

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 25 JUNE 2024

PRESENT: Mayor, Councillor El-Hayek
Councillors Abouraad, Asfour, Cahill, Coorey, Harika, Ishac, Raffan, Saleh OAM,
Waiba, Walsh

APOLOGIES Councillors Akter, Downey, Nguyen, Zakhia

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.30 PM.

ACKNOWLEDGEMENT OF COUNTRY

THE MAYOR ACKNOWLEDGED THE TRADITIONAL CUSTODIANS OF THE LAND, WATER AND SKIES OF WHERE WE ARE MEETING TODAY THE DARUG (DARAG, DHARUG, DARUK AND DHARUK) PEOPLE AND PAID RESPECT TO DARUG CULTURAL HERITAGE, BELIEFS AND RELATIONSHIP WITH THE LAND. THE MAYOR ALSO ACKNOWLEDGED FIRST PEOPLES' CONTINUING IMPORTANCE TO OUR COMMUNITY.

SECTION 1: CONFIRMATION OF MINUTES

(792) CLR. ABOURAAD:/CLR. RAFFAN

RESOLVED that the minutes of the Ordinary Council Meeting held on 28 May 2024 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

MOTION

(793) CLR. RAFFAN:/CLR. ABOURAAD

RESOLVED that Leave of Absence be granted to Clrs Akter, Downey, Nguyen and Zakhia due to personal reasons.

- CARRIED

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

Nil

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SECTION 4: MAYORAL MINUTES

ITEM 4.1 JAMES KELLY OBIT
(794) CLR. EL-HAYEK

RESOLVED that the Mayoral Minute be noted.

- CARRIED

ITEM 4.2 CHILDREN OF PALESTINE DINNER
(795) CLR. EL-HAYEK

RESOLVED that Council call on like-minded community members and organisations to support the Children of Palestine Dinner, with either the provision of food and venue, or attendance.

- CARRIED

ITEM 4.3 LOCAL COMMUNITY BASED DONATIONS
(796) CLR. EL-HAYEK

RESOLVED that:

1. Council support a fee waiver of \$596 and a donation of \$400 for Works in Kind towards the East Hills Charity Car Show.
2. Council support a fee waiver of \$750 to Bardwell Park Alcoholics Anonymous towards the hire of the Earlwood Senior Citizens Centre.
3. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

SECTION 5: PLANNING MATTERS

ITEM 5.1 RECOMMENDATION FROM THE COMMISSIONER OF FIRE + RESCUE NSW
(797) REGARDING 274-276 CANTERBURY ROAD, CANTERBURY
CLR. ABOURAAD:/CLR. WALSH

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RESOLVED that the recommendations of the Commissioner of Fire + Rescue be noted.

- CARRIED

SECTION 6: POLICY MATTERS

ITEM 6.1 CAR SHARE POLICY
(798) CLR. RAFFAN:/CLR. ISHAC

RESOLVED that-

1. Council endorse the draft Car Share Policy and associated fees and charges outlined in the body of the Report to be placed on public exhibition; and
2. A further Report be brought back to Council, following public exhibition.

- CARRIED

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 INTEGRATED PLANNING AND REPORTING - ADOPTION OF CBCITY 2025
(INCORPORATING THE UPDATED DELIVERY PROGRAM 2022-25 AND
OPERATIONAL PLAN 2024/25), ASSET MANAGEMENT STRATEGY 2024-34 AND
FINANCIAL MANAGEMENT STRATEGY 2024-34
(799) CLR. ABOURAAD:/CLR. ASFOUR

RESOLVED that-

1. In accordance with s402-406 of the *Local Government Act 1993*, Council's revised Integrated Planning and Reporting documents, including Council's updated Delivery Program 2022-25, and Operational Plan 2024/25 incorporating the Budget and Schedule of Fees and Charges (collectively known as CBCity 2025); Asset Management Strategy 2024-34; and Financial Management Strategy 2024-34, be adopted.
2. Those members of the community that provided formal submissions be thanked and advised of Council's responses in this report.

