

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 28 FEBRUARY 2023**

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

**APOLOGIES:** Nil

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**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.35 P.M.**

**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**

**(334)**

**CLR. CAHILL:/CLR. ZAKHIA**

RESOLVED that the minutes of the Ordinary Council Meeting held on 6 December 2022 be adopted.

- CARRIED

**(335)**

**CLR. CAHILL:/CLR. ZAKHIA**

RESOLVED that the minutes of the Extraordinary Council Meeting held on 13 January 2023 be adopted.

- CARRIED

**SECTION 2: LEAVE OF ABSENCE**

Nil

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

Nil

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**SECTION 4: MAYORAL MINUTES**

**ITEM 4.1 TURKEY AND SYRIA EARTHQUAKES**  
**(336) CLR. ASFOUR**

RESOLVED that Council extend their deep condolences to the people of Turkey and Syria and urge residents to support the fundraising efforts by the various charitable organisations like Emergency Action Alliance, Save the Children, CARE, UNICEF, World Vision and Medecins Sans Frontieres.

- CARRIED

COUNCIL OBSERVED A MINUTE'S SILENCE IN MEMORY OF THE PEOPLE WHOSE LIVES WERE LOST BY THE TURKEY AND SYRIA EARTHQUAKES.

**ITEM 4.2 MILPERRA CAMPUS**  
**(337) CLR. ASFOUR**

RESOLVED that this Mayoral Minute be a record to correct any ambiguity regarding Council's position in relation to the Milperra campus.

- CARRIED

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

**ITEM 4.3 LOCAL COMMUNITY BASED DONATIONS**  
**(338) CLR. ASFOUR**

RESOLVED that

1. Council support a donation of \$500.00 towards the hire of Bankstown Arts Centre for the We Australians are Creative Inc. (WACCI), which is collaborating with Cross Over Stories, arranging the theatrical performances on the stories written by well-known Sydney creative artist Avijit Sarkar at the Bankstown Art Centre held on 7 February 2023 and 14 February 2023.
2. 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 DRAFT PLANNING AGREEMENT - 599-603 CANTERBURY ROAD, BELMORE**  
**(339) CLR. ISHAC:/CLR. WALSH**

RESOLVED that

1. Council enter into the planning agreement for 599-603 Canterbury Road, Belmore, as provided in Attachment A.
2. The Chief Executive Officer be given delegated authority to sign the planning agreement on Council's behalf, and to make minor wording changes to amend its draft status as long as these changes do not affect the intent of the agreement.

- CARRIED

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

**ITEM 5.2 EXHIBITION OF DRAFT DEVELOPMENT CONTROL PLAN AMENDMENTS**  
**(340) CLR. WALSH:/CLR. CAHILL**

RESOLVED that

1. Council adopt the amendments to the Canterbury-Bankstown Development Control Plan 2022, as provided in Attachments A and B.
2. The amendments to the Canterbury-Bankstown Development Control Plan 2022, as provided in Attachment A, are to come into effect on the date that the Canterbury-Bankstown Local Environmental Plan 2022 comes into effect. The amendments are to apply to development applications lodged on or after this date.
3. The amendments to the Canterbury-Bankstown Development Control Plan 2022, as provided in Attachment B, are to come into effect on 1 May 2023. The amendments are to apply to development applications lodged on or after this date.

- CARRIED

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

**Against:-** Clr Coorey

**ITEM 5.3** **REPORT ON COUNCIL'S PERFORMANCE IN THE ASSESSMENT OF DEVELOPMENT APPLICATIONS FOR THE SECOND QUARTER OF THE 2022/23 FINANCIAL YEAR, CLAUSE 4.6 VARIATIONS APPROVED FOR THE SECOND QUARTER OF THE 2022/23 FINANCIAL YEAR, PLANNING RELATED LEGAL APPEALS, AND THE STATUS OF CURRENT PLANNING PROPOSALS**

**(341)** **CLR. DOWNEY:/CLR. ABOURAAD**  
RESOLVED that the report be noted.

- CARRIED

**SECTION 6: POLICY MATTERS**

**ITEM 6.1 ENVIRONMENTAL SUSTAINABILITY POLICY**

**(342)** **CLR. EL-HAYEK:/CLR. CAHILL**

RESOLVED that

1. Council endorse the Draft Environmental Sustainability Policy and the policy be placed on public exhibition.
2. A further report be brought back to Council, following public exhibition.

- CARRIED

**ITEM 6.2 COUNCIL POLICIES**

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

RESOLVED that

1. Council adopts the Council-related Development Application Policy, Hoardings and Scaffolding Policy and Guideline, Child Safe Complaints Handling Policy, and Memorials Policy.

