

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

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**PRESENT IN COUNCIL  
CHAMBERS:**

His Worship the Mayor, Councillor Asfour  
Councillors El-Hayek, Ishac, Waud, Downey, Saleh, Madirazza, Harika,  
Tuntevski

**PRESENT BY AUDIO  
VISUAL LINK:**

Councillors Raffan, Zakhia, Eisler, Huda, Kuskoff

**APOLOGIES**

Nil

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

**At THIS STAGE HIS WORSHIP THE MAYOR ACKNOWLEDGED THE 40 YEAR ANNIVERSARY OF THE PROCLAMATION OF THE MUNICIPALITY OF BANKSTOWN AS A CITY BY HER MAJESTY THE QUEEN.**

**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**

**(929) CLR. DOWNEY:/CLR. RAFFAN**

RESOLVED that the minutes of the Ordinary Council Meeting held on 28 April 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 5.2 – Planning Proposal for 20-21 Boorea Avenue, Lakemba, Clr El-Hayek declared a significant, Non Pecuniary Conflict of Interest with respect to his sport coaching activities and indicated he would vacate the Chamber taking no part in debate.

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**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

---

**SECTION 4: MAYORAL MINUTES**

**ITEM 4.1 STRONGER COMMUNITIES FUND: RORTED**

CLR RAFFAN TEMPORARILY RETIRED FROM THE MEETING AT 6.12 PM AND RETURNED AT 6.14 PM.

**(930) CLR. ASFOUR**

RESOLVED that

1. Council note that Canterbury Bankstown Council received no funding in the second round of Stronger Communities Grant funding.
2. Council promotes and strongly urges our residents to sign a petition to be forwarded to the Premier for New South Wales requesting that Canterbury Bankstown Council as the biggest LGA in NSW receives its fair share of the Stronger Communities Grant funding.

- CARRIED

**ITEM 4.2 THANK U CAMPAIGN**

CLR RAFFRAN TEMPORARILY RETIRED FROM THE MEETING AT 6.33 PM.

**(931) CLR. ASFOUR**

RESOLVED that Council endorse the "FROM ME TO YOU" campaign which says THANK YOU to residents for keeping the number of Covid-19 cases low through their diligence and the sacrifices they are making every day and are continuing to make.

- CARRIED

**ITEM 4.3 SUPPORT FOR SPORTING ORGANISATIONS**

CLR RAFFAN RETURNED TO THE MEETING AT 6.35 PM.

**(932) CLR. ASFOUR**

RESOLVED that Council write to the Premier of NSW and the relevant Ministers to provide additional funding to support grassroots sporting associations and sporting clubs.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

---

**ITEM 4.4**                      **REZONING CANTERBURY BOWLING CLUB BACK TO OPEN SPACE**  
**(933)**                              **CLR. ASFOUR**

RESOLVED that Council

1. Immediately commence the preparation of and submit a planning proposal to rezone 15 Close St Canterbury to RE1 Public Recreation, remove the height of building control, remove the floor space ratio control, and delete the site specific clause which applies to the land to align the planning controls with other land zoned for open space throughout the city.
2. The General Manager also review the work undertaken as part of the comprehensive LEP to determine whether there is any avenue to have 15 Close St Canterbury rezoned now as part of the current city wide planning proposal.

- CARRIED

**ITEM 4.5**                      **LOCAL COMMUNITY BASED DONATIONS**  
**(934)**                              **CLR. ASFOUR**

RESOLVED that

1. Council support the request from Canterbury Earlwood Caring Association and waive the fee of \$42 for the use of Earlwood Senior Citizens Centre for their fundraiser to Support Bushfire Victims.
2. These funds to be made available from Council's Community Grants and Events Sponsorship budget.

- CARRIED

**SECTION 5:                      PLANNING MATTERS**

**ITEM 5.1**                      **DRAFT AMENDMENTS TO THE PLANNING AGREEMENT FOR THE FORMER**  
**(935)**                              **RIVERLANDS GOLF COURSE SITE IN MILPERRA**  
**CLR. WAUD:/CLR. ISHAC**

RESOLVED that

1. Council exhibit the draft Deed of Variation and the Explanatory Note to the Planning Agreement for the former Riverlands Golf Course site (56 Prescott Parade, Milperra) as shown in Attachment A.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

---

2. The matter be reported to Council following the exhibition including a submissions report addressing any submissions received during the exhibition period.

- CARRIED

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

**Against:-** Clr Tuntevski

**ITEM 5.2 PLANNING PROPOSAL FOR 20-21 BOOREA AVENUE, LAKEMBA**

IN RESPECT OF ITEM 5.2 – PLANNING PROPOSAL FOR 20-21 BOOREA AVENUE, LAKEMBA, CLR EL-HAYEK DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST WITH RESPECT TO HIS SPORT COACHING ACTIVITIES AND VACATED THE CHAMBER TAKING NO PART IN DEBATE.