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3. In accordance with the relevant sections of the *Local Government Act 1993*, Council makes the following Rates and Charges – Former Bankstown City Council:

3.1 Rating

Subject to the provisions of the *Local Government Act 1993*, an ordinary rate be made and levied for the rating year 1 July 2024 to 30 June 2025 upon the land value of all rateable land within the former Bankstown City Council categorised as Residential or Business as detailed in the following table and subject to a minimum rate:

Category / Sub-Category	Ad-Valorem Rate	Minimum Rate
Residential – Ordinary	0.00135361	\$1,014.75
Business – Commercial Large	0.00497452	\$1,014.75
Business – Commercial General	0.00395931	\$1,014.75
Business – Industrial Large	0.00497452	\$1,014.75
Business – Industrial General	0.00395931	\$1,014.75
Business – Ordinary	0.00294410	\$1,014.75

The residential and business ad valorem rates in the table above have been adjusted to account for year 4 (2024/25) of the eight-year gradual harmonisation process in order to have one harmonised rating structure for the City by 1 July 2028.

3.1.1 Bankstown Airport

For properties where an ex-gratia payment in lieu of rates is applicable, Council will apply an equivalent ad-valorem rate or minimum charge that applies to the Business – Industrial General sub-category.

3.2 Domestic Waste Management Service Charges

Subject to provision of Sections 496, 501, 502 and 504 of the *Local Government Act 1993*, annual Domestic Waste Management Charges be made and levied on a pro-rata quarterly basis for the year 1 July 2024 to 30 June 2025, as follows:

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Type of Charge	Short Name	Annual Charge
An Annual Domestic Waste Management Service charge per service for each parcel of Rateable Residential land for which a service is available.	Domestic – Waste Management	\$620.00
Each additional service in respect of single dwelling premises.	Domestic Waste Extra Service	\$343.00
Each additional service in respect of multi residential units - 240L.	Domestic Waste Extra Strata Service	\$378.00
Each additional service in respect of multi residential units - 660L.	Domestic Waste Extra Strata Service	\$1040.00
Each additional service in respect of multi residential units - 1100L.	Domestic Waste Extra Strata Service	\$1,708.00
Each additional service in respect of multi residential units - 240L.	Extra Recycling Service	\$170.00
Each additional service in respect of recycling.	Extra Recycling Service	\$96.00
Each additional service in respect of Greenwaste.	Extra Green Waste Service	\$157.00
Rateable Vacant Land	Domestic Waste Vacant Land	\$163.00
Each additional service in respect of multi residential unit - single bins	Domestic Waste Extra Service Strata single bin	\$196.00
Single residential large household service	Domestic Waste Extra Service	\$850.00

3.3 Stormwater Management Charges

Council make and levy an annual stormwater management service charge for the year 1 July 2024 to 30 June 2025 as follows:

Description of Charge	Charge
Annual residential property charge	\$25.00
Annual residential strata property charge	\$12.50
Annual business property charge per 350 square metres or part thereof for non-vacant business land	\$25.00
Annual business property charge per 350 square metres or part there of surface land area for strata business unit (proportioned to each lot based on unit entitlement) not less than \$5.00.	\$25.00
Mixed Developments – see below	

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3.3.1 Mixed Developments

- Adopt the dominant Rating category as applied to the parcel of land as determined by the Valuer General and apply to each relevant property; and
- In the event that a mixed development is 50% residential and 50% business, Council will apply a residential stormwater management charge.

3.3.2 Bankstown Airport

- For properties where an ex-gratia payment in lieu of rates is applicable, Council will apply an annual Stormwater Management Charge of \$25.00 per property plus an additional \$25.00 for each 350 square metres or part of 350 square metres by which the area of the parcel of land exceeds 350 square metres.

3.3.3 Exemptions

- Bowling and Golf Clubs - where the dominant use is open space;
- Council-owned land;
- Properties zoned: Open space 6(a); Private Recreation 6(b); and Rural.

