

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

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

PRESENT BY AUDIO

VISUAL LINK: Councillors Raffan, Huda, Kuskoff

APOLOGIES Councillor Eisler

COUNCILLOR KUSKOFF WAS NOT PRESENT IN THE MEETING AT THE COMMENCEMENT OF THE MEETING.

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.03 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

(1000)

CLR. ZAKHIA:/CLR. RAFFAN

RESOLVED that the minutes of the Ordinary Council Meeting held on 23 June 2020 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

(1001)

CLR. EL-HAYEK:/CLR. ISHAC

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

- CARRIED

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

Nil

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SECTION 4: MAYORAL MINUTES

ITEM 4.1 CANTERBURY RACECOURSE
(1002) CLR. ASFOUR

RESOLVED that -

1. Council writes to the NSW Department of Planning, Industry and Environment requesting it establish a 'Canterbury Racecourse Coordination Committee'
2. Council also writes to the to the Greater Sydney Commission requesting that the South and Central City Districts Commissioner, Mr. Peter Poulet chair the Committee with membership from key relevant government agencies and the Australian Turf Club.
3. Council establish a community voice panel of up to 10 individuals to be selected through an expression of interest process with the aim of obtaining a broad mix of community who will be formally engaged throughout the process.

- CARRIED

AT 6.05 PM HIS WORSHIP THE MAYOR ACKNOWLEDGED THAT CLR KUSKOFF ENTERED THE MEETING BY AUDIO VISUAL LINK.

ITEM 4.2 INFRASTRUCTURE
(1003) CLR. ASFOUR

RESOLVED that Council engage with both the State and Federal Governments to seek funding for key infrastructure projects proposed by Council that will generate immediate employment opportunities and stimulate local businesses.

- CARRIED

ITEM 4.3 COVID-19 BUSINESSES
(1004) CLR. ASFOUR

RESOLVED that Council write to the NSW Government confirming Council's support for COVID safe business initiatives and also outlining Council's concerns regarding appropriate resourcing and regulatory authority to carry out enforcement.

- CARRIED

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ITEM 4.4 **REGAINING OUR SEAT AT THE NATIONAL CABINET**
(1005) **CLR. ASFOUR**

RESOLVED that

1. Council calls on the Australian and NSW Governments to return local government to the National Cabinet.
2. Council writes to our State and Federal Members of Parliament seeking their support that Local Government be a member of the National Cabinet.

- CARRIED

SECTION 5: **PLANNING MATTERS**

(1006) **PUBLIC ADDRESS**
CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that permission be granted to the person who has made the necessary application to address Council for five minutes.

- CARRIED

ITEM 5.1 **AMENDMENTS TO THE PLANNING AGREEMENT FOR THE FORMER RIVERLANDS**
(1007) **GOLF COURSE SITE IN MILPERRA**

MS ASHLIE STEVENSON (ON BEHALF OF BANKSTOWN BUSHLAND SOCIETY)
ADDRESSED COUNCIL.

(1007) **CLR. ASFOUR:/CLR. EL-HAYEK**

RESOLVED that

1. Council enter into the Deed of Variation as provided in Attachment A.
2. The General Manager be given delegation to make minor changes to the document that may be required for the purposes of execution, so long as these do not alter the intent or substance of the deed of variation.

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

Against:- Clrs Downey, Tuntevski and Waud

ITEM 5.2 **REVIEW OF INFRASTRUCTURE CONTRIBUTIONS IN NEW SOUTH WALES ISSUES PAPER - NSW PRODUCTIVITY COMMISSION**

(1008) **CLR. TUNTEVSKI:/CLR. ZAKHIA**

RESOLVED that

1. The Mayor be delegated authority to finalise Council’s submission to the NSW Productivity Commission on the Review of Infrastructure Contributions in New South Wales Issues Paper consistent with the issues presented in this report.
2. A copy of the final submission to be circulated to all Councillors.
3. The NSW Productivity Commission be requested to include Council as one of the stakeholders in the roundtable meetings proposed to be held in August this year.

- CARRIED

SECTION 6: **POLICY MATTERS**

ITEM 6.1 **SUBMISSION ON THE “INQUIRY INTO THE PROBLEM OF FERAL AND DOMESTIC CATS IN AUSTRALIA”**

(1009) **CLR. RAFFAN:/CLR. KUSKOFF**

RESOLVED that Council endorses the proposed submission to the Inquiry into the problem of feral and domestic cats in Australia.

- CARRIED

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SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 LOCAL GOVERNMENT REMUNERATION TRIBUNAL - DETERMINATION OF MAYOR AND COUNCILLOR FEES 2020/2021

(1010) CLR. MADIRAZZA:/CLR. WAUD

RESOLVED that

1. Effective from 1 July 2020 Council continues to apply the maximum fees structure for the Mayor and Councillors, as determined by the Local Government Remuneration Tribunal, being:
 - Mayoral Additional Fee \$88,600 p.a.
 - Councillor Fee \$30,410 p.a.
2. The current Additional Fee for the Deputy Mayor, being 20% of the Mayors Additional Fee, be confirmed.

- CARRIED

ITEM 7.2 PROPERTY MATTER - PROPOSED ACQUISITION OF COUNCIL LAND BY GEORGES RIVER COUNCIL

(1011) CLR. MADIRAZZA:/CLR. DOWNEY

RESOLVED that

1. Council agree to the proposal from Georges River Council to acquire Lot 12 DP 1038625, known as Tallawalla Street Reserve West, based on the same terms as those agreed in the original land swap with Hurstville City Council in 2011.
2. The Mayor and General Manager be authorised to execute all documents under the Common Seal of Council, as required.

