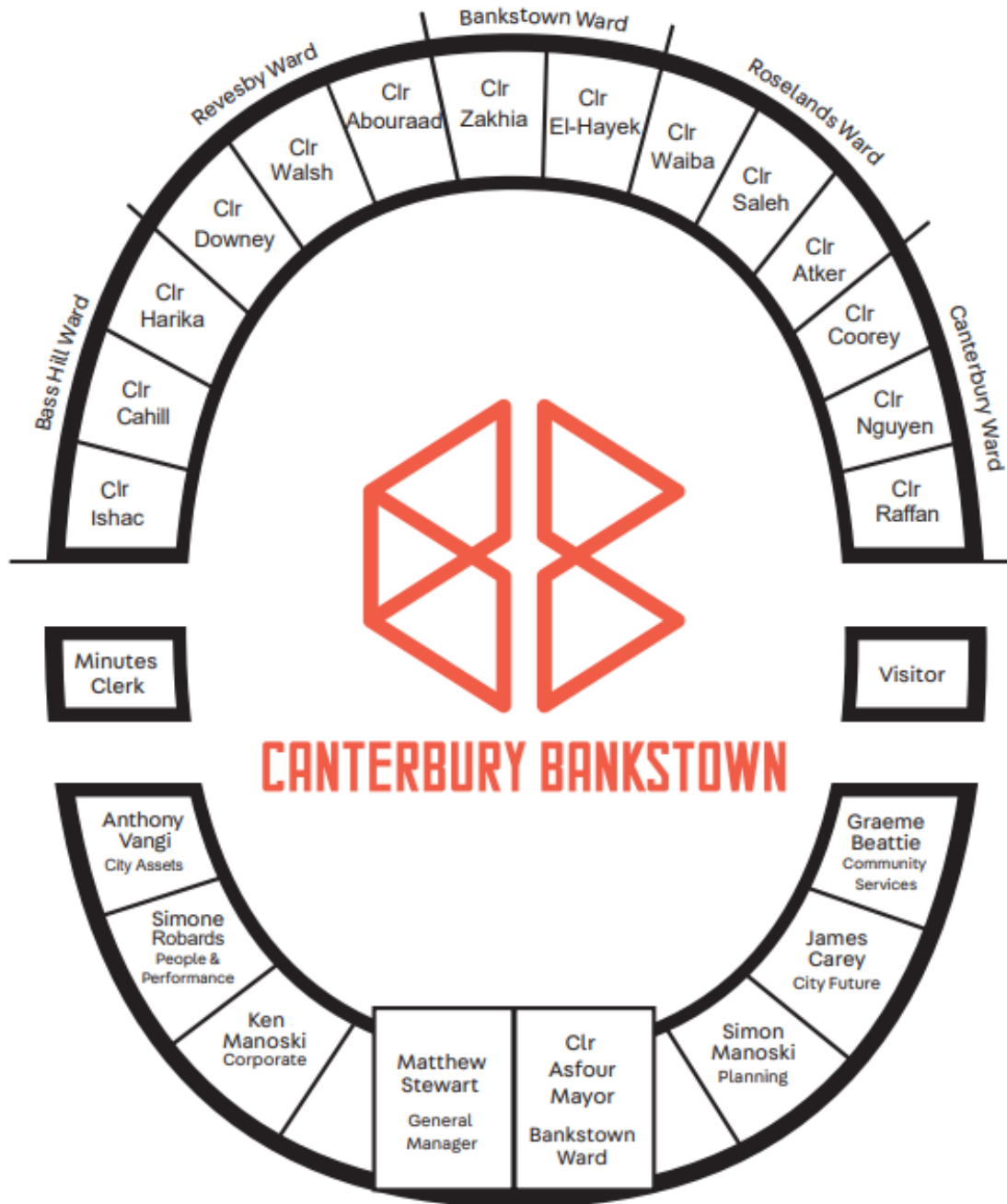




AGENDA FOR THE ORDINARY MEETING

22 February 2022

Gallery



Statement of Ethical Obligations

Oath or Affirmation of Office

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

Conflicts of Interest

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

ORDER OF BUSINESS

1	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	5
1.1	Minutes of the Ordinary Meeting of Council of 22 November 2021	7
1.2	Minutes of the Ordinary Meeting of Council of 24 December 2021	17
2	LEAVE OF ABSENCE.....	21
3	DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST.....	23
4	MAYORAL MINUTES	25
4.1	Albert Bert Collins	27
4.2	Auditors Report	29
4.3	Contributions	31
4.4	Events February	33
4.5	Demerger Business Case Underway	35
4.6	Local Community Based Donations	37
5	PLANNING MATTERS	39
5.1	Report on Council's Performance in the Assessment of Development Applications for the second quarter of the 2021/22 financial year, Clause 4.6 Variations Approved for the second quarter of the 2021/22 financial year and Planning Related Legal Appeals	41
5.2	Development contributions planning - Council submission on exhibited infrastructure contributions reforms	47
5.3	Submission to the NSW Parliamentary Inquiry into the planning and delivery of school infrastructure	59
6	POLICY MATTERS.....	65
6.1	Corporate Governance Policies	67
7	GOVERNANCE AND ADMINISTRATION MATTERS	75
7.1	Disclosure of Interest Returns	77
7.2	Council Advisory Committees, Working Groups and membership of other Committees/Groups	79
7.3	Cash and Investment Report as at 31 January 2022, 31 December 2021 and 30 November 2021	85
7.4	Review of the 2018-22 Delivery Program and 2021/22 Operational Plan and Budget to 31 December 2021	93
7.5	Additional LGNSW Conference Motion	99
8	SERVICE AND OPERATIONAL MATTERS	103

9	COMMITTEE REPORTS	105
9.1	Minutes of the Audit Risk and Improvement Committee Meeting held 8 December 2021	107
9.2	Minutes of the Traffic Committee Meeting held on 8 February 2022	109
10	NOTICE OF MOTIONS & QUESTIONS WITH NOTICE	111
10.1	Notice of Motions	113
10.2	Speed Cameras - Councillor Bilal El-Hayek	115
10.3	Bulldogs - Councillor Bilal El-Hayek	117
10.4	Dedicated Tree - Councillor Clare Raffan	119
10.5	Footpaths and Cycleways Funding - Councillor Linda Downey	121
10.6	Rare Disease Day - Councillor Linda Downey	123
10.7	Iluka Street and Endeavour Place Riverwood - Councillor Karl Saleh	125
10.8	CCTV for Compliance - Councillor Karl Saleh	127
10.9	Ramadan Decorations - Councillor Karl Saleh	129
10.10	Emerging Communities Resource Centre (ECRC) - Councillor Karl Saleh	131
10.11	Town Centre Engagement - Councillor Karl Saleh	133
11	CONFIDENTIAL SESSION.....	135
11.1	SSROC T2020-09 Sustainable Pavements - Road Construction Material and Related Services	
11.2	T35-22 Padstow Park Synthetic Field - Design and Construction	
11.3	T39-22 Kelso Park North Clubhouse and Amenities Building and Sportsfield Upgrade	

1 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The following minutes are submitted for confirmation -

- 1.1 Minutes of the Ordinary Meeting of Council of 22 November 2021 7
- 1.2 Minutes of the Ordinary Meeting of Council of 24 December 2021.....17

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 NOVEMBER 2021

PRESENT: His Worship the Mayor, Councillor Asfour
Councillors El-Hayek, Ishac, Raffan, Zakhia, Waud, Downey, Eisler, Saleh,
Madirazza, Harika, Tuntevski

PRESENT BY AUDIO
VISUAL LINK: Nil

APOLOGIES Councillors Huda and Kuskoff

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.10 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.

REF: **CONFIRMATION OF MINUTES**
(1491) **CLR. ZAKHIA:/CLR. DOWNEY**

RESOLVED that the minutes of the Ordinary Council Meeting held on 26 October 2021 be adopted.

- CARRIED

SECTION 2: **LEAVE OF ABSENCE**
(1492) **CLR. EL-HAYEK:/CLR. TUNTEVSKI**

RESOLVED that Leave of Absence be granted to Councillors Huda and Kuskoff due to personal reasons.

- CARRIED

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

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 NOVEMBER 2021

SECTION 4: MAYORAL MINUTES

ITEM 4.1 AUSTRALIA DAY HONOURS 2022
(1493) CLR. ASFOUR

RESOLVED that;

1. Council seek nominations for the following Australia Day honours categories;
 - Citizen of the Year;
 - Young Citizen of the Year;
 - Volunteer of the Year;
 - Community Organisation of the Year; and
 - Jack Munday Environment and Heritage Award.
2. The winners of the awards be announced at the Australia Day Ceremony.

- CARRIED

ITEM 4.2 COUNCIL ACHIEVEMENTS
(1494) CLR. ASFOUR

RESOLVED that the Mayoral Minute be received

- CARRIED

ITEM 4.3 THANK YOU
(1495) CLR. ASFOUR

RESOLVED that on behalf of Councillors and staff, Councillors Linda Eisler, Nadia Saleh, Glen Waud, Steve Tuntevski, Alex Kuskoff, Philip Madirazza and Mohammad Huda be thanked for their support and dedication to serving our City.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 NOVEMBER 2021

ITEM 4.4
(1496) **MAYORS CHRISTMAS MESSAGE**
CLR. ASFOUR

RESOLVED that Council wish all Canterbury Bankstown residents, staff and their families a safe and Merry Christmas and a Happy New Year.

- CARRIED

SECTION 5: **PLANNING MATTERS**

ITEM 5.1
(1497) **REPORT ON COUNCIL'S PERFORMANCE IN THE ASSESSMENT OF DEVELOPMENT APPLICATIONS FOR THE FIRST QUARTER OF THE 2021/22 FINANCIAL YEAR, CLAUSE 4.6 VARIATIONS APPROVED FOR THE FIRST QUARTER OF THE 2021/22 FINANCIAL YEAR AND PLANNING RELATED LEGAL APPEALS**
CLR. DOWNEY:/CLR. ZAKHIA

RESOLVED that the report be noted.

- CARRIED

SECTION 6: **POLICY MATTERS**

Nil

SECTION 7: **GOVERNANCE AND ADMINISTRATION MATTERS**

(1498) **CLR. ZAKHIA:/CLR. TUNTEVSKI**

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Governance and Administration matters with the exception of Item 7.5.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 NOVEMBER 2021

- ITEM 7.1** **QUARTERLY REVIEW OF THE 21/22 OPERATIONAL PLAN AND BUDGET TO 30 SEPTEMBER 2021**
- (1499)** **CLR. ZAKHIA:/CLR. TUNTEVSKI**
- RESOLVED that
1. Council note the quarterly progress report of the 2021/22 Operational Plan to 30 September 2021.
 2. The quarterly review of the 2021/22 Budget as outlined in this report be adopted.
- CARRIED
-
- ITEM 7.2** **CODE OF MEETING PRACTICE - 2022 SCHEDULE OF MEETINGS**
- (1500)** **CLR. ZAKHIA:/CLR. TUNTEVSKI**
- RESOLVED that the 2022 Schedule of Council Meetings be adopted.
- CARRIED
-
- ITEM 7.3** **CODE OF CONDUCT COMPLAINTS REPORT**
- (1501)** **CLR. ZAKHIA:/CLR. TUNTEVSKI**
- RESOLVED that the information be noted.
- CARRIED
-
- ITEM 7.4** **CBCITY 2028 - END OF TERM REPORT 2017-2021**
- (1502)** **CLR. ZAKHIA:/CLR. TUNTEVSKI**
- RESOLVED that the 2017-2021 End of Term Report be noted.
- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 NOVEMBER 2021

ITEM 7.5 **2020/21 ANNUAL FINANCIAL REPORTS**
MS RIEKY JIANG OF AUDIT NSW ADDRESSED COUNCIL

(1503) **CLR. TUNTEVSKI:/CLR. EISLER**

RESOLVED that

1. Council note the 2020/21 Annual Financial Reports and Auditor Reports.
2. Any submissions received and proposed actions relating to those submissions will be reported back to Council at the next Ordinary Meeting, if required.
3. Copies of all submissions received will be referred to Council's External Auditor.

- CARRIED

COUNCILLOR HARIKA TEMPORARILY VACATED THE CHAMBER AT 6.32PM AND RETURNED AT 6.36PM.

ITEM 7.6 **CASH AND INVESTMENT REPORT AS AT 31 OCTOBER 2021**

(1504) **CLR. ZAKHIA:/CLR. TUNTEVSKI**

RESOLVED that

1. The Cash and Investment Report as at 31 October 2021 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

SECTION 8: **SERVICE AND OPERATIONAL MATTERS**

Nil

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 NOVEMBER 2021

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 9 NOVEMBER 2021

MOTION CLR. HARIKA:/CLR. TUNTEVSKI

That the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 9 November 2021, be adopted.

AMENDMENT CLR. RAFFAN:/CLR. EISLER

That

1. The recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 9 November 2021, be adopted.
2. Sydney Metro door knock, with language support officers, directly affected business and/or residents to inform them of the proposed changes to on-street parking between 26 December 2021 and 10 January 2022 at the eight rail stations. Evidence of the engagement and community concerns be brought back Council by 12 December 2021.

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION

AMENDMENT CLR. EL-HAYEK:/CLR. TUNTEVSKI

That

1. The recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 9 November 2021, be adopted.
2. Sydney Metro door knock, with language support officers, directly affected business and/or residents to inform them of the proposed changes to on-street parking between 26 December 2021 and 10 January 2022 at the eight rail stations. Evidence of the engagement and community concerns be brought back to Council by 12 December 2021.
3. The Traffic Committee investigate time limiting the hours of operation of the recently installed no right hand turn on Waterloo Road, Greenacre into Banksia Road Public School.

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 NOVEMBER 2021

(1505)

CLR. EL-HAYEK:/CLR. TUNTEVSKI

RESOLVED that

1. The recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 9 November 2021, be adopted.
2. Sydney Metro door knock, with language support officers, directly affected business and/or residents to inform them of the proposed changes to on-street parking between 26 December 2021 and 10 January 2022 at the eight rail stations. Evidence of the engagement and community concerns be brought back to Council by 12 December 2021.
3. The Traffic Committee investigate time limiting the hours of operation of the recently installed no right hand turn on Waterloo Road, Greenacre into Banksia Road Public School.

- CARRIED

SECTION 10:

NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

ITEM 10.1

NOTICE OF MOTIONS

(1506)

CLR. ZAKHIA:/CLR. ISHAC

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2

RED-LIGHT SPEED CAMERA MILPERRA

(1507)

CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that Council make the necessary representations to TfNSW for the prioritisation for a red-light speed camera at the intersection of Henry Lawson Drive and Pozieres Avenue, Milperra.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 NOVEMBER 2021

ITEM 10.3
(1508)

THANK YOU

CLR. EISLER:/CLR. RAFFAN

RESOLVED that Councillor Eisler would like to acknowledge every member of Canterbury Bankstown Council's Staff for their efforts in supporting Councillors, Residents and Community. They serve our current needs and work towards the future of CBCity.

Their hard work and commitment to innovation and progress means that not only the traditional basic services like Roads, Rates and Rubbish issues are resolved, but also envision the directions we need to go to be a resilient, sustainable, healthy, and attractive city.

Their efforts are often not recognised or understood by the community they serve so I would like my last Council Motion to be one recognising that commitment.

Thankyou Canterbury Bankstown Council staff. Your commitment and dedication are appreciated.

- CARRIED

ITEM 10.4
(1509)

NSW ELECTORAL COMMISSION

CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that Council call on the NSW Government to immediately provide additional/necessary funding to the NSW Electoral Commission to appropriately and efficiently carry out their legislative requirements.

COUNCILLOR TUNTEVSKI TEMPORARILY VACATED THE CHAMBER AT 6.59PM AND RETURNED AT 7.01PM.

COUNCILLOR MADIRAZZA TEMPORARILY VACATED THE COUNCIL CHAMBER AT 7.01PM AND RETURNED AT 7.03PM.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 NOVEMBER 2021

ITEM 10.5 **NSW SENIOR AUSTRALIAN OF THE YEAR**
(1510) **CLR. EL-HAYEK:/CLR. DOWNEY**

RESOLVED that Council acknowledge and congratulate the President of the Islamic Women's Welfare Association, Ms Abl Kadous as the recipient of the NSW Senior Australian of the year 2022. The 72-year old has been recognised for her outstanding commitment and tireless work on behalf of Muslim women in our City.

