

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 AUGUST 2018

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

APOLOGIES: Clr Saleh

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.02 P.M.

REF: CONFIRMATION OF MINUTES

(307) CLR. MADIRAZZA:/CLR. RAFFAN

RESOLVED that the minutes of the Ordinary Council Meeting held on 24 July 2018 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

(308) CLR. EL-HAYEK:/CLR. HUDA

RESOLVED that Leave of Absence be granted to Clr Saleh due to personal reasons.

- CARRIED

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

In respect of Item 8.1 – 2018-2019 Community Grants & Events Sponsorship Program, Clr El-Hayek declared a significant, Non Pecuniary Conflict of Interest due to an applicant for a community grant having an association with his employer and indicated he would not participate in considering the matter and would vacate the chamber.

In respect of Item 4.7 – Local Community Based Donations, Clr Tuntevski declared a non-significant, Non Pecuniary Conflict of Interest as he is a member of Revesby Toast Masters and indicated it would not affect his consideration of the matter and he will remain in the chamber.

In respect of Item 8.1 – 2018-2019 Community Grants & Events Sponsorship Program, Clr Huda declared a significant, Non Pecuniary Conflict of Interest as he is a Board Member of the Riverwood Community Centre who applied for a community grant and indicated he would not participate in considering the matter and would vacate the chamber.

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In respect of Item 4.7 – Local Community Based Donations, Clr Raffan declared a non-significant, Non Pecuniary Conflict of Interest as her employer is supporting the fundraising activities of “Youth off the Streets” and indicated it would not affect her consideration of the matter and she will remain in the chamber.

SECTION 4: MAYORAL MINUTES

ITEM 4.1 DROUGHT ASSISTANCE
(309) CLR. ASFOUR

RESOLVED that Council support our Sister Regional Councils – Broken Hill and Cobar and provide financial assistance in the amount of \$10,000 to support measures to assist those communities.

- CARRIED

ITEM 4.2 A NEW VOICE FOR OUR CITY
(310) CLR. ASFOUR

RESOLVED that Council form a “CBCity Leaders Group” consisting of successful business and strategic partners to support and promote the City of Canterbury Bankstown.

- CARRIED

ITEM 4.3 LIBRARY FINES
(311) CLR. ASFOUR

RESOLVED that Council trial the waiving of library fines in our nine Library and Knowledge Centres from 2 October 2018 until 30 June 2019, so long as patrons return their borrowed resources.

- CARRIED

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ITEM 4.4 CAPITAL WORKS INTERACTIVE MAPPING TOOL

(312) CLR. ASFOUR

RESOLVED that Council note the introduction of the “Capital Works Interactive Mapping Tool” which will inform residents of Capital Works projects being undertaken across the LGA.

- CARRIED

ITEM 4.5 NSW ELECTORAL FUNDING LAWS

(313) CLR. ASFOUR

RESOLVED that Council prepare a submission to the NSW State Government’s Joint Steering Committee on Electoral Matters opposing the recently introduced new electoral funding laws.

- CARRIED

ITEM 4.6 ASSISTANCE FROM MEMBERS OF PARLIAMENT

CLR HUDA TEMPORARILY VACATED THE CHAMBER AT 6.35 PM AND RETURNED AT 6.42 PM.

(314) CLR. ASFOUR

RESOLVED that Council survey residents of the Banks electorate seeking their support for the Member for Banks, Mr David Coleman to ensure his Federal Government restores the millions of dollars in Financial Assistance Grants lost to the Canterbury Bankstown Community as a result of his Governments indexation freeze.

- CARRIED

ITEM 4.7 LOCAL COMMUNITY BASED DONATIONS

IN RESPECT OF ITEM 4.7 – LOCAL COMMUNITY BASED DONATIONS, CLR TUNTEVSKI DECLARED A NON SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HE IS A MEMBER OF REVESBY TOAST MASTERS AND INDICATED IT WOULD NOT AFFECT HIS CONSIDERATION OF THE MATTER AND HE WILL REMAIN IN THE CHAMBER.

