

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

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

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**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.10 PM**

**REF: CONFIRMATION OF MINUTES**  
**(270) CLR. ISHAC:/CLR. DOWNEY**

RESOLVED that the minutes of the Ordinary Council Meeting held on 26 June 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 4.5 – Local Community Based Donations, Clr Waud declared a significant, Non Pecuniary Conflict of Interest as he is a member of the organising committee of the East Hill Charity Car Show and indicated he would not participate in considering the matter and would vacate the chamber.

In respect of Item 4.5 – Local Community Based Donations, Clr El-Hayek declared a significant, Non Pecuniary Conflict of Interest as he will be participating in the charity event organised by Mission Australia and indicated he would not participate in considering the matter and would vacate the chamber.

In respect of Item 5.1 – Progressing the Planning Proposal for the North East Local Area Plan, Clr Zakhia declared a Pecuniary Conflict of Interest as he owns a property in the area that is subject to the planning proposal and indicated he would not participate in considering the matter and would vacate the chamber.

In respect of Item 5.1 – Progressing the Planning Proposal for the North East Local Area Plan, Clr El-Hayek declared a significant, Non Pecuniary Conflict of Interest as he received a donation to his election campaign from an organisation which owns property in the area that is subject to the planning proposal and indicated he would not participate in considering the matter and would vacate the chamber.

---

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

In respect of Item 5.1 – Progressing the Planning Proposal for the North East Local Area Plan, His Worship the Mayor, Clr Asfour declared a significant, Non Pecuniary Conflict of Interest as he received a donation to his election campaign from an organisation which owns property in the area that is subject to the planning proposal and indicated he would not participate in considering the matter and would vacate the chamber.

In respect of Item 5.1 – Progressing the Planning Proposal for the North East Local Area Plan, Clr Saleh declared a Non significant, Non Pecuniary Conflict of Interest as she received a non significant contribution to her election campaign from an organisation which owns property in the area that is subject to the planning proposal and indicated it would not affect her consideration of the matter and she will remain in the chamber.

In respect of Item 5.1 – Progressing the Planning Proposal for the North East Local Area Plan, Clr Huda declared a Non significant, Non Pecuniary Conflict of Interest as he received a non significant contribution to his election campaign from an organisation which owns property in the area that is subject to the planning proposal and indicated it would not affect his consideration of the matter and he will remain in the chamber.

In respect of Item 5.1 – Progressing the Planning Proposal for the North East Local Area Plan, Clr Raffan declared a Non significant, Non Pecuniary Conflict of Interest as she received a non significant contribution to her election campaign from an organisation which owns property in the area that is subject to the planning proposal and indicated it would not affect her consideration of the matter and she will remain in the chamber.

In respect of Item 5.2 – Progressing the Planning Proposal for the North Central Local Area Plan, Clr Ishac declared a significant, Non Pecuniary Conflict of Interest as a relative owns a property in the area that is subject to the planning proposal and indicated he would not participate in considering the matter and would vacate the chamber.

In respect of Item 5.3 – Progressing the Planning Proposal for the South West Local Area Plan, Clr Kuskoff declared a significant, Non Pecuniary Conflict of Interest as he owns a property that is adjacent to properties in the area that are subject to the planning proposal and indicated he would not participate in considering the matter and would vacate the chamber.

In respect of Item 5.4 – Progressing the Planning Proposal for the South East Local Area Plan, Clr Downey declared a significant, Non Pecuniary Conflict of Interest as she received a donation to her election campaign from an organisation which owns property in the area that is subject to the planning proposal and indicated that she would not participate in considering the matter and would vacate the chamber.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

In respect of Item 5.4 – Progressing the Planning Proposal for the South East Local Area Plan, Clr Tuntevski declared a significant, Non Pecuniary Conflict of Interest as he received a donation to his election campaign from an organisation which owns property in the area that is subject to the planning proposal and indicated that he would not participate in considering the matter and would vacate the chamber.

In respect of Item 5.4 – Progressing the Planning Proposal for the South East Local Area Plan, His Worship the Mayor, Clr Asfour declared a significant, Non Pecuniary Conflict of Interest as a relative owns a property in the area that is subject to the planning proposal and indicated that he would not participate in considering the matter and would vacate the chamber.