CLR EL-HAYEK TEMPORARILY RETIRED FROM THE MEETING AT 6.50 PM.

**(936) CLR. SALEH:/CLR. MADIRAZZA**

RESOLVED that

1. Council adopt the planning proposal as shown in Attachment A and that it be referred to the NSW Department of Planning, Infrastructure and Environment for finalisation.
2. Council prepare an amendment to Bankstown Development Control Plan 2015 to apply appropriate site-specific controls on the subject site.
3. The draft DCP is placed on public exhibition for a minimum of 28 days.
4. Council receive and consider a further report on the outcomes of the DCP exhibition.

- CARRIED

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

**Against:-** Nil

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

---

CLR EL-HAYEK RETURNED TO THE MEETING AT 6.51 PM.

**ITEM 5.3**                    **APPLICATION TO AMEND THE CANTERBURY LOCAL ENVIRONMENT PLAN 2012:  
165-169 HOLDEN STREET, ASHBURY (ASHFIELD RESERVOIR)**

**(937)**                        **CLR. DOWNEY:/CLR. EISLER**

RESOLVED that

1. Council prepare and submit a planning proposal to the Department of Planning, Industry and Environment to seek a Gateway Determination with a reduced area and no lot size control as outlined in this report.
2. Additional studies be undertaken following a Gateway Determination and prior to exhibition including a draft site specific Development Control Plan (DCP), Statement of Suitability of Proposed Uses and Planning Agreement for the accessway and Affordable Housing contribution as outlined in this report.
3. Council seek authority from the Department of Planning, Industry and Environment to exercise delegation in relation to the plan making functions under section 3.36(2) of the Environmental Planning and Assessment Act 1979.
4. Subject to the issue of a Gateway Determination, Council exhibit the planning proposal.
5. Council prepare and concurrently exhibit DCP Amendments to support the planning proposal, and the matter be reported to Council following the exhibition.

- CARRIED

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

**Against:-**                Clr Raffan

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

---

**ITEM 5.4**                    **REPORT ON COUNCIL'S PERFORMANCE IN THE ASSESSMENT OF DEVELOPMENT APPLICATIONS, CLAUSE 4.6 VARIATIONS APPROVED IN THE THIRD QUARTER OF THE 2019/20 FINANCIAL YEAR, AND PLANNING RELATED LEGAL APPEALS**

**(938)**                    **CLR. ZAKHIA:/CLR. ISHAC**  
RESOLVED that the report be noted.

- CARRIED

**SECTION 6:**            **POLICY MATTERS**

Nil

**SECTION 7:**            **GOVERNANCE AND ADMINISTRATION MATTERS**

**PUBLIC ADDRESS**

**(939)**                    **CLR. DOWNEY:/CLR. HARIKA**  
RESOLVED that permission be granted to those people who have made the necessary application to address Council for five minutes.

- CARRIED

**ITEM 7.1**                    **PROPERTY MATTER - 15 CLOSE STREET, CANTERBURY**  
MS BARBARA COOREY (RESIDENT) ADDRESSED COUNCIL.

**(940)**                    **CLR. DOWNEY:/CLR. HARIKA**  
RESOLVED that an extension of two minutes be given to Ms Coorey to address Council.

- CARRIED

MS JANE HUNTER (RESIDENT) ADDRESSED COUNCIL.

**(941)**                    **CLR. MADIRAZZA:/CLR. ISHAC**  
RESOLVED that an extension of two minutes be given to Ms Hunter to address Council.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

---

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

RESOLVED that

1. Council note the compulsory acquisition of 15 Close Street by Sydney Metro.
2. Council agrees for the General Manager to negotiate the final terms of the Agreement and work with the Theatre Guild to relocate them to a new facility.
3. The General Manager not enter into the Agreement until a further report is submitted outlining Sydney Metro's use of the site, options to minimise impacts on surrounding residents such as traffic, noise and lighting spill, their proposed community consultation, and other site options considered, including industrial land.

- CARRIED

**ITEM 7.2**                    **CASH AND INVESTMENT REPORT AS AT 30 APRIL 2020**

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

RESOLVED that

1. The Cash and Investment Report as at 30 April 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**                    **REVESBY COMMUTER CARPARK**

CLRS HUDA AND EISLER TEMPORARILY RETIRED FROM THE MEETING AT 7.33 PM AND RETURNED AT 7.35 PM.

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

RESOLVED that Council proceed with negotiations with Transport for NSW and the matter be reported back to Council for consideration.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

---

**SECTION 9: COMMITTEE REPORTS**

**ITEM 9.1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 12 MAY 2020**  
**(945) CLR. HARIKA:/CLR. ISHAC**

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 12 May 2020, be adopted.

