

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 25 SEPTEMBER 2018

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

APOLOGIES: Clr Downey

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.03 PM.

REF: CONFIRMATION OF MINUTES

(348) CLR. MADIRAZZA:/CLR. ISHAC

RESOLVED that the minutes of the Ordinary Council Meeting held on 28 August 2018 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

(349) CLR. HUDA:/CLR. TUNTEVSKI

RESOLVED that Leave of Absence be granted to Clr Downey due to health reasons.

- CARRIED

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

In respect of Item 5.2 – being the Planning Proposal for 297 – 299 Canterbury Road, Revesby, Clr Tuntevski declared a non-pecuniary conflict of interest in that the owner of the property has contributed to his election campaign and for the sake of caution, he will not participate in considering the matter and will vacate the chamber.

SECTION 4: MAYORAL MINUTES

ITEM 4.1 CB CITY - WHERE IT RAINS AWARDS

(350) CLR. ASFOUR

RESOLVED that the Mayoral Minute be noted.

- CARRIED

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ITEM 4.2 **CITY POSSIBLE**

(351) **CLR. ASFOUR**

RESOLVED that Council support the execution of the City Possible Memorandum of Understanding and secure our status as a founding member of the City Possible Global Network.

- CARRIED

ITEM 4.3 **SUPPORT FOR LEGAL CHALLENGE TO LOW RISE MEDIUM DENSITY HOUSING CODE**

(352) **CLR. ASFOUR**

RESOLVED that Council commit its support for the action Ryde Council has commenced to bring an end to the NSW State Government's Medium Density Housing Code once and for all, by writing to the Mayor of Ryde City Council, conveying this message.

- CARRIED

ITEM 4.4 **AUSTRALIA DAY AWARDS**

(353) **CLR. ASFOUR**

RESOLVED that the Mayoral Minute be noted.

- CARRIED

ITEM 4.5 **LOCAL COMMUNITY BASED DONATIONS**

(354) **CLR. ASFOUR**

RESOLVED that

1. Council support the request from the Zonta Club of Sydney West for their 2019 Citizenship Awards and sponsor an award to the value of \$250.

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2. Council support the request from the Bass Hill RSL for an LGA wide annual snooker trophy in honour of the City and the Office of Mayor and donate \$473 for the purchase of the Canterbury Bankstown City Council Mayoral Cup.
3. Council support the request from the Bangladeshi Community School of NSW who will be performing *Refugee Bivrat* at the Bryan Brown Theatre on 23 December 2018 and donate \$1,200 towards the hire fees for the Bryan Brown Theatre.
4. Council support the request from Courtney New and Anthony Ters who will be representing Australia at the 45th World Skills International Championships to be held in Russia in August 2019 and donate \$250 each to Courtney and Anthony.
5. Council support the request from the Bangla Utshob Association who will be holding a Cancer Research Fundraiser at Belmore sports ground on 30 September 2018 and Council waive the fees for provision of event bins and staff up to a maximum of \$3,500.
6. Council support the request from the Bankstown East Hills Handicapped Association who have requested that the 2018/19 fees for the occupation of the footpath at their op-shop at 4-6 Revesby Place amounting to \$494.90 be waived.
7. Council donate \$200 and support the request from Mr John Grinsell who will be participating in the 50km Spring Cycle Event to be held on 14 October 2018 to raise funds for Padstow Community Care.
8. These funds are made available from Council's Community Grants and Events Sponsorship budget.

- CARRIED

ITEM 4.6

VALE PAM GAVIN

(355)

CLR. ASFOUR

RESOLVED that the Mayoral Minute be received.

- CARRIED

ALL THOSE PRESENT STOOD FOR ONE MINUTES SILENCE IN MEMORY OF
THE LATE PAM GAVIN, FORMER BANKSTOWN CITY COUNCILLOR.

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CLR HUDA TEMPORARILY RETIRED FROM THE MEETING AT 6.16 PM.