IN RESPECT OF ITEM 4.7 – LOCAL COMMUNITY BASED DONATIONS, CLR RAFFAN DECLARED A NON SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HER EMPLOYER IS SUPPORTING THE FUNDRAISING ACTIVITIES OF “YOUTH OFF THE

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STREETS" AND INDICATED IT WOULD NOT AFFECT HER CONSIDERATION OF THE MATTER AND SHE WILL REMAIN IN THE CHAMBER.

CLR TUNTEVSKI TEMPORARILY VACATED THE CHAMBER AT 6.42 PM.

(315)

CLR. ASFOUR

RESOLVED that

1. Council support the request from All Saints Grammar in their attempts to raise funds to rebuild an orphanage home to 65 orphans that was destroyed by bushfires in Greece and donate \$500 towards this cause.
2. Council support the request from Revesby Toastmasters for financial assistance and donate \$500.
3. Council support the request from Punchbowl Boys High School for student Sonny Liu who has been accepted to the 2018 US Field Studies and Space Academy Program and donate \$500 towards Sonny's cost of participating.
4. Council support the request from the Torch for their Charity Golf Day to be held in October and become a Gold Sponsor to the value of \$1,000.
5. Council support the request from Beautiful Minds Bankstown who will be hosting a Charity Games Night on 8 September to raise funds for Banks House and Bankstown Mental Health Community and donate \$500 towards their fundraising.
6. Council support the request from Anoujoum magazine who will be holding its third Najm Anoujoum, a singing contest to promote Arabic song and purchase a Silver Sponsorship package to the value of \$3,000.
7. Council support the request from United Services Union who will take part in a sleep out on 31 August to raise funds for "Youth off the Streets" and donate \$1,000 to this event.
8. Council support the request from the El Mina Association and donate a further amount of \$53.50 in support of their seminar held in the Bankstown Library and Knowledge Centre on 10 August 2018.

- CARRIED

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SECTION 5: PLANNING MATTERS

ITEM 5.1 VOLUNTARY PLANNING AGREEMENT: 749-757 CANTERBURY ROAD, BELMORE
(316) CLR. ISHAC:/CLR. ZAKHIA

RESOLVED that

1. The exhibited draft Voluntary Planning Agreement for 749-757 Canterbury Road, Belmore be endorsed and the necessary steps taken to execute the relevant document.
2. The General Manager be given delegation to make minor mapping and wording changes to the document, so long as these do not alter the intent or substance of the deed.

- CARRIED

For:- Ctrs Asfour, Downey, Eisler, El-Hayek, Harika, Huda, Ishac, Kuskoff, Madirazza, Raffan, Waud, Zakhia and Zaman

Against:- Nil

ITEM 5.2 REPORTING OF (1) 2017/18 FINANCIAL YEAR PERFORMANCE FOR PROCESSING OF DEVELOPMENT APPLICATIONS, (2) DEVELOPMENT APPLICATIONS APPROVED WITH A CLAUSE 4.6 VARIATION FOR THE PERIOD 1 APRIL TO 30 JUNE 2018, AND (3) CURRENT PLANNING RELATED APPEALS CURRENTLY BEFORE THE LAND AND ENVIRONMENT COURT

(317) CLR. HUDA:/CLR. RAFFAN

RESOLVED that the contents of this report be noted.

- CARRIED

ITEM 5.3 SYDENHAM TO BANKSTOWN URBAN RENEWAL CORRIDOR UPDATE

CLR TUNTEVSKI RETURNED TO THE CHAMBER AT 6.45 PM.

(318) CLR. ZAKHIA:/CLR. DOWNEY

RESOLVED that

1. Arising from the letter from the Minister for Planning dated 25 July 2018, Council officers seek clarification from the Department of Planning and Environment on the direction of the strategy, detailed Precinct Planning and the role of Council and the community moving forward.

