

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 11 DECEMBER 2018

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

APOLOGIES: Clrs Huda and Raffan

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.05 P.M.

REF: CONFIRMATION OF MINUTES

(452) CLR. TUNTEVSKI:/CLR. MADIRAZZA

RESOLVED that the minutes of the Ordinary Council Meeting held on 27 November 2018 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

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

RESOLVED that Leave of Absence be granted to Clr Raffan due to health reasons and Clr Huda due to personal reasons.

- CARRIED

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

In respect of Item 12.2 – Request for Proposal for the Provision of Family and Child Related Services at 24-26 Jacobs Street, Bankstown, Clr Saleh declared a significant, Non Pecuniary Conflict of Interest as she has a business relationship with one of the tenderers and indicated she would vacate the Chamber taking no part in debate.

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SECTION 4: MAYORAL MINUTES

ITEM 4.1 SYDENHAM TO YAGOONA METRO

(454) CLR. ASFOUR

RESOLVED that Council write to the NSW Minister for Transport and Infrastructure and request that he confirm that the Sydenham to Bankstown Metro is not being extended to Yagoona.

- CARRIED

ITEM 4.2 LOCAL SES AWARD NIGHT FUNCTION

(455) CLR. ASFOUR

RESOLVED that Council write to the NSW State Government requesting that they review their decision and allow State Emergency Service (SES) units to fund their award nights from operational budgets as in previous years.

- CARRIED

ITEM 4.3 LOCAL COMMUNITY BASED DONATIONS

(456) CLR. ASFOUR

RESOLVED that

1. Council support Councillors and staff participation in Movember and donate \$4,650 to the Movember Foundation Australia.
2. Council support the request from Padstow Community Care Hampers and \$500 be donated to their Christmas Hamper drive.
3. Council support the request from Maronite Catholic Society of Australia and donate \$2,000 towards the Rudy Rahme exhibition.
4. Council support the request from Fight for Finn Foundation and donate \$2,000 towards their next fundraiser, which is the 2019 Ironman event in Port Macquarie on 5 May 2019.
5. These funds are made available from Council's Community Grants and Events Sponsorship budget.

- CARRIED

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SUSPENSION OF STANDING ORDERS

(457)

CLR. DOWNEY:/CLR. TUNTEVSKI

1. Permission be granted to those people who have made the necessary application to address Council for five minutes.
2. Standing Orders be suspended and Items 8.4, 5.1, 7.6 and 7.7 be dealt with now.
3. Standing Orders then be resumed.

- CARRIED

ITEM 8.4

JENSEN PARK SYNTHETIC FIELD PROJECT

(458)

CLR. HARIKA:/CLR. TUNTEVSKI

RESOLVED that

1. Council endorse the proposed transitional arrangements, as outlined in the report.
2. Given its Regional Sports Facility Framework and improvements made at Jensen Park, Council, BCFC and BDAFA look to re-visit the current Memorandum of Understanding for Jensen Park as a “Centre of Football Excellence”.
3. Council be provided with further reports on the matter, as required.

- CARRIED

ITEM 5.1

PLANNING PROPOSAL: 353–355 WATERLOO ROAD IN GREENACRE

MR DAN MAURICI FROM HENROTH GROUP (APPLICANT) ADDRESSED COUNCIL

(459)

CLR. EL-HAYEK:/CLR. TUNTEVSKI

RESOLVED that

1. The matter be deferred subject to the applicant providing the following additional information as outlined in the report:
 - (a) Social Impact and Community Needs Assessment
 - (b) Heritage Study for the site at 355 Waterloo Road, Greenacre

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- (c) Revised Traffic Study for the purposes of consultation with the Roads & Maritime Services
 - (d) Economic Impact Study to analyse the potential impacts on the Greenacre Small Village Centre as a result of the proposal.
2. Once the additional information is received and evaluated, a further report be provided to Council on the matter.

- CARRIED

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

Against:- Clr Madirazza

ITEM 7.6 COMPULSORY ACQUISITION OF 15 CLOSE STREET CANTERBURY FOR THE PURPOSE OF A CONSTRUCTION LEASE FOR THE SYDNEY METRO CITY AND SOUTHWEST PROJECT

MS BARBARA COOREY (RESIDENT) ADDRESSED COUNCIL

(460) CLR. DOWNEY:/CLR. HARIKA

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

(461) CLR. EISLER:/CLR. TUNTEVSKI

RESOLVED that

- 1. Council note the withdrawal of Sydney Metro from utilising 15 Close Street.
- 2. No further change or use of the site occur until such time as the broader planning for the precinct occurs.

