

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 24 AUGUST 2021

PRESENT: His Worship the Mayor, Councillor Asfour
Councillors El-Hayek, Tuntevski, Madirazza

PRESENT BY AUDIO

VISUAL LINK: Councillors Kuskoff, Ishac, Raffan, Zakhia, Waud, Downey, Eisler, Huda, Saleh, Harika

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.04 PM

COUNCILLORS ATTENDING REMOTELY

(1388)

CLR. EL-HAYEK:/CLR. MADIRAZZA

RESOLVED that permission be granted to Councillors Kuskoff, Ishac, Raffan, Zakhia, Waud, Downey, Eisler, Huda, Saleh and Harika to attend the meeting remotely by zoom.

- CARRIED

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

(1389)

CLR. ZAKHIA:/CLR. TUNTEVSKI

RESOLVED that the minutes of the Ordinary Council Meeting held on 27 July 2021 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 THE CANTERBURY BANKSTOWN COMMUNITY - COVID19
(1390) CLR. ASFOUR

RESOLVED that Council

1. Write an open letter to the local newspaper with the view it be published thanking the community for their patience and understanding.
2. Write to the NSW Premier calling for more Pfizer vaccines for our LGA.
3. Calls on the NSW Premier to apologise on behalf of the Government over inflammatory comments made by the NSW Health Minister.

- CARRIED

ITEM 4.2 GET TESTED ! - COVID19
(1391) CLR. ASFOUR

RESOLVED that Council strongly urge the community to continue to get tested for COVID19.

- CARRIED

ITEM 4.3 EMERGENCY FINANCIAL SUPPORT - COVID19
(1392) CLR. ASFOUR

RESOLVED that

1. Council activate and reaffirm the emergency event provisions detailed in the Community Grants and Events Sponsorship Policy and other financial assistance outlined in this Mayoral Minute.
2. The General Manager be authorised to enact the necessary policy and legislative requirements to provide the financial assistance outlined in this Mayoral Minute.

- CARRIED

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ITEM 4.4 **RELIEF GRANTS - COVID19**
(1393) **CLR. ASFOUR**

RESOLVED that Council provide up to \$200,000 in financial assistance under the COVID Relief Grants Program for eligible Not for Profit community groups.

- CARRIED

ITEM 4.5 **EDUCATING IN A PANDEMIC - COVID19**
(1394) **CLR. ASFOUR**

RESOLVED that Council

1. Write to the CEOs of major Telcos on behalf of our primary and secondary students in the Canterbury Bankstown LGA, with the view of sourcing sim cards and dongles to enable them to access the internet free of charge.
2. Write to the NSW Minister for Education to release the results of a study by the NSW Education Standards Authority into the extent of disadvantage in the state's Schools caused by COVID and further urge the NSW Minister for Education to explore options at supporting students through this prolonged period, with one option being to provide "internet vouchers" to school principals to hand out to students in need.

- CARRIED

ITEM 4.6 **SCHOOL SELLOFF**
(1395) **CLR. ASFOUR**

RESOLVED that

1. Council write to the NSW Treasurer and express its opposition over any Education land grab and sale.
2. Furthermore, ask that if there are any surplus sites identified in our LGA, as suggested, as a goodwill gesture show that we are really all in this together and gift the land to Council so it can be used as open space and recreational/sporting facilities for all in the community to enjoy.

- CARRIED

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ITEM 4.7 **COUNCIL ELECTIONS TO REMOVE ALL REPRESENTATION - COVID19**
(1396) **CLR. ASFOUR**

RESOLVED that Council write to the Premier and the Minister for Local Government urging them to make the necessary changes which will see our City continue to be represented by a Mayor following the Ordinary Election on 4 December 2021.

- CARRIED

SECTION 5: **PLANNING MATTERS**

(1397) **SUSPENSION OF STANDING ORDERS**
CLR. EL-HAYEK:/CLR. TUNTEVSKI

RESOLVED that

- i) Permission be granted Mr Theo Zotos and Mr Bill Parasiris to be available to respond to questions by Councillors if required.
- ii) Standing Orders be suspended and Item 5.3 be dealt with now.
- iii) Standing Orders then be resumed.

