

**REPORT ON PROCEEDINGS BEFORE**

**STANDING COMMITTEE ON STATE DEVELOPMENT**

**ALLEGATIONS OF IMPROPRIETY AGAINST AGENTS OF THE  
CITY OF CANTERBURY BANKSTOWN COUNCIL**

**At Dixson Room, Ground Floor, Mitchell Building, State Library of NSW, Sydney on  
Wednesday 21 December 2022**

**The Committee met at 9:30.**

**PRESENT**

The Hon. Aileen MacDonald (Chair)

The Hon. Mark Banasiak  
The Hon. Scott Farlow  
The Hon. John Graham  
The Hon. Mark Latham  
The Hon. Taylor Martin  
The Hon. Chris Rath  
The Hon. Penny Sharpe

**PRESENT VIA VIDEOCONFERENCE**

The Hon. Mark Pearson



**The Hon. TAYLOR MARTIN:** You've declared yourself as self-employed through EAL. Does it have any other partners, or is it just you?

**KHAL ASFOUR:** No.

**The Hon. TAYLOR MARTIN:** Okay, just you, and what's your role? Are you the managing director?

**KHAL ASFOUR:** Self-employed.

**The Hon. TAYLOR MARTIN:** Self-employed, just a one-man band. What kind of consulting does

**KHAL ASFOUR:** I haven't really prepared, because the terms of reference are so broad, for that. I'm

**The Hon. SCOTT FARLOW:** You don't know what you do as a self-employed—

**KHAL ASFOUR:** I haven't done much work through EAL for quite a long time.

**The Hon. SCOTT FARLOW:** But you would have some knowledge of what it did at the time.

**KHAL ASFOUR:** I've consulted for—

**The Hon. SCOTT FARLOW:** For who? Who have you consulted for?

**KHAL ASFOUR:** For clients.

**The Hon. SCOTT FARLOW:** Who are these clients? In what profession?

**KHAL ASFOUR:** I'm happy to take that on notice.

**I have consulted for various clients. When I established the consultancy, it was predominantly for mums and dads seeking broking advice. I later expanded offering advice on a range of matters from business processes, community service and supporting businesses with their advocacy and processes. The work I did was around SMEs. I also assisted my wife with her financial services business.**

**The Hon. MARK LATHAM:** To the point of order I took earlier: The mayor has furnished a document to the council dated 18 November listing this consultancy group as a current, relevant source of his income. It's a pecuniary interest declaration under the rules of the New South Wales statute. It's just not credible, having listed this as a source of income, to say he has no knowledge of who he is doing the consulting for or who pays the income to him. He must know and has a legal obligation to tell this Committee.

**The CHAIR:** You've said you want to take that on notice?

**KHAL ASFOUR:** I don't have the details at hand, but I'm confident I haven't done anything inappropriate.

**The Hon. TAYLOR MARTIN:** Hang on. In your opening statement you said the truth will be your defence. We are giving you the opportunity to tell the truth, and you simply zip up within 15 minutes of opening. The business name, as you just said, is your children's names put together in an acronym. You're the sole operator; it's your business and you run it. You can't even name one client, but you name it as a source of income in your pecuniary interests. It's just bizarre.

**KHAL ASFOUR:** I haven't done much work through EAL for a long time. I don't have the details at hand. The terms of reference for this inquiry are broad, and I did not bring myself up to speed with the history of EAL Consulting. I was focused on my councillor and mayoral role because of the terms of reference. Again, I've taken it on notice, and I'm happy to provide that response.

**The Hon. TAYLOR MARTIN:** This is not a business that you have joined or a board that you're a part of that has operations everywhere. You're telling us it's basically the family business. You're the one running it, the managing director or thereabouts. You're self-employed through the business, but you can't name one client here.

**The Hon. SCOTT FARLOW:** Or what you do.

**The Hon. TAYLOR MARTIN:** Or what it does, what the consulting consists of.

**KHAL ASFOUR:** It's a consulting business.

**The Hon. SCOTT FARLOW:** "Consulting" is a broad term.

**KHAL ASFOUR:** Again, I'm happy to take it on notice and provide the Committee with that answer.

**The Hon. MARK LATHAM:** Point of order: The pecuniary interest declaration seeks sources of income received by the mayor from an occupation at any time since 30 June this year. We're talking about a company that's been listed as a source of income for the mayor in the past six months, and it's just not credible for the mayor to say he's got no knowledge of what those sources of income have been and to refuse to tell this Committee reliable information regarding who he's been consulting for. This is a defiance of the rules of the

**The CHAIR:** I'm happy for the witness to take that question on notice, offering procedural fairness.

**The Hon. TAYLOR MARTIN:** Mr Asfour, less than 15 minutes ago you said the truth will be your defence. I am asking you a pretty open question: Can you tell us if any of the clients you dealt with in that capacity reside or operate in the Canterbury Bankstown area?

