

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 NOVEMBER 2019

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

APOLOGIES Clr Huda, Clr Kuskoff

CLR WAUD WAS NOT PRESENT IN THE CHAMBER AT THE COMMENCEMENT OF THE MEETING.

HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.04 PM.

ACKNOWLEDGEMENT OF COUNTRY

THE MAYOR, ACKNOWLEDGED THE TRADITIONAL OWNERS OF THE LAND WHERE WE ARE MEETING TODAY THE DARUG (DARAG, DHARUG, DARUK AND DHARUK) AND THE EORA PEOPLES, AND PAID RESPECT TO THEIR ANCIENT CULTURE AND THEIR ELDERS PAST AND PRESENT.

CLR WAUD ARRIVED AT THE MEETING AT 6.05 PM.

REF: CONFIRMATION OF MINUTES

(764) CLR. ZAKHIA:/CLR. MADIRAZZA

RESOLVED that the minutes of the Ordinary Council Meeting held on 22 October 2019 be adopted.

- CARRIED

SECTION 2: LEAVE OF ABSENCE

(765) CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that Leave of Absence be granted to Clr Huda and Clr Kuskoff due to personal reasons.

- CARRIED

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

In respect of Item 4.5 – Local Community Based Donations, Clr El-Hayek declared a significant, Non Pecuniary Conflict of Interest due to his working association with Human Appeal and indicated he would vacate the Chamber taking no part in debate.

SECTION 4: MAYORAL MINUTES

ITEM 4.1 SUPPORTING ASYLUM SEEKER FAMILIES
(766) CLR. ASFOUR

RESOLVED that Council continue the program of providing vacant childcare places at Council Child Care Centres to asylum seeker families.

- CARRIED

ITEM 4.2 BUSHFIRE CRISIS RESPONSE
(767) CLR. ASFOUR

RESOLVED that Council donate \$5,000 to the Salvation Army's bushfire appeal and encourage every metropolitan Council to do the same.

- CARRIED

ITEM 4.3 SAVE OUR RECYCLING
(768) CLR. ASFOUR

RESOLVED that Council write to the relevant NSW State Government Ministers to:

- Confirm Council's support for recycling and outline the urgent need to educate, innovate and invest in local waste and recycling services via the Waste Levy.
- Fund the work that Council is doing with SSROC on Sydney Waste Data and Infrastructure Planning.
- Fund councils to collaboratively develop regional-scale plans for the future of waste and recycling in their regions;
- Lead and fund the development of priority infrastructure and other local government projects needed to deliver regional-scale plans, particularly where a market failure has been identified.

- CARRIED

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ITEM 4.4
(769)

MUDCRABS

CLR. ASFOUR

RESOLVED that the Mayoral Minute be received.

- CARRIED

ITEM 4.5

LOCAL COMMUNITY BASED DONATIONS

IN RESPECT OF ITEM 4.5 – LOCAL COMMUNITY BASED DONATIONS, CLR EL-HAYEK DECLARED A SIGNIFICANT, NON PECUNIARY CONFLICT OF INTEREST DUE TO HIS WORKING ASSOCIATION WITH HUMAN APPEAL AND VACATED THE CHAMBER TAKING NO PART IN DEBATE.

CLR EL-HAYEK TEMPORARILY RETIRED FROM THE MEETING AT 6.20 PM.

(770)

CLR. ASFOUR

RESOLVED that

1. Council purchase a copy of "A Pictorial History of East Hills from One Tree Point to the Vale of Ah" by Andrew Molloy, one for each of our libraries, at a total cost of \$225.
2. Council support the request from the Korean Society of Sydney who held their Korea Day Festival at Croydon Park this year and waive \$2,000 of the fees relating to the event.
3. Council support the request from the Melkite Catholic Welfare Association who held their Business Connections Networking Forum last week and purchase a table at a cost of \$1,350 for attendance by key personnel and councillors.
4. Council support the request from St Nicholas Antiochian Orthodox Parish and donate \$1,000 towards their annual Grand Ball.
5. Council support the request from Human Appeal with their new initiative Divine Legacy and purchase a \$3,000 sponsorship.
6. These funds be made available from Council's Community Grants and Events Sponsorship budget.