- CARRIED

ITEM 5.3 **PLANNING PROPOSAL FOR WSU MILPERRA SITE AT 2 AND 2A BULLECOURT**
(1398) **AVENUE, MILPERRA (RZ-3/2020)**
CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that

1. The report be noted.
2. The proposal does not proceed to Gateway Determination.
3. Council advise the Department of Planning, Industry and Environment accordingly.

- CARRIED

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

Against:- Nil

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STANDING ORDERS BE RESUMED

DUE TO TECHNICAL DIFFICULTIES HIS WORSHIP THE MAYOR ADJOURNED THE MEETING AT 7.14 PM

CLR ISHAC RETIRED FROM THE MEETING AT 7.14 PM

THE MEETING RESUMED AT 7.40 PM

ITEM 5.1 PLANNING PROPOSAL FOR 165-169 HOLDEN STREET, ASHBURY (ASHFIELD RESERVOIR)

MOTION CLR. ASFOUR:/CLR. HUDA

1. Council adopt the Planning Proposal as exhibited (Attachment A) and forward it to the Department of Planning, Industry and Environment with a request that the LEP be made.
2. Council endorse the draft site-specific DCP for 165-169 Holden Street, Ashbury with minor amendments as shown in Attachment B, to amend the Canterbury DCP 2012 and adopted Canterbury Bankstown DCP 2021 and that it be in force on the date that the consolidated LEP is finalised.
3. Council endorse the draft Planning Agreement as shown in Attachment C and delegate the General Manager to enter into the draft Planning Agreement.

- LOST

For:- Clr Asfour

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

(1399) CLR. EISLER:/CLR. DOWNEY

RESOLVED that Council not proceed to make the plan, and advise the Department of Planning, Industry and Environment accordingly.

- CARRIED

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

Against:- Nil

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ITEM 5.2 **PLANNING PROPOSAL FOR CHULLORA MARKETPLACE AT 353-355 WATERLOO ROAD, GREENACRE**

CLR EL-HAYEK TEMPORARILY VACATED THE CHAMBER AT 7.44 PM

(1400) **CLR. EISLER:/CLR. HUDA**

RESOLVED that

1. Council note the Bankstown Local Environmental Plan 2015 - Amendment No 13, applying to the Chullora Marketplace at 353-355 Waterloo Road Greenacre has been finalised and made by the Department of Planning, Industry and Environment.
2. Council endorse the draft Site Specific DCP amendment for 353-355 Waterloo Road, Greenacre as shown in Attachment B to amend the Bankstown DCP 2015 and the draft Consolidated DCP 2021 and that it be in force on 25 November 2021, the date Amendment No 13 becomes effective.
3. Council endorse the draft Planning Agreement as shown in Attachment C and authorise the General Manager to enter into the draft Planning Agreement.

- CARRIED

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

Against:- Nil

ITEM 5.3 **PLANNING PROPOSAL FOR WSU MILPERRA SITE AT 2 AND 2A BULLECOURT AVENUE, MILPERRA (RZ-3/2020)**

THIS MATTER WAS DISCUSSED PREVIOUSLY PLEASE SEE RESOLUTION NO. 1398 ON PAGE NO. 4.

SECTION 6: **POLICY MATTERS**

CLR EL-HAYEK RETURNED TO THE MEETING AT 7.47 PM

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(1401)

CLR. ZAKHIA:/CLR. WAUD

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of Items 6.1 to 9.1.

- CARRIED

ITEM 6.1

POLICY UPDATE - RATES AND CHARGES, DEBT RECOVERY AND HARDSHIP ASSISTANCE POLICY

(1402)

CLR. ZAKHIA:/CLR. WAUD

RESOLVED that Council adopt the revised Rates and Charges, Debt Recovery and Hardship Policy.

