

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

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**PRESENT:** His Worship the Mayor, Councillor Asfour  
Councillors El-Hayek, Waud, Downey, Eisler, Saleh, Madirazza, Harika

**PRESENT BY AUDIO VISUAL LINK:** Councillors Raffan and Zakhia

**APOLOGIES:** Councillors Huda, Kuskoff and Tuntevski

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COUNCILLOR ISHAC WAS NOT PRESENT IN THE CHAMBER AT THE COMMENCEMENT OF THE MEETING.

**HIS WORSHIP THE MAYOR DECLARED THE MEETING OPEN AT 6.01 PM.**

**COUNCILLORS ATTENDING REMOTELY**

**(1296)**

**CLR. DOWNEY:/CLR. EL-HAYEK**

RESOLVED that permission be granted to Councillors Zakhia and Raffan to attend the meeting remotely by zoom due to personal reasons.

- CARRIED

**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.

**REF: CONFIRMATION OF MINUTES**

**(1297)**

**CLR. EL-HAYEK:/CLR. DOWNEY**

RESOLVED that the minutes of the Ordinary Council Meeting held on 27 April 2021 be adopted.

- CARRIED

**SECTION 2: LEAVE OF ABSENCE**

**(1298)**

**CLR. DOWNEY:/CLR. SALEH**

RESOLVED that Leave of Absence be granted to Cllr Huda due to health reasons and to Cllrs Kuskoff and Tuntevski due to personal reasons.

- CARRIED

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**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

---

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

In respect of Item 4.6 – USU Support, I Clr Raffan declare a significant, Non-Pecuniary Conflict of Interest due to my employment with the United Services Union and advise that I will vacate the chamber taking no part in debate on the matter.

In respect of Item 4.7 – Local Community Based Donations, I Clr Saleh declare a significant, Non-Pecuniary Conflict of Interest due to a close family member being an employee of the Lebanese Muslim Association and advise that I will vacate the chamber taking no part in debate on the matter.

In respect of Item 4.7 - Local Community Based Donations, I Clr El-Hayek declare a significant, Non-Pecuniary Conflict of Interest due to my working association with the Lebanese Muslim Association and advise that I will vacate the chamber taking no part in debate on the matter.

In respect of Item 11.1 – Insurance Policy Placement Coverage for Council, I Clr Asfour declare a Non-Significant, Non-Pecuniary Conflict of Interest given my role on the Board of StateCover. Given this and as a precaution, I will vacate the chamber taking no part in debate on the matter.

**SECTION 4:                   MAYORAL MINUTES**

**ITEM 4.1                   MIDDLE EAST UNREST**  
**(1299)                   CLR. ASFOUR**

RESOLVED that the Mayoral minute be received.

- CARRIED

**ITEM 4.2                   MYANMAR FUNDRAISING**  
**(1300)                   CLR. ASFOUR**

RESOLVED that Council support and donate \$1500 to the Burmese Community Development and Collaboration which will go towards medical assistance and humanitarian aid, and that these funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

---

**ITEM 4.3**  
**(1301)**

**NSW LIBERAL RORTS**

**CLR. ASFOUR**

RESOLVED that

1. Council endorse the NSW Senate Inquiry report including all its recommendations.
2. Council call on community groups and organisations to add their voice to our "GIVE US OUR SHARE" petition protest.

- CARRIED

**ITEM 4.4**  
**(1302)**

**AUSGRID**

**CLR. ASFOUR**

RESOLVED that

1. Council commence a planning proposal to rezone the site at 30 Trevenar Street, Ashbury from R2 Low Density Residential to RE1 Public Recreation with all the planning rules applicable to Peace Park to be applied to this site.
2. Council also write to the NSW Minister for Planning and Public Spaces and seek his support for this site to be provided as a public space for the Ashbury community.
3. An audit of similar sites be undertaken, and Councillors be briefed accordingly.

- CARRIED

**ITEM 4.5**  
**(1303)**

**HOSPITALS**

**CLR. ASFOUR**

RESOLVED that

1. Council calls on the NSW Government to name the site for the new Bankstown-Lidcombe Hospital.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

---

2. Council arrange a meeting with Sydney Area Health Service to better understand the future plans for Canterbury Hospital with the view Council may be of assistance in any synergies and planning in the immediate area.

