provided at Attachment A is the required report and includes all results for the second 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 6 February 2023. The attached list identifies a total of 17 appeals. At the commencement of the 2020/21 financial year, there were 33 active appeals, with the current listing representing a 52% reduction in appeal numbers.

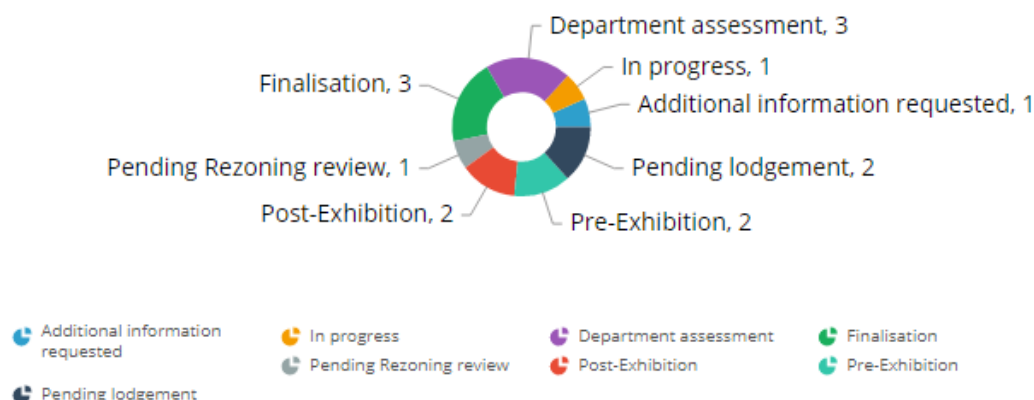
The active matters relate to refused development applications, or "deemed refused" matters, where Council has requested modifications to a proposal to bring about an acceptable development outcome and the applicant has sought approval through the Court rather than amend the development.

### 2. PLANNING PROPOSALS

At its Ordinary Meeting on 8<sup>th</sup> 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 15 Planning Proposals in progress which are outlined in the attachment to this report (and divided into stages in Figure 1 below). In addition, three proposals are related to Council's master planning program and are located within the Campsie and Lakemba precincts. The planning proposals within the Campsie masterplan precinct have been included in Council's Campsie Town Centre Planning Proposal which has been submitted to Department of Planning and Environment (referred to as 'the Department' hereafter).



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

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.

Three of Council's Planning Proposals are with the Department for finalisation, three are with the Department awaiting a Gateway Determination to proceed to exhibition and two are pending lodgement.

### Public Spaces Legacy Program

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

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

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

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

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

In light of these delays, the Department advised in December that they are seeking to close out the funding agreement and finalise payments and in response, Council made a submission in December 2022. In February 2023, the Department advised Council that it supported Council's submission 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 once the construction of Paul Keating Park upgrade is completed. The previous timeframe for exhibition of the Planning Proposals by 31 December 2022 will no longer apply.





## **6            POLICY MATTERS**

The following items are submitted for consideration -

6.1    Environmental Sustainability Policy	59
6.2    Council Policies	63



### **ITEM 6.1                      Environmental Sustainability Policy**

**AUTHOR                      City Future**

#### **PURPOSE AND BACKGROUND**

To seek Council's endorsement for the exhibition of the attached Environmental Sustainability Policy which has completed internal consultation and policy review.

#### **ISSUE**

The purpose of the Environmental Sustainability Policy is to set out Council's commitment to integrating sustainable practices into all local government functions and services.

Council policies state Council's official position on an issue that is relevant to the community. This may be in the form of general principles that it will adopt to administer its statutory obligations. A Council policy is formally determined and adopted at a Council meeting. It reassures the public of Council's commitment to the community and transparency in its policy approach.

#### **RECOMMENDATION    That -**

1. Council endorse the Draft Environmental Sustainability Policy and the policy be placed on public exhibition.
2. A further report be brought back to Council, following public exhibition.

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

- A. Draft Environmental Sustainability Policy CBCity 2022-11-9

## **POLICY IMPACT**

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The Environmental Sustainability Policy (Policy) demonstrates Council's commitment to integrating sustainable practices into all local government functions and services. The Policy supports state and federal commitments to reducing greenhouse gas emissions, reducing waste to landfill, protecting local biodiversity and managing aquatic in terrestrial ecosystems.

This Policy will replace the current Bankstown Environmental Policy (2000).

## **FINANCIAL IMPACT**

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

## **COMMUNITY IMPACT**

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The Policy articulates Council's commitment to leadership and accountability in environmental and sustainability performance.

The Policy confirms Council's commitment to and enhances Council's reputation as a Local Government leader in environmental and sustainability action.

## DETAILED INFORMATION

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The Environmental Sustainability Policy is an outcome of the policy alignment project, which aligned and superseded the former Bankstown Environmental Policy. Development of this Policy included a comprehensive review of council documents including the 2036 Community Strategic Plan, Connective City 2036 (LSPS), as well as several relevant strategies.

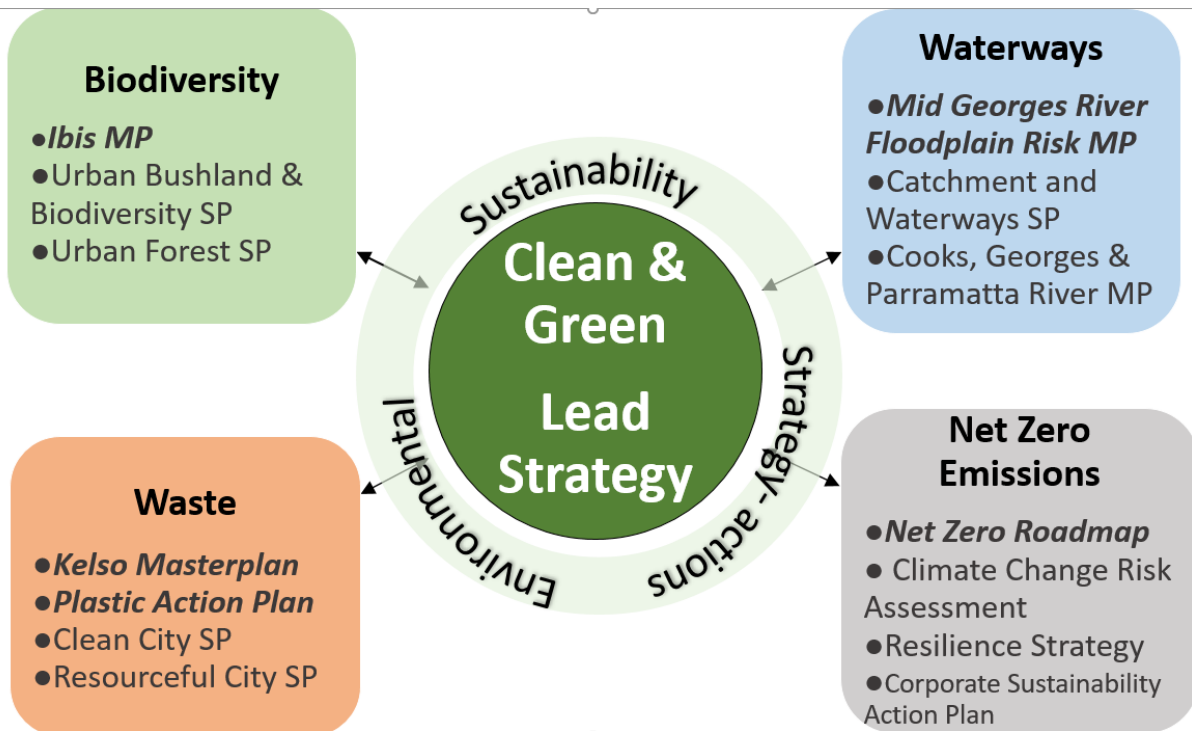
The Environmental Sustainability Policy aims to ensure that Council actively reduces greenhouse gas emissions, reduces waste, and manages aquatic and terrestrial ecosystems, to achieve a clean, green, and sustainable city.

The Policy aims to influence the actions of many areas of Council operation. This includes a change to practices in order to achieve improved performance and accountability for environmental and sustainability outcomes of council operations.

Considering ecological sustainable development is a requirement of the *Local Government Act 1993* and embedding sustainability into all functions and services is necessary for the long-term protection of the environment. To achieve this Council will:

- adopt an evidence-based approach to decision making processes and ensure regular review of plans, strategies, targets and benchmarks to ensure they remain consistent with the most recent knowledge and best available science regarding sustainability opportunities and challenges.
- comply with legislation, ensuring sustainability principles are applied to the planning, design and decision-making process. Innovation and continuous improvement are encouraged with a risk managed approach.
- support procurement practices across the whole organisation to procure goods and services that minimise environmental risk and maximise positive sustainable opportunities and benefits for the environment and circular economy.
- work to improve the sustainability awareness of Council staff, Councillors and contractors through regular communication.

Council is committed to environmental sustainability through the following pathways delivering on the Clean and Green Lead destination of *CBCity 2036*. Many of the supporting strategies, management plans and action plans that will help deliver on council's environmental and sustainability commitments are still under development, with a number at final draft stage. Figure 1 shows the relationship of these plans in the Strategic Planning Framework.



**Figure 1.** Council Plans (completed and under development) interconnected to Environmental and Sustainability outcomes.

Subject to Council endorsement of the Environmental Sustainability Policy, the Policy document will be placed on public exhibition.

Following the exhibition period, submissions will be considered and where relevant, incorporated into the Policy before a further report is submitted to Council.

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## Policy Matters - 28 February 2023

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### ITEM 6.2

### Council Policies

### AUTHOR

Corporate

### PURPOSE AND BACKGROUND

This report provides a summary of the community feedback received on the draft Council-related Development Application Policy, Hoardings and Scaffolding Policy and Guideline, Child Safe Complaints Handling Policy, and Memorials Policy, and to present the draft policies and guideline for adoption.

### ISSUE

At the Ordinary Meeting on 6 December 2022, Council resolved to place the draft Council-related Development Application Policy, Hoardings and Scaffolding Policy and Guideline, Child Safe Complaints Handling Policy, and Memorials Policy, on public exhibition and that a further report be brought to Council at the conclusion of the exhibition period, to consider submissions received.

The draft policies and guideline were placed on public exhibition from 16 December 2022 to 31 January 2023. In total, six submissions were received during this period: four related to the Council-related Development Application Policy, one related to the Memorials Policy, and a blank submission on the Child Safe Complaints Handling Policy.