3.4 Interest Rate on Overdue Rates & Charges

Subject to the provisions of Section 566(3) of the *Local Government Act 1993* the rate of interest charged on overdue rate instalments be set at the maximum rate specified by the Minister for Local Government from time to time. The rate of interest payable on overdue rates and charges for the period 1 July 2024 to 30 June 2025 (inclusive) will be 10.50% per annum.

3.5 Voluntary Pensioner Rebate

In addition to the current maximum pensioner rebate of \$250.00 per annum, Council continue to provide a further voluntary rebate, totalling \$40.00 per annum in accordance with Council's 'Rates and Charges, debt recovery and Hardship Assistance Policy'.

4. In accordance with the relevant sections of the *Local Government Act 1993*, Council makes the following Rates and Charges – former Canterbury City Council:

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4.1 Rating

Subject to the provisions of the *Local Government Act 1993*, an ordinary rate be made and levied for the rating year 1 July 2024 to 30 June 2025 upon the land value of all rateable land within the former Canterbury City Council categorised as Residential or Business as detailed in the following table and subject to a minimum rate:

Category / Sub-Category	Ad-Valorem Rate	Minimum Rate
Residential – Ordinary	0.00138288	\$1,014.75
Business – Commercial Large	0.00508208	\$1,014.75
Business – Commercial General	0.00404492	\$1,014.75
Business – Industrial Large	0.00508208	\$1,014.75
Business – Industrial General	0.00404492	\$1,014.75
Business – Ordinary	0.00300776	\$1,014.75

The residential and business ad valorem rates in the table above have been adjusted to account for year 4 (2024/25) of the eight-year gradual harmonisation process in order to have one harmonised rating structure for the City by 1 July 2028.

4.2 Domestic Waste Management Service Charges

Subject to the provisions of Sections 496, 501, 502 and 504 of the *Local Government Act 1993*, annual Domestic and Non-Domestic Waste Management Charges be made and levied on a pro-rata quarterly basis for the year 1 July 2024 to 30 June 2025, as follows:

Type of Premises	Short Name	Annual Charge
An Annual Domestic Waste Management Service charge per service for each parcel of Rateable Residential land for which a service is available.	Domestic Waste Service	\$620.00
Properties categorised as Business (with or without residential accommodation)	Waste Management – Business	\$620.00

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Each additional service.	Domestic Waste Extra Service	\$343.00
Each additional service in respect of multi residential units - 240L.	Domestic Waste Extra Strata Service	\$378.00
Each additional service in respect of multi residential units - 660L.	Domestic Waste Extra Strata Service	\$1,040.00
Each additional service in respect of multi residential units - 1100L.	Domestic Waste Extra Strata Service	\$1,708.00
Each additional service in respect of multi residential units - 240L.	Extra Recycling Service	\$170.00
Each additional service in respect of recycling.	Extra Recycling Service	\$96.00
Each additional service in respect of Greenwaste.	Extra Green Waste Service	\$157.00
Rateable Vacant Land	Domestic Waste - Vacant	\$163.00
Single residential large household service	Domestic Waste Extra Service	\$850.00

4.3 Stormwater Management Charges

Council make and levy an annual stormwater management service charge for the year 1 July 2024 to 30 June 2025 as follows:

Description of Charge	Charge
Annual residential property charge	\$25.00
Annual residential strata property charge	\$12.50
Annual business property charge per 350 square metres or part thereof for non-vacant business land	\$25.00
Annual business property charge per 350 square metres or part there of surface land area for strata business unit (proportioned to each lot based on unit entitlement) not less than \$5.00.	\$25.00
Mixed Developments – see below	

4.3.1 Mixed Developments

- Adopt the dominant Rating category as applied to the parcel of land as determined by the Valuer General and apply to each relevant property; and

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- In the event that a mixed development is 50% residential and 50% business, Council will apply a residential stormwater management charge.

4.3.2 Exemptions

- Bowling and Golf Clubs - where the dominant use is open space;
- Council-owned land;
- Properties zoned: Open space 6(a); Private Recreation 6(b); and Rural.