- CARRIED

ITEM 10.6 **DUAL NAMING OF SUBURBS IN CBCITY WITH ABORIGINAL NAMES**
(1511) **CLR. DOWNEY:/CLR. TUNTEVSKI**

RESOLVED that Council investigate the feasibility of dual naming suburbs in the Canterbury Bankstown Local Government area with Aboriginal names.

- CARRIED

SECTION 11: **CONFIDENTIAL SESSION**

(1512) **CLR. EL-HAYEK:/CLR. DOWNEY**

RESOLVED that

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

Item 11.1 Transport for NSW M5 / Westconnex Motorway Project –
Proposed compulsory freehold acquisition of Council-owned land

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.

- CARRIED

COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.43PM AND REVERTED BACK INTO OPEN COUNCIL AT 7.47PM

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 NOVEMBER 2021

ITEM 11.1 **TRANSPORT FOR NSW M5 / WESTCONNEX MOTORWAY PROJECT – PROPOSED
COMPULSORY FREEHOLD ACQUISITION OF COUNCIL-OWNED LAND**

(1513) **CLR. EL-HAYEK:/CLR. DOWNEY**

RESOLVED that

1. The report be noted.
2. The General Manager be authorised to negotiate and finalise the matter, as required.
3. The Mayor and General Manager be delegated authority to sign all documentation under the Common Seal of Council, as required.

- CARRIED

THE MEETING CLOSED AT 7.48 PM

Minutes confirmed 22 FEBRUARY 2022

.....
Mayor

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 DECEMBER 2021

PRESENT:

Councillors Abouraad, Akter, Asfour, Cahill, Coorey, Downey, El-Hayek, Harika, Ishac, Nguyen, Raffan, Saleh, Waiba, Walsh

**PRESENT BY AUDIO
VISUAL LINK**

Councillor Zakhia

APOLOGIES

Nil

Prior to the commencement of the meeting, the General Manager conducted an election for Chairperson in accordance with Council's Code of Meeting Practice.

COUNCILLOR ASFOUR WAS ELECTED CHAIRPERSON

THE CHAIRPERSON DECLARED THE MEETING OPEN AT 12.05PM

COUNCILLORS ATTENDING REMOTELY

(1)

CLR. ISHAC:/CLR. ABOURAAD

RESOLVED that permission be granted to Councillor Zakhia to attend the meeting remotely by zoom.

- CARRIED

ACKNOWLEDGEMENT OF COUNTRY

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

SECTION 1:

LEAVE OF ABSENCE

Nil

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 DECEMBER 2021

SECTION 2: DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST

Nil

SECTION 3: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 3.1 OATH OR AFFIRMATION OF OFFICE BY COUNCILLORS

(2) CLR. ISHAC:/CLR. EL-HAYEK

RESOLVED that the report be noted.

- CARRIED

ITEM 3.2 MAYORAL ELECTION - DECEMBER 2021 TO SEPTEMBER 2023

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

RESOLVED that

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

THE CHAIRPERSON VACATED THE CHAIR. THE GENERAL MANGER ASSUMED THE ROLE OF THE RETURNING OFFICER.

THE RETURNING OFFICER CALLED FOR NOMINATIONS IN WRITING FOR THE OFFICE OF THE MAYOR FOR THE PERIOD DECEMBER 2021 TO SEPTEMBER 2023.

THE FOLLOWING NOMINATIONS WERE RECEIVED:

CLR ISHAC

CLR ASFOUR

AN OPEN BALLOT WAS CONDUCTED BY THE RETURNING OFFICER WHICH RESULTED AS FOLOWS:

CLR ISHAC 5 VOTES

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 DECEMBER 2021

CLR ASFOUR 10 VOTES

THE RETURNING OFFICER THEN DECLARED CLR ASFOUR ELECTED TO THE OFFICE OF MAYOR FOR THE PERIOD DECEMBER 2021 TO SEPTEMBER 2023.

AT THIS STAGE HIS WORSHIP THE MAYOR CLR ASFOUR ASSUMED THE CHAIR.

- CARRIED

ITEM 3.3 ELECTION OF DEPUTY MAYOR
(4) CLR. DOWNEY:/CLR. WALSH

RESOLVED that

- 1. Council elect a Deputy Mayor for the period December 2021 to September 2022.**
- 2. The fee for the Deputy Mayor be set at 15% of the Mayoral fee per annum for the term of office.**
- 3. In accordance with Section 7 of the Local Government (General) Regulation 2021, the General Manager, as the Returning Officer be requested to administer the Election of the Deputy Mayor.**
- 4. In the event that there be more than one (1) nomination the method of voting be open voting.**

THE RETURNING OFFICER CALLED FOR NOMINATIONS IN WRITING FOR THE OFFICE OF THE DEPUTY MAYOR FOR THE PERIOD DECEMBER 2021 TO SEPTEMBER 2022.

THE FOLLOWING NOMINATIONS WERE RECEIVED:

CLR ABOURAAD

CLR EL-HAYEK

AN OPEN BALLOT WAS CONDUCTED BY THE RETURNING OFFICER WHICH RESULTED AS FOLLOWS:

CLR ABOURAAD 5 VOTES

CLR EL-HAYEK 10 VOTES

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 DECEMBER 2021

THE RETURNING OFFICER THEN DECLARED CLR EL-HAYEK ELECTED TO THE OFFICE OF DEPUTY MAYOR FOR THE PERIOD DECEMBER 2021 TO SEPTEMBER 2023.

- CARRIED

ITEM 3.4 2021 LOCAL GOVERNMENT ELECTION - CASUAL VACANCY IN CIVIC OFFICE - COUNTBACK OPTION

(5) CLR. DOWNEY:/CLR. ISHAC

RESOLVED that

Pursuant to section 291A(1)(b) of the Local Government Act 1993, Council declares that casual vacancies occurring in the office of a councillor within 18 months after the last ordinary election of councillors for the Council on 4 December 2021 are to be filled by a countback of votes cast at that election for the office in accordance with section 291A of the Act and directs the General Manager to notify the NSW Electoral Commission of the Council's decision within 7 days of the decision.

- CARRIED

THE MEETING CLOSED AT 1.07 P.M

Minutes confirmed 22 FEBRUARY 2022

.....
Mayor

2 LEAVE OF ABSENCE

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

4 MAYORAL MINUTES

The following items are submitted for consideration -

4.1	Albert Bert Collins	27
4.2	Auditors Report	29
4.3	Contributions	31
4.4	Events February	33
4.5	Demerger Business Case Underway	35
4.6	Local Community Based Donations	37

Mayoral Minutes - 22 February 2022

ITEM 4.1

Albert Bert Collins

Councillors,

Anzac Day won't quite be the same this year, with the passing of one of Australia's oldest surviving World War II veterans, Albert "Bert" Maurice Collins.

Our "Bert"a Bankstown resident for more than 70 yearswon't be marching with comrades but I know he will be with them in spirit. . . .sadly, Bert passed away a few weeks ago aged 105, just shy of his 106th birthday. . . .

Men like Bert are rare . . . a selfless, down to earth character, who proudly served his country. . . and our Cityand leaves behind a lasting legacy.

At the age of 16. . . .cadet Collins C243. . . joined the navy, but his time on the high seas was short-lived after he suffered sun stroke and passed out during a parade.

In 1940 he was recalled and joined the 52nd Australian Composite Anti Regiment. . . .where he saw action during my chats with him he spoke vividly of coming under heavy bombardment in New Guinea and leaving behind friends and comrades who never made it.

After the war he took up ballroom dancing. . . . waltzing his way into the State Championships. . . .

Bert was an institution in our City, sharing his experiences with many school children, and was also the face of our Anzac Day ceremonies when we asked residents to stand with Bert during Covid lockdowns.

He was also a lifelong member of the Australian Labor Party.

When Council staff interviewed Bert last year [cb.city/AnzacDay2021](https://www.cb.city/AnzacDay2021) he told them he lived by what his mother instilled in him, as a young boy. . . . never be rude to anyone, never tell lies and always show respect to others. . . . Wise words indeed.

Councillors, as a mark of respect to this great Australian, I resolve Council explores ways of honouring Mr Collins and the legacy he has left for our City.

I now ask you all to be upstanding and join me in a minutes silence.

Mayoral Minutes - 22 February 2022

ITEM 4.2

Auditors Report

Councillors,

The murky waters surrounding the controversial Stronger Communities Fund grants scheme just got murkier!

In case you missed it, the latest slap down coming from the independent and highly regarded NSW Auditor General, Margaret Crawford, who has delivered a scathing report into the NSW Coalition Government's controversial \$252 million councils' grants program. . . .a program which was supposed to assist amalgamated Councils.

Ms Crawford found the program lacked integrity and applied no merit-based assessment when it doled out funds. . . .awarding something like 96 per cent in grants to Councils in Liberal and National held seats.

To put it simply, it was raining dollars in Coalition held areas and a severe drought in labor controlled areas. . . . And who can forget about the \$90m gifted to Hornsby Council. . . .and they didn't even apply for funding.

This was nothing more than a Taxpayer funded slush fund operated and led by the former Premier and her Deputy.. . . shamefuland money to help seduce voters. . . . a Liberal Party slush fund.

Councillors,. . . the ombudsman, an upper house inquiry and now the Auditor General's report lead us to one conclusion justice must be done for our community and I won't stop fighting until we get it.. . .

Tonight, I resolve we write to the NSW Premier to set up the City of Canterbury Bankstown Infrastructure Fund and repay the approximately \$40m owing. . . . over the term of this Council. The funds to be used on infrastructure and open space which will benefit our entire community.

.

Mayoral Minutes - 22 February 2022

ITEM 4.3

Contributions

Councillors,

You have just heard me highlighting the Auditor General's report and the confirmation the Government used grant funding earmarked for our City, as a slush fund to prop up Liberal/National Party seats.

Well, it appears the NSW Liberal Government has learned nothing, and is trying to set up another slush fund by stealth.

That's right!

A slush fund under the guise of the Regional Infrastructure Contribution. . . . that's where the Government collects contributions from most new local dwellings and diverts it into the Treasury coffers to spend on infrastructure.

But what this sneaky Government is not headlining, is the fact that they can spend this funding COLLECTED FROM OUR CITY. on infrastructure projects across the broader region. it really is shameful behaviour.

Councillors, in a detailed report presented to Council tonight, you will read about the impact on Council, families and the community.

You will see quite clearly that there are no guarantees that the funds collected from this regressive tax will benefit our City. In fact, the only guarantee is that the NSW Government will have an open chequebook and the authority to splash the cash wherever they like in the region. This planning manoeuvre is nothing but a rort and must be called out as a rort.

What also needs to be highlighted is that Councils will lose their ability to strategically invest these contributions and have no say in determining expenditure.

Councillors, I will continue campaigning against this unfair new tax and urge you all to support Council's submission to the Planning Department.

Mayoral Minutes - 22 February 2022

ITEM 4.4 Events February

Councillors,

Where interesting Happens!

That's our City's marketing pitchand tonight, I'm going to share just some of the "interesting" that differentiates our LGA from the rest.

And, when I refer to interesting, I'm referring in this instance, to the many events we have running, or have planned. . . .Events which will bring the community together through culture, education, food and entertainment but more importantly, events which will support local businesses by injecting millions of dollars back into the local economy.

One of the biggest events we are planning. . . . and I refer to it as our signature event. . . .is Ramadan Nights Lakemba. . . .a cultural celebration which attracts more than 250,000 people, not only locals, but many others from around Australia and the world. . . .an event we were forced to cancel for the past two years because of the COVID Pandemic. . . .

Councillors, I want to see this event grow and become an important cultural festival. not only for its cultural significance within the communitybut for the many visitors and the financial benefits they will bring to our local businesses.

I can reveal tonight, I have held discussions with the NSW Minister for Multiculturalism, the CEO of Multicultural NSW and others with the view of partnering with them to financially support the event. A detailed proposal has been prepared and sent to the Minister in which we seek a contribution of 40 per cent of the total cost. . . . that money will go a long way in ensuring its viability and enable Council to harness its potential.

I will add the Minister was very keen and indicated he wanted to help. Fingers crossed.

But that is just one event Council has thrown its support behind in an effort to stimulate the local economy across the entire City.

We have continued our promotion of Eat Local and visit local. . . .we've just hosted the first Muslim Writers' Festival . . . and what a success and what about the night noodle markets at Campsie. . . .And it's not all about food. . . .the Sydney Symphony orchestra playing the classical greats at Paul Keating Park . . . and the upcoming Movies Under The Stars across the cityWe are also expecting huge numbers at the Aussie night markets every Thursday.

Other events coming are CBEVOLVE, the Bankstown Bites food festival and our huge Festival of Place event. . . .which is in the planning and more details will be released in coming weeks. Councillors, as you can clearly see we are playing an important role in trying to stimulate the local economy and support our local businesses through some of these events. . . . but there is more we can do.

So tonight, I resolve Council prepares a list of any further support, incentives, or initiatives which I can take to the Premier and any relevant Ministers to seek the support needed on the ground throughout our community to recover and thrive.

Mayoral Minutes - 22 February 2022

ITEM 4.5 Demerger Business Case Underway

Councillors,

May 12, 2016 was a significant day in our City's history. . . that's the day the former Canterbury and former Bankstown Councils were forced . . . yes, forced. . . to amalgamate by the NSW Coalition Government.

A forced marriage that was built on shaky grounds and went ahead despite the protestations of thousands of people. . . And let me make it clear tonight, I was one of those voices that spoke out loudly against the merger. . . .

And the story was repeated across NSW with the Government proceeding with amalgamations in 19 out of 35 LGAs.

Councillors, at our previous meeting on Christmas Eve, you would have heard the "D" word being bandied about several times. . . . I refer to demerger, or de-amalgamation. . . .

And since that meeting, I have heard the message from a few of you that this was one of the issues raised across your Wards during the recent Council elections.

For those of you following Council meetings, the talk of de-amalgamation is nothing new.

In fact, Councillor Downey, moved a motion, here in this very chamber in July last year, calling on Council to obtain independent advice analysing the relevant considerations of de-amalgamating and re constituting both former Councils.

And that motion was passed unanimously!

Councillor Downey laid the foundations for not only us as Councillors. . . but the rest of the community, so we can all make an informed decision in the best interests of our community. . . at the appropriate time. . . based on facts, and not raw emotion. . . .

By way of update, Council has already started the ball rolling and engaged an external consultant. . . . and started work on building a framework. This report will examine all of the considerations the community expect us to consider in reconstituting the former councils, things like the short and long-term costs and impacts on residents and the communities we live in and represent.

What we must all understand is that this work is something which will take time to pull together and does not come together overnight. . .

In fact, what hasn't helped, is the State Government dragging its feet when it comes to releasing their guidelines, rules and relevant information, which we have been told we must conform with in compiling our business case to demerge...

Councillors, what we must remember . . . and as Councillor Downey also articulated in July 2021 . . . was this Government was hellbent on forcing through amalgamations at any cost. . . grossly negligent, lacking in public accountability and with a complete disregard for residents and their staunch opposition.

And, I will further add ignoring the fact the former Bankstown Council was lauded as being a Council fit for the future. . . . but not the same can be said about the former Canterbury Council.

Councillors, the issue of de-amalgamation is already being addressed by this Council and we don't need to reinvent the wheel . . . but rather we must pursue the NSW Government to finalise its rules so we can get on with it.

Tonight, I resolve that we write to the NSW Minister for Local Government calling on her to release the guidelines and or relevant information, so that Council can consider this with both an open mind and our communities' best interest at the heart.

Mayoral Minutes - 22 February 2022

ITEM 4.6

Local Community Based Donations

The following community-based organisation has approached Council for financial assistance.

Cooks River Parkrun

The Cooks River and Panania Parkrun run free community events and are about to celebrate their 6th and 7th Anniversary respectively. They have asked for financial assistance in the amount of \$1200 to run their Parkrun events at Saint Mary Mackillop Reserve and Field of Dreams.