In respect of Item 5.5 – Planning Proposal – 479 Henry Lawson Drive, Milperra, His Worship the Mayor, Clr Asfour declared a significant, Non Pecuniary Conflict of Interest as he was a member of the Sydney South West Planning Panel which previously determined a Development Application for the subject property and indicated that he would not participate in considering the matter and would vacate the chamber.

**SECTION 4: MAYORAL MINUTES**

**ITEM 4.1 SYDENHAM TO BANKSTOWN METRO**

CLR ISHAC TEMPORARILY RETIRED FROM THE MEETING AT 6.20 PM AND RETURNED AT 6.22 PM.

**(271) CLR. ASFOUR**

RESOLVED that

1. The Mayoral Minute be noted.
2. The General Manager provide an urgent report back to Council on the legal avenues available, the prospects of success and associated cost considerations to stop the government delivering the proposed Sydenham to Bankstown Metro Project.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

**ITEM 4.2                    AN UN-RATEABLE NSW GOVERNMENT**

CLR TUNTEVSKI TEMPORARILY RETIRED FROM THE MEETING AT 6.30 PM AND RETURNED AT 6.32 PM.

**(272)                    CLR. ASFOUR**

RESOLVED that

1. The Mayoral Minute be noted.
2. Council write to the Premier of NSW requesting an urgent meeting with the Mayor to discuss the NSW State Government's proposed review of the Local Government rating system.

- CARRIED

**ITEM 4.3                    RMS TO COMPULSORY ACQUIRE PART OF WILEY PARK**

**(273)                    CLR. ASFOUR**

RESOLVED that

1. The Mayoral Minute be noted.
2. Council writes to the State Government re-affirming it does not support any loss of valuable open space and the proposed project to widen King Georges Road at Wiley Park should be either redesigned so there is no loss of open space, or scrapped altogether.

- CARRIED

**ITEM 4.4                    NSW GOVERNMENT CUTS TO LIBRARY FUNDING**

**(274)                    CLR. ASFOUR**

RESOLVED that

1. The Mayoral Minute be noted.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

2. Council writes to local State MPs and NSW Minister for the Arts, calling for the State Government to urgently provide additional funds for public libraries.

- CARRIED

**ITEM 4.5**

**LOCAL COMMUNITY BASED DONATIONS**

IN RESPECT OF ITEM 4.5 – LOCAL COMMUNITY BASED DONATIONS, CLR WAUD DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HE IS A MEMBER OF THE ORGANISING COMMITTEE OF THE EAST HILL CHARITY CAR SHOW AND INDICATED HE WOULD NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

IN RESPECT OF ITEM 4.5 – LOCAL COMMUNITY BASED DONATIONS, CLR EL-HAYEK DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HE WILL BE PARTICIPATING IN THE CHARITY EVENT ORGANISED BY MISSION AUSTRALIA AND INDICATED HE WOULD NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

CLR WAUD AND CLR EL-HAYEK TEMPORARILY VACATED THE CHAMBER AT 6.40 PM

**(275)**

**CLR. ASFOUR**

RESOLVED that

1. Council support the request from Ava Chan who has set of goal of raising \$10,000 to donate to the Make-A-Wish Foundation and donate \$500 towards her fundraising.
2. Council support the request from the NSW Police Force for the Bill Crews Cup held on 9 September 2018 and waive the hire fee of \$270 for the use Neptune Reserve at Revesby Heights.
3. Council support the request from Mission Australia and sponsor Clr El-Hayek in the amount of \$500 who is participating in their annual sleep out.
4. Council support the request from the East Hills Charity Car Show that was held on 15 July 2018 and donate \$920 to Angel Flight Australia which is equivalent to the park hire and set up costs associated with this event.
5. Council support the request from El Mina Association who will be hosting a seminar in the Bankstown Library and Knowledge Centre on 10 August 2018 and waive the hire fee of the room in the amount of \$258.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

6. These funds are made available from Council's Community Grants and Events Sponsorship budget.

- CARRIED

CLR WAUD AND CLR EL-HAYEK RETURNED TO THE CHAMBER AT 6.42 PM

**ITEM 4.6                      SUPPORTING COMMUNITY AWARENESS ABOUT THE PROPOSED SYDENHAM TO BANKSTOWN METRO**

**(276)                      CLR. ASFOUR**

RESOLVED that

1. The Mayoral Minute be noted.
2. Council provide a budget of \$3,000 to support the community groups Keep our Area Suburban (KOAS) and the Sydenham to Bankstown Alliance (S2BA) who are increasing community awareness to stop the proposed Bankstown to Sydenham Metro.

