

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 SEPTEMBER 2021

PRESENT: His Worship the Mayor Councillor Asfour, El-Hayek, Harika, Tuntevski and Madirazza

PRESENT BY AUDIO

VISUAL LINK: Councillors Downey, Zakhia, Raffan, Eisler, Kuskoff, Saleh, Ishac, Waud and Huda

APOLOGIES Nil

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.03 P.M.

COUNCILLORS ATTENDING REMOTELY

(1422) CLR. EL-HAYEK:/CLR. TUNTEVSKI

RESOLVED that permission be granted to Councillors Downey, Zakhia, Raffan, Eisler, Kuskoff, Saleh, Ishac, Waud and Huda to attend the meeting remotely by zoom.

- CARRIED

ACKNOWLEDGEMENT OF COUNTRY

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

REF: CONFIRMATION OF MINUTES

(1423) CLR. TUNTEVSKI:/CLR. HARIKA

RESOLVED that the minutes of the Ordinary Council Meeting held on 24 August 2021 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

Nil

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 SEPTEMBER 2021

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

In respect of Item 5.2 – Bankstown City Centre Master Plan and Planning Proposal, I Clr El-Hayek declare a significant Non Pecuniary Conflict of Interest given a reportable donation was made to my election campaign and the donor as well as my employer have property which is the subject of this report and I will vacate the Chamber taking no part in debate.

In respect of Item 5.2 – Bankstown City Centre Master Plan and Planning Proposal, I Clr Asfour declare a significant Non Pecuniary Conflict of Interest given my role on the Board of Bankstown RSL Club and a reportable donation was made to my election campaign where both the Bankstown RSL Club and the donor have property which is the subject of this report and I will vacate the Chamber taking no part in debate.

SECTION 4: MAYORAL MINUTES

ITEM 4.1 COVID UPDATE
(1424) CLR. ASFOUR

RESOLVED that the Mayoral Minute be received.

- CARRIED

ITEM 4.2 HOUSING ENVIRONMENT PLANNING POLICY
(1425) CLR. ASFOUR

RESOLVED that Council write to the Planning Minister to voice our strong objection to the proposed changes, through the introduction of a new Housing State Environmental Planning Policy given the impacts it will have on our ability to meet our jobs target, and our ability to protect our suburban neighbourhoods.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 SEPTEMBER 2021

ITEM 4.3 **LOCAL COMMUNITY BASED DONATION**
(1426) **CLR. ASFOUR**

1. RESOLVED that Council support the Australian Lebanese Independent Forum by way of \$750.00 donation to support their medical aid initiative for Lebanon, which is to distribute medicine through the Red Cross..

2. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

SECTION 5: **PLANNING MATTERS**

ITEM 5.1 **REPORT ON COUNCIL'S PERFORMANCE IN THE ASSESSMENT OF DEVELOPMENT APPLICATIONS FOR THE 2020/21 FINANCIAL YEAR, CLAUSE 4.6 VARIATIONS APPROVED FOR THE FOURTH QUARTER OF THE 2020/21 FINANCIAL YEAR AND PLANNING RELATED LEGAL APPEALS**

(1427) **CLR. MADIRAZZA:/CLR. ISHAC**

RESOLVED that the report be noted.

- CARRIED

ITEM 5.2 **BANKSTOWN CITY CENTRE MASTER PLAN AND PLANNING PROPOSAL**

In respect of Item 5.2 – Bankstown City Centre Master Plan and Planning Proposal, Clr El-Hayek declared a significant Non Pecuniary Conflict of Interest given a reportable donation was made to his election campaign and the donor as well as his employer have property which is the subject of this report and he vacated the Chamber taking no part in debate.

In respect of Item 5.2 – Bankstown City Centre Master Plan and Planning Proposal, Clr Asfour declared a significant Non Pecuniary Conflict of Interest given his role on the Board of Bankstown RSL Club and a reportable donation was made to his election campaign where both the Bankstown RSL Club and the donor have property

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 SEPTEMBER 2021

which is the subject of this report and he vacated the Chamber taking no part in debate.

HIS WORSHIP THE MAYOR CLR ASFOUR AND CLR EL-HAYEK TEMPORARILY VACATED THE CHAMBER AT 6.23 PM.