All comments were reviewed and addressed, as outlined in the Detailed Information section of the report.

### RECOMMENDATION That -

1. Council adopts the Council-related Development Application Policy, Hoardings and Scaffolding Policy and Guideline, Child Safe Complaints Handling Policy, and Memorials Policy.
2. Council adopt the following new fees for memorial trees:
  - Memorial Tree Administration Fee for initial assessment - \$106 (excl. GST)
  - Tree planting, six months maintenance and Memorial Tree Certificate - \$1210 (excl. GST)
  - Additional out-of-hours planting request (Weekend and Public Holidays) - \$220 (excl. GST)

### ATTACHMENTS

[Click here for attachments](#)

- A. DRAFT Council-related Development Application Policy
- B. DRAFT Hoardings and Scaffolding Policy

- C. DRAFT Hoardings and Scaffolding Guideline
- D. DRAFT Child Safe Complaints Handling Policy
- E. DRAFT Memorials Policy



## **POLICY IMPACT**

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The adoption of these policies and guideline demonstrates Council's commitment to effective and relevant policy development that centres on meeting community expectations.

The Council-related Development Application Policy reflects Council's compliance with legislative changes and adherence to Guidelines issued by the Department of Planning and Environment.

The Hoardings and Scaffolding Policy and Guideline provides an aligned approach to hoardings and scaffolding across the City and replaces the former Canterbury Council's Hoardings on Council Land Requiring Approval Policy, and Section 4 – Hoardings of the former Bankstown Council the *Bankstown Demolition and Construction Guidelines*.

The Child Safe Complaints Handling Policy ensures Council's compliance with the National *Principles for Child Safe Organisations* and *NSW Child Safe Standards*, as required under the *Children's Guardian Act 2019* (NSW).

The revised Memorials Policy supports Council's 22 February 2022 resolution on dedicated memorial trees and accords with current memorial terminology.

## **FINANCIAL IMPACT**

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The adoption of the revised Memorial Policy will enable a service fee for the provision of memorial trees. This includes:

- Memorial Tree Administration Fee for initial assessment - \$106 (excl. GST)
- Tree planting, six months maintenance and Memorial Tree Certificate - \$1210 (excl. GST)
- Additional out-of-hours planting request (Weekend and Public Holidays) - \$220 (excl. GST)

## **COMMUNITY IMPACT**

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A total of four submissions were received on the Council-Related Development Application Policy during the public exhibition period. Three of these submissions were relevant and will be addressed in the detailed section of this report, and the other was an objection to a gas pipeline, outside the scope of this consultation.

No submission was received on the Hoardings and Scaffolding Policy and Guideline during the public exhibition period.

One submission was received on the Child Safe Complaints Handling Policy during the public exhibition period. This submission did not provide any details.

One submission was received on the Memorials Policy during the public exhibition period, and the issue raised will be addressed in the detailed section of this report.

## DETAILED INFORMATION

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### Public Exhibition

The draft Council-related Development Application Policy, Hoardings and Scaffolding Policy and Guideline, Child Safe Complaints Handling Policy, and Memorials Policy were placed on public exhibition from 16 December 2022 to 31 January 2023. The Policies and Guideline appeared on the 'Have Your Say' webpage of Council's corporate website for the duration of the exhibition to both inform the community of the policy documents and offer an opportunity to provide feedback.

### Public Exhibition Results

#### 1. Council related Development Application Policy

Over the course of the public exhibition period, a total of four submissions were received. The results of the 'Have Your Say' engagement component included:

- 1675 email recipients, of these 837 opened the file;
- 163 views of the policy information by 137 unique users;
- 34 document downloads; and
- Four submissions received on the Policy.

#### Submission 1

Submitter 1 noted:

*Council currently has no transparency agenda to allow which interested parties have approached council regarding council related development.*

*All meetings regarding council related development which councillors or persons within council, developers or residents who have attended meetings should become public knowledge.*

*Prospective development meetings should be in council chambers and be minuted with the persons named who attend the meeting all interested parties and their affiliated associations should and must be kept on file as a matter of public record.*

Council response:

Canterbury-Bankstown Council (Council) is one of only a handful of councils in NSW with a Public Interaction and Meeting Disclosure Policy. The Policy applies to members of the public and Council officials including the Mayor, Councillors and Senior staff, who meet or interact on matters before Council, unsolicited proposals and requests for Council support on any matter. Stakeholders attending a meeting with the Mayor must complete an Attendee Meeting Disclosure Form prior to the commencement of any meeting. Council officials (mayor, councillors, CEO and senior staff) are required to submit a Record of Interaction Form with a signed declaration that summarises public interactions.

A record of all stakeholder and Councillor interactions where planning matters are discussed, must be made and included in the Council file prepared by a Council town planner. Council staff minute the interactions in the pre-lodgement meeting and attach relevant meeting notes to the file.

In addition, clause 7.6 of Council's Code of Conduct addresses inappropriate interactions.

## **Submission 2**

Submitter 2 noted:

*The draft policy has an inbuilt fault with developments of large scale being thrown open to Private Certifiers. My prior experience of ten years in total as a staffer on two Sydney area Councils, and as a Consulting Arborist for 13 years has shown me again and again that such Private Certifiers work totally for what benefits their client rather than the community. In my view the use of private certifiers should be excluded entirely. If there is a problem with Council staff dealing with this then consideration should be given to Council hiring its own external specialists.*

Council response:

Council's draft Policy outlines management controls and strategies for two types of council-related development applications; one, when Council staff may undertake the certification function of the proposed development, and two, when a council-related development is to be reported to the LPP (5.1.1(b)) or the Sydney South Planning Panel (5.1.1(c)). The later type of council-related development applications will be assessed by a private certifier. This approach is within the guidance provided by the Department of Planning and Environment in its Council-related Development Application Conflict of Interest Guidelines.

Private certification is outside the remit of local government, so councils do not have the authority to regulate private certifiers. The NSW Government is the governing authority that should provide assurance and integrity in the private certification process.

## **Submission 3**

Submitter 3 noted:

*(5) Development where the council might receive a small fee for the use of their land - suggest to remove "small".*

*Suggest:*

*Council staff should disclose conflicts of interest. Any donations made by anyone should be included in the risk assessment and disclosed to the public.*

Council response:

Council followed the Sample Policy available in the Council-related Development Application Conflict of Interest Guidelines issued by the Department of Planning and Environment in September 2022. This included the wording, 'development where the council might receive a small fee for the use of their land'- [Microsoft Word - Council-related Development Application Conflict Of Interest Guidelines.docx \(nsw.gov.au\)](#), page 4.

Council's Code of Conduct( 5.14-5.17 ) has in-built measures to appropriately address political donations, including the declaration of a non-pecuniary conflict of interest, where necessary.

## **Submission 4**

Submitter 4 provided a submission on a gas pipeline. This submission was not relevant to this Policy. However, the submission has been provided to another council team to address.

Considering the four submissions, this report notes that the current draft Council-Related Development Application Policy, in addition to current provisions with Council's Code of Conduct appropriately address the concerns raised by the submitters. As such, this report recommends no changes to the draft Policy.

## **Public Exhibition Results**

### **2. Hoardings and Scaffolding Policy and Guideline**

Over the course of the public exhibition period, no submissions were received. The results of the 'Have Your Say' engagement component included:

- 66 views of the policy information by 60 unique users;
- 20 policy downloads; and
- Eight guideline downloads.

Given no submissions were received, this report recommends no changes to the draft Policy or Guideline.

## **Public Exhibition Results**

### **3. Child Safe Complaints Handling Policy**

Over the course of the public exhibition period, one submission was received. The results of the 'Have Your Say' engagement component included:

- 1676 email recipients, of these 833 opened the file;
- 53 views of the policy information by 43 unique users;
- Five document downloads; and
- One submission received on the Policy.

One submission was received on this Policy; however, the submitter did not provide feedback. As such, this report recommends no changes to the draft Policy.

### **4. Memorials Policy**

Over the course of the public exhibition period, one submission was received. The results of the 'Have Your Say' engagement component included:

- 56 views of the policy information by 44 unique users;
- One submission received on this Policy.

## **Submission**

Submitter noted:

*The tree planting fees are excessive.*

Council response:

The fees and charges reflect the direct costs to provide the service. As such, this report recommends no changes to the draft Policy or the fees and charges related to memorial trees.

### **Next Steps**

Having considered the submissions, it is proposed that Council adopts the Council-related Development Application Policy, Hoardings and Scaffolding Policy and Guideline, Child Safe Complaints Handling Policy, and Memorials Policy (including memorial tree fees), and that these documents be made available on Council's Policy Register.



## **7 GOVERNANCE AND ADMINISTRATION MATTERS**

The following items are submitted for consideration -

7.1	2023 Australian Local Government Association National General Assembly - Consideration of Motions	73
7.2	Disclosure of Interest Returns	81
7.3	Cash and Investment Report as at 31 January 2023, 31 December 2022 and 30 November 2022	83





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## Governance and Administration Matters - 28 February 2023

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### **ITEM 7.1                      2023 Australian Local Government Association National General Assembly - Consideration of Motions**

**AUTHOR                      Corporate**

#### **PURPOSE AND BACKGROUND**

The Australian Local Government Association (ALGA) is hosting the National General Assembly of Local Government (NGA) in Canberra from the 13-15 June 2023.

This event will incorporate the Regional Cooperation and Development Forum.

The annual Conference is one of Australia's most influential Local Government Conferences. It provides a platform to address national issues and advocate to the Federal Government on critical topics facing the Local Government sector.

Council receives one voting delegate for the Conference.

Following the Conference, ALGA will review resolutions and identify priority advocacy areas to guide ALGA actions in 2023.

#### **ISSUE**

To inform Council of the 2023 Australian Local Government Association (ALGA) National General Assembly (NGA) and to consider the submission of motions.

#### **RECOMMENDATION**

That Council endorse the draft motions as detailed in the report.

#### **ATTACHMENTS**

Nil

## **POLICY IMPACT**

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The submission of motions to the annual ALGA NGA provides an important opportunity for Council to continue its advocacy on issues impacting local government and our community.

## **FINANCIAL IMPACT**

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There are no financial impacts of agreeing and submitting motions to the ALGA NGA.

## **COMMUNITY IMPACT**

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Motions presented for consideration and endorsement by Council have been formed with the benefit of the City's community as a leading priority.