SECTION 5: PLANNING MATTERS

ITEM 5.1 PLANNING PROPOSAL: 5-9 CROYDON STREET, LAKEMBA
(356) CLR. ZAKHIA:/CLR. ZAMAN

RESOLVED that

1. Council note the submissions received and the responses as outlined in Attachment C.
2. The revised Planning Proposal at Attachment G be adopted for finalisation.
3. The proposed Height of Building Map be amended as shown in Attachment B provided the development delivers public benefits as outlined in the report and the attached Planning Proposal. Otherwise the existing maximum building heights of part 18m and part 21m will continue to apply.
4. The proposed FSR Map be amended to reduce the proposed FSR from 2.2:1 to 2:1 as shown in Attachment B for the reasons contained in the report, provided the development delivers public benefits as outlined in the report and the attached Planning Proposal. Otherwise the existing maximum FSR of 1.6:1 will continue to apply.
5. Council's delegation to finalise the LEP Amendment be exercised and all necessary documentation be forwarded to the Department of Planning and Environment for finalisation.
6. A DCP be prepared to guide future development of the site and adjoining land and then exhibited and reported back to Council for making.
7. Council note that the landowner has submitted a letter of offer for the dedication of a new laneway at no cost to Council. The VPA will be negotiated with the landowner at the development application stage.

- CARRIED

For:- Clrs Asfour, Eisler, Harika, Ishac, Kuskoff, Madirazza, Raffan, Tuntevski, Waud, Zakhia and Zaman

Against:- Clrs El-Hayek and Saleh

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ITEM 5.2

PLANNING PROPOSAL: 297–299 CANTERBURY ROAD, REVESBY

IN RESPECT OF ITEM 5.2 – BEING THE PLANNING PROPOSAL FOR 297 – 299 CANTERBURY ROAD, REVESBY, CLR TUNTEVSKI DECLARED A NON-PECUNIARY CONFLICT OF INTEREST IN THAT THE OWNER OF THE PROPERTY HAS CONTRIBUTED TO HIS ELECTION CAMPAIGN AND FOR THE SAKE OF CAUTION, HE WILL NOT PARTICIPATE IN CONSIDERING THE MATTER AND WILL VACATE THE CHAMBER.

CLR. TUNTEVSKI TEMPORARILY VACATED THE CHAMBER AT 6.16 PM.

(357)

CLR. ISHAC:/CLR. MADIRAZZA

RESOLVED that

1. Council prepare and submit a planning proposal to seek a Gateway Determination for the following amendments to Bankstown Local Environmental Plan 2015:
 - (a) Increase the maximum FSR from 1:1 to 2.3:1 solely for the purposes of a hospital provided the development delivers public benefits as outlined in this report. Otherwise a maximum 1:1 FSR will apply to the site.
 - (b) Apply a maximum height of 51 metres AHD to the rooftop structures.
2. Council seek authority to exercise the delegation in relation to the plan making functions under section 3.36(2) of the Environmental Planning & Assessment Act 1979.
3. Subject to the issue of a Gateway Determination, Council exhibit the planning proposal and the matter be reported to Council following the exhibition.
4. Council prepare and exhibit DCP amendments to support the planning proposal, and the matter be reported to Council following the exhibition.
5. Council prepare and exhibit a planning agreement to support the planning proposal on the basis that:
 - (a) The planning agreement covers the full cost of the proposed infrastructure works in addition to the required contribution under the Bankstown Section 94A Development Contributions Plan.
 - (b) The planning agreement is finalised in time for public exhibition alongside the planning proposal.
 - (c) The matter be reported to Council following the exhibition.

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6. Council delegate authority to the General Manager to fulfil the obligations outlined in the recommendations of this report.

- CARRIED

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

Against:- Nil

ITEM 5.3 ACCELERATED LEP PROJECT PLAN

CLR TUNTEVSKI RETURNED TO THE MEETING AT 6.18 PM.

(358) CLR. ISHAC:/CLR. ZAKHIA

RESOLVED that

1. Council endorse the Project Plan which sets out a program for successful execution of the funding agreement for preparation of a new, city-wide Local Environmental Plan by June 2020.
2. Council notes the Project Plan milestones, master program, risk identification and management framework, communications and stakeholder engagement framework and procurement strategy.
3. Council notes that this program will be subject to a number of reports to Council for information and decision making, including at key milestones.
4. A further report be provided to Council regarding possible staging of growth areas.