- CARRIED

**ITEM 4.6**                      **USU SUPPORT**

In respect of Item 4.6 – USU Support, Clr Raffan declared a significant, Non-Pecuniary Conflict of Interest due to her employment with the United Services Union and vacated the meeting taking no part in debate on the matter.

CLR RAFFAN TEMPORARILY VACATED THE MEETING AT 7.04 PM.

CLR ISHAC ARRIVED AT THE MEETING AT 7.06 PM.

CLR MADIRAZZA TEMPORARILY RETIRED FROM THE MEETING AT 7.10 PM AND RETURNED AT 7.13 PM.

**(1304)**                      **CLR. ASFOUR**

RESOLVED that Council support the campaign by the United Services Union for Council to opt for full time employees ahead of contractors when and where practicable. Council further encourage staff to consider getting behind the campaign.

- CARRIED

CLR RAFFAN RETURNED TO THE MEETING AT 7.15 PM.

**ITEM 4.7**                      **LOCAL COMMUNITY BASED DONATIONS**

In respect of Item 4.7 – Local Community Based Donations, Clr Saleh declared a significant, Non-Pecuniary Conflict of Interest due to a close family member being an employee of the Lebanese Muslim Association and vacated the chamber taking no part in debate on the matter.

In respect of Item 4.7 - Local Community Based Donations, Clr El-Hayek declared a significant, Non-Pecuniary Conflict of Interest due to his working association with the Lebanese Muslim Association and vacated the chamber taking no part in debate on the mater.

CLRS SALEH AND EL-HAYEK TEMPORARILY VACATED THE CHAMBER AT 7.15 PM.

**(1305)**                      **CLR. ASFOUR**

RESOLVED that

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

---

1. Council support the Vietnamese Students' Association Annual Charity Dinner being held on Sunday 30<sup>th</sup> May 2021, by way of \$1000 donation and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
2. Council support the Lebanese Muslim Association (LMA) by waiving an amount of \$2,480 being 50% of the fee hire for the use of Parry Park Overflow Carpark totalling \$4,960 and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
3. Council support CanAssist Balranald by waiving an amount of \$412.50 fee hire for the use of Revesby Community Hall and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
4. Council support the Arab Australian Federation who are hosting a community event for between 100-150 people at the Bryan Brown Theatre on Thursday 17 June, 2021 by way of \$1000 donation and that any future requests for assistance be made through Council's Community Grants and Event Sponsorship Program.
5. These funds be made available from the Community Grants and Event Sponsorship Program Budget.

- CARRIED

CLRS SALEH AND EL-HAYEK RETURNED TO THE MEETING AT 7.16 PM.

**SUSPENSION OF STANDING ORDERS**

(1306)

**CLR. EISLER:/CLR. ISHAC**

- i) Permission be granted to those people who have made the necessary application to address Council for five minutes.
- ii) Standing Orders be suspended and Items 5.2 and 5.4 be dealt with now.
- iii) Standing Orders then be resumed.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

---

**SECTION 5: PLANNING MATTERS**

**ITEM 5.2 EXHIBITION OF PLANNING PROPOSAL: 297-299 CANTERBURY ROAD IN REVESBY**  
MR ALISTAIR KNOX (FROM BOUPAUL PTY LTD) ADDRESSED COUNCIL.

**(1307) CLR. DOWNEY:/CLR. ISHAC**  
RESOLVED that an extension of two minutes be given to Mr Knox to address Council.  
- CARRIED

MR GEORGE KARAVANAS (ON BEHALF OF THE APPLICANT) ADDRESSED COUNCIL.

**(1308) CLR. EL-HAYEK:/CLR. EISLER**  
RESOLVED that

1. Council adopt the Planning Proposal as shown in Attachment A and that it be sent to the NSW Department of Planning, Infrastructure and Environment for finalisation.
2. Council endorse the draft site-specific Development Control Plan for 297-299 Canterbury Road, Revesby as shown in Attachment B to amend the Bankstown DCP 2015 and draft Consolidated DCP and that it be brought into effect once the LEP amendment is finalised.
3. Council enter into the Planning Agreement as provided in Attachment C.