**KHAL ASFOUR:** I think I've answered the question.

**The Hon. TAYLOR MARTIN:** You certainly have not; you've pled the fifth, mate. You've turned up

**The Hon. PENNY SHARPE:** Point of order: I know that Mr Martin is very excited and that he wants to argue with the witness. The witness has indicated he's taking it on notice. In your last ruling, Madam Chair, you indicated that that was acceptable. They need to move on.

**The Hon. TAYLOR MARTIN:** To the point of order: I'm actually not trying to argue. I am giving a pretty open question—pretty simple stuff. At the very beginning of this whole inquiry, I think it's bizarre that the witness says they want the truth to be their defence and then pleads the fifth at the first opportunity. Madam Chair, I ask the witness if any of the clients of EAL are based overseas.

**KHAL ASFOUR:** I'll take that on notice.

**As per the previous response.**

**And to the best of my knowledge EAL has no clients based overseas.**

**The Hon. CHRIS RATH:** Councillor Asfour, I move now to the issue of your MBA, which has received some media attention. Under the councillor facilities and expenses policy adopted at the ordinary meeting of 22 August 2017, councillors must fill out a request for councillor professional development or long-distance travel before approval can be given for professional development. Did you fill out a request for councillor professional development or long-distance travel prior to commencing your MBA?

**KHAL ASFOUR:** I don't recall whether I filled out a form. I did have a conversation with my general manager and I think a file note was taken.

**The Hon. CHRIS RATH:** Do you remember whether you had to fill in such a form for each subject, or was it just a form at the beginning of the process in which you started your MBA?

**KHAL ASFOUR:** I need to go back and check but I believe there was no form. There was a file note, from my recollection, after a conversation with the CEO about pursuing professional development.

**The Hon. CHRIS RATH:** Would you be able to take on notice whether such a form was completed—

**KHAL ASFOUR:** Absolutely.

**The Hon. CHRIS RATH:** —at the beginning of the MBA and for each subject, if that was required?

**KHAL ASFOUR:** Sure.

**Information provided to me from Council confirms there was no form to fill in.**

**The Hon. CHRIS RATH:** And do you remember the CEO at the time saying that your expenses as part of the MBA did fall within the entitlement?

**KHAL ASFOUR:** I want to be clear. I didn't ask to do an MBA. I asked to do subjects of the CEO that I felt were pertaining to my role, that would help me in my role as the mayor of a large city with a \$400 million budget, with \$4 billion or more in assets, and I thought some of the subjects that the MBA involved, that I had to undertake, would help me in my role. So I asked the CEO if I could undergo these subjects, when and if I could, and time permitting, and I would seek his agreement that they fell within the scope of my role as the mayor.

**The Hon. CHRIS RATH:** And he gave you that agreement—that it did fall within the entitlement?

**KHAL ASFOUR:** Yes. Further to that, this was asked of the council by the Office of Local Government, and the Office of Local Government have come back to the council and categorically agreed that my professional development, my education, were completely within the guidelines of council's policy and, to quote the

**The Hon. CHRIS RATH:** Is that a document that was provided to you—

**KHAL ASFOUR:** That's correct.

**The Hon. CHRIS RATH:** —by the Office of Local Government?

**KHAL ASFOUR:** That was provided to the council by the Office of Local Government.

**The Hon. CHRIS RATH:** Would we be able to table that document?

**KHAL ASFOUR:** I don't have it with me but we'll be able to give you that—

**The Hon. SCOTT FARLOW:** On notice.

**KHAL ASFOUR:** On notice, yes.

### **Unable to answer at this time due to unavailability of Council documents.**

**The Hon. SCOTT FARLOW:** Can I jump in there for a second? I will let Mr Rath return to that. According to council policy that existed at that time in 2017, you stated you have taken on notice whether you filled out a form. Your recollection is largely that you didn't and that a file note was taken, but 6.30 of council policy at the time stated:

Approval for professional development activities is subject to a prior written request to the Mayor and General Manager using the 'Request for Councillor Professional Development of Long Distance Travel' Form ... which outlines the:

- details of the proposed professional development
- relevance to Council priorities and business
- relevance of the exercise of the Councillor's civic duties

Was it determined that you would not do that because that request was supposed to go to both the mayor and the

form.

**KHAL ASFOUR:** As I said, I would need to check if there was a form. I need to check if there was a

**Unable to answer at this time due to unavailability of Council documents.**

**The Hon. CHRIS RATH:** In terms of the reimbursement, which we were talking about before, falling in the same financial year, you were reimbursed for a second subject on 12 June for \$2,545. The two MBA subjects totalled \$5,090. Was this brought your attention by the council staff?

**KHAL ASFOUR:** No.

**The Hon. CHRIS RATH:** So you were in breach of the policy because you were over the limit that was allowed and it was never brought to your attention by anyone at Canterbury Bankstown council.

