

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 NOVEMBER 2020

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

PRESENT BY AUDIO
VISUAL LINK: Councillors Kuskoff, Huda, Raffan

APOLOGIES: Councillor Tuntevski

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.02 PM.

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

(1133)

CLR. ZAKHIA:/CLR. WAUD

RESOLVED that the minutes of the Ordinary Council Meeting held on 27 October 2020 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

(1134)

CLR. DOWNEY:/CLR. HARIKA

RESOLVED that Leave of Absence be granted to Clr Tuntevski due to personal reasons.

- CARRIED

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

In respect of Item 4.3 – Local Community Based Donations Clr Saleh declared a significant, Non Pecuniary Conflict of Interest due to her working association with Sydney Community Connect and advised that she will vacate the chamber taking no part in debate on the matter.

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SECTION 4: MAYORAL MINUTES

ITEM 4.1 RATES HARMONISATION
(1135) CLR. ASFOUR

RESOLVED that

1. Council write to the Minister for Local Government seeking urgent attention to address the matters at hand and importantly provide merged councils with some clarity regarding the harmonisation process.
2. Council request that the Bill being drafted which will allow merged councils to harmonise their rating structures also allow councils to spread the adjustments over at least 5 years, if not more, so the impact on our ratepayers is easier to handle.
3. Council write to the Premier outlining Council's frustration, the lack of clarity provided to councils and above all the absence of support by the NSW Government over the years on this issue, and seek assistance from the NSW Government with regard to funding the significant cost that merged councils have had to incur to date and will continue to incur over the coming months to implement the NSW Governments forced harmonisation process.

- CARRIED

CLR DOWNEY REQUESTED THAT THE MINUTES INDICATE THIS RESOLUTION WAS ADOPTED UNANIMOUSLY.

ITEM 4.2 WIFI ON THE GO
(1136) CLR. ASFOUR

RESOLVED that Council explores the feasibility and cost of WiFi Hotspot devices and how these could be loaned to our community through the library service.

- CARRIED

ITEM 4.3 LOCAL COMMUNITY BASED DONATIONS

In respect of Item 4.3 – Local Community Based Donations Clr Saleh declared a significant, Non Pecuniary Conflict of Interest due to her working association with Sydney Community Connect and advised that she will vacate the chamber taking no part in debate on the matter.

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CLR. SALEH TEMPORARILY LEFT THE MEETING AT 6.16 PM AND RETURNED AT 6.17 PM.

(1137)

CLR. ASFOUR

RESOLVED that

1. Council support the request from the Zonta Club and sponsor an award for the 2020-21 Citizenship Awards to the value of \$250 and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
2. Council support the request from Wesley Mission through waiving the fees for the use of Bankstown City Gardens in the amount of \$697.50 and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
3. Council support the request from the Australian Jordanian Nashama through waiving the fees for the use of the Crest Sports Fields in the amount of \$855 and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
4. Council support the request from El Mina Australia through a \$1,000 donation towards a first aid program, and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
5. Council support the request from Sydney Community Connect and their fundraising efforts for the Cancer Council NSW through a \$1,000 donation, and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
6. These funds to be made available from Council's Community Grants and Events Sponsorship budget.

- CARRIED

SECTION 5: PLANNING MATTERS

Nil

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SECTION 6: POLICY MATTERS

ITEM 6.1 UNLOCKING THE POTENTIAL OF THE CENTRAL CITY
(1138) CLR. ISHAC:/CLR. EL-HAYEK

RESOLVED that Council

1. Endorse the report – Unlocking the Potential of the Central City.
2. Work with surrounding Councils to advocate for the priorities as set out in this report.
3. Write to the NSW Government and the Greater Sydney Commission to work collaboratively on the priorities identified.

- CARRIED

ITEM 6.2 MARKETS POLICY
(1139) CLR. WAUD:/CLR. DOWNEY

RESOLVED that

1. Council endorse the Markets Policy and the policy to be placed on public exhibition.
2. A further report be submitted to Council following public exhibition.

- CARRIED

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 RATES HARMONISATION & FINANCIAL SUSTAINABILITY

CLR HUDA TEMPORARILY LEFT THE MEETING AT 6.25 PM AND RETURNED AT 6.27 PM.

(1140) CLR. EISLER:/CLR. DOWNEY

RESOLVED that

1. Council notes the current requirements of the Local Government Act to harmonise its former Council's rating structures by 1 July 2021.

