
MINUTES

of the **Ordinary Meeting** of
Bayside Council
held in the Rockdale Town Hall, Council Chambers,
Level 1, 448 Princes Highway, Rockdale
on **Wednesday 12 December 2018** at **7:11 pm**.

Present

Mayor, Councillor Bill Saravinovski
Deputy Mayor, Councillor Joe Awada
Councillor Liz Barlow
Councillor Ron Bezic
Councillor Christina Curry
Councillor James Macdonald
Councillor Ed McDougall
Councillor Scott Morrissey
Councillor Michael Nagi
Councillor Vicki Poulos
Councillor Dorothy Rapisardi
Councillor Paul Sedrak
Councillor Andrew Tsounis

Also Present

Meredith Wallace, General Manager
Michael Mamo, Director City Performance
Debra Dawson, Director City Life
Michael McCabe, Director City Futures
Colin Clissold, Director City Presentation
Fausto Sut, Manager Governance & Risk
Matthew Walker, Manager Finance
Jeremy Morgan, Manager City Infrastructure
Bobbi Mayne, Manager Procurement
Liz Rog, Manager Executive Services
Karin Targa, Major Projects Unit Director
Benjamin Heraud, Coordinator Property
Vincenzo Carrabs, Head of Communications & Events
Kathy Pasalich, Development Manager
Samia Dirani, Property Portfolio Manager
Susan Connon, Property Portfolio Manager
Matthew Torta, IT Support Officer
Lauren Thomas, Governance Officer

The Mayor opened the meeting in the Council Chambers, Rockdale Town Hall, Level 1, 448 Princes Highway, Rockdale at 7:11 pm.

The Mayor informed the meeting, including members of the public, that the meeting is being video recorded and live streamed to the community via Council's Facebook page, in accordance with Council's Code of Meeting Practice.

1 Acknowledgement of Traditional Owners

The Mayor affirmed that Bayside Council respects the traditional custodians of the land, elders past and present and future leaders, on which this meeting takes place, and acknowledges the Gadigal and Bidjigal Clans of the Eora Nation.

2 Opening Prayer

Pastor Andrew Harper, from Bay City Church, opened the meeting in prayer.

3 Apologies

An apology was received from Councillor Tarek Ibrahim.

RESOLUTION

Minute 2018/283

Resolved on the motion of Councillors Nagi and Tsounis

That the following apologies be received and leave of absence granted:

Councillor Tarek Ibrahim

4 Disclosures of Interest

The Mayor, Councillor Saravinovski, declared a Significant Non-Pecuniary Interest in Item 8.14 on the basis that he has relatives who own property in the Rockdale CBD, although not near this address, and stated he would leave the Chamber for consideration and voting on the matter.

The Mayor, Councillor Saravinovski, declared a Significant Non-Pecuniary Interest in Item 8.15 on the basis that he has relatives who own property in the Rockdale CBD, although not near this address, and stated he would leave the Chamber for consideration and voting on the matter.

The Mayor, Councillor Saravinovski, declared a Less than Significant Non-Pecuniary Interest in Item 8.19 on the basis that the applicant met with the General Manager, Director and himself in the Mayor's Office to outline the proposal. As this was part of his civic duties and he has no personal relationship or dealings with the applicant, he considers no other action is necessary, and stated he would remain in the Chamber for consideration and voting on the matter.

Councillor Joe Awada declared a Significant Pecuniary Interest in Item 8.8 on the basis that he owns property within the precinct covered by the DCP, and stated he would leave the Chamber for consideration and voting on the matter.

Councillor Nagi declared a Significant Non-Pecuniary Interest in Item 8.8 on the basis that that he owns property in the area, and stated he would leave the Chamber for consideration and voting on the matter.

Councillor Tsounis declared a Less than Significant Non-Pecuniary Interest in Item 8.22 on the basis that he is a life member and committee member of the club operating at Lady Robinson's beach, and stated he would remain in the Chamber for consideration and voting on the matter.

