

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 SEPTEMBER 2019

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

APOLOGIES: Clrs Kuskoff and Madirazza

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.05 PM

ACKNOWLEDGEMENT OF COUNTRY

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

Council observed a minutes silence in memory of Mrs Helen Williamson and Mr Ken King.

REF: CONFIRMATION OF MINUTES

(697)

CLR. ZAKHIA:/CLR. HARIKA

RESOLVED that the minutes of the Ordinary Council Meeting held on 27 August 2019 be adopted.

- CARRIED

(698)

CLR. ZAKHIA:/CLR. HARIKA

RESOLVED that the minutes of the Ordinary Council Meeting held on 19 September 2019 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

(699)

CLR. TUNTEVSKI:/CLR. DOWNEY

RESOLVED that Leave of Absence be granted to Clr Kuskoff due to health reasons and Clr Madirazza due to personal reasons.

- CARRIED

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

In respect of Item 7.3- Licence of Office Space at Belmore Sports Ground – Bulldogs Rugby League Club Ltd, Clr Saleh declared a significant, Non Pecuniary Conflict of Interest due to her working association with Bulldogs Rugby League Club and indicated she would vacate the Chamber taking no part in debate.

In respect of Item 7.3- Licence of Office Space at Belmore Sports Ground – Bulldogs Rugby League Club Ltd, Clr El-Hayek declared a significant, Non Pecuniary Conflict of Interest due to his working association with Bulldogs Rugby League Club and indicated he would vacate the Chamber taking no part in debate.

SECTION 4: MAYORAL MINUTES

ITEM 4.1 CONDOLENCES ON THE PASSING OF HELEN WILLIAMSON AND KEN KING
(700) CLR. ASFOUR

RESOLVED that the Mayoral Minute be received.

- CARRIED

ITEM 4.2 MAYOR'S DASHBOARD
(701) CLR. ASFOUR

RESOLVED that Council endorses the launch of the Mayor's Dashboard which will provide information on Council's services and benefit the community.

- CARRIED

ITEM 4.3 AUSTRALIA DAY AWARDS
(702) CLR. ASFOUR

RESOLVED that the Mayoral Minute be noted.

- CARRIED

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ITEM 4.4 **LOCAL COMMUNITY BASED DONATIONS**
(703) **CLR. ASFOUR**

RESOLVED that

1. Council support the request from Mirath in Mind who are staging a musical entitled "Where Oceans meet" and donate \$2,000 towards this event.
2. Council support the request from the Milperra Colts Junior Rugby League Football Club who held a "Day at the Footy" memorial day at Killara Reserve and waive the field hire fee of \$277.50.
3. These funds be made available from Council's Community Grants and Events Sponsorship budget.

- CARRIED

ITEM 4.5 **AFL GRAND FINAL - SUPPORT THE GIANTS**
(704) **CLR. ASFOUR**

RESOLVED that

1. In support of GWS Giants playing in the upcoming AFL Grand final, Council fly the GWS flag in front of the Bankstown Knowledge and Learning Centre for the remainder of this week and should they win, it remain for another week.
2. GWS banners be flown along Rickard Road, Bankstown. The production of these banners is to be funded from Council's Street Banner Program.

- CARRIED

(705) **PUBLIC ADDRESS**
CLR. TUNTEVSKI:/CLR. DOWNEY

RESOLVED that permission be granted to those people who have made the necessary application to address Council for five minutes.

- CARRIED

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SECTION 5: PLANNING MATTERS

ITEM 5.1 DRAFT LOCAL STRATEGIC PLANNING STATEMENT AND PLANNING PROPOSAL FOR NEW LOCAL ENVIRONMENTAL PLAN

MS BARBARA COOREY (RESIDENT) ADDRESSED COUNCIL.

(706) CLR. DOWNEY:/CLR. EISLER

RESOLVED that an extension of two minutes be given to Ms Coorey to address Council.

