

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 27 FEBRUARY 2024

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

APOLOGIES Councillor Waiba

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.33 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

(646)

CLR. DOWNEY:/CLR. ZAKHIA

RESOLVED that the minutes of the Ordinary Council Meeting held on 7 December 2023 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

(647)

CLR. DOWNEY:/CLR. ISHAC

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

- CARRIED

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

In respect to Item 5.4 – Council's Submission to the NSW Government's Housing Policy Changes, Clr Raffan declared a pecuniary interest given that her primary place of residence being within the areas proposed for the reforms however, given its significant impact across the LGA, she has prior to the meeting submitted a Special Disclosure form, in accordance with the Code of Conduct, and as such she will remain in the chamber and vote on the matter in accordance with the Code of Conduct.

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In respect to Item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Saleh declared a significant non-pecuniary interest given that a number of persons close to him own property affected by the proposed reforms and as such, he will vacate the chamber taking no part in debate or the decision on the matter.

In respect to Item 5.4 - Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Coorey declared a pecuniary interest given that she owns investment properties which are affected by the proposed reforms and as such, she will vacate the chamber taking no part in debate or the decision on the matter.

In respect to Item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Akter declared a pecuniary interest given that her primary place of residence being within the areas proposed for the reforms however, given its significant impact across the LGA, she has prior to the meeting submitted a Special Disclosure form, in accordance with the Code of Conduct, and as such she will remain in the chamber and vote on the matter in accordance with the Code of Conduct.

In respect to Item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes and Item 5.5 – Update on Bankstown City Centre Planning Proposal, Clr Asfour declared a non-pecuniary conflict of interest as a reportable donation was made to his election campaign where the donor has an interest in a property which is affected by the reforms and as such, he will vacate the chamber taking no part in debate or the decision on the matter.

In respect to Item 5.4 - Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Zakhia declared a pecuniary interest given that he owns properties other than his principal place of residence which are affected by the proposed reforms and as such, he will vacate the chamber taking no part in debate or the decision on the matter.

In respect to item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Abouraad declared a pecuniary interest given that he owns property other than his principal place of residence which is affected by the proposed reforms and as such, he will vacate the chamber taking no part in debate or the decision on the matter.

In respect to Item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Walsh declared a non-pecuniary conflict of interest as a reportable donation was made to his election campaign where the donor has an interest in a property which is affected by the reforms and as such, he will vacate the chamber taking no part in debate or the decision on the matter.

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In respect to Item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Downey declared a pecuniary conflict of interest given that she is an office holder of the Revesby Workers Club, which is affected by the proposed reforms and as such, she will vacate the chamber taking no part in debate or the decision on the matter.

In respect to Item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Cahill declared a pecuniary interest given that a relative owns a property affected by the proposed reforms and as such, he will vacate the chamber taking no part in debate or the decision on the matter.

In respect to Item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Ishac declared a pecuniary interest given that a relative owns property affected by the proposed reforms and as such, he will vacate the chamber taking no part in debate or the decision on the matter.

In respect to Item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes and Item 5.5 – Update on Bankstown City Centre Planning Proposal, Mayor El-Hayek declared a non-pecuniary conflict of interest as a reportable donation was made to his election campaign where the donor has an interest in a property which is affected by the reforms and as such he will vacate the chamber taking no part in debate or the decision on the matter.

SECTION 4: MAYORAL MINUTES

ITEM 4.1 THE YEAR AHEAD
(648) CLR. EL-HAYEK

RESOLVED that Council write to both the Premier and Treasurer, to invite them to a roundtable of business leaders to discuss the future growth and investment in our City and urge them to lead the way by committing to relocate Government Departments and agencies into our City in the immediate future.

- CARRIED

ITEM 4.2 PROPOSED GOVERNMENT HOUSING CHANGES
(649) CLR. EL-HAYEK

RESOLVED that Council write to the NSW Premier to seek an assurance that what happened under the previous Liberal Government, which saw the City divided during Covid, doesn’t happen again and urge him to ensure the housing targets are

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distributed fairly across all Councils, and not leave all the heavy lifting on Councils like ours who are already doing the right thing.