- CARRIED

ITEM 7.3 PROPERTY MATTER - PROPOSED SALE OF 108 CRINAN STREET, HURLSTONE PARK

(1012) CLR. MADIRAZZA:/CLR. RAFFAN

RESOLVED that

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1. Council agree to the sale of 108 Crinan Street, Hurlstone Park, as outlined in the report.
2. The General Manager be authorised to sell the property based on the parameters, as outlined in the report.
3. The Mayor and General Manager be authorised to execute all documents under the Common Seal of Council, as required.
4. Council's 2020/21 Budget be adjusted to reflect relevant funding adjustments, as outlined in the report.
5. A further report, outlining other and/or future improvements in the Hurlstone Park / Ewen Park area, be provided to Council for its consideration in due course.

- CARRIED

ITEM 7.4
(1013)

CASH AND INVESTMENT REPORT AS AT 30 JUNE 2020
CLR. TUNTEVSKI:/CLR. DOWNEY

RESOLVED that

1. The Cash and Investment Report as at 30 June 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

ITEM 9.1 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD ON 10 JUNE 2020

(1014) CLR. HARIKA:/CLR. TUNTEVSKI

RESOLVED that the recommendations contained in the minutes of the Audit Risk and Improvement Committee meeting held on 10 June 2020, be adopted.

- CARRIED

ITEM 9.2 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 14 JULY 2020

(1015) CLR. HARIKA:/CLR. TUNTEVSKI

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

- CARRIED

SECTION 10: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

(1016) CLR. TUNTEVSKI:/CLR. ISHAC

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.

- CARRIED

ITEM 10.1 NOTICE OF MOTIONS

(1017) CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that the information be noted.

- CARRIED

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ITEM 10.2
(1018)

UWS MILPERRA SITE

CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that Council writes to the Minister for Education, requesting an urgent briefing on the matter of the UWS Milperra Campus.

- CARRIED

ITEM 10.3
(1019)

DENOUNCING HATE SPEECH

CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that Council -

1. Denounces public discourse which serves only to divide our communities and vilify marginalised communities, and
2. Writes to the Australian Human Rights Commission, to express concerns at the increased level of hate speech associated with the COVID-19 pandemic.

- CARRIED

ITEM 10.4
(1020)

CHILD WELLBEING

CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that Council -

1. Write to the NSW Minister for Education requesting the Department of Education prepare and distribute information on the wellbeing (whole of child mind and body) of children, for schools to distribute to their communities of parents and caregivers, and
2. That this information be appropriately translated into the common languages for each Local Government Area.

- CARRIED

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ITEM 10.5
(1021)

M5 EAST TOLL
CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that Council writes to the NSW Government, expressing its disappointment at the new toll imposed on the M5 East and calling for its removal and the introduction of a toll-free period on the M8.

- CARRIED

ITEM 10.6
(1022)

HARSHER PENALTIES FOR PRIVATE CERTIFIERS
CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that Council writes to the NSW Government to call for harsher penalties to apply to private certifiers found to have failed to act appropriately in discharging their duties.

- CARRIED

ITEM 10.7
(1023)

FOOTWAY DINING
CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that Council encourages businesses to utilise footway dining, where possible, to assist with social distancing.

- CARRIED

ITEM 10.8
(1024)

SAVE NSW KOALAS
CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that Council writes to the NSW Government in support of the establishment of a new Koala National Park along the Upper Georges River, as recommended by the NSW Legislative Council's Planning and Environment Committees inquiry into Koala populations and habitat in New South Wales.

- CARRIED

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ITEM 10.9
(1025)

HEAVY VEHICLE PARKING
CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that Council investigates whether instances of heavy vehicles parking in residential streets has increased and implement targeted compliance action where required.

- CARRIED

ITEM 10.10
(1026)

SMITH PARK BASKETBALL COURT
CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that Council considers the enclosure of the Smith Park basketball court and provides advice on the acoustics of the new surface.

- CARRIED

ITEM 10.11
(1027)

ENCOURAGING PLAY IN OUR STREETS
CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that Council considers how street play can be incorporated into the future development of strategies and plans for vibrant and liveable neighbourhoods.

- CARRIED

SECTION 11:

CONFIDENTIAL SESSION

(1028)

CLR. ISHAC:/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 11.1 and 11.2 in confidential session for the reasons indicated:

Item 11.1 EOI 02-20 Canterbury Leisure & Aquatics Centre and Max Parker
Leisure & Aquatics Centre

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ITEM 11.2
(1030)

T73-20 MILPERRA DRAIN MASTERPLAN WORKS STAGE 11 PART 2
CLR. ZAKHIA:/CLR. TUNTEVSKI

RESOLVED that

1. Council accepts the tender received from J Holdings Group Pty Ltd for an amount of \$1,358,192.00 (excluding GST) for the Milperra Drain Masterplan Works Stage Eleven Part Two;
2. The General Manager be authorised to enter into a Works-In-Kind agreement with Bankstown Golf Club for the proposed reconfiguration works within the golf course to an upper limit of \$750,000 (excluding GST).
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

THE MEETING CLOSED AT 6.40 PM.

Minutes confirmed 25 AUGUST 2020

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Mayor