

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 25 FEBRUARY 2025

PRESENT: Mayor, Councillor El-Hayek
Councillors Abu-Samen, Akther, Asfour, Blood, Cahill, Coorey, Harika, Lindsay,
Raffan, Saleh OAM, Walsh, Walther

APOLOGIES Councillors Stavrinis and Zakhia

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.14 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: LEAVE OF ABSENCE

(77)

CLR. RAFFAN:/CLR. CAHILL

RESOLVED that Leave of Absence be granted to Councillors Stavrinis and Zakhia due to personal reasons.

- CARRIED

SECTION 2: CONFIRMATION OF MINUTES

(78)

CLR. WALSH:/CLR. RAFFAN

RESOLVED that the minutes of the Ordinary Council Meeting held on 3 December 2024 be adopted.

- CARRIED

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

In respect to Item 8.3 – Quarterly Review of the 2024/25 Operational Plan and Budget to 31 December 2024, Councillor Saleh OAM declared a pecuniary interest as he is a board member of the Riverwood Community Centre which is subject to the capital works project 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 9.3 – Canterbury-Bankstown Bulldogs Centre of Excellence Proposal, Mayor El-Hayek declared a non-significant non-pecuniary conflict of interest as he is a member of the football club. Mayor El-Hayek advised it will not affect his consideration of the matter and he will remain in the Chamber.

In respect to Item 9.3 – Canterbury-Bankstown Bulldogs Centre of Excellence Proposal, Councillor Asfour declared a non-significant non-pecuniary conflict of interest as he is a member of the football club. Councillor Asfour advised it will not affect his consideration of the matter and he will remain in the Chamber.

In respect to Item 9.3 – Canterbury-Bankstown Bulldogs Centre of Excellence Proposal, Councillor Blood declared a non-significant non-pecuniary conflict of interest as he is a member of the football club but not an office bearer. Councillor Blood advised it will not affect his consideration of the matter and he will remain in the Chamber.

In respect to item 12.3 – Greenacre Community Place EOI-01-25, Mayor El-Hayek declared a significant non-pecuniary conflict of interest given that a Board Member has previously donated to his election campaign and as such he will vacate the Chamber, taking no part in debate or the decision on the matter.

In respect to Item 12.3 - Greenacre Community Place EOI-01-25, Councillor Saleh OAM declared a significant non-pecuniary conflict of interest as he is an associate member of the UMA as such he will vacate the Chamber, taking no part in debate or the decision of the matter.

In respect to item 12.3 – Greenacre Community Place EOI-01-25, Councillor Asfour declared a significant non-pecuniary conflict of interest given that a board member has previously donated to his election campaign and as such he will vacate the Chamber, taking no part in debate or the decision on the matter.

In respect to item 12.3 – Greenacre Community Place EOI-01-25, Councillor Walther declared a significant non-pecuniary conflict of interest given her close working relationship with one of the proponents and as such she will vacate the Chamber, taking no part in debate or the decision on the matter.

SECTION 4: MAYORAL MINUTES

ITEM 4.1 OAM RECIPIENTS
(79) CLR. EL-HAYEK

RESOLVED that Council acknowledge our latest OAMs, and their work in our community by presenting them with a Mayoral Certificate of recognition.

- CARRIED

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ITEM 4.2
(80)

JORDAN MAILATA
CLR. EL-HAYEK

RESOLVED that

1. Council extend an open invitation to meet with Jordan Mailata and present him with keys to our city.
2. Jordan Mailata's name be included for consideration in the Bankstown Sporting Hall of Fame.
3. A \$1000 grant be made available to a young local artist to paint a mural of him at an appropriate location.

- CARRIED

ITEM 4.3
(81)

WATER SAFETY
CLR. EL-HAYEK

RESOLVED that Council

1. Escalate its education and safety campaigns with an increased focus on our multicultural community.
2. Write to the NSW Government for funding assistance.
3. Reach out to neighbouring LGAs to explore running joint campaigns.

- CARRIED

ITEM 4.4
(82)

SHOPPING TROLLEY FINES
CLR. EL-HAYEK

RESOLVED that Council staff explore all options available to fine retailers and seize trolleys abandoned in our city.