- CARRIED

ITEM 4.3 ADVOCACY STRATEGY

(650) CLR. EL-HAYEK

RESOLVED that the Mayoral Minute be noted.

- CARRIED

CLR SALEH TEMPORARILY VACATED THE CHAMBER AT 7.12 PM AND RETURNED AT 7.13 PM.

ITEM 4.4 SIKH GAMES 2025

(651) CLR. EL-HAYEK

RESOLVED that

1. Council works closely with the organisers of the Sikh Games and to assist them as they look to secure parks and international facilities like the Dunc Gray Velodrome and The Crest Sporting Complex.
2. Council host a Civic Reception, expected to cost around \$7,000, for the organisers and selected guests, to mark this exciting event.

- CARRIED

SECTION 5: PLANNING MATTERS

ITEM 5.1 REPORT ON COUNCIL'S PERFORMANCE IN THE ASSESSMENT OF DEVELOPMENT APPLICATIONS FOR THE SECOND QUARTER OF THE 2023/24 FINANCIAL YEAR, CLAUSE 4.6 VARIATIONS APPROVED FOR THE SECOND QUARTER OF THE 2023/24 FINANCIAL YEAR, PLANNING RELATED LEGAL APPEALS, AND THE STATUS OF CURRENT PLANNING PROPOSALS

(652) CLR. ASFOUR:/CLR. CAHILL

RESOLVED that the report be noted.

- CARRIED

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ITEM 5.2 **PLANNING PROPOSAL FOR 81-95 BORONIA ROAD, GREENACRE (RZ-1/2021)**
(653) **CLR. ASFOUR:/CLR. ZAKHIA**

RESOLVED that

1. Council endorses the advice of the Canterbury Bankstown Local Planning Panel that the planning proposal does not proceed to a Gateway determination.
2. Council writes to the applicant advising it does not support the planning proposal and that it will not proceed to a Gateway determination.
3. Council informs all persons who made a submission to the proposal when it was considered by the Local Planning Panel.

- CARRIED

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

Against:- Nil

ITEM 5.3 **PLANNING PROPOSAL FOR 11 HARP STREET, CAMPSIE (RZ-3/2019)**
(654) **CLR. ASFOUR:/CLR. CAHILL**

RESOLVED that Council resolves to proceed with the planning proposal to amend the Canterbury Bankstown Local Environmental Plan 2023 and seek a Gateway determination in accordance with the following:

1. Prior to the planning proposal being publicly exhibited (after the Gateway determination) the following documentation be prepared to the satisfaction of the council:
 - a) a comprehensive and updated transport management and traffic assessment (including the public transport connection to Campsie) for future development and given the proposed hospital and ancillary uses, all assessments need to address the 24 hours, 365 days per year situation and include construction and operation phases of future development,
 - b) update the assessment of the extent of flooding on the site (having regard to proposed finished ground levels) and the impacts of this flooding on the proposed development including evacuation procedures assessment of potential increased risk of flooding from the changed climate conditions;

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the extent of excavation of and impacts on the existing filling on the site; how site stormwater may be affected and controlled and impacts on flood behaviour in relation to adjoining and nearby lands and the wider catchment,

- c) the site contamination documentation be reviewed by a site auditor to:
 - (i) confirm that the site can be remediated to allow the proposed development including a proposed child care centre, and
 - (ii) assess the potential for any leachate dispersal off the site having regard to the disturbance or removal of any fill and the flooding of the site as assessed in the updated flooding assessment referred to in item (b) above,
 - d) in conjunction with (c) above initial geotechnical and civil engineering advice about what works may be required to ensure structural stability of the site and the proposed buildings and whether this would impact on the extent of excavation and how this may impact on any proposed underground parking including the extent of that parking, and
 - e) Council prepare a site specific DCP Amendment as outlined in Section 4 of the report to the Panel.
2. The documents referred to in item 1 above are to be part of the document package available to the public in the post gateway public exhibition process.
3. Council prepare and exhibit a site specific DCP Amendment as outlined in this report.
4. Council seek authority from the Department of Planning, Housing and Infrastructure to exercise the delegation in relation to the plan making functions under Section 3.36(2) of the Environmental Planning and Assessment Act 1979.
5. A draft Planning Agreement be prepared subject and exhibited to the following:
- a) Council undertakes further negotiations with the developer to seek increased public benefits, to confirm the total value of each works and monetary contribution item in the Letter of Offer. This may include further analysis and an independent peer review being undertaken by Council prior to exhibition.
 - b) Council engages with NSW Health and Transport for NSW to understand opportunities for pedestrian and cycling connectivity improvements between the site and the Canterbury Public Hospital and require the draft Planning Agreement to progress concept plans at a future date.

