

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 JULY 2021

PRESENT: His Worship the Mayor, Councillor Asfour
Councillor Tuntevski

PRESENT BY AUDIO

VISUAL LINK: Councillors Kuskoff, El-Hayek, Ishac, Raffan, Zakhia, Waud, Downey, Huda, Saleh, Madirazza, Harika

APOLOGIES: Councillor Eisler

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.05 P.M.

COUNCILLORS ATTENDING REMOTELY

(1350)

CLR. ISHAC:/CLR. MADIRAZZA

RESOLVED that permission be granted to Councillors Kuskoff, El-Hayek, Ishac, Raffan, Zakhia, Waud, Downey, Huda, Saleh, Madirazza 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

(1351)

CLR. ZAKHIA:/CLR. DOWNEY

RESOLVED that the minutes of the Ordinary Council Meeting held on 22 June 2021 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

(1352)

CLR. TUNTEVSKI:/CLR. RAFFAN

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

- CARRIED

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

In respect of Item 7.1 – 2021-2022 Community Grants and Events Sponsorship Program, 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 community grant and advised that it would not affect his consideration of the item and will remain in the Chamber.

In respect of Item 4.7 – Refugee Support, Clr El-Hayek declared a significant, Non Pecuniary Conflict of Interest given his association with the LMA and as such he will vacate the meeting taking no part in debate.

In respect of Item 7.1 – 2021-2022 Community Grants and Events Sponsorship Program, Clr El-Hayek similarly declared a significant, Non Pecuniary Conflict of Interest due to his association with a number of the recipients of a community grant due to the community work he undertakes. As such he will vacate the meeting taking no part in debate.

In respect of Item 4.7 – Refugee Support, Clr Saleh declared a significant, Non Pecuniary Conflict of Interest given that a family member is employed by the LMA and as such he will vacate the meeting taking no part in debate.

In respect of Item 7.1 – 2021-2022 Community Grants and Events Sponsorship Program, Clr Saleh similarly 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 community grant and as such she will vacate the meeting taking no part in debate.

In respect of Item 7.1 – 2021-2022 Community Grants and Events Sponsorship Program, Clr Zakhia declared a significant, Non Pecuniary Conflict of Interest due to his close relationship with a number of recipients of community grants and as such he will vacate the meeting taking no part in debate.

SECTION 4: MAYORAL MINUTES

ITEM 4.1 CHARITY BALL - ASFOUR
(1353) CLR. ASFOUR

RESOLVED that

1. Council support a Mayoral Charity Dinner to be held in October this year.

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2. Funds raised from the 2021 Mayoral Charity Ball be donated to Biyani House.
- CARRIED

ITEM 4.2 **COVID SUPPORT - ASFOUR**
(1354) **CLR. ASFOUR**

RESOLVED that Council

1. Write to the Premier and Treasurer outlining the bottom-line cost of COVID which our Council absorbed and urge the NSW Government to reimburse this \$20 million dollars directly to those ratepayers in our city who have suffered hardship as a result of this latest lockdown.
2. Also write to the Prime Minister and Treasurer calling on them to reinstate Jobkeeper and offer further support and incentives to our local businesses.
3. Support the relief package outlined in the Mayoral Minute.

- CARRIED

ITEM 4.3 **COVID THANK YOU**
(1355) **CLR. ASFOUR**

RESOLVED that Council send out a huge shout out to residents of Canterbury Bankstown for all they are doing to stop the spread of Covid by staying at home, getting tested and getting vaccinated.

- CARRIED

ITEM 4.4 **LOCAL GOVERNMENT PORTFOLIOS**
(1356) **CLR. ASFOUR**

RESOLVED that Council write to the Prime Minister expressing Council's disappointment at the decision to scrap the local government ministerial portfolio and call on him to reinstate the position immediately, in the best interests of not only our City but all LGAs across the country.

- CARRIED

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ITEM 4.5 **INFRASTRUCTURE CONTRIBUTIONS REFORM**
(1357) **CLR. ASFOUR**

RESOLVED that Council writes to the Chair of the upper house Parliamentary Inquiry into Infrastructure Contributions Reform outlining our concerns and highlighting the blatant attempt by the Government to create a “back door” tax to pilfer money from local communities to prop up their own balance sheets.

