

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 MARCH 2023

PRESENT: Mayor, Councillor Asfour
Councillors Abouraad, Akter, Cahill, Coorey, Downey, El-Hayek, Harika, Ishac,
Nguyen, Raffan, Saleh OAM, Waiba and Walsh

APOLOGIES Councillor Zakhia

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.32 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.

SECTION 1: CONFIRMATION OF MINUTES

(374)

CLR. CAHILL:/CLR. RAFFAN

RESOLVED that the minutes of the Ordinary Council Meeting held on 28 February 2023 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

(375)

CLR. ISHAC:/CLR. ABOURAAD

RESOLVED that Leave of Absence be granted to Clr Zakhia 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 4.1 100 YEARS OF LEGACY TORCH RELAY
(376) CLR. ASFOUR

RESOLVED that Council support the 100 years of legacy torch relay through the media, on its social media platforms and to host a “morning tea” style reception for up to 100 people in the vicinity of the Council Chambers.

- CARRIED

ITEM 4.2 LOCAL COMMUNITY BASED DONATIONS
(377) CLR. ASFOUR

RESOLVED that

1. Council support a ground hire fee waiver of \$2,244.00 for Blind Cricket NSW to use Grahame Thomas Oval on 15 and 16 April 2023.
2. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

ITEM 4.3 2023 NSW STATE ELECTION
(378) CLR. ASFOUR

That Council write to NSWs’ forty seventh Premier, Chris Minns MP, and to all the State MPs in our City, congratulating them on their electoral victories, and wish them every success as they lead our State towards a better future.

- CARRIED

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SECTION 5: PLANNING MATTERS

ITEM 5.1 PROPOSED AMENDMENT TO PLANNING AGREEMENT - PALMS HOTEL PLANNING PROPOSAL 165 - 168 HUME HIGHWAY, GREENACRE

(379) CLR. ISHAC:/CLR. DOWNEY

RESOLVED that

1. Council nominate itself as the public acquisition authority for the RE1 Public Recreation Zone portion of land in connection with the Planning Proposal for the land at 167 Hume Highway, Greenacre; and
2. Council exhibit the draft amended Planning Agreement and consider a report post-exhibition before endorsing the CEO to execute the Planning Agreement. Once executed, Council write to the Department to advise of its decision to be nominated as the public acquisition authority.

- CARRIED

For:- Clrs Abouraad, Akter, Asfour, Cahill, Downey, El-Hayek, Harika, Ishac, Nguyen, Raffan, Saleh OAM, Waiba and Walsh

Against:- Clr Coorey

SECTION 6: POLICY MATTERS

Nil

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 CASH AND INVESTMENT REPORT AS AT 28 FEBRUARY 2023

(380) CLR. DOWNEY:/CLR. RAFFAN

RESOLVED that

1. The Cash and Investment Report as at 28 February 2023 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

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SECTION 8: SERVICE AND OPERATIONAL MATTERS

ITEM 8.1 CLEAN CITY STRATEGIC PLAN

(381) CLR. EL-HAYEK:/CLR. ISHAC

RESOLVED that Council adopt the Clean City Strategic Plan and associated Action Plan.

- CARRIED

ITEM 8.2 HURLSTONE PARK STREET PARKLET TRIAL

CLR EL-HAYEK TEMPORARILY VACATED THE CHAMBER AT 6.44 PM AND RETURNED TO THE CHAMBER AT 6.47 PM.

(382) CLR. NGUYEN:/CLR. WALSH

RESOLVED that

1. The Street Parklet trial in Hurlstone Park remain in place until a formal policy and process has been approved by Council;
2. Council further develop this trial into a program with a small number of centres and with associated fees and charges; and
3. A further report be prepared to Council on the program.

- CARRIED

CLR COOREY REQUESTED THAT HER NAME BE RECORDED AS HAVING VOTED AGAINST THIS RESOLUTION.

SECTION 9: COMMITTEE REPORTS

(383) CLR. HARIKA:/CLR. ABOURAAD

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Committee Reports 9.1, 9.2, 9.3, 9.4 and 9.5.

- CARRIED

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ITEM 9.1 **MINUTES OF THE COMMUNITY & INCLUSION ADVISORY COMMITTEE MEETING HELD ON 20 FEBRUARY 2023**

(384) **CLR. HARIKA:/CLR. ABOURAAD**

RESOLVED that the minutes of the Community & Inclusion Advisory Committee meeting held on 20 February 2023 be endorsed.

- CARRIED

ITEM 9.2 **MINUTES OF THE ABORIGINAL & TORRES STRAIT ISLANDER ADVISORY COMMITTEE MEETING HELD ON 16 FEBRUARY 2023**

(385) **CLR. HARIKA:/CLR. ABOURAAD**

RESOLVED that the minutes of the Aboriginal & Torres Strait Islander Advisory Committee meeting held on 16 February 2023 be endorsed.

- CARRIED

ITEM 9.3 **MINUTES OF THE LAKEMBA RAMADAN EVENT WORKING GROUP MEETING HELD ON 1 MARCH 2023**

(386) **CLR. HARIKA:/CLR. ABOURAAD**

RESOLVED that the minutes of the Lakemba Ramadan Event Working Group meeting held on 1 March 2023 be endorsed.

- CARRIED

ITEM 9.4 **MINUTES OF THE UNIVERSAL ACCESS ADVISORY COMMITTEE MEETING HELD ON 1 MARCH 2023**

(387) **CLR. HARIKA:/CLR. ABOURAAD**

RESOLVED that the minutes of the Universal Access Advisory Committee meeting held on 1 March 2023 be endorsed.