- CARRIED

MOTION CLR. EL-HAYEK:/CLR. ISHAC

That

1. Council exhibit the draft Local Strategic Planning Statement *Connective City 2036* at Attachment A and supporting documents at Attachment B between 25 September and 15 November 2019 in line with the proposed exhibition program outlined in Attachment C.
2. Council prepare and submit a planning proposal to the Department of Planning, Industry and Environment for Gateway Determination to create the new Canterbury Bankstown Local Environmental Plan. The Planning Proposal will not have any changes to planning provisions, it is to seek the Department's requirements for exhibition including agency engagement requirements up front so as to not delay this process.
3. A detailed report be provided to Council on the planning proposal after a Gateway Determination has been received and prior to exhibition.

AMENDMENT CLR. TUNTEVSKI:/CLR. RAFFAN

That

1. Council exhibit the draft Local Strategic Planning Statement *Connective City 2036* at Attachment A and supporting documents at Attachment B between 25 September and 15 November 2019 in line with the proposed exhibition program outlined in Attachment C.
2. Council prepare and submit a planning proposal to the Department of Planning, Industry and Environment for Gateway Determination to create the new Canterbury Bankstown Local Environmental Plan. The Planning Proposal will not have any changes to planning provisions, it is to seek the Department's requirements for exhibition including agency engagement requirements up front so as to not delay this process.

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3. A detailed report be provided to Council on the planning proposal after a Gateway Determination has been received and prior to exhibition.
4. The local strategic planning statement identify the following areas for their special natural, scenic or architectural value and ensure that these areas are protected from inappropriate future development.
 - (a) Areas south of the East Hills Rail Line at East Hills, Padstow, Panania, Picnic Point and Revesby.
 - (b) Areas in the east of our city along the Cooks River and conservation areas including around Ashbury, Hurlstone Park and Earlwood.
5. Council undertake further analysis and refinement of these areas during the exhibition of the Local Strategic Planning Statement.
6. Council include provisions into the new Canterbury Bankstown LEP to ensure the special character of these areas is protected and enhanced.

CLR EL-HAYEK AND CLR ISHAC ACCEPTED THE AMENDMENT TO BE INCLUDED IN THE MOTION.

(707)

CLR. EL-HAYEK:/CLR. ISHAC

RESOLVED that

1. Council exhibit the draft Local Strategic Planning Statement *Connective City 2036* at Attachment A and supporting documents at Attachment B between 25 September and 15 November 2019 in line with the proposed exhibition program outlined in Attachment C.
2. Council prepare and submit a planning proposal to the Department of Planning, Industry and Environment for Gateway Determination to create the new Canterbury Bankstown Local Environmental Plan. The Planning Proposal will not have any changes to planning provisions, it is to seek the Department's requirements for exhibition including agency engagement requirements up front so as to not delay this process.
3. A detailed report be provided to Council on the planning proposal after a Gateway Determination has been received and prior to exhibition.
4. The local strategic planning statement identify the following areas for their special natural, scenic or architectural value and ensure that these areas are protected from inappropriate future development.
 - (a) Areas south of the East Hills Rail Line at East Hills, Padstow, Panania, Picnic Point and Revesby.

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(b) Areas in the east of our city along the Cooks River and conservation areas including around Ashbury, Hurlstone Park and Earlwood.

5. Council undertake further analysis and refinement of these areas during the exhibition of the Local Strategic Planning Statement.

6. Council include provisions into the new Canterbury Bankstown LEP to ensure the special character of these areas is protected and enhanced.

- CARRIED

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

Against:- Nil

ITEM 5.2 **LIVABLE HOUSING DISCUSSION PAPER**
(708) **CLR. TUNTEVSKI:/CLR. SALEH**

RESOLVED that

1. Council exhibit the Discussion Paper, as provided in Attachment A, in accordance with the Draft Community Participation Plan.

2. The matter be reported to Council following the exhibition.

- CARRIED

SECTION 6: **POLICY MATTERS**

ITEM 6.1 **SMART CBCITY ROADMAP**
(709) **CLR. RAFFAN:/CLR. EL-HAYEK**

RESOLVED that

1. Council adopt the Smart CBCity Roadmap (attachment A)

2. Council note the attached Smart Cities Immersion Tour Report (Attachment D) and the aspects relevant to Council business and/or the local community.