- CARRIED

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ITEM 4.5 **LOCAL COMMUNITY BASED DONATIONS**
(83) **CLR. EL-HAYEK**

RESOLVED that

1. Council support a fee-waiver of \$1163.50 towards the SES Bankstown Unit for the hire of Manuka and McLean Reserves and rubbish disposal for the event.
2. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

SECTION 5: **ITEMS OF BUSINESS TO BE RESOLVED BY EXCEPTION**

(84) **CLR. RAFFAN:/CLR. CAHILL**

RESOLVED that

1. In accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of Items 6.1, 8.1, 8.4, 9.1, 9.2, 10.1, 10.2, 11.1 11.4, 11.5, 11.6, 11.7, 11.8, 11.10, 11.11, 11.13 and 11.15.
2. Standing Orders be suspended and the above items be dealt with now.
3. Standing Orders then be resumed.

- CARRIED

ITEM 6.1 **NSW GOVERNMENT'S SPECIAL ENTERTAINMENT PRECINCT KICKSTART GRANT PROGRAM**

(85) **CLR. RAFFAN:/CLR. CAHILL**

RESOLVED that Council

1. Endorse the establishment of trial Special Entertainment Precincts in Bankstown City Centre and Campsie Town Centre, as outlined in Attachment 1.
2. Apply for funding under the NSW Government's Special Entertainment Precinct Kickstart Grant Program to support the establishment of these trial precincts.

- CARRIED

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ITEM 8.1 DISCLOSURE OF INTEREST RETURNS

(86) CLR. RAFFAN:/CLR. CAHILL

RESOLVED that the tabling of Councillor and Senior Management Team Disclosure of Interest Returns be noted.

- CARRIED

ITEM 8.4 CASH AND INVESTMENT REPORT AS AT 30 NOVEMBER 2024, 31 DECEMBER 2024 AND 31 JANUARY 2025

(87) CLR. RAFFAN:/CLR. CAHILL

RESOLVED that

1. The Cash and Investment Report as at 30 November 2024, 31 December 2024 and 31 January 2025 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be noted.

- CARRIED

ITEM 9.1 REMOVAL OF EASEMENT AND IMPOSITION OF NEW EASEMENT AT 56 PRESCOTT PARADE, MILPERRA

(88) CLR. RAFFAN:/CLR. CAHILL

RESOLVED that

1. Council consents to the extinguishment of the "Easement for Drainage 3.66 Wide (DP231642)" [labelled '(Q)'] on Lot 10 in DP 731859 for 56 Prescott Pde, Milperra on the terms outlined in the report.
2. Council consents to imposition of new easements, rights, positive covenants and restrictions on the proposed lots being created under DA-1107/2019 and SUB-274/2022, the wording of which includes their future extinguishment in the Section 88B Instrument accompanying SUB-274/2022, only if the need arises in future based on works being completed.

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3. If the easements, rights of access, positive covenants or restrictions on title to be created by the 88B instrument approved through subdivision certificate application No. SUB-274/2022 are required to be extinguished in the future in a manner consistent with the terms of that 88B instrument, Council consents to the Mayor and Chief Executive Officer signing of all documents required by NSW Land Registry Services to remove records of those existing easements, rights, restrictions on title or positive covenants from the title of the lot burdened and the lot benefited.
4. The Mayor and Chief Executive Officer be authorised to sign all necessary documentation for SUB-274/2022 relating to the release of the existing easement for drainage 3.66 Wide (DP231642) ['(Q)'] and the imposition of new easements, under the common seal of Council.

- CARRIED

ITEM 9.2 **29 MACQUARIE ROAD, EARLWOOD - EXTINGUISHMENT OF EASEMENT PORTION**
(89) **CLR. RAFFAN:/CLR. CAHILL**

RESOLVED that

1. The extinguishment of the no longer necessary portion of drainage easement C853860, located at 29 Macquarie Road Earlwood as outlined in the report, be authorised.
2. The Mayor and Chief Executive Officer be delegated authority to sign all documentation under the Common Seal of Council, as required.

- CARRIED

ITEM 10.1 **MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD**
(90) **27 NOVEMBER 2024**

CLR. RAFFAN:/CLR. CAHILL

RESOLVED that the recommendations contained in the minutes of the Audit Risk and Improvement Committee meeting held on 27 November 2024, be adopted.