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2. Council also notes that, despite not being provided any information and/or advice to-date, Council understands that the NSW Government are considering an amendment to the legislation, whereby merged councils be allowed to gradually harmonise their former council rate structures.
3. Having regard to the various briefings/workshops held with Councillors to-date, it is proposed that Council, in principle, agree to implement Option 3 as outlined in the Report.
4. Council's preference when applying Option 3 be based on a gradual approach to harmonising its former Council's rating structures over a five year period (commencing 1 July 2021), including a proposed Special Rate Variation.
5. In the event that the current legislation is *not* amended, then Council's preference when applying option 3 be based on fully implementing the required harmonisation process of the two former Council's rating structures by 1 July 2021 – as per option 1 - with the remaining changes over a 5-year period.
6. Council endorse the proposed new Business Sub-Categories, as detailed in Option 3 in this report.
7. Council commence a detailed and comprehensive community engagement program to inform its final decision on the matter and notify IPART accordingly, as required.
8. In the event amended legislation provides a harmonisation timeframe of less than 5 years, the community will be accordingly advised of the impact of this on the above.
9. At the conclusion of the consultation process, a further report be provided to Council on the outcomes of the community engagement process for Council to make a final determination on the matter.
10. The Mayor urgently call for a meeting with the Minister for Local Government seeking that:
 - a) The NSW Government provide merged councils and their communities with clarity concerning the harmonisation process – particularly given that it will affect every ratepayer throughout our community;
 - b) The NSW Government resolve the current ambiguity regarding the harmonisation process and urgently reflect changes to the legislation so as to ensure that councils can effectively harmonise their former council rate structures in a timely manner;

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ITEM 7.3 **UNAUDITED 2019/20 ANNUAL FINANCIAL REPORT**
(1142) **CLR. MADIRAZZA:/CLR. ZAKHIA**

RESOLVED that

1. Council resolves that the attached 2019/20 Unaudited Annual Financial Reports, for the financial year ended 30 June 2020 have been prepared in accordance with the relevant sections and parts of the Local Government Act and Regulations and are submitted to Council for its consideration.
2. The Mayor, Deputy Mayor, General Manager and Responsible Accounting Officer duly sign the Statement of Council's Unaudited Annual Financial Reports on behalf of the Council.
3. Subject to Item 1 and 2, the Statement and the 2019/20 Unaudited Annual Financial Report be referred to Council's Auditor in finalising the year-end audit process.
4. The General Manager be authorised to set the date for the public meeting and give notice in accordance with the Local Government Act 1993.

- CARRIED

ITEM 7.4 **NAMING OF RESERVE - CORNER HUME HIGHWAY AND MILLER ROAD BASS HILL**
(1143) **CLR. HARIKA:/CLR. ISHAC**

RESOLVED that

1. Council support the naming of the reserve on the corner of the Hume Highway and Miller Road, Bass Hill "Dick Payten Park"
2. The naming proposal be referred to the Geographical Names Board (GNB) for approval and registration.

- CARRIED

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ITEM 7.5 **CODE OF MEETING PRACTICE - 2021 SCHEDULE OF MEETINGS**
(1144) **CLR. WAUD:/CLR. MADIRAZZA**
RESOLVED that the 2021 Schedule of Council Meetings be adopted.
- CARRIED

ITEM 7.6 **CODE OF CONDUCT COMPLAINTS REPORT**
(1145) **CLR. DOWNEY:/CLR. HARIKA**
RESOLVED that the information be noted.
- CARRIED

ITEM 7.7 **CASH AND INVESTMENT REPORT AS AT 31 OCTOBER 2020**
(1146) **CLR. MADIRAZZA:/CLR. EL-HAYEK**
RESOLVED that

1. The Cash and Investment Report as at 31 October 2020 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 **SUMMER SERIES OF MAJOR EVENTS AMID COVID**
(1147) **CLR. ZAKHIA:/CLR. EL-HAYEK**
RESOLVED that Council note the activations occurring for the Christmas period throughout December.
- CARRIED

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SECTION 9: COMMITTEE REPORTS

Nil

SECTION 10: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

(1148) CLR. ZAKHIA:/CLR. WAUD

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 Items 10.1 and 10.8.