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6. Subject to the issue of a Gateway Determination, Council exhibit the Planning Proposal, draft site specific DCP amendment and draft Planning Agreement and the matter be reported to Council following the exhibition.
7. Prior to the planning proposal being publicly exhibited, Council be provided with evidence of a binding long-term agreement to purchase the properties at numbers 5 and 11A Elizabeth Street for access (subject to commercial in confidence).

- CARRIED

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

Against:- Clr Raffan

ITEM 5.4 COUNCIL'S SUBMISSION TO THE NSW GOVERNMENT'S HOUSING POLICY CHANGES

In respect to Item 5.4 – Council's Submission to the NSW Government's Housing Policy Changes, Clr Raffan declared a pecuniary interest given that her primary place of residence being within the areas proposed for the reforms however, given its significant impact across the LGA, she has prior to the meeting submitted a Special Disclosure form, in accordance with the Code of Conduct, and as such she would remain in the chamber and vote on the matter in accordance with the Code of Conduct.

In respect to Item 5.4 – Council's Submission to the NSW Government's Housing Policy Changes, Clr Saleh declared a significant non-pecuniary interest given that a number of persons close to him own property affected by the proposed reforms, and as such he would vacate the chamber taking no part in debate or the discussion in the matter.

In respect to Item 5.4 - Council's Submission to the NSW Government's Housing Policy Changes, Clr Coorey declared a pecuniary interest given that she owns investment properties which is affected by the proposed reforms, and as such she would vacate the chamber taking no part in debate or the discussion in the matter.

In respect to Item 5.4 – Council's Submission to the NSW Government's Housing Policy Changes, Clr Akter declared a pecuniary interest given that her primary place of residence being within the areas proposed for the reforms however, given its significant impact across the LGA, she has prior to the meeting submitted a Special Disclosure form, in accordance with the Code of Conduct, and as such she would

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remain in the chamber and vote on the matter in accordance with the Code of Conduct.

In respect to Item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Asfour declared a non-pecuniary conflict of interest as a reportable donation was made to his election campaign where the donor has an interest in a property which is affected by the reforms, and as such he would vacate the chamber taking no part in debate or the discussion in the matter.

In respect to Item 5.4 - Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Zakhia declared a pecuniary interest given that he owns properties other than his principal place of residence which is affected by the proposed reforms, and as such he would vacate the chamber taking no part in debate or the discussion in the matter.

In respect to item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Abouraad declared a pecuniary interest given that he owns property other than my principal place of residence which is affected by the proposed reforms, and as such he would vacate the chamber taking no part in debate or the discussion in the matter.

In respect to Item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Walsh declared a non-pecuniary conflict of interest as a reportable donation was made to his election campaign where the donor has an interest in a property which is affected by the reforms, and as such he would vacate the chamber taking no part in debate or the discussion in the matter.

In respect to Item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Downey declared a pecuniary conflict of interest given that she is an office holder of the Revesby Workers Club, which is affected by the proposed reforms, and as such she would vacate the chamber taking no part in debate or the discussion in the matter.

In respect to Item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Cahill declared a pecuniary interest given that a relative owns a property affected by the proposed reforms, and as such he would vacate the chamber taking no part in debate or the discussion in the matter.

In respect to Item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes, Clr Ishac declared a pecuniary interest given that a relative owns property affected by the proposed reforms, and as such he would vacate the chamber taking no part in debate or the discussion in the matter.