THE DEPUTY MAYOR CLR HARIKA ASSUMED THE CHAIR.

(1428) CLR. TUNTEVSKI:/CLR. EISLER

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

- CARRIED

MR JOSEPH TOUMA ADDRESSED COUNCIL

(1429) CLR. TUNTEVSKI:/CLR. ZAKHIA

RESOLVED that an extension of two minutes be given to Mr Touma to address Council.

- CARRIED

MS YVETTE MIDDLETON ADDRESSED COUNCIL

MR DANIEL GOCHER ADDRESSED COUNCIL

(1430) CLR. DOWNEY:/CLR. ZAKHIA

RESOLVED that

1. Council prepare and submit a Planning Proposal to amend the draft Canterbury Bankstown Local Environmental Plan 2021 for Gateway that implements the Bankstown City Centre Master Plan, subject to the following conditions:
 - a. Review site-specific submissions made to the local planning panel prior to exhibition, for:
 - i. 1A Gordon Street and 30-36 Meredith Street, Bankstown
 - ii. 34-38 Restwell Street, Bankstown
 - iii. 8-10 West Terrace, Bankstown
 - iv. 457 Chapel Road, Bankstown
 - v. 67 Rickard Road, Bankstown
 - vi. 2-10 Leonard Street, Bankstown

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 SEPTEMBER 2021

- b. Preparation of draft LEP Amendment maps to include with the Planning Proposal, and
 - c. Preparation of the following studies prior to submission for Gateway:
 - i. Independent Flood Review, to confirm consistency with Section 9.1 Direction 4.3 – Flooding;
 - ii. Preliminary Contamination Assessment, to confirm consistency with Section 9.1 Direction 2.6 – Remediation of Contaminated Land.
2. Council exhibit the Planning Proposal subject to any conditions specified in the Gateway Determination.
 3. Council prepare and exhibit a Development Control Plan to support the Master Plan, to be exhibited concurrently.
 4. Council note that the Master Plan will inform an updated City-wide development contributions plan to also be exhibited prior to the matter coming back to Council.
 5. A report be provided to Council outlining submissions received during the exhibition period and recommending a way forward.
 6. That Council acknowledge the extensive work over many years of numerous council staff and community members to developing the Bankstown City Master Plan document and that as this process was instigated under instruction of the State Liberal government that the council request that the government and the Premier ensure that the plan is supported not only by the provision of the necessary infrastructure, services and funding but by its Local State and Federal Liberal government representatives.

- CARRIED

For:- Clrs Downey, Eisler, Harika, Huda, Ishac, Madirazza, Raffan, Saleh, Tuntevski, Waud and Zakhia

Against:- Clr Kuskoff

HIS WORSHIP THE MAYOR CLR ASFOUR AND CLR EL-HAYEK RETURNED TO THE CHAMBER AT 6.56 PM AND THE MAYOR CLR ASFOUR ASSUMED THE CHAIR.

SECTION 6: POLICY MATTERS

Nil

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 SEPTEMBER 2021

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 LOCAL GOVERNMENT NSW - ANNUAL CONFERENCE, CONSIDERATION OF MOTIONS AND BOARD ELECTIONS

(1431) CLR. TUNTEVSKI:/CLR. ZAKHIA

RESOLVED that

1. Council endorse the draft motions as detailed in the report.
2. The Mayor be delegated authority to nominate voting delegates for the Annual Conference, Special Conference and the LGNSW Board election.

- CARRIED

ITEM 7.2 STRONGER COMMUNITY FUND - QUARTERLY REPORT

(1432) CLR. MADIRAZZA:/CLR. DOWNEY

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

- CARRIED

ITEM 7.3 DUAL NAMING OF COUNCIL WARDS

(1433) CLR. EL-HAYEK:/CLR. MADIRAZZA

RESOLVED that

1. Council Wards be renamed
Bura / Bass Hill
Bunya / Revesby
Bunmarra / Roselands
Darani / Bankstown
Budjar / Canterbury
2. Dual Names be included in future Council documents where ward names are specified ie, Annual Reports, Community Newsletters, planning documents and press alerts.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 SEPTEMBER 2021

3. A Community Education and Awareness program about the Dual Names be undertaken.
4. Council's Naming Policy be amended to reflect Wards.