**KHAL ASFOUR:** No. As I mentioned, I put in the claim. It then goes through an administrative process. If the claim was paid two weeks later, there would not have been a breach, so the breach was technical in nature. Again, I don't pay myself. I put in the claim form and the council then reimburses.

**The Hon. CHRIS RATH:** So the council approves the expenses?

**KHAL ASFOUR:** The council staff reimburse the claim.

**The Hon. CHRIS RATH:** They approve?

**KHAL ASFOUR:** The claim?

**The Hon. CHRIS RATH:** Yes.

**KHAL ASFOUR:** Yes.

**The Hon. CHRIS RATH:** So their role is to approve?

**KHAL ASFOUR:** Yes.

**The Hon. CHRIS RATH:** You lodge the form and then they decide whether it's in accordance with the guidelines—in accordance with the rules, with the policies—and then they approve the claim. So they have the power to not approve certain claims as well?

**KHAL ASFOUR:** Yes.

**The Hon. CHRIS RATH:** Have you ever had any such expenses knocked back?

**According to Council records, and my recollection I have not had any such expenses knocked back.**

[Redacted]

[Redacted]

[Redacted]

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[Redacted]

[Redacted]

**The Hon. CHRIS RATH:** Before that change, as we spoke about, the professional development allowance was \$3,000 a year. After that change went through, you could claim up to \$15,000. Do you remember that being one of the changes that was adopted?

**KHAL ASFOUR:** The change was to facilitate professional development, and the amount was changed not just for professional development. That number of \$15,000 for the mayor then included conferences, seminars, programs, training, study tools, programs with affiliated organisations and membership of professional bodies, as detailed in the councillor professional development handbook.

**The Hon. CHRIS RATH:** It was a very generous increase. Did you instigate these changes?

**KHAL ASFOUR:** No.

**The Hon. CHRIS RATH:** Was it instigated by council staff?

**KHAL ASFOUR:** I don't agree that it was a generous increase. It was a culmination of different, separate facilities that were then combined into one facility.

**The Hon. CHRIS RATH:** Yes, but looking through the policies at the time—because we have looked at this—if you bundle up all those different pots of money that you're talking about, it still doesn't come anywhere near \$15,000. It was still quite a significant increase even after you had bundled up those pockets of money into one single fund.

**KHAL ASFOUR:** Do you know how much it comes up to?

**The Hon. CHRIS RATH:** I think it was around a 50 per cent increase after combining all those different—

**KHAL ASFOUR:** I disagree with that, but I would need to take on notice the exact amount.

**The Hon. CHRIS RATH:** But you supported these changes?

**KHAL ASFOUR:** Yes—as well as, from memory, it was unanimous. It went on public exhibition. It's been voted on. It's come back since that time another time, where we voted to go on public exhibition and then resolved to adopt the policy.

**Unable to answer at this time due to unavailability of Council documents.**

**The Hon. MARK LATHAM:** I will come to that matter shortly. You said earlier on that you oversee management but you're saying here that you've got no idea of what the financial liability might be for your council in funding your legal team.

**KHAL ASFOUR:** Not one cent of council is paying for my legal team; it's the council insurer. I think

**The Hon. MARK LATHAM:** Have you got a letter from the insurer saying their meeting the claim even though you wouldn't have lodged the claim because you don't know the expenses?

**KHAL ASFOUR:** You answered your own question there, Mr Latham.

**The Hon. MARK LATHAM:** Have you got the letter from the insurer that you can provide to the Committee?

**KHAL ASFOUR:** I do not.

**The Hon. MARK LATHAM:** Can you take that on notice to get correspondence with your insurer relating to the cost of your legal team?

**KHAL ASFOUR:** Yes.

**The Hon. MARK LATHAM:** The lawyers lodge their own claim on behalf of the council? That's good work if you can get it. I'm in the wrong business here, mate.

**KHAL ASFOUR:** I will take it on notice.



**Nothing to produce.**

**The Hon. MARK LATHAM:** Does EAL provide management consulting services that combine strategic process people integration, change management and human resources management? Is that what you do?

**KHAL ASFOUR:** No.

**The Hon. MARK LATHAM:** What is the nature of the consulting?

**KHAL ASFOUR:** I think I've said that I'll take that question on notice, but can you furnish me with that document, Mr Latham? I'd like to see what it is that you are quoting from.