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In respect to Item 5.4 – Council’s Submission to the NSW Government’s Housing Policy Changes, Mayor El-Hayek declared a non-pecuniary conflict of interest as a reportable donation was made to his election campaign where the donor has an interest in a property which is affected by the reforms, and as such he would vacate the chamber taking no part in debate or the discussion in the matter.

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

RESOLVED that given the nature and number of disclosures of interest, and the lack of a quorum, Council delegate to the Chief Executive Officer its functions in considering and determining the submission to the Department of Planning, Housing and Infrastructure on the Draft Low to Mid-Rise Housing State Environmental Planning Policy (SEPP) and Draft Transport Oriented Development SEPP.

- CARRIED

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

ITEM 5.5 UPDATE ON BANKSTOWN CITY CENTRE PLANNING PROPOSAL

In respect to Item 5.5 – Update on Bankstown City Centre Planning Proposal, Mayor El-Hayek declared a non-pecuniary conflict of interest as a reportable donation was made to his election campaign where the donor has an interest in a property which is affected by the reforms and as such he vacated the chamber taking no part in debate.

In respect to Item 5.5 – Update on Bankstown City Centre Planning Proposal, Clr Asfour declared a non-pecuniary conflict of interest as a reportable donation was made to his election campaign where the donor has an interest in a property which is affected by the reforms and as such, he vacated the chamber taking no part in debate.

HIS WORSHIP THE MAYOR CLR EL-HAYEK AND CLR ASFOUR TEMPORARILY VACATED THE CHAMBER AT 7.31 PM.

THE DEPUTY MAYOR CLR HARIKA ASSUMED THE CHAIR.

(656) CLR. DOWNEY:/CLR. ISHAC

RESOLVED that Council

1. Notes the letter received from DPHI dated 2 February 2024, seeking that Council withdraw its Bankstown City Centre Planning Proposal.
2. Advises the DPHI that Council will further consider its request to withdraw once the NSW Government formally presents its draft plan that it proposes should supercede the Bankstown City Centre Planning Proposal currently before it.

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3. Requests that the DPHI brief Council at multiple stages throughout the development of its Bankstown Accelerated TOD.
4. Throughout the DPHI Accelerated TOD process, prepare its own draft DCP for Bankstown City Centre and the matter to be reported back to Council for its further consideration following exhibition.

- CARRIED

For:- Clrs Abouraad, Akter, Cahill, Downey, Harika, Ishac, Saleh OAM, Nguyen, Raffan, Walsh and Zakhia

Against:- Clr Coorey

HIS WORSHIP THE MAYOR CLR EL-HAYEK RETURNED TO THE CHAMBER AT 7.51 PM AND RESUMED THE CHAIR.

CLR ASFOUR RETURNED TO THE MEETING AT 7.51 PM.

SECTION 6: POLICY MATTERS

ITEM 6.1 DRAFT CBCITY ADVOCACY STRATEGIC PLAN AND ASSOCIATED ADVOCACY PRIORITIES

(657) CLR. DOWNEY:/CLR. ABOURAAD

RESOLVED that the Draft CBCity Advocacy Strategic Plan and associated advocacy priorities for 2024 and beyond be placed on exhibition.

- CARRIED

CLR SALEH TEMPORARILY VACATED THE CHAMBER AT 7.48 PM.

CLR RAFFAN TEMPORARILY VACATED THE CHAMBER AT 7.50 PM AND RETURNED AT 7.52 PM.

ITEM 6.2 STREET PARKLET PROGRAM POLICY, GUIDELINES AND FEES AND CHARGES

(658) CLR. RAFFAN:/CLR. NGUYEN

RESOLVED that

1. Council adopts the Policy, Guidelines and Fees and Charges;

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2. An Expression of Interest for parklets commence as set out in the Policy and Guideline.

- CARRIED

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 CASH AND INVESTMENT REPORT AS AT 31 JANUARY 2024, 31 DECEMBER 2023 AND 30 NOVEMBER 2023

CLR ISHAC TEMPORARILY VACATED THE CHAMBER AT 7.50 PM AND RETURNED AT 7.56 PM.

