

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 MAY 2019**

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**PRESENT:** His Worship the Mayor, Councillor Asfour,  
Councillors Downey, El-Hayek, Huda, Harika, Kuskoff, Madirazza, Raffan,  
Tuntevski, Waud and Zaman

**APOLOGIES:** Councillors Eisler, Ishac, Saleh and Zakhia

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**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.02 P.M.**

**REF: CONFIRMATION OF MINUTES**  
**(576) CLR. EL-HAYEK:/CLR. MADIRAZZA**

RESOLVED that the minutes of the Ordinary Council Meeting held on 30 April 2019 be adopted.

- CARRIED

**SECTION 2: LEAVE OF ABSENCE**  
**(577) CLR. TUNTEVSKI:/CLR. RAFFAN**

RESOLVED that Leave of Absence be granted to Clrs Eisler, Ishac, Saleh and Zakhia due to personal reasons.

- CARRIED

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

Nil

**SECTION 4: MAYORAL MINUTES**

**ITEM 4.1 EMERGENCY SERVICES LEVY INCREASE**  
**(578) CLR. ASFOUR**

RESOLVED that

1. Council joins Local Government NSW in calling upon the NSW Government to fund the first 12 months of this extra cost and work with local governments to ensure the implementation of the funding mechanism is fairer, more transparent, equitable and accountable into the future.

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2. Council write to the relevant Ministers and our local members of parliament to raise this issue with them and seek their support.

- CARRIED

**ITEM 4.2**                    **PROPOSED RELOCATION OF SBS TO CANTERBURY-BANKSTOWN**  
**(579)**                      **CLR. ASFOUR**

RESOLVED that Council write to the Federal Minister for Communications, urging the Federal Government to work with Council to examine the feasibility of Canterbury-Bankstown becoming the new home for Special Broadcasting Service (SBS) in Western Sydney.

- CARRIED

**ITEM 4.3**                    **LOCAL COMMUNITY BASED DONATIONS**  
**(580)**                      **CLR. ASFOUR**

RESOLVED that

1. Council support the request from Melkite Catholic Welfare Association and donate \$500 on behalf of the Association's Cancer Council's Australia's Biggest Morning Tea held on 29 May 2019.
2. Council support the Australian Red Cross St George District Branch Rural Recovery Luncheon and donate \$500 in support of the Red Cross' Disaster Relief Assistance & Recovery Fun held on 29 May 2019.
3. Council support the Treadmill Challenge for Suicide Prevention and donate \$1000 to R U OK on behalf of Strathfield South Anytime Fitness' Treadmill Challenge to be held on 31 May 2019.
4. Council support the Run2Cure – Adrian's Army and donates \$500 to Neuroblastoma Australia.
5. Council support the request from NSW Police Bankstown Command for the Bill Crews Club to be held on 17 July 2019 and waive the field hire fee at Neptune Park in the amount of \$270.

- CARRIED

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**SECTION 5: PLANNING MATTERS**

**ITEM 5.1 DEED OF VARIATION TO THE VOLUNTARY PLANNING AGREEMENT FOR THE FORMER RIVERLANDS GOLF COURSE SITE IN MILPERRA**

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

RESOLVED that

1. Council enter into the Deed of Variation as shown in Attachment A.
2. The General Manager be given delegation to make minor changes to the document that may be required for the purposes of execution, so long as these do not alter the intent or substance of the deed of agreement.

- CARRIED

**For:-** Clrs Asfour, Downey, El-Hayek, Harika, Huda, Kuskoff, Madirazza, Raffan, Tuntevski, Waud and Zaman

**Against:-** Nil

**ITEM 5.2 EXHIBITION OF PLANNING PROPOSAL TO PROHIBIT MULTI DWELLING HOUSING FROM ZONE R2 IN THE FORMER BANKSTOWN LGA**

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

RESOLVED that

1. Council adopt the amended planning proposal as shown in Attachment A.
2. Council forward the planning proposal to the Department of Planning and Environment to finalise the LEP amendments.
3. Council request the Department of Planning and Environment to expedite this matter to ensure the LEP amendments come into effect prior to the commencement of the Low Rise Medium Density Housing Code on 1 July 2019.

- CARRIED

**For:-** Clrs Asfour, Downey, El-Hayek, Harika, Huda, Kuskoff, Madirazza, Raffan, Tuntevski, Waud and Zaman

**Against:-** Nil

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

Resolved that:

- i) Permission be granted to those people who have made the necessary application to address Council for five minutes. - CARRIED

**ITEM 5.3 EXHIBITION OF DRAFT HOUSEKEEPING AMENDMENTS TO BANKSTOWN DCP 2015 AND CANTERBURY DCP 2012**

MR MICHAEL WILLIAMSON (WILLIAMSON BUILDING CORPORATION) ADDRESSED COUNCIL.