**Answer provided above**

**The Hon. MARK LATHAM:** Have you ever done any consultancy work for Chinese financial

**KHAL ASFOUR:** Not that I'm aware of. I'll take that on notice, but not that I'm aware of.

**The Hon. MARK LATHAM:** You'll take it on notice. Thank you.

**As far as my records show, NO**

**The Hon. CHRIS RATH:** I wanted to come back to my line of questioning from before. But before

**KHAL ASFOUR:** Can I take that on notice? I think it does, but I just—yes, it—

**The Hon. CHRIS RATH:** Would you be able to provide the ABN to us?

**KHAL ASFOUR:** Yes.

**The Hon. CHRIS RATH:** Because I could not find an ABN for EAL Consulting in Chullora.

**KHAL ASFOUR:** Yes. Sorry, can I—yes, I don't think EAL has an ABN, no.

**The Hon. SCOTT FARLOW:** It's not registered for GST?

**KHAL ASFOUR:** It is, under my name—my private name.

**The Hon. SCOTT FARLOW:** So EAL is effectively a trading name?

**KHAL ASFOUR:** Yes, it's just a name I've set up.

### **EAL is a trading name and does NOT have an ABN**

**The Hon. CHRIS RATH:** Last year under your mayoralty Canterbury Bankstown council had the largest rate hike of any metropolitan council. Do you think that fits well in terms of then going out on a bit of a spending spree when it comes to professional development?

**KHAL ASFOUR:** I think it's important to know that the council has not applied nor sought to increase its rates above the SRV since I've been on the council. And I don't agree that it's the largest, even though I can take that on notice.

### **Unable to answer at this time due to unavailability of Council documents.**

**The Hon. SCOTT FARLOW:** Thank you, Madam Chair. Mr Asfour, I might turn now to some of your overseas study trips and the like through council. Would you mind outlining for the Committee where you have been overseas on behalf of council?

**KHAL ASFOUR:** Can I take that on notice, because I don't want to forget one.

**The Hon. SCOTT FARLOW:** Well, you can start with a general gist, can't you, of where you've been?

**The Hon. TAYLOR MARTIN:** Off the top of your head.

**KHAL ASFOUR:** Yes, sure. Firstly, all travel done overseas has been in accordance with the *Councillor Expenses and Facilities Policy* and approved by council. All travel has been presented to an open council meeting and approved by councillors, all done in accordance with the policy. I know there has been media about a United States trip back in 2019. I have also represented council overseas at my own expense. So, you know, I'm happy to take that on notice, Mr Farlow.

### **Unable to answer at this time due to unavailability of Council documents.**

**The Hon. SCOTT FARLOW:** —which I think was the 2019 trip you were referring to before. Can you

**KHAL ASFOUR:** The Cities Leadership Exchange—can you just remind me which one?

**The Hon. SCOTT FARLOW:** I believe that was 29 October until—sorry, this is the 2017 trip—9 November 2017.

**KHAL ASFOUR:** That was a trip organised by the Cities Leadership Group. Many mayors and councillors have, with the Cities Leadership Group, travelled overseas to look at what other cities are doing. That was a trip, from memory, focused on smart cities. It was done with the professor at the time who had been working with council. Again, it was back in 2017 so I am just trying to recall.

**The Hon. SCOTT FARLOW:** It was five years ago. Pretty close to the date, yes?

**KHAL ASFOUR:** Yes.

**The Hon. SCOTT FARLOW:** How did you first hear about this exchange?

**KHAL ASFOUR:** From memory—again, I will correct the record if I am mistaken—that was a decision made by the administrator at the time. There was no council. The administrator resolved that a person go on the trip. That was all done in an open council meeting by the administrator. That's when the decision was made. After the 2017 elections, I was made aware that this had happened—that there was a resolution by council—and, having

**The Hon. SCOTT FARLOW:** Did anyone else join you from Canterbury Bankstown council or was it just you?

**KHAL ASFOUR:** Can I take that on notice?

**The Hon. SCOTT FARLOW:** You can.

**KHAL ASFOUR:** I think there was one person but, again, I just want to make sure.

**The Hon. SCOTT FARLOW:** On that visit, what cities did you visit? I think this was one where you said there were several cities.

**KHAL ASFOUR:** Yes, that was essentially California, San Diego, San Jose, a lot of the Tech Valley area—

**The Hon. SCOTT FARLOW:** San Francisco, or not?

**KHAL ASFOUR:** I don't think San Francisco, no.

**The Hon. SCOTT FARLOW:** Mexico, at all?

**KHAL ASFOUR:** Not as part of the trip.

**The Hon. SCOTT FARLOW:** But you went to Mexico while there?

**KHAL ASFOUR:** Yes.

**The Hon. SCOTT FARLOW:** In a private capacity?

**KHAL ASFOUR:** Yes.

**The Hon. SCOTT FARLOW:** Was that during the trip, or was that after or before?

**KHAL ASFOUR:** It was during a break in the trip, from memory.

**The Hon. SCOTT FARLOW:** How much did that trip cost Canterbury Bankstown council?

**KHAL ASFOUR:** I would need to take that on notice.

**Unable to answer at this time due to unavailability of Council documents.**

**The Hon. MARK LATHAM:** Can I ask the mayor if you are aware of a personal bank account held by the CEO of the council which holds money deposited directly from Bankstown council?

**KHAL ASFOUR:** I am not aware.

**The Hon. MARK LATHAM:** Have you ever heard of your CEO referring to this account that is used for personal purposes, not connected to the council?

