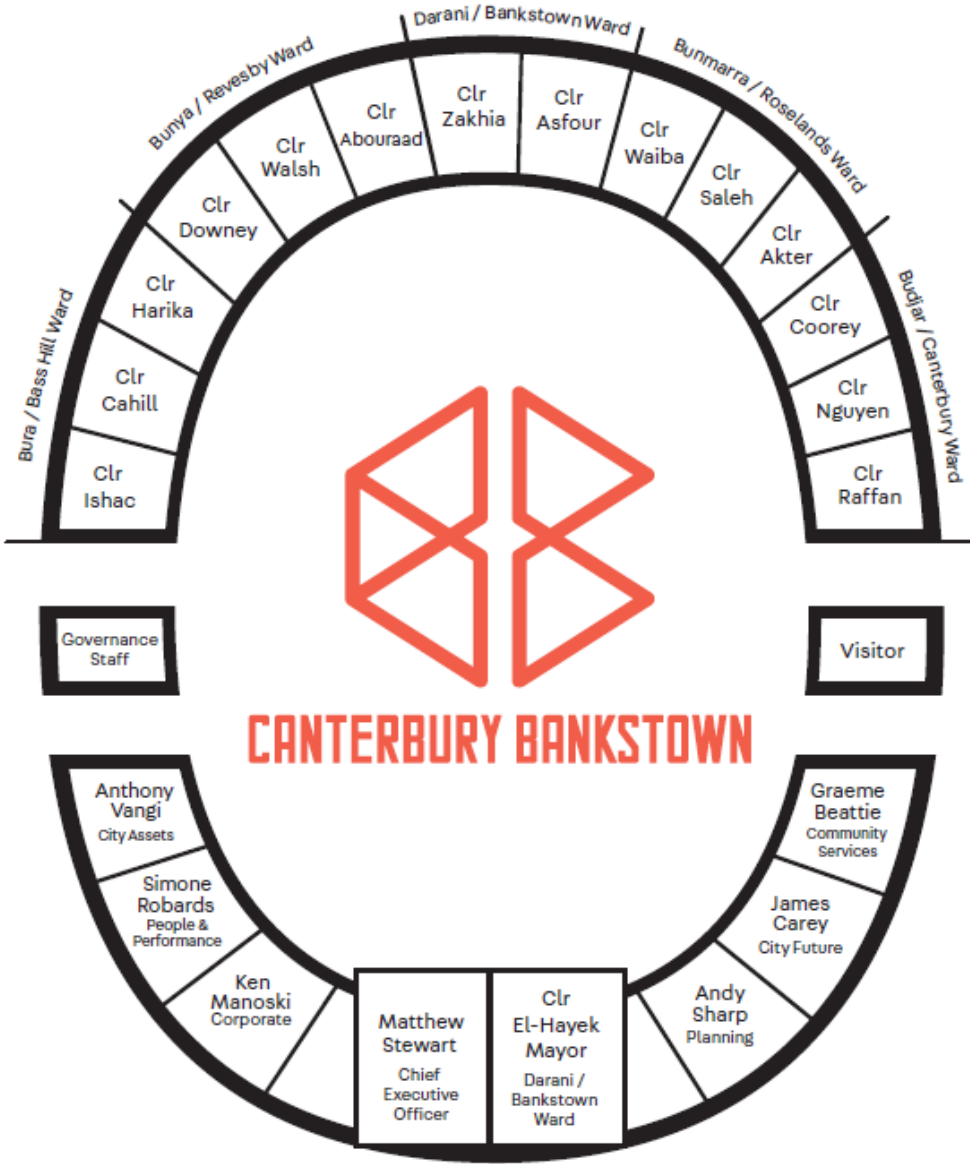




# AGENDA FOR THE ORDINARY MEETING

12 September 2023

# Gallery



## **Statement of Ethical Obligations**

### **Oath or Affirmation of Office**

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

### **Conflicts of Interest**

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

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# ORDER OF BUSINESS

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<b>1</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETING .....</b>	<b>7</b>
1.1	Minutes of the Ordinary Meeting of Council of 29 August 2023	9
<b>2</b>	<b>LEAVE OF ABSENCE.....</b>	<b>25</b>
<b>3</b>	<b>DECLARATIONS OF PECUNIARY INTEREST OR NON-PECUNIARY CONFLICT OF INTEREST.....</b>	<b>27</b>
<b>4</b>	<b>MAYORAL MINUTES .....</b>	<b>29</b>
4.1	Domestic Violence Summit	31
4.2	Young Drivers	33
4.3	Australia Day Honours 2024	35
4.4	St Nicholas Golden Jubilee	37
4.5	Local Community Based Donations	39
<b>5</b>	<b>PLANNING MATTERS .....</b>	<b>41</b>
5.1	Canterbury-Bankstown Local Infrastructure Contributions Plan 2022 - Draft Administrative Amendments	43
5.2	Report on Council’s Performance in the Assessment of Development Applications for the 2022/23 financial year, Clause 4.6 Variations Approved for the fourth quarter of the 2022/23 financial year, Planning Related Legal Appeals, and the status of current Planning Proposals	49
<b>6</b>	<b>POLICY MATTERS.....</b>	<b>55</b>
6.1	Media Policy	57
<b>7</b>	<b>GOVERNANCE AND ADMINISTRATION MATTERS .....</b>	<b>61</b>
7.1	Code of Meeting Practice - Amendment to 2023 Schedule of Meetings	63
7.2	2024 Local Council Elections	67
7.3	Lease to EBP Sports (previously Earlwood Bardwell Park RSL Club Limited) - 134 Woolcott Street Earlwood	71
<b>8</b>	<b>SERVICE AND OPERATIONAL MATTERS .....</b>	<b>75</b>
<b>9</b>	<b>COMMITTEE REPORTS .....</b>	<b>77</b>
9.1	Minutes of the Community & Inclusion Advisory Committee meeting held on 23 August 2023	79
9.2	Minutes of the Traffic Committee Meeting held on 12 September 2023	80A

<b>10</b>	<b>NOTICE OF MOTIONS &amp; QUESTIONS WITH NOTICE .....</b>	<b>83</b>
	10.1 Status of Previous Notices of Motion - September 2023	85
	10.2 Sovereign Citizens - Councillor Khal Asfour	87
	10.3 State Government planning controls for dual occupancy development - Councillor Christopher Cahill	89
	10.4 Housing and Productivity Scheme - Councillor Charbel Abouraad	91
	10.5 Questioning Morrison Low's Demerge Analysis - Councillor Barbara Coorey	93
<b>11</b>	<b>CONFIDENTIAL SESSION.....</b>	<b>95</b>



# **1 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

The following minutes are submitted for confirmation -

1.1	Minutes of the Ordinary Meeting of Council of 29 August 2023 .....	9
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**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

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

**APOLOGIES** Councillors Abouraad, Akter, Ishac, Zakhia.

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**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.30 P.M.**

**ACKNOWLEDGEMENT OF COUNTRY**

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

**SECTION 1: CONFIRMATION OF MINUTES**

**(520)**

**CLR. DOWNEY:/CLR. HARIKA**

RESOLVED that the minutes of the Ordinary Council Meeting held on 25 July 2023 be adopted.

- CARRIED

**SECTION 2: LEAVE OF ABSENCE**

**(521)**

**CLR. SALEH OAM:/CLR. RAFFAN**

RESOLVED that Leave of Absence be granted to Clr Abouraad, Clr Akter, Clr Ishac and Clr Zakhia due to personal reasons.

- CARRIED

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

In respect of Item 4.4 – Riverwood Spring Festival 2023, Clr Saleh OAM declared a pecuniary conflict of interest given that he is a Board Member of the Riverwood Community Centre and as such, he will vacate the chamber taking no part in debate.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

In respect of Item 4.4 – Riverwood Spring Festival 2023, Clr Waiba declared a pecuniary conflict of interest given that she is a Board Member of the Riverwood Community Centre and as such, she will vacate the chamber taking no part in debate.

In respect of Item 7.1 – Community Grants and Event Sponsorship Program, Mayor El-Hayek declared a significant non-pecuniary conflict of interest due to his association, given the community work he undertakes, with a number of the applicants for community grants, and as such, he will vacate the chamber taking no part in debate.

In respect of Item 7.1 – Community Grants and Event Sponsorship Program, Clr Asfour declared a significant non-pecuniary conflict of interest due to his association with a number of the applicants for community grants and as such, he will vacate the chamber taking no part in debate.

In respect of Item 7.1 – Community Grants and Event Sponsorship Program, Clr Saleh OAM declared a pecuniary conflict of interest given that the Riverwood Community Centre of which he is a Board Member, are an applicant for community grants and as such, he will vacate the chamber taking no part in debate.

In respect of Item 7.1 – Community Grants and Event Sponsorship Program, Clr Waiba declared a pecuniary conflict of interest given that the Riverwood Community Centre of which she is a Board Member, are an applicant for community grants, and as such, she will vacate the chamber taking no part in debate.

In respect of Item 7.1 – Community Grants and Event Sponsorship Program, Clr Harika declared a non-pecuniary, non-significant conflict of interest given that she is a Patron of the Bahayra Youth Association, who are an applicant for a community grant. This relationship will not affect her consideration of this matter and she will remain in the Chamber.