- CARRIED

**SECTION 5:                      PLANNING MATTERS**

**ITEM 5.1                      PROGRESSING THE PLANNING PROPOSAL FOR THE NORTH EAST LOCAL AREA PLAN**

IN RESPECT OF ITEM 5.1 – PROGRESSING THE PLANNING PROPOSAL FOR THE NORTH EAST LOCAL AREA PLAN, CLR ZAKHIA DECLARED A PECUNIARY CONFLICT OF INTEREST AS HE OWNS A PROPERTY IN THE AREA THAT IS SUBJECT TO THE PLANNING PROPOSAL AND INDICATED HE WOULD NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

IN RESPECT OF ITEM 5.1 – PROGRESSING THE PLANNING PROPOSAL FOR THE NORTH EAST LOCAL AREA PLAN, CLR EL-HAYEK DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HE RECEIVED A DONATION TO HIS ELECTION CAMPAIGN FROM AN ORGANISATION WHICH OWNS PROPERTY IN THE AREA THAT IS SUBJECT TO THE PLANNING PROPOSAL AND INDICATED HE WOULD NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

IN RESPECT OF ITEM 5.1 – PROGRESSING THE PLANNING PROPOSAL FOR THE NORTH EAST LOCAL AREA PLAN, HIS WORSHIP THE MAYOR, CLR ASFOUR DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HE RECEIVED A DONATION TO HIS ELECTION CAMPAIGN FROM AN ORGANISATION WHICH OWNS PROPERTY IN THE AREA THAT IS SUBJECT TO THE PLANNING PROPOSAL AND INDICATED HE WOULD NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

IN RESPECT OF ITEM 5.1 – PROGRESSING THE PLANNING PROPOSAL FOR THE NORTH EAST LOCAL AREA PLAN, CLR SALEH DECLARED A NON SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS SHE RECEIVED A NON SIGNIFICANT CONTRIBUTION TO HER ELECTION CAMPAIGN FROM AN ORGANISATION WHICH OWNS PROPERTY IN THE AREA THAT IS SUBJECT TO THE PLANNING PROPOSAL AND INDICATED IT WOULD NOT AFFECT HER CONSIDERATION OF THE MATTER AND SHE WILL REMAIN IN THE CHAMBER.

IN RESPECT OF ITEM 5.1 – PROGRESSING THE PLANNING PROPOSAL FOR THE NORTH EAST LOCAL AREA PLAN, CLR HUDA DECLARED A NON SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HE RECEIVED A NON SIGNIFICANT CONTRIBUTION TO HIS ELECTION CAMPAIGN FROM AN ORGANISATION WHICH OWNS PROPERTY IN THE AREA THAT IS SUBJECT TO THE PLANNING PROPOSAL AND INDICATED IT WOULD NOT AFFECT HIS CONSIDERATION OF THE MATTER AND HE WILL REMAIN IN THE CHAMBER.

IN RESPECT OF ITEM 5.1 – PROGRESSING THE PLANNING PROPOSAL FOR THE NORTH EAST LOCAL AREA PLAN, CLR RAFFAN DECLARED A NON SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS SHE RECEIVED A NON SIGNIFICANT CONTRIBUTION TO HER ELECTION CAMPAIGN FROM AN ORGANISATION WHICH OWNS PROPERTY IN THE AREA THAT IS SUBJECT TO THE PLANNING PROPOSAL AND INDICATED IT WOULD NOT AFFECT HER CONSIDERATION OF THE MATTER AND SHE WILL REMAIN IN THE CHAMBER.

HIS WORSHIP THE MAYOR CLR ASFOUR AND CLRS ZAKHIA AND EL-HAYEK TEMPORARILY VACATED THE CHAMBER AT 6.50 PM.

THE DEPUTY MAYOR CLR SALEH ASSUMED THE CHAIR.