- CARRIED

SECTION 6: POLICY MATTERS

ITEM 6.1 COMMERCIAL USE OF FOOTWAYS POLICY

(359) CLR. MADIRAZZA:/CLR. RAFFAN

RESOLVED that

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1. Council adopt the Commercial Use of Footways Policy and the Commercial Use of Footways Guidelines.
2. Council adopt the amendment to the Canterbury DCP 2012 by deleting Part B10 – Use of Footpaths and any other references to Part B10 elsewhere in the DCP.
3. The Commercial Use of Footways Policy and the Commercial Use of Footways Guidelines be reviewed after a period of six months to assess the success of the new policy.
4. The fees and charges associated with the new policy and guidelines be reviewed and any changes be considered as part of the fees and charges in the 2019/20 Operational Plan.

- CARRIED

ITEM 6.2 **DRAFT HERITAGE INCENTIVES POLICY**

CLR HUDA RETURNED TO THE MEETING AT 6.20 PM.

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

RESOLVED that

1. Council note the feedback from the public exhibition of the draft Heritage Incentives Policy and adopt the amended Policy with the changes outlined in this report.
2. Council revoke existing heritage policies as outlined in the report and replace with the amended Heritage Incentives Policy.
3. The Policy be reviewed within the first year of operation and reported to Council if amendments are required.
4. Council consider any funding adjustments for the policy as part of its quarterly budget review process.

- CARRIED

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SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 STRONGER COMMUNITIES FUND - PROGRESS REPORT
(361) CLR. ISHAC:/CLR. WAUD

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

- CARRIED

ITEM 7.2 REVIEW OF COUNCILLOR EXPENSES AND FACILITIES POLICY
(362) CLR. MADIRAZZA:/CLR. ZAKHIA

RESOLVED that

1. In principle, Council endorse the proposed Councillor Expenses and Facilities Policy, as outlined in this report.
2. The proposed Councillor Expenses and Facilities Policy be placed on public exhibition in accordance with the requirements of the Local Government Act 1993 and that a further report be submitted to Council at the conclusion of that period, where submissions are received. In the event that no submissions are received, the policy be taken as being adopted by Council.

- CARRIED

ITEM 7.3 CASH AND INVESTMENT REPORT AS AT 31 AUGUST 2018
(363) CLR. MADIRAZZA:/CLR. ZAMAN

RESOLVED that

1. The Cash and Investment Report as at 31 Aug 2018 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

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ITEM 7.4 **LOCAL GOVERNMENT NSW REQUEST FOR CONTRIBUTION TO LEGAL COSTS ON BEHALF OF CITY OF SYDNEY COUNCIL, NORTH SYDNEY COUNCIL AND BAYSIDE CITY COUNCIL**

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

RESOLVED that Council agree to the request by Local Government NSW and contribute the amount of \$6,682.30 towards appeal costs.

- CARRIED

SECTION 8: SERVICE AND OPERATIONAL MATTERS

ITEM 8.1 **PLAYGROUNDS AND PLAY SPACES STRATEGIC PLAN**

(365) **CLR. WAUD:/CLR. ISHAC**

RESOLVED that

1. Council adopt the amended Playgrounds and Play Spaces Strategic Plan.
2. A comprehensive Playground Shade Program, for both tree planting and shade structures, in high priority playgrounds to be considered as part of the 2019/20 Operational Plan.
3. Further investigation be undertaken with National Parks in order to ensure long term retention of the Turrella Reserve and Girrahween Park playgrounds situated in Georges River National Park.

- CARRIED

ITEM 8.2 **FOOD RECOVERY RESEARCH FROM THE HOUSEHOLD WASTE STREAM**

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

RESOLVED that

1. Council acknowledges that FOGO is not a viable service for the LGA based on the findings from the recent studies.
2. Council carry out further trials to identify alternative solutions for reducing and diverting food waste from the household garbage stream.

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3. Council provide a report to the NSW EPA with the findings from the two studies.

- CARRIED

ITEM 8.3 **GROSS POLLUTANT TRAPS REVIEW**
(367) **CLR. TUNTEVSKI:/CLR. EISLER**

RESOLVED that

1. Council receive and note the report.
2. Council refer completed audits to the Cooks River Alliance and Georges River Riverkeeper.
3. Council complete the reed bed condition audit as part of its 2018/19 Operational Plan.

- CARRIED

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 **MINUTES OF THE LIVEABLE CITY ADVISORY COMMITTEE MEETING HELD ON 16**
(368) **AUGUST 2018**
CLR. HARIKA:/CLR. ISHAC

RESOLVED that the minutes of the Liveable City Advisory Committee meeting held on 16 August 2018, be endorsed.