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2. Council officers also seek confirmation that the Department of Planning and Environment commit adequate funding for all necessary studies and works associated with the *principles based strategy, all precincts along the corridor and community engagement*.
3. A further report to Council be prepared following clarification of the abovementioned matters.

- CARRIED

SECTION 6: POLICY MATTERS

Nil

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 QUARTERLY REVIEW OF THE 2017/18 OPERATIONAL PLAN TO 30 JUNE 2018 AND QUARTERLY BUDGET REVIEW

CLR ISHAC TEMPORARILY VACATED THE CHAMBER AT 6.46 PM AND RETURNED AT 6.48 PM. CLR MADIRAZZA TEMPORARILY VACATED THE CHAMBER AT 6.46 PM.

(319) CLR. WAUD:/CLR. KUSKOFF

RESOLVED that

1. Council endorse the quarterly review of its 2017/18 Operational Plan to 30 June 2018.
2. Council adopt the June 2018 Quarterly Budget Review as outlined in this report.
3. Council authorise the carryover of \$42.8M of funding to complete certain capital and operating projects commenced throughout the 2017/18 financial year, as outlined in the report.
4. Council apply all rates and charges written off during the year to its rating databases in satisfying its obligation under the Local Government Act 1993 and Local Government (General) Regulation 2005, as outlined in the report.

- CARRIED

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ITEM 7.2 ORGANISATIONAL STRUCTURE

CLR MADIRAZZA RETURNED TO THE CHAMBER AT 6.50 PM.

(320) CLR. ISHAC:/CLR. DOWNEY

RESOLVED that

1. In accordance with Section 333 of the NSW Local Government Act 1993, Council re-determines its organisational structure (Senior Staff), as contained in this report.
2. The current positions (other than Senior Staff positions) within Council's organisational structure be amended to incorporate the changes as contained in this report.
3. The General Manager proceeds to implement the changes, as required.
4. The resourcing requirements/implications associated with the changes be appropriately reflected in Council's existing 2018/19 Budget, as required.

- CARRIED

ITEM 7.3 LOCAL GOVERNMENT NSW - ANNUAL CONFERENCE AND CONSIDERATION OF MOTIONS

(321) CLR. ZAKHIA:/CLR. DOWNEY

RESOLVED that

1. Council endorse the draft motions as detailed in the report.
2. The Mayor be delegated authority to nominate voting delegates for the 2018 LGNSW Conference.

- CARRIED

ITEM 7.4 CASH AND INVESTMENT REPORT AS AT 31 JULY 2018

(322) CLR. WAUD:/CLR. MADIRAZZA

RESOLVED that

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

- CARRIED

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SECTION 8: SERVICE AND OPERATIONAL MATTERS

ITEM 8.1 2018-2019 COMMUNITY GRANTS & EVENTS SPONSORSHIP PROGRAM

IN RESPECT OF ITEM 8.1 – 2018-2019 COMMUNITY GRANTS & EVENTS SPONSORSHIP PROGRAM, CLR EL-HAYEK DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST DUE TO AN APPLICANT FOR A COMMUNITY GRANT HAVING AN ASSOCIATION WITH HIS EMPLOYER AND INDICATED HE WOULD NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

IN RESPECT OF ITEM 8.1 – 2018-2019 COMMUNITY GRANTS & EVENTS SPONSORSHIP PROGRAM, CLR HUDA DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST AS HE IS A BOARD MEMBER OF THE RIVERWOOD COMMUNITY CENTRE WHO APPLIED FOR A COMMUNITY GRANT AND INDICATED HE WOULD NOT PARTICIPATE IN CONSIDERING THE MATTER AND WOULD VACATE THE CHAMBER.

CLR EL-HAYEK AND HUDA TEMPORARILY VACATED THE CHAMBER AT 6.52 PM.

(323) CLR. DOWNEY:/CLR. HARIKA

RESOLVED that

1. Council approve the distribution of the 2018-2019 Community Grants and Event Sponsorship Program as outlined in Attachment A.
2. A review of the Community Grants and Event Sponsorship Program Policy and Guidelines be undertaken and presented to Council prior to the 2019-2020 funding round.

