

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 24 MAY 2022**

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**PRESENT:** Mayor, Councillor Asfour  
Councillors Coorey, Waiba, El-Hayek, Ishac, Cahill, Walsh, Zakhia, Saleh,  
Downey, Harika, Akter

**PRESENT BY AUDIO**  
**VISUAL LINK:** Councillors Raffan, Nguyen

**APOLOGIES:** Councillor Abouraad

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**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.

**COUNCILLORS ATTENDING REMOTELY**

**(94)**

**CLR.COOREY:/CLR. CAHILL**

RESOLVED that permission be granted to Councillors Raffan and Nguyen to attend the meeting remotely by zoom.

- CARRIED

**SECTION 1: CONFIRMATION OF MINUTES**

**(95)**

**CLR. DOWNEY:/CLR. WAIBA**

RESOLVED that the minutes of the Ordinary Council Meeting held on 26 April 2022 be adopted.

- CARRIED

**SECTION 2: LEAVE OF ABSENCE**

**(96)**

**CLR. DOWNEY:/CLR. ISHAC**

RESOLVED that Leave of Absence be granted to Clr Charbel Abouraad due to work commitments.

- CARRIED

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

During the Public Forum and in respect of Item 5.3 – Campsie Town Centre Master Plan and Planning Proposal, Clr Raffan declared a significant, Non Pecuniary Conflict of Interest given her principal place of residence falls within the area that is the subject of the Campsie Master Plan and Planning Proposal and as such she will vacate the Chamber taking no part in debate.

During the Public Forum and in respect of Item 5.3 – Campsie Town Centre Master Plan and Planning Proposal, Clr Saleh declared a significant, Non Pecuniary Conflict of Interest given that he previously considered the Campsie Master Plan and Planning Proposal on 9-10 September 2021 as a member of the Canterbury Bankstown Local Planning Panel and as such he will vacate the Chamber taking no part in debate.

**SECTION 4:                   MAYORAL MINUTES**

**ITEM 4.1                   STUDIOVENTURE**  
**(97)                        CLR. ASFOUR**

RESOLVED that Council support and promote the *Studioventure* and shift its focus towards growing CBBAS online and away from the shopfront.

- CARRIED

**ITEM 4.2                   CITIZENSHIP FUNDING**  
**(98)                        CLR. ASFOUR**

RESOLVED that Council write to the new Federal Immigration Minister, when appointed, to reimburse Council for holding a special Citizenship Ceremony on 13 May 2022, and/or pledge their commitment to set aside a yearly grant for Council to hold future Citizenship Ceremonies.

- CARRIED

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**ITEM 4.3**                      **RAMADAN LAKEMBA WRAP-UP**

CLR COOREY TEMPORARILY VACATED THE CHAMBER AT 6.42PM AND RETURNED TO THE MEETING AT 6.44PM.

**(99)**                              **CLR. ASFOUR**

RESOLVED that Council

1.     Conducts an external review of Ramadan Lakemba examining everything from risk, management and funding opportunities and share the findings with State Government/Destination NSW.
2.     Makes a formal request to State Government/Destination NSW to partner with us in order to make this event a safe and sustainable one which can be supported in the future.

- CARRIED

**ITEM 4.4**                      **LOCAL COMMUNITY BASED DONATIONS**

**(100)**                              **CLR. ASFOUR**

RESOLVED that

1.     Council support the fee waiver of \$370 for the Australian Korean Association of Sydney & NSW Inc.
2.     Council support a donation of \$2500 to the Canterbury Bulldogs to support the hire of a Marveloo.
3.     Council support the donation of 20 recycling bins to Little Wings for its recycling return and earn campaign.
4.     These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

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**SECTION 5: PLANNING MATTERS**

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

**(101) CLR. ISHAC:/CLR. ZAKHIA**

RESOLVED that the report be noted.

- CARRIED

**ITEM 5.2 EXHIBITION OF PLANNING PROPOSAL: 165-185 HUME HIGHWAY, GREENACRE**

**(102) CLR. COOREY:/CLR. DOWNEY**

RESOLVED that Council adopt the

1. Planning Proposal as shown in Attachment A and that it be sent to the NSW Department of Planning and Environment for finalisation.
2. Site-specific DCP amendment as shown in Attachment B and that it comes into effect on the date the LEP amendment is published on the NSW Legislation Website.
3. Planning Agreement as shown in Attachment C and authorise the General Manager to, if necessary, make relevant administrative changes that would not alter its intent, and execute the Agreement.

- CARRIED

**For:-** Ctrs Asfour, Akter, Cahill, Coorey, Downey, Ishac, Nguyen, Raffan and Walsh

**Against:-** Ctrs El-Hayek, Harika, Waiba, Saleh and Zakhia

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**ITEM 5.3**                      **CAMPSIE TOWN CENTRE MASTER PLAN AND PLANNING PROPOSAL**

In respect of Item 5.3 – Campsie Town Centre Master Plan and Planning Proposal, Clr Raffan declared a significant, Non Pecuniary Conflict of Interest given her principal place of residence falls within the area that is the subject of the Campsie Master Plan and Planning Proposal and as such she will vacate the Chamber taking no part in debate.