5 Minutes of Previous Meetings

5.1 Minutes of the Council Meeting - 14 November 2018

RESOLUTION

Minute 2018/284

Resolved on the motion of Councillors Nagi and Tsounis

That the Minutes of the Council meeting held on 14 November 2018 be confirmed as a true record of proceedings.

Presentations

A Certificate of Recognition – Kundan Tamrakar, General Secretary of Guthi Australia

A certificate of recognition was presented to Kundan Tamrakar, Secretary of Guthi Australia, in recognition of his support for the Nepalese Community, especially those living in the Bayside Council Local Government Area.

B Certificate of Recognition – Joanne Fulham, Principal of Bardwell Park Infants School

A Certificate of Recognition was to be presented to Joanne Fulham, Principal of Bardwell Park Infants School in recognition of her outstanding service and dedication to the education of the children of Bayside and the Bardwell Park Infants School community.

Unfortunately, Ms Fulham was unable to attend the Council meeting due to a previous commitment. She sent her personal thanks the Mayor for his support of, and attendance at the school on Friday 30 November, in recognition of 75 years of quality Public Education for students from Kindergarten to Year 2.

B Certificate of Recognition – Rādhikā Ram Tevita, President, of Bardwell Park Infants School Parents and Citizens Association

A Certificate of Recognition was presented to Rādhikā Ram Tevita, President, of Bardwell Park Infants School Parents and Citizens Association in recognition of her outstanding contribution to the Bardwell Park Infants School Community.

B Certificate of Recognition – Shawki Moslemani

A Certificate of Recognition was presented to Shawki Moslemani in recognition of his outstanding literary achievements, in particular, his contribution to Arabic Poetry.

6 Mayoral Minutes

6.1 Mayoral Minute - Friendship Agreement - Bharatpur Metropolitan City

The Ambassador for Nepal, Ms Lucky Sherpa, had to postpone the planned signing of the friendship agreement between Council and Bharatpur Metropolitan City, Chitwan, Nepal as she was recalled to Nepal on urgent business. The agreement will proceed in 2019 at a time when the Ambassador can attend Council and complete the formalities for the Friendship Agreement.

RESOLUTION

Minute 2018/285

Resolved on the motion of Councillors Nagi and McDougall

That this Mayoral Minute and the signing of the Friendship Agreement be deferred to a future meeting of Council in early 2019.

6.2 Mayoral Minute - Sydney Airport Corporation Limited (SACL) - Rate Equivalent Payments in Lieu of Rates

RESOLUTION

Minute 2018/286

Resolved on the motion of Councillors Rapisardi and Nagi

- 1 That Council notes the finalisation of the Deed of Agreement and Deed of Settlement providing certainty to both Council and Sydney Airport Corporation Limited (SACL) as to how future rate equivalent payments in lieu of rates are to be determined.

- 2 That Council authorises the General Manager to finalise and execute the Memorandum of Understanding (MOU) with SACL creating the framework for determining projects that will be funded from the newly created Community and Environmental Projects Reserve.

7 Public Forum

Details associated with the presentations to the Council in relation to items on this agenda can be found in the individual items.

8.17 Proposed Lease to Bay City Church - Elizabeth Hall, 23-25 Barden Street, Arncliffe

Pastor Andrew Harper, the applicant, spoke for the Officer Recommendation.

RESOLUTION

Minute 2018/287

Resolved on the motion of Councillors McDougall and Tsounis

- 1 That Council endorse the grant of a two (2) year lease to Bay City Church over Elizabeth Hall, within 23-25 Barden Street, Arncliffe for operation of their food care program; and
- 2 That the Mayor and General Manager be authorised to sign, and seal where required, any documentation to finalise the lease to Bay City Church.

BTC18.218(b) Proposed Bus Zones in Smith Street, Near Bunnings Warehouse and in Beauchamp Road, Raised by STA's Representative, Bushara Gidies

General Business of Item 9.4 – Minutes of the Bayside Traffic Committee Meeting Held on 5 December 2018

Ms Rhonda Bell, affected neighbour, spoke against the Officer Recommendation.