- CARRIED

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SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 LOCAL GOVERNMENT ELECTIONS

(710) CLR. WAUD:/CLR. ISHAC

RESOLVED that pursuant to Section 296(2), (3) and (5A) of the Local Government Act 1993 (NSW), as applied and modified by Section 18, that arrangements be entered into by contract for the NSW Electoral Commissioner to administer all elections, polls and constitutional referendums of the Council, including the 2020 Local Government Election.

- CARRIED

ITEM 7.2 STRONGER COMMUNITIES FUND - QUARTERLY PROGRESS REPORT

(711) CLR. ZAKHIA:/CLR. HUDA

RESOLVED that Council note the progress report of the implementation of projects funded through the Stronger Communities Fund.

- CARRIED

ITEM 7.3 LICENCE OF OFFICE SPACE AT BELMORE SPORTSGROUND - BULLDOGS RUGBY LEAGUE CLUB LTD

IN RESPECT OF ITEM 7.3- LICENCE OF OFFICE SPACE AT BELMORE SPORTS GROUND – BULLDOGS RUGBY LEAGUE CLUB LTD, CLR SALEH DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST DUE TO HER WORKING ASSOCIATION WITH BULLDOGS RUGBY LEAGUE CLUB AND INDICATED SHE WOULD VACATE THE CHAMBER TAKING NO PART IN DEBATE.

IN RESPECT OF ITEM 7.3- LICENCE OF OFFICE SPACE AT BELMORE SPORTS GROUND – BULLDOGS RUGBY LEAGUE CLUB LTD, CLR EL-HAYEK DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST DUE TO HIS WORKING ASSOCIATION WITH BULLDOGS RUGBY LEAGUE CLUB AND INDICATED HE WOULD VACATE THE CHAMBER TAKING NO PART IN DEBATE.

CLRS EL-HAYEK AND SALEH TEMPORARILY RETIRED FROM THE MEETING AT 6.45 PM.

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(712) **CLR. HARIKA:/CLR. DOWNEY**

RESOLVED that

1. Council enter into a licence agreement for 12 months with Bulldogs Rugby League Club Ltd for the office space at Belmore Sportsground (Lot 1 DP 1181276) on terms and conditions outlined in the report.
2. The General Manager be authorised to sign final documentation.

- CARRIED

CLRS EL-HAYEK AND SALEH RETURNED TO THE MEETING AT 6.46 PM.

ITEM 7.4 **DEDICATION OF 34 NYORA STREET, CHESTER HILL AS PUBLIC ROAD AND COMMENCEMENT OF STREET NAMING PROCESS**

(713) **CLR. ISHAC:/CLR. HARIKA**

RESOLVED that

1. In accordance with Section 47(f)(2)(a) of the Local Government Act 1993, authority be granted for Lot 1 DP 208838, 34 Nyora Street, Chester Hill to be dedicated as public road by the placement of a notice in the NSW Government Gazette under Section 10 of the Roads Act 1993.
2. Authority be granted to affix the Common Seal of Council to survey documents and any other documentation required to give effect to this resolution.
3. Council commence the process to name the road between Nyora Street and Carnegie Road, Chester Hill in accordance with Council's Naming Policy and the Geographical Names Board's (GNB) Guidelines.

- CARRIED

ITEM 7.5 **CASH AND INVESTMENT REPORT AS AT 31 AUGUST 2019**

(714) **CLR. ZAMAN:/CLR. WAUD**

RESOLVED that

1. The Cash and Investment Report as at 31 August 2019 be received and noted.

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2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

SECTION 8: SERVICE AND OPERATIONAL MATTERS

CLR DOWNEY TEMPORARILY RETIRED FROM THE MEETING AT 6.55 PM.

ITEM 8.1 SSROC STREET LIGHTING IMPROVEMENT (SLI) PROGRAM UPDATE
(715) CLR. EISLER:/CLR. RAFFAN

RESOLVED that Council continue with its current membership in the SSROC SLI Program and note the information in this report regarding the SSROC SLI Program.