- CARRIED

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ITEM 9.2 **MINUTES OF THE PROSPERITY & INNOVATION ADVISORY COMMITTEE MEETING
HELD ON 29 AUGUST 2018**

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

RESOLVED that the minutes of the Prosperity & Innovation Advisory Committee meeting held on 29 August 2018, be endorsed.

- CARRIED

ITEM 9.3 **MINUTES OF THE SOCIAL INCLUSION ADVISORY COMMITTEE MEETING HELD ON
4 SEPTEMBER 2018**

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

RESOLVED that the minutes of the Social Inclusion Advisory Committee meeting held on 4 September 2018, be endorsed.

- CARRIED

ITEM 9.4 **MINUTES OF THE AUDIT, RISK AND IMPROVEMENT COMMITTEE HELD ON 13
JUNE 2018**

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

RESOLVED that the recommendations contained in the minutes of the Audit, Risk and Improvement Committee meeting held on 13 June 2018, be adopted.

- CARRIED

ITEM 9.5 **MINUTES OF THE CANTERBURY BANKSTOWN TRAFFIC COMMITTEE MEETING
HELD ON 11 SEPTEMBER 2018**

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

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Traffic Committee meeting held on 11 September 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
(373) CLR. HUDA:/CLR. RAFFAN

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 ESTABLISHMENT OF ALCOHOL PROHIBITED AREA - REVESBY SKATE PARK
MOTION CLR. TUNTEVSKI:/CLR. EL-HAYEK

That Council investigate establishing an alcohol prohibited area at the Revesby Skate Park, Marco Ave, Revesby.

AMENDMENT CLR. WAUD:/CLR. ZAKHIA

That Council investigate establishing an alcohol prohibited area at the Revesby Skate Park, Marco Ave, Revesby and investigate establishing alcohol prohibited areas in other parks across the Canterbury Bankstown Local Government area.

- LOST

THE MOTION WAS THEN PUT.

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

RESOLVED that Council investigate establishing an alcohol prohibited area at the Revesby Skate Park, Marco Ave, Revesby.

- CARRIED

ITEM 10.3 ENGAGING WITH LEBANON - NATIONAL MEN'S FOOTBALL TEAM
(375) CLR. HARIKA:/CLR. EL-HAYEK

RESOLVED that Council explore any opportunity for our community and sporting groups to engage and interact with the Lebanese National Football team when they are in Sydney for a match against the Australian Socceroos.

- CARRIED

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ITEM 10.4 **RESILIENT SYDNEY - GET PREPARED EMERGENCY MANAGEMENT APP**
(376) **CLR. TUNTEVSKI:/CLR. EL-HAYEK**

RESOLVED that Council request the Canterbury Bankstown Local Emergency Management Committee review the suitability of the *Get Prepared* smart phone application or any other appropriate app/technology to assist residents in emergencies that may arise in our City.

- CARRIED

ITEM 10.5 **REMOVING ILLEGAL POSTERS**
(377) **CLR. ZAMAN:/CLR. ISHAC**

RESOLVED that Council write to Transgrid and NSW Roads and Maritime Services, requesting that they investigate measures to reduce the placing of illegal posters.

- CARRIED

ITEM 10.6 **EXEMPTION OF WASTE LEVY FROM ASBESTOS**
(378) **CLR. TUNTEVSKI:/CLR. ISHAC**

RESOLVED that Council call on the State Government to remove the Waste Levy fee from asbestos containing material.

- CARRIED

ITEM 10.7 **BANKSTOWN AIRPORT - MASTERPLAN BRIEFING**
(379) **CLR. HUDA:/CLR. SALEH**

RESOLVED that Council invites Bankstown Airport to provide Council with a briefing on the Airport Masterplan.

- CARRIED

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ITEM 10.8 **ILLEGAL TREE REMOVALS**
MOTION **CLR. WAUD:/CLR. ISHAC**

That Council:

1. Investigate and confirm the number of illegal tree removals that have occurred within the Canterbury Bankstown LGA over the last three years.
2. Confirm the actions taken against those found to have illegally removed trees.
3. Determine if the current level of fines that can be imposed and the current inspection procedures in place, are considered an adequate enough deterrent.