- CARRIED

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ITEM 7.7 **SYDENHAM TO BANKSTOWN METRO**

MS BARBARA COOREY (RESIDENT) ADDRESSED COUNCIL

CLR TUNTEVSKI TEMPORARILY VACATED THE CHAMBER AT 7.06 PM AND RETURNED AT 7.07 PM.

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

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

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

RESOLVED that the Mayor and General Manager be delegated authority to initiate legal proceedings, as outlined in the report.

- CARRIED

STANDING ORDERS WERE RESUMED.

SECTION 5: **PLANNING MATTERS**

ITEM 5.1 **PLANNING PROPOSAL: 353–355 WATERLOO ROAD IN GREENACRE**

THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 459 ON PAGE THREE OF THESE MINUTES.

ITEM 5.2 **PLANNING PROPOSAL: 167 HUME HIGHWAY IN GREENACRE**

(464) **CLR. EL-HAYEK:/CLR. ZAKHIA**

RESOLVED that

1. The matter be deferred subject to the applicant providing the following additional information as outlined in the report:
 - a) Social Impact and Community Needs Assessment
 - b) Air Quality and Noise Impact Study
 - c) Consultation with the Roads & Maritime Services
 - d) An economic investigation and analysis for the non-residential land uses proposed for the site ie; Hotel and Serviced Apartments and to explore the ratio of employees to FSR. The economic study is to also canvas the possibility of other commercial uses with a high ratio of

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employees that may be appropriate for the site.

2. Once the additional information is received and evaluated, a further report be provided to Council on the matter.

- CARRIED

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

Against:- Clr Madirazza

ITEM 5.3 DRAFT AMENDMENT TO THE VOLUNTARY PLANNING AGREEMENT FOR THE FORMER RIVERLANDS GOLF COURSE SITE IN MILPERRA

(465) CLR. ZAKHIA:/CLR. ISHAC

RESOLVED that

1. Council prepare and exhibit a Deed of Variation to the Voluntary Planning Agreement for the former Riverlands Golf Course site in Milperra.
2. Following the exhibition period, Council adopt the Deed of Variation to the Voluntary Planning Agreement provided there are no submissions.
3. The General Manager be granted delegated authority to make wording changes to the Deed of Variation to the Voluntary Planning Agreement, necessary to satisfy legal necessities so long as these do not alter the intent or substance of the deed.
4. The Mayor and General Manager be authorised to sign the Deed of Variation to the Voluntary Planning Agreement.

- CARRIED

For:- Clrs Asfour, Eisler, El-Hayek, Ishac, Madirazza, Saleh, Waud and Zakhia

Against:- Clrs Downey, Harika, Kuskoff, Tuntevski and Zaman

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**ITEM 5.4 DRAFT HOUSEKEEPING AMENDMENTS TO BANKSTOWN DCP 2015 AND
CANTERBURY DCP 2012**

(466) CLR. ISHAC:/CLR. ZAKHIA

RESOLVED that

1. Council exhibit the draft amendments to Bankstown Development Control Plan 2015 and Canterbury Development Control Plan 2012 as shown in Attachment A.
2. The matter be reported to Council following the exhibition period.

- CARRIED

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

Against:- Nil

**ITEM 5.5 SUBMISSION TO THE DRAFT BANKSTOWN AIRPORT MASTERPLAN AND DRAFT
SOUTH WEST PRECINCT MAJOR DEVELOPMENT PLAN**

(467) CLR. WAUD:/CLR. TUNTEVSKI

RESOLVED that

1. Council endorse the contentions raised in this report in response to the Draft Bankstown Airport Masterplan and the Draft South West Precinct Major Development Plan.
2. A submission be prepared and submitted based on the issues outlined in this report.

- CARRIED

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ITEM 5.6 **REPORTING OF (1) PERFORMANCE FOR PROCESSING OF DEVELOPMENT APPLICATIONS FOR THE FIRST QUARTER OF THE 2018/19 FINANCIAL YEAR, (2) DEVELOPMENT APPLICATIONS APPROVED WITH A CLAUSE 4.6 VARIATION FOR THE PERIOD 1 JULY TO 30 SEPTEMBER 2018, AND (3) CURRENT PLANNING RELATED APPEALS CURRENTLY BEFORE THE LAND AND ENVIRONMENT COURT**

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

RESOLVED that the contents of this report be noted.

- CARRIED

SECTION 6: POLICY MATTERS

ITEM 6.1 LOCAL ORDERS POLICY

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

RESOLVED that

1. Council adopt the Local Orders Policy.
2. Public Notice of the adopted policy be displayed in local newspapers and Council's web page.