- CARRIED

SECTION 7:

GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1

REVIEW OF THE 2020/21 OPERATIONAL PLAN, DELIVERY PROGRAM AND BUDGET TO JUNE 2021

(1403)

CLR. ZAKHIA:/CLR. WAUD

RESOLVED that

1. The quarterly review of the 2020/21 Operational Plan and six-monthly review of the Delivery Program to 30 June 2021 be noted, and the June 2021 Quarterly Budget Review as outlined in this report be adopted.
2. Council authorise the carryover of \$54.6M of funding to complete certain capital and operating projects commenced throughout the 2020/21 financial year, as outlined in the report.
3. Council apply all rates and charges written off during the year to its rating databases in satisfying its obligation under the Local Government Act 1993 and Local Government (General) Regulation 2005, as outlined in the report.
4. Council endorse the write-off of sundry debts for the 2020/21 financial year, as outlined in the report.

- CARRIED

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ITEM 7.2 **CODE OF MEETING PRACTICE - AMENDMENT TO 2021 SCHEDULE OF MEETINGS**
(1404) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED that

1. An Ordinary Meeting of Council be scheduled for 28 September 2021.
2. The Ordinary meeting of Council scheduled for 7 December 2021 be cancelled.

- CARRIED

ITEM 7.3 **FEES AND CHARGES 2020/21**
(1405) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED that

1. In principle, Council endorse the introduction of a new fee of \$2,500 (plus GST) for a pre-lodgement service for regionally significant development applications
2. In accordance with Section 610F of the Local Government Act 1993, Council exhibit the proposed fee/charge, as required.
3. A further report be presented to Council following the public exhibition period.

- CARRIED

ITEM 7.4 **CASH AND INVESTMENT REPORT AS AT 31 JULY 2021**
(1406) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED that

1. The Cash and Investment Report as at 31 July 2021 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

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MATTER OF URGENCY

(1409)

CLR. HARIKA:/CLR. TUNTEVSKI

RESOLVED that urgency be permitted and Item 9.2 be considered in Committee Reports.

- CARRIED

ITEM 9.2

MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 24 AUGUST 2021

(1410)

CLR. HARIKA:/CLR. HUDA

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 24 August 2021, be adopted.

- CARRIED

SECTION 10:

NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

(1411)

CLR. TUNTEVSKI:/CLR. HUDA

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of Items 10.1 and 10.3.

- CARRIED

ITEM 10.1

NOTICE OF MOTIONS

(1412)

CLR. TUNTEVSKI:/CLR. HUDA

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2

AFGHANISTAN WITHDRAWAL

CLR EL-HAYEK TEMPORARILY VACATED THE CHAMBER AT 7.58 PM

(1413)

CLR. RAFFAN:/CLR. EISLER

RESOLVED that Council:

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1. Write to the Prime Minister Scott Morrison, the Minister for Defence Peter Dutton and the Minister for Foreign Affairs Marise Payne expressing our great disappointment in the Federal Government's response to the announcement and withdrawal of foreign troops from Afghanistan in protecting vulnerable citizens, interpreters and Australian defence force contractors from harm and deprivation at the hands of insurgents; and
2. Also write to the Leader of the Opposition in the Senate Shadow Minister for Foreign Affairs, Senator Penny Wong and Senator Jacqui Lambie, urging them to support a Senate Inquiry into the Federal Government's slow response and handling of visa applications by hundreds of Afghan people who supported Australia on the ground.

- CARRIED

ITEM 10.3 **IN-SCHOOL COVID19 VACCINATION PROGRAM**
(1414) **CLR. TUNTEVSKI:/CLR. HUDA**

RESOLVED that Council write to the State Government to consider the introduction of an in-school Covid-19 vaccination program for high school aged students so as to both assist the fast tracking of the vaccination roll out for Children in the short term and to safeguard our Children into the future from Covid-19.

- CARRIED

ITEM 10.4 **HENRY LAWSON DRIVE, MILPERRA**
(1415) **CLR. DOWNEY:/CLR. TUNTEVSKI**

CLR EL-HAYEK RETURNED TO THE MEETING AT 8.00 PM

RESOLVED that Council writes to the Minister for Transport and Roads, requesting the full function of the intersection of Henry Lawson Drive and Auld Avenue be retained and that the NSW Government commit to funding the remaining stages between the Hume Highway and M5.