- CARRIED

**For:-** Clrs Asfour, Eisler, El-Hayek, Ishac, Madirazza, Waud and Zakhia

**Against:-** Clrs Downey, Harika, Raffan and Saleh

**ITEM 5.4 DRAFT CANTERBURY BANKSTOWN CONSOLIDATED DEVELOPMENT CONTROL PLAN**

MR IAN WATSON (FROM CARINYA ROAD FLOOD RISK SAFETY COMMITTEE AND RESIDENT ACTION GROUP) ADDRESSED COUNCIL.

CLR ISHAC TEMPORARILY RETIRED FROM THE MEETING AT 7.37 PM AND RETURNED AT 7.38 PM.

**(1309) CLR. EL-HAYEK:/CLR. DOWNEY**  
RESOLVED that an extension of two minutes be given to Mr Watson to address Council.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

---

**(1310)**

**CLR. HARIKA:/CLR. EISLER**

RESOLVED that

1. Council adopt the Canterbury Bankstown Development Control Plan 2021 as provided in Attachments A–K.
2. Council adopt the Guides and Heritage Conservation Area Character Statements that support the Canterbury Bankstown Development Control Plan 2021 as provided in Attachments L–Q.
3. Council note the Canterbury Bankstown Development Control Plan 2021 will come into effect on the date that the Canterbury Bankstown Local Environmental Plan 2021 is published on the NSW legislation website and:
  - (a) The Canterbury Bankstown Development Control Plan 2021 is to apply to development applications lodged on or after this date.
  - (b) The Canterbury Bankstown Development Control Plan 2021 is to repeal Bankstown Development Control Plan 2015 and Canterbury Development Control Plan 2012 on this date in accordance with the Environmental Planning and Assessment Regulation 2000
  - (c) The former Council policies will be revoked on this date:
    - (i) Bankstown Demolition and Construction Guidelines
    - (ii) Bankstown Development Engineering Standards
    - (iii) Bankstown Tree Management Manual
    - (iv) Bankstown Waste Management Guide for New Developments
4. The General Manager be given authority to:
  - (a) Incorporate the DCP Amendments for 15–33 Brighton Avenue, Croydon Park in the Canterbury Bankstown Development Control Plan 2021 on the date that the planning proposal is published on the NSW legislation website.
  - (b) Include any matters that the Department of Planning, Industry and Environment remove from the Draft Consolidated Local Environment Plan as part of its review process, to ensure there are no gaps in planning policy.
  - (c) Make formatting and other minor changes to the Canterbury Bankstown Development Control Plan 2021 provided these do not change the intent of the Development Control Plan.
5. The draft DCP at Chapter 7.3 (clause 4.5) and Chapter 8.2 (section 4.2, clause C2) be amended to correct an administrative error so that any references to 9 metres is changed to 3 metres in the B2 and B6 zones as per the current controls.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

---

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

**Against:-** Clr Saleh

**STANDING ORDERS BE RESUMED.**

**ITEM 5.1 EXHIBITION OF PLANNING AGREEMENT - 74 RICKARD ROAD, BANKSTOWN (WSU BANKSTOWN CAMPUS)**

**(1311) CLR. DOWNEY:/CLR. EL-HAYEK**

RESOLVED that

1. Council enter into the Planning Agreement as provided in Attachments A to E.
2. The General Manager be given authority to make minor changes to the document that may be required for the purposes of execution, so long as these do not alter the intent or substance of the planning agreement.

- CARRIED

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

**Against:-** Nil

**ITEM 5.2 EXHIBITION OF PLANNING PROPOSAL: 297-299 CANTERBURY ROAD IN REVESBY**  
THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 1308 ON PAGE NO. SIX OF THESE MINUTES.

**ITEM 5.3 EXHIBITION OF PLANNING PROPOSAL: 353-355 WATERLOO ROAD IN GREENACRE**  
**(1312) CLR. EL-HAYEK:/CLR. HARIKA**

RESOLVED that

1. Having regard to the number of community concerns and issues as outlined in the report, that Council does not proceed with this Planning Proposal for 353-355 Waterloo Road, Greenacre.



