

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 27 NOVEMBER 2018**

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**PRESENT:** His Worship the Mayor, Councillor Asfour,  
Councillors Kuskoff, El-Hayek, Ishac, Raffan, Zakhia, Waud, Downey, Eisler,  
Huda, Zaman, Saleh, Madirazza, Harika, Tuntevski

Councillor Waud was not present in the Chamber at the commencement of the meeting.

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**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.05 PM.**

**REF: CONFIRMATION OF MINUTES**

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

RESOLVED that the minutes of the Ordinary Council Meeting held on 16 October 2018 be adopted.

- CARRIED

**SECTION 2: LEAVE OF ABSENCE**

Nil

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

In respect of Item 4.4 – Local Community Based Donations, Clr Saleh declared a significant, Non Pecuniary Conflict of Interest as she is a member of the Organising Committee for the “No Excuse for Abuse March” who have requested financial assistance and she will vacate the Chamber taking no part in consideration of the matter.

In respect of Item 4.4 – Local Community Based Donations, Clr El-Hayek declared a significant, Non Pecuniary Conflict of Interest as he is a member of the Organising Committee for the “No Excuse for Abuse March” who have requested financial assistance and he will vacate the Chamber taking no part in consideration of the matter.

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**SECTION 4: MAYORAL MINUTES**

**ITEM 4.1 NSW GOVERNMENT RATES FREEZE POLICY - DELIVERING FURTHER CUTS TO SERVICES THROUGHOUT OUR COMMUNITY**

**(423) CLR. ASFOUR**

RESOLVED that Council write to local State Members of Parliament and the NSW Premier requesting they advocate on Council's behalf and recognise IPART's recommendation regarding rate freeze and overturn the Minister for Local Government's decision regarding rate freeze.

- CARRIED

**ITEM 4.2 SAVE OUR RECYCLING CAMPAIGN**

**(424) CLR. ASFOUR**

RESOLVED that Council

1. Support the campaign by the NSW local government sector and Local Government NSW and call on all political parties to commit to the reinvestment of 100% of the Waste Levy collected each year by the NSW Government into waste management, recycling and resource recovery.
2. Inform our community of this gross over reach by the NSW Government.

- CARRIED

**ITEM 4.3 LOCAL GOVERNMENT MAYORAL TASKFORCE SUPPORTING PEOPLE SEEKING ASYLUM**

**(425) CLR. ASFOUR**

RESOLVED that Council

1. Joins the Local Government Mayoral Taskforce Supporting People Seeking Asylum and writes to the City of Greater Dandenong, Australian Refugee Action Network and Mums4Refugees to advise them of Council's decision.
2. Write to The Hon. David Coleman MP, Minister for Immigration, advising him of Council's decision and calling on him to reverse this decision to rob support from some of our most vulnerable within the community.

- CARRIED

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**ITEM 4.4 LOCAL COMMUNITY BASED DONATIONS**

IN RESPECT OF ITEM 4.4 – LOCAL COMMUNITY BASED DONATIONS, CLR SALEH DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS SHE IS A MEMBER OF THE ORGANISING COMMITTEE FOR THE “NO EXCUSE FOR ABUSE MARCH” WHO HAVE REQUESTED FINANCIAL ASSISTANCE AND SHE WILL VACATE THE CHAMBER TAKING NO PART IN CONSIDERATION OF THE MATTER.

IN RESPECT OF ITEM 4.4 – LOCAL COMMUNITY BASED DONATIONS, CLR EL-HAYEK DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HE IS A MEMBER OF THE ORGANISING COMMITTEE FOR THE “NO EXCUSE FOR ABUSE MARCH” WHO HAVE REQUESTED FINANCIAL ASSISTANCE AND HE WILL VACATE THE CHAMBER TAKING NO PART IN CONSIDERATION OF THE MATTER.

CLR SALEH AND EL-HAYEK TEMPORARILY VACATED THE CHAMBER AT 6.15 PM.

**(426)**

**CLR. ASFOUR**

RESOLVED that

1. Council support the request from the organiser of the “No Excuse for Abuse March” and waive the \$2,300 fee for removing four telegraph poles and reinstatement after the event.
2. Council purchase nine sets of poetic works titled “The Promise of Life and Poetry” by Sayed Michael for each of our libraries at a cost of \$900.
3. Council support the request from Kobita Bikel Australia for the Bangla Fest held in Wiley Park on 10 November and waive the ground hire fee of \$230.50.
4. Council support the request from the Canterbury Bankstown Tennis Association who will be launching a book at the Bryan Brown Theatre Foyer on the history of the Association over the last near century and waive the hire and audio visual fees totalling \$1,530.