(659) CLR. ABOURAAD:/CLR. RAFFAN

RESOLVED that

1. The Cash and Investment Report as at 31 January 2024, 31 December 2023 and 30 November 2023 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

ITEM 7.2 CODE OF MEETING PRACTICE - AMENDMENT TO 2024 SCHEDULE OF MEETINGS

(660) CLR. RAFFAN:/CLR. ISHAC

RESOLVED that

1. The 2024 Schedule of Council Meetings be amended – whereby the April 2024 Ordinary Meeting of Council be rescheduled from Tuesday 23 April 2024 to Tuesday 30 April 2024.
2. Council agrees to the temporary administrative changes, as outlined in the report.

- CARRIED

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ITEM 7.3 **2024 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY**

(661) **CLR. WALSH:/CLR. ABOURAAD**

RESOLVED that

1. Council endorse the draft motions, as detailed in the report, for submission to ALGA.
2. The Mayor or his delegate be Council's voting delegate at the 2024 NGA.

- CARRIED

ITEM 7.4 **QUARTERLY PROGRESS REPORT OF THE 2023/24 OPERATIONAL PLAN, 2022-25 DELIVERY PROGRAM, AND BUDGET TO 31 DECEMBER 2023**

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

RESOLVED that

1. The quarterly progress report of the 2023/24 Operational Plan to 31 December 2023 be noted.
2. The quarterly review of the 2023/24 Budget to 31 December 2023, including proposed budget variations [Attachment C (Annexure C & H)] - as outlined in this report - be adopted.
3. Council endorse the adjustment to Council's full-time equivalent employee resources, as outlined in the report.
4. Council notes the attached report on the provision of expenses and facilities to the Mayor and Councillors, for the period 1 July 2023 till 31 December 2023.
5. In accordance with Council's Councillor Expenses and Facilities Policy, the attached report be made available on Council's website.

- CARRIED

CLR SALEH RETURNED TO THE CHAMBER AT 7.58 PM.

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 8.01 PM TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

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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 8.12 PM TO COUNCILLOR ASFOUR FOR AN ACT OF DISORDER.

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

SECTION 8: SERVICE AND OPERATIONAL MATTERS

(663) CLR. DOWNEY:/CLR. ZAKHIA

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Service and Operational Matters with the exception of Items 8.1, 8.3, 8.4, 8.6.

- CARRIED

ITEM 8.1 PROPERTY MATTER - 1A LEYLAND PARADE, 1B AND 1C EDISON LANE, BELMORE

(664) CLR. DOWNEY:/CLR. RAFFAN

RESOLVED that

1. Council agrees in-principle to granting a new three-year lease to Belmore Bowling and Recreation Club Ltd located at 1A Leyland Parade, Belmore, 1B and 1C Edison Lane, Belmore, as outlined in the report.
2. Council publicly exhibit the proposed lease in accordance with the requirements of the Local Government Act 1993.
3. At the conclusion of the public exhibition period, a further report be provided to Council for its consideration.

- CARRIED

ITEM 8.2 PROPERTY MATTER - 82 BRIGHTON AVENUE, CROYDON PARK (FORMER CROYDON PARK BOWLING CLUB)

(665) CLR. DOWNEY:/CLR. ZAKHIA

RESOLVED that

1. Council make an application to the Minister for Local Government under the provisions of section 47 (5) of the Local Government Act 1993 for consent to

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ITEM 8.5 **CULTURAL PRECINCTS IN CANTERBURY BANKSTOWN COUNCIL**
(668) **CLR. DOWNEY:/CLR. ZAKHIA**

RESOLVED that

1. Council continue the development and implementation of the *Where Interesting Happens* website promoting locations around cultural cuisines.
2. Council endorse the support for local businesses to collaborate and apply for funding through the NSW Government's Uptown Grant Program.
3. Council provide ongoing opportunities to seek the views and aspirations of residents and businesses around opportunities to highlight the strengths of our local economy, including the expansion of late-night trading.

