

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 FEBRUARY 2022

PRESENT: Councillors Coorey, Waiba, El-Hayek, Abouraad, Ishac, Cahill, Walsh, Nguyen, Saleh, Downey, Harika, Akter

PRESENT BY AUDIO

VISUAL LINK: Mayor, Councillor Asfour, Councillors Raffan and Zakhia

APOLOGIES: Nil

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.06 P.M.

COUNCILLOR ATTENDING REMOTELY

(6) CLR. ZAKHIA:/CLR. RAFFAN

RESOLVED that permission be granted to Councillors Asfour, Raffan and Zakhia 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

(7) CLR. ZAKHIA:/CLR. RAFFAN

RESOLVED that the minutes of the Ordinary Council Meeting held on 23 November 2021 be adopted.

- CARRIED

(8) CLR. ZAKHIA:/CLR. RAFFAN

RESOLVED that the minutes of the Ordinary Council Meeting held on 24 December 2021 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

Nil

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 FEBRUARY 2022

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

Nil

SECTION 4: MAYORAL MINUTES

ITEM 4.1 ALBERT BERT COLLINS

(9) CLR. ASFOUR

RESOLVED that Council explores ways of honouring Mr Collins and the legacy he has left for our City.

- CARRIED

COUNCIL OBSERVED A MINUTES SILENCE IN MEMORY OF ALBERT BERT COLLINS.

ITEM 4.2 AUDITORS REPORT

(10) CLR. ASFOUR

RESOLVED that Council write to the NSW Premier to set up the City of Canterbury Bankstown Infrastructure Fund and repay the approximately \$40m owing, over the term of this Council with the funds to be used on infrastructure and open space which will benefit our entire community.

- CARRIED

ITEM 4.3 CONTRIBUTIONS

(11) CLR. ASFOUR

RESOLVED that Council continue campaigning against this unfair new tax under the guise of the Regional Infrastructure Contribution.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 FEBRUARY 2022

ITEM 4.4 EVENTS FEBRUARY

(12) CLR. ASFOUR

RESOLVED that Council prepares a list of any further support, incentives, or initiatives which can be taken to the NSW Premier and any relevant Ministers to seek the support needed on the ground throughout our community to recover and thrive through events.

- CARRIED

ITEM 4.5 DEMERGER BUSINESS CASE UNDERWAY

(13) CLR. ASFOUR

RESOLVED that Council write to the NSW Minister for Local Government calling on her to release the guidelines and or relevant information, so that Council can consider this with both an open mind and our communities' best interest at the heart.

- CARRIED

ITEM 4.6 LOCAL COMMUNITY BASED DONATIONS

(14) CLR. ASFOUR

RESOLVED that

1. Council support Cooks River and Panania Parkrun in the amount of \$1200 to run their Parkrun events at Saint Mary Mackillop Reserve and Field of Dreams.
2. Council support Tales of Homeland who are hosting an event at the Bryan Brown Theatre on 26 March 2022, by way of a \$500 donation towards the cost of hiring the Bryan Brown Theatre.
3. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 FEBRUARY 2022

SECTION 5: PLANNING MATTERS

ITEM 5.1 **REPORT ON COUNCIL'S PERFORMANCE IN THE ASSESSMENT OF DEVELOPMENT APPLICATIONS FOR THE SECOND QUARTER OF THE 2021/22 FINANCIAL YEAR, CLAUSE 4.6 VARIATIONS APPROVED FOR THE SECOND QUARTER OF THE 2021/22 FINANCIAL YEAR AND PLANNING RELATED LEGAL APPEALS**

(15) **CLR. ZAKHIA:/CLR. DOWNEY**

RESOLVED that the report be noted.

- CARRIED

ITEM 5.2 **DEVELOPMENT CONTRIBUTIONS PLANNING - COUNCIL SUBMISSION ON EXHIBITED INFRASTRUCTURE CONTRIBUTIONS REFORMS**

(16) **CLR. DOWNEY:/CLR. RAFFAN**

RESOLVED that Council endorse the submission to the Department of Planning and Environment's *Infrastructure Contributions Reforms* exhibition, as provided in Attachments A and B to this report.