- CARRIED

ITEM 8.2 DRAFT SALT PAN CREEK RESERVE MASTERPLAN

CLR EL-HAYEK AND HUDA RETURNED TO THE CHAMBER AT 6.55 PM.

(324) CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that

1. Council exhibit the Draft Salt Pan Creek Masterplan for 28 days.
2. A further report to Council be made following public exhibition.

- CARRIED

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ITEM 8.3 DUNC GRAY VELODROME UPDATE

(325) CLR. KUSKOFF:/CLR. ISHAC

RESOLVED that

1. That the information be noted.
2. Once received, Council consider the NSW Government's Design Report into the longer term uses and funding options for the Dunc Grey Velodrome.
3. That a further report be provided to Council following the meeting with the Minister for Sport.

- CARRIED

ITEM 8.4 REMOVAL OF ROAD WIDENING NOTATION FROM TITLE OF 6 CLOSE STREET
CANTERBURY

(326) CLR. MADIRAZZA:/CLR. RAFFAN

RESOLVED that

1. Council cooperate in removing the notation on title for the land at 6 Close Street, for the reasons outlined in the report.
2. The Mayor and General Manager be delegated authority to prepare and sign all relevant documentation, and affix Council's common seal, as required to give effect to the notations removal.
3. No further action be taken in relation to the widening of Close Street Canterbury.

- CARRIED

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 MINUTES OF THE INTEGRATED TRANSPORT ADVISORY COMMITTEE MEETING
HELD ON 7 AUGUST 2018

(327) CLR. TUNTEVSKI:/CLR. ISHAC

RESOLVED that the minutes of the Integrated Transport Advisory Committee meeting held on 7 August 2018, be endorsed.

- CARRIED

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- ITEM 9.2** **MINUTES OF THE ENVIRONMENTAL SUSTAINABILITY ADVISORY COMMITTEE MEETING HELD ON 7 AUGUST 2018**
- (328)** **CLR. TUNTEVSKI:/CLR. DOWNEY**
- RESOLVED that the minutes of the Environmental Sustainability Advisory Committee meeting held on 7 August 2018, be endorsed.
- CARRIED
-
- ITEM 9.3** **MINUTES OF THE CANTERBURY BANKSTOWN TRAFFIC COMMITTEE MEETING HELD ON 14 AUGUST 2018**
- (329)** **CLR. HARIKA:/CLR. ISHAC**
- RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Traffic Committee meeting held on 14 August 2018, be adopted.
- CARRIED
-
- SECTION 10:** **NOTICE OF MOTIONS & QUESTIONS WITH NOTICE**
-
- ITEM 10.1** **NOTICE OF MOTIONS AND QUESTIONS WITH NOTICE**
- (330)** **CLR. DOWNEY:/CLR. ZAKHIA**
- RESOLVED that the information be noted.
- CARRIED
-
- ITEM 10.2** **BUY AUSTRALIAN POLICY**
- CLR KUSKOFF TEMPORARILY VACATED THE CHAMBER AT 7.05 PM AND RETURNED AT 7.08 PM.
- (331)** **CLR. TUNTEVSKI:/CLR. DOWNEY**
- RESOLVED that Council officers review Council’s procurement policy, and in doing so investigate the incorporation of the guiding principle of supporting Australian businesses.
- CARRIED

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ITEM 10.3 SMART TRANSPORT

(332) CLR. EL-HAYEK:/CLR. ISHAC

RESOLVED that Council investigate Smart Parking solutions as a way of addressing congestion in our city and that where feasible this be included in our Smart City Road Map, Complete Streets Project and subsequent works programs.

- CARRIED

ITEM 10.4 CARPARKING IN LAKEMBA

CLR RAFFAN TEMPORARILY VACATED THE CHAMBER AT 7.11 PM.

MOTION CLR. ZAMAN:/CLR. WAUD

That Council investigate the provision of appropriate public parking when planning for the Lakemba centre as part of the review of the LEP.

