

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

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

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.03 PM.

REF: CONFIRMATION OF MINUTES
(73) CLR. DOWNEY:/CLR. ISHAC

RESOLVED that the minutes of the Ordinary Council Meeting held on 28 November 2017 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE
Nil

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

SECTION 4: MAYORAL MINUTES

ITEM 4.1 RECODING CANTERBURY BANKSTOWN
(74) CLR. ASFOUR

RESOLVED that Council write to the Premier requesting \$2.5 million funding as a 'priority Council' to accelerate its preparation of a new planning framework for the city

- CARRIED

ITEM 4.2 FREE POOL ENTRY FOR CHILDREN IN JANUARY
(75) CLR. ASFOUR

RESOLVED that the Mayoral Minute be endorsed.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

ITEM 4.3 **BANKSTOWN POETRY SLAM - GRAND SLAMMERS 2017**
(76) **CLR. ASFOUR**

RESOLVED that Council support the request from the Bankstown Poetry Slam and donate \$1,500 to assist in covering the costs of staging the Grand Slammers 2017 and the funds be made available from Council's Community Grants and Sponsorship budget.

- CARRIED

SECTION 5: **PLANNING MATTERS**

ITEM 5.1 **PLANNING CONTROLS FOR BOARDING HOUSES**
(77) **CLR. EISLER:/CLR. TUNTEVSKI**

RESOLVED that

1. Council resolve to prepare a planning proposal to align the planning controls of the former Canterbury Council with those of the former Bankstown Council in relation to boarding houses.
2. Controls be introduced into the Canterbury Development Control Plan 2012 for boarding houses that generally accord with those in the Bankstown Development Control Plan 2015.
3. The planning proposal be submitted to the Greater Sydney Commission for a Gateway Determination once prepared.
4. A further report be prepared to Council after the response from the Greater Sydney Commission is received.

- CARRIED

For:- Ctrs Asfour, Downey, Eisler, El-Hayek, Harika, Huda, Ishac, Kuskoff, Madirazza, Raffan, Saleh, Tuntevski, Waud, Zakhia and Zaman

Against:- Nil

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

ITEM 5.2 **680-682 CANTERBURY ROAD, CANTERBURY - DRAFT VOLUNTARY PLANNING AGREEMENT**

(78) **CLR. ISHAC:/CLR. KUSKOFF**

RESOLVED that

1. The draft Voluntary Planning Agreement as shown in Attachment A be placed on exhibition in accordance with the Environmental Planning and Assessment Act, 1979.
2. The General Manager be given delegation to make minor mapping or wording amendments.
3. The matter to be reported to Council following the public exhibition.

- CARRIED

For:- Clrs Asfour, Downey, Eisler, El-Hayek, Harika, Huda, Ishac, Kuskoff, Madirazza, Raffan, Saleh, Tuntevski, Waud, Zakhia and Zaman

Against:- Nil

ITEM 5.3 **297-299 CANTERBURY ROAD, CANTERBURY - DRAFT VOLUNTARY PLANNING AGREEMENT**

(79) **CLR. MADIRAZZA:/CLR. ZAKHIA**

RESOLVED that

1. Council endorse the exhibited draft Voluntary Planning Agreement in respect of land at 297-299 Canterbury Road, Canterbury, relating to the dedication of land required for laneway widening, and necessary steps be undertaken to execute the relevant document.
2. The General Manager be given delegation to make minor mapping and wording amendments.

- CARRIED

For:- Clrs Asfour, Downey, Eisler, El-Hayek, Harika, Huda, Ishac, Kuskoff, Madirazza, Raffan, Saleh, Tuntevski, Waud, Zakhia and Zaman

Against:- Nil

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

ITEM 5.4 SUBMISSION TO THE DRAFT GREATER SYDNEY REGION PLAN AND DRAFT SOUTH DISTRICT PLAN

(80) CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that Council endorse the submission to the Draft Greater Sydney Region Plan and Draft South District Plan as outlined in this report subject to the following amendments to be included:

Page 9 – Recommendation

- Coordinate a whole-of-government approach to encourage government to identify land acquisition sites for new schools and acquire them.

- Coordinate a whole-of-government approach to insist that government provide firm commitments to deliver hospital upgrades and expanded health / aged care services, and to support the emerging health and education precinct in Bankstown.

Page 11 – Government-led urban renewal projects

In the case of the Draft Sydenham to Bankstown Urban Renewal Corridor Strategy, Council objects to the Draft Strategy's suggestion to utilise railway easements, car parks, verges and footpaths to create a network of small pocket parks.

Page 12 – Recommendation

- Seek a firm commitment from Transport for NSW that it will deliver the full length of the linear park as part of the Sydney Metro Southwest project at no expense to Council.