- CARRIED

ITEM 5.3 **SUBMISSION TO THE NSW PARLIAMENTARY INQUIRY INTO THE PLANNING AND DELIVERY OF SCHOOL INFRASTRUCTURE**

(17) **CLR. DOWNEY:/CLR. WALSH**

RESOLVED that

1. Council endorse the Council officer submission to the NSW Parliamentary Inquiry into the planning and delivery of school infrastructure, as provided in Attachment A.
2. Council writes to the appropriate Minister and Premier and requests that the Government rescind its decision to permit Western Sydney University to divest itself of the Bankstown Campus Milperra and to have the property retained and used for educational purposes.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 FEBRUARY 2022

SECTION 6: POLICY MATTERS

ITEM 6.1 CORPORATE GOVERNANCE POLICIES

(18) CLR. DOWNEY:/CLR. ISHAC

RESOLVED that

1. Council adopt the following policies/documents as outlined in the report:
 - a) Code of Conduct;
 - b) Complaints Management Policy;
 - c) Fraud and Corruption Prevention Policy;
 - d) Gifts and Benefits Policy;
 - e) Councillor and Staff Interaction Policy;
 - f) Public Interaction and Meeting Disclosures Policy;
 - g) Public Interest Disclosures Policy;
 - h) Statement of Business Ethics;
 - i) Social Media Policy;
 - j) Instrument of Delegation; and
 - k) Councillor Induction and Development Policy
2. Council endorse the Code of Meeting Practice and the Councillor Expenses and Facilities Policy for the purpose of public exhibition. A further report be submitted to Council, following the conclusion of the public exhibition period.
3. Separately, the Councillor Expenses and Facilities policy include provision to make superannuation contribution payments for Councillors from 1 July 2022, equivalent in amount to superannuation guarantee payments.

- CARRIED

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 DISCLOSURE OF INTEREST RETURNS

(19) CLR. ZAKHIA:/CLR. ABOURAAD

RESOLVED that the tabling of the Disclosure of Interest Returns be noted.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 FEBRUARY 2022

ITEM 7.2 **COUNCIL ADVISORY COMMITTEES, WORKING GROUPS AND MEMBERSHIP OF OTHER COMMITTEES/GROUPS**

(20) **CLR. ISHAC:/CLR. SALEH**

RESOLVED that

1. Council approve the Advisory Committee/Working Group structure as detailed in the report.
2. Council adopt the draft Community Advisory Committee/Working Group Guidelines, Rules and Charters, as attached.
3. Expressions of Interest be sought from community representatives for membership of advisory committees/working groups, as outlined in the report.
4. The Audit Risk and Improvement Committee be reconstituted, with relevant remuneration for independent members, as outlined in the report.

- CARRIED

ITEM 7.3 **CASH AND INVESTMENT REPORT AS AT 31 JANUARY 2022, 31 DECEMBER 2021 AND 30 NOVEMBER 2021**

(21) **CLR. DOWNEY:/CLR. ABOURAAD**

RESOLVED that

1. The Cash and Investment Report as at 31 January 2022, 31 December 2021 and 30 November 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 22 FEBRUARY 2022

ITEM 7.4 REVIEW OF THE 2018-22 DELIVERY PROGRAM AND 2021/22 OPERATIONAL PLAN AND BUDGET TO 31 DECEMBER 2021

(22) CLR. DOWNEY:/CLR. HARIKA

RESOLVED that

1. The quarterly review of the 2021/22 Operational Plan and the six-monthly review of the Delivery Program to 31 December 2021 be noted.
2. The quarterly review of the 2021/22 Budget as outlined in this report be adopted.
3. Council allocate Ward Funds as outlined in the report.

- CARRIED

ITEM 7.5 ADDITIONAL LGNSW CONFERENCE MOTION

(23) CLR. SALEH:/CLR. DOWNEY

RESOLVED that Council formally endorse the motion as detailed in this report for consideration at the LGNSW Special Conference on 28 February – 2 March 2022.