In respect of Item 5.3 – Campsie Town Centre Master Plan and Planning Proposal, Clr Saleh declared a significant, Non Pecuniary Conflict of Interest given that he previously considered the Campsie Master Plan and Planning Proposal on 9-10 September 2021 as a member of the Canterbury Bankstown Local Planning Panel and as such he will vacate the Chamber taking no part in debate.

CLRS RAFFAN AND SALEH TEMPORARILY VACATED THE CHAMBER AT 6.56PM.

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

RESOLVED that

1. Council adopt the Campsie Town Centre Master Plan.
2. Council prepare and submit a Planning Proposal to amend the Canterbury Bankstown Local Environmental Plan in accordance with the Campsie Town Centre Master Plan.
3. Council exhibit the Planning Proposal, subject to a Gateway Determination and associated conditions.
4. Council prepare and exhibit a Development Control Plan to support the Master Plan, to be exhibited concurrently with the Planning Proposal.
5. Council does not proceed with the following applicant initiated Planning Proposals in accordance with section 3.35(4) of the Environmental Planning and Assessment Act 1979, for the reasons outlined in this report, and includes the sites into the Campsie Town Centre Planning Proposal:
  - a. RZ-4/2019 applying to 2-10 Harold Street, Campsie
  - b. RZ-/2018 applying to 21-23 Claremont Street and 76-90 Evaline Street, Campsie
  - c. ECM T-29-180 applying to 25 Anglo Road, Campsie (Campsie RSL)
6. A further report to be provided to Council outlining submissions received during the formal exhibition period of the Planning Proposal.

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7. Council officers commence communicating adoption of the Campsie Town Centre Master Plan to State agencies and engage with agencies to advocate for and work collaboratively on the realisation of the Campsie Town Centre Plan and State Government investment in its local infrastructure.
8. Council write to the Minister for Infrastructure, Cities and Active Transport requesting the Greater Cities Commission co-chair an Infrastructure working group which includes Canterbury Bankstown Council with the aim to define State Infrastructure required to support the Campsie Master Plan including when it will be delivered and funded.

- CARRIED

**For:-** Clrs Asfour, Akter, Cahill, El-Hayek, Ishac, Nguyen, Walsh and Zakhia

**Against:-** Clrs Coorey, Harika, Downey and Waiba

AT THIS STAGE OF THE MEETING, IN ACCORDANCE WITH CLAUSE 15.4 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A FIRST WARNING TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

**SECTION 6: POLICY MATTERS**

Nil

**SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS**

CLRS RAFFAN AND SALEH RETURNED TO THE MEETING AT 7.08PM.

**ITEM 7.1 DISCLOSURE OF INTEREST RETURNS**

**(104) CLR. ISHAC:/CLR. EL-HAYEK**

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

- CARRIED

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**ITEM 7.2**                      **DRAFT DISABILITY INCLUSION ACTION PLAN 2022-2026**  
**(105)**                              **CLR. EL-HAYEK:/CLR. WALSH**

RESOLVED that Council endorse the draft Disability Action Plan to be placed on Public Exhibition.

- CARRIED

**ITEM 7.3**                      **CODE OF MEETING PRACTICE - AMENDMENT TO 2022 SCHEDULE OF MEETINGS**  
**(106)**                              **CLR. ZAKHIA:/CLR. ISHAC**

RESOLVED that

1. The 2022 Schedule of Council Meetings be amended – whereby the June 2022 Ordinary Meeting of Council be rescheduled from Tuesday, 28 June 2022 to Thursday, 23 June 2022.
2. Council agrees to the temporary administrative changes, as outlined in the report.

- CARRIED

**ITEM 7.4**                      **LEBANESE FILM FESTIVAL PARTNERSHIP PROPOSAL**  
**(107)**                              **CLR. EL-HAYEK:/CLR. ZAKHIA**

RESOLVED that Council endorse sponsorship of Platinum Partner level and support of the Lebanese Film Festival in 2022.

- CARRIED

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**ITEM 7.5**                      **CASH AND INVESTMENT REPORT AS AT 30 APRIL 2022**  
**(108)**                              **CLR. NGUYEN:/CLR. CAHILL**

RESOLVED that

1.     The Cash and Investment Report as at 30 April 2022 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**                      **WESTINVEST PROGRAM - UPDATE**  
**(109)**                              **CLR. EL-HAYEK:/CLR. ISHAC**

RESOLVED that the projects listed in Tables 1, 2 and 3 of this report be adopted and incorporated into applications for the Local Traffic Program (under the Local Government Allocation), and for Creating a Play City and Creating a Walking City Programs (under the Competitive Round).

- CARRIED

**SECTION 9:                      COMMITTEE REPORTS**

**ITEM 9.1**                      **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 10 MAY 2022**  
**(110)**                              **CLR. HARIKA:/CLR. SALEH**

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 10 May 2022, be adopted.

- CARRIED

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

**ITEM 10.1**                      **NOTICE OF MOTIONS**  
**(111)**                              **CLR. DOWNEY:/CLR. EL-HAYEK**

RESOLVED that the information be noted.