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2. Council adopt the following new fees for memorial trees:

- Memorial Tree Administration Fee for initial assessment - \$106 (excl. GST)
- Tree planting, six months maintenance and Memorial Tree Certificate - \$1210 (excl. GST)
- Additional out-of-hours planting request (Weekend and Public Holidays) - \$220 (excl. GST)

- CARRIED

**SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 7.1 2023 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY - CONSIDERATION OF MOTIONS**

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

RESOLVED that Council endorse the draft motions as detailed in the report.

- CARRIED

**ITEM 7.2 DISCLOSURE OF INTEREST RETURNS**

**(345) CLR. EL-HAYEK:/CLR. WAIBA**

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

- CARRIED

**ITEM 7.3 CASH AND INVESTMENT REPORT AS AT 31 JANUARY 2023, 31 DECEMBER 2022 AND 30 NOVEMBER 2022**

**(346) CLR. DOWNEY:/CLR. ZAKHIA**

RESOLVED that

1. The Cash and Investment Report as at 31 January 2023, 31 December 2022 and 30 November 2022 be received and noted.

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2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

**SECTION 8: SERVICE AND OPERATIONAL MATTERS**

**ITEM 8.1 SAFER CITIES PROGRAM: HER WAY GRANT**  
**(347) CLR. EL-HAYEK:/CLR. RAFFAN**

RESOLVED that

1. Council take part in the Safer Cities Program and accept the Her Way Grant.
2. Council leverage existing funding for Lakemba and approve this as the site for the Her Way grant trial.
3. Council undertake engagement with local women and women's groups to help inform the design and implementation of this project.

- CARRIED

**ITEM 8.2 QUARTERLY PROGRESS REPORT OF THE 2022/23 OPERATIONAL PLAN, 2022-25**  
**MOTION DELIVERY PROGRAM, AND BUDGET TO 31 DECEMBER 2022**  
**CLR. DOWNEY:/CLR. NGUYEN**

1. The quarterly review of the 2022/23 Operational Plan and six-monthly review of the 2022-25 Delivery Program to 31 December 2022 be noted.
2. The quarterly review of the 2022/23 Budget as outlined in this report be adopted.
3. Council allocate Ward funds as outlined in the report.

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

1. The quarterly review of the 2022/23 Operational Plan and six-monthly review of the 2022-25 Delivery Program to 31 December 2022 be noted.

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2. The quarterly review of the 2022/23 Budget as outlined in this report be adopted.
3. Council allocate Ward funds as outlined in the report.
4. Copies of this report be sent to The Hon. Aileen MacDonald, The Hon. Scott Barlow, The Hon. Taylor Martin and The Hon. Chris Rath

CLRS ZAKHIA AND COOREY STOOD FOR A DIVISION

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

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

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

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

RESOLVED that

1. The quarterly review of the 2022/23 Operational Plan and six-monthly review of the 2022-25 Delivery Program to 31 December 2022 be noted.
2. The quarterly review of the 2022/23 Budget as outlined in this report be adopted.
3. Council allocate Ward funds as outlined in the report.
4. Copies of this report be sent to The Hon. Aileen MacDonald, The Hon. Scott Barlow, The Hon. Taylor Martin and The Hon. Chris Rath.

- CARRIED

CLRS ISHAC AND COOREY STOOD FOR A DIVISION

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

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

CLR SALEH OAM TEMPORARILY VACATED THE CHAMBER AT 7.36 PM AND RETURNED TO THE CHAMBER AT 7.39 PM.

CLR WAIBA TEMPORARILY VACATED THE CHAMBER AT 7.43 PM AND RETURNED TO THE CHAMBER AT 7.45 PM.

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AT THIS STAGE OF THE MEETING (7.45 PM), IN ACCORDANCE WITH CLAUSE 15.4 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A FIRST WARNING TO CLR COOREY FOR AN ACT OF DISORDER.

**ITEM 8.3**  
**(349)**                      **RESILIENCE STRATEGY FOR CANTERBURY-BANKSTOWN**  
**CLR. DOWNEY:/CLR. WALSH**

RESOLVED that

1. Council endorse the *Draft Resilient CBCity Strategy* and the strategy be placed on public exhibition.
2. A further report be brought to Council following public exhibition.

- CARRIED

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

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

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Committee Reports; 9.1, 9.2, 9.3, 9.4 and 9.5.

- CARRIED

**ITEM 9.1**  
**(351)**                      **MINUTES OF THE YOUTH ADVISORY COMMITTEE MEETING HELD ON 28 NOVEMBER 2022**  
**CLR. ZAKHIA:/CLR. HARIKA**

RESOLVED that the minutes of the Youth Advisory Committee meeting held on 28 November 2022 be endorsed.

- CARRIED



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**ITEM 9.2**                      **MINUTES OF THE UNIVERSAL ACCESS ADVISORY COMMITTEE MEETING HELD ON 30 NOVEMBER 2022**

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

RESOLVED that the minutes of the Universal Access Advisory Committee meeting held on 30 November 2022 be endorsed.