- CARRIED

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SECTION 5: PLANNING MATTERS

CLR EL-HAYEK RETURNED TO THE MEETING AT 6.21 PM.

SUSPENSION OF STANDING ORDERS

(771) CLR. DOWNEY:/CLR. TUNTEVSKI

RESOLVED that

1. Permission be granted to those people who have made the necessary application to address Council for five minutes.
2. Standing Orders be suspended and Items 5.1, 6.1 and 6.2 be dealt with now.
3. Standing Orders then be resumed.

- CARRIED

ITEM 5.1 PLANNING PROPOSAL 149-171 MILTON STREET, ASHBURY - POST-EXHIBITION OUTCOMES

MS JANE WILLIAMS (RESIDENT) ADDRESSED COUNCIL.

(772) CLR. EISLER:/CLR. ISHAC

RESOLVED that an extension of two minutes be given to Ms Williams to address Council.

- CARRIED.

MS JACKY GUARDASCIONE (RESIDENT) ADDRESSED COUNCIL.

(773) CLR. EISLER:/CLR. TUNTEVSKI

RESOLVED that an extension of two minutes be given to Ms Guardascione to address Council.

- CARRIED.

At this stage of the meeting, in accordance with Clause 15.18 of Council's adopted Code of Meeting Practice and Section 10(2)(b) of the Local Government Act 1993, His Worship the Mayor expelled Ms Barbara Coorey from the meeting for continued disorderly conduct.

MR DAVID HOY ADDRESSED COUNCIL ON BEHALF OF THE APPLICANT.

MS KATE BARTLETT ADDRESSED COUNCIL ON BEHALF OF THE APPLICANT.

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MOTION

CLR. EL-HAYEK:/CLR. ISHAC

1. The Planning Proposal to rezone land at 149-171 Milton Street, Ashbury from IN2 Light Industrial to R4 High Density Residential, amend the floor space ratio control from 1:1 to 1.1:1 and introduce height controls ranging from 8.5 to 21 metres is endorsed.
2. The proposed amendments to Canterbury Development Control Plan 2012, as outlined in this report, are adopted and will be brought into effect once the Planning Proposal is made.
3. All persons and organisations who made submissions to the exhibited documents be advised of Council's decision.

AMENDMENT

CLR. RAFFAN:/CLR. EISLER

1. The Planning Proposal to rezone land at 149-171 Milton Street, Ashbury from IN2 Light Industrial to R4 High Density Residential,
 - (a) Retain the Floor Space Ratio 1:1 for the site.
 - (b) Adopt the height controls recommended by the Local Planning Panel, with no increase in the footprint size of the buildings.
 - (c) The General Manager be delegated to make the necessary mapping changes arising from these amendments.
2. The proposed amendments to Canterbury Development Control Plan 2012, as outlined in this report, are adopted and will be brought into effect once the Planning Proposal is made.
3. All persons and organisations who made submissions to the exhibited documents be advised of Council's decision.

For:-

Clrs Downey, Eisler, Harika, Raffan and Tuntevski

Against:-

Clrs Asfour, El-Hayek, Ishac, Madirazza, Saleh, Waud, Zakhia and Zaman

THE AMENDMENT WAS DECLARED LOST.

(774)

CLR. EL-HAYEK:/CLR. ISHAC

RESOLVED that

1. The Planning Proposal to rezone land at 149-171 Milton Street, Ashbury from IN2 Light Industrial to R4 High Density Residential, amend the floor space ratio control from 1:1 to 1.1:1 and introduce height controls ranging from 8.5 to 21 metres is endorsed.

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2. The proposed amendments to Canterbury Development Control Plan 2012, as outlined in this report, are adopted and will be brought into effect once the Planning Proposal is made.
3. All persons and organisations who made submissions to the exhibited documents be advised of Council's decision.

- CARRIED

For:- Clrs Asfour, Eisler, El-Hayek, Ishac, Madirazza, Raffan, Saleh, Waud, Zakhia and Zaman

Against:- Clrs Downey, Harika and Tuntevski

HIS WORSHIP THE MAYOR ADJOURNED THE MEETING AT 7.45 PM.

