

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 JULY 2023**

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

**APOLOGIES** Councillors Asfour, Ishac and Raffan

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

**(496)**

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

RESOLVED that the minutes of the Ordinary Council Meeting held on 27 June 2023 be adopted.

- CARRIED

**SECTION 2: LEAVE OF ABSENCE**

**(497)**

**CLR. HARIKA:/CLR. ABOURAAD**

RESOLVED that Leave of Absence be granted to Clr Asfour, Clr Ishac and Clr Raffan 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 DOMESTIC VIOLENCE**  
**(498) CLR. EL-HAYEK**

RESOLVED that Council facilitate a local roundtable summit consisting of Domestic Violence Advocates, Women’s Organisations, Religious and Spiritual Leaders and Police, so Council can hear their stories and issues, identify what more can be done to stop this now and advocate loudly on their behalf.

- CARRIED

**ITEM 4.2 VALE TREVOR NEWTON**  
**(499) CLR. EL-HAYEK**

RESOLVED that the first Mayoral Certificate of Recognition be aptly awarded posthumously to Trevor Newton for his love and service of our city.

- CARRIED

COUNCIL OBSERVED A MINUTES SILENCE IN MEMORY OF TREVOR NEWTON.

**ITEM 4.3 DROWNING IN WASTE**  
**(500) CLR. EL-HAYEK**

RESOLVED that

1. Council work with other Councils to:
  - Reduce waste
  - Improve environmental outcomes where waste has to be processed
  - Influence policies and markets by planning, procuring and advocating together
  - Finding solutions for the residue that is left.
2. Council write to the NSW Government urging them to invest the revenue they collect from the waste levy, into building the waste infrastructure needed to meet the current waste pressures, let alone, the pressures of population growth, and to educate and support communities to reduce waste.
3. Council write to the Federal Government urging them to play their part and to expedite bans on materials that cannot be recycled or recovered in

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---

Australia and to significantly expand the range of products covered by extended producer responsibility schemes and to make those schemes compulsory.

4. Councillors receive a briefing, or a series of briefings, on the complex waste issues that all councils in Metropolitan Sydney are facing.

- CARRIED

**SECTION 5: PLANNING MATTERS**

**ITEM 5.1 PLANNING PROPOSAL - 30 TREVENAR STREET, ASHBURY**

**MOTION CLR. CAHILL:/CLR. SALEH OAM**

That

1. Council resolves not to proceed with acquisition of this property, and therefore requests to withdraw this planning proposal.
2. Council writes to all submitters to inform of them of Council's decision.

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

That

1. Council maintain its previous decision to rezone 30 Trevenar Street Ashbury from R2 Low Density Residential to RE1 Public Recreation subject to the Minister for Planning being identified as the Public Acquisition Authority.
2. Council defer finalisation of the planning proposal and write to the NSW Minister for Planning and Public Spaces and the NSW Treasurer asking the State Government to allocate the proceeds of the Ausgrid sale of 30 Trevenar Street Ashbury and/or other alternate funding to enable the NSW Department of Planning and Environment to provide its consent to be the nominated Acquisition Authority.
3. Seek a further extension to the nominated timeframe for finalisation of the planning proposal to enable to NSW Government to respond to this request and for Council to consider this matter further upon receipt of a reply.

- LOST

**For:-** Clrs Abouraad, Akter, Coorey, Nguyen and Zakhia

**Against:-** Clrs Cahill, Downey, El-Hayek, Harika, Saleh OAM, Waiba and Walsh

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**MINUTES OF THE**  
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---

**(501)**                      **CLR. CAHILL:/CLR. SALEH OAM**

RESOLVED that

1. Council resolves not to proceed with acquisition of this property, and therefore requests to withdraw this planning proposal.
2. Council writes to all submitters to inform of them of Council's decision.