- CARRIED

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ITEM 10.2 **MINUTES OF THE TRAFFIC COMMITTEE MEETINGS HELD ON 11 FEBRUARY 2025**
(91) **CLR. RAFFAN:/CLR. CAHILL**
RESOLVED that
That the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 11 February 2025, be adopted.
- CARRIED

ITEM 11.1 **STATUS OF PREVIOUS NOTICES OF MOTION - FEBRUARY 2025**
(92) **CLR. RAFFAN:/CLR. CAHILL**
RESOLVED that the information be noted.
- CARRIED

ITEM 11.4 **LEBANESE PRESIDENT CONGRATULATIONS**
(93) **CLR. RAFFAN:/CLR. CAHILL**
RESOLVED that Council writes to Lebanese Ambassador His Excellency Mr Milad Raad, and Australia's Ambassador to Lebanon Mr Andrew Barnes, to convey our City's congratulations to Lebanon's newly-elected President General Joseph Aoun.
- CARRIED

ITEM 11.5 **GEORGES RIVER WALK**
(94) **CLR. RAFFAN:/CLR. CAHILL**
RESOLVED that Council:

1. Write to the NSW Government to seek clarification about the future ownership of Mirambeena Regional Reserve under the Greater Sydney Parklands Trust, and its level of commitment to fund the ongoing management, development and promotion of the Reserve.
2. Advocate to the NSW Government to formally recognise the Georges River Walk as a "Great walk of NSW" and seek funding for its embellishment.

- CARRIED

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ITEM 11.6
(95)

CHRISTMAS TREES

CLR. RAFFAN:/CLR. CAHILL

RESOLVED that Council investigate the possibility of installing Christmas trees at Lakemba and Belmore Town Centres for each year.

- CARRIED

ITEM 11.7
(96)

PAUL KEATING PARK NIGHT MARKETS

CLR. RAFFAN:/CLR. CAHILL

RESOLVED that Council call an Expression of Interest for organisations to operate a Night Food Market in Paul Keating Park Bankstown at no cost to Council.

- CARRIED

ITEM 11.8
(97)

FEDERAL AND STATE FINANCIAL ASSISTANCE FOR 2025/26

CLR. RAFFAN:/CLR. CAHILL

RESOLVED that Council:-

1. Writes to the Prime Minister Anthony Albanese and Opposition leader Peter Dutton, and their NSW Counterparts Chris Minns and Mark Speakman, to convey our communities' gravest concerns about the rising cost of living and the financial hardship it has placed on their budgets.
2. Requests bi-partisan agreement at both the Federal and State levels of Government and calls on them to provide financial support to Council, equivalent to IPART's published rate-peg (inflation), an increase of 5.5% for 2025/26.
3. Passes on this financial support to ratepayers by freezing the base inflationary rate increase for the 2025/26 financial year.

- CARRIED

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ITEM 11.10 **GREEK INDEPENDENCE DAY 2025**
(98) **CLR. RAFFAN:/CLR. CAHILL**

RESOLVED that:

1. Council hosts a celebration morning tea at Earlwood Senior Citizens Centre.
2. The Greek flag be flown in Earlwood on 25 March 2025 in support of the strong Greek community, as well as our Council chambers in Campsie and Bankstown.

- CARRIED

ITEM 11.11 **106TH ANNIVERSARY KOREAN INDEPENDENCE DAY**
(99) **CLR. RAFFAN:/CLR. CAHILL**

RESOLVED that Council stands with the Korean community by commemorating the Proclamation of Korean Independence, raising their flag at Campsie on March 1.

- CARRIED

ITEM 11.13 **TRANSPORT FOR STATE ROAD VERGES (TFSRV)**
(100) **CLR. RAFFAN:/CLR. CAHILL**

RESOLVED that Council write to the NSW Roads Minister, the Hon. John Graham MP requesting it provide funding or resources to maintain verges along State Roads throughout Canterbury Bankstown.

- CARRIED

ITEM 11.15 **RETURN THE LANDFILL LEVY TO COUNCILS**
(101) **CLR. RAFFAN:/CLR. CAHILL**

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RESOLVED that Council writes to the NSW government to demand funds raised through the Landfill Levy are made available to Councils to cover the purchase, installation and servicing of public litter bins.

- CARRIED

SECTION 6: PLANNING MATTERS

ITEM 6.1 NSW GOVERNMENT'S SPECIAL ENTERTAINMENT PRECINCT KICKSTART GRANT PROGRAM

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 85 ON PAGE FOUR OF THESE MINUTES.

SECTION 7: POLICY MATTERS

Nil

SECTION 8: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 8.1 DISCLOSURE OF INTEREST RETURNS

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 86 ON PAGE FIVE OF THESE MINUTES.