- CARRIED

ITEM 4.6 **LOCAL COMMUNITY BASED DONATIONS**
(1358) **CLR. ASFOUR**

RESOLVED that

1. Council support OzHarvest Hamper Hub by way of \$378.00 donation to help with covering the costs of hire fees for Lakemba Senior Citizens Centre.
2. Council support the Australian Lebanese Independent Forum by way of \$750.00 donation to help cover half of the costs of hire fees for Bryan Brown Theatre.
3. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

ITEM 4.7 **REFUGEE SUPPORT**

In respect of Item 4.7 – Refugee Support, Clr El-Hayek declared a significant, Non Pecuniary Conflict of Interest given his association with the LMA and as such he vacated the meeting taking no part in debate.

In respect of Item 4.7 – Refugee Support, Clr Saleh declared a significant, Non Pecuniary Conflict of Interest given that a family member is employed by the LMA and as such she vacated the meeting taking no part in debate.

CLR EL-HAYEK AND CLR SALEH TEMPORARILY VACATED THE MEETING AT 6.33 PM AND RETURNED AT 6.43 PM.

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(1359)

CLR. ASFOUR

RESOLVED that

1. Council makes available up to \$100,000 from the Community Grants Scheme to go towards the purchase of food vouchers to be distributed to the organisations listed under the Emergency Relief Network banner.
2. Council also write to the Prime Minister urging him to show compassion and extend the COVID support payments to include these vulnerable people.

- CARRIED

ITEM 4.8

COVID COUNCIL PARKS LIGHTING

(1360)

CLR. ASFOUR

RESOLVED that Council

1. Commence a one week trial by extending the lighting in two parks per ward as detailed in the Mayoral Minute until 8pm each night to allow residents to exercise during the challenging Covid restrictions.
2. Notify the community about the changes, and ensure appropriate signage reminding people of the Covid restrictions and urging them to call crime stoppers to report any incidents, be erected at these locations.

- CARRIED

ITEM 4.9

ADDITIONAL WASTE SERVICE

(1361)

CLR. ASFOUR

RESOLVED that Council establish a “red bin flying squad” to be on call to offer an extra collection service to residential single unit dwellings during current Covid lockdown periods.

- CARRIED

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(1362)

CLR. DOWNEY:/CLR. ZAKHIA

RESOLVED that Permission be granted to those people who have made the necessary application to address Council for five minutes.

- CARRIED

SECTION 5:

PLANNING MATTERS

ITEM 5.1

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

MS RENAE CARTER (RESIDENT) ADDRESSED COUNCIL.

(1363)

CLR. TUNTEVSKI:/CLR. WAUD

RESOLVED that an extension of two minutes be given to Ms Carter to address Council.

- CARRIED

MR THEO ZOTOS (ON BEHALF OF APPLICANT) ADDRESSED COUNCIL.

(1364)

CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that the matter be deferred until the Council can be appraised of what and if any meetings and deliberations have been held with the NSW Government Ministers and/or Local State Federal members and that Council be made aware of the nature of those discussions.

- CARRIED

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ITEM 5.2 **HOUSING STRATEGY**
(1365) **CLR. DOWNEY:/CLR. EL-HAYEK**
RESOLVED that the report be noted.

- CARRIED

SECTION 6: POLICY MATTERS

Nil

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 2021-2022 COMMUNITY GRANTS & EVENT SPONSORSHIP PROGRAM
In respect of Item 7.1 – 2021-2022 Community Grants and Events Sponsorship Program, 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 community grant and advised that it would not affect his consideration of the item and will remain in the Chamber.

In respect of Item 7.1 – 2021-2022 Community Grants and Events Sponsorship Program, Clr El-Hayek similarly declared a significant, Non Pecuniary Conflict of Interest due to his association with a number of the recipients of a community grant due to the community work he undertakes. As such he vacated the meeting taking no part in debate.

In respect of Item 7.1 – 2021-2022 Community Grants and Events Sponsorship Program, Clr Saleh similarly 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 community grant and as such she vacated the meeting taking no part in debate.

In respect of Item 7.1 – 2021-2022 Community Grants and Events Sponsorship Program, Clr Zakhia declared a significant, Non Pecuniary Conflict of Interest due to his close relationship with a number of recipients of community grants and as such he vacated the meeting taking no part in debate.

CLR EL-HAYEK, CLR SALEH AND CLR ZAKHIA TEMPORARILY VACATED THE MEETING AT 7.19 PM.

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CLR TUNTEVSKI TEMPORARILY VACATED THE CHAMBER AT 7.19 PM

CLR EL-HAYEK, CLR SALEH AND CLR ZAKHIA RETURNED AT 7.20 PM.