Tales of Homeland

Life matters are hosting an event Tales of Homeland at the Bryan Brown Theatre on 26 March 2022 which celebrates the heritage of the Palestinian People. The event will include a theatrical production called Zareef & Ataba that showcases the matrimonial celebrations of two young Palestinians, together with an event called Beyond the Walls, which details the history of Palestine through the imagery of significant events. The cost of hiring the Bryan Brown Theatre is \$2,724.50. It is recommended Council donate \$500 towards these costs.

RECOMMENDATION

1. Council support Parkrun Australia for the Cooks River and Panania Parkrun with a \$1200 donation.
2. Council support the Tales of Homeland event with a \$500 donation.
3. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

5 PLANNING MATTERS

The following items are submitted for consideration -

- | | | |
|-----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 5.1 | Report on Council's Performance in the Assessment of Development Applications for the second quarter of the 2021/22 financial year, Clause 4.6 Variations Approved for the second quarter of the 2021/22 financial year and Planning Related Legal Appeals | 41 |
| 5.2 | Development contributions planning - Council submission on exhibited infrastructure contributions reforms | 47 |
| 5.3 | Submission to the NSW Parliamentary Inquiry into the planning and delivery of school infrastructure | 59 |

Planning Matters - 22 February 2022

ITEM 5.1 **Report on Council's Performance in the Assessment of Development Applications for the second quarter of the 2021/22 financial year, Clause 4.6 Variations Approved for the second quarter of the 2021/22 financial year and Planning Related Legal Appeals**

AUTHOR **Planning**

PURPOSE AND BACKGROUND

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

1. Performance for processing of development applications for the first two quarters of the 2021/22 financial year;
2. Development applications approved with a Clause 4.6 Variation for the second quarter of the 2021/22 financial year; and
3. Planning related legal appeals currently before the Land and Environment Court.
4. Active Planning Proposals.

RECOMMENDATION

That the report be noted.

ATTACHMENTS [Click here for attachments](#)

- A. List of applications approved with a Clause 4.6 variation for Q2 of the 2021/22 financial year
- B. List of planning related court appeals as of 31 January, 2022
- C. Active Planning Proposals

POLICY IMPACT

This matter has no policy implications.

FINANCIAL IMPACT

This matter has no financial implications.

COMMUNITY IMPACT

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

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

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

DETAILED INFORMATION

1. DEVELOPMENT APPLICATIONS

Processing of development applications for the first two quarters of the 2021/22 financial year

For the first two quarters of the 2021/22 financial year, Council determined 451 development applications and 168 Section 4.55 applications (applications to modify a development consent), with a total capital investment value of approximately \$817,599,007. The median gross determination times for all development applications was 56 days, which is an improvement over the previous financial year figure of 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 2021/22 financial year, a total of 6 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 31 January, 2022. The attached list identifies a total of 16 appeals. It is worth noting that of all the appeals on the attached list, four relate to the redevelopment of the "Riverlands" site.

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

2. PLANNING PROPOSALS

At its Ordinary Meeting on 8 December 2020, Council resolved to receive a regular report detailing all Planning Proposals. The section below provides Council an outline of the Planning Proposals currently before Council and at what stages of the Planning Proposal process each is at. Planning Proposals are considered by the Canterbury Bankstown Local Planning Panel with the Panel advice being forwarded to Council for its consideration with exception of planning proposals that correct obvious errors, are minor in nature or that the General Manager 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 10 Planning Proposals in progress which are outlined in the attachment to this report (and divided into stages in Figure 1 below). In addition, four private proposals are related to Council's master planning program and are located within the Campsie and Lakemba Precincts.

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

One of Council's Planning Proposals is with the Department of Planning and Environment to be finalised and two have received Gateway approval to proceed to exhibition.



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

Public Space Legacy Program

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

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

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

On 1 October 2021, Council received a letter from the Department proposing a variation to the funding agreement to allow an additional 18 months to the timeframe for exhibiting the planning proposals. Council has agreed to the variation, and the updated timing is outlined in the table below.

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

ITEM 5.2 Development contributions planning - Council submission on exhibited infrastructure contributions reforms

AUTHOR Planning

PURPOSE AND BACKGROUND

This report outlines the staff submission on the *Infrastructure Contributions Reforms* exhibited by the Department of Planning and Environment in October 2021, and seeks Council endorsement of the submission.

ISSUE

Development contributions are levies applied to new development by councils and the State Government. The contributions fund new or improved infrastructure needed to address the additional demand created by the development. The legal framework enabling development contributions is the *NSW Environmental Planning and Assessment Act 1979*.

Councils levy contributions through development contributions plans. Three development contributions plans apply in Canterbury Bankstown and generate approximately \$13 million in income annually, primarily from new residential development. The contributions fund local infrastructure such as parks, pools, roads and libraries. State government contributions fund state or regional facilities, such as highways and hospitals.

Over the past several years, the NSW government has been reviewing the contributions planning process. In June 2021, the State Government introduced the Draft *Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021* into the NSW Parliament. The Draft Bill proposes significant changes to the contributions planning system. Council did not support most of the proposed reforms due to the potential adverse financial and infrastructure impacts and the lack of consultation and detail underpinning the reforms.

A Parliamentary Inquiry into the Draft Planning Bill recommended it '*not proceed, until the draft regulations have been developed and released for consultation and the reviews into the rate pegging system, benchmarking and the essential works list have been published by the Independent Pricing and Regulatory Tribunal*'.

In October 2021, the NSW Department of Planning and Environment exhibited for public comment 13 documents supporting the Draft Planning Bill. The package included draft Regulations, Ministerial Directions and practice notes. The Independent Pricing and Regulatory Tribunal also exhibited a review report regarding essential local infrastructure and benchmark costings for that infrastructure.

The exhibited proposed reforms included limiting the range and value of local infrastructure which may be funded, applying regional infrastructure contributions to new development and increasing rates for contributions made under section 7.12 of the Act.

Council officers submitted responses to both exhibitions on 10 December 2021. The submissions did not support most of the proposed amendments. Due to the recent Council election, the Department of Planning and Environment has given the new Council until late February 2022 to endorse or amend the staff technical response to the *Infrastructure Contributions Reforms* exhibition.

A summary of the key issues raised in the Council staff submission can be found in the Detailed Information section of this report.

RECOMMENDATION

That Council endorse the submission to the Department of Planning and Environment's *Infrastructure Contributions Reforms* exhibition, as provided in Attachments A and B to this report.

ATTACHMENTS [Click here for attachments](#)

- A. Staff Cover Letter Submission to DPIE on Infrastructure Contributions Reforms, 10 Dec 2021
- B. Staff Detailed Submission to DPIE regarding Infrastructure Contributions Reforms, 10 December 2021
- C. List of and links to exhibited DPIE infrastructure contribution reforms documents
- D. Financial Impact Analysis of Reforms by GLN Consulting: "Infrastructure contributions reforms: Income Scenario Modelling", January 2022

POLICY IMPACT

The proposed *Infrastructure Contributions Reforms* would have policy impacts on our future development contributions plans by prescribing the types and value of local infrastructure which may be funded under those plans and the methods used to levy contributions.

Background to development contributions at Canterbury Bankstown

Development contributions levied by councils on new development fund additional or improved local infrastructure provided by Council, including parks, libraries, pools and roads. This improved infrastructure is required to meet the additional demand created by the new development.



Contributions fund new or improved local infrastructure provided by Council, such as libraries, roads, footpaths and playgrounds needed for the additional demand created by new development

Development contributions must be levied through a council-adopted contributions plan which has been prepared in accordance with the *Environmental Planning and Assessment Act 1979*, the associated Regulation, and Ministerial Directions. The legislation permits contributions to be levied under sections 7.11 and 7.12 of the Act.

Section 7.11 contributions must demonstrate that a new development generates a need for the infrastructure funded through the contributions plan – this is known as “nexus”. For example, new housing may need improved public parks or footpaths for the additional residents. The contribution rate must represent the new development’s fair share (or apportioned cost) of its need for the new infrastructure. Section 7.11 contributions plans are complex and usually informed by studies of infrastructure needs on issues like recreation, community facilities or transport. Contributions under these plans may be legally challenged. Residential development contributions are capped at \$20,000 per dwelling through a Ministerial Direction.

Section 7.12 contributions are simpler and based on the value of the development. The maximum section 7.12 contribution in Canterbury Bankstown is 1% of the value of the new development works. For example, a new factory costing \$1m would be charged $1\% \times \$1\text{m} = \10k . Section 7.12 contributions can fund any infrastructure, provided there is a basic connection with the new development. Section 7.12 contributions cannot be legally challenged.

The following three development contributions plans apply to Canterbury Bankstown:

Contributions Plan	Contributions type levied
Bankstown Development Contributions Plan 2019	Section 7.11 and section 7.12
Canterbury Development Contributions Plan 2013	Section 7.11 and section 7.12
Canterbury Town Centre and Riverfront Precinct Plan 2011	Section 7.11

Council officers are currently preparing a single consolidated development contributions plan to meet the local infrastructure needs of new development expected to 2036 and to achieve consistency and efficiency in applying contributions across the City. Once prepared, the draft plan will be presented to Council seeking approval for the plan to be exhibited and to enable the community and industry to comment on the draft plan.

Background to the Infrastructure Contributions Reforms

Over the past two years, the NSW Government has been pursuing reform of the contributions planning system and adopted all 29 recommendations of the NSW Productivity Commission's December 2020 Review Report on contributions planning.

In June 2021, the NSW Government introduced a Draft *Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021* into the NSW Parliament, proposing significant changes to the contributions planning system. The draft Bill proposed amending the Environmental Planning and Assessment Act and Regulation and empowering the Minister for Planning to issue Directions on the planning system, including the types and cost of infrastructure which could be funded through s7.11 contributions plans.

Council did not support most of the proposed reforms due to:

- the adverse financial and infrastructure impacts they would have on our community and Council's growth objectives,
- the authority given to the Minister to make further, unspecified changes to contributions planning, which may negatively impact on our community,
- the absence of detail underpinning the reforms, and
- the lack of public consultation before introducing the draft Bill to Parliament.

The NSW Legislative Council's Parliamentary Inquiry into the Draft Bill recommended the Bill *"not proceed, until the draft regulations have been developed and released for consultation and the reviews into the rate pegging system, benchmarking and the essential works list have been published by the Independent Pricing and Regulatory Tribunal"*.

Exhibition of the proposed Infrastructure Contributions Reforms

In October 2021 the then Department of Planning, Industry and Environment (DPIE) exhibited for public comment documents supporting the Draft Planning Bill. The package included 13 documents (including draft Regulations, Ministerial Directions and practice notes).

A summary of the key proposed reforms and the policy implications for Council is shown below:

Proposed reform	Policy Impact
Infrastructure funded under section 7.11 plans to be limited to “essential works” - the types and value of local infrastructure which may be funded would be much more restricted. <i>Note: This provision of the reforms is now deferred for review in July 2025.</i>	This would exclude contributions funding for some works in our current and draft contributions plans (such as libraries, community/cultural facility buildings, aquatic centres and indoor sports centres). Contributions plans from July 2025 may need to comply.
Development exempted from contributions to be increased, to include affordable housing and many State facilities, including schools and public offices	These developments pay contributions under our current plans. This reform would reduce income, potentially requiring either reductions in the capital works programs contained in contributions plans, <u>or</u> , subsidy of new community needs by the existing community/Council <u>or</u> additional pressure on existing facilities.
Reporting of development contributions and affordable housing contributions plans and their delivery status – to be provided annually and appear on the NSW planning portal	Greater emphasis and staff resourcing would be required to monitor and report funds held and expended and the progress of works funded on the NSW planning portal.
Increasing section 7.12 contributions rates to approximately 3% of the development cost (a new dwelling would be charged \$12K, an additional bedroom \$5K and \$15-\$30/sq.m rates would apply to new non-residential development)	Potential for Council to apply this simpler, more flexible plan funding mechanism in future contributions plans instead of section 7.11 contributions. The reform offers scope to fund a much wider range of works without requiring Council co-funding. See also Financial Impacts section of this report.
Significantly increase the analysis and justification required in identifying and costing works included in future section 7.11 contributions plans.	Significantly increases the time and cost to Council when preparing future contributions plans, particularly the justification required.

Review by the Independent Pricing and Regulatory Tribunal

The Independent Pricing and Regulatory Tribunal (IPART) also exhibited a draft Review Report and Local Infrastructure Benchmark costings in October 2021. No extension has been offered to Council to endorse the staff submission on this exhibited reform. The key elements are outlined below as they relate to the DPIE exhibition material.

The IPART Review Report, proposes principles and practices that would limit the type and value of infrastructure funded by section 7.11 contributions to an “essential works list”. The essential works list excludes aquatic and indoor recreation centres, fit out costs for community facilities (including libraries), and any open space improvements beyond “base level embellishment”. If councils sought to deliver higher levels of services, they would need to deliver these through funding from rates, grants or voluntary planning agreements.

The staff submission did not support IPART’s review report recommendations for the following reasons:

- The range of essential works and benchmark costed items is too narrow and do not meet the Canterbury Bankstown community's needs.
- It creates a financially unsustainable funding gap or an infrastructure delivery gap.
- The proposed infrastructure benchmark costs are too low, are based on greenfield sites and do not represent infrastructure costs in established areas such as Canterbury Bankstown.
- The principles approach to identifying infrastructure is uncertain and inefficient.
- The base level embellishment standards proposed for open space are inconsistent with the NSW Government's goals for public places.
- The capital cost of community facilities (including fit out cost) are more relevant to established councils than the land value costs.
- The report relies on State and industry benchmarks for recreation and community facilities which are not available or not quantified.
- The expectations on councils for justifying infrastructure in contributions plans are onerous and unrealistic.
- Council would be faced with uncertainty regarding legal challenges to section 7.11 contributions plan, making it difficult to commit to significant infrastructure projects.

Council adopted submission on exhibited DPIE proposed reforms

Because the contributions reforms were exhibited at the time of NSW local government elections, a Council-adopted submission was not possible. Recognising this, the Department advised that councils could make a staff-prepared technical submission to the Infrastructure Contributions Reform Exhibition by December 2021, followed by a Council endorsed submission by February 2022. This report provides the opportunity for Council to consider the reform material and endorse the staff-prepared submission.

Timeframe for progressing the reforms

While the reforms were originally intended to be implemented by 1 July 2022, the final status of the draft Bill is subject to approval by the NSW Parliament. Additionally, the NSW Government may defer or not pursue the reforms following review of public submissions. The reforms proposing an essential works list limiting the type and value of infrastructure funded, have now been deferred by the Minister for Planning until July 2025.

FINANCIAL IMPACT

The financial impacts of the reforms on Council's operations relate to:

- specific initiatives or process changes (such as limits to the range of facilities which can be funded under section 7.11 plans, indexation and exemptions), and
- impacts on which funding model is chosen for the consolidating contributions plan.

The specific and process-related financial impacts of the reforms are:

Infrastructure contributions Reform	Financial impact
Section 7.11 Plans – a proposed “Essential Works List” to limit the range and value of works which can be funded – <i>Note: this reform</i>	Modelling for the new consolidated contributions plan (currently being drafted) suggests that contribution income could be reduced by up to \$538m. The financial impact would be an unsustainable contributions funding gap, requiring either alternative funding sources or reducing the type and value of works funded. The modelling undertaken has also estimated that

<i>provision has been deferred for review until 1 July 2025</i>	to meet a funding gap of \$300m, the value of rates increase required would be 15.7% per year.
Exempt development to be enlarged to include affordable housing and numerous State developments.	A reduction in income from developments such as affordable housing, public offices and schools would require increasing the contribution rates apportioned to other development, alternative funding or subsidy by Council.
Indexing contribution rates by the Producer Price Index,	This reform would have a positive financial impact by marginally increasing the contributions income achieved through indexation. The Producer Price Index (PPI) is higher than the CPI rate currently used and more accurately reflects the cost to Council of delivering infrastructure.
New reporting requirements relating to contributions held and works delivered	This will increase the cost to Council associated with staff preparing and reporting on contributions and plan deliverables. The contributions plan administration levy may cover part of these costs. Greater emphasis on spending, tracking and reporting contributions will be required.
Regional Infrastructure Contribution (RIC) paid by new development to the State government	Over the next 15 years, approximately \$582m in RIC contributions (comprising \$580m from residential development and \$2m from non-residential development) would be paid from the Canterbury Bankstown community into NSW Treasury. This amount represents significant financial leakage from our local economy. The current proposal is to apply a \$12,000 levy on all new dwellings in addition to any local contributions.
Transitional arrangements for existing and imminent contributions plans.	Financial planning for major capital works projects (such as the \$150m aquatic centres and the \$13m Campsie Community Cultural Hub) may be challenged by the unpredictability associated with review of section 7.11 plans and the possibility that only essential works may be funded after July 2025.