- CARRIED

**SUSPENSION OF STANDING ORDERS**

CLR SALEH AND EL-HAYEK RETURNED TO THE CHAMBER AT 6.17 PM.

**(427)**

**CLR. TUNTEVSKI:/CLR. ISHAC**

1. Standing Orders be suspended and Item 7.1 be dealt with now.
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2. Standing Orders then be resumed.

- CARRIED

**ITEM 7.1                    2017/18 ANNUAL FINANCIAL REPORTS**

MS REIKY JIANG – AUDIT OFFICE OF NSW ADDRESSED COUNCIL.

CLR WAUD ARRIVED AT 6.27 PM.

**(428)                    CLR. ISHAC:/CLR. MADIRAZZA**

RESOLVED that

1. Council note the 2017/18 Annual Financial Reports and Auditors Report.
2. Any submissions received and proposed actions relating to those submissions will be reported back to Council at the next Ordinary Meeting, if required.
3. Copies of all submissions received will be referred to Council's External Auditor

- CARRIED

**STANDING ORDERS WERE RESUMED.**

**SECTION 5:                    PLANNING MATTERS**

**ITEM 5.1                    APPLICATION TO AMEND CANTERBURY LEP 2012:194-198 LAKEMBA STREET,  
LAKEMBA AND 56-57 RAILWAY PARADE, LAKEMBA**

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

RESOLVED that

1. The Planning Proposal not proceed at this stage until further development and direction has been developed for the site and the area.
2. The proposal be reconsidered by Council when a vision for the Lakemba Town Centre has been established and Council and the Department of Planning and Environment have reached agreement on the approach to managing planning proposals in the corridor.

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3. When the proposal is further considered the applicant should clearly indicate how Site C (56-57 Railway Parade, Lakemba) could be dedicated to the Council as part of the reserve within the planning proposal.

- CARRIED

**For:-** Clrs Asfour, Downey, Eisler, El-Hayek, Harika, Huda, Ishac, Kuskoff, Madirazza, Raffan, Saleh, Tuntevski, Waud, Zakhia and Zaman

**Against:-** Nil

**ITEM 5.2**                      **BANKSTOWN COLLABORATION AREA**  
**(430)**                            **CLR. ISHAC:/CLR. ZAKHIA**

RESOLVED that

1. Council endorse the priorities for the Greater Bankstown Collaboration Area as outlined in the report.
2. Council be updated on the progress of the Collaboration Area process as required.

- CARRIED

**ITEM 5.3**                      **UPDATE ON PROPOSED CHANGES TO PLANNING CONTROLS FOR BOARDING**  
**(431)**                            **HOUSES**  
**CLR. TUNTEVSKI:/CLR. EL-HAYEK**

RESOLVED that

1. Council exhibit the draft Canterbury DCP 2012 (Amendment 5) at Attachment A.
2. Council note that a Gateway Certificate has been issued to amend Canterbury LEP to strengthen planning controls for boarding houses and the draft LEP amendments will be exhibited together with the DCP amendments as outlined in this report.
3. A further report be submitted to Council at the conclusion of the exhibition period outlining submissions received and way forward.

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4. Council write to applicants of current development applications advising of proposed changes to the DCP and LEP.

- CARRIED

**For:-** Clrs Asfour, Downey, Eisler, El-Hayek, Harika, Huda, Ishac, Kuskoff, Madirazza, Raffan, Saleh, Tuntevski, Waud, Zakhia and Zaman

**Against:-** Nil

**SECTION 6: POLICY MATTERS**

Nil

**SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 7.1 2017/18 ANNUAL FINANCIAL REPORTS**

THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 428 ON PAGE FOUR OF THESE MINUTES.

**ITEM 7.2 QUARTERLY PERFORMANCE REPORT - JULY TO SEPTEMBER 2018**

**(432) CLR. KUSKOFF:/CLR. ZAKHIA**

RESOLVED that

1. Council notes the quarterly performance report ending 30 September 2018.
2. Council adopt the September 2018 Quarterly Budget Review as outlined in this report.