- CARRIED

ITEM 8.6 **REMOVAL OF RESTRICTION ON TITLE NUMBERED 1(B) AT 164 GREENACRE ROAD, GREENACRE**
(669) **CLR. ZAKHIA:/CLR. ISHAC**

RESOLVED that

1. Council consents to the extinguishment of the restriction numbered 1(b) in DP 845156 for 164 Greenacre Road, Greenacre on the terms outlined in the report.
2. The Mayor and Chief Executive Officer be authorised to sign all necessary documentation for LTD-41/2023 relating to the release of the existing restriction 1(b) under the common seal of Council.

- CARRIED

SECTION 9: COMMITTEE REPORTS

(670) **CLR. HARIKA:/CLR. ISHAC**

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 AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD 5 DECEMBER 2023

CLR COOREY RETURNED TO THE MEETING AT 8.34 PM.

(671) CLR. HARIKA:/CLR. ISHAC

RESOLVED that the recommendations contained within the minutes of the Audit Risk and Improvement Committee meeting held on 5 December 2023, be adopted.

- CARRIED

ITEM 9.2 MINUTES OF THE UNIVERSAL ACCESS ADVISORY COMMITTEE MEETING HELD ON 6 DECEMBER 2023

(672) CLR. HARIKA:/CLR. ISHAC

RESOLVED that the minutes of the Universal Access Advisory Committee meeting held on 6 December 2023 be endorsed.

- CARRIED

ITEM 9.3 MINUTES OF THE FIRST PEOPLES ADVISORY COMMITTEE MEETING HELD ON 23 JANUARY 2024

(673) CLR. HARIKA:/CLR. ISHAC

RESOLVED that the minutes of the First Peoples Advisory Committee meeting held on 23 January 2024 be endorsed.

- CARRIED

ITEM 9.4 MINUTES OF THE COMMUNITY SAFETY ADVISORY COMMITTEE MEETING HELD ON 8 FEBRUARY 2024

(674) CLR. HARIKA:/CLR. ISHAC

RESOLVED that the minutes of the Community Safety Advisory Committee meeting held on 8 February 2024 be endorsed.

- CARRIED

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ITEM 9.5 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 13 FEBRUARY 2024**
(675) **CLR. HARIKA:/CLR. ISHAC**

RESOLVED that the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 13 February 2024, be adopted.

- CARRIED

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

(676) **CLR. CAHILL:/CLR. HARIKA**

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 10.1, 10.2, 10.3, 10.4, 10.6, 10.7, 10.8, 10.12, 10.13.

- CARRIED

ITEM 10.1 **STATUS OF PREVIOUS NOTICES OF MOTION - FEBRUARY 2024**
(677) **CLR. ABOURAAD:/CLR. ZAKHIA**

RESOLVED that the information be noted.

- CARRIED

CLR SALEH TEMPORARILY VACATED THE CHAMBER AT 8.40 PM AND RETURNED AT 8.43 PM.

ITEM 10.2 **INCREASED PENALTIES FOR TREE VANDALS**
(678) **CLR. RAFFAN:/CLR. DOWNEY**

RESOLVED that Council writes to the NSW Minister for Planning and Public Spaces, The Hon. Paul Scully MP, calling on him to introduce tougher penalties, including jail sentences, for tree vandals and those who commission these outrageous crimes.

- CARRIED

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ITEM 10.3
(679)

HEAVY VEHICLE PARKING
CLR. RAFFAN:/CLR. CAHILL

RESOLVED that

1. Council calls on the NSW Government to crackdown on heavy and long vehicles parking in residential areas by introducing tough new rules to deregister repeat offenders' vehicles for three months and seek clarification on the existing rules.
2. Council increase the frequency of Rangers undertaking compliance duties on Henry Lawson Drive, Bayview Avenue and streets known for illegal parking of long and heavy vehicles.

