

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 29 SEPTEMBER 2022

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

APOLOGIES: Councillors Akter and Ishac

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.30PM.

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

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

RESOLVED that the minutes of the Ordinary Council Meeting held on 23 August 2022 be adopted.

- CARRIED

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

RESOLVED that the minutes of the Extraordinary Council Meeting held on 13 September 2022 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

(206) CLR. DOWNEY:/CLR. ABOURAAD

RESOLVED that Leave of Absence be granted to Clrs Akter and Ishac due to personal reasons.

- CARRIED

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

Nil

SECTION 4: MAYORAL MINUTES

ITEM 4.1 HELP CONNECT LOCAL BUSINESSES WITH LOCAL JOB SEEKERS

CLR RAFFEN TEMPORARILY VACATED THE CHAMBER AT 6.31PM AND RETURNED TO THE MEETING AT 6.33PM.

(207) CLR. ASFOUR

RESOLVED that

1. Council set up an online 'job's hub' with neighbouring Councils.
2. Council write to the NSW Premier and Prime Minister urging them to expand opportunities for work experience and training through state and federal agencies and, to consider providing and funding free TAFE and university courses to upskill and train people in South-west and Western Sydney.

- CARRIED

ITEM 4.2 BANKSTOWN WAR WIDOWS GUILD - MEMORIAL DEDICATION

(208) CLR. ASFOUR

RESOLVED that

1. Council hold a dedication ceremony to mark the inaugural War Widows Day (19 October) by installing a plaque at the memorial along the Hume Highway at Bass Hill, which was built by Council in 2018.
2. Council to prepare the monument and surrounds for the dedication ceremony and erect a durable bench, so those who want to use the area for reflection can do so in safety and comfort.

- CARRIED

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ITEM 4.3 **CHRISTMAS 2022 - ACTIVATIONS**
(209) **CLR. ASFOUR**

RESOLVED that Council propose that the elves in our events team get on their sleighs and start preparing our City for a magical Christmas experience.

- CARRIED

ITEM 4.4 **AUSTRALIA DAY HONOURS 2023**
(210) **CLR. ASFOUR**

RESOLVED that Council go out to the community to seek nominations for the following award categories:

- Citizen of the Year;
- Young Citizen of the Year;
- Volunteer of the Year;
- Community Organisation of the Year; and
- Jack Munday Environment and Heritage Award.

- CARRIED

ITEM 4.5 **LOCAL COMMUNITY BASED DONATIONS - SEPTEMBER 2022**
(211) **CLR. ASFOUR**

RESOLVED that

1. Council support a donation of \$250 towards the Zonta Club of Sydney West Citizenship Awards.
2. Council support a donation \$1,000 towards the Legs for Police Legacy Charity Event.
3. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

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ITEM 4.6 **PARLIAMENT ATTACK**

(212) **CLR. ASFOUR**

RESOLVED that Council write to the NSW Standing Committee on Parliamentary Privilege and Ethics to carry out its functions under Part 7A of the Independent Commission Against Corruption Act 1988, relating to Parliamentary ethical standards, reviewing the members for East Hills and Bankstown's code of conduct.

- CARRIED

AT THIS STAGE OF THE MEETING, IN ACCORDANCE WITH CLAUSE 15.14 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A FIRST WARNING AT 6.41PM FOLLOWED BY A SECOND WARNING AT 6.50PM TO COUNCILLOR COOREY FOR ACTS OF DISORDER.

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

SUSPENSION OF STANDING ORDERS

(213) **CLR. EL-HAYEK:/CLR. ABOURAAD**

RESOVLED that

1. Standing Orders be suspended for Item 10.2 to be considered.
2. Standing Orders then be resumed.

- CARRIED

ITEM 10.2 **ENDORISING THE SYDNEY STATEMENT ON ANTI-PALESTINIANISM**

(214) **CLR. CAHILL:/CLR. NGUYEN**

RESOLVED that

1. Recognising that the Israeli occupation of Palestine has lasted over 50 years and is a concern to residents of Canterbury Bankstown, of diverse faiths and backgrounds;
2. Noting that the Palestine perspective is rarely given space in Australia's media;
3. Recognising that Palestinians believe they are subject to racial prejudice and stereotyping;
4. Acknowledging that The Sydney Statement on Anti-Palestinianism has been endorsed by more than sixty-five (65) community organisations;

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5. Recognising that its language has been endorsed by former Australian foreign ministers Gareth Evans and Bob Carr;
6. Commending its references to international law and a UN sponsored path to peace:
7. This Council proudly endorses The Sydney Statement on Anti-Palestinianism and undertakes to commend it to other local government organisations in New South Wales.