- CARRIED

**ITEM 7.3 CODE OF CONDUCT COMPLAINTS REPORT**

**(433) CLR. WAUD:/CLR. MADIRAZZA**

RESOLVED that the information be noted.

- CARRIED

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**ITEM 7.4**                      **SPECIAL INTEREST WORKING GROUP REPORT**

**(434)**                              **CLR. ZAMAN:/CLR. ISHAC**

RESOLVED that

1. Council note the priority issues and opportunities out of the Panel and the independent report.
2. Councillors consider this feedback as part of their future decision making on the Sydenham to Bankstown corridor.

- CARRIED

**ITEM 7.5**                      **RESILIENT SYDNEY STRATEGY**

**(435)**                              **CLR. TUNTEVSKI:/CLR. SALEH**

RESOLVED that

1. Council endorse, in principal the *Resilient Sydney: A strategy for city resilience 2018*, as attached.
2. Council commit to continuing to build capacity and understanding to manage vulnerabilities, interdependencies and risks for a more resilient City as outlined in the report.
3. Council support the identification of appropriate elements in the Resilient Sydney Strategy be incorporated into the CB Resilience Action Plan (currently under development).

- CARRIED

**ITEM 7.6**                      **PUBLIC EXHIBITION OF DEEPWATER AND KELSO PARKLANDS DRAFT PLAN OF MANAGEMENT**

**(436)**                              **CLR. TUNTEVSKI:/CLR. WAUD**

RESOLVED that

1. Council endorse the public exhibition of the Deepwater and Kelso Parklands draft Plan of Management, as outlined in the report.

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2. A further report is presented to Council at the conclusion of the public exhibition period.
3. Council proceed to carry out the proposed actions, as outlined in the report.
4. The General Manager be delegated authority to carry out and administer the required statutory process and sign all relevant documentation, as required.

- CARRIED

**ITEM 7.7**                    **CASH AND INVESTMENT REPORT AS AT 31 OCTOBER 2018**  
**(437)**                        **CLR. ZAKHIA:/CLR. MADIRAZZA**

RESOLVED that

1. The Cash and Investment Report as at 31 October 2018 be received and noted.
2. The Certification by the Responsible Accounting Officer incorporated in this report, be adopted.

- CARRIED

**SECTION 8:**                **SERVICE AND OPERATIONAL MATTERS**

**ITEM 8.1**                    **LEISURE AND AQUATIC STRATEGIC PLAN**  
**(438)**                        **CLR. EISLER:/CLR. SALEH**

RESOLVED that

1. Council endorse the draft Leisure and Aquatic Strategic Plan for public exhibition.
2. A further report be prepared following the close of the exhibition period to consider any submissions received.

- CARRIED



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**ITEM 8.2**                    **INVESTIGATION INTO UPGRADING CAMPSIE CHAMBERS**  
**(439)**                        **CLR. RAFFAN:/CLR. ZAMAN**

RESOLVED that

1.     The information be noted.
2.     Council implement the proposed actions, as outlined in the report.

- CARRIED

**ITEM 8.3**                    **SSROC STREET LIGHTING IMPROVEMENT PROGRAM (SLI) PROGRAM UPDATE**  
**(440)**                        **CLR. EISLER:/CLR. HUDA**

RESOLVED that the information of the SSROC's Street Lighting Improvement (SLI) Program be noted.

- CARRIED

**SECTION 9:                COMMITTEE REPORTS**

**ITEM 9.1**                    **MINUTES OF THE ENVIRONMENTAL SUSTAINABILITY ADVISORY COMMITTEE**  
**MEETING HELD ON 6 NOVEMBER 2018**

**(441)**                        **CLR. ZAKHIA:/CLR. EISLER**

RESOLVED that the minutes of the Environmental Sustainability Advisory Committee meeting held on 6 November 2018, be endorsed.

- CARRIED

**ITEM 9.2**                    **MINUTES OF THE INTEGRATED TRANSPORT ADVISORY COMMITTEE MEETING**  
**HELD ON 5 NOVEMBER 2018**

**(442)**                        **CLR. ZAKHIA:/CLR. EISLER**

RESOLVED that the minutes of the Integrated Transport Advisory Committee meeting held on 5 November 2018, be endorsed.