- CARRIED

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 STRONGER COMMUNITIES FUND - QUARTERLY PROGRESS REPORT

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

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

- CARRIED

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ITEM 7.2 SMART CITIES WEEK LEGACY PROJECT (HACKATHON)

CLR KUSKOFF TEMPORARILY VACATED THE CHAMBER AT 7.34 PM

(471) CLR. EL-HAYEK:/CLR. ZAKHIA

RESOLVED that

1. Council notes the findings of the 2018 Smart Cities Legacy Project (Hackathon) and endorse the solutions pitched at the hackathon for further investigation.
2. Council accept the Smart Cities Council invitation to host the Legacy Project again in 2019.

- CARRIED

ITEM 7.3 SMART CITIES AND SUBURBS FUNDING

CLR KUSKOFF RETURNED TO THE CHAMBER AT 7.35 PM

(472) CLR. EL-HAYEK:/CLR. ZAKHIA

RESOLVED that

1. Council note the information provided in this report.
2. Council allocate required funding from the Domestic Waste Fund as part of the appropriate quarterly review.

- CARRIED

ITEM 7.4 ROAD RENAMING - SECTION OF CHAPEL STREET, LAKEMBA

(473) CLR. SALEH:/CLR. ZAMAN

RESOLVED that Council proceed to re-name the section of Chapel Street, Lakemba to Pithers Street, and allocate Street Numbering in accordance with Council's Naming Policy and the Geographical Names Board Guidelines.

- CARRIED

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ITEM 7.5 **CASH AND INVESTMENT REPORT AS AT 30 NOVEMBER 2018**
(474) **CLR. WAUD:/CLR. ZAKHIA**

RESOLVED that

1. The Cash and Investment Report as at 30 November 2018 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

ITEM 7.6 **COMPULSORY ACQUISITION OF 15 CLOSE STREET CANTERBURY FOR THE**
PURPOSE OF A CONSTRUCTION LEASE FOR THE SYDNEY METRO CITY AND
SOUTHWEST PROJECT

THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 461 ON PAGE FOUR OF THESE MINUTES

ITEM 7.7 **SYDENHAM TO BANKSTOWN METRO**

THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 463 ON PAGE FIVE OF THESE MINUTES

SECTION 8: **SERVICE AND OPERATIONAL MATTERS**

ITEM 8.1 **FOOTBRIDGE ACROSS GEORGES RIVER BETWEEN EAST HILLS AND VOYAGER**
POINT

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

RESOLVED that

1. The information contained in this report be noted.
2. Further updates on the progress of this matter be reported to Council.
3. The Mayor communicate to residents the cost impact on the community.

- CARRIED

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ITEM 8.2 **SEFTON COMMUNITY ENGAGEMENT**
(476) **CLR. HARIKA:/CLR. ISHAC**

RESOLVED that

1. The Economic Development team continue to engage with the local businesses to provide advice and business support through the Canterbury-Bankstown Business Advisory Services office.
2. Council review parking issues and maintenance as outlined in the report.

- CARRIED

ITEM 8.3 **PUBLIC LIGHTING FOR BAND HALL RESERVE DOG OFF LEASH AREA**
(477) **CLR. HARIKA:/CLR. ISHAC**

RESOLVED that Council consider piloting the lighting of Band Hall Reserve for 25% of the reserve up until 8:00PM each night as part of Council's future capital works program.

- CARRIED

ITEM 8.4 **JENSEN PARK SYNTHETIC FIELD PROJECT**

THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 458 ON PAGE THREE OF THESE MINUTES

SECTION 9: **COMMITTEE REPORTS**

ITEM 9.1 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 27 NOVEMBER 2018**
(478) **CLR. HARIKA:/CLR. EISLER**

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 27 November 2018, be adopted.

- CARRIED

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- ITEM 9.2** **MINUTES OF THE LIVEABLE CITY ADVISORY COMMITTEE MEETING HELD ON 15 NOVEMBER 2018**
- (479)** **CLR. HARIKA:/CLR. EISLER**
- RESOLVED that the minutes of the Liveable City Advisory Committee meeting held on 15 November 2018, be endorsed.
- CARRIED
-
- ITEM 9.3** **MINUTES OF THE PROSPERITY & INNOVATION ADVISORY COMMITTEE MEETING HELD ON 26 NOVEMBER 2018**
- (480)** **CLR. HARIKA:/CLR. EISLER**
- RESOLVED that the minutes of the Prosperity & Innovation Advisory Committee meeting held on 26 November 2018, be endorsed.
- CARRIED
-
- ITEM 9.4** **MINUTES OF THE SOCIAL INCLUSION ADVISORY COMMITTEE MEETING HELD ON 28 NOVEMBER 2018**
- (481)** **CLR. HARIKA:/CLR. EISLER**
- RESOLVED that the minutes of the Social Inclusion Advisory Committee meeting held on 28 November 2018, 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
(482) CLR. KUSKOFF:/CLR. ZAMAN

RESOLVED that the information be noted.