RESOLUTION

Minute 2018/288

Resolved on the motion of Councillors Curry and McDougall

- 1 That approval be given to the installation of a bus zone Beauchamp Road, Hillsdale – new 23.0m Bus Zone on northern side Beauchamp Road between Denison Street and Grace Campbell Circuit replacing existing unrestricted

parking. Rear of Bus Zone from wooden ELP MA01645, west of driveway to premises number 24. Head of the Bus Zone on eastern side of driveway to premises number 26.

- 2 Council reject the proposal for Smith Street, Hillsdale – new 34.0m Bus Zone on southern side of Smith Street between Rhodes Street and Denison Street replacing existing unrestricted parking. Opposite premises of number 40. Rear of bus zone from wooden ELP MA06075 and insist that community consultation be undertaken in relation to this proposal.
- 3 Council reject the proposal for Smith Street, Eastgardens – new 18.0m Bus Zone on northern side of Smith Street, east of Rhodes Street and Denison Street replacing existing unrestricted parking. Rear of bus zone from western side of driveway to premises number 30. Head of bus zone at wooden ELP MA06080 existing 'No Stopping' for lead into roundabout at Rhodes Street commences and insist that community consultation be undertaken in relation to this proposal.
- 4 That Council writes to all local State and Federal MPs seeking their support in this matter.

10.1 Notice of Motion - West Botany Netball Courts

Mrs Lucy Smith, the applicant, spoke for the Officer Recommendation.

RESOLUTION

Minute 2018/289

Resolved on the motion of Councillors McDougall and Barlow

- 1 That Council prepares a report on the maintenance backlog at the West Botany Street netball courts, including the need for court resurfacing and subsidence issues.
- 2 That Council writes to all State and Federal MPs within the St George District seeking netball co-funding commitments to address the historic under-investment in women's sport in the St George region.

8 Reports

8.1 Rockdale Park Masterplan, Water Feature, Amenities & Playground

RESOLUTION

Minute 2018/290

Resolved on the motion of Councillors Nagi and Poulos

- 1 That the Masterplan for Rockdale Park as attached to this report be adopted by Council;
- 2 That the locations for the new amenities and playground as per the Masterplan are agreed and that the amenities and playground projects proceed to detailed design, documentation and tender;
- 3 That option 2 as attached to this report is selected for the water feature, and that the water feature project proceeds to detailed, design, documentation and tender based on option 2.

8.2 Ador Reserve Amenities Planning.

RESOLUTION

Minute 2018/291

Resolved on the motion of Councillors Tsounis and Macdonald

- 1 That the report be received and noted;
- 2 That Council endorses the location for the new sporting amenities building as per the plan attached to this report; and
- 3 That a report be presented to the Sport & Recreation Committee on the design prior to tendering the project.

8.3 AS Tanner Archer's Hall & Community Hall

RESOLUTION

Minute 2018/292

Resolved on the motion of Councillors Tsounis and Macdonald

- 1 That the report be received and noted.
- 2 That the architectural designs of the AS Tanner Reserve Archer's Hall and amenities as attached to this report be endorsed to proceed to tender.

- 3 That a report to Council on the outcomes of the Tender is brought to Council in 2019.

8.4 Tender - Wilsons Farmhouse Cottage, Rockdale

RESOLUTION

Minute 2018/293

Resolved on the motion of Councillors Tsounis and Barlow

- 1 That in accordance with Regulation 178 (1)(a) of the Local Government (General) Regulations 2005, Council accepts the tender from Murphy's Remedial Builders for Contract F18/647 being for the conservation building works for Wilson's Farmhouse Cottage for the amount of \$ 299,429.35 exclusive of GST.
- 2 That the attachment to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10A(2) (d)(i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open Council meeting, it would, on balance, be contrary to the public interest due to the issue it deals with.