- CARRIED

ITEM 5.5 SUBMISSION TO THE FUTURE TRANSPORT STRATEGY 2056

THE GENERAL MANGER PROVIDED COUNCILLORS WITH AN UPDATED SUBMISSION TO THE FUTURE TRANSPORT STRATEGY 2056.

(81) CLR. RAFFAN:/CLR. DOWNEY

RESOLVED that Council endorse the submission to the Future Transport 2056 suite of documents as outlined in this report.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

ITEM 5.6 **REPORT ON DEVELOPMENT APPLICATIONS AND SECTION 96 APPLICATIONS DETERMINED FOR THE 2017/18 FINANCIAL YEAR TO DATE AND SUMMARY OF PLANNING RELATED COURT MATTERS FOR THE 2017 CALENDAR YEAR**

(82) **CLR. KUSKOFF:/CLR. DOWNEY**

RESOLVED that the contents of this report be noted.

- CARRIED

SECTION 6: **POLICY MATTERS**

ITEM 6.1 **DRAFT HERITAGE INCENTIVES POLICY**

(83) **CLR. EISLER:/CLR. MADIRAZZA**

RESOLVED that

1. The draft Heritage Incentives Policy be endorsed by Council and placed on public exhibition.
2. The Heritage Reference Group be briefed on the draft policy and outcomes of the public exhibition.
3. The outcomes of the public exhibition period be reported back to Council including any recommendations of the Heritage Reference Group.

- CARRIED

SECTION 7: **GOVERNANCE AND ADMINISTRATION MATTERS**

ITEM 7.1 **2016/17 ANNUAL FINANCIAL REPORTS**

MS RIEKY JIAN (AUDIT OFFICE NSW, COUNCIL'S EXTERNAL AUDITOR) ADDRESSED COUNCIL.

CLR RAFFAN TEMPORARILY RETIRED FROM THE MEETING AT 6.49 PM.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

(84) **CLR. DOWNEY:/CLR. HUDA**

RESOLVED that

1. Council note the 2016/17 Annual Financial Reports and Auditors Report.

2. Any submissions received and proposed actions relating to those submissions will be reported back to Council at the next Ordinary Meeting, if required.

- CARRIED

ITEM 7.2 **QUARTERLY UPDATE ON THE IMPLEMENTATION OF THE STRONGER COMMUNITIES FUND**

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

RESOLVED that Council note the progress of the implementation of the Stronger Communities Fund.

- CARRIED

SECTION 8: **SERVICE AND OPERATIONAL MATTERS**

ITEM 8.1 **HOUSEHOLD GARBAGE BIN REPLACEMENT PROGRAM**

(86) **CLR. DOWNEY:/CLR. WAUD**

RESOLVED that

1. The 120L household garbage bins in the Bankstown Service Area will be replaced with a 140L bin in the months of May to August 2018.

2. The bin replacement program will be tendered, via an open tender with the option for the provision of bins.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

ITEM 8.2 **HURLSTONE PARK BOWLING CLUB / HURLSTONE MEMORIAL RESERVE
COMMUNITY ENGAGEMENT**

(87) **CLR. EISLER:/CLR. ZAKHIA**

RESOLVED that Council endorse the development of a concept master plan for Hurlstone Memorial Reserve.

- CARRIED

ITEM 8.3 **DRAFT PARRY PARK MASTERPLAN FOR PUBLIC EXHIBITION**

CLR RAFFIN RETURNED TO THE MEETING AT 6.51 PM.

(88) **CLR. WAUD:/CLR. DOWNEY**

RESOLVED that

1. The draft Parry Park master plan be placed on public exhibition.

2. A further report on the findings of the consultation be presented to Council following the exhibition period.

- CARRIED

ITEM 8.4 **OUTDOOR DINING PILOT PROJECT**

(89) **CLR. MADIRAZZA:/CLR. DOWNEY**

RESOLVED that

1. Council agrees that businesses operating in the Belmore Town Centre be added to the trial area of the outdoor dining pilot project.

2. In accordance with Section 610E of the Local Government Act, Council publicly exhibit the waiving of outdoor dining fees during the trial period for the Belmore Town Centre.

3. Subject to Item 3, and there being no submissions, Council proceed to implement the waiving of the fees following the public exhibition period.

4. Council delegate to the General Manager to consider, and where appropriate, partner with OSBC and Service NSW in the delivery of business

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

improvement initiatives in the City of Canterbury Bankstown.

- CARRIED

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 MINUTES OF THE CANTERBURY BANKSTOWN TRAFFIC COMMITTEE MEETING HELD ON 28 NOVEMBER 2017

(90) CLR. WAUD:/CLR. ISHAC

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Traffic Committee meetings held on 28 November 2017 be adopted.