AMENDMENT **CLR. EISLER:/CLR. RAFFAN**

That Council:

1. Investigate and confirm the number of illegal tree removals that have occurred within the Canterbury Bankstown LGA over the last three years.
2. Confirm the actions taken against those found to have illegally removed trees.
3. Determine if the current level of fines that can be imposed and the current inspection procedures in place, are considered an adequate enough deterrent.
4. Also investigate other deterrents that could be implemented.

CLR WAUD AND ISHAC ACCEPTED THE AMENDMENT AS THE MOTION.

THE MOTION WAS PUT.

(380) **CLR. WAUD:/CLR. ISHAC**

RESOLVED that Council:

1. Investigate and confirm the number of illegal tree removals that have occurred within the Canterbury Bankstown LGA over the last three years.

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2. Confirm the actions taken against those found to have illegally removed trees.
3. Determine if the current level of fines that can be imposed and the current inspection procedures in place, are considered an adequate enough deterrent.
4. Also investigate other deterrents that could be implemented.

- CARRIED

SECTION 11: QUESTIONS FOR NEXT MEETING

REF: SKATE PARK - ROBERTS PARK, GREENACRE

Clr Ishac requested Council's Rangers monitor unacceptable behavior occurring at the skate park in Roberts Park, Greenacre.

REF: HERB CRABTREE RESERVE, BASS HILL

Clr Kuskoff requested an update on the works being undertaken in Herb Crabtree Reserve in Hector Street, Bass Hill.

REF: PLANNING MATTER

Clr Tuntevski requested that the Director Planning contact the owner of the shops located at the corner Doris Street and Picnic Point Road, Picnic Point to discuss their planning proposal which includes the provision of disabled facilities which will assist the community.

REF: TRAFFIC ISSUE - HENRY LAWSON DRIVE, REVESBY

Clr Waud requested Council contact NSW Roads and Maritime Services regarding the provision of a roundabout or other traffic measures to improve safety at the intersection of The River Road and Henry Lawson Drive, Revesby.

REF: PARKING ISSUE - WATTLE STREET, MOUNT LEWIS

Clr Zakhia requested Council investigate parking issues resulting from the introduction of a Bus Zone in the vicinity of 124 Wattle Street, Mount Lewis.

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REF: GARRISON POINT RESERVE - RUBBISH CLEAN UP

Clr Madirazza requested that the beach area of Garrison Point Reserve be cleaned of rubbish.

REF: SIGNAGE - BEAMISH STREET, CAMPSIE

Clr Madirazza requested Council inspect the location of signage in Beamish Street, Campsie regarding the location of South Parade carpark.

SECTION 12: CONFIDENTIAL SESSION

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

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 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)(c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Item 12.2 T06-19 Parry Park Playing Surface Upgrade

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

Item 12.3 Briefing Paper – T79-18 Tender Evaluation Update for Waste and Resource Recovery Processing and Disposal Services (General Waste)

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.

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.

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.12 PM AND
REVERTED BACK TO OPEN COUNCIL AT 7.54 PM.**

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

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

RESOLVED that

1. Council rescind its existing resolution for the provision of crowd control security services only (T48-18), as determined at its Ordinary Meeting on 24 July 2018.
2. In accordance with Clause 166(a) of the Local Government (General) Regulation 2005 (Regulation) Council carryout a fresh open tender process for crowd control security services.

- CARRIED

ITEM 12.2 **T06-19 PARRY PARK PLAYING SURFACE UPGRADE**

(383) **CLR. SALEH:/CLR. HUDA**

RESOLVED that

1. Council accepts the tender received from Turf Drain Australia for the lump sum amount of \$1,067,711.50 (excluding GST) for T06-19 Parry Park Playing Surface Upgrade.
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

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ITEM 12.3 **BRIEFING PAPER – T79-18 TENDER EVALUATION UPDATE FOR WASTE AND RESOURCE RECOVERY PROCESSING AND DISPOSAL SERVICES (GENERAL WASTE)**

CLRS ZAKHIA AND ISHAC RETIRED FROM THE MEETING AT 7.45 PM.

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

RESOLVED that

1. The information be noted.
2. Council agrees to progress Option 3 for disposing of general waste as outlined in the report.

- CARRIED

THE MEETING CLOSED AT 7.55 PM.

Minutes confirmed 16 OCTOBER 2018

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Mayor