- CARRIED

CLR RAFFAN TEMPORARILY VACATED THE CHAMBER AT 6.47PM AND RETURNED AT 6.49PM

SECTION 8: SERVICE AND OPERATIONAL MATTERS

Nil

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD 8 DECEMBER 2021

(24) CLR. HARIKA:/CLR. ZAKHIA

RESOLVED that the recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 8 December 2021 be adopted.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 FEBRUARY 2022

ITEM 9.2 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 8 FEBRUARY 2022**
(25) **CLR. HARIKA:/CLR. ZAKHIA**

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 8 February 2022, be adopted.

- CARRIED

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

(26) **CLR. RAFFAN:/CLR. EL-HAYEK**

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Notice of Motions & Questions without Notice matters with the exception of Items 10.3, 10.5, 10.6 and 10.11.

- CARRIED

ITEM 10.1 **NOTICE OF MOTIONS**

(27) **CLR. RAFFAN:/CLR. EL-HAYEK**

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 **SPEED CAMERAS**

(28) **CLR. RAFFAN:/CLR. EL-HAYEK**

RESOLVED that In lieu of the NSW Government's flip-flopping around warnings signs for mobile speed cameras, Council writes to the Minister for Roads, calling on her to release the following data.

1. The number of fines issued to motorists by mobile speed cameras in the City of Canterbury-Bankstown for the years 2019, 2020 and 2021.
2. The number of mobile cameras deployed during 2019, 2020 and 2021, and a breakdown of the top five suburbs the fines were issued.

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 FEBRUARY 2022

3. The total revenue collected for the years 2019/2020/2021 in Canterbury-Bankstown, and for all NSW.

- CARRIED

COUNCILLOR ZAKHIA RETIRED FROM THE MEETING AT 6.54PM

ITEM 10.3
(29)

BULLDOGS

CLR. EL-HAYEK:/CLR. ABOURAAD

RESOLVED that

1. Council writes to the Canterbury Bankstown Bulldogs CEO, Aaron Warburton, in support of league legend Steve Mortimer after he was admitted to a nursing home suffering dementia.
2. Council fly's the Bulldogs' street banners in Bankstown and Canterbury as a mark of respect for Mr Mortimer and to wish the team all the best for the upcoming Rugby League football season.

- CARRIED

ITEM 10.4
(30)

DEDICATED TREE

CLR. RAFFAN:/CLR. EL-HAYEK

RESOLVED that Council reviews its Memorials Policy to include the opportunity for community members to create a living memorial to their loved ones through tree planting in public open space.

- CARRIED

ITEM 10.5
(31)

FOOTPATHS AND CYCLEWAYS FUNDING

CLR. DOWNEY:/CLR. EL-HAYEK

RESOLVED that Council writes to the new Minister for Active Transport Rob Stokes to ensure our Council is prioritised for funding under his plan to spend \$950 million on footpaths and cycleways.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 FEBRUARY 2022

ITEM 10.6

RARE DISEASE DAY

(32)

CLR. DOWNEY:/CLR. ABOURAAD

RESOLVED that Council shines a light on Rare Disease Day, to show support and raise awareness, on behalf of the many sufferers, carers and families, not only in our City but around the world.

- CARRIED

ITEM 10.7

ILUKA STREET AND ENDEAVOUR PLACE RIVERWOOD

(33)

CLR. RAFFAN:/CLR. EL-HAYEK

RESOLVED that Council write to the NSW Department of Communities and Justice calling on them to:

- a. Take urgent action and order the immediate removal of unregistered motor vehicles, trailers and car parts being stored without authorisation on NSW Land and Housing Corporation property at Iluka St and Endeavour Pl, Riverwood.
- b. And to further notify the resident of their obligations under the tenancy of the property, with the view of eviction if there are further infringements.

- CARRIED

ITEM 10.8

CCTV FOR COMPLIANCE

(34)

CLR. RAFFAN:/CLR. EL-HAYEK

RESOLVED that Council

1. Explore the costs associated with using AI technology, or other CCTV surveillance equipment, as a means to combat illegal dumping, parking violations, speeding vehicles and other related matters across our City.
2. Investigate the possibility of accessing/sharing CCTV footage with the NSW Police Service and the Transport for NSW to assist with these matters."