THE MEETING RESUMED AT 7.55 PM.

ITEM 6.1 LOCAL APPROVALS POLICY - WASTE IN PUBLIC PLACES

MR ROBERT FUROLO ADDRESSED COUNCIL.

(775) CLR. EL-HAYEK:/CLR. RAFFAN

RESOLVED that an extension of two minutes be given to Mr Furolo to address Council.

- CARRIED

(776) CLR. EISLER:/CLR. RAFFAN

RESOLVED that

1. Council adopt the Waste in Public Places Policy, replacing:
 - Waste Storage Containers Placement in Public Places (59-092) – former Canterbury Council
 - Clothing Collection Bins on Council Land – former Bankstown Council
2. Public Notice of the adopted policy be displayed in local newspapers and Council's web page.
3. As part of the transition to the new Policy, Council to allow a maximum of ten clothing bins, in four locations, for a two year period. Council will go to the market via an EOI process.
4. Council will continue to encourage reuse actions by residents, and explore other ways to encourage clothing reuse and recycling.

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5. Prior to the end of the 2-year transition period, a review of volumes collected from all alternative clothing reuse and recycling strategies be undertaken to quantify the volumes being collected. If volumes collected are below the volumes collected through clothing bins on Council land, Council *may* resolve to extend the operation of clothing bins on Council land on the basis it is the most efficient and cost-effective way of promoting the reuse and recycling of clothing in Canterbury Bankstown.

- CARRIED

ITEM 6.2 NATURE STRIP MOWING POLICY

MR TONY MACKEY (RESIDENT) ADDRESSED THE MEETING.

CLR ZAMAN RETIRED FROM THE MEETING AT 8.10 PM.

CLR WAUD TEMPORARILY RETIRED FROM THE MEETING AT 8.11 PM AND RETURNED AT 8.12 PM.

(777) CLR. EL-HAYEK:/CLR. ZAKHIA

RESOLVED that

1. Council adopt the Nature Strip Mowing Policy as attached with the following amendment to Clause 3.3.1:
 - Council will only consider applications by elderly/disabled residents.
2. The former Canterbury City Council Nature Strip Gardens Policy (F-27-7) be replaced.

- CARRIED

STANDING ORDERS WERE RESUMED.

ITEM 5.2 PLANNING PROPOSAL AND PLANNING AGREEMENT FOR 5-9 CROYDON STREET, LAKEMBA

(778) CLR. DOWNEY:/CLR. ISHAC

RESOLVED that

1. Council exhibit the revised planning proposal as shown in Attachment C.
2. Council endorse and concurrently exhibit the draft planning agreement as shown in Attachment D.

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3. The planning proposal not be progressed to the Department of Planning until the Planning Agreement is executed.
4. The matter be reported to Council following the public exhibition.

- CARRIED

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

Against:- Nil

ITEM 5.3 EXHIBITION OF DRAFT BANKSTOWN DEVELOPMENT CONTRIBUTIONS PLAN AND DRAFT AMENDMENTS TO CANTERBURY DEVELOPMENT CONTRIBUTIONS PLAN 2013

(779) CLR. WAUD:/CLR. TUNTEVSKI

RESOLVED that

1. Council adopt the Bankstown Development Contributions Plan 2019 as shown in Attachment A.
2. Council adopt the amendments to the Canterbury Development Contributions Plan 2013 as shown in Attachment B.
3. The Bankstown Development Contributions Plan 2019 and the amendments to the Canterbury Development Contributions Plan 2013 are to come into effect on the date specified in a public notice and are to apply to:
 - (a) development applications lodged on or after this date, and
 - (b) complying development certificates registered on or after this date.
4. Council repeal Bankstown Section 94A Contributions Plan effective from the date specified in the public notice.

- CARRIED

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

Against:- Nil

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ITEM 5.4 **EXHIBITION OF DRAFT AMENDMENTS TO THE PLANNING AGREEMENTS POLICY**
(780) **CLR. DOWNEY:/CLR. RAFFAN**

RESOLVED that Council adopt the amendments to Planning Agreements Policy as shown in Attachment A.

