

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

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

PRESENT BY AUDIO
VISUAL LINK: Councillors Raffan, Zakhia, Waud, Eisler

APOLOGIES Councillors Huda, Kuskoff

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.05PM.

COUNCILLOR ATTENDING REMOTELY

(1456) CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that permission be granted to Councillors Raffan, Zakhia, Waud and Eisler 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

(1457) CLR. DOWNEY:/CLR. HARIKA

RESOLVED that the minutes of the Ordinary Council Meeting held on 28 September 2021 be adopted.

- CARRIED

(1458) CLR. DOWNEY:/CLR. HARIKA

RESOLVED that the minutes of the Extraordinary Council Meeting held on 28 September 2021 be adopted.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

SECTION 2: LEAVE OF ABSENCE

(1459) CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that Leave of Absence be granted to Councillor Huda due to health reasons and Councillor Kuskoff due to personal reasons.

- CARRIED

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

In respect of Item 7.4 – 2021 COVID Relief Grants, Clr Saleh declared a significant, Non Pecuniary Conflict of Interest due to her working association with Riverwood Community Centre who are one of the recipients of a grant and also auspiced a number of other grant applications, and as such she will vacate the meeting taking no part in debate.

In respect of Item 7.4 – 2021 COVID Relief Grants, Clr El-Hayek declared a significant, Non Pecuniary Conflict of Interest due to his association with the Lighthouse Community Support Inc. who are one of the recipients of a grant and as such he will vacate the meeting taking no part in debate.

In respect of Item 7.4 – 2021 COVID Relief Grants, Clr Zakhia declared a significant, Non Pecuniary Conflict of Interest due to his association with the Zahle Association Incorporation who are one of the recipients of a grant and as such he will vacate the meeting taking no part in debate.

In respect of Item 7.4 – 2021 COVID Relief Grants, Councillor Harika declared a non-significant, Non Pecuniary Conflict of Interest due to her membership of the congregations of St Charbel's who are recipients of a grant. Councillor Harika advised that it will not affect her consideration of the item and she will remain in the Chamber.

In respect of Item 7.4 – 2021 COVID Relief Grants, Councillor Ishac declared a non-significant, Non Pecuniary Conflict of Interest due to his membership of the congregations of St Charbel's who are recipients of a grant. Councillor Ishac advised that it will not affect his consideration of the item and he will remain in the Chamber.

In respect of Item 7.4 – 2021 COVID Relief grants, the Mayor Asfour declared a non-significant, Non Pecuniary Conflict of Interest due to his role as Mayor where he is an Honorary Patron of one of the recipients of a grant. He is also a member of the congregations St Charbel's, St Johns and St Nicholas Antiochian Orthodox Churches who are also recipients of a grant. Mayor Asfour advised

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

that it will not affect his consideration of the item and he will remain in the Chamber.

SECTION 4: MAYORAL MINUTES

ITEM 4.1 BACK TO BUSINESS
(1460) CLR. ASFOUR

RESOLVED that the Mayoral Minute be noted.

- CARRIED

ITEM 4.2 COVID GRANT
(1461) CLR. ASFOUR

RESOLVED that

1. The Mayoral Minute be noted.
2. The General Manger finalise the necessary administrative obligations required under the Grant agreement..

- CARRIED

ITEM 4.3 LOCAL COMMUNITY BASED DONATIONS
(1462) CLR. ASFOUR

RESOLVED that

1. Council support Padstow Community Care by way of \$250 donation to help with launching its Spring Exercise Challenge.
2. Council support the Zonta Club's request through sponsoring an award in their 2021-2022 Citizenship Award by way of a \$250 donation, and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
3. Council support Muslim Care through a \$270 donation that can be used towards the cost to hire Lakemba Seniors Citizen Centre, and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

4. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

SECTION 5: PLANNING MATTERS

ITEM 5.1 PLANNING PROPOSAL - 34 ALLAN AVENUE, BELMORE AND BENDA STREET RESERVE, BELMORE

(1463) CLR. DOWNEY:/CLR. EISLER

RESOLVED that

1. Council prepare and submit a Planning Proposal for the following properties to seek a Gateway Determination from the Department of Planning, Industry & Environment (the Department):

For the land at 34 Allan Avenue, Belmore:

- a) Amend the zoning of the land from Zone RE1 Public Recreation to Zone R3 Medium Density Residential;
- b) Permit a maximum Floor Space Ratio of 0.5:1;
- c) Permit a maximum of 8.5m Height of Building;
- d) Apply 460m² minimum Lot Size Area;
- e) Remove the subject site from the Land Reservation Acquisition Map.