However, there is generally no immediate impact on the community from the adoption of these recommendations.

## DETAILED INFORMATION

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### Conference Motion Requirements

The 2023 NGA theme 'Our Communities, Our Future' focuses on the critical importance of our communities, how they are the focus of our attention, and how they are at the centre of all our work.

This year's call for motions focuses on eight priority areas:

- Productivity;
- Local Government Infrastructure;
- Community Wellbeing;
- Local Government Workforce;
- Data, Digital Technology and Cyber Security;
- Climate Change and Renewable Energy;
- Natural Disasters; and
- Housing

In preparing and submitting motions, The ALGA is asking Councils to focus on practical and deliverable programs and policies that the Australian Government can support and work directly with the local government sector to build our communities; or new program ideas that would help the local government sector to deliver national objectives.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

- Be relevant to the work of local government nationally;
- Not be focussed on a specific location or region – unless the project has national implications;
- Be consistent with the themes of the NGA;
- Complement or build on the policy objectives of ALGA and your state and territory local government association;
- Be submitted by a council which is a financial member of their state or territory local government association;
- Propose a clear action and outcome i.e. call on the Australian Government to do something;
- Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
- Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities;
- Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another;
- Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.

Motions should be practical, focussed, relatively simply and capable of being implemented to ensure that relevant Australian Government Ministers provide considered, thoughtful and timely responses.

ALGA require Motions to be submitted to ALGA online by Friday, 24 March 2023.

### **Proposed Motions**

The following motions are proposed for Council's endorsement and submission to the conference.

#### **PROPOSED MOTION 1 (DATA, DIGITAL TECHNOLOGY AND CYBERSECURITY):**

*This General Assembly calls on the Australian Government to:*

- 1. Amend the Australian Cyber Security Centre (ACSC) Network Partner criteria to include local councils as a government agency which will allow local councils to join the ACSC Network Partnership Program, thus increasing cyber resilience of the sector.*

### **NATIONAL OBJECTIVE**

The Local Government sector is facing increasing cyber security threats. Similar to other government agencies with limited controls in place, councils are vulnerable in the face of such attacks. The most recent cyber-attacks on key Australian organisations such as Optus, highlight the importance of prioritising cyber security across all sectors in Australia.

Local councils hold vast amounts of sensitive and personal information about their community, staff, local businesses, and stakeholders. It is critical that councils appropriately safeguard this information against cyber-attacks. This requires an extensive arsenal of IT measures and controls, many of which, require substantial financial resources.

Access to the ACSC Network Partnership Program will enable councils to liaise with cyber security professionals across government, academia, research, and industry sectors, share technical expertise and experiences, and collaborate on shared threats and opportunities. Inclusion in this partnership will lift local government cyber resilience across Australia.

### **SUMMARY OF KEY ARGUMENTS**

Recent evidence from the Office of the Auditor General Western Australia shows that cyber-attacks across governments increased exponentially during the COVID-19 pandemic and will continue to present challenges to governments at all levels. A 2021 report by CyberCX found that local governments are more likely to be targeted by cyber criminals than federal or state agencies. With local government operations becoming increasingly digital, the need to safeguard information is a key priority.

Councils provide a myriad of services to their communities and as a result, hold considerable community data including rate payer information, health related data, payment information, development application and proposal information, and local business data. Councils have been entrusted with this information, so there is an expectation that it will be secure.

Local councils have been considered soft targets and weak links in Australia's national security, given many lack resources to protect themselves against routine cyber-attacks. Few councils have the financial means to dedicate the necessary resources to mitigate and manage cyber risks and are vulnerable to theft, loss of data, massive service disruption, data breaches, as well as reputational damage.

Evidence released by the Australian Cyber Security Centre (ACSC), in its Annual Cyber Threat Report (July 2021 - June 2022) found:

- an increase in financial losses due to business email compromise to over \$98 million
- Over 76,000 cybercrime reports, an increase of 13 per cent from the previous financial year
- Ransomware remains the most destructive cybercrime

With the growing threat of cyber-attacks, local councils need to prioritise cyber security and focus on measures and controls that would protect their information infrastructure. Working with partners across the country through inclusion in the ACSC Network Partnership Program, would build cyber resilience in the local government sector by enabling councils to draw on collective experiences, skills, understanding and capabilities. Local councils would have access to threat intelligence (such as alerts, and advisories) and enhanced situational awareness.

## **PROPOSED MOTION 2 (LOCAL GOVERNMENT WORKFORCE):**

*This General Assembly calls on the Australian Government to:*

- 1. Re-introduce an updated Regional Employment Development Scheme (RED scheme) with the creation of special purpose grants to support local government contribute to infrastructure and regional development goals;*
- 2. Further in support of the above, an increase to the Financial Assistance Grants be provided to local councils to a minimum of one-percent of Commonwealth taxation revenue, so councils could focus on key disciplines such as town planning, engineering that will assist in creating a more sustainable community.*

## **NATIONAL OBJECTIVE**

The local government sector is experiencing unprecedented sector skills challenges resulting from a tumultuous employment market. In 2022 alone, approximately nine in every ten councils experienced skills shortages, representing a 30 per cent increase since 2018.

These skills shortages come with inherent risks; a shortage, for example, of engineers and planners may delay local projects and investment, while a shortage of asset managers and arborists may pose safety risks to the community. While the sector is not alone in experiencing employment challenges, it is in direct competition with other tiers of government, notably state government, to recruit and retain qualified and skilled staff to occupy critical roles in the sector.

The Federal Government needs to work directly with local councils to reinforce the need to continue building skills and capacity. The RED scheme is a means to ensure capacity in local councils to appropriately serve their communities through a local workforce.

This is the time where the Australian Government needs to prioritise the financial assistance it provides to Local Government and increase the Financial Assistance Grants to at least 1% of Commonwealth Taxation Revenue. Councils require financial certainty to meet community expectations, instill resilience, and undertake both short and long-term planning. Only through financial certainty can councils appropriately plan.

## **SUMMARY OF KEY ARGUMENTS**

Local Government requires a diverse workforce of occupations and skill sets to adequately fulfill the range of responsibilities assigned by the state government. Competition for skills with the private sector as well as other levels of government, particularly state, has severely impacted on the sector. This makes it harder for councils to attract and retain the staff they need.

Other tiers of government, particularly State Government, are shifting expectations back to local government to respond to issues, thus placing immense pressure on councils to manage the increasing costs and responsibilities. State Government is also absorbing skilled local government staff, resulting in chronic skills shortages in local government, and increasing vacancies in much needed positions across the country. Filling engineering, urban and town planning, arborists, human resource roles has been increasingly difficult.

Recent evidence shows that approximately nine in every ten local councils are experiencing a skills shortage in 2022, a 30 per cent increase from 2018. This is not unique to Australia with other local governments across the globe experiencing similar skills shortages.

The Local Government sector can build capacity from the ground up and can effectively deploy people to create a more sustainable community. As one of Australia's leading employer with over 190,000 workers occupying hundreds of roles, local government is a stand out employer, that can provide high governance arrangements to ensure the health, safety and welfare of its staff.

Initiatives such as the proposed RED scheme, can assist councils to appropriately contribute to their infrastructure and regional development goals. Historical evidence shows that at its peak, the RED Scheme employed more than 30,000 people and contributed to the development of infrastructure and urban renewal.

To assist local councils in these challenging times, the Australian Government needs to dedicate and commit to appropriately funding the local government sector. In the 2021-22 period, the Australian Government provided \$2.7 billion in untied funding to local governing bodies under the Financial Assistance Grant program via instalments. This equates to only 0.56% of the Commonwealth taxation revenue, well below what should be provided to local government. This continued miniscule financial assistance to councils, that is now provided via quarterly instalments, needs to be reconsidered.

While Commonwealth taxation revenue for the period 2020-21 period was down to \$480 billion from \$552 billion the previous year (largely a result of the impact of COVID-19 on key avenues of taxation such as company income tax and income tax paid by superannuation), it was still \$14.4 billion higher than estimate at the 2021-22 Budget and is higher than anticipated taxation revenue. Increasing funding to the local government sector is investing in local workforce planning and employment opportunities for all Australians.





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## Governance and Administration Matters - 28 February 2023

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### ITEM 7.2                      Disclosure of Interest Returns

**AUTHOR**                      Corporate

#### **PURPOSE AND BACKGROUND**

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

#### **ISSUE**

One new return was lodged by a person appointed to a designated position. The Disclosure of Interest Return is tabled as required by Council's Code of Conduct under sections 4.26 and 4.27.

#### **RECOMMENDATION**

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

#### **ATTACHMENTS**

Nil

## **POLICY IMPACT**

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

## **FINANCIAL IMPACT**

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There is no financial impact.

## **COMMUNITY IMPACT**

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There is no community impact.

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## Governance and Administration Matters - 28 February 2023

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### **ITEM 7.3**                      **Cash and Investment Report as at 31 January 2023, 31 December 2022 and 30 November 2022**

**AUTHOR**                      **Corporate**

### **PURPOSE AND BACKGROUND**

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

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

### **ISSUE**

This report details Council's cash and investments as at 31 January 2023, 31 December 2022, and 30 November 2022.

### **RECOMMENDATION**    That -

1.     The Cash and Investment Report as at 31 January 2023, 31 December 2022 and 30 November 2022 be received and noted.
2.     The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

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

- A.     Imperium Markets Investment Report January 2023
- B.     Imperium Markets Investment Report December 2022
- C.     Imperium Markets Investment report November 2022

## **POLICY IMPACT**

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

## **FINANCIAL IMPACT**

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

## **COMMUNITY IMPACT**

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

## DETAILED INFORMATION

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### Cash and investment summary – as at 31 January 2023

In total, Council's cash and investment holdings as at 31 January 2023 is as follows:

<b>Cash and investments</b>	<b>\$</b>
<b>Cash at bank</b>	1,950,306
<b>Deposits at call</b>	50,047,949
<b>Term deposits</b>	310,000,000
<b>Floating Rate Notes</b>	43,069,624
<b>Workers compensation security deposit</b>	4,686,000
<b>Bonds</b>	36,000,000
<b>Total cash and investments</b>	<b>445,753,879</b>

Council's level of cash and investments varies from month to month, particularly given the timing of Council's rates and collection cycle, its operations and carrying out its capital works program. The following graph outlines Council's closing cash and investment balances from July 2022 to June 2023.

