

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 8 DECEMBER 2020

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

PRESENT BY AUDIO

VISUAL LINK: Councillors Kuskoff and Huda

APOLOGIES Nil

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.01 P.M.

ACKNOWLEDGEMENT OF COUNTRY

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

REF: **CONFIRMATION OF MINUTES**

(1157) **CLR. ZAKHIA:/CLR. MADIRAZZA**

RESOLVED that the minutes of the Ordinary Council Meeting held on 24 November 2020 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 4.4 – Local Community Based Donations, Clr Saleh declared a significant, Non-Pecuniary Conflict of Interest due to a close family member being an employee of the Lebanese Muslim Association and advised that she will vacate the chamber taking no part in debate on the matter.

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In respect of Item 5.1 - Draft Amendment to Canterbury Development Control Plan 2012 - 20-21 Boorea Avenue, Lakemba, Clr Saleh declared a significant, Non Pecuniary Conflict of Interest due to a close family member being an employee of the Lebanese Muslim Association and advised that she will vacate the chamber taking no part in debate on the matter.

In respect of Item 4.4 - Local Community Based Donations, Clr El-Hayek declared a significant, Non-Pecuniary Conflict of Interest due to his working association with the Lebanese Muslim Association and advised that he will vacate the chamber taking no part in debate on the mater.

In respect of Item 5.1 - Draft Amendment to Canterbury Development Control Plan 2012 - 20-21 Boorea Avenue, Lakemba, Clr El-Hayek declared a significant, Non-Pecuniary Conflict of Interest due to his working association with the Lebanese Muslim Association and advised that he will vacate the chamber taking no part in debate on the matter.

SECTION 4: MAYORAL MINUTES

ITEM 4.1 MAYORAL CHRISTMAS MESSAGE

(1158) CLR. ASFOUR

RESOLVED that Council wish all Canterbury Bankstown residents, staff and their families a safe and Merry Christmas and a Happy New Year.

- CARRIED

ITEM 4.2 TAFE

(1159) CLR. ASFOUR

RESOLVED that a meeting be arranged with the Managing Director of TAFE NSW to discuss the future commitment of TAFE to our City to ensure it continues to provide a vital role in growing Canterbury Bankstown's prosperity into the future.

- CARRIED

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ITEM 4.3 **JOBS SUMMIT**
(1160) **CLR. ASFOUR**

RESOLVED that Council hold a series of targeted Jobs Summits across our City, to provide an opportunity to hear firsthand, the challenges posed by COVID-19 on jobs and to better understand the localised employment issues.

- CARRIED

ITEM 4.4 **LOCAL COMMUNITY BASED DONATIONS**

In respect of Item 4.4 – Local Community Based Donations, Clr Saleh declared a significant, Non-Pecuniary Conflict of Interest due to a close family member being an employee of the Lebanese Muslim Association and vacated the chamber taking no part in debate on the matter.

In respect of Item 4.4 - Local Community Based Donations, Clr El-Hayek declared a significant, Non-Pecuniary Conflict of Interest due to his working association with the Lebanese Muslim Association and vacated the chamber taking no part in debate on the matter.

CLRS. SALEH AND EL-HAYEK TEMPORARILY LEFT THE MEETING AT 6.23 PM

(1161) **CLR. ASFOUR**

RESOLVED that

1. Council support the request from Lebanese Muslim Association and waive the fees for the use of Parry Park associated with overflow car parking of \$1,317.50, and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
2. These funds to be made available from Council's Community Grants and Events Sponsorship budget.

- CARRIED

SUSPENSION OF STANDING ORDERS

(1162) **CLR. ISHAC:/CLR. DOWNEY**
RESOLVED that

- i) Permission be granted to those people who have made the necessary application to address Council for five minutes.

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- ii) Standing Orders be suspended and Items 5.1, 5.3 and 7.4 be dealt with now.
- iii) Standing Orders then be resumed.

- CARRIED

SECTION 5: PLANNING MATTERS

ITEM 5.1 DRAFT AMENDMENT TO CANTERBURY DEVELOPMENT CONTROL PLAN 2012 - 20-21 BOOREA AVENUE, LAKEMBA

In respect of Item 5.1 - Draft Amendment to Canterbury Development Control Plan 2012 - 20-21 Boorea Avenue, Lakemba, Clr Saleh declared a significant, Non Pecuniary Conflict of Interest due to a close family member being an employee of the Lebanese Muslim Association and vacated the chamber taking no part in debate on the matter.