For the land known as Benda Street Reserve:

- f) Amend the zoning of the land from Zone R3 Medium Density Residential to Zone RE1 Public Recreation;
- g) Remove a maximum Floor Space Ratio of 0.5:1;
- h) Remove a maximum of 8.5m Height of Building;
- i) Remove 460m² minimum Lot Size Area.

- 2. Council exhibit the Planning Proposal in accordance with the Gateway Determination issued by the Department.
- 3. Council seek delegation from the Department as the local plan making authority.
- 4. The General Manager be delegated authority to make relevant changes to the Planning Proposal as required by the Gateway Determination.
- 5. Council consider a further report post exhibition including outcomes of the consultation process.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

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

Against:- Nil

ITEM 5.2 DRAFT AFFORDABLE HOUSING CONTRIBUTION SCHEME AND PLANNING PROPOSAL

(1464) CLR. DOWNEY:/CLR. EL-HAYEK

RESOLVED that

1. Council prepare and submit the planning proposal, as provided in Attachment A, to the Department of Planning, Industry and Environment to seek a Gateway Determination.
2. Council seek authority from the Department of Planning, Industry and Environment to exercise the delegation in relation to the plan making functions under section 3.36(2) of the Environmental Planning and Assessment Act 1979.
3. Subject to the issue of a Gateway Determination, Council exhibit the planning proposal and the Draft Affordable Housing Contribution Scheme concurrently, and the matter be reported to Council following the exhibition.

- CARRIED

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

Against:- Nil

SECTION 6: POLICY MATTERS

Nil

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

(1465) CLR. TUNTEVSKI:/CLR. DOWNEY

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Governance and Administration Reports with the exception of Item 7.4.

- CARRIED

ITEM 7.1 2021 LOCAL GOVERNMENT ELECTIONS - IMPORTANT DATES AND EVENTS

(1466) CLR. TUNTEVSKI:/CLR. DOWNEY

RESOLVED that

1. The information be noted.
2. Council authorise the outgoing Mayor to continue to fulfil Council's civic and ceremonial functions for the period between Election Day and the holding of the Mayoral Election, as outlined in the report.

- CARRIED

ITEM 7.2 DISCLOSURE OF INTEREST RETURNS 2020-21

(1467) CLR. TUNTEVSKI:/CLR. DOWNEY

RESOLVED that the tabling of the Disclosure of interest Returns for 2020-21 be noted.

- CARRIED

ITEM 7.3 PROPOSED FEE AND CHARGE FOR REGIONALLY SIGNIFICANT DEVELOPMENT APPLICATIONS

(1468) CLR. TUNTEVSKI:/CLR. DOWNEY

RESOLVED that Council adopt the Fees and Charges outlined in the report.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

ITEM 7.4 **2021 COVID RELIEF GRANTS**

In respect of Item 7.4 – 2021 COVID Relief Grants, Clr Saleh declared a significant, Non Pecuniary Conflict of Interest due to her working association with Riverwood Community Centre who are one of the recipients of a grant and also auspiced a number of other grant applications, and as such she will vacate the meeting taking no part in debate.

In respect of Item 7.4 – 2021 COVID Relief Grants, Clr El-Hayek declared a significant, Non Pecuniary Conflict of Interest due to his association with the Lighthouse Community Support Inc. who are one of the recipients of a grant and as such he will vacate the meeting taking no part in debate.

In respect of Item 7.4 – 2021 COVID Relief Grants, Clr Zakhia declared a significant, Non Pecuniary Conflict of Interest due to his association with the Zahle Association Incorporation who are one of the recipients of a grant and as such he will vacate the meeting taking no part in debate.

In respect of Item 7.4 – 2021 COVID Relief Grants, Councillor Harika declared a non-significant, Non Pecuniary Conflict of Interest due to her membership of the congregations of St Charbel's Church who are recipients of a grant. Councillor Harika advised that it will not affect her consideration of the item and she will remain in the Chamber.

In respect of Item 7.4 – 2021 COVID Relief Grants, Councillor Ishac declared a non-significant, Non Pecuniary Conflict of Interest due to his membership of the congregations of St Charbel's who are recipients of a grant. Councillor Ishac advised that it will not affect his consideration of the item and he will remain in the Chamber.

In respect of Item 7.4 – 2021 COVID Relief grants, the Mayor Asfour declared a non-significant, Non Pecuniary Conflict of Interest due to his role as Mayor where he is an Honorary Patron of one of the recipients of a grant. He is also a member of the congregations St Charbel's, St Johns and St Nicholas Antiochian Orthodox Churches who are also recipients of a grant. Mayor Asfour advised that it will not affect his consideration of the item and he will remain in the Chamber.