- CARRIED

**ITEM 9.3**                      **MINUTES OF THE ABORIGINAL & TORRES STRAIT ISLANDER ADVISORY COMMITTEE MEETING HELD ON 1 DECEMBER 2022**

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

RESOLVED that the minutes of the Aboriginal & Torres Strait Islander Advisory Committee meeting held on 1 December 2022 be endorsed.

- CARRIED

**ITEM 9.4**                      **MINUTES OF THE LAKEMBA RAMADAN EVENT WORKING GROUP MEETING HELD ON 8 FEBRUARY 2023**

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

RESOLVED that the minutes of the Lakemba Ramadan Event Working Group meeting held on 8 February 2023 be endorsed.

- CARRIED

**ITEM 9.5**                      **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 14 FEBRUARY 2023**

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

RESOLVED that the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 14 February 2023, be adopted.

- CARRIED

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

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

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; 10.2, 10.3, 10.4, 10.6, 10.7, 10.8, 10.9 and 10.13.

- CARRIED

**ITEM 10.1 STATUS OF PREVIOUS NOTICES OF MOTION - FEBRUARY 2023**

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

RESOLVED that the information be noted.

- CARRIED

**ITEM 10.2 GREEK INDEPENDENCE DAY 2023**

**(358) CLR. RAFFAN:/CLR. EL-HAYEK**

RESOLVED that the Greek flag be flown in Earlwood on 25 March 2023 in support of our strong Greek Community and Council host a celebration morning tea as part of the flag raising.

- CARRIED

CLR ISHAC TEMPORARILY VACATED THE CHAMBER AT 7.49 PM AND RETURNED TO THE CHAMBER AT 7.51 PM.

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**ITEM 10.3**                      **NATIONAL REFERENDUM ON CONSTITUTIONAL RECOGNITION OF INDIGENOUS PEOPLE AND THE VOICE TO PARLIAMENT - ESTABLISHMENT OF A CANTERBURY BANKSTOWN INFORMATION AND EDUCATION CAMPAIGN**

**(359)**                      **CLR. RAFFAN:/CLR. WAIBA**

RESOLVED that following passing of any legislation to enact a referendum on the voice, that a proposal to develop and implement an 'Information and Education Campaign' on the Referendum be tabled at a meeting of Council's Aboriginal & Torres Strait Islander Advisory Committee for discussion and a report be prepared for consideration by Council.

Such a campaign may include, but not be limited to:

- The establishment of a Working Party with members of the Advisory Committee, Council staff and interested community members and
- Activities such as Information sessions, creation and/or screening of short videos, community BBQs and a media campaign.

- CARRIED

**ITEM 10.4**                      **EARTHQUAKES IN TURKEY AND SYRIA**

**(360)**                      **CLR. SALEH OAM:/CLR. WAIBA**

RESOLVED that

1. Council reflects community sentiment and shows its support of the people of Turkey and Syria by getting behind fundraising initiatives by charitable and community organisations.
2. Council waives the fees and charges at our parks and community facilities to enable those organisations to host events like trivia nights, picnics and BBQs with the proceeds raised going to the victims of the devastating Earthquake.

- CARRIED

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**ITEM 10.5**  
**(361)**

**JORDAN MAILATA - A CANTERBURY BANKSTOWN SUPERSTAR**  
**CLR. ZAKHIA:/CLR. ISHAC**

RESOLVED that

1. Council congratulates Bankstown local, Jordan Mailata, on his “rags to riches” success and playing in one of the world’s biggest sporting spectacles, the NFL Super Bowl.
2. Council writes to Jordan Mailata in relation to producing a short inspirational video message which can be shared with local school children and posted on our social and digital media platforms.

- CARRIED

**ITEM 10.6**  
**(362)**

**'HEART OF THE NATION' - AUTOMATED EXTERNAL DEFIBRILLATORS (AEDS)**  
**CLR. DOWNEY:/CLR. WALSH**

RESOLVED that

1. Council become a member of ‘Heart of the Nation’ and gets listed along with over 4,000 other members that display the sign letting people know there is a defibrillator on the premises;
2. Council list all of their and community defibrillator locations on its website;
3. Council investigate possible locations and costs of where Council could install ‘Zapstands’ which are 24-hour defibrillator stations and that these investigations be reported back to Council for further consideration.

- CARRIED

CLR RAFFAN TEMPORARILY VACATED THE CHAMBER AT 8.03 PM AND  
RETURNED TO THE CHAMBER AT 8.05 PM.

