

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 12 SEPTEMBER 2023**

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

**APOLOGIES** Councillor Ishac and Waiba

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

**ACKNOWLEDGEMENT OF COUNTRY**

THE MAYOR ACKNOWLEDGED THE TRADITIONAL CUSTODIANS OF THE LAND, WATER AND SKIES OF WHERE WE ARE MEETING TODAY THE DARUG (DARAG, DHARUG, DARUK AND DHARUK) PEOPLE AND PAID RESPECT TO DARUG CULTURAL HERITAGE, BELIEFS AND RELATIONSHIP WITH THE LAND. THE MAYOR ALSO ACKNOWLEDGED FIRST PEOPLES' CONTINUING IMPORTANCE TO OUR COMMUNITY.

**SECTION 1:** **CONFIRMATION OF MINUTES**  
**(554)** **CLR. DOWNEY:/CLR. CAHILL**

RESOLVED that the minutes of the Ordinary Council Meeting held on 29 August 2023 be adopted.

- CARRIED

**SECTION 2:** **LEAVE OF ABSENCE**  
**(555)** **CLR. ZAKHIA:/CLR. DOWNEY**

RESOLVED that Leave of Absence be granted to Clr Ishac and Clr Waiba due to personal reasons.

- CARRIED

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

In respect of Item 4.4 – St Nicholas Golden Jubilee, Clr Asfour declared a Non-significant, Non Pecuniary Conflict of Interest given that he is a member of the parish. Clr Asfour advised that it will not affect his consideration of the item and he will remain in the Chamber.

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**SECTION 4: MAYORAL MINUTES**

**ITEM 4.1 DOMESTIC VIOLENCE SUMMIT**  
**(556) CLR. EL-HAYEK**

RESOLVED that Council write to the Minister for Women and the Prevention of Domestic Violence and Sexual Assault The Hon Jodie Harrison MP, seeking a meeting to present the outcomes and priorities raised at the Mayor's recent summit on Domestic Violence.

- CARRIED

**ITEM 4.2 YOUNG DRIVERS**  
**(557) CLR. EL-HAYEK**

RESOLVED that

1. Council write to the NSW Premier Chris Minns MP urging his new Government to review the policies and strategies currently in place in tackling the alarming deaths, and driving behaviours, of young people, in particular young males.
2. Council call on the NSW Premier to consider introducing tougher penalties, which include zero tolerance, reducing the total number of demerit points before a loss of licence, introducing double demerit points permanently, more education in our schools, tougher requirements when applying for a licence and increasing police patrols and visibility.
3. Council highlight the dangers of speeding, in particular targeting drivers in the age group 16-29, on its social and digital media platforms.

- CARRIED

**ITEM 4.3 AUSTRALIA DAY HONOURS 2024**  
**(558) CLR. EL-HAYEK**

RESOLVED that

1. Council seek nominations for the following Australia Day honours categories;
  - Citizen of the Year;
  - Young Citizen of the Year;

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- Volunteer of the Year;
- Community Organisation of the Year;
- Women in Community; and
- Jack Munday Environment and Heritage Award.

2. The winners of the awards be announced at the Australia Day Ceremony.  
- CARRIED

**ITEM 4.4 ST NICHOLAS GOLDEN JUBILEE**

In respect of Item 4.4 – St Nicholas Golden Jubilee, Clr Asfour declared a Non-significant, Non Pecuniary Conflict of Interest given that he is a member of the parish. Clr Asfour advised that it will not affect his consideration of the item and he remained in the Chamber.

**(559) CLR. EL-HAYEK**

RESOLVED that Council supports the St Nicholas Antiochian Orthodox Church by purchasing a \$2000 Gold Level package for their upcoming Golden Jubilee Ball.

- CARRIED

**ITEM 4.5 LOCAL COMMUNITY BASED DONATIONS**

**(560) CLR. EL-HAYEK**

RESOLVED that

1. Council support a donation of \$500 towards the Islamic Women's Association Australia (IWAA) NSW Multicultural Peace Walk.
2. Council support park hire fee waiver of \$387.50 towards the Kids in Business.
3. Council support a donation of \$250 towards Zonta Club of Sydney West.
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 CANTERBURY-BANKSTOWN LOCAL INFRASTRUCTURE CONTRIBUTIONS PLAN 2022 - DRAFT ADMINISTRATIVE AMENDMENTS**

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

RESOLVED that

1. Council exhibit the draft amended *Canterbury-Bankstown Local Infrastructure Contributions Plan 2022* for 28 days in accordance with the Environmental Planning and Assessment Regulation 2021 and Council's Community Participation Plan.
2. The matter be reported to Council following the public exhibition of the Plan.

- CARRIED

**ITEM 5.2 REPORT ON COUNCIL'S PERFORMANCE IN THE ASSESSMENT OF DEVELOPMENT APPLICATIONS FOR THE 2022/23 FINANCIAL YEAR, CLAUSE 4.6 VARIATIONS APPROVED FOR THE FOURTH QUARTER OF THE 2022/23 FINANCIAL YEAR, PLANNING RELATED LEGAL APPEALS, AND THE STATUS OF CURRENT PLANNING PROPOSALS**

**(562) CLR. ABOURAAD:/CLR. CAHILL**

RESOLVED that the report be noted.

- CARRIED

**SECTION 6: POLICY MATTERS**

**ITEM 6.1 MEDIA POLICY**

**(563) CLR. ASFOUR:/CLR. RAFFAN**

RESOLVED that

1. In principle, Council endorse the Draft Media Policy.
2. The Draft Policy be placed on public exhibition for comment.

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3. A further report be brought back to Council, following the public exhibition process.