AMENDMENT CLR. HUDA:/CLR. TUNTEVSKI

That Council investigate the provision of appropriate multistorey public parking along the entire T3 rail line and that Council write to the NSW Government to provide funding for more parking through its Commuter Car Parking Program.

CLR ZAMAN AND WAUD ACCEPTED THE AMENDMENT AS THE MOTION.

THE MOTION WAS PUT.

(333) CLR. ZAMAN:/CLR. WAUD

RESOLVED that Council investigate the provision of appropriate multistorey public parking along the entire T3 rail line and that Council write to the NSW Government to provide funding for more parking through its Commuter Car Parking Program.

- CARRIED

ITEM 10.5 SEFTON TOWN CENTRE

(334) CLR. HARIKA:/CLR. ISHAC

RESOLVED that Council undertake consultation with the businesses of Sefton to understand the issues and possible solutions they may have to revitalise the Sefton Town Centre and that these be presented back to Council.

- CARRIED

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ITEM 10.6 ABANDONMENT OF THE STATE GOVERNMENTS HOUSING TARGETS FOR CANTERBURY BANKSTOWN COUNCIL

CLR RAFFAN RETURNED TO THE CHAMBER AT 7.13 PM.

(335) CLR. MADIRAZZA:/CLR. ZAKHIA

RESOLVED that Clr Ishac be granted an extension of two minutes.

- CARRIED

(336) CLR. TUNTEVSKI:/CLR. DOWNEY

RESOLVED that Council call on the NSW State Government to confirm, given the multiple backflips by the Planning Minister, the South District Plan housing targets as set by the Greater Sydney Commission have no binding status and are no longer relevant to the City of Canterbury Bankstown.

- CARRIED

ITEM 10.7 PARKING ISSUES

(337) CLR. KUSKOFF:/CLR. HARIKA

RESOLVED that Canterbury Bankstown Council to provide a briefing to Councillors detailing the various parking issues across the LGA and present possible solutions to these issues.

- CARRIED

ITEM 10.8 SMART WATER FOUNTAINS

(338) CLR. MADIRAZZA:/CLR. EISLER

RESOLVED that Council investigate the opportunity for Smart Water Fountains and Way Finder Stations to be considered as Council develops its work plans resulting from our first Smart Cities Roadmap.

- CARRIED

ITEM 10.9 REVESBY SAFETY IMPROVEMENTS

MOTION CLR. WAUD:/CLR. ZAKHIA

That a briefing be provided to Council on the need for, and effectiveness of safety improvements such as improved lighting and CCTV in Shopping Villages, car parks & community parks within the Revesby Ward. This investigation should also draw upon the advice of the Bankstown Police LAC.

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AMENDMENT

CLR. TUNTEVSKI:/CLR. DOWNEY

That this matter be deferred for a Councillor Briefing and the Local Area Commander be invited to brief council on local crime issues and rates within the whole City.

CLR WAUD AND ZAKHIA ACCEPTED THE AMENDMENT AS THE MOTION.

THE MOTION WAS PUT.

(339)

CLR. WAUD:/CLR. ZAKHIA

RESOLVED that this matter be deferred for a Councillor Briefing and the Local Area Commander be invited to brief council on local crime issues and rates within the whole City.

- CARRIED

ITEM 10.10

BASKETBALL FACILITIES

CLR. ZAKHIA:/CLR. MADIRAZZA

That –

1. Specific recommendations for provision of basketball facilities be included in the City-wide Sports Facilities Strategy.
2. Any required maintenance works to improve the basketball court at Bankstown City Sports Complex be investigated and prioritised.”