- CARRIED

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

**ITEM 10.1 NOTICE OF MOTIONS**  
**(946) CLR. HARIKA:/CLR. ISHAC**

RESOLVED that the information be noted.

- CARRIED

**ITEM 10.2 UWS MILPERRA**

CLR MADIRAZZA TEMPORARILY RETIRED FROM THE MEETING AT 7.38 PM AND RETURNED AT 7.40 PM.

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

RESOLVED that Council once again writes to the NSW Education Minister seeking her support for the NSW Government acquiring the UWS Milperra site for educational purposes such as a future state of the art secondary school.

- CARRIED



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

---

**ITEM 10.3**                    **ILLEGAL ANIMAL PRODUCTS**

CLR WAUD TEMPORARILY RETIRED FROM THE MEETING AT 7.41 PM.

**(948)**                    **CLR. RAFFAN:/CLR. HARIKA**

RESOLVED that Council:

1. Investigate amending event and market application forms and guidelines to prohibit the sale of fur and other exotic animal products on Council property in-line with national conservation and biodiversity protection legislation;
2. Actively enables residents and businesses to report the sale of suspected illegal animal products;
3. Council writes to the Minister for Home Affairs, the Hon. Peter Dutton supporting the call for the introduction of random forensic testing of imported fake fur products to assess how widespread this practice is; and
4. Council writes to the NSW Minister for Better Regulation and Innovation, to support the request for the establishment of a fur task force to assess the size and impact of the practice of illegal fur labelling.

- CARRIED

**ITEM 10.4**                    **FLEXIBLE WORKING SPACES**

CLR WAUD RETURNED TO THE MEETING AT 7.45 PM.

**(949)**                    **CLR. HARIKA:/CLR. MADIRAZZA**

RESOLVED that Council investigate how Council's existing facilities, such as our libraries, community centres and/or the current Canterbury Bankstown Business Advisory space, provide flexible working spaces for public and private sector employees.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

---

**ITEM 10.5                    SUPPORT FOR MICRO-BUSINESSES**

**(950)                        CLR. EL-HAYEK:/CLR. TUNTEVSKI**

RESOLVED that Council write to the NSW Government, calling for more support for home-based and micro-businesses with annual turnover of less than \$75,000, in response to COVID-19.

- CARRIED

**ITEM 10.6                    DRIVE-IN CINEMA**

**(951)                        CLR. TUNTEVSKI:/CLR. MADIRAZZA**

RESOLVED that Council investigate establishing a pop-up Drive-in Cinema within the City of Canterbury-Bankstown.

- CARRIED

**ITEM 10.7                    INSTALLATION OF NEPALESE PLAQUE**

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

RESOLVED that Council support the installation of a plaque/sign in Gough Whitlam Park to recognise the valuable contribution of the Nepalese community in our City.

- CARRIED

**ITEM 10.8                    CONDOLENCE MOTION - JACK MUNDEY AO**

**(953)                        CLR. EISLER:/CLR. ISHAC**

RESOLVED that Council, in honour of the life and contribution made by Jack Munday AO

1. Investigates a suitable park or green space, preferably in or near Croydon Park to be renamed Jack Munday/Green Bans Park, supported by photo and history signage at the location, and

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

---

2. Establish the "Jack Munday Environment and Heritage Award for Australia Day (for groups and individuals to be eligible).

- CARRIED

**ITEM 10.9**

**HOUSING TARGET UPDATE**

**MOTION**

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

That Council receives a briefing on the housing targets for Canterbury Bankstown Council and in particular that briefing address:

- a. What are the Greater Sydney Commission's housing targets set at in the South District Plan?
- b. When are they to be achieved by?
- c. How much of that target has already been achieved?
- d. How we intend to achieve the target set by the Greater Sydney Commission?
- e. What is Councils current view on the target set by the Greater Sydney Commission?
- f. The breakdown on the types of dwellings that the total number may be made up of eg; duplexes, unit or homes.

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

That Council receives a briefing and a report on the housing targets for Canterbury Bankstown Council and in particular that briefing address:

- a. What are the Greater Sydney Commission's housing targets set at in the South District Plan?
- b. When are they to be achieved by?
- c. How much of that target has already been achieved?
- d. How we intend to achieve the target set by the Greater Sydney Commission?
- e. What is Councils current view on the target set by the Greater Sydney Commission?
- f. The breakdown on the types of dwellings that the total number may be made up of eg; duplexes, unit or homes.

CLR WAUD AND CLR ZAKHIA ACCEPTED CLR TUNTEVSKI'S AMENDMENT BE INCLUDED IN THE MOTION.