- CARRIED

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

Against:- Nil

ITEM 5.5 **COMMUNITY PARTICIPATION PLAN**
(781) **CLR. WAUD:/CLR. MADIRAZZA**

RESOLVED that

1. The Community Participation Plan be adopted.
2. Section 3 of the Introduction of Bankstown DCP 2015 – Public Notification of Development, and Section A3 of the Canterbury DCP 2012 – Notification and Advertising be repealed, as they will be superseded by the CPP.

- CARRIED

ITEM 5.6 **1 BREASLEY PLACE, YAGOONA - LTD-31/2019**
(782) **CLR. MADIRAZZA:/CLR. HARIKA**

RESOLVED that

1. Council consent to the extinguishment of the redundant restriction on title at 1 Breasley Place, Yagoona.
2. The Mayor and General Manager execute all necessary documentation under the common seal of Council, as required.

- CARRIED

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ITEM 5.7 **REPORTING OF (1) PERFORMANCE FOR PROCESSING OF DEVELOPMENT APPLICATIONS FOR THE FIRST QUARTER OF THE 2019/20 FINANCIAL YEAR, (2) DEVELOPMENT APPLICATIONS APPROVED WITH A CLAUSE 4.6 VARIATION FOR THE FIRST QUARTER OF THE 2019/20 FINANCIAL YEAR, AND (3) PLANNING RELATED APPEALS CURRENTLY BEFORE THE LAND AND ENVIRONMENT COURT**

(783) **CLR. ISHAC:/CLR. TUNTEVSKI**

RESOLVED that the report be noted.

- CARRIED

SECTION 6: POLICY MATTERS

ITEM 6.1 LOCAL APPROVALS POLICY - WASTE IN PUBLIC PLACES

THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 776 ON PAGE NO.6 OF THESE MINUTES.

ITEM 6.2 NATURE STRIP MOWING POLICY

THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 777 ON PAGE NO. 7 OF THESE MINUTES.

SECTION 7: GOVERNANCE AND ADMINISTRATION MATTERS

ITEM 7.1 2018 / 19 ANNUAL FINANCIAL REPORTS

COUNCIL'S AUDITORS – THE AUDIT OFFICE OF NSW ADDRESSED COUNCIL.

CLR TUNTEVSKI TEMPORARILY RETIRED FROM THE MEETING AT 8.25 PM.

CLR EISLER TEMPORARILY RETIRED FROM THE MEETING AT 8.29 PM.

CLR TUNTEVSKI RETURNED TO THE MEETING AT 8.30 PM.

CLR EISLER RETURNED TO THE MEETING AT 8.30 PM.

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

RESOLVED that

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ITEM 7.4 **CASH AND INVESTMENT REPORT AS AT 31 OCTOBER 2019**
(787) **CLR. DOWNEY:/CLR. ZAKHIA**

RESOLVED that

1. The Cash and Investment Report as at 31 October 2019 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 **ADOPTION OF THE CREATIVE CITY STRATEGIC PLAN**
(788) **CLR. DOWNEY:/CLR. RAFFAN**

RESOLVED that

1. Council adopt the Creative City Strategic Plan (Attachment A) and begin implementing the priority actions.
2. Opportunities for partnerships, as identified in the Plan and from public submissions (Attachment B), are investigated to assist in the delivery of the Plan.

- CARRIED

ITEM 8.2 **CITY RELATIONSHIPS**
(789) **CLR. DOWNEY:/CLR. ZAKHIA**

RESOLVED that

1. Council adopt the Draft City Relationships Policy.
2. Council approve the Council delegation to visit its Sister City, Suita in April 2020 as set out in this report.
3. Council note the City visits as set out in this report.

- CARRIED

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ITEM 8.3 **DEDICATION OF 1 PHILLIPS AVENUE, CANTERBURY AS PUBLIC ROAD**
(790) **CLR. MADIRAZZA:/CLR. RAFFAN**

RESOLVED that

1. In accordance with Section 10 of the Roads Act 1993, authority be granted for Lot 4 Sec 2 DP 9055, 1 Phillips Avenue, Canterbury, to be dedicated as public road by the placement of a notice in the NSW Government Gazette.
2. Authority be granted to affix the common seal of Council to survey documents and any other documentation required to give effect to this resolution.

