

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 APRIL 2020

PRESENT IN COUNCIL

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

PRESENT BY AUDIO

VISUAL LINK: Councillors Kuskoff, Raffan Eisler, Huda

APOLOGIES: Nil

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.05 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

(904) CLR. HARIKA:/CLR. TUNTEVSKI

RESOLVED that the minutes of the Ordinary Council Meeting held on 24 March 2020 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

Nil

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

Nil

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SECTION 4: MAYORAL MINUTES

ITEM 4.1 STIMULATING LOCAL GOVERNMENT
(905) CLR. ASFOUR

RESOLVED that Council write to our local Federal Members, and State Members, Prime Minister, NSW Premier, Federal Treasurer, NSW Treasurer, NSW Local Government Minister, Federal Minister for Local Government, Federal Opposition Leader, NSW Opposition Leader, Federal Shadow Minister for Local Government and the NSW Shadow Minister for Local Government, to confirm their support for increased financial assistance and stimulus funding for local government to help councils maintain essential services and employment during the COVID-19 pandemic and the range of other measures outlined by Canterbury Bankstown Council and the local government sector's campaign for assistance.

- CARRIED

ITEM 4.2 COMMUNITY GRANTS PROGRAM ADVANCEMENT
(906) CLR. ASFOUR

RESOLVED that Council fast tracks \$200,000 from next year's community grant program to this year, to assist those outstanding organisations helping our community to deal with the impacts of the Coronavirus.

- CARRIED

ITEM 4.3 LOCAL COMMUNITY BASED DONATIONS
(907) CLR. ASFOUR

RESOLVED that –

1. Council support the request from The Heart Foundation Gear Up Girl and waive the fee of \$174.50 for the use of Rosedale Reserve and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
2. Council support the request from Seena Incorporated for the R4R Program and donate \$5,000 to enable them to deliver a special project for a very different Ramadan in 2020 to the local community.

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3. These funds to be made available from Council's Community Grants and Events Sponsorship budget.

- CARRIED

SECTION 5: PLANNING MATTERS

ITEM 5.1 CANTERBURY DEVELOPMENT CONTRIBUTIONS PLAN - WORKS PROGRAM REVIEW

(908) CLR. DOWNEY:/CLR. ISHAC

RESOLVED that

1. Council exhibit the amendments to the Works Program contained within the Canterbury Development Contributions Plan 2013 as shown in Attachment A.
2. A further report be submitted to Council following the exhibition period.

- CARRIED

SECTION 6: POLICY MATTERS

ITEM 6.1 POLICY UPDATES - CBCITY RELIEF PACKAGE

(909) CLR. DOWNEY:/CLR. ZAKHIA

RESOLVED that Council endorse the proposed actions as outlined in the report.

- CARRIED

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 REVIEW OF THE 2019/20 OPERATIONAL PLAN AND BUDGET TO MARCH 2020

(910) CLR. MADIRAZZA:/CLR. HARIKA

RESOLVED that

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1. Council note the quarterly review of its 2019/20 Operational Plan to 31 March 2020 and adopt the March 2020 Quarterly Budget Review as outlined in this report.
2. Council allocate Ward Funds as outlined in the report.

- CARRIED

ITEM 7.2 2020/21 DRAFT OPERATIONAL PLAN, BUDGET AND SCHEDULE OF FEES AND CHARGES

(911) CLR. WAUD:/CLR. ZAKHIA

RESOLVED that

1. In accordance with Section 405 of the *Local Government Act 1993*, the draft Operational Plan 2020/21, including the draft 2020/21 Budget and draft 2020/21 Schedule of Fees and Charges, be placed on public exhibition.
2. The proposed Rating and Annual Charges for 2020/21 as outlined in Annexures F and G (forming part of Attachment A to this report) be adopted. The proposal is based on the following:
 - (a) For areas covered by the former City of Bankstown
 - (i) Council's ordinary and special (CBD Infrastructure Improvement) rates for 2020/21 making provision for an ad valorem structure and an increase to Council's general income equivalent to the percentage of 2.6%, as specified by the Independent Pricing and Regulatory Tribunal (IPART).
 - (ii) A Minimum Ordinary Residential Rate of \$636.80 in respect of each separate parcel of rateable land in the City categorised as Residential land.
 - (iii) A Minimum Ordinary Business Rate of \$778.70 for each parcel of rateable land in the City categorised as Business.
 - (iv) Annual charges from Domestic Waste collection be set at \$565.00 for all Residential properties.
 - (v) The maximum mandatory pensioner rebate of \$250.00 per annum. In addition Council continue to provide a further voluntary rebate, which equates to \$40.00 per annum in

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accordance with Council's 'Rates and Charges Debt Recovery and Hardship Assistance Policy'.

(vi) Annual Charges for Stormwater Management Services as follows:

- **Residential Properties**

- Annual Residential Charge of \$25.00 per property.
- Annual Residential Strata Charge of \$12.50 per property.

- **Business Properties**

- Annual Charge of \$25.00 per property plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.