- CARRIED

ITEM 7.4 **DISCLOSURE OF INTEREST RETURNS**
(1434) **CLR. WAUD:/CLR. HUDA**

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

- CARRIED

ITEM 7.5 **FEES AND CHARGES 2021/22**
(1435) **CLR. ZAKHIA:/CLR. ISHAC**

RESOLVED that Council adopt the Fees and Charges outlined in the report.

- CARRIED

ITEM 7.6 **CASH AND INVESTMENT REPORT AS AT 31 AUGUST 2021**
(1436) **CLR. MADIRAZZA:/CLR. DOWNEY**

RESOLVED that

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

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 SEPTEMBER 2021

SECTION 8: SERVICE AND OPERATIONAL MATTERS

ITEM 8.1 INNOVATIVE OCCASIONAL CARE PRESCHOOL MODEL
(1437) CLR. EISLER:/CLR. HARIKA

RESOLVED that

1. Council notes the change in the current service model from an Occasional Care Service to an Innovative Occasional Care and Preschool Model and the associated funding under the Community Child Care Fund Sustainability Support (CCCFS) and the Start Strong Preschool Funding (SSP).
2. Council endorse the introduction of a new fee of \$61 per child per day for the additional preschool day and its exhibition in accordance with Section 610F of the Local Government Act 1993.
3. A further report be presented to Council following the public exhibition period.

- CARRIED

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 14 SEPTEMBER 2021
(1438) CLR. HARIKA:/CLR. TUNTEVSKI

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 14 September 2021, be adopted.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 SEPTEMBER 2021

SECTION 10: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

(1439)

CLR. ZAKHIA:/CLR. HARIKA

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Notice of Motions and Questions with Notice with the exception of Item 10.4, 10.5, 10.6, 10.7, 10.8 and 10.9.

- CARRIED

ITEM 10.1

NOTICE OF MOTIONS

(1440)

CLR. ZAKHIA:/CLR. HARIKA

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2

WEDDINGS AND FUNERALS

(1441)

CLR. ZAKHIA:/CLR. HARIKA

RESOLVED that Council:

1. Write to the Premier and urge the Government to develop separate operating rules for the wedding and funeral industries, rules which will allow them to operate with certainty and a level of profitability.
2. Furthermore, that the Government consult widely with both industries before making any decisions.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 SEPTEMBER 2021

ITEM 10.3
(1442)

CONSTRUCTION SITES

CLR. ZAKHIA:/CLR. HARIKA

RESOLVED that Council writes to the Premier, on behalf of the thousands of construction workers in our LGA and acknowledges the lifting of restrictions on building sites. I further propose, in the interests of fairness and public health, we call on her to treat construction workers equally, and impose the same rules, no matter where they live in NSW.

- CARRIED

ITEM 10.4
(1443)

COMMUNITY RECOGNITION AWARD

CLR. DOWNEY:/CLR. HARIKA

RESOLVED that Council develop a "Community Recognition Award" system (independent of Australia Day Awards) whereby Council can give appropriate recognition to individuals who provide outstanding service to our local community.

- CARRIED

ITEM 10.5
(1444)

SURVIVOR

CLR. DOWNEY:/CLR. HARIKA

RESOLVED that Council acknowledges and congratulates Bankstown local, George Mladenov, for finishing runner-up in this season's reality show, Australian Survivor. I further propose Council harnesses his popularity and considers using him to promote our City, as we emerge from lockdown.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 SEPTEMBER 2021

ITEM 10.6
(1445)

RELIGIOUS INSTITUTIONS

CLR. EL-HAYEK:/CLR. TUNTEVSKI

RESOLVED that on behalf of the many religious institutions in our City, we call on the NSW Government to reverse its decision to ban unvaccinated people from attending their local service once the State reopens. I propose we write to the NSW Premier, urging her to listen to religious leaders and allow them to open their doors to all people, whether they are vaccinated, or not.

