

CANTERBURY BANKSTOWN

**MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 MAY 2018**

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 6.01 PM.

REF: CONFIRMATION OF MINUTES

(198)

CLR. ISHAC:/CLR. ZAKHIA

RESOLVED that the minutes of the Ordinary Council Meeting held on 24 April 2018 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

Nil

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

In respect of Item 5.1 Planning Matters – Canterbury Road Review, Clr Zakhia declared a significant, Non Pecuniary Conflict of Interest as he has an affiliation with an association that owns property along the corridor and indicated he will not participate in considering the matter and would vacate the chamber.

In respect of Item 5.1 Planning Matters – Canterbury Road Review, His Worship the Mayor Clr Asfour declared a significant, Non Pecuniary Conflict of Interest as a relative has a close working relationship with an owner of a property along the corridor and indicated he will not participate in considering the matter and would vacate the chamber.

In respect of Item 12.5 Confidential Matter – 263 Wangee Road, Greenacre, Clr Huda declared a less than significant, Non Pecuniary Conflict of Interest as he is employed by the owner of the property and indicated he would participate in considering the matter and remain in the chamber as it would not affect his vote.

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SECTION 4: MAYORAL MINUTES

ITEM 4.1 RECLAIMING OUR LOW DENSITY NEIGHBOURHOODS
(199) CLR. ASFOUR

RESOLVED that the Mayoral Minute be noted.

- CARRIED

ITEM 4.2 SMART CITIES AND SUBURBS PROGRAM - REIMAGINING OUR WASTE AND
CLEANSING SERVICE
(200) CLR. ASFOUR

RESOLVED that Council submit a grant application under the Federal Government's Smart Cities and Suburbs Program to allow staff to investigate ways new technology and better data can deliver a more efficient waste service and better outcome for our community and environment.

- CARRIED

ITEM 4.3 LOCAL COMMUNITY BASED DONATIONS
(201) CLR. ASFOUR

RESOLVED that

1. Council support the request from St. Merkorious Charity for upgrading of the equipment in their kitchen and donate \$2,000 towards a potato rumbler – an automatic peeler.
2. Council support the request from Help for Hirschprung for its inaugural Gala Dinner being held on 24 August 2018 at the Highline Venue in Bankstown and donate \$1,000 towards this event.
3. Council support the request from the Lions Club for the NSW State Lions Youth of the Year which was recently held at the Bankstown District Sports Club and donate \$747.10 towards this event.
4. Council support the request from the Canterbury SES Unit for its annual awards night and donate \$2,000 towards this event.

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5. Council support the request from Renae Edmundson who has been selected to represent Australia at the World Baton Twirling Championships in Florida, USA in August 2018 and donate \$500 to assist with the expenses involved.
6. Council support the request from Team F7500 of Panania who will be travelling from Bonnyrigg, NSW to Braitling, NT in the Variety B to B Bash and donate \$1,500 to Team F7500.
7. Council support the request from Gaza Childrens Fund, a charity that provides for children and families displaced during the ongoing crisis in Gaza and donate \$1,000.
8. Council support the request from the Lebanese Muslim Association (LMA) for use of a portion of Parry Park for the month of Ramadan and waive \$4,682 of the \$4,825 park hire fee.
9. These funds are to be made available from Council's Community Grants and Events Sponsorship budget.

- CARRIED

SECTION 5: PLANNING MATTERS

ITEM 5.1 CANTERBURY ROAD REVIEW

CLR ZAKHIA DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HE HAS AN AFFILIATION WITH AN ASSOCIATION THAT OWNS PROPERTY ALONG THE CORRIDOR AND INDICATED HE WILL NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

HIS WORSHIP THE MAYOR CLR ASFOUR DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS A RELATIVE HAS A CLOSE WORKING RELATIONSHIP WITH AN OWNER OF A PROPERTY ALONG THE CORRIDOR AND INDICATED HE WILL NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

HIS WORSHIP THE MAYOR CLR ASFOUR AND CLR ZAKHIA TEMPORARILY VACTED THE CHAMBER AT 6.20 PM.

THE DEPUTY MAYOR CLR SALEH ASSUMED THE CHAIR.

(202) CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that

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3. Should Mr Lemma not be available or decline the re-appointment, the Greater Sydney Commission consult Council on the appointment of a new District Commissioner.