**(277)**

**CLR. DOWNEY:/CLR. KUSKOFF**

RESOLVED that Council does not proceed with the Planning Proposal for the North East Local Area Plan and advise the Department of Planning accordingly.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

**For:-** Clrs Downey, Eisler, Harika, Huda, Kuskoff, Madirazza, Raffan, Saleh, Tuntevski and Zaman

**Against:-** Clrs Ishac and Waud

HIS WORSHIP THE MAYOR CLR ASFOUR AND CLRS ZAKHIA AND EL-HAYEK RETURNED TO THE CHAMBER AT 7.05 PM.

HIS WORSHIP THE MAYOR CLR ASFOUR RESUMED THE CHAIR.

**ITEM 5.2                    PROGRESSING THE PLANNING PROPOSAL FOR THE NORTH CENTRAL LOCAL AREA PLAN**

IN RESPECT OF ITEM 5.2 – PROGRESSING THE PLANNING PROPOSAL FOR THE NORTH CENTRAL LOCAL AREA PLAN, CLR ISHAC DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS A RELATIVE OWNS A PROPERTY IN THE AREA THAT IS SUBJECT TO THE PLANNING PROPOSAL AND INDICATED HE WOULD NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

CLR ISHAC TEMPORARILY VACATED THE CHAMBER AT 7.05 PM.

**(278)                    CLR. HARIKA:/CLR. KUSKOFF**

RESOLVED that Council does not proceed with the Planning Proposal for the North Central Local Area Plan and advise the Department of Planning accordingly.

- CARRIED

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

**Against:-** Clrs Waud and Zakhia

CLR ISHAC RETURNED TO THE CHAMBER AT 7.13 PM.

**ITEM 5.3                    PROGRESSING THE PLANNING PROPOSAL FOR THE SOUTH WEST LOCAL AREA PLAN**

IN RESPECT OF ITEM 5.3 – PROGRESSING THE PLANNING PROPOSAL FOR THE SOUTH WEST LOCAL AREA PLAN, CLR KUSKOFF DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HE OWNS A PROPERTY THAT IS ADJACENT TO PROPERTIES IN THE AREA THAT ARE SUBJECT TO THE PLANNING PROPOSAL AND



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

INDICATED HE WOULD NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

CLR KUSKOFF TEMPORARILY VACATED THE CHAMBER AT 7.12 PM.

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

RESOLVED that Council does not proceed with the Planning Proposal for the South West Local Area Plan and advise the Department of Planning accordingly.

- CARRIED

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

**Against:-** Clrs Ishac, Waud, Zakhia and Zaman

CLR KUSKOFF RETURNED TO THE CHAMBER AT 7.26 PM.

**ITEM 5.4 PROGRESSING THE PLANNING PROPOSAL FOR THE SOUTH EAST LOCAL AREA PLAN**

IN RESPECT OF ITEM 5.4 – PROGRESSING THE PLANNING PROPOSAL FOR THE SOUTH EAST LOCAL AREA PLAN, CLR DOWNEY DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS SHE RECEIVED A DONATION TO HER ELECTION CAMPAIGN FROM AN ORGANISATION WHICH OWNS PROPERTY IN THE AREA THAT IS SUBJECT TO THE PLANNING PROPOSAL AND INDICATED THAT SHE WOULD NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

IN RESPECT OF ITEM 5.4 – PROGRESSING THE PLANNING PROPOSAL FOR THE SOUTH EAST LOCAL AREA PLAN, CLR TUNTEVSKI DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HE RECEIVED A DONATION TO HIS ELECTION CAMPAIGN FROM AN ORGANISATION WHICH OWNS PROPERTY IN THE AREA THAT IS SUBJECT TO THE PLANNING PROPOSAL AND INDICATED THAT HE WOULD NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

IN RESPECT OF ITEM 5.4 – PROGRESSING THE PLANNING PROPOSAL FOR THE SOUTH EAST LOCAL AREA PLAN, HIS WORSHIP THE MAYOR, CLR ASFOUR DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS A RELATIVE OWNS A PROPERTY IN THE AREA THAT IS SUBJECT TO THE PLANNING PROPOSAL AND INDICATED THAT HE WOULD NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

HIS WORSHIP THE MAYOR CLR ASFOUR AND CLRS DOWNEY AND TUNTEVSKI TEMPORARILY VACATED THE CHAMBER AT 7.26 PM.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

CLR MADIRAZZA TEMPORARILY RETIRED FROM THE MEETING AT 7.26 PM AND RETURNED AT 7.30 PM.