**SECTION 4: MAYORAL MINUTES**

**ITEM 4.1 YES**

CLR. COOREY TEMPORARILY VACATED THE CHAMBER AT 6.36 PM AND RETURNED AT 6.42 PM.

**(522) CLR. EL-HAYEK**

RESOLVED that

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

1. Council continue leading the way by taking the next step and committing our Council to supporting the yes case. . . supporting the establishment of an Aboriginal and Torres Strait Islander voice to parliament.
  2. Council further propose to follow in the footsteps of other mayors and sign the commitment to support the Uluru Statement from the Heart.
- CARRIED

**ITEM 4.2**                      **SLEEPOUT UPDATE**  
**(523)**                              **CLR. EL-HAYEK**

RESOLVED that Council note the letter received from Mission Australia thanking Council for our kindness and support and confirms that all monies raised will be spent on a program in our City.

- CARRIED

**ITEM 4.3**                      **MARONITE EPARCHY**  
**(524)**                              **CLR. EL-HAYEK**

RESOLVED that Council write to Bishop Antoine-Charbel Tarabay on behalf of our city, and offer our congratulations and support, as they celebrate their milestone Maronite Eparchy Golden Jubilee mass.

- CARRIED

**ITEM 4.4**                      **RIVERWOOD SPRING FESTIVAL 2023**

In respect of Item 4.4 – Riverwood Spring Festival 2023, Clr Saleh OAM declared a pecuniary conflict of interest given that he is a Board Member of the Riverwood Community Centre and as such, he vacated the chamber taking no part in debate.

In respect of Item 4.4 – Riverwood Spring Festival 2023, Clr Waiba declared a pecuniary conflict of interest given that she is a Board Member of the Riverwood Community Centre and as such, she vacated the chamber taking no part in debate.

CLRS. SALEH OAM AND WAIBA TEMPORARILY VACATED THE CHAMBER AT 6.49 PM AND RETURNED AT 6.51 PM.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

**(525)**

**CLR. EL-HAYEK**

RESOLVED that Council support the 2023 Riverwood Spring Festival on Saturday 16 September 2023 by promoting it on Council's website and Social media.

- CARRIED

**ITEM 4.5**

**LOCAL COMMUNITY BASED DONATIONS**

**(526)**

**CLR. EL-HAYEK**

RESOLVED that

1. Council support a donation of \$1,000 towards the Riverwood Squadron, Australian Air League.
2. Council support a donation of \$1,000 towards the Australian Lebanese Football Association Cup.
3. Council support a donation of \$500 towards Help for Hirschsprung Disease.
4. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

**SECTION 5:**

**PLANNING MATTERS**

**ITEM 5.1**

**NOTICE OF RESCISSION - ITEM 5.1 PLANNING PROPOSAL - 30 TREVENAR STREET, ASHBURY**

**CLR. COOREY:/CLR. NGUYEN**

That the following Council resolution (501) from the Ordinary Meeting of Council held on 25 July 2023 be rescinded.

1. Council resolves not to proceed with acquisition of this property, and therefore requests to withdraw this planning proposal.
2. Council writes to all submitters to inform them of Council's decision.

THE MOTION OF RESCISSION WAS PUT AND LOST

**For:-**

Clrs Coorey and Nguyen

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**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

**Against:-** Clrs Asfour, Cahill, Downey, El-Hayek, Harika, Saleh OAM, Raffan, Waiba and Walsh

AT THIS STAGE OF THE MEETING IN ACCORDANCE WITH CLAUSE 15.14 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A FIRST WARNING AT 6.57 PM TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

AT THIS STAGE OF THE MEETING IN ACCORDANCE WITH CLAUSE 15.14 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A SECOND WARNING AT 6.58 PM TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

**MOTION OF DISSENT**

Clr Coorey moved a motion of dissent against the Chairperson's ruling that Clr Walsh had not committed an act of disorder.

- LOST

**SECTION 6: POLICY MATTERS**

**ITEM 6.1 MOBILE FOOD VENDING VEHICLES POLICY**

CLR. NGUYEN TEMPORARILY VACATED THE CHAMBER AT 7.23 PM.

**(527) CLR. HARIKA:/CLR. WALSH**

RESOLVED that Council adopts the Mobile Food Vending Vehicles Policy.

- CARRIED

**SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 7.1 2023-2024 COMMUNITY GRANTS & EVENT SPONSORSHIP PROGRAM**

In respect of Item 7.1 – Community Grants and Event Sponsorship Program, Mayor El-Hayek declared a significant non-pecuniary conflict of interest due to his association, given the community work he undertakes, with a number of the applicants for community grants.

In respect of Item 7.1 – Community Grants and Event Sponsorship Program, Clr Asfour declared a significant non-pecuniary conflict of interest due to his association with a number of the applicants for community grants.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

In respect of Item 7.1 – Community Grants and Event Sponsorship Program, Clr Saleh OAM declared a pecuniary conflict of interest given that the Riverwood Community Centre of which he is a Board Member, are an applicant for community grants.

In respect of Item 7.1 – Community Grants and Event Sponsorship Program, Clr Waiba declared a pecuniary conflict of interest given that the Riverwood Community Centre of which she is a Board Member, are an applicant for community grants.

In respect of Item 7.1 – Community Grants and Event Sponsorship Program, Clr Harika declared a non-pecuniary, non-significant conflict of interest given that she is a Patron of the Bahayra Youth Association, who are an applicant for a community grant. This relationship will not affect her consideration of this matter and she remained in the Chamber.

CLR. NGUYEN RETURNED TO THE CHAMBER AT 7.25 PM.

**(528)**

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

RESOLVED that given the lack of a quorum, in accordance with Section 4.34 and 5.12 of Council's Code of Conduct, Council agree to delegate the consideration and determination of the allocation of Council's 2022/23 Community Grants and Events Sponsorship Program to the Chief Executive Officer.

- CARRIED

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

**ITEM 7.2**

**2023-2027 CBCITY COMMUNITY SAFETY & CRIME PREVENTION PLAN**

**(529)**

**CLR. HARIKA:/CLR. RAFFAN**

RESOLVED that Council adopts the 2023 – 2027 CBCity Community Safety & Crime Prevention Plan.

- CARRIED

**ITEM 7.3**

**LOCAL GOVERNMENT NSW ANNUAL CONFERENCE - CONSIDERATION OF MOTIONS**

**(530)**

**CLR. RAFFAN:/CLR. DOWNEY**

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

RESOLVED that

1. The information be noted.
2. Council endorse the draft motions as detailed in the report.

- CARRIED

**ITEM 7.4**                                **QUARTERLY PROGRESS REPORT OF THE 2022/23 OPERATIONAL PLAN, DELIVERY PROGRAM AND BUDGET TO JUNE 2023**

CLR. SALEH OAM TEMPORARILY VACATED THE CHAMBER AT 7.41 PM AND RETURNED AT 7.44 PM.

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

RESOLVED that

1. Council note the quarterly review of the 2022/23 Operational Plan and six-monthly review of the Delivery Program to 30 June 2023.
2. Council adopt the June 2023 Quarterly Budget Review as outlined in this report.
3. Council authorise the carryover of budgets to complete certain capital and operating projects commenced throughout the 2022/23 financial year, as outlined in the report.
4. Council apply all rates and charges written off during the year to its rating databases in satisfying its obligation under the *Local Government Act 1993* and *Local Government (General) Regulation 2021*, as outlined in the report.
5. Council authorise the write-off of sundry debts for the 2022/23 financial year, as outlined in the report.

- CARRIED

AT THIS STAGE OF THE MEETING IN ACCORDANCE WITH CLAUSE 15.14 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A FIRST WARNING AT 7.38 PM TO COUNCILLOR ASFOUR FOR AN ACT OF DISORDER.

**ITEM 7.5**                                **CASH AND INVESTMENT REPORT AS AT 31 JULY 2023 AND 30 JUNE 2023**

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

**(532) CLR. DOWNEY:/CLR. RAFFAN**

RESOLVED that

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

- CARRIED

**SECTION 8: SERVICE AND OPERATIONAL MATTERS**

**ITEM 8.1 WESTINVEST PROGRAM UPDATE**

**(533) CLR. DOWNEY:/CLR. SALEH OAM**

RESOLVED that

1. The WestInvest Project Update be received and noted.
2. Council continue in its discussions with WestInvest to finalise the Funding Deeds and that the Chief Executive Officer be delegated authority to prepare and sign all relevant documentation, as required.

- CARRIED

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

**ITEM 8.2 2023-2024 EVENTS PARTNERSHIPS PROGRAM GRANT FUNDING**

**(534) CLR. DOWNEY:/CLR. NGUYEN**

RESOLVED that Council approves the cash and in-kind support for the Lebanese Film Festival and for the Padstow Carols by Candlelight from the Events Partnerships Program.

- CARRIED



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

**ITEM 8.3**                      **WOMEN'S REST CENTRES**  
**(535)**                              **CLR. SALEH OAM:/CLR. RAFFAN**

RESOLVED that

1. Council note the outcomes of the Women's Rest Centre trial period.
2. Council carryout an open Expression of Interest (EOI) process, inviting interested Non-For-Profit Organisations to operate Council's Lakemba and Campsie Women's Rest Centres, as outlined in the report.
3. At the conclusion of the EOI, Council be provided with a further report, detailing all submissions received and a proposed approach with regards to the matter.