CLRS EL-HAYEK, ZAKHIA AND SALEH TEMPORARILY VACATED THE MEETING AT 6.25PM AND RERTURNED AT 6.26PM.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

(1469) **CLR. DOWNEY:/CLR. MADIRAZZA**
RESOLVED that Council approve the distribution of the 2021 COVID Relief Grants Program as outlined in Attachment A.

- CARRIED

ITEM 7.5 **EMERGENCY FINANCIAL SUPPORT - COVID-19**
(1470) **CLR. TUNTEVSKI:/CLR. DOWNEY**

RESOLVED that Council adopt the financial support package.

- CARRIED

ITEM 7.6 **THE FESTIVAL OF PLACE - OPEN STREETS PARTNERSHIP FUNDING**
(1471) **CLR. TUNTEVSKI:/CLR. DOWNEY**

RESOLVED that Council endorse Campsie as the nominated centre for The Festival of Place – Open Streets partnership funding for the reasons outlined in this report and that an application be submitted.

- CARRIED

ITEM 7.7 **CASH AND INVESTMENT REPORT AS AT 30 SEPTEMBER 2021**
(1472) **CLR. TUNTEVSKI:/CLR. DOWNEY**

RESOLVED that

1. The Cash and Investment Report as at 30 September 2021 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

ITEM 7.8 **UNAUDITED 2020/21 ANNUAL FINANCIAL REPORT**
(1473) **CLR. TUNTEVSKI:/CLR. DOWNEY**

RESOLVED that

1. Council resolves that the attached 2020/21 Unaudited Annual Financial Reports, for the financial year ended 30 June 2021 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 Items 1 and 2, the Statement and the 2020/21 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

SECTION 8: **SERVICE AND OPERATIONAL MATTERS**

ITEM 8.1 **SPORTS FACILITIES STRATEGIC PLAN**
(1474) **CLR. HARIKA:/CLR. EISLER**

RESOLVED that

1. Council endorse the draft Sports Facilities Strategic Plan for public exhibition.
2. A further report be submitted to Council at the conclusion of the public exhibition period to consider any submissions received.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

ITEM 8.2 **MIRAMBEENA REGIONAL RESERVE PLAN OF MANAGEMENT**
(1475) **CLR. TUNTEVSKI:/CLR. DOWNEY**

RESOLVED that

1. Council adopt the Mirambeena Regional Reserve Plan of Management.
2. Council update the Generic Plan of Management for Community Land and Crown Land with amendment notice revoking its application to Lansdowne Reserve and Amaroo Reserves.

- CARRIED

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 12 OCTOBER 2021**
(1476) **CLR. HARIKA:/CLR. DOWNEY**

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 12 October 2021, be adopted.

- CARRIED

ITEM 9.2 **MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD**
(1477) **13 OCTOBER 2021**
CLR. ISHAC:/CLR. HARIKA

RESOLVED that

1. The recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 13 October 2021, be adopted; and
2. The 4-Year (2021 – 2025) Strategic Internal Audit Plan be adopted.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

SECTION 10: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

(1478) CLR. TUNTEVSKI:/CLR. EL-HAYEK

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 Item 10.2, 10.3, 10.4, 10.8 and 10.9.

- CARRIED

ITEM 10.1 NOTICE OF MOTIONS

(1479) CLR. TUNTEVSKI:/CLR. EL-HAYEK

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 CARINYA ROAD PLAYGROUND

(1480) CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that Council investigate and implement appropriate protection measures at the playground located at Carinya Road, Picnic Point Reserve to maintain the safety of children.

- CARRIED

ITEM 10.3 FOOTPATH FUNDING

(1481) CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that Council seek the financial support of the NSW State Government so that Council can provide safer access throughout our suburbs by the provision of a more extensive formalised footpath network.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

ITEM 10.4 **PEDESTRIAN OVERPASS MILPERRA**
(1482) **CLR. DOWNEY:/CLR. TUNTEVSKI**

RESOLVED that Council advocate to the NSW Government to provide a pedestrian and cycle overpass as an integral part of any upgrades proposed to the Henry Lawson Drive Milperra.

- CARRIED

ITEM 10.5 **LITTER PREVENTION**
(1483) **CLR. TUNTEVSKI:/CLR. EL-HAYEK**

RESOLVED that Council

1. In principle endorse the Cooks River Litter Strategy and its target and principles.
2. Identify possible actions to support this strategy as part of Council's own Clean City Strategic Plan currently being developed.