Reforms and future consolidating contributions plan impacts

Modelling of the financial impact of the exhibited contributions reforms has been prepared and is shown at Attachment D to this report. The modelling assesses the implications of the reforms for future contributions plans. The modelling is based on development projections to 2036 and a staff-developed preliminary draft contributions plan works schedule dated 15 December 2021. (Note: the list of infrastructure works is evolving and its final scope and value will be determined by Council. The financial gap analysis will be affected by the finally adopted value of the infrastructure works schedule).

Eight planning-reform related contributions plan scenarios were assessed using three criteria:

1. Income from contributions
2. Funding gap (the difference between the cost of the plan's infrastructure works schedule and the contributions income received), and
3. The simplicity of implementing the plan and its flexibility to fund a broad range of infrastructure needed by the community.

The table at the end of this section summarises the findings of the modelling analysis.

Approach to consolidating contributions plan if reforms are passed

The conclusion of the modelling is that Scenario 3a is considered to provide the best overall balance of forecast income, low funding gap (compared to other scenarios tested), plan simplicity and funding flexibility. This scenario involves applying the Reform's proposed section 7.12 draft rates for the 'Greater Sydney – Central' area. Those contribution rates are:

- \$12,000 for all new dwelling types (e.g. detached dwellings, villas, granny flats)
- \$5,000 for each new bedroom or bed in other types of residential development
- variable square metre rates (\$25-\$40/sq.m) for a range of retail, commercial and industrial developments.

Scenario 4a (a hybrid of section 7.11 contributions for the Bankstown and Campsie centres and section 7.12 contributions for other locations) provides a slightly higher income and slightly smaller funding gap than Scenario 3a. However, scenario 4a would be more complex and provide less funding flexibility. The additional funding that it is forecast to generate (\$8m extra over 15 years) is small compared to the total income over that period (\$739m). The minor additional funding is not considered sufficient to justify the increased complexity and reduced funding flexibility.

With income similar from both scenarios, there are significant other advantages in pursuing a section 7.12 plan approach, compared to the hybrid s7.11/s7.12 approach used in our current contributions plans:

- *Flexibility* - There is greater flexibility in the way that Council would identify and fund works using contributions:
- *Co-funding not required* - Council does not need to find other co-funding sources to provide the infrastructure listed in the contributions plan.
- *Justification not required* - Council would not need to undertake infrastructure needs studies to justify the inclusion of infrastructure items in the contributions plan.
- *No funding gap* - The total value of a section 7.12 plan works program could reflect the total expected income from development – i.e. the plan could avoid a gap.
- *Simplicity* - Contributions plans will be simpler to prepare and explain.

Approach to the consolidating contributions plan if reforms are not passed

If the draft Reform Bill is not passed, the modelling report recommends Council prepare its new consolidating contribution plan based on Scenario 1, namely that:

- section 7.11 contributions are applied to residential development involving additional dwellings or additional population, and
- section 7.12 contributions (at the current maximum 1% of the development cost) are applied to non-residential development and residential alterations and additions.

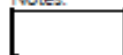
The combined section 7.11 and 7.12 approach (as per Scenario 1) is likely to provide substantially higher income than that achieved from the current section 7.12 approach, which levies a rate of 1% of development cost. This is mainly because income from applying section 7.11 contributions to residential development (up to \$20k for a 3 bedroom dwelling), will be substantially higher than income from applying section 7.12 contributions to residential development (approximately \$5k per 3-bedroom dwelling). While a hybrid section 7.11 and section 7.12 approach will be more complex and less flexible than a solely section 7.12 approach, the additional income would justify applying this approach.

Table below: Analysis of infrastructure reforms impacts on Council's draft consolidating contributions plan: Contributions income and infrastructure works funding gap. (Source: GLN January 2022).

Table 1 Contributions multi-criteria 'heat map' analysis

	Residential development	Non-residential development	Income	Total gap ^b	Simplicity & flexibility
1	s7.11 ^a	s7.12 1%	\$631m	\$329m	Complex
2	s7.11 (EWL only) ^a	s7.12 draft rates ~1%	\$421m	\$538m	Complex
3a	s7.12 draft rates ~3%	s7.12 draft rates ~1%	\$731m	\$228m	Simple
3b	s7.12 draft rates ~3% alts and adds exempt	s7.12 draft rates ~1%	\$634m	\$325m	Simple
4a	s7.11 Bankstown & Campsie	s7.12 draft rates ~1%	\$739m	\$221m	Complex
	s7.12 Remainder draft rates ~3%				
4b	s7.11 Bankstown & Campsie	s7.12 draft rates ~1%	\$641m	\$318m	Complex
	Bankstown & Campsie s7.12 draft rates ~3%, alts and adds exempt				
5a	s7.12 draft Regs +\$3K/dwelling ^d	s7.12 draft rates ~1%	\$900m	\$59m	Simple
5b	s7.12 draft Regs +\$3K/dwelling ^d , alts and adds exempt	s7.12 draft rates ~1%	\$782m	\$177m	Simple

Notes:



(Bold outline) - Levying option subject to passing of draft amendments to EP&A Act

Levying option not currently proposed for Canterbury Bankstown Council (these rates are proposed to apply to Greater Sydney East councils) – Council is seeking this option in its submission to DPIE on the contributions reforms

a Contribution rates (including breakdown into EWL and non-essential works items) as per draft plan schedule as at 15 December 2021. The draft contributions plan works schedule total costs may alter, pending finalisation of the plan.

b Total indexed costs of infrastructure = \$1,074.6m. Approximately \$115.3m in existing contributions funds will be available to help fund new contributions plan projects, thus reducing the total cost to approx. \$959.3m. Total gap for each scenario

COMMUNITY IMPACT

The primary purpose of development contributions is funding infrastructure to meet the needs of new development and ensure the existing community's access to infrastructure is not diminished. The exhibited proposed Infrastructure Contributions Reforms would have a mix of positive and negative impacts on our community, as outlined in the table below:

Proposed reform	Community impact
Increasing section 7.12 contributions rates to approximately 3% of the development cost (a new dwelling would be charged \$12K, an additional bedroom \$5K and for non-residential development rates of \$25 - \$40 per sq.m rates would apply)	A positive impact for the community would occur because a broader range of new or improved community infrastructure could be funded, without requiring co-funding from Council. Greater certainty would permit Infrastructure planning for high cost, city-wide facilities (such as aquatic centres and community cultural hubs) and more flexibility is available under this reform to respond to emerging community needs.
Section 7.11 Plans – a proposed “Essential Works List” to limit the range and value of works which can be funded – <i>Note: this reform provision has been deferred for review until 1 July 2025</i>	A negative community impact would occur, as contributions for works such as libraries, community facility buildings, aquatic centres and indoor sports centres would be excluded. This would require either community funding of the financing gap through increased rates, or not proceeding with facilities, thereby increasing pressure from the occupants of new development on existing facilities and reducing enjoyment by the existing community.
Transitional arrangements - Existing contributions plans and contributions plans exhibited or approved before 1 July 2022 are to be reviewed and re-made prior to 1 July 2024, however councils will be allowed to apply for an extension	Committing to new, high cost, long term capital works programs for community facilities (such as aquatic and cultural centres) would be more difficult due to the unpredictability of contributions income, as the works may not be permitted to be funded beyond the next 3 years. This may result in undersupply of such facilities for the community.
Increased public reporting of contributions plans and affordable housing contributions	Greater transparency would be available for the community regarding contributions plan income and works delivery.
Regional Infrastructure Contributions (RICs) applied to all new development (between \$10k - \$12k per new dwelling and \$15-\$30/sq.m rate for new non-residential development).	This contribution would lead to a leakage of approximately \$582m from our community over 15 years. The RIC levy would have a disproportionately negative impact on lower income households or small businesses and may deter residential redevelopment or investment by the economically disadvantaged.

DETAILED INFORMATION

Councils Submission

The 13 infrastructure reform-related documents exhibited from 29 October to 10 December 2021, address the issues of:

- Regional Infrastructure Contributions
- Land Use Planning, and
- Local contributions reforms

On 10 December 2021 Council officers made a submission (cover letter at Attachment A and detailed submission at Attachment B) on the exhibited material. The three key issues relevant to Council and extracted from our overall submission are:

Issue 1: Council does not support the proposed Regional Infrastructure Contribution.

This involves a new contribution levied by the NSW Government as follows:

- Contribution Rates:
 - Residential development:
 - detached, dual occ, semi-detached, villa/ townhouse) - \$12k per dwg
 - multi dwelling, residential flat buildings, seniors and shop top housing and “build to rent” housing - \$10k per dwg
 - Non-residential
 - Commercial & Retail development- \$30/sq.m new gross floor area (GFA)
 - Industrial development \$15/sq.m new GFA
- Exempt Development – public housing, affordable housing (including hostels), secondary dwellings are exempt from payment.
- Payable on Development Applications and Complying Development for new development
- Expenditure locations – The RIC funds may be spent on providing regional infrastructure outside the council, the Region or even NSW (Refer to proposed clause 7.23(4) of the EP&A Regulation draft Bill).
- Control over expenditure – The RIC funds are managed by Treasury NSW. Expenditure needs the Treasurer’s approval and only consultation with Minister for Planning. No council involvement in determining expenditure.

Council’s submission does not support this proposal for the following reasons:

- The RIC is a regressive tax, which would have a disproportionate and unfair impact on economically disadvantaged communities such as Canterbury Bankstown.
- The RIC fails the Productivity Commission’s principles of making the contributions system ‘more consistent’, as it only applies to four regions within or surrounding metropolitan Sydney, not elsewhere in NSW.
- The RIC fund is not required to be spent in the local government area where collected.
- The infrastructure works schedule on which the RIC is to be spent is determined through a reactive annual process, rather than a strategic, inclusive, process.
- The RIC does not enable councils within the various Greater Sydney Districts to guide expenditure.
- The RIC exempts large scale residential development which may place pressure on regional infrastructure.
- The RIC should exempt Council works.

Issue 2: Council does not support the Ministerial Direction limiting the local infrastructure which may be levied under contributions plans.

The Draft Bill (section 7.17(1)(a)) proposes to permit the Minister to direct the type and value of local infrastructure, which may be levied under local contributions. The Ministerial Direction is to relate to the IPART essential works list, which is the subject of a separate exhibition.

Council does not support this proposal for the following reasons:

- Deferring determination of whether to apply the IPART essential works list to section 7.11 contributions plans until July 2025 leaves councils with medium and long-term uncertainty.
- At least \$300 million worth of infrastructure works identified in Council's draft contributions plans would be unfunded if an essential works list applied.
- An infrastructure deficit would occur, resulting in under provision for our high growth city, most notably in Campsie and Bankstown centres
- Local councils are best placed to identify the needs of their growing and changing community.

Issue 3: Amend the proposed increase in section 7.12 levy rates, including applying the Greater Sydney East rates to Canterbury Bankstown.

The Draft Bill and Regulation propose to increase the section 7.12 levy rates. The Department should amend the proposal to increase the section 7.12 levy rates to address the following issues:

- Apply the Greater Sydney East rates to Canterbury Bankstown (i.e. levy rates of \$15,000 per dwelling and \$6,000 per bedroom). The current proposed rates for our Sydney Central region are \$12,000 per dwelling and \$5,000 per bedroom.
- Increase the levy rate underpinning the contribution from 3% to 4%.
- Clearly define 'bedroom' to reduce attempts to avoid payment.
- Permit section 7.12 contributions to be applied to subdivision applications, not only at construction stage
- Indexation of section 7.12 levy rates to include a 'weighting' for land value increases.

Next Steps

Should Council endorse the response submitted by staff on 10 December 2021 (as shown in Attachments A and B to this report), the submission would be forwarded to the Department of Planning and Environment by February 2022.

ITEM 5.3 Submission to the NSW Parliamentary Inquiry into the planning and delivery of school infrastructure

AUTHOR Planning

PURPOSE AND BACKGROUND

This report presents a submission to the NSW Parliamentary Inquiry into the planning and delivery of school infrastructure prepared by Council officers. A copy of the submission is provided at Attachment A.

ISSUE

In April 2021, the NSW Audit Office released a report '*Delivering School Infrastructure*', which examined the planning and delivery of new, redeveloped and upgraded public schools. The report made recommendations to improve long-term planning for future needs and to strengthen the quality of estimated project costs and benefits.

In October 2021, a NSW Parliamentary Inquiry was established to report on the implementation of the NSW Audit Office's report and the adequacy of investment to deliver school infrastructure. The Terms of Reference are provided at Attachment B. Council made a submission by the closing date of 11 February 2022.

A key issue raised in Council's submission is for the NSW Government to engage with Council to better align investment in school infrastructure with local growth demands. To address this issue, the submission seeks to:

- Protect local infrastructure funding
- Use consistent demographics and projected growth data to support and guide investment in education infrastructure
- Develop a central database of student enrolments in government and non-government schools
- Improve access to public school facilities
- Improve the coordination of school and Council infrastructure.

The next step is for the NSW Parliamentary Inquiry to consider submissions and to report its findings by October 2022.

RECOMMENDATION

That Council note the Council officer submission to the NSW Parliamentary Inquiry into the planning and delivery of school infrastructure, as provided in Attachment A.

ATTACHMENTS

[Click here for attachments](#)

- A. Officers' submission to the Parliamentary Inquiry
- B. Terms of Reference of the NSW Parliamentary Inquiry

POLICY IMPACT

This matter has no policy implications for Council.

FINANCIAL IMPACT

This matter has no financial implications for Council.

COMMUNITY IMPACT

This matter implements Priority E10.8 of the Local Strategic Planning Statement '*Connective City 2036*', which is to advocate and collaborate with the NSW Government to deliver infrastructure.

School Infrastructure NSW has identified that it will need to accommodate an additional 180,000 enrolments in public schools by 2039 with much of this growth expected in metropolitan Sydney. In addition, it has also identified that around 34,000 teaching spaces will need to be upgraded simply to meet current standards.

In the South District of Sydney alone (of which Canterbury Bankstown is planned to accommodate 70 percent of new residents to 2036) an additional 15,400 new students are expected to be enrolled over the existing school population.

Demand driven by growing student numbers will affect the type and distribution of education services and infrastructure required across the Sydney metropolitan area including Canterbury Bankstown. The majority of students in Canterbury Bankstown attend public primary and secondary schools with the public system also experiencing the fastest growth rate in student numbers.

Many schools across the Canterbury Bankstown comprise aged building stock and although incremental investment is acknowledged, a clear expectation of our community is the need for greater investment in education infrastructure, capacity for growing student numbers and preparedness to meet future student needs. The intent of this submission is to raise awareness to the above issues within the scope of the Inquiry.

DETAILED INFORMATION

Summary of Council's Submission

The NSW Parliamentary Inquiry provides the opportunity to advocate for the improved alignment between the NSW Government's school infrastructure priorities, Council's growth strategies, such as *Connective City 2036*, Council's Housing Strategy and the ongoing development of the town centre master plans.

The challenge is to meet the needs of the growing population and student needs, where councils in the South District (where 70% of new residents in the District will reside in Canterbury Bankstown) is expected to accommodate an additional 15,400 new students by 2036. The pressure of accommodating new residents is not isolated to school infrastructure. Council must also ensure there is adequate open space, recreational facilities, community facilities and transport facilities to support the growing population.

Our community has an expectation for consistent investment in education infrastructure. For Council, there is a need for improved collaboration with the NSW Government to align its infrastructure spend with the "on the ground needs" of our growing community and to allow the use of school infrastructure, which is a publicly funded asset, for community activities outside of school hours and shared data to support future local needs.