- CARRIED

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

**ITEM 10.1 NOTICE OF MOTIONS AND QUESTIONS WITH NOTICE**  
**(443) CLR. EL-HAYEK:/CLR. KUSKOFF**

RESOLVED that the information be noted.

- CARRIED

**ITEM 10.2 CHRISTMAS HAMPERS FOR THE CITY'S VULNERABLE**  
**(444) CLR. SALEH:/CLR. HUDA**

RESOLVED that Council work with appropriate community organisations to create and distribute Christmas Hampers to vulnerable families to a maximum value of \$5000.

- CARRIED

**ITEM 10.3 EXPANDING OUR LIGHT POLE STREET BANNERS**  
**(445) CLR. TUNTEVSKI:/CLR. DOWNEY**

RESOLVED that Council investigates the expansion of its Bankstown CBD Light Pole Street Banner Program into other town centres in Canterbury Bankstown and that the results of this investigation be considered as part of the 2019/20 Operational Plan.

- CARRIED

**ITEM 10.4 ENCOURAGING LIFE THROUGH FOOD TRUCKS**  
**(446) CLR. HARIKA:/CLR. TUNTEVSKI**

RESOLVED that Council investigate ways to promote and encourage food trucks setting up in Canterbury-Bankstown as a way to activate our public spaces and support the local night time economy.

- CARRIED

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**ITEM 10.5**                    **CHRISTMAS TOY DRIVE**

**(447)**                         **CLR. EL-HAYEK:/CLR. HARIKA**

RESOLVED that Council run a “donate a Christmas Toy” drive and distribute those presents collected through the Salvation Army.

- CARRIED

**ITEM 10.6**                    **HIGHLIGHTING SMOKE ALARM REPLACEMENT**

**(448)**                         **CLR. ZAKHIA:/CLR. ZAMAN**

RESOLVED that Council promotes Fire and Rescue NSW’s *Home Fire Safety Checks Program* through its established communication channels.

- CARRIED

**SECTION 11:**                **QUESTIONS FOR NEXT MEETING**

**REF:    DOWNES STREET, BELFIELD - CARPARK**

Clr Raffan requested that Council investigate improved carparking configuration and lighting at the Downes Street, Belfield carpark.

**REF:    REVESBY SAFETY IMPROVEMENTS**

Clr Waud enquired if the Local Area Commander had confirmed he would be briefing Council on local crimes issues and rates in February 2019.

The General Manager responded that a briefing was anticipated for February 2019.

**REF:    PANANIA SHOPPING CENTRE - PARKING**

Clr Tuntevski requested that the provision of 3 hour parking zones be investigated at the Panania Shopping Centre.

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**REF: MOBILITY MAPS**

Clr Tuntevski requested that the provision of Mobility Maps currently available for Campsie and Lakemba Town Centres also be provided for other Town Centres in the Local Government Area.

**REF: JOB VACANCY PAGE**

Clr Tuntevski requested that Council investigate developing a "Local Job Vacancy" page on Council's website.

**REF: FAULTY STREETLIGHTS**

Clr Tuntevski provided locations of faulty streetlights and requested that Ausgrid be requested to undertake repairs.

**REF: QUALITY OF WATERWAYS**

Clr Downey provided details of a study being undertaken by local universities to improve the quality of local waterways and requested that Council consider the research for its waterways.

**REF: TRAFFIC ISSUE - ALMA ROAD AND CHAMBERLAIN ROAD, PADSTOW**

Clr Downey requested that Council investigate the provision of a roundabout at the intersection of Alma Road and Chamberlain Road, Padstow and if warranted investigate new technology ie "Rubber Roundabout" be considered.

**REF: YERAMBA LAGOON**

Clr Downey requested information concerning further clearing of Yeramba Lagoon and that the State and Federal Governments be requested to provide additional funds to undertake the clearing, if required.

**REF: TRAFFIC ISSUE - PEDESTRIAN CROSSING IN REVESBY**

Clr Downey requested that the location of pedestrian crossings in Revesby be investigated to see if they are restricting the flow of vehicular traffic.

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**REF: TRAFFIC ISSUE - SPEED CAMERAS**

Clr Kuskoff asked if Council received any remuneration or funding from RMS from speed cameras positioned on Council's nature strips.

The General Manager responded that Council receives no fees or funding and that RMS have authority to position the cameras as required.