- CARRIED

SECTION 9: COMMITTEE REPORTS

ITEM 9.1 **MINUTES OF THE AUDIT RISK AND IMPROVEMENT COMMITTEE MEETING HELD**
ON 18 SEPTEMBER 2019
(791) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED that the recommendations contained in the minutes of the Audit Risk and Improvement Committee meeting held on 18 September 2019, be adopted.

- CARRIED

ITEM 9.2 **MINUTES OF THE ENVIRONMENTAL SUSTAINABILITY ADVISORY COMMITTEE**
MEETING HELD ON 16 OCTOBER 2019
(792) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED that the minutes of the Environmental Sustainability Advisory Committee meeting held on 16 October 2019, be endorsed.

- CARRIED

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ITEM 9.3 **MINUTES OF THE INTEGRATED TRANSPORT ADVISORY COMMITTEE MEETING
HELD ON 6 NOVEMBER 2019**

(793) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED that the minutes of the Integrated Transport Advisory Committee meeting held on 6 November 2019, be endorsed.

- CARRIED

ITEM 9.4 **MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 12 NOVEMBER 2019**

(794) **CLR. ZAKHIA:/CLR. WAUD**

RESOLVED that the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 12 November 2019, be adopted, subject to;

Item 1 – Proposed New and Extended Clearways on Milperra Road and Canterbury Road (Henry Lawson Drive, Milperra to New Canterbury Road, Hurlstone Park)

The matter be deferred to a future Traffic Committee Meeting to allow Council to write to the RMS requesting they provide funding for additional car parking spaces in Council's car park to compensate for the loss of on-street parking along Canterbury Road in the Canterbury Town Centre due to their Clearways Project.

- CARRIED

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

ITEM 10.1 **NOTICE OF MOTIONS**

(795) **CLR. DOWNEY:/CLR. EL-HAYEK**

RESOLVED that the information be noted.

- CARRIED

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ITEM 10.2 **REMOVAL OF SPEED CAMERA WARNING SIGNS**
(796) **CLR. EL-HAYEK:/CLR. ZAKHIA**

RESOLVED that Council write to the NSW Minister for Transport and Roads, objecting to the planned removal of speed camera warning signs.

- CARRIED

ITEM 10.3 **STREET LIBRARIES ON PRIVATE LAND**
(797) **CLR. TUNTEVSKI:/CLR. EISLER**

RESOLVED that Council writes to the NSW Planning Minister requesting prioritisation be given to enable street libraries to be constructed as exempt development on private land.

- CARRIED

ITEM 10.4 **GREEN KEEP CUPS**
(798) **CLR. EISLER:/CLR. RAFFAN**

RESOLVED that Council:

1. Promotes to businesses, through its established networks, the benefits of promoting the use of reusable coffee cups and
2. Promotes to its community the benefits of using their own cups to replace disposable coffee cups and a range of the initiatives that currently exist to reduce use of disposable coffee cups.

- CARRIED

ITEM 10.5 **FIGHT THE BITE - MOSQUITO CAMPAIGN**
(799) **CLR. TUNTEVSKI:/CLR. DOWNEY**

RESOLVED that Council:

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1. Deliver a 'Fight the Bite' mosquito social media campaign, using the key messages from the NSW Health, during the 2019-20 summer, and
2. Works with neighbouring councils on the Georges River to consider future awareness programs and other appropriate programs to address the issue of mosquitoes.

- CARRIED

ITEM 10.6

CHRISTMAS TOY DRIVE

(800)

CLR. EL-HAYEK:/CLR. SALEH

RESOLVED that Council collect donated children's toys and distribute collected gifts to Bankstown and Canterbury Hospitals.

- CARRIED

ITEM 10.7

SALE OF 108 CRINAN STREET HURLSTONE PARK

(801)

CLR. EISLER:/CLR. RAFFAN

RESOLVED that Council approach the Trust of 108 Crinan Street, Hurlstone Park to seek feedback on the possible sale of the property to fund the Community Space in Hurlstone Park Town Centre.