(1366)

CLR. HARIKA:/CLR. HUDA

RESOLVED that Council approve the distribution of the 2021-2022 Community Grants and Event Sponsorship Program as outlined in Attachment A.

- CARRIED

ITEM 7.2

LOCAL ROADS AND COMMUNITY INFRASTRUCTURE PROGRAM

(1367)

CLR. MADIRAZZA:/CLR. HARIKA

RESOLVED that

1. Council note the progress in delivering projects funded from the Federal Government's Local Roads and Community Infrastructure Program (LRCI Program).
2. Council endorse the listing of proposed projects to be funded from Phase 3 of the LRCI Program as outlined in the report.
3. The General Manager submit the listed projects for consideration and approval by the Federal Government, in accordance with the LRCI Program's requirements.

- CARRIED

ITEM 7.3

DRAFT PLAN OF MANAGEMENT FOR MIRAMBEENA REGIONAL PARK

(1368)

CLR. ZAKHIA:/CLR. ISHAC

RESOLVED that

1. Council endorse the public exhibition of the Draft Plan of Management for Mirambeena Regional Reserve.
2. The draft Plan of Management be exhibited In accordance with the requirements of the Local Government Act 1993.

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3. A further report is presented to Council at the conclusion of the public exhibition period.

- CARRIED

ITEM 7.4 **FEES AND CHARGES 2021/2022**
(1369) **CLR. ZAKHIA:/CLR. ISHAC**

RESOLVED that

1. Council endorse the public exhibition of the amended Fees and Charges.
2. The amended Fees and Charges be exhibited in accordance with the requirements of the Local Government Act 1993.
3. A further report be presented to Council following the public exhibition period.

- CARRIED

ITEM 7.5 **WESTERN SUBURBS JUNIOR AUSTRALIAN FOOTBALL CLUB – LICENCE**
(1370) **AGREEMENT**
CLR. ZAKHIA:/CLR. ISHAC

RESOLVED that

1. Council enter into a five year licence agreement and a five year option, with the Western Suburbs Junior Australian Football Club for the Clubroom and storeroom located within W H Wagener Oval amenities building in Ashbury.
2. The Mayor and General Manager be authorised to sign and (where necessary) affix the common seal of Council to any documentation to give effect to the above action as required.

- CARRIED

CLR TUNTEVSKI RETURNED TO THE CHAMBER AT 7.24PM

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ITEM 7.6 **CASH AND INVESTMENT REPORT AS AT 30 JUNE 2021**
(1371) **CLR. ZAKHIA:/CLR. ISHAC**

RESOLVED that

1. The Cash and Investment Report as at 30 June 2021 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 **GREATER CITIES SPORTS AND FACILITY FUND**
(1372) **CLR. HARIKA:/CLR. EL-HAYEK**

RESOLVED that

1. Council proceed with submitting a joint application with Bankstown District Cricket Club under the Greater Cities Sports Facility Fund for upgrades at Memorial Oval.
2. If successful in receiving funding under the Greater Cities Sports Facility Fund, Council allocate the appropriate asset replacement funds as a co-contribution to this project, as outlined in this report.

- CARRIED

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 **MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD**
(1373) **16 JUNE 2021**
CLR. HARIKA:/CLR. KUSKOFF

RESOLVED that the recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 16 June 2021, be adopted.

- CARRIED

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ITEM 9.2 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 13 JULY 2021**
(1374) **CLR. HARIKA:/CLR. KUSKOFF**

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 13 July 2021, be adopted.

- CARRIED

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

(1374) **CLR. RAFFAN:/CLR. WAUD**

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 10.3, 10.6, 10.7, 10.8 and 10.11.

- CARRIED

ITEM 10.1 **NOTICE OF MOTIONS -**

(1375) **CLR. RAFFAN:/CLR. WAUD**

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 **FUNDING THE ARTS**

(1376) **CLR. RAFFAN:/CLR. WAUD**

RESOLVED that Council write to the Minister for the Arts requesting funding to help Council continue to deliver future arts programs that celebrate multilingualism and the diversity of our local communities.

- CARRIED

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ITEM 10.3 PROTECTING OUR WILDLIFE

(1377) CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that Council investigate the most appropriate method of providing information to cat owners of their responsibility to ensure that their pets not be allowed to roam at night to prevent attacks to our native wildlife.