- CARRIED

HIS WORSHIP THE MAYOR ADJOURNED THE MEETING AT 7.14PM.

THE MEETING RESUMED AT 7.29PM WHEN STANDING ORDERS WERE RESUMED.

SECTION 5: PLANNING MATTERS

ITEM 5.1 COUNCIL SUBMISSION - RIVERWOOD HOUSING ESTATE STATE SIGNIFICANT PRECINCT

CLR NGUYEN TEMPORARILY VACATED THE CHAMBER AT 7.29PM AND RETURNED TO THE MEETING AT 7.30PM.

(215) CLR. SALEH:/CLR. DOWNEY

RESOLVED that

1. Council endorses the draft submission at Attachment A and the submission is made to the Department of Planning and Environment subject to an increase in social housing to 40% and affordable housing to 10%.
2. Council works with the applicant and the Department of Planning and Environment to ensure the site specific DCP addresses all relevant planning matters identified in the detailed submission provided at Attachment A and the draft DCP be re-exhibited to incorporate changes requested by Council.
3. After the DCP has been exhibited, a report to be provided to Council outlining submissions received and the proponent's response to the issues raised from the exhibition.
4. A separate report to be considered by Council for exhibition of a draft Planning Agreement.

- CARRIED

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ITEM 5.2 **DRAFT HOUSEKEEPING AMENDMENTS TO THE COMMUNITY PARTICIPATION PLAN**

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

RESOLVED that

1. Council adopt the draft amendments to the Community Participation Plan, as provided in Attachment A.
2. The Amended Community Participation Plan be published on Council's website and NSW Planning Portal.

- CARRIED

For:- Clrs Abouraad, Asfour, Cahill, Coorey, Downey, El-Hayek, Harika, Nguyen, Raffan, Saleh, Waiba, Walsh and Zakhia

Against:- Nil

ITEM 5.3 **DRAFT CONSOLIDATED LOCAL ENVIRONMENTAL PLAN UPDATE AND DRAFT DEVELOPMENT CONTROL PLAN AMENDMENTS**

(217) **CLR. WALSH:/CLR. HARIKA**

RESOLVED that

1. Council exhibit the draft amendments to the Draft Canterbury Bankstown Consolidated Development Control Plan as provided in Attachment A.
2. This matter be reported to Council following the exhibition period.

- CARRIED

SECTION 6: POLICY MATTERS

Nil

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SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

In respect of Item 7.5 - Code of Conduct Matter - Investigation of Allegations of Corrupt Conduct made by the Member for Bankstown concerning Council Officials, Clr Asfour declared a significant, non-pecuniary interest given the nature of allegations made against him and as such vacated the Chamber, taking no part in debate.

HIS WORSHIP THE MAYOR CLR ASFOUR TEMPORARILY VACATED THE CHAMBER AT 7.55PM.

THE DEPUTY MAYOR CLR EL-HAYEK ASSUMED THE CHAIR.

MATTER OF URGENCY

(218) CLR. DOWNEY:/CLR. HARIKA

RESOLVED that urgency be permitted and Item 7.5 – Code of Conduct Matter – Investigation of Allegations of Corrupt Conduct made by the Member for Bankstown concerning Council Officials be considered.

- CARRIED

ITEM 7.5 CODE OF CONDUCT MATTER - INVESTIGATION OF ALLEGATIONS OF CORRUPT CONDUCT MADE BY THE MEMBER FOR BANKSTOWN CONCERNING COUNCIL OFFICIALS

AT THIS STAGE OF THE MEETING, IN ACCORDANCE WITH CLAUSE 15.14 OF THE CODE OF MEETING PRACTICE, THE DEPUTY MAYOR ISSUED A THIRD AND FINAL WARNING AT 8.28PM TO COUNCILLOR COOREY FOR AN ACT OF DISORDER AND EXPELLED HER FROM THE MEETING.

(219) CLR. DOWNEY:/CLR. RAFFAN

RESOLVED that

1. The information be noted.
2. Council support the actions taken, as outlined in the report.
3. A further report be provided to Council, informing it of the findings of the independent investigation regarding the matter.