Summary of Council's investment interest income earned for the period to 31 January 2023 is as follows:

<b>Interest income</b>	<b>January 2023 \$</b>	<b>Year-to-date January 2023 \$</b>
<b>Budget</b>	568,458	3,979,208
<b>Actual interest</b>	1,034,903	6,046,243
<b>Variance</b>	466,445	2,067,035
<b>Variance (%)</b>	82.05%	51.95%

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

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

<b>Maturity profile</b>		
	<b>Actual % of portfolio</b>	<b>Policy limits %</b>
<b>Cash</b>	12.7	100
<b>Working capital funds (0-3 months)</b>	2.5	100
<b>Short term (3-12 months)</b>	19.0	100
<b>Short – medium (1-2 years)</b>	29.4	70
<b>Medium (2-5 years)</b>	36.4	50
<b>Long term (5-10 years)</b>	0	5
<b>Total cash and investments</b>	100%	

<b>Portfolio allocation</b>	
	<b>Actual % of portfolio</b>
<b>Cash at bank</b>	0.4
<b>Deposits at call</b>	11.2
<b>Term deposits</b>	69.5
<b>Floating Rate Notes</b>	9.7
<b>Workers compensation security deposit</b>	1.1
<b>Bonds</b>	8.1
<b>Total cash and investments</b>	100%

## DETAILED INFORMATION

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### Cash and investment summary – as at 31 December 2022

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

<b>Cash and investments</b>	<b>\$</b>
<b>Cash at bank</b>	378,552
<b>Deposits at call</b>	60,916,000
<b>Term deposits</b>	312,000,000
<b>Floating Rate Notes</b>	42,985,475
<b>Workers compensation security deposit</b>	4,686,000
<b>Bonds</b>	36,000,000
<b>Total cash and investments</b>	<b>456,966,027</b>

Council's level of cash and investments varies from month to month, particularly given the timing of Council's rates and collection cycle, its operations and carrying out its capital works program. The following graph outlines Council's closing cash and investment balances from July 2022 to June 2023.

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

<b>Interest income</b>	<b>December 2022 \$</b>	<b>Year-to-date December 2022 \$</b>
<b>Budget</b>	568,458	3,410,750
<b>Actual interest</b>	1,296,133	5,011,340
<b>Variance</b>	727,675	1,600,590
<b>Variance (%)</b>	128.01%	46.93%

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

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

<b>Maturity profile</b>		
	<b>Actual % of portfolio</b>	<b>Policy limits %</b>
<b>Cash</b>	14.4	100
<b>Working capital funds (0-3 months)</b>	2.1	100
<b>Short term (3-12 months)</b>	19.4	100
<b>Short – medium (1-2 years)</b>	28.6	70
<b>Medium (2-5 years)</b>	35.5	50
<b>Long term (5-10 years)</b>	0	5
<b>Total cash and investments</b>	100%	

<b>Portfolio allocation</b>	
	<b>Actual % of portfolio</b>
<b>Cash at bank</b>	0.1
<b>Deposits at call</b>	13.3
<b>Term deposits</b>	68.3
<b>Floating Rate Notes</b>	9.4
<b>Workers compensation security deposit</b>	1.0
<b>Bonds</b>	7.9
<b>Total cash and investments</b>	100%



## DETAILED INFORMATION

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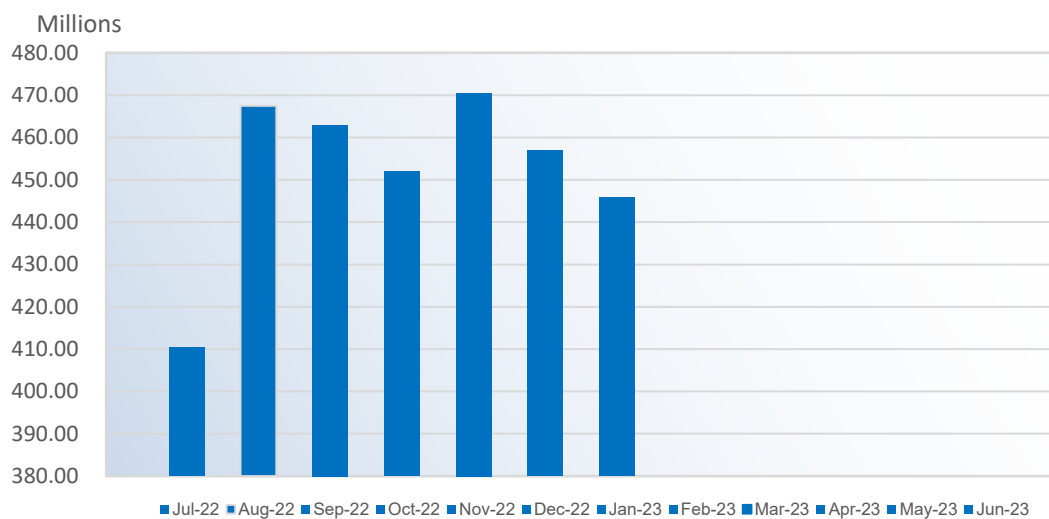
### Cash and investment summary – as at 30 November 2022

In total, Council's cash and investment holdings as at 30 November 2022 is as follows:

Cash and investments	\$
Cash at bank	9,957,584
Deposits at call	72,717,130
Term deposits	309,000,000
Floating Rate Notes	38,148,928
Workers compensation security deposit	4,686,000
Bonds	36,000,000
<b>Total cash and investments</b>	<b>470,509,642</b>

Council's level of cash and investments varies from month to month, particularly given the timing of Council's rates and collection cycle, its operations and carrying out its capital works program. The following graph outlines Council's closing cash and investment balances from July 2022 to June 2023.

Cash and investments rolling monthly balance 2022-2023



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

Interest income	November 2022 \$	Year-to-date November 2022 \$
<b>Budget</b>	568,458	2,842,293
<b>Actual interest</b>	890,846	3,715,206
<b>Variance</b>	322,388	872,913
<b>Variance (%)</b>	56.71%	30.71%

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 %
<b>Cash</b>	18.6	100
<b>Working capital funds (0-3 months)</b>	3.7	100
<b>Short term (3-12 months)</b>	15.7	100
<b>Short – medium (1-2 years)</b>	27.1	70
<b>Medium (2-5 years)</b>	34.9	50
<b>Long term (5-10 years)</b>	0	5
<b>Total cash and investments</b>	100%	

Portfolio allocation	
	Actual % of portfolio
<b>Cash at bank</b>	2.1
<b>Deposits at call</b>	15.4
<b>Term deposits</b>	65.7
<b>Floating Rate Notes</b>	8.1
<b>Workers compensation security deposit</b>	1.0
<b>Bonds</b>	7.7
<b>Total cash and investments</b>	100%

## **8 SERVICE AND OPERATIONAL MATTERS**

The following items are submitted for consideration -

- |     |   |     |
|-----|---|-----|
| 8.1 | Safer Cities Program: Her Way Grant   | 93  |
| 8.2 | Quarterly Progress Report of the 2022/23 Operational Plan, 2022-25 Delivery Program, and Budget to 31 December 2022 | 99  |
| 8.3 | Resilience Strategy for Canterbury-Bankstown  | 107 |



### **ITEM 8.1                      Safer Cities Program: Her Way Grant**

**AUTHOR                      City Future**

#### **PURPOSE AND BACKGROUND**

The Safer Cities Program was established by the NSW Government to help improve perceptions of safety in our cities and towns, particularly for women, girls and gender diverse people. The program will invest \$30 million across NSW over the next two years.

The Program is targeted specifically towards the experiences faced by women and girls, and has three aims:

- Increasing safety and access to public spaces;
- Enabling women and girls to move freely and alone in their community; and
- Increasing engagement with how the spaces are designed and managed.

The Her Way grant was established under the Safer Cities Program to trial temporary innovative place-based approaches to improve women's perceptions of safety while moving through and travelling within public spaces.

The City of Canterbury Bankstown has been selected as one of the ten councils in NSW to participate in the Her Way Program and to receive a \$1 million grant for the trial. The grant does not require Council to co-contribute funding and the grant can be used in conjunction with other grant funded projects.

#### **ISSUE**

This report seeks to advise that the City of Canterbury Bankstown has been selected to participate in the Her Way grant and recommends locations for the trial.

The grant provides Council with an opportunity to trial innovative, community informed, place based urban interventions. The success of the trial will be evaluated for its effectiveness for future permanent public space projects across the city.

#### **RECOMMENDATION    That -**

1. Council take part in the Safer Cities Program and accept the Her Way Grant.
2. Council leverage existing funding for Lakemba, and approve this as the site for the Her Way grant trial.
3. Council undertake engagement with local women and women's groups to help inform the design and implementation of this project.

## **ATTACHMENTS**

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Nil

## **POLICY IMPACT**

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The Safer Cities Program supports the aspirations of the Community Strategic Plan (CBCity 2036) and contributes to the City destinations of Safe and Strong, Moving and Integrated and Liveable and Distinctive. It is also consistent with the priorities identified in the Youth Action Plan, specifically, Objective 2.2 "Ensure public places are welcoming for women and girls".

## **FINANCIAL IMPACT**

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In accordance with the funding guidelines, the design, fabrication, delivery and maintenance are to be fully funded through the \$1 million Her Way grant. Council is not required to co-contribute funding and the grant can be used alongside other grant funding.

## **COMMUNITY IMPACT**

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Community safety and perceptions of safety across the city is consistently raised as a priority by our community. The Her War grant aligns with and supports a number of adopted policies, strategies and programs currently being delivered by Council.

As part of the project, a key requirement is engagement with the local community particularly local women and women's groups.

## DETAILED INFORMATION

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### Grant Requirements

As outlined, the City of Canterbury Bankstown has been selected as one of ten councils to participate in the Her Way program, and to receive \$1 million in funding to trial temporary innovative approaches to improve women's perceptions of safety in public spaces.

There are a number of requirements included in the draft funding agreement, including the following items of specific interest.

- The preparation of a Project Plan must be completed by May 2023. The Plan must include: scope, budget, governance, methodology, a stakeholder management plan that includes at least two night walks with women and girls to hear their perceptions of safety to compare to baseline data collected prior to interventions and a risk management plan.
- Her Way projects can add value to existing or planned works, including other grant funded projects (see below for more information).
- Council is to select two proposed precincts or locations for the pilot project. The locations must be within a 15-minute walk of a transport hub and ideally, should be high usage travel routes or precincts that can be improved to make women and girls feel safer.
- Selection of the specific trial project(s) will be determined by Council through further investigation and engagement with the local community by the end of July 2023 (although these will be in the precinct identified below).
- All projects are to be completed by the end of June 2024.