THE DEPUTY MAYOR CLR SALEH ASSUMED THE CHAIR.

**(280) CLR. HARIKA:/CLR. KUSKOFF**

RESOLVED that Council does not proceed with the Planning Proposal for the South East Local Area Plan and advise the Department of Planning accordingly.

- CARRIED

**For:-** Clrs Eisler, El-Hayek, Harika, Huda, Kuskoff, Madirazza, Raffan and Saleh

**Against:-** Clrs Ishac, Waud, Zakhia and Zaman

CLR DOWNEY AND CLR TUNTEVSKI RETURNED TO THE CHAMBER AT 7.40 PM.

**ITEM 5.5 PLANNING PROPOSAL – 479 HENRY LAWSON DRIVE, MILPERRA**

IN RESPECT OF ITEM 5.5 – PLANNING PROPOSAL – 479 HENRY LAWSON DRIVE, MILPERRA, HIS WORSHIP THE MAYOR, CLR ASFOUR DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HE WAS A MEMBER OF THE SYDNEY SOUTH WEST PLANNING PANEL WHICH PREVIOUSLY DETERMINED A DEVELOPMENT APPLICATION FOR THE SUBJECT PROPERTY AND INDICATED THAT HE WOULD NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

**(281) CLR. ZAKHIA:/CLR. ISHAC**

RESOLVED that Council adopt the planning proposal as shown in Attachment A, to enable the plan to be made under delegation in accordance with the Gateway Determination.

- CARRIED

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

**Against:-** Nil

HIS WORSHIP THE MAYOR CLR ASFOUR RETURNED TO THE CHAMBER AT 7.43 PM.

HIS WORSHIP THE MAYOR RESUMED THE CHAIR.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

**ITEM 5.6**                      **RELEASE OF RESTRICTION ON TITLE AT 93A CHESTER HILL ROAD, BASS HILL**  
**(282)**                              **CLR. ISHAC:/CLR. ZAKHIA**

RESOLVED that

1. Council consent to the extinguishment of the redundant restriction on title at 93A Chester Hill Road, Bass Hill.
  
2. The Mayor and General Manager execute all necessary documents, under the Common Seal of Council, as required for Land Title Dealing No. LTD-11/2018.

- CARRIED

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

**Against:-**                      Nil

**ITEM 5.7**                      **APPLICATION TO AMEND BANKSTOWN LEP 2015 – 10 SIMMAT AVENUE,**  
**(283)**                              **CONDELL PARK**  
**CLR. ZAKHIA:/CLR. EL-HAYEK**

RESOLVED that

1. Council submit a planning proposal to the Greater Sydney Commission to seek a Gateway Determination for the following amendments to Bankstown Local Environmental Plan 2015, as shown in Attachment A:
  - (a) Rezone part of the site 10 Simmat Avenue, CondeLL Park from Zone SP2 Infrastructure (Water Supply System) to Zone R2 Low Density Residential.
  
  - (b) Permit a maximum nine metre building height, a maximum 0.5:1 FSR, and a minimum 450m<sup>2</sup> subdivision lot size requirement.
  
2. Council seek authority from the Greater Sydney Commission to exercise the delegation in relation to the plan making functions under section 3.36(2) of the Environmental Planning and Assessment Act 1979.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

3. Subject to approval from the Greater Sydney Commission, Council exhibit the planning proposal and the matter be reported to Council following the exhibition.

- CARRIED

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

**Against:-** Nil

**SECTION 6: POLICY MATTERS**

**ITEM 6.1 COMMERCIAL USE OF FOOTWAYS POLICY**

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

RESOLVED that

1. Council exhibit the Draft Commercial Use of Footways Policy and the Draft Commercial Use of Footways Guidelines for 28 days.
2. Council amend Development Control Plan 2012 (DCP) to delete Part B10, as well as any other references to Part B10 in the DCP and place the proposed amendments on public exhibition for 28 days.
3. A further report to Council be made following public exhibition.

- CARRIED

**SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 7.1 SUBMISSION TO THE SYDENHAM TO BANKSTOWN METRO PREFERRED INFRASTRUCTURE REPORT (P.I.R.)**

**(285) CLR. KUSKOFF:/CLR. DOWNEY**

RESOLVED that

1. Council endorse the Submission on Preferred Infrastructure Report (Attachment A) and submit it to the Department of Planning and Environment

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

together with Council's previous submission on the Environmental Impact Statement (Attachments B1, B2, B3).