- CARRIED



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**ITEM 10.2**

**SUNDAY CONSTRUCTION**

**(112)**

**CLR. RAFFAN:/CLR. HARIKA**

RESOLVED that Council writes to the NSW Minister for Planning, Anthony Roberts, strongly opposing any moves which will allow construction works on Sundays.

- CARRIED

**ITEM 10.3**

**PROTECTING OUR PENSIONERS**

**(113)**

**CLR. EL-HAYEK:/CLR. DOWNEY**

RESOLVED that Council writes to the NSW Local Government Minister, Wendy Tuckerman, to immediately increase the \$250 rates rebate offered to pensioners under the *Local Government Act* by the annual Consumer Price Index of 5.1 per cent.

Further, we call on her to annually index the rebate and to stop cost shifting pensioner welfare measures onto Local Government, and to fully reimburse Councils for their mandatory share of the rebate.

- CARRIED

**ITEM 10.4**

**MULTI DWELLING HOUSING IN THE FORMER CANTERBURY LOCAL GOVERNMENT AREA**

**(114)**

**CLR. COOREY:/CLR. NGUYEN**

RESOLVED that Council writes to the Department of Planning and Environment to expedite the issuing of a Gateway Determination for the proposed changes to its multi dwelling housing controls.

- CARRIED

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**ITEM 10.5**

**DE-MERGE**

**MOTION**

**CLR. COOREY:/CLR. SALEH**

That Council

1. Use the opportunity presented by the amendments to the Local Government Act to investigate de amalgamation of Canterbury Bankstown Council and to prepare a report for the Council Meeting in July 2022. Council's case should include:
  - a. Councils current financial position;
  - b. Council's future financial position;
  - c. A community consultation plan and budget for Council's further consideration (including but not limited to establishing/understanding communities of interest and cohesion);
  - d. Thorough cost benefit analysis on demerger by a reputable independent source that has the capacity to assess complex economic social and environmental issues;
  - e. The ongoing costs and benefits for each council for a demerger to take place;
  
2. Pursuant to section 14 of the Local Government Act 1993 (NSW)
  - a. Council take a poll of electors on the question of whether the Canterbury Bankstown local government area should be de amalgamated so as to restore the former Local Government area of the City of Canterbury Council and the City of Bankstown Council
  
  - b. Council hold the poll on the day of the 2023 NSW State Election being Saturday 25 March 2023 after consulting with the NSW Electoral Commission and if this is not achievable then the poll to be held at the next Council election to be held in September 2024 or such later date or other day as may be subsequently be proclaimed.

**AMENDMENT**

**CLR. SALEH:/CLR. CAHILL**

That

1. Council awaits and considers the independent review regarding de-amalgamation – as resolved by Council at its Ordinary Meeting on 27 July 2021.
  
2. The report include a costed community engagement plan and poll details, inclusive of sources of funding, for Council's consideration.

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3. Council receives a report on the matter at its July 2022 Ordinary Meeting.
4. In light of the report, Council establish its position and engage with our community and ask them if they support de-amalgamation to restore former Canterbury and Bankstown Councils.

**THE AMENDMENT WAS CARRIED AND BECAME THE MOTION.**

AT THIS STAGE OF THE MEETING, IN ACCORDANCE WITH CLAUSE 15.4 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A SECOND WARNING TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

**(115)**

**CLR. SALEH:/CLR. CAHILL**

RESOLVED that

1. Council awaits and considers the independent review regarding de-amalgamation – as resolved by Council at its Ordinary Meeting on 27 July 2021.
2. The report include a costed community engagement plan and poll details, inclusive of sources of funding, for Council’s consideration.
3. Council receives a report on the matter at its July 2022 Ordinary Meeting.
4. In light of the report, Council establish its position and engage with our community and ask them if they support de-amalgamation to restore former Canterbury and Bankstown Councils.

- CARRIED

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

**SECTION 11:**

**CONFIDENTIAL SESSION**

**(116)**

**CLR. DOWNEY:/CLR. ZAKHIA**

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 and 11.2 in confidential session for the reasons indicated:

Item 11.1 Proposed acquisition of property in Milperra

*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*

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*would, if disclosed, confer a commercial advantage on a competitor of the council.*

Item 11.2 Recycling contract

*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.*

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 8.03PM AND REVERTED BACK TO OPEN COUNCIL AT 8.11PM.**

**ITEM 11.1**  
**(117)**

**PROPOSED ACQUISITION OF PROPERTY IN MILPERRA**  
**CLR. ZAKHIA:/CLR. DOWNEY**

RESOLVED that the proposed approach regarding the matter, as outlined in the report, be approved.

- CARRIED

**ITEM 11.2**  
**(118)**

**RECYCLING CONTRACT**  
**CLR. DOWNEY:/CLR. CAHILL**

RESOLVED that

1. In accordance with Section 55(3)(i) of the Local Government Act 1993, Council agree to the extension of the contract due to the lack of providers currently in the market to carry out the service.
2. The General Manager be authorised to finalise the matter, as required.

- CARRIED

**THE MEETING CLOSED AT 8.12PM**

Minutes confirmed 28 JUNE 2022

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Mayor