**KHAL ASFOUR:** I have not.

**The Hon. MARK LATHAM:** Are you aware of the CEO's company credit card?

**KHAL ASFOUR:** The council credit card?

**The Hon. MARK LATHAM:** Yes.

**KHAL ASFOUR:** Yes.

**The Hon. MARK LATHAM:** What monitoring or checking does the council undertake that all the expenditures there are related to council purposes, not private purposes?

**KHAL ASFOUR:** Sorry? I misheard.

**The Hon. MARK LATHAM:** What monitoring and checking does the council undertake on this credit card to see that all the expenditures are legitimate and to do with local government rather than personal?

**KHAL ASFOUR:** I will take that on notice, because there would be one or two levels of scrutiny, I am

**The Hon. MARK LATHAM:** Did the council, yourself included, organise a trip to Turkey and, I assume, Anzac Cove related to the centenary of Anzac?

**KHAL ASFOUR:** Yes.

**The Hon. MARK LATHAM:** What information did you garner that then related to the council's centenary of Anzac commemorations?

**KHAL ASFOUR:** Again, all travel was done in accordance with the *Councillor Expenses and Facilities Policy* and approved by the council. I am proud of the contribution our council has made in relation to being part of those centenary celebrations. The council set up a working group and the minutes are well documented. There was a local essay-writing competition for local high school students where the winner and their guardian travelled with us to Turkey for a significant event to, obviously, honour our diggers. That was the point of the trip.

**The Hon. MARK LATHAM:** How many attended on the trip? There was yourself and the general manager.

**KHAL ASFOUR:** I will take that on notice.

**The Hon. MARK LATHAM:** What was the overall expenditure involved?

**KHAL ASFOUR:** I will take that on notice.

**Unable to answer at this time due to unavailability of Council documents.**

**The Hon. MARK LATHAM:** What was the breakdown? What did you cover out of your own pocket on this trip?

**KHAL ASFOUR:** From memory—again, I will take it on notice—I certainly paid for my international airfare.

**Unable to answer at this time due to unavailability of Council documents.**

**The Hon. MARK LATHAM:** But the council, I am assuming, is paying for your accommodation in Turkey, tour guides and your time at Anzac Cove. The council is helping you make the trip to Turkey, isn't it?

**KHAL ASFOUR:** No. I paid for the trip to Turkey from my own private funds. It was a privately funded

**The Hon. MARK LATHAM:** I have been in local government. I know how it works.

**KHAL ASFOUR:** Exactly. You know how it works.

**The Hon. MARK LATHAM:** You piggybacked out of Turkey knowing that the council paid for your

**KHAL ASFOUR:** But I paid for the airfare, Mr Latham.

**The Hon. MARK LATHAM:** I'm not asking about the airfare; I'm asking about the accommodation in

**KHAL ASFOUR:** I will take that on notice as to what the breakdown was for that trip.

**Unable to answer at this time due to unavailability of Council documents.**

**The Hon. MARK LATHAM:** Are they happy with the discussions you would have had prior to the Turkey trip saying, "Isn't it good that we can lower the cost of the overall trip using council funds, and then we'll arrange for a privately funded trip"—you say—"to a soccer match in Liverpool, England?"

**KHAL ASFOUR:** I think I have answered your question.

**The Hon. MARK LATHAM:** What about the return leg via Singapore? Who funded the accommodation and your expenses, restaurants, hotels, other outlays in Singapore on the way back from Liverpool?

**KHAL ASFOUR:** From memory we were in transit in Singapore. It may have been a night and I'd need to—I'll take the rest of the question on notice, just so I give the correct answer to the Committee.

**The Hon. MARK LATHAM:** In Liverpool, England, and Singapore, as part of this commemoration of Anzac, were you aware of the general manager using the council credit card to meet expenses?

**KHAL ASFOUR:** I'm not aware.

**The Hon. MARK LATHAM:** Were you aware of him using the bank account that's funded by the council under his own private arrangements?

**KHAL ASFOUR:** You'd need to ask him, Mr Latham.

**The Hon. MARK LATHAM:** No, I'm asking you as the mayor—longstanding, re-elected, blah blah—what you know about this particular matter.

**KHAL ASFOUR:** I'm not aware.

**The Hon. MARK LATHAM:** You're not aware?

**KHAL ASFOUR:** No.

**The Hon. MARK LATHAM:** Can you make some investigations about the possible use of the council credit card and the personal expense account funded by the council as part of your trip with the CEO to Liverpool and Singapore?