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

RESOLVED that

1. Council adopt Bankstown Development Control Plan 2015 (Amendment No. 8) as shown in Attachment A without any changes.
2. Council adopt Canterbury Development Control Plan 2015 (Amendment No. 5) as shown in Attachment B with amendments as outlined in this report.
3. Bankstown Development Control Plan 2015 (Amendment No. 8) and Canterbury Development Control Plan 2015 (Amendment No. 5) are to come into effect on the date specified in the public notice and are to apply to development applications lodged on or after this date.

- CARRIED

**For:-** Clrs Asfour, Downey, El-Hayek, Harika, Huda, Kuskoff, Madirazza, Raffan, Tuntevski, Waud and Zaman

**Against:-** Nil

**SECTION 6: POLICY MATTERS**

**ITEM 6.1 WASTE IN PUBLIC PLACES - LOCAL APPROVALS POLICY AND GUIDELINES**

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

RESOLVED that

1. Council endorse the proposed Waste in Public Places local approvals policy and Guidelines.

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2. The proposed Waste in Public Places local approvals policy and Guidelines be placed on public exhibition in accordance with the requirements of the Local Government Act 1993 and that a further report be submitted to Council at the conclusion of that period.

- CARRIED

**ITEM 6.2**                    **COMMERCIAL USE OF COUNCIL FOOTWAYS GUIDELINES AND POLICY REVIEW**  
**(586)**                        **CLR. EL-HAYEK:/CLR. WAUD**

RESOLVED that

1. Council adopt the revised Commercial Use of Council Footways Guidelines and Policy.
2. Council note that since the policy was adopted in September 2018, the Department of Planning and Infrastructure have recommended that a structural adequacy (engineers) certificate be submitted with the licence applications ensuring structural integrity of awnings over the footway.
3. Council note the options available for modification of Council infrastructure by new or relocating businesses, being either to Applicant's cost or under Council's Liveable Centres Programme.

- CARRIED

**ITEM 6.3**                    **CODE OF MEETING PRACTICE**  
**(587)**                        **CLR. WAUD:/CLR. ZAMAN**

RESOLVED that Council adopt the Code of Meeting Practice as outlined in the report.

- CARRIED

**SECTION 7:                GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 7.1**                    **LOCAL GOVERNMENT REMUNERATION TRIBUNAL - DETERMINATION OF MAYOR**  
**AND COUNCILLOR FEES 2019/2020**  
**(588)**                        **CLR. MADIRAZZA:/CLR. ZAMAN**

RESOLVED that

1. Effective from 1 July 2019 Council continues to apply the maximum fees

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structure for the Mayor and Councillors, as determined by the Local Government Remuneration Tribunal, being:

- Mayoral Additional Fee      \$88,600 p.a.
- Councillor Fee                 \$30,410 p.a.

2. The current Additional Fee for the Deputy Mayor, being 20% of the Mayors Additional Fee, be adjusted to reflect Council’s determination.

- CARRIED

**ITEM 7.2                            ROAD RE-NAMING - SECTION OF WARREN AVENUE, BANKSTOWN**

**(589)**

**CLR. RAFFAN:/CLR. MADIRAZZA**

RESOLVED that

1. In accordance with Council’s Naming Policy and the Geographical Names Board, Council in principle, agree to rename the section of Warren Avenue Bankstown, extending from the Fairford Road overpass to the Canterbury Road intersection, to Bugi Close.
2. Council carryout the required regulatory requirements/process, including public exhibition, to address this matter.
3. At the conclusion of the exhibition period, a further report be submitted to Council.

- CARRIED

**ITEM 7.3                            FEEDBACK ON THE PUBLIC EXHIBITION PROCESS FOR THE PROPOSED LICENCE AGREEMENT FOR THE BANKSTOWN CITY FOOTBALL CLUB**

**(590)**

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

RESOLVED that

1. Council enter into a five year Licence agreement, with a five year option, with the Bankstown City Football Club for the Clubroom at Jensen Park.
2. The Mayor and General Manager be authorised to sign and (where necessary) affix the common seal of Council to any documentation to give effect to the above actions, as required.

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3. A clause be included into the Licence agreement that the current annual rental fee of \$1200 P/A will be applied until the updated Community Facilities Policy is adopted. Any changes to the rental amount will be applied to the agreement as per the provisions of the updated Community Facilities Policy.

- CARRIED

**ITEM 7.4**  
**(591)**                    **DISCLOSURE OF INTEREST RETURNS**  
**CLR. KUSKOFF:/CLR. DOWNEY**

RESOLVED that the tabling of the Disclosure of Interest Returns be noted.

- CARRIED

**ITEM 7.5**  
**(592)**                    **CASH AND INVESTMENT REPORT AS AT 30 APRIL 2019**  
**CLR. DOWNEY:/CLR. MADIRAZZA**

RESOLVED that

1. The Cash and Investment Report as at 30 April 2019 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

**SECTION 8:                    SERVICE AND OPERATIONAL MATTERS**

Nil

**SECTION 9:                    COMMITTEE REPORTS**

**ITEM 9.1**  
**(593)**                    **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 14 MAY 2019**  
**CLR. HARIKA:/CLR. EL-HAYEK**

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 14 May 2019, be adopted.