ITEM 8.2 PROPERTY MATTER - ICE SKATING CLUB LICENCE FOR PART OF 17 PHILLIPS AVENUE, CANTERBURY

(102) CLR. RAFFAN:/CLR. BLOOD

RESOLVED that

1. Council agree to grant a three-year licence to the Ice Skating Club of NSW Co-operative Limited (ISC) for part of 17 Phillips Avenue, Canterbury.
2. The Chief Executive Officer to finalise the matter with the ISC and be delegated authority to sign all documentation, as required.

- CARRIED

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ITEM 8.3 **QUARTERLY REVIEW OF THE 2024/25 OPERATIONAL PLAN AND BUDGET TO 31 DECEMBER 2024**

In respect to Item 8.3 – Quarterly Review of the 2024/25 Operational Plan and Budget to 31 December 2024, Councillor Saleh OAM declared a pecuniary interest as he is a board member of the Riverwood Community Centre which is subject to the capital works project and as such he vacated the chamber, taking no part in debate or the decision on the matter.

CLR SALEH TEMPORARILY VACATED THE CHAMBER AT 6.39 PM.

(103) **CLR. RAFFAN:/CLR. HARIKA**

RESOLVED that

1. Council note the quarterly review of the 2024/25 Operational Plan and 2022-25 Delivery Program to 31 December 2024.
2. Council adopt the quarterly review of the 2024/25 Budget to 31 December 2024, including proposed budget variations [Attachment 2 (Annexure C & H)] - as outlined in this report.

- CARRIED

ITEM 8.4 **CASH AND INVESTMENT REPORT AS AT 30 NOVEMBER 2024, 31 DECEMBER 2024 AND 31 JANUARY 2025**

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 87 ON PAGE FIVE OF THESE MINUTES.

SECTION 9: **SERVICE AND OPERATIONAL MATTERS**

ITEM 9.1 **REMOVAL OF EASEMENT AND IMPOSITION OF NEW EASEMENT AT 56 PRESCOTT PARADE, MILPERRA**

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 88 ON PAGE FIVE OF THESE MINUTES.

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ITEM 9.2 **29 MACQUARIE ROAD, EARLWOOD - EXTINGUISHMENT OF EASEMENT PORTION**
THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 89 ON PAGE SIX OF THESE MINUTES.

ITEM 9.3 **CANTERBURY-BANKSTOWN BULLDOGS CENTRE OF EXCELLENCE PROPOSAL**
In respect to Item 9.3 – Canterbury-Bankstown Bulldogs Centre of Excellence Proposal, Mayor El-Hayek declared a non-significant non-pecuniary conflict of interest as he is a member of the football club. Mayor El-Hayek advised it will not affect his consideration of the matter and he remained in the Chamber.
In respect to Item 9.3 – Canterbury-Bankstown Bulldogs Centre of Excellence Proposal, Councillor Asfour declared a non-significant non-pecuniary conflict of interest as he is a member of the football club. Councillor Asfour advised it will not affect his consideration of the matter and he remained in the Chamber.
In respect to Item 9.3 – Canterbury-Bankstown Bulldogs Centre of Excellence Proposal, Councillor Blood declared a non-significant non-pecuniary conflict of interest as he is a member of the football club but not an office bearer. Councillor Blood advised it will not affect his consideration of the matter and he remained in the Chamber.

CLR SALEH RETURNED TO THE MEETING AT 6.42 PM.

(104) **CLR. SALEH OAM:/CLR. COOREY**

RESOLVED that

1. Council agrees to conditionally endorse the proposed Heads of Agreement with the Canterbury-Bankstown Bulldogs (Attachment 2), subject to compliance with section 47(5)(b) of the *Local Government Act 1993*, including public exhibition of the proposed Heads of Agreement and a final resolution of Council to approve the matter.
2. Council writes to the Minister for Local Government, and notify him of the proposal.
3. Council publicly exhibits the proposed Heads of Agreement with the Canterbury-Bankstown Bulldogs for community consultation, in accordance with Section 47 of the *Local Government Act, 1993*, and invites submissions regarding the proposal.
4. Following the conclusion of the public exhibition period, a further report be provided to Council, outlining any submissions received and consider whether to proceed with the matter.

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5. After considering the above – and if agreeing to proceed with the matter – Council writes to the Minister for Local Government seeking consent to the proposed lease term of 30 years, provided for in the Agreement.
6. Subject to the Ministers consent, Council finalises the Heads of Agreement and proceeds with granting the lease to the Canterbury-Bankstown Bulldogs.