### Proposed Locations

Based on the Her Way grant criteria, staff have undertaken an initial desktop analysis of potential locations. Lakemba has been recommended as it:

- aligns with the requirements/criteria for the grant program, namely it is a transport hub and is of strategic importance
- there is an opportunity to compliment the WestInvest funded public domain upgrades planned for Lakemba town centre.
- Lakemba has been identified as a Purple Flag site which is about encouraging night time activation. A key success to this will be to address any perceptions of safety.

### Related Initiatives

Her Way will also be informed by Council's involvement in the 2023 Sustainnovation Challenge. The Sustainnovation Challenge program allows local secondary students the opportunity to help solve some of the complex problems we see in our local communities. Schools sign up their secondary students to work with community stakeholders, local government, business and industry, empowering them to develop creative solutions to be implemented in their community. In 2023, students in CBCity and beyond will be lending their minds to solving the problem of "How can we use SMART to create safer public spaces for women?" The challenge will take place in Term Two of 2023, and aligns with the goals also set



for the Her Way project. Students will be briefed during the Sustainnovation Challenge about Her Way with the aim of aligning solutions across both initiatives, and using student recommendations for on-ground trials in Lakemba and Belmore.

### **Next Steps**

Should Council endorse acceptance of the Her Way grant, work will commence within the 2022-23 financial year. High priority actions include:

- Preparation of a Project Plan by May 2023;
- Development of an engagement strategy to work with local women and women's groups (including students through the Sustainnovation challenge) to identify opportunities for trial projects in Lakemba town centre; and
- Final selection of project(s) location and scope.



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## Service and Operational Matters - 28 February 2023

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### **ITEM 8.2**                      **Quarterly Progress Report of the 2022/23 Operational Plan, 2022-25 Delivery Program, and Budget to 31 December 2022**

**AUTHOR**                      **City Future**

### **PURPOSE AND BACKGROUND**

This report provides a summary of progress on the delivery of Council's 2022/23 Operational Plan and 2022-25 Delivery Program from 1 October to 31 December 2022.

Separately, the report considers Council's financial results and proposed budget adjustments for the December 2022 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 Delivery Program progress; and
- Budget Review.

### **RECOMMENDATION** That -

1. The quarterly review of the 2022/23 Operational Plan and six-monthly review of the 2022-25 Delivery Program to 31 December 2022 be noted.
2. The quarterly review of the 2022/23 Budget as outlined in this report be adopted.
3. Council allocate Ward funds as outlined in the report.

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

- A. 2022/23 Operational Plan - Quarter Two Progress Report - Summary
- B. 2022/23 Operational Plan - Quarter Two Progress Report - Detailed
- C. December 2022 Revision Reports
- D. December 2022 Revision Review

## **POLICY IMPACT**

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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**

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

## **COMMUNITY IMPACT**

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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 December 2022.

## DETAILED INFORMATION

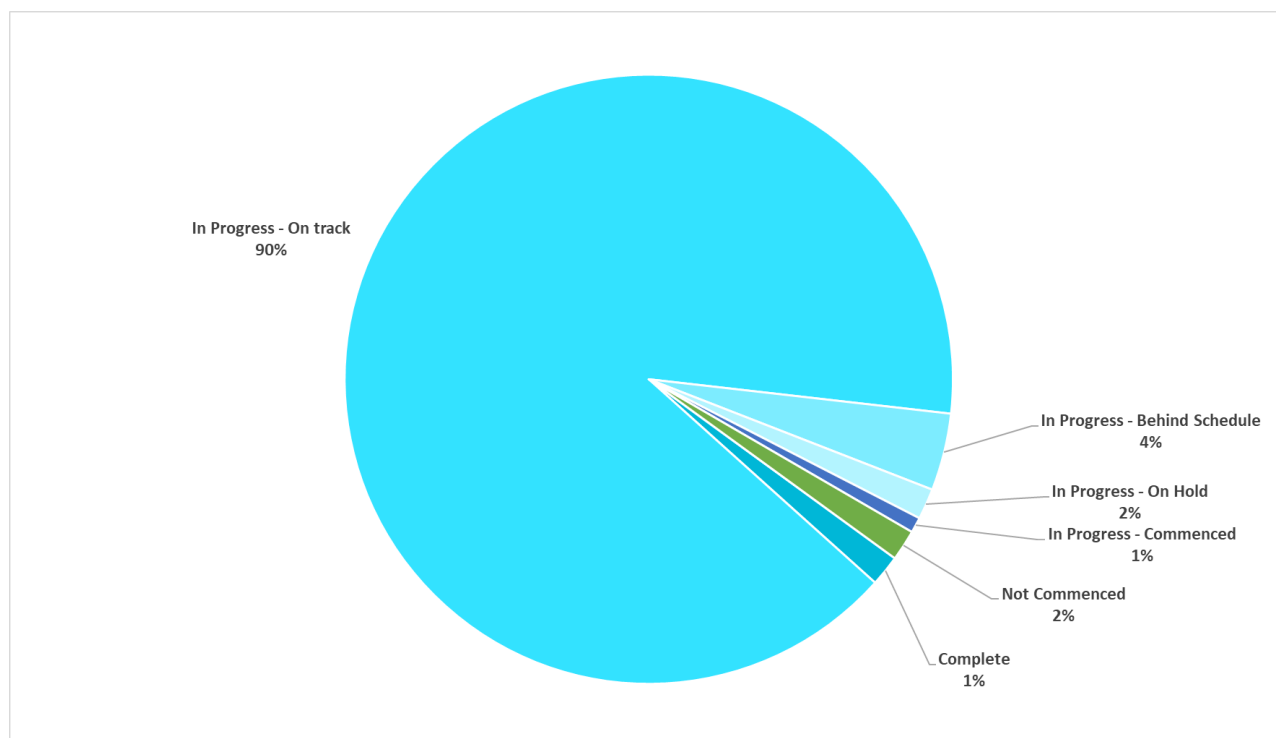
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### PART A - Quarterly progress on the delivery of the 2022-25 Delivery Program and 2022/23 Operational Plan to 31 December 2022

The short to medium term priorities outlined in the 2022-25 Delivery Program continue to align with the long term priorities of CBCity 2036 and the actions in 2022/23 Operational Plan. In particular:

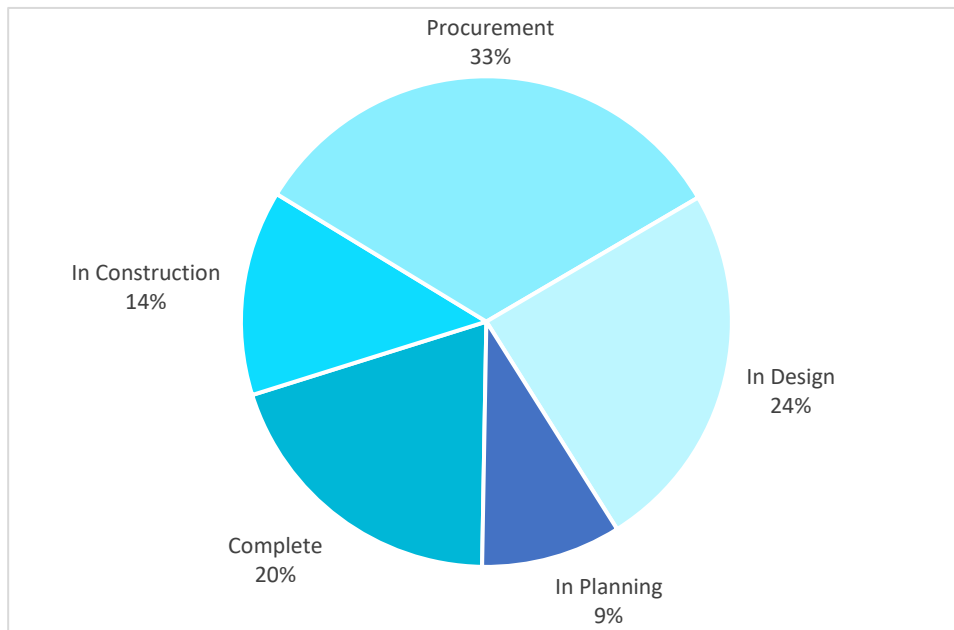
- Employment opportunities and growth of innovation were boosted when Council partnered with the CSIRO in December as part of the Generation STEM program to inspire future thinkers and showcase career paths; and
- Improved design and liveability for the City were energised when the Campsie Master Plan was awarded the prestigious 'Leadership, Advocacy and Research – Local or Neighbourhood Scale' category at the 2022 Australian Urban Design Awards.

At the close of quarter two, 91% of the Operational Plan's programs and initiatives for 2022/23 are complete or on target for completion by June 2023. This is considered a strong position at the mid-way point for the operational year and demonstrates the work Council has put into getting 'back to business'.



At the close of quarter two, 13.7% of Council's capital works program was under construction and 20.1% was complete.

Of the 69 completed projects, 16 were roads, bridges and traffic management projects; 24 were building projects; 20 were open space projects; six were drainage and water quality devices; and three were town centre projects. The value of the completed projects was \$19.1 million at the end of quarter two with \$63.5 million committed to projects in the design or 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 October 2022 to 31 December 2022 quarter are summarised below.

### **Safe and Strong**

- A huge 298 Safe and Strong events/ programs were held between October and December 2022, nearly two and a half times more than the previous quarter.
- Council endorsed the Community Facilities general policy principles regarding the equitable management, allocation and use of Council's community facilities.
- The First Nations Youth Group commenced this quarter with 10-12 regular attendees.

### **Clean and Green**

- The Draft Clean City Strategic Plan and Action Plan was endorsed for public exhibition. Key focus areas of the draft Plan involve preventing illegal dumping, ensuring clean and tidy town centres, parks and public toilets, and healthy waterways.
- The Kelso Sustainable Resource Recovery Facility Masterplan was endorsed by Council and sets out the vision and strategic direction for the facility, including a community recycling and education centre, extension of the Landfill Licence, and investigation into a FOGO transfer station.
- Council has resolved to make representations to the Environment Protection Authority seeking clarification on future funding to curb illegal dumping in the City.
- Council staff participated in a four-day Biosecurity Emergency Response Project with Hawksbury County Council. This included inspection of 127 farms to locate Prohibited Matter weeds in farmland after flooding.