- CARRIED

SECTION 6: POLICY MATTERS

Nil

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 QUARTERLY REVIEW OF THE 2017/18 OPERATIONAL PLAN TO 31 MARCH 2018 AND QUARTERLY BUDGET REVIEW

(206) CLR. WAUD:/CLR. ISHAC

RESOLVED that

1. Council endorse the quarterly review of its 2017/18 Operational Plan to 31 March 2018.
2. Council adopt the March 2018 Quarterly Budget Review as outlined in this report.

- CARRIED

ITEM 7.2 PROPERTY MATTER - 42 TILLET PARADE, LANSDOWNE

(207) CLR. DOWNEY:/CLR. ISHAC

RESOLVED that

- 1 Council agree to acquire 42 Tillet Parade, Lansdowne in accordance with the Land Acquisition (Just Terms Compensation) Act, for the reasons outlined in the report.
- 2 The General Manager be authorised to fulfil the required administrative requirements, as required.
- 3 The Mayor and General Manager be authorised to sign all relevant documentation, including affixing the common seal of Council, as required.

- CARRIED

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ITEM 7.3
(208)

INCORPORATION OF SSROC
CLR. RAFFAN:/CLR. EL-HAYEK

RESOLVED that the matter be deferred to a Councillor Briefing.

- CARRIED

ITEM 7.4
(209)

PROPERTY MATTER - DEED OF ASSIGNMENT - 20 LEWINS STREET EARLWOOD
AND ADJOINING HELVETIA LANE
CLR. HARIKA:/CLR. ZAKHIA

RESOLVED that

1. In principle, Council agree to the request to assign its current deed with Perpetual Ltd in relation to 20 Lewins Street and part Helvetia Lane, Earlwood, as part of its sale process.
2. In consultation with its lawyers, the General Manager be authorised to provide consent to assigning the deed to the new owner(s) and completing the outstanding property issues, as required.
3. The Mayor and General Manager be authorised to sign and affix the Common Seal of Council to all documentation, as required.

- CARRIED

ITEM 7.5
(210)

CASH AND INVESTMENT REPORT AS AT 30 APRIL 2018
CLR. WAUD:/CLR. RAFFAN

RESOLVED that

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

- CARRIED

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SECTION 8: SERVICE AND OPERATIONAL MATTERS

ITEM 8.1 PLAYGROUNDS AND PLAY SPACES STRATEGIC PLAN
(211) CLR. MADIRAZZA:/CLR. EISLER

RESOLVED that

1. That Council endorse a public exhibition of the draft *Playgrounds and Play Spaces Strategic Plan* for a period of six weeks.
2. A further report be submitted to Council at the conclusion of the public exhibition period to consider any submissions received.

- CARRIED

ITEM 8.2 FEASIBILITY ASSESSMENT OF FORMER CANTERBURY COUNCIL CHAMBERS
(212) CLR. RAFFAN:/CLR. MADIRAZZA

RESOLVED that

1. The information be noted.
2. Councillors be provided with a briefing for their further consideration.

- CARRIED

ITEM 8.3 OUTDOOR DINING PILOT PROJECT
(213) CLR. HUDA:/CLR. DOWNEY

RESOLVED that

1. Council resolve to continue to participate in the NSW Outdoor Dining Trial until 31 December 2018.
2. Council continues to waive fees for businesses in the trial locations, including the extension to Panania.

- CARRIED

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ITEM 8.4 **FIFA WORLD CUP SOCCEROO GAMES LIVE BROADCAST**
(214) **CLR. EL-HAYEK:/CLR. KUSKOFF**

RESOLVED that

1. Council proceeds with a live broadcast of the first Australian game (Australia vs France) to be held in the Bryan Brown Theatre.
2. Council agree to review the attendance at the first broadcast and, subject to attendance, the Mayor and General Manager be given delegation to hold further broadcasts of Australian matches at the venue.

- CARRIED

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 **MINUTES OF THE CANTERBURY BANKSTOWN TRAFFIC COMMITTEE MEETING**
(215) **HELD ON 8 MAY 2018**
CLR. HARIKA:/CLR. MADIRAZZA

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Traffic Committee meeting held on 8 May 2018, be adopted.