- CARRIED

**SECTION 9:                      COMMITTEE REPORTS**

**(536)**                              **CLR. HARIKA:/CLR. NGUYEN**

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Committee Reports.

- CARRIED

**ITEM 9.1**                              **MINUTES OF THE ARTS & CULTURE ADVISORY COMMITTEE MEETING HELD ON 19 JULY 2023**

**(537)**                              **CLR. HARIKA:/CLR. NGUYEN**

RESOLVED that the minutes of the Arts & Culture Advisory Committee meeting held on 19 July 2023 be endorsed.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

**ITEM 9.2**                    **MINUTES OF THE ENVIRONMENT ADVISORY COMMITTEE MEETING HELD ON 19 JULY 2023**

**(538)**                    **CLR. HARIKA:/CLR. NGUYEN**

RESOLVED that the minutes of the Environment Advisory Committee meeting held on 19 July 2023 be endorsed.

- CARRIED

**ITEM 9.3**                    **MINUTES OF THE ABORIGINAL & TORRES STRAIT ISLANDER ADVISORY COMMITTEE MEETING HELD ON 25 JULY 2023**

**(539)**                    **CLR. HARIKA:/CLR. NGUYEN**

RESOLVED that

1. Council note:
  - 1.1 The proposed establishment process and operational model for a First Peoples Cultural Hub and Resource Centre at Bankstown Senior Citizens Centre.
  - 1.2 A name change for the 'Aboriginal & Torres Strait Islander Advisory Committee' to the 'First Peoples Advisory Committee'.
  - 1.3 The following Acknowledgement of Country for use in relevant Council mediums:

The City of Canterbury Bankstown acknowledges the traditional custodians of the land, water and skies of Canterbury-Bankstown, the Darug (Darag, Dharug, Daruk, Dharuk) People. We recognise and respect Darug cultural heritage, beliefs and relationship with the land. We acknowledge the First Peoples' continuing importance to our CBCity community.
2. The minutes of the Aboriginal & Torres Strait Islander Advisory Committee meeting held on 25 July 2023 be endorsed.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

**ITEM 9.4**                    **MINUTES OF THE YOUTH ADVISORY COMMITTEE MEETING HELD ON 31 JULY 2023**

**(540)**                    **CLR. HARIKA:/CLR. NGUYEN**

RESOLVED that the minutes of the Youth Advisory Committee meeting held on 31 July 2023 be endorsed.

- CARRIED

**ITEM 9.5**                    **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 8 AUGUST 2023**

**(541)**                    **CLR. HARIKA:/CLR. NGUYEN**

RESOLVED that the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 8 August 2023, be adopted.

- CARRIED

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

**ITEM 10.1**                **STATUS OF PREVIOUS NOTICES OF MOTION - AUGUST 2023**

**(542)**                    **CLR. DOWNEY:/CLR. NGUYEN**

RESOLVED that the information be noted.

- CARRIED

**ITEM 10.2**                **VALE IAN KENNEDY**

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

RESOLVED that

1. Council acknowledge the passing of Ian Kennedy and recognise the voluntary and community deeds of this humble and well-liked Padstow local, known to many in the area, as the “pizza delivery man”.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

2. Council investigate the provision of a pedestrian crossing in Gibson Avenue, Padstow.

- CARRIED

**ITEM 10.3                    LATE TRADE PRECINCTS**

CLR RAFFAN TEMPORARILY VACATED THE CHAMBER AT 8.34 PM.

CLR NGUYEN TEMPORARILY VACATED THE CHAMBER AT 8.35 PM AND RETURNED AT 8.36 PM.

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

RESOLVED that

1. Council undertake consultation on our communities thoughts on the need, benefits, impacts and possible locations where late-night trading could occur.
2. Consultation to include retailers in our centres inclusive of food shops and restaurants.
3. This engagement informs future opportunities to where our city would benefit from extended night trade for businesses that supports Canterbury Bankstown as a destination while balancing amenity for residents in busy centres.

- CARRIED

**ITEM 10.4                    CONGRATULATIONS MATILDAS**

CLR RAFFAN RETURNED TO THE CHAMBER AT 8.41 PM.

**(545)                    CLR. SALEH OAM:/CLR. HARIKA**

RESOLVED that

1. Council congratulates the Australian Women's Football Team on their successful performance during the 2023 World Cup.
2. Council also acknowledges the achievements of team member, Mary Fowler, who attended Bankstown Girls High School and was selected from

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

Sydney's second-tier competition to play for the Bankstown City Lions Football Club National Premier League.

- CARRIED

**ITEM 10.5                    ADDITIONAL SERVICES ON THE EAST HILLS RAILWAY LINE**

CLR SALEH OAM TEMPORARILY VACATED THE CHAMBER AT 8.43 PM AND RETURNED AT 8.47 PM.

CLR WAIBA TEMPORARILY VACATED THE CHAMBER AT 8.49 PM AND RETURNED AT 8.51 PM.

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

RESOLVED that Council writes to the NSW Minister for Transport The Hon. Jo Haylen seeking a commitment to add extra train services on the T8 Airport & South (aka East Hills) Line when the T3 Bankstown Line is closed for the metro conversion. The extra services will be needed to cope with the expected increase in passengers using the rail line.

- CARRIED

**ITEM 10.6                    MORE BOOKSTORES**

**(547)                    CLR. HARIKA:/CLR. WALSH**

RESOLVED that Council write to the major chain of bookstores to encourage them to open a store in our LGA.

- CARRIED

**ITEM 10.7                    PROPOSAL TO CONVERT T3 LINE TO METRO**

**CLR. COOREY**

That

1. Council urgently writes to the Minister for Transport and the Premier to reconsider their position to convert the T3 line to Metro and to honour recommendation 3 of the Report into the Conversion of the T3 Line to

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

Metro dated 2020 and that is to terminate the Metro at Sydenham and not take it to Bankstown.

2. Council urgently request that the Government look at all the issues to be created as a result of the shutdown
  - The inconvenience (and mental anguish and anxiety caused ) to 100,000 commuters in peak hour including workers travelling to the city for their jobs, students from at least schools – Canterbury Boys , Canterbury Girls, Holy Cross College, Punchbowl Boys high school and Wiley Park Girls High School, Birrong Girls High School and students attending Sydney Uni and Uts (and the interference to HSC Students) and beyond who will all be affected with no trains for 12 months and possibly beyond.
  - The impossibility of providing bus services to 100,000 persons in peak hour whereby the conditions on Canterbury Road and other feeder roads are already at grid lock status during peak hour –
  - 1000 buses with 1000 drivers will be required which add total mayhem to the surrounding suburbs.
  - The non consultation and notification to all the schools, shopkeepers and the commuters of the shutdown and the implications for their travel.
3. Council includes the following in the correspondence to the Minister and the Premier
  - All of the content of the Background to this Notice of Motion including quotes and discussion points.
  - An Upper House inquiry was held into the Sydenham to Bankstown Conversion of the T3 line (in 2019) and recommendation 3 was to terminate it at Sydenham
  - That the MP's (we thank them for their submission in 2019) for the line together with hundreds of community members made submissions in 2019 against the conversion.

THERE BEING NO SECONDER THE MOTION LAPSED

**ITEM 10.8**  
**(548)**

**FUTURE OF SYDNEY TRAINS STATIONS IN THE WEST OF BANKSTOWN**  
**CLR. COOREY:/CLR. CAHILL**

RESOLVED that Canterbury Bankstown Council affirms its support for the Sydney Trains Network in particular for the existing stations west of Bankstown (not part of Sydney Metro Southwest) including Birrong and Yagoona. And that Council writes to the NSW Transport Minister Jo Haylen, the current Sydney Trains Review conducted by Ms Carolyn Walsh, the relevant State MPs, and neighbouring Local

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

Councils in west of Bankstown outlining opposition to the Transport for NSW plans for:

- Removal of Sydney Trains services from Birrong and Yagoona to Central/City Circle in 2024.
- More west of Bankstown commuters forced to interchange at Lidcombe for trains to City Circle.
- West of Bankstown commuters forced to interchange at Bankstown
- Removal of Sydney Trains services from Liverpool-Sefton to Birrong/Yagoona/Bankstown in 2024.
- West of Bankstown commuters forced to interchange at Regents Park if travelling from a Liverpool-Sefton station to a Birrong-Bankstown station.
- Renaming of former T2 Inner West Line “Liverpool to City via Regents Park” train services (removed in 2013, to be restored temporarily in 2024) as the second T3 Bankstown Line.
- Long-term permanent closure of Sydney Trains stations west of Bankstown with the replacement of trains with buses between Bankstown and Lidcombe and Liverpool via Regents Park.