- CARRIED

SECTION 10: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

ITEM 10.1 QUESTIONS WITH NOTICE

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

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 FREE WIFI IN THE CBD

(92) CLR. MADIRAZZA:/CLR. ZAKHIA

RESOLVED that

1. Staff provide a briefing to Council on the current implementation of free WiFi in the CBD. The briefing should include an assessment of the costs to install and operate, usage / take up rates, speed / level of service, coverage area, measurement of performance, marketing undertaken and any other factors to understand its effectiveness.
2. Subject to the outcomes of this review the briefing should also provide recommendations on either improvements or expansion to other centres in the City especially in high traffic areas such as Campsie CBD

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

and Earlwood CBD.

- CARRIED

ITEM 10.3 **MOTION OF CONDOLENCE TO THE HON. LINDA BURNEY**
(93) **CLR. RAFFAN:/CLR. EL-HAYEK**

RESOLVED that the City of Canterbury Bankstown pays tribute to the former Member for Canterbury and current Member for Barton, the Honourable Linda Burney for her public address in the Federal Parliament on Tuesday 5 December 2017, honouring her late son Binni Kirkbright-Burney.

- CARRIED

ITEM 10.4 **ENVIRONMENTAL ISSUES**
(94) **CLR. EISLER:/CLR. RAFFAN**

RESOLVED that the environmental concerns (tabled in background) be referred to Council's Environmental Sustainability Committee for its consideration and that the matter be subsequently reported to Council.

- CARRIED

SECTION 11: **QUESTIONS FOR NEXT MEETING**

REF: GREATER SYDNEY COMMISSION

Clr Ishac enquired if the Greater Sydney Commission was an independent body or a State Government Authority.

The Director Planning advised that the Greater Sydney Commission was an independent body.

REF: GREATER SYDNEY COMMISSION - REVISES DRAFT SOUTH DISTRICT PLAN

Clr Ishac requested that all Councillors note Section 68 on Page 96 of the Draft South District Plan which requires governments to provide "open green space".

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

REF: ILLEGAL DUMPING

Clr Kuskoff enquired as to the cost to council of cleaning up the illegal waste containing asbestos recently dumped in Patricia Street, Chester Hill.

REF: BUILDING SITE - WEST TERRACE, BANKSTOWN

Clr Kuskoff requested an update on building works at the site opposite the Bankstown Senior Citizens Centre in West Terrace, Bankstown.

REF: ADVISORY COMMITTEES

Clr Kuskoff enquired if the memberships of Council's Advisory Committees and Planning Panels had been finalised.

The Mayor advised that memberships had not been finalised.

REF: STREET CLEANING

Clr Harika requested information on the frequency of street cleaning in the Bass Hill area.

REF: ILLEGAL DUMPING

Clr Tuntevski congratulated staff for their quick response to the recent illegal dumping in Patricia Street, Chester Hill and requested that the strongest possible enforcement action be taken against illegal dumpers.

REF: AQUATIC CENTRE ENTRANCE FEES

Clr Tuntevski requested Council review the entrance fees for carers of persons with profound disabilities at Council's aquatic centres.

REF: ILLEGAL DUMPING - HENRY LAWSON DRIVE

Clr Waud requested information regarding the amount of illegal dumping that occurred on Henry Lawson Drive during 2017 and what measures had been put in place to deter future illegal dumping.

REF: KELSO CREEK - REMOVAL OF RUBBISH

Clr Waud requested the time line for removal of rubbish from Kelso Creek.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

REF: "POCKET PARKS"

Clr Waud requested that he be provided with a planning definition of a "Pocket Park" and also be advised how many "Pocket Parks" are located within the Canterbury Bankstown LGA and whether Council has any proposed future plans for the pocket parks.

REF: RESPITE FACILITIES AND SERVICES

Clr Waud requested an update on action taken by Council to request the State Government to provide respite facilities and services for the Canterbury Bankstown community.

REF: SOUTH EAST AND SOUTH WEST LOCAL AREA PLANS

Clr Waud asked when Council planned to exhibit the South East and South West Local Area Plans.

REF: BUS ROUTES - SIR JOSEPH BANKS STREET, BANKSTOWN

Clr El-Hayek asked Council to request Transport for NSW to review recent changes to bus routes adversely affecting residents of Sir Joseph Banks Street, Bankstown.

REF: BOUNDARY CHANGES

Clr Saleh requested a briefing on reviewing Council's ward boundaries.

REF: REMOVAL OF BUS STOPS - CANTERBURY AREA

Clr Saleh requested Council write to the Minister for Transport opposing the recent removal of bus stops in the Canterbury area.

REF: STREET CLEANING

Clr Madirazza requested information on the frequency of street cleaning in the Canterbury ward.