- CARRIED

ITEM 10.8

THE ULURU STATEMENT FROM THE HEART

(802)

CLR. RAFFAN:/CLR. EISLER

RESOLVED that Canterbury Bankstown Council publicly supports The Uluru Statement from the Heart - a national Aboriginal and Torres Strait Islander consensus position on Aboriginal and Torres Strait Islander constitutional recognition.

- CARRIED

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ITEM 10.9 **GARIE VANGUARD SURF LIFESAVING PROGRAM**
(803) **CLR. HARIKA:/CLR. EL-HAYEK**

RESOLVED that Council investigates a possible partnership with the Garie Vanguard Surf to pilot a Lifesaving Program, at Birrong Leisure and Aquatic Centre.

- CARRIED

ITEM 10.10 **FIRE DANGER RATING SIGNS**
(804) **CLR. TUNTEVSKI:/CLR. ISHAC**

RESOLVED that Council writes to the NSW Government requesting that Fire Danger Rating signs be erected at appropriate locations on Henry Lawson Drive to inform residents and visitors about the immediate Fire danger in the area.

- CARRIED

ITEM 10.11 **ILLEGAL TREE REMOVAL**
MOTION **CLR. WAUD:/CLR. ZAKHIA**

That Council write to the NSW Minister for Planning and Public Spaces and the Minister for Energy and the Environment, requesting that they consider introducing legislative reforms to address the problem of illegal tree clearing by making changes to the relevant legislation to:

1. Presume a landowner is responsible where an illegal tree removal has occurred on land they own unless they can establish that the tree clearing had nothing to do with them, and
2. Where it can be proved by Council that a tree has been illegally cleared that:
 - a. Council can issue an order on the land owner requiring the replanting of a replacement tree, and
 - b. Upon the issuing of such an order, the land is to be treated for the purpose of any planning control as though the replacement tree exists, thereby hindering development goals.

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AMENDMENT

CLR. TUNTEVSKI:/CLR. DOWNEY

That Council write to the NSW Minister for Planning and Public Spaces and the Minister for Energy and the Environment, requesting that they consider introducing legislative reforms to address the problem of illegal tree clearing by making changes to the relevant legislation to:

1. Where it can be proved by Council that a tree has been illegally cleared that:
 - a. Council can issue an order on the land owner requiring the replanting of a replacement tree, and
 - b. Upon the issuing of such an order, the land is to be treated for the purpose of any planning control as though the replacement tree exists, thereby hindering development goals.

THE AMENDMENT WAS CARRIED AND BECAME THE MOTION.

(805)

CLR. TUNTEVSKI:/CLR. DOWNEY

RESOLVED that Council write to the NSW Minister for Planning and Public Spaces and the Minister for Energy and the Environment, requesting that they consider introducing legislative reforms to address the problem of illegal tree clearing by making changes to the relevant legislation to:

1. Where it can be proved by Council that a tree has been illegally cleared that:
 - a. Council can issue an order on the land owner requiring the replanting of a replacement tree, and
 - b. Upon the issuing of such an order, the land is to be treated for the purpose of any planning control as though the replacement tree exists, thereby hindering development goals.

- CARRIED

ITEM 10.12

SUPPORT FOR BUSHFIRE CRISIS

(806)

CLR. ZAKHIA:/CLR. ISHAC

RESOLVED that Council makes contact with fire-affected councils, offering support and/or services to assist those councils with their recovery effort.

- CARRIED

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ITEM 10.13 **LEBANESE INDEPENDENCE DAY**
(807) **CLR. SALEH:/CLR. EL-HAYEK**

RESOLVED that Council:

1. Acknowledges the role of the Australian-Lebanese Community in its historical and ongoing contribution to the richness of our City's diversity, and
2. Acknowledges Lebanese Independence Day and the importance that this day represents to our Australian-Lebanese Community.

- CARRIED

SECTION 11: **CONFIDENTIAL SESSION**

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

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 11.1, 11.2, 11.3, 11.4 , and 11.5 in confidential session for the reasons indicated:

Item 11.1 T68-19 Hector Street and Wolumba Street Bridges Replacement

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 11.2 T13-20 Minor Civil Works and Restoration Works

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 11.3 T26-20 Canterbury Bankstown Council Roof Height Safety Systems Installation and Certification

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.