- CARRIED

**For:-**                      Clrs Cahill, Downey, El-Hayek, Harika, Saleh OAM, Waiba and Walsh

**Against:-**                Clrs Abouraad, Akter, Coorey, Nguyen and Zakhia

A RESCISSION MOTION WAS LODGED AFTER THE COUNCIL MEETING IN RESPECT OF ITEM 5.1 PLANNING PROPOSAL – 30 TREVENAR STREET, ASHBURY.

**SECTION 6:                POLICY MATTERS**

**ITEM 6.1                    COUNCILLOR EXPENSES AND FACILITIES POLICY**

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

RESOLVED that

1. Council's Expenses and Facilities Policy per Attachment B, be placed on public exhibition in accordance with the requirements of the *Local Government Act 1993*, with the following amendment.
  - 1.1 Corporate attire to be through Council's Corporate attire supplier and limited to \$500 per annum.
2. A further report be submitted to Council at the conclusion of the public exhibition period for Council's consideration.

- CARRIED

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

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---

**SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 7.1 FEDERAL ELECTION COMMITMENTS**  
**(503) CLR. SALEH OAM:/CLR. WALSH**

RESOLVED that

1. Council proceed to apply under the *Investing in Our Communities Program* and *Priority Community Infrastructure Program* for the projects outlined in this report.
2. If successful in receiving funding under these programs, Council allocate the appropriate funds as a co-contribution to those projects, as outlined in this report.

- CARRIED

**ITEM 7.2 CODE OF MEETING PRACTICE - AMENDMENT TO 2023 SCHEDULE OF MEETINGS**  
**(504) CLR. ABOURAAD:/CLR. DOWNEY**

RESOLVED that the 2023 Schedule of Council Meetings be amended – whereby the September 2023 Ordinary Meeting of Council be rescheduled from Tuesday, 26 September 2023 to Tuesday, 12 September 2023.

- CARRIED

**SECTION 8: SERVICE AND OPERATIONAL MATTERS**

**ITEM 8.1 WOMEN'S REST CENTRES**  
**(505) CLR. SALEH OAM:/CLR. COOREY**

RESOLVED that the matter be deferred for a Councillor briefing.

- CARRIED

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---

**ITEM 8.2**                      **ALCOHOL FREE ZONES AND ALCOHOL PROHIBITED AREAS**  
**(506)**                         **CLR. DOWNEY:/CLR. NGUYEN**

RESOLVED that Council adopts the proposed Alcohol-Free Zones and Alcohol Prohibited Areas for a four-year period as identified in Attachment A.

- CARRIED

**SECTION 9:**                 **COMMITTEE REPORTS**

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

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 SAFETY ADVISORY COMMITTEE MEETING HELD**  
**ON 22 JUNE 2023**

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

RESOLVED that the minutes of the Community Safety Advisory Committee meeting held on 22 June 2023 be endorsed.

- CARRIED

**ITEM 9.2**                      **MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD**  
**ON 20 JUNE 2023**

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

RESOLVED that the recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 20 June 2023, be adopted.

- CARRIED

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---

**ITEM 9.3**                      **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 11 JULY 2023**  
**(510)**                              **CLR. HARIKA:/CLR. DOWNEY**

RESOLVED that the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 11 July 2023, be adopted.

- CARRIED

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

**ITEM 10.1**                      **STATUS OF PREVIOUS NOTICES OF MOTION - JULY 2023**  
**(511)**                              **CLR. ZAKHIA:/CLR. DOWNEY**

RESOLVED that the information be noted.

- CARRIED

**ITEM 10.2**                      **FERNDALE ROAD, REVESBY - REQUEST FOR ROUNDABOUTS**  
**(512)**                              **CLR. DOWNEY:/CLR. WALSH**

RESOLVED that Council investigates the feasibility of constructing roundabouts at both ends of Ferndale Road, Revesby, and to apply for any grant funding available.