- CARRIED

**SECTION 11: CONFIDENTIAL SESSION**

**(549) CLR. DOWNEY:/CLR. NGUYEN**

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

Item 11.1 Code of Conduct Investigation Report

*This report is considered to be confidential in accordance with Section 10A(2)(i) of the Local Government Act, 1993, as it relates to alleged contraventions of code of conduct requirements applicable under section 440.*

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 9.07 PM AND REVERTED BACK TO OPEN COUNCIL AT 9.10 PM.**

CLR COOREY AND CLR NGUYEN RETIRED FROM THE MEETING AT 9.08 PM.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 29 AUGUST 2023**

---

**ITEM 11.1**                    **CODE OF CONDUCT INVESTIGATION REPORT**  
**(550)**                        **CLR. CAHILL:/CLR. WALSH**

RESOLVED that

1. For the reasons outlined in the report by the Code of Conduct Reviewer, Council formally censures Councillor Coorey for the breach of Part 3 (General Conduct Obligations) and Part 7 (Relationship Between Council Officials) of Council's Code of Conduct, under section 440G of the Local Government Act 1993.
2. The matter be referred to the Office of Local Government for further action under the misconduct provisions of the Local Government Act 1993 Act.

- CARRIED

**THE MEETING CLOSED AT 9.11 PM.**

Minutes confirmed 12 SEPTEMBER 2023

.....

Mayor



**2 LEAVE OF ABSENCE**



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



## **4 MAYORAL MINUTES**

The following items are submitted for consideration -

4.1	Domestic Violence Summit	31
4.2	Young Drivers	33
4.3	Australia Day Honours 2024	35
4.4	St Nicholas Golden Jubilee	37
4.5	Local Community Based Donations	39



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## Mayoral Minutes - 12 September 2023

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### ITEM 4.1 Domestic Violence Summit

Councillors

A lot is said and written daily about domestic violence, but it doesn't really hit home until it affects you, or unless you hear some of the stories firsthand.

As you all know, and I thank those councillors who attended, that's exactly what I experienced during my recent summit on Domestic Violence.

The day was a resounding success with more than 140 community and spiritual leaders, domestic violence victims and organisations, police, and the media in attendance. They shared their experiences from the coal face and participated in a panel discussion and specially convened workshops.

The discussions and conversations were raw and real . . . and a little confronting at times. . . we heard from one organisation of the increasing trend of choking and strangulation. . . another group spoke of the language barriers and the reluctance to report for fear of family and the shame of it all.

We also heard from our local police command and how they are meet each morning, and meticulously sift through information received, and follow up on complaints.

But the initiatives, and challenges we all face, emerged during the workshops with all the organisations coming together. I think it is fair to say there was collaboration with all the groups and a common message about breaking down the barriers to address domestic violence.

Some key points from the workshop included:

- Need for more education (community driven response). Eg. CALD workshops, education from preschool through to high school, parent and employer education and many other programs.
- Prevention. A proactive approach aimed at institutions and organisations to adopt standards as their code of conduct.
- Housing. All levels of Government, developers and housing providers to work towards long-term stable accommodation with the aim of domestic and family violence survivors rebuilding their lives.
- Tougher sentencing laws.
- Service NSW to be more flexible around registration. Developing apps for car transport to move DV victims and car rental assistance.

Councillors, tonight, I propose to write to the Minister for Women Jodie Harrison, who is also the Minister for the Prevention of Domestic Violence and Sexual Assault, seeking a meeting to present the outcomes and priorities raised at my recent summit on Domestic Violence.

Councillors, I put the Mayoral Minute.



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## Mayoral Minutes - 12 September 2023

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### ITEM 4.2            Young Drivers

Councillors,

Hardly a day goes by without you flicking on the news and hearing about an innocent victim who has lost their life, or badly injured, at the hands of a young driver behind the wheel of a car.

And it will come as no surprise to learn that in the majority of cases speeding is the main contributor.

According to the latest available figures for NSW, speeding drivers were responsible for about 41 per cent of deaths and 24 per cent of serious injuries on NSW roads. . . . sadly, that's 135 deaths and nearly 1200 others seriously injured.

Just ponder the statistics. . . . 45 per cent of all young Australian deaths are due to road traffic crashes. . . of which 80 per cent are male. . and those killed, or responsible for their deaths aged between 17-29.

Over the past six weeks, there have been several incidents across the State but three, closer to home, have struck a chord with me and left most in the community numb and in disbelief.

The first was the death of two boys, aged 9 and 10, who were killed when the car in which they were travelling crashed into a tree along the Grand Parade at Monterey.

The second was the heartbreaking deaths of siblings Alina Kauffman and Ernesto Salazar at Heckenberg. . . .24-year-old Alina had just picked up her 15-year-old brother from work when they were hit by the driver of a Mercedes who allegedly fled the scene.

And only last week. . . closer to home at Greenacre. . . a fiery crash in which four young people were seriously injured when their car ploughed into a telegraph pole at high speed.

Councillors, how many more deaths must occur before we begin to question whether the strategies that are in place are working. Let's face it, over the past few years there have been countless summits, conferences both locally and globally, reports, strategies and education programs to tackle this issue with very little effect.

In fact, if you go to the NSW Government's centre for Road safety website you will discover they have a goal of zero deaths by 2050. . . . having a goal and achieving it couldn't be further from the reality when you look at what is happening on our roads.

Tonight, I propose writing to the NSW Premier Chris Minns urging his new Government to urgently review the policies and strategies currently in place in tackling the alarming deaths, and driving behaviours, of young people, in particular young males.

I will also call on him to consider introducing tougher penalties, which includes zero tolerance, reducing the total number of demerit points before a loss of licence, introducing double demerit points permanently, more education in our schools, tougher requirements when applying for a licence and increasing police patrols and visibility.

I further propose Council highlights the dangers of speeding, in particular targeting drivers in the age group 16-29, on its social and digital media platforms.

Councillors, I put the Mayoral Minute.

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## Mayoral Minutes - 12 September 2023

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### ITEM 4.3                      Australia Day Honours 2024

Councillors,

Where has the year gone?

It wasn't that long ago we were handing out our Australia Day awards . . . . and you guessed it, it's that time of the year where we again call on people to nominate someone they believe has made a real difference in the community.

Selfless local heroes who don't seek recognition, or fame but deserve our gratitude and thanks in our Australia Day honours list.

The awards will be my first as mayor, and extra special because I know, through my volunteering work, the goodwill that exists. . . . People from all walks of life who do what they do out of a commitment to help others and out of love.

Carers of the elderly and the disabled, volunteers, community leaders, mentors and role models. People who have made a real difference in your life, or the life of others.

This is Council's chance to acknowledge and recognise them and I encourage you all to make the effort and nominate those that are deserving.

The award categories include

- Citizen of the Year;
- Young Citizen of the Year;
- Volunteer of the Year;
- Community Organisation of the Year;
- Women in Community
- Jack Munday Environment and Heritage Award.

Councillors, tonight I propose we go out to the community in support of seeking nominations in the categories listed above. You will also note there is a new category for Women in the Community.

The winners of the awards will be announced at the Australia Day Ceremony when a group of residents will also proudly become Australian Citizens.

Nominations Forms and all details will be available on Council's website. In all that this year has brought, I look forward to the joy of reviewing the stories of these unsung heroes and indeed of the day itself.

Councillors, I put the Mayoral Minute.



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## Mayoral Minutes - 12 September 2023

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### ITEM 4.4                      St Nicholas Golden Jubilee

Councillors,

We are blessed to have so many religions and places of prayer in our city . . . and let's face it, we can all do with some prayer from time to time . . . some more than others.

According to the latest census, there are more than 200,000 people in our city who identify as following one religion or another. . . and there is no doubt religion plays an important role in many people's lives.

Churches, mosques, prayer halls and other meeting places bring together the community. . . they offer support both emotionally and financially to those in need, they provide aged care facilities and schools and lead public debate on social and spiritual issues.

And our Council acknowledges the work they do in the broader community and support them where possible.

Some of you may be aware, St Nicholas Antiochian Orthodox Church at Punchbowl is celebrating its Golden Jubilee . . . .50 years of serving our community.

The church was given its blessing and was officially opened on the 18 November 1973 by Bishop Gibran. . . a decision which was primarily aimed at reducing the heavy workload of just one priest serving all of NSW. Since then, the church has grown and only a few weeks ago I had the honour of attending the official opening of their impressive new aged care facility which is next door to their church at Punchbowl.

Councillors, tonight I propose Council supports the St Nicholas Antiochian Orthodox Church by purchasing a \$2000 Gold Level package for their upcoming Golden Jubilee Ball.

Councillors, I put the Mayoral Minute.



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## Mayoral Minutes - 12 September 2023

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### **ITEM 4.5                      Local Community Based Donations**

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

#### **Islamic Women's Association Australia NSW**

The Islamic Women's Association Australia (IWAA) is a not for profit organisation delivering services to the culturally and linguistically diverse communities. IWAA provides Aged Care, Disability Support Services, Community Development, Settlement Support Services and Family Violence Services.

The IWAA NSW is hosting a Multicultural Peace Walk on Sunday 24<sup>th</sup> September 2023 at Cook Park Canterbury, with the theme of the event being peace and inclusion across all cultures as we celebrate our diverse community.

The Australia Talks National Survey 2021 found around three in four Australians with non-European ancestry say they’ve been discriminated against because of their ethnicity. This event aims to strengthen and unite people and build a connected and socially cohesive community.

Council support a donation of \$500 towards this event.