- **Mixed Development**

- Adopt the dominant Rating category as applied to the parcel of land as determined by the Valuer General and apply to each relevant property.
- In the event that a mixed development is 50% residential and 50% business, Council will apply a residential charge.

- **Exemptions**

In addition to the exemptions stipulated in the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, the following exemptions will also apply in managing the service:

- Council-owned land;
- Bowling and Golf Clubs - where the dominant use is open space;
- Properties zoned:
 - Open space 6(a);
 - Private Recreation 6(b); and
 - Rural

(vii) A maximum rate of interest on overdue rates and charges as specified by the Minister for Local Government.

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- (b) For areas covered by the former City of Canterbury
- (i) Council's ordinary rates for 2020/21 making provision for an ad valorem structure and an increase to Council's general income equivalent to the percentage of 2.6%, as specified by the Independent Pricing & Regulatory Tribunal (IPART).
 - (ii) A Minimum Ordinary Residential Rate of \$713.90 in respect of each separate parcel of rateable land in the City categorised as Residential land.
 - (iii) A Minimum Ordinary Business Rate of \$713.90 for each parcel of rateable land in the City categorised as Business.
 - (iv) Annual charges from Domestic Waste collection be set at \$530.00 for all Residential and Business properties.
 - (v) The maximum mandatory pensioner rebate of \$250.00 per annum. In addition Council to provide a further voluntary rebate, which equates to \$40.00 per annum in accordance with Council's 'Rates and Charges Debt Recovery and Hardship Assistance Policy'.
 - (vi) Annual Charges for Stormwater Management Services as follows:
 - **Residential Properties**
 - Annual Residential Charge of \$25.00 per property.
 - Annual Residential Strata Charge of \$12.50 per property.
 - **Business Properties**
 - Annual Charge of \$25.00 per property plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.
 - **Mixed Development**
 - Adopt the dominant Rating category as applied to the parcel of land as determined by the Valuer General and apply to each relevant property.

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- In the event that a mixed development is 50% residential and 50% business, Council will apply a residential charge.

- **Exemptions**

In addition to the exemptions stipulated in the *Local Government Act 1993* and the *Local Government (General) Regulation 2005*, the following exemptions will also apply in managing the service:

- Council-owned land;
- Bowling and Golf Clubs - where the dominant use is open space;
- Properties zoned:
 - Open space 6(a);
 - Private Recreation 6(b); and
 - Rural

- (vii) A maximum rate of interest on overdue rates and charges as specified by the Minister for Local Government.

3. A further report be submitted to Council at the conclusion of the exhibition period.

- CARRIED

ITEM 7.3 **VACANCY IN CIVIC OFFICE**

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

RESOLVED that

1. The information be noted.
2. In accordance with Section 294 of the Local Government Act, Council make application to the Minister for Local Government requesting that a by election not be held as a result of the vacancy and that the office of the Councillor remain vacant until the next local government election.

- CARRIED

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ITEM 7.4 **INSURANCE RENEWALS AND BROKERAGE SERVICES**
(913) **CLR. DOWNEY:/CLR. ZAKHIA**

RESOLVED that

1. The information be noted.
2. Given the extenuating circumstances, as outlined in the report, and in accordance with Section 55(3)(i) of the Local Government Act 1993, Council agrees to engage Jardine Lloyd Thompson Pty Ltd for a period of one year, for the provision of Insurance Brokerage Services.
3. The General Manager be authorised to negotiate and enter into a contract and sign all documentation in accordance with Council’s resolution, as required.
4. In consultation with Council’s Insurance Broker, the General Manager be delegated authority to make the necessary arrangements to adequately insure Council for the 2020/21 financial year, as outlined in the report.

- CARRIED

ITEM 7.5 **CASH AND INVESTMENT REPORT AS AT 31 MARCH 2020**
(914) **CLR. MADIRAZZA:/CLR. TUNTEVSKI**

RESOLVED that

1. The Cash and Investment Report as at 31 March 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

Nil

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SECTION 9: COMMITTEE REPORTS

(915) CLR. WAUD:/CLR. HARIKA

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Committee Reports.

- CARRIED

ITEM 9.1 MINUTES OF THE SOCIAL INCLUSION REFERENCE GROUPS MEETINGS

(916) CLR. WAUD:/CLR. HARIKA

RESOLVED that the minutes of the Social Inclusion Reference Groups meetings be endorsed.

- CARRIED

ITEM 9.2 MINUTES OF THE PROSPERITY & INNOVATION REFERENCE GROUPS MEETINGS

(917) CLR. WAUD:/CLR. HARIKA

RESOLVED that the minutes of the Prosperity & Innovation Reference Groups meetings be endorsed.

- CARRIED

ITEM 9.3 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE HELD ON 11 MARCH 2020

(918) CLR. WAUD:/CLR. HARIKA

RESOLVED that

1. The recommendations contained in the minutes of the Audit Risk and Improvement Committee meeting held on 11 March 2020 be adopted.
2. The proposal to extend the term of the current Audit Risk and Improvement Committee to March 2022 be adopted.