- CARRIED

ITEM 10.4
(680)

PUPPY FARM BAN
CLR. RAFFAN:/CLR. DOWNEY

RESOLVED that Council

1. Calls on the NSW Government to follow the lead of other states and support legislation to ban puppy and kitten farms which are currently flourishing across NSW.
2. Further applauds NSW Local Government Minister Ron Hoenig for his advocacy of abandoned and surrendered pets by supporting and encouraging families to "adopt a pet" from Council pounds and animal shelters.

- CARRIED

CLR ISHAC TEMPORARILY VACATED THE CHAMBER AT 9.05 PM.

ITEM 10.5
(681)

NATURE STRIP AND COMMUNITY GARDENS
CLR. CAHILL:/CLR. HARIKA

RESOLVED that

1. Council reviews and updates its Nature Strip and Community Gardens Policies to incorporate clear guidelines, which will lay the foundation for residents

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and community groups, working in conjunction with Council, to create native plant “gardens” on public lands.

2. The city-loving gardeners be registered with Council, and where necessary appropriate signage be placed in, or near the planting, to ensure they are identified and protected.

- CARRIED

ITEM 10.6
(682)

SCHOOL TRAFFIC SAFETY ON LUCAS ROAD, PANANIA

CLR. DOWNEY:/CLR. WALSH

RESOLVED that Council requests Council traffic engineers to present a report to traffic Committee seeking support and approval for options to provide traffic improvement measures to ensure a safer environment along Lucas Road, Panania, in particular, around the secondary and primary schools. These measures should also be focused on the schools’ commencement and finishing times.

- CARRIED

CLR ISHAC RETURNED TO THE CHAMBER AT 9.07 PM.

ITEM 10.7
(683)

VACANT PUBLIC HOUSING

CLR. DOWNEY:/CLR. WALSH

RESOLVED that

That Council

1. Writes to the NSW Minister for Housing, Rose Jackson, calling on her to release details of how many, if any, housing commission houses and land holdings are vacant in our city, and for how long they have been idle.
2. Further call on the Minister to allocate, and fast track appropriate funding, to build social and affordable housing to meet the desperate shortage in our city.

- CARRIED

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ITEM 10.8
(684)

OLIVE TREES

CLR. DOWNEY:/CLR. SALEH OAM

RESOLVED that Council

1. Partners with the community to plant 30,000 olive trees across our city, with appropriate locations, time frame of plantings and type of species developed as part of our annual operational plan.
2. Sets up a dedicated page on its website for residents to register their olive tree, or to donate trees for residents to plant.

- CARRIED

ITEM 10.9
(685)

EID AND EASTER

CLR. CAHILL:/CLR. HARIKA

RESOLVED that Council

1. Celebrates this year's Eid with the community by encouraging residents to decorate their homes, and to coordinate a competition to find the best decorated homes in each ward.
2. Mark the spiritual period of Eid and Easter by coordinating a toy drive, with donations going to a not-for-profit organisation of the Mayor's choosing.

- CARRIED

ITEM 10.10
(686)

FUNDING FOR FOOTPATHS AND BUS SHELTERS

CLR. CAHILL:/CLR. HARIKA

RESOLVED that Council

1. Given the significant population growth throughout the city as a result of the NSW Governments proposed Low to Medium Rise density changes, that the NSW Government provide a significant and ongoing source of funding to expand the missing sections of footpaths throughout our City, and also increase the number of bus shelters that new medium density living will require.
2. Calls on the NSW Government to review the guidelines, and allocation, of grant funding under the Get NSW Active Program, which currently disadvantages large Councils like ours.

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3. Given the significant pressure being placed on population growth in our LGA as a result of the extremely high levels of immigration that the Federal Government provide a significant and ongoing source of funding to expand the missing sections of footpaths throughout our City, and also increase the number of bus shelters that accelerated increase populations being forced into our community need.

- CARRIED

ITEM 10.11 POLICE CAMPAIGN ON NOISY MOTOR VEHICLES

(687) CLR. CAHILL:/CLR. HARIKA

RESOLVED that Council calls on the Campsie Police Area Command to conduct a targeted campaign aimed at addressing the problem of noisy motor vehicles during the evenings at Wiley Park and Punchbowl.