Issues

In principle, Council supports the development of better school infrastructure in Canterbury Bankstown. However, funding and resources are limited and as such, priorities must be established through coordinated effort between the NSW Government and Council. The submission raises the following issues:

Protect local infrastructure funding

The NSW Audit Office Report confirms that there is lack of funding to provide new schools and upgrade existing schools beyond 2023. It is concerning that the funding gap may lead to the NSW Government redirecting funds for local infrastructure into regional infrastructure, such as schools. This concern is highlighted in the recent planning reforms where the proposed Regional Infrastructure Contributions (RIC) scheme would redirect locally funded development contributions to be spent anywhere in NSW without Council's input.

Council seeks to protect the existing locally funded development contributions for local infrastructure under the Environmental Planning and Assessment Act 1979.

Use consistent demographics and projected growth data

From recent experience, Council is concerned that the NSW Government and School Infrastructure NSW are not required to consider Council's demographic analysis and projected growth data when planning for school infrastructure.

Council has adopted *Connective City 2036* and the Housing Strategy to establish the growth strategy for Canterbury Bankstown. These strategies are supported by robust demographics analysis and projections and have been endorsed by the NSW Government.

Council seeks the NSW Government and its agencies to use the same demographics and projected growth data as Council's adopted strategies.

Develop a central database of student enrolments in government and non-government schools

Council provides local infrastructure such as roads, parks and community halls. When planning for local infrastructure, Council needs data to establish reliable base-line projections to determine the future needs. A gap in the database is the student enrolment numbers for both government and non-government schools. This enrolment data is important to determine the cumulative impact of schools in an area and on our assets, however, it is not readily available.

Council seeks the NSW Government to provide access to the enrolment numbers for our local area for better planning of local infrastructure.

Improve access to government school facilities

With limited resources (funding and land), Council's existing local infrastructure are required to work harder to meet the needs of the growing community demands. School infrastructure such as school ovals and halls could provide an additional avenue for community use outside of school hours. However, despite this matter being supported in principle by Government, Council has been unsuccessful in seeking consistent shared use agreements with schools.

Council seeks a policy for shared use for all government schools to allow publicly funded assets to be made available for public use.

Improve the coordination of school and Council infrastructure

Council has continued to advocate and seek partnerships with School Infrastructure NSW on projects that would benefit the school and the local community such as pedestrian thoroughfares through schools. Further, Council has advocated for the NSW Government to retain existing public land ownership to accommodate education and other infrastructure needs. However, Council has been unsuccessful in progressing these projects.

Council seeks improved coordination between School Infrastructure NSW and Council in developing projects that will meet the growing population needs.

6 POLICY MATTERS

The following item is submitted for consideration -

6.1 Corporate Governance Policies

67

ITEM 6.1 Corporate Governance Policies

AUTHOR Corporate

PURPOSE AND BACKGROUND

The practice of good governance is critical for ensuring that Council meets its legal and ethical compliance and that decisions are made in the best interests of our community.

In adhering to this, Council is required to consider and adopt a number of corporate governance policies, which guides both Councillors and staff in meeting their obligations under the Local Government Act 1993.

These policies include:

- Code of Conduct Framework – Code of Conduct and other supporting policies;
- Councillors Expenses and Facilities Policy;
- Council’s Code of Meeting Practice;
- Council’s Instrument of Delegation; and
- Council’s Social Media Policy.

Council’s Policies are largely based on relevant requirements as set out by the NSW Office of Local Government – commonly referred to as Model Codes - and/or other relevant Government agencies (ie. NSW Ombudsman and ICAC).

ISSUE

Councillors are required to consider and adopt the following policies:

- Council’s Code of Conduct Framework – Code of Conduct and supporting policies;
- Councillor Induction and Professional Development Policy
- Social Media Policy; and
- Instrument of Delegation.

Separately, in accordance with the Local Government Act 1993, Council is also required in the first instance to publicly exhibit for comment, certain policies prior to formally adopting them.

These policies include:

- Council’s Code of Meeting Practice; and
- Councillor Expenses and Facilities policy.

At the conclusion of the exhibition period, these policies, including any submissions, will again be referred to Council for consideration/review, prior to formally adopting them.

RECOMMENDATION That -

1. Council adopt the following policies/documents as outlined in the report:
 - a) Code of Conduct;
 - b) Complaints Management Policy;
 - c) Fraud and Corruption Prevention Policy;
 - d) Gifts and Benefits Policy;
 - e) Councillor and Staff Interaction Policy;
 - f) Public Interaction and Meeting Disclosures Policy;
 - g) Public Interest Disclosures Policy; and
 - h) Statement of Business Ethics
 - i) Social Media Policy
 - j) Instrument of Delegation
 - k) Councillor Induction and Development Policy
2. Council endorse the Code of Meeting Practice and the Councillor Expenses and Facilities Policy for the purpose of public exhibition. A further report be submitted to Council, following the conclusion of the public exhibition period.
3. Separately, the Councillor Expenses and Facilities policy include provision to make superannuation contribution payments for Councillors from 1 July 2022, equivalent in amount to superannuation guarantee payments.

ATTACHMENTS

[Click here for attachments](#)

- A. Code of Conduct
- B. Complaints Management Policy
- C. Fraud and Corruption Prevention Policy
- D. Gifts and Benefits Policy
- E. Councillor and Staff Interaction Policy
- F. Public Interaction and Meeting Disclosures Policy
- G. Public Interest Disclosures Policy
- H. Statement of Business Ethics
- I. Social Media Policy
- J. Instrument of Delegations
- K. Code of Meeting Practice
- L. Councillor Expenses and Facilities Policy
- M. Councillor Induction and Professional Development Policy

POLICY IMPACT

Adoption of the policies/documents subject of this report ensures Council abides by good governance practices meets its legislative obligations.

Furthermore, these policies supersede the previous policies adopted by the former Council.

FINANCIAL IMPACT

Relevant funding is annually reflected in Council's operational budget to accommodate requirements associated with these policies. If Council were to resolve to include a payment for superannuation for Councillors, then a further amount of around \$55K will need to be included in future budgets to accommodate this cost.

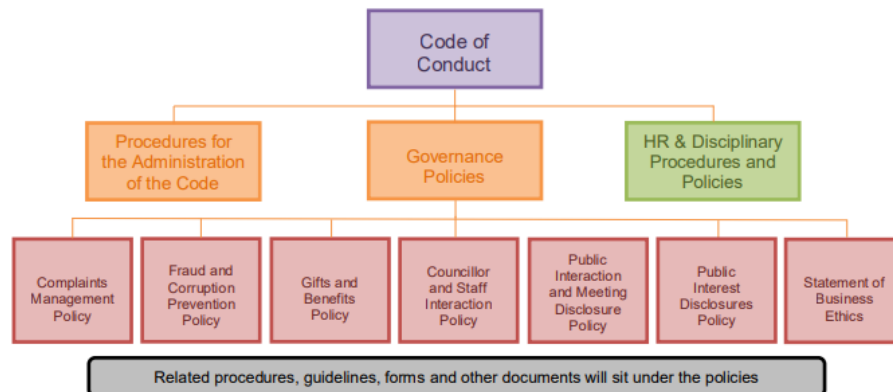
COMMUNITY IMPACT

The adoption of these policies provides our community the assurance that relevant policies and practices are in place to ensure that Council meets its obligations under the Local Government Act 1993 and its Corporate Governance Framework.

DETAILED INFORMATION

Code of Conduct Framework

Council's Code of Conduct is the central component of Council's Code of Conduct Framework, and is supplemented by the Procedures for the Administration of the Code and a series of policies (shown below) that facilitate the administration of the Code as they relate to gifts and benefits, fraud and corruption prevention, complaints management and other key aspects of ethical behaviour. Failure to comply with the provisions of these policies could be considered a breach of the Code of Conduct.



Councillors will be familiar with these policies, having considered them as part of the recent Councillor Induction Workshops conducted with all Councillors.

Where relevant, these policies are based on certain Model Codes issued by the NSW Office of Local Government and other Guidelines published by Government Agencies, such as the NSW Ombudsman's Office and ICAC.

A brief outline of each policy is provided below.

Code of Conduct

The Code of Conduct is Council's principal governance policy and is an important foundation for a strong ethical culture. The Model Code of Conduct sets the minimum standards of conduct for council officials. It is prescribed by regulation to assist council officials to:

- understand and comply with the standards of conduct that are expected of them;
- enable them to fulfil their statutory duty to act honestly and exercise a reasonable degree of care and diligence; and
- act in a way that enhances public confidence in local government.

Complaints Management Policy

The Complaints Management Policy sets out a formal framework for managing complaints from the public to Council and seeks to facilitate a consistent, fair and equitable resolution to customer complaints and encompasses the unreasonable conduct of complainants.

Fraud and Corruption Prevention Policy

The Fraud and Corruption Prevention Policy outlines the expectations and responsibilities of all Council officials and other persons who perform functions on behalf of Council, and provides the mechanism for reporting suspected fraud, misconduct and corrupt conduct.

The Policy ensures that mechanisms are in place to protect the integrity, security and reputation of Council, and it articulates Council's position of having zero tolerance to both fraud and corruption as well as its commitment to the prevention, deterrence, detection and investigation of all forms of fraud and corrupt conduct.

Gifts and Benefits Policy

The Gifts and Benefits Policy outlines the basis on which Council will manage the offer and acceptance of gifts, hospitality and benefits in accordance with the obligations set out in Council's Code of Conduct.

Councillor and Staff Interaction Policy

The Councillor and Staff Interaction Policy guides both Councillors and Staff in exercising their civic duty by specifically addressing their interaction with and receipt of advice from authorised staff, as nominated and authorised by the General Manager.

Public Interaction and Meeting Disclosures Policy

The Public Interaction and Meeting Disclosures Policy complements the legislative requirements Council officials must adhere to, and assists with establishing the method in which the Mayor, Councillor's and Council's senior staff interact with the public on matters before Council, unsolicited proposals and requests for Council support in an ethical, open and transparent manner.

Public Interest Disclosures Policy

This Policy ensures Council's compliance with the requirements of the Public Interest Disclosures Act 1994, by having the appropriate mechanisms in place to support and protect staff and Councillors making protected disclosures in accordance with the Act.

Statement of Business Ethics

The Statement of Business Ethics outlines the standards of behaviour and ethical business dealings expected of people doing business with Council and provides guidance when conducting business with Council. It also explains the mutual obligations and role of all parties. This business may include the supply of goods and services, use of contractors and consultants, assessment of development applications and other general dealings.

Other Council Policies

Instrument of Delegations

Section 377 of the Local Government Act 1993 enables a Council to delegate to the General Manager, or any other person or body, any of the functions of the Council excepting a range of functions so specified. Section 380 of the Local Government Act 1993 requires Council to consider its delegations during the first 12 months of its term.

The Instrument of Delegations outlines delegations from Council to the Mayor and General Manager, including powers, duties, authorities and functions under specified legislation.

The General Manager is delegated all functions of the Council under the Local Government Act 1993 and any other legislation subject to limitations outlined in the attached Instrument of Delegations. In turn the General Manager has the authority to sub-delegate certain functions to other staff, as required.

The proposed delegations have been prepared to ensure the efficient operation of Council's functions and services, particularly between Council meetings.

Councillor Induction and Professional Development Policy

The Councillor Induction and Professional Development Policy demonstrates Council's commitment to ensuring that the Mayor and Councillors have access to induction and ongoing professional development which will assist them to develop and maintain the skills and knowledge required to effectively perform their civic role and responsibilities under the Local Government Act 1993

The policy satisfies Council's requirement under the provisions of sections 183 to 185 of the Local Government (General) Regulation 2021 to provide induction training and ongoing professional development for Councillors.

Social Media Policy

The purpose of the Social Media Policy is to provide a clear and aligned set of standards and guidance for Council officials, including Councillors, on the appropriate use of official Social Media platforms when representing the City of Canterbury Bankstown (Council), and interacting with the community.

The draft Social Media Policy is based on the draft Model Social Media Policy developed by the OLG.

Code of Meeting Practice

The Code of Meeting Practice is made under Section 360 of the Local Government Act 1993 and the Local Government (General) Regulation 2021.

The Code of Meeting Practice provides a set of meeting rules to ensure more accessible, orderly, effective and efficient meetings. It applies to all meetings of councils and committees of council of which all the members are councillors.

In accordance with the requirements of section 361 of the Local Government Act 1993, this policy must be placed on public exhibition for a period of 28 days.

Councillor Expenses and Facilities Policy

This Policy enables the reasonable and appropriate reimbursement of expenses and provision of facilities to Councillors to assist them in undertaking their civic duties.

The policy has been prepared in accordance with the Local Government Act 1993 and Local Government (General) Regulation 2021 and complies with the OLG's Guidelines for the payment of expenses and provision of facilities to Mayors and Councillors in NSW.

In accordance with the provisions of the Local Government Amendment Act 2021, Councils will have the option to make superannuation contribution payments for councillors from 1 July 2022 equivalent in amount to superannuation guarantee payments. The Councillor Expenses and Facilities policy has therefore been amended to reflect the provisions of the Amendment Act.

The decision to make superannuation contribution payments must be made by resolution of Council at an open meeting. Accordingly, this recommendation is included in the report.

In accordance with the requirements of section 253 of the Local Government Act 1993, this policy must be placed on public exhibition for a period of 28 days.

7 GOVERNANCE AND ADMINISTRATION MATTERS

The following items are submitted for consideration -

7.1	Disclosure of Interest Returns	77
7.2	Council Advisory Committees, Working Groups and membership of other Committees/Groups	79
7.3	Cash and Investment Report as at 31 January 2022, 31 December 2021 and 30 November 2021	85
7.4	Review of the 2018-22 Delivery Program and 2021/22 Operational Plan and Budget to 31 December 2021	93
7.5	Additional LGNSW Conference Motion	99

Governance and Administration Matters - 22 February 2022

ITEM 7.1 Disclosure of Interest Returns

AUTHOR Corporate

PURPOSE AND BACKGROUND

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

ISSUE

During the reporting period (1 October 2021 to 31 December 2021) 10 new returns were lodged by designated staff. The Disclosure of Interest Returns are tabled as required by Council's Code of Conduct under sections 4.26 and 4.27.

RECOMMENDATION

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

ATTACHMENTS

Nil

POLICY IMPACT

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

FINANCIAL IMPACT

There is nil financial impact.

COMMUNITY IMPACT

There is nil community impact.

Governance and Administration Matters - 22 February 2022

ITEM 7.2 Council Advisory Committees, Working Groups and membership of other Committees/Groups

AUTHOR Corporate

PURPOSE AND BACKGROUND

This purpose of this report is to consider the establishment of Council's proposed Advisory Committee/Working Group structure for the current term of Council, information regarding Council's participation in all other external committees and/or groups and requirement to reconstitute Council's Audit Risk and Improvement Committee.

ISSUE

This report seeks to establish eight Advisory Committees and two Working Groups consisting of Councillor and Community representatives. These committees and groups will make recommendations to Council in accordance with their Charter.

In order to establish the committees and groups, guidelines, rules and charters have been prepared and included in the Attachments. These documents will assist and provide information for advisory committee/working group members on their role, the management and conduct of meetings, attendance requirements, voting requirements and confidentiality.

This report also provides details of external committees and groups that have Councillor representation and recommendations with regards to Council's Audit Risk and Improvement Committee being re-established.

RECOMMENDATION That -

1. Council approve the Advisory Committee/Working Group structure as detailed in the report.
2. Council adopt the draft Community Advisory Committee/Working Group Guidelines, Rules and Charters, as attached.
3. Expressions of Interest be sought from community representatives for membership of advisory committees/working groups, as outlined in the report.
4. The Audit Risk and Improvement Committee be reconstituted, with relevant remuneration for independent members, as outlined in the report.

ATTACHMENTS [Click here for attachments](#)

- A. Advisory Committees and Working Groups Guidelines and Rules
- B. Advisory Committees and Working Groups Charters

POLICY IMPACT

This report amends the Guidelines, Rules and Charters of Council's policy on Advisory Committees and Working Groups.

FINANCIAL IMPACT

In accordance with the Council's rules and guidelines, the Advisory Committee/Working Groups do not have the power to incur expenditure or to bind Council but may recommend actions and initiatives to Council.

COMMUNITY IMPACT

The report recommends the appointment of community representatives to various Advisory Committees and Working Groups.

Appointment of community representatives to the Advisory Committees and Working Groups will provide Council with support for the ongoing management of vital services to our community and provide information for our integrated planning and reporting framework.