4.4 Interest Rate on Overdue Rates & Charges

Subject to the provisions of Section 566(3) of the *Local Government Act 1993* the rate of interest charged on overdue rate instalments be set at the maximum rate specified by the Minister for Local Government from time to time. The rate of interest payable on overdue rates and charges for the period 1 July 2024 to 30 June 2025 (inclusive) will be 10.50% per annum.

4.5 Voluntary Pensioner Rebate

In addition to the current maximum pensioner rebate of \$250.00 per annum, Council continue to provide a further voluntary rebate, totalling \$40.00 per annum, in accordance with Council's 'Rates and Charges, Debt Recovery and Hardship Assistance Policy.

- CARRIED

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

ITEM 7.2
(800)

2024 LOCAL GOVERNMENT ELECTIONS - IMPORTANT DATES AND EVENTS
CLR. ABOURAAD:/CLR. HARIKA

RESOLVED that-

1. The information be noted.
2. Council's 2024 Ordinary Meeting Schedule be varied to tentatively include a further Ordinary Meeting to be held on either Tuesday, 1 October 2024 or Tuesday, 15 October 2024, for the purposes of electing the Mayor.

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3. Council authorise the outgoing Mayor to continue to fulfil Council's civic and ceremonial functions for the period between Election Day and the holding of the Mayoral Election, as outlined in the report.

- CARRIED

ITEM 7.3 LOCAL GOVERNMENT REMUNERATION TRIBUNAL - DETERMINATION OF MAYOR AND COUNCILLOR FEES 2024/25

(801) CLR. RAFFAN:/CLR. CAHILL

RESOLVED that-

1. Effective from 1 July 2024, Council continues to apply the maximum fee structures for the Mayor and Councillors, as determined by the Local Government Remuneration Tribunal, being:
 - Mayoral Additional Fee \$110,970
 - Councillor Annual Fee \$35,890
2. The current Additional Fee for the Deputy Mayor, being 15% of the Mayors Additional Fee, be confirmed.

- CARRIED

ITEM 7.4 CASH AND INVESTMENT REPORT AS AT 31 MAY 2024

(802) CLR. ABOURAAD:/CLR. CAHILL

RESOLVED that-

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

- CARRIED

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ITEM 7.5 **2024-2028 CBCITY POSITIVE AGEING PLAN**
(803) **CLR. ISHAC:/CLR. ABOURAAD**

RESOLVED that Council adopts the 2024-2028 CBCity Positive Ageing Plan.

- CARRIED

ITEM 7.6 **NAMING OF NEW COUNCIL FACILITIES - IAN STROMBORG OAM AND KEVIN HILL**
OAM
(804) **CLR. WALSH:/CLR. ASFOUR**

RESOLVED that Council name:

1. The new playspace in Paul Keating Park the “Ian Stromborg Playspace”.
2. The new Community Hub in Roberts Park the “Kevin Hill Roberts Park Community Hub”.

- CARRIED

SECTION 8: SERVICE AND OPERATIONAL MATTERS

ITEM 8.1 **GREENACRE COMMUNITY PLACE URBAN DESIGN STUDY**
(805) **CLR. ASFOUR:/CLR. HARIKA**

RESOLVED that-

1. Council adopt the draft GCP Precinct Framework (Attachment B).
2. Council undertake an Expression of Interest (EOI) process, in accordance with the principles outlined in the report, to seek interest by community groups and organisations to deliver the Indoor Recreation Facility component of the GCP Precinct Framework.
3. A further report to Council be prepared advising on the outcomes of the EOI process.

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4. Council commences the process to align the land use zoning as outlined in the report.

- CARRIED

SECTION 9: COMMITTEE REPORTS

(806) CLR. HARIKA:/CLR. ISHAC

RESOLVED that in accordance with Council's Code of Meeting Practice, Council adopts all the recommendations of the Committee Reports.

- CARRIED

ITEM 9.1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 11 JUNE 2024

(807) CLR. HARIKA:/CLR. ISHAC

RESOLVED that the recommendations contained in the minutes of the Canterbury-Bankstown Council Traffic Committee meeting held on 11 June 2024, be adopted.