## **Prosperous and Innovative**

- Lakemba, along with three other locations in Sydney CBD, Inner West and Parramatta was chosen to participate in a trial called Purple Flag NSW, which highlights areas that meet standards of excellence in vibrancy, diversity and safety at night.
- The calendar of City Events and Activations for 2023 has been adopted including Bankstown Lunar New Year, Australia Day Pool Parties, Sydney Symphony Orchestra, Campsie Lunar Noodle Markets, Ramadan Nights Lakemba, Village Festival, Bankstown Bites, spring activations, Christmas tree lighting, and Carols in the Park.
- The CSIRO Activities Science, Technology, Engineering and Maths (STEM) Program (launched in quarter one) held an end of year showcase at BLaKC with more than 60 students, teachers and industry members attending the event.
- The Talent Advancement Program (TAP) held an end of year concert attended by over 250 people, with many of the TAP participants also performing at the events mentioned above as well as the Community Thank You Awards in Campsie.

## **Moving and Integrated**

- As part of Council's commitment to improving driver safety, a number of programs and activities were held during this period including road safety issues/improvements discussions with 26 schools, road safety enforcement activities at selected schools, five child restraint fitting days where 114 child restraints were fitted/checked, and a road safety workshop for learner drivers at Navitas English College.
- Council has been continuing to work with Transport for NSW on several important transport initiatives that impact our City including the Sydney City and Southwest Metro projects, strategic cycleway corridors for the Central River City and the completion of the designs for the Accessible Public Transport Program.

## **Healthy and Active**

- Greenacre Splash Park opened to the public and saw heavy use in the lead up to the end of the year. Although some work is ongoing at the site, the water installations and required facilities are all open and operating as intended.
- A number of sportsfield improvement activities were undertaken in the brief period between sport seasons.

## **Liveable and Distinctive**

- \$50,000 worth of grants were provided to property owners in Canterbury-Bankstown for the conservation and maintenance of heritage items.
- The Hurlstone Parklet trial was approved for the temporary use of car parking spaces to create vibrant streetscapes and provide opportunities for local businesses to grow and prosper.
- A submission to the Department of Planning and Environment endorsed regarding Western Sydney University Campus (Milperra) Planning Proposal.

## **Leading and Engaged**

- The 2021/22 Annual Report incorporating audited 2021/22 Financial Statements was endorsed by Council and notified to Office of Local Government.
- Reviewed/new policies for Development Applications, Hoardings and Scaffolding, Child Safe Complaints Handling, and Memorials were endorsed for public exhibition.
- Three citizenship ceremonies were held, with 761 members of our community becoming Australian citizens.

## **PART B – December 2022 Quarterly Budget Review**

### **Financial Performance**

Following a review of the second 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 \$23.5M, an improvement of \$3.3M (or \$2.3M when adjusted for one-off capital grants and contributions), when compared to the result forecast as part of the September 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 \$222.4M, having increased by \$2.9M during the quarter. The adjustments largely relate to additional grant funded projects identified throughout the second quarter and 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. 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 increase by approximately \$0.4M (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 December 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.

As part of Council's ongoing assessment of services, Council's full time equivalent (FTE) establishment will increase by 1 as a result of grant funding of \$1M over two years, from Multicultural NSW, for Ramadan Nights Lakemba. The creation of a fixed-term (18 Month) temporary position for an Event Lead, will assist Council to plan, curate and manage this signature event. There are no additional costs to Council regarding this grant funded role.

This will see the existing establishment of 1491.8 temporarily increase to 1492.8.



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

Description / Project	Councillor	Allocation
Bollards on Hume Highway	Harika	\$5,000

## Conclusion

This report and Attachments A and B provide a progress report for the delivery of the 2022-25 Delivery Program and 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 December 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.



### ITEM 8.3

### Resilience Strategy for Canterbury-Bankstown

#### AUTHOR

City Future

### PURPOSE AND BACKGROUND

To seek Council's endorsement for the public exhibition of the attached *Draft Resilient CBCity Strategy*, which has completed extensive internal and external consultation, and provides 5 Directions to steer how we will create a more connected, collaborative and responsive City.

### ISSUE

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".

There is increasing focus on the role of local government in planning for community resilience. 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.

Council has prepared a *Draft Resilient CBCity Strategy* (Attachment A) 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 5 Directions that will guide our approach to building and strengthening the resilience of Council and our community.

### RECOMMENDATION That -

1. Council endorse the *Draft Resilient CBCity Strategy* and the strategy be placed on public exhibition.
2. A further report be brought to Council following public exhibition.

### ATTACHMENTS

[Click here for attachments](#)

- A. Draft Resilient CBCity Strategy
- B. Resilience Strategy Staff Engagement Report
- C. Resilience Strategy Community Engagement Report

## **POLICY IMPACT**

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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**

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

Financial risk is greatest if no action is taking 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 'Resilience Action Plan'.

## **COMMUNITY IMPACT**

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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 Community Engagement Report* (Attachment C) captures and reports the community views on the local resilience challenges and community strengths and vulnerabilities. The outcomes of this report (Attachment C), along with the *Resilience Strategy Staff Engagement Report* (Attachment B), have been used to inform the strategy.

There are reputational benefits associated with implementing a local resilience strategy.

## DETAILED INFORMATION

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### Background

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-wide 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. 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.

### Approach

In 2021 Council commenced the preparation of the *Draft Resilient CBCity Strategy*. Extensive internal and external engagement was undertaken, with more than 200 people contributing feedback to inform the strategy's development. The engagement activities undertaken included:

#### Internal staff engagement:

- Targeted interviews across a range of Council's functional areas
- 50 participants in an online workshop

#### External community engagement:

- 35 participants across 3 online focus groups
- 3 interviews with community groups
- An online workshop with service providers
- 74 responses via an online survey

The timing of the engagement sessions, during a COVID19 lockdown, meant that activities had to be facilitated remotely and the challenges associated with the pandemic were front of mind for many stakeholders. Even considering these conditions, stakeholders still identified strengths in community diversity, local networks and community organisations.

### Resilient CBCity

The *Draft Resilient CBCity Strategy* (Attachment A) includes 5 Directions to strengthen resilience, tailored to the local challenges that our City faces. These directions align with and build on those outlined in the Resilient Sydney Strategy, recognising that many of the challenges faced by CBCity are similar to those experienced across metropolitan Sydney. These shocks and stresses include:

#### Acute shocks:

- Extreme weather
- Disease pandemic
- Digital network failure
- Infrastructure failure
- Cyber attack
- Financial crisis
- Terror attack
- Water crisis

#### Chronic Stresses:

- Housing affordability
- Health services demand
- Transport diversity
- Social cohesion
- Employment diversity
- Poverty
- Chronic disease
- Drug and alcohol abuse

Figure 1 presents the 5 Directions that will guide Council's strategic approach to building and strengthening resilience.

## Next Steps

The *Draft Resilient CBCity Strategy* and the outcomes of community and staff engagement will guide Council's approach to resilience, inform action planning and improve our success in applying for relevant funding opportunities.

Following endorsement of the strategy, a 'Resilience Action Plan' will be developed to guide delivery against the 5 Directions and embed a resilience mindset across Council.



### Direction 1 A people-centred City

**People are connected to where they live and are able to access transport, affordable housing, education, and employment opportunities.**



### Direction 2 Live with our Climate

**People have access to clean air and water, natural environments and adaptive technology throughout the city for climate comfort and safety, health, and city connections.**



### Direction 3 Connect for Strength

**People have equal access to engage in society, the economy, and all the City has to offer.**



### Direction 4 Get Ready

**Understand the risks we face and how to work together to respond, recover and build our capacity to cope, now and in the future.**



### Direction 5 One City

**Key governing organisations pledge to build their capacity and cooperate to understand and manage shocks for everyone.**

Figure 1: 5 Directions of the Resilient CBCity Strategy

## **9 COMMITTEE REPORTS**

The following items are submitted for consideration -

9.1	Minutes of the Youth Advisory Committee meeting held on 28 November 2022	113
9.2	Minutes of the Universal Access Advisory Committee meeting held on 30 November 2022	115
9.3	Minutes of the Aboriginal & Torres Strait Islander Advisory Committee meeting held on 1 December 2022	117
9.4	Minutes of the Lakemba Ramadan Event Working Group meeting held on 8 February 2023	119
9.5	Minutes of the Traffic Committee Meeting held on 14 February 2023	121





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## Committee Reports - 28 February 2023

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**ITEM 9.1**                      **Minutes of the Youth Advisory Committee meeting held on 28 November 2022**

**AUTHOR**                      **Corporate**

### **PURPOSE AND BACKGROUND**

---

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

The minutes of the Youth Advisory Committee meeting are attached.

### **ISSUE**

---

Endorsement of the Youth Advisory Committee minutes.

### **RECOMMENDATION**

---

That the minutes of the Youth Advisory Committee meeting held on 28 November 2022 be endorsed.

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

---

A.     Minutes of the Youth Advisory Committee meeting held on 28 November 2022

## **POLICY IMPACT**

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

## **FINANCIAL IMPACT**

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

## **COMMUNITY IMPACT**

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

---

## Committee Reports - 28 February 2023

---

**ITEM 9.2**                      **Minutes of the Universal Access Advisory Committee meeting held on 30 November 2022**

**AUTHOR**                      **Corporate**

### **PURPOSE AND BACKGROUND**

---

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

The minutes of the Universal Access Advisory Committee meeting are attached.

### **ISSUE**

---

Endorsement of the Universal Access Advisory Committee minutes.

### **RECOMMENDATION**

---

That the minutes of the Universal Access Advisory Committee meeting held on 30 November 2022 be endorsed.

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

---

- A.     Minutes of the Universal Access Advisory Committee meeting held on 30 November 2022

## **POLICY IMPACT**

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

## **FINANCIAL IMPACT**

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

## **COMMUNITY IMPACT**

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

---

## Committee Reports - 28 February 2023

---

**ITEM 9.3**                      **Minutes of the Aboriginal & Torres Strait Islander Advisory Committee meeting held on 1 December 2022**

**AUTHOR**                      **Corporate**

### **PURPOSE AND BACKGROUND**

---

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

The minutes of the Aboriginal & Torres Strait Islander Advisory Committee meeting are attached.

### **ISSUE**

---

Endorsement of the Aboriginal & Torres Strait Islander Advisory Committee minutes.