- CARRIED

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

**ITEM 10.1 NOTICE OF MOTIONS AND QUESTIONS WITH NOTICE**  
**(594) CLR. EL-HAYEK:/CLR. HUDA**

RESOLVED that the information be noted.

- CARRIED

**ITEM 10.2 PREVENTING END OF LEASE DUMPING**  
**(595) CLR. RAFFAN:/CLR. EL-HAYEK**

RESOLVED that Council:

1. Write to the Real Estate Institute of Australia (REIA) and Department of Fair Trading requesting advice as to what information Real Estate Agents provide to buyers and renters in regards to their legal obligations around disposal of household items at end of lease.
2. Works with REIA to raise the level of awareness among real estate agents, tenants and landlords of the obligations and penalties associated with illegal dumping at end of lease.
3. Incorporates the information received in response into its review of clean up services.

- CARRIED

**ITEM 10.3 ILLEGAL PARKING OF HEAVY VEHICLES**  
**(596) CLR. TUNTEVSKI:/CLR. EL-HAYEK**

RESOLVED that Council writes to the NSW Government and National Transport Commission, requesting an urgent review of fines related to illegal parking of heavy vehicles.

- CARRIED



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**ITEM 10.4**                    **VERGE GARDENS**

**(597)**                        **CLR. HARIKA:/CLR. RAFFAN**

RESOLVED that, as part of the 2019-2020 Operational Plan, Council develop a verge garden policy for residential nature strips.

- CARRIED

**ITEM 10.5**                    **ENCOURAGING BACKYARD VEGETABLE GARDENS**

**(598)**                        **CLR. ZAMAN:/CLR. MADIRAZZA**

RESOLVED that as part of the 2019-20 Operational Plan, that Council encourage the community to grow their own food as part of the Sustainable City Program, by promoting and supporting residents to set up backyard vegetable gardens.

- CARRIED

**SECTION 11:**                **QUESTIONS FOR NEXT MEETING**

**REF: WATER RESTRICTIONS**

Clr Kuskoff requested information on what impact the impending water restrictions recently announced by the NSW State Government will have on Councils ability to water our playing fields.

**REF: FLOWER POWER - ROADWORKS**

Clr Tuntevski enquired if Flower Power at Revesby were entitled to operate their business whilst there were impending roadworks still to be completed. Councils Director Planning advised they were able to operate as a Private Certifier has issued an Occupation Certificate for the site.

**REF: AIR QUALITY**

Clr Tuntevski noted poor Air Quality due to the recent Rural Fire back burns and asked if Council could contact the NSW Environment Protection Authority (EPA) and request that an Air Quality metre be installed in the Canterbury-Bankstown LGA and that improved communication measures advising of poor air quality for residents be considered by the EPA.

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**REF: FLOWER POWER - REVESBY**

Clr Waud enquired if Flower Power at Revesby were able to commence operations whilst traffic lights were still to be installed outside the site.

The General Manager advised that as a Private Certifier has issued an Occupation Certificate for the site, Flower Power could commence operations. He also advised traffic light installation was in progress.

**REF: TRAFFIC MATTER - SIGNAGE**

Clr Waud requested Council investigate the positioning of No-Stopping signs recently installed in Dowding Street, Panania between Horsley Road and Bransgrove Road.

**REF: PROMOTIONAL CAMPAIGN – “HAVE YOU CHECKED ON YOUR ELDERLY NEIGHBOUR’S WELFARE”**

Clr Madirazza requested Council investigate measures that could be undertaken to promote ‘Have you checked on your elderly neighbour’s welfare’ within the LGA.

**SECTION 12: CONFIDENTIAL SESSION**

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

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 in confidential session for the reasons indicated:

Item 12.1 Waste Collection Service - Review of Operational Model

*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 Smith Park Basketball and Netball Court Upgrade

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

- CARRIED

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**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 6.52 PM AND  
REVERTED BACK TO OPEN COUNCIL AT 6.59 PM.**

**ITEM 12.1**                    **WASTE COLLECTION SERVICE - REVIEW OF OPERATIONAL MODEL**  
**(600)**                        **CLR. MADIRAZZA:/CLR. EL-HAYEK**

RESOLVED that Council endorse the proposed approach to providing its waste collection services, as outlined in the report

- CARRIED

**ITEM 12.2**                    **SMITH PARK BASKETBALL AND NETBALL COURT UPGRADE**  
**(601)**                        **CLR. DOWNEY:/CLR. TUNTEVSKI**

RESOLVED that

1. Council accept the offer of support from VMLY&R for upgrade of the Smith Park basketball and netball court as outlined in the report.
2. Council staff to continue to work with VMLY&R on the overall design of the court, and design of artwork associated with the upgrade.
3. Councils quarterly Operational Plan be updated to reflect this project.

- CARRIED

**THE MEETING CLOSED AT 7.00 P.M**

Minutes confirmed 25 JUNE 2019

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Mayor