- CARRIED

ITEM 8.2 MAJOR EVENTS PROGRAM UPDATE JULY 2018 - SEPTEMBER 2020
(716) CLR. WAUD:/CLR. TUNTEVSKI

RESOLVED that

1. Council adopt the proposed program of Major Events as outlined in this report.
2. Council allocate \$25,000 to trial a Village Festival Program in the 2020/2021 Operational Plan.

- CARRIED

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 MINUTES OF THE PROSPERITY & INNOVATION REFERENCE GROUPS MEETINGS
(717) CLR. HARIKA:/CLR. ZAKHIA

RESOLVED that the minutes of the Prosperity & Innovation Reference Groups meetings be endorsed.

- CARRIED

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ITEM 9.2 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 10 SEPTEMBER 2019**
(718) **CLR. HARIKA:/CLR. ZAKHIA**

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 10 September 2019, be adopted.

- CARRIED

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

ITEM 10.1 **NOTICES OF MOTION**
(719) **CLR. ZAMAN:/CLR. WAUD**

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 **SUPPORTING OUR BUSINESSES IN TOWN CENTRES**

CLR DOWNEY RETURNED TO THE MEETING AT 6.59 PM.

(720) **CLR. TUNTEVSKI:/CLR. HARIKA**

RESOLVED that Council:

1. Implement a trial "Buy Local" campaign to support local centres.
2. Identify and formulate specific actions to support the future vitality of our Town Centres as part of the development of Council's Economic Development Strategic Plan.
3. Write to the State Government requesting that they implement a metropolitan wide monitoring program on the health of the retail sector in Town Centres.

- CARRIED

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ITEM 10.3 **STAFFORDSHIRE BULL TERRIER ASSOCIATION**
(721) **CLR. RAFFAN:/CLR. EL-HAYEK**

RESOLVED that Council investigates opportunities to partner with the Staffordshire Bull Terrier Association of NSW to reduce the number of staffies surrendered to Council's facilities.

- CARRIED

ITEM 10.4 **COOKS RIVER SHEET METAL PILING**
(722) **CLR. RAFFAN:/CLR. HARIKA**

RESOLVED that Council

1. Writes to the NSW Government demanding that they clearly identify the appropriate agency responsible for the sheet metal piling and to identify how and when their future removal and river bank rehabilitation will be managed.
2. Continues to support the work of the Cooks River Alliance in the development of the Coastal Management Program, for the long term viability of the Cooks River catchment.
3. Prepares concepts of the bank treatment required and construction costs to better understand the extent of works required.

- CARRIED

ITEM 10.5 **IMPROVING ROAD SAFETY AROUND SCHOOLS**
(723) **CLR. DOWNEY:/CLR. TUNTEVSKI**

RESOLVED that Council develops suitable marketing material for distribution and/or use by schools within the LGA to promote safe and responsible driver behaviour around schools.

- CARRIED

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ITEM 10.6 **BANKSTOWN HOSPITAL CAR PARKING CRISIS**

CLR RAFFAN TEMPORARILY RETIRED FROM THE MEETING AT 7.08 PM AND RETURNED TO THE MEETING AT 7.10 PM.

CLR EISLER TEMPORARILY RETIRED FROM THE MEETING AT 7.09 PM AND RETURNED TO THE MEETING AT 7.11 PM.

(724) **CLR. TUNTEVSKI:/CLR. DOWNEY**

RESOLVED that Council writes to the NSW Minister for Health for additional car parking provisions to be provided by way of the construction of a new multi-story car park at Bankstown Hospital for patients, visitors and hospital staff to use.

- CARRIED

ITEM 10.7 **AIR QUALITY MONITORING**

(725) **CLR. HARIKA:/CLR. EISLER**

RESOLVED that Council writes to the Minister for Energy and Environment with the request to review the Sydney Air Quality Monitoring Network with a view to installing an additional air quality monitoring site in the Canterbury-Bankstown LGA.