- CARRIED

HIS WORSHIP THE MAYOR CLR ASFOUR RETURNED TO THE MEETING AT 8.29PM AND ASUMED THE CHAIR.

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ITEM 7.1 **ELECTION OF DEPUTY MAYOR**

(220) **CLR. HARIKA:/CLR. SALEH**

RESOLVED that

1. Council elect a Deputy Mayor for the period September 2022 to September 2023.
2. The fee for the Deputy Mayor be set at 15% of the Mayoral fee per annum for the term of office.
3. In accordance with Section 7 of the Local Government (General) Regulation 2021, the General Manager, as the Returning Officer be requested to administer the Election of the Deputy Mayor.
4. In the event that there be more than one (1) nomination the method of voting be open voting.

- CARRIED

The Returning Officer called for nominations in writing for the office of Deputy Mayor for the period September 2022 to September 2023.

The following nominations were received:-

CLR ABOURAAD
CLR RAFFAN

AN OPEN BALLOT WAS CONDUCTED BY THE RETURNING OFFICER WHICH RESULTED AS FOLLOWS:

CLR ABOURAAD	3 VOTES
CLR RAFFAN	9 VOTES

THE RETURNING OFFICER THEN DECLARED CLR RAFFAN ELECTED TO THE OFFICE OF DEPUTY MAYOR FOR THE PERIOD SEPTEMBER 2022 TO SEPTEMBER 2023.

(221) **CLR. ZAKHIA:/CLR. ABOURAAD**

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Governance and Administration Matters with the exception of Items 7.1 and 7.5.

- CARRIED

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ITEM 7.2 CASH AND INVESTMENT REPORT AS AT 31 AUGUST 2022

(222) CLR. ZAKHIA:/CLR. ABOURAAD

RESOLVED that

1. The Cash and Investment Report as at 31 August 2022 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

ITEM 7.3 PROPOSED LEASEHOLD ACQUISITION OF LAND BY TRANSPORT FOR NSW

(223) CLR. ZAKHIA:/CLR. ABOURAAD

RESOLVED that

1. The Chief Executive Officer be authorised to negotiate and determine compensation payable to Council for the compulsory leasehold acquisition of the subject land in accordance with a valuation provided by a registered valuer.
2. The Mayor and Chief Executive Officer be delegated authority to sign all documentation under the Common Seal of Council, as required.

- CARRIED

ITEM 7.4 PROPOSED LEASEHOLD ACQUISITION OF LAND BY SYDNEY METRO CITY AND SOUTHWEST

(224) CLR. ZAKHIA:/CLR. ABOURAAD

RESOLVED that

1. The Chief Executive Officer be authorised to negotiate and determine compensation payable to Council for the compulsory leasehold acquisition of the subject land in accordance with a valuation provided by a registered valuer.

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2. The Mayor and Chief Executive Officer be delegated authority to sign all documentation under the Common Seal of Council, as required.

- CARRIED

ITEM 7.5 **CODE OF CONDUCT MATTER - INVESTIGATION OF ALLEGATIONS OF CORRUPT CONDUCT MADE BY THE MEMBER FOR BANKSTOWN CONCERNING COUNCIL OFFICIALS**

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 219 ON PAGE SEVEN OF THESE MINUTES.

SECTION 8: **SERVICE AND OPERATIONAL MATTERS**

ITEM 8.1 **LIVE SCREENING OF AUSTRALIA'S FIFA WORLD CUP CAMPAIGN**
(225) **CLR. DOWNEY:/CLR. NGUYEN**

RESOLVED that Council work in partnership with Bankstown and Canterbury Football Associations to see if they can secure enough commitment to run outdoor live screenings of the Tunisia vs Socceroos on Saturday 26 November 2022 at Playford Park in Bankstown and Beaman Park in Canterbury.

- CARRIED

SECTION 9: **COMMITTEE REPORTS**

(226) **CLR. HARIKA:/CLR. WALSH**

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Committee Reports.