- LOST

CLRS ISHAC AND MADIRAZZA CALLED FOR A DIVISION

For:-

Clrs Eisler, Ishac, Madirazza, Waud, Zakhia and Zaman

Against:-

Clrs Asfour, Downey, El-Hayek, Harika, Huda, Kuskoff, Raffan and Tuntevski

HIS WORSHIP THE MAYOR DECLARED THE MOTION LOST

SECTION 11:

QUESTIONS FOR NEXT MEETING

REF: TRAFFIC ISSUE - PEDESTRIAN REFUGE

Clr Ishac requested that Council investigate the installation of a pedestrian refuge at the corner of Hector Street and Batt Street, Chester Hill.

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REF: TRAFFIC ISSUE - SPEEDING VEHICLES

Clr Ishac requested that Council investigate appropriate action to address speeding vehicles in Waldron Road, Chester Hill.

REF: FOOTBRIDGE LINKING LAKE GILLAWARNA RESERVE AND CHIPPING NORTON RESERVE

Clr Kuskoff requested an update regarding the proposal to link Lake Gillawarna Reserve and Chipping Norton Reserve by a pedestrian footbridge. In response His Worship The Mayor advised that a Councillor Briefing will be provided.

REF: MORGANS CREEK - RUBBISH CLEAN UP

Clr Downey requested that Morgans Creek be cleaned of rubbish in the vicinity of Ferndale and Kinross Place, Revesby.

REF: EAST HILL RAILWAY STATION - PARKING SPACES

Clr Downey requested that parking spaces in the vicinity of East Hills Railway station be marked to maximize available parking.

REF: PARKING ISSUES - FLOOD AVENUE, REVESBY

Clr Downey requested Council investigate parking issues and traffic flow in Flood Avenue, Revesby.

REF: LIGHTING OF FIRES ON GEORGES RIVER FORESHORE

Clr Downey requested Council provide appropriate signage advising that fires are banned and investigate installing Fire Hazard Rating Indicator Boards at appropriate locations along the Georges River Foreshore.

REF: BUILDING ACTIVITY - ROAD DEBRIS

Clr Tuntevski requested that Council monitor road debris resulting from trucks entering and exiting building sites across the LGA.

REF: TRAFFIC SIGNAGE

Clr Tuntevski requested that the damaged "Keep Left" sign situated at the intersection of Wall Avenue and Gowlland Parade, Panania be replaced.

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REF: "EVERY ONE CAN PLAY" NSW STATE GUIDELINES

Clr Waud requested a Councillor Briefing on how Council can incorporate the "Every One Can Play" guidelines in future planning.

REF: TRAFFIC ISSUE – WATERLOO ROAD, GREENACRE

Clr El-Hayek requested Council investigate relocating the "No Stopping" sign at the intersection of Waterloo Road and Northcote Road, Greenacre to improve traffic safety.

REF: COMMUNITY CENTRE - PARRY PARK, PUNCHBOWL

Clr Zaman requested a Councillor Briefing on the leasing arrangements in place for the Community Centre located in Parry Park, Punchbowl.

REF: SMOKING AT PUBLIC TRANSPORT STOPS AND LOCATIONS

Clr Raffan requested that Council consider available options to increase community awareness advising that smoking is banned at all Public Transport stops and locations in NSW.

SECTION 12: CONFIDENTIAL SESSION

(340) CLR. ISHAC:/CLR. DOWNEY

RESOLVED that

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, 12.3, 12.4, 12.5 in confidential session for the reasons indicated:

Item 12.1 T59-17 Washbay and Separator Maintenance

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 T74-18 Provision of Physiotherapy, Hydrotherapy and Related Services at the Max Parker Leisure & Aquatic Centre

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

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to commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

Item 12.3 Property Matter – Canterbury Golf Course

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.

Item 12.4 Sydenham to Bankstown Metro

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.

This report is considered to be confidential in accordance with Section 10A(2)(d)(ii) of the Local Government Act, 1993, as it relates to commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council.

Item 12.5 General Manager- Performance Review

This report is considered to be confidential in accordance with Section 10A(2)(a) of the Local Government Act, 1993, as it relates to personnel matters concerning particular individuals.