- CARRIED

SECTION 10: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

ITEM 10.1 **NOTICE OF MOTIONS AND QUESTIONS WITH NOTICE**
(216) **CLR. DOWNEY:/CLR. ZAKHIA**

RESOLVED that the information be noted.

- CARRIED

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ITEM 10.2 **AQUATIC REVIEW - GREENACRE SPLASH PARK**
(217) **CLR. EL-HAYEK:/CLR. TUNTEVSKI**

RESOLVED that

1. Council staff provide a briefing to Council on the status of the current review of aquatic facilities.
2. The provision of wet water play be considered as part of any future options for the Greenacre Town Centre as part of this review.

- CARRIED

ITEM 10.3 **BUS BAYS/DROP OFFS**
(218) **CLR. TUNTEVSKI:/CLR. DOWNEY**

RESOLVED that

1. Council write to all schools seeking interest in reviewing their traffic and pedestrian movements and support those schools wanting to undertake a review, including their willingness to introduce formally managed drop-off and pick-up zones with associated signage.
2. Council support and promote the Bus Safety Week and Be Bus Aware campaigns.
3. Council write to the State Government requesting that they investigate the installation of bus bays associated with all state public schools in Canterbury Bankstown.
4. Council write to the State Government requesting that it introduces a dedicated safe 'schools zone' program as part of its ongoing road safety management responsibilities.

- CARRIED

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**ITEM 10.4 INSTALLATION OF GROSS POLLUTION TRAPS AT ALL STORMWATER
DRAINS/OUTLETS LEADING INTO THE GEORGES AND COOKS RIVERS**

MOTION CLR. TUNTEVSKI:/CLR. DOWNEY

That Council –

1. Carry out an audit of all of Council’s existing gross pollution traps and reed beds to determine their effectiveness and condition.
2. Identify where possible gross pollutant traps and reed beds can be installed in creeks and along the Georges River and Cooks River.
3. Review and report back on Council’s current cleaning regime and service levels along the Georges River and Cooks River.

AT THIS STAGE CLR RAFFAN REQUESTED THAT THE MOTION BE AMENDED AS FOLLOWS:

That Council –

1. Carry out an audit of all of Council’s existing gross pollution traps and reed beds to determine their effectiveness and condition.
2. Identify where possible gross pollutant traps and reed beds can be installed in creeks and along the Georges River and Cooks River.
3. Review and report back on Council’s current cleaning regime and service levels along the Georges River and Cooks River.
4. The Audit report be referred to the Georges River Alliance and Cooks River Alliance.

CLR TUNTEVSKI AND CLR DOWNEY ACCEPTED CLR RAFFAN’S AMENDMENT BE INCLUDED IN THE MOTION.

(219) CLR. TUNTEVSKI:/CLR. DOWNEY

RESOLVED that Council

1. Carry out an audit of all of Council’s existing gross pollution traps and reed beds to determine their effectiveness and condition.
 2. Identify where possible gross pollutant traps and reed beds can be installed in creeks and along the Georges River and Cooks River.
 3. Review and report back on Council’s current cleaning regime and service levels along the Georges River and Cooks River.
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4. The Audit report be referred to the Georges River Alliance and Cooks River Alliance.

- CARRIED

ITEM 10.5 **SIGNAGE IN PARKS AND RESERVES**
(220) **CLR. ZAKHIA:/CLR. ISHAC**

RESOLVED that Council review its existing park rules signage at all parks, reserves, sportsgrounds and open space areas and implement any outcomes as part of its 2018/19 Operational Plan.

- CARRIED

ITEM 10.6 **'SMART' SPEED BUMPS**
(221) **CLR. HARIKA:/CLR. KUSKOFF**

RESOLVED that Council investigates the suitability of 'smart' speed bumps, their possible application and implications of the use of these in our City.

- CARRIED

ITEM 10.7 **AFFORDABLE HOUSING**

AT THIS STAGE CLR EISLER REQUESTED THAT THE TEXT IN THE BACKGROUND TO HER NOTICE OF MOTION BE AMENDED TO READ AS FOLLOWS:

"I request that Council establish a clear policy position on the provision of affordable housing ensuring that key workers and low income households can continue to live within our city."

MOTION **CLR. EISLER:/CLR. ISHAC**

That Council establish a clear policy position on Affordable Housing, including community and public housing, and ensure that it is embedded as a central element of our local housing strategy to be prepared for the City of Canterbury Bankstown.