- CARRIED

ITEM 10.1 NOTICE OF MOTIONS

(1149) CLR. DOWNEY:/CLR. HARIKA

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 BUSKING AND STREET PERFORMANCE SPACES

(1150) CLR. ZAKHIA:/CLR. WAUD

RESOLVED that Council investigate creating performance opportunities in our centres by "licensing" busking and street performance spaces to assist what is a struggling sector and give a focus for hospitality businesses.

- CARRIED

ITEM 10.3 YOUTH UNEMPLOYMENT

(1151) CLR. ZAKHIA:/CLR. WAUD

RESOLVED that Council investigates programs and initiatives to reduce the level of youth unemployment across the Canterbury Bankstown Local Government Area.

- CARRIED

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ITEM 10.4
(1152)

SUBURBAN STADIUMS
CLR. ZAKHIA:/CLR. WAUD

RESOLVED that Council:

1. Notes the NSW 2020-21 Budget failed to identify any investment into suburban stadiums, with the exception of the preparation of a business case for Jubilee Stadium at Kogarah, and
2. Calls on the NSW Government to distribute the approximately \$800m for suburban stadiums through a transparent, competitive grant scheme.

- CARRIED

ITEM 10.5
(1153)

SHOP LOCAL
CLR. ZAKHIA:/CLR. WAUD

RESOLVED that Council encourages its community to:

1. Use the NSW Government's Out & About voucher scheme within the local government area, and
2. Shop Local this Christmas, to support our struggling retail sector.

- CARRIED

ITEM 10.6
(1154)

PLANTER BOXES
CLR. ZAKHIA:/CLR. WAUD

RESOLVED that Council investigates a campaign to educate local retailers on how to care for ornamental street plants and the benefits of having healthy, attractive plantings within the town centre environment.

- CARRIED

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ITEM 10.7 **REINVIGORATING THE HIGH STREET**
(1155) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED that Council investigate, with a view to applying for, the *Your High Street Grant* to fund town centre upgrades within the City.

- CARRIED

ITEM 10.8 **UTILITIES DESTROYING OUR STREETS**
MOTION **CLR. ZAKHIA:/CLR WAUD**

That Council writes to the major utility companies – Telstra, Jemena, Ausgrid and Transgrid – requesting they invest adequate time and resources into ensuring our streets and footpaths are:

1. Maintained in a safe and satisfactory condition during, immediately after any works, and up until such time as permanent restorations are completed, and
2. Restored, permanently, in a timely manner and to a condition equivalent to or better than they were prior to the works occurring.

AMENDMENT **CLR. EL-HAYEK:**

That Council writes to the major utility companies – Telstra, Jemena, Ausgrid and Transgrid – requesting they invest adequate time and resources into ensuring our streets and footpaths are:

1. Maintained in a safe and satisfactory condition during, immediately after any works, and up until such time as permanent restorations are completed, and
2. Restored, permanently, in a timely manner and to a condition equivalent to or better than they were prior to the works occurring.
3. That Council writes to the NSW Premier and Australian Prime Minister (and their relevant Ministers) requesting that they require major utility companies such as NBN, Telstra, Jemena, Ausgrid and others to
 - maintain our public roads and footways in a safe and satisfactory condition during, immediately after any works, and up until such time that permanent restorations are completed, and

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- permanently restore our public roads and footways, in a timely manner and to a condition equivalent to or better than they were prior to the works occurring.

THE AMENDMENT WAS ACCEPTED BY THE MOVER AND SECONDER.

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION.

(1156)

CLR. ZAKHIA:/CLR. WAUD

That Council writes to the major utility companies – Telstra, Jemena, Ausgrid and Transgrid – requesting they invest adequate time and resources into ensuring our streets and footpaths are:

1. Maintained in a safe and satisfactory condition during, immediately after any works, and up until such time as permanent restorations are completed, and
2. Restored, permanently, in a timely manner and to a condition equivalent to or better than they were prior to the works occurring.
3. That Council writes to the NSW Premier and Australian Prime Minister (and their relevant Ministers) requesting that they require major utility companies such as NBN, Telstra, Jemena, Ausgrid and others to
 - maintain our public roads and footways in a safe and satisfactory condition during, immediately after any works, and up until such time that permanent restorations are completed, and
 - permanently restore our public roads and footways, in a timely manner and to a condition equivalent to or better than they were prior to the works occurring.

- CARRIED

SECTION 11: CONFIDENTIAL SESSION

Nil

THE MEETING CLOSED AT 7.00 PM.

Minutes confirmed 8 DECEMBER 2020

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Mayor