8.5 Tender - Rowland Park Amenities & Playground

RESOLUTION

Minute 2018/294

Resolved on the motion of Councillors Morrissey and Curry

- 1 That in accordance with Regulation 178 (1)(a) of the Local Government (General) Regulations 2005, Council accepts the tender from Hibernian Contracting Pty Ltd for Contract F18/738 being for the construction works for Rowland Park Sporting Amenities, Playground and Landscape works for the amount of \$ 1,279,314.62 exclusive of GST.
- 2 That the attachment to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10A(2) (d)(i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open Council meeting, it would, on balance, be contrary to the public interest due to the issue it deals with.

8.6 Tender - Operational Minor Works

RESOLUTION

Minute 2018/295

Resolved on the motion of Councillors Tsounis and Rapisardi

- 1 That the attachment to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10(A) (2) of the Local Government Act 1993, the attachment relates to (d) commercial information of a confidential nature that would, if disclosed: (i) prejudice the commercial position of the person who supplied it.

- 2 That Council accepts the tenders of the contractors specified in Table 3 of this report to be established under preferred supplier contracts for the provision of minor works and maintenance services for Council's assets.

8.7 Citizen of the Year 2019 - Panel Recommendations

RESOLUTION

Minute 2018/296

Resolved on the motion of Councillors Rapisardi and Awada

- 1 That the attachment to this report be withheld from the press and public as the matters in this attachment are confidential, as it is considered that it is in the public interest that they not be disclosed to the public. In accordance with the Code of Conduct, the matters and the information contained within this report must not be discussed with or disclosed to any person who is not a member of the meeting or otherwise authorised(a) personnel matters concerning particular individuals (other than Councillors).
- 2 That the report be received and noted.

8.8 Arncliffe and Banksia Precincts Development Control Plan

Councillor Nagi had previously declared a Significant Non-Pecuniary Interest in this item, and left the chamber for consideration of, and voting on, this item.

Councillor Awada had previously declared a Significant Pecuniary Interest in this item, and left the chamber for consideration of, and voting on, this item.

RESOLUTION

Minute 2018/297

Resolved on the motion of Councillors Tsounis and Poulos

- 1 That Council approve amendments to the *Rockdale Development Control Plan 2011* as detailed in **Attachment 4** to introduce 'Chapter 7.7 Arncliffe and Banksia'.
- 2 That Council give public notice of its decision, in a local newspaper, to approve the plan within 28 days of its decision
- 3 That Council provide a copy of the amended Development Control Plan to the Planning Secretary, in accordance with s25AB of the *Environmental Planning and Assessment Regulation 2000*.

Division called by Councillors Saravinovski and Tsounis

For: Councillors Tsounis, Saravinovski, Sedrak, Morrissey, Curry, Rapisardi, Poulos, McDougall, Macdonald, Bezic and Barlow

The division was declared unanimously carried.

8.9 Proposed Amendment to State Environmental Planning Policy No. 70 (SEPP 70) - Affordable Housing (Revised Schemes) - State Wide Application

RESOLUTION

Minute 2018/298

Resolved on the motion of Councillors Nagi and Tsounis

That Council delegate authority to the General Manager to make a submission to the Department of Planning and Environment in relation to State Environmental Planning Policy No 70 – Affordable Housing (Revised Schemes).

8.10 Proposed Amendments to State Environmental Planning Policy Affordable Rental Housing 2009 (AH SEPP)

RESOLUTION

Minute 2018/299

Resolved on the motion of Councillors Nagi and Barlow

That Council delegate authority to the General Manager to make a submission in support of the proposed amendment to the State Environmental Planning Policy Affordable Rental Housing.

8.11 Eastlakes Shopping Centre MOD 4 - Council Submission

RESOLUTION

Minute 2018/300

Resolved on the motion of Councillors Morrissey and Curry

That Council endorses the attached submission, in relation to MP 09_0146 MOD 4 - Modification to Eastlakes Shopping Centre Mixed Use Development (Commercial, Retail & Residential), for consideration by the NSW Department of Planning and Environment.