#### **Kids in Business**

Kids in Business is an Australian not for profit organisation with a mission to teach the future leaders of this country to start early and develop their business and trade skills to lead us into a brighter future.

Kids in Business was founded on the belief that every child has the potential to be an entrepreneur. These programs are designed to teach children the skills they need to be self-reliant, financially literate and successful in business.

Kids in Business held their first “Kids in Business Market” on the 2<sup>nd</sup> September 2023 at Carysfield Reserve, Bass Hill.

Council support a park hire fee waiver of \$387.50

## **Zonta Club of Sydney West Inc.**

The Zonta Club is a leading global organisation of professionals who aim to “Build a Better World for Women and Girls.

The Zonta Club have requested that Council sponsor an award in their 2023 Citizenship Awards. These awards recognise the civic contribution of year 10 students. The value of the sponsorship is \$250, and I believe it is fitting that Council contribute this small amount in the name of recognition.

I recommend that Council support the Zonta Club as a way of recognising the talented and dedicated youth that we are blessed to have in our City through a \$250 donation.

Council support a donation of \$250 towards this event.

### **RECOMMENDATION**

1. Council support a donation of \$500 towards the Islamic Women's Association Australia (IWAA) NSW Multicultural Peace Walk.
2. Council support park hire fee waiver of \$387.50 towards the Kids in Business.
3. Council support a donation of \$250 towards Zonta Club of Sydney West.
4. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

Councillors, I put the Mayoral Minute.



## **5 PLANNING MATTERS**

The following items are submitted for consideration -

- |     |   |    |
|-----|---|----|
| 5.1 | Canterbury-Bankstown Local Infrastructure Contributions Plan 2022 - Draft Administrative Amendments   | 43 |
| 5.2 | Report on Council's Performance in the Assessment of Development Applications for the 2022/23 financial year, Clause 4.6 Variations Approved for the fourth quarter of the 2022/23 financial year, Planning Related Legal Appeals, and the status of current Planning Proposals | 49 |



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## Planning Matters - 12 September 2023

---

### ITEM 5.1                      **Canterbury-Bankstown Local Infrastructure Contributions Plan 2022 - Draft Administrative Amendments**

**AUTHOR**                      **Planning**

#### **PURPOSE AND BACKGROUND**

This report proposes to exhibit draft administrative amendments to the *Canterbury-Bankstown Local Infrastructure Contributions Plan 2022* to clarify its requirements and improve its interpretation by users.

#### **ISSUE**

At its Ordinary Meeting of 23 June 2022, Council adopted the *Canterbury-Bankstown Local Infrastructure Contributions Plan 2022* (the Plan). The Plan commenced on 1 September 2022. Under section 216(1) of the Environmental Planning and Assessment Regulation 2021, Council must keep a contributions plan under review.

Since its commencement, the Plan has achieved Council's goals of consolidating the three former contributions plans into a single, clear, consistent and contemporary policy for levying contributions on new development. Implementing the Plan has, however, revealed the need for minor administrative changes to provide clearer descriptions of the Plan's requirements and ensure it is applied consistently and efficiently.

The proposed amendments include clarifying:

- contributions credits which apply to dwelling houses developed over multiple lots,
- evidence required for applications which request contributions exemption if sites are affected by declared natural disasters,
- descriptions and mapping of infrastructure works schedule items, and
- clarification on the application of the policy where exemptions to contributions and/or credits apply.

Council's Community Participation Plan requires the proposed Plan amendments to be exhibited for a minimum of 28 days to enable review and comment by the public. A further report to Council is required following the public exhibition.

#### **RECOMMENDATION** That -

1. Council exhibit the draft amended *Canterbury-Bankstown Local Infrastructure Contributions Plan 2022* for 28 days in accordance with the Environmental Planning and Assessment Regulation 2021 and Council's Community Participation Plan.
2. The matter be reported to Council following the public exhibition of the Plan.

## **ATTACHMENTS**

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

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- A. Draft amended Canterbury-Bankstown Local Infrastructure Contributions Plan 2022
- B. Table of proposed amendments to the Canterbury-Bankstown Local Infrastructure Contributions Plan 2022

## **POLICY IMPACT**

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The recommendations contained in this report propose draft administrative amendments to the *Canterbury-Bankstown Local Infrastructure Contributions Plan 2022*. The amendments do not change the purpose or outcomes of the Plan, nor the contribution rates which apply.

## **FINANCIAL IMPACT**

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The matter has no financial implications for Council.

## **COMMUNITY IMPACT**

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By clarifying the intentions of the Plan's provisions, the proposed amendments will be more easily and accurately interpreted by the community. This will result in more efficient and effective implementation of the Plan and ultimately expedite the assessment of development proposals and reduce the need for customer enquiries.

## DETAILED INFORMATION

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The *Canterbury-Bankstown Local Infrastructure Contributions Plan 2022* (the Plan) commenced on 1 September 2022. The Plan levies development contributions on selected new development to fund additional local infrastructure (such as parks, libraries, roads and footpaths), required to meet the needs of the new development.

To ensure a contributions plan remains legally enforceable, contemporary and clear, the Plan is reviewed and amended regularly. Under section 216(1) of the Environmental Planning and Assessment Regulation 2021, Council must keep a contributions plan under review.

Council's application of the Plan since September 2022 has revealed that certain provisions require minor amendments to be clearer and simpler. The amendments will aid interpretation of the Plan by the public, Council staff and registered certifiers, and enable a more efficient assessment of development proposals. These changes are administrative only and do not alter the policy intent or purpose.

Council's Community Participation Plan requires exhibition of the proposed changes for a minimum of 28 days and section 213(1) of the Environmental Planning and Assessment Regulation 2021 requires publication of the amendment on Council's website, for consideration and comment by the public.

Key amendments to the Plan are summarised below and described in detail at Attachment B to this report:

1. Confirm certain development is exempt from paying contributions

Clause 1.3 describes eleven development types which are exempt from contributions. A number of elements of this clause require amendment, including:

- making clearer the exemption provisions,
- clarifying that registered certifiers are required to apply this clause for complying development in accordance with the Plan as per State legislation and regulations,
- describing the evidence required for applications which seek exemption for development involving rebuilding or repair due to declared natural disasters.

2. Describe the type of contribution that would apply to dwelling houses erected over multiple lots

Clause 1.4 (Table 4) provides a quick guide to the contribution types applying to residential development but currently does not include any guidance on the contribution types applying to dwelling houses that are proposed over multiple lots. The draft plan will amend Table 4 to include reference to dwelling houses over multiple lots.

3. Reference the credit card surcharge when paying contributions

Council is permitted to charge a surcharge for contributions paid by credit card, but this is not flagged in clause 4.3. The draft plan will amend clause 4.3 to state that a 0.62% surcharge applies to contributions paid by credit card through EFTPOS

4. Update the criteria for contributions credits and how it applies to complying development

Clause 5.8 describes the circumstances when Council would consider transferring a credit for contributions paid on an initial consent (which was not activated) to a later consent. The text is legalistic and confusing. The draft amendment proposes to:

- simplify the text of the clause to make the language less legalistic and easier to understand for users,
- clarify that registered certifiers are required to apply this clause for complying development,
- remove the requirement that transferring credits can only occur if 'any monetary contributions paid by the applicant have not been spent by Council'. There is no change to the intent or scope of the clause proposed.

5. Update the Infrastructure Schedule to reflect changes since the commencement of the Plan

The Infrastructure Schedule identifies works funded by development contributions. Key amendments to the schedule are proposed to clarify the following matters:

- Amend open space item OS61 (RM Campbell Reserve works) to no longer require land acquisition for public access. Acquisition is not required as research revealed access is available through a Right of Way under a previous consent for the adjoining property. Contributions will be redirected to enhanced upgrade of RM Campbell Reserve and embellishing the link to the reserve from the city centre along Jacobs Street.
- Amend item OS88A (Park embellishments) to include reference to the suburbs in which the affected parks are located.
- Amend item OS91 (Wiley Park, Wiley Park), to delete reference to playground works as these works are funded through item OS108.
- Expand the description of item CC4 (library book stock) to include other library user-related resources including other media (CDs, DVDs), technology (such as computers) and additional furniture (such as desks and shelves).
- Include explanatory footnotes beneath the Infrastructure Schedule at Appendix B to explain the difference between the 'total cost of works' (which may be funded by multiple sources including grants) and the 'cost allocated to development in the Plan' (which is the cost apportioned to the demand for the facility arising from new development).

6. Update the Infrastructure Schedule Map to reflect changes since the commencement of the Plan

The Infrastructure Schedule Map identifies the location of infrastructure items funded by the contributions plan through icons on the map. Key amendments to the map are:

- Amend the icons on the map and associated notes to reflect the revised numbering of infrastructure items in the Infrastructure Schedule to align with item 5 above.
- Amend the map to accurately identify the location of Rosemont Street North and Rosemont Street South.

Should Council adopt the changes, the amended Plan will apply to currently lodged and future development applications and complying development applications. The amended Plan is intended to incorporate a Table at its commencement outlining when the amendment took effect and applications that it will apply to. These changes do not alter the contributions amount or the value of the works schedule.