DETAILED INFORMATION

Advisory Committees/Working Group

An Advisory Committee or Working Group is established by Council to provide for the participation of Councillors and community representatives in the delivery of services and programs. The proposed Guidelines and Rules for the committees and groups are attached to the report.

Committees and groups make recommendations to Council in accordance with their Terms of Reference. The committees and groups cannot make binding decisions on behalf of Council. Recommendations of Committees/Groups will become resolutions of Council if they are adopted by Council.

The committees and groups proposed to be established are listed below.

Advisory Committees

- Aboriginal and Torres Strait Islander
- Arts and Culture
- City Marketing and Investment
- Community and Inclusion
- Community Safety
- Environment
- Universal Access
- Youth

Working Groups

- Heritage
- Lakemba Ramadan Event

The respective Charters of each Advisory Committee and Working groups is attached, for Councillors information.

Selection of Advisory Committee/Working Group Membership

In accordance with existing practice, it is proposed that:

- an Expressions of Interest (EOI) process be conducted/called by the General Manager to seek nominations for community representatives and Councillors to participate on Council's committees and groups; and
- as indicated in Council's Instrument of delegation, the Mayor will determine community and Councillor representatives and/or delegates to all committees, groups and other external bodies, as required.

Other External Committees and Bodies

Council is represented on a number of external committee and bodies, as detailed below.

Statutory Committee

Canterbury-Bankstown Traffic Committee

The Committee has no decision-making powers and is a technical review committee. It advises the Council on matters for which the Council has delegated authority, being certain prescribed traffic control devices and traffic control facilities. Council must refer all traffic related matters to the Committee prior to exercising its delegated functions. The Committee meets on a monthly basis and comprises representatives from Council, Roads and Maritime Services, Police, State Transit Authority and local State Members of Parliament.

Council's representative is the Mayor (or his delegate).

Other Committees or Bodies

Bankstown City Aged Care

Bankstown City Aged Care is an aged care provider and charity established by the former Bankstown City Council in 1972 to look after the frail and aged in the local Bankstown area.

The organisation is now its own not for profit entity and Council representation is detailed in its constitution as the Mayor (or his delegate) and one Councillor per ward.

Canterbury Bankstown Floodplain Management Committee

The Committee assists in the development and implementation of Floodplain Risk Management Plans. The Committee does not consider specific development proposals/applications but focuses on broader catchment-wide management issues, Council policies and strategies affecting flood prone lands.

Council's representative is the Mayor (or his delegate).

Cooks River Alliance

The Alliance co-ordinates regional catchment projects to prevent rubbish from entering the waterway, removal of pollution and restoration of the health of the Cooks River.

Council's representative is the Mayor (or his delegate).

Georges River Combined Councils Committee

The Committee comprises local councils, state agencies and community representatives, whose purpose is to work together to protect, conserve and enhance the Georges River. The Committee also coordinates the Georges Riverkeeper Program.

Council's representative is the Mayor (or his delegate).

Parramatta River Catchment Group

The Group is an alliance of local councils, state agencies and community representatives, whose purpose is to work together to sustain the health of the Duck River catchment which flows into the Parramatta River.

Council's representative is the Mayor (or his delegate).

Canterbury Bankstown \ Georges River Bushfire Management Committee

The committee has the key responsibility of ensuring statutory obligations are met with regard to the coordination and communication of bushfire planning, mitigation and fire suppression activities in the Canterbury-Bankstown and Georges River local government areas.

Council's representative is the Mayor (or his delegate).

General Manager's Performance Review Panel

The Panel reviews the General Manager's performance in accordance with the Guidelines for the Appointment and Oversight of the General Manager issued by the Office of Local Government.

Council's representatives to be the Mayor and two Councillors and is to represent the political make-up of the Council. The General Manager may also nominate two Councillors and the process is to be externally facilitated, with the facilitator being appointed by the General Manager, in accordance with the Guidelines.

Sydney South Planning Panel

The Planning Panel:

- determines 'regionally significant' development applications (DAs) and certain other DAs and modification applications
- acts as the relevant planning authority (RPA) when directed
- undertakes rezoning reviews
- provides advice on other planning and development matters when requested

Council can nominate two community representatives on the Panel. Currently, these positions are filled by Councillors.

In accordance with NSW Government requirements, these representatives will be paid a fee of \$600 per meeting.

Australian Local Government Women's Association

The Association has a NSW Branch Executive Committee. The Association aims to further women's knowledge of local government functions, protect the interests/rights of women in local government, take action regarding issues of particular interest to women in relation to local government bodies or legislation, and supports and encourages women in local government.

Councillors can apply separately for membership of the Association.

ClubGRANTS Local Committee

The Committee meets four times per year to provide advice and identify priorities for consideration by licensed clubs in their allocation of gaming revenue to local community projects.

The Committee has no Councillor representation.

NSW Public Libraries Association

The Association is the peak body that represents the interests and development of public libraries in metropolitan NSW, including Sydney and regional urban centres.

Council's representative is the Mayor (or his delegate).

Southern Sydney Regional Organisation of Councils (SSROC)

SSROC provides a forum for the exchange of ideas between member councils, and an interface between governments, other councils and key bodies on issues of common interest.

SSROC acts as a facilitator for joint activities between councils which provides benefits through economies of scale. Member councils can reduce costs of procurement, share the costs of engaging external assistance if needed, and provides Councillors and staff with a wide network of expertise and views on local government issues. SSROC also provides a means of resolving issues and challenges that cross municipal boundaries, such as the environment and transport.

Council's representatives are the Mayor (or his delegate) and one Councillor, as well as their alternate delegate.

Bankstown Airport Community Aviation Consultation Group

The Group was established by Bankstown Airport Limited. The role of the Group is to enable stakeholders to be consulted and become involved in the master planning process and issues relating to the ongoing management of the Airport.

Council's representative is the Mayor (or his delegate).

Audit Risk and Improvement Committee

The Audit Risk and Improvement Committee is an independent advisory committee. The Local Government Act 1993 and the Local Government (General) Regulation 2021 require each council in NSW to have an audit, risk and improvement committee that continuously reviews and provides independent advice to the council on how it is functioning and managing risk.

The Committee consists of three independent external members, for whom the current term ends in March 2022. Following a recent recruitment and selection process Council is now seeking to appoint three new independent members. This process is currently underway, and the matter will be determined by the Mayor under delegation.

The Committee will be appointed for a three-year term, commencing March 2022 and will meet on a quarterly basis. Remuneration for the new committee members is proposed at \$2,000 per meeting for independent members and \$2,500 for the chairperson.

The Committee's Charter will be reviewed upon appointment and referred to Council accordingly.

Governance and Administration Matters - 22 February 2022

ITEM 7.3 **Cash and Investment Report as at 31 January 2022, 31 December 2021 and 30 November 2021**

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 2022, 31 December 2021 and 30 November 2021.

RECOMMENDATION That -

1. The Cash and Investment Report as at 31 January 2022, 31 December 2021 and 30 November 2021 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 Monthly Investment Report January 2022
- B. Imperium Markets Monthly Investment Report December 2021
- C. Imperium Markets Monthly Investment Report November 2021

POLICY IMPACT

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

FINANCIAL IMPACT

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

COMMUNITY IMPACT

The report provides our community with a transparent approach as to how Council is managing its cash and investment funds.

DETAILED INFORMATION

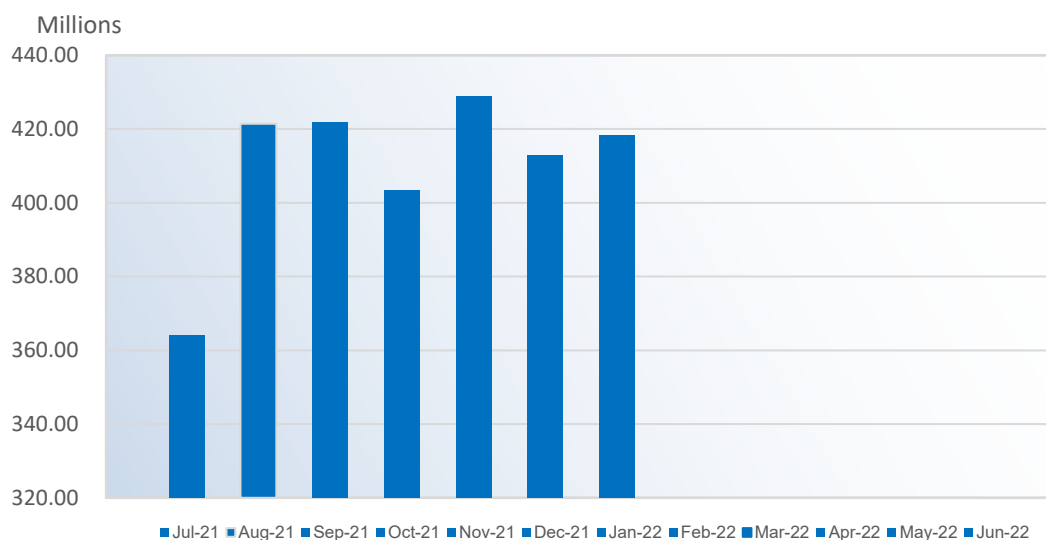
Cash and Investment Summary – as at 31 January 2022

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

Cash and Investments	\$
Cash at Bank	16,505,845
Deposits at Call	72,565,981
Term Deposits	253,000,000
Workers Compensation Security Deposit	4,686,000
Floating Rate Notes	35,505,390
Bonds	36,000,000
Total Cash and Investments	418,263,216

Council's level of cash and investments varies from month to month, particularly given the timing of Council's rates and collection cycle, its operations and carrying out its capital works program. The following graph outlines Council's closing cash and investment balances from July 2021 to June 2022.

Cash and Investment Rolling Monthly Balance 2021-2022



A summary of Council's investment interest income earned for the period to 31 January 2022 is as follows:

Interest Income	Jan 2022 \$	Year-to-date Jan 2022 \$
Budget	476,875	3,338,125
Actual Interest	452,728	3,068,499
Variance	(24,147)	(269,626)
Variance (%)	(5.06)	(8.08)

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

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

Maturity Profile		
	Actual % of Portfolio	Policy Limits %
Cash	22.4	100
Working Capital Funds (0-3 months)	2.2	100
Short Term (3-12 months)	15.0	100
Short – Medium (1-2 years)	16.3	70
Medium (2-5 years)	44.1	50
Long Term (5-10 years)	0	5
Total Cash and Investments	100%	

Portfolio Allocation	
	Actual % of Portfolio
Cash at Bank	3.9
Deposits at Call	17.4
Term Deposits	60.5
Workers Compensation Security Deposit	1.1
Floating Rate Notes	8.5
Bonds	8.6
Total Cash and Investments	100%

Cash and Investment Summary – as at 31 December 2021

In total, Council's Cash and Investments holdings as at 31 December 2021 is as follows:

Cash and Investments	\$
Cash at Bank	1,191,448
Deposits at Call	68,651,213
Term Deposits	267,000,000
Workers Compensation Security Deposit	4,686,000
Floating Rate Notes	35,505,390
Bonds	36,000,000
Total Cash and Investments	413,034,051

A summary of Council's investment interest income earned for the period to 31 December 2021 is as follows:

Interest Income	Dec 2021 \$	Year-to-date Dec 2021 \$
Budget	476,875	2,861,250
Actual Interest	409,928	2,615,772
Variance	(66,947)	(245,478)
Variance (%)	(14.04)	(8.58)

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

Maturity Profile		
	Actual % of Portfolio	Policy Limits %
Cash	18.0	100
Working Capital Funds (0-3 months)	5.6	100
Short Term (3-12 months)	14.7	100
Short – Medium (1-2 years)	17	70
Medium (2-5 years)	44.7	50
Long Term (5-10 years)	0	5
Total Cash and Investments	100%	

Portfolio Allocation	
	Actual % of Portfolio
Cash at Bank	0.3
Deposits at Call	16.6
Term Deposits	64.7
Workers Compensation Security Deposit	1.1
Floating Rate Notes	8.6
Bonds	8.7
Total Cash and Investments	100%

Cash and Investment Summary – as at 30 November 2021

In total, Council's Cash and Investments holdings as at 30 November 2021 is as follows:

Cash and Investments	\$
Cash at Bank	7,514,756
Deposits at Call	78,238,044
Term Deposits	266,000,000
Workers Compensation Security Deposit	4,686,000
Floating Rate Notes	36,509,470
Bonds	36,000,000
Total Cash and Investments	428,948,270

A summary of Council's investment interest income earned for the period to 30 November 2021 is as follows:

Interest Income	Nov 2021 \$	Year-to-date Nov 2021 \$
Budget	476,875	2,384,375
Actual Interest	422,165	2,205,844
Variance	(54,710)	(178,531)
Variance (%)	(11.47)	(7.49)

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

Maturity Profile		
	Actual % of Portfolio	Policy Limits %
Cash	21.1	100
Working Capital Funds (0-3 months)	7.1	100
Short Term (3-12 months)	12.1	100
Short – Medium (1-2 years)	16.4	70
Medium (2-5 years)	39.8	50
Long Term (5-10 years)	3.5	5
Total Cash and Investments	100%	

Portfolio Allocation	
	Actual % of Portfolio
Cash at Bank	1.8
Deposits at Call	18.2
Term Deposits	62.0
Floating Rate Notes	8.5
Workers Compensation Security Deposit	1.1
Bonds	8.4
Total Cash and Investments	100%

Governance and Administration Matters - 22 February 2022

ITEM 7.4 Review of the 2018-22 Delivery Program and 2021/22 Operational Plan and Budget to 31 December 2021

AUTHOR City Future

PURPOSE AND BACKGROUND

The review provides a summary of progress on the delivery of Council's 2021/22 Operational Plan and 2018-22 Delivery Program.

Separately, the report considers the review of Council's financial results and proposed budget adjustments for the December 2021 Quarterly Budget Review period.

ISSUE

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

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

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

- Operational Plan progress; and
- Budget Review.

RECOMMENDATION That -

1. The quarterly review of the 2021/22 Operational Plan and the six-monthly review of the Delivery Program to 31 December 2021 be noted.
2. The quarterly review of the 2021/22 Budget as outlined in this report be adopted.
3. Council allocate Ward Funds as outlined in the report.

ATTACHMENTS [Click here for attachments](#)

- A. Quarter 2 Report 2021/22 Operational Plan and 2018-22 Delivery Program - Summary
- B. Quarter 2 Report 2021/22 Operational Plan - Detailed
- C. December Revision Budget Review
- D. December Revision Budget Reports

POLICY IMPACT

This review is prepared in accordance with Section 406 of the Local Government Act, 1993, which requires regular reports to be provided to Council and community on the progress to the 10-year Community Strategic Plan. Council currently generates reports on a quarterly basis to ensure thorough monitoring of the commitments it has made to the community.

FINANCIAL IMPACT

The report presents Council's operating result as at 31 December 2021.

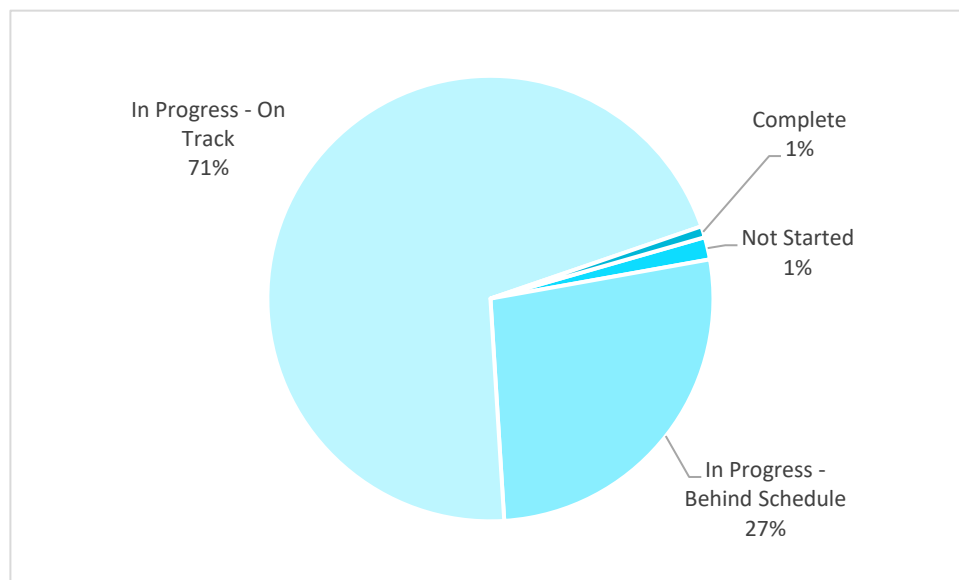
COMMUNITY IMPACT

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

DETAILED INFORMATION

PART A – Quarterly progress of the 2021/22 Operational Plan to 31 December 2021

Broadly, Council's Operational Plan progressed well for the first half of the 2021/22 financial year. At the close of quarter two, 72% of the Operational Plan's programs and initiatives for 2021/22 were either complete or on track for completion by June 2022. This is considered to be a satisfactory result for the second quarter reporting period.