- CARRIED

ITEM 9.2 MINUTES OF THE FLOODPLAIN MANAGEMENT COMMITTEE HELD ON 12 JUNE 2024 AND 19 JUNE 2024

(808) CLR. HARIKA:/CLR. ISHAC

RESOLVED that the recommendations of the Floodplain Management Committee held on 12 June 2024 and 19 June 2024 be endorsed.

- CARRIED

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SECTION 10: NOTICE OF MOTIONS & QUESTIONS WITH NOTICE

(809) CLR. RAFFAN:/CLR. ABOURAAD

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 10.8, 10.9, 10.10 and 10.11

- CARRIED

ITEM 10.1 STATUS OF PREVIOUS NOTICES OF MOTION - JUNE 2024

(810) CLR. RAFFAN:/CLR. ABOURAAD

RESOLVED that the information be noted.

- CARRIED

ITEM 10.2 HAMPDEN ROAD RESERVE PLAYGROUND

(811) CLR. RAFFAN:/CLR. ABOURAAD

RESOLVED that Council investigate the acceleration of the upgrade to Hampden Road Reserve, Lakemba, as part of Council's forward works programs and that in the interim the adopted ward funds for furniture upgrade – Lakemba playground be allocated towards upgrade of furniture in Hampden Road Reserve.

- CARRIED

ITEM 10.3 NO TO GEORGES RIVER LAND GRAB

(812) CLR. RAFFAN:/CLR. ABOURAAD

RESOLVED that-

1. Council note the Mayoral Minute from Georges River to initiate a land grab for part of Canterbury Bankstown.

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2. Council write to Georges River providing them with a copy of this motion and clearly advise that Canterbury Bankstown Council does not agree to any boundary change.
3. Council write to the Minister for Local Government and the chair of the Boundaries Commission to advise them of Canterbury Bankstown Council's opposition to the Georges River Plan.

- CARRIED

ITEM 10.4 **'MEANWHILE USE' FOR AFFORDABLE RETAIL AND COMMERCIAL SPACES**
(813) **CLR. RAFFAN:/CLR. ABOURAAD**

RESOLVED that Council investigates opportunities to allow for 'meanwhile use' for affordable retail and commercial spaces in our centres and write to the Minister for Planning and Public Spaces to investigate enabling State-wide policy

- CARRIED

ITEM 10.5 **HEAVY VEHICLE FINES**
(814) **CLR. RAFFAN:/CLR. ABOURAAD**

RESOLVED that-

1. Council writes to the NSW Minister for Finance Courtney Houssos urging her to urgently review the lenient fines when it comes to heavy vehicles parking in residential streets.
2. Council to write once again to the Minister for Roads John Graham, seeking a response to Council's resolution of 27 February 2024, calling on him to crackdown on heavy and long vehicles parking in residential areas by introducing tough new rules to deregister repeat offenders' vehicles for three months.

- CARRIED

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ITEM 10.6
(815)

YARN BOMBING

CLR. RAFFAN:/CLR. ABOURAAD

RESOLVED that Council meets with Panania residents, Anna Prasad and Jodi Philip, to explore the merits of their proposal to introduce “yarn bombing” in their local area

- CARRIED

ITEM 10.7
(816)

GETTING OUR FAIR SHARE

CLR. RAFFAN:/CLR. ABOURAAD

RESOLVED that Council call on the NSW Government to reallocate the \$36 Million clawed back from Hornsby Council to Canterbury Bankstown Council to fully fund Ramadan Nights for five years.