8.12 F6 Extension Stage 1 (New M5 Motorway at Arncliffe to President Avenue at Kogarah) - Environmental Impact Assessment Draft Submission

RESOLUTION

Minute 2018/301

Resolved on the motion of Councillors Barlow and McDougall

That Council endorse **Attachment 1** as the Bayside Council submission in relation to the F6 Extension Stage 1 (New M5 Motorway at Arncliffe to President Avenue at Kogarah)

8.13 Planning Proposal - 119 Barton Street, Monterey: Outcome of Rezoning Review

RESOLUTION

Minute 2018/302

Resolved on the motion of Councillors Saravinovski and Awada

- 1 That this matter be deferred.
- 2 That Council write to the Department of Planning concerning the arrangements in appointing Council's community representatives to relevant Sydney Eastern City Planning Panel meetings.

Division called by Councillors Saravinovski and Nagi

For: Councillors Tsounis, Saravinovski, Sedrak, Morrissey, Curry, Rapisardi, Nagi, Poulos, McDougall, Macdonald, Bezic, Barlow and Awada

The division was declared unanimously carried

8.14 5, 9 and 9A Bryant Street, Rockdale - Property Acquisition from the Churches Of Christ Property Trust

The Mayor, Councillor Saravinovski, had previously declared a Significant Non-Pecuniary Interest in this item, and left the chamber for consideration of, and voting on, this item. The Deputy Mayor, Councillor Awada assumed the Chair.

RESOLUTION

Minute 2018/303

Resolved on the motion of Councillors Tsounis and Poulos

- 1 That the attachment/s to this report be withheld from the press and public as they are confidential for the following reason:

With reference to Section 10(A) (2) of the Local Government Act 1993, the attachment relates to(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with, or (d)(ii) commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the Council. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with .

- 2 That Council endorse the acquisition of the properties at 5, 9 and 9A Bryant Street, Rockdale from the Churches of Christ Property Trust on terms outlined in Confidential Attachment 4 to this report.
- 3 That Council authorises the General Manager to finalise the commercial terms associated with the acquisition of the properties and execute all documentation to affect the purchase of the properties on the terms outlined in this report.
- 4 That Council classifies the land as operational Land in accordance with Section 31 of the Local Government Act 1993.
- 5 That Council publically notifies that 'The Council has acquired the land, subject to this report and classify the acquired land, as operational land in accordance with the local Government Act 1993.
- 6 That Council notes that a further report, to inform the Council of the outcome of the notification and recommendation on the land classification, will follow the notification period.

8.15 Sale of 429 Princes Highway Rockdale

The Mayor, Councillor Saravinovski, had previously declared a Significant Non-Pecuniary Interest in this item, and left the chamber for consideration of, and voting on, this item. The Deputy Mayor remained in the Chair.

RESOLUTION

Minute 2018/304

Resolved on the motion of Councillors Nagi and Tsounis

- 1 That the attachment/s to this report be withheld from the press and public as they are confidential for the following reason:

With reference to Section 10(A) (2) of the Local Government Act 1993, the attachment relates to(c) information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That Council endorses direct dealings for the sale of 429 Princes Highway, Rockdale in a combined offering (sell in line) with the owner of the property at 427 Princes Highway, Rockdale (Blakeland Pty Ltd).
- 3 That Council authorises the General Manager to finalise the terms associated with the sale of the property in conjunction with the adjoining owner.
- 4 That a further report is presented to Council prior to the sale, to establish a minimum reserve or sale price for the property dependent on the appropriate sales method.
- 5 That Council appoint a probity advisor to prepare an engagement and probity plan to undertake the sale for both parties.

The Mayor returned to the Council Chamber, the Deputy Mayor vacated the Chair and the Mayor resumed the Chair.