- CARRIED

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- ITEM 9.1** **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 13 SEPTEMBER 2022**
(227) **CLR. HARIKA:/CLR. WALSH**
- RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 13 September 2022, be adopted.
- CARRIED
-
- ITEM 9.2** **CITY MARKETING & INVESTMENT ADVISORY COMMITTEE**
(228) **CLR. HARIKA:/CLR. WALSH**
- RESOLVED that the minutes of the City Marketing & Investment Advisory Committee meeting held on 8 September 2022 be endorsed.
- CARRIED
-
- ITEM 9.3** **COMMUNITY SAFETY ADVISORY COMMITTEE**
(229) **CLR. HARIKA:/CLR. WALSH**
- RESOLVED that the minutes of the Community Safety Advisory Committee meeting held on 18 August 2022 be endorsed.
- CARRIED
-
- ITEM 9.4** **ARTS & CULTURE ADVISORY COMMITTEE**
(230) **CLR. HARIKA:/CLR. WALSH**
- RESOLVED that the minutes of the Arts & Culture Advisory Committee meeting held on 24 August 2022 be endorsed.
- CARRIED

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ITEM 9.5 **UNIVERSAL ACCESS ADVISORY COMMITTEE**
(231) **CLR. HARIKA:/CLR. WALSH**

RESOLVED that the minutes of the Universal Access Advisory Committee meeting held on 31 August 2022 be endorsed.

- CARRIED

ITEM 9.6 **ABORIGINAL & TORRES STRAIT ISLANDER ADVISORY COMMITTEE**
(232) **CLR. HARIKA:/CLR. WALSH**

RESOLVED that the minutes of the Aboriginal & Torres Strait Islander Advisory Committee meeting held on 6 September 2022 be endorsed.

- CARRIED

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

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

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 Items 10.2 and 10.5.

- CARRIED

ITEM 10.1 **STATUS OF PREVIOUS NOTICES OF MOTION**
(234) **CLR. EL-HAYEK:/CLR. RAFFAN**

RESOLVED that the information be noted.

- CARRIED

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ITEM 10.2 ENDORSING THE SYDNEY STATEMENT ON ANTI-PALESTINIANISM

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 214 ON PAGE FOUR OF THESE MINUTES.

ITEM 10.3 TRAFFIC MANAGEMENT FRAMEWORK
(235) CLR. EL-HAYEK:/CLR. RAFFAN

RESOLVED that Council consider the development of a decision-making framework for the consideration and prioritisation of traffic management measures across the LGA that does not prioritise speed humps as a first response to traffic calming.

- CARRIED

ITEM 10.4 FRIENDSHIP AGREEMENT BETWEEN THE LEBANESE CITY OF ZAHLE AND CITY OF
CANTERBURY BANKSTOWN
(236) CLR. EL-HAYEK:/CLR. RAFFAN

RESOLVED that

1. Council invites the Mayor of Zahle, Mr Asaad Zoghaib, to participate in a video conference to discuss and share any initiatives which could benefit both our Cities.
2. This meeting to take place on Thursday 1 December 2022, to coincide with the mid-term signing of our 4-year City of Friendship Agreement with the largest city of the Beqaa Governorate, Lebanon. Council.

- CARRIED

ITEM 10.5 DOG ATTACKS
(237) CLR. SALEH:/CLR. ZAKHIA

RESOLVED that

1. Council investigate taking a zero-tolerance approach to repeat offending dog attacks including issuing one recorded warning when dogs are found off the leash in an area other than an off leash designated area and then infringements after that.

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2. Council writes to the NSW Government asking it to urgently change the companion Animals Act to take a zero-tolerance approach to repeat dog attacks.
3. Council to have a briefing from RSPCA.

- CARRIED

ITEM 10.6 **DEMERGER - CONSULTATION WITH STAFF AND UNIONS**
(238) **CLR. EL-HAYEK:/CLR. RAFFAN**

RESOLVED that Council ensure that staff and unions have a voice and an active role in any demerger process approved by the Minister or set up by Council.

- CARRIED

ITEM 10.7 **EAT GLOBAL, VISIT LOCAL DIRECTORY - CAMPAIGN**
(239) **CLR. EL-HAYEK:/CLR. RAFFAN**

RESOLVED that Canterbury Bankstown Council undertake a promotion of its 'Eat Global – Visit Local Directory' to support our small businesses by encouraging our community to shop and eat local.

- CARRIED

ITEM 10.8 **MOVEMBER 2022**
(240) **CLR. EL-HAYEK:/CLR. RAFFAN**

RESOLVED that Council supports Movember during the month of November to raise awareness of men's health issues, such as prostate cancer, mental health and suicide prevention, including a \$100 donation for each Councillor and \$50 for each staff member growing a 'mo' for Movember.

- CARRIED

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SECTION 11: **CONFIDENTIAL SESSION**
Nil

THE MEETING CLOSED AT 8.38PM.

Minutes confirmed 18 OCTOBER 2022

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Mayor