### **RECOMMENDATION**

---

That the minutes of the Aboriginal & Torres Strait Islander Advisory Committee meeting held on 1 December 2022 be endorsed.

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

---

- A.     Minutes of the Aboriginal & Torres Strait Islander Advisory Committee meeting held on 1 December 2022

## **POLICY IMPACT**

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

## **FINANCIAL IMPACT**

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

## **COMMUNITY IMPACT**

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

---

## Committee Reports - 28 February 2023

---

**ITEM 9.4**                      **Minutes of the Lakemba Ramadan Event Working Group meeting held on 8 February 2023**

**AUTHOR**                      **Corporate**

### **PURPOSE AND BACKGROUND**

---

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

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

### **ISSUE**

---

Endorsement of the Lakemba Ramadan Event Working Group minutes.

### **RECOMMENDATION**

---

That the minutes of the Lakemba Ramadan Event Working Group meeting held on 8 February 2023 be endorsed.

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

---

- A.     Minutes of the Lakemba Ramadan Event Working Group meeting held on 8 February 2023

## **POLICY IMPACT**

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

## **FINANCIAL IMPACT**

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

## **COMMUNITY IMPACT**

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



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## Committee Reports - 28 February 2023

---

**ITEM 9.5**                      **Minutes of the Traffic Committee Meeting held on 14 February 2023**

**AUTHOR**                      **City Assets**

### **PURPOSE AND BACKGROUND**

---

Attached are the minutes of the Canterbury Bankstown Council Local Traffic Committee meeting held on 14 February 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 14 February 2023, be adopted.

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

---

A.     Traffic Committee Minutes - 14 February 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 -

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10.14 Safety Fencing for Croydon Park Public School - Councillor Barbara Coorey	151
10.15 Kingsgrove Public School - Pedestrian Safety Investigation - Councillor Barbara Coorey	153

---

## Notice of Motions & Questions With Notice - 28 February 2023

---

**ITEM 10.1**                      **Status of Previous Notices of Motion - February 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 attachments](#)

---

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



---

## Notice of Motions & Questions With Notice - 28 February 2023

---

### ITEM 10.2

### Greek Independence Day 2023

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

“Council hosts a celebration morning tea at Campsie library to mark Greek Independence Day.

I further propose the Greek flag be flown in Earlwood on 25 March 2023 in support of our strong Greek community.”

### BACKGROUND

---

Nationalities living in our city have days which are of significance - whether it be for cultural, or historical reasons, and 25 March 2023 is significant for our strong Greek community who mark Greek Independence Day.

The community celebrates with parades, flag waving and going to church as it is also the Feast of the Annunciation.

Our City has a very strong and vibrant Greek community and they are very much a part of our rich diverse culture. According to the latest Census figures there are just over 4,000 people of Greek ancestry that live in Earlwood alone.

A community that thrives on hard work and a commitment to family and a community which boasts some of this country’s leading entrepreneurs, businessmen and academics.

The morning tea will be coordinated by Council and bring together members of the Greek community. I anticipate it will be held in the days leading up to 25 March 2023, as the NSW elections will be held on that date.

### FINANCIAL IMPACT

---

There is negligible financial impact with the costs being undertaken under our current operational budget.

### CHIEF EXECUTIVE OFFICER'S COMMENT

---

The motion is consistent with the previous flag raising approved by Council.





---

## Notice of Motions & Questions With Notice - 28 February 2023

---

### **ITEM 10.3                      National Referendum on Constitutional Recognition of Indigenous People and the Voice to Parliament - Establishment of a Canterbury Bankstown Information and Education Campaign**

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

“That a proposal to develop and implement an ‘Information and Education Campaign’ on the Referendum be tabled at the next meeting of Council’s Aboriginal & Torres Strait Islander Advisory Committee for discussion and a report be prepared for consideration by Council.

Such a campaign may include, but not be limited to:

- The establishment of a Working Party with members of the Advisory Committee, Council staff and interested community members and
- Activities such as Information sessions, creation and/or screening of short videos, community BBQs and a media campaign.”

### **BACKGROUND**

---

In 2022 Prime Minister Albanese announced a National referendum on Constitutional recognition of Indigenous People and the Voice to Parliament.

The draft question to be asked of the people of Australia is "Do you support an alteration to the Constitution that establishes an Aboriginal and Torres Strait Islander Voice?"

Recently there has been considerable media coverage highlighting the various positions being taken by political parties on the issue, however there is very little information being provided to assist the average citizen to make an informed decision on the question.

While it is anticipated that legislation to set up the referendum is likely to be introduced to Federal Parliament in March, the date of the actual Referendum could be anytime between August and December this year.

As Canterbury Bankstown is one of the most diverse communities in our country there is an opportunity for Council to take a leadership role in providing information and education on what the Referendum is about and what it means for our First Nations People and demonstrate Council’s ongoing commitment to reconciliation.

## **FINANCIAL IMPACT**

---

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

## **CHIEF EXECUTIVE OFFICER'S COMMENT**

---

The proposal will be considered by the Aboriginal & Torres Strait Islander Advisory Committee prior to any report to Council. This report will consider the activities, costs and terms of reference of any working party.

---

## Notice of Motions & Questions With Notice - 28 February 2023

---

### ITEM 10.4                      Earthquakes in Turkey and Syria

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

“Council reflects community sentiment and shows its support of the people of Turkey and Syria by getting behind fundraising initiatives by charitable and community organisations.

I propose Council waives the fees and charges at our parks and community facilities to enable those organisations to host events like trivia nights, picnics and BBQs with the proceeds raised going to the victims of the devastating Earthquake.”

### BACKGROUND

---

To date there are more than 45,000 people reportedly killed, thousands injured, and many thousands left homeless after two earthquakes struck Turkey and Syria on 6 February 2023.

The two earthquakes measuring 7.8 and 7.5, struck nearly nine hours apart causing widespread destruction and leaving a damage bill of more than \$100 billion dollars.

I reflect the sentiments of the Mayor in his Mayoral Minute and agree we must all play a part in assisting with the global humanitarian effort.

Opening up our parks and facilities is the least we can do to assist charitable organisations in their quest to raise much needed funds, food items and clothing.

### FINANCIAL IMPACT

---

It is anticipated that the costs associated with any fee waiver would be minor and not impact on the overall income to Council.

### CHIEF EXECUTIVE OFFICER'S COMMENT

---

Access to Council's Parks or community facilities would be based on availability. Confirmation would need to be provided that the organisation is approved to raise funds. A financial update could be provided in the next quarterly review.



---

## Notice of Motions & Questions With Notice - 28 February 2023

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### ITEM 10.5

### Jordan Mailata - A Canterbury Bankstown Superstar

We, Councillor Charlie Ishac and Councillor Rachelle Harika hereby give notice that at the next Ordinary Meeting of Council the following motion will be moved:-

“Council congratulates Bankstown local, Jordan Mailata, on his “rags to riches” success and playing in one of the world’s biggest sporting spectacles, the NFL Super Bowl.

We propose, Council writes to Jordan Mailata in relation to producing a short inspirational video message which can be shared with local schoolchildren and posted on our social and digital media platforms.”

### BACKGROUND

---

The story of Jordan Mailata is nothing short of inspiring.

The 25-year-old was born in Bankstown and went to Condell Park high. A great shot putter, footballer and surprisingly, a choirboy with his local church. His sports teacher remembers him fondly as a “gentle giant”.

A young man who grew up in a loving home, his parents Tupai and Maria along with his three brothers and sister. His parents working six days a week to make ends meet, mum working across the road at Vicinity as a cleaner.

His career and story are fitting of a Hollywood movie.

Playing for the Bankstown Bulls and then recruited to play in the under 20s for the South Sydney Rabbitohs. Standing at 6’8” and weighing around 166 kg his size was always going to be an issue for the fast-paced rugby league code. Despite working day and night on his weight, he realised he had to make the switch to the USA and have a shot at NFL.

He was drafted by the Philadelphia Eagles in 2018 and signed to a \$100 million contract, a far cry from the \$2,000 a year deal with South Sydney.

Jordan fit in with the team immediately and even produced a seven track Christmas charity album with two of his teammates. His singing ability didn’t go unnoticed, with his crisp falsetto version of White Christmas when he appeared on the American version of the Masked Singer last March.

His appearance at the Super Bowl was undoubtedly the highlight of his life, and one he wanted to share with his proud family. Tupai and Maria, who had never seen their son play, travelled halfway around the world and were there as he strode out onto the packed stadium.

Jordan truly is an inspiration to young people in our City and we should call on his success to inspire many others.

## **FINANCIAL IMPACT**

---

There is no financial impact to writing a letter.

## **CHIEF EXECUTIVE OFFICER'S COMMENT**

---

There is no financial impact of the motion as written.

---

## Notice of Motions & Questions With Notice - 28 February 2023

---

### ITEM 10.6                      'Heart of the Nation' - Automated External Defibrillators (AEDs)

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

“That Council

1. Become a member of ‘Heart of the Nation’ and gets listed along with over 4,000 other members that display the sign letting people know there is a defibrillator on the premises; and
2. List all of their and community defibrillator locations on its website; and
3. Investigate possible locations and costs of where Council could install ‘Zapstands’ which are 24-hour defibrillator stations and that these investigations be reported back to Council for further consideration.”

### BACKGROUND

---

I raise this Notice of Motion tonight in further support of the Council resolution in November last year where we agreed to investigate the possibility of expanding the number of defibrillators across its community buildings and sporting facilities.

Just to remind everyone, an Automated External Defibrillator (AED) is a device that uses electricity to re-start the heart or shock it back into its correct rhythm. It is used when the heart suddenly stops pumping. The defibrillator analyses the heart rhythm and decides whether an electric shock is needed. You don't need training as the device will tell you what to do and they save lives.

I would like to acknowledge the steps Council has already taken to make these life-saving AED's available in a host of Council operated facilities such as Libraries, Leisure and Aquatic Centres and our major sporting facilities across the LGA. As part of Council's previous resolution, I am hoping that we can explore other equipment such as ‘Zapstands’ (or similar) which provide this equipment in the public space.

There is also a great opportunity to clearly identify and promote to the community where these can be found. This includes not only Council listing them on its website, but working with the 'Heart of Nation', a charity set up by Greg Page to promote their location and importance.

## **FINANCIAL IMPACT**

---

There is no financial impact for this motion.

## **CHIEF EXECUTIVE OFFICER'S COMMENT**

---

There are no costs associated with the membership of 'Heart of the Nation' or updating Council's website.