- CARRIED

ITEM 10.12 PROBITY OFFICER POLICY

CLR. COOREY:/CLR. ABOURAAD

That Council

1. Develop a Probity Officer Policy to be implemented as a matter of urgency.
2. Provide a report as to the nature of the appointment of the current Probity Officer(s), the date of such appointment and duration for such appointment. Such report is to include the resolution and or delegated authority for such appointment.

- LOST

ITEM 10.13 UNOCCUPIED UNITS

CLR. COOREY:/CLR. ISHAC

That Council receive an urgently report outlining:

1. Responses from all relevant authorities in relation to the number of units/dwellings that are currently empty unoccupied for a period of more than 12 months without a valid legal reason (ie probate, litigation,

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renovation or any other valid reason) in the Canterbury Bankstown Council Local Government Area, and;

2. Information on the value of unpaid council rates in relation to foreign owned units/dwellings in the Canterbury Bankstown Council Local Government area for the period 1 July 2018 to 30 June 2023.

- LOST

CLR AKTER TEMPORARILY VACATED THE CHAMBER AT 9.24 PM AND RETURNED AT 9.26 PM.

SECTION 11: CONFIDENTIAL SESSION

(688) 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 Property Matter - 571-577 Punchbowl Road, Lakemba

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 11.2 Griffith Park Precinct Plan Design Competition (Tender)

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 Loan Borrowing - Canterbury Leisure and Aquatics Centre

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

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COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 9.38 PM AND REVERTED BACK TO OPEN COUNCIL AT 9.48 PM.

ITEM 11.1 **PROPERTY MATTER - 571-577 PUNCHBOWL ROAD, LAKEMBA**

CLR ZAKHIA TEMPORARILY VACATED THE CHAMBER AT 9.39 PM.

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

RESOLVED that

1. Council note the information contained in the report.
2. Given that the current Lease is operating as a *tenancy-at-will*, the Australian National Sports Club (ANSC) be given twelve (12) months' notice to formally end the current leasing arrangement.
3. Having regard to the development of Council's proposed Community Facilities Policy, Council:
 - i. receive a further report to consider the application of the Policy – as it relates to the future use and approach to managing the clubhouse/facility situated at 571-577 Punchbowl Road, Lakemba.
 - ii. subject to point (i), the ANSC be advised of Council's decision, and its further consideration of the ANSC's proposal, at that time.

- CARRIED

ITEM 11.2 **GRIFFITH PARK PRECINCT PLAN DESIGN COMPETITION (TENDER)**

(690) **CLR. DOWNEY:/CLR. ISHAC**

RESOLVED that

1. Council accepts the submission by Collins and Turner, JILA and WSP as the Winner of the Griffith Park Design Competition.
2. Council accepts the Tender received by Collins and Turner, to provide architectural services for the Griffith Park Design for an amount of \$875,000 (excluding GST).
3. The Chief Executive Officer be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.

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4. Council notifies the unsuccessful tenderers in writing and thank them for tendering.
5. Council promote the successful design and commence exhibition and engagement on the next stage of the project.

- CARRIED

ITEM 11.3 LOAN BORROWING - CANTERBURY LEISURE AND AQUATICS CENTRE

CLR ISHAC TEMPORARILY VACATED THE CHAMBER AT 9.46 PM AND RETURNED AT 9.47 PM.

(691) CLR. DOWNEY:/CLR. ABOURAAD

RESOLVED that

1. In accordance with Section 377 of the *Local Government Act 1993*, Council agree to borrowing the required loan funding amount of \$44M for the purposes of constructing the Canterbury Leisure and Aquatics Centre (CLAC).
2. Having regard to Item 1, Council authorise the CEO to carry out the relevant quotation process for the agreed loan funding amount - as outlined in the report;
3. Following Item 2, a further report be provided to Council to consider the preferred proposal/offer for its consideration.

- CARRIED

CLR ZAKHIA RETURNED TO THE MEETING AT 9.47 PM.

THE MEETING CLOSED AT 9.48 PM.

Minutes confirmed 26 MARCH 2024

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Mayor