- CARRIED

**SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 7.1 CODE OF MEETING PRACTICE - AMENDMENT TO 2023 SCHEDULE OF MEETINGS**  
**(564) CLR. ABOURAAD:/CLR. HARIKA**

RESOLVED that

1. The 2023 Schedule of Council Meetings be amended – whereby the December 2023 Ordinary Meeting of Council be rescheduled from Tuesday 12 December 2023 to Thursday, 7 December 2023.
2. On this occasion, the proposed starting time of Council’s Public Forum (if required) be 5:30pm followed by its Ordinary Meeting, which will commence at 6:00pm.
3. Council agrees to the temporary administrative changes, as outlined in the report.

- CARRIED

**ITEM 7.2 2024 LOCAL COUNCIL ELECTIONS**  
**(565) CLR. WALSH:/CLR. ZAKHIA**

RESOLVED that Council advise the NSW Electoral Commission of its preference that a one-week pre-poll period be adopted for the 2024 Local Government Elections.

- CARRIED

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**ITEM 7.3**                    **LEASE TO EBP SPORTS (PREVIOUSLY EARLWOOD BARDWELL PARK RSL CLUB LIMITED)- 134 WOOLCOTT STREET EARLWOOD**

**(566)**                    **CLR. ABOURAAD:/CLR. NGUYEN**

RESOLVED that

1. Council agrees in-principle to granting a new five year lease with a five year option to EBP Sports located at 134 Woolcott Street Earlwood.
2. Council publicly exhibits the proposed lease in accordance with the requirements of the Local Government Act 1993.
3. At conclusion of the public exhibition period, a further report be provided to Council for its consideration and decision.

- CARRIED

**SECTION 8:                SERVICE AND OPERATIONAL MATTERS**

Nil

**SECTION 9:                COMMITTEE REPORTS**

**(567)**                    **CLR. HARIKA:/CLR. ZAKHIA**

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

- CARRIED

**ITEM 9.1**                    **MINUTES OF THE COMMUNITY & INCLUSION ADVISORY COMMITTEE MEETING HELD ON 23 AUGUST 2023**

**(568)**                    **CLR. HARIKA:/CLR. ZAKHIA**

RESOLVED that the minutes of the Community & Inclusion Advisory Committee meeting held on 23 August 2023 be endorsed.

- CARRIED

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**ITEM 9.2**                      **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 12 SEPTEMBER 2023**  
**(569)**                              **CLR. HARIKA:/CLR. ZAKHIA**

RESOLVED that the recommendations contained in the minutes of the Canterbury-Bankstown Traffic Committee meeting held on 12 September 2023 be adopted.

- CARRIED

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

**ITEM 10.1**                      **STATUS OF PREVIOUS NOTICES OF MOTION - SEPTEMBER 2023**  
**(570)**                              **CLR. HARIKA:/CLR. DOWNEY**

RESOLVED that the information be noted.

- CARRIED

**ITEM 10.2**                      **SOVEREIGN CITIZENS**  
**(571)**                              **CLR. ASFOUR:/CLR. DOWNEY**

RESOLVED that Council denounces and condemns the sovereign citizen's movement and their extreme and disruptive views and further supports the integrity of all laws made by the Parliament, Government, and Judiciary for all Australians.

- CARRIED

**ITEM 10.3**                      **STATE GOVERNMENT PLANNING CONTROLS FOR DUAL OCCUPANCY**  
**(572)**                              **DEVELOPMENT**  
**CLR. CAHILL:/CLR. HARIKA**

RESOLVED that Council write to the State Government to request that they correct an error in State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 relating to subdividing dual occupancy development.

- CARRIED

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**ITEM 10.4**                    **HOUSING AND PRODUCTIVITY SCHEME**  
**(573)**                        **CLR. ABOURAAD:/CLR. ZAKHIA**

RESOLVED that Council make a submission to the Housing and Productivity Scheme Draft Ministerial Order, seeking a review and further assurances with respect to the incoming Housing and Productivity Scheme to ensure Canterbury Bankstown receives its fair share of funding that is reflected in a clear infrastructure plan, and that the government consider a sliding scale approach in applying the Scheme, so that it does not disadvantage local mum and dad home builders.

- CARRIED

**ITEM 10.5**                    **QUESTIONING MORRISON LOW'S DEMERGE ANALYSIS**  
**MOTION**

That Council urgently seek a report to address the following concerns:

- a) How did Council select Morrison Low to undertake work on the demerger submission? Did other organisations compete for this task? If so, which ones?
- b) What key aspects of the methodology and data modelling proposed by Morrison Low resulted in Council selecting Morrison Low for such a complex task?
- c) Why didn't Council seek to independently verify or validate the key results of the Morrison Low demerger report?
- d) Could Council provide a breakdown of its demerger cost by broad category of expenditure?
- e) What was the full cost to Council from Morrison Low for its work on the demerger report and any other activities run by Morrison Low associated with the demerger report?
- f) When did Morrison Low commence work on this task?

CLR COOREY ADVISED THE CHAIR THAT SHE WAS WITHDRAWING HER NOTICE OF MOTION.

**MOTION WITHDRAWN**



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**SECTION 11: CONFIDENTIAL SESSION**

Nil

**THE MEETING CLOSED AT 7.07 PM.**

Minutes confirmed 24 OCTOBER 2023

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Mayor