- CARRIED

ITEM 10.6 **INFORMATION ON METRO**
(1484) **CLR. TUNTEVSKI:/CLR. EL-HAYEK**

RESOLVED that Council call on the State Government to pay for and commission local artists to improve the facades of the substation and service building monstrosities being constructed as part of the Sydney Metro. This is to be done in collaboration with the Bankstown Arts Centre.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

ITEM 10.7
(1485)

TREE MANAGEMENT

CLR. TUNTEVSKI:/CLR. EL-HAYEK

RESOLVED that Council, as part of the development of the Urban Forest Strategy, consider and incorporate educating the community on the importance of and benefit made by urban trees to the natural and built environment, to community resilience and to individual wellbeing.

- CARRIED

ITEM 10.8
(1486)

COOL OUR SUBURBS WITH REFLECTIVE ROOFING

CLR. EISLER:/CLR. MADIRAZZA

RESOLVED that Council:

1. Examine opportunities as part of the future DCP review to include controls on external finishes and roofing material to minimise heat retention in new developments.
2. Develop information and education resources for the community on the environmental benefits of choosing more reflective external finishing and roofing materials to reduce heat absorption, these may include solar panels.
3. Identify Council owned buildings that could be painted to become light coloured or heat reflective roofs.
4. Council prepare and submit a motion on this matter to the LGNSW Annual Conference to be held in February 2022.

- CARRIED

CLR TUNTEVSKI TEMPORARILY VACATED THE CHAMBER AT 6.41PM AND RETURNED AT 6.43PM

CLR HARIKA TEMPORARILY VACATED THE CHAMBER AT 6.44PM

ITEM 10.9
(1487)

PROTECTING KOALAS

CLR. EISLER:/CLR. DOWNEY

RESOLVED that Council:

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

1. Notes that since 1990, NSW koala populations have declined by between 20% and 50%, to be in the range of 15,000 to 25,000 remaining. Local extinctions have already occurred and the species is projected to become extinct in the wild in NSW within 30 years. Urgent action is needed to ensure future generations can see these iconic species in the wild.
2. Writes to the Premier, Minister for Planning & Public Spaces, Minister for Energy and Environment, and Minister for Agriculture urging them to:
 - a. Maintain council dual consent provisions for Private Native Forestry in Local Environmental Plans, to account for the variability within regions, zoning objectives, site survey needs, traffic and infrastructure limitations, and consultation with adjoining land holders;
 - b. Maintain council's ability to regulate environmental zones to protect, manage and restore lands of high ecological, scientific, cultural or aesthetic values, particularly for the protection of core koala habitat;
 - c. Provide planning certainty, resources and support for identifying core koala habitat and the development of Koala Plans of Management; and
 - d. Allow for departures from the Koala Habitat Protection Guideline based on existing surveys, local circumstances or emerging technology where this is agreed to by the Department.

- CARRIED

CLR HARIKA RETURNED TO THE CHAMBER AT 6.46PM

ITEM 10.10 **FRONT-LINE WORKERS OF OUR CITY**
(1488) **CLR. TUNTEVSKI:/CLR. EL-HAYEK**

RESOLVED that Council install temporary banners to thank the hard working front-line workers of our City that have got us through this lockdown.

- CARRIED

SECTION 11: **CONFIDENTIAL SESSION**

PRIOR TO CONSIDERING THE REPORT IN CONFIDENTIAL SESSION COUNCILLORS EISLER, ZAKIA, RAFFAN AND WAUD WHO WERE ALL ATTENDING THE MEETING BY AUDIO VISUAL LINK DECLARED THERE WERE NO PERSONS WITHIN SIGHT OR HEARING OF THEM.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 OCTOBER 2021

(1489)

CLR. DOWNEY:/CLR. MADIRAZZA

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 Dunc Gray Velodrome – Handlebar Tavern Centre of Excellence Proposal

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 6.53PM AND REVERTED BACK INTO OPEN COUNCIL AT 6.56PM.

ITEM 11.1

DUNC GRAY VELODROME – HANDLEBAR TAVERN CENTRE OF EXCELLENCE PROPOSAL

(1490)

CLR. MADIRAZZA:/CLR. ZAKHIA

RESOLVED that

1. The Council in principle endorses the proposal to enter into a Heads of Agreement with the Canterbury Bankstown Bulldogs to for the use of the Handle Bar Tavern as a short term 'Centre of Excellence'.
2. The General Manager be delegated authority to negotiate the terms of the Heads of Agreement and transition it into a lease as outlined in this report.
3. Subject to 2 Council publicly exhibit the intended Heads of Agreement in accordance with Section 47A (2) (a) of the Local Government Act 1993.
4. At the conclusion of the above a further report be provided for Council's consideration and decision.

- CARRIED

THE MEETING CLOSED AT 6.57PM

Minutes confirmed 23 NOVEMBER 2021

.....
Mayor