**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

---

2. Council advises the Department of Planning, Industry and Environment of its decision, accordingly.

- CARRIED

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

**Against:-** Nil

**ITEM 5.4                      DRAFT CANTERBURY BANKSTOWN CONSOLIDATED DEVELOPMENT CONTROL PLAN**

THIS MATTER WAS DISCUSSED PREVIOUSLY. SEE RESOLUTION NO. 1310 ON PAGE NO. SEVEN OF THESE MINUTES.

**SECTION 6:                      POLICY MATTERS**

Nil

**SECTION 7:                      GOVERNANCE AND ADMINISTRATION MATTERS**

**ITEM 7.1                      LOCAL GOVERNMENT REMUNERATION TRIBUNAL - DETERMINATION OF MAYOR AND COUNCILLOR FEES 2021/2022**

**(1313)                      CLR. EL-HAYEK:/CLR. ISHAC**

RESOLVED that

1. Council do not take up the recommended 2.0% increase for Mayor and Councillors, as determined by the NSW Government's Local Government Remuneration Tribunal.
2. Council continue to apply the current fees, being the 2020/21 fees set by Council for the Mayor and Councillors, for the ensuing financial year.
3. The current Additional Fee for the Deputy Mayor, being 20% of the Mayors Additional Fee, to remain as is.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

---

**ITEM 7.2**                      **NAMING REQUEST - JACK MUNDEY PARK**  
**(1314)**                         **CLR. EISLER:/CLR. MADIRAZZA**

RESOLVED that

1. Council support the proposal to name the previously unnamed land at 15 Close Street, Canterbury, 'Jack Munday Park'.
2. The naming proposal be referred to the Geographical Names Board (GNB) for approval and registration.

- CARRIED

**ITEM 7.3**                      **CASH AND INVESTMENT REPORT AS AT 30 APRIL 2021**  
**(1315)**                         **CLR. MADIRAZZA:/CLR. WAUD**

RESOLVED that

1. The Cash and Investment Report as at 30 April 2021 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**                      **CANTERBURY TOWN CENTRE STAGE 2 PROJECT - CLOSE STREET RESERVE SITE**  
**(1316)**                         **COMPOUND LICENCE**  
**CLR. RAFFAN:/CLR. MADIRAZZA**

RESOLVED that

1. That the information be noted.
2. Council agree to a short-term licence agreement to Abergeldie Contractors Pty Ltd for the establishment of a site compound in Close Street Reserve, Canterbury for the purposes of completing the Canterbury Town Centre Stage 2 Works.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

---

3. The General Manager be authorised to complete and sign all required documents, based on the terms and conditions as outlined in the attached report, as required.

- CARRIED

**SECTION 9: COMMITTEE REPORTS**

**ITEM 9.1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD ON 11 MAY 2021**  
**(1317) CLR. HARIKA:/CLR. EL-HAYEK**

RESOLVED that the recommendations contained in the minutes of the Canterbury Bankstown Council Traffic Committee meeting held on 11 May 2021, be adopted.

- CARRIED

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

**(1318) CLR. EL-HAYEK:/CLR. HARIKA**

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 Items 10.5 and 10.6

- CARRIED

**ITEM 10.1 NOTICE OF MOTIONS**  
**(1319) CLR. EL-HAYEK:/CLR. HARIKA**

RESOLVED that the information be noted.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

---

**ITEM 10.2**  
**(1320)**

**CITY FRIENDSHIPS**

**CLR. EL-HAYEK:/CLR. HARIKA**

RESOLVED that Canterbury Bankstown Council seek to enter into a Friendship City arrangement with the cities of Tripoli, El Mina, El Minieh and El Dinnieh.

- CARRIED

**ITEM 10.3**  
**(1321)**

**HOONING**

**CLR. EL-HAYEK:/CLR. HARIKA**

RESOLVED that Council:

1. Writes to the Local Police Area Command requesting their assistance by conducting an Operation targeting anti-social behaviour, speeding and reckless driving in the Greenacre in the area.
2. Writes to the Minister for Customer Service and Minister for Police and Emergency Services requesting they look to implement online reporting and dedicated hotlines to report anti-social driving.