- CARRIED

SECTION 11: QUESTIONS FOR NEXT MEETING

REF: WASTE COLLECTION - RECYLCING

Clr Harika requested that Council consider introducing an additional waste recycling collection during the Christmas-New Year break at no cost to residents.

REF: PANANIA SENIOR CITIZEN ROOM

Clr Downey requested that a whiteboard be located in the Panania Senior Citizen room for meeting purposes.

REF: TRAFFIC ISSUE – BEACONSFIELD STREET AND QUEEN STREET, REVESBY

Clr Downey requested that council investigate the installation of a right hand turn signal and other safety measures at the intersection of Beaconsfield Street and Queen Street, Revesby.

REF: TRAFFIC ISSUE - HEAVY VEHICLES

Clr Downey requested Council investigate the installation of appropriate signage at hot-spots where heavy vehicles are illegally parking in residential streets across the LGA.

REF: TRAFFIC ISSUE - ALMA ROAD AND CHAMBERLAIN ROAD, PADSTOW

Clr Downey requested that the installation of a roundabout previously proposed at the intersection of Alma Road and Chamberlain Road, Padstow be considered for reinstatement in future Capital Works program.

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REF: MOSQUITO MONITORING IN GEORGES RIVER AREA

Clr Tuntevski requested Council to enquire with NSW Health if there are any mosquito prevention programs scheduled for the Georges River National Park during the summer period.

REF: CHILDREN'S GROUP HOME - 2 PEELER PLACE, MILPERRA

Clr Tuntevski requested Council contact the Minister for Disability Services and enquire if there is any proposal to replace the Children's Group Home recently demolished at 2 Peeler Place, Milperra.

REF: TRAFFIC ISSUE - MEREDITH STREET AND HUME HIGHWAY, BANKSTOWN

Clr Zakhia requested Council ask Roads and Maritime Service to consider installing a right hand turn signal at the intersection of Hume Highway and Meredith Street, Bankstown.

REF: GREENACRE POOL

Clr El-Hayek requested that a new pool and splash park be considered for Greenacre in the Leisure and Aquatic Strategic Plan.

REF: KEN MCLEAN RESERVE, BELMORE

Clr Saleh requested Council investigate the installation of signage and seating in Ken McLean Reserve, Belmore.

REF: VOLUNTEER CHRISTMAS PARTIES

Clr Eisler requested in future years Council investigate scheduling additional volunteer Christmas Parties so that the locations are more accessible to volunteers across the LGA.

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SECTION 12: CONFIDENTIAL SESSION

(483) 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 Classification of Drainage Reserves

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.

Item 12.2 Request for Proposal for the Provision of Family and Child Related Services at 24-26 Jacobs Street, Bankstown

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

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 8.05 PM AND
REVERTED BACK TO OPEN COUNCIL AT 8.11 PM.**

ITEM 12.1 CLASSIFICATION OF DRAINAGE RESERVES

(484) CLR. HARIKA:/CLR. ISHAC

RESOLVED that

1. Council suspend the drainage reserve sale program for those properties that are Community classified, but continue with the sale of the small number of Operational classified properties.
2. Council endorse the inclusion of affected drainage reserves in either the Council wide LEP review or as a stand-alone LEP, to have them reclassified to operational.
3. Council advise affected residents and refund any application fees relating to investigations for sale of drainage reserves for those affected residents.

- CARRIED

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ITEM 12.2 REQUEST FOR PROPOSAL FOR THE PROVISION OF FAMILY AND CHILD RELATED SERVICES AT 24-26 JACOBS STREET, BANKSTOWN

IN RESPECT OF ITEM 12.2 – REQUEST FOR PROPOSAL FOR THE PROVISION OF FAMILY AND CHILD RELATED SERVICES AT 24-26 JACOBS STREET, BANKSTOWN, CLR SALEH DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS SHE HAS A BUSINESS RELATIONSHIP WITH ONE OF THE TENDERERS AND VACATED THE CHAMBER TAKING NO PART IN DEBATE.

CLR SALEH RETIRED FROM THE MEETING AT 8.10 PM.

(485) CLR. EL-HAYEK:/CLR. ZAKHIA

RESOLVED that

1. Council accepts the proposal received from Bankstown Community Resource Group Inc.
2. The General Manager be authorised to enter into a licence agreement 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

THE MEETING CLOSED AT 8.12 PM.

Minutes confirmed 26 FEBRUARY 2019

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Mayor