### **Next Steps**

Should Council resolve to exhibit the draft amendments, the next steps are:

- Public exhibition of the proposed amendments for 28 days, in accordance with the requirements of Council's Community Participation Plan and the Environmental Planning and Assessment Regulation 2021.
- Following exhibition, this matter will be reported back to Council with an assessment of any submissions received.



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## Planning Matters - 12 September 2023

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**ITEM 5.2**                      **Report on Council's Performance in the Assessment of Development Applications for the 2022/23 financial year, Clause 4.6 Variations Approved for the fourth quarter of the 2022/23 financial year, Planning Related Legal Appeals, and the status of current Planning Proposals**

**AUTHOR**                      **Planning**

### **PURPOSE AND BACKGROUND**

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

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

### **RECOMMENDATION**

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That the report be noted.

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

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- A. Clause 4.6 Register for Q4 of 2022/ 23 Financial Year
- B. Planning related Court Listing as of 28 August, 2023
- C. Active Planning Proposals summary table

## **POLICY IMPACT**

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This matter has no policy implications.

## **FINANCIAL IMPACT**

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This matter has no financial implications.

## **COMMUNITY IMPACT**

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

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

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

## **DETAILED INFORMATION**

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### **1. DEVELOPMENT APPLICATIONS**

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

For the fourth quarter of the 2022/23 financial year, Council determined 155 development applications and 86 Section 4.55 applications (applications to modify a development consent), with a total capital investment value of \$273,300,510. The median gross determination times for all development applications for the quarter was 59 days.

For the full financial year, the total number of development applications determined was 768, with a total capital investment value of \$946,599,104. The median gross determination times was 59 days.

#### **Reporting of development applications which involved a Clause 4.6 submission**

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

During the fourth quarter of the 2022/23 financial year, a total of seven variations to an environmental planning instrument were approved. The report provided at Attachment A is the required report and includes all results for the fourth 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 28 August, 2023. The attached list identifies a total of 19 active appeals. The report also provides information on appeals that have been finalised between 1 July, 2022 and 28 August, 2023. In that period there were 17 matters settled by way of a Section 34 agreement after amendments were made to the proposal to address Council's contentions. Six appeals were discontinued by the applicant, three were dismissed and six appeals upheld but only after the applicant submitted amended plans as part of the Court process to address Council's contentions. There are no matters where we are currently awaiting judgement.

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

**2. PLANNING PROPOSALS**

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

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

Council currently has eight planning proposals in progress which are outlined in the attachment to this report (and divided into stages represented in Figure 1 below). The largest of Council’s applicant-initiated Planning Proposals remains the Bankstown Central site, 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 mixed use proposal and Council’s Master Plan Planning Proposals for Bankstown City Centre and Campsie Town Centre.



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

One of Council’s Planning Proposal are with the Department for finalisation, two are with the Department awaiting a Gateway Determination to proceed to exhibition and three have been lodged and under assessment to progress to a Local Planning Panel Meeting. Since the last quarterly update report three planning proposals have been finalised by the Minister for Planning and Public Spaces, including the Council’s consolidated Canterbury Bankstown LEP 2023, the private hospital site at 445 Canterbury Road, Campsie and the Palms Hotel site at 165-185 Hume Highway, Greenacre.

## **Public Spaces Legacy Program**

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

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

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

In February 2023, the Department advised Council that it supported Council's position that the delays in exhibiting the Bankstown and Campsie Master Plan planning proposals were beyond the control of Council and therefore the final funding amount of \$1,925,000 (of the total \$5.5 million) would be released without further delay. In June 2023 the Department paid Council the final invoice amount of \$1,925,000.



## **6 POLICY MATTERS**

The following item is submitted for consideration -

6.1 Media Policy

57





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## Policy Matters - 12 September 2023

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**ITEM 6.1**                      **Media Policy**

**AUTHOR**                      **City Future**

### **PURPOSE AND BACKGROUND**

In December 2022, the Office of Local Government (OLG) released its Model Media Policy (Model Policy) (Circular No 22-37/12 December 2022/A8427) to provide a framework to assist councils when dealing with the media.

The policy has been developed by OLG to supplement the provisions of councils' adopted Code of Conduct and Model Social Media Policies.

In the main, the Model Policy provides a framework to assist Council when dealing with the media and to ensure that media engagement by Council Officials is consistent, accurate and professional, and enhances Council's reputation.

### **ISSUE**

The purpose of this report is to seek Council's in principle support for the Draft Policy and that it be placed on public exhibition for comment.

### **RECOMMENDATION** That -

1. In principle, Council endorse the Draft Media Policy.
2. The Draft Policy be placed on public exhibition for comment.
3. A further report be brought back to Council, following the public exhibition process.

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

- A. Draft Media Policy
- B. OLG Model Media Policy Circular

## **POLICY IMPACT**

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The Draft Policy specifically applies to engagement between Council Officials and the media – and supplements the provisions of Council’s adopted Code of Conduct.

The Policy provides both relevant guidance and clarity in engaging with the media and importantly ensuring the need for:

- Maintaining the accuracy, reliability, and integrity of information;
- Ensuring confidential information is managed appropriately; and
- The increased exposure and risk to reputation where information is not managed appropriately.

The Draft Policy also sets out an exemplar approach by incorporating examples of best practice from the media policies of a diverse range of NSW councils, as well as from Commonwealth and State Government agencies.

## **FINANCIAL IMPACT**

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The introduction of the policy will not result in any material financial impact for Council.

## **COMMUNITY IMPACT**

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Effective media engagement can assist councils to keep their community informed, explain decisions and to promote community confidence in the council and its decisions.

How a council is portrayed in the media impacts greatly on how the organisation is perceived. Media can be an effective tool to promote council programs, events, and initiatives. In addition, media can be invaluable in times of crisis or emergency when information needs to be communicated to the public.

## **DETAILED INFORMATION**

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### **Media Policy**

The Draft Policy is informed by the OLG's Model Media Policy released in 2022 as part of a suite of best practice governance policies for the local government sector.

OLG has recommended councils introduce a Media Policy to supplement their existing Codes of Conduct and assist councils in keeping their community informed, explain decisions and to promote community confidence in the council and its decisions.

The draft Policy has been developed to identify who can issue a media release/statement and discuss topics related to Council matters when approached by the media for comment.

The draft Policy's key components include:

- Appointment and role of spokespeople, as well as who has delegation to speak to the media (5.1)
- Standards when engaging with the media (5.5)
- Media enquiry and request management (5.6)
- Use of media during emergencies (5.7)

Council is committed to effective, transparent and responsive customer-centric communication and recognises the importance of the media in communicating with the community and other stakeholders.

### **Next Steps**

Subject to Council endorsing the Draft Policy, the Policy document will be placed on public exhibition for comment.

Following the exhibition period, a further report – which will assess any submissions received - will be submitted to Council for its consideration.



## **7 GOVERNANCE AND ADMINISTRATION MATTERS**

The following items are submitted for consideration -

7.1	Code of Meeting Practice - Amendment to 2023 Schedule of Meetings	63
7.2	2024 Local Council Elections	67
7.3	Lease to EBP Sports (previously Earlwood Bardwell Park RSL Club Limited) - 134 Woolcott Street Earlwood	71



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## Governance and Administration Matters - 12 September 2023

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**ITEM 7.1**                      **Code of Meeting Practice - Amendment to 2023 Schedule of Meetings**

**AUTHOR**                      **Corporate**

### **PURPOSE AND BACKGROUND**

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To amend the adopted 2023 Schedule of Council meetings.

### **ISSUE**

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Each year the Mayor undertakes the lighting of the Christmas tree adjacent to the Bankstown Library and Knowledge Centre. This year the traditional lighting of the Christmas tree will take place on Thursday, 7 December 2023.

It is proposed that the December 2023 Ordinary Meeting be rescheduled to Thursday, 7 December to coincide with the lighting of the Christmas tree so that Councillors can attend both events on the same evening.

In ensuring that adequate time be made available to attend the lighting of the Christmas tree, it is proposed that Council's Public Forum and Ordinary Meeting commence as follows:

- Public Forum (if required) – to commence at 5:30pm
- Ordinary Council Meeting – to commence at 6:00pm

Relevant temporary administrative changes to reflect the changes have separately been outlined in the report.

### **RECOMMENDATION** - That

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1. The 2023 Schedule of Council Meetings be amended – whereby the December 2023 Ordinary Meeting of Council be rescheduled from Tuesday 12 December 2023 to Thursday, 7 December 2023.
2. On this occasion, the proposed starting time of Council's Public Forum (if required) be 5:30pm followed by its Ordinary Meeting, which will commence at 6:00pm.
3. Council agrees to the temporary administrative changes, as outlined in the report

### **ATTACHMENTS**

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Nil

## **POLICY IMPACT**

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The report presents no policy impacts.

## **FINANCIAL IMPACT**

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The report has no financial impacts.

## **COMMUNITY IMPACT**

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The report does not present any significant impacts for the community.



## DETAILED INFORMATION

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### Issue

Each year the Mayor undertakes the lighting of the Christmas tree adjacent to the Bankstown Library and Knowledge Centre. This year the traditional lighting of the Christmas tree will take place on Thursday, 7 December 2023.