- CARRIED

ITEM 10.8

HOLDING OF A POLL AT THE SEPTEMBER 2024 LOCAL GOVERNMENT ELECTIONS REGARDING COMMUNITY SUPPORT FOR A COUNCIL DE-AMALGAMATION

MOTION

CLR. COOREY:/CLR. ABOURAAD

That-

1. Council hold a poll concurrently with the 14 September 2024 Local Government elections asking the question: “Do you support the de-amalgamation of Canterbury Bankstown Council to reinstate Canterbury and Bankstown Councils?”
2. Council complete a desktop business case internally for a de-amalgamation of the two former council areas, addressing:
 - a. The financial advantages and disadvantages of a demerger. This should include: consideration of the division and sharing of assets and liabilities; service standards and shared services; rate levels and charges.
 - b. The community of interest and geographic cohesion of the existing LGA compared to the former council areas.
 - c. The historical and traditional values of the former LGAs and the impact on them of the amalgamation into CBC.

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- d. The impact of a demerger on democratic representation for residents in each of the former council areas.
- e. The impact of a demerger on the employment of current staff and possibility of redeployment to the demerged former council areas.
3. Council prepare a report, including the desktop business case and de-amalgamation costings, to be presented to a Council Meeting no later than June 25. The report should include:
 - a. The data and analysis as outlined in point 2. (a)-(e), without any recommendations.
 - b. Detail the process and basis for any information which will be provided to residents about the poll.
4. By August 1, Council develop a page on its website, social media and other means, all providing access to the desktop report, to advertise that a demerger poll will take place.

AMENDMENT

CLR. WALSH:/CLR. CAHILL

That-

1. Council defer this item to allow Councillor Coorey the opportunity to provide her fellow councillors with evidence of her claim that there are tens of thousands of former Canterbury residents who have signed a 7,000 signature petition calling for a demerger.
2. Council call on Councillor Coorey to produce the petition so that names can be checked against the current election roll.

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION.

(817)

CLR. WALSH:/CLR. CAHILL

RESOLVED that-

1. Council defer this item to allow Councillor Coorey the opportunity to provide her fellow councillors with evidence of her claim that there are tens of thousands of former Canterbury residents who have signed a 7,000 signature petition calling for a demerger.
2. Council call on Councillor Coorey to produce the petition so that names can be checked against the current election roll.

- CARRIED

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AT THIS STAGE OF THE MEETING, IN ACCORDANCE WITH CLAUSE 15.4 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A FIRST WARNING AT 6.59 PM TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

AT THIS STAGE OF THE MEETING, IN ACCORDANCE WITH CLAUSE 15.4 OF THE CODE OF MEETING PRACTICE, HIS WORSHIP THE MAYOR ISSUED A SECOND WARNING AT 7.01 PM TO COUNCILLOR COOREY FOR AN ACT OF DISORDER.

ITEM 10.9 **COUNCIL MEETING WEBCAST**

MOTION **CLR. COOREY:/CLR. ABOURAAD**

That Council amends the Code of Meeting Practice to allow for direct live webcast of Council Ordinary Monthly Meetings.

- LOST

ITEM 10.10 **EARLWOOD HPA TREE REMOVAL**

MOTION **CLR. COOREY**

That-

- a) Council releases and explains the project scope of the works to the community and local ward councillors, all alternative options that have or have not been investigated, new tree species, maturity of trees and replanting timeline.
- b) Council releases all the reports it has relied upon for the project including infrastructure works etcetera.
- c) That Council hold a public information session at a time that interested persons can attend (i.e., weekends or week nights) in a local hall in Earlwood re the project.

- THERE BEING NO SECONDER THE MOTION LAPSED

IN ACCORDANCE WITH SECTION 10.7 OF THE CODE OF MEETING PRACTICE, PRIOR TO RULING ON WHETHER THE MOTION IS LAWFUL, THE MAYOR GAVE COUNCILLOR COOREY THE OPPORTUNITY TO CLARIFY OR AMEND THE MOTION.

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ITEM 10.11 **RESCISSION OF DA 1512/2023**
(818) **CLR. COOREY:/CLR. ABOURAAD**

RESOLVED that the matter be deferred to a closed session of the Council Meeting on 23 July 2024 to consider the legal advice provided to Councillors.

- CARRIED

SECTION 11: **CONFIDENTIAL SESSION**

Nil

THE MEETING CLOSED AT 7.26 PM

Minutes confirmed 23 JULY 2024

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Mayor