SUSPENSION OF STANDING ORDERS**RESOLUTION**

Minute 2018/305

Resolved on the motion of Councillors Rapisardi and Awada

That Standing Orders be suspended so that Item 8.16 can be determined in Closed Session at the end of the Council meeting to discuss the confidential attachment.

8.18 Voluntary Planning Agreement 13-19 Baker Street Banksmeadow (post notification)

RESOLUTION

Minute 2018/306

Resolved on the motion of Councillors Saravinovski and Tsounis

- 1 That Council endorses the completion of the draft Voluntary Planning Agreement as notified between Leda Holding and Bayside Council for 13-19 Baker Street Banksmeadow.
- 2 That the General Manager be authorised to negotiate the final terms of the agreement and execute the required documentation.

8.19 Information & Communication Protocol - Brighton Le Sands Unsolicited Proposal incorporating Boulevard Carpark

The Mayor, Councillor Saravinovski, had previously declared a Less-Than-Significant Non-Pecuniary Interest in this item, and remained in the chamber for consideration of, and voting on, this item.

RESOLUTION

Minute 2018/307

Resolved on the motion of Councillors Nagi and Tsounis

- 1 That the attachments to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10(A) (2) of the Local Government Act 1993, the attachment 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. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.
- 2 That the 'Information and Communication Protocol Guidelines', as shown in draft at Attachment 1 is entered into by both parties, prior to Council engaging further with the proponent.

8.20 Road Pavement Rehabilitation and Renewal Program 2018-19 (Package A & B) - Award of Contract

RESOLUTION

Minute 2018/308

Resolved on the motion of Councillors Nagi and Tsounis

- 1 That Attachment A and B to this report be withheld from the press and public as they are confidential for the following reason:

With reference to Section 10(A) (2) (d) (i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That the tender from **D&M Excavation and Asphaltting Pty Ltd** to undertake Contract F18/876 Road Pavement Rehabilitation and Renewal Program 2018-2019 – Package A and B for a lump sum including provisional allowances of \$2,016,869.80 (including GST) be accepted.
- 3 That the General Manager be authorised to execute Contract F18/876 Road Pavement Rehabilitation and Renewal Program 2018-2019 – Package A and B with **D&M Excavation and Asphaltting Pty Ltd** under delegated authority.

SUSPENSION OF STANDING ORDERS

RESOLUTION

Minute 2018/309

Resolved on the motion of Councillors Barlow and Awada

That Standing Orders be suspended so that Item 8.21 can be determined in Closed Session at the end of the Council meeting to discuss the confidential attachment.

8.22 Stronger Communities Fund - Major Projects and Community Grants Programs - Round One and Two Progress Reporting

RESOLUTION

Minute 2018/310

Resolved on the motion of Councillors Awada and Tsounis

That Council approves the Stronger Communities Fund 6 monthly Major Projects report for the period from 1 July – 31 December 2018 and the Stronger Communities

Fund 6 monthly Community Grants report for the period from 1 July – 31 December 2018 for reporting to the NSW Office of Local Government.

8.23 Engagement on Consultation for Renewal of Alcohol-Free Zones and Alcohol-Prohibited Areas

RESOLUTION

Minute 2018/311

Resolved on the motion of Councillors Nagi and Awada

That Council endorses the proposal to re-establish/renew the four Alcohol-Free Zones and two Alcohol-Prohibited Areas identified in this report.

8.24 Draft Community Grants and Donations Policy 2018

RESOLUTION

Minute 2018/312

Resolved on the motion of Councillors Tsounis and Nagi

- 1 That Council adopts the Draft Community Grants and Donations Policy 2018
- 2 That Council agrees to the increase of the Small Grant category from \$1500 to \$2000
- 3 That Council notes any revisions to internal administrative arrangements to achieve a more streamlined Grants and Donations Program
- 4 That Council agrees to the removal of the Australia Day Grants as a category from the program but allows individual submissions for a donation.