**REF: STREET LIGHTING - MARDEN STREET, GEORGES HALL**

Clr Ishac requested that tree pruning in Marden Street, Georges Hall be undertaken to improve street lighting.

**REF: JENSEN PARK**

Clr Ishac requested an update on use of fields at Jensen Park.

The General Manager advised that Council was in the process of determining field allocations at Jensen Park.

**SECTION 12: CONFIDENTIAL SESSION**

**(449) CLR. KUSKOFF:/CLR. HARIKA**

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 in confidential session for the reasons indicated:

Item 12.1 T79-18 - Waste and Resource Recovery Processing and Disposal Services

*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 T02-19 - Provision of Asphalt Services

*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.*

- CARRIED

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**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 7.15 PM AND REVERTED BACK TO OPEN COUNCIL AT 7.24 PM.**

**ITEM 12.1                    T79-18 - WASTE AND RESOURCE RECOVERY PROCESSING AND DISPOSAL SERVICES**

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

RESOLVED that

1. In accordance with Clause 178 (1) (a) of the Local Government (General) Regulation 2005, Council accepts the tenders received from:
  - (i) Veolia for the receipt and disposal of general waste, for a period of five years;
  - (ii) Soilco for the receipt and processing of organics, for a period of seven years, with the option to extend the contract by up to three years, subject to satisfactory performance of the contractor as determined by the General Manager; and
  - (iii) Veolia for the receipt and processing of bulky waste, for a period of seven years, with the option to extend the contract by up to three years, subject to satisfactory performance of the contractor as determined by the General Manager.
2. The General Manager be authorised to enter into the contracts listed in item 1 above and sign all documentation in accordance with Council's resolution, as required.
3. In accordance with Clause 178 (1) (b) of the Local Government (General) Regulation 2005, Council declines to accept any of the tenders received for the recyclables component of the tender.
4. In accordance with Clause 178 (3) (e) of the Local Government (General) Regulation 2005, Council enters into negotiations with the two proponents that submitted tenders, being Visy Pty Ltd and IQ Renew Pty Ltd, for the recyclables component of the tender with a view to entering into a contract in relation to the subject matter, as outlined in the report.
5. Pursuant to Clause 178(4) of the Regulation, Council declines to invite fresh tenders and determines to enter into negotiations with the two Proponents on the basis that:
  - a) Having regard to all the circumstances, neither submission was assessed as satisfying all of the objectives/requirements in the Request for Tender,

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- b) All Proponents demonstrated that they have the potential to meet Council's objectives and requirements under the Request for Tender, and
  - c) Given the advanced nature of this procurement process and the details provided in each submission, it is considered that Council can achieve the desired outcome for the service through negotiations.
6. The General Manager be authorised to carry out the relevant negotiations with the two proponents and enter into a contract with one of the proponents for the receipt and processing of recyclables services.
7. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

**ITEM 12.2**  
**(451)**

**T02-19 - PROVISION OF ASPHALT SERVICES**  
**CLR. ZAKHIA:/CLR. EL-HAYEK**

RESOLVED that

1. Council accepts the tenders received from State Asphalt Services Pty Ltd (as the primary supplier) and Fulton Hogan Industries Pty Ltd (as the secondary supplier) for Supply Deliver and Lay of Asphaltic Concrete and Profiling Services, based on the condition as outlined in the report. The contracts be for a period of three years with option to extend the contracts by two further periods each of up to twelve months in duration, subject to satisfactory performance of the contractor as determine by the General Manager.
2. Council accepts the tenders received from Stateline Asphalt Pty Ltd (as the primary supplier) and NA Group Pty Ltd (as the secondary supplier) for Asphalt Road Pavement Restoration works, based on the condition as outlined in the report. The contracts be for a period of three years with option to extend the contracts by two further periods each of up to twelve months in duration, subject to satisfactory performance of the contractor as determine by the General Manager.
3. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
4. In accordance with Clause 178 (1) (b) of the Local Government (General) Regulation 2005 Council declines to accept any of the tenders received for the supply of ex-bin asphalt service category of this tender.

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5. In accordance with Clause 178 (3) (a) of the Local Government (General) Regulation 2005 Council cancel the supply of ex-bin asphalt service category of this tender and use the existing LGP contract for this service.
6. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

**THE MEETING CLOSED AT 7.25 PM.**

Minutes confirmed 11 DECEMBER 2018

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Mayor