- CARRIED

SECTION 10: COMMITTEE REPORTS

ITEM 10.1 MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD 27 NOVEMBER 2024

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 90 ON PAGE SIX OF THESE MINUTES.

ITEM 10.2 MINUTES OF THE TRAFFIC COMMITTEE MEETINGS HELD ON 11 FEBRUARY 2025

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 91 ON PAGE SEVEN OF THESE MINUTES.

SECTION 11: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

ITEM 11.1 STATUS OF PREVIOUS NOTICES OF MOTION - FEBRUARY 2025

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 92 ON PAGE SEVEN OF THESE MINUTES.

ITEM 11.2 DARRIEA TURLEY THANKS

(105) CLR. RAFFAN:/CLR. ASFOUR

RESOLVED that Council:

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1. Acknowledges and thanks outgoing President of the Board of Local Government NSW, and Broken Hill Cr Darriea Turley AM, for her strong leadership and advocacy on behalf of members.
2. Meet with Broken Hill Council to better understand the circumstances which led to their Council withdrawing as Members of LGNSW, and to discuss the future of our Sister City relationship.

- CARRIED

ITEM 11.3
(106)

ILLEGAL FIREWORKS

CLR. LINDSAY:/CLR. WALTHER

RESOLVED that Council write to the NSW Police Force and the NSW Government, including the Minister for Police and the Attorney General, requesting:

1. Enhanced enforcement against the illegal sale, distribution, and use of fireworks.
2. Increased penalties for offenders involved in illegal fireworks activities.
3. Development of a statewide public education campaign on the dangers and consequences of illegal fireworks.

- CARRIED

ITEM 11.4

LEBANESE PRESIDENT CONGRATULATIONS

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 93 ON PAGE SEVEN OF THESE MINUTES.

ITEM 11.5

GEORGES RIVER WALK

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 94 ON PAGE SEVEN OF THESE MINUTES.

ITEM 11.6

CHRISTMAS TREES

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THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 95 ON PAGE EIGHT OF THESE MINUTES.

ITEM 11.7 PAUL KEATING PARK NIGHT MARKETS

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 96 ON PAGE EIGHT OF THESE MINUTES.

ITEM 11.8 FEDERAL AND STATE FINANCIAL ASSISTANCE FOR 2025/26

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 97 ON PAGE EIGHT OF THESE MINUTES.

ITEM 11.9 METRO NEED TO REPAIR THEIR DAMAGE TO OUR ROADS
(107) CLR. ABU-SAMEN:/CLR. SALEH OAM

RESOLVED that:

1. Council writes to the new Minister for NSW Transport Hon. John Graham to brief him on the damage caused to our road network by the increasing number of buses operating because of the Metro project, and;
2. The Minister honors a funding commitment made by TfNSW to fund the necessary road repairs in our LGA.

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

ITEM 11.10 GREEK INDEPENDENCE DAY 2025

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 98 ON PAGE NINE OF THESE MINUTES.

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ITEM 11.11 106TH ANNIVERSARY KOREAN INDEPENDENCE DAY

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 99 ON PAGE NINE OF THESE MINUTES.

ITEM 11.12 MAYA SONJI LIBRARY BOOKS

(108) CLR. HARIKA:/CLR. WALSH

RESOLVED that Council support local author/publisher Maya Sonji by purchasing eight of her Children's and Young Adult books and promoting them throughout all our libraries.

- CARRIED

ITEM 11.13 TRANSPORT FOR STATE ROAD VERGES (TFSRV)

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 100 ON PAGE NINE OF THESE MINUTES.

ITEM 11.14 REVIEWING AUSTRALIA DAY CELEBRATIONS

(109) CLR. WALTHER:/CLR. COOREY

RESOLVED that:

1. Council undertake a review of the current events program to ensure they align with community priorities and serve our communities, and identify opportunities for the re-introduction of a family-friendly Australia Day festival, similar to the one previously held at Garrison Point.
2. This review should be brought back to a workshop with Councillors before the end of June 2025 with the intent that all events should remain within the existing funding envelope.

- CARRIED

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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 SECOND WARNING AT 7.23 PM TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

ITEM 11.15 RETURN THE LANDFILL LEVY TO COUNCILS

THIS MATTER WAS DEALT WITH PREVIOUSLY. SEE RESOLUTION NO. 101 ON PAGE NINE OF THESE MINUTES.