8.25 Review of Aged and Disability Services

RESOLUTION

Minute 2018/313

Resolved on the motion of Councillors Nagi and Barlow

- 1 That, in accordance with Section 10A(2) of the Local Government Act 1993, the attachment be dealt with in closed session of the meeting by reason that the attachment be withheld from the media and public as it contains commercial information of a confidential nature that would, if disclosed, confer a commercial advantage on a competitor of the council. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That Council adopts Option 1 as outlined in the body of the attached report.
- 3 That Council notes that staff will continue to advance matters associated with this option outlined in the report.
- 4 That Council authorises the Mayor and General Manager to undertake any relevant actions arising from these matters.

8.26 Disclosure of Interest Return

RESOLUTION

Minute 2018/314

Resolved on the motion of Councillors Nagi and Bezic

That the information be received and noted.

8.27 Adoption of Amendments to Fees & Charges 2018/19 - Post Exhibition

MOTION

Motion moved by Councillors Barlow and Poulos

That the amendments to the current Fees & Charges 2018/19 as outlined in the table in the body of this report be adopted subject to the following amendment:

That the General Manager's discretion to waive fees for Members of Parliament be removed.

FORESHADOWED MOTION

Councillors McDougall and Curry

That the amendments to the current Fees & Charges 2018/19 as outlined in the table in the body of this report be adopted.

Division called by Councillor Saravinovski

For: Councillors Tsounis, Sedrak, Nagi, Poulos, Macdonald, Barlow and Awada

Against: Councillors Saravinovski, Morrissey, Curry, Rapisardi, McDougall and Bezic

The Motion was declared carried

The Foreshadowed Motion lapsed as a result of the Motion being carried.

RESOLUTION

Minute 2018/315

Resolved on the motion of Councillors Barlow and Poulos

That the amendments to the current Fees & Charges 2018/19 as outlined in the table in the body of this report be adopted subject to the following amendment:

That the General Manager's discretion to waive fees for Members of Parliament be removed.

8.28 Statutory Financial Report for October 2018**RESOLUTION**

Minute 2018/316

Resolved on the motion of Councillors Sedrak and Tsounis

That the Statutory Financial Report by the Responsible Accounting Officer be received and noted.

8.29 2018 National Local Roads & Transport Congress - Councillor Attendance Report**RESOLUTION**

Minute 2018/317

Resolved on the motion of Councillors Poulos and Barlow

- 1 That the Conference Attendance report be received and noted.
- 2 That Councillors Nagi and Tsounis have their professional development plans updated to reflect their attendance at the "Connecting Transport Networks Now and into the Future" Congress in Alice Springs.

9 Minutes of Committees**9.1 Minutes of the Botany Historical Trust Meeting - 5 November 2018****RESOLUTION**

Minute 2018/318

Resolved on the motion of Councillors Barlow and Nagi

That the Minutes of the Botany Historical Trust meeting held on 5 November 2018 be received and the recommendations therein be adopted.

9.2 Minutes of the Risk & Audit Committee Meeting - 22 November 2018

RESOLUTION

Minute 2018/319

Resolved on the motion of Councillors Barlow and Morrissey

That the Minutes of the Risk & Audit Committee meeting held on 22 November 2018 be received and the recommendations therein be adopted.

9.3 Minutes of the Sport & Recreation Committee Meeting - 19 November 2018

RESOLUTION

Minute 2018/320

Resolved on the motion of Councillors Macdonald and Morrissey

That the Minutes of the Sport & Recreation Committee meeting held on 19 November 2018 be received and the recommendations therein be adopted.

9.4 Minutes of the Bayside Traffic Committee Meeting - 5 December 2018

RESOLUTION

Minute 2018/321

Resolved on the motion of Councillors McDougall and Nagi

That the Minutes of the Bayside Traffic Committee meeting held on 5 December 2018 be received and the recommendations therein be adopted with the exception of Item BTC18.218(b) as previously decided (Minute 2018/288), and subject to the following amendment:

In relation to Item BTC18.199 - Arncliffe Street One Way Circuit Public Consultation - the first recommendation be deferred for community consultation.