**KHAL ASFOUR:** You're asking me to investigate?

**The Hon. MARK LATHAM:** Yes, please—to take that on notice and have a look at the council records

**KHAL ASFOUR:** Bearing in mind that you'll have the opportunity to ask him the same questions—but, yes.

**The Hon. MARK LATHAM:** Well, I'm asking you.

**KHAL ASFOUR:** Yes.

**Unable to answer at this time due to unavailability of Council documents.**

**The Hon. MARK LATHAM:** Why has the council brought the recycling and rubbish collection back in house?

**KHAL ASFOUR:** Because it was the right thing to do.

**The Hon. MARK LATHAM:** Why?

**KHAL ASFOUR:** Because it would save money for us and the contractors that were doing the job—let me go back a step. Bankstown has been doing that in house for as long as I can remember and Canterbury's contract with the contractor was expiring. Their service level was pretty poor if you ask the ratepayers living in Canterbury. The decision was made to bring it in house.

**The Hon. MARK LATHAM:** What constitutes poor service? I've got a document here showing in 2017-18 the missed bin rate was 0.19 per cent. That's very low, isn't it?

**KHAL ASFOUR:** I don't know what document you're referring to.

**The Hon. MARK LATHAM:** It's a City of Canterbury Bankstown annual report that you as mayor would have signed off on in all your glory. The report at page 61 says that the missed bin rate under the previous arrangements, the contractor, was 0.19 per cent. You think that's an unsatisfactory service level?

**KHAL ASFOUR:** I'm happy to take that on notice,

**Unable to answer at this time due to unavailability of Council documents.**

**The Hon. MARK LATHAM:** I suppose the international travel does that to you, but can I just ask: What would you regard as an unacceptable missed bin rate that required changing these service arrangements?

**KHAL ASFOUR:** I would certainly look at the correspondence and contacts I've had from ratepayers and the calls complaining about the missed bins. You're quoting from, I think, 2017-18. Again, I haven't had a look at the document recently, but certainly the contract was due to end and going in house was, I think, the best option for the ratepayers.

**The Hon. MARK LATHAM:** When did you make that decision?

**KHAL ASFOUR:** When the report was presented to the council. After reading the report and understanding the context—

**The Hon. MARK LATHAM:** What time period are we talking about?

**KHAL ASFOUR:** I'll take that on notice because the contract with the contractor was extended for a period of time to allow council to get itself in order in making sure that we were able to carry out that service. It's a very important service. I'm very proud now that we are bringing in our waste in house. Because the service on

**The Hon. MARK LATHAM:** What's your missed bin rate now?

**KHAL ASFOUR:** I'll take that on notice. I don't have the number at hand.

**Unable to answer at this time due to unavailability of Council documents.**

**The Hon. SCOTT FARLOW:** Just returning to the overseas travel issues, you outlined before that you did visit Mexico and it was part of a private trip on that smart cities delegation. Considering it was part of the private trip, why did you put forward an expenses claim for a "Los Panchos" of 266 pesos for council?

**KHAL ASFOUR:** I'll take that on notice, Mr Farlow. The trip to Mexico was when we were in San Jose, I think, or San Diego. It might've been—I'd need to take that on notice. I'm not going to speculate right now.

**The Hon. SCOTT FARLOW:** Was that for tacos in Tijuana?

**KHAL ASFOUR:** Again, I'll take that on notice.

**The expenses claimed were in line with the Councillors Facilities and expenses Policy and in line with the expenses for meals claimed during overseas visits.**

**The Hon. SCOTT FARLOW:** Can you perhaps provide on notice any information you do have with respect to that claim and why, if it was on a personal day, you put a council claim in for that personal portion?

**KHAL ASFOUR:** Yes.

**Unable to answer at this time due to unavailability of Council documents.**

**The Hon. SCOTT FARLOW:** Seeing you've got some recollection of that roundtable, did that take place? Did you attend "Developing Policy to Inform Smart Cities"?

**KHAL ASFOUR:** I'll take that on notice.

**The Hon. SCOTT FARLOW:** You don't have any recollections about what you learned about developing policy or smart city initiatives that have come out of your involvement or non-involvement in that roundtable?

**KHAL ASFOUR:** Again, I want to clarify which trip—



**The Hon. SCOTT FARLOW:** There are so many.

**KHAL ASFOUR:** —which trip, which obviously meets council's expenses and facilities policy that

**The Hon. SCOTT FARLOW:** On the 2017 trip to San Diego, unless there was another one to San Diego, Saturday 4 November was the delegates' scheduled self-tour day. Do you remember what happened on the self-tour day?

**KHAL ASFOUR:** I don't recall, no.

**The Hon. SCOTT FARLOW:** Was that the trip to Tijuana, perhaps?

**KHAL ASFOUR:** I'll take that on notice. I can't remember what I can't remember.

**Unable to answer at this time due to unavailability of Council documents.**

**The Hon. SCOTT FARLOW:** Mr Asfour, with respect to 2017, were there any other overseas trips you went on that year apart from that one to the US and Mexico?

**KHAL ASFOUR:** In my private capacity, or in my—

**The Hon. SCOTT FARLOW:** Well, it seems like the council and the private sort of merge in some cases.

**KHAL ASFOUR:** I'll take that on notice.

**The Hon. SCOTT FARLOW:** I turn now to the National General Assembly of Local Government in Canberra, which was held from 17 June to 20 June 2018. These are common trips that councils will take, no doubt.