Following engagement with Councillors, it is proposed that the December 2023 Ordinary Meeting be rescheduled to Thursday, 7 December to coincide with the lighting of the Christmas tree so that Councillors can attend both events on the same evening.

### Proposed Administrative Changes

In considering the matter, temporary administrative changes will need to be applied to ensure that Council observes relevant provisions of the Local Government Act 1993 and Code of Meeting Practice requirements, in terms of preparing and distributing the Agenda and Business Paper.

The proposed changes are as follows:

Description	Date
<b>Councillors to submit proposed Notice of Motions or Questions with Notice</b>	By 11:00am on Thursday, 30 November
<b>Distribution of Notice of Ordinary Meeting, Agenda and Business Paper to Councillors</b>	Friday, 1 December
<b>Public access to Agenda and Business Paper</b>	Friday, 1 December
<b>Request from Public to speak at Public Forum</b>	Prior to 12 noon on Thursday, 7 December
<b>Public Forum – subject to receiving any requests</b>	5:30pm on Thursday, 7 December
<b>December 2023 Ordinary Meeting</b>	No earlier than 6:00pm on Thursday, 7 December

The above temporary changes are not considered substantial, nor do they significantly depart from Council's current provisions of the Code – and as such may be adopted for the purposes conducting the December 2023 Ordinary Meeting.

The above administrative requirements/timeframes will revert to Council's standard Code of Meeting Practice provisions for all future meetings.



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## Governance and Administration Matters - 12 September 2023

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**ITEM 7.2**                      **2024 Local Council Elections**

**AUTHOR**                      **Corporate**

### **PURPOSE AND BACKGROUND**

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In December 2022, Council resolved to engage the NSW Electoral Commission (NSWEC) to administer Council's 2024 Local Government Election.

In its preparation, the NSWEC are consulting with all NSW councils as to their preference regarding the suggested length of the pre-poll period – that is retaining the current two week pre-poll period or shortening it to one week for all NSW councils.

NSW councils' feedback is being sought for information purposes only at this point and no decision has been made by the NSWEC.

### **ISSUE**

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To provide the NSWEC with its feedback/preference regarding the suggested length of pre-poll for the 2024 local government elections.

### **RECOMMENDATION**

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That Council consider and indicate their preferred option in responding to the NSW Electoral Commission with regards to the matter.

### **ATTACHMENTS**

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Nil

## **POLICY IMPACT**

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The recommendation does not result in any direct policy impact for Council.

## **FINANCIAL IMPACT**

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Whilst the recommendation does not result in any direct financial impact for Council at this point, the NSW Electoral Commission has indicated that it does not believe that a reduction in the pre-poll period is likely to lead to any significant reduction in election costs - given the need to increase the size of any venue and staffing to cope with the number of expected electors.

## **COMMUNITY IMPACT**

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Council decision with regards to the matter will have a bearing on its community, particularly given electors' preference to vote at pre-poll for elections.

## DETAILED INFORMATION

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### Background

The NSWEC recently wrote to all NSW councils seeking feedback regarding a number of operational matters.

Whilst Council is working with the NSWEC to assist with general administrative matters - such as sourcing accessible venues and appropriate administration office space – they are also seeking feedback from all councils regarding their preference as to the length of the pre-poll period.

Councillors should note that Council's decision regarding the matter is for information purposes only at this time and that no decision has been made regarding the length of the pre-poll period for the 2024 local government elections

### Pre-Poll Period Consideration

In its communication with Council, the NSWEC have noted:

- Following the introduction of a one-week early voting period for the 2023 NSW State Election (SGE23) some NSW councils have asked the NSWEC if the pre-poll period will be similarly reduced to one week for the 2024 NSW Local Government Elections.
- Councils have also queried whether a reduction in the pre-poll period will lead to a reduction in the cost of running local government elections. For SGE23, the NSW Electoral Commission had to hire additional and larger venues to deal with the projected number of pre-poll voters in the shortened pre-polling period.
- Extra equipment and staff were also required to support these electors. Notwithstanding the reduced period of early voting, the number of votes cast at SGE23 increased, with 29% of all electors voting at pre-poll (compared to 19% at SGE19).
- In light of this SGE23 experience, the NSW Electoral Commission does not believe that a reduction in the pre-poll period is likely to lead to any significant reduction in election costs for the 2024 local government elections.

In progressing the matter, the NSWEC have posed a question to all NSW councils, being:

- *Is Council's preference that a one-week pre-poll period be adopted for the 2024 local government elections or should a two-week pre-poll period be retained.*

### Council's Consideration

Having considered the matter, Council's suggested feedback to the NSWEC on the matter is:

- **Option 1:** that a one-week pre-poll period be adopted for the 2024 local government elections; or

- **Option 2:** that the current two-week pre-poll period be retained for the 2024 local government elections.

As noted above, Councillors should note that Council's decision regarding the matter is for information purposes only at this time and no decision has been made regarding the length of the pre-poll period for the 2024 local government elections.

The NSWEC have also indicated that if they receive no response from a council, they will assume that the council would prefer to retain a two-week pre-poll period.

The matter is submitted to Council for its consideration and to determine its preference and/or preferred response to the NSWEC.

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## Governance and Administration Matters - 12 September 2023

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**ITEM 7.3**                      **Lease to EBP Sports (previously Earlwood Bardwell Park RSL Club Limited)- 134 Woolcott Street Earlwood**

**AUTHOR**                      **Corporate**

### **PURPOSE AND BACKGROUND**

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Council to consider entering into a new lease arrangement with EBP Sports (previously Earlwood Bardwell Park RSL Club) for the property located at 134 Woolcott Street Earlwood.

Council has negotiated a Heads of Agreement, which is proposed to be publicly exhibited, subject to Council's consideration.

### **ISSUE**

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Council to consider publicly exhibiting the proposed lease arrangement with EBP Sports and be provided with a further report on the matter for its consideration/decision.

### **RECOMMENDATION** That -

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1. Council agrees in-principle to granting a new five year lease with a five year option to EBP Sports located at 134 Woolcott Street Earlwood.
2. Council publicly exhibits the proposed lease in accordance with the requirements of the Local Government Act 1993.
3. At conclusion of the public exhibition period, a further report be provided to Council for its consideration and decision.

### **ATTACHMENTS**

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Nil

## **POLICY IMPACT**

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The report has no policy impact.

## **FINANCIAL IMPACT**

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The total fees for the lease with EBP Sports Club is to be set at \$70,750 pa + GST + CPI in accordance with the registered valuers valuation report and has been accounted for in Council's budget.

## **COMMUNITY IMPACT**

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The EBP Sports Club serves as a vital community hub, offering residents a focal point for a diverse range of social, sporting, and recreational activities. This establishment plays a pivotal role in fostering community engagement and creating a shared space where residents can come together to connect, unwind, and participate in various events. Through its offerings, the club contributes to the overall well-being and vibrancy of the local community, enriching the lives of residents.



## DETAILED INFORMATION

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### Background

EPB Sports (previously known as Earlwood Bardwell Park RSL Club Limited) is located at 134 Woolcott Street, Earlwood. EPB Sports exercised its final five year lease option, with the current lease set to expire on 31 May 2025. The current lease does not have any further options available.

The Club has approached Council seeking a new 5+5 year lease once the current lease expires in May 2025. This means that the proposed new lease will not commence until May 2025.

The Club's facilities encompass a Club premises, two bowling greens, and front and rear parking areas (refer below aerial photograph).

**Aerial photograph showing proposed leased area at  
134 Woolcott Street, Earlwood**



### Agreed Lease Terms and Conditions

Lease Term	Lease Fee
Five years with five year option	\$70,750 pa + GST + CPI

As EBP Sports is a not-for-profit entity, the proposed lease is exempt from the tendering provisions of the Local Government Act 1993 (section 55 (3) (e)). Therefore, the Club's request for a new 5+5 year lease may be considered without necessitating a tender process. Given EBP Sports is a well-established family orientated local facility that has served the Earlwood community for decades, it is recommended Council directly negotiate leasing arrangements with the Club.

### **Renovation Plans**

The Club intends to undertake renovations, including replacing the asbestos roof at an estimated cost of \$310,000 and upgrading fire services to align with current building codes at an approximate cost of \$180,000. Additionally, the Club seeks to repurpose one bowling green into a casual dining area and a community garden.

The Club is prepared to meet the costs of the Building works if it is granted a new 5+5 year lease to amortise the cost.

Prior to entering into any new lease agreement, the Lessee will be required to commission a Building Condition Report. This report aims to assess the necessary scope of work for the building and its associated equipment, ensuring that the premises meet acceptable building standards. The Lessee will present this report to the Council for assessment and approval prior to entering into any lease arrangements.

Furthermore, the Lessee will be required to develop an Asset Management Plan, itemising annual repairs and maintenance needed for the Premises throughout the lease period, to ensure its ongoing compliance with relevant building standards. This document will be included with the lease agreement.

### **Plan of Management**

The Lessee's proposal to transform one of the two bowling greens into a casual dining area and community garden is supported. However, this approval is contingent upon the Lessee meeting any planning requirements, ensuring the maintenance of one full Bowling Green up to competition standards and continuing financial backing for both Men's and Ladies Bowls throughout the lease period.