10 Notices of Motion

10.2 Notice of Motion - Arncliffe Aurora

RESOLUTION

Minute 2018/322

Resolved on the motion of Councillors Nagi and Poulos

- 1 Council commence negotiations with Arncliffe Aurora football club to ensure that their tenure at Arncliffe Park is not jeopardised as a result of the installation of a synthetic field, due to be constructed in 2020.
- 2 The negotiations take into account the current arrangements in place for Gardiner Park, Banksia.
- 3 Council's Sport and Recreation Committee receive a report on the result of the negotiations with Arncliffe Aurora in February 2019.

11 Questions With Notice

There were no Questions With Notice.

Closed Council Meeting

In accordance with Section 10A(1) of the Local Government Act 1993, the Mayor invited members of the public to make representations as to whether this part of the meeting should be closed to the public.

There were no representations.

RESOLUTION

Minute 2018/323

Resolved on the motion of Councillors Rapisardi and Awada

- 1 That, in accordance with section 10A (1) of the Local Government Act 1993, the Council considers the following item/s in closed Council Meeting, from which the press and public are excluded, for the reason/s indicated:

8.16 141 Coward Street, Mascot - Leasing Campaign Update and Offers Received

In accordance with Section 10(A) (2) (d) (i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the

person who supplied it. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

8.21 Road Pavement Rehabilitation and Renewal Program 2018-19 (Package C & D) - Award of Contract

With reference to Section 10(A) (2) (d) (i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That, in accordance with section 11 (2) and (3) of the Local Government Act 1993, the reports, correspondence and other documentation relating to these items be withheld from the press and public.

8.16 141 Coward Street, Mascot - Leasing Campaign Update and Offers Received

RESOLUTION

Minute 2018/324

Resolved on the motion of Councillors Rapisardi and Awada

- 1 That the attachment to this report be withheld from the press and public as it is confidential for the following reason:

With reference to Section 10(A) (2) (d) (i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.

- 2 That Council endorse further negotiations with the two parties referred to in the Confidential Annexure for a proposed lease over 141 Coward Street, Mascot, guided by the minimum terms noted in Section 3 of the Confidential Annexure.
- 3 That Council endorse further negotiations with the preferred applicant to be undertaken for a proposed licence or use agreement over 1007 Botany Road, Mascot, guided by the minimum terms noted in Section 4.2 of the Confidential Annexure.
- 4 That Council delegate to the General Manager to proceed to finalise any lease/s or licence/s, including the execution of any documentation that may be determined by the General Manager.

8.21 Road Pavement Rehabilitation and Renewal Program 2018-19 (Package C & D) - Award of Contract

RESOLUTION

Minute 2018/325

Resolved on the motion of Councillors Barlow and Awada

- 1 That Attachments A and B to this report be withheld from the press and public as they are confidential for the following reason:
With reference to Section 10(A) (2) (d) (i) of the Local Government Act 1993, the attachment contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. It is considered that if the matter were discussed in an open Council Meeting it would, on balance, be contrary to the public interest due to the issue it deals with.
- 2 That the tender from NA Group Pty Ltd to undertake Contract F18/1008 Road Pavement Rehabilitation and Renewal Program 2018-2019 – Package C and D for a lump sum including provisional allowances of \$862,550 (including GST) be accepted.
- 3 That the General Manager be authorised to execute Contract F18/1008 Road Pavement Rehabilitation and Renewal Program 2018-2019 – Package C and D with NA Group Pty Ltd under delegated authority.

Resumption of Open Council Meeting

Minute 2018/326

Resolved on the motion of Councillors Barlow and Awada

That, the closed part of the meeting having concluded, the open Council Meeting resume and it be open to the press and public.

The General Manager made public the resolutions that were made during the closed part of the meeting.

12 Call For Rescission Motions

There were no Rescission Motions.

The Mayor closed the meeting at 9:30 pm.

Councillor Bill Saravinovski
Mayor

Meredith Wallace
General Manager