ITEM 11.16 NSW ILLEGAL DUMPING REGISTER
(110) CLR. RAFFAN:/CLR. SALEH OAM

RESOLVED that Council write to the NSW Minister for the Environment, the Hon. Penny Sharpe, asking that she establish an illegal dumping register for NSW which can publicly and transparently track illegal dumps and illegal dumpers.

- CARRIED

ITEM 11.17 SHOPPING TROLLEYS IN CAMPSIE
MOTION CLR. COOREY:/CLR. WALTHER

That:

1. Council endorse and support a joint delegation of Canterbury Ward's three councillors to meet with the store manager at Campsie Woolworths to negotiate the immediate upgrading and modernising of their trolley system to a wheel locking system.
2. Stephen Haran of Campsie, co-author of the 10 February submission to Woolworths on this matter (circulated to all councillors), be part of the delegation.

- LOST

CLRS WALSH AND ASFOUR STOOD FOR A DIVISION.

For:- Cirs Blood, Abu-Samen, Coorey, Walther and Lindsay

Against:- Cirs Raffan, Walsh, Cahill, Harika, Asfour, Saleh, Akther and Mayor El-Hayek

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ITEM 11.18 **SUPPORTING BANKSTOWN HOSPITAL STAFF**
(111) **CLR. LINDSAY:/CLR. WALTHER**

RESOLVED that Council writes to the General Manager of Bankstown-Lidcombe Hospital Peter Rophail, in support of the hardworking doctors, nurses and entire staff who have been subjected to unwelcome scrutiny following the release of a racially charged video involving two of their nursing colleagues.

- CARRIED

ITEM 11.19 **BDS UPDATE**
(112) **CLR. CAHILL:/CLR. BLOOD**

RESOLVED that the CEO provide an update to Council of the review into BDS investments and links to companies that are complicit in human rights violations on the Palestinian People.

- CARRIED

CLRS WALTHER AND LINDSAY STOOD FOR A DIVISION.

For:- Clrs Raffan, Blood, Walsh, Abu-Samen, Cahill, Harika, Asfour, Saleh, Akther and Mayor El-Hayek

Against:- Clrs Coorey, Walther and Lindsay

ITEM 11.20 **URGENT HERITAGE INTERVENTION FOR 212-222 CANTERBURY ROAD,**
CANTERBURY
(113) **CLR. COOREY:/CLR. BLOOD**

RESOLVED that the Council Director of Planning and the Chief Executive Officer urgently convene a meeting with the owner and/or applicant for DA505/2017 which enables demolition of the properties at 212-222 Canterbury Road, Canterbury to explore their willingness to halt demolition and consider an alternative development that retains these buildings of significant heritage vale.

- CARRIED

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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 8.03 PM TO COUNCILLOR ASFOUR FOR AN ACT OF DISORDER.

CLRS WALSH AND ASFOUR STOOD FOR A DIVISION.

For:- Clrs Raffan, Blood, Abu-Samen, Saleh, Akther, Coorey, Walther and Lindsay

Against:- Clrs Walsh, Cahill, Harika, Asfour and Mayor El-Hayek

A RESCISSION MOTION WAS LODGED AFTER THE COUNCIL MEETING IN RESPECT OF ITEM 11.20 - URGENT HERITAGE INTERVENTION FOR 212-222 CANTERBURY ROAD, CANTERBURY.

CLR AKTHER TEMPORARILY VACATED THE CHAMBER AT 8.05 PM AND RETURNED AT 8.06 PM.

SECTION 12: CONFIDENTIAL SESSION

(114) CLR. WALTHER:/CLR. LINDSAY

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 12.1, 12.2 and 12.3 in confidential session for the reasons indicated:

Item 12.1 T28-25 Lease Council Premises - Kiosk at Gough Whitlam Park Earlwood

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.

Item 12.2 Dunc Gray Velodrome

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.