The proposed use of the land aligns with the core objectives identified in the adopted Generic Plan of Management and Council's long term strategy for the site.

### **Suggested Approach**

Having agreed to the primary terms and conditions, it is now proposed that in accordance with the relevant provisions of Sections 46 and 47 of the Local Government Act 1993, that Council:

- Publicly Exhibit the intended leasing arrangements with EBP Sports
- Provide the community an opportunity to convey any relevant feedback regarding the intended arrangements
- That following the exhibition process, a further report be provided to Council for its consideration and decision.

## **8 SERVICE AND OPERATIONAL MATTERS**

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



## **9 COMMITTEE REPORTS**

The following item is submitted for consideration -

- |     |  |     |
|-----|--|-----|
| 9.1 | Minutes of the Community & Inclusion Advisory Committee meeting held on 23 August 2023 | 79  |
| 9.2 | Minutes of the Traffic Committee Meeting held on 12 September 2023                     | 80A |



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## Committee Reports - 12 Sep 2023

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**ITEM 9.1**                      **Minutes of the Community & Inclusion Advisory Committee meeting held on 23 August 2023**

**AUTHOR**                      **Corporate**

### **PURPOSE AND BACKGROUND**

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

The minutes of the Community & Inclusion Advisory Committee are attached.

### **ISSUE**

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Endorsement of the Community & Inclusion Advisory Committee minutes.

### **RECOMMENDATION**

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That the minutes of the Community & Inclusion Advisory Committee meeting held on 23 August 2023 be endorsed.

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

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- A.     Minutes of the Community & Inclusion Advisory Committee meeting held on 23 August 2023

## **POLICY IMPACT**

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

## **FINANCIAL IMPACT**

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

## **COMMUNITY IMPACT**

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





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## Committee Reports - 12 Sep 2023

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**ITEM 9.2**                      **Minutes of the Traffic Committee Meeting held on 12 September 2023**

**AUTHOR**                      **City Assets**

### **PURPOSE AND BACKGROUND**

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Attached are the minutes of the Canterbury Bankstown Council Local Traffic Committee meeting held on 12 September 2023.

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

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

### **ISSUE**

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Recommendations of the Canterbury Bankstown Council Traffic Committee meeting.

### **RECOMMENDATION**

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That the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 12 September 2023, be adopted.

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

---

A.     Minutes of the Traffic Committee held on 12 September 2023

## **POLICY IMPACT**

---

The matter has no policy implications to Council.

## **FINANCIAL IMPACT**

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

## **COMMUNITY IMPACT**

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



## **10 NOTICE OF MOTIONS & QUESTIONS WITH NOTICE**

The following items are submitted for consideration -

10.1 Status of Previous Notices of Motion - September 2023	85
10.2 Sovereign Citizens - Councillor Khal Asfour	87
10.3 State Government planning controls for dual occupancy development – Councillor Christopher Cahill	89
10.4 Housing and Productivity Scheme - Councillor Charbel Abouraad	91
10.5 Questioning Morrison Low's Demerge Analysis - Councillor Barbara Coorey	93



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## Notice of Motions & Questions With Notice - 12 September 2023

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

**AUTHOR**                      **Corporate**

### **ISSUE**

---

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

### **RECOMMENDATION**

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That the information be noted.

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

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- A. Notice of Motion Status - September 2023 Report
- B. Incoming Correspondence Relating to NoM Resolutions
- C. Outgoing Correspondence relating to NOMs





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## Notice of Motions & Questions With Notice - 12 September 2023

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### ITEM 10.2 Sovereign Citizens

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

“That Council denounces and condemns the sovereign citizens movement and their extreme and disruptive views and further supports the integrity of all laws made by the parliament, government, and judiciary for all Australians.”

### BACKGROUND

---

The sovereign citizen movement is a growing and disruptive group of people who believe they are above the laws of this country. Their numbers swelled over the past couple of years as people retaliated against lockdowns, mask mandates and vaccination requests.

Sovereign citizens, or “SovCits” hold extreme anti-government views and believe a person like sovereign nations is not bound by any Government laws.

There is no legal merit to their position that they are not subject to Commonwealth, state or local laws. In fact, there are no cases relying on sovereign citizenship arguments that have been won in Australian courts.

Some well documented cases earlier this year, and reported in the media, includes a couple being pulled over by police for a traffic incident and refusing to hand over their details claiming law enforcement has no authority over them.

And their antics don’t stop there!

As a community, we need to call out these people who are willing to put their hand out for social welfare and government benefits but are against paying taxes.

I would like to take this opportunity to thank and acknowledge the law-abiding members of our large, vibrant and diverse community – a community that I am extremely proud to be a part of and lucky enough represent in my role as Councillor to the letter of all applicable laws.

### FINANCIAL IMPACT

---

There is no financial impact associated with the motion

### CHIEF EXECUTIVE OFFICER'S COMMENT

---

There is no financial impact with this motion, as written.



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## Notice of Motions & Questions With Notice - 12 September 2023

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### **ITEM 10.3                    State Government planning controls for dual occupancy development**

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

“That Council write to the State Government to request that they correct an error in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 relating to subdividing dual occupancy development.”

### **BACKGROUND**

---

The planning system in New South Wales operates under controls that are developed by Council and the State Government.

When the State Government allowed dual occupancies to be approved by private certifiers, they did this through changes to State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. Any application to subdivide those dual occupancies also must be approved by a certifier under the same Policy. This can be done in our low density residential zones but not our high density zones.

This means that if the land is ever rezoned, an approved dual occupancy cannot be subdivided. I have recently heard of some cases where this has happened.

Simply subdividing the finished development doesn't change how it looks, or how it is used. It doesn't introduce any planning issues. The only thing it affects is whether the units stay in one ownership, or can be sold separately.

This problem only happens under the State Policy. If the same dual occupancy was approved by Council through a development application, the land can be subdivided whether the zone changes or not.

This seems to be a case of an error in the State policy and I urge the State Government to review this part of their Policy.

### **FINANCIAL IMPACT**

---

There are no material costs associated with making these representations.

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

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There are no financial implications for the motion as written.



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## Notice of Motions & Questions With Notice - 12 September 2023

---

### **ITEM 10.4            Housing and Productivity Scheme**

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

“That Council make a submission to the Housing and Productivity Scheme Draft Ministerial Order, seeking a review and further assurances with respect to the incoming Housing and Productivity Scheme to ensure Canterbury Bankstown receives its fair share of funding that is reflected in a clear infrastructure plan, and that the government consider a sliding scale approach in applying the Scheme, so that it does not disadvantage local and mum and dad home builders.”

### **BACKGROUND**

---

On 1 October, the NSW Government is introducing the Housing and Productivity Scheme which will phase in an additional State-level infrastructure contribution on all dwellings including duplexes, townhouses and apartments, as well as on commercial and industrial development. The same \$10,000 rate per dwelling, or \$12,000 per new residential lot will apply as a flat rate across Greater Sydney, regardless of local markets – i.e. a new apartment in Bankstown will be subject to the same contribution as a new apartment in Bondi, despite significant market differences. Similarly, mums and dads building a duplex will be subject to the same rates as institutional developers. There needs to be consideration to the impact of this flat rate on communities across Sydney – and it should not come at the expense of our community having the capacity to develop their properties. A sliding scale should be considered. This approach should give regard to local markets and capacity to pay.

In addition to this, there is no clear infrastructure plan, and the funds collected in Canterbury Bankstown can be spent anywhere in Greater Sydney. Council is subject to tight regulations around how it can collect and spend infrastructure contributions. We expect the same from the State Government. There needs to be a clear infrastructure plan so the community know how funds will be spent in Greater Sydney, and there needs to be a commitment that the funds generated in Canterbury Bankstown will be invested back in our local area.

### **FINANCIAL IMPACT**

---

There is no financial impact of the motion as written.

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

---

The motion as written presents no financial impact for Council.



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## Notice of Motions & Questions With Notice - 12 September 2023

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### ITEM 10.5                      Questioning Morrison Low's Demerger Analysis

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

“That Council urgently seek a report to address the following concerns:

- a) How did Council select Morrison Low to undertake work on the demerger submission? Did other organisations compete for this task? If so, which ones?
- b) What key aspects of the methodology and data modelling proposed by Morrison Low resulted in Council selecting Morrison Low for such a complex task?
- c) Why didn't Council seek to independently verify or validate the key results of the Morrison Low demerger report?
- d) Could Council provide a breakdown of its demerger cost by broad category of expenditure?
- e) What was the full cost to Council from Morrison Low for its work on the demerger report and any other activities run by Morrison Low associated with the demerger report?
- f) When did Morrison Low commence work on this task?.”

### **BACKGROUND**

---

Communities across the LGA have expressed a desire to demerge as it is understood that CB staff (with approximately 93% voting in an internal poll) wanting to demerge.

There has been considerable debate about the validity of Councils estimated cost of demerger. The estimated costs (as outlined in the Morrison Low Report) are considered by many to be excessive.

The fact that these estimates were not independently checked has drawn concern.

### **FINANCIAL IMPACT**

---

There is no financial impact associated with the motion.

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

---

There is no financial impact with this motion, as written.





## **11 CONFIDENTIAL SESSION**

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