- CARRIED

**ITEM 10.3**                      **PRIVATE CERTIFIERS**  
**(513)**                              **CLR. DOWNEY:/CLR. WALSH**

RESOLVED that Council writes to the NSW Minister for Planning and Public Spaces the Hon. Paul Scully MP and the Minister for Fair Trading the Hon Anoulack Chanthivong MP seeking an urgent meeting to discuss the growing concerns in our community relating to Private Certification.

- CARRIED

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---

**ITEM 10.4**  
**(514)**

**ILLEGAL DUMPING**

**CLR. DOWNEY:/CLR. WALSH**

RESOLVED that

1. Council acknowledge the proactive strategies Council has employed in tackling illegal dumping in our city, and to maintain its focus on cracking down on those offending, and on education campaigns.
2. Council staff report back on any shortcomings, issues, or resources needed, to ensure we maintain our fight against illegal dumpers.

- CARRIED

**SECTION 11:**

**CONFIDENTIAL SESSION**

**(515)**

**CLR. DOWNEY:/CLR. ABOURAAD**

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, 11.3 and 11.4 in confidential session for the reasons indicated:

Item 11.1 Property Matter - Proposed acquisition of property in Campsie

*This report is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

Item 11.2 Property Matter - Proposed acquisition of property in Belmore

*This report is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

Item 11.3 CBD Renewal Strategy - Former Bankstown Library Site

*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.*



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
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**ON 25 JULY 2023**

---

*This report is considered to be confidential in accordance with Section 10A(2)(f) of the Local Government Act, 1993, as it relates to matters affecting the security of the Council, Councillors, Council staff or Council property.*

Item 11.4 Land Acquisition for Wolumba Street Bridge Construction

*This report is considered to be confidential in accordance with Section 10A(2)(c) of the Local Government Act, 1993, as it relates to information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.50 PM AND  
REVERTED BACK TO OPEN COUNCIL AT 8.19 PM.**

**ITEM 11.1                    PROPERTY MATTER - PROPOSED ACQUISITION OF PROPERTY IN CAMPSIE**

CLR. AKTER TEMPORARILY VACATED THE CHAMBER AT 7.55 PM AND RETURNED AT 7.57 PM.

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

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

- CARRIED

**ITEM 11.2                    PROPERTY MATTER - PROPOSED ACQUISITION OF PROPERTY IN BELMORE**

**(517)                    CLR. DOWNEY:/CLR. CAHILL**

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

- 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 8.10 PM TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

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

**CANTERBURY BANKSTOWN**  
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---

**ITEM 11.3**                      **CBD RENEWAL STRATEGY - FORMER BANKSTOWN LIBRARY SITE**  
**(518)**                              **CLR. DOWNEY:/CLR. ABOURAAD**

RESOLVED that

1.     The Chief Executive Officer be delegated authority to commence discussions with Altis Property Partners, as outlined in this report;
2.     Further reports regarding the matter be provided to Council, as required.

- CARRIED

**MOTION OF DISSENT**

Councillor Coorey moved a motion of dissent against the Chairperson's ruling that Council had voted on Item 11.4 and the matter was now finalised.

- LOST

AT THIS STAGE OF THE MEETING IN ACCORDANCE WITH CLAUSE 15.14 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A SECOND WARNING AT 8.17 PM TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

**ITEM 11.4**                      **LAND ACQUISITION FOR WOLUMBA STREET BRIDGE CONSTRUCTION**  
**(519)**                              **CLR. HARIKA:/CLR. CAHILL**

RESOLVED that

1.     Council resolve to acquire the land, being part of 61C Priam St, Chester Hill in DP2258816, as detailed in the report;
2.     The Chief Executive Officer be authorised to negotiate and finalise the acquisition as detailed in the report;
3.     The Mayor and Chief Executive Officer be authorised to execute all documents under the Common Seal of Council, as required;
4.     The land be dedicated as Road Reserve as part of the land subdivision/road dedication process.

- CARRIED

**THE MEETING CLOSED AT 8.20 PM.**

Minutes confirmed 29 AUGUST 2023

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Mayor