In respect of Item 5.1 - Draft Amendment to Canterbury Development Control Plan 2012 - 20-21 Boorea Avenue, Lakemba, Clr El-Hayek declared a significant, Non-Pecuniary Conflict of Interest due to his working association with the Lebanese Muslim Association and vacated the chamber taking no part in debate on the matter.

MR STUART HARDING (WILLANA URBAN) ADDRESSED COUNCIL

(1163) CLR. ASFOUR:/CLR. ISHAC

RESOLVED that

1. Council adopt Canterbury Development Control Plan 2012 (Amendment No. 10) as exhibited, without any changes as outlined in this report and shown in Attachment A.
2. Canterbury Development Control Plan 2012 (Amendment No. 10) be brought into effect.
3. That the development control plan be amended before it is brought into effect to clarify that the controls only apply to development for the purposes of a residential care facility at 20-21 Boorea Avenue, Lakemba.

- CARRIED

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

Against:- Nil

CLRS SALEH AND EL-HAYEK RETURNED TO THE MEETING AT 6.35 PM.

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ITEM 5.3 PLANNING PROPOSAL, PLANNING AGREEMENT AND DEVELOPMENT CONTROL PLAN FOR 74 RICKARD ROAD, BANKSTOWN

BILL PARASIRIS (WESTERN SYDNEY UNIVERSITY) ADDRESSED COUNCIL

(1164) CLR. EL-HAYEK:/CLR. DOWNEY

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

- CARRIED

(1165) CLR. EL-HAYEK:/CLR. ISHAC

RESOLVED that

1. Council adopt the planning proposal as shown in Attachment A – Planning Proposal and that it be referred to the NSW Department of Planning, Infrastructure and Environment for finalisation.
2. The General Manager be authorised to make minor mapping or wording changes to the planning proposal arising from the finalisation process so long as these do not alter its intent or substance.
3. The proposed amendments to the exhibited draft site specific development control plan for 74 Rickard Road, Bankstown as shown in Attachment B are adopted and brought into effect once the LEP has been finalised.
4. Council prepare and exhibit a draft planning agreement for 74 Rickard Road, Bankstown on the basis of the revised letter of offer and concept reference design as shown in **Attachment C**.

- CARRIED

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

Against:- Nil

ITEM 7.4 2019/20 ANNUAL FINANCIAL REPORTS

REIKY JIAN AND GIAN SURJADINATA (FROM AUDIT NSW) ADDRESSED COUNCIL

CLR EISLER TEMPORARILY RETIRED FROM THE MEETING AT 6.50 PM

CLR RAFFAN TEMPORARY RETIRED FROM THE MEETING AT 6.51 PM

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CLR EISLER RETURNED TO THE MEETING AT 6.52 PM

CLR RAFFAN RETURNED TO THE MEETING AT 6.54 PM

(1166)

CLR. MADIRAZZA:/CLR. TUNTEVSKI

RESOLVED that

1. Council note the 2019/20 Annual Financial Reports and Auditor Reports.
2. Any submissions received and proposed actions relating to those submissions will be reported back to Council at the next Ordinary Meeting, if required.
3. Copies of all submissions received will be referred to Council's External Auditor.

- CARRIED

STANDING ORDERS RESUMED

ITEM 5.2

CANTERBURY BANKSTOWN DESIGN REVIEW PANEL

(1167)

CLR. ISHAC:/CLR. WAUD

RESOLVED that

1. Council endorse the establishment of the Canterbury Bankstown Design Review Panel.
2. Council adopt the Terms of Reference as shown in Attachment A.
3. Council review the operation of the Canterbury Bankstown Design Review Panel after a 12 month period and report the review findings to Council.

- CARRIED

ITEM 5.3

PLANNING PROPOSAL, PLANNING AGREEMENT AND DEVELOPMENT CONTROL PLAN FOR 74 RICKARD ROAD, BANKSTOWN

THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 1165 ON PAGE NO. FIVE OF THESE MINUTES.