The installation of future AEDs will be considered as part of future operational plans.



---

## Notice of Motions & Questions With Notice - 28 February 2023

---

### ITEM 10.7

### Rare Disease Day - 28 February 2023

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

“That Council acknowledges the work of people involved in the rare diseases ‘community’ who celebrate today’s ‘Rare Disease Day’ in the hope of providing treatments for rare diseases and provide assistance for both sufferers and their families.”

### BACKGROUND

---

In 2023, Rare Disease Day will be marked on 28 February. Rare Disease Day is the globally coordinated movement for rare diseases, working towards equity in social opportunity, healthcare, and access to diagnosis and therapies for people living with a rare disease.

The campaign is organised globally by EURORDIS – Rare Diseases Europe, Rare Diseases International and 68 national alliances.

Rare Voices Australia, the national peak body for Australians living with a rare disease, is the national alliance that represents Australia for Rare Disease Day annually.

In 2020, the National Strategic Action Plan for Rare Diseases (the Action Plan) was launched in Australia ahead of Rare Disease Day on 26 February 2020. After extensive consultation with stakeholders around the country, the Action Plan was developed by the rare disease sector, for the rare disease sector.

An estimated two million Australians live with a rare disease and it is prominently cited that there are more than 7,000 different rare diseases.

### FINANCIAL IMPACT

---

There is no financial impact for this motion.

### CHIEF EXECUTIVE OFFICER'S COMMENT

---

The motion as written presents no financial impact for Council. Council’s existing social media platforms can be used.



---

## Notice of Motions & Questions With Notice - 28 February 2023

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### **ITEM 10.8                      Needlewood Grove and Henry Lawson Drive - Safety Considerations**

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

“That Council investigates appropriate measures to improve sight lines and prevent U-Turns at the intersection of Needlewood Grove and Henry Lawson Drive Padstow Heights, in consultation with Transport for NSW and then refer this matter to the Local Traffic Committee for consideration as appropriate.”

### **BACKGROUND**

---

Henry Lawson Drive (HLD) is a State road with a speed limit of 70km/hr and has an intersection with Needlewood Grove, a local road at Padstow Heights. This is the only access point for residents that live in Needlewood Grove.

I have previously mentioned the challenge that we have with the large number of heavy vehicles that are parking illegally across our local government area and that Penalty Infringement Notices do not seem to deter this ongoing practice.

It has been brought to my attention that the number of heavy vehicles parking near this particular intersection along HLD is increasing and impacting on the sight distance for residents existing Needlewood Grove, creating a potentially dangerous situation. In fact, there was a recent accident for this very reason and there have also been five accidents in the last 11 years, mainly due to motorists doing U-Turns at this intersection.

I am requesting that Council investigate measures to improve the safety of this intersection in consultation with Transport for NSW and then to refer the matter to the Local Traffic Committee for consideration as appropriate.

### **FINANCIAL IMPACT**

---

There is no cost implication to carry out an investigation.

### **CHIEF EXECUTIVE OFFICER'S COMMENT**

---

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



---

## Notice of Motions & Questions With Notice - 28 February 2023

---

### **ITEM 10.9                      Protecting the Canterbury Bankstown Natural Environment**

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

“That Council prepares a report that investigates ways in which to retain and protect our natural environment and the habitat that is home to our unique wildlife.

That this includes mechanisms that enables our broader community to participate in protecting and growing our native and natural environment.”

### **BACKGROUND**

---

I recall in 2015 the former Bankstown Council had adopted a Biodiversity Strategic Plan. This was important as it provided priorities for Council on how it was to protect our unique wildlife.

It is not just Council that has the ability to protect and improve our natural environment. Residents of Canterbury Bankstown also have a great opportunity to enhance and support biodiversity in their own backyard.

I propose that there is an opportunity for Canterbury Bankstown to develop an updated Biodiversity Plan for the whole City which will not only guide our future decisions but help our community to get involved.

### **FINANCIAL IMPACT**

---

There is no financial impact for this motion as it is calling for a report.

### **CHIEF EXECUTIVE OFFICER'S COMMENT**

---

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



---

## Notice of Motions & Questions With Notice - 28 February 2023

---

### **ITEM 10.10                      Intersection of Rookwood Road and George Street, Yagoona - removal right hand turn restrictions**

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

“That Council writes to Transport for NSW (TfNSW) calling on them to investigate the intersection of Rookwood Road into George Street Yagoona to improve access for residents and motorists wishing to access or exit George Street.”

### **BACKGROUND**

---

This is a not overly busy intersection in Yagoona, just north of the Hume Highway, and is controlled by a set of traffic lights. Currently, right hand turns at these traffic lights are not permitted either from George Street into Rookwood Road, or if travelling South on Rookwood Road into George Street. These restrictions are annoying, inconvenient and would seem to serve no good purpose.

Indeed, motorists travelling south on Rookwood Road wishing to turn into George Street are forced to travel 10 meters past the traffic lights then turn right into the Three Swallows car park for a ‘rat run’ through the car park and back onto George Street. Very inconvenient and not as safe as would be allowing a right hand turn at the lights.

The restriction on turning right from George Street onto Rookwood Road seems just as annoying and unnecessarily restrictive. This is a ‘T’ intersection not a major crossroads, given there is no issue with oncoming traffic when the lights are green on George Street what possible reason is there to not allow a right-hand turn.

Councillors as I have said before ability to move easily and safely around the area you live either as a pedestrian or as a motorist is an important component of quality of life in your neighbourhood. This ability should not be limited by the imposition of unnecessary restrictions.

Councillors I commend the motion to you.

## **FINANCIAL IMPACT**

---

The motion does not present any financial impact for Council.

## **CHIEF EXECUTIVE OFFICER'S COMMENT**

---

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



---

## Notice of Motions & Questions With Notice - 28 February 2023

---

### **ITEM 10.11      Ramadan Nights Lakemba - Proposal for Extended Trading**

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

“That as part of the review into Ramadan Nights, this include an assessment of the feasibility and impact of allowing other interested businesses from across the LGA to trade outside their shops during the month of Ramadan.”

### **BACKGROUND**

---

Over the last 17 years, Ramadan Nights Lakemba has grown from one community BBQ into one of the largest festivals in Australia. In 2022, over 1.2 Million people attended this 30-day event.

Ramadan Nights Lakemba has become a unique event in the community which supports the breaking of the fast at Iftar by bringing together traditional food and drink vendors.

I have received a number of requests from other businesses in suburbs outside Lakemba who wish to partake in this event whilst also respecting its origins.

I propose that as part of the review into Ramadan Nights, which is currently being undertaken, a report is prepared for Council on the feasibility of allowing other interested businesses from across the LGA, to trade outside their shops during the month of Ramadan.

### **FINANCIAL IMPACT**

---

The motion as written does not have any financial impact.

### **CHIEF EXECUTIVE OFFICER'S COMMENT**

---

The current Ramanan Nights Lakemba event requires significant staff resources and budget to manage existing stalls including food handling, safety, crowd management, and regulatory compliance. The review will need to consider the likely significant impacts, resources, practicality and feasibility of extending this to other businesses.



---

## Notice of Motions & Questions With Notice - 28 February 2023

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### **ITEM 10.12            Ordinary Council Meetings at Campsie**

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

“That Council prepare an updated report outlining the costs associated with reactivating 6 council meetings per calendar year in the former Canterbury Council Chamber Building at 137 Beamish Street Campsie and that Council ensure that level 2 former Chamber Room is fit for purpose.”

### **BACKGROUND**

---

Council previously considered this matter in 2018.

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

### **FINANCIAL IMPACT**

---

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

### **CHIEF EXECUTIVE OFFICER'S COMMENT**

---

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



---

## Notice of Motions & Questions With Notice - 28 February 2023

---

### ITEM 10.13

### Milton Street, Ashbury - Heavy Vehicles

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

“That Council investigate the traffic and truck movements along Milton Street Ashbury to determine if heavy vehicles or other non-approved trucks are using it or causing damage.”

### BACKGROUND

---

I have had several residents complain about the impact of heavy trucks using Milton Street Ashbury. While I understand this is a Regional Road, I am asking if Council can undertake an investigation to see if there are heavy vehicles using this that should not be.

### FINANCIAL IMPACT

---

As this is just an investigation I don't expect this will have any significant costs and that this cost could be met from the operational budget.

### CHIEF EXECUTIVE OFFICER'S COMMENT

---

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



---

## Notice of Motions & Questions With Notice - 28 February 2023

---

### **ITEM 10.14      Safety Fencing for Croydon Park Public School**

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

“That Council write to the Minister for Transport seeking urgent funding for Croydon Park Public School – Georges River Road – Croydon for the installation of safety fencing.”

### **BACKGROUND**

---

The school has its main frontage along the north side of Georges River Road which is in the Inner West Council (IWC) LGA. This frontage has a pedestrian safety fence to guide the students toward the traffic signal to cross the road. The south side of Georges River Road is in the Canterbury Bankstown Council (CBC) LGA and there is no pedestrian safety fence. I have had several parents raise concerns over the safety with children crossing the road without using the signal crossing.

### **FINANCIAL IMPACT**

---

There will be no financial impact of this motion as this involves writing a letter

### **CHIEF EXECUTIVE OFFICER'S COMMENT**

---

There is no financial impact of the motion as written.





---

## Notice of Motions & Questions With Notice - 28 February 2023

---

### ITEM 10.15

### Kingsgrove Public School - Pedestrian Safety Investigation

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

“That Council urgently investigate the placement of a pedestrian crossing for Kingsgrove Public School or other action to improve the safety for students.”

### BACKGROUND

---

There is an existing crossing outside the Kingsgrove North High school on St Albans Road.

Unfortunately, the pedestrian crossing is not located near the access gates to the school which is creating safety issues with students not using the crossing resulting in near misses with motor vehicles. I would like Council to work with the School to investigate improving the safety for students accessing the school.

### FINANCIAL IMPACT

---

As this is just an investigation I don't expect this will have any significant costs and that this cost could be met from the operational budget.

### CHIEF EXECUTIVE OFFICER'S COMMENT

---

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



## **11        CONFIDENTIAL SESSION**

### **11.1   Extinguishment of Easement - 5 Prince Street Picnic Point**

# **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 Item 11.1 in confidential session for the reason indicated:

#### **Item 11.1 Extinguishment of Easement - 5 Prince Street Picnic Point**

*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.*