- CARRIED

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ITEM 9.5 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 14 MARCH 2023**
(388) **CLR. HARIKA:/CLR. ABOURAAD**

RESOLVED that the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 14 March 2023, be adopted.

- CARRIED

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

ITEM 10.1 **STATUS OF PREVIOUS NOTICES OF MOTION - MARCH 2023**
(389) **CLR. CAHILL:/CLR. DOWNEY**

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 **PROPOSAL TO RENAME CHESTER HILL COMMUNITY CENTRE**
(390) **CLR. CAHILL:/CLR. HARIKA**

RESOLVED that Council rename the Chester Hill Community Centre to the Helen Westwood AM Community Centre.

- CARRIED

ITEM 10.3 **THE PROJECT - COMPLAINT**
(391) **CLR. HARIKA:/CLR. EL-HAYEK**

RESOLVED that Council writes to the Australian Communications Media Authority (ACMA) on behalf of residents to voice its concerns over a highly offensive and crude religious “joke” during a segment on Network Ten’s, The Project on 28 February 2023.

- CARRIED

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ITEM 10.4
(392)

TRAFFIC SIGNAGE

CLR. DOWNEY:/CLR. WALSH

RESOLVED that

1. Council writes to Transport for NSW (TfNSW) calling on them to conduct a safety audit of road signs along State Government owned roads in our City.
2. Council calls on TfNSW to replace as a matter of urgency any signage found to be in poor condition or poses a safety threat to the community.

- CARRIED

ITEM 10.5
(393)

BUS SHELTER - GEORGES CRESCENT AND BEALE STREET, GEORGES HALL

CLR. CAHILL:/CLR. ISHAC

RESOLVED that

1. Council investigates the feasibility of installing a bus shelter in the vicinity of Georges Crescent and Beale Street at Georges Hall.
2. Furthermore, if the location meets the necessary criteria, Council adds it to the list of bus shelters to be rolled out in the future.

- CARRIED

ITEM 10.6
(394)

STUDIOVENTURE

CLR. NGUYEN:/CLR. RAFFAN

RESOLVED that Council prepares a report on the outcomes of the trial of StudioVenture with a view of considering if there is continued benefit of the program for our local businesses and community organisations.

- CARRIED

THE MEETING WAS ADJOURNED AT 6.57 PM.

THE MEETING RESUMED AT 7.20 PM.

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SECTION 11: CONFIDENTIAL SESSION

(395) CLR. DOWNEY:/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, 11.2 and 11.3 in confidential session for the reasons indicated:

Item 11.1 Code of Conduct Investigation Report

This report is considered to be confidential in accordance with Section 10A(2)(i) of the Local Government Act, 1993, as it relates to alleged contraventions of any code of conduct requirements applicable under Section 440.

Item 11.2 Licence to Panania-East Hills RSL Club Limited and Canterbury Bankstown Tennis Association Incorporated - 26A Childs Street Panania

This report is considered to be confidential in accordance with Section 10A(2)(d)(ii) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council.

Item 11.3 SBS Relocation to Western Sydney

This report is considered to be confidential in accordance with Section 10A(2)(d)(ii) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council.

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.20 PM AND
REVERTED BACK TO OPEN COUNCIL AT 8.39 PM.**

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ITEM 11.1 **CODE OF CONDUCT INVESTIGATION REPORT**

In accordance with Clause 7.49 of the Procedures for the Administration of the Code of Conduct, Councillor Coorey made a submission on the Code of Conduct Reviewers recommendation. Councillor Coorey then retired from the meeting at 7.34 pm.

MOTION **CLR. ABOURAAD:/CLR. ISHAC**

That

1. The report be deferred in accordance with Clause 7.53 of Councils Procedures for the Administration of the Code of Conduct.
2. A briefing be provided to Council on the report from Kathy Thane including assurance that the correct procedures have been followed under Council's Procedures for the Administration of the Code of Conduct.
3. External legal counsel be engaged to brief Council and confirm what the legal ramifications are for individual Councillors should Council proceed with the censure.

THE MOTION WAS LOST.

CLRS AKTER, ABOURAAD AND ISHAC RETIRED FROM THE MEETING AT 8.35 PM.

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

RESOLVED that for the reasons outlined in the report by the Code of Conduct Reviewer, Council formally censures Councillor Coorey for the breach of clauses 3.1 (a), (b), (c), (d), (e), (g) and 3.8 of Council's Code of Conduct, under Section 440G of the Local Government Act 1993.

- CARRIED

CLR SALEH RETIRED FROM THE MEETING AT 8.38 PM.

ITEM 11.2 **LICENCE TO PANANIA-EAST HILLS RSL CLUB LIMITED AND CANTERBURY BANKSTOWN TENNIS ASSOCIATION INCORPORATED - 26A CHILDS STREET PANANIA**

(397) **CLR. RAFFAN:/CLR. WALSH**

RESOLVED that

1. The submissions received in response to the public exhibition of the proposed licences be noted.

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2. A new 21-year licence to Panania-East Hills RSL Club Limited for *Area A* - containing the car park, netball court and cricket nets be granted.
3. A new five-year licence to Panania-East Hills RSL Club Limited for *Area C* – containing the Club’s plant and equipment be granted.
4. A new five-year Licence to the Canterbury Bankstown Tennis Association for *Area B* - containing the tennis courts be granted.
5. The Chief Executive Officer be authorised to finalise the licences as outlined in the report.

- CARRIED

ITEM 11.3
(398)

SBS RELOCATION TO WESTERN SYDNEY
CLR. RAFFAN:/CLR. WALSH

RESOLVED that Council endorse the proposed Next Steps as outlined in this report

- CARRIED

THE MEETING CLOSED AT 8.40 PM.

Minutes confirmed 18 APRIL 2023

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Mayor