- CARRIED

**ITEM 10.4**  
**(1322)**

**DOMESTIC VIOLENCE**

**CLR. EL-HAYEK:/CLR. HARIKA**

RESOLVED that Council, thanks and acknowledges the positive role that Council's own Domestic Violence Awareness programs and campaigns have played educating, raising awareness and changing attitudes towards domestic violence in our community.

- CARRIED

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

---

**ITEM 10.5 TREES AND SECONDARY DWELLINGS**

**MOTION CLR. ZAKHIA:/CLR. WAUD**

That Council investigates the likely implications of introducing a new exemption under Council's two Tree Management Orders, allowing trees within 3m of a secondary dwelling to be removed and that Council be briefed on the outcome of this investigation.

- LOST

CLRS EL-HAYEK AND HARIKA STOOD FOR A DIVISION.

**For:-** Clrs Eisler, Ishac, Madirazza, Waud and Zakhia

**Against:-** Clrs Asfour, Downey, El-Hayek, Harika, Raffan and Saleh

**ITEM 10.6 RATE HOTLINE**

**(1323) CLR. WAUD:/CLR. ISHAC**

RESOLVED that Council includes details of a dedicated rate inquiry phone and email in its next rates notice to assist rate payers in the event they wish to make any inquiry about their rates.

- CARRIED

**SECTION 11: CONFIDENTIAL SESSION**

PRIOR TO CONSIDERING THE REPORTS IN CONFIDENTIAL SESSION COUNCILLORS RAFFAN AND ZAKHIA WHO WERE ATTENDING THE MEETING BY AUDIO VISUAL LINK DECLARED THERE WERE NO PERSONS WITHIN SIGHT OR HEARING OF THEM.

**(1324) CLR. ISHAC:/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 Item 11.1 in confidential session for the reasons indicated:

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

---

Item 11.1 Insurance Policy Placement Coverage for Council

*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.*

- CARRIED

**COUNCIL RESOLVED INTO CONFIDENTIAL SESSION AT 8.20 PM AND  
REVERTED BACK TO OPEN COUNCIL AT 8.26 PM.**

**ITEM 11.1**

**INSURANCE POLICY PLACEMENT COVERAGE FOR COUNCIL**

In respect of Item 11.1 – Insurance Policy Placement Coverage for Council, Clr Asfour declared a Non-Significant, Non-Pecuniary Conflict of Interest given his role on the Board of StateCover. Given this and as a precaution, he vacated the chamber taking no part in debate on the matter.

HIS WORSHIP THE MAYOR CLR ASFOUR TEMPORARILY VACATED THE CHAMBER AT 8.25 PM.

THE DEPUTY MAYOR CLR HARIKA ASSUMED THE CHAIR.

**(1325)**

**CLR. EL-HAYEK:/CLR. DOWNEY**

RESOLVED that

1. Council accepts the insurance policy placements as recommended by Council's insurance broker, JLT Risk Solutions Pty Ltd, for the financial year 2021/2022 and enters into the necessary contracts of insurance.
2. Pursuant to section 55(3)(i) of the *Local Government Act 1993*, the Council accepts that a tender process would not have achieved a satisfactory result for the contracts identified in resolution 1 above, because of the following extenuating circumstances:
  - a. Council relies on its insurance brokers to identify and place suitable policies of insurance rather than via a market process; and
  - b. In any event, many of the policies are not able to be struck on an open market basis, particularly with broadform insurance policies covering public liability, professional indemnity and industrial special risk.
3. The General Manager be authorised to enter into the contract and sign all documentation in accordance with Council's resolution, as required.

**CANTERBURY BANKSTOWN**  
**MINUTES OF THE**  
**ORDINARY MEETING OF COUNCIL**  
**HELD IN COUNCIL CHAMBERS**  
**ON 25 MAY 2021**

---

4. In consultation with Council's Insurance Broker, the General Manager be delegated authority to annually make arrangements to adequately insure Council for the term of the contract, as required, noting that for each of those arrangements the same extenuating circumstances identified in resolution 2 above will apply.

- CARRIED

HIS WORSHIP THE MAYOR CLR ASFOUR RETURNED TO THE CHAMBER AT 8.26 PM AND ASSUMED THE CHAIR.

**THE MEETING CLOSED AT 8.29 PM.**

Minutes confirmed 22 JUNE 2021

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Mayor