- CARRIED

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ITEM 10.5
(1416)

MOBILE SPEED CAMERAS

CLR. EL-HAYEK:/CLR. TUNTEVSKI

RESOLVED that Council once again writes to the Minister for Transport and Roads, welcoming his commitment to install new signs and seeking his commitment that advanced warning signs and high visibility vehicle marking be reinstated immediately.

- CARRIED

ITEM 10.6
(1417)

ONE RULE FOR US, ANOTHER FOR OTHERS

CLR. EL-HAYEK:/CLR. HARIKA

RESOLVED that Council:

1. Write to the NSW Premier Gladys Berejiklian calling on her to stop this NSW Governments blatant double standards on hard working Australians across Sydney, in particular introducing health orders which single out Construction workers, forcing them to get vaccinated and tested, or lose their jobs.
2. We further write to the NSW Minister for Health Brad Hazzard calling on him to release the medical advice which allows construction workers outside the LGAs considered as hotspots, to come and go as they please, without the same restrictions imposed on them.
3. We call on the NSW Government when imposing, or lifting health orders, that these orders are applied equally across greater Sydney and that includes curfews. This equity and fairness will ensure goodwill with the community and we will continue to see high vaccination rates in Our City and not to single out specific industries.

- CARRIED

ITEM 10.7
(1418)

LEBANON HUMANITARIAN RELIEF

CLR. SALEH:/CLR. EL-HAYEK

RESOLVED that Council:

1. Call on like-minded Councillors to form a Relief for Lebanon working group, with the view of meeting with the Prime Minister, or his representative, on behalf of Council and the Lebanese Australians not only in our City but the rest of the country.

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2. The purpose of the meeting is to bring the humanitarian crisis to the Prime Minister's attention and to plead with him to offer financial or other support and/or establish a fundraising/donations hotline with tax deductible contributions.

- CARRIED

ITEM 10.8 **ENCOURAGING OUR COMMUNITY TO GET VACCINATED**
(1419) **CLR. ZAKHIA:/CLR. DOWNEY**

RESOLVED that Council:

1. Be congratulated for showing strong leadership and a proactive commitment to educate and support our community in getting vaccinated.
2. Congratulate all businesses, non-for-profits, our religious organisations and our medical sector for their support and commitment in getting everyone vaccinated throughout our area.
3. Continue to share information and encourage our community to both get vaccinated and get tested.

- CARRIED

SECTION 11: **CONFIDENTIAL SESSION**

PRIOR TO CONSIDERING THE REPORTS IN CONFIDENTIAL SESSION COUNCILLORS KUSKOFF, RAFFAN, ZAKHIA, WAUD, DOWNEY, EISLER, HUDA, SALEH AND HARIKA WHO WERE ATTENDING THE MEETING BY AUDIO VISUAL LINK DECLARED THERE WERE NO PERSONS WITHIN SIGHT OR HEARING OF THEM.

(1420) **CLR. HARIKA:/CLR. DOWNEY**

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 Item 11.1 in confidential session for the reasons indicated:

Item 11.1 General Manager's Performance Review

This report is considered to be confidential in accordance with Section 10A(2)(a) of the Local Government Act, 1993, as it relates to personnel matters concerning particular individuals.

- CARRIED

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**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 8.15 PM AND REVERTED
BACK INTO OPEN COUNCIL AT 8.19 PM.**

ITEM 11.1 GENERAL MANAGER'S PERFORMANCE REVIEW

MS KATH ROACH FROM SINC SOLUTIONS ADDRESSED COUNCIL IN RESPECT OF THIS
MATTER.

CLR KUSKOFF TEMPORARILY VACATED THE CHAMBER AT 8.15 PM AND RETURNED
AT 8.17 PM.

(1421) CLR. DOWNEY:/CLR. MADIRAZZA

RESOLVED that

1. Council receive and note the General Manager Performance Review Panel's Report.
2. Council note the General Manager's performance for the review period as determined by the panel was either 'highly effective' or 'exceptional' in all eight (8) Strategic Outcome/Topic criteria.

- CARRIED

THE MEETING CLOSED AT 8.20 PM

Minutes confirmed 28 SEPTEMBER 2021

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Mayor