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**ITEM 10.7**  
**(363)**

**RARE DISEASE DAY - 28 FEBRUARY 2023**  
**CLR. DOWNEY:/CLR. ISHAC**

RESOLVED that Council acknowledges the work of people involved in the rare diseases 'community' who celebrate today's 'Rare Disease Day' in the hope of providing treatments for rare diseases and provide assistance for both sufferers and their families.

- CARRIED

**ITEM 10.8**  
**(364)**

**NEEDLEWOOD GROVE AND HENRY LAWSON DRIVE - SAFETY CONSIDERATIONS**  
**CLR. DOWNEY:/CLR. WALSH**

RESOLVED that Council investigates appropriate measures to improve sight lines and prevent U-Turns at the intersection of Needlewood Grove and Henry Lawson Drive Padstow Heights, in consultation with Transport for NSW and then refer this matter to the Local Traffic Committee for consideration as appropriate.

- CARRIED

**ITEM 10.9**  
**(365)**

**PROTECTING THE CANTERBURY BANKSTOWN NATURAL ENVIRONMENT**  
**CLR. DOWNEY:/CLR. RAFFAN**

RESOLVED that

1. Council prepare a report that investigates ways in which to retain and protect our natural environment and the habitat that is home to our unique wildlife.
2. The report includes mechanisms that enables our broader community to participate in protecting and growing our native and natural environment.

- CARRIED

CLR NGUYEN TEMPORARILY VACATED THE CHAMBER AT 8.13 PM AND  
RETURNED TO THE CHAMBER AT 8.14 PM.

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**ITEM 10.10                      INTERSECTION OF ROOKWOOD ROAD AND GEORGE STREET, YAGOONA -  
REMOVAL RIGHT HAND TURN RESTRICTIONS**

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

RESOLVED that Council writes to Transport for NSW (TfNSW) calling on them to investigate the intersection of Rookwood Road into George Street Yagoona to improve access for residents and motorists wishing to access or exit George Street.

- CARRIED

**ITEM 10.11                      RAMADAN NIGHTS LAKEMBA - PROPOSAL FOR EXTENDED TRADING**

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

RESOLVED that as part of the review into Ramadan Nights, this include an assessment of the feasibility and impact of allowing other interested businesses from across the LGA to trade outside their shops during the month of Ramadan.

- CARRIED

**ITEM 10.12                      ORDINARY COUNCIL MEETINGS AT CAMPSIE**

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

RESOLVED that Council prepare an updated report outlining the costs associated with reactivating six council meetings per calendar year in the former Canterbury Council Chamber Building at 137 Beamish Street Campsie and that Council ensure that level 2 former Chamber Room is fit for purpose.

- CARRIED

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**ITEM 10.13**                      **MILTON STREET, ASHBURY - HEAVY VEHICLES**  
**(369)**                              **CLR. COOREY:/CLR. ISHAC**

RESOLVED that Council investigate the traffic and truck movements and implementation of restriction of tonnage signs along Milton Street Ashbury to determine if heavy vehicles or other non-approved trucks are using it or causing damage.

- CARRIED

**ITEM 10.14**                      **SAFETY FENCING FOR CROYDON PARK PUBLIC SCHOOL**  
**(370)**                              **CLR. ZAKHIA:/CLR. ISHAC**

RESOLVED that Council write to the Minister for Transport seeking urgent funding for Croydon Park Public School – Georges River Road – Croydon for the installation of safety fencing.

- CARRIED

**ITEM 10.15**                      **KINGSGROVE PUBLIC SCHOOL - PEDESTRIAN SAFETY INVESTIGATION**  
**(371)**                              **CLR. ZAKHIA:/CLR. ISHAC**

RESOLVED that Council urgently investigate the placement of a pedestrian crossing for Kingsgrove Public School or other action to improve the safety for students.

- CARRIED

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**SECTION 11: CONFIDENTIAL SESSION**

**(372) CLR. COOREY:/CLR. ZAKHIA**

RESOLVED that in accordance with Section 10A(2) of the Local Government Act, 1993, the Public and the Press be excluded from the meeting to enable Council to determine Item 11.1 in confidential session for the reasons indicated:

Item 11.1 Extinguishment of Easement - 5 Prince Street Picnic Point

*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 8.22 PM AND REVERTED BACK TO OPEN COUNCIL AT 8.29 PM.**

**ITEM 11.1 EXTINGUISHMENT OF EASEMENT - 5 PRINCE STREET PICNIC POINT**

**(373) CLR. COOREY:/CLR. ISHAC**

RESOLVED that

1. Council consents to the extinguishment of the drainage easement located at 5 Prince Street Picnic Point on the terms outlined in the report.
2. The Mayor and Chief Executive Officer be delegated authority to sign all documentation under the Common Seal of Council, as required.

- CARRIED

**THE MEETING CLOSED AT 8.30 P.M.**

Minutes confirmed 28 MARCH 2023

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Mayor