- CARRIED

ITEM 10.8 **DOMESTIC VIOLENCE DISCLOSURE SCHEME**

(726) **CLR. SALEH:/CLR. EL-HAYEK**

RESOLVED that Council writes to the Minister for Police and Emergency Services, the Hon. David Elliot MP, requesting the review of the Domestic Violence Disclosure Scheme trial be expedited and that the Canterbury-Bankstown LGA be considered as a priority for any future rollout of the scheme.

- CARRIED

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ITEM 10.9 **IMPACTS OF RETURN AND EARN**
(727) **CLR. EL-HAYEK:/CLR. TUNTEVSKI**

RESOLVED that the Notice of Motion be deferred to the next Ordinary Meeting of Council.

- CARRIED

ITEM 10.10 **LOCAL ROAD SPEED LIMITS**
MOTION **CLR. WAUD:/CLR. ISHAC**

That Council

1. Write to the NSW Roads and Maritime Services, requesting that they pilot a 30km/h urban speed limit within selected roads and streets within the Canterbury-Bankstown LGA.
2. Makes representations to NSW Police, supporting their urban road speed enforcement and encouraging them to undertake more high-visibility enforcement in residential areas.

AMENDMENT **CLR. TUNTEVSKI:/CLR. HARIKA**

That Council makes representations to NSW Police, supporting their urban road speed enforcement and encouraging them to undertake more high-visibility enforcement in residential areas.

THE AMENDMENT ON BEING PUT WAS CARRIED AND BECAME THE MOTION.

THE MOTION WAS THEN PUT.

(728) **CLR. TUNTEVSKI:/CLR. HARIKA**

RESOLVED that Council makes representations to NSW Police, supporting their urban road speed enforcement and encouraging them to undertake more high-visibility enforcement in residential areas.

- CARRIED

CLRS WAUD AND TUNTEVSKI STOOD FOR A DIVISION.

For:- Clrs Asfour, Downey, Eisler, El-Hayek, Harika, Huda, Raffan, Saleh and Tuntevski

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Against:- Clrs Ishac, Waud, Zakhia and Zaman

THE MOTION WAS DECLARED CARRIED.

ITEM 10.11 POWERING OUR CARPARKS

MOTION CLR. ZAKHIA:/CLR. ZAMAN

That as part of the redesign of Marion Street and Griffith car parks, Council consider sustainability measures such as solar power, electric vehicles charging stations and plants and vegetation.

AMENDMENT CLR. EL-HAYEK:/CLR. TUNTEVSKI

That as part of the redesign of all car parks, Council consider sustainability measures such as solar power, electric vehicles charging stations and plants and vegetation.

CLR ZAKHIA AND CLR ZAMAN ACCEPTED THE AMENDMENT TO BE INCLUDED IN THE MOTION.

(729) CLR. ZAKHIA:/CLR. ZAMAN

RESOLVED that as part of the redesign of all car parks, Council consider sustainability measures such as solar power, electric vehicles charging stations and plants and vegetation.

- CARRIED

SECTION 11: CONFIDENTIAL SESSION

(730) CLR. DOWNEY:/CLR. TUNTEVSKI

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

Item 11.1 Declarations - City Wide Planning Instrument

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

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Item 11.2 T09-20 CARES Facility in Bass Hill

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 7.32 PM AND
REVERTED BACK TO OPEN COUNCIL AT 7.52 PM.**

ITEM 11.1
(731)

DECLARATIONS - CITY WIDE PLANNING INSTRUMENT
CLR. EISLER:/CLR. ZAKHIA

RESOLVED that Council adopt the proposed approach with regards to the matter, as outlined in the report.

- CARRIED

ITEM 11.2
(732)

T09-20 CARES FACILITY IN BASS HILL
CLR. ISHAC:/CLR. HARIKA

RESOLVED that

1. Council notes that no tenders were received to operate the CARES facility in Bass Hill.
2. In accordance with clause 178(3)(b) of the Local Government (General) Regulation 2005, invites, pursuant to clause 167 of the Local Government (General) Regulation 2005, fresh tenders on a revised scope of works for the Licence of the Cycling and Road Education facilities at Walshaw Reserve.

- CARRIED

THE MEETING CLOSED AT 7.53 PM

Minutes confirmed 22 OCTOBER 2019

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Mayor