2. Canterbury Bankstown Council strongly oppose the proposed Bankstown to Sydenham Metro.

- CARRIED

**ITEM 7.2                      REVIEW OF COMMUNITY ENGAGEMENT FOR THE PERIOD JANUARY 2018 TO JUNE 2018**

CLR ISHAC TEMPORARILY RETIRED FROM THE MEETING AT 8.15 PM.

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

RESOLVED that Council continue to enhance its community engagement program, in particular to investigate new innovative digital engagement approaches and methods to target our hard to reach groups.

- CARRIED

**ITEM 7.3                      COMMUNITY VOICE PANEL**

**(287)                      CLR. WAUD:/CLR. RAFFAN**

RESOLVED that

1. Council note the priority issues and opportunities out of the Panel and the independent report.
2. Councillors consider this feedback as part of their future decision making on the Sydenham to Bankstown Urban Renewal Corridor.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

**ITEM 7.4**                      **CLASSIFICATION OF 263 WANGEE ROAD, GREENACRE**  
**(288)**                              **CLR. EL-HAYEK:/CLR. ZAKHIA**

RESOLVED that Council classifies its land situated at 263 Wangee Road, Greenacre, as Operational Land, pursuant to Section 31 of the Local Government Act 1993.

- CARRIED

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

RESOLVED that

1. The Cash and Investment Report as at 30 June 2018 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**

**ITEM 8.1                              HURLSTONE PARK COMMUNITY FACILITIES**

CLR ISHAC RETURNED TO THE MEETING AT 8.16 PM.

CLR WAUD TEMPORARILY RETIRED FROM THE MEETING AT 8.16 PM AND RETURNED AT 8.20 PM.

**(290)                              CLR. EISLER:/CLR. RAFFAN**

RESOLVED that

1. Further consultation be undertaken with the community on projects as set out in this report, namely:
  - a. A revised design for a community meeting space at Ewen Park to withstand flood levels and integrate into a newly master planned Ewen Park which will consider regional links with the GreenWay.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

- b. Retain and improve Hurlstone Memorial Reserve as open space which will provide a town centre park for the Hurlstone Park community.
- c. Confirm a design for Lang Road bridge which meets functionality and integrates into the local landscape.
- d. Participate with Inner West Council on the future of Marrickville Golf Course.
- e. Participate with the GreenWay to determine future connections.

- CARRIED

**ITEM 8.2**                      **REVIEW OF EVENTS PROGRAM**  
**(291)**                              **CLR. EL-HAYEK:/CLR. ZAKHIA**

RESOLVED that

- 1. That the calendar of major events for the period of August 2018 through to June 2019 be adopted.
- 2. Further refinement of the major events calendar to be carried out at the completion of each event and improvements considered as part of the 2019/20 Operational Plan.

- CARRIED

**ITEM 8.3**                      **RELEASE OF DRAINAGE EASEMENT AND CREATION OF A NEW EASEMENT FOR 33**  
**(292)**                              **NIRIMBA AVENUE, NARWEE**  
**CLR. ZAKHIA:/CLR. HUDA**

RESOLVED that Council consent to the release of the Drainage Easement 1.83m wide and creation of a new Easement to Drain Water 1.83m wide at 33 Nirimba Road, Narwee.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

**SECTION 9: COMMITTEE REPORTS**

**ITEM 9.1 MINUTES OF THE CANTERBURY BANKSTOWN TRAFFIC COMMITTEE MEETING HELD ON 10 JULY 2018**

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

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Traffic Committee meeting held on 10 July 2018 be adopted subject to the following:

Item 2 – Marks Lane, Chester Hill – Waste Services Parking Restrictions, being deferred for further consultation to be undertaken with affected residents and a further report being submitted to the Traffic Committee following the consultation.

- CARRIED

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

**ITEM 10.1 NOTICE OF MOTIONS AND QUESTIONS WITH NOTICE**

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

RESOLVED that the information be noted.