At the close of quarter two, 95% of Council's Capital Works Program was either completed, under construction or in design stage. Of the 145 completed projects, 82 were roads, and transport projects, 13 stormwater projects, 18 were building projects, and 32 were sportsfields, playground open space projects. Council has completed \$31.6 million worth of capital works projects in 2021/22. See further information in Part B of this report.

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

Attachment A also provides a six-monthly progress of the Council's Delivery Program. The Delivery Program outlines Council's contribution towards achieving outcomes identified in CBCity 2028 during its current term. Detailed actions for the entire 2021/22 Operational Plan are outlined in Attachment B. This also includes the progress of projects funded under the Stronger Communities Fund (SCF).

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

Leading and Engaged

- First meeting of the new Council held, including the election of the Mayor and Deputy Mayor.
- Council is preparing a submission for the NSW Legislative Council Portfolio Committee inquiry into the planning and delivery of school infrastructure in New South Wales.
- The End of Term Report, State of the Environment Report, and Annual Report (including Financial Statements) were published in line with statutory requirements.

Safe and Strong

- A Positive Ageing Plan and Disability Action Plan were exhibited for comment.
- The annual Children and Youth Awards were held.
- A partnership with OzHarvest was formed for food distribution hub.
- Hurlstone Park Community Centre and Thurina Park Community Centre projects have progressed.
- An expanded Annual Community Grants and Events Sponsorship Program provided \$869,000 for 169 local programs.

Clean and Green

- \$300,000 of funding was secured for the Cooks River Catchment Management Plan and a \$150,000 grant was successfully obtained for a program to improve wayfinding signage along the Cooks River.
- An Ecological assessment was completed for Deepwater Park market garden site.
- Over 5,200 native trees and plants provided to local schools and residents.

Prosperous and Innovative

- Council held the Carols by Candlelight event and school holiday programs.
- The Back to Business Campaign promoted and supported businesses getting back to normal after COVID-19 business closures.
- The CSIRO STEM Project collaboration end of year event was held to showcase student initiatives.

Moving and Integrated

- \$100,000 funding was received from Transport for NSW to trial lighting the Cooks River Pathway.
- The proposed cycle route design between Bankstown CBD and Bass Hill was exhibited.
- 21 projects were submitted for Safer Roads Blackspot Funding.

Healthy and Active

- A community survey was conducted on BMX and mountain biking across the LGA to assess demand and requirements for a future facility.
- Work commenced on the \$1.5 million Parry Park playspace and playgrounds at Killara Reserve and Flinders Slopes were completed.
- Leisure and Aquatics Services reopened with over 126,000 visits and 2,365 Learn to Swim enrolments.
- CB Swim Instructor Academy Initiative was launched.
- The Sport Facilities Strategic Plan was exhibited for comment.
- The Mirrambeena Plan of Management was adopted.

Liveable and Distinctive

- Four Urban Intervention shared outdoor spaces were established.
- The Bankstown Master Plan was adopted and Affordable Housing Contribution Scheme endorsed for preparation.
- An Open Streets funding application to NSW Government was successful, which targets projects to reenergise public spaces with community events and activities.

Awards and Recognition

- The Australian Financial Review recognised Council as one of the Most Innovative Companies for 2021.
- RH Dougherty Awards were held and Council was recognised:
 - Winner for CBTV Platform – Innovation in Special Events; and
 - Highly Commended for ‘Our Operational Plan’ video – Reporting to your Community Category.
- Four awards were won at the 2021 Risk Management Excellence Awards including for continuous improvement in planning at Leisure and Aquatic Centres, and for organisational process mapping.
- Two SMART awards for the Closing the Loop on Waste using Artificial Intelligence Program were received.

PART B – December 2021 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. The Covid-19 pandemic continued to impact Councils operating performance during the second quarter of the year. The State Government lockdown forced the closure of numerous Council services and Council implemented a number of relief measures to provide financial assistance to the community and businesses that have been experiencing financial hardship. The loss of income due to service shutdowns and cost of additional relief measures were previously accounted for in the first quarterly budget review.

Council’s forecast Operating Result for the year has improved by \$11.8M (or \$1.3M 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 \$169.0M, having increased by \$11.5M during this quarter. The variation largely relates to \$11.0M of Federal Economic Stimulus funding received by Council for proposed projects to be completed over the next 12 months. Provision has also been made to introduce \$500,000 to commence Stage 1 of the Paul Keating Park Playground, which is subject of an application for funding under the Public Spaces Legacy Program. Other adjustments relate to timing adjustments of budgeted expenditure, where projects will not be completed or commenced within the 2021/22 financial year and have now been rescheduled to 2022/23. These adjustments are a part of Council’s ongoing review which ensures that the capital works and acquisition program reflects the forecast pattern of expenditure.

In reflecting the adjustments made as a part of this revision, Council's level of cash and cash equivalents is expected to reduce by approximately \$0.1M (assuming no carryovers exist at 30 June 2022).

Last quarter, NSW Government established the Multi-Sport Community Facility Fund for infrastructure projects to improve the standard of existing multi-sport facilities and increase the number of these facilities available for local sporting communities. Applications close on Friday 25 February 2022.

Due to the grant requirements, only projects that are documented and have financial support can be considered in order to meet the delivery deadline. Having considered the possible projects, it is proposed that Council submit an application for improvements to the facilities at Beaman Park (Eastern). Beaman Park (Eastern) is a substantial sporting ground in our City and is currently utilised by two local football clubs, cricket clubs during the summer season, and Ultimate Frisbee. The proposed improvements will enhance participation and the user experience for these sporting groups, and the broader community.

It is a condition of the grant funding, that applicants provide a minimum 50% contribution towards the project. Council has already identified the upgrade of Beaman Park sporting fields in its future works program which can be brought forward. If successful, an allocation of \$1 million will be funded from s7.11 and in-kind contribution (operational budget). This will be made available through Council's future quarterly budget process.

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.

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
Pedestrian connection on Page Street, Canterbury	Coorey	\$750

Conclusion

This report and Attachments A and B provide a progress report for the 2021/22 Operational Plan, 2018-22 Delivery Program and the 2021/22 Budget. This ensures Council is meeting its obligations under the Integrated Planning and Report Framework and contributes to the ongoing enhancement of good governance across Council. 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.

Governance and Administration Matters - 22 February 2022

ITEM 7.5 Additional LGNSW Conference Motion

AUTHOR Corporate

PURPOSE AND BACKGROUND

To formally present a late LGNSW Conference motion for Council endorsement. This late motion was considered necessary given the significant implications of the newly implemented Environmental Planning and Assessment (Statement of Expectations) Order 2021.

This motion focuses on the new DPIE Ministerial Order which has significant implications on the provision of a fair, transparent, and efficient development assessment service.

ISSUE

Given the timing of lodging relevant motions to the Conference, Councillors were recently circulated its late motion for consideration and comment.

Whilst having submitted its late motion, Council is required to formally endorse the matter, prior to it being considered at the conference.

Council's previous report, which outlines its other adopted motions submitted to the conference is attached for Councillors information.

RECOMMENDATION

That Council formally endorse the motion as detailed in this report for consideration at the LGNSW Special Conference on 28 February – 2 March 2022.

ATTACHMENTS [Click here for attachment](#)

- A. Previous Report to Council

POLICY IMPACT

The submission of this late motion to the LGNSW Special Conference provides an important opportunity for Council to continue its advocacy on issues impacting local government and our community.

FINANCIAL IMPACT

Nil.

COMMUNITY IMPACT

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

It was imperative that this late motion on the implications of the Environmental Planning and Assessment (Statement of Expectations) Order 2021 be submitted to the LGNSW Conference for debate, given its far reaching impact on our development assessment service.

DETAILED INFORMATION

In late 2021, the Department of Planning, Industry and Environment (DPIE) announced the release of a Ministerial Order regarding expectations concerning councils' planning functions. The significance of this matter has far reaching implications for all councils. As such, it was deemed critical that our Council put forward a late motion to the LGNSW Special Conference to have this issue debated.

After communicating this motion to councillors and obtaining support, it was lodged with LGNSW as a late motion on 4 February 2022. Details of the late motion are as follows:

- **Category:** Infrastructure and Planning
- **Title:** Implications of the Environmental Planning and Assessment (Statement of Expectations) Order 2021

Motion:

That LGNSW lobbies the NSW Government to:

- 1. Revoke the Environmental Planning and Assessment (Statement of Expectations) Order 2021*
- 2. Consult with councils to identify a suitable and workable policy approach to improve the timeliness of decision making specific to development applications, planning proposals and rezoning, and broader strategic planning*
- 3. Ensure policy alignment with broader planning reforms that are currently underway*

Motion Background

The recent introduction of the Environmental Planning and Assessment (Statement of Expectations) Order 2021 presents significant implications for council, namely the erosion of a fair, transparent and efficient development assessment service to the community.

This Order will not only redirect scarce Council resources away from core planning and assessment functions toward an increase in Land and Environment Court appeals across the State, it will also draw on additional resources of Councils and applicants to settle matters. An outcome in direct contrast with the intent of the Order.

The creation of faulty policy like this Order, highlights the importance of consulting local government on planning systems that will impact on the sector directly. This blunt instrument was introduced with no consultation and no savings provisions for existing applications, impacting not only on larger development organisations but 'mums and dads' looking to build their dream home.

Consultation with local government to determine what constitutes an effective and efficient planning system would have prevented the inclusion of deficiencies, such as unrealistic timeframes, clearly evident in the current Order.

It is therefore imperative that this Order be revoked, and necessary consultation of the local government sector be initiated, so as to create a planning system suitable for councils, community, and industry.

8 SERVICE AND OPERATIONAL MATTERS

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

9 COMMITTEE REPORTS

The following items are submitted for consideration -

- | | | |
|-----|----------------------------------------------------------------------------------|-----|
| 9.1 | Minutes of the Audit Risk and Improvement Committee Meeting held 8 December 2021 | 107 |
| 9.2 | Minutes of the Traffic Committee Meeting held on 8 February 2022 | 109 |

Committee Reports - 22 February 2022

ITEM 9.1 Minutes of the Audit Risk and Improvement Committee Meeting held 8 December 2021

AUTHOR Corporate

PURPOSE AND BACKGROUND

Recent amendments to the Local Government Act (1993) require each council to have an Audit Risk and Improvement Committee (ARIC). Canterbury-Bankstown Council has an established ARIC which meets on a quarterly basis.

The purpose of this report is to consider the minutes of the meeting of the ARIC held on 8 December 2021.

ISSUE

To consider the recommendations of the ARIC for adoption.

RECOMMENDATION

That the recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 8 December 2021 be adopted.

ATTACHMENTS [Click here for attachment](#)

- A. Minutes of the Audit Risk and Improvement Committee meeting held 8 December 2021

POLICY IMPACT

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

FINANCIAL IMPACT

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

COMMUNITY IMPACT

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

Committee Reports - 22 February 2022

ITEM 9.2 **Minutes of the Traffic Committee Meeting held on 8 February 2022**

AUTHOR **City Assets**

PURPOSE AND BACKGROUND

Attached are the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 8 February 2022.

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

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

ISSUE

Recommendations of the Canterbury Bankstown Council Traffic Committee meeting.

RECOMMENDATION

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

ATTACHMENTS [Click here for attachment](#)

- A. Minutes for the Traffic Committee Meeting held 8 February 2022

POLICY IMPACT

This matter has no policy implications to Council.

FINANCIAL IMPACT

Potential costs arising out of recommendations of the Traffic Committees are detailed in future Works Programs for Roadworks/Traffic Facilities.

COMMUNITY IMPACT

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

10 NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

The following items are submitted for consideration -

10.1 Notice of Motions	113
10.2 Speed Cameras - Councillor Bilal El-Hayek	115
10.3 Bulldogs - Councillor Bilal El-Hayek	117
10.4 Dedicated Tree - Councillor Clare Raffan	119
10.5 Footpaths and Cycleways Funding - Councillor Linda Downey	121
10.6 Rare Disease Day - Councillor Linda Downey	123
10.7 Iluka Street and Endeavour Place Riverwood - Councillor Karl Saleh	125
10.8 CCTV for Compliance - Councillor Karl Saleh	127
10.9 Ramadan Decorations - Councillor Karl Saleh	129
10.10 Emerging Communities Resource Centre (ECRC) - Councillor Karl Saleh	131
10.11 Town Centre Engagement - Councillor Karl Saleh	133

Notice of Motions & Questions With Notice - 22 February 2022

ITEM 10.1 **Notice of Motions**

AUTHOR **Office of the General Manager**

ISSUE

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

RECOMMENDATION

That the information be noted.

ATTACHMENTS [Click here for attachments](#)

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

Notice of Motions & Questions With Notice - 22 February 2022

ITEM 10.2 Speed Cameras

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

“In lieu of the NSW Government’s flip-flopping around warnings signs for mobile speed cameras, Council writes to the Minister for Roads, calling on her to release the following data.

1. The number of fines issued to motorists by mobile speed cameras in the City of Canterbury-Bankstown for the years 2019, 2020 and 2021.
2. The number of mobile cameras deployed during 2019, 2020 and 2021, and a breakdown of the top five suburbs the fines were issued.
3. The total revenue collected for the years 2019/2020/2021 in Canterbury-Bankstown, and for all NSW.”

BACKGROUND

The NSW Liberal Government has bowed to public pressure, and to common sense, and reinstated signage for mobile speed cameras. And for this decision, I am grateful.

Just a few weeks ago, in early February, large double-sided warning signs were returned on the roofs of all mobile speed camera vehicles. These new signs were rolled out along with an additional 1,000 fixed signs.

Since the removal of the signage in November 2020, the number of fines has skyrocketed, and proven to be a cash bonanza for the Government, whilst at the same time having little effect on the road toll. In fact, the NSW Government’s “cash grabbing intentions” were quite clear when they tripled the cameras’ hours of operation.

According to the latest figures, something like 333,000 fines were issued for offences **under 10km/h** for totalling \$46million, a whopping 750 per cent increase from the previous year. And the total amount of money raised by the cameras topping nearly \$74 million.

The Calls for the Government to bring back the signage have been deafening. In fact, I moved a motion in this chamber for the NSW Government to reinstate the signage immediately, as it had nothing to do with road safety and was simply a blatant “cash grab”. And the record will show I was strongly criticised by one Liberal Councillor, when I was merely standing up for the community.

This Councillor should take heed from the well-respected former roads Minister Duncan Gay who [told a parliamentary inquiry](#) into speed cameras that the government's decision to remove warning signs was wrong, and the technology should not be used for entrapment.

Mr Gay was roads minister between 2011 and 2017.

In putting forward this motion, our community needs to know the full financial impact on them, as compared to the rest of the State.

FINANCIAL IMPACT

I see no cost implications on Council with regards to this motion as we will be writing to the relevant Department seeking this information.

GENERAL MANAGER'S COMMENT

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

Notice of Motions & Questions With Notice - 22 February 2022

ITEM 10.3 Bulldogs

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

“That –

1. Council writes to the Canterbury Bankstown Bulldogs CEO, Aaron Warburton, in support of league legend Steve Mortimer after he was admitted to a nursing home suffering dementia.
2. Council flies the Bulldogs’ street banners in Bankstown and Canterbury as a mark of respect for Mr Mortimer and to wish the team all the best for the upcoming Rugby League football season.”