- CARRIED

ITEM 10.4 ONE YEAR ANNIVERSARY - BEIRUT BLAST

(1378) CLR. RAFFAN:/CLR. WAUD

RESOLVED that Council commemorate the one-year anniversary of the Beirut blast with a remembrance tribute on our social media channels.

- CARRIED

ITEM 10.5 INTERSECTION OF THOMAS & PRINCE STREETS PICNIC POINT

(1379) CLR. RAFFAN:/CLR. WAUD

RESOLVED that Council investigate the current traffic safety provisions present at the intersection of Thomas and Prince Streets Picnic Point.

In order to conclude if these measures are sufficient enough to help considerably reduce the risk of future traffic incidents that result in serious injury or death.

- CARRIED

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ITEM 10.6
(1380)

ROAD SAFETY
CLR. EL-HAYEK:/CLR. HARIKA

RESOLVED that Council writes to the Minister for Transport and Roads, seeking his commitment to reinstate advanced warning signs and high visibility vehicle markings immediately.

- CARRIED

ITEM 10.7
(1381)

DE-AMALGAMATION BUSINESS PROPOSAL
CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that Council obtain external advice analysing the relevant considerations for Council to consider the merits of de-amalgamating (or not) Canterbury Bankstown Council to re-constitute the former Canterbury and Bankstown council's. Councillors are to be briefed on the outcome of the analysis.

- CARRIED

ITEM 10.8
(1382)

LOCAL GOVERNMENT ELECTIONS
CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that Council writes to the Minister for Local Government to support her decision made on the 24 July 2021 to postpone Local Government Elections in NSW and to defer them until 4 December 2021. Council believes that the decision provides a safer and more sensible outcome for our community in the current COVID affected times.

- CARRIED

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ITEM 10.9 **WOMEN OF CBCITY AWARD**
(1383) **CLR. RAFFAN:/CLR. WAUD**

RESOLVED that Council develop an Inaugural 2022 Women of CBC Award, and that the categories, criteria and suitable award prize be developed to celebrate and recognise the achievements and contribution of local women in our City.

- CARRIED

ITEM 10.10 **CULTURAL COMPETENCE**
(1384) **CLR. RAFFAN:/CLR. WAUD**

RESOLVED that Council write to both the NSW and Federal Health Ministers on the need for greater cultural competence and the need for improved communication with the community leaders and the NGO sector to ensure the effective roll out of the COVID vaccine in our community.

- CARRIED

ITEM 10.11 **HORSLEY ROAD**
(1385) **CLR. DOWNEY:/CLR. TUNTEVSKI**

RESOLVED that given the recent crash history and fatality, Council investigates the eligibility of Horsley Road, for its length through Revesby and Panania, and regardless of eligibility for funding under the Blackspot Program prepare a submission to the Program.

- CARRIED

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SECTION 11: CONFIDENTIAL SESSION

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

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 in the business paper:

Item 11.1 T36-21 Design and Construction of a Mid-Scale Solar Farm

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 SSROC PEERS 3 Tender (SSROC T2021-12) for supply of Electricity and Renewable Energy

This report is considered to be confidential in accordance with Section 10A(2)(d)(iii) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, reveal a trade secret.

COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.44 PM AND REVERTED BACK INTO OPEN COUNCIL AT 7.45 PM.

ITEM 11.1 T36-21 DESIGN AND CONSTRUCTION OF A MID-SCALE SOLAR FARM
(1386) CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that

1. Council declines to accept any of the tenders received (as per clause 178 (1)(b) of the Local Government Regulations) for the reasons set out in this report.
2. Council cancels the proposal for the contract in accordance with clause 178 (3) (a) of the Regulations.
3. Council notifies the tenderers in writing and thank them for tendering.

- CARRIED

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ITEM 11.2 **SSROC PEERS 3 TENDER (SSROC T2021-12) FOR SUPPLY OF ELECTRICITY AND RENEWABLE ENERGY**

(1387) **CLR. DOWNEY:/CLR. MADIRAZZA**

RESOLVED that

1. Council notes the current status of the SSROC Tender T2021-12, as outlined in the report.
2. Council, in principal, agree to participate in the SSROC Tender T2021-12, including authority to purchase up to 100% renewable energy, as outlined in the report.
3. In consultation with SSROCs independent advisor and relevant financial parameters, the General Manager be delegated authority to consider and enter into a suitable contract, as required.
4. A further report be provided to Council, outlining the outcome of the tender process.

- CARRIED

THE MEETING CLOSED AT 7.46 P.M

Minutes confirmed 24 AUGUST 2021

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Mayor