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ITEM 5.4 **DRAFT PLANNING AGREEMENT – 60 KITCHENER PARADE, BANKSTOWN**
(1168) **CLR. MADIRAZZA:/CLR. ZAKHIA**

RESOLVED that

1. Council exhibit the Draft Planning Agreement at Attachments A and B.
2. 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 and Zakhia

Against:- Nil

ITEM 5.5 **DRAFT CANTERBURY BANKSTOWN CONSOLIDATED DEVELOPMENT CONTROL**
(1169) **PLAN**
CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that

1. Council exhibit the Draft Canterbury Bankstown Consolidated Development Control Plan as provided in Attachments A–K.
2. Council exhibit the Draft Guides and Heritage Conservation Area Character Statements that support the Draft Canterbury Bankstown Consolidated Development Control Plan as provided in Attachments L–Q.
3. This matter be reported to Council following the exhibition period.

- CARRIED

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

Against:- Nil

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ITEM 5.6 **REPORT ON COUNCIL'S PERFORMANCE IN THE ASSESSMENT OF DEVELOPMENT APPLICATIONS FOR THE FIRST QUARTER OF THE 2020/21 FINANCIAL YEAR, CLAUSE 4.6 VARIATIONS APPROVED FOR THE FIRST QUARTER OF THE 2020/21 FINANCIAL YEAR, AND PLANNING RELATED LEGAL APPEALS**

(1170) **CLR. TUNTEVSKI:/CLR. ISHAC**

RESOLVED that the report be noted.

- CARRIED

SECTION 6: POLICY MATTERS

ITEM 6.1 **COUNCIL POLICIES TO BE REVOKED**

(1171) **CLR. MADIRAZZA:/CLR. DOWNEY**

RESOLVED that Council revokes the former Council policies as outlined in the report.

- CARRIED

ITEM 6.2 **FOUR PILLARS CLEAN CITY MODEL**

(1172) **CLR. DOWNEY:/CLR. EL-HAYEK**

RESOLVED that

1. To endorse the *Four Pillars Clean City Model* as a strategy for meeting the community's expectation of a clean city.
2. These Pillars be used to form the basis of a new Clean City Strategic Plan to be developed.

- CARRIED

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ITEM 6.3 **AMALGAMATION PROPOSAL - GEORGES RIVER COUNCIL**
(1173) **CLR. ZAKHIA:/CLR. SALEH**

RESOLVED that

1. Council notes the report on the Amalgamation Proposal as proposed by Georges River Council in their correspondence of 27 November 2020.
2. Council does not support any change to the Boundary between the Canterbury Bankstown and Georges River Local Government Areas.
3. The Mayor writes to Georges River Council advising that it does not support the proposed Amalgamation Proposal.
4. The Mayor separately writes to the Minister for Local Government and NSW Boundaries Commission outlining Council's objection to Georges River Council's Amalgamation Proposal.

- CARRIED

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 **STRONGER COMMUNITIES FUND - QUARTERLY PROGRESS REPORT**
(1174) **CLR. DOWNEY:/CLR. HARIKA**

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

- CARRIED

ITEM 7.2 **ACTIVATED DATA ROADMAP**
(1175) **CLR. EISLER:/CLR. MADIRAZZA**

RESOLVED that

1. Council endorse the Activated Data Roadmap to be placed on exhibition.
2. A further report be prepared following the close of the exhibition period to consider any submissions received.

- CARRIED

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ITEM 7.3 **27 HOMEDALE ROAD, BANKSTOWN**
(1176) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED that

1. That Council note the information, as outlined in the report.
2. In the interim, Council agree to enter into a short term licence arrangement with the owners of 22 Homedale Road, as outlined in the report.
3. Once the required/relevant property matters are finalised, Council agree to the sale of part of 27 Homedale Road, Bankstown (Proposed Lot – Part C), as outlined in the report.
4. The General Manager be authorised to finalise the matter, as outlined in the report.

- CARRIED

ITEM 7.4 **2019/20 ANNUAL FINANCIAL REPORTS**
THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 1166 ON PAGE NO. SIX OF THESE MINUTES.

SECTION 8: **SERVICE AND OPERATIONAL MATTERS**

ITEM 8.1 **PAUL KEATING PARK MASTERPLAN 2021 – 2041**
(1177) **CLR. RAFFAN:/CLR. EL-HAYEK**

RESOLVED that

1. Council note the submissions of the community from the public exhibition of the Masterplan.
2. Council adopt the Masterplan, noting that The Appian Way and Civic Drive precinct have been revised to better align with subsequent designs being prepared in collaboration with the Western Sydney University.