BACKGROUND

Steve “Turvey” Mortimer, arguably the Bulldogs’ greatest ever player has been admitted to a local nursing home after being diagnosed with dementia last year.

The 65-year-old league legend was battered and bruised during his stellar career, a career which saw him win three premierships for his beloved Canterbury Bulldogs.

He played 272 games for the club between 1976-1988. . .a club record. He also captained NSW to its first ever State of Origin series victory and played Nine tests for Australia.

A pint-sized half back who punched well and truly above his weight.

Along with his brothers, Peter and Chris, he has been a loyal supporter of the club and indeed our City. And has always made himself available to the local schools, charitable organisations and the broader community.

He was honoured with an OAM, and also inducted into the Bulldogs inaugural Hall of fame in 2015.

FINANCIAL IMPACT

I understand Council already has Canterbury Bulldogs Banners so there would be no cost for these.

GENERAL MANAGER'S COMMENT

Council has existing Canterbury Bankstown Bulldogs banners and these could be installed on existing banner poles in Bankstown and Canterbury. The only cost would be the installation and removal which is part of ongoing operations to regularly change the banners.

Notice of Motions & Questions With Notice - 22 February 2022

ITEM 10.4 Dedicated Tree

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

“That Council reviews its Memorials Policy to include the opportunity for community members to create a living memorial to their loved ones through tree planting in public open space.”

BACKGROUND

The Sydney Morning Herald’s obituary notice said this about the late Bruce Macleod - Arborist, Teacher & Mentor:

6 December, 2012

Bruce passed away at Sacred Heart Hospice after a gallant struggle.

A passionate man, with a huge knowledge of Arboriculture and an ability to instil his passion in those around him.

A great and loyal friend, patient, open minded, an example to us all. Who could forget that laugh!

An inspiration to an entire generation of Arborists

Bruce was privately cremated. A celebration of his life and reflection on his contribution to Arboriculture will be held at Centennial Parklands, Sydney on Saturday 2nd February, 2013. Details of the time and location in the Park will be provided in SMH 26 January, 2013.

Bruce was my teacher, my employer, my mentor and my friend. I was unable to attend on Saturday 2 February 2013 and it has plagued me ever since. Bruce’s service was private and I didn’t ever feel that I was able to respectfully pay tribute to him nor properly farewell him. The celebration of his life and reflection on his contribution is in the form of a *Ficus virens*, or White Fig, planted in Centennial Park. Prior to the Christmas break, I contacted Centennial Parklands to request the location of the Fig Tree so that I could finally rest my conscience and properly farewell my friend and this visit is what drove me to explore options for my proposed motion tonight.

The motion proposes the planting of a tree. It is not proposed to have any other permanent fixtures or plaques due to vandalism and ongoing maintenance issues. However, a temporary small standard sign letting people know this tree is planted in memory of a loved one and to care for it would be appropriate. As an alternative to a plaque, I am proposing that Council provide a Memorial Tree Certificate for each planting which includes the location and GPS coordinates so that future family members can find it.

FINANCIAL IMPACT

All policies require regular review and this could be added to the schedule of policy review work following which Council can consider the findings.

GENERAL MANAGER'S COMMENT

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

Notice of Motions & Questions With Notice - 22 February 2022

ITEM 10.5 Footpaths and Cycleways Funding

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

“Council writes to the new Minister for Active Transport Rob Stokes to ensure our Council is prioritised for funding under his plan to spend \$950 million dollars on footpaths and cycleways.”

BACKGROUND

Councillors, the new Minister for Active Transport, Rob Stokes has let the cat out of the bag.

At a recent conference he openly admitted the NSW Government has not done enough and needed to double its investment in footpaths and cycleways.

What a revelation!

I Moved a motion in this chamber in October last year that

“Council seek the financial support of the NSW State Government so that Council can provide safer access throughout our suburbs by the provision of a more extensive formalised footpath network.”

That request fell on deaf ears.

My motion in October followed at least 25 requests to Council during the past two years for new footpaths from its residents in the Revesby Ward. They were all seeking safer and more healthy ways of moving around their local communities. Exactly what Minister Stokes is now saying is his priority.

At the time, I made the point that Council has limited resources and was seeking financial assistance from the State Government. I also raised the issue of increased housing density which contributed to greater numbers of cars/vehicles moving around and parking in our suburban streets.

And, I stressed that it was becoming increasingly difficult and unsafe for residents to walk and children to cycle through their own suburbs. Unfortunately, we still have 255km of our local roads without a footpath and 70km of cycle ways to build as per our Active Transport Action Plan that we adopted in April last year.

I would like to share an excerpt, of one of the many letters I receive, which is from a local resident.

Dear Cllr Linda Downey

I am writing this letter to you as a concerned citizen/local resident urging Council to build a pedestrian footpath along BURNS Road from Kennedy Street starting at no. 129 down to house number 2.

I am living in a residence on Claverdon Ave and during this time the population and vehicle use has greatly increased with the result that pedestrians have been forced to use Burns Road as a footpath. As many single homes are being demolished to make way for dual occupancy the roads are frequented by large trucks, heavy machinery and excess automobiles making this area very dangerous for young children who are making their way to and from school.

Many children (including my own children aged 9 & 10) and elderly folk use Burns Road at all times during the day. Children going to school or returning home from school, families and other visitors walk along the road for pleasure.

During winter and on rainy days children are forced to walk on the Burns Road to avoid getting wet feet and shoes thus using the road as a footpath and putting themselves in harm's way. This can be easily rectified by installing a footpath for all locals and those visitors who walk down Burns Road to get into the National Park reserve for bushwalks. Not to mention mothers with prams and infants as they are regularly seen on the road as it is near impossible to push a pram on the grass. We ask you to intervene and make this safe for all people.

FINANCIAL IMPACT

Councillors, my latest motion is again another plea to the NSW Government to open their eyes to what is happening, not only to our Council but to other Councils around the State. While this letter will not have cost implication on Council to prepare it could potentially bring in millions of dollars into our City.

GENERAL MANAGER'S COMMENT

There are no cost implications arising from this proposed motion as written.

Notice of Motions & Questions With Notice - 22 February 2022

ITEM 10.6 Rare Disease Day

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

“That Council shines a light on Rare Disease Day, to show support and raise awareness, on behalf of the many sufferers, carers and families, not only in our City but around the world.”

BACKGROUND

28 February is Rare Diseases Day. A day used to highlight the 7,000 rare diseases that impact over 300 million people around the world.

The inaugural launch was held in Australia in 2009 and has been gaining momentum ever since.

The theme for this year’s campaign is “**Share Your Colours**”. At a recent meeting, organisers were hoping to influence policies that can reduce the time it takes to get diagnosed; improve access to therapies and care; increase R&D; improve equity; and reduce stigmatization.

The day is about learning and sharing real life stories and experiences through social media, videos, articles and in different languages and across all continents.

Stories from people like Wafic from Lebanon who is living with Duchenne muscular dystrophy, a rare and incurable genetic disease. Tshepiso from Zimbabwe has a bleeding disorder called Von Willebrand. Nada from Egypt is living with a rare skin condition called Epidermolysis Bullosa. Jelena, who comes from Serbia, was diagnosed with Cystic Fibrosis when she was just a baby. Last, but not least, Vasco, who is from beautiful Peru and is living with Gaucher Disease. I encourage us all to read and be inspired by their stories of hope, strength and courage.

Council’s campaign should aim to encourage sufferers to post their own stories and for the wider community to support and share them. There are also other ways residents and businesses can to lend support including illuminating their homes and wearing coloured clothing.

FINANCIAL IMPACT

I envisage Council raises awareness through its social and digital engagement channels and there will be no costs involved.

GENERAL MANAGER'S COMMENT

The awareness raising through social media channels can be accommodated in the current operation plan.

Notice of Motions & Questions With Notice - 22 February 2022

ITEM 10.7

Iluka Street and Endeavour Place Riverwood

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

“That Council write to the NSW Department of Communities and Justice calling on them to:

- a. Take urgent action and order the immediate removal of unregistered motor vehicles, trailers and car parts being stored without authorisation on NSW Land and Housing Corporation property at Iluka St and Endeavour Pl, Riverwood.
- b. And to further notify the resident of their obligations under the tenancy of the property, with the view of eviction if there are further infringements.”

BACKGROUND

Council is in receipt of ongoing complaints regarding the unauthorised use of the public road by a resident of Iluka St / Endeavour Pl, Riverwood. These complaints include the storage of unregistered motor vehicles, trailers and car parts and associated materials – including waste - on the roadway outside the above premises.

It is important to note that the properties in question are owned by NSW Land & Housing Corporation.

The person responsible for these activities is also known to perform unauthorised works on motor vehicles (mechanical/dismantling) on the road and adjoining housing complex owned by Housing NSW. This is causing significant impact on the local environment in terms of noise and pollution.

The presence of these vehicles, vehicle parts and associated equipment at the location also pose a risk to public safety.

In March 2021, Council commenced compliance and enforcement action against the resident responsible.

The resident has since been issued with an Order under the Local Government Act which resulted in enforcement action after he failed to comply with the terms of the Order. Enforcement action (penalty notice) has also been taken for multiple breaches of the Road Regulation.

Police and Fire & Rescue are also being contacted to attend the location as a result of these actions.

On 11 November 2021, the person responsible was convicted and fined \$800 at Bankstown Local Court for the offence of Place thing on road likely restrict or endanger use of road or interfere with public convenience.

This prosecution was as a result of regulatory action commenced by Council.

In February 2022, Council issued the Land & Housing Corporation with a Notice of Intention to issue an Order under the Environmental Planning and Assessment Act. The Notice requires Land & Housing to remove accumulated materials from the properties and cease allowing their land to be used for storage of materials.

FINANCIAL IMPACT

The motion is calling for representations on behalf of the resident therefore there is no cost to Council.

GENERAL MANAGER'S COMMENT

There is no cost implication arising from the proposed motion as written. Representations can be made, action has already been undertaken and compliance inspections of the location are ongoing.

Notice of Motions & Questions With Notice - 22 February 2022

ITEM 10.8 CCTV for Compliance

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

“That Council

1. Explore the costs associated with using AI technology, or other CCTV surveillance equipment, as a means to combat illegal dumping, parking violations, speeding vehicles and other related matters across our City.
2. Investigate the possibility of accessing/sharing CCTV footage with the NSW Police Service and the Transport for NSW to assist with these matters.”

BACKGROUND

I am aware that Council is currently investigating the facilitation of footage (Safe TV Schools) for illegal parking and moving violations at schools with the Police. This is a positive first step given the variety of issues we are currently experiencing including:

- People stopping in a No Stopping zone.
- Unpermitted parking in disabled parking spaces.
- Parent’s dropping off children on pedestrian crossings – meaning children are being let out of a vehicle into oncoming traffic while other vehicles are trying to overtake.
- Blocking people’s driveways.
- Vehicles stopping close to intersections which introduces a serious safety hazard for all.
- Illegal dumping.

Additional illegal behaviours that have been identified include speeding (driving above 40), people on mobile phones and dangerous U-turns, sometimes over double lines.

New technology can recognise licence plates and provide evidence of an offence whilst protecting privacy and maintaining anonymity.

Pollution incidents also have the potential to cause adverse health effects on members of the community and we need to ensure that we do all that we can to protect our community from these incidents. Working collaboratively across different levels of government and relevant authorities to rid our city of these events is critical.

For this reason, it is essential that all options are explored and practical measures investigated so that Council can effectively combat illegal dumping, parking violations and other related matters across our City.

FINANCIAL IMPACT

The motion is recommending an investigation so no financial impact at this stage.

GENERAL MANAGER'S COMMENT

The work of Council staff on the Safe TV Schools project is ongoing and this motion is consistent with the work.

Council also has a long-standing partnership with Bankstown District Sports Club (BDSC) and Bankstown Police Area Command (BLAC) around Council's CCTV system in the Bankstown Civic Precinct. This is a model for further MoU's which we would like to develop as part of advising the Safe TV Schools project.

Council also deploys temporary surveillance devices at illegal dumping 'hotspots' throughout the city. These cameras are currently rapidly deployed to and from locations impacted by illegal dumping to assist in the detection of prosecution of offenders. These types of offences are a blight on our community and are a serious cause of frustration for all.

This investigation is currently part of Council's workplans so there are no financial implications of the motion as written.

Notice of Motions & Questions With Notice - 22 February 2022

ITEM 10.9 Ramadan Decorations

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

“That Council investigate additional decorations on Haldon Street during the Holy month of Ramadan.”

BACKGROUND

Using special decorations is one of the ways to celebrate the holy month of Ramadan and are a wonderful way to recognise the many cultural backgrounds that make up our community. As Canterbury Bankstown is proud to be one of the most culturally diverse council in Australia, with more than half of our residents born overseas.

I understand that the Mayor has sought special funding from the NSW Government and has met with the Minister for Multiculturalism and I lend my weight to the calls for this funding so that this event Holy month of Ramadan for the year 2022 starting on the evening of Saturday, 2nd April lasting 30 days and ending at sundown on Sunday, 1st May, can grow, be better and be safe.

FINANCIAL IMPACT

Council to look at the ability to fund additional decorations within the existing Ramadan Nights event budget.

GENERAL MANAGER’S COMMENT

The annual Ramadan event has a budget of approximately \$450,000 including approximately \$150,000 in stallholder income. Funding priorities continue to be on safety and amenity for our community attending the event and as much funding as possible is always made available for decorations. If the funding from the NSW Government is forthcoming it will make a significant contribution to safety, amenity, and decorations.

Notice of Motions & Questions With Notice - 22 February 2022

ITEM 10.10 Emerging Communities Resource Centre (ECRC)

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

“That Council receive a report on the current and future operation of the Emerging Communities Resource Centre.”

BACKGROUND

During my previous terms on Council, I proudly started the work to establish the highly successful “Emerging Communities Resource Centre” (ECRS) in Lakemba which caters for the various needs of local emerging communities in our local area.

Recently I have been advised that this centre is not working effectively and an update and understanding of the future operations to support Emerging Communities would benefit Councillors.

FINANCIAL IMPACT

The motion is recommending an investigation so no financial impact at this stage.

GENERAL MANAGER’S COMMENT

The ECRS was supported by Council’s Diversity Officer position which recently became vacant, and we are currently recruiting to fill this role. Once filled and the new Diversity Officer commences, they will be able to meet with current and previous users and collaborate with other staff involved since its inception in 2012 to prepare a report as requested.

Notice of Motions & Questions With Notice - 22 February 2022

ITEM 10.11 Town Centre Engagement

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

“That Council receive a report on the operation of a trial engagement process for Lakemba Town Centre aim to reach out to our community on issues that are of immediate concern to our local residents.”

BACKGROUND

As Councillors, we strive to not only understand and address the major issues facing our city, but also the local issues that impact our community every day.

I acknowledge that Council does more than most councils to engage with its community, and it is my hope that we can explore and trial new ways to connect and reach out to our community on issues that are of immediate concern to our residents such as street cleaning, illegal dumping, parking, traffic, footpaths, open space, parks, street lighting, and safety.

I propose that the report back on the Town Centre Engagement process should consider the following as a minimum:

- Provide for face-to-face engagement with residents and businesses,
- Be held locally in Lakemba
- Involve ward Councillors
- Include Federal and State Members
- A steering committee consisting of Word Councillor and appropriate staff to organise the meeting.
- A reference Group or Working Party to carry on a longer form engagement post the meeting

FINANCIAL IMPACT

The motion is recommending an investigation so no financial impact at this stage.

GENERAL MANAGER’S COMMENT

A report can be provided outlining a process, framework and costing for the above.

11 CONFIDENTIAL SESSION

11.1 SSROC T2020-09 Sustainable Pavements - Road Construction Material and Related Services

11.2 T35-22 Padstow Park Synthetic Field - Design and Construction

11.3 T39-22 Kelso Park North Clubhouse and Amenities Building and Sportsfield Upgrade

General Manager's Statement

Confidentiality

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

CONFIDENTIAL SESSION

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

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

RECOMMENDATION

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

Item 11.1 SSROC T2020-09 Sustainable Pavements - Road Construction Material and Related Services

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 11.2 T35-22 Padstow Park Synthetic Field - Design and Construction

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 T39-22 Kelso Park North Clubhouse and Amenities Building and Sportsfield Upgrade

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