- CARRIED

**ITEM 10.2 SYDENHAM TO BANKSTOWN METRO INQUIRY**

**(295) CLR. KUSKOFF:/CLR. HARIKA**

RESOLVED that the Council shall provide a report back to Council at the next Ordinary meeting on conducting an inquiry into the effects of the Government's proposed conversion of the T3 line to a Metro on the residents and businesses of Canterbury-Bankstown.

An enquiry would engage a retired judge or senior counsel to conduct an inquiry into the effects of the NSW Government's proposed conversion of the T3 line to a Metro on the residents and businesses of Canterbury-Bankstown.

Specifically, the inquiry shall examine:



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

1. The extent of any inconvenience and delay and cost caused to commuters during the construction period as they are forced to use alternative transport.
2. The nature and extent of any loss of trade for business adversely affected during the construction period.
3. The number of residents likely to be affected by any construction through noise, dislocation, altered traffic and pedestrian arrangements and any other negative effects.
4. What compensation, if any, is available and should be paid to residents and businesses for the disruption and losses they may suffer during construction.
5. Whether any Council land is likely to be used or acquired either during construction or permanently as a result of the Metro.
6. The costs and effect on Council and/or residents of any land required to be used in the construction of the Metro.
7. The cost shifting and burden placed on council to improve and update future amenities as a result of the Metro including the need for more commuter carparks, town centre upgrades and the potential loss of green space.
8. The economic and social impact of removing permanently direct city access for thousands of commuters including additional travel times required both during and after construction.

The inquiry would need to commence ASAP.

The inquiry would take public submissions, view affected areas and shall be empowered to use the resources of Council to conduct its inquiry.

As part of the Inquiry legal proceedings should be considered as a means of demanding that prior to any signing of contracts an adequate assessment is completed into the serious economic and social implications to both council and the community at large of converting the T3 line into a Metro.

- CARRIED

CLRS ISHAC AND ZAKHIA CALLED FOR A DIVISION

**For:-**

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

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

**Against:-** Clrs Ishac, Madirazza, Waud, Zakhia and Zaman

HIS WORSHIP THE MAYOR DECLARED THE MOTION CARRIED.

**ITEM 10.3**                      **ON-STREET PARKING AROUND CANTERBURY HOSPITAL**  
**(296)**                              **CLR. MADIRAZZA:/CLR. ISHAC**

RESOLVED that Council consult with residents surrounding the Canterbury Hospital with respect to introducing timed parking.

- CARRIED

**ITEM 10.4**                      **SECONDARY DWELLINGS**

CLR ISHAC RETIRED FROM THE MEETING AT 8.35 PM.

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

RESOLVED that the NSW State Government recognises the significance of secondary dwellings and includes secondary dwellings as a form of housing that contributes to the overall housing supply and that these be counted towards Council's housing target under the South District Plan.

- CARRIED

**ITEM 10.5**                      **REGIONAL ILLEGAL DUMPING SQUAD**

**(298)**                              **CLR. ZAMAN:/CLR. EL-HAYEK**

RESOLVED that a briefing be provided to Council on the current activities of the Regional Illegal Dumping Squad.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

**ITEM 10.6**                    **INSTALLATION OF PUBLIC LIGHTING AT BAND HALL RESERVE IN BIRRONG**  
**MOTION**                    **CLR. HARIKA:/CLR. KUSKOFF**

That Council investigate the installation of appropriate public lighting at Band Hall Reserve.

**AMENDMENT**                **CLR. WAUD:/CLR. ZAKHIA**

That Council investigate public lighting at all parks/reserves within the Canterbury Bankstown Local Government Area and identify those parks/reserves that may require better public lighting.

WITH THE CONSENT OF CLR ZAKHIA (SECONDER) CLR WAUD WITHDREW HIS AMENDMENT.

**THE MOTION WAS PUT.**

**(299)**                        **CLR. HARIKA:/CLR. KUSKOFF**

RESOLVED that Council investigate the installation of appropriate public lighting at Band Hall Reserve.

- CARRIED

**ITEM 10.7**                    **YOUTH FACILITIES AND SERVICES**  
**(300)**                        **CLR. SALEH:/CLR. HUDA**

RESOLVED that -

1. Council undertake a targeted survey of youth facilities and services provided in the Canterbury Bankstown LGA to primarily identify:
  - What services and facilities are working well; and
  - Prioritise addressing any gaps in service delivery to meet the needs
2. Further that the findings and information from this survey be used in the preparation of the Canterbury Bankstown Youth Plan 2018- 2022.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

**ITEM 10.8                    ADDITIONAL HOUSEHOLD CHEMICAL & E-WASTE COLLECTION DAYS**

CLR KUSKOFF TEMPORARILY RETIRED FROM THE MEETING AT 8.53 PM AND RETURNED AT 8.55 PM.