**KHAL ASFOUR:** Yes.

**The Hon. SCOTT FARLOW:** How did you get to Canberra on that trip? Do you remember?

**KHAL ASFOUR:** I'll take that on notice.

**The Hon. SCOTT FARLOW:** Did you attend all the scheduled activities within that conference?

**KHAL ASFOUR:** I believe so.

**The Hon. SCOTT FARLOW:** And you stayed for the whole scheduled conference?

**KHAL ASFOUR:** I may have left early; I'm not sure. It depends on my commitments, Mr Farlow.

**The Hon. SCOTT FARLOW:** Mr Asfour, was any of the alcohol you were drinking during that

**KHAL ASFOUR:** I'll take that on notice, Mr Farlow.

**The Hon. SCOTT FARLOW:** Do you remember where you stayed for that conference?

**KHAL ASFOUR:** No, I'll take it on notice. I've stayed in—

**Unable to answer at this time due to unavailability of Council documents.**

**The Hon. SCOTT FARLOW:** Was any of the alcohol you were drinking in those videos billed to the

**KHAL ASFOUR:** Not that I'm aware of, no.

**The Hon. SCOTT FARLOW:** Have you ever billed the cost of alcohol to ratepayers at all?

**KHAL ASFOUR:** I'll take that on notice. Again, I've been on council for 17 years.

**Yes, in accordance with the Councillors facilities and expenses Policy**

**The Hon. SCOTT FARLOW:** For a local government conference to Albury, \$3,000-odd per councillor

**KHAL ASFOUR:** Does that include the registration fees for the conference?

**The Hon. SCOTT FARLOW:** I'm not sure.

**KHAL ASFOUR:** Neither am I, Mr Farlow, so—

**The Hon. SCOTT FARLOW:** But I think those are covered by your policy externally, without

**KHAL ASFOUR:** Again, I don't have the numbers in front of me, Mr Farlow.

**The Hon. SCOTT FARLOW:** Can you take it on notice and perhaps provide some explanation?

**KHAL ASFOUR:** I don't have the numbers, Mr Farlow, in front of me.

**The Hon. SCOTT FARLOW:** I will turn to East London. This was a September 2019 trip.

**KHAL ASFOUR:** Yes.

**The Hon. SCOTT FARLOW:** So you toured East London, and that was approved by an ordinary meeting of council on 23 July 2019. Was any detailed budget provided at that meeting?

**KHAL ASFOUR:** I'll take it on notice. I don't know that.

**The Hon. SCOTT FARLOW:** Thank you. That report approved by council approved \$5,000 excluding GST plus flights. On 5 August 2019 you were reimbursed for \$6,469 for the Western Sydney Leadership Dialogue study tour. Did that include the flights?

**KHAL ASFOUR:** I'll take that on notice, Mr Farlow. I don't—

**The Hon. SCOTT FARLOW:** If that was the case, why did the trip costs exceed what was approved

**KHAL ASFOUR:** I don't think that it did, but again I'm happy to take that on notice.

**The Hon. SCOTT FARLOW:** Okay. Did you think the report authorising travel met the requirements

**KHAL ASFOUR:** I'm happy to take that on notice, but I believe so.

**The Hon. SCOTT FARLOW:** Was there an itinerary that was provided to council when approving that budget?

**KHAL ASFOUR:** I don't have the council report in front of me, Mr Farlow. Again, happy to take it on notice and provide you with a response, or the Committee with a response.

### **Unable to answer at this time due to unavailability of Council documents.**

**The Hon. SCOTT FARLOW:** Okay. Now, in that report it outlines that Chicago has grown from a small trading post into one of America's largest cities and that today it is a global city, a thriving centre of international trade and commerce. Can you share with the Committee your analysis of how Chicago has

**KHAL ASFOUR:** Clearly, if you went to Chicago 200 years ago, if you had a time machine—

**The Hon. SCOTT FARLOW:** Stockyards!

**KHAL ASFOUR:** —it would not be the smart city that it is today; with the population that it's dealing with today; with the ability to provide services for its residents at a high standard that it is today. So, yes, it certainly has transformed in 200 years, no doubt about that.

**The Hon. SCOTT FARLOW:** How has that history informed the City of Canterbury Bankstown?

**KHAL ASFOUR:** I think the trip was a private trip. While I was there in my private capacity, I undertook to meet with some government representatives. I think I've already mentioned I met with the Mayor of Chicago, which was a good meeting for me to have on behalf of the city. I met with the US consul to Chicago—I'm sorry, I keep saying that—I met with the Australian consul to Chicago as well. I met—and I'm happy to provide who I met with in my capacity as the mayor on a privately funded trip. But I met with, from memory, an executive from KPMG and others, and I'm happy to provide that to the Committee. But, again, not one cent of ratepayer money was spent on that trip.