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AT THIS STAGE CLR SALEH REQUESTED THAT THE MOTION BE AMENDED AS FOLLOWS:

That Council establish a clear policy position on Affordable and Accessible Housing, including community and public housing, and ensure that it is embedded as a central element of our local housing strategy to be prepared for the City of Canterbury Bankstown.

CLR EISLER AND CLR ISHAC ACCEPTED CLR SALEH'S AMENDMENT BE INCLUDED IN THE MOTION.

(222)

CLR. EISLER:/CLR. ISHAC

RESOLVED that Council establish a clear policy position on Affordable and Accessible Housing, including community and public housing, and ensure that it is embedded as a central element of our local housing strategy to be prepared for the City of Canterbury Bankstown.

- CARRIED

SECTION 11: QUESTIONS FOR NEXT MEETING

REF: INSTALLATION OF BUS SHELTER - DONNINGTON GARDENS RETIREMENT VILLAGE

Clr Kuskoff requested that Council review the decision not to install a bus shelter outside the Donnington Gardens Retirement Village.

REF: BUS SHELTER - CHURCH ROAD, YAGOONA

Clr Kuskoff requested information on what recourse is available to residents to have the recently installed bus shelter on Church Road, Yagoona removed.

REF: PEDESTRIAN CROSSINGS - LIGHTING

Clr Kuskoff requested Council inspect the lighting and road markings at pedestrian crossings in Auburn Road, Birrong (near shops and at the intersection of Waldron Road and Helen Street, Sefton) (near roundabout).

REF: COUNCIL TREE GIVEAWAY PROMOTIONS

Clr Kuskoff requested that Council provide information to residents regarding the potential height trees/shrubs may grow to when they are distributed at Council promotions.

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REF: PAT ROGAN MEMORIAL WALKING AND CYCLEWAY

Clr Downey requested information as to when the official naming of the Pat Rogan Memorial Walking and Cycleway would take place as Clubs NSW have requested to be included in the event.

REF: YERAMBA LAGOON

Clr Downey requested Council investigate a potential mosquito infestation at Yeramba Lagoon.

REF: CARINYA ROAD, PICNIC POINT - LIGHTING AND SIGNAGE

Clr Downey requested Council inspect the lighting in Carinya Road, Picnic Point near Fitzpatrick Park and also review directional signage in Carinya Road, Picnic Point.

REF: VALE OF AH - FLOODLIGHTING

Clr Tuntevski requested that Council inspect the recently installed lights at Vale of Ah.

REF: SYDNEY WATER LEAK - BULLECOURT AVENUE, MILPERRA

Clr Waud requested Council contact Sydney Water regarding the water leak in Bullecourt Avenue and Hermies Avenue, Milperra.

REF: CARINYA ROAD, PICNIC POINT - PONTOON

Clr Waud requested an update on the installation of the pontoon and wharf in the Georges River at Carinya Road, Picnic Point.

REF: FLOWER POWER SITE - HENRY LAWSON DRIVE, MILPERRA

Clr Waud asked if Council was aware of the proposed completion date for the Flower Power site and also if the proposed traffic lights opposite the site would be installed prior to the opening.

REF: ASHFORD AVENUE, MILPERRA - TRAFFIC SIGNAGE

Clr Waud requested that the damaged traffic sign in Ashford Avenue, Milperra near Flanders Avenue be replaced.

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REF: PUBLIC DRINKING FACILITIES

Clr Waud requested Council review the provision of public drinking facilities at Council's parks and reserves.

REF: DUMPED VEHICLES

Clr Zakhia requested that Council officers, where possible, take action against identified offenders who repeatedly abandon and dump vehicles.

REF: BUS STOPS

Clr Saleh requested Council contact the local bus operators and request they reconsider the recent removal of bus seats in the Narwee and Punchbowl areas and also request they review their timetables and location of bus stops.

REF: TRAFFIC MATTER - HALDON STREET, RAILWAY PARADE, LAKEMBA

Clr Huda requested that Council investigate the installation of a roundabout at the intersection of Haldon Street and Railway Parade, Lakemba.