Item 12.3 Greenacre Community Place EOI-01-25

This report is considered to be confidential in accordance with Section 10A(2)(d)(i) of the Local Government Act, 1993, as it

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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 8.11 PM AND REVERTED
BACK TO OPEN COUNCIL AT 8.22 PM.**

ITEM 12.1 **T28-25 LEASE COUNCIL PREMISES - KIOSK AT GOUGH WHITLAM PARK
EARLWOOD**

(115) **CLR. RAFFAN:/CLR. WALSH**

RESOLVED that

1. Council agrees to conditionally accept the tender received from The Trustee for Cross Eatery Unit Trust for a 5 year lease with a commencing rent of \$22,500 per annum (excluding GST) for operation of a kiosk at Gough Whitlam Park Earlwood, subject to compliance with section 47 of the Local Government Act 1993, including public exhibition of the proposed lease and a final resolution of Council to approve the lease.
2. Council notifies the unsuccessful Tenderers in writing and thank them for their submissions.
3. Council publicly exhibits the proposed lease in accordance with the requirements of the Local Government Act 1993.
4. At the conclusion of the public exhibition period, a further report be provided to Council for its consideration and decision.

- CARRIED

ITEM 12.2 **DUNC GRAY VELODROME**

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

RESOLVED that

1. Council agrees to apply the extenuating circumstances associated with the matter in accordance with section 55 (3) (i) of the *Local Government Act 1993* – given the certain limitations, constraints, required expertise and the financial viability/considerations associated with the matter.
2. Subject to Councils endorsement of Recommendation 1, Council agree to enter into a Management Agreement with AusCycling for the management

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and operation of the Dunc Gray Velodrome for a period of 3 years, with a 1 year Option – as outlined in the report.

3. The Chief Executive Officer be authorised to negotiate and enter into an appropriate Management Agreement with AusCycling to operate and/or utilise the Dunc Gray Velodrome, with terms similar to the previous management arrangements with NSW Office of Sport - as outlined in the report.
4. A further report regarding the future of the Dunc Gray Velodrome be provided, accordingly.

- CARRIED

ITEM 12.3

GREENACRE COMMUNITY PLACE EOI-01-25

In respect to item 12.3 – Greenacre Community Place EOI-01-25, Mayor El-Hayek declared a significant non-pecuniary conflict of interest given that a Board Member has previously donated to his election campaign and as such he vacated the Chamber, taking no part in debate or the decision on the matter.

In respect to Item 12.3 - Greenacre Community Place EOI-01-25, Councillor Saleh OAM declared a significant non-pecuniary conflict of interest as he is an associate member of the UMA as such, he vacated the Chamber, taking no part in debate or the decision of the matter.

In respect to item 12.3 – Greenacre Community Place EOI-01-25, Councillor Asfour declared a significant non-pecuniary conflict of interest given that a board member has previously donated to his election campaign and as such he vacated the Chamber, taking no part in debate or the decision on the matter.

In respect to item 12.3 – Greenacre Community Place EOI-01-25, Councillor Walther declared a significant non-pecuniary conflict of interest given her close working relationship with one of the proponents and as such she vacated the Chamber, taking no part in debate or the decision on the matter.

HIS WORSHIP THE MAYOR CLR EL-HAYEK AND CLRS SALEH OAM, ASFOUR AND WALTHER TEMPORARILY VACATED THE CHAMBER AT 8.19 PM.

The Chief Executive Officer conducted an election for the Chairperson in accordance with the Code of Meeting Practice.

COUNCILLOR HARIKA WAS ELECTED CHAIRPERSON.

COUNCILLOR HARIKA ASSUMED THE CHAIR AT 8.20 PM.

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(117)

CLR. WALSH:/CLR. CAHILL

RESOLVED that

1. In accordance with Section 168(4)(b) of *the Local Government (General) Regulation 2021*, Council agrees to decline to invite tenders from any of the applicants.
2. Council resolves to enter into negotiations with Ethos Urban Pty Ltd (on behalf of the United Muslim Association), with a view to further consider their proposal submitted as part of the Expression of Interest process - as outlined in the report.
3. The CEO, be delegated to carry out the required due diligence, assess all legal requirements and the negotiation process regarding the matter - as outlined in the report.
4. A further report(s) be provided to Council for its consideration/decision on the matter - as required.
5. Council notifies the unsuccessful proponent in writing and thank them for making a submission with regards to the matter.

- CARRIED

HIS WORSHIP THE MAYOR CLR EL-HAYEK RETURNED TO THE CHAMBER AT 8.21 PM AND RESUMED THE CHAIR.

CLRS SALEH OAM, ASFOUR AND WALTHER RETURNED TO THE CHAMBER AT 8.21 PM.

THE MEETING CLOSED AT 8.22 PM.

Minutes confirmed 25 MARCH 2025

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Mayor