### **Met with:**

**Tom Schenck jnr, Director of Analytics KPMG  
City of Chicago Mayor Lightfoot and her Chief of Staff.  
George Burciaga of Ignite Cities.  
Australian Consul to Chicago**

**The Hon. MARK LATHAM:** Very good. Glad to hear it. Just coming back to the garbage service—

**KHAL ASFOUR:** Yes.

**The Hon. MARK LATHAM:** —you've had 20 months now of the in-house arrangements under the coverage of your political ally Graeme Kelly and the USU. What are the differences now in the cost of the service to the council, before and after?

**KHAL ASFOUR:** I'm happy to provide the Committee with a report and I'll take that on notice, Mr Latham.

**The Hon. MARK LATHAM:** And so too with the complaints rate, before and after?

### **Unable to answer at this time due to unavailability of Council documents.**

**The Hon. MARK LATHAM:** Right. You've got a fleet of 50 waste collection vehicles. Where did you get those from overnight to run the service? How was it arranged to go back in-house, given the expense of the capital assets, the expertise, the staff?

**KHAL ASFOUR:** I think I mentioned earlier, it wasn't done overnight, and we extended the contract with the contractor, so we were able to get ready for day one when we moved in-house. So it wasn't done overnight.

**The Hon. MARK LATHAM:** What? You leased back your vehicles? Was that the arrangement or does

**KHAL ASFOUR:** I'll take that on notice.

### **Unable to answer at this time due to unavailability of Council documents.**

**The Hon. CHRIS RATH:** On Canterbury Bankstown council, you obviously run as a group of

**KHAL ASFOUR:** Correct.

**The Hon. CHRIS RATH:** We can see who are the donors to your campaign, but which donors in particular would you say you would have a non-pecuniary interest on the Bankstown master plan with?

**KHAL ASFOUR:** The ones that have a registered address within the scope of the area of the master plan.

**The Hon. CHRIS RATH:** Did any other councillors at the time declare a non-pecuniary interest?

**KHAL ASFOUR:** You'd have to ask them. I don't recall. It's a matter for each councillor to deal with

their interests and their conflicts.

**The Hon. CHRIS RATH:** But the donations that you receive as part of your campaign, that is to the Labor group of councillors rather than to you as a mayoral candidate?

**KHAL ASFOUR:** Correct.

**The Hon. CHRIS RATH:** So, if you had a non-pecuniary interest, we would assume that the other

**KHAL ASFOUR:** The ones in my ward—and if it was significant, obviously, as well.

**The Hon. CHRIS RATH:** Would you be able to take that on notice in terms of if any other councillors in your ward made a non-pecuniary disclosure on that—

**KHAL ASFOUR:** Sure, I am happy to.

**The Hon. CHRIS RATH:** —and, potentially, any donors in particular who you think may have been relevant for that non-pecuniary interest?

**KHAL ASFOUR:** Yes, sure.

**The Hon. CHRIS RATH:** A final question from me: Have you ever claimed loyalty points through council as part of hotels or flights, in terms of the expenses that you charge back to council?

**KHAL ASFOUR:** I will take that on notice, Mr Rath.

**re Councillor non-pecuniary disclosures, unable to answer at this time due to unavailability of Council documents.**

**In relation to claiming loyalty points through Council, to the best of my knowledge and records, I have not claimed them.**

**KHAL ASFOUR:** I will take that on notice, but it sounds about right.

**The Hon. MARK LATHAM:** Why does it say on the ticket that the ticket is complimentary and at no cost to you—zero pounds?

**KHAL ASFOUR:** I can't answer that. I don't know.

**The Hon. MARK LATHAM:** Can you take that on notice?

**KHAL ASFOUR:** I definitely paid for it, I know that.

**The Hon. MARK LATHAM:** I've got a copy of what I believe to be the ticket. You told this inquiry under oath that you paid for it.

**KHAL ASFOUR:** Yes, absolutely I did.

**The Hon. MARK LATHAM:** It says "complimentary, zero pounds". I've given you the details. Maybe you can jot them down and check your records. It was on 27 September 2014 at 12.45 p.m. You were in stand block ME. This is at Anfield, I'm assuming. It's not at the other one, Everton's ground.

that sou **KHAL ASFOUR:** No, it's not at the blue one.

**The Hon. MARK LATHAM:** Row 33, seat 251—you'll see this on *Hansard*—"complimentary, zero pounds".

**KHAL ASFOUR:** Sure, I'm happy to do that. But I can assure you and the Committee that I paid for my ticket and I don't know why the ticket would have that.

**I would like to reinforce to the Committee I paid for the ticket to the football game, it was not complimentary. My accommodation and the ticket were purchased through Thomas Cook Travel, a sponsor of the Liverpool Club. I was informed as they are one of the major sponsors, tickets to the match would have to be purchased through them. I cannot explain why they issued the ticket as "complimentary".**