REF: PARKING RESTRICTIONS - YERRICK ROAD, LAKEMBA

Clr Raffan requested that Councillors receive a briefing regarding the consideration of any future proposed parking restrictions in Yerrick Road, Lakemba.

The General Manager advised that Council is currently undertaking public consultation and Councillors will be briefed at the conclusion of the consultation.

SECTION 12: CONFIDENTIAL SESSION

(223) CLR. HARIKA:/CLR. ISHAC

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 in confidential session for the reasons indicated:

Item 12.1 T29-18 Tender for Bankstown Basketball Stadium Fire System 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

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would, if disclosed, prejudice the commercial position of the person who supplied it.

Item 12.2 T42-18 Supply and Installation of Road Signs

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 T43-18 Tender for Concrete Road Slab Replacement

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 T67-18 The Mall and The Appian Way/Jacobs Street Floodlighting of Pedestrian Crossings

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 12.5 Property Matter - 263 Wangee Road Greenacre

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 7.10 PM AND REVERTED BACK TO OPEN COUNCIL AT 7.31 PM.

**ITEM 12.1 T29-18 TENDER FOR BANKSTOWN BASKETBALL STADIUM FIRE SYSTEM UPGRADE
(224) CLR. ISHAC:/CLR. HARIKA
RESOLVED that**

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1. In accordance with clause 178(1) (b) of the Local Government (General) Regulation 2005, Council declines to accept any of the submissions received for the proposed contract.
2. In accordance with clause 178 (3) (b) of the Local Government (General) Regulation 2005, Council invites, pursuant to clause 167, fresh tenders based on a revised scope of works.
3. Council notifies the unsuccessful tenderer in writing, thanking them for tendering.

- CARRIED

ITEM 12.2
(225)

T42-18 SUPPLY AND INSTALLATION OF ROAD SIGNS

CLR. DOWNEY:/CLR. EL-HAYEK

RESOLVED that

1. Council accepts the tender received from Artcraft Pty Ltd (Supply only) and G & B Services (Supply and Install) 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 Supply and Installation of Road Signs.
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 12.3
(226)

T43-18 TENDER FOR CONCRETE ROAD SLAB REPLACEMENT

CLR. RAFFAN:/CLR. ZAKHIA

RESOLVED that

1. Council accepts the tender received from NA Group Pty Ltd as the preferred contractor for concrete slab replacement work, for a period of two years, with the option to extend the contract by a further two periods of one year, subject to their satisfactory performance as determined by the General Manager.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.

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

- CARRIED

ITEM 12.4 **T67-18 THE MALL AND THE APPIAN WAY/JACOBS STREET FLOODLIGHTING OF PEDESTRIAN CROSSINGS**

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

RESOLVED that

1. In accordance with clause 178(1) (b) of the Local Government (General) Regulation 2005, Council declines to accept any of the submissions received for the proposed contract.
2. In accordance with clause 178 (3) (b) of the Local Government (General) Regulation 2005, Council invites, pursuant to clause 167 fresh tenders for these works.
3. Council notifies the unsuccessful tenderer in writing and thank them for tendering.

- CARRIED

ITEM 12.5 **PROPERTY MATTER - 263 WANGEE ROAD GREENACRE**

CLR HUDA DECLARED A LESS THAN SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HE IS EMPLOYED BY THE OWNER OF THE PROPERTY AND INDICATED HE WOULD PARTICIPATE IN CONSIDERING THE MATTER AND REMAIN IN THE CHAMBER AS IT WOULD NOT AFFECT HIS VOTE.

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

RESOLVED that

1. Council agree to negotiate and purchase 263 Wangee Road, Greenacre, as outlined in the report.
2. In consultation with Council's independent Valuer, the General Manager be authorised to negotiate the matter, as outlined in the report.
3. The General Manager be delegated authority to negotiate a purchase price up to the independent valuation amount plus 5%.
4. The Mayor and General Manager be authorised to sign and affix the common seal of Council to, all relevant documentation, as required.

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5. If acquired, Council propose to classify the land as Operational Land in accordance with the Local Government Act 1993.
6. If acquired, a further report be provided outlining the proposed outcomes for the site.
7. Council concurrently write to the relevant Minister seeking their support to negotiate with Council for sale of the property to Council.

- CARRIED

THE MEETING CLOSED AT 7.33 PM.

Minutes confirmed 26 JUNE 2018

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Mayor