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3. The election of the chairperson for the Audit Risk and Improvement Committee for its remaining term be noted.

- CARRIED

ITEM 9.4 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 14 APRIL 2020**
(919) **CLR. WAUD:/CLR. HARIKA**

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 14 April 2020, be adopted.

- CARRIED

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

(920) **CLR. TUNTEVSKI:/CLR. SALEH**

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 10.2 and 10.7.

- CARRIED

ITEM 10.1 **NOTICE OF MOTIONS**

(921) **CLR. TUNTEVSKI:/CLR. SALEH**

RESOLVED that the information be noted.

- CARRIED

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ITEM 10.2 **BAN THE TRADE IN ILLEGAL WILDLIFE**
(922) **CLR. DOWNEY:/CLR. TUNTEVSKI**

RESOLVED that Council:

1. Supports the ongoing efforts to eliminate wildlife trafficking;
2. Raises awareness with the public, through its established communication channels, of the dangers associated with wildlife trafficking, particularly for human consumption; and
3. Writes to the NSW and Australian Governments expressing this support and seeking their advice on what measures NSW and Australia are taking to prevent the trafficking of wildlife domestically and internationally.

- CARRIED

ITEM 10.3 **RECOGNISING EDDIE AVENUE, PANANIA**
(923) **CLR. TUNTEVSKI:/CLR. SALEH**

RESOLVED that Council install appropriate signs on Eddie Avenue, Panania, recognising the origin of the street name and documenting Lance Corporal Edward Maxwell's story.

- CARRIED

ITEM 10.4 **5G**
(924) **CLR. TUNTEVSKI:/CLR. SALEH**

RESOLVED that Council writes to the Federal Communications Minister, seeking:

1. Information on the existing and proposed deployment of 5G facilities within the Canterbury-Bankstown LGA; and
2. That the health impacts of 5G be fully explored and/or made available to the public prior to the deployment of any more 5G facilities.

- CARRIED

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ITEM 10.5 **SUPPORTING THE AVIATION INDUSTRY**
(925) **CLR. TUNTEVSKI:/CLR. SALEH**

RESOLVED that Council:

1. Acknowledges the critical importance of a healthy, competitive domestic airline industry;
2. That the domestic airline industry be serviced by Australian-based companies;
3. Acknowledges that domestic aviation is the responsibility of the Federal Government; and
4. Writes to its Federal Members of Parliament expressing its concern at the prospect of the domestic airline industry becoming a monopoly.

- CARRIED

ITEM 10.6 **FRACKING THE NT**
(926) **CLR. TUNTEVSKI:/CLR. SALEH**

RESOLVED that Council:

1. Write to Origin Energy:
 - Noting Council's Power Purchase Agreement with Origin Energy, through SSROC, 20% of which is currently sourced from the Moree Solar Farm;
 - Noting Council's acknowledgement, in August 2019, of the existence of a climate emergency and our plans to achieve zero net emissions by 2050;
 - Expressing our support for the traditional owners and communities in the Northern Territory who have expressed their strong opposition to fracking due its threats to the climate and to their lands, waters and rights; and
 - Requesting that Origin Energy cease all plans to conduct fracking in the Northern Territory and elsewhere due to its impact on the climate, communities, environment and water, and commit to further

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investment in environmentally and socially sustainable renewable energy projects.

2. Forward a copy of the letter referred to above to all NSW Regional Organisation of Councils and Joint Organisations.
3. Writes to all state and territory Energy and Environment ministers urging them to implement, strengthen or retain permanent bans on the use of hydraulic fracturing (fracking) to extract gas within their jurisdictions.
4. Continues to increase the use of sustainable energy for its operations.

- CARRIED

ITEM 10.7 **FLOOD PLANNING CONTROLS**
(927) **CLR. WAUD:/CLR. ISHAC**

RESOLVED that:

1. Council receive a briefing outlining the mechanisms available to ensure flooding and associated impacts are appropriately considered and planned for across the city; and
2. What approach has been taken to secure the safety of future residents at the Riverlands site in light of the flood event experienced in February this year.

- CARRIED

ITEM 10.8 **PLANNING CHANGE TRANSPARENCY**
(928) **CLR. TUNTEVSKI:/CLR. SALEH**

RESOLVED that Canterbury Bankstown Council acknowledges the impacts on the community, on business and on employment brought about by the Covid-19 pandemic. We also recognise that the NSW State Government has needed to respond with extraordinary legislation to assist the community to stay safe and aid with their economic safety.

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Canterbury Bankstown Council acknowledges that the amendments to planning legislation have given the Minister powers that include overriding all Council conditions of consent.

The NSW State Government has indicated it is proposing to implement further changes to planning legislation in order to fast track development and zonings.

We request that NSW State Government consult in an open and timely manner with Council before putting amendments to the Parliament.

- CARRIED

SECTION 11: CONFIDENTIAL SESSION

Nil

THE MEETING CLOSED AT 6.35 PM.

Minutes confirmed 26 MAY 2020

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Mayor