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Item 11.4 T27-20 Tender for Lang Road Pedestrian Bridge

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 11.5 Legal Matter - Riverwood North Library & Senior Citizens Centre

This report is considered to be confidential in accordance with Section 10A(2)(g) of the Local Government Act, 1993, as it relates to advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 9.20 PM AND
REVERTED BACK TO OPEN COUNCIL AT 9.25 PM.**

CLR ZAKHIA RETIRED FROM THE MEETING AT 9.20 PM.

ITEM 11.1
(809)

T68-19 HECTOR STREET AND WOLUMBA STREET BRIDGES REPLACEMENT

CLR. EISLER:/CLR. ISHAC

RESOLVED that

1. Council accepts the tender received from Abergeldie Pty Ltd for an amount of \$6,954,069.55 (excluding GST) for the replacement of two bridges on the boundary between Canterbury Bankstown Council and Cumberland Council. (SP1 Hector Street Bridge and SP2 Wolumba Street Bridge.)
2. The General Manager be authorised to negotiate the final terms and conditions, enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 NOVEMBER 2019

ITEM 11.2
(810)

T13-20 MINOR CIVIL WORKS AND RESTORATION WORKS
CLR. EISLER:/CLR. ISHAC

RESOLVED that

1. Council accepts the tenders received from the following four companies to make up the Minor Civil and Restoration Works Panel of contractors, for an initial term of two years with the option to extend the contract for two, one year periods, subject to satisfactory performance of the contractors and approval under delegation of the General Manager:
 - a) Adams Concreting Services Pty Ltd;
 - b) KJ Civil & Paving Pty Ltd;
 - c) Medden Civil Pty Ltd ATF Medham Family Trust; and
 - d) Civotek Pty Ltd.
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council's resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

ITEM 11.3
(811)

T26-20 CANTERBURY BANKSTOWN COUNCIL ROOF HEIGHT SAFETY SYSTEMS
INSTALLATION AND CERTIFICATION
CLR. EISLER:/CLR. ISHAC

RESOLVED that

1. In accordance with clause 178 (1) (b) of the *Local Government (General) Regulation 2005*, Council declines to accept the submissions received for the proposed contract.
2. In accordance with clause 178 (3) (a) Council will postpone the proposal of the contract and request for fresh quotations for modified service that reflects Council's 2019-20 budget.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

CANTERBURY BANKSTOWN
MINUTES OF THE
ORDINARY MEETING OF COUNCIL
HELD IN COUNCIL CHAMBERS
ON 26 NOVEMBER 2019

ITEM 11.4 **T27-20 TENDER FOR LANG ROAD PEDESTRIAN BRIDGE**
(812) **CLR. EISLER:/CLR. ISHAC**

RESOLVED that

1. Council accepts the tender received from SMC Marine Pty Ltd for an amount of \$2,112,000.00 (excluding GST) for the Design and Construction of the Lang Road Pedestrian Bridge for the three Separable Portions. The three Separable Portions are as follows:
 - Separable Portion 1 – Bridge and Path Works - \$1,608,000.00 (excl. GST)
 - Separable Portion 2 – Kayak Launch - \$433,000.00 (excl. GST)
 - Separable Portion 3 – Landscaped Area - \$71,000.00 (excl. GST)
2. The General Manager be authorised to enter into a contract and sign all documentation in accordance with Council’s resolution, as required.
3. Council notifies the unsuccessful tenderers in writing and thank them for tendering.

- CARRIED

ITEM 11.5 **LEGAL MATTER - RIVERWOOD NORTH LIBRARY & SENIOR CITIZENS CENTRE**
(813) **CLR. EISLER:/CLR. ISHAC**

RESOLVED that

1. The information be noted.
2. Council adopt the proposed approach with regards to the matter, as outlined in the report.

- CARRIED

THE MEETING CLOSED AT 9.28 PM.

Minutes confirmed 10 DECEMBER 2019

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Mayor