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 8.00 PM AND
REVERTED BACK TO OPEN COUNCIL AT 8.15 PM.**

**ITEM 12.1
(341)**

**T59-17 WASHBAY AND SEPARATOR MAINTENANCE
CLR. HARIKA:/CLR. DOWNEY**

RESOLVED that

1. In accordance with clause 178(1) (b) of the Local Government (General) Regulation 2005, Council declines to accept any of the submissions received for the proposed contract.
2. In accordance with clause 178 (3) (a) of the Local Government (General) Regulation 2005, Council postpones the tender.

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3. Council notifies the tenderers in writing and thank them for tendering.

- CARRIED

ITEM 12.2 **T74-18 PROVISION OF PHYSIOTHERAPY, HYDROTHERAPY AND RELATED SERVICES AT THE MAX PARKER LEISURE & AQUATIC CENTRE**

(342) **CLR. DOWNEY:/CLR. WAUD**

RESOLVED that

1. In accordance with Clause 178(1)(b) of the Local Government (General) Regulation 2005 (Regulation), Council decline to accept the tender received for this contract;
2. In accordance with Clause 178(3)(e) of the Regulation, Council enter into negotiations with the proponent (AquaPhys) with the view to entering in a contract in relation to the subject matter of the tender, as outlined in the report;
3. In accordance with Clause 178(4)(a) of the Regulation, Council not invite fresh tenders or applications for the contract in the first instance and undertake direct negotiations with the unsuccessful tenderer, given the specialised nature and/or limited market for the service.
4. In accordance with Clause 178(4)(b) of the Regulation, Council negotiate with the proponent with the view to negotiating more favourable commercial terms for the proposed contract.
5. In the event that Council cannot reach a negotiated outcome, Council proceed to call for fresh tenders for the contract, based on similar terms to that carried out under this tender process.
6. The General Manager be authorised to negotiate and administer the matter, including entering into a contract and sign all documentation, as required.

- CARRIED

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ITEM 12.3 **PROPERTY MATTER – CANTERBURY GOLF COURSE**
(343) **CLR. MADIRAZZA:/CLR. ZAKHIA**

RESOLVED that

1. In accordance with section 55(3)(i) of the Local Government Act 1993, Council agree to proceed to enter into a Management Agreement with Stacey Holding Pty Ltd to operate Canterbury Golf Course, based on the extenuating circumstances as outlined in the report.
2. The General Manager be delegated authority to prepare and sign all relevant documentation, as required.

- CARRIED

ITEM 12.4 **SYDENHAM TO BANKSTOWN METRO**
(344) **CLR. ISHAC:/CLR. EL-HAYEK**

RESOLVED that

1. Council write to local State Members of Parliament requesting they seek Parliamentary support for a Commission of Inquiry into the Metro Project.
2. Council withdraw from negotiations with Transport for NSW for the leasehold acquisition of land at 15 Close Street, Canterbury.
3. Transport for NSW be required to undertake compulsory leasehold acquisition for the land at 15 Close Street, Canterbury.

- CARRIED

ITEM 12.5 **GENERAL MANAGER- PERFORMANCE REVIEW**

MS KATH ROACH FROM SINC SOLUTIONS CONSULTING ADDRESSED COUNCIL IN RESPECT OF THIS MATTER.

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

RESOLVED that

1. Council receive and note the General Manager Performance Review Panel's Report.
2. Council note the General Manager's performance for the review period was either 'exceeds expectations' or 'outstanding' in all five (5) Key Performance

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 28 AUGUST 2018

Agreement criteria as determined by the panel.

3. The General Manager be offered a new Contract of Employment consistent with the Standard Contract of Employment for General Managers issued by the Office of Local Government, for a period of five (5) years from the date of Council's resolution.
4. That an increase to the General Manager's Total Remuneration Package of 2.5% be provided.
5. The Mayor be delegated the authority to finalise and sign all documentation, and affix the Common Seal of Council, as required.

- CARRIED

THE MEETING CLOSED AT 8.16 P.M

Minutes confirmed 25 SEPTEMBER 2018

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Mayor