- CARRIED

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ITEM 8.2 **DRAFT ACTIVE TRANSPORT ACTION PLAN**
(1178) **CLR. EISLER:/CLR. EL-HAYEK**

RESOLVED that

1. Council endorse the draft Active Transport Action Plan (Attachment A) to be placed on public exhibition until 1 March 2021.
2. A further report be prepared following the close of the exhibition period to consider any submissions received.

- CARRIED

ITEM 8.3 **DRAFT OFF LEASH DOG PARK ACTION PLAN**
(1179) **CLR. HARIKA:/CLR. EL-HAYEK**

RESOLVED that

1. Council endorse the draft Off Leash Dog Park Action Plan (Attachment A) to be placed on public exhibition until 1 March 2021.
2. A further report be prepared following the close of the exhibition period to consider any submissions received.

- CARRIED

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 24 NOVEMBER 2020**
(1180) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 24 November 2020, be adopted.

- CARRIED

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ITEM 9.2 **MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD
11 NOVEMBER 2020**

(1181) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED that

1. The recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 11 November 2020, be adopted;

2. The General Manager conduct an Expression of Interest process to appoint an independent member to the Audit Risk and Improvement Committee.

3. The Mayor be authorised to finalise the appointment to the Audit Risk and Improvement Committee.

- CARRIED

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

(1182) **CLR. WAUD:/CLR. ZAKHIA**

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

- CARRIED

ITEM 10.1 **NOTICE OF MOTIONS**

(1183) **CLR. WAUD:/CLR. ZAKHIA**

RESOLVED that the information be noted.

- CARRIED

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ITEM 10.2
(1184)

DELIVERY RIDERS

CLR. WAUD:/CLR. ZAKHIA

RESOLVED that the NSW Government introduce urgent laws to protect workers in the gig economy, particularly those involved in deliveries by bicycle.

- CARRIED

ITEM 10.3
(1185)

CHRISTMAS LIGHTS COMPETITION

CLR. WAUD:/CLR. ZAKHIA

RESOLVED that Council investigates including a competition to promote the decoration of homes by residents to celebrate Christmas.

- CARRIED

ITEM 10.4
(1186)

WOLLI CREEK REGIONAL PARK

CLR. EISLER:/CLR. RAFFAN

RESOLVED that Council:

1. Express its continuing support for the Wollie Creek Regional Park and the popular Two Valley Trail; noting that the Park is still incomplete more than 20 years after it was announced by the NSW Government and that it is again threatened by the action of a State agency,
2. Writes to the Minister for Water, Property and Housing, urging her to personally and urgently review Sydney Water's proposed location for an Odour Control Unit at Unwin St, Earlwood, given its major impact on a valued regional resource,
3. Writes to the Minister for the Environment, to expedite land transfers to formalise the park boundaries and secure the future of Wollie Creek Regional Park, and
4. Use its publicity channels to alert CBC residents to the issue and to provide a link to an expected Parliamentary petition."

- CARRIED

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ITEM 10.5 PLANNING PROPOSALS

(1187) CLR. WAUD:/CLR. ZAKHIA

RESOLVED that Council provide a regular report detailing all planning proposals received by Council and in the process of being assessed by Council.

Councillors must be made aware of all major developments through regular briefings on significant and potentially controversial planning proposals in the early stages.

Further all major planning proposal decision processes should be advertised in the local paper including matters being considered before Council and local planning panels.

- CARRIED

ITEM 10.6 ELECTRICITY INFRASTRUCTURE

(1188) CLR. WAUD:/CLR. ZAKHIA

RESOLVED that Council prepare a report and seek a briefing from Ausgrid on the recent outages that have impacted suburbs such as Bass Hill, Georges Hall, Yagoona, Villawood and other parts of the council.

- CARRIED

ITEM 10.7 TOM THUMB

(1189) CLR. WAUD:/CLR. ZAKHIA

RESOLVED that Council investigates permanently relocating the Tom Thumb 1 to a more high-profile community position such as the Bankstown Library and Knowledge Centre.

- CARRIED

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SECTION 11: CONFIDENTIAL SESSION
Nil

THE MEETING CLOSED AT 7.17 P.M

Minutes confirmed 23 FEBRUARY 2021

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Mayor