- CARRIED

ITEM 10.7
(1446)

ELIMINATE THE DOUBLE STANDARDS

CLR. EL-HAYEK:/CLR. HARIKA

RESOLVED that Council write to the NSW Premier Gladys Berejiklian

1. Calling on her to heed the call of our Mayor during a recent meeting to eliminate NSW Governments double standards across the LGAs in Greater Sydney, and;
2. Demand that all of Greater Sydney open up at the same time when COVID-19 vaccination milestones are reached and lockdown restrictions ease.
3. Furthermore, to immediately remove the 5km travel restriction on our residents for their mental well- being and to stop referring to LGAs, as LGA's of concern .

- CARRIED

ITEM 10.8
(1447)

TREAT US WITH RESPECT

CLR. SALEH:/CLR. HARIKA

RESOLVED that Council invite the Mayors of the 11 other LGAs of concern to join with us in an open letter to the NSW Premier, to express our concerns over the inequities and harsh restrictions imposed on our communities, during this pandemic.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 SEPTEMBER 2021

ITEM 10.9 **DIVERSE REPRESENTATION**
(1448) **CLR. SALEH:/CLR. HUDA**

RESOLVED that Council writes to Multicultural NSW to develop a targeted program aimed at the CALD community, to encourage more diverse representation at all levels of Government. I further propose this campaign be translated in several different languages.

- CARRIED

ITEM 10.10 **CALL FOR A BAN ON PUPPY FARMS**
(1449) **CLR. ZAKHIA:/CLR. HARIKA**

RESOLVED that Council add its name, with other supporting Councils, to a joint letter which calls on the Government to ban puppy farms and introduce greater regulation.

- CARRIED

ITEM 10.11 **ELECTRIC VEHICLE CHARGING**
(1450) **CLR. ZAKHIA:/CLR. HARIKA**

RESOLVED that Council:

1. Support the ongoing investigation and installation of Electric Vehicle Charging Stations in the city.
2. Work with the relevant providers and NSW Government, to ensure these are implemented in a coordinated way without impacting on our streets and public domain.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 SEPTEMBER 2021

ITEM 10.12
(1451)

TREE REPLACEMENT

CLR. ZAKHIA:/CLR. HARIKA

RESOLVED that

1. Council reviews its approach to the replacement of trees removed from public land including street and park trees; and
2. This review considers the number, placement, timing, species, and heat reducing potential of the trees to be replace.

- CARRIED

ITEM 10.13
(1452)

MITOCHONDRIAL DISEASE

CLR. ZAKHIA:/CLR. HARIKA

RESOLVED that Council shine a light on Mitochondrial Disease and raise community awareness through a social media campaign. The purpose of this campaign will also be to encourage much needed donations to help support victims and conduct vital research.

- CARRIED

SECTION 11:

CONFIDENTIAL SESSION

PRIOR TO CONSIDERING THE REPORTS IN CONFIDENTIAL SESSION COUNCILLORS DOWNEY, ZAKHIA, RAFFAN, EISLER, KUSKOFF, SALEH, ISHAC, WAUD AND HUDA WHO WERE ATTENDING THE MEETING BY AUDIO VISUAL LINK DECLARED THERE WERE NO PERSONS WITHIN SIGHT OR HEARING OF THEM.

(1453)

CLR. HARIKA:/CLR. EL-HAYEK

RESOLVED that, in accordance with **Section 10A(2c)** 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 T14-22 Greenacre Splash Park - Aquatics Package

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 SEPTEMBER 2021

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 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 7.18 PM AND REVERTED BACK INTO OPEN COUNCIL AT 7.19 PM.

MATTER OF URGENCY

(1454) CLR. HARIKA:/CLR. DOWNEY

RESOLVED that urgency be permitted and Item 11.1 be considered in Confidential session.

- CARRIED

ITEM 11.1 T14-22 GREENACRE SPLASH PARK - AQUATICS PACKAGE

(1455) CLR. ZAKHIA:/CLR. DOWNEY

RESOLVED that

1. Council notes that no Tenders were received for T14-22 Greenacre Splash Park – Aquatics Package.
2. In accordance with clause 178(3)(b) of the Local Government (General) Regulation 2005, Council invites fresh tenders in accordance with Section 167 of the Regulations for the Greenacre Splash Park – Aquatics Package, as outlined in the report.

- CARRIED

THE MEETING CLOSED AT 7.20 P.M

Minutes confirmed 26 OCTOBER 2021

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Mayor