REF: GRANTS FOR THE ARTS

Clr Raffan requested information of grants available for "ARTS" in the Canterbury LGA and what assistance council is able to provide to "non mainstream" Arts organisations such as the Horizons Theatre group.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

REF: ILLEGAL PARKING

Clr Raffan requested advice on what action Council can take against large trucks parking in residential streets around railway stations.

SECTION 12: CONFIDENTIAL SESSION

(95) CLR. ISHAC:/CLR. DOWNEY

RESOLVED that, in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Items 12.1, 12.2, 12.3, 12.4, 12.5, 12.6 in confidential session for the reasons indicated:

Item 12.1 T20-14 Sale of Council Land, 176 Cooper Road, Yagoona

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

Item 12.2 T53-17 Panel of Minor Civil Works

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

Item 12.3 T55-17 Bankstown City Gardens - All Abilities Playground

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

Item 12.4 T07-18 Bankstown Meals on Wheels

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

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

Item 12.5 Property Matter - Proposed Ground Lease - 74 Rickard Road, Bankstown

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

Item 12.6 "Lighting The Way Program" - Accelerated Replacement of Ausgrid Residential Road Street Lights

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

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.33 PM AND
REVERTED BACK TO OPEN COUNCIL AT 7.39 PM.**

**ITEM 12.1
(96)**

T20-14 SALE OF COUNCIL LAND, 176 COOPER ROAD, YAGOONA

CLR. KUSKOFF:/CLR. HARIKA

RESOLVED that

1. The information contained within this report be noted.
2. The General Manager carry out all steps necessary to bring effect to the proposed approach contained within this report.
3. A further report be brought to Council, as required.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

ITEM 12.2 **T53-17 PANEL OF MINOR CIVIL WORKS**
(97) **CLR. ISHAC:/CLR. ZAKHIA**

RESOLVED that

1. Council accepts the tenders received from the following five companies to make up the Minor Civil Works Panel of contractors, for an initial term of two years with the option to extend the contract for three, one year periods, subject to satisfactory performance of the contractors and approval under delegation of the General Manager:
 - Mack Civil Pty Ltd
 - KJ Civil & Paving Pty Ltd
 - MSA Civil & Communications
 - Awada Civil Engineering
 - Stateline Asphalt Pty Ltd

2. An eligibility list of the following three (3) contractors be established to replace any of the panel members that do not meet their requirements or provide the services as specified in this tender
 - Rockpave Civil Pty Ltd
 - Erypave Pty Ltd
 - Ally Property Services

3. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.

4. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

ITEM 12.3 **T55-17 BANKSTOWN CITY GARDENS - ALL ABILITIES PLAYGROUND**
(98) **CLR. EL-HAYEK:/CLR. ZAKHIA**

RESOLVED that

1. Council accepts the tender received from Landscape Solutions Pty Ltd for an amount of \$1,321,423.52 (excluding GST) for T55-17 Bankstown City Gardens all-abilities playground.

2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

ITEM 12.4 **T07-18 BANKSTOWN MEALS ON WHEELS**
(99) **CLR. EL-HAYEK:/CLR. MADIRAZZA**

RESOLVED that

1. The Council approves the tender received from Master Catering Services Pty Ltd for a period of three years, with the option to extend the contract by two further periods each of up to one year in duration, subject to satisfactory performance of the contractor as determined by the General Manager, for the provision of Meals on Wheels food.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

ITEM 12.5 **PROPERTY MATTER - PROPOSED GROUND LEASE - 74 RICKARD ROAD,**
(100) **BANKSTOWN**
CLR. ZAKHIA:/CLR. EL-HAYEK

RESOLVED that

1. Council agree to provide a ground lease to Western Sydney University, subject to satisfying the relevant due diligence process for the proposal, as outlined in the report.
2. The General Manager, in consultation with Council's relevant advisor(s), be delegated to finalise the required due diligence process and negotiations regarding the matter.
3. The Mayor and General Manager be delegated authority to prepare and sign all relevant documentation, and affix Council's common seal, as required.
4. In conjunction with Western Sydney University, Council confirm/announce the proposed campus site.
5. Further report(s) be provided to Council, as required.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 12 DECEMBER 2017

ITEM 12.6 **"LIGHTING THE WAY PROGRAM" - ACCELERATED REPLACEMENT OF AUSGRID RESIDENTIAL ROAD STREET LIGHTS**

(101) **CLR. MADIRAZZA:/CLR. EL-HAYEK**

RESOLVED that

1. Council agree to Ausgrid's proposal for the accelerated replacement of 5983 Ausgrid lights on residential roads, as outlined in the report.
2. Council's current and subsequent annual budgets accordingly reflect the appropriate funding required, including the temporary use of Council's reserves to implement the project, as outlined in the report.

- CARRIED

THE MEETING CLOSED AT 7.40 PM.

Minutes confirmed 27 FEBRUARY 2018

.....

Mayor