**(954)**

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

RESOLVED that Council receives a briefing and a report on the housing targets for Canterbury Bankstown Council and in particular that briefing address:

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

---

- a. What are the Greater Sydney Commission's housing targets set at in the South District Plan?
- b. When are they to be achieved by?
- c. How much of that target has already been achieved?
- d. How we intend to achieve the target set by the Greater Sydney Commission?
- e. What is Councils current view on the target set by the Greater Sydney Commission?
- f. The breakdown on the types of dwellings that the total number may be made up of eg; duplexes, unit or homes.

- CARRIED

**ITEM 10.10**  
**(955)**

**HERO'S HILL**

**CLR. WAUD:/CLR. ISHAC**

RESOLVED that Council investigates the installation of a flag pole, suitable lighting and seating at the Hero's Hill War Memorial in Cox Reserve, Sandakan Road, Revesby, utilising the Veterans Affairs Community War Memorials Fund.

- CARRIED

**ITEM 10.11**

**DELIVERY RIDERS**

CLR HUDA TEMPORARILY RETIRED FROM THE MEETING AT 8.07 PM AND RETURNED AT 8.08 PM.

**MOTION**

**CLR. MADIRAZZA:/CLR. WAUD**

That Council writes to the NSW Police Commissioner, urging the NSW Police to increase action against the illegal practices employed by delivery riders.

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

That Council writes to the NSW State Government and the NSW Police Commissioner, requesting they investigate the employment practices, in particular Occupational, Health and Safety issues associated with the employment of delivery drivers and also investigate measures to eliminate the illegal practices undertaken by delivery riders.

CLR MADIRAZZA AND CLR WAUD ACCEPTED CLR SALEH'S AMENDMENT BE INCLUDED IN THE MOTION.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

---

**(956)**

**CLR. MADIRAZZA:/CLR. WAUD**

That Council writes to the NSW State Government and the NSW Police Commissioner, requesting they investigate the employment practices, in particular Occupational, Health and Safety issues associated with the employment of delivery drivers and also investigate measures to eliminate the illegal practices undertaken by delivery riders.

- CARRIED

**ITEM 10.12**

**SUPPORTING BUSINESS THROUGH COVID RECOVERY**

**MOTION**

**CLR. ZAKHIA:/CLR ISHAC**

That Council liaison officers engage with small businesses and where support is needed, point them to Council programs or appropriate State and Federal government support programs.

AT THIS STAGE CLR EL-HAYEK REQUESTED THAT THE MOTION BE AMENDED AS FOLLOWS:

That

1. Council liaison officers engage with small businesses and where support is needed, point them to Council programs or appropriate State and Federal government support programs.
2. Council write to the State and Federal Governments requesting more financial and other support for Councils to support local business.

CLR ZAKHIA AND CLR ISHAC ACCEPTED CLR EL-HAYEK'S AMENDMENT BE INCLUDED IN THE MOTION.

**(957)**

**CLR. ZAKHIA:/CLR. ISHAC**

RESOLVED that

1. Council liaison officers engage with small businesses and where support is needed, point them to Council programs or appropriate State and Federal government support programs.
2. Council write to the State and Federal Governments seeking more financial and other support for Councils to support local business.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

---

**SECTION 11: CONFIDENTIAL SESSION**

**(958) CLR. EL-HAYEK:/CLR. ISHAC**

RESOLVED that, in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Items 11.1 and 11.2 in confidential session for the reasons indicated:

Item 11.1 T33-20 - Waste Collection 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.*

Item 11.2 Property Matter - 19 and 21 Wangee Road, Lakemba

*This report is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 8.15 PM AND REVERTED BACK TO OPEN COUNCIL AT 8.29 PM.**

**ITEM 11.1 T33-20 - WASTE COLLECTION SERVICES**

**(959) CLR. DOWNEY:/CLR. EISLER**

RESOLVED that

1. Council accepts the tenders received from:
  - (a) JJ Richards for garden organics collection services, for a period of seven years and four months, with the option to extend the contract by three years, subject to satisfactory performance of the contractor as determined by the General Manager; and
  - (b) SUEZ for bulky waste collection services, for a period of ten years and four months.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 26 MAY 2020**

---

2. The General Manager be authorised to enter into all contracts and sign all documentation in accordance with Council’s resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

**ITEM 11.2                    PROPERTY MATTER - 19 AND 21 WANGEE ROAD, LAKEMBA**

**(960)                        CLR. MADIRAZZA:/CLR. EL-HAYEK**

RESOLVED that Council agree to the proposed approach regarding the matter, as outlined in the report.

- CARRIED

**THE MEETING CLOSED AT 8.30 PM.**

Minutes confirmed 23 JUNE 2020

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Mayor