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 FEBRUARY 2022

ITEM 10.9

RAMADAN DECORATIONS

(35)

CLR. RAFFAN:/CLR. EL-HAYEK

RESOLVED that Council investigate additional decorations on Haldon Street during the Holy month of Ramadan.

- CARRIED

ITEM 10.10

EMERGING COMMUNITIES RESOURCE CENTRE (ECRC)

(36)

CLR. RAFFAN:/CLR. EL-HAYEK

RESOLVED that Council receive a report on the current and future operation of the Emerging Communities Resource Centre.

- CARRIED

ITEM 10.11

TOWN CENTRE ENGAGEMENT

CLR. SALEH:/CLR. WAIBA

MOTION

That Council receive a report on the operation of a trial engagement process for Lakemba Town Centre aim to reach out to our community on issues that are of immediate concern to our local residents.

AMENDMENT

CLR. ISHAC/ABOURAAD

1. That Council receive a report on the operation of a trial engagement process for Lakemba Town Centre aim to reach out to our community on issues that are of immediate concern to our local residents.
2. The report also provides an alternative option that would provide for a fair, equitable and transparent opportunity for all Councillors to engage with their community.

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION

(37)

CLR. ISHAC/ABOURAAD

RESOLVED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 FEBRUARY 2022

1. That Council receive a report on the operation of a trial engagement process for Lakemba Town Centre aim to reach out to our community on issues that are of immediate concern to our local residents.
2. The report also provides an alternative option that would provide for a fair, equitable and transparent opportunity for all Councillors to engage with their community.

- CARRIED

SECTION 11: CONFIDENTIAL SESSION

PRIOR TO CONSIDERING THE REPORTS IN CONFIDENTIAL SESSION MAYOR ASFOUR AND COUNCILLOR RAFFAN WHO WERE ATTENDING THE MEETING BY AUDIO VISUAL LINK DECLARED THERE WERE NO PERSONS WITHIN SIGHT OR HEARING OF THEM.

(38)

CLR. RAFFAN:/CLR. ISHAC

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 to 11.3 in confidential session for the reasons indicated:

- Item 11.1 SSROC T2020-09 Sustainable Pavements - Road Construction Material and Related Services

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 T35-22 Padstow Park Synthetic Field - Design and Construction

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 11.3 T39-22 Kelso Park North Clubhouse and Amenities Building and Sportsfield Upgrade

This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it relates

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 FEBRUARY 2022

to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

- CARRIED

COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.30 PM AND REVERTED BACK TO OPEN COUNCIL AT 7.44 PM

ITEM 11.1 SSROC T2020-09 SUSTAINABLE PAVEMENTS - ROAD CONSTRUCTION MATERIAL AND RELATED SERVICES

(39) CLR. RAFFAN:/CLR. ISHAC

RESOLVED that

1. Council accepts the SSROC preferred panel of contractors list, on a non-exclusive basis for Sustainable Pavements – Road Construction Material and Related Services for an initial contract period of three years with an option to extend further two years (1+1) subject to satisfactory performance of the suppliers and approval of the General Manager.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.

- CARRIED

ITEM 11.2 T35-22 PADSTOW PARK SYNTHETIC FIELD - DESIGN AND CONSTRUCTION

(40) CLR. RAFFAN:/CLR. HARIKA

RESOLVED that

1. Council accepts the tender received from Polytan Asia Pacific for an amount of \$2,305,572.50 (excluding GST) for T35-22 Padstow Park Synthetic Field Design and Construct.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 22 FEBRUARY 2022

ITEM 11.3 T39-22 KELSO PARK NORTH CLUBHOUSE AND AMENITIES BUILDING AND SPORTSFIELD UPGRADE

(41) CLR. DOWNEY:/CLR. HARIKA

RESOLVED that

1. Council accepts the tender received from SDL Project Solutions Ltd for an amount of \$3,390,673.63 (excluding GST) for T39-22 Kelso Park North Clubhouse and Amenities Building and Sports Field upgrade.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

THE MEETING CLOSED AT 7.45 P.M

Minutes confirmed 15 MARCH 2022

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Mayor