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

RESOLVED that Council write to the NSW State Government demanding that they provide increased funding to Local Government from the NSW Waste Levy to fund much needed additional household chemical and electronic waste collection days to the community.

- CARRIED

**ITEM 10.9                    RAMADAN**

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

RESOLVED that as part of its post event review, Council investigate options and costs for lighting, traffic management and other event promotion for 2019 Ramadan and this be reported back to both the Ramadan Reference Group and Council to consider.

- CARRIED

**ITEM 10.10                COMMUNITY SPONSORSHIP PROGRAM FOR REFUGEES**

CLR TUNTEVSKI TEMPORARILY RETIRED FROM THE MEETING AT 9.00 PM.

**(303)                        CLR. EISLER:/CLR. ZAMAN**

RESOLVED that -

1. Council supports and calls on the Federal Government to expand and improve the Community Sponsorship Program for refugees as follows:
  - (a) Does not take places from others in need
  - (b) Provides adequate support and services
  - (c) Limits the cost on sponsors
  - (d) Allows community, family and businesses to act as sponsors
  - (e) Creates more places for people in need of protection to settle in Australia

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

2. Council calls on the Federal Government to end off-shore processing of refugees and bring the remaining refugees on Manus and Nauru to Australia for re-settlement.
3. Council's Diversity Reference Group investigate the current support services for refugees in our Community, identifying any gaps and areas for improvement.
4. Council reaffirms its status as a 'Refugee Welcome Zone'.

- CARRIED

**ITEM 10.11                    RECOGNISING OUR DIVERSITY IN COUNCIL'S CULTURAL PLAN**

CLR TUNTEVSKI RETURNED TO THE MEETING AT 9.04 PM.

**MOTION                        CLR. ZAKHIA:/CLR. ZAMAN**

That, as part of the development of Council's 10-year *Cultural Plan*, it specifically explore actions and priorities that aim to bring together diverse cultures, cultural practices and communities and advance the liveability and quality of life.

**AMENDMENT                CLR. EL-HAYEK:/CLR. RAFFAN**

That, as part of the development of Council's 10-year *Cultural Plan*, it specifically explore actions and priorities to continue to bring together diverse cultures, cultural practices and communities and advance the liveability and quality of life.

CLRS. ZAKHIA AND ZAMAN ACCEPTED THE AMENDMENT AS THE MOTION.

**THE MOTION WAS PUT.**

**(304)                        CLR. ZAKHIA:/CLR. ZAMAN**

RESOLVED that, as part of the development of Council's 10-year *Cultural Plan*, it specifically explore actions and priorities to continue to bring together diverse cultures, cultural practices and communities and advance the liveability and quality of life.

- CARRIED

CLR ZAKHIA RETIRED FROM THE MEETING AT 9.06 PM.

**SECTION 11:                QUESTIONS FOR NEXT MEETING**

Nil.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

**SECTION 12: CONFIDENTIAL SESSION**

**(305) CLR. HARIKA:/CLR. KUSKOFF**

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 Item12.1 in confidential session for the reasons indicated:

Item 12.1 T48-18 Provision of Security Services

*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 9.10 PM AND  
REVERTED BACK TO OPEN COUNCIL AT 9.13 PM.**

**ITEM 12.1 T48-18 PROVISION OF SECURITY SERVICES**

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

RESOLVED that

1. Council accepts the tenders received for the following categories from the following companies 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 security services.
  - Ultimate Security Australia Pty Ltd for Alarm Services.
  - Southern Cross Protection for Static Guard, Locking/Unlocking and Mobile Patrol.
  - The Trustee for Nycon Services trading trust Nycon Security Group for Crowd Control.
  - ECS International Security and Investigations Pty Limited for Cash Collection.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 JULY 2018**

---

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

- CARRIED

**THE MEETING CLOSED AT 9.